

ANNUAL MEMBERS MEETING**Monday, March 18, 2024 at 9:30 a.m.****Meeting was Conducted In Person and Virtually****Creekside Clubhouse – Club Room
1010 Stanley Dollar Drive, Walnut Creek, CA 94595**

MINUTES**1. Certification of Notice of Meeting**

I, Victoria Thomas, Assistant Secretary to Walnut Creek Mutual Twenty-Nine, certify that a Call for Candidate notice was published three times in the Rossmoor newspaper on December 6th, 13th, and 20th of 2023 and was posted on the Mutuals' Board. The notice announced that there is one open position in the 2024 election with a term of three years. If at the close of the time period for making nominations, there are the same number or fewer qualified candidates as there are board positions to be filled, then the Board of Directors may, after voting to do so, seat the qualified candidates by acclamation without balloting.

The Mutual received two nominations for the one vacant position.

- Ram Ramakrishan
- Don Wayne

Therefore, a ballot was required.

- A secret ballot was mailed out to all residents on February 16, 2024. A Tabulation Meeting was conducted on March 15, 2024. The Inspector of Elections, Evan Spinrod, opened and tabulated the ballots and reported that Ram Ramakrishan received the most votes. Ram Ramakrishan will be seated at the Board of Directors Organizational Meeting on March 18, 2024.

In accordance with Corporations Code § 7511(b), a notice of the Annual Members Meeting was mailed to the membership on February 26, 2024.

2. Tabulation Results for Director Election

Total Ballots Received: 72

Total Invalid Ballots 1

Total Valid Ballots 71

Each Candidate received the following number of votes

Ram Ramakrishna 44

Don Wayne 27

Results – Ram Ramakrishna received the greatest number of votes and therefore will be elected to a three-year term ending in March 2027 for the open seat on the Mutual Twenty-Nine Board.

3. **Reports of Officers and Committees**

a. President's Report – Richard Geissner

Transitions - We lost Geraldine Bagley. Nancy Donaldson is now in Arizona with her daughter. Jacqueline Shonerd is a new member.

We have five leased units.

There will be a one time special assessment this year of \$700.00. Special assessments become necessary when unplanned needed repairs are done. Only a board vote will be needed because the amount is under 5% of our current fiscal year budgeted gross expenses.

A special assessment was the main topic at the first annual meeting Judy & I attended. The Kentfield entrance soffits were failing and had to be removed immediately. The board spaced out the soffit replacement work over several years but still needed the extra money to finish the work. The extent of damage found on the Landings and rear support columns far exceeded our expectations. We had budgeted \$70,000 for repairs. The final cost will exceed \$200,000.

There will be several more ballot initiatives this year. We will soon be asking you to approve a CC&R amendment to bring our insurance clause into compliance. And then we will be asking you to approve our updated Governing Documents, hopefully before years end. We need 54 yes votes for these initiatives to pass. I implore everyone to vote on these initiatives. Do not ignore or toss them into the trash.

Our West side Kentfields have new landings. Many of us have potted plants placed on them. These all need to be in a saucer and off the deck on a stand or caddy. This is necessary to avoid losing the warranty. Our East side landing repair will begin this spring with the 6 new Santa Clara roofs starting soon after.

Clearing our condensate lines is our last item. After MOD has exposed the foundations we will be making appointments to enter the manors to clear our condensate lines and dryer vents. Close to 20k has been spent repairing damage caused by plugged condensate lines.

Mutual 29 CC&Rs currently require 100% replacement cost coverage. At this time we are unable to procure enough insurance to meet this requirement, and we will probably not be able to do so in the foreseeable future. The Ballot you just received will update Mutual 29 Governing Documents to reflect this fact. We need 54 Yes votes for this update to pass. Please vote yes and return the signed envelope to our Inspection of Electors Evan Spinrod.

Rossmoor's buildings, facilities, and infrastructure are 100% insured up to \$1,115,000,000. Rossmoor's total replacement cost is estimated to be in excess of \$2,200,000,000. If a catastrophic fire were to occur and Rossmoor experienced damage exceeding the insured amount a special assessment, for every manor, would be needed.

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Please make sure your condo, HO6 insurance is up to date. Your personal property and liability coverage is mandatory. I urge you all to have 2 years loss of use coverage.

b. Landscape Report – Wini Biehl and John Tawastajerna

Mutual residents are very pleased with the new bench across from 3108. It is being used so much that we decided to switch it to a 4 foot one with the 5 foot one across from 3108. Maintenance Contractor, Terra, cleaned the drains twice this winter, done leaf and pod pick up and now annual pruning is being done.

