

THIRD WALNUT CREEK MUTUAL
REGULAR SESSION MEETING MINUTES OF THE BOARD
MONDAY, OCTOBER 12, 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; Jo Ann Cooper, Financial Analyst; 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. Topics discussed included: investments of reserve funds and D&O insurance.

Guest Speaker Charles Brown, Investor with City National Bank

Charles Brown presented information on ways to invest reserve funds. Charles talked about Brokerage CD's and Treasury Bills. He explained the ways that City National Bank can assist the Mutual with investing their funds so that they remain FDIC insured.

Approval of Meeting Minutes

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

- a) P55A & P55B Ballot Count Minutes..... September 9, 2020
- b) Regular Board Meeting Minutes September 14, 2020
- c) Executive Session Meeting Minutes September 14, 2020
- d) P40 & P41 Ballot Count Minutes September 22, 2020

A motion was made to approve the above minutes.

Moved, Seconded, Carried 11-0

President's Report

President Rothman reported on the September President's Forum. Topics discussed at the forum included: creating policies for generators; investment accounts; and budget season.

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Arlyss announced that there will be a budget presentation to the members on October 28, 2020 beginning at 10am by Paul Donner before the Board votes on the budgets for 2021.

Secretary's Report

No report was presented this month.

Treasurer's Report

Treasurer Kaplan gave the following Report:

Treasurer Report: Oct 12, 2020

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

As of August 31, 2020, the TWCM bank balance was \$20,789.

TWCM payments in August were \$48,927 allocated as specified to the projects.

Republic Services trash pick-up was \$22,906. Legal services were \$11,235 all to Fong & Fong. MOD trash recycling was \$9,529. Mailing services was \$1,828 to Integrity. Trash Enclosures was \$3,429 to Commercial Support.

TWCM Owner Billables (amounts owed by owners to their project) as of August 31, 2020 was \$191,136, excluding the Project 64 assessment. This has been steadily increasing over several months.

TWCM Assessments (Coupon) owed as of August 31, 2020 was \$107,880, a small increase from the prior month. One individual Project had a particularly large amount owed, approximating \$40,000.

- 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 August 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 August 31, 2020.
Moved, Seconded Carried 11-0

Building and Maintenance Committee

Nan Warren gave the following report:

The TWCM Building Maintenance Committee met on October 1st to discuss Backup Electrical Power Systems. The committee had a draft, prepared by Adrian Byram and Nan Warren which discussed ways to provide power when the PG&E systems were not working. Adrian prepared

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a power point presentation which described these devices.

The committee agreed that portable generators powered by gasoline, diesel, or propane are not allowed. The danger of carbon monoxide poisoning was too high, both to the residents using such machines, and to their neighbors.

There are allowable devices, but they do not last very long. At best, they power small devices, for enough time for a resident to get ready to leave. The committee will prepare a new draft for its next meeting on Thursday, November 5th.

Landscape Committee

Walt Braun gave the following report for the Landscape Committee Meeting that occurred October 5, 2020:

Attendees:

Staff	Representatives Present
Rebecca Pollon	Walt Braun
Steve Ormond	Milford Waldroup
Cassidy Lundin	Sharon Birdsall
Kevin Jackson	Nan Warren
	Jane Norbeck
	Marie Kahn
	James McFarland
	Barbara Sedgwick
	Bruce Anderson

1. Staff and Representatives introduced each other
2. Reps were asked to comment on Terra performance, summary of responses:
 - a. Terra is quick to respond, good performance of the crews
 - b. Pruning seemed to have fallen but is now improving
3. Staff comments solicited, summary of responses:
 - a. Kevin Jackson noted that routine requests for service are included in the contract and may be requested – by Representatives- via email to: KJackson@Terra.com. Kevin maintains an office onsite.
 - b. Cassidy Lundin indicated that Terra is migrating to electric leaf blowers to cut down on noise and gas emissions.
 - c. Steve Ormond reiterated that the most efficient way to request landscape service is through the help desk: workorder@rossmoor.com.
 - d. Rebecca Pollon indicated that she would send the *Landscape Representative Handbook* as well as a *communication process slide* for further distribution by Walt Braun.

