



Walnut Creek Mutual Fifty-Three (Mutual 53)

**BOARD MEETING MINUTES
FRIDAY, NOVEMBER 18th, 2022, AT 1:30 P.M.
ZOOM AND IN-PERSON
CLUBROOM – CREEKSIDE
1010 STANLEY DOLLAR DR – WALNUT CREEK, CA 94595**

Call to Order

President Mintz called the Regular Meeting of the Board to order at 1:32 p.m.

Directors Present

Barbara Mintz, President
Brad Schimek, Vice President Matt Kaplan, Treasurer
Barbara Landberg, Secretary Michele Huff, Director

Also Present

Mutual Operations staff was represented by Paul Donner, Mutual Operations Division, Clayton Clark, Building Maintenance Manager, John Tawaststjerna, Landscape Manager and Lucy Limon, Board Services Coordinator.

Members Forum

Residents were afforded the opportunity to express their general concerns and make comments. Comments included CC&R’s and Bylaws, tree trimming behind owner’s unit.

Approval of Meeting Minutes

President Mintz asked if there were any additions or corrections to the following sets minutes:

- a. Regular Board Meeting Minutes October 18th, 2022
- b. Executive Meeting Minutes November 10th, 2022

A motion was made to approve the above sets of minutes.

Moved, Seconded, Carried 5-0

President’s Report

President Mintz reported that it has been a busy time for M53, but everything is moving along swiftly. Anne Winters walked the property with MOD to determine what needs to be worked on. Brad and Jim have completed the matrix, this project required many hours. All members will receive a copy of the matrix, procedures and solar policy for the required 28-day comment period. Matt worked with the

AV department to setup this hybrid meeting. M53 is considering having Board meetings via hybrid so that residents who aren't available to attend in person can join by zoom.

Treasurers Report

Matt Kaplan reported on the following:

- i. Motion to certify compliance with Civil Code 5500 by review of the latest Financial Report.

No motion was made.

- ii. A motion was made to approve the transfer of \$400,000 from the reserve account into six-month T-bill to earn between 4 or 4.5% interest.

Moved, Seconded, Carried 5-0

Committee Reports

Governing Documents -

President Mintz reported that the committee consists of two people and is currently looking for another volunteer.

Landscape -

Anne Winters gave the following:

Please approve the landscaping costs below:

\$1995.00 Terra proposal for 4400 lawn removal and shrub planting.

\$2000.00 Terra proposal for 4436 lawn removal and shrub planting.

\$2025.00 MOD plants, not to exceed \$2025

\$6020.00

A motion was made to approve the aforementioned landscape proposals not to exceed \$6020.

Moved, Seconded, Carried 5-0

Background: Amounts spent to date for landscape:

\$3500.00 Spring compost

\$3960.00 Fall tree trimming

\$525.00 Miscellaneous

\$7460.00

A motion was made to approve the above proposals for additional MOD work.

Moved, Seconded, Carried 5-0

\$1440.00 Landscape reserves for 2022

- \$7460.00 Spent to date, above

\$6020.00 Remaining budget

Due to an illness, the estimate from MOD has not been completed as of today. The rough estimate I was given is \$1600 to \$2000.

I am also pursuing an application for a rebate from EB Mud for the lawn replacements.

Building Maintenance -

Jim Jennings gave the following report:

Garage Repair 348 TG #2A

- Hartford Insurance Group Claim
- ABC Builders Group has been selected to perform the repair/construction
- As of 10/31 ABC Builders Group had completed their assessment of the damage and submitted a detailed report of the assessment and cost estimate to the Hartford Group
- ABC Builders Group has attempted multiple contacts with the Hartford Claims Adjuster, Sara Suny, but without success
- As of 11/2 still not contact from the adjuster Sara Suny. ABC contacted the Hartford Group (Maria Anderson) who “escalated” the inquiry to a supervisor. It was discovered that there had been an error in the address of the damaged site, placing it in Florida!
- As of 11/1 “Mike” at Hartford has confirmed that ABC Builders has submitted all necessary documentation and cost estimates. This case is now in “Review Status”. There continues to be no response from the claims adjuster Sara Suny.
- As of 11/17 – A clearly frustrated Vice-President of ABC Builders (Paulo De Souza Jr) states that they are still willing to hear from the adjuster. Without the approval from the adjuster ABC Builders cannot proceed with the repairs.
- Daniel Philapil with MOD continues to do a great job Communicating with Brad and I as well as owners Dave Hendrick and Albert Oliver.

