

MINUTES

SECOND WALNUT CREEK MUTUAL REGULAR MEETING OF THE BOARD OF DIRECTORS THURSDAY, MARCH 16, 2023 AT 10:00 A.M. ZOOM and PEACOCK HALL

President Clay Dunning called to order the regular meeting of the Board of Directors of Second Walnut Creek Mutual at 10:00 a.m. on Thursday, March 16, 2023 via Zoom and Peacock Hall.

ROLL CALL: Present: Clay Dunning, President
Michael Stotter, Vice President (Via Zoom)
Liz Bradner, Treasurer (Via Zoom)
Marv Ryken, Secretary
Loran Shlevin, Director

Absent: None

Mutual Operations staff was represented by: Paul Donner, Director of Mutual Operations; John Tawaststjerna, Landscape Manager; Eric Howard, Maintenance, Joel Lesser, Chief Financial Officer and Anne Paone, Administrative Secretary.
Mark Marlatte, Building Maintenance Manager - Excused

There were 17 residents in attendance and 19 residents attending via Zoom.

The consent calendar consisted of:

- a. Approval of Minutes: Regular Meeting: January 19, and February 16, 2023
Executive Meeting: February 1, and March 3, 2023

Mr. Stotter moved to approve the consent calendar as presented. Ms. Bradner seconded and the motion carried 4-1. (Shlevin)

A voice vote was taken. Dunning-y, Stotter-y, Bradner-y, Ryken-y, Shlevin-n

MOD REPORTS

Mr. Donner reported that there were some PG&E outages. Clubhouses were open for residents to warm up or to have some coffee.

Building and Maintenance:

2023 PREVENTITIVE MAINTENANCE AND RESERVE PROJECTS

1. Carpentry and Painting Maintenance

- Carpentry PM and Painting continues with fire draft stops in attics. The crew is currently working in entry 12 TCK.

2. Roofing Program

- Bid packages are being prepared for the 2023 roofing program.

3. Bridge and stair Replacements

- 1325 Running Springs is being scheduled for replacement in April. Delays are due to COVID and supply chain.

4. Deck Coating

- Scheduling as required in P.M. area and as needed.

5. Appliance Replacements

- Appliance replacements for the year 2022 totaled \$600,500.

6. Roof and Gutter Cleaning

- Roof and gutter cleaning have concluded. If a gutter is overflowing, please call the work order desk at 988-7650.

7. Manor Lube

- The Manor Lube program will resume in April.

8. Water-Cooled Air-Conditioning Conversion

- As of Friday 3.10.23, my team has completed 95% of the 4 scheduled installations at 2408 Time Creek Dr. Due to the rain, we haven't been able to finish the outside component (but we have completed the inside component) of the installations. Also, as of 3.10.23 my team has completed 85% of the 4 scheduled installation at 2416 Time Creek Dr. Due to the rain, we haven't been able to finish the outside component (but we have completed the inside component) of the installation. Weather pending, we've aiming to complete these eight units by next week.

Mr. Donner advised members to call in if it is an emergency, such as over-flowing gutters down windows or doors.

LANDSCAPE REPORT

Mr. Tawaststjerna gave the following report:

SWCM Landscape Report

MOD Landscaping

- Plant replacements are complete
- Currently working on landscape committee rehab requests

Landscape Maintenance from Terra

- All lawns have been fertilized
- Overseeding is happening in lawns that are in poor condition
- Cutting back of old growth on perennials

Landscape Rehab Projects in Progress

- 1324 Canyonwood Lawn Removal
 - o Terra Will meet with residents.
- 1217 Singingwood Lawn Removal
 - o Terra Will meet with residents.
- 1337 Singingwood Seating Area
 - o MOD Had resident meeting.
- 3341 Tice Creek Carports
 - o MOD
- 1400 Canyonwood Seating Area
 - o MOD

- 3265 Tice Creek Ivy Hillside Large Rehab
 - o MOD Committee to review.

It was reported that a tree was leaning on Fairlawn, Entry 6. He will have someone go out to check and maybe it will have to be removed. Plant replacements are done by inhouse crews. The Mutual is charged for the actual plans, but there is no charge by MOD for labor.

