

MINUTES  
FOURTH WALNUT CREEK MUTUAL  
TUESDAY, FEBRUARY 17, 2015 AT 1:30 P.M.  
BOARD ROOM – GATEWAY

President Kelzer called to order a regular meeting of the Board of Directors of Fourth Walnut Creek Mutual at 1:30 p.m. on Tuesday, February 17, 2015 in the Board Room at Gateway complex, 1001 Golden Rain Road, Walnut Creek, California.

ROLL CALL: PRESENT:           Pauline Kelzer           President  
  Donald Cardinal        Vice President/Treasurer  
  Sara Seltzer            Secretary

EXCUSED:                           None

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

Ms. Kelzer welcomed thirty residents in attendance.

APPROVAL OF MINUTES

Ms. Seltzer moved to approve the minutes of the regular session Board meeting of November 17, 2014 with corrections. Mr. Cardinal seconded and the motion carried without dissent.

Ms. Seltzer moved to approve the minutes of the executive session Board meeting of November 17, 2014. Mr. Cardinal seconded and the motion carried without dissent.

Ms. Seltzer moved to approve the minutes of the regular session Board meeting of January 19, 2015. Mr. Cardinal seconded and the motion carried without dissent.

RESIDENTS' FORUM

Nancy Partovi, Skycrest – Entry 1, Mrs. Partovi thanked the Board of Directors for their work serving on the Board. She reminded the membership that she spoke at a meeting last spring when her landscaping issues had not been addressed. The Board has since addressed these issues and the Board has her support and her husband's support. Mrs. Partovi addressed the petition circulating for the recall of the Board of Directors. She has asked that members remove their names, if they have already signed it, and speak with her and her husband. She wants to be sure everyone has the facts as she knows them.

Sally Lowry, Skycrest, Entry 21, Ms. Lowry asked if there is a lawsuit against a member. (Ms. Kelzer addressed this point later in the meeting.)

Carl Brown, Skycrest, Entry 16, Mr. Brown wanted to know when the landscaping will be done for the building at 2100 Skycrest.

Ms. Kelzer replied that landscape rehab for building 2100 Skycrest will be completed this year as planned.

Isabel Leonard, Skycrest, Entry 7, Ms. Leonard expressed concerns about communications from the Board. She had a difficult time even finding the website. She would like the agenda to be posted earlier. The newsletter only went out once in 2014. She would also like to get the minutes by email in a PDF format.

Farhad Partovi, Skycrest, Entry 1, Mr. Partovi reported that he is not happy about the petition to recall the Board of Directors. He invited members to come to his home to discuss the issues regarding the petition. He is also willing to meet the members somewhere for coffee.

Ron Wehrenberg, Skycrest, Entry 8, Mr. Wehrenberg reported that he agrees that there needs to be enhanced communication from the Board to the membership. He would like the agenda posted earlier, too.

Mr. Donner reported that there is a reason that things happen in executive session. Names of members should not be mentioned in open session.

Mr. Cardinal reported that he hasn't seen the petition. The Board does its best to take care of the Mutual and its funds.

Ms. Seltzer had no comment because she hasn't seen the petition, either.

A resident inquired about the costs of landscaping in entry 7.

Ms. Kelzer stated there will be a report under officers Reports.

#### ENTRY REPRESENTATIVE'S REPORTS

Ms. Kelzer asked each entry representative if there was anything that they wished to report or address. A few comments were made about plants needing some water. One representative is manually watering some of the plants and the plants are happy.

#### LANDSCAPE AND GROUNDS, FIRE CLEARANCE:

Ms. Seltzer reported that a lot of attention has been spent on drainage recently. Ms. Seltzer and Mr. Perona have a list that they are working on regarding irrigation issues.

Mr. Perona reported the following:

LAWN MAINTENANCE: Lawns will be fertilized with Turf Supreme the week February 23<sup>rd</sup>. Irrigation systems will remain off unless we go longer without rain, then we will water as necessary. When the fertilizing is done, the water will be turned on at least once.

ENTRY MAINTENANCE: Entry crews are working on leaf clean up, pruning shrubs, spot spraying weeds and pruning small trees.

