



FOURTH WALNUT CREEK MUTUAL

## BOARD OF DIRECTORS REGULAR MEETING\*\*

Monday, May 20, at 1:30 p.m.

Meeting is Conducted In-Person and Virtually

Board Room / Gateway  
1001 Golden Rain Road, Walnut Creek, CA 94595

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### MINUTES

#### Call to Order

President Seldon called the meeting to order at 1:30 p.m.

#### Roll Call of Directors:

President Janet Seldon, **present**  
Vice President Ward Thompson, **present**  
Treasurer Rajasundaram Sivasubramanian, **excused**  
Secretary Jeffrey Spires, **present**  
Director Robert Amans, **present**

#### Mutual Operations Staff:

Jeroen Wright, Director Mutual Operations, **present**  
Rick West, Senior Building Maintenance Manager, **present**  
John Tawaststjerna, Landscape Manager, **present**  
Linda Schoeffner, Board Services Coordinator, **present**

### 1. MEMBERS' FORUM

*"The following statements/opinions expressed by the members of Mutual 4 belong solely to those individuals. The Board of Directors is not obligated to respond or react to what is said. It is recorded in the Minutes for information only."*

Members comments were made on replacing carpet on a second floor unit as they really want to put a hardwood surface, insurance tried to sell, no renting out.

### 2. PRESENTATION

Maxine Topper gave a wonderful presentation on "what does a district representative mean"

### 3. APPROVAL OF CONSENT CALENDAR

May 7, 2024, Special Meeting Minutes  
April 15, 2024, Board of Directors Meeting  
April 13, 2024, Executive Session Minutes

*Motion made by Seldon, seconded by Siva, to approve the Board of Directors Meeting Minutes as posted.  
Approved by vote. (4-0)*

#### **4. PRESIDENT'S REPORT**

President Seldon reported

#### **5. TREASURER'S REPORT - Siva**

##### **Fourth Mutual Treasurer's Report for May 2024**

The April Board meeting was held on 4/15/2024. I received the March Financials only after the meeting. Hence the March financials were not reviewed in the April Meeting. I have received the April financials now. Hence I will cover the April report.

As of April 30, our income from the operating fund exceeded expenses by \$ 2,676 for the month. In reserve fund our income exceeded expenses by of \$ 69,763 for the month. For year to-date, operating funds has a positive variance of \$ 65,593 against budget and the reserve fund has a positive variance of \$ 209,513 against budget. For the year today, Utilities had a 45K positive variance and building and maintenance had a positive variance of 7K. Both will disappear when our temperature warms up. Normally we do not see major expenses on the reserve budget until weather warms up.

April end operating fund balance: \$ 609,703  
April end Reserve Fund balance: \$ 3,281,437  
April end total balance: \$ 3, 891,140

Starting in March, I have been reporting actual cash balances in the treasurer's report since they will differ from the above balances and cash balances give an accurate description of the financial status of the mutual.

At the end of April, Mutual 4 has \$ 153,249 in our operating fund account and 3, 104,209 in our reserve account in the bank for a total of \$ 3,891,140.

As of April 2024, total delinquencies were \$ 120835 in past due monthly assessments.

Delinquencies on third party billing is \$ 16309. The new CFO indicated that resolving this will be one of his top priorities for the year. Currently the delinquency on the special assessment for last year is around \$ 7000. We also have some delinquencies from the special assessments from 2021 for about \$ 4775. We will start sending out some letters again. At the last Board meeting we approved putting liens on two properties and decided to start judicial foreclosure on a property that has a large delinquency.

Mutual also had interest income of \$12,303 in April. Last year we had an interest income of \$ 9543 in April.

We also need to make two motions:

The first motion is to certify that the financials have been reviewed in accordance with civil code # 5500.

The second motion is: In accordance with the collection policy for the time period between one meeting and the next, those owners who are delinquent will be sent to A.S.A.P. Collection

Services to initiate collection activities, including but not limited to recording a lien and/or any successive liens(s).”

**6. MANAGER’S REPORT - Jeroen Wright**

Jeroen attended the President’s forum, he reported that the work order desk charges \$25.00 for a small job and jobs with greater than \$175.00 of labor will be charged a 15% labor fee. Some fees paid by the mutual, some by resident. More up to date reports, more transparent reports that we get off Jenark, will be updated in the new system. Supposed to send to collection once a year. They do it in the annual budget packet. Firewise Meeting, June 10 at the Event Center from 10am-12pm Everyone who attends in person or on zoom it will be counted as volunteer hours. Zoom link will be in the Rossmoor news.

**7. LANDSCAPE MANAGER - John Tawaststjerna**

**8. BUILDING MAINTENANCE REPORT – Rick West**

**ACTION ITEMS: Proposals for review or Approval**

**1. Entry 10 Dry Rot Repair Work Prior to Paint. Contractor CALPRO Estimate. \$5,170.82**

**Presented to the Board for approval.**

**2. Remove and Replace failed Asphalt (Tice Creek):**

- Grind out approx. 17,350 sq ft of asphalt at 4 inches of depth.
- Pave with hot mix asphalt in 2 separate lifts, compacting after each lift.
- Roll to provide proper compaction and finish.
- Stripe to match existing lot. **PRICE: \$74,353.00**

