

Walnut Creek Mutual Forty

Walnut Creek Mutual No. Forty
6th ANNUAL MEETING MINUTES
THURSDAY, FEBRUARY 19, 2026, AT 1:00 P.M.
CLUBROOM – CREEKSIDE
1010 STANLEY DOLLAR DR. WALNUT CREEK, CA 94595

Call to Order

President Gould called the Annual Meeting of the Members to order at 1:03 p.m.

Director's Present

Greg Gould – President
Kathy Parish – Vice President
Pam Jester – Treasurer
Nancy Herney – Secretary
Joe Tracy – Director at Large

RPM Staff Present

Jeroen Wright, Mutual Operations Director
John Tawastsjerna, Landscape Manager
Jim Hayes, Contract Administrator
Lucy Limon, Board Services Coordinator.

Certification of Meeting

A Call for Candidates was published in the November 19, November 26, and December 3, 2025, editions of the Rossmoor News. Two additional notices were emailed to the members of Mutual 40. The Mutual's Board Office received two nominations from the membership: Carol Amaya and Dan Cohen.

In accordance with the Davis-Stirling Act, the Mutual 40 Board was eligible to appoint the candidates by acclamation because, at the close of the nomination period, the number of qualified candidates did not exceed the number of Board positions to be filled. At the January 15, 2026, Board meeting, a motion was made to appoint the two candidates to the Board by acclamation at the February 19, 2026, Annual Meeting.

Additionally, pursuant to Corporations Code §7511(b), notice of the Annual Meeting was mailed to the membership on February 2, 2026.

Announce Election Results

At the January 15, 2026, Board meeting, a motion was made to appoint the two candidates to the Board by acclamation at the February 19, 2026, Annual Meeting.

President's Report

President Gould reported that this would be his final meeting serving as both President and a member of the Board. He reflected on his experience with the M40 Board since its inception, noting the ongoing effort to keep the coupon low while ensuring adequate funding for the Mutual's obligations. He also

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referenced the merger of Projects 40 and 41 into a single financial entity. President Gould expressed his sincere gratitude to the Board and the many volunteers who have contributed to leading and supporting M40.

Vice President's Report

No report was given.

Treasurer's Report

Pam reported on the end-of-December financials, noting that income was ahead of budget while expenses were in line with projections. She also stated that the insurance payment came in lower than anticipated.

Pam discussed ongoing efforts to maintain a prudent reserve position, control costs, and maximize investment returns. She provided an update on current investment accounts, reporting that \$498,000 is invested in one Treasury bill, \$300,000 is invested in a separate Treasury bill, and \$900,000 is held in an interest-bearing checking account.

The Board agreed unanimously to accept the December 2025 financials in accordance with Civil Code 5500.

Secretary's Report

Nancy provided the following report:

Some of the principal responsibilities of the Board Secretary is the maintenance of the agendas and meeting minutes of the monthly Board meetings and the timely distribution of agendas and minutes in accordance with the Civil Code 4045.

Lucy Limon is our Assistant Secretary and she and I have worked diligently in 2025 to ensure that we are in compliance with the legal requirements of meetings and minutes. With little exception, all agendas have been developed with input from all the board members with sufficient time for them to be reviewed, posted and distributed to members.

As part of managing agendas and minutes, the Secretary creates the agenda for Executive Sessions and Member hearings as needed, produces the minutes and provides written follow up as appropriate. Most, if not all, Executive Sessions follow a regularly scheduled Board meeting. Mutual 40 has had over 15 Executive sessions in 2025 and 2 member hearings.

As a Mutual, we have secured the permission of over 90% of our members to be included in a General Delivery email group in order to electronically receive safety tips, meeting reminders, notices of social events, safety events and presentations and other important Mutual News. I maintain that list and Lucy is very responsive to the Board in terms of forwarding this kind of information on to all members. There have been over 20 such email blasts sent in 2025.

Late this year, I began serving as the Mutual 40 representative to the Management Agreement Work Group that collaborates with RWC and RPM in the creation of the new 2026 Management Agreement and Base Service deliverables. This work will now carry over into 2026 as the Work Group begins to develop a plan to track the implementation of the new Master Agreement, resolve issues that were not

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included in the 2025 agreement and assist in the standardization of RWC and RPM processes and procedures across all Mutuals. This group meets monthly, reports out to the President Forum and jointly meets with RWC and RPM leadership also on a monthly basis. A sub group is currently working on a tracking mechanism for the implementation of the 2026 Agreement.

Report of Committees

a. **Finance/Audit Committee**

No report was given.

b. **Landscape Committee**

Ms. Parish gave the following report:

Having been involved with the Mutual's Landscape Committee for several years, I have come to realize that our residents would appreciate a better understanding of how your Landscape services and Committee functions. With all due respect, it is like a three-ring circus, with a very large group of performers.

