

THIRD WALNUT CREEK MUTUAL
BOARD MEETING MINUTES OF THE BOARD
MONDAY, FEBRUARY 14th, 2022, AT 9:00AM
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 9:01 a.m.

Roll Call

Directors Present:

Arlyss Rothman, President Dist. IX, (2022)

Matt Kaplan, Treasurer Dist. V, (2022) Nan Warren, VP Dist. XIV, (2022)
John Swearingen, Secretary Dist. VII, (2024) Vacant, Director Dist. XIII, (2023)
James McFarland, Director Dist. III, (2024) Tom Lauck, Director Dist. IV, (2023)
Martin Schwager, Director Dist. X, (2024)

Directors Absent: Steve Park, Director Dist. XV (2022)

Also Present: Mutual Operations staff was represented by Paul Donner, Director of Mutual Operations; Joel Lesser, Chief of Finance; Clayton Clark, Building Maintenance Manager; and Lucy Limon, Board Services Coordinator

Members' Forum

Members were afforded the opportunity to express their general concerns and make comments. Topics discussed included operating and reserve accounts, juniper removal, P53 disengagement, proposal for hard surfaced flooring policy change.

Approval of Meeting Minutes

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

- a) Regular Board Meeting MinutesDecember 13, 2021
- b) Regular Board Meeting MinutesJanuary 10, 2022
- c) Executive Board Meeting MinutesJanuary 10, 2022

A motion was made to approve the aforementioned minutes.

Moved, Seconded, Carried 6-0 (Lauck Abstained)

President's Report

President Rothman discussed the changes that were made to the Rossmoor website in an effort for all Mutuals to be uniform. Management agreement with MOD is still in the works, the hope is to have this finalized by the end of the week. President Rothman reported that Rebecca Pollon's last day with GRF was February 11th, it was also reported that the MOD accounting department is now fully staffed. Tom Cashion has advised that all evacuation signs have been installed, residents should be aware of what their evacuation zone is in case of an emergency. There will be a planned fire evacuation drill in May, more information to come.

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Secretary's Report

No report was given.

Treasurer's Report

No report was given.

- a. Motion that the Mutual Funds Report has been reviewed by the Treasurer and a summary provided to all Directors:
No motion was made.
- b. Motion that all Directors have reviewed their Project Specific Financials.
No motion was made.
- c. Motion to approve borrowing from Reserves for Insurance Premiums:
A motion was made to approve the following amounts from each projects reserve fund to pay for the 2022 insurance premium and extend any borrowing as indicated until the end of 2022:

TWCM - P23	15,000.00
TWCM - P26	135,000.00
TWCM - P27	50,000.00
TWCM - P33	2,000.00
TWCM - P34	8,000.00
TWCM - P35	70,000.00
TWCM - P36	10,000.00
TWCM - P37	70,000.00
TWCM - P38	140,000.00
TWCM - P42	70,000.00
TWCM - P44	3,000.00
TWCM - P45	40,000.00
TWCM - P51A	80,000.00
TWCM - P51B	95,000.00
TWCM - P54	115,000.00

Moved, Seconded, Carried 7-0

Building and Maintenance Committee

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Tom Lauck provided the following report:

The Third Walnut Creek Mutual Building Maintenance Committee discussed the following items at the meeting:

1. Status of outstanding items from prior Committee meeting.

a. Data collection from Home Inspection Reports.

Alterations and Resales department will send home inspection reports to directors. Directors should forward to Building Maintenance Committee for review of maintenance issues.

b. TWCM Survey of Structural Integrity and Performance of Occupied Buildings.

Third Mutual project maps have been reviewed and labeled for common building types. Database indicating age, size, and arrangement of building types is being assembled.

2. Building settlement issues

Specific problem in Project 45 was discussed. Clayton meeting with residents after committee meeting. Settlement issues are reviewed on a case-by-case basis with interim solutions provided by Building Maintenance department, or major rehabilitation with shoring and leveling.

3. Clayton Clark Maintenance Issues

Mutual operations adding staff and outside contractors to keep up with maintenance demands.

4. New items for Maintenance Committee review

To support solar installations being undertaken in response to solar initiative Building Maintenance department is being requested to identify rehab schedule for reroofing affected buildings. They are also being asked to identify roof types which may need special detailing for connection of solar panel support systems to preserve roofing warranties. Building Maintenance will work with Alterations department to review solar installation plans and make adjustments to plans as required to provide access necessary for maintenance of other rooftop elements.