MOD days this year start March 13 through 27. Almost all of that time workers will be exposing the foundation of the Kentfields to help prevent mold and clear any plugged condensate lines.

We will also mulch Norton Park and the Santa Clara models, we mulch one third of the mutual every spring which improves the soil, cuts down weeds and conserves water.

The remaining time we will put in a few more plants, continue to remove black plastic under shrubs, a poor practice that was used in the past.

We lost a mimosa tree at 3136 in the storm, which costed \$2,000 to remove. More trees will need to be removed as the year progresses.

We are well aware of our coupon expenses and will spend our allocation carefully.

c. Financial Report – David Hickey

The current financial statements are dated January 31, 2024.

All expenses are at or near budget.

It was necessary for the Operating Cash Account to borrow \$25,000 from the Reserve Cash Account in February to pay for the insurance premium. This sum will need to be repaid before the end of the year.

The insurance amount for 2023 was \$216,000 and \$355,000 for 2024. This has resulted in an increase of 63%.

d. Building Maintenance Report – Richard Geissner and Rick West

Action Items: Proposals for Review or Approval

1. SB326 Phase II Estimate. Contractor: GBG. For Multiple location on 15 buildings including Railing Repair, Column Repair, Landings and new Excel Coating. GBG Estimate: \$70,000 - Includes \$6000 for lead and asbestos removal, \$57,000 for Labor & Material.

Five Star estimate \$6,400 - Presented to the Board for Consideration.

2. Dryer vent and Condensate Line Cleaning. Contractor:

Bay Air Flow. Estimate \$15,900 - Presented to the Board for Consideration.

Informational Items: Work Scheduled, In Progress, or Complete

1. 2022 -2027 DuroLast Roofing Project. This project is to replace all of the flat portions of the building roofs. Phase I included Buildings #3152 and #3160. Two additional buildings have been resealed so that they will remain watertight until they have had their DuroLast replaced. These are Building #2608 and #2648. The Project is scheduled to be completed in 6 phases and will be completed in 2027.

Phase II Completed summer 2023 Included Buildings 2608 / 2624 / 2648 / 2700 / 2704 / 2708.

2023 Budget \$182,720.00. Year to Date Cost \$104,954.00

DuroLast roofing phase III. Buildings 2712, 2716, 2720, 3108, 3104, 3100 will be completed summer 2024.

Estimated Cost \$146,400 after \$6,000 discount

2. Phase I & II -SB326 Raised Component Inspections. Contractor: FWC Structural Engineering.

Phase I & Phase II Completed. Reports have been Received.

Estimated cost \$32,106.00.

YTD Cost \$9,495.00. M29 is now in compliance with SB326.

Phase I repair work was completed by GBG. Phase II repairs will be scheduled after Board approval.

GBG was awarded Phase I for \$105,972.81. YTD Cost \$32,086.00

Solar Panels

A resident asked about solar use for the Mutual. West replied the Mutual does plan to install solar panels on to of the carports in the future. It is estimated that it may provide a \$5,000 savings in electricity per year.

- e. Trash Committee – Robin Reddell

We had some people leave some items in an enclosure that don't belong so I think it is a good idea to do a Move In Move Out refresher.

HAUL AWAY UNWANTED ITEMS & DEBRIS

Residents can bring recyclable debris to MOD Recycling Yard on Rockview Drive, 8am-12pm and 12:30pm-4:30pm, Monday through Friday. MOD accepts clean cardboard, metal, solid wood products, and some furniture (no upholstery, no plate glass).

Residents, family, and contractors must haul all other move-in, move-out and remodel waste to Contra Costa Transfer Station (951 Waterbird Way, Martinez, daily 7am-5pm) or hire a trash hauler. (Several trash haulers are listed in Rossmoor News).

Call RAPID RECYCLE: (925) 671-9008 for pickup of electronics with a cord or battery (e.g., appliance, computer, printer, cables, lamp, television or vacuum cleaner) plus metals, tools and wire. This is a free service except a small fee is charged for a large appliance or microwave.

DO NOT OVERFILL DUMPSTERS Lids that cannot close give animals access and also add extra charges, increasing our coupon.

Hope this helps!!! For more information, please contact: Trashtalk in <https://sustainablerossmoor.org>



- f. Communications Committee – Judy Szilagy
No Report
- g. Social Committee – Sheila McDonald
An ice cream social is planned for May. There are three vacancies on the Committee. MacDonell asked for residents to volunteer to be on the Committee. Contact MacDonell if interested.

4. Residents' Forum

Members were afforded the opportunity to express their concerns, make comments, or have questions for the Board. Comments included:

INSURANCE

As of Jan. 1, 2024, GRF was only able to obtain approximately 50% of the full replacement value of Rossmoor. Its insurance policy limit is \$1.55 billion, while full replacement costs are \$2.2 billion.

