

TUESDAY, JUNE 10, 2025, AT 9:30 AM

#### **ZOOM & IN-PERSON**

FIRESIDE ROOM – GATEWAY CLUBHOUSE 1001 GOLDEN RAIN RD – WALNUT CREEK, CA 94595

#### Call to Order

President Lauck called the Annual Meeting of Third Walnut Creek Mutual (TWCM) to order at 9:01 a.m.

#### Roll Call

#### **Directors Present:**

Tom Lauck, President, Dist. 4 (2026),

Florence McConnell, VP, Dist. 13 (2026) Bill Leary, Secretary, Dist. 5 (2026) Harvey Baumel, Director Dist. 3, (2027) Lyman Shaffer, Director, Dist. 10 (2027) Vacant, Director Dist. 7, (2027) Nan Warren, Director Dist. 14, (2025)

#### **Directors Absent:**

Mike Abell, Treasurer Dist. 9, (2025) Lauralee Barbaria, Director, Dist. 15 (2025)

#### **Staff Present:**

Jeroen Wright, Mutual Operations Director Todd Arterburn, Chief Financial Officer Rick West, Snr. Building Maintenance Manager Clayton Clark, Snr. Building Maintenance Manager – *via zoom* John Tawaststjerna, Landscape Manager Lucy Limon, Board Services Coordinator

#### **Certification of Meeting**

Assistant Secretary, Lucy Limon certified the following:

I, Lucy Limon, Assistant Secretary to certify that in accordance with Corporations Code § 7511(b), a notice of the Annual Meeting was mailed to the membership on June 5, 2025.

#### Election Results:

Additionally, I certify that a Call for Candidates was published in the February 16, 19 and 26 2025, editions of the Rossmoor News.

The Mutuals' Board Office received 0 nominations from the membership

In accordance with the Davis Stirling Act, Third Walnut Creek Mutual was eligible to appoint candidates via acclamation for this year's election, given that at the close of the period for making nominations, there were the same number or fewer qualified candidates as there were Board positions to be filled.

Additionally, a separate notice was mailed to members of District 7 on May 9, 2025. It stated that Third



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Walnut Creek Mutual Board of Directors was seeking volunteers for an open seat on the Board due to the resignation of Adrian Byram who joined the Golden Rain Foundation's Board. Interested District VII members were invited and encouraged to apply for the Board position no later than Monday, June 9th, 2025, at 12pm.

Two nominations were received, Kim Starr and Duncan Carter. The Board held an Executive Board meeting on June 9<sup>th</sup> at 1pm to interview Kim Starr. The new director will be seated at today's Organizational meeting.

<u>Announce Election Results</u> – Lucy Limon (no volunteers came forward for Districts 9, 14 and 15, so no elections were held)

- a. Announce Vacancies for Districts 9, 14 and 15 -Mr. Lauck
- b. Interim Coverage for these Districts
- c. Replacement to complete term for District 7 Director

The following report was given:

#### **Announcement of Vacancies for Districts 9, 14 and 15**

Given that no volunteers have come forward to represent these Districts, these positions are considered vacant. A notice will be sent to all the members in each District to request that they volunteer to fill these important positions. Any volunteers that come forward will be interviewed by the members of the Board for the position. The Board will then vote to appoint a volunteer for the vacant position in accordance with the TWCM governing documents. In the interim the Board intends to cover these vacancies as follows.

## **Interim Coverage for Districts 9, 14 and 15 District 9**

Project 45 – Entries 2-8 on Rossmoor Parkway

As of yesterday, a replacement volunteer has come forward for the director position of the 148 manors in District 9. We will fill Mike's vacancy after we give the other residents in this District notice of the vacancy and let them come forward for Board consideration. Mike will relinquish his role as the Treasurer for the Third Walnut Creek Mutual and the Board will name his successor for this role in the Organizational Meeting which will be held after this Annual Meeting.

#### District 14

Project 36 – entries 1 & 2 on Cactus Court

Project 37 – entries 3-7 on Cactus Court and entries 3 and 5 on Terra California

Until a replacement volunteer comes forward for District 14 and its 174 manors, Nan Warren will continue as Director of District 14 and a voting member of the Board of Directors, with assistance of two volunteer members, one for building maintenance issues, and the other dealing with landscape issues.



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#### District 15

Project 27 – entries 10, 13 & 14 Ptarmigan Drive,

Project 31 – entry 16 Ptarmigan Drive

Project 32 – entry 15 Ptarmigan Drive

Until a replacement volunteer comes forward from District 15, Director responsibilities for these 3 projects will be covered by Bill Leary, the Director of District 5, currently responsible for Projects 23 and 33. Until a replacement volunteer comes forward for the director position, District 15 will not have a voting Director on the Board to represent their interests.

In order to handle the additional responsibilities for these District 15 projects, Bill has requested that he transfer the responsibilities for Project 23, with 39 manors, over to me, given that the buildings and common areas in Project 23 are very similar to those in my Project 26. This arrangement will make Bill responsible for a total of 130 manors and make me responsible for a total of 173 manors, which is 1 manor less than the size of District 14 which has 174 manors. Bill will continue as the voting Director on behalf of Projects 23 and 33 as the Director of District 5.

These compromises are not ideal and are intended to be temporary. The number of voting Board members will be reduced to an even number of 8. When a volunteer or volunteers come forward to take on the Director responsibilities for any of these vacancies, the vacant position will be filled by a vote of the Board of Directors, in accordance with the Third Walnut Creek Mutual governing documents.

