

## **BOARD OF DIRECTORS REGULAR MEETING**

**Monday, June 17, 2024 at 9:30 a.m.**

**Hillside Clubhouse – Vista Room  
3400 Golden Rain Road, Walnut Creek, CA 94595**

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### **MINUTES**

**1. Call to Order**

President O’Dea called the meeting to order at 9:30 a.m.

**2. Roll Call of Directors**

Ed O’Dea – President  
Lois Kadosh – 1<sup>st</sup> Vice President  
Clark Nelson – Treasurer  
Jan Howard – Secretary  
Vacant – 2<sup>nd</sup> Vice President

**Mutual Operations Staff**

Jeroen Wright – Mutual Operations Director - Absent  
Eric Howard – Chief Financial Officer - Absent  
John Tawastsjerna – Landscape Manager - Absent  
Anna Rocha – Board Services Coordinator  
Victoria Thomas – Board Services Coordinator – Absent

**3. Members’ Forum**

No members’ forum.

**4. New Business**

**Action Items**

**a.** Appoint Todd Arterburn as Assistant Treasurer

A motion was made by Howard, seconded by Kadosh, to appoint Todd Arterburn as Assistant

**5. Financial Report/Treasurer’s Report – *David Hickey/Todd Arterburn***

The current financial statements are dated March 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.

We are under budget by about \$19,000 for the total of all categories of which water is \$ 10,000 favorable and gutter cleaning and rain leaks are favorable by \$4,000. Our water usage will

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increase during the summer months and the favorable balance will decrease each month. Gutter cleaning has not be performed yet.

*Motion made by Goldberg, seconded by Reddell, to certify compliance with Civil Code §5500 for the March financials. Approved by unanimous vote. (4-0)*

6. **Mutual Operations Report** – Jeroen Wright  
No Report

7. **Building Maintenance Report** – Rick West

\$233,260 Operating Fund  
\$172,240 Reserve Fund

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.

2024 Santa Clara DuraLast Roofing Project 2712 / 2716 / 2720 / 3108 / 3104 / 3100  
Total Cost \$146,400.00

SB326 Raised Component Inspections Completed. Contractor: FWC Structural Engineering. GBG was awarded Phase I & II

Reports have been Received. M29 is now in compliance with SB326. Phase I repair work was completed by GBG. SB326 Phase II. Contractor: GBG. Multiple location on 15 buildings including Railing Repair, Column Repair, Landings and new Excel Coating.

Total Cost \$186,300.81

Dryer vent and Condensate Line Cleaning. Contractor: Bay Air Flow.

Estimate \$15,900.00.

Scheduling In Progress

Reserve Study Report by Helsing Group. Every year a third party consultant report on all the reserve components that includes aging on all in the Mutual. Helsing has created a 30 year plan for the Mutual and Rossmoor has created a 10 year plan ensuring monies are earmarked in the budget for scheduled projects in the 10 year plan.

Completed major projects are: roofs, painting, and streets.

Future project are: replace all the subpanels and main panels as they are aging out at a cost of \$3,500 per subpanel and \$12,000 per main panel, plumbing, infrastructure, wiring, underground domestic water lines, and irrigation lines.

8. **Landscape Report** – Wini Biehl/John Tawastajerna

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In 2023 Governor Newsom signed AB1572 into law prohibiting the use of water to irrigate nonfunctional turf. This means in Rossmoor golf course and bowling green are watered, mutual lawns are not.

New Firewise regulations by various regulatory agencies are restricting plants within 5 feet of a building and trees within 20 feet of a building. Some plants, like juniper, are not firewise and should be removed.

These changes cannot happen overnight, but the Mutual needs to slowly work toward compliance. The Mutual has been removing juniper and lawns. Shrubs and trees will not be remove shrubs or trees and replaced within these parameters.

Since the last meeting, the Landscape Committee has walked the entire Mutual concluding we are in pretty good shape. The areas that were renovated are maturing and look good. We have noted those areas still needing attention and will be prioritizing where we can best spend the budgeted \$4,000 this year.

The yearly walk with Brian F, John Tawaststjerna and members of the Committee tagged 4 large trees for removal and are waiting for the Walnut Creek arborist to approve before the work can be done.

