

MINUTES
FOURTH WALNUT CREEK MUTUAL
MONDAY, NOVEMBER 16, 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, November 16, 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 9 residents in attendance.

APPROVAL OF CONSENT CALENDAR

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

Minutes:	October 19, 2020: Regular Board Meeting
	October 14, 2020: Executive Session
	October 19, 2020: Executive Session
	November 3, 2020 Executive Session

Ms. Ovalle seconded and the motion carried without dissent.

RESIDENTS' FORUM

Resident asked when his entry would be painted. Ms. Swisher responded that she would need to check the schedule. It might be delayed. The paint is lasting longer on the buildings than expected. There may not be any painting for the next 2 years.

MANAGEMENT REPORT

Mr. Donner explained there is a new law regarding rentals. The Mutual should contact their attorney. Nothing has changed with MOD regarding S.I.P. There have been no COVID-19 infections within the office staff. There were a few with outside employees. Everyone is well. GRF indoor pools and dining are closing.

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 October President's Forum. In order to expedite the meeting, Ms. Swisher waived reading of the handout and asked that it be included in the official minutes of this meeting. See complete report as follows:

Highlights of October 2020 Presidents' Forum

- One of the Presidents provided an update regarding their backup generator policy. That Mutual removed the \$1M insurance requirement from their draft policy. Ms. Swisher stated Fourth Mutual likely will include the \$1M insurance requirement in their draft policy for lithium battery powered generators to be consistent with their solar policy regarding battery backups.
- One President stated their Mutual has been battling a feral pig invasion for almost 3 months. They have hired a trapper to remove the pigs. This extermination process is very expensive, but necessary to preserve any of their lawns. The pigs can completely destroy a huge lawn in one night. The herd of feral pigs are making their way North from Mutual 61.
- The Presidents discussed the effectiveness of our current extermination services. Most of the Mutual Presidents indicated that issues with rats and ants have been effectively dealt with following a call to the Work Order Desk. Ms. Swisher said Fourth Mutual also has an independent contract with a pest company to control the vole population.
- Third Mutual reported that Clayton Clark, Building Maintenance Manager, is currently testing various gutter guards on some of their buildings to determine whether they are effective.
- The Presidents discussed the impact of AB 3182 regarding rental restrictions. Each Mutual has varying governance currently in place. Ms. Swisher provided some information that Fourth Mutual had received from their legal counsel's newsletter. The Presidents requested Ms. Swisher email this information to them.
- Anne Peterson, GRF Director Communications, explained that conflicts exist between GRF and Mutual governance regarding election rules. These conflicts resulted when SB 323 became law January 1, 2020 and resulted in various changes to California Civil Code 5105. This Civil Code effects HOAs only, therefore GRF is not required to comply. The new HOA law requires that any candidate or member advocating a point of view is provided access to association media, newsletters, or internet websites during a campaign, for purposes that are reasonably related to that election, equal access to all candidates and members advocating a point of view, including those not endorsed by the board, for purposes that are reasonably related to the election. GRF is concerned that a hotly contested election could overwhelm the Rossmoor News with articles. GRF is intending to specify that Policy 604.0 will only be related to GRF elections. GRF will prepare Policy 604.1 to cover how Mutual election candidate statements and advocacy issues will be handled by the Rossmoor News.
- Anne Peterson, GRF Director Communications, explained that Mutuals may insert newsletters or flyers in Rossmoor newspapers delivered only to their residents. There is a fee of less than \$50 for this service. This could be a major savings to Mutuals when compared to postage.
- Chris Preminger, Business Operations Manager, provided the latest Work Order Desk statistics. The number of calls received by the Work Order Desk during the third

quarter of 2020 was 11,652. This is the highest number in any one calendar quarter since 2017. This dramatic increase is primarily due to the ant problem during August and September.

Ms. Swisher reported that the Board has received generic information on AB3182 from the attorney.