#### Replacement to complete the term for District 7 Director

In accordance with the governing documents, the Board sent a notice to the members of District 7 requesting a volunteer to come forward to fill the remaining two years of the term of Director Adrian Byram. As of June 9th, the Board received two volunteer offers to fill this vacant seat. One candidate, Duncan Carter, is well known to the Board from his regular attendance at the Board meetings. Mr. Carter was a candidate for this position in the 2024 Director election. He received only 8% of the votes from the members of the District and was not considered a viable candidate. The second candidate, Kim Starr, a member of the GRF Finance Committee, received a strong endorsement from Director Adrian Byram. The Board interviewed Ms. Starr on June 9th in an executive session. A vote of the Board was taken and the candidate, Kim Starr, was approved by the 5 Directors attending the meeting, a majority of the Board members. The candidate will be appointed to fill the remainder of the term in the Organizational meeting following this Annual meeting.

#### **President's Report:**

President Lauck provided the following report:

First, thanks to all the members of the Third Mutual who are attending in person or via Zoom. We volunteer members of your Board appreciate your participation and input on all of the issues we address



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on your behalf.

As reported in the regular February Board meeting, this year's premium for Rossmoor's property insurance as of January 1<sup>st</sup>, was substantially below the cost budgeted back in November of 2024, while the percent of coverage versus total insurable value remained at about 45%. The insurance crisis is, as widely reported, not over. It is common that many of us have seen our personal insurance costs increase substantially.

The Insurance Task Force formed by the Presidents' Forum and Rossmoor Walnut Creek, RWC (formerly known as GRF), is continuing its work in trying to secure the best insurance available at a reasonable price. Third Mutual is well represented in the work of this task force with three directors of this Board being involved in these meetings.

With respect to property insurance, the Board has been and will be focused on fire prevention. You should have recently received the latest newsletter from our Communications Committee about this issue. That newsletter outlined the efforts that Third Mutual is focused on, the efforts being made by RWC, and what you can do to prepare for such an emergency.

I personally have been focused on the revision of the Management Agreement with RWC (formerly GRF) for the services provided to our Mutual, and the other Rossmoor Mutuals, by RWC (formerly GRF) and RPS (formerly MOD). Meetings are planned through August to complete the exhibits for this agreement before we start our annual budget cycle meetings.

I want to thank our Directors who have taken on the roles as chairpersons for our various committees, and who will provide their reports of the committee activities later in this meeting. I also want to thank all the volunteers for those committees who have offered their time and energies to those efforts.

Finally, I want to thank our directors whose terms are ending, Nan Warren, Mike Abell and Lauralee Barbaria, for their many years of volunteer service to the Board. I especially want to thank Nan for agreeing to continue her service to the Board until a replacement volunteer comes forward. I also want to thank Adrian Byram, the Director of District 7, for his volunteer service.

Next we will hear from Jeroen Wright, the Director of Mutual Operations, and Todd Arterburn, our CFO, about the Financial State of the Mutual.



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#### Presentation by Jeroen Wright and Todd Arterburn Regarding the Financial State of the Mutual

Jeroen Wright reported that Rossmoor's property insurance premiums came in below the budgeted amounts. The Board remains focused on fire prevention efforts as a top priority. The new management agreement is nearly finalized and expected to be completed in time for budget season.

In personnel updates, Clayton Clark will retire as Building Maintenance Manager on July 10th. Rick West will assume Clayton's role, while Luis will step into Rick's former position.

Jeroen also provided a brief overview of recent legislative changes impacting landscape management, including AB 1572, which restricts turf irrigation, and AB 3074, which mandates increased defensible space and fire protection measures.

Todd Arterburn provided an update on the implementation of the new financial software system, NetSuite. The system is designed to deliver consolidated, real-time data across projects and funds, enhancing transparency and financial analysis. The team is currently finalizing the 2021 financials and preparing staff training for the new platform, with the goal of having it fully operational by early July. The Board has received the April financial reports—marking the first month produced using the new reporting system—while individual reports for January through March remain in progress.

#### **Reports of Officers and Committees**

#### a. Treasurer's:

No report was provided.

#### b. Building Maintenance:

Tom Lauck presented the following report on behalf of Adrian Byram:

During 2024 the Building Maintenance Committee completed the hard surface flooring test that had been initiated by the Committee in the prior year. On July 1, 2024 Salter Acoustical Engineers conducted an acoustical test of different types of hard surface floors laid in unit 5 (upper) 3002 Rossmoor Parkway as heard in unit 4 (lower). The results of this test were summarized and submitted to the TWCM Board on October 14, 2024, along with copies of Salter's formal report. The Committee could not reach a consensus recommendation to the Board but shared a pro and con analysis with the Board in the summary report.

In spring 2025, the Chair of the Building Maintenance Committee and Board Member Lyman Shaffer engaged MOD staff to research ember-resistant vent screens, with the objective of determining the feasibility of replacing the current vent screens which are not ember-resistant. Clayton Clark made one presentation of alternatives to the Board, but no formal action has yet been taken.



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The Chair would like to thank the members of the Committee – Ken Evans, Phil Prasek, Haleh Payandehjoo, and Roxanne Stallings – last year's Chair – Nan Warren – and fellow Board member Lyman Shaffer for their time and effort.

Clayton Clark provided the following report:

#### For the month of June 2025

#### Project 23

- Painting of guardrails is being scheduled.
- Phase 2 is 2026 level 4a through 6C, and Phase 3 is budgeted fro 1a through 3C....\$100K per year based on AMAC work this year on one phase.
- Proposal to remove debris in storage room submitted from custodial person. No action to report.
- Elevator alarm service bid obtained and waiting approval.

#### Project 26

- AMAC is completed at 1621 Ptarmigan guardrail work
  - o Painting will follow afterwards.
- Once finacials reviewed, 5 more buildings are scheduled for this year.
- Deck coating completed for 1805 Ptarmigan. Painting is unresolved as it was higher than anticipated. No action to report
- Alarm panel for 1621 and 1501 ptarmigan need service and quote submitted.