As of Jan. 1, 2024, M29 was assessed with a 14% coupon increase or \$150. Of that \$150, 70% or \$105 was for additional insurance costs.

Now, if this 2nd Amendment passes, M29 owners will be required at their sole cost and effort, to obtain an additional insurance policy known as an HO-6.

Q: Did the Board investigate such things as:

1. how easily are these HO-6 policies obtained and from which companies;
2. how costly are these HO-6 policies;
3. how owners and/or insurance companies are to make a determination as to the amount of additional coverage necessary to meet the 100% requirement;
4. providing owners with annual updated coverage requirements information for each coming year to offset the less than 100% GRF coverage as it changes so we in turn can update our policies;
5. providing owners with Rossmoor advocates to help them navigate these new insurance requirements?

Q: There is little incentive to vote "YES" on the Amendment for those owners who own their manors outright and don't need to consider the "Lenders taking a myopic view of the insurance". If the Amendment does not pass, wouldn't the M29/GRF still be legally required to cover M29 manors at 100% per its current CC&Rs?

Q: How are other Mutuals handling this?

LANDING REPAIRS

There will be a Special Assessment of \$700 (per manor) for landing repairs on the East side. Only the landing and the railings per SB-326 are covered. The carpeting in the "hallways" is not part of this repair or Special Assessment.

Q. Why is there not enough reserve monies to cover these long-anticipated repairs?

Q. Did the Board consider bidding both Phases 1 & 2 in a single Invitation for Bid as opposed to separately bidding out? If it was due to the budget, Phase 2 could have been an "Option" and bidders would have bid on both at the same time. Option could be "exercised" or not by a specific date. This could have resulted in lower bids and would have certainly saved time.

Q. Why are owners responsible for the replacement costs of the outside hall carpeting that is clearly past its useful life?

Q. If we must pay for the outdoor hallway carpeting, would we be responsible for all types maintenance, repair, or replacement of items in these hallways?

CC&Rs

Has the Board considered uploading the 72-page CC&R as a "searchable" pdf document? Searching this document is odious.

I'm here to voice my support for periodic smoke alarm inspections for our mutual.

Page 51 of our Statement of Policies already states that manors will have operable smoke detectors and that Mutual 29 will periodically inspect smoke detectors. However, we need to add wording that residents "must" permit access for these inspections, and if they don't they will be fined accordingly.

I feel strongly about this matter and I wrote to Noell Cross for her advice – Noell is the Public Education Coordinator for ConFire – and she emailed me back the following:

"The National Fire Protection Association suggests and encourages people to have working smoke alarms.

When I teach home fire safety, I advocate for not only having working smoke alarms, but I encourage people to test them monthly, as batteries may fail early and to make sure the actual alarm is functioning properly.

You are not wrong for wanting someone from the HOA to advocate for working smoke alarms. Especially since you live in condos where a fire might not only affect one unit, but could potentially affect others as well. I do agree that you should push your HOA to keep this in their policy as it is a huge safety concern. I hope they don't take it out. It really is an important factor for the safety of everyone living there. It's about safety for all, not just for one."

As such, I ask that the Mutual 29 board keep the appropriate wording in our policies to ensure that smoke alarm inspections may be done annually, and that residents must permit access for these inspections. This is not to say that we must do these inspections annually, but that we may do them annually.

Lastly, please make sure that wording reflecting my speaking today will be included in our Minutes posted online. I've never seen any Residents' Forum names or notes included in our Minutes.

What does MOD charge for lightbulb replacement. West replied that MOD is currently in discussions regarding the cost.

Request for better communication to residents regarding landscape increase and put communications in the newsletter.

Mutual uses Roundup to kill the weeds. A request was made to stop using the product as it is dangerous to humans and animals. Wini Biehl responded to this comment. She reported that during the last Landscape Committee meeting the use of Roundup was discussed. Rossmoor does use Roundup that is very diluted. Blue dye is added to allow residents to see where it has been sprayed. The spray wand that is used allows for the product to go directly onto the specific area, dries quickly, and doesn't stay in the soil and/or water. Spraying occurs on Tuesdays and Thursdays.

The Board was thanked for their services.

5. **Announcements** – Board of Directors Organizational Meeting will begin immediately after the Annual Members Meeting.

BOARD OF DIRECTORS ORGANIZATIONAL MEETING**Monday, March 18, 2024 at 9:30 a.m.****Meeting was Conducted In Person and Virtually****Creekside Clubhouse – Club Room
1010 Stanley Dollar Drive, Walnut Creek, CA 94595**

MINUTES

Call to Order

President Giessner called the Board of Directors Organizational Meeting to order at 10:17 a.m.

