

THIRD WALNUT CREEK MUTUAL

**Regular Board Meeting Minutes**

Monday, March 10, 2025, at 9:30 a.m.

Zoom and In Person

Board Room at Gateway, 1001 Golden Rain Rd. Walnut Creek, CA 94595

**MINUTES**

**1. Call to Order**

President Tom Lauck called the Regular Meeting of the Board of Directors of Third Walnut Creek Mutual (TWCM) to order at 9:30 a.m.

**2. Roll Call**

**Directors Present:**

Tom Lauck, President, Dist. 4 (2026),  
Florence McConnell, VP, Dist. 13 (2026) Bill Leary, Secretary, Dist. 5 (2026)  
Mike Abell, Treasurer Dist. 9, (2025) Harvey Baumel, Director Dist. 3, (2027)  
Adrian Byram, Director Dist. 7, (2027) Nan Warren, Director Dist. 14, (2025)  
Lyman Shaffer, Director, Dist. 10 (2027) Lauralee Barbaria, Director, Dist. 15 (2025)

**Staff Present:**

Jeroen Wright, Director of Mutual Operations  
Todd Arterburn, Chief Financial Officer  
Daniel Margulis, Senior Financial Analyst  
Clayton Clark, Sr. Building Maintenance Manager  
John Tawaststjerna, Landscape Manager  
Lucy Limon, Board Services Coordinator

**3. Members' Forum**

Members were afforded the opportunity to express their general concerns and make comments. The topic discussed was a previous noise complaint. A resident also discussed hard surface flooring and submitted a written report to the Board.

**4. Approval of Meeting Minutes**

President Lauck addressed the Board for any corrections and/or additions to the following sets of minutes:

- |                                    |                   |
|------------------------------------|-------------------|
| a. Regular Board Meeting Minutes   | February 10, 2025 |
| b. Executive Board Meeting Minutes | February 10, 2025 |

Lyman Shaffer made a motion, seconded by Nan Warren, to approve the aforementioned meeting minutes.

**Moved, Seconded, Carried 9-0**

**5. President's Report**

Tom Lauck gave the following report:

GRF discussed the ongoing work in developing the new Management Agreement with the Mutuals. A roadmap was produced for the development of the Exhibits that will be part of the Agreement. Exhibit A will be a detailed list of the services provided by GRF that will be paid for by the Management Fee

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charged to each Mutual. Exhibit B will be a detailed list of services provided by GRF that are Fee-for-service.

Exhibits will be broken down by service categories that will include Landscape, Building Maintenance, Administrative/Board Services, Resales and Alterations, the Service Order Desk, Information Technology, Member Records and, last but not least, Finance. The detailed list of tasks in each of these service areas will be developed by GRF and reviewed by the Presidents' Forum work group. The development of these lists started in February and will extend through the end of May.

The next topic of discussion was the roll out of the NetSuite system. I will let Todd provide his own update to the Board on this item later in the meeting.

After the GRF portion of the meeting the Mutual presidents discussed the review of the core agreement, the front-end document in the new Management Agreement. The latest draft of the core agreement is to be sent out to the Mutual attorneys after the February 24<sup>th</sup> meeting. It is also being circulated to the Mutual presidents to send out for review by their Boards. Third Walnut Creek Mutual has already received feedback from our mutual attorney, Richard Fong. Board comments on the new agreement are to be returned to the work group by April 7<sup>th</sup>.

The presidents then discussed several additional issues:

Emergency evacuation for mobility challenged residents. As we have heard many times Emergency Preparedness is our individual responsibility. We cannot accept the liability to be responsible for the safety of others. This may be a good topic to add to the discussion with new buyers coming into Rossmoor.

Can a mutual president appoint a non-Board member to attend the Presidents Forum: No. Fellow board members should be asked to attend the Presidents forum if the president is not available.

Do we need insurance to cover non-D&O volunteers: GRF has informed me that like Third Walnut Creek Mutual, all Mutuals have D&O insurance coverage for Board-approved Committee members. Other volunteers are not covered.

Fire wise Zone 0. Keeping this 5-foot non-combustible zone around your structure is important for resisting flying embers. Recommended now but may be required by some insurers. This is possibly the least cost alternative for improving protection from wildfires.

#### 6. Secretary's Report

No report was given.

#### 7. Treasurer's Report

No report was given.

- a. A Motion that Mutual Funds Report has been reviewed by the Treasurer and a summary provided to all Directors:

**No motion was made.**

- b. A Motion that all Directors have reviewed their Project Specific Financials:

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**No motion was made.**

### 8. GRF Senior Staff Reports

Jeroen Wright, Director of Mutual Operations, reported that the new GRF Management contract is making significant progress, with the base agreement nearing completion. The next step will involve submitting the agreement to the Boards' legal counsel for review and commentary. Additionally, the committee will soon begin working on the appendices of the management contract.

