

THIRD WALNUT CREEK MUTUAL

REGULAR SESSION MEETING MINUTES OF THE BOARD MONDAY, APRIL 13, 2020 AT 10:00AM ZOOM VIDEO AND CONFERENCE CALL MEETING

Call to Order

President Rothman called the Regular Meeting of the Board of Directors of Third Walnut Creek Mutual (TWCM) to order at 10:06 a.m.

Roll Call

Directors Present:

Alyss Rothman, President Dist. IX, (2022)	
Gery Yearout, VP Dist. XI, (2021)	Nan Warren, Director Dist. XIV, (2022)
Matt Kaplan, Treasurer Dist. V, (2022)	John Swearingen, Director Dist. VII, (2021)
Marilyn Mason, Secretary Dist. XV (2022)	Donna Landeros, Director Dist. VIII, (2020)
Kay Barthold, Director Dist. XIII, (2020)	James McFarland, Director Dist. III, (2021)
Chuck Decker, Dist. X, (2021)	Poppy Tanner, Director Dist. IV, (2020)

*** Director Gery Yearout joined the meeting at 10:50am**

Also Present: Mutual Operations staff was represented by Paul Donner, Mutual Operations Director; Clayton Clark, Building Maintenance Manager; and Kelly Maki, Board Services Coordinator.

Members' Forum

Residents were afforded the opportunity to express their general concerns and make comments. Topics discussed included: criteria necessary to form a committee such as a mission statement and clear guidelines; postponing the 2020 annual meeting and election rules.

Approval of Meeting Minutes

The following minutes were tabled for approval at the May board meeting because the wrong minutes were provided in the Board Packet:

- a) Regular Board Meeting MinutesMarch 25, 2020
- b) Executive Session Meeting MinutesMarch 25, 2020

President's Report

Alyss Rothman reported she had sent the report from Mutual 4 out for all to read and the conclusion was that given the sophisticated audio engineering testing that was utilized, hard surface flooring of any caliber (IIC 75 that we had allowed) creates much more footfall and other sound transfer than carpet. An accommodation was agreed upon in Mutual 4 where an 18" perimeter of hard surface flooring was allowed to permit dust removal, but walkways needed to be carpeted in all upper units. This accommodation would qualify as "a reasonable accommodation" as required by the Fair Housing Act.

Secretary's Report

The secretary had no report to give this month.

THIRD WALNUT CREEK MUTUAL

Finance Committee Report and Treasurer's Report

Treasurer Kaplan gave the following Report:

Treasurer Report: April 13, 2020

This report is based on the TWCM financial report for February 2020. As of February 29, 2020, the TWCM bank balance was \$11,965.

TWCM payments in February, were \$130,269 allocated correctly to the projects.

Republic Services trash pick-up was \$42,393 (2 payments). Legal services were \$14,443, with \$5,001 to Hughes, Gill, and Cochrane, \$7,201 to Ann Rankin, and \$2,240 to Fong & Fong. Printing and mailing were \$4,210, with \$3,437 to California Quality and \$773 to Integrity. Landscaping services was \$69,224 to Terra Landscaping. This payment represents a good processing change, with one check drawn on the TWCM account with allocation to each Project, rather than drawing separate checks on each Project account.

TWCM Owner Billables (amounts owed by owners to their project) as of February 29, 2019 was \$124,020.

TWCM Assessments (Coupon) owed as of February 29, 2019 was \$46,157.

- a. **Motion that the Mutual Funds Report has been reviewed by the Treasurer and all Directors:** The motion was made for the February 29, 2020 PRELIMINARY Mutual Funds Report.
Moved, Seconded Carried 10-0
- b. **Motion that all Directors have reviewed their Project Specific Financials:** The motion was made for all Project Specific PRELIMINARY Financial Reports ending on February 29, 2020.
Moved, Seconded Carried 10-0

Building and Maintenance Committee

Since the Building Maintenance Committee was unable to meet during the Shelter in Place there was no report to give.

Landscape Committee

Since the Landscape Committee was unable to meet during the Shelter in Place there was no report to give.

Governing Documents Committee

Since the Governing Documents Committee was unable to meet during the Shelter in Place there was no report to give.

Alterations Permit Application Review Committee

The committee had no report to give this month.

THIRD WALNUT CREEK MUTUAL

Communication Committee

The committee had no report to give this month.

Emergency Preparedness Committee

Arylss Rothman reported the committee had a meeting with CERT and they are asking all members to review their current emergency supplies.

Old Business

- a. **Update on Formation of Dispute Resolution Committee:** Nan Warren took an online course for training and will be doing another one. Currently there are 13 interested members looking to serve on the committee.
- b. **Update on Claims Mitigation Committee:** The Claims mitigation committee is an ad hoc committee tasked with identifying mitigation activity to decrease TWCM liability and claims. The Committee identified and discussed multiple approaches. Several have been implemented and others are under discussion. The mission of the committee has been fulfilled and as an Ad Hoc Committee of the Board, the Committee is now dissolved.
- c. **Discuss Creating a Smoking Policy:** The Board discussed whether a policy should be created since Walnut Creek has a secondhand smoking ordinance that is enforced within Rossmoor. The Board would like to investigate how the city enforces their ordinance. The need for a policy will be further discussed by the Governing Documents Committee for a recommendation to the Board.
- d. **Discuss Hard Surface Flooring Report by Fourth Mutual:** The Board discussed the report. The Governing Documents Committee will further review and discuss the report for a recommendation to the Board to determine how future variances should be handled.
- e. **Update on CC&R Petitions:** The petitions are ready to be filed with the court. Ann Rankin could file the petitions through a drop box at the court but has advised it would be better to wait until the petitions can be filed in person since they are so large. The petitions will be filed once the Shelter in Place is lifted and the court is back open.

New Business

- a. **Discuss Postponing Annual Meeting to July 13:** A motion was made to postpone the annual meeting from June 9 to July 13 due to the current Covid-19 pandemic and Shelter in Place Orders.

Moved, Seconded, Carried 11-0

- b. **Appoint Inspector of Elections for 2020 Director Election (2 Districts):** For District XIII Projects 34, 38, 64 – 2 candidates, 1 opening: A motion was made by Kay Barthold that Independent Election Inspector Services be appointed as Inspector of Elections for the Director Election in Third Mutual's District 13 to be held in July of 2020, AND that Independent Election Inspector Services be appointed to receive the member-mailed ballots for an additional fee.

Moved, Seconded, Carried 11-0

For District IV Projects 26, 35: The Board did not receive any nominations and an article in the Rossmoor News will be published to announce the vacancy, therefore an inspector of elections will not need to be appointed for this District. Poppy Tanner will serve out the remainder of her term ending at the annual meeting and will not be running for re-election. The Board intends on appointing a new Director after the annual meeting.

For District VIII Projects 50, 55 – 1 candidate, 1 opening: Appointing an inspector of

THIRD WALNUT CREEK MUTUAL

elections for this District has been tabled so that a volunteer homeowner could be sought out.

Next Board Meeting

The next Regular Meeting of the Board is scheduled for Monday, May 11, 2020 at 9:00 am, the location of this meeting is yet to be determined based on the Shelter in Place Orders.

Adjournment

There being no further business, the Regular Meeting of the Board was adjourned at 11:08 am.

Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of the minutes of the Board of Director's meeting.



Assistant Secretary

Third Walnut Creek Mutual