



OPEN SESSION

REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL BOARD OF DIRECTORS A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION

**Tuesday, October 18, 2022 - 9:30 a.m.
Laguna Woods Village Community Center
Board Room/Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

NOTICE AND AGENDA

The purpose of this meeting is to conduct the regular Third Mutual Board Meeting in accordance with *Civil Code §4930* and was hereby noticed in accordance with *Civil Code §4920*

- 1. Call meeting to order / Establish Quorum – President Laws**
- 2. Pledge of Allegiance – Director Prince**
- 3. Approval of the Agenda**
- 4. Approval of the Minutes**
 - a. September 20, 2022 - Regular Board Meeting
 - b. September 30, 2022 – Special Open Meeting
 - c. October 7, 2022 – Agenda Prep Meeting
 - d. October 7, 2022 – Special Open Meeting
 - e. October 10, 2022 – Special Open Meeting
- 5. Report of the Chair**
- 6. Update from VMS Board – Chair diLorenzo**
- 7. Open Forum (Three Minutes per Speaker) -** *At this time Members only may address the Board of Directors regarding items not on the agenda and within the jurisdiction of this Board of Directors. The board reserves the right to limit the total amount of time allotted for the Open Forum to thirty minutes. A member may speak only once during the forum. Speakers may not give their time to other people, no audio or video recording by attendees, and no rude or threatening comments. Members can attend the meeting by joining the Zoom link <https://zoom.us/j/94899806730> or call 1-(669) 900-6833 or email meeting@vmsinc.org to have your message read during the Open Forum.*
- 8. Responses to Open Forum Speakers**

9. CEO Report

10. Discussion of Rooftop Solar Systems – Maintenance & Construction Assistant Director, Bart Mejia

11. Consent Calendar - *All matters listed under the Consent Calendar are recommended for action by committees and will be enacted by the Board by one motion. In the event an item is removed from the Consent Calendar by members of the Board, such item(s) shall be the subject of further discussion and action by the Board.*

- a. Consistent with its statutory obligations the Board members individually reviewed Third Laguna Hills Mutual preliminary financials for the month of August 2022, and by this vote ratify that such review be confirmed in this month's Board Member Open Session Meeting minutes per Civil Code §5501.
- b. **Recommendation from the Finance Committee:**
 - (1) Approve a Resolution for Recording a Lien against Member ID# 931-371-47
 - (2) Approve a Resolution for Recording a Lien against Member ID# 930-764-70
 - (3) Approve a Resolution for Recording a Lien against Member ID# 933-612-26
- c. Entertain a Motion to Approve 2023 Collection & Lien Enforcement Policy

12. Unfinished Business

- a. Entertain a Motion to Approve the Revised Architectural Standard No. 10 - Exterior Doors **(September initial notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**

13. New Business

- a. Entertain a Motion to Approve Request a Supplemental Appropriation for Shepherd's Crook Conditional Use Permit Amendment **(October initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)**
- b. Updated Committee Appointments

14. Third Mutual Committee Reports

- a. Report of the Finance Committee / Financial Report – Director Laws. The committee met on October 4, 2022; next meeting November 1, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
 - (1) Treasurer's Report
 - (2) Third Finance Committee Report
 - (3) Resales/Leasing Reports

- b. Report of the Architectural Controls and Standards Committee – Director Cook. The committee met on September 26, 2022; next meeting October 24, 2022 at 9:30 a.m. in the Board Room and as a virtual meeting.
- c. Report of the Landscape Committee – Director Lewis. The committee met on September 1, 2022; next meeting November 3, 2022 at 9:30 a.m. in the Board Room and as a virtual meeting.
- d. Report of the Maintenance and Construction Committee – Director Engdahl. The committee met on September 12, 2022; next meeting November 7, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- (1) Garden Villa Rec. Room Subcommittee – Director Laws. The subcommittee met on May 26, 2022; next meeting is scheduled for Thursday November 3, 2022.
- e. Report of the Water Conservation Committee – Director Laws. The committee met on July 28, 2022; next meeting October 27, 2022, at 2:00 p.m. in the Elm Room.
- f. Report of the Resident Policy and Compliance Committee – Director Laws. The committee met on September 28, 2022; next meeting October 25, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.

15. GRF Committee Highlights

- a. Community Activities Committee – Director McCary. The committee met on October 13, 2022; next meeting, November 10, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- b. Media and Communications Committee – Director McCary. The committee met on October 17, 2022; next meeting November 21, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- c. Website Ad Hoc Committee – Director McCary. The committee met on October 17, 2022; next meeting TBA.
- d. GRF Landscape Committee – Director Lewis. The committee met on September 14; next meeting December 14, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- e. GRF Maintenance & Construction Committee – Director Engdahl – The committee met on October 12, 2022; next meeting December 14, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.
- f. GRF Strategic Planning Committee – Director Lewis. The committee met on October 3, 2022; next meeting TBA.