#### Project 27

• Reviewing concrete ditches for maintenance. Recommend more cleaning of the ditches more than once per year before winter.

#### Project 31

- Wood fence replacement under review due to firewise zone-zero concerns
- Solar installation alteration under review to maintain warranty.
- Reviewing concrete ditches for maintenance.

#### Project 32

• No report.

#### Project 33

• Waiting on financials to decide on rehab due to drainage work in the winter. 4024 was scheduled along with paving.

#### Project 34



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• Electrical panel inspections approved by KR Electric and scheduled this month.

#### Project 35

- Reviewed signage improvement infront of 3126 TGR.
- Pilot electrical panel inspection completed at 3109 TGR

#### Project 36

- MOD rehab of 3 buildings inprogress.
- Review electrical panel inspections to fund with reserve plan.
- Pilot program to coat low slope roof with Certainteed product.

#### Project 37.

- Electrical panel inspection review for funding in reserve.
- Roof repair under solar panel completed.

#### Project 38

- Director approved electrical panel inspection in her district.
- Roof moss issue will be reviewed by MOD roofing.

#### Project 42

- Vehicle accident impacting 622 and 626 TCal, work underway.
- FWC provided report on 600 TCal crawl space. MOD will be making recommended repairs primarily drainage due to soil conditions under the building.
- 612 Tcal scheduled for rehab 2025 after P44

#### Project 44

- 3142 RP Patio work underway by FWC design. Look to be completed in late June
- Pilot program of electrical inspections by Pure Electric due to an issue discovered in one of the units.
- Daniel completed water break costs with 5 star.
- Rehab 3064 and 3050 Planned for this year after P36.

#### Project 45

- Entry 8 Rossmoor Parkway rehab:
  - o Meeting with owner on alteration roof with owner at 3612 RP. No action to report
- TARC completed for paving Entry 8.
- Entry 7 rehab bidding completed and under review. Jim Hayes is assisting with paint colors.
- Director approved main panel electrical inspections.



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#### Project 49

- Pump station equipment should arrive in next six weeks.
- Director looking into carport conversions to garages and power usage.
- Director looking into new address signs from plastic to metal.
- Rehab of 1766 SD month by AC Enterprises, and under observation by FWC engineers.
- Contract awarded for work at 1752 Stanley Dollar due to sliding door leak and waiting on schedule
- Completed building panel breaker replacements by KR Electric.

#### Project 51 A:

- Planning on rehab of Entry 12 TGR this year.
- Electrical inspections approved and will be scheduled.

#### Project 51 B:

- Rear wood rail painting costs pending. 4593 obtained and waiting on 4521.
- Swallow pricing waiting approval
- Electrical inspections approved, and waiting on schedule.

#### Project 54:

Inspection of 1434 Stanely Dollar to take place this month. Meeting FWC on structural beam.

#### Project 64

- Electrical inspections planned.
- Elevators: Improvement will be made to audible alarms for owners needing assistance at Elevator Ipending).
- Gutter cleaning out to bid: Specialty roofing, Welcome Bldg, and Outdoor Keepers.

A copy of Clayton Clark's PowerPoint presentation is attached at the end of these minutes.

#### c. Governing Documents:

Florence McConnell provided the following report:

#### Governing Document Committee Report for June 10, 2025 Annual Meeting of the Members

The purpose of the Governing Documents Committee is to review proposed changes to any Third Mutual governing document that may be recommended by the Board or Committee of the Board. Governing Documents are By-Laws, Covenants and Conditions and Restrictions (CC&Rs) and Policies and Procedures. The Governing Docs Committee met frequently during the past year. Here are the highlights of our work.



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#### Third Amendment to the TWCM CC&Rs - Article 5 Rental or Leasing

The California Legislature enacted several pieces of legislation limiting the degree to which an HOA's governing documents may be utilized to prohibit and restrict rental activities within the HOA's development. In order to comply with the current Civil Code, revisions were required to be made to Article 5 Renting and Leasing of the TWCM CC&Rs. The changes were reviewed and approved by TWCM Legal Counsel. As required, CC&R changes were submitted to the members for a vote. Ballots were mailed in early January 2025 to all eligible TWCM voting members.

On June 11, 2024, a Special Meeting of the Mutual was held at Fairway Room, 1010 Stanley Dollar Drive, Walnut Creek 94595. Ballots were delivered, opened and counted by the Inspector of Elections, Deanna M. Libert from HOA Election Services, LLC. TWCM Board Members were in attendance.

There were 1,073 members (eligible voters) covered under the Third Mutual CC&Rs recorded on October 14, 2020. The affirmative vote of a majority of the voting power is needed to approve amending the CC&Rs. Project 23 is covered under a separate Third Mutual CC&Rs and therefore excluded from this voting process. The results of the voting process are outlined below.

Membership vote on the TWCM (excluding Project 23) amended CC&R's

Total Membership:	1073
Ballots Cast/Received	749
Invalid Ballots	85
Valid Ballots Received	664
Votes FOR CC&Rs	637
Votes AGAINST CC&Rs	26
Votes ABSTAINED	1
PASSED/NOT PASSED	PASSED

#### **Adopted TWCM Rules and Regulations Policy Revisions**

As required by law, five policy revisions were sent to all members for the 28-day comment period. All comments were responded to and the changes were formally adopted by the TWCM Board of Directors. A packet of policy revisions was mailed during May 2025 to all members to be included in their TWCM Governing Documents Binder.

