



WALNUT CREEK MUTUAL 39
MEETING OF THE BOARD OF DIRECTORS
TUESDAY, NOVEMBER 18, 2025, AT 1:00 PM
BOARD ROOM – GATEWAY
1001 GOLDEN RAIN RD – WALNUT CREEK, CA 94595

MINUTES

Call to Order

President Haket called the meeting to order at 1:01 p.m.

Roll Call of Directors

Directors Present: Victoria Haket – President
Karen McEligot – Treasurer
Jennifer Mu – Secretary
Terry Gordon – Director at Large

Directors Absent: Bill Claussen – Vice President

RPM Staff

Jeroen Wright, Director of Mutual Operations
Todd Arterburn, Chief Financial Officer
Rick West, Snr. Building Maintenance Manager
John Tawaststjerna, Landscape Manager
Lucy Limon, Board Services Coordinator

Approval of Minutes

1. Regular Meeting Minutes of August 19, 2025
2. Executive Meeting Minutes of September 5, 2025
3. Special Meeting Minutes of October 13, 2025

Terry Gordon made a motion, seconded by Karen McEligot, to approve the Board Meeting Minutes of August 19, 2025, September 5, 2025, and October 13, 2025.

Moved, Seconded, Carried 4-0

Resident's Forum

A Resident's Forum was held for comments and questions from the membership: Residents expressed concerns about the 3.5-month duration and lack of clear communication about the resurfacing of decks.

The Board explained that the process involves identifying dry rot, obtaining painter bids, and getting approvals, which can extend timelines.

Jeroen Wright noted that while Mutual 39 doesn't control vendor schedules, they strive to keep residents informed about ongoing work.

Committee Reports

1. Landscaping Committee – Olga Gordon:
Our upcoming Fall Prepaid Days will take place starting tomorrow, November 18th to the 21st.



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Members of the landscape committee met with Eddy Ibarra, our Landscape Field Supervisor. He had some creative ideas for planting using drought tolerant shrubs that they have started using in the last few years. They will also be using cobble, large boulders and moss rocks in certain areas especially on the slopes to hold the soil where juniper was removed. Most of this planting will take place in entries 13 and 12.

In addition we will be meeting with Juan Chavez of Terra Landscape to discuss further work needed to be done in entries 3, 4, 6 and 8.

The wild boars have struck yet again! While a neighbor in E 3 was traveling abroad they made themselves quite comfortable on her back lawn...or what remains of it.

This will be added to our list of work to be done.

We're looking forward to seeing the completed work and will share photos with you in the spring.

Special thanks to our wonderful committee! It has been such a pleasure working with them.

2. Governing Documents Committee – John Rice
See report at the end of minutes.
3. Budget and Finance Committee – Karen McEligot
 1. M39 financial status appears to be sound according to the copies of our three bank accounts and bank reconciliation for the month of September 2025. They are as follows:

Operating cash as of September 2025 = \$613,137

Reserve cash as of September 2025 = \$448,960

Securities as of September 2025 = \$906,877

Total cash and equivalents as of September 2025 = \$1,968,974

Less payable of \$240,444 = \$1,728,530.

Our securities account has two T-Bills and one T-Note along with invested cash in a sweep account.

2. We continue to have unanswered irregularities on our financial statements.



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Until these irregularities are clarified there will be no motion for compliance with Civil Code 5500 at this time.

3. We are still waiting for the delivery of our March 31, 2024, reviewed financial statements to our members. We are also waiting for the fiscal year-end review of the March 31, 2025, financial statements.
4. Communications Committee – Jennifer Mu
No Report
5. Building Maintenance/Alterations – Jennifer Mu
 - Condensate line update
 - Building Rehabilitation-E12 carports
 - Main electrical panel inspection
 - Gutter cleaning – December
 - Common Area LED post lights
 - Smoke alarms

Rick reported that elevated structure and balcony inspection issues are being addressed. He is also awaiting an estimate from Terra Landscaping for drainage concerns. Two buildings in Entry 12 have completed rehab, with three additional buildings scheduled for next year.

