

MINUTES  
WALNUT CREEK MUTUAL FIFTY-NINE  
REGULAR MEETING OF THE BOARD  
TUESDAY, SEPTEMBER 8, 2015, 1:30 P.M.  
BOARD ROOM, GATEWAY COMPLEX  
1001 GOLDEN RAIN RD., WALNUT CREEK, CA 94595

ROLL CALL

PRESENT:	Dave Peters	President
	Vic Vigil	Secretary
	Chuck Walls	Treasurer
	Linda Fletcher	Director
	Phil Anderson	Director

Staff represented were Paul Donner, Director of Mutual Operations; Rick West, Building Maintenance Manager; Rich Perona, Landscape Manager; and Sharon Fees, Administrative Secretary.

Nine additional Mutual members were present.

APPOINTMENT OF REPLACEMENT DIRECTOR

Vic Vigil moved and Linda Fletcher seconded to appoint resident Phil Anderson to fill the vacancy on the Board left by George Burnett. The motion passed unanimously.

APPROVAL OF MINUTES

Vic Vigil moved and Chuck Walls seconded to approve the minutes to the Regular Meeting of the July 14, 2015. The motion passed unanimously.

RESIDENTS' FORUM

Barbara Britt, 5961 AW #4C: Britt thanked West for the performance improvements made by the cleaning contractors. She asked for an update for the railing quote for the upper driveway of 5961 AW. One resident owns five vehicles and is manipulating the extra parking spaces at 5961 AW. One of the vehicles is an electric vehicle and it was alleged that the owner is charging the car in a manner that is violating Mutual 59 policy. Britt requested that the lighting in the garage be modified. She contended that some lights could be done away with, thus saving electricity costs.

Pat Rubenstein, 5951 AW #1B: Rubenstein was nonplussed at the fact that the dead light bulb that she requested to be replaced over two weeks prior still has not been done. West took note and committed to have the job done.

George Burnett, 5910 HC #2A: Burnett urged the Board to investigate the possibility of getting reimbursement for the repairs of the water damage at 5910 HC #5B from the homeowner. The

Board promised to look into the matter, but it was noted that the Board was previously advised by legal counsel that it would be difficult for the Board to collect for these damages.

### PRESIDENT'S REPORT

President Dave Peters reported on the following:

The costs of the water leak remediation projects will come to at least \$120,000. The Board is considering approving a ballot to be sent out for a Special Assessment to cover these high and unexpected costs.

There have been several HVAC systems breaking down in Mutual 59. The task to get these repaired can be daunting for those whose systems are located on the building roof. During the hot months, HVAC systems that break down are given emergency status and are approved for replacement by MOD and one Board Director.

The Safeway Shopping Center plans to begin renovations in early 2017.

### REPORT OF COMMITTEES

Alterations: Vic Vigil presented the alterations in progress to the Board.

Pool: Dave Peters reported that the pool is used regularly and the aqua classes have been well-attended. The pool will close at the end of October.

Finance: Dave Peters reported that the Board held a mid-year budget review meeting to assess income and expenditures made thus far in 2015.

Landscape: Linda Fletcher reported that all work has stopped due to the Mutual 59 financial crisis that arose as a result of the water damage repairs.

Water: Vic Vigil reported that residential water usage is down by 58 percent as compared to 2013, that irrigation usage is down by 15 percent compared to 2013, and that pool water usage is down 26 percent compared to 2013.

### FINANCIAL REPORT

The Mutual's new bank is City National Bank.

The budget meeting will take place on September 10, 2015, at 3 p.m., in the MOD Large Conference Room.

### LANDSCAPE REPORT

Rich Perona reported on the following:

Lawn Maintenance: All lawns have been removed. Irrigation systems are on twice a week as directed by EBMUD; and are inspected once monthly. Irrigation heads in raised planters were

inspected and adjusted to prevent overspray. A couple of visibly stressed Redwoods will be given additional water to help prevent the trees from dying.

Perona fielded questions and requests from the Directors.