- g. Mobility and Vehicles Committee – Director Bhada – The committee met on October 5, 2022; next meeting December 7, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
 - h. Disaster Preparedness Task Force – Director Cook. The task force met on September 27, 2022; next meeting November 29, 2022 at 9:30 a.m. in the Board Room.
 - i. Report of the Laguna Woods Village Traffic Hearings – Director Laws. The hearings were held on September 21, 2022; next meeting October 19, 2022 at 9:00 a.m. as a virtual meeting.
 - j. Information Technology Advisory Committee – Director Laws. This closed committee last met on September 30, 2022; next meeting October 28, 2022 at 1:30 p.m.
 - k. The following GRF Committees have not met since the last Third Board Meeting:
 - i. GRF Finance Committee – Director Rane-Szostak. The committee met on August 17; next meeting October 19, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
 - ii. Security and Community Access Committee – Director McCary. The committee met on August 22, 2022; next meeting October 31, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
 - iii. Clubhouse Facilities Renovation Ad Hoc Committee – Director Engdahl. The committee met on June 24, 2022; next meeting, TBA.
 - iv. Purchasing Ad Hoc Committee – Director Rane-Szostak. The committee met on April 7, 2022; next meeting TBA.
 - v. Insurance Ad Hoc Committee – Director Laws. This Closed committee last met on July 25, 2022; next meeting TBA.
- 16. Future Agenda Items--** *All matters listed under Future Agenda Items are Resolutions on 28-day public review or items for a future Board Meeting. No action will be taken by the Board on these agenda items at this meeting. The Board will take action on these items at a future Board Meeting.*
- a. Request a Supplemental Appropriation for Shepherd’s Crook Conditional Use Permit Amendment
- 17. Directors’ Comments**
- 18. Recess -** *At this time the Meeting will recess for lunch and reconvene to Executive Session to discuss the following matters per California Civil Code §4935.*

Closed Session Agenda

Approval of Agenda

Approval of the Minutes

(a) September 20, 2022—Regular Closed Meeting

Discuss and Consider Member Matters

Discuss Personnel Matters

Discuss and Consider Contractual Matters

Discuss and Consider Litigation Matters

18. Adjourn

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OPEN SESSION

**MINUTES OF THE REGULAR OPEN MEETING OF THE
THIRD LAGUNA HILLS MUTUAL BOARD OF
DIRECTORS A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION**

**Tuesday, September 20, 2022 - 9:30 a.m.
Laguna Woods Village Community Center
Board Room/Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

Directors Present: Mark Laws, Annie McCary, Jim Cook, Nathaniel Ira Lewis, Donna Rane-Szostak, Cris Prince, Cush Bhada, Jules Zalon, Ralph Engdahl

Directors Absent: John Frankel (Resigned)

Staff Present: Siobhan Foster-CEO, Makayla Schwietert, Paul Nguyen, Robert Carroll, Carlos Rojas, Kurt Wiemann, Jose Campos, Francis Gomez, Ian Barnette, Eileen Paulin, Steve Hormuth, Manuel Gomez

Others Present: VMS – Rosemarie diLorenzo
GRF – None
United – None

1. Call meeting to order / Establish Quorum – President Laws, Chair

President Laws called the meeting to order at 9:30 a.m. and established that a quorum was present.

2. Pledge of Allegiance

Director Bhada led the Pledge of Allegiance.

3. Approval of Agenda

President Laws asked for a motion to approve the agenda.

Director Rane-Szostak made a motion to approve the agenda. Director Bhada seconded.

President Laws made a change to agenda item 13a. on page 2 of the agenda. Should be stated as Third and not GRF.

Hearing no further changes or objections, the amended agenda was approved unanimously.

4. Approval of Minutes

a. August 16, 2022 - Regular Board Meeting

b. September 2, 2022 – Agenda Prep Meeting

Director Prince made a motion to approve the minutes of August 16, 2022 - Regular Board Meeting. Director Engdahl seconded.

Hearing no changes or objections, August 16, 2022 - Regular Board Meeting minutes were approved unanimously.

Director Lewis made a motion to approve the minutes of September 2, 2022 – Agenda Prep Meeting. Director Bhada seconded.

Hearing no changes or objections, September 2, 2022 – Agenda Prep Meeting minutes were approved unanimously.

