

THIRD WALNUT CREEK MUTUAL
REGULAR SESSION MEETING MINUTES OF THE BOARD
MONDAY, MARCH 8, 2021 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 10:04 a.m.

Roll Call

Directors Present:

Arlyss Rothman, President Dist. IX, (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)
James McFarland, Director Dist. III, (2021)	Tom Lauck, Director Dist. IV, (2023)
Vacant, Director Dist. XV (2022)	Nan Warren, Director Dist. XIV, (2022)

Directors Absent: Chuck Decker, VP Dist. X, (2021)

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.

Appointment of Steve Park as Director to Vacancy in District XV

A motion was made to appoint Steve Park as Director of District XV, Projects 27, 31, and 32 due to the resignation of Marilyn Mason for the remainder of the term ending in 2022.

Moved, Seconded, Carried 8-0

Approval of Meeting Minutes

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

- a) Regular Board Meeting MinutesFebruary 8, 2021
- b) Executive Session Meeting MinutesFebruary 8, 2021

A motion was made to approve the above minutes.

Moved, Seconded, Carried 8-0-1, Director Park Abstained

President's Report

President Rothman reported on the latest President's forum. Topics included: Walnut Creek Smoking Ordinance Presentation; updated GRF Management Agreement; and terminating Establishing Agreements.

Secretary's Report

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Secretary Swearingen had no report to give this month.

Treasurer's Report

Treasurer Report: March 8, 2021

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

As of December 31, 2020, the TWCM bank balance was \$18,913.

TWCM payments in December were \$128,153 allocated as specified to the projects.

Landscaping Services to Terra Landscaping was \$68,977. Republic Services trash pick-up was \$23,031. Legal services were \$27,354 all to Hughes, Gill. Trash Enclosures was \$1,715 to Commercial Support.

TWCM Owner Billables (amounts owed by owners to their project) as of December 31, 2020 was \$231,055, with little change from the prior month.

TWCM Assessments (Coupon) owed as of December 31, 2020 was \$101,502 an approximately \$10,000 increase 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 December 31, 2020 Mutual Funds Report and excluded District XV (Projects 27, 31, and 32).
Moved, Seconded, Carried 8-0-1, Director Park Abstained
- b. Motion that all Directors have reviewed their Project Specific Financials:** The motion was made for all Project Specific Financial Reports ending on December 31, 2020 and excluded District XV (Projects 27, 31, and 32).
Moved, Seconded, Carried 8-0-1, Director Park Abstained

Building and Maintenance Committee

Nan Warren gave the following report:

The meeting of the Third Walnut Creek Mutual's building maintenance committee had a long discussion with Adrian Byram about a possible project to have the whole mutual use solar energy. All agreed that this would be a complex project, and there are many questions to be answered. Mutual One is exploring this concept with the constraint that there must be no upfront money to pay out, and that the overall objective was save money. Some of the questions which were posed are:

1. What authority does the Mutual have to pursue such a project?
2. What are the different sorts of arrangements that can be made to acquire and install the equipment required?

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3. How does such equipment work with the need to install a new roof?
4. What are the legal ramifications of such a project?
5. What are the liabilities and responsibilities of the Mutual?

At the conclusion of the questions, the majority of the members voted to recommend that the Mutual form an exploratory committee to look into this project.

The committee thanked Roxanne Stallings for reviewing the Matrix which had been previously on the website. Roxanne updated the matrix, which does not need to be reviewed by members, as it is just a shortcut way to find out who is responsible for upkeep and repair of different parts of the units and grounds. The matrix will be posted on the website.

Tom Lauck reviewed several items in the Architectural Standards, and it was agreed that the section on doors needed additional review. Committee members agreed to send Tom additional comments. It is hoped that Architectural Standards will be available for submission to counsel after the April meeting.

Clayton Clark reviewed additional miscellaneous items.

Landscape Committee

Walt Braun had no report to give this month. The Landscape Committee will be meeting again on April 5th.

Governing Documents Committee

The committee had no report to give this month.

Alteration Permit Application Review

Jim McFarland had no report to give this month.

Communication Committee

John Swearingen had no report to give this month.

Emergency Preparedness Committee

Arlyss Rothman had no report to give this month.

Dispute Resolution Committee:

Nan Warren had no report to give this month.

Old Business

- a. **Status of Project 23:** The Board is still waiting for Project 23 leadership to schedule a meeting for further discussion on this matter.
- b. **Termination of Establishing Agreements by HGCT:** The Board discussed a concern that the cost for GRF to review the request for terminating the establishing agreements

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is unfair and discussions with Tim O'Keefe will continue.

New Business

- a. **Discussion on Rental Restrictions Proposed Policy:** The Board has asked counsel to review the policy and propose a revised policy to conform to the new law. The Board discussed whether to add a 30-day minimum and require that owners live in/own the unit for at least 1 year prior to renting.

A motion was made to add the 30-day minimum rental period in the revised rental policy.
Moved, Seconded, Carried 8-0-1, Director Park Abstained

A motion was made to add the 1-year requirement for an owner to live in/own the unit prior to renting to the revised rental policy.

Moved, Seconded, 4-4-1, Director Park Abstained, Motion Failed

- b. **Updated TWCM Architectural Standards:** This item was tabled until the April meeting as the document is not ready for Board review yet.

The Board discussed Mutual wide solar options. A motion was made to form an ad hoc committee and recruit committee members through an article in the Rossmoor News. The committee is going to be tasked to further investigate the solar grid project as long as there is no cost to the Mutual without prior Board approval. Committee members will be appointed at a future meeting.

Moved, Seconded, Carried 9-0

Adjournment to Executive Session

There being no further business, the Regular Meeting of the Board was adjourned at 11:31 am and the Board moved into executive session.

Executive Session Summary

The Board met in Executive Session to discuss legal matters and hold an owner hearing.

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