### BUILDING MAINTENANCE

Rick West reported on the following:

5951 AW #4A: Mold remediation in the kitchen drywall and guest bedroom baseboard was necessary because of the negative-grade swale that sloped toward the unit. The repairs in the kitchen are moving forward and the bedroom repairs recently began on August 31.

Chuck Walls moved and Vic Vigil seconded to approve an expenditure of \$3,950 for the replacement of the interior walls in 5951 AW #4A. The motion passed unanimously.

Chuck Walls moved and Linda Fletcher seconded to approve an expenditure of \$19,305 for the replacement kitchen cabinetry at 5951 AW #4A. The motion passed unanimously.

Five Star performed demolition of the exterior wall for the repair of the drainage system along 2A, 3A, 4A, and 5A.

5920 HC #3A: There is a suspected drain line leak in the wall. Steamatic is conducting destructive testing to locate the source of the leak.

Balcony and interior wall inspections: A&R Construction provided a bid of \$2,430 to inspect all of the balconies in Mutual 59 and a bid of \$5,940 to inspect the interior unit wall of all the Mutual manors. Linda Fletcher moved and Phil Anderson seconded to not have the interior wall inspections done. The motion passed unanimously.

5910 HC #1A: The total estimate for mitigating the floor squeak is \$1,733.20. Vic Vigil moved and Phil Anderson seconded to not perform this remediation. The motion passed unanimously.

Lighting Time Clocks: Linda Fletcher moved and Vic Vigil seconded to approve an expenditure of \$1,000 for the replacement of the malfunctioning lighting time clocks. The motion passed unanimously.

Follow-up Items:

5913 HC: The building painting project has been completed by Mirt Painting.

5910 HC #5B: Janiszewski Construction completed the installation of the flooring and kitchen cabinets.

Handle Grips for Pool and Spa: The hand grip railing for the pool and spa has been installed at a cost of \$222.

5951 AW Tankless Water Heater: There was a malfunction in the tankless water heater because of a clogged filter screen. This was indicated by an error code on the heater. Leap

Frog re-plumbed the air intake to pull in outside air. West has scheduled monthly filter cleaning for these units.

5954 AW Bird Droppings: MOD has taken action to get birds from roosting in the area of 5954 AW which has helped dramatically in the elimination of droppings.

West responded to Board questions and requests.

### OLD BUSINESS

Report on Mutual 59 Balconies: These inspections are on hold.

Mutual 59 email address: Residents are starting to make good use of the new mutual email, M59@rossmoor.com.

### NEW BUSINESS

Nominating Report: Phil Anderson stepped forward to volunteer to serve on the Board. No others submitted their name by the nomination deadline. Therefore, as a member in good standing, Anderson will be voted in by acclamation, in accordance with Mutual 59's governing documents, at the Annual Meeting that will take place on November 2.

Auditor: Chuck Walls moved and Vic Vigil seconded to engage James Ernst Accounting to perform the 2015 financial audit and tax returns for Mutual 59 for the amount of \$2,010. The motion passed unanimously.

Exterior Deck Shade Color Options: Vic Vigil moved to approve the color Alabaster from Custom Canvas for the exterior shades which is similar to the previously approved Phantom Screen color beige. Chuck Walls seconded the motion and it passed unanimously.

Motion to distribute ballot for Special Assessment to Membership: This matter was tabled until further research can be done.

5910 HC #5B: The Board will investigate further, with the Mutual's attorney, to ascertain if the Mutual could hold the owner of 5910 HC #5B responsible for the extensive damage to the unit, for not having reported the damage in a more timely manner.

### ITEMS FOR NEXT AGENDA

No items were determined for the next agenda.

### ANNOUNCEMENTS

The next meeting will be Monday, November 2, 2015, at 9:30 a.m. in the Vista Room of the Hillside Clubhouse. This is the Mutual Fifty Nine Annual Meeting. An Organizational Meeting and a Regular Board Meeting will immediately follow.

With no further business to discuss, the regular meeting of the board of September 8, 2015 was adjourned at 3:22 p.m.

A handwritten signature in blue ink that reads "Sharon Fees". The signature is written in a cursive style.

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Sharon Fees, Assistant Secretary  
Mutual Fifty-Nine