

## Walnut Creek Mutual Forty

BOARD MEETING MINUTES OF THE BOARD  
THURSDAY, JANUARY 16, 2025, AT 1:00 PM  
CLUB ROOM AT CREEKSIDE  
1010 Stanley Dollar Drive – Walnut Creek, CA 94595

### **Call to Order**

President White called the meeting to order at 1:02 p.m.

### **Directors Present**

Susie White – President  
Greg Gould – Vice President  
Pam Jester -Treasurer  
Nancy Herney – Secretary  
Kathy Parish – Director

### **Staff Present**

Jeroen Wright, Director of Mutual Operations  
Clayton Clark, Building Maintenance Manager  
John Tawaststjerna, Landscape Manager  
Lucy Limon, Board Services Coordinator

### **Approval of Minutes**

1. Regular Board Meeting Minutes of November 14, 2024
2. Executive Board Meeting Minutes of November 14, 2024

Ms. White asked for a motion to approve the minutes from the October meeting. Ms. Jester made a motion and Ms. Parish seconded, to approve the minutes of the Board Meetings. **Approved 5-0.**

### **President's Report**

As we enter 2025 we are moving right along and our Mutual is in good shape. I was asked a rental question recently regarding the number of rentals in Mutual 40. As you know, our CC&Rs state the Mutual caps the number of Units that may be rented/leased at any time to twenty-five percent (25%) of the Units in the Mutual (i.e., 47 Units) permitted under Civil Code § 4741. We have only 5 rentals at the moment, so we are in good shape.

We have received information about the Mutual 40 portion of the shared deductible for the tree that fell on a building in Mutual 1. In the shared deductible, the Mutual incurring the loss is responsible for the first \$10,000 of the \$250,000 potential shared deductible. In this case, the total cost of the damage was \$71,748. Mutual 1 is responsible for the first \$10,000. Mutual 40's share is \$1,819.29. The good thing is that your board anticipated a portion of the shared deductible and budgeted \$7,000 for potential shared loss. So our budget has covered the cost. Some mutuals did not include an anticipated shared deductible.

I would like to thank the Landscape Committee for their hard work over the past year and their continuing effort to beautify our landscape. The Building Maintenance Committee will soon resume

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their work as well. If you live or walk near Yearout Park, we now have solar lights to illuminate the area.

You will hear reports from all our committees at this meeting. We all look forward to another successful year for Mutual 40.

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

Ms. Jester gave the following report:

Financial snapshot January 15, 2025

- Operating fund balance as of 12/31/2024: \$338,718
- Reserve fund balance as of 12/31/2024: \$2,013,145
- Reserve fund investments: \$801,507 in US Treasuries (4.35%), \$210,000 redeemed T-Bill (designated for reinvestment), \$859,541 in interest bearing checking account (4.63% interest), repaid \$200,000 temporary loan to operating from reserve accounting.

Proposed 2025 Financial Initiatives:

- Maintain prudent reserve funding plans for future reserve expenses
- Update 5-year overall financial (and coupon) forecast
- Continue cost control efforts wherever possible, e.g., utilities, building and landscape maintenance, administrative and professional services
- Continue to maximize investment returns on reserve fund
- Continue to improve communications with members on financial matters

Motion to certify compliance with §5500 by review of the monthly financial reports by all Board Members. Ms. White made the motion, seconded by Ms. Jester.

**Moved, Seconded, Carried 5-0**

### **Finance Committee Report:**

Nothing to report.

### **Committee Reports**

#### **Landscape Committee:**

Ms. Parish gave the following report:

The final meeting for 2024 was attended by Shari Carroll, Lois Cain, Marilyn Riegelhuth, Rod Williams, Ted Bush, Karyl Toms, Barbara Bigelow, and Fred Kern.

A summary of the year included 11 tree removals, 9 trees planted, safety pruning of a large Eucalyptus, and 4 Private Gardens reclaimed by the Mutual. Removal of Junipers, flammable trees and shrubs, next to buildings, were a main focus of the MOD days. In addition, time was spent planting new trees, shrubs, and plants to honor resident requests. Not all requests were able to be completed and the list carries over to 2025. Shari and Karyl also spoke about the work done and work remaining to be done in Entry 14.

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Budget items included the following:

1. \$4,000 spent for fall rehab plants and trees for MOD work projects.
2. The tree budget has been spent.
3. About \$30,000 remains in landscape rehab. Work orders for a drainage issue in Entry 2 and the removal of 4 large Oleanders in Entry 12 will leave about \$24,000. This money is allocated for the Saklan Indian Hill Grass removal and rehab that will happen in 2025.

**New Business:** There was a general discussion of Terra's Contract renewal for Mutual 40. The negotiations will be in 2026. To be better prepared and informed, Shari and Karyl are going to a "deep dive" into our Contract and all the services it provides.