**Remove and Replace failed Asphalt (Pine Knoll):**

- Grind out approx. 6,085 sq ft of asphalt at 4 inches of depth.
- Pave with hot mix asphalt in 2 separate lifts, compacting after each lift.
- Roll to provide proper compaction and finish.
- Stripe to match existing lot. **PRICE: \$31,812.00**

**TOTAL CONTRACT PRICE: \$106,165.00 Presented to the Board for approval.**

**INFORMATION ITEMS: Work scheduled in progress or completed**

**1. Entry 10 Painting Project – Product: Dunn Edwards Paint. Contractor: CALPRO Board approved NTE \$56,000.00**

**Scheduled start after Dry Rot Repair completion.**

**2. SB326 - Structural Engineers inspection of raised mutual components –**

The Board has elected to complete this project in 4 Phases over 4 years starting in 2021 - and completing the inspections in 2024. Total Inspection contract Cost \$78,071.00.

Contractor: FWC - Destructive testing and put back will be completed by others.

Contractor: Alp Construction was awarded phase I repairs.

**(Work is in Progress Estimated Cost \$65,506.00).**

- 3. Roofing Project – 2109 Skycrest – DuraLast, Tile to Comp. Gutter & Downspouts.  
Contractor: Fiala Roofing. Project scheduled for spring 2024.  
Rain Leak repairs and Balcony repair work are also included in this project.  
Cost \$142,459.00**

4. Dry Rot and Touch Painting Project Contractor: MOD was awarded this project.  
Skycrest / Pine Knoll / Tice Creek will be completed for an additional cost of **\$50,000.00.**

**(The final phases will be completed in 2024).**

### **9. COMMITTEE REPORTS**

**Governing Documents-** Kathleen Bridgeman

*No Report*

**Trash Committee – Deb Hachen**

*No Report*

**Communications Committee - Carl Brown**

Carl reported that the owners meeting was a disappointment.

Working on a level one policy for EV Golf Cart charging.

**Alterations Committee - Linda Brown**

Linda reported on the alterations in progress and the alterations completed from November 2023-April 2024. Linda recommended that a complete sound study on hard wood floors vs. carpet be done.

### **10. OFFICERS REPORTS:**

**Vice President - Ward Thompson**

Ward reported on the Town Hall and the comments by owners:

1. Barbara Wood –
  - a. Asked to see a rendering of the current color scheme
  - b. Wants a vote on the choices.
2. John Cheteridge –
  - a. He has railings which have a powder coated finish and does not want them painted (a very valid concern)
  - b. Felt the existing ceramic tiles would look garish with the new color schemes
  - c. Wants the color schemes to be compatible with the roof shingles
3. Mary Rose –
  - a. Thanked the Board for arranging the Town Hall
4. Don –
  - a. Agrees the dry rot should be dealt with first.
  - b. Preparation is everything regardless of color.
  - c. Requested an owner representative be part of the punch list process.
  - d. He is in favor of a mixed color scheme as presented.

5. Cindy –
  - a. Asked how long it would take (Dry rot – to be determined / Painting 4 – 5 weeks).
  - b. Asked when the color decision will be made.
6. Tricia –
  - a. Thanked the Board for its efforts.
  - b. Felt multiple colors would be more appealing.
  - c. Endorsed the proposed “modern” colors.
7. Carol –
  - a. Described Entry 10 as more like a village and therefore using the same color would be more appropriate.
8. Barbara –
  - a. Endorsed an owner vote.
9. Gary White –
  - a. Wants to select the color of his building (with the agreement of the other half owner).
10. Ms. ‘X’ no. 1 (could not understand her name) –
  - a. Asked about the front doors. Rick replied that the “alteration” doors would only be painted their present color if the owner paid for the paint and painting.
11. Mrs. ‘X’ no. 2 –
  - a. Asked about how permitted additions to her unit would be handled, i.e. paid for by the owner of mutual.
12. A great deal of discussion ensued regarding a straw vote but without success agreeing to the question for the vote. A count was made regarding the number of manor owners who were present resulting in a count of 18.
13. For lack of agreement Ward Thompson, Mutual Vice President, suggested that the vote be “who is in favor of maintaining the existing color scheme”. He also said that a majority of entry 10 owners would be based on 50% plus 1 or 16 votes in favor if subject to an open vote by all 30 owners. Of the 18 owners present, 8 were in favor. The straw vote failed.  
Statistically, if the 8 of 18 owner percentage was applied to the remaining 12 owners not present, a vote of the full 30 owners would only yield 13 positive votes, 3 short of the required 16 votes for a majority.

**Secretary - Jeff Spires**

### **11. NEW BUSINESS**

**Motion to Adopt Golf Cart Charging Policy - After over 28-Day Comment Period**

*A motion was made by Jeff and seconded by Ward, board approved 4-0.*

**Board Election by Acclamation - Motion to Elect Siva and Susan Chang to the Board by Acclamation at the August 1, 2024, Annual Meeting of the Members.**

*A motion was made by Ward and seconded by Jeff, board approved 4-0*

### **12. ANNOUNCEMENT**

Next Meeting is the Board Meeting on Monday, June 17, 2024, 1:30 p.m. in the Board Room / Gateway.

### **13. ADJOURNMENT**

There being no further business, the Board adjourned the meeting at 3:20 p.m. The Board will convene in an Executive Session.

*Lisa Kam for Linda Schoeffner*  
Assistant Secretary  
Fourth Walnut Creek Mutual