The first ring is RPM. As our management company, they provide oversight and helpful guidance in plant design and selection, irrigation repairs and upgrades, and monitor the finances for all our projects throughout the year. In addition, John Tawaststijerna, head of RPM Landscape, coordinates the annual tree walk, with an arborist, to assess the health and safety of our trees and to monitor building clearance. He is also the liaison for Walnut Creek when we apply to have trees removed. Starting in April 2026 Jesus Morales will be our RPM Liaison. RPM also provides 19 "free" days of labor and this is done three times a year, in mid-March, July, and September. These days include projects such as Juniper removals, establishing a 5' zero clearance zone for fire safety, planting trees and plants, repairing infrastructure, building and repairing retaining walls, and fulfilling a long list of resident requests. RPM also provides an irrigation team. This year their work included upgrades to the irrigation infrastructure along Terra California and in Terra California Entry 12 and Saklan Indian Entry 6. They also monitor our sprinklers. In addition, the RPM crew installed two new benches in Yearout Park. One of these benches was a generous gift from Geri and Floyd Yearout. By the end of 2025, RPM had planted 11 trees and 160 plants.

The second ring is Terra Landscape. Terra is a private company that the Mutual hires for our monthly maintenance. They rake copious amounts of leaves, keep the drains open, prune, weed, fertilize, etc., etc., etc. Juan Chavez became Terra's new Supervisor in April. We also hire Terra to do special projects. This past year they completed three lawn conversions. One converted 6,000 square feet of lawn on the hill between Saklan Indian Entries 6 & 8. Three trees and 193 plants were planted to complete this project. In addition, they did two approved conversions that were requested and paid for by the residents. Both were in Terra California Entry 12. Terra also did several other Common Area approved projects that were requested by residents. When a request is approved Terra provides a bid and bills the residents directly. They also completed major drain work and landscape rehab behind 625 Terra California.

The third ring involves our tree work. This year Waraner Trees did the majority of our work. Hamilton Trees removed one Liquid Amber and the last Eucalyptus in Mutual 40. This was in

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Terra California Entry 11 and required the use of a hydraulic crane and the cooperation of a neighboring Third Mutual project for access.

This past year 11 declining or diseased trees were removed.

The ring leaders are your Landscape Committee. Each of our nine Entries has at least one representative on the Committee. This year the committee was Co-Chaired by Shari Carroll and Kathy Parish, who also served as Board Liason. Requests for any work done in the Common Area must be approved by the Co-Chairs, and large or special projects must be approved by the Committee and Board. This year you were represented by Lois Cain, Saklan Indian Entry 10, Shari Carroll, Saklan Indian Entry 8, Wendy Peterson, Saklan Indian Entry 6, Susie Manners and Susie White, Saklan Indian Entry 2, Rod Walker and Ted Bush, Terra California Entry 9, Fred Kern and Marilyn Reigelhuth Terra California Entries 10/12, Barbara Bigelow and Christina Douglas Terra California Entry 11, and Karyl Toms Terra California Entry 14.

Your Landscape Committee also organized the Ice Cream Social in Yearout Park and hosted a Burrito lunch in September to thank our RPM landscape crews and the RPM and Terra management teams.

In conclusion, a total of 11 trees were removed, 14 trees were planted, and 353 plants were added to the Common Area in 2025.

c. **Governing Documents**

Nancy Herney gave the following report:

The primary role of the governing documents Committee is to provide procedural and regulatory oversight of the governing documents (CC&Rs, By-Laws, Policies and Procedures). With advice from the Mutual's legal counsel, GDC is responsible for ensuring that all governing documents are accurate and updated in accordance with any changes in California and Federal law.

We have had the great fortune to have the consistency of 2 members of the governing docs committee who have served over the last 3+ years, Cynthia Schneider and Pat Kelly. They are an invaluable team.

In 2025, we finalized the new Enforcement and Fines Policy to be in compliance with AB 130 and it will be adopted at our March Board meeting. This committee gets research requests and suggestions for policy statement improvements from Building Maintenance and Alterations on a regular basis. Those do not always result in a policy change or revision but often result in helpful reminders.

In 2026, we will continue to work internally with Building Maintenance and other Mutuals on a complete policy for Battery Energy Storage Systems. The Committee meet on February 12 Dan Cohen with who is highly knowledgeable in the area of Solar and Electrical Systems in general. At that meeting we reviewed the revised BESS policy along with an Installation Checklist and Removal Checklist that Dan developed. We now have a first draft of that package that is being reviewed by Building Maintenance for next steps.

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We will continue to follow the changes that are being implemented around the valley relative to hard surface flooring and other issues that arise working collaboratively with the Building Maintenance and Alterations committees.

d. **Building Maintenance**

Fred Kern and Dough Fountain reported the following:

After opening remarks by Chair Fred Kern, Doug Fountain reported the following: Working with RPM and various contractors as need the following are some 2025 completed projects:

ENTRY SIGNS

- New large entry signs for all 9 entries were manufactured & installed
- Small end cap signs were installed on all Entry signs
- New No-Smoking signs were installed on all Entry signs
- Hooks were installed for holiday decorations on all Entry signs
- New LED lights over new Entry 9 & 10 signs were installed
- Entry Sign Decoration Guidelines letter was sent out to all residents & owners

PATH LIGHTS

- Manufacture of (9) new path light structures by Bill Snyder – a committee member & installation/electrification & painting of those path lights was completed.
- New brass numbered tags installed on all path lights for maintenance identification purposes
- 8 other path lights were refurbished & painted
- A Path light was repaired & new electrical line installed (#111) in Saklan 2
- New light bulbs were installed by committee members on numerous path lights
- Re-install a fence that had degraded – Terra California Entry 10
- Yellow curbs painted for a tripping hazard – End of Entry 9
- Entire M40 was walked by a Building Maintenance Committee Field Representative member & all concrete that had buckled (17 areas) which is trip hazard was identified and was grinded/replaced as needed as well as railing that needed to be repaired/replaced – all pulled on with force (5 railings)
- Reflective House number signs installed on all M40 buildings was completed
- Multiple drains that have been covered by rocks, mud and debris for years were uncovered and put back in pristine service and other drains were cleaned & numerous were inspected

Community Involvement Section:

4 new signs on the 2 Mutual 40 hills for location purposes were designed by a committee member, manufactured & installed as suggested by Past President Suzie White –

The two areas are Terra California 9 down to Saklan 2 and Terra California 10 down to Terra California 14. Feel free to suggest improvements to your community –

This was done for directional purposes for delivery drivers or visitors or residents that we're not familiar with the area ... sometimes Google will send you directions that will try to send you up the stairs, such as Terra California Entry 9 up to Entry 10 which is not a good idea for your car.

- Condensation lines inspections were discussed

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- 3 Solar lights in Yearout Park were installed
- Inspection & bid for possible moving Saklan 8 sign was completed
- A Committee member inspected a water leak & rodent issue in Saklan Entry 10
- Multiple electrical issues were inspected and proper work orders issued
- Trash enclosure door locks were repaired & new Zip-ties were replaced as needed
- Last but not least -Inspection of the Trash enclosure located at Saklan 10 for door modification for easier use for residents of that Entry. There was a bid for about \$5000 for a new metal gate – But there is more - 2 committee members & a Mutual 40 director did the inspection & determined that using the original parts it could be modified with about one hour of RPM labor & that is what happened & it is completed.

e. **Alterations Committee**

Joe Tracy reported that in 2025 38 alteration applications were approved and 2 were denied.

f. **Emergency Preparedness**

Nancy Herney presented the following report:

The EP Committee had a full year of sponsored events on Home Fire Safety, Evacuations and Senior Fraud. These events were open to all Mutual 40 residents and were generally well attended and received.

A major responsibility of the individual Entry coordinators is to welcome new residents and familiarize them with a variety of safety initiatives and other helpful information as they move into the Mutual (Trash tip, how to register for Nixle, lockboxes, pet safety). As a way to consolidate all the information needed to communicate with new Residents, we created a new resource guide and Resident handouts which are now in the hands of all the Entry Coordinators. With the help of the entire team and under the authorship of Carol Amaya, that work was completed in 9 weeks. This work has been presented to and reviewed by Rossmoor EPO as a starting place for recruiting more Entry Coordinators throughout Rossmoor.

The committee meet on January 22 the Entry Coordinators heard from Bill Coy, Co-Chair of the Rossmoor EPO, about the top priorities for that organization and how we can support them. We will finalize resource binder at our next meeting and discuss goals and deliverables for 2026.

The Mutual EP has been partnering with the radio clubs to understand how we can effectively communicate with one another in the face of a widespread disaster and Steve Gunter Murphy is spearheading that effort and has now engaged the Rossmoor EPO leadership to work on a simple clear communication strategy.

Our overarching goal is to create a strong and social community within Mutual 40 for staying healthy, safe and informed.

g. **Trash, Recycle, and Compost**

Nancy Herney gave the following report:

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Since assuming responsibility for the TRC committee I've resolved some invoice issues with Republic in anticipation of their annual true up and have established a process for ensuring that we are on top of any fines for misuse of the various services.

Maintaining the safety of the sheds has become increasingly important as some of our residents have mobility issues and together with building maintenance we will do a period review of the physical safety features of our trash sheds. In aid of that, on January 18, the door hardware on the trash shed on SI E10, was reconfigured to make it safer for all of the residents, especially those with mobility issues.

Other 2026 goals will include:

The Trash Observers roles that were established several years ago is going to be reviewed to see if it makes sense to resurrect it.

Establish some consistency in configuration of the various bins, carts and dumpsters while servicing the needs of individual entries.

Be available, along with Doug Fountain my co-chair, to address any ongoing trash issues including the periodic cleaning of carts, keeping signage and instructions relevant, positioning insect traps to mitigate pest and replacing various carts when needed.

Announcements

Organizational Meeting of the 2026-2027 Board to follow immediately after adjournment.
The next Regular Board meeting will be held on March 19, 2026, at 1pm in the Clubroom at Creekside.

Members Forum

Residents were afforded the opportunity to express their general concerns and make comments.

- Residents expressed their gratitude to the Board and volunteers

Appointment of Lucy Limon as Chairperson Pro Tem for the Organizational Meeting

Mr. Gould moved, Mr. Tracy Seconded, Carried 5-0

Adjournment

The Annual Meeting adjourned at 1:55 PM.

Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of the minutes.

Lucy Limon

Assistant Secretary
Mutual 40