

# WALNUT CREEK MUTUAL THIRTY-NINE

MEETING MINUTES OF THE BOARD  
TUESDAY, MARCH 26, 2019 at 1:00PM  
BOARD ROOM - GATEWAY  
1001 GOLDEN RAIN ROAD, WALNUT CREEK, CA 94595

## Call to Order

Claire Wolfe called the meeting to order at 1:03 p.m.

## Roll Call

**Directors Present:** Claire Wolfe  
Al Guskin  
Bill Claussen  
Mike Dwyer

**Directors Absent:** Ted Gunn

**Also Present:** Paul Donner, Mutual Operations Director; Clayton Clark, Building Maintenance Manager; and Kelly Mattison, Board Services Coordinator.

## Residents' Forum

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

## Approval of Minutes

### **1. Regular Meeting held on February 12, 2019.**

A motion was made to approve the minutes of the regular meeting held on February 12, 2019 as presented.

**Moved, Seconded, Carried 4-0**

## Committee Reports

### **1. Landscape Committee: Jean Faszholz (absent):**

Jean Faszholz provided the Board with the following landscape committee report to be presented in her absence.

Sorry I am traveling and will not be at the meeting. Following is a summary of more recent landscape activities for M39. Ted Gunn has joined me and received this report and the Landscape Committee Charter. I am not sure whether he will be attending this meeting.

Before the 14 days of M39's "free labor" Steve Ormond and I went over the projects I had chosen .....by observing and by gathering requests made by owners. I chose labor intensive projects, as much as possible. E11 buildings had been rehabbed so their entry was top on the list. Our MOD 3 man in house crew also completed much work in E8. Some came as a result of requests and others because landscape rehab projects were not all completed when that entry was rehabbed. Owners in E8 and E11 were very pleased with the improvements and the dedicated crew who even worked in the rain!

There was more on the list then the crew could complete in 14 days so I am meeting on March 20 with

# WALNUT CREEK MUTUAL THIRTY-NINE

Steve and Kevin from Terra and we will look at what is left and prioritize and ask Kevin to give us proposals with costs. Claire will receive these proposals and after checking the budget we will proceed with getting as many done as possible. The others will be on the top of the list for our next year's "free days" or for Terra.

One new owner requested that their poorly performing lawn be replaced. It was explained that we have not replaced such lawns for several years. The owner seemed satisfied when informed that rehab of the lawn will be on next year's "free days" list.

I have tried to keep up with getting back to owners when they make requests and keeping a prioritized list but some slip through the cracks. Would sure like to have someone on the committee who would like to organize such a list. Perhaps we could advertise such a position in our next newsletter.

Claire and I have discussed Terra's contract and agree. I will let her present our thoughts.

Thanks for your continued support,  
Jean.....

A landscape committee charter was presented to the Board for adoption. A motion was made to adopt the proposed Landscape Committee Charter.

**Moved, Seconded, Carried 4-0**

## **2. Governing Documents Committee: John Rice**

John Rice reported that he had a summary discussion with the lawyer Richard Fong regarding the CC&Rs. They have established that the CC&Rs are out of date and it was recommended to terminate the establishing agreements. The CC&Rs will be revised by Richard Fong within weeks.

A motion was made to appoint Claire Wolfe, Mike Dwyer, Carol Ansley and Jennifer Mu members to the Governing Documents Committee.

**Moved, Seconded, Carried 4-0**

A Governing Documents Committee Charter was presented to the Board for adoption. A motion was made to adopt the proposed Governing Documents Committee Charter.

**Moved seconded, Carried 4-0**

## **3. Budget and Finance Committee: Jennifer Mu and Paul Donner**

Paul Donner Reported the fund balances as of February 28, 2019:

Operating: \$29,927

Reserves: \$639,222

The Mutual is currently better than budget by \$29,005

A motion was made to appoint Bill Claussen as the new Chair of the Budget and Finance Committee so that Jennifer Mu could take over the vacant chair in the Building Maintenance Committee.

**Moved, Seconded, Carried 4-0**

## WALNUT CREEK MUTUAL THIRTY-NINE

A motion was made to appoint Jennifer Mu, Chris Yahng, and Ted Gunn to the Budget and Finance Committee.

**Moved, Seconded, carried 4-0**

A motion was made to certify that the Mutual is in compliance with Civil Code 5500 for review of the financial reports of January 2019 and February 2019.

**Moved, Seconded, Carried 4-0**

The committee is still working on a committee charter.