TREE MAINTENANCE: Waraner Brothers Tree Service handles all work orders. A tree walk will be scheduled to plan out tree pruning for spring. Four large, Liquid Ambar trees were removed in front of 1149 Skycrest Drive manors #3 & #4 that were causing drainage and hardscape problems.

LANDSCAPE REHAB: Terra Landscape completed the drainage and re-landscape of building 1149 #3 & 4 Skycrest Drive.

The MOD landscape crew is scheduled to work in the mutual starting June 1<sup>st</sup>.

The Landscape Committee and Rich will walk the Mutual in March to plan out work and get bids for Board approval.

Mr. Perona's crew has been changing out sprinklers to high-efficiency sprinklers. Once Mr. Perona is discharged from jury duty, he and Ms. Seltzer will walk the Mutual with Ed Waraner to see what needs to be pruned and will then present that to the Board.

The MOD crew is scheduled to work in the Mutual in June.

Terra Landscape is working on several drain projects.

Mr. Perona applied to the city for permits to remove several trees. The city arborist, John Davis, had his hours cut back drastically. It used to take about 10 days to get a permit and now it's about a month.

#### BUILDING MAINTENANCE REPORT

Mr. West reported the following:

##### Work in progress:

1. 1149 #2 SC – Rear patio concrete slab and drainage system including Downspout drainage tie –in. Five Star in progress. Est. Cost \$2,880.
2. 2128 TC – G-11 building. w/o sent to Bertolami Engineering to report on Building structure. Getting estimates for carport carpentry repair and asphalt work. No est. cost received.
3. Entry A Lighting – Sang Electric to send proposal for new ground lights between bldgs. 2144 & 2152. No est. cost received.
4. 1413 SC – Rear balcony deck. Repair dry rot at rafter tails and install new fire coat system. Due to no protective coating on deck. Perfect Paint est. \$4,760.00 (Presented to Board)
5. 1133 SC #2, #6 – Deck coating. Helsing Reports, yr. 7 of 8 expected life. deferred until 2016. 2015 budget \$1,800. 2016 budget \$14,709. Perfect paint to send proposal for 2 decks.

##### Follow- up:

1. 1933 #4 SC – Re -pipe hot and cold due to low water pressure throughout unit. Completed by Davis Plumbing / Five Star. Est. cost \$4,281
2. All Clear Gutters - Full cleaning completed in January. Est. cost \$8,700.

3. 1441 #1 SC– Removing tree root, removal and replacement of back patio slab. Five Star est. \$ 3,600.00 (Waiting for resident to decide how to proceed).
4. 1902 SC #1 – New double spot light fixture installed for pathway north side of bldg. Curb painted white. Est. Cost \$400.00.

*Mr. Cardinal motioned to approve the proposal from Five Star Construction in the amount of \$1,040 for removal of tree roots and asphalt and to finish repairs. The work is to be done at 2128 Tice Creek Drive, #2. Ms. Seltzer seconded and the motion carried without dissent.*

*Mr. Cardinal motioned to approve the proposal from Five Star Construction to remove and replace cracked drain swells at 1933 Skycrest in the amount of \$985.00. Ms. Seltzer seconded and the motion carried without dissent.*

*Ms. Seltzer motioned to approve the proposal from Five Star Construction for the removal and replacement of sidewalk concrete at 1957 Skycrest in the amount of \$750.00. Mr. Cardinal seconded and the motion carried without dissent.*

*Ms. Seltzer motioned to approve the proposal from Five Star Construction to remove asphalt and install lodi rock by the storage closet, due to tree roots at the lower rear side of the building near 1941 Skycrest, #2, in the amount of \$2,072. Mr. Cardinal seconded and the motion carried without dissent.*

*Mr. Cardinal motioned to approve the proposal from Five Star Construction to remove asphalt by the storage unit and replace with lodi rock at 1933 Skycrest, #4 (lower rear side of the building) in the amount of \$4,625. Ms. Seltzer seconded and the motion carried without dissent.*

*Ms. Seltzer motioned to approve the proposal from Five Star Construction to remove concrete near the stairwell, remove tree roots and pour new concrete at 1902 Skycrest, #1, in the amount of \$1,975. Mr. Cardinal seconded and the motion carried without dissent.*