New item (to us) Pooling water on entry walkways – 4444 TG #1A and #4A

This week I was contacted by a resident and told a downspout emptying onto the ground and walkway adjacent to the front porch of 4444 4A. When it rains the water pools on the walkway in the front porch.

I surveyed 4444 and discovered that not only is the downspout near the porch of 4444 TG 4A not connected to an underground drain line but the downspout near the porch of 4444 TG 1A is also not connected to an underground drain line.

I saw no opening or what might have been an opening to a drain at either place. I did not try to dig down to find another opening.

I checked the entry walkway and porch areas of 4444 TG 2A and 3A found that both of those downspouts were securely connected to underground drain lines.

Buildings Maintenance Committee Report-Pooling Water

I surveyed the building the building at 4372 TG as it is also an eight-plex with the building footprint, entry walkways and exterior fixtures to the 4444 TG.

I found that each of the four downspouts adjacent to the entry walkway and porches of units 1A, 2A, 3A and 4A were all securely connected to underground drain openings, directing roof runoff away from the building.

I contacted Clayton Clark regarding this issue as I felt this was clearly more than the workorder.com system was designed to deal with Mr. Clark is aware of this issue and has submitted a request to Terra Landscape Co for a bid to locate and dig out/clean out the two underground drain access points at 4444 TG 1A and 4A.

I will stay in contact with Mr. Clark.

Incorrect signage at all Deer Highlands Trash Enclosures

During meeting of the Brain Trust know as the Deer Highlands Men's Breakfast Group, the subject of recycling items, specifically plastic bags came up. Plastic bags are not allowed in the recycle bins, Republic Services does not recycle these. One member of group stated he was sure that the signs say plastic bags are recyclable.

Following the meetings, I surveyed all of the trash enclosures and discovered that in the enclosures that had signs, the recycling signs that were posted were from 2019, stating that plastic bags could be recycled.

I contacted Lisa Lankford, MOD liaison with Republic Services. She provided me with new signs for all seven enclosure and by 4pm yesterday new signs for all three categories (Recycling, landfill and organics (composting) are posted in all enclosures.

I will be sending an email to all DH residents informing them of the new signs and that all soft or foldable plastic to include plastic bags must go into the landfill bins, all such soft plastic is not recyclable. I should mention that I have been told that beginning in January Republic Services is supposedly going to get serious about collecting penalty fees for improper disposal like plastic bags containing shredding, large cardboard boxes not broken down, etc.

I was asked how do they (Republic) know who is responsible? I explained that the drivers look into bins when they roll them out to the truck. They may issue a “Commercial Notice” tag which will be attached to the bin followed by a billing notice to Mutual 53, so we all pay for the violation of one person.

Architectural Review

i. Application for Solar Application:

A motion was made to approve the solar alteration application as recommended by the architectural review committee.

Moved, Seconded, Carried 5-0

Old Business

a. Status of Maintenance Matrix: The maintenance matrix has been updated and will be mailed or emailed to members for the required 28-day comment period. The Board will consider member commentary and will make a decision at the January meeting.

b. Update on M53 Bank Accounts: Both Operating and Reserve accounts have been opened under M53. However, the monthly coupons will take longer to the change from Project 53 to Mutual 53.

c. Vote to Approve CPA Firm to Complete Taxes and Review for 2022 – Board Approved to have a Financial Review at the October 28th Meeting:

A motion was made to accept the contract from Porter and Lasiewicz for a 2022 review and taxes,

Moved, Seconded, Carried 5-0

- d. Update of Policies and Procedures Status – Including Solar Installation Policies:

A motion was made to mail the proposed Policies and Procedures to members for the required 28-day comment period.

Moved, Seconded, Carried 5-0

New Business

- a. Vote on Banking Resolution – Civil Code 5502:

A motion was made to adopt a resolution certifying compliance with Civil Code 5502 to allow MOD Accounting to sign checks for Mutual 53 for the rest of 2022 and 2023.

Moved, Seconded, Carried 5-0

- b. Discuss joining CAI (Community Associations Institute) or ECHO – or Both: This topic will be readdressed in January.

MOD Manager's Report

Paul Donner reported that the 2023 budgets have been completed and disclosures have been submitted for mailing. The CEO search task force will be reviewing resumes to narrow down all candidates. Rossmoor should have a new General Manager by early 2023.

Announcements

Next scheduled meeting will be held on Friday, January 27th, 2022, at 2pm in the Fairway Room at Creekside.

Adjournment

There being no further business President Mintz adjourned the Board Meeting adjourned at 2:38 PM.

Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of the minutes.

Lucy Limon

Assistant Secretary
Mutual 53
