

WALNUT CREEK MUTUAL THIRTY-NINE

MEETING MINUTES OF THE BOARD TUESDAY, FEBRUARY 23, 2021 at 1:00PM ZOOM MEETING

Call to Order

Claire Wolfe called the meeting to order at 1:01 p.m.

Roll Call

Directors Present: Claire Wolfe, President
Al Guskin, Vice President
Bill Claussen, Treasurer
Mike Dwyer, Secretary
Jennifer Mu, Director at Large

Also Present: Paul Donner, Mutual Operations Director; Clayton Clark, Building Maintenance Manager; and Kelly Maki, Board Services Coordinator; Jeff Matheson, Resident Services Director.

Approval of Minutes

1. Regular Meeting held on November 17, 2020
2. Special Meeting held on January 11, 2021

A motion was made to approve the aforementioned meeting minutes.

Moved, Seconded, Carried 5-0

Residents' Forum

A Resident's Forum was held for comments and questions from the membership. No comments were made.

Guest Speaker Jeff Matheson

Jeff Matheson spoke on the preliminary plans for expanding the Pickle Ball Courts at Creekside from 3 courts to 7 courts. An acoustic consultant will do sound transmission testing and a construction start date has not been set at this time.

Committee Reports

- 1. Landscape Committee: Jean Faszholz**
Jean Faszholz gave the following report:

We continue to investigate inquiries from owners. We then give recommendations to Kevin Jackson of Terra Landscape and/ or Steve Ormond of MOD to meet with owner and/or give a proposal for work to be done. Then Steve gives a work order and when Claire approves the work is done. We are also looking at poorly performing lawns for possible removal.

Of concern to some Rossmorians is the small area of lawn that was recently replaced behind 2608 Saklan Indian #6. This is the unit that burned 2 1/2 years ago. The irrigation was shut off, the property was fenced, and the landscape mostly died. Insurance companies replace fire

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damaged landscape "as it was". Since there was lawn, they replaced it. So, if you have inquiries let folks know that M39 did not replace nor pay for that small area of lawn.... nor the shrubs around the condo. Insurance did.

The Landscape Committee
Olga Gordon
Helen Vassar
Judith Schumacher-Jennings
Chris Yahng
Jean Faszholz

2. Governing Documents Committee: John Rice

John Rice gave the following report:

The Governing Documents Committee currently consists of John Rice, Jennifer Mu, Carol Ansley, and Denise Maldon

We have one vacancy on the committee. Any M39 member interested to join the team and supporting this important committee should contact me.

The Governing doc committee report today is limited to Mutual 39 Rules and Regulations (RR) and is broken down into 3 Batches.

- ✓ Batch 1 - Draft Rules and Regulations sent out for comment following the special Board meeting on Jan 16, 2021
- ✓ Batch 2 –Proposed updated Rules and Regulations to be sent out for member comment following this meeting
- ✓ Batch 3 - Several Rules and Regulations the committee recommends be deleted.

There are several actions the Board may take related to any particular RR:

- a) accept recommendations from the GDC (drafts, revisions, etc.)
- b) decide no change is necessary - leave RR as is
- c) make own modifications (may require another round of comments if significant)
- d) send RR back to GDC for further review and analysis

Batch 1 – RR following 28-day Member comment.

Seven comments were received related to 5 RRs – all were constructive and useful to help clarify understanding. They are summarized below

RR	Subject	From	Issue
41	Leasing	John Shanley	Extenuating waiver
48	Maintenance	Jack Padley	Slab Hot Water
48	Maintenance	Clayton Clark	Clarifications/edits
51	Alterations	Sharon Fees	Permit clarification
56	OMG	Harvey Weinstein	Preexisting Tree
71	Pets	Clayton Clark	Limit per unit not Owners

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71	Pets	Donna Alexander	"Obnoxious"
70	Smoke alarms	No Comments	
78	BBQ	No Comments	

The GovDocs committee reviewed each comment and recommends some modifications be made to remove ambiguity or clarify the Rules. The modifications are *summarized* below:

RR	Proposed modifications
41	41.1 2) Exceptions may be made by the Board for extenuating circumstances.
48	Att A, hot water pipes in the slab are Mutual responsibility
48	All visits are billable not just first, added alterations
51	1 year changed to timeframe as specified on the permit
56	56.1 d) Trees <i>by the Owner</i> are not allowed. Existing trees or those planted by Mutual are allowed.
71	Limit applies to Unit, not Owner(s)
71	changed to "destructive"
70	None
78	None

Action: Propose that the Board accepts the GDC's modifications and approves the RRs for publication. A motion was made to accept the GDC's modifications and the approve the RRS for publication.