*Ms. Seltzer motioned to approve the proposal from Five Star Construction for work at entry 13 to remove and replace concrete curb and gutter near the lower sidewalk in the amount of \$2,875. Mr. Cardinal seconded and the motion carried without dissent.*

*Ms. Seltzer motioned to approve the proposal from Five Star Construction at 1940 Skycrest to repair the iron railing at the base of the stairwell in the amount of \$2,500, not to include painting. Mr. Cardinal seconded and the motion carried without dissent.*

*Mr. Cardinal motioned to approve the proposal from Perfect Paint for the 1413 SC – Rear balcony deck. Repair dry rot at rafter tails and install new fire*

*coat system. (Due to no protective coating on deck.) in the amount of \$4,760. Ms. Seltzer seconded and the motion carried without dissent.*

*Ms. Seltzer motioned to approve the proposal from All Clear Gutters for the smoke detector maintenance for 2015 in the amount of \$7,000. Mr. Cardinal seconded and the motion carried without dissent. (This work will be scheduled for March.)*

#### ARCHITECTURAL CONTROL AND ALTERATIONS; COMPLIANCE:

Mr. Cardinal reported that a lot of alterations are being done inside residents' units. He reminded the membership that if anyone sees a problem when doing their projects, they should report it to MOD early on so they may assess the situation. The Mutual has had 27 alterations in process, 16 permits issued, and 49 alterations completed.

#### EMERGENCY PREPAREDNESS COMMITTEE

Steve Adza reported that EPO has been taken over by someone in Fourth Walnut Creek Mutual. There will be at least 6 meetings. There will be a CERT class in April. Drainage work is in progress. Mr. Adza submitted various work orders. The majority of them are still open. There are 9 entry coordinators and 8 ham radio operators. Gutters are the number one issue. Building 1209 does not have gutters. Mr. Adza recommends replacing underground corrugated pipe with white PVC pipe. Many drain pipes are clogged. Entry 3A has water on the walkway. Ms. Kelzer thanked Mr. Adza for his work on these issues.

#### COMMUNICATIONS COMMITTEE

No report

#### POLICY COMMITTEE

No report.

#### FISCAL COMMITTEE – Pauline Kelzer

No report.

#### OFFICERS REPORTS

1. President's Report: Ms. Kelzer reported there was no Presidents' Forum scheduled until next week. The Board has received 8 nominations for the 2 open positions on the Board. Nominations will be closed on February 28<sup>th</sup>. The Board will call for interviews in early March. Resales are vigorous. The Mutual has great curb appeal. The Board is working to bring the Entries and carports into compliance.

Entry 7: The issues that were raised in the public outcry of the April 21, 2014 meeting, regarding entry 7, have been taken care of. The Board passed a 3-part motion. 1) to accept the resignation of the former president; 2) to place a stop work order on landscape rehab work in entry 7 until further notice; and 3) to conduct an internal investigation of landscape rehab expenses for entry 7.

The stop work order is still in effect. The internal investigation was conducted. The Board worked closely with management and its attorney to conduct the study of expenses. Paul Donner did his own investigation. In December the results were sent, and the Board is now waiting for that payment.

At this time, there is nothing further the Board can do and we consider the matter closed.

The Board gets security reports. The Mutual has had a few break-ins to cars and homes. The Board will address this issue and try to come up with recommendations.

The Board will attend a legal seminar on March 24 to receive legal updates.

2. Vice President: None

3. Treasurer: Mr. Cardinal reported that he went down to MOD and signed off on cash transfers. The insurance payment will be coming up soon.

*Mr. Cardinal motioned to transfer funds from the reserve account to the operating account in the amount of \$65,000 to pay insurance costs and to replenish the reserve account before the end of the fiscal year 2015. Ms. Seltzer seconded and the motion carried without dissent.*

4. Secretary: None

#### UNFINISHED BUSINESS

None

#### NEW BUSINESS

None

#### ANNOUNCEMENT

The next regular board meeting is scheduled for March 16, 2015 at 1:30 p.m. in the Board Room at Gateway.

#### ADJOURNMENT

Having no further business, the meeting adjourned at 3:10 p.m.

/s/

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Sara Seltzer, Secretary  
Fourth Walnut Creek Mutual