#### **4. Communications Committee: Mike Dwyer**

A motion was made to appoint Joe Casalaina to the Communications Committee.

**Moved, Seconded, Carried 4-0**

#### **5. Recycling Committee: Judith Schumacher-Jennings (absent):**

The following report was presented to the board in Judith's absence.

1. I am submitting this request from Carol Weed of Trash Talkers/Sustainable Rossmoor as part of my report for a motion to approve or disapprove.

RecycleSmart is using several methods to publicize the upcoming Composting Orientations given by Republic Services staff and hosted by Sustainable Rossmoor. The program will be repeated three times:

Mon April 22, 10 AM in Fireside

Mon April 22, 1 PM in Fireside

Sat May 4, 10 AM in Diablo, Hillside.

Pails and literature will be dispensed at each, accompanying the PowerPoint presentation and Q&A.

Ads will appear in the Rossmoor News, on Channel 28, and a flyer will be sent to each home. They will also be listed in the Sustainable Rossmoor (SR) program schedule that will be distributed at eleven SR events scheduled during the month of April.

Even so, we learned last September that the most effective announcement was a flyer affixed to trash enclosure doors throughout the pilot areas. RecycleSmart is paying for copies of the flyer below and SR volunteers will be putting them up at no charge IN MUTUALS AND PROJECTS WHERE THE DIRECTORS APPROVE. And removing them afterward.

Affixing the flyers to the trash enclosure doors involves stapling them on the outside of the door when it is wooden or using double-sided foam tape to mount them on the inside of the enclosure (because occasionally tape has removed paint on metal doors in the past). Depending on the weather, we expect them to go up the 2nd week of April.

Do we have your permission to mount them in Mutual 39?

## WALNUT CREEK MUTUAL THIRTY-NINE

2. Claire has notified Mary Ann Gannon-McCooley, GRF Landscape Coordinator that I have been named Committee Chair for the Recycle Committee of Mutual 39 and asked that I be allowed access to materials such as posters, totes, and pails to distribute in the Mutual.

3. New members of the Recycling Committee are Gessica Johnson, Mary Allen and Nancy Moran. We will be meeting with Carol Weed for trash bin audit training on March 19.

A motion was made to approve the trash enclosure flyers presented in the report.

**Moved, Seconded, Carried 4-0**

A motion was made to appoint Gessica Johnson, Mary Allen and Nancy Moran to the Recycle Committee.

**Moved, Seconded, Carried 4-0**

### **6. Building Maintenance/Alterations Committee: Volunteer Needed**

A motion was made to appoint Jennifer Mu as the new Chair of the Building Maintenance/Alterations Committee and Mike Dwyer and Claire Wolfe as members of the committee.

**Moved, Seconded, carried 4-0**

A motion was made to delegate permitting authority to MOD for alteration requests, except for the enclosure of back porch or balcony, encroachment on common area, and the installation of roof top solar panels.

**Moved, Seconded, Carried 4-0**

### **Unfinished Business**

1. **Member Comments and Adoption policies and Procedures:** The Board announced that no comments were received during the mandatory comment period. A motion was made to adopt the Policies and Procedures with a name change in the title to "Rules and Procedures".

**Moved seconded, Carried 4-0**

### **New Business**

1. **Terra Landscape Contract:** A motion was made to authorize the Mutual President to sign and approve a base contract at a monthly cost of \$7,190 and evaluate the additional option of \$719 per month for the "Organic Add-On" to be added at a later time if approved by the Board.

**Moved, Seconded, Carried 4-0**

2. **M39 Mission Statement:** A motion was made to adopt the following mission and vision statement for M39:

#### **Mission Statement**

The mission of the Board of Mutual 39 is to preserve and enhance the buildings, common areas and other property of the Mutual by upholding our Covenants,

## WALNUT CREEK MUTUAL THIRTY-NINE

Conditions and Restrictions (CC&R' s) and Policies. The Board will serve the homeowners by taking a fair, ethical and objective approach in representing the interest of all residents.

### **Vision Statement**

Mutual 39 is a place that we are all proud to call home—a community of friendly, caring and respectful neighbors who cooperate with each other to promote a premier neighborhood within Rossmoor.

**Moved, Seconded, Carried 4-0**

### **Announcements**

The next Meeting will be held on Tuesday, May 21, 2019 at 1:00pm in the Board Room at Gateway.

### **Adjournment**

President Wolfe adjourned the meeting at 2:16pm.

### **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.



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**Assistant Secretary  
Mutual 39**