- 1. 16.2.6. Payment Methods (Adopted March 10, 2025)
- 2. 57.0.0 Owner-Initiated Alterations Spas, Item 2 (Adopted March 10, 2025)



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- 3. 60.3.0 Overloading Decks (Adopted March 10, 2025)
- 4. 41.0.0 Rental/Leasing (Adopted April 14, 2025)
- 5. 61.0.0 Owner-Initiated Alterations Solar Energy Systems (Adopted April 14, 2025) Exhibit

A – Supplemental Electrical Systems Application Checklist

Exhibit B – Maintenance and Indemnity Agreement

Exhibit C – Other Owner Notification Form

Appendix A Policy 61.0.0 Resolution

#### Policy 64.0.0 Electric Vehicle and Golf Cart Charge

The entire policy is being replaced to conform to California Civil Code Section 4745 which governs electrical vehicle charging stations in common interest developments such as TWCM. This policy governs how TWCM Owners shall install and use the charging stations needed for electric vehicles and golf carts, both in their own Exclusive Use Areas (e.g. attached garages and carports) and in Common Areas (e.g. entries and standalone carports and garages).

Revised Policy 64.0.0 will be distributed to the membership for the 28-day comment period in June 2025. I wish to thank the Committee – Tom Lauck, Nan Warren, Bill Leary, Lu Lynn de Silva and Roxanne Stallings for their work and dedication.

d. **Alterations:** Jim McFarland reported From July 1, 2024, to June 9, 2025, 235 Alteration Applications were completed.

#### e. Communication:

Lyman Shafer thanked the committee for their dedication and commitment. He noted that the committee has distributed informative articles covering a variety of important topics, including audits, the monthly coupon, maintenance updates, Civil Code §4041, CC&R and policy changes, dry rot issues, and landscape matters.

#### f. Landscape:

Jerri McNair reported the following:

We have met several times to discuss common issues and solutions. We're working on the following topics.

<u>Landscape Reps Notebook:</u> Currently being assembled, and we expect to have it ready by the next Board meeting. The notebook will contain following: Responsibilities of Chairs and Reps. I will be asking for your input on these topics. Goals and Priorities Landscape Policies, and letters to Residents Board and Reps meeting minutes and reviews Maps, Contact info and irrigation, Monthly Landscape Contractors Schedule and Report Landscape Quick Reference Sheet. Landscape Policies:



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Letters relating to pots and interfering in the common property landscape and artificial turf. https://westernresourceadvocates.org/wp-content/uploads/2023/01/2022-

WRA\_Artificial\_Turf\_Report.pdf Landscape Specifications: Sheet mulching Plant installation -Graphic plant installation details have been given to MOD and Terra for review. We will be distributing these as soon as there is a final approval. Landscape Design and Planning How will we pay for this? information for options will be sent to the Board prior to our next meeting. Firescaping and Zone 0 All Board members were sent information on firesafe building vents on March 6. If you have additional questions, I'd be glad to answer them for you or provide other resources. https://wildfireprepared.org/wp-content/uploads/WFPH-Standard-2022-Homeowner http://www.firesafemarin.org/harden-your-home/fire-resistant-vents Board members were also sent Times article Feb. 1, 2025 about trees' ability withstand https://www.latimes.com/lifestyle/newsletter/2025-02-01/what-trees-survived-in-ourterrible-firesand-why-didnt-they-burn-lat-plants October 14, 2024 Landscape Reps were given a copy of the How to Prepare My Home checklist and of the IHS report on Building in the Noncombustible Zone. On Water Conservation, there has been concerned that water has been cut back too much. We also discussed a Mutual wide effort to remove plants that block spray heads. We are still having problems with mulch being removed by maintenance crews. December 9, 2024 A reminder to all of us that a fire safe landscape as identified by the Board of Forestry and Fire Prevention as one that is kept cleaned out, as well, irrigated, has a low sap or resin content (i.e. no rosemary or lavender) and is low growing so that it provides less fuel and a lower flame. January 13, 2025 The Landscape Committee has formed a subcommittee with Director Harvey Baumel, Landscape Chair Jerri McNair and Landscape Rep Joanie Engdahl to review our landscape maintenance contract. This is following up on the Maintenance review done by Landscape Rep Becky Foott and Jerri McNair. We also reviewed the ways to save water: 1. Add mulch to save 20%, 2. Improve irrigation efficiency with high efficiency MP rotators and pressure regulated spray heads to save up to 50%, 3. Change from lawn to low water use plants to save up to 80% and 4. Plant more trees as shaded areas require less water. February 10, 2025 Both insurance companies and CalFire are encouraging California residents to create a "defensible space" around their homes. They also are encouraging us to install fire safe vents in our buildings. Please remember that trees are in invaluable to us for their ability to keep us cool and to lower our water use plus other benefits, and they are typically not responsible for setting our homes on fire. April 14, 2025 The Landscape Reps have asked our Contract Subcommittee to create a form that will help us identify what is the "Chain of Command" and who is ultimately responsible for each aspect of our landscaping. We are still seeing a large number of homes where pots and rocks have been placed near the base of trees, leading to anaerobic soil, which is conducive to root and crown rot. May 14, 2025 At the March 14, 2025 Board of Forestry and Fire Prevention meeting and webinar, the Zone 0 requirements were further refined. Previous versions had considered allowing some plants under 18 inches high in this area within 5 feet of a home, but given the current scientific studies, it is clear that there should be nothing in this area. It also shows that our landscape needs to be primarily ground covers and other low growing plants plus trees.



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#### g. Dispute Resolution:

There have been no disputes to report.

#### h. Electric Vehicle Charging Committee:

No report was given.

#### Members' Forum

Members were afforded the opportunity to express their general concerns and make comments. Comments included: board directors, common area violations.

#### **Adjournment**

The Annual Meeting was adjourned at 11:28 am. The Organizational Meeting began after a 15-minute break.

#### **Secretary's Certificate**

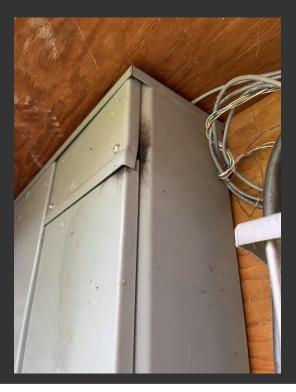
I hereby certify that the foregoing is a true and correct copy of the minutes of the Annual Meeting.