TECHNOLOGY AND PREVENTATIVE MAINTENANCE 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, Ms. Swisher waived reading of the handout and asked that it be included in the official minutes of this meeting. See complete report as follows:

STATUS REPORT

November 16, 2020

Last Month's Activities:

- Continued drainage program by clearing debris from catch basins and drainpipes and removing debris from wire mesh, as needed. The wire mesh installation has proven to be highly successful and shows little degradation after almost three years.
- Continued evaluating corrective actions for problems identified by the 2020 sewer line preventive maintenance inspection program. All accessible Fourth Mutual sewer lines have been inspected.
- Developed a spreadsheet for measuring the water pressure and evaluating the condition of water pressure regulators on each building. An evaluation of each building is currently underway.
- Continued working with Davis Plumbing to replace galvanized water pipes with new copper piping in seven G-11 buildings. November 16 - 19 new copper main lines will be connected to the manors in buildings 1901 and 1933 Skycrest Drive. Residents in each of these buildings will be asked to agree to shutdown of water for connection of the new copper lines and entry into their residence for inspection of water flow and repair / replacement of filters and angle stops. This concurrence was incorporated into the piping changeover process because of potential COVID concerns by residents.
- Continued to evaluate EBMUD water reports for Mutual 4 to identify evidence of major underground water leaks.
- Provided updates to the 2021 draft Helsing Reserve Report
- 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.).
- Performing general inspections of sidewalks, building infrastructure, and hill erosion.
- Preparing Work Orders to install vinyl siding on five trash enclosures.
- Evaluating the use of ground penetrating radar to identify water / sewer lines damaged by tree roots or are likely to be damaged due to the current proximity of the roots.

- Continue preparing 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.

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 tree work is done. There are 4 MOD days in December with a crew of 2. She is marking down plant replacements. There are some special projects for next year. Ms. Swisher reported the Board is completing review and negotiation of the Animal Damage Management contract regarding monthly pest control for gophers, ground squirrels, voles, and moles. The Board will provide MOD with a copy of the new contract. Ms. Swisher will try to set up a Zoom meeting for 2 directors and Rebecca to speak to ADM.

Ms. Ovalle asked Ms. Pollon if signs can be placed regarding dog poop. Ms. Pollon can put signs out wherever the Board wants.

BUILDING MAINTENANCE REPORT

INFORMATION ITEMS: Work scheduled in progress or completed.

1. Senate Bill 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.
Deadline to complete these inspections is January 1st, 2025. -
Proposal does not include destructive testing or put back costs. -

(FWC is putting an inspection schedule together for the board to review).
2. 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.
(To date Five star has inspect 118 Drain lines. Work is in ongoing).
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.
MOD is currently working in entry 11 Skycrest Dr.
The Board has approved NTE \$32,600.00. Total YTD Costs –

Carpentry rehab \$158,614
Balcony rehab \$29,167 Paint \$20,600.00.

(Phase II of this project is currently in progress).

4. Interior electrical building and unit panels inspections - Contractor:
Sang Electric
(This work is in progress).
5. 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.
(Davis Plumbing is scheduled to complete building 1901 SC on
November 16th).
6. 1903 SC - \$21,775.00 Columns, Beams, Concrete and Asphalt work
including 690 Sq. ft. of new concrete and 86 sq. ft. of new asphalt.
Contractor: Five Star.
(Work in progress).

Ms. Swisher reported:

- As indicated in the maintenance report, Davis Plumbing is connecting the new copper water piping in building 1901 Skycrest Drive on November 16 and 17. Davis Plumbing is also connecting the new copper water piping in building 1933 Skycrest Drive on November 18 and 19. The residents have been notified of the water shutoff times and the need for Davis Plumbing personnel to enter their manors. Residents were asked to call the Board if they had a problem with the water shutoff and manor entries. The Board does not want to cause additional stress to residents during the COVID pandemic. Also, there was some mis-information provided to the other residents of Skycrest Entries #11, #12, #14, and #15 regarding the water outage.
- The Board requested last month that MOD obtain proposals from Five Star for the recommended work specified in the drain / sewer line maintenance spreadsheet that I emailed Rick West last month. Fourth Mutual is still waiting for the proposals.
- The Board requested last month that MOD remind Five Star to provide an updated spreadsheet for the water pressure and pressure regulator preventive maintenance. Fourth Mutual is still waiting for the updated spreadsheets.

The Board was requested to ratify a motion made in Executive Session 11/12/2020 to approve a contract for Five Star Painting for a NTE value of \$10,000.00 for drywall repairs, and painting of the walls and ceiling on the interior of 1301 Skycrest Drive #4 as a result of a rain leak.

