

REGULAR MEETING MINUTES OF THE BOARD
TUESDAY, AUGUST 20th, 2024, at 1:00PM
BOARD ROOM – GATEWAY
1001 GOLDEN RAIN RD – WALNUT CREEK, CA 94595

Call to Order

President Haket called the meeting to order at 1:00 p.m.

Roll Call

Directors Present: Victoria Haket – President
Bill Claussen – Vice President
Karen McEligot - Treasurer
Jennifer Mu – Secretary
Terry Gordon – Director at Large

Staff Present:

Jeroen Wright, Director of Mutual Operations
Clayton Clark, Sr. Building Maintenance Manager
John Tawaststjerna, Landscape Manager
Charice Jimenez, Interim Board Services Coordinator

Approval of Minutes

- Annual Meeting Minutes of May 22, 2024
- Organizational Meeting Minutes of May 22, 2024
- Executive Meeting Minutes of May 22, 2024

Bill Claussen made a motion, seconded by Terry Gordon, 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. Comments included unrestricted parking.

Committee Reports

- **Landscape Committee: Olga Gordon**
Olga Gordon provided the following report:

MUTUAL 39 LANDSCAPE REPORT for AUGUST 2024

Good afternoon everyone,

I'm happy to say that the shrubs and trees that we planted earlier in the year are well established and tolerating the high temperatures we've been experiencing this summer.

During the month of July Terra Landscaping cut down dead grasses to help protect against wildfire. In addition, shrubs and perennials were fertilized as needed.

I have been approached by two members of our mutual regarding old poorly performing lawns. These will ultimately be replaced by gravel and shrubs. At the moment it is not even safe for the elderly resident to walk outdoors.

In addition, two of our new residents have approached me about missing shrubs. The previous residents had used potted plants in those areas.

We plan to address these issues, and others previously mentioned, in the fall. We will use our free MOD days from November 13th to the 18th, as well as Terra Landscaping to do some of the additional work.

A tree walk has been planned for September together with John T and Brian from Warner Tree Experts. Typically, the work is done about a month after a walk.

Our next landscape meeting will take place at 3pm on Sunday, September 15th, in the Redwood Room at Gateway. Please feel free to attend.

I'd like to thank the landscape committee members for all their help.

Thank you all,

Olga Gordon
M-39 Landscape Chair

- **Governing Documents Committee: John Rice**

Mr. Rice reminded the Board of the upcoming deadline to comply with the Corporate Transparency Act. He noted that the Mutual's legal counsel has offered to handle the mandatory registration of the Directors. Jeroen Wright informed the Board that he was working on a form to be circulated that the Directors could complete, and MOD would then handle the required registration. The deadline for registration is January 1, 2025.

- **Budget and Finance – Karen McEligot**

Karen McEligot provided the following report:

M39 Financial Report for August 20, 2024, Meeting

1. We have completed the first three months of our current fiscal year, April, May, and June. For this first quarter for fiscal year 2024/2025 we are under budget for expenses. So, we have a good start for this fiscal year. I would like to make a motion to accept the financial statements for April, May, and June 2024 as submitted.

Karen McEligot made a motion, seconded by terry Gordon to certify that the April, May and June financials had been reviewed by the Board, in compliance
Moved, Seconded, Carried 5-0

2. Reserve cash is currently about \$1.15M of which about \$526,000 is in CD's. These CD's are due to mature this August and September 2024. The Finance Committee met to discuss the reinvestment of these funds and I would like to proceed with the purchase of either CD's or Treasury Bills going forward in increments of \$250,000 per issue using a ladder approach. We see the challenge of needing reserve cash to meet our future needs for capital for our aging buildings and roofs. I would like to make a motion to approve the Treasurer or Assistant Treasurer to be authorized and empowered to establish and maintain one or more investment accounts as specified in 16.2.1 of M39 Rules and Regulations and to proceed with investing the funds as appropriate.

Karen McEligot made a motion, seconded by Jennifer Mu, requesting approval to authorize the treasurer or Assistant Treasurer to invest funds, establish and maintain more than one investment.