Assistant Secretary
Third Walnut Creek Mutual

# TWCM Maintenance Activities

June 10, 2025

### Electrical



- Fire in FWCM due to Zinser Panel
- Panels are approximately 50 years old.
- Mutual 4, 3 and 70 have begun inspecting electrical panels.
  - Panels are showing arcing/sparks.
  - Humming
  - Poor grounding

## Roofing



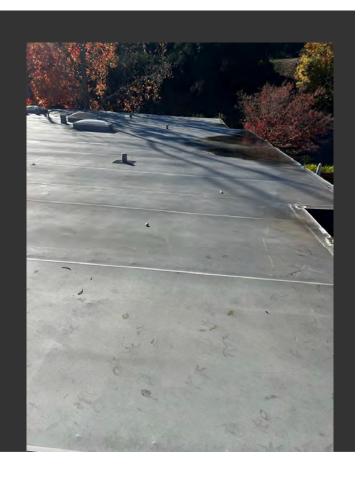
- Flat Roofs due 2029-2032 on garage roofs.
  - Coating system
    - Less expensive 50% of cost
    - 20 YEAR LABOR AND MATERIAL WARRANTY
    - MANY COLORS OTHER THAN WHITE

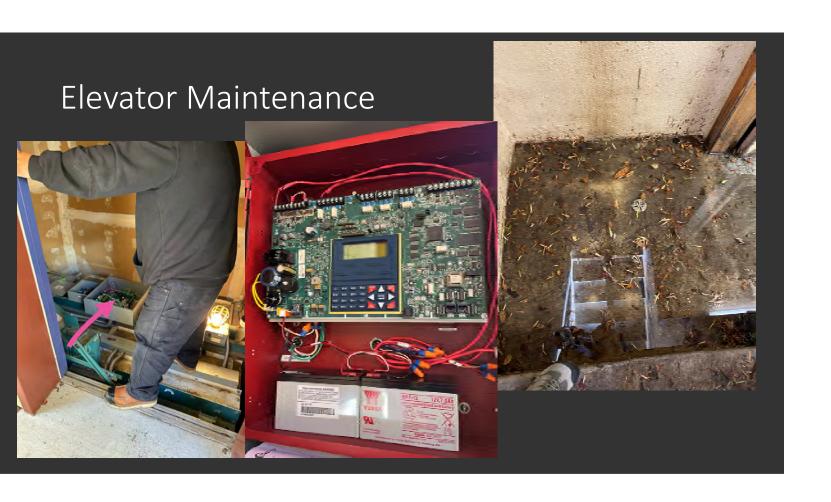
Roofing Inspections at rehab for maintenance

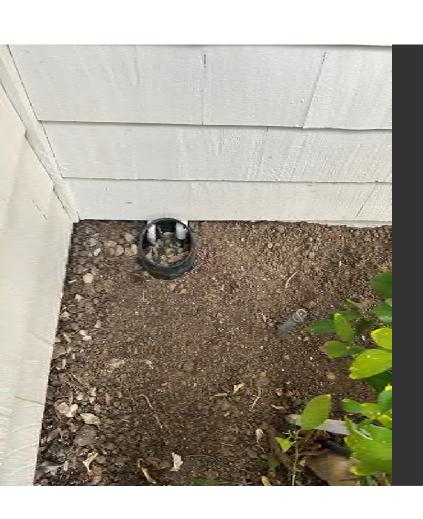


## Gutter Cleaning









## Condensate lines

- Drains from Air Condtioning and hot water heater.
- Backup and into unit
- HVAC may not work when needed
- Trini (Terra) working on them