1. Roll Call was taken by Thomas**Directors Present**Richard Giessner – President
Vacant – Vice President
David Hickey – Treasurer
Robin Reddell – Secretary
Sheila MacDonell – Director-at-Large**Mutual Operations Staff**Rick West – Senior Building Maintenance Manager
John Tawaststjerna – Landscape Manager
Victoria Thomas – Board Services Coordinator**2. Selection of Officer Positions**

a. President

Motion made by Hickey, seconded by Redell, to appoint Richard Giessner as the Board President. Approved by vote. (4-0)

b. Vice President

Motion made by Giessner, seconded by Hickey, to appoint Ram Ramakrishna as the Board Vice President. Approved by vote. (4-0)

c. Secretary

Motion made by Giessner, seconded by Hickey, to appoint Robin Redell as the Board Secretary. Approved by unanimous vote. (5-0)

d. Treasurer

Motion made by Giessner, seconded by Redell, to appoint David Hickey as the Board Treasurer. Approved by unanimous vote. (5-0)

e. Director-at-Large

Motion made by Giessner, seconded by Hickey, to appoint Sheila MacDonell as the Board Treasurer. Approved by unanimous vote. (5-0)

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3. Appointment of Assistant Treasurer

- a. Tom Hand

Motion made by Giessner, seconded by Hickey, to appoint Tom Hand as the Assistant Treasurer. Approved by unanimous vote. (5-0)

4. Appointment of Assistant Secretary

- a. Victoria Thomas

Motion made by Giessner, seconded by Hickey, to appoint Victoria Thomas as the Assistant Secretary. Approved by unanimous vote. (5-0)

5. Appointment of Committee Chairs/Members

- a. Financial Committee – None

- b. Building Maintenance Committee

Motion made by Hickey, seconded by Redell, to appoint Richard Giessner as the Chair to the Committee. Approved by unanimous vote. (5-0)

- c. Landscape Committee

Motion made by Hickey, seconded by Redell, to appoint Winnie Biehl as the Chair to the Committee. Approved by unanimous vote. (5-0)

- d. Trash Committee

Motion made by Giessner, seconded by Hickey, to appoint Robin Redell as the Chair to the Committee. Approved by unanimous vote. (5-0)

- e. Communications Committee

Motion made by Giessner, seconded by Hickey, to appoint Sheila MacDonell as the Chair to the Committee. Approved by unanimous vote. (5-0)

6. Approval of Minutes

- a. Board of Directors Regular Meeting Minutes – December 18, 2023
b. Board of Directors Special Meeting Minutes – January 3, 2024
c. Board of Directors Emergency Special Meeting Minutes – February 16, 2024

Motion made by Giessner, seconded by Redell, to approve the Minutes. Approved by unanimous vote. (5-0)

7. New Business

- a. Special Assessment of \$700.00 to finish the SB 326 California State required Landing Repairs
The Board announced that the price was higher than initially reported. The assessment is necessary to complete the repairs.

- b. Upcoming CC&Rs

- c. Alternative Flooring Committee

A request has been made to form a Committee to do a study on alternative flooring in the buildings. A resident nominated Shelly Glazer and Marny Hall to be Co-Chairs on the Committee.

Motion made by Giessner, seconded by Redell, to appoint Shelly Glazer and Marny Hall to be Co-Chairs on the Committee. Approved by unanimous vote. (5-0)

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d. Solar Installation Options

A Committee needs to be formed to do a study on solar installation options.

Motion made by Giessner, seconded by Redell, to appoint Don Wayne as the Chairs to the Committee. Approved by unanimous vote. (5-0)

e. SB 326 Phase II Contract with GBG

Landing on the east side bid from GBG \$70,000

Motion made by Hickey, seconded by Redell, to approve the GBG contract in the amount not to exceed \$74,000 from the Reserve Account. Approved by vote. (4-0 Ramakrishna was silent)

f. Dryer Vent and Condensate Line Cleaning Contract with Bay Air Flow

Cleaning dryer vents is done inside the manor. Fire Department requires that single family homes conduct these every five years, but multi-story are conducted every two years.

Notices will be sent to residents informing them on the dates for this project so they can be available to let the worker in their manor.

Motion made by MacDonald, seconded by Hickey, to approve the Bay Air Flow contract in the amount not to exceed \$16,000 from the Reserve Account. Approved by vote. (4-0 Ramakrishna was silent)

8. Adjournment

There being no further business, the meeting was adjourned.