The Fire Wise Committee is compiling a list of the most common questions raised during the January town hall. The committee will prepare thorough responses to these questions and post them on the Rossmoor website for community members to access.

Todd Arterburn, CFO, reported on the last management committee meeting. He stated that the committee is going through each department outlining what their responsibilities are. The first appendix that has been created was for the Board Office.

Todd had given a NetSuite demo to several people now. All the hurdles that were involved in processing ACH coupon payments have been resolved.

Todd added that he now has a fully staffed team.

### 9. Committee Reports

#### a. Governing Documents Committee

Florence McConnell gave the following report:

#### Governing Documents Meeting – February 19, 2025

Attendees: Florence McConnell, Tom Lauck, Nan Warren, Bill Leary, Roxanne Stallings, Lu Lynn de Silva

1. Discussion on Policy 61 related to comments received during the 28 Day Review Process. Several minor updates were made based on comments received and one required further study.

Revisit Policy 61 Language 61.2.2 (3) – Restrictions on Location of Supplemental Electrical Systems

61.2.2(3) Battery Energy Storage System Location states:

No BESS shall be installed in any Common Area unless the TWCM has granted **an easement over the Project Common Area for that purpose in accordance with the provisions of Section 3.11 of the TWCM CC&Rs effective 14 October 2020**. Any installation in a Common Area must be compatible with the appearance of surrounding structures and improvements and in a location that minimizes its public visibility.

One of the purposes of updating Policy 61 was to expand the language to include Battery Energy Storage Systems (BESS) and provide specific requirements for the placement and installation of the BESS. However, Section 3.11 of the TWCM CC&Rs puts barriers to the addition of batteries to be installed on outside common walls as it requires a vote of the entire Project prior to installation. It was decided to seek Legal Counsel advice on this issue.

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### 2. Review of Policy 64 – Electrical Vehicle and Golf Car Charging

This Policy includes language on Charging Using Owner’s Electricity, Charging Using Project’s Electricity and Creating a Shared Charging Facility Within a Project. The first two sections were discussed and changes suggested. A separate meeting was agreed upon to the continue with the last section.

#### Governing Documents Meeting – March 6, 2025

Attendees: Florence McConnell, Tom Lauck, Nan Warren, Bill Leary, Roxanne Stallings, Lu Lynn de Silva

### 1. Comments from Legal Counsel on Policy 61

Richard Fong suggested the Board adopt a resolution which would allow the intent of Policy 61.2.2(3) to move forward. Bill Leary volunteered to work with Richard Fong on a Board Resolution.

### 2. Further discussion on Policy 64 Continuation

After further discussion on 64.4 Creating a Shared Charging Facility Within a Project, it was agreed that section should be removed from Policy 61 and become a separate policy.

#### **b. Building Maintenance Committee**

Adrian Byram gave the following report:

On March 4 Lyman Shaffer and Adrian Byram from TWCM met with Clayton Clark and John Tawaststjerna from MOD to discuss fire mitigation options that TWCM could consider.

#### **Zone 0 Preparation:**

Because each Project has its own Landscape Committee, there currently is no overall agreement about the approach to be taken, materials to be used, etc. for Zone 0. To provide cost estimates it will be necessary for the TWCM Board to choose a particular option as a baseline. John T agreed to present a Zone 0 Template to the Board at our April 14 meeting.

#### **Attic Fire Breaks:**

Current status:

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Project	Director	Attic Fire-break			Comment
		Installed	Not Yet Installed	Not Applicable	
26	Tom Lauck				1501 Ptarmigan did some work during roof replacement
35	Tom Lauck	yes			
34	Florence McConnell				for Terra California E4
38	Florence McConnell				
64	Florence McConnell	yes			
23	Bill Leary				
33	Bill Leary				
45	Mike Abell				
51-1/51-2	Adrian Byram	yes			
36	Nan Warren				
37	Nan Warren				
49	Harvey Baumel				
54	Harvey Baumel				
27	Lauralee Barbaria				Ptarmigan E16 2-story units
31	Lauralee Barbaria				
32	Lauralee Barbaria	yes			
42	Lyman Shaffer				
44	Lyman Shaffer	yes			per Clayton

**Spark Arrestors:**

Lyman suggested getting an estimate for the following work on a ‘typical’ 4-unit building. Clayton said Issac could price this out for rehab work to be done in 2025.

- Placing screens on the outside of vents (not particularly attractive but an option.)
- Placing screens on the inside of vents (probably means some framing or other work)
- Doing the work as part of a scheduled building rehab

**Electrical Panel Inspections:**

Clayton provided quote from KR Electric of \$250/panel for inspection.