## Firewise

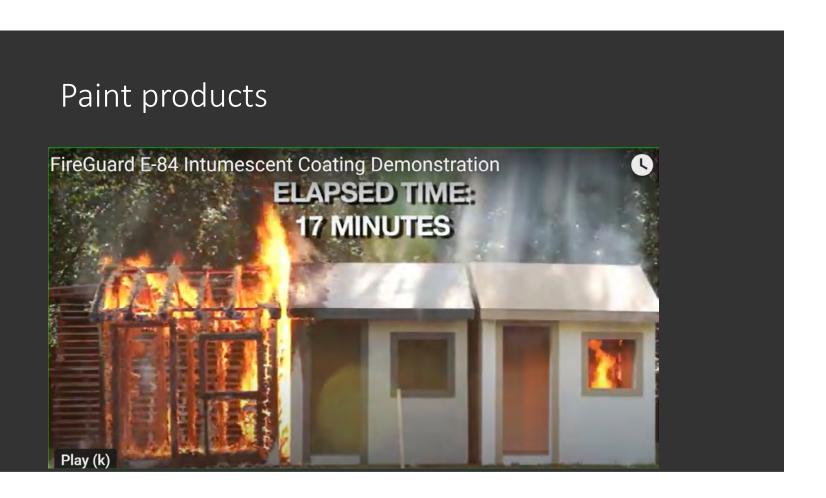
• Attic Vents



- Option metal
  - 3 x cost
- Paint









## Solar and Batteries

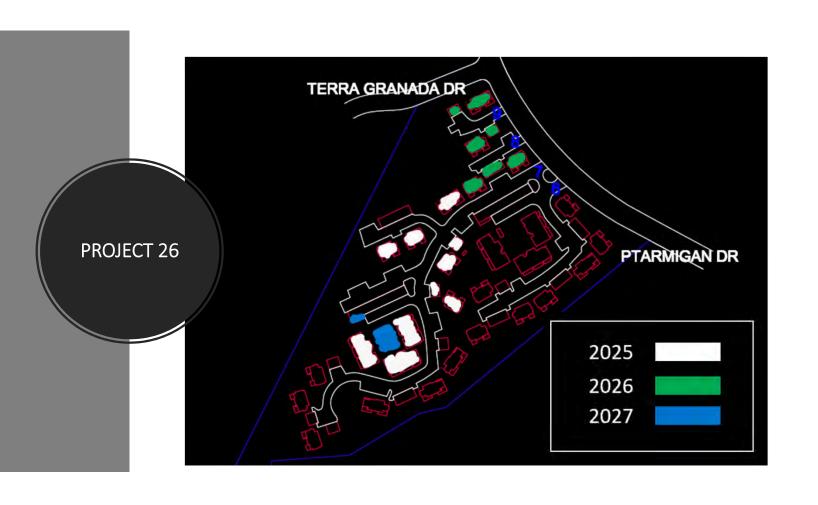


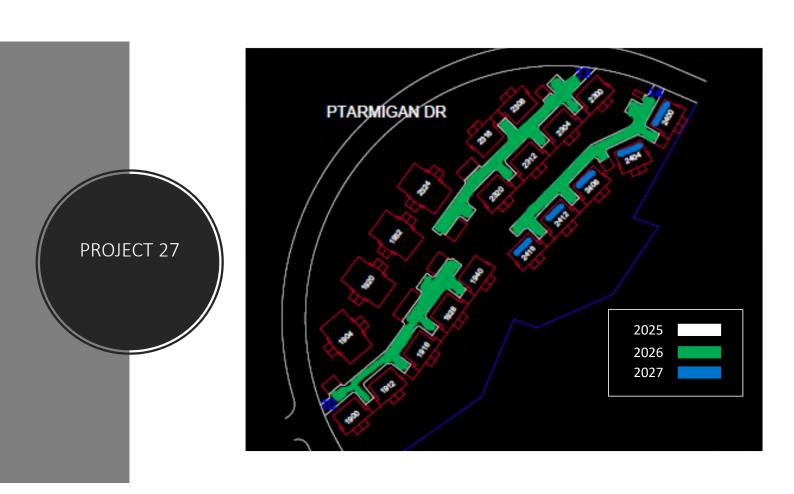




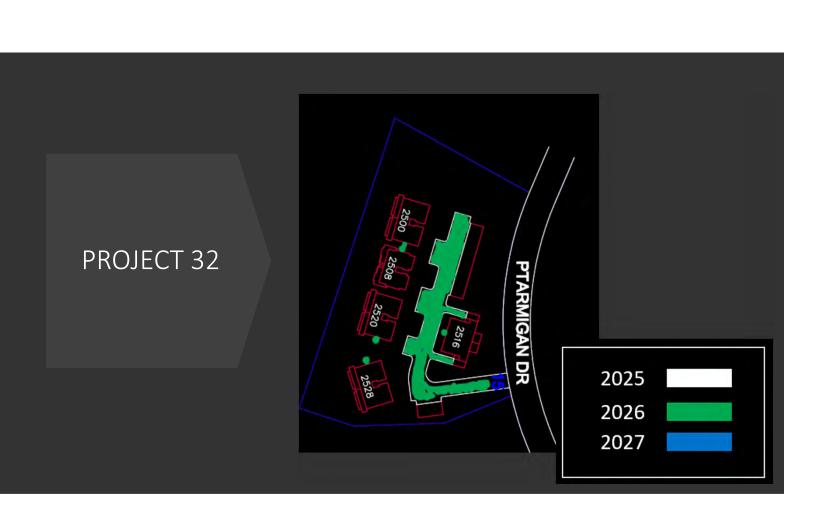


