



Walnut Creek Mutual Forty

MEETING MINUTES OF THE BOARD
THURSDAY, APRIL 13TH, 2023, AT 1:00PM
CLUBROOM AT CREEKSIDE
1010 STANLEY DOLLAR DR – WALNUT CREEK, CA 94595

Call to Order

President White called the meeting to order at 1:01 p.m.

Directors Present

Susie White – President
Greg Gould – Vice President
Gayl Westendorf – Treasurer
Nancy Herney – Secretary
Kathy Parish – Director

Staff Present

Paul Donner, Mutual Operations Director
John Tawaststjerna, Landscape Manager
Lucy Limon, Board Services Coordinator

Approval of Minutes

1. Board of Directors Meeting Minutes of March 16th, 2023
2. Executive Session Meeting Minutes of March 16th, 2023

Kathy Parish made a motion and Nancy Herney seconded to approve the minutes to the aforementioned Board meetings.

Moved, Seconded, Carried 5-0

President's Report

President White welcomed all residents to the meeting and presented the following report:

Your board has been very active this month. Some of us attended the Hughes Gill seminar on changes to the Davis Stirling Act concerning HOAs. In addition, we have also attended the recent ECHO summit on Davis Stirling. I personally attended the monthly Presidents' Meeting for Mutual Presidents here in Rossmoor. In addition, your board had a board training session with our attorney. I will meet with Jeff Matheson next week as your president. Please let me know if there is something you would like me to discuss with him.

Regarding our Major Initiatives for 2023

1. The Finance Committee is working diligently with MOD to develop long range financial forecasts and plans for our Mutual (to ensure the continued financial health of our Mutual, maintain adequate reserves for maintenance and rehabilitation of our buildings and landscaping, and minimize the risk of unwelcome



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surprises in coupon increases and special assessments). Your finance committee is also preparing an analysis of the potential financial merger of Projects 40 and 41 to present to the members for consideration.

2. Our Governing Documents Committee has begun to develop our own set of operating policies and update our other governing documents to comply with changes in applicable law.

3. We are all working to improve member communications by meeting with individual members on various issues of concern to them. We are also looking for someone to help prepare a quarterly newsletter to disseminate to members and for a social committee leader to help organize a couple of social events for our members. Please contact me if you are interested in helping with either of these projects.

4. We continue to work on water conservation and recycling and other ways to responsibly manage resources and reduce expenses through our landscape and recycling committees.

The GRF Annual Meeting is scheduled for May 8. It will be both in person and on Zoom. I recommend you attend either on the day of the meeting or through the Rossmoor TV Channel.

And finally, a note to all of you regarding your RFID devices. Tom Cashion reminded the Mutual Presidents that Security has a copy of your drivers' license in each of your applications for your RFID device. As a safety measure, when your license expires, you will be required to provide a copy of your new license to get your RFID device renewed. Just a heads up.

Treasurer's Report.

Review of January financial reports - Operating expenses were below budget by \$8,457 for P40 and by \$6,766 for P41 - primarily due to substantially lower water bills. We may have higher than budgeted operating expenses in February and March due to recent fallen trees and other storm damage. Reserve expenses in January were minimal, but larger reserve expenses will be coming when we start the scheduled rehabs and repaving in the next few months.

The financial statements and reports for the period ending 01/31/23 were distributed and have been reviewed by all Directors. Gayl Westendorf made a motion, seconded by Kathy Parish to certify compliance with California Civil Code, Section 5500.

Moved, Seconded, Carried 5-0

- a. Finance Committee Report: The Finance Committee met with Clayton Clark on March 20 to work on a 10-year forecast of reserve income and expenses for Projects 40 and 41, and to discuss Mutual 40's future reserve funding plans. When completed, these reserve forecasts, and funding options will be brought back to the board for discussion. The Finance Committee is also continuing to study the potential financial merger of Projects 40 and 41 and will report back to the board at its next meeting.



