



FIRST WALNUT CREEK MUTUAL

BOARD OF DIRECTORS REGULAR MEETING

Friday, September 26, 2025 at 10:00 a.m.

Meeting was Conducted In Person and Virtually

Event Center – Donner Room
1021 Stanley Dollar Drive, Walnut Creek, CA 94595

MINUTES

1. **Call to Order**

Chung called the meeting to order at 10:00 a.m.

2. **Roll Call**
Directors

Young Chung – President
Peter Catalano – 1st Vice President
Kevin Dowling – 2nd Vice President
Peggy Kaiser – Treasurer
Jean Autrey – Secretary

Rossmoor Property Management

Jeroen Wright – Director
Dave Peakes – Building Maintenance Manager
John Tawaststjerna – Landscape Manager
Victoria Thomas – Board Services Coordinator

3. **Members' Forum**

Members were afforded an opportunity to address the Board for up to 3 minutes. Comments were:

- Thanks were given for landscape work done in Entry 5. Opined that lowering the grass could save money in the coupon.
- Thanked Board for years of service. Thanked Kaiser and Catalano for taking difficult stance at times.
- Did not support posting financial statements on the Mutual's webpage on Rossmoor's website as it allows for cyber hacking.
- Opined that draft minutes are not posted within 15 days of the meeting and final minutes are not posted within 30 days of the meeting. Chung responded by asking Thomas when she posts the minutes. Thomas replied that she posts the minutes after the meeting which is less than 30 days.
- Reported receiving harassment from a neighbor and questioned why the Board is not providing assistance.
- Requested that Members Forum be placed at the end of the agenda.

4. **Consent Calendar**

- a. Board of Directors Special Meeting Minutes – August 5, 2025
- b. Board of Directors Emergency Executive Session – August 15, 2025

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- c. Board of Directors Regular Meeting Minutes – August 22, 2025
- d. Board of Directors Executive Session Meeting Minutes – August 22, 2025
*Motion made by Chung, seconded by Dowling, to approve the Consent Calendar.
Approved by unanimous vote. (5-0)*

5. Executive Session Meeting Summary

- Emergency Executive Session Meeting on August 15, 2025
 - Litigation
- Emergency Executive Session Meeting on August 22, 2025
 - Litigation

6. President's Report – Young Chung

- The RWC Management Agreement is near completion. The Board has received a copy of the proposed one-year agreement.
- Received complaints about the election process that was conducted. Accused of being biased and ignoring the Davis Stirling Act. Young stated the allegations are false and the election policies and the nominations as described by the Board's legal counsel are correct.

7. Treasurer's Report – Peggy Kaiser

- a. Treasurer's Report
 - As of August 31, the operation fund was positive to budget by \$1,611,000 which is \$1,223,000 attributable to the property insurance premium, coming is less than expected. There is still discussion about change by placing the timing of insurance in the summer instead of the December/January period. Reason stated is that most of the Mutuals are positive to budget with insurance in 2025; therefore, they will have a head start of the extra funds needed to make the 16-18 months of insurance premiums in 2026.
 - Expected commission rebate of approximately \$1.1M has been received from Gallagher. It has not been determined what portion amount goes to the Mutua;
 - The Board has not been notified of when they can expect to receive the budget from RPM to review.
 - Reserve fund is still positive to the expected expenditures in the amount of \$912,000. There are still expenditures such as asphalt replacement.
 - Kaiser reviewed the draft Reserve Study, prepared by FAI, and noted that it did not include the infrastructure items as required by SB900 (SB900 was enacted in September 2024 and became effective January 2025.)
 - Collections – Accounting Department is currently in the process of a software program conversion. Once done, the Accounting Department will start implementing monthly late fees, interest, and establish a process for statements to be mailed out. This means that 30, 60, and 90 days notices need to be issued in order for collections to be started. Board is consulting with legal counsel on how to proceed. As of July 31, there are nine members that are late with their assessments by \$10,000 or more.
 - Last month, the Board directed RPM to use U.S. mail to send notices to members. Notices must be sent using each member's preferred delivery method.

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For example, the annual disclosure booklet is required to be sent according to the member's preferred method.

Under Civil Code §4041, the Mutual could be in violation if it appears to agree to send all notices exclusively via U.S. mail. Sending notices by email may reduce delivery costs, but compliance with member's stated preferences is required of communication.

- Directors and Members are encouraged to join ECHO for more education.
- Board received the July financials shortly the August meeting. August financials were received late last week. Given that the Board did not have enough time to review the August financial statement.