TREASURER'S REPORT – Joel Lesser/Liz Bradner

Mr. Lesser reported that there are no January financials. They should be done by Monday. Per the December financials, the operating fund ending balance was \$2,034,709 and the reserve fund ending balance was \$6,288,040. The Mutual is in good financial condition.

Ms. Bradner stated that they will reinvest funds, but they need to wait for the exact amount which they will receive from Florenda Agero.

Mr. Donner reported that the alterations fees are fees for MOD and the money does not go to SWCM. Funds received from the members' coupons go to the operating account and money then gets transferred to the reserve account.

Resales – Ms. Bradner stated there was no resales report provided to her.

COMMITTEE REPORTS

Landscape – Neva Flaherty

No report.

Trash – Kathleen Epperson, Chair

Republic Services increases trash rates every March. We now pay an additional \$761.62 for basic services each month. Extra charges were only \$7.22 for January and \$7.22 for February. This huge decrease is due to everyone who sorted their trash correctly; to everyone who removed trash from recycle, including milk cartons, soup cartons, and frozen food packages; to everyone who made more space in containers by breaking down cardboard boxes, even small gift boxes; and to everyone who brought big boxes and excess boxes to MOD Recycle Yard.

Water – Therese Welter and Ann Stanwood, Co-Chairs

Ms. Welter reported the following:

Last month we were unable to accurately measure water usage in our 11 residential water meters due to the flooding of the smart meters. This month (February bill), meters showed usage and corrected the January figures. This report is a summary of the usage and the \$ billing for these 11 meters.

Currently we have January and February usage and each month we will add a month for each report and compare that to the same time period of the prior year.

Looking at our 2022 and 2023 usage for **January and February**, I have good news to report. **The usage is down year over year for the same period by 13%. from 8,598,780 gallons in 2022 to 7,467,284 gallons in 2023 and costs are down 8.8% compared to the same period last year for a savings of \$9,394 for the months of January and February even though EBMUD rates increased and we were paying a special drought surcharge.**

Since landscaping and domestic usage is not separated, it is hard to determine exactly the reason, but this year our Mutual reduced landscape watering areas significantly and the recent rains have allowed landscaping watering to be turned off. The 2 Mutual's implementation of low water plants replacing grass areas, no doubt is helping reduce water, as they use 50% less water than grass areas.

Residents also have been working on being water conscious and not wasting water during

showers and other daily personal uses. Many people have taken an active interest in making sure their toilets are not running and are in good repair. If anyone wants instructions on how to test their toilets, for leaks please contact the Water Conservation Committee at 2Mwaterleak@gmail.com

As the weather warms and the rains end, we will have much to do to remain vigilant and keep our water usage and bills down. The replacement of the water-cooled air conditioners this year will also reduce water significantly.

EPIC Dan Davis and Kevin Moore

No report.

Finance Report

Members: Michele Colucci, Eric Norman, Wini Daniel

No report.

PRESIDENT'S REPORT

Mr. Dunning reported that GRF is replacing the Jenark system. It will cost about \$2.5 mil. It is tentatively scheduled to be completed by October 2024.

UNFINISHED BUSINESS

Change order for Retaining Wall Project at 1364 Singingwood

Eric Howard reported as follows:

Summary of 1364 Singingwood retaining wall change orders.

Acustruct Change Order 3-4-23

While constructing the new retaining wall, the soil has continued to show signs of movement and percolation of surface water into the lower slope behind the construction of the new wall.

Acustruct has been advised by their soils engineer to strengthen the design of the wall to lend additional stability against forces of the hillside.

Acustructs change order to increase the strength of the wall includes the following.

Item 1: Add (23) helical tie-backs to the depth of 14' achieving 35 kip loads.

Item 2: Thicken the wall to 12" from 8" and increase the size of the horizontal rebar from #5 to #6.

Item 3: Extend the wall height 8" to 16" taller on the 4- and 5-foot section of the wall.

Approximately 225 sq. feet

Total Cost: \$45,075.00 plus engineering and permit costs. Including \$8,000 credit for work done.

