

THIRD WALNUT CREEK MUTUAL

Regular Board Meeting Minutes
Tuesday, May 13, 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 9:33 a.m.

2. Roll Call

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)
Vacant, 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
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, hard surface flooring.

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 | April 14, 2025 |
| b. Executive Board Meeting Minutes | April 14, 2025 |
| c. Special Board Meeting Minutes | May 2, 2025 |

Tom Lauck made a motion, seconded by Nan Warren, to approve the Regular and Executive minutes of April 14, 2025.

Moved, Seconded, Carried 8-0-1 (Mike Abstained)

Tom Lauck made a motion, seconded by Lyman Shaffer, to approve the Special minutes of May 2, 2025.

Moved, Seconded, Carried 8-0-1 (Mike Abstained)

5. President's Report

Tom Lauck gave the following report:

THIRD WALNUT CREEK MUTUAL

Jeroen Wright, GRF Director of Mutual Operations, provided presentations to the Presidents' Forum on two Assembly Bills from the California Legislature, the first addressing defensible space guidelines for wildfire prevention, AB 3074, and the second addressing the use of potable water for non-functional turf, AB 1572. These presentations can be forwarded to your email on request.

For AB 3074 no new guidelines have been provided yet. Enforcement is expected to begin in 2026 for existing construction like Rossmoor. Zone 0 requirements, applicable in high fire danger zones, are expected to include non-combustible materials, gravel, rock or hardscape, non-combustible mulch and fire-resistant plants within 5 feet of any buildings. It is also expected to require that areas under decks and stairways must be free of combustible materials.

Most of the Third Walnut Creek Mutual projects are located in high fire danger zones as shown on the Cal Fire Map of Fire Hazard Severity Zones. This interactive map is available at the following link: [Fire Hazard Severity Zones in Local Response Areas](#). If you zoom in far enough the map shows the outline of each building in the project, and the zone it is located in. Only Project 42 appears to be entirely in the moderate hazard zone.

The second bill discussed, AB 1572, prohibits the use of potable water for irrigation of non-functional turf. The bill was signed into law in October 2023, but its enforcement in multifamily residential properties like Rossmoor does not begin until January 2029. Properties with more than 5000 square feet of irrigated areas must certify compliance to the State Water Resources Control Board starting June 30, 2029 and every three years thereafter. Rossmoor currently does not intend to install a separate non-potable water system to irrigate non-functional turf, and proposes instead to replace non-functional turf with other landscape materials and plantings.

Todd Arterburn provided some information about the organization of the Sharepoint site for all Mutual documents including financials. Training for board members will begin in the near future. I'll let Todd speak to this issue later in the meeting.

After the GRF portion of the meeting the Mutual Presidents discussed various topics, including the ongoing work on the new Management Agreement, the suspension of privileges to use amenities due to delinquent assessments, the documents being furnished by member services to new buyers in escrow, and enforcement of alterations criteria.

Some Mutuels have not yet provided comments on the Management Agreement core document from their attorneys or their board members. Those comments are to be provided to the workgroup via email and will be reviewed in ongoing meetings with the GRF team reviewing the agreement.

6. Secretary's Report

No report was given.

7. Treasurer's Report

Mike Abell announced his resignation as treasurer, effective in June following the Annual meeting. He expressed concerns about the lack of financial data since January and the need to address delinquencies.

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

THIRD WALNUT CREEK MUTUAL

to all Directors:

No motion was made.

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

No motion was made.

8. GRF Senior Staff Reports

Jeroen Wright, Director of Mutual Operations, announced that Clayton Clark will be retiring after 36 years.

He reported that the Fire Wise Committee is still compiling a list of the most frequently asked questions from the January town hall. Once completed, the committee will provide detailed responses and post them on the Rossmoor website for community access.

Jeroen noted that the management contract continues to progress well, and the committee is making significant strides. The appendix for the Resales and Alterations department is nearly complete and is scheduled to be presented at the next committee meeting.

Jeroen presented an update on two new laws affecting fire safety and landscaping. AB 3074 introduces defensible space guidelines, with stricter enforcement expected in high fire danger zones. Cal Fire currently recommends removing flammable mulches and materials in Zone 0 and installing ember-resistant screening for foundation vents. Jeroen advises mutuals to proceed cautiously with changes until detailed regulations are available.

AB 1572 focuses on new water conservation and fire safety regulations affecting landscaping in Rossmoor. Jeroen explained that non-functional turf irrigation will be prohibited, with some exceptions for functional areas like sports fields and civic gathering spaces. The implementation timeline for these regulations is January 1, 2029, for multifamily properties.

Todd Arterburn, CFO, reported on the progress of the new accounting system, Netsuite, and its benefits, despite some delays and frustrations. He also mentioned the upcoming launch of a forecasting tool, and the creation of a shared website for Board members to access all information.