Electrical panel inspections will begin in early December, and gutter cleaning is planned for December, with a vendor selected from four submitted bids.

Budget Discussions

The Board reviewed two major upcoming budget items:

- LED Light Conversions: The Board agreed to complete conversions during scheduled building rehabs rather than all at once. Estimated cost is \$738 per light.
- Smoke Alarm Replacements: Smoke alarms will be replaced in 2026 at an estimated cost of \$21,707, consistent with the practice of replacing 10-year alarms every 9 years to avoid simultaneous failures.

Deck Coating and Painting Bid

The Board reviewed a \$22,800 proposal from CPC General Construction and Painting for deck coating and painting. The Board tabled the decision pending a corrected bid.

Rick also confirmed that while the Board may use outside contractors, all vendors must be properly licensed, insured, and registered in the system to be eligible for payment.

Jennifer Mu made a motion, seconded by Terry Gordon, to appoint Harvey Weinstein and Bob McEligot to the Committee.



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6. Recycling Committee – Victoria Haket

President Haket reported that recycling and compost information was dropped off to the new neighbors in Mutual 39.

7. Social Committee

The Social Committee met last week to continue planning the Holiday Party, scheduled for **December 22** at the **Stanley Dollar House** from **5:00–8:00 p.m.** A “Save the Date” notice has been distributed, and event flyers will be posted.

The event fee will be **\$15.00 per person**. The party will include an Ice Breaker discussion activity, and attendees are encouraged to bring their own beverage.

8. Welcome Committee:

Two new residents have moved in Entry #9.

9. AD-HOC Paint Committee – No report

Jennifer Mu made a motion, seconded by Karen McEligot, to terminate the AD-HOC Paint Committee.

Moved, Seconded, Carried 4-0

President's Report – Victoria Haket

President Victoria Haket gave the following report:

As the holiday season approaches, I'd like to wish everyone a warm, happy, and safe Thanksgiving. Whether you're staying close to home or traveling to visit family and friends, please take care on the roads and enjoy this special time of year.

This is also a wonderful time to reflect on what makes our community so special neighbors looking out for one another. If you know of someone who may be alone for the holidays, please take a moment to check in with them. A friendly call or visit can make all the difference and remind them that they are part of our caring Mutual 39 family. Wishing you all a joyful and peaceful Thanksgiving season!

Old Business

1. RR 18 Update:

Please refer to Governing Documents report.

New Business

1. 2026 Management Agreement:



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Victoria Haket made a motion, seconded by Jennifer Mu, to approve the 2026 Management Agreement.

Moved, Seconded, Carried 4-0

RPM Staff Reports

1. Directors Report – Jeroen Wright

Wright reported that the management agreement has been approved, and the task force will continue revisions. Thirty-eight of 40 budgets are complete. The rehab process will take longer this year due to new Senate bills, and a reserve study will be conducted for SB9 electrical panels. Garage work is ongoing in Mutual 39.

2. CFO Report – Todd Arterburn- No Report

3. Building Maintenance Report -Rick West

The following report was given:

- All deck issues have been reported and completed.
- Condensate lines have been inspected, and a list of missing items has been compiled.
- Terra Landscaping conducted a site visit and submitted their report. The board and RPM are awaiting their bid.
- LED lights and smoke alarms are being considered for the 2026 budget. These updates will be completed during rehab unless they are already addressed.
- In 2016, smoke alarms were installed in Mutual 39. Since it has been 10 years, replacement or updates need to be included as a line item in the 2026 budget.

4. Landscape Report – John Tawaststjerna

Landscaping and Irrigation Update

- Irrigation controllers were turned off on November 4th. Residents should contact the work order desk if any issues arise.
- Landscape crews are removing debris and clearing pathways for mutuals.
- Working on an estimate for tree pruning which will be provided to the board at a future meeting.