Moved, Seconded, Carried 5-0

Batch 2 – Draft Updated RRs to be sent out for Member comment

This time these are mainly cleanup of existing RRs to ensure conformance with the Mutual 39 CC&Rs and current practice.

RR #	Title	Notes
40.0	Manor, Occupancy of	Reformat for clarity - absorb appendix - useful definitions
40.0-A	Occupancy of a manor	Appendix absorbed into RR40.0
59.0	Hard Surfaced Flooring	Majority Board approval needed to change upper-level flooring
60.0	Balconies, Patios, and Roofs, Restrictions on Uses	Cleanup, eliminated "Deck", cantilever overloading (inspection now required)
69.0	Fireplaces	Importance of Resale certified inspection (CSIA & FIRE)
72.0	Wildlife, Feeding	Clean up simplify/title
75.0	Conflicts, Resolution of Local Conflicts	Clean up simplify
93.0	Rules for Use of Storage Containers	Cleanup, clarify process, aka PODS

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Action: To save time today I suggest these be sent out to Members for comment without detailed review today. We can handle any questions, clarifications, if any, after we receive Members comments. A motion was made to approve RRs 40.0, 40.0-A, 59.0, 60.0, 69.0, 72.0, 75.0, and 93.0 to be sent out for member comment prior to the Board considering adoption of the revised RRs.

Moved, Seconded, Carried 5-0

Batch 3 – RRs to be Deleted

The following have been determined to be obsolete by GDC

RR #	Title	Notes
0.3	Introduction	Conflicting with CC&Rs
0.4	Calendar of Events	Publish on the web, not a RR
46.0	Fees on Owner, Limitation on Imposition	Orphaned - appendix did not exist
52.0	Air Conditioner and Heat Pump	included in other RRs
65.0	Hardwood Floor Refinishing	detailed should be controlled thru Alteration control

Action: Propose the Board approves deletion. A motion was made approve the deletions as recommended by the GDC.

Moved, Seconded, Carried 5-0

3. Budget and Finance Committee: Bill Claussen

Bill reported on the October 2020 through December 2020 financial reports.

- a. A motion was made to certify that the Mutual is in compliance with Civil Code §5500 for review of the financial reports for October 2020, November 2020, and December 2020.

Moved, Seconded, Carried 5-0

- b. A motion was made to approve borrowing \$130,000 from the reserves fund for the 2021 Insurance Premium.

Moved, Seconded, Carried 5-0

- c. A motion was made to approve extending previous borrowings from the reserve fund until the end of the next fiscal year and ensure quarterly transfers of the insurance portion of the 2021 coupon and the working capital to the reserves fund to pay back the funds borrowed.

Moved, Seconded, Carried 5-0

4. Communications Committee: Mike Dwyer

Mike Dwyer gave the following report:

The communications committee has met several times in the past few months. We have

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laid the framework for clear communications for all members of Mutual 39.

- We are establishing a system to gather contact information from new members and deleting ones who have left the Mutual.
- We have set up a basic website which will allow a free flow of pertinent information to all of our members. It will contain a Calendar, list of committees and their contacts, a list of emergency contacts and a members forum. We will add additional items as needed.
- We welcome David Schubb to our committee. He has already been a big help. A motion was made to appoint David Schubb to the Communications Committee.
Moved, Seconded, Carried 5-0
- Our hope is to create a "one stop shop" of information that our members may want to access from time to time and also a method of getting important information out to our members asap when needed.