**Old Business:** Entry 12 Resident Surveys for the proposed gathering area were reviewed. Marilyn distributed surveys to all 34 Condos. Of the 21 surveys that were returned there were 9 YES and 12 NO votes. With expressed support from 3.8% of the Entry residents, Kathy made a motion to NOT go forward with this proposal. Lois Cain seconded the motion. The motion passed 9-0.

The next Landscape Committee meeting will be February 5th in the Mulligan Room at 3:30.

### **Governing Documents Committee:**

Ms. Herney gave the following report:

The GDC met informally to discuss the various court actions regarding the Corporate Transparency Act that presented themselves in the end of December, 2024. This topic will be discussed at the January 23 A/S Legal Seminar. We will be following the advice of counsel relative to what action we take going forward as this works its way through the courts.

The Committee will meet in January to develop our goals for 2025. We continue to follow the other Mutuels as progress on other items are considered like HSF (TWCM did not change their HSF policy after the sound study) and battery storage and back up. We have developed some revisions to the Maintenance Matrix on window frame colors and that proposed change is making its way through the Building Maintenance Committee. We will come to the Board with any recommendations that we find appropriate on this and other items.

### **Building Maintenance Committee:**

Fred Kern covered the following items:

Lighting at Yearout Park is complete and looks very professional. Pictures provided.

Project to maintain/repair/replace 139 light standards is proceeding but has been slowed down some due to the id tags being on back order.

New entry sign samples were distributed to the Board for approval and comment.

Requested the approval of 6 work orders. One was held waiting for confirmation of the costs. Ms.

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White made a motion to approve all work orders with one exception, Ms. Parrish seconded, approved seconded and passed 5-0.

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

Mr. Gould reported that twelve Alteration Permits have been submitted in the past month.

### **Emergency Preparedness Committee:**

Ms. Herney reported the following:

At our final meeting of 2024 we closed on the topic to be discussed at our first 2025 event and that is Senior Scams. The presentation will be on January 29 in the Fairway Room. Initial communication is being distributed by the entry coordinators to be followed by email blasts from Lucy and mailbox drops a week before the event.

### **TRC Committee:**

John Moe reported that he looked at the trash enclosure throughout M40. He proposed to the Board to switch over to plastic bins.

Susie recommended that John present more information of this proposal at the next Board meeting.

### **Managers' Report**

Mr. Wright discussed a spreadsheet of motions and action items from Board meetings that will soon be available on a ShareDrive. This will allow the business managers to track their commitments.

The FireWise task force has received certification for the 2024-25. FireWise Town Hall was held January 14, 2025, from 2:00 pm-4:00 pm. There were almost 900 people in attendance both in person and zoom. The Town Hall presentation will also be posted on the Rossmoor YouTube channel and all clicks will be tracked. Every person who attended and watched on zoom contributes 2 hours.

Jeroen also mentioned that the monthly ACH payments have not been processed as of Friday, January 10<sup>th</sup> because of the GRF and Mutuals' software conversion from Jenark to NetSuite. Typically, the automatic withdrawals happen on the sixth of every month. The Accounting Department is working to process the payments as quickly as possible. Residents who are set up for automatic withdrawals are advised that the payment will be processed shortly.

Currently, no action is required for these residents. There will be no late fees assessed as a result of this process. Staff apologizes for the inconvenience and appreciates residents' patience regarding accounting matters during the NetSuite implementation.

### **Old Business**

None

### **New Business**

1. Appointment of Gayl Westendorf as Inspector of Elections:  
Kathy Parish made a motion, Nancy Herney seconded to appoint Gayl Westendorf as the Inspector of Elections for the 2025 Board Election.

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### **Moved, Seconded, Carried 5-0**

2. Update about the M40 2025 Board Election:  
President White reviewed important dates and deadlines relating to the 2025 election.
3. Motion to approve 2025 Shared Deductible Agreement:  
Susie White made a motion, Pam Jester seconded to approve the 2025 Shared Deductible Agreement.

### **Moved, Seconded, Carried 5-0**

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

Members were afforded the opportunity to express their general concerns and make comments. Topics discussed were fallen tree safety, lighting in the walkways, FireWise Town Hall, Entry 6 rehab, clarification on MOD and GRF.

### **Executive Session**

The Board met in executive session from 10am- 12:15pm to discuss the following items:

1. Member Matters
2. Board Matters
3. Administrative Timelines

### **Announcements**

The next scheduled Board meeting will be on February 20<sup>th</sup>, 2025, in the Club Room at Creekside Clubhouse.

### **Adjournment**

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

Lucy Limon

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**Secretary**

Walnut Creek Mutual No. Forty