John Tawaststjerna, Landscape Manager, reported that Terra Landscape is performing weed abatement work within 100ft of the buildings. The controllers have been turned on throughout TWCM.

9. Committee Reports

a. Governing Documents Committee

Florence McConnell gave the following report:

At the April 14, 2025, Board Meeting, the Governing Documents Committee recommended that the Board adopt the Resolution to Policy 61 that would be placed in Appendix C of the Governing Documents. The placement of the Resolution for Policy 61 reflected a typo - Appendix C should have been stated as Appendix A.

In addition, the report stated that “Members are directed to read Resolution to Policy 61 in Exhibit C of the Governing Documents”, however, that language was not included in Policy 61 so there is

THIRD WALNUT CREEK MUTUAL

no reason to make any corrections to Policy 61 only to clarify that was a misstatement in the Committee Report.

As a reminder, the Resolution gives the Board the power and authority to grant solar battery wall easements without the member vote which is required by TWCM Section 3.11 of the TWCM CC&Rs. The member's application must otherwise comply with all permitting, safety and aesthetic

We recommend the Board adopt the Resolution for Policy 61 to be placed in Appendix A for an effective date of April 14, 2025, to comply with the wording in Policy 61 and accurately reflect the decision of the Board. The information was correctly stated in Policy 61 which was adopted by the Board at the April 14, 2025, meeting.

Florence McConnell made a motion, Tom Lauck seconded to ratify the above resolution.
Moved, Seconded, Carried 5-0

b. Building Maintenance Committee

Clayton Clark provided the following report:

For the month of April 2025

Project 23

- Work on 1129 AS guardrails by AMAC is about near completion as 21 guardrails were inspected and corrected. Price obtained to paint guardrails and new color selected.
- New toilet for womens RR has been requested.

Project 26

- AMAC is 90% completed at 1621 Ptarmigan guardrail work with one more change order remaining. Courtyard area will be inspected mid-month. Painting expected to start late April or Early May.
- Pool room leak repaired, along with carport storage room.
- Drainage work on Entry 8 Ptarmigan approved.
- Hot water leak repair at 1621 Pt underway as owner billable. MOD is assisting with neighbor concerns as repairs take place.
- Deck coating and painting estimate for 1805 pt.
- Obtaining solar panel pool heater proposal.
- Elevator phone line out, and service tag to Granite to repair.

Project 27

- New building electrical panel installed at 2304 Ptarmigan.

Project 31

- The concrete grinding was completed at 2721 Ptarmigan.
- Wood fence replacement under review due to firewise zone-zero concerns
- Solar installation and nearby alteration skylights under review.

Project 32 For the month of May 2025

Project 23

THIRD WALNUT CREEK MUTUAL

- **Work on 1129 AS guardrails by AMAC is completed as 21 guardrails were inspected and corrected. Bids have been obtained to paint guardrails and new color is being selected.**
- **New toilet for womens RR on order.**

Project 26

- **AMAC is 98% completed at 1621 Ptarmigan guardrail work with one more change order remaining as some decay was found at the elevator walkway.**
- **Pool heater was installed by Picture Perfect Pool.**
- **Hot water leak repair at 1621 Pt underway as owner billable. MOD is assisting with neighbor concerns as repairs take place. Resolving storage on balcony and unit cleanup.**
- **Deck coating approved and painting estimate for 1805 pt under review, higher than anticipated.**
- **Received solar panel pool heater proposal**
- **Elevator phone functional due to Granite repairing.**

Project 27

- **Reviewing concrete ditches for maintenance.**

Project 31

- **Wood fence replacement under review due to firewise zone-zero concerns**
- **Solar installation and nearby alteration skylights under review.**
- **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.**

Project 34

- **No action to report.**

Project 35

- **Getting estimate to repair walkway at 3100 TGR.**
- **Electrical light short circuit at stairs at Entry 1. Area redone last year due to tree. No action to report.**
- **Reviewed signage improvement in front of 3126 TGR.**

Project 36

- **Rehab of 3 buildings planned for 2025.**
- **Electrical panel inspections are going to take place this month.**

Project 37.

- **Electrical panel inspections are going to take place this month.**
- **Planning roof repair under solar panel.**

THIRD WALNUT CREEK MUTUAL

Project 38

- Director provided quotes for panel inspections for District. Contractor breaking out quote for each Project area.

Project 42

- **Vehicle accident impacting 622 and 626 TCal, awaiting City permit.**
- **Owner leak restoration at 618 Tcal completed.**
- **FWC provided report on 600 TCal crawl space. MOD will be making recommended repairs primarily drainage due to soil conditions under the building.**

Project 44

- **3142 RP work starting this month.**
- 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.**
- **Pilot program of electrical inspections by Pure Electric due to an issue discovered in one of the units..**

Project 45

- Entry 8 Rossmoor Parkway rehab:
 - Meeting with owner on alteration roof with owner at 3612 RP. **No action to report**
- **TARC has been approved for paving Entry 8.**
- **Entry 7 rehab inspections underway and expect to start bidding this month. Jim is assisting with paint colors.**
- **Mirror installed across from Entry 5 Rossmoor Parkway.**

Project 49

- Pump station equipment should arrive in next six weeks.
- 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.**
- Contract awarded for work at 1752 Stanley Dollar due to sliding door leak
- **Waiting on schedule for building panel breaker replacements by KR Electric.**

Project 51 A:

- Planning on rehab of Entry 12 TGR this year.