We are open to suggestions from the board and will address any members issues when they are presented. Our meetings are open to any member in good standing of Mutual 39.

The Board asked Communications Committee to come back to the Board with an outline of the website and then the Board can decide to approve or not.

5. Recycling Committee: Victoria Haket:

Victoria gave the following report from their February 11th committee meeting:

Participants:

Victoria Haket (chair), Mary Allen (note taker), Olga Gordon, Gloria Reid, and Sue Yahng. Harvey Weinstein and Vilma Romedeiors were unable to participate.

We discussed what is working and is not working in our entries, what we are personally doing, and suggestions for making progress. Here is a list of contributions:

Observations

- Still observing some incorrect sorting, perhaps due in part to caregivers and new residents who are unfamiliar with procedures
- Still some general confusion among residents about sorting rules, in part because the rules are changing
- Some routinely overflowing bins noted in Saklan Indian Entry 12, perhaps related to the pandemic and increased reliance on delivered goods
- Found fluorescent lights in Saklan Indian Entry 12 trash enclosure, which Victoria collected and will take to hardware store for recycling
- It's not clear that everyone among us is receiving Victoria's newsletters. (She sends it to about 120 email addresses.)
- A few people refuse to compost. They provide excuses like compost bin attract rodents.

Experiences

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- Have spoken directly to some neighbors to help them understand how to recycle
- Have emailed entry neighbors with recycling info
- Have taped short messages to bins in an attempt to correct problems
- Have broken down boxes that are left un-flattened, have moved materials to the correct bin, and have compressed bin contents so the lid closes
- Victoria has emailed three issues of Mutual 39's Trash Talk newsletter.

Suggestions for Committee Activities

- Some additional bin resizing appears to be needed. Perhaps we can do a follow-up audit (after the pandemic?) to see which trash enclosures require correction. The audit could be conducted in the same way that the Committee did a couple of years ago, which resulted in resizing the bins for Mutual 39 based on a six-week audit. (This resulted in an annual savings of \$17,000 for our Mutual.) Alternatively, we could continue to use the newsletter to invite concerned neighbors to contact Victoria about routinely overflowing bins or recruit more volunteers to keep Victoria informed.
- We can knock on doors to give out a flyer, making a personal connection and answering questions. Alternatively, flyers can be placed in mailboxes. Flyers should be brief because people may not be willing to read long documents.
- New neighbors: Mike Dwyer is developing a welcome packet for Mutual 39. We could include something in it, develop a brief handout of our own, and/or volunteer to distribute Mike's packet so we can meet new neighbors and briefly discuss recycling efforts with them. Victoria, as a realtor, knows about condo purchases, so we can anticipate move-ins.
- Victoria has 10 compost buckets. We could give them as welcoming gifts to our new neighbors. Ditto for the heavy plastic recycling bag (It is like a Trader Joe plastic shopping bag, but larger.), since materials placed in the blue bin should be loose rather than in bags. We could check to see if more of the free buckets and bags are available, and we could offer them to our neighbors who missed their earlier distribution.
- If people who refuse to compost are rigid about this, suggest they put their compostable items in the landfill bin.
- Perhaps another newsletter issue could focus on spring cleaning (including closets). Another could focus on MOD, explicitly addressing what they are willing to accept. Alternatively, one-page (or half-page) handouts on these topics could be distributed throughout the Mutual. We do not want too many handouts or emails, or people might stop attending to them. Perhaps our newsletters and handouts could be archived online within the Mutual 39 section of the Rossmoor website.
- We had some discussion of our meeting time. Most preferred an earlier meeting, e.g., 9 or 10AM, rather than 11AM. Thursdays and Fridays appeared acceptable to most of us. The golfers among us suggested Mondays because the golf course is closed.
- We should be sure to note in our materials that recycling errors cost us money on our coupons.
- Victoria has a pressure washer and is willing to loan it to others if they want to wash their trash enclosures. This requires water hookup.

