

MINUTES  
WALNUT CREEK MUTUAL NO. FIFTY-SIX  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
TUESDAY, MAY 19, 2020 AT 10:00 A.M.  
ZOOM

President Robert Ward convened a regular meeting of the Board of Directors of WALNUT CREEK MUTUAL NO. FIFTY-SIX at 10:00 a.m. on Tuesday, May 19, 2020 via Zoom.

ROLL CALL   PRESENT: Robert Ward, President  
                  Nancy Richardson, Vice President  
                  Gini Voelkel, Secretary/Treasurer

EXCUSED: None

Representing staff were Rick Chakoff, Chief Financial Officer; Rick West, Building Maintenance Manager; Rebecca Pollon, Landscape Manager; and Anne Paone, Administrative Secretary.

Paul Donner, Director of Mutual Operations had to attend another meeting.

Seven residents who were present were welcomed to the meeting.

REVIEW OF MINUTES

Mr. Ward asked if there were any corrections or additions to the regular minutes of January 15, 2020 or the March 4, 2020 Special Meeting minutes. Hearing none, he declared them approved as written and reviewed.

RESIDENT FORUM

No resident comments.

Financial Report:

Gini Voelkel reported that the financials have been reviewed.

*Ms. Richardson moved to certify the Board's compliance with Civil Code Section 5500 for December-2019, January, February, and March 2020. Ms. Voelkel seconded and the motion carried without dissent.*

Ms. Voelkel reported that as of March the operating fund had \$56,121 and the reserve fund had \$196,475. The total for both funds was \$252,596.

Mr. Chakoff reported that he had the financials for April. The operating fund was \$19,000 under budget. Landscape and utilities were under budget. The Mutual received a refund of \$3,751 for excess insurance commissions. The operating fund had \$59,787 and the reserve fund had \$202,358. The total for both funds was \$262,145.

COMMITTEE REPORTS

Building Maintenance – Rick West

Rick west submitted the following report to the Board:

INFORMATION ITEMS: Work Pending, Scheduled, In Progress or Completed

1. MOD straighten all the unlevel Light Poles including Concrete work. Cost \$536.00.  
**(Work Completed).**
2. Project to paint all 24 of the streetlight poles.  
Contractor ALP Construction. Cost \$3,100.00.  
**(Work Completed).**
3. Replacement of 24 Light post Fixtures with LED Light fixtures. Contractor: Sang Electric – Cost \$1,850.00  
**(Work Completed).**
4. MOD Completed Gate and post work at 1254 Edgewater Dr.  
Total of 12 Buildings are on the list for Wooden Fence and Gate Repair work.  
Board approved NTE \$8,000.00 - Current Total Cost spent to date \$2,766.00.  
**(Work Scheduled to resume in May).**

Landscape – Bob Crist/Rebecca Pollon

Ms. Pollon reported landscaping is back up to full schedule. They are doing weekly mowing. The proposals for 1917-1931 Lakeshire lawn renovations may be delayed. The MOD work schedule will be rearranged. Tree maintenance has been completed for \$11,264.00.

Finance – No report.

Emergency Preparedness – Mr. Samuels reported that the committee will be active again. They will make sure neighbors are okay, safe, and have supplies. Everyone still needs to wear masks when outside. Every 3 units have a utility door. The emergency gas shut-off valve is located there. Individual units can be turned off, but only in an emergency.

Ponds – New chair to be appointed under New Business.

Social – Nancy Ward reported to everyone that she hopes they can all meet on September 8<sup>th</sup> for the BBQ. The next social is the Holiday dinner on December 7<sup>th</sup>.

OLD BUSINESS

Ms. Richardson reported the following:

Updating our CC&Rs and By-laws is needed because of (1) changes in the laws related to homeowner associations made by the California legislature over the years, (2) to address some advancements in technology that residents may want to introduce to the manors which might need some process to be evaluated and perhaps regulated for compatibility and/or safety in a condominium environment, e.g. solar panels and (3) to remove some original generic boiler plate language that addresses things the Mutual buildings never had, like references to sliding doors.

Lakeshire contracted with our current law firm in 2018 for updating our CC&R and By-laws which are dated in 2003.

With several changes in the Mutual Board membership over recent years we were initially a little slow in providing all the information the attorney wanted from us. But over the past year we have been prompt in our replies to our attorney in a serious effort to finish the project.

However, since November of 2019, we have had to repeatedly prompt our attorney and even the head of the law firm to try to get the project completed.

Our recent goal expressed to our attorney had been January 15, 2020, then April 15, then May 6 and then today. Yet we had no final drafts as of this morning leaving the Board to unable to review almost 100 pages of the "final" documents before casting our votes and directing the drafts be sent to residents, holding a Town Hall and then a resident vote.

Our input to drafts that that involved informational additions or deletions do not have any legal significance and have not always been met with cooperation, especially when we wanted to remove what could be considered non-essential historical information. In one case, a set of our comments and questions were actually lost by our attorney contributing to delay and loss of confidence.

Also, in the past couples of months we have asked our current law firm twice for a cost proposal to update our Policies, much of which dates back into the 1990's. To date, we have not received any proposals from our current law firm to do this much needed work.

According the Board is unable to vote on the final documents today and in the near future will be considering how best to address our current and future legal needs.

### NEW BUSINESS

Mr. Ward tabled approval of Governing Docs as the Board does not have them yet.

Appoint Inspector of Elections:

*Ms. Richardson moved to appoint Robert Crist as the Inspector of Elections. Ms. Voelkel seconded and the motion carried without dissent.*

Appointment to Ponds Chair:

*Ms. Richardson moved to appoint Bill Eames to the position of Ponds Chair. Ms. Voelkel seconded and the motion carried without dissent.*

### ANNOUNCEMENT

Mr. Ward announced the next meeting will be the regular Board Meeting to be held on July 15, 2020 in the Board Room at Gateway or possibly via ZOOM.

### ADJOURNMENT

Having no further business, the meeting was adjourned at 10:23 a.m.



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Anne Paone, Assistant Secretary  
Walnut Creek Mutual Fifty-Six