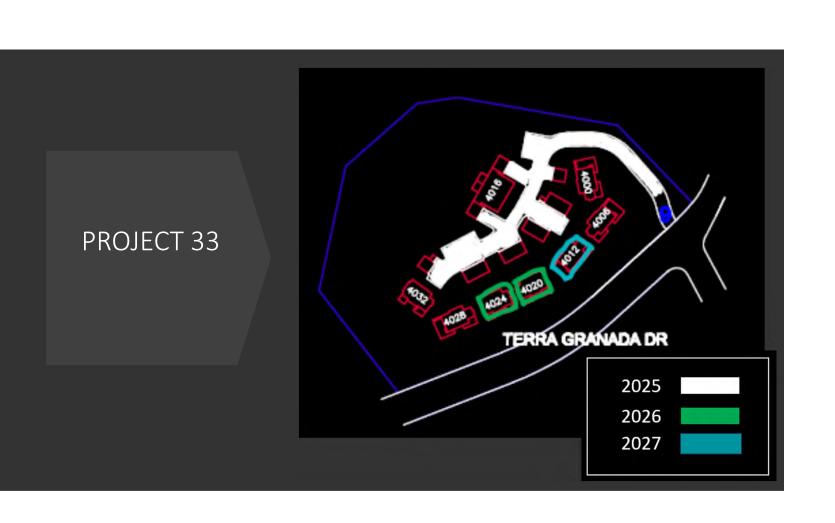


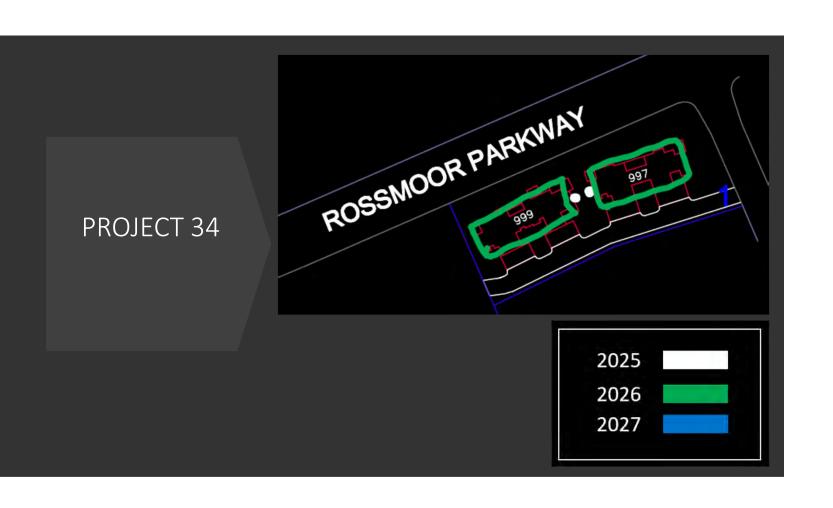


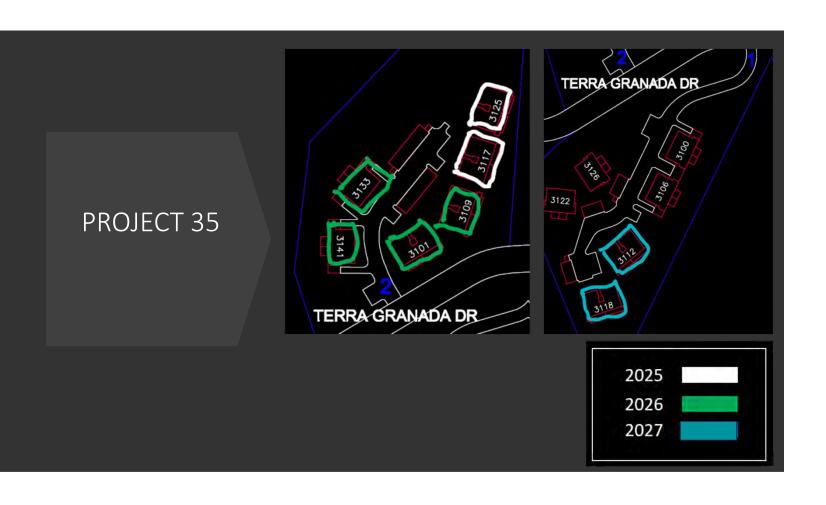


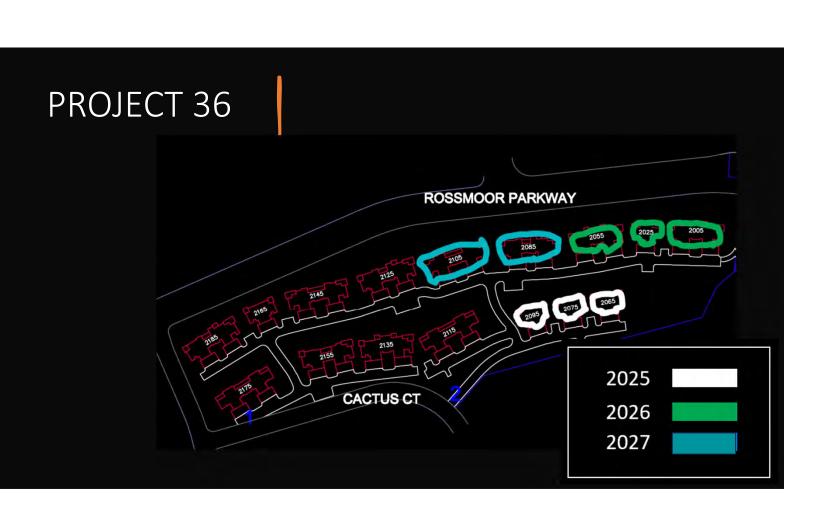


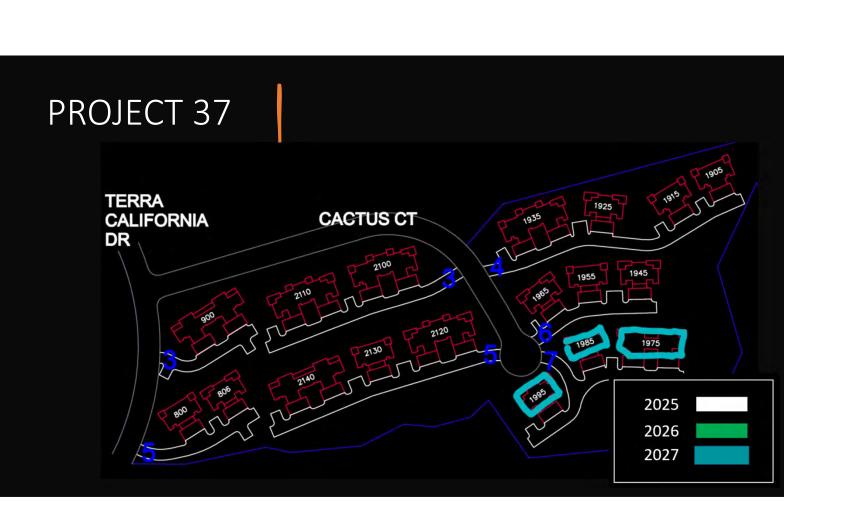




