

THIRD WALNUT CREEK MUTUAL
REGULAR SESSION MEETING MINUTES OF THE BOARD
MONDAY, DECEMBER 14, 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 10:00 a.m.

Roll Call

Directors Present:

Arlyss Rothman, President Dist. IX, (2022)	
Chuck Decker, VP Dist. X, (2021)	Nan Warren, Director Dist. XIV, (2022)
Matt Kaplan, Treasurer Dist. V, (2022)	Walt Braun, Director Dist. XIII, (2023)
John Swearingen, Secretary Dist. VII, (2021)	Donna Landeros, Director Dist. VIII, (2023)
Gery Yearout, Director Dist. XI, (2021)	James McFarland, Director Dist. III, (2021)
Marilyn Mason, Director Dist. XV (2022)	Tom Lauck, Director Dist. IV, (2023)

Also Present: Mutual Operations staff was represented by Clayton Clark, Building Maintenance Manager; Paul Donner, Mutual Operations Director; Kelly Maki, Board Services Coordinator; Rick Chakoff, Chief Financial Officer; and Tess Haskett, Assistant Controller

Members' Forum

Residents were afforded the opportunity to express their general concerns and make comments. Comments were made regarding the agenda item "Status of Project 23".

Approval of Meeting Minutes

President Rothman asked for any corrections and/or additions to the following sets minutes:

- a) Regular Board Meeting MinutesNovember 9, 2020
- b) Executive Session Meeting MinutesNovember 9, 2020

A motion was made to approve the above minutes.

Moved, Seconded, Carried 11-0

President's Report

President Rothman reported on the November President's Forum. Topics discussed at the forum included: feral pig damage; records of carport assignments; MOD service fee increases which include document request fees and MOD billable rate; gutter guards; insurance; and discussions on the COVID-19 vaccine.

Secretary's Report

No report was presented this month.

Treasurer's Report

Treasurer Kaplan gave the following Report:

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Treasurer Report: December 14, 2020

This report is based on the TWCM financial report for October 2020.

As of October 31, 2020, the TWCM bank balance was \$14,405.

TWCM payments in October were \$37,255 allocated as specified to the projects.

Republic Services trash pick-up was \$23,041. Legal services were \$6,895 all to Fong & Fong. MOD trash recycling was \$5,604. Trash Enclosures was \$1,715 to Commercial Support.

TWCM Owner Billables (amounts owed by owners to their project) as of October 31, 2020 was \$217,999 excluding the Project 64 assessment. This was an approximate \$29,000 increase from the prior month.

TWCM Assessments (Coupon) owed as of October 31, 2020 was \$82,177, an approximately \$20,000 decrease from the prior month.

- a. **Motion that the Mutual Funds Report has been reviewed by the Treasurer and a summary provided to all Directors:** The motion was made for the October 31, 2020 Mutual Funds Report.
Moved, Seconded Carried 11-0
- b. **Motion that all Directors have reviewed their Project Specific Financials:** The motion was made for all Project Specific Financial Reports ending on October 31, 2020.
Moved, Seconded Carried 11-0

Building and Maintenance Committee

The committee had no report to give this month.

Landscape Committee

Walt Braun gave the following report:

Attendees:

Staff	Representatives Present	
Rebecca Pollon	Walt Braun	Carol Dull
Steve Ormond	Teddi Swanson	Robert Likuski
Cassidy Lundin	Sharon Birdsall	Chuck Decker
Kevin Jackson	Nan Warren	James McFarland
	Marilyn Mason	Barbara Sedgwick
	Marie Kahn	

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1. Comments of representatives:
 - a. Many projects are emphasizing removal of junipers that are within 30 ft of buildings or downhill from buildings.
 - b. Ground covers to replace the junipers and in other areas. Some ground covers are home to “critters”. Rebecca indicated that there are no groundcovers in the Rossmoor planting list, but she would like to receive recommendations.
 - c. Tree pruning - for trees under 12 ft – is done by Terra. This pruning is to be done under Kevin’s supervision to assure it is done properly.
 - d. Shrub pruning is a continuing concern. Representatives will have to work closely with Steve Ormond and Kevin so that they know the unique requirements of each project.
 - e. Recognized that lawns are water intensive and are candidates for hardscaping. Most residents want to retain the lawns while some would like to have the lawns remain near the building but would be ok with hardscaping some distance away from the building.
 - f. Fruit trees are no longer planted because they attract vermin. Waraner will prune the trees but not simply to enhance fruit bearing.
2. Steve Ormond discussed the irrigation controllers used in Rossmoor. (see attached) . These controllers have a life of about 10 years. Replacement controllers invariably have technology updates included. They cost about \$1250 each. Steve can provide Directors with the number of controllers and when they were installed. This planned expense should be included in your Reserve planning.
3. Kevin Jackson discussed the landscape activities for December. This included lawn moving twice a month and leaf blowing. Shrub pruning is designed to keep sidewalks and bldg. entrances free of obstructions. Kevin indicated that he provides a two-month schedule to Steve. In the future, the schedule will also be provided directly to Walt Braun who will send it to the Directors and Landscape Reps on the attached sheet.
4. Rebecca Pollon encouraged all to seek out unused lawn areas that might be turned into hardscapes, she also indicated that the month of May will be a good time to identify any shrubs that are not thriving and should be replaced.
5. Next Zoom meeting will be held on Monday, Feb 1 at 3PM

Governing Documents Committee

The committee had no report to give this month.

Alteration Permit Application Review

The committee had no report to give this month.

Communication Committee

The committee had no report to give this month.

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Emergency Preparedness Committee

The committee had no report to give this month.

Dispute Resolution Committee:

Nan Warren gave the following report:

Volunteers gathered on 12/9/2020 to hear and discuss a sample problem. Director Tom Lauck posed the problem, and the participants offered suggestions. The Dispute Resolution volunteers are now ready to help with problems as needed. If any director would like to use a volunteer, please call Nan Warren. The committee has biographical material about the volunteers to help the director choose which volunteer might work best with the problem posed.

Old Business

- a. **Revised Policy 75 – Dispute Resolution:** The new policy includes previous policies 75 and 76 and was reviewed by counsel. A motion was made to approve the revised policy for distribution to the members for the comment period prior to adoption.
Moved, Seconded, Carried 11-0
- b. **Ordinances for Retention Ponds:** The Board reviewed the Contra Costa County Ordinances for retention ponds. A motion was made to support the currently approved warning sign for P54's retention pond and that no further action will be taken by the Board at this time.
Moved, Seconded, Carried 11-0
- c. **New Legislation AB 3182 – Rental Restrictions:** The Board discussed the new legislation. The Governing Documents Committee will work on revising Policy 41 to comply with the new legislature.

New Business

- a. **Status of Project 23:** The Board discussed the history of Project 23 concerning their vote on the Master CC&Rs. Project 23 voted against the Master CC&Rs by a large amount. The Board received legal advice on their status in regard to Appendix A identifying who is part of Third Mutual. The Board is asking that Project 23 gather a leadership team and meet with the Board to discuss their status. The Board would like to know what Project 23 wants to do moving forward since that they did not accept the Master CCR&s.

Adjournment to Executive Session

There being no further business, the Regular Meeting of the Board was adjourned at 11:07 am and the Board moved into executive session.

Executive Session Summary

The Board met in Executive Session to hold owner hearings, consider late fee waivers, consider an appeal, and discuss legal matters.

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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