The Committee would like to use the East Bay Mud rebate program to remove more lawn. We are considering the lawns at the entrance if we can come up with a pleasing plan using drought tolerant trees and shrubs.

Terra has used a very small amount of Roundup, according to all recommended instructions, on young weeds with good results killing weed and root so that we will not need another application for a few months. We have also not applied any grub control and will not unless needed

### **9. Trash Committee Report – Robin Reddel**

We need to concentrate on the Blue Recycling Cans!

Do not place plastic bags or branches in the recycling bins. Do not fill the bins to high that the lid cannot completely close.

Only recycle empty, clean, dry, and loose items like: hard plastic containers #1-7, glass, paper, metal, and flattened cardboard.

When in doubt, put it in landfill.

Please notify your caregivers and housekeepers.

We are going to try the recycle bins for the next 3 months to get it right first. Please try to do this.

With Ian's sad passing, we need someone to take over the duties. Please see contact Robin if interested at [robin.reddell@gmail.com](mailto:robin.reddell@gmail.com).

### **10. Safety Committee Report – Bert & Carol Sebilia**

Wildfire Safety Tips

We are entering our wildfire season in California. Wildfires nearby can require us to evacuate, and smoke from fires can be a health hazard even if a significant distance away.

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There is a tremendous amount of useful information about preparedness and evacuation at [Rossmoorepo.org](http://Rossmoorepo.org). A few useful tips regarding a possible evacuation:

- Mutual 29 is in evacuation zone 4
- Sign up for Nixle to receive important information. You can do this at [Rossmooreop.org](http://Rossmooreop.org)
- Have a “go bag” ready including medications and health insurance cards.
- Have an evacuation plan if you need transportation or have mobility issues. You cannot rely on outside agencies to help. You Are On Your Own. (YOYO).

If your plan includes having someone from outside of Rossmoor to assist you, they must be through the gate before the actual evacuation is ordered. Once we are ordered to evacuate, no one will be allowed through the gate. We should receive an evacuation “warning” before the actual evacuation order. That is the time to notify your help to come. It is also time for us to consider evacuating before the order. Even under the best circumstances, an actual evacuation will be chaotic. There are about 2000 residents who live off Ptarmigan Dr., so you can imagine that many residents trying to drive down Ptarmigan at the same time.

### Wildfire Smoke

Smoke from wildfires, even if they are a distance away, can still pose a serious health hazard. Smoke carries small particulates that can get into the smallest lung passages. It can cause burning eyes and throat, and exacerbate asthma, COPD, and other respiratory problems. Older adults are particularly at risk.

Here are some things you can do to help protect yourself: monitor the air quality by going to [www.airnow.gov](http://www.airnow.gov). It will let you know if the air quality is becoming harmful. If the air quality is becoming unhealthy, stay inside when possible with windows closed. Consider purchasing an air purifier. Be sure your air conditioner is re-circulating the air.

If you have to go out, limit your exposure. N-95 masks that we used for Covid can help reduce the amount of smoke particles you inhale. Be sure to notify your MD if you are experiencing breathing difficulties.

### Smoke Alarms

We are Red Cross volunteers and participate in a program called Sound the Alarm. Red Cross provides free smoke alarms to replace old/non-working alarms.

If you would like us to check your alarms and install new ones as needed. Please email us at [sebiliala@comcast.net](mailto:sebiliala@comcast.net).

## **11. Flooring Guidelines Report – Manry Hall**

Other Mutuals are allowing, or are beginning to discuss, alternative flooring. Therefore, given the interest of some members of our mutual in flooring other than carpet, our task was to research the sound abatement quality of carpet alternatives.

During this process, we have read many articles on the subject by professional companies, spent a great deal of time consulting acoustical company experts, interviewed residents, and sought to gather test data.

What we include here is some general information about sound abatement, how that is impacted by building construction and materials used, and some specific information about

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Mutual 29. For the purposes of this report, only vinyl flooring was explored as an alternative to carpeting.