Acustruct Change order 3-6-23

The wall beyond the new wall has a stacked keystone wall with rip rap above that is rotating and the rock is sliding downhill. The wall should be extended 50' on the north side. On the other side of the wall the soil is also showing signs of lateral movement where the sidewalk has shifted approximately 2" laterally. Additional 25' off wall should be considered as well. This work can be done now or monitored and extended at a later time.

Item 1 – Extend wall total 75' at 3' tall. No tie-backs

Cost to extend wall 75' while mobilized on current wall replacement **\$39,645.00**

Cost to extend wall at a future time. (not during this current phase) add \$12,500.00

Mr. Dunning moved to approve the change order from Acustruct (3-4-23) in the amount of \$45,075 and the change order from Acustruct (3-6-23) in the amount of \$39,645. Ms. Shlevin seconded and the motion carried without dissent.

A voice vote was taken. Stotter-y, Bradner-y on Zoom

NEW BUSINESS

- a. Update Solar Indemnity Agreement and Solar Policy #4.0 Revision (Dunning)
Mr. Dunning moved to approve updating the solar policy and the indemnity agreement. Mr. Stotter seconded and the motion carried 3-2 (Ryken, Shlevin)
A voice vote was taken. Dunning-y, Stotter-y, Bradner-y, Ryken-n, Shlevin-n
- b. Select or Solicit Proposals for 2023 Director Election
Mr. Dunning moved to start the process of selecting an Inspector of Elections. Ms. Bradner seconded and the motion carried 3-2. (Ryken, Shlevin)
A voice vote was taken. Dunning-y, Stotter-y, Bradner-y, Ryken-n, Shlevin-n
- c. Resolution of Board Re: Communications Between Mutual's legal Counsel and the Board of Directors (Dunning)
Mr. Dunning read the resolution and moved to approve. Mr. Stotter seconded.
Mr. Ryken objected. He wanted more information conveyed to the rest of the Board. He doesn't think the community manager should be involved. Ms. Shlevin agreed with Mr. Ryken. Ms. Bradner wanted it amended to say that the President should consult with the Board before consulting with the attorney. Motion failed 2-3.
A voice vote was taken. Clay-y Stotter-y, Bradner-n, Ryken-n, Shlevin-n
- d. Discussion/approval of Shared Deductible Agreement (Dunning)
Mr. Dunning read the agreement. It will provide a source of funding up to \$250,000 deductible for property insurance.
Mr. Dunning moved to approve the agreement. Ms. Bradner seconded and the motion carried without dissent.
A voice vote was taken. Clay-y Stotter-y, Bradner-y, Ryken-y, Shlevin-y
- e. Committee Reports pursuant to Committee Charters or as Committees offer (Shlevin) Tabled
- f. Monthly Budgets September – February (Shlevin) Tabled
- g. Explanation of Fees to and Process of Alterations Department (Shlevin) Tabled
- h. Echo Membership (Ryken)
Ms. Shlevin moved to approve Echo membership for all directors and members. Mr. Ryken seconded and the motion carried without dissent.
A voice vote was taken. Clay-y Stotter-y, Bradner-y, Ryken-y, Shlevin-y
- i. 2022 Actual vs budget discussion (Ryken) Tabled
- j. Discussion of SWCM Projects (Shlevin) Tabled
- k. January and February Finance Reports (Ryken) Tabled
- l. Monthly Budgets Sept 2022. – Feb. 2023 (Shlevin) Tabled

RESIDENTS' FORUM

Resident Forum was held. Suggestion presented to review the budget every quarter. Request that newsletter be sent to all residents. Question as to whether the SWCM money was being invested properly.

ANNOUNCEMENTS

Mr. Dunning read the announcements listed on the agenda.

ADJOURNMENT

Having no further business, the Board adjourned the meeting at 12:20 p.m.



Anne Paone, Assistant Secretary
Second Walnut Creek Mutual

*** The Board met on February 1, 2023 at 10:10 a.m. Member matters were discussed. The Board deliberated and made decisions.
Having no further business, the executive session adjourned at 12:00 p.m.*

*** The Board met on March 3, 2023 at 3:30 pm. A Hearing was conducted. The Board deliberated and made a decision.
Having no further business, the executive session adjourned at 4:30 p.m.*