One thing we could consider is proactive replacement of all breakers:

- the actual panels don’t fail (they’re just steel and copper)
- the breakers do fail, and when they do that cuts off electricity to the affected unit
- repairing a failed breaker is quite expensive, especially if done at night or on the weekend

**Transfer Surplus Insurance \$ from Operating to Reserves:**

Apparently this can be done without any difficulty; the opposite is not possible. All the suggestions above would be paid for from reserves. So, it may be appropriate for us to proceed with such a transfer no matter which, if any, options each Project chooses.

**Clayton Clark provided the following report:**

*For the month of March 2025*

**Project 23**

- Estimate provided for timers on thermostats in the community room.
- Work on 1129 AS guardrails by AMAC is about 90% complete.

**Project 26**

- AMAC is 90% completed at 1621 Ptarmigan guardrail work.
- Resolving resale inspection issue with wiring/plumbing in storage room. Bid approve but had water issue from pool room to fix prior to installation.
- Setting up termite repairwork at 1801 Ptarmigan due to drywood termite infestation.
- Resolving low pressure issue at 1675 Ptarmigan as failed PRV. Going next to 1679 Parmigan experiencing similar issues.

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#### Project 27

- Re-roof replacement on hold due to City WC upgrade requirements.

#### Project 31

- Concrete and Lights at 2721 Ptarmigan. **No action to report.**

#### Project 32

- **Car accident but minor damage, mostly landscaping.**

#### Project 33

- **4028 TGR front tile work estimate from Fleece under review.**
- **Drainage work completed by 5 star due to plugged drain flooding 4028 TGR.**
- **Resolved billing issue with trash enclosure fencing.**

#### Project 34

- **No action to report.**

#### Project 35

- **MOD quoting small SB 326 inspection repairs railing and support posts. No action to report.**
- **MOD resolving moisture issue at 3112 TGR, most likely due to nearby redwood tree.**
- **Electrical work pending on short circuit near 3112 TGR.**
- **Condensate line at 3125 TGR assigned to Terra for condensate box.**

#### Project 36

- **Rehab of 3 buildings planned for 2025.**
- **Electrical panel quotes submitted and KR Electric approved.**
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#### Project 37

- **1905 Cactus Court-Leak investigating continuing.**
- **Electrical panel quotes submitted and KR Electric approved**

#### Project 38

- **No action to report.**

#### Project 42

- **Vehicle accident impacting 622 and 626 TCal. Car insurance is reviewing.**

#### Project 44

- **3142 RP work waiting City of WC permit review and approval. Comments received from City of WC and sending to FWC for revision.**
- **Reviewing electrical installations at some carports and damage to inside of carport. Wheel bumpers have been moved and need to be relocated to prior locations. No action to report.**
- **Water break at Entry 1 under construction.**

#### Project 45

- **Entry 8 Rossmoor Parkway rehab:**

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- Meeting with owner on alteration roof with owner at 3612 RP. **No action to report**
- 3350 RP crawl space hatch under review for spring loaded hatch. Hatch was left open and critter entered crawl space. **Closing issue as Specialty cannot find spring loaded hatches.**
- **3520 RP Sewer issue resolved.**
- **3258 RP rodent removed and unit being aired out.**
- **3298 RP backfilled and relandscaped after mainline water repair by 5 star.**

#### Project 49

- Contract underway for pump station.
- Rehab of 1766 SD month by AC Enterprises, and under observation by FWC engineers.
  - **Working on repairs near elevator of building to complete the rehab work.**
- Working on alternative for privacy lattice fence with sheetmetal. **As time permits.**
- Following up with KR Electric on electrical panel inspections. **No follow up action approved.**
- **Slider leak at 1752 SD found after water test.**
- **Window leak at 1766 SD under review.**

#### Project 51 A:

- No action to report.

#### Project 51 B:

- **No action to report.**

#### Project 54:

- Painting of carport on Entry 5A completed.

#### Project 64

- **No action to report.**

#### General

- Elevator alarm panel review underway for pricing of annual service. Last done 2021, As time permits. Cintas price is \$1300 each and trying to get other bids. Price obtained from new contractor for P49 who also cleared the alarm at 1766 SD with new battery. **No action to report.**
- **Knox boxes being installed with keys at all elevator locations per Fire inspector notice.**
- **Starting April, rehab will add fire preventive screening on attic and crawl space vents.**

#### c. Landscape Committee

Jerri McNair gave the following report:

A Landscape Reps Committee comprised of Joanie Engdahl, Jerri McNair, and Carolyn Ciarelli, along with Board member Harvey Baumel is working on landscape maintenance and contract issues. Becky Foott has compiled the information on landscape issues as reported by the reps. We are planning another meeting this week to continue establishing our priorities. We will also be discussing the process for handling landscape needs and requests.