Mr. Schwartz moved to ratify the approval of the contract for Five Star Painting for a NTE of \$10,000 for drywall repairs, and painting of the walls and ceiling in the interior of 1301 Skycrest Dr. #4. Ms. Brown seconded and the motion carried without dissent.

MOD notified Ms. Swisher that the balcony at 1801 Skycrest Drive #1 had significant dry rot damage. MOD provided the following work proposal:

- 50 manhours of labor
- Approximately \$1K in building materials that include replacing 30% - 40% of the exterior balcony structure. Specific items include, but are not limited to the following:
 - Structural framing
 - 2 X 8 building caps
 - 1 X 4 Spacer
 - Beveled railing caps
 - Siding shingles (grooved Smart Panel (8OC) will be used; tar paper will cover the balcony structure prior to installing the Smart Panel; grooves on the Smart Panel will run horizontal to match the other paneling on the building)
- Estimated cost = \$4,500.00

Ms. Swisher approved a NTE of \$4,500 by email November 5, 2020 to enable completion of the proposed repairs on the balcony at 1801 Skycrest Drive #1 as soon as possible. Ms. Swisher also asked MOD, as part of the existing dry rot contract, to remove a few of the siding shingles from each of the other 3 balconies on 1801 Skycrest Drive to inspect whether the same type of dry rot of the balcony structural framing exists on these manors.

During a review of an Alteration Request, Fourth Mutual found out we had the opportunity to replace the vertical galvanized hot and cold water pipes in 1509 Skycrest Drive #2 with copper without encountering put-back costs because the owner was performing a major remodel. At the Mutual's request, Davis Plumbing inspected the site and provided a proposal for \$3,885.00 to replace all of the vertical galvanized piping in the manor walls. The proposal was approved as long as Davis Plumbing can perform the work in conjunction with the remodel.

Mr. West is to check 1501 Sycrest #4 because roots are raising the toilet. He needs to see what should be done to stop this problem.

ARCHITECTURAL CONTROL AND ALTERATIONS; COMPLIANCE

Ms. Swisher reported the following:

- Alterations Updates- Resident alteration requests covering the period 05/01/2020 to 10/31/2020 include:
 - 10 alterations were approved by the Board and are in progress.
 - 11 alterations were completed.
 - 5 alteration required further evaluation by the Board before approval.
 - The Board needs to verify that the Alteration Department can track and maintain Alteration agreements required by the Board. A meeting is being set up with Chris Preminger and Bill Parsons to coordinate this effort.
- Compliance Updates

- No compliance issues were identified in any of the above alterations.

EMERGENCY PREPAREDNESS COMMITTEE

Tabled

COMMUNICATIONS COMMITTEE

Mr. Brown reported there is a new communications subcommittee for GRF. Any suggestions should be sent to him.

POLICY COMMITTEE

The Board is requesting a volunteer Chairperson.

- Since the Board Director previously designated as Chairperson of the Policy Committee is no longer on the Board, Ms. Swisher provided the report on behalf of the Committee:
 - A 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.
 - Policy 1.8, Floor Covering, is being updated to incorporate the requirements of SB 326 and Helsing recommendations for deck floor coverings.
 - Governance is being evaluated to determine whether any changes are needed as a result of SB 3182 that addresses rental / leasing of HOA manors.
 - Upgrading insurance governance to establish consistency between CC&Rs, By-Laws, and policies.
 - Preparing an emergency generator policy.
 - 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.
 - Attempting to finalize the new electric vehicle charging policy by January.
- The Policy Committee needs volunteers to assist in upgrading Fourth Mutual governance. To date only one resident has volunteered to join the committee. We will be posting a request for volunteers in the Rossmoor News. The next Zoom meeting of the Policy Committee is expected to be the first week in December. Members will be notified by email.

OFFICERS REPORTS

1. President: Ms. Swisher uses the President's report as the mechanism for listing any work orders or invoices between \$500 and \$5000 that were signed during the past month by her per the requirements of the Board to ensure financial disclosure in the meeting minutes. These include:
 - Steve Adza for \$175.00 for miscellaneous October expenses.
 - Nice Cans for \$220.50 for September cleaning of the compost bins.
 - ERI for \$2,100.00 for mold remediation.