5. Report of the Chair

President Laws commented on the following:

- Reminder to the members of Third. Third is currently looking for 3 volunteers to serve on the Boards and represent Third Mutual.
 - There is an open position on VMS which will be a one-year term to fill in an open vacancy spot which was recently relinquished by a Third selected VMS Board member.
 - There are four GRF Board positions open. Third will get to choose one delegate to fill one of the vacancies. This position will be a three-year term.
 - There are four Third Board positions that are expiring in October. Only three members of Third submitted applications. As a result, there is still one more open position. This will also be a three-year term.

6. Update from the VMS Board – Chair diLorenzo

VMS Chair diLorenzo provided an update from the last VMS Board Meeting with the following information:

- Focus Groups with 4 sessions held in September
- All Boards Training on November 18
- Employee Service Awards on September 21
- Employee Excellence Awards on October 17
- KPIs (Key Performance Indicators)

VMS Chair diLorenzo answered questions from the Board.

7. Open Forum (Three Minutes per Speaker)

- Multiple members commented on the Davis-Stirling Act, §4745, pertaining to EV Charging Station
- A member commented on proposed regulation banning the sale of internal combustion cars
- Chris Collins gave an update on the Foundation of Laguna Woods Village on how residents can obtain temporary help

- A member expressed concern about the infrastructure supporting electric vehicles
- A member commented on Third's Dues
- A member commented on not using the amenities and having to pay the dues

8. Responses to Open Forum Speakers

- Director Engdahl clarified the rules about the new car regulations.
- President Laws indicated he would work with other boards to discuss policies regarding electric vehicles
- President Laws thanked Ms. Collins for her update
- President Laws commented about solar being discussed at the next Board meeting
- President Laws commented on the budget meeting today
- President Laws commented that the village was based on a shared services model but he will discuss with the other presidents how to manage the amenities

9. California Organic Recycling Legislation and Associated Industry Solutions (Oral Presentation)

Mr. Hashem Shokair, Enterprise Sustainability Director of CR&R entered the meeting at 9:57 a.m. and provided a presentation regarding the following:

- Gave a brief description of his professional background
- Gave a company overview of CR&R
- Zero Waste Centered
- Senate Bill 1383: Reduce Organic Waste Disposal by 75% by 2025 & Rescue for people to eat at least 20% of currently disposed surplus food by 2025
- Anaerobic Digester
- Anaerobic Digestion Flowchart

Discussion ensued among the Board.

Mr. Shokair answered questions from the Board.

Left meeting at 10:13 a.m.

10. CEO Report

CEO Siobhan Foster reported on:

- Brian Gruner has separated from employment with Village Management Services and his role as Recreation and Special Events Director
- VMS executive management and staff:
 - Appreciate Brian's contributions during his time with the company and
 - Wish him the best in his future endeavors
- Pleased to announce that Alison Giglio will serve as interim Recreation and Special Events Director beginning today
- Alison holds a Bachelor of Arts in Sociology/Gerontology from California State University, Fullerton
- And has more than 20 years of progressive recreation and special event experience including:

- Effectively communicating with elected officials, committees, volunteers, staff and the community
- Managing facilities
- Coordinating meaningful and efficient programs for all ages/abilities; and
- Facilitating large-scale special events
- Allison has served as director of parks and recreation for the City of Laguna Niguel, where she:
 - Administered recreation services and special events, and
 - Managed all community service facilities
- She has also served Laguna Niguel as its recreation supervisor and recreation coordinator, where she:
 - Planned and managed major special events and recreational programs, and
 - Coordinated recreation programs and services for older adults at Sea Country Senior and Community Center
- As Alison acclimates to the Village, executive management will work with the boards to chart the course in selecting a permanent Recreation and Special Events Director
- Please join me in welcoming Alison to VMS

CEO Foster answered questions from the Board.

11. Consent Calendar - *All matters listed under the Consent Calendar were recommended for action by committees and were enacted by the Board by one motion. Items removed from the Consent Calendar by members of the Board were moved for further discussion and action by the Board.*

President Laws asked for a motion to approve the Consent Calendar as presented.

Director Rane-Szostak made a motion to approve the Consent Calendar. Director Lewis seconded the motion.

Hearing no changes or objections, the motion to approve the Consent Calendar was approved unanimously.

- Consistent with its statutory obligations the Board members individually reviewed Third Laguna Hills Mutual preliminary financials for the month of July 2022, and by this vote ratify that such review be confirmed in this month's Board Member Open Session Meeting minutes per Civil Code §5501.
- Recommendation from the Landscape Committee:**
 - Recommend to Approve the Removal of One Star Pine Tree Located at 5579-B Luz Del Sol

RESOLUTION 03-22-95

**Approve the Request for
Removal of One Star Pine Tree
5579-B Luz Del Sol**

WHEREAS, February 16, 2021, that the Board of Directors adopted Resolution 03-21-10 Tree Maintenance Policy which states:

“...Unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents’ personal preferences concerning shape, color, size, or fragrance. Trees shall not be removed to preserve, enhance or create a view.