Clayton Clark gave the following report:

For the month of February 2022

Project 23

- ❖ Obtained bid on SB 326 inspections from FWC. Discussed additional venting of rear decks to provide better access for inspections and better venting of decks. No action to report

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- ❖ MOD carpenters have corrected many woodpecker items and minor dryrot items. Pictures and report will be given to committee. Due to prior construction period, many of the guardrails will not meet current building code so permit and design drawings will be needed.
- ❖ Guardrail opened at 1129 AS 6C and guardrail could not be repaired as believed so replacement is required. Due to building code changes, an engineer will be hired to develop drawings for bid and permit.
- ❖ Inspection conducted by FWC of deck supports and awaiting report. Items noted to minimize erosion and drain repairs have been completed by Davis Plumbing.
- ❖ Railing at 1109 AS damaged by vehicle will be repaired along with additional railing at 1129 AS 4a/3a stairs has been approve for Eagle Iron.
- ❖ Rear balcony concrete deck issues at 1109 AS. **Waiting approval.**

Project 26

- ❖ Deck coating completed for 2021 rehab of entry 6 PT.
- ❖ Waiting on good weather to complete painting 2021.
- ❖ Progressing through leak repairs at 1617 Pt. Tree has been removed to facilitate the finding of leak and repair
- ❖ Valves in entry next to 1621 Pt were cleaned, valve boxes enlarged and checked for operation in an emergency. Valve boxes were filled with debris and could not be operated.
- ❖ New PRVs installed at 1621 Pt completing replacement for the entire complex.
- ❖ MOD investigating leaks between units at 1621 Pt but having difficulty scheduling owners.
- ❖ 1691 Pt hot water line repair made and PRV installation.
- ❖ 1559 Pt had PRV replaced due to leaking.
- ❖ 1501 Pt resident leak progressing. Leaks was caused by toilet-valve line leak.
- ❖ Fiala providing costs for tile popouts on 1501 pt, as well as flat roof between building and carports as owners are concerned of puddling of roof. **No action to report.**

Project 27

- ❖ Pricing swale repairs behind 2316 Ptarmigan. Reviewing two options: repair damaged section or repair entire section as tree heaving other section. **Work order approved for Fleece and waiting on good weather.**
- ❖ Electrical panel replacement:
 - Getting bids on concerned panels in Entry 13 Pt.
 - Working on schedule to inspect panels in Entry 10 Pt.

Project 31

- ❖ Resolving woodpeckers at 2601 Pt pecking wood shingles. Waiting on weather to setup scaffolding, and MOD crew availability. **No action to report.**
- ❖ Paving completed. However, more roots are bulging the entry paving in other areas.

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Project 32

- ❖ Reviewing leaf guards for underground drains to minimize plugging. Several locations noted as plugged by gutter cleaners at 2520 and 2528 Pt.

Project 33

- ❖ Pricing out metal gates due to trash company abuse. **No action to report.**

Project 34

- ❖ **Follow up painting remains when weather conditions improve.**
- ❖ **997 Tcal sewer leak corrective action underway. Unit is vacant and with no power, so neighbors are assisting with power.**
- ❖ **Electrical service (see under P38) will be done this year.**

Project 35

- ❖ Reviewing paving issue at 3100 TGR due to nearby redwood tree. **No action to report.**
- ❖ Termite inspections completed on entry 2 TGR and under review.
- ❖ 3118 TGR electrical wiring issue under review. **No action to report**
- ❖ Drain at 3117 TGR under investigation where redwood tree was removed in prior years as roots have impacted the drain.
- ❖ 3109 TGR new HVAC installation questioned to alterations.

Project 36

- ❖ **2185 CC: Price submitted and approved. Will discuss with owners who have unpermitted tile walkway.**
- ❖ **Repair work completed at 2065 CC at storm drain.**
- ❖ **2105 CC rain leak under review. Roof section will need to be replaced to avoid future damage.**
- ❖ **IDA will be doing SB 326 balcony inspections next month.**
- ❖ **Sign at 2155 CC will be moved to create 3 spaces for guests and 3 unassigned parking spaces.**

Project 37

- ❖ **Rehab completed at Entry 3 CC. MOD rehab crew will be inspecting Entry 4 this month for 2022 rehab.**
- ❖ **Roof section at 2110 CC will need to be replaced in 2022 due to roof leaks.**
- ❖ **5 Star and landscaping are working on drain line between E2 and E4 CC.**

Project 38

- ❖ **MOD carpenters completed rehab in Entry 6 Tcal (2021). Moving into Entry 7 as part of 2022 planned rehab.**
 - **Owners requesting paint color board change.**

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- ❖ **Unit service breaker replacement has approximately 13 units left to be replaced with 125-amp service. Rest is 150-amp service and will be replaced in second phase. Interesting that similar units have different services.**

Project 42

- ❖ **622 TCal may have building settlement concerns as doors are having trouble closing. Soil engineer is backed up and will not be available until Spring.**
- ❖ **618 Tcal bathroom remodel noted moisture decay in framing. FWC has reviewed and developing plans for reconstruction.**

Project 44

- ❖ **Termite reports for 2022 rehab have been received.**
- ❖ **Resolving resale repair at 3196 RP.**

Project 45

- ❖ **GRF truck hit 3377 RP and working on repair quote as engineering plans have been received. Carpentry work completed and waiting on door (4-month lead time). Resolving payment issues with contractors as GRF will not pay.**
- ❖ **3276 RP-reviewing drainage on opposite side of releveling. ESR visited site and provided a bid for drainage. Looking into other turnkey contractors who can do this work as well.**
- ❖ **3298 RP drainage flood resolved with landscaping and Isaac support. Restoration near completion.**
- ❖ **Letter written to owner of 3258 RP 3. Leak was not due to Mutual components, but owner claims no responsibility.**
- ❖ **Collection with large damage claim at 3386 RP.**