Motion made by Kaiser, seconded by Dowling, to certify compliance with Civil Code §5500 for July financial statements.

Discussion – Autrey stated that she will not be able to certify compliance as the general ledger is incomplete and she is unable to track the numbers on the general ledger to the financial statement, particularly with the balance sheet.

Motion did not pass. (2-3 Kevin Dowling, Jean Autrey, and Peter Catalano voted no. Dowling stated the reason for his vote is in part that Arterburn did not attend the meeting or send one of his staff to attend to answer any possible questions, Arterburn also did not attend the Budget and Finance Committee meeting or send one of his staff to attend.)

8. **Director's Report** – Jeroen Wright

- RWC Management Agreement is near completion.
- RWC approved their budget during the Board meeting. RWC and RPM budgets are available for review.
- The 2026 proposed budget for the Mutual will be presented to the Board on October 1st. A budget meeting is scheduled for October 10th at 1:00pm, wherein RPM, Board, and the Budget and Finance Committee will review it.
- Peakes is working closely with FAI on the Reserve Study. Peakes has requested that FAI include infrastructure as required by SB900 as well as ensure that FAI has the correct beginning balance.
- For members that provided an email address, a notification will be sent to them letting them know the 2026 preliminary budget is available for viewing if they make the request.

Motion made by Catalano, seconded by Dowling, to use RPM's email list and the MailChimp email list to send a notice to members that the Board will provide a tentative unsure version of a possible budget on October 13, 2025. Approved by majority of the vote. (4-1 Jean Autrey abstained)

9. **Chief Financial Officer's Report** – Todd Arterburn

No Report

10. **Building Maintenance Manager's Report** – Dave Peakes

Carpentry/Paint Rehab Work

The carpentry crews have finished up on buildings 2525, 3217, 3233, 3441, and 1865 Golden Rain Rd. They are currently working on 2200 Golden Rain and 1873 Golden Rain. Painters and deck coaters are following behind. By next month's report we should be down to the last handful of buildings on this year's rehab program.

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The City of Walnut Creek has signed off on the carport fire rebuild at 1901 Golden Rain Rd. Final punch list and invoicing details are being gone over by all parties involved.

FWCM Roofing

The scope of the work to be done has been outlined and bids have been received for this year's roofing program. With an extensive array of products available to choose from, I opted to get bids from 3 vendors using three different products which all carry the same warranty we were getting with the Duro-Last roofing material. I reviewed the bids for the 13 roofs and delegated an approx. 1/3 of the roofs to each vendor based on the cost of their bid.

Motion made by Kaiser, seconded by Dowling, to approve the contract to install new roofing system in the amount of not to exceed \$446,790 from the Reserves Account. Approved by unanimous vote. (5-0)

Asphalt

Bids have submitted for this year's asphalt program which outlines the removal and replacement of the parking lots in entries 2 - 5 Golden Rain (which is one continuous lot) as well as Entry 4, which ties into the end of Entry 5.

Motion made by Kaiser, seconded by Dowling, to approve the TARP contract to replace the asphalt in Golden Rain Entries 2, 4, and 5 in the amount of not to exceed \$165,000 from the Reserves Account. Approved by unanimous vote. (5-0)

11. Landscape Manager's Report – John Tawaststjerna**Landscape Maintenance**

- Fertilization of shrubs and trees
- Clearing of v-ditches and drains of leaf debris

Tree Maintenance

- Pruning
 - o Oakmont
 - Completed Entries 1-4
 - Entries 5-16 scheduled for next two weeks
 - o Rockledge
 - Scheduled for late October & early November

Small Rehab & Irrigation Projects

- OM E6 Mainline Repair (8/24/25)
 - o \$1180.66 (Reserves)
- OM E13 Mainline Repair (8/24/25)
 - o \$835.84 (Reserves)

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- Rear 1409 Oakmont Entry 10 Monterey Pine
 - o \$6,500 (Reserves)
 - o Waraner
- Front 1417 Oakmont Entry 10 Monterey Pine
 - o \$5,500 (Reserves)
 - o Waraner

Motion made by Kaiser, seconded by Dowling, to approve the Waraner contract to remove the Monterey Pines in the amount of \$12,000 from the Reserves Account. Approved by unanimous vote. (5-0)

- Oakmont Entry 16 Eucalyptus
 - o \$8,290 (Reserves)
 - o Hamilton

Motion made by Kaiser, seconded by Dowling, to approve the Hamilton contract to remove the Eucalyptus in the amount of \$8,290 from the Reserves Account. Approved by unanimous vote. (5-0)

- Golden Rain Entry 12 Lawn Conversion Design
 - o \$4,900 (Reserves)
 - o Ruth Bancroft Design

Tawststjerna requested the member's design preference for the area near the entry and shared it with Ruth Bancroft Design.