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Committee Reports

Landscape Committee -

Kathy Parish gave the following report:

The Committee met on Wednesday, April 5th. It was attended by Fred Kern, Shari Carroll, Annie Chang, Susie White, Myrna Conway, Lois Cain, Susie Manners, and Barbara Bigelow.

An overview of Project 40 and Projects 41 Annual Budgets were presented and expenses to date were given.

Expenses in Project 40 included two emergency tree removals. One at Terra California Entry 10 and the other at Terra California Entry 12. Two trees were planted. A Red Maple at Entry 10 and a Chinese Pistache at Entry 2. Another expense was for the removal of a large area of Ivy next to a Condo in Entry 9. This was necessary because of a rodent problem.

Expenses for Project 41 were the emergency removal of a very large tree in Entry 8 and the planting of a Chinese Elm and a Red Maple.

As a result of the annual Tree Walk with John T. and Brian from Warner Trees, Walnut Creek permits were requested for the removal of 4 trees in Mutual 40.

The Committee would like to thank Eddy Ibarra and his crew for the work they were able to complete during the rainy, stormy weather on our scheduled Workdays. This included removing Juniper bushes and mulching these areas in 3 Entries, planting 4 new trees, and removing some owner installed garden items in Mutual 40 common areas. Saklan Indian Entry 10 was mulched, and mulching was started and will be completed in Saklan Indian Entry 2.

Fred Kern gave an update on the plaque and installation for the dedication of Yearout Park. The date will be Sunday, June 25th at 4:00 in the park.

Shari Carroll distributed Landscape Quarterly Review Forms to all the Entry Reps for distribution to their neighbors. The goals are to have more complete information on resident concerns and help everyone understand the annual cycle of replanting and general maintenance.

The next meeting will be May 3rd and 3:30 in the Mulligan Room at Creekside.

Governing Documents Committee:

Nancy Herney reported that the committee's Roles and Responsibilities were finalized.

Nancy Herney made a motion, seconded by Gayl Westendorf to approve the Governing Documents Committee Roles and Responsibilities as presented.

Moved, Seconded, Carried 5-0



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Nancy Herney made a motion, seconded by Gayl Westendorf to approve the basic contents of the Enforcement and Collections and Voting and Elections operating rules after the GDC has done some editing and formatting with the attorney. Once complete the rules will be sent out for a 28-day member comment.

Moved, Seconded, Carried 5-0

Building Maintenance Committee:

Joe Tracy reported that the final SB 326 “balcony bill” inspection reports have been presented to the Board, and should be kept as part of the Board’s records. All repairs recommended in those reports have been completed.

Joe Tracy reported that the Building Maintenance Committee met on April 3rd to discuss renumbering all the buildings in M40 because the numbers are difficult to identify. All the outdoor lighting will be upgraded during rehab this year.

The Committee has received and reviewed numerous bids for resurfacing entries in both projects and recommends that the bid from Silicon Valley Paving be accepted for an amount not to exceed \$150,000.

Kathy Parish made a motion, seconded by Nancy Herney to approve the resurfacing contract with Silicon Valley Paving not to exceed \$150k, subject to confirming the correct allocation of the expense between Projects 40 and 41.

Moved, Seconded, Carried 5-0

Alteration/Architectural Review Committee:

There was no report.

Emergency Preparedness Committee:

Kathy Parish gave the following report:

The following members were present:

- Kathy Parish, Chair
- Nancy McFarland
- Jack McFarland
- Kay Doyle
- Pat Shanahan (ON Speaker)
- Nancy Herney
- Jean Moulaison
- Eileen Levine

The committee reviewed the most current draft of the EP Roles and Responsibilities, and all suggestions were accepted. There was a motion to approve. The motion was seconded and passed 8-0.



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This will be presented at the next Board meeting for approval and then passed to Governing Docs to be posted on the M40 website.