Project 49

- ❖ **Moved elevator maintenance to reserves for 2022. Elevator at 1766 SD down during holidays as part need to be ordered and shipping delays encountered.**
- ❖ **Confirming termite inspections for 1766 SD and 1614 SD for work in 2022. No action to report.**

Project 51

- ❖ **Plugged drains at 4139 TGR, being scheduled to be cleared. Nearby tree roots are the issue. Landscape is aware. Termite inspection underneath conducted, and issues being resolved.**
- ❖ **4139 TGR has plugged drain due to roots, and landscaping advised.**

Project 53

- ❖ **Investigating options to developer installed hard-wired detectors. No action to report.**
- ❖ **4332 and 4320 TGR for roof replacement in April 2022.**

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Project 54

- ❖ **Waiting on entry sign delivery for entry 5A. Small job but complex for sign manufacturer.**
- ❖ **Termite inspections for Entry 6 under 5yr maintenance program.**

Project 64

- ❖ Reviewing bid for gutter guards.

General:

1. Discussion of lower enclosure decks with vinyl roofs on above balconies. **No action to report.**
2. **New carpenter employee hired. Along with temporary worker, the rehab work should be progressing quicker.**
3. **Investigating the purchase of a garage door to use while waiting months for new garage door, and shared expense to those garage door projects.**

Landscape Committee

Paul Donner reminded the Board and the membership that before Rebecca left, she lined up the landscape calendar for the entire year. The landscape committee will meet soon to plan the juniper removal and mulching.

Governing Documents Committee

Nan Warren presented the following report for Steve Park:

The committee met to discuss additional revisions to Policy 45, Assessments Due Date, Delinquent Payments, and Default.

- The Committee discussed the changes needed due to a new law that took effect at the beginning of the year. The discussion resulted in the following questions:
 1. Can MOD send out monthly/quarterly invoices to residents in arrears, with a copy to the Director?
 2. Can a director work with a resident to develop a payment plan?
 3. Can a resident meet with the Board to approve a payment plan?
 4. At what point/conditions will a delinquent payment be sent to collection by an external entity?
 5. Can the Mutual apply a lien on the resident's property?
 6. Can the Mutual foreclose on the resident's property?
- Chair Park will request that Joel attend our next meeting to walk us through the changes that must be made to Policy 45.

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The Committee was informed that the Solar Committee resolved the issue of liability insurance in the solar policy by listing TWCM as an interested party in the liability insurance clause.

The committee also discussed a situation where a fence may have been installed without a permit and not to standard. The issue will be explored more and referred to the Board, if appropriate.

The Committee briefly discussed the need to update all governing documents each year, especially after new laws take effect in January.

Alteration Permit Application Review

No report was given.

Communication Committee

No report was given.

Emergency Preparedness Committee

President Rothman reported on the planned fire evacuation drill that will take place in May. More information to come.

Dispute Resolution Committee:

No report was given.

Solar Committee:

Nan Warren presented the following report:

The Solar committee is busy at work assisting 70+ owners with their applications to MOD and the City of Walnut Creek for solar on their roof. In the meantime, the Public Utilities Commission has delayed the advent of Net Energy Metering 3 intending to give the matter more review. The commission has a new chair and is waiting to add a fifth member. Until that time, the matter will wait.

That gives the solar committee a little more time to do the work, gathering documents and permissions without the worry that Net Energy Metering 2 will disappear before we can get all the installations complete. The committee is hard at work!

Trash Committee – AD HOC

Nan Warren for John Murphy:

A total of 14 residents have expressed interest in being part of the committee. A zoom meeting

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will be held on the afternoon of February 14th to discuss the goals, responsibilities, and purpose of this new group.

Old Business

Policy 61 Revision Mailing: Policy update material has been submitted to the print house. TWCM residents will be receiving their policy proposal packets within the next couple of days.

P53 Disengagement Update: A townhall meeting will be held on February 17th, 2022, at 3pm. All P53 members are encouraged to attend. The next step after the townhall meeting will be to mail ballots to all P53 units.

P23 Update: No update.

New Business:

Rent/Lease Policy: Per the opinion of legal counsel, TWCM is compliant with civil code 4741, and therefore is not required to amend their rent/lease policy.

Lien placement on account #13637: A motion was made to place a lien on account #13637.
Moved, Seconded, Carried 7-0

District XIII Director Vacancy: A letter will be sent to all District XIII owners informing them of the vacant seat. An article will also be published in the Rossmoor news.

Announcements

The next Regular Board Meeting will be held on Monday, March 14th, 2022, at 9am via zoom.

Adjournment to Executive Session

There being no further business, the Regular Meeting of the Board was adjourned at 10:10 am and the Board moved into executive session.

Executive Session Summary

The Board met in executive session from 10:20 am to 11:06 am to discuss member matters, insurance claims, and foreclosures.

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.

Lucy Limon

Assistant Secretary

Third Walnut Creek Mutual

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