



## Walnut Creek Mutual Forty

MEETING MINUTES OF THE BOARD  
THURSDAY, APRIL 11, 2024, AT 1:00 PM  
CLUB ROOM AT CREEKSIDE  
1010 STANLEY DOLLAR DR – WALNUT CREEK, CA 94595

### **Call to Order**

President White called the meeting to order at 1:05 p.m.

### **Directors Present**

Susie White – President  
Gayl Westendorf – Treasurer  
Nancy Herney – Secretary  
Kathy Parish – Director

### **Directors Absent**

Greg Gould – Vice President

### **Staff Present**

Jeroen Wright, Director of Mutual Operations  
John Tawaststjerna, Landscape Manager  
Lucy Limon, Board Services Coordinator  
Charice Jimenez, Interim Board Services Coordinator

### **Approval of Minutes**

1. Executive Meeting Minutes of January 18<sup>th</sup>, 2024
2. Board Meeting Minutes of February 29<sup>th</sup>, 2024
3. Annual Meeting Minutes of March 28<sup>th</sup>, 2024
4. Organizational Meeting Minutes of March 28<sup>th</sup>, 2024
5. Executive Meeting Minutes of March 28<sup>th</sup>, 2024

Ms. White made a motion and Mr. Westendorf seconded to approve the minutes to the aforementioned Board Meetings. **Approved 4-0**

### **President's Report**

Ms. White gave the following report:

Your board has been very active this past month and, as always, enjoys hearing your input and concerns.



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We are meeting today to not only conduct a board meeting but to also tally your votes on the proposed amendment to our CC&Rs regarding Insurance. Your vote is extremely important, and we hope you have voted. We are currently out of compliance with our CC&Rs because Rossmoor and the Mutuals are not able to fully fund our insurance as required by Fannie May and Freddie Mac rules for insurance on homeowner loans. There is no way we will be fully funded but we believe that in case of a disaster our Mutual and the other Mutuals (through the cost sharing plan) do have enough insurance to cover a claim. I encourage you to get an umbrella policy to cover other losses. Tomorrow there will be another Town Hall in the Event Center and on Zoom to discuss the insurance crisis. Rebecca Bauer-Kahan and Steve Glazer will be presenters as well as Gallagher Insurance and Jeff Matheson.

We have finally adopted all of the Policies for Mutual 40 and are now in the process of formatting them into one document. At the present time they are posted individually on our website at [rossmoor.com/residents/mutuals](http://rossmoor.com/residents/mutuals). We will notify you when the document is complete and post it on the website, replacing the individual policies with one document. The document has a table of contents to help you navigate the policies.

The Saklan Indian Entry 2 Gathering Spot is now complete for the year. It will be open to all entries for parties and get-togethers because not all entries have space for such gatherings. We are trying to work out a reservation system for you. I encourage you to stop by and take a look. Those in Entry 2 are thrilled to have such a space and look forward to enhancing it as well as hopefully receiving more plants next year from the Landscape Committee.

Other Mutual news includes painting continuing in Saklan Indian Entry 10 and preparing to rehab and paint the remaining units in Saklan Indian Entry 2. Clayton is working on a revised rehab schedule to rehab and paint entire entries now that we are one mutual with no separate projects.

The deer are out and about and one in particular in SI entry 2 and TC entry 14 area is behaving in an aggressive way. This has been reported.

The Food and Beverage survey which has appeared in the Rossmoor news is coming to an end. I encourage you to complete the survey and turn it in.

Jeff Matheson is meeting with the Mutual Presidents to get feedback on our Rossmoor experiences. I will meet with him tomorrow. If you would like to send me input, please send it today!

### **Treasurer's Report.**

Mr. Westendorf reported that the February financial reports have been received and reviewed by all directors, Ms. White moved that the board certify compliance with Civil Code section 5500, Ms. Parish seconded. **Approved 4-0.** (The March financial reports have not yet been received, but should be received next week.)



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### **Finance Committee Report:**

Members of the Finance Committee have been studying reserve expenses, the most recent Helsing reserve study and our reserve funding plans, and will be meeting tomorrow with Clayton Clark and Jo Ann Cooper to discuss the reserve expense forecasts that MOD is preparing for M40 and how they relate to the Helsing study. The goal is to ultimately report back to the board on our reserve situation and recommendations regarding the reserve component of future annual assessments (our "coupons").

### **Committee Reports**

#### **Landscape Committee -**

Ms. Parish gave the following report:

The Landscape Committee met on March 4th. The meeting was attended by Lois Cain, Shari Carroll, Karyl Toms, Marilyn Riegelhuth, Fred Kern, Susie Manners, Barbara Bigelow, and Pam Jester. Pam Jester and Marilyn Riegelhuth were welcomed as new members. It was announced that Janis Duysen and Myrna Conway have resigned from the Board. All were encouraged to attend the Annual Meeting on March 28th and be introduced to the Board and attending members.

Kathy announced that the Board passed the Committee's recommendation to allot \$6,000 for the development of the Entry 2 Meeting Area. This is a multi-year project.