Moved, Seconded, Carried 5-0

3. Write off receivables. During the process of MOD responding to a M39 member's request, some expenses may be incurred that is paid by MOD and passed on to M39. Some of these expenses are the responsibility of the member and not M39 and are booked as a receivable on our books. During my investigation of this account I found that some receivables are several years old and I would like to have MOD accounting department write off the old balances. There are three accounts equaling a total of \$168.27.

Karen McEligot made a motion, seconded by Victoria Haket, to approve having MOD Accounting write off the three following accounts out of Account Receivables for M39:

- #039039043 for \$25.00
- #039039045 for \$23.27
- #039039070 for \$120.00

Moved, Seconded, Carried 5-0

- **Communications Committee: Jennifer Mu**

No report

- **Recycling Committee: Victoria Haket**

Your compost bins were cleaned on 7/30 and will again be clean on August 27th and September 24th.

Peter Poulsen has offered to greet all new residents with a welcome packet and composting bucket. If you have a neighbor that has not received recycling information when they moved in, please let us know.

- **Building Maintenance/Alterations C2. Condensate linescommittee: John Rice:**
 1. Scheduled Work:
 - Entries 3&4 asphalt repaving complete yesterday building rehab for buildings in entry 9 and 3 and first 3 buildings in entry 12 will begin in November.
 2. Condensate Lines Pilot:
 - We haven't had feedback from the contactor working on the condensation lines pilot program in entry 5.
 3. Visual Inspection of Elevated Structures
 - The inspection report identified around a dozen units that require repairs. most of these repairs will be done during the scheduled building rehab this year and next.

The mutuals 10-year building rehab cycle has been instrumental in maintaining the structural integrity of our buildings. Additionally, maintaining a healthy reserve fund minimizes the need for special assessments.

Presidents Report

President Haket provided the following report:

It's been an insightful first three months as I've learned more about the operations within Mutual 39. I'm continually impressed by the knowledge and passion of our directors and committee members. They take their roles very seriously and are doing an excellent job representing our community.

I also want to extend a heartfelt thank you to Jennifer Wu for putting together the last newsletter. Our goal is to keep you informed with quarterly updates about what's happening in our Mutual. If you have any questions or concerns, please don't hesitate to reach out to me.

Old Business:

Jennifer Mu presented the City of Walnut Creek's Smoking ordinance as a reminder of the laws in place. The Board's concern is for the members' safety and risk of fire if the rules are not followed.

New Business:

The Helsing Sustainment Renewal contract was discussed by the Board. Jeroen explained the contract's 3-year terms and conditions.

Karen McEligot suggested the Board table this item to allow adequate time for discussion with other mutuals as well as the finance committee. There are two Mutuals in Rossmoor that are using companies other than Helsing for their reserve studies. It was noted that Clayton and other MOD Staff use the Helsing report as an outline and then apply the realistic details for the mutual giving the report current perspective.

This item was deferred to the next regular meeting to allow Karen and the Finance committee time to obtain more information on the topic prior to the Board's decision.

Manager's Report – Jeroen Wright

Jeroen Wright provided the following report:

After a year he has fine-tuned the new director orientation. He and Todd have collaborated and they are taking a more customer service approach to the managing of the Mutuals. CCFPD has informed GRF that they will be mandating the monthly fire extinguisher inspection requirement of the mutuals. Mod would obtain 3 bids from outside vendors to perform the monthly inspections and they would then put in a lower bid to handle this the mutuals that do not form a committee to handle.

Announcements

The next Board Meeting is scheduled for Tuesday November 19, 2024, at 1pm, in the Boardroom at the Gateway Complex.

Adjournment

President Haket adjourned the meeting at 2: 05 p.m.

Executive Session Summary:

The Board met in Executive Session from 2:10 p.m. to 3:06 p.m. The following topics were discussed:

1. Member Matters
2. Legal Matters
A motion was made to refer the case to counsel and move forward with the Lien
Moved, Seconded, Carried 5-0
3. Member Matters
4. Member 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.

Charice Jimenez

**Interim Assistant Secretary
Mutual 39**