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- Could remind concerned people that they can keep their compost in their fridges or freezers until trash day if they are concerned about attracting pests to their compost bin. Also, add some small branches or leaves to the bin. Compost can be taken to the bin within brown grocery bags to keep bins clean.
- Victoria is seeking more volunteers. They can volunteer to simply let her know about recycling problems in their own trash enclosure, so she can act on identified problems. It would be great to have an observer for each trash enclosure, so volunteering would not require much effort.
- Victoria hopes to host a zoom recycling meeting for all members of Mutual 39, which would be a great opportunity to identify potential volunteers, as well as to answer questions.

6. Building Maintenance/Alterations Committee: Jennifer Mu

Jennifer gave the following report:

Building Maintenance/Alteration Committee Report

1. Rebuilding 2608 Saklan Indian Dr. #6
Construction has been completed except for kitchen cabinets. Expected to be completed in March. Mutual is expected to front approx. \$257K at completion time. Insurance reimbursement of same amount is expected in July/August.
2. Entry 4 buildings are due for rehab this year. Termite inspection is completed, and we should have a cost estimate next month.
3. MOD is placing wheel bumpers in stand-alone carports that do not have them and reinstall those that had been removed by owners. The bumpers are there to protect the carport structure and shall not be removed by owners/residents.
4. SB 326 that became law in 2020 requires inspection of all elevated structures including balconies, stairs and elevated walkways. Clayton has counted 48 front decks and 40 rear balconies that will need inspection. He will send out RFPs by the end of the month. After the proposals come in, we can decide timelines and budget.
5. MOD will install LED outside lights in Entry 3 this year as a pilot program, get input from residents and re-evaluate.
6. There have been reports that some residents were charging their EV and golf cart in stand-alone carports. Those convenience outlets are on Mutual meters and are not for personal use.
7. At the last board meeting the Board voted to remove all front door paint color restrictions. There were concerns that residents were not given opportunities to provide feedback. The Gov Doc Committee is considering processes to change architectural standards in the absence of an Architectural Standards Committee and will make recommendations to the Board.

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Presidents Report

President Wolfe gave the following report:

Thank you to all that serve on these many committees. Our Mutual is only as successful because of all these efforts. I know you all could be playing instead of working, so I never take what you do for granted.

These are really difficult times when we are all tired of the restrictions of COVID. Yet, we know how blessed we are to be here in Rossmoor. Some may be frustrated with all the closures of activities. The GRF must follow the rules as set by the County of Contra Costa. And YES, we have to keep paying the full coupon. I truly appreciate that not one resident has called me about the coupon! Truly, the lack of many cases in Rossmoor is a testament that we have done the right things and now we just need to persist and get vaccinated.

I know everyone in my entry has arranged their vaccinations... except those young ones! Please ask your neighbors who may be fragile or without computer access to help them get appointments. It will get better!

People still may be unclear about homeowner's insurance and having adequate coverage for housing if you have to leave your manor. Rebuilds can take as much as two years so be sure your insurance is adequate to house you in alternative housing for that time. It sometimes isn't easy to read your policy, so call your agent. His or her name should be on your insurance bill.

Another thing we need everyone to do is to be on the lookout for hazardous situations. Smoking is not allowed in Rossmoor. Unfortunately, one of our fires was caused by a visitor smoking and not properly putting out her cigarette. Another fire was caused by a freezer in the garage plugged in with an extension cord. If you have a freezer or extra refrigerator in your garage, please be sure it is directly plugged into an outlet installed by an electrician. Hoarding is another cause of fires in Rossmoor. If you or a neighbor is a hoarder, please bring it to the Board's attention so we can address the situation with the resident.

Finally, freestanding carports are not a place for charging a golf cart. If you are aware of situations like this, please bring it to the attention of the Board so we can address it with the resident.

New Business:

- 1. Approval of Updated GRF Management Contract:** The Board tabled this item to the next meeting.

Announcements

The next scheduled Meeting is the Annual and Organizational Meeting to be held on Tuesday, May 25, 2021 @ 1:00PM via Zoom.

Adjournment to Executive Session

President Wolfe adjourned the meeting at 2:32 p.m. and the Board moved into Executive

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Session.

Executive Session Summary

The Board met in Executive Session to discuss a homeowner discipline matter.

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
Mutual 39**