Also the co-chairs had the annual Tree Walk, with John T. from MOD and Brian from Warner Trees, to identify trees needing removal and those needing annual maintenance. Warner Trees has already completed this work. Six trees were removed, including two large Stone Pines. The cost for this was \$11,370. The major pruning has also been completed and the cost was \$6,400. We have an additional list of needed work which will hopefully be done later this year, budget permitting.

Kathy reported on attending a Sustainable Rossmoor Committee meeting where updates were given on EV Chargers and the suggestion that the City of Walnut Creek's tree policy needs to be updated to provide for more flexibility. Sustainable Rossmoor may be looking at working with the City on this project.

Our MOD workdays will start on March 26th. A "wish list" was compiled from all the resident request forms and Entry Coordinators' requests and the list shared with the Committee. Mutual 40 has 9 days allotted for our work this Spring. After hardscaping the Entry 2 Meeting area, the focus is on planting trees, removing a few smaller trees that are too close to buildings, fixing a retaining wall and removing junk.



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Shari provided her report which included the distribution of the March Terra Calendar and a scheduled Entry walk with Kevin for Entry 14. Karyl Toms, the Entry 14 Coordinator, will also participate. Shari also gave updates on gopher control, clearing Common Areas, mulching, and the need to buy new benches. Several different types of benches were discussed and the Coordinators were encouraged to start looking at different benches around Rossmoor to see what would work best for Mutual 40.

Finally, the design, from John T. for grass replacement of the hill between Saklan Indian Entries 6 and 8 was presented and discussed. It was decided the Shari, Fred, and Rod would meet with John T. to "tweak" the design. Once the design is finalized, John T. will submit it to EBMUD for a rebate.

### **Governing Documents Committee:**

Ms. Herney reported the following:

In addition to Ms. White's comments, at an April 4 meeting, the formatting on the Policies and Rules Manual now includes universal and consistent font style and size, margins and indentations and formatting for footers and pagination.

At an April 8 meeting, it was decided to:

- Add 'designated occupant' to the definitions to the Introduction to the manual
- GDC will bring suggestions to the Board, at a future meeting, with formats for tracking and recording updates/changes to the Rules and Policies
- Standardize the website location references in the Manual

### **Building Maintenance Committee:**

Mr. Kern reported the following:

The Building Maintenance Committee has adopted standards for outside lighting. The lighting choice is LED with a temperature of 2700-3000 Kelvin being preferred. This provides a soft warmer outside lighting option. An inventory of M40 outside lighting is complete and the next step will be to start the maintenance, repair and replacement of existing lighting.

The committee will also be starting to look at solar power and will report it's findings in the future.

### **Alteration/Architectural Review Committee:**

No report.

### **Emergency Preparedness Committee:**

No report.

### **Recycling and Green Committee:**



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No report.

### **Old Business**

No old business.

### **New Business**

#### **1. Report out on Water Damage Webinar.**

Ms. Herney attended the webinar and reported the following:

#### **Liability**

Mutual/Association must prove to be negligent for there to be full liability on the part of the Mutual. In the absence of negligence, the Mutual pays for damage to the Common Area and the Owner pays for damaged cabinets, floor covering, and personal property.

#### **Rules and Policies**

All MRR components should be clearly defined in the CC&Rs. The most common components should be outlined in a maintenance matrix. The matrix provides Owners with an easy reference. (Our matrix refers back to the specific CC&Rs. We have added a set of Plumbing schematics that are illustrative of where the Owners responsibility, both are posted on our website under Useful Information.) CC&Rs should further define the insurance requirements for both the Mutual and Owners.

#### **Check list for action during a Flooding or Water Incursion event (Board members should aware and Securitas responds to in and out of hours situation**

1. Stop or fix the leak immediately, take pictures to use later if there are questions about who pays for damage.
2. Call a restoration service to clean up.
3. Affected area should be dried within 24-48 hours to prevent mold/ take pictures.
4. Make certain the restoration company dries out wall and ceiling cavities.

#### **Remodels**

You break it, you own it.

I don't believe that we have any glaring gaps in our policies around water damage.

#### **2.Counting and tabulation of member ballots for Second Amendment to CC&Rs by John McDonnell, Inspector of Elections.**

All ballots we opened and tabulated by Mr. McDonnell with assistance from Ms. Limon and Ms. Jimenez. The results are as follows:



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Ballots Received:	120
Invalid Ballots:	1
Total Ballots	119
Votes in favor:	117
Votes against:	2

The CC&R **Amendment passed.**

### **Managers' Report**

Jeroen Wright, Director of Mutual Operations covered the following items:

Mr. Wright reminded everyone about the upcoming GRF Town Hall Meeting tomorrow at 10:00 am in the Event Center. In addition, the FireWise Task Force is continuing to work with the Contra Costa Fire Department on Zone 0.

John Tawaststjerna, Landscape Manger reported the following:

Mr. Tawaststjerna advises that the field break clearing will be starting soon and everyone who subscribes to Nixle will be informed when those events will be taking place.

### **Member's Forum:**

1. Guest Parking E12

### **Executive Session**

The Board met in executive session to discuss member matters.

### **Announcements**

The next scheduled Board meeting will be on May 16, 2024 at 1:00 pm in the Club Room at the Creekside.

### **Adjournment**

With no further business, the meeting was adjourned at 2:20 p.m.

Nancy Herney

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**Secretary**

Walnut Creek Mutual No. Forty