Announcements

The next Board Meeting is scheduled for Tuesday, February 17, 2026, at 1pm, in the Board Room at Gateway.

Adjournment

Meeting was adjourned at 2:35 p.m.

Executive Session:

The Board met in executive session from 2:39p.m.to 3:00 p.m. and discussed the following:



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1. The Board discussed several property maintenance issues, including peeling paint at Saklan Indian Drive. They agreed that the seller should pay for the vent repair since it was not a mutual responsibility.
2. The Board also addressed concerns about Member Records department forcing a successor trustee to change title, which they determined was not necessary.
3. The Board expressed concerns about RPM's 15% administrative fee on contractor invoices. They agreed to monitor this fee in future contracts.

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

**Assistant Secretary
Mutual 39**

DRAFT

1) M39 GovDocs Committee

- a) We are now looking for a volunteer who would like to join the governing documents committee.

2) M39 Rules and Regulations

- a) 4 Updated RR published on website

Approved BOD 10/13/25 - no Member (or RPM) comments

- i) **RR 41.0** Rental/Leasing of Units
- ii) **RR 64.0** ELECTRIC POWER AND EQUIPMENT - OWNER INITIATED ALTERATIONS
- iii) **RR 99.0** Building Paint Colors

and legal update only – no member review required

- iv) **RR 18.0** ENFORCEMENT OF RULES - updated to comply with Law

3) Upcoming issues

- a) Need to define examples “Health and Safety” per §5850 in open meeting.

propose the following examples to be added to RR18.0 if approved by the Board today:

- i) smoking in the common areas
- ii) secondhand marijuana smoke infiltrating another unit
- iii) speeding on association streets
- iv) pulling a fire alarm as a prank
- v) parking in front of a fire hydrant
- vi) using unlicensed workers to repair plumbing and electrical lines
- vii) hoarding that leads to insect and rodent infestations
- viii) setting off fireworks

- b) Compliance with SB900 effective 2025-01-01

i) **Civil Code §4775 Expanded Utility Repair Responsibilities**

Utilities repair/maintain responsibility of Mutual even if EUCA etc within 14 days.

No change required in CC&Rs [4.5]

ii) **Civil Code §5550 Reserve Funding Adjustments**

Helsing: 25-26 - Common - Main Electrical Panel 1 Lot \$ 7,000.00 10yrs

Must include major utility components M39 has 27 Buildings, 130 Units sub-panels and connecting cables.

iii) **Civil Code §5610 Greater Flexibility in Emergency Funding**

if Reserves are inadequate

Mutual 39 Governing Documents Report
Board of Directors 2025-11-08-19

4) RPM - Member Records – needs improvement.

a) §4041 annual distribution

- i) Forms sent out to M39 Members by RPM 9/9/2026 (no advance notice)
Email only – 48, USPS only – 67, Email + USPS -15 (no USPS to external addresses)
vs M39's
Email only – 78, USPS only – 31, Email + USPS -46 (3 USPS to external addresses)
- ii) Replies went directly to RPM. No feedback to date to M39, response rate unknown.
- iii) Have requested copies or digital extract.

b) NetSuite

- i) Extract Member Records data provided from NetSuite 9/5/2026
- ii) Major discrepancies
 - (1) 163 members vs 213 previously on Jenark
 - (2) 2 board Member not listed as Members!
 - (3) Primarily Trust title and inheritance related issues.
- iii) Needs urgent attention – no feedback since
 - (1) Upcoming M39 Directors election by Mail-in Ballot this cycle (starting in Jan 2026)
 - (a) Need accurate voter (member) list for Inspector of Elections
 - (b) Correct Mailing addresses for all Members
 - (2) Is Jenark still being maintained accurately?

5) Continue to participate in Rossmoor Working Groups with other Mutuals

a) Mutuals' Working Group for new GRF / Mutuals Management Agreement.

- i) Initial agreement signed for 1 year effective 1/1/2026
- ii) Working Group to monitor and define corrective amendments based on actual experience