### Types of Sound

There are two main components to sound pertaining to buildings:

IIC (Impact Insulation Class) refers to impact on the floor such as footfall noise. These are the measures that usually appear on flooring products and underlays.

STC (Sound Transmission Class) refers to ambient noise like loud voices and TVs.

The STC rating, however, is influenced by walls, and as carpeting is not effective at dulling those kinds of ambient noises, we focused on IIC.

### Sound Measurements

There are two methods used to evaluate flooring. One measure is in a standardized laboratory setting using specialized equipment, five hammers that tap at increasing sound intervals on flooring.

Although these figures seem reliable, they do not apply across the board. The numbers depend on the type of flooring, the subfloor, the ceiling structure below, and the IIC rating of the underlay.

The other measure is field testing. This kind of testing takes place at the actual structure. However, this kind of testing is prohibitively expensive.

### Mutual 29 Construction

According to Bill Parsons, the Chief Inspector at MOD, Ptarmigan ceiling/floor assemblies consist of the following: 2x10 joists, 5/8" plywood, 1/2" fiberboard with 1 5/8" light weight concrete over. The ceiling has R-11 insulation, 5/8" sheetrock with acoustic spray texture over.

### Data

This has been the most challenging aspect of this research. The articles that we read had varying degrees of information and sometimes conflicting information. Most testing data we came across showed testing on 6 inch slabs of concrete. Data about a wooden joist system like Mutual 29 buildings was more difficult. Trying to find actual comparisons was even more difficult. Whereas we did find a few articles that indicated the company performed carpet tests, most of the experts we consulted said that ascertaining specific and reliable noise abatement measures for carpeting was difficult as there are so many types of carpeting and underlays (padding) that it would be practically impossible to get consistent measurements. Of the experts we consulted, however, they said that carpeting does provide more footfall protection than alternative flooring products.

It is interesting to note that there is a wide range in carpet noise abatement protection, as well. For example, one study we found evaluated carpet comprised of 3/16-inch sponge rubber in a wood joist floor-ceiling assembly with a 5/8" tongue and groove plywood subfloor. That carpet got a 32IIC rating. In a duplicate floor assembly, a carpet with 80 oz/square yard sponge rubber composition received a 68 IIC rating. This underscores the importance of a proper underlay for carpeting.

### Resident Experiences

Because of the carpet requirement in Mutual 29, there is only one resident that we could

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interview formally about their experience regarding living under flooring that is not carpeting. She reported that she was dimly aware of occasional sounds but was not bothered by it.

We have spoken informally with a couple who live below neighbors with hard floors. Most days, the couple reported, were quiet but on certain weekends-- when upstairs neighbors were hosting their grandchildren--the noise levels were bothersome. We were told that the hard flooring above this couple was grandfathered in many years ago.

One of the co-authors of this report (who has carpeting) is still aware of percussive sounds from music played underneath her but is not at all disturbed.

We also spoke with Marlene Farrell, a certified architectural designer and longtime UC Berkeley professor, who was one of the experts we consulted. She is also a board member of Mutual 5 and was at the forefront of getting the approval for alternative flooring in her mutual. The neighbor living in the Unit below her has not been disturbed by overhead noises. Marlene agreed to come share her experience at a meeting in the future.

#### Individual Variation

Sensitivity to noise (or lack thereof) varies enormously from person to person and day to day. Some residents are hearing impaired; some residents are tuned into turkey gobbling and (happily) oblivious to the construction sounds that go on all the time around us. Some of us can sleep through thunderstorms; others wake up if a door across the hall is gently closed.

In short, because of this human variability it is difficult to make a one-size fits statement about people's experience of acceptable sound levels.

#### Pros for Carpeting Alternatives:

1. Carpets gather various immune-compromising elements. Residents with allergies, asthma, and immune system disorders can be quite negatively impacted from the pathogens collected in carpeting.
2. Carpets can hinder mobility and cause falls or difficulty in navigating through one's unit particularly for those needing walkers.
3. Carpets become dirty and stained and requires a monetary outlay to keep them clean. Flooring alternatives provide easier upkeep.
4. The ability to have alternative flooring allows improvements that increases a home's market value.