Davis Plumbing for \$3,885.00 for galvanized pipe replacement.

MOD for \$4,500.00 for balcony repairs on 1801 Skycrest Drive #1.

2. Vice President: No report.

3. Treasurer: Ms. Perrich reported that the October financials were not received to date, so no report and the #5500 certification was waived.

- Ms. Swisher reminded the Board that the Welcome Building Maintenance contract expires December 31, 2020. This contract involves cleaning our two laundry rooms twice monthly. Ms. Swisher requested that the Board members visit the laundry rooms to determine whether the cleaning is satisfactory. Other Mutuals use this same company and are no longer satisfied with their quality of work or their price. Ms. Swisher asked Paul Donner if he knew of any other companies that supplied this service. He did not at this time.

- Pam Ovalle determined that the WASH, Inc. contract for laundry management services for our two laundry rooms has long since expired and the company is currently working month-to-month. Ms. Ovalle was asked to give an update on the pros and cons to creating a new yearly contract.

Ms. Ovalle explained that the WASH Laundry Room contract expired in 2005 and has been on a month-to-month basis. They are not returning her calls. The company is not collecting the money that they thought they would collect. She recommended doing nothing at this time.

Ms. Brown moved to leave the contract as is for WASH, Inc. Mr. Schwartz seconded and the motion carried without dissent.

- Ms. Swisher reminded the Board that the Commercial Support Services contract expires December 31, 2020. This contract involves cleaning our twenty-five trash enclosures twice monthly. Ms. Swisher asked Paul Donner if he knew whether Commercial Support Services was going to continue to provide this service and their new rates. Mr. Donner reported that CSS will continue to provide services. Nancy Bunch will provide the contract for the Mutual.

- Ms. Swisher indicated that she is currently working with the Billing Manager at Adams Stirling, our legal counsel, to resolve some invoices discrepancies. Final

Ms. Brown moved to immediately record an assessment lien on the property identified as APN 186-110-051-7 for the amount in the Aged Receivables at the time the property is sold or the owner makes restitution. Mr. Schwartz seconded and the motion carried without dissent.

Secretary: No report.

UNFINISHED BUSINESS

None

NEW BUSINESS

A. Helsing Reserve Study Report – Since this report is not available yet, the Board tabled the vote to accept it.

Ms. Swisher tendered her resignation as a Director of the Board and as Chairperson of the Technology and Preventive Maintenance Task Force effective January 31, 2021. She

explained that she promised her family and friends that she would spend more time with them after a COVID vaccine was available and the pandemic restrictions were removed. This would greatly reduce her availability to perform her current duties and it would not be fair to Fourth Mutual for her to remain on the Board. She wanted to notify the Board this month to permit ample time to solicit volunteers for the Director position before her departure at the end of January 2021. She plans to transition her duties to the other Board members during the next ten weeks and complete any open items that she is currently assigned before her departure. She stated that she has greatly enjoyed working on the Board for the past three years, interfacing with MOD personnel, and meeting so many of our residents.

ANNOUNCEMENT

Regular Meeting – Monday January 18, 2021 at 1:30 p.m. – ZOOM Meeting

ADJOURNMENT

Having no further business, the meeting adjourned at 3:32 p.m.



Anne Paone, Assistant Secretary
Fourth Walnut Creek Mutual

***The Board of Directors met in executive session on October 14, 2020 at 9:00 a.m. to discuss the following:

1. Legal – Small Claims -Update
2. Contracts – ADM-pests, Sang Electric-breaker panels, WASH-laundry rooms
3. Member Matter – Special Assessment-review, Mold Issue-to be examined

Having no further business, the executive session adjourned at 12:55 p.m.

***The Board of Directors met in executive session on October 19, 2020 at 4:30 p.m. to discuss the following:

1. Legal – Small Claims-update
2. Member Issues – Closet Door-Owner's Issue, Tree Root Problem-Reviewing

Having no further business, the executive session adjourned at 5:08 p.m.

***The Board of Directors met in executive session on November 3, 2020 at 3:30 p.m. to discuss the following:

1. Legal – Various - Reviewed

Having no further business, the executive session adjourned at 5:15 p.m.