Project 51 B:

- **No action to report.**

Project 54:

- Inspection of 1434 Stanely Dollar to take place this month.

Project 64

- **No action to report.**

General

THIRD WALNUT CREEK MUTUAL

- 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.**
- **Starting April, rehab will add fire preventive screening of attic and crawl space vents. A sample attic fire screening will be shown at Board Meeting.**
- **Elevators: Improvement will be made to audible alarms for owners needing assistance at Elevator (pending).**
- **Damage claims are being handled with less fiscal involvement of the Mutual.**

c. **Landscape Committee**

No report was made.

d. **Electric Vehicle Charging Committee**

No report was given.

e. **Dispute Resolution:**

No report was given.

f. **Communications Committee**

Lyman Shaffer reported that the committee will be working on a Fire Wise and Fire Mitigation article. He mentioned that before the new mapping came out, a small part of the valley was in an extreme fire hazard zone. That area is no longer in an extreme fire hazard zone because of the fire break.

g. **Alterations Committee**

Nan Warren reported that 32 membership applications were processed in April. The Board briefly discussed turning the TWCM window standards into formal policies. He mentioned that the governing documents committee will need to work with the Board and the alterations department.

10. **Old Business**

a. **Ember Resistant Vent Screening – Clayton Clark:**

Clayton Clark made a presentation regarding different types of fire-resistant vents. He presented 2 options to the Board. He also mentioned fire resistant paint that and the need address wooden fences throughout TWCM.

President Lauck mentioned that this topic would be deferred to the Building Maintenance committee for their review.

b. **Solicitation of Director Candidates for District 7 – May 2025:**

The Third Walnut Creek Mutual Board of Directors is seeking volunteers for an open seat on the Board due to the resignation of Adrian Byram who is joining the Golden Rain Foundation's Board effective Monday, May 12th.

A vacant seat on the Third Walnut Creek Mutual Board is open for District VII, Project 51A which includes entries 11, 12, and 13 on Terra Granda Drive, and Project 51B which includes entries 15 and 16 on Terra Granada Drive.

THIRD WALNUT CREEK MUTUAL

Any interested District VII member is invited and encouraged to apply for the Board position no later than Monday, June 9th, 2025, at 12pm. The term for this position expires in June of 2027.

c. Solicitation of Director Candidates for Districts 9, 14 and 15 – June 2025

The terms for Nan Warren, Lauralee Barbaria, and Mike Abell are set to expire this year. A call for candidates was published to seek interested volunteers; however, no new candidates came forward.

As a temporary solution, Mike Abell has volunteered to continue serving on the Board as a director until a replacement is found. Nan Warren has also agreed to remain on an interim basis, but she will be delegating various tasks to others during this time.

d. Status of investment actions Q1 2025

The Board discussed the investment strategy for the year, with a proposal to adopt a comprehensive approach to managing funds across all projects. The Board will review and consider approving the strategy at the next meeting.

e. Form 4041 – 2025 results.

President Lauck reported that the Mutual received fewer 4041 form responses compared to last year. He emphasized that when residents do not respond, the Mutual is required to mail the forms, which increases costs. Residents are encouraged to complete and return their 4041 forms, which will be mailed out in September.

11. New Business

a. New Investment Actions:

Nothing to discuss.

b. Executive Session Discussion and Actions per Civil Code 4935:

Tom Lauck discussed a Davis Stirling requirement that all executive session topics must be generally noted in the meeting minutes.

12. Announcements: Next scheduled meeting will be the Annual Meeting of the Members held on Tuesday, June 10th, 2025, at 9:30 am, in the Fireside Room, Gateway, followed by the Organizational Meeting.

Adjournment

There being no further business, the Regular Meeting of the Board was adjourned at 11:26 p.m.

Executive Session Summary

The Board met in executive session from 9:00 a.m. to 9:30 a.m and then from 11:32 a.m. 11:48 a.m:

1. Review of Contract Proposals: The Board discussed reviewing contracts in executive sessions.
2. Disciplinary Hearing: The Board discussed a unit on Stanley Dollar who has extensive unpermitted alterations. The Board decided on enforcing the TWCM fine policy per day without obtaining the proper permits.

Secretary's Certificate



ROSSMOOR
WALNUT CREEK

THIRD WALNUT CREEK MUTUAL

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

Lucy Limon

Assistant Secretary

Third Walnut Creek Mutual