#### Pros for carpets:

1. It has a better ability to dampen footfall.
2. Softer landings during falls.

#### For Your Consideration

Currently, the International Building Code requires an IIC rating of 50 between adjacent dwelling units. Higher-end dwellings often expect IIC ratings between 55-65.

Based on the data we have gathered, we conclude that an IIC of 60 (See Appendix 1) is a reasonable goal with the right kind of vinyl plus underlayment with our current floor assembly.

If this level IIC is acceptable to the board, then the co-chairs can present you with flooring

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samples for your consideration. An example of a newly created CC&R allowing floor coverings other than carpeting is shown in Appendix 2. Finally, in Appendix 3, there are two examples of neighbor agreements that serve as a condition for installation.

**12. Social Committee Report – Sheila McDonald**

Sheila MacDonnell has resigned from the social committee after many many years of planning incredible events. This leaves a void, and pretty much just me. I am not willing to continue planning and executing events without active involvement from others in the mutual. This means actually planning the events, physically doing what needs to be done, informing the neighborhood of what will be happening, etc. If you are interested in future mutual events, like First Wednesday gatherings, ice cream socials, concerts, dinners, art and wine festivals, or whatever, please, step up, contact Judy Szilagyi, and let's keep up the positive reputation Mutual 29 has had for a long time as being an active social mutual.

Message from Sheila ~

I am with great sadness resigning from my role as Committee Chairman of the Social Committee.

I hope someone will step up and agree to be chairperson and I will be more than happy to assist you in any way I can. I do think these social events are good and healthy for our Mutual. Thank you for allowing me to serve you, the people of the best Mutual in Rossmoor.

**13. Unfinished Business – Richard Giessner****a. Solar Report – Don Wayne**

Spoke on during the President's Report. Currently, the project is cancelled unless that State Assembly changes.

**12. New Business – Michael Goldberg****a. Proclamation Against GRF's New Demonstration Policy**

Goldberg reported on GRF's new demonstration policy. Topic should not have been on a GRF agenda when there are more pressing items like fire and insurance. If the policy goes through it will be inconsistent and arbitrary leaving their policy open to potential litigation. It was opined that the location of the new demonstration site has less parking than the current site, which will prevent equal access to the site for people with disabilities, which violates the American Disabilities Act.

GRF was asked if they have data that the new site is going to be safer. Currently, the site is located where there is a 4 way stop sign. There are no stop signs at the proposed new site. The Mutual has not received an answer.

Giessner proposed to create a statement that reflects how all the Mutuals feel about the proposed new site.

GRF will hold the Board meeting on June 27, 2024 at 9:00 a.m. in the Peacock Room. Residents were urged to attend and protest about this during Members' Forum.

*Motion made by Goldberg, seconded by Ramakrishna, to oppose the GRF Demonstration Policy. Approved by unanimous vote. (4-0)*

- b. Check Signers for Social Committee Account and Petty Cash Account**
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- Remove Sheila MacDonell

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- Add Michael Goldberg

*Motion made by Ramakrishna, seconded by Reddell, to remove Sheila MacDonell as check signers from both accounts and add Michael Goldberg as the check signer for both accounts. Approved by unanimous vote. (4-0)*

**13. Members' Forum**

Members were afforded the opportunity to express their concerns, make comments, or have questions for the Board. Comments included: Members are against GRF's Demonstration Policy, the Board was thanked for coordinating the dryer vent cleanout, Marny Hall and Shelley Glazer were thanked for their research on flooring options, the Board was thanked for all their hard work.

14. **Announcements** – The next scheduled meeting is the Board of Directors Regular Meeting. The meeting will be held on September 16, 2024 at 9:30 a.m. in the Vista Room at Hillside Clubhouse.

15. **Adjournment to Executive Session**

There being no further business the Board of Directors Regular Meeting was adjourned at 10:43 a.m. and the Board moved into Executive Session.

16. **Executive Session Summary**

The Board met in Executive Session from 10:45–10:58 a.m. to discuss:

- Policy Violation with possible Disciplinary Hearing

**Board Assistant Secretary's Certificate**

I hereby certify that the foregoing is a true and correct copy of the minutes.

*Victoria Thomas*