2023 Initiative

Our primary 2023 EP initiative for Mutual 40 will be Fire Safety and Proper use of Fire Extinguishers. As such, the committee is planning the following:

1. A presentation from Noelle Crosse from Contra Costa Fire on home fire safety followed by a demonstration of how to use a fire extinguisher. This will be offered to all Mutual residents on 2 dates to be negotiated. Nancy Herney will work to get rooms and confirm dates and times with Noelle.
2. The entry coordinators will organize a Fire Extinguisher demonstration with Best Equipment Co.LLC that will include the ability to have existing fire extinguishers checked and repaired if necessary and as well as being able to purchase one of two varieties of extinguisher if the resident doesn't have one. Nancy Herney will contact Best Equipment to see how many of these events they will be willing to do for Mutual 40 and what dates are available to do them. These events can only take place on a Saturday morning. More details will be presented at the next meeting. Additional copies of the Wildfire Preparedness Guide are available to provide to new residents moving in. Kathy Parish has the copies.

An updated copy of the Opt in/Opt out form was distributed for use with new residents and those not included in the September 2022 distribution.

A helpful suggestion for entry coordinators to communicate with their residents: Be sure to use Mutual 40 EPO in the subject line of emails being sent to residents to distinguish them from spam. Pat Shanahan volunteered to produce a list of useful emergency numbers to call. This information was in a January 4 Nixle message during one of our fierce storm events and is thought to be very useful. The meeting was then adjourned.

Recycling and Green Committee:

Stan Wells provided the following report:

The Recycle /Green Committee met on March 20th to plan 2023 activity.

The following actions were agreed upon:

1. A visit to Mt. Diablo Resource Recovery Recycle Center in Pittsburg has been scheduled for interested Observers for April 19, 2023. This visit is designed to improve our understanding of the recycling process.
2. A request for Board approval of an agreement with Nice Cans to clean Mutual's 19 compost cans on a 3-month schedule. The charge for this important cleaning is \$20 per can for a total cost of \$1,520 for the year. It was agreed that keeping these cans clean has a direct effect on residents following proper composting rules thus avoiding extra charges from Republic Services.



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3. A plan was developed to have monthly informative messages sent to Observers with ideas or tips that can be sent to residents or posted at trash sheds. Instructions regarding plastic bags, bottle tops and lids have already been posted.
4. It was decided to schedule Observer meetings on a regular basis to improve knowledge. The first general meeting is being planned for May.

In conclusion, the Committee requests that the board take action today to authorize the expense of \$1,520 so that we may move ahead with Clean Cans for the quarterly cleaning of compost containers.

Gayl Westendorf made a motion, seconded by Susie White, to approve the quarterly cleaning of the compost bins by Nice Cans in the amount of \$1,520.

Moved, Seconded, Carried 5-0

Managers' Report

Paul Donner reported that a new Director of Business Services has been hired, Anne Motola. The search for a new CFO has restarted as the first candidate declined the job shortly after being hired. A candidate search has begun for the Director of Mutual Operations. Paul Donner is retiring.

Old Business

None

New Business

1. Removal of Eucalyptus and 4 other large trees:

Kathy Parish made a motion, seconded by Susie White, approving the Waraner contract in the amount of \$13,530 to be paid from Reserves for the removal of 3 large and other old trees and to grind the stumps.

Moved, Seconded, Carried 5-0

Other tree issues were tabled until John T gets permits from the city of Walnut Creek.

2. June 1st EPO Mutual Fire Safety Presentation and Social: Save the Date flyers will be going out soon for this event.

Member's Forum:

The following items were brought up in the Member's Forum:

Building Lighting issues: Referred to Building Maintenance

Management of the investment of reserves. Overview of investment strategy was discussed.

Concern for aging valves in manors are a leak risk.

Tree for tree replacement: Landscape will review.

Confirmation that the upcoming roadwork will be resurfacing and not repaving.



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More tree removal issues.

Executive Session Summary

The Board met in executive session from 2:17 pm to 3:05 pm to discuss member matters, delinquent accounts, legal matters and disputes.

Announcements

Next Scheduled meeting will be on May 18th, 2023, at 1:00pm, in the Club Room at Creekside.

Adjournment

With no further business, the meeting was adjourned at 2:06 p.m.

Lucy Limon

Assistant Secretary

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