- Trees shall not be removed to preserve, enhance or create a view.
- Trees which are damaging or will damage a structure, pose a hazard, diseased, in failing health or interfering with neighboring trees, will be considered for removal.
- Removal requests will be reviewed by a staff arborist and, if necessary, referred to the Committee.
- Staff would be authorized to evaluate stands of trees in selected areas and recommend the selective removal of certain trees within the grouping while still preserving the overall look and intent of the grouped plantings. The Landscape Committee shall consider such recommendations...”

WHEREAS, on September 1, 2022, the Landscape Committee reviewed a request from the Member at 5579-B to remove one Star Pine tree. The Member cited the reasons as litter/debris, structural damage, overgrown, sewer damage, and repeated sprinkler repair; and

WHEREAS, staff inspected the condition of the tree and determined that it was in poor condition displaying dieback, deadwood, and a codominant leader; and

WHEREAS, the Committee determined that the tree meets the guidelines set forth in Resolution 03-21-10 and recommends approving the request for the removal of one Star Pine tree located at 5579-B Luz Del Sol;

NOW THEREFORE BE IT RESOLVED, September 20, 2022, the Board of Directors approves the request for the removal of one Star Pine tree located at 5579-B; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution.

12. Unfinished Business

- a. Inter-Board Anti-Harassment, Anti-Abuse, and Anti-Intimidation Policy and Charter for Joint Hearing Body (MAY Initial Notification- Revised AUGUST 2022 – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**

RESOLUTION 03-22-XX

Anti-Harassment, Anti-Abuse and Anti-Intimidation Policy and Charter of the Joint Hearing Body Committee

WHEREAS, the Board of Directors of Third Laguna Hills Mutual (“Third”), Golden Rain Foundation (“GRF”), and United Laguna Woods Mutual (“United”) require a clear and consistent policy to address claims of harassment, abuse and intimidation by directors to staff of Village Management Services Inc., fellow directors and residents, as well as claims

involving harassment, abuse and intimidation by residents to staff of VMS, directors and other residents; and

WHEREAS, this Anti-Harassment, Anti-Abuse and Anti-Intimidation Policy ("Policy") is intended to provide guidance relative to such behavior and issue a mechanism for addressing same by the Anti-Harassment, Anti-Abuse and Anti-Intimidation Joint Hearing Body Committee; and

WHEREAS, this Policy is being adopted by the Board of Directors of Third, GRF, and United in the exercise of their respective duties to maintain, protect and enhance the value and desirability of Laguna Woods Village and the interests of all of its members.

NOW THEREFORE BE IT RESOLVED, September 20, 2022, that the Board of Directors of this Corporation hereby adopts the Anti-Harassment, Anti-Abuse and Anti- Intimidation Policy and Charter of the Joint Hearing Body Committee, as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that Resolution 03-20-27, adopted April 21, 2020, is hereby superseded and canceled; and

RESOLVED FURTHER; that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

CEO Foster gave an update to discuss the changes that were made and gave some clarification.

Director Prince made a motion to approve Resolution 03-22-XX. Director McCary seconded.

Discussion ensued among the Board.

- Multiple members commented on concerns of the policy
- A member commented in favor of the policy

Hearing no changes or objections, the motion was called to a vote and failed 2-6-1. Directors Lewis, Prince, Bhada, Engdahl, Lewis, Cook, and Zalon opposed. Director Rane-Szostak abstained.

b. Board Member Participation in Committees (AUGUST Initial Notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)

RESOLUTION 03-22-96

Board Member Participation in Committees

WHEREAS, board members are appointed to committees to carry out the purpose of the Board as specified in the Committee Charters; and

WHEREAS, at present, board members are allowed to attend committee meetings and have the right to participate and vote; regardless of assignment to the Committee; and

WHEREAS, the Resident Policy and Compliance Committee recognizes the need to clarify when board members are permitted to vote and participate at Committee's that they are not assigned for;

NOW THEREFORE BE IT RESOLVED, September 20, 2022, the Board of Directors of this Corporation hereby allows board members who attend a committee meeting to participate and vote as committee members only if a quorum for the committee is required; if there are more directors in attendance than needed to fill the quorum, the Chair will select the director(s) to establish the quorum requirement per the committee's charter; and

RESOLVE FURTHER, Resolution M3-03-71 adopted October 21, 2003 is hereby superseded and canceled; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Lewis made a motion to approve Resolution 03-22-96. Director Rane-Szostak seconded.

Discussion ensued among the Board.

Hearing no changes or objections, the motