

MINUTES
FOURTH WALNUT CREEK MUTUAL
MONDAY, JUNE 15, 2020 AT 1:30 P.M.
ZOOM MEETING

President Swisher called to order a regular meeting of the Board of Directors of Fourth Walnut Creek Mutual at 1:30 p.m. on Monday, June 15, 2020 via ZOOM.

ROLL CALL: PRESENT:	Vicki Swisher	President
	Linda Brown,	Vice President
	Carolee Perrich	Treasurer
	Pamela Ovalle	Secretary
	Sheldon Schwartz	Director

ABSENT: None

Representing Mutual Operations were Paul Donner, Director of Mutual Operations; Rick West, Building Maintenance; Manager Rebecca Pollon, Landscape Manager and Anne Paone, Administrative Secretary.

Ms. Swisher welcomed 11 residents in attendance.

APPROVAL OF CONSENT CALENDAR

Mr. Schwartz moved to approve the consent calendar with the minutes listed as follows:

May 18, 2020: Regular Board Meeting

May 18, 2020: Executive Session

Ms. Perrich seconded and the motion carried without dissent.

RESIDENTS' FORUM

Ms. Swisher received comments on the "No pedestrian traffic" sign. In response to the comment on placement of the "no pedestrian traffic" signs adjacent to building 2100 Skycrest Drive Entry #16, the Board has listed this item for discussion under Unfinished Business in the agenda.

A resident brought up water outages. Ms. Swisher explained that EBMUD had closed a reservoir which lowered the pressure. There is also a lot of irrigation on at night. This can affect pressure on the domestic side.

A resident asked that the no smoking policy be re-iterated. Ms. Swisher advised that the City of Walnut Creek is the enforcement agency. The number to call them is 925.256.3535 or email at: nosmoking@walnut-creek.org.

A resident asked about the status of the slope at E10. Per Ms. Pollon, it is on the schedule.

MANAGEMENT REPORT

Mr. Donner reported that MOD is open and providing service. It is not open to walk-ins. They can be reached by phone or email. GRF has opened the dog park, the Dollar and Hillside polls are open. BBQ areas and the outdoor restaurant is open. Everyone must abide by social distancing and wear masks. The Fitness Center may open soon. Workers at manors must wear masks indoor or outside.

PRESIDENT'S REPORT

- As part of Ms. Swisher's report, she has provided each Director and Paul Donner a handout detailing the highlights of the May President's Forum. In order to expedite the meeting, Ms. Swisher waived reading the entire handout during these proceedings and only listed the main topics. These included revisions to Mutual governance, flyer distributed to most Rossmoor residents regarding cutting coupon, cleaning recycle and landfill containers, update on resale and alterations support during the latest Stay-in-Place order, update on the use of Docu-sign for Member Records documents, and proposed 5-year landscape plan.

See complete report as follows:

- **Highlights of May 2020 Presidents' Forum**

- One of the Presidents asked for feedback on the difficulties in revising CC&Rs and Bylaws. Various issues were discussed including legal ramifications, process needed to approve these types of governance documents, and the economic impact.
- One of the Presidents asked if it was legal for someone in one Mutual to distribute a flyer regarding lowering the coupon to a majority of Rossmoor residents. The consensus was that such actions are protected by the Davis Stirling Acts as long as there is an individual in each affected Mutual that supports the distribution of the flyer. The placement of the flyer under automobile windshield wipers was against some Mutuals' policies. Also, the placement of the flyer in mailboxes was against the law. However, since the flyer was sent anonymously, it is difficult to address the problem without proof of ownership.
- A discussion was held on how to get recycle and landfill containers cleaned. Ms. Swisher stated that Nice Cans will provide cleaning of recycle containers for a fee. Also, Republic will replace the recycle containers once or twice a year at the request of the Mutual for no charge. No one could identify a service available to clean landfill containers.
- Chris Preminger, Business Operations Manager, stated that the electronic signature software DocuSign is now available for Board Members to sign Member Record documents. This eliminates the need for Board Members to download email attachments, sign documents, scan the signed documents, and email the signed documents back to Member Records. DocuSign cannot be used in situations where notarization is required. MOD is looking into providing this software for Board signatures on financial, resale, and alteration documents.
- Sharon Fees, Administrative Services Manager, provided the Mutual Presidents with the following update on resales and alterations during the latest Stay-in-Place Order:
 - Buyers Alterations meetings are still suspended.
 - Inspections are being performed and have caught up from the time the Stay-in-Place Order was originally mandated.
 - Contractors are only allowed to perform work on alterations between 9 AM and 4 PM Monday through Friday.
 - All resale and alteration facilities are still closed to foot traffic.
 - Alterations has placed a drop box outside their door at MOD.
- Rebecca Pollon provided the following proposed 5-year landscape plan:

- There are four phases to the plan.
- Phase 1 concentrates on reducing costs; take care of high value landscape; Do not automatically replace something considered detracting; reduce fuel for fire; eliminate low value landscape; 2 years of the 5 year program.
- Phase 2 is interchangeable with Phase 3; identify each Mutual's assets such as the stunning view of Tice Valley from Skycrest; update high value areas such as entryways and in front of buildings; build identity around existing assets; then build new assets.
- Phase 3 is based on establishing balance; landscaping is very political; water costs must play a role; current water storage capacity is only 14 months; reduce water, maintenance, and chemical usage by reducing turf; only leave viable lawns.
- Phase 4 is bi-annual mulching program using compostable mulch; must feed soil; when removing trees use reforestation program and plant new trees in open space in Tice Valley.

TECHNOLOGY AND PREVENTATIVE MAINTENACE TASK FORCE

- Ms. Swisher provided each Director and the MOD Representatives a handout detailing the highlights of the activities performed during the past month. In order to expedite the meeting, she waived reading the entire handout during these proceedings and only listed the main topics. These include drainage issues, sewer inspection and repairs, and water pressure tests.

See complete report as follows:

Last Month's Activities:

- Continued drainage program by clearing debris from catch basins and drain pipes and removing debris from wire mesh, as needed. The wire mesh installation has proven to be highly successful and shows little degradation after over two years.
- The sewer line inspection program has been underway for six months. 10 sewer lines are cleaned and inspected for degradation each month such that all lines are completed each calendar year. 2120 Tice Creek was identified as having no sewer line clean out. The Board approved the installation of a clean out to enable access to future clogged pipes.
- The Task Force developed a spreadsheet for measuring the water pressure and evaluating the condition of water pressure regulators on each building. A contract was awarded for this work and is currently underway.
- Working with Davis Plumbing to unclog / replace angle stops and water lines in some G-11 buildings with galvanized piping. This work is being performed on an "as needed" basis pending and post installation of the new copper pipes under seven G-11 buildings.
- Continued to evaluate EBMUD water reports for Mutual 4 to identify evidence of major underground water leaks.
- Continued researching potential new materials or techniques for repair/replacement of degraded gutters.
- Responded to owner questions regarding potential alterations and structural issues.

Activities Scheduled for Next Month:

- Continue ongoing activities listed above (drainage inspections, water reports, dry rot inspections, etc.).
- Interface with MOD regarding repair of some dry rot issues identified by residents of Entries #11 - #17.
- Interface with Helsing Group during their Mutual 4 inspection this year to answer questions regarding our comments associated with the 2019 Helsing Report.
- Continued the draft of the Mutual 4 electrical vehicle charging policy. The policy covers both the use of carport 110 outlets and owner installation of a charging station. Various considerations include safety for carports located below manors and how to bill residents for electrical usage.

Activities Postponed Until the Stay-In-Place Order is Lifted

- Walk-downs of Entries #11 - #17 to identify major dry rot damage that may need to be added to the current replace/repair project.
- Reviewing the Condominium Design Drawings located at MOD to identify drainage, irrigation, and structural details.
- Performing general inspections of sidewalks, building infrastructure, and hill erosion.

Open Items:

- None

TASK FORCE ON PARKING

- This Task Force is currently idle and no new issues have been identified.

LANDSCAPE AND GROUNDS, FIRE CLEARANCE

Ms. Pollon reported on E12-14 to remove selected lawns in the front of the carports. There is a potential for an EBMUD rebate of \$1,400. The total cost to plant and install bubblers is \$10,940. (Terra Landscape)

Mulching is done. Tree work has been approved and will be done in the next couple of weeks. Annual maintenance is being done. The fire abatement is done, except for the GRF portion. There will be some more enhancement done.

- Has Terra Landscape completed installation of the 106 1 gallon shrubs on the hillside behind Skycrest Drive Entries #13 and #16 to replace previously removed rosemary plants and to prevent hill erosion? Done, per Ms. Pollon.
- When will the work on the hillside between entries 8/9/10 commence? It will start soon and is on the schedule, per Ms. Pollon.
- Do available funds in Reserves mean the budget remaining after invoicing the hillside plantings? Yes, there is about \$40,000 left, per Ms. Pollon.
- The number of plants being proposed by Terra for Entries 12 & 14 seems excessive for the size of the lawn area being removed. Also, why 2 bubblers to each shrub? Per Ms. Pollon, as everything grows, it will need more water. This helps to create a better root mass. One bubbler is not enough. Do we really need 3 new trees? Per Ms. Pollon, small trees are visually nicer.
- Do we need to upgrade any irrigation clocks this year? Per Ms. Pollon, no upgrade to the clocks is needed.

Mr. Schwartz moved to approve proposal #3021449 from Terra Landscape in the amount of \$10,940. Ms. Ovalle seconded and the motion carried without dissent.

BUILDING MAINTENANCE REPORT

Mr. West reminded the Board they need to think about balcony rehab, due to SB326. It must be done by Jan. Of 2025. There are 184 balconies which does not include stairwells, etc. Even enclosed balconies must be inspected. He has 2 proposals, but the 3rd structural engineer pulled out. He is in the process of trying to get a 3rd bid. Helsing needs to include a balcony inspection fund in their report.

- Ms. Swisher asked Mr. West to explain the differences in the 2 bids and their approach to the inspection. Focused Inspection Group is proposing \$101,350 and FWC is proposing \$74,800. Mr. West responded that he is trying to get more clarification.
- The Board received a work order for \$2,300 for dry rot work at 1645 Skycrest Drive #11 based on possible termites based on an inspection from Kingsway. Mr. West advised Ms. Swisher not to sign the work order as it is an alteration.
- Ms. Swisher requested that Rick West determine whether Dave Peakes has resolved the issue with the outlet installed in 2109 Skycrest Drive #5 that shows through the balcony wall into Skycrest Drive #7. This issue has been pending since February 20, 2020. Mr. West will look into this matter.
- Sang is going inside a unit if the resident is comfortable, so he can inspect the interior panel.
- Davis is scheduling the connection of the main line galvanized pipe to copper.

Mr. West reported as follows:

INFORMATION ITEMS: Work scheduled in progress or completed.

1. Annual Sewer line drain preventive snaking - Includes using video camera in lines .
Five Star will complete ten buildings per month for \$2,100.00. Annual cost \$12,600.00.
(Work is in progress).
3. 2019/2020 Phase II Dry Rot and Painting Project – Contractor: MOD
This project will include repairs and paint to 18 Buildings and 12 Carports.
This will include entries 10 and 11 Skycrest Dr.
The Board has approved NTE \$32,600.00 to complete entry 10 first.
Total YTD Costs - Carpentry rehab \$158,614 Balcony rehab \$29,167
Paint \$20,600.00.
(Project is scheduled to start in June).
4. Interior electrical building and unit panels inspections - Contractor: Sang Electric
(This project is scheduled to start up again in June).
Installing new Main Line Galv. to Copper piping on seven G – 11 Buildings. Contractor: Davis Plumbing – 1509 SC, 1901 SC, 1933 SC, 1133 SC, 1940 SC, 1941 SC, 1309 SC.
(Staging has been completed. Davis scheduling final connections).

5. 2109 SC #7 – Rear Deck Excel Coating – Contractor: A One Construction. Cost \$5,396.00.
(Work Completed).
6. 2120 TC Sewer line cleanout installation for building that currently does not have any cleanouts.
(Work Completed).

ARCHITECTURAL CONTROL AND ALTERATIONS; COMPLIANCE

Ms. Swisher reported the following:

- Alterations Updates- Resident alteration requests covering the period 12/01/2019 to 5/31/2020 include:
 - 9 alterations were approved by the Board and are in progress.
 - 25 alterations were completed.
 - 6 alteration required further evaluation by the Board before approval.
- Compliance Updates
 - No compliance issues were identified in any of the above alterations.

EMERGENCY PREPAREDNESS COMMITTEE

Report waived.

COMMUNICATIONS COMMITTEE

Mr. Brown reported it has been two months since the new website. He asked if the Board had reviewed it. There is currently no newsletter planned.

POLICY COMMITTEE

A. Status Updates

- Since the Board Director previously designated as Chairperson of the Policy Committee is no longer on the Board, Ms. Swisher will provide the report on behalf of the Committee:
 - Work on the new Communications Policy 10.7 is underway. This policy is needed to address the email requirements specified in Senate Bill 323 and to provide governance on electronic communication of Mutual documents to residents.
 - Work on the new electric vehicle charging policy is still underway.
 - There remain open items regarding golfport usage, rent, and ownership.
 - The policy on fines needs to be updated to be in compliance with Davis-Stirling. This remains an open item.

OFFICERS REPORTS

1. President: Per the requirements of the Board to ensure financial disclosure, Ms. Swisher provided each Director with a handout that lists work orders or invoices between \$500 and \$5000 that were signed during the past month by her. They are

as follows:

Steve Adza for \$175.00 for miscellaneous May expenses.

Nice Cans for \$220.50 for May cleaning of the compost bins.

Adams Stirling for \$350.00 for Election Packet Add-ons to Bylaws.

California Quality Printing for \$1,407.09 to print and mail the new Election Rules policy.

Five Star Painting for \$4,500 to perform put back work at 1509 Skycrest Drive #1 following hot water line replacement.

At this time, the Board needs to ratify the vote made in Executive Session May 22.

Mr. Schwartz moved to accept the bid from Davis Plumbing for \$5,020 to replace the hot water lines in 1509 Skycrest Drive #1 with pex pipe due to inadequate water flow resulting from galvanized pipe corrosion. Ms. Perrich seconded and the motion carried without dissent.

2. Vice President: No report.

3. Treasurer: Ms. Perrich gave the Treasurer's report.

Based on the Financial Report of 04/30/2020, the year-to-date Reserve Fund balance is \$1,682,535 and the year-to-date Mutual Operating Fund ending balance is \$127,257.

The Reserve Fund shows an excess of Revenue over expenses of \$28,816 for the month of April and an excess of Revenue over expenses for the year-to-date of \$130,895.

The Operating Fund shows an excess of Revenue over expenses of \$27,294 for April and an excess of Revenue over expenses for year-to-date of \$40,200.

During April only **Professional Services** had expenditures that were higher than budgeted. All other categories of Operating Expenses had expenditures that were less than budgeted.

The 2019 audit report was mailed out to residents.

Mr. Schwartz moved to certify the Board's compliance with Civil Code Section 5500 for April. Ms. Perrich seconded and the motion carried without dissent.

4. Secretary: No report.

UNFINISHED BUSINESS

A. "No pedestrian passage" signs adjacent to 2100 Skycrest Drive

- Ms. Swisher requested discussion from the Board regarding this issue and to consider the comments made by Thelma Bronet.

Ms. Ovalle suggested that they get rid of the gopher wire and promote a single path. Ms. Swisher stated that she walked all over the area and never tripped or stepped on plants. She agrees that the wire should be removed. Ms. Pollon does not think they should create an official path. She can plant spikey plants near units. Ms. Swisher asked Ms. Pollon to go out and assess the area.

Mr. Schwartz moved to have Ms. Pollon assess the removal or stapling down of the gopher wire for safety and remove the "No Pedestrian" signs. Ms. Perrich seconded and the motion carried without dissent.

B. Resident request to install potted plants in Entry #9 Skycrest Drive

- Ms. Swisher requested discussion from the Board regarding the proposal provided by Andrea Jacobson and Gus Sarmini to install potted plants at various locations in Entry #9. The proposal specified location and care of the plants. In addition, the residents stated they understand that they forfeit ownership of the plants since they are being placed on common ground. The residents asked for 2 – 3 weeks to remove the plants in cases where maintenance work will interfere with their location. The Board stated that the typical time frame is 2 – 3 days. All residents of Entry #9 have signed a petition indicating their support of the proposed location of the potted plants.

Mr. Schwartz moved to permit locating the potted plants per type and location specified in the residents' request. Ms. Perrich seconded and the motion carried without dissent.

Ms. Swisher will notify them.

NEW BUSINESS

None

ANNOUNCEMENT

The next meeting is the Regular Meeting scheduled for Monday, July 20, 2020 at 1:30 p.m. via ZOOM.

ADJOURNMENT

Having no further business, the meeting adjourned at 4:20 p.m.



Anne Paone, Assistant Secretary
Fourth Walnut Creek Mutual

***The Board of Directors met in executive session on May 18, 2020 at 4:00 p.m. to discuss the following:

1. Legal – Insurance Requirements; Resident (Small Claims) - Discussion
2. Payment Plans – Lien/Foreclosure-proceedings to start

Having no further business, the executive session adjourned at 5:13 p.m.