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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-Guide.pdf>

<http://www.firesafemarin.org/harden-your-home/fire-resistant-vents>

Board members were also sent an article from the LA Times dated Feb. 1, 2025, which stated:

Certain trees survived, according to Cal Fire, because they have a natural adaptation to withstand fire, such as thick bark, a shape that sheds embers and higher moisture content that the structures that caught fire. "While trees may still be singed, they are often less flammable than structures" ...

<https://www.latimes.com/lifestyle/newsletter/2025-02-01/what-trees-survived-in-our-terrible-fires-and-why-didnt-they-burn-lat-plants>

Because trees are so important to our health and well-being, this is very good news! Please note CalFire's comment that trees have higher moisture content. This is why it is so important that we keep our trees and other plants also- well irrigated so that they are less flammable. It is also why trees are exempt from California's water restrictions.

#### **d. Electric Vehicle Charging Committee**

No report was given.

#### **e. Dispute Resolution:**

No report was given.

#### **f. Communications Committee**

Lyman Shaffer reported that the dry rot article has been sent out to the membership, with Clayton Clark playing a key role in its creation. The committee is now working on the next newsletter, which will focus on landscaping.

Lyman and the communications committee will collaborate with Jerri McNair on the article, which will cover topics like common area planting and obtaining director approval for patio decorations.

Lyman also mentioned that the committee aims to limit the number of articles published annually, planning for around 4-5 per year.

#### **g. Alterations Committee**

Nan Warren provided the following report on alteration applications in the past month; 28 applications for alterations.

### **10. Old Business**

#### **a. Update on CC&R Balloting on Rental Provisions:**

President Lauck mentioned that the ballot count for the proposed CC&R revisions will be held on Wednesday, March 12, 2025, at 2pm in the Fairway Room at Creekside and via zoom.



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b. Solicitation of Director Candidates through Rossmoor News:

The Third Walnut Creek Mutual Board of Directors has three openings starting in June 2025. Board service requires attending monthly board meetings, various committee meetings and two annual membership meetings, as well as directing MOD staff on maintenance, landscaping, and budget issues. Potential candidates must live in the designated district. The district seats that will be up for election are:

- a. District IX: Project 45
- b. District XV: Projects 27, 31, 32
- c. District XIV: Projects 36 and 37

Candidates must provide a written statement of no more than 300 words outlining their qualifications and interest in serving on the Mutual Board. A photo may be included with the candidate statement. The written statement must be signed, dated, and submitted by March 13<sup>th</sup>, 2025, 12:00 p.m. Statements and photos may be emailed to [Llimon@rossmoor.com](mailto:Llimon@rossmoor.com), or mailed to Third Walnut Creek Mutual – Board Services Office, P.O. Box 2070, 1001 Golden Rain Road, Walnut Creek, CA 94595.

An official Candidates form will then be emailed or mailed to you for your signature. The winning candidates will be seated at Third Walnut Creek Mutual Annual Meeting.

c. Fire-Resistant Improvements for 2025: *Please see building maintenance report.*

d. Adoption of Policy Revisions:

Bill Leary made a motion, Florence McConnell seconded to adopt the revisions to policy 16.3.6 (Payment Methods), 57.00 item 2, and 60.3.0 (Overloading of Decks).

**Moved, Seconded, Carried 9-0**

### 11. New Business

a. Investment Actions:

Nan Warren made a motion, Bill Leary seconded to reinvest the February maturities at the best available rate for a 90-day Treasury Bill.

**Moved, Seconded, Carried 9-0**

b. Project 23 Concerns with Adopting TWCM CC&R's:

Bill Leary proposed holding a Town Hall meeting with P23 residents to discuss with them voting to approve the current TWCM CC&R's.

c. Rossmoor Buy-In Fee:

The Board briefly discussed the Rossmoor transfer fee and how it has increased throughout the years. They had a difference of opinions in the need for a pickleball court.

### 12. Announcements: The next scheduled Regular Meeting of the Board of Directors will be on Monday, April 14th, 2025, at 9:30 am, via zoom and in-person, in the Gateway Boardroom.

### Adjournment

There being no further business, the Regular Meeting of the Board was adjourned at 12:18 p.m.



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### **Executive Session Summary**

The Board met in executive session from 9:00 a.m. to 9:30 a.m.:

1. Board Matters - Enforcement of CC&R's and Common Area Restrictions: The Board briefly discussed how they plan to address residents who are not in compliance with the governing documents.
2. Contract Review – GRF Management Agreement: The Board discussed the proposed GRF Management Agreement. No decision was made.

### **Secretary's Certificate**

I hereby certify that the foregoing is a true and correct copy of the minutes of the Board of Director's meeting.

Lucy Limon

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**Assistant Secretary**

Third Walnut Creek Mutual