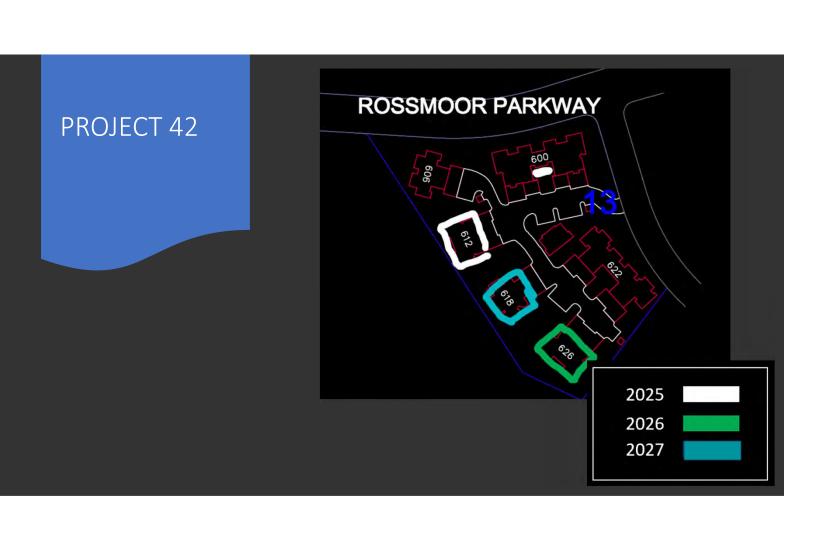


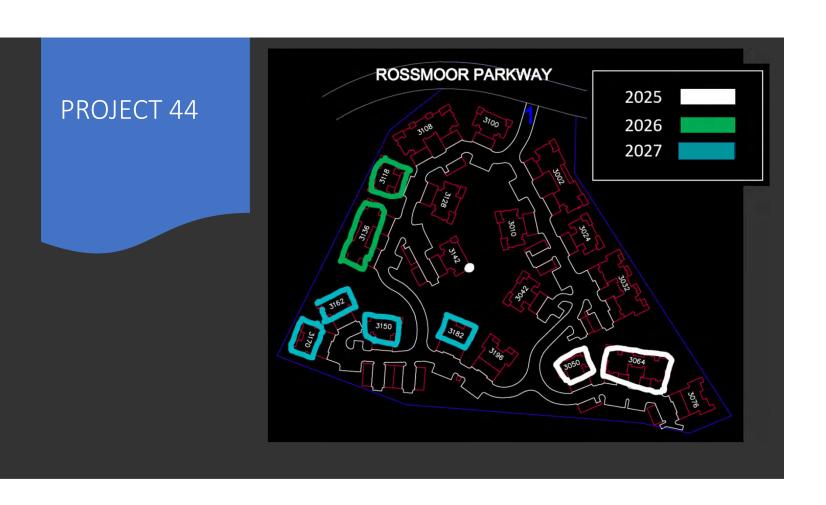


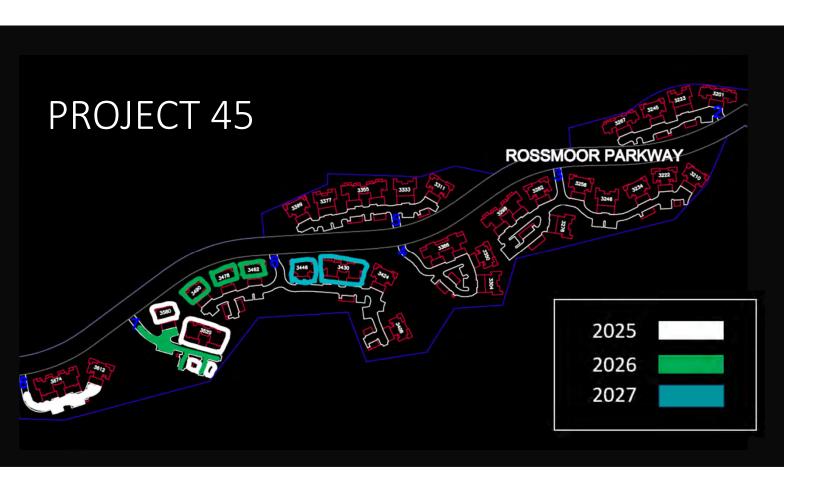


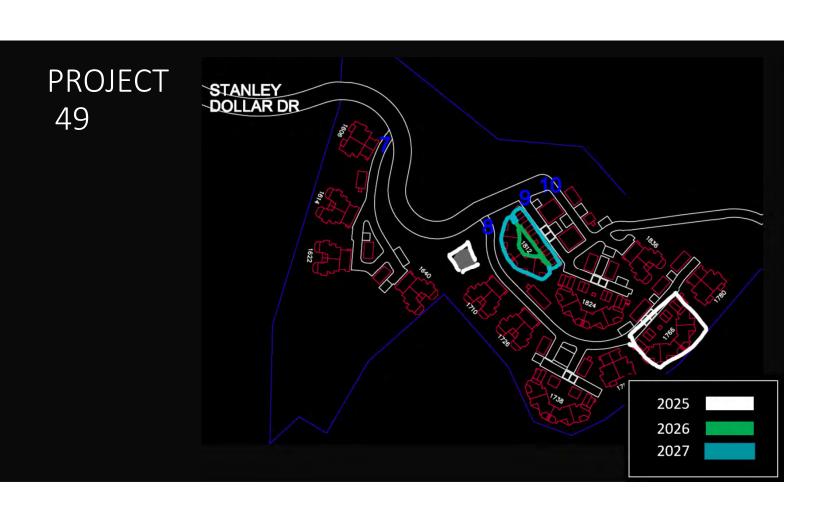






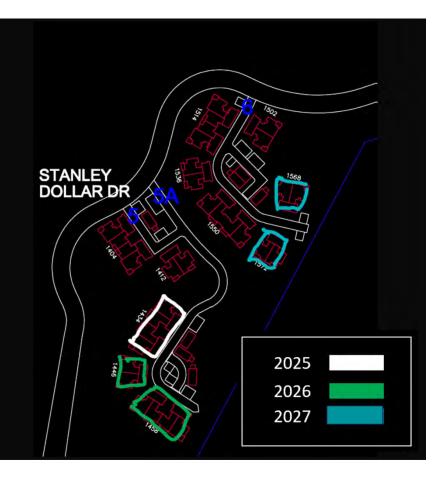








# PROJECT 54









Safety

## The End