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4. Discussion ensued about the threat posed by Junipers growing within 30 feet of buildings. They should be identified and tagged for removal as budgets allow since they are a fire hazard.
5. R. Pollon briefly discussed the shrub and tree plant list that is on the website:
<https://rossmoor.com/residents/resident-services/landscaping/>
 - a. These plants are designed to be unfriendly to deer, fire hardy and drought tolerant to a degree
 - b. C. Lundin indicated that Terra has a plant expert on staff: Tom Wilhite
 - c. W. Braun indicated that he is working with some representatives to review the list with a view toward identifying shrubs that meet the above requirements and don't grow too high so as to avoid pruning.
 - d. Discussion also revolved around the selection of ground cover that was not so thirsty. Apparently Vinca that is present on some berms in projects 36, 34, 64 and uses excessive amount of water.
6. Next Zoom meeting will be held on Monday, December 7 at 3PM

Governing Documents Committee

Marilyn Mason gave the following report:

Meeting Date:	September 22, 2020	Resident Members:	Roxanne Stallings
Director Members:	Marilyn Mason, Chair Nan Warren	MOD Advisors:	Dale Harrington Paul Donner Clayton Clark

The meeting was called to order at 3:30 p.m. by Chairperson Marilyn Mason. The committee continued discussions regarding revisions to Policies 75 and 76 concerning dispute resolution.

I was determined that Policy 75 and 76 would be combined, since each policy focuses on dispute resolution at varying levels.

A single First Working Draft was used as a foundation for discussion, incorporating both policies as well as substantive recommendations from the previous meeting. There was lengthy discussion centered on clarification of terms such as Mutual, Association, owner versus resident, permanent occupant and tenant. It was decided that further research would be necessary concerning these topics before final edits could be made.

Lengthy discussion was held surrounding whether specific timelines should be included in the Internal Dispute Resolution Policy. It was noted that Davis Stirling does not include specific dates of completion in the process and suggested that doing so may have legal impact.

The next Governing Documents Committee meeting is scheduled for Tuesday, October 27, 2020 at 3:00 p.m.

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The meeting was adjourned at 5:10 p.m.

A motion was made to appoint Dale Harrington as a member of the Governing Documents Committee.

Moved, Seconded, Carried 11-0

Alteration Permit Application Review

The committee had no report to give this month.

Communication Committee

The committee had no report to give this month.

Emergency Preparedness Committee

The committee had no report to give this month. Arlyss announced that there is a lot of activity Valley wide with EPO. An EPO Great American "Shake Out" will be scheduled and information can be found in the Rossmoor News.

Dispute Resolution Committee:

Nan Warren reported that the Dispute Resolution Committee met on October 8th for a session on Active Listening led by Marjatta Deschepper, who has taught this class to the Interfaith Council at Rossmoor. Ms. Deschepper is a retired marriage and family counselor. A practice session will take place October 15 for active listening.

Old Business

- a. **Investment of Reserve Funds:** The Board discussed investment of reserve funds. A motion was made that the Board of Directors support each Project Director in making Project investment decisions based on recommendations received by the Board from MOD Accounting and Financial Institutions according to policy.

Moved, Seconded, Carried 10-0-1, Director Landeros Abstained

- b. **Update on Recording the Revised CC&Rs:** It was announced that the recording of the CC&Rs is about 2 weeks out and has been delayed by the courts due to COVID.

New Business

- a. **Approve Acct# 03414589 for Collections and Lien:** A motion was made to send Acct# 03414589 to collections and have a lien recorded on the property.

Moved, Seconded, Carried 11-0

- b. **Approve Acct# 03419307 for Collections and Lien:** A motion was made to send Acct# 03419307 to collections and have a lien recorded on the property.

Moved, Seconded, Carried 11-0

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Adjournment to Executive Session

There being no further business, the Regular Meeting of the Board was adjourned at 11:20 am and the Board moved into executive session.

Executive Session Summary

The Board met in Executive Session to consider appeals, discuss legal matters, and discuss owner discipline matters.

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