

MINUTES
WALNUT CREEK MUTUAL NO. THIRTY
SPECIAL MEETING OF THE BOARD OF DIRECTORS
FRIDAY, DECEMBER 11, 2020 AT 10:00 A.M.
ZOOM

President Evan Spinrod called to order the special meeting of the Board of Directors of Mutual Thirty on Friday, December 11, 2020 at 10:00 a.m. via Zoom.

ROLL CALL: PRESENT: President Evan Spinrod
 Vice President Linda Caputo
 Treasurer Ron Reece
 Secretary Cheryl Hines
 Director Al Fantegrossi

EXCUSED: None

Eight residents were in attendance.

NEW BUSINESS

The Board met to adopt the new rental restrictions with the following resolution:

Walnut Creek Mutual No. Thirty

**RESOLUTION OF THE BOARD OF
DIRECTORS TO ADOPT RENTAL RULES**

- A. WHEREAS, Civil Code section 4741(b), effective January 1, 2021, prohibits the adoption or enforcement of a cap on the number of rentals in a common interest to development to less than 25%;
- B. WHEREAS, Civil Code section 4741(f), effective January 1, 2021, requires common interest developments to revise their governing documents (which, by definition, including operating rules) to comply with the new law;
- C. WHEREAS, Section 4.3.2 of the Amended Declaration of Covenants, Conditions and Restrictions of Walnut Creek Mutual No. Thirty ("Declaration") contains rental restrictions which are contrary to Civil Code section 4741, namely a rental cap of 10 Units, or approximately 13%;
- D. WHEREAS, there is not enough time to amend the CC&Rs to conform to the law prior to January 1, 2021;

- E. WHEREAS, Civil Code section 4355(b)(4) authorizes the Board to adopt rule changes in instances such as this one, where the rule change is required by law and the Board has no discretion as to the substantive effect of the rule change; and
- F. WHEREAS, the Board of Directors has consulted with the Association's legal counsel who has advised the Board to adopt rental rules to comply with Civil Code section 4741.

THE BOARD HEREBY RESOLVES:

1. To adopt the attached Rental Rules in order to comply with Civil Code section 4741; and (Rules may be found at www.rossmoor.com Mutual Thirty)
2. To put the matter of an amendment to the CC&Rs to comply with Civil Code section 4741 to a member vote in 2021, with the intent that, if approved by the members, such amendment would take effect prior to January 1, 2022.

Adopted by the Board of Directors on December 11, 2020.

Certified By: Anne Paone, Assistant Secretary


Ms. Caputo moved to adopt the Rental Rules as presented in the Resolution in order to comply with Civil Code section 4741; and to put the matter of an amendment to the CC&Rs to comply with Civil Code section 4741 to a member vote in 2021, with the intent that, if approved by the members, such amendment would take effect prior to January 1, 2022. Mr. Reece seconded and the motion carried without dissent.

RESIDENTS' FORUM

No questions or comments.

ADJOURNMENT

Having no further business, the meeting adjourned at 10:15 a.m.



Anne Paone, Assistant Secretary
Walnut Creek Mutual Thirty