Motion made by Kaiser, seconded by Autrey, to approve Ruth Bancroft Design lawn conversion design in Entry 12 in the amount of \$4,900 from the Reserves Account. Approved by unanimous vote. (5-0)

12. Committee Reports**a. Budget and Finance Committee Report – Paul Moderacki**

- The Committee met on September 16th and reviewed the Reserve Study with Gary Porter of FAI. The Committee will make a recommendation at the budget meeting to have reserves placed at \$200,000 - \$300,000 to do as assessment of all the underground infrastructure to assess what the Mutual's responsibilities are and the if the potential financial reserves need to be increased.
- Expressed frustration with RPM's lack of attendance at the Committee meetings and with financial statements continuing to be late.

**b. Landscape Committee – Committee Chair Vacant
No Report****c. Capital Projects Committee – Mike Sund
Strategic Energy Management (SEM)**

The SEM program paid the Mutual about \$6700 last year for reductions in energy usage. It appears this rebate will be significantly higher this year. The decrease will be driven by electricity. The gas graph is still a bit “wobbly” so that rebate is unsure.

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We can thank Dave Peakes and his crew for these energy savings rewards. We need to start a media campaign to get energy savings information to all M1 residents. This will also earn a reward for M1.

Motion Sensing Light Control

During one of the recent “Meet and Greets” a landscape representative told me we would create a rat problem by turning the carport lights off. I had not considered this. We need to investigate further before doing a test.

Electrification/EV Charging

We are looking at additional ways of funding the electrification with rebates.

- d. Social Engagement Committee – *Maria Keating and Brenda Wilson*
Meet Your Candidates forum was held on September 15th
 - a. Candidates: Kevin Dowling, Patricia Power, and Michael Sund
 - b. Moderator: Richard Coleman
 - c. Estimated resident attendance: 75

Next Social Engagement meeting in on October 6th in the Garden Room, Dollar Clubhouse at 1:30 p.m.

FWCM Holiday Potluck “Save the Date”

Date: Wednesday, 12/10/25

Time: Room: 3:30 - 8:30 p.m. (event: 5:30 - 8:00 p.m.)

Location: Fireside Room, Gateway Complex

13. **New Resident Orientation** – *Kevin Dowling*

Next Orientation Meeting: The next meeting scheduled is on October 17, 2025 at 10:00 a.m. in the Bunker Room at the Creekside Clubhouse.

14. **Old Business**

Action Items

- a. Proposed Amendments to the Bylaws.
The clause 10.20 for escrow hold back has been removed.
Section 15.6 will revert back to the original wording on the advice from the insurance company.
Legal counsel will draft the amendment as stated and will present to the Board.
Topic Deferred

15. **New Business**

Action Items

- a. Proposed Amendments to the Maintenance Policy – *Jean Autrey*
The Mutual maintains the roofs. If a roof needs repair and/or alteration it is at the member’s financial responsibility through a reimbursement assessment.
A motion was made by Chung, seconded by Dowling, to approve alteration roofing for the Mutual will maintain the roof with a cost that shall be covered by the member through

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reimbursement assessment. Motion did not pass (2-3 Jean Autrey, Peggy Kaiser, and Peter Catalano voted no)

A straw vote was made by Catalano to have three people agree that the members should pay for altered roofs. Straw vote passed with Young Chung, Kevin Dowing and Peter Catalano voting yes.

Topic Deferred

- b. Zoom License Renewal for Budget and Finance Committee Reimbursement
Motion made by Kaiser, seconded by Autrey, to approve the renewal of the Zoom account in the amount of not to exceed \$170.00. Approved by unanimous vote. (5-0)
- c. Zoom License Renewal for the Mutual – *Peggy Kaiser*
No discussion.
- d. Post Financial Statements on Mutual's Webpage – *Peter Catalano*
Topic Deferred

16. **Announcements**

The next scheduled meeting is the Board of Directors Regular Meeting on October 24, 2025 at 10:00 a.m. at the Event Center in the Donner Room as well as virtually.

17. **Adjournment to Executive Session**

There being no further business, the Board of Directors Regular Meeting was adjourned at 12:02 p.m. and the Board moved into Executive Session.

18. **Executive Session Summary**

The Board met in Executive Session from 12:14 to 1:16 p.m. to discuss disciplinary hearings and formation of contracts.

Board Assistant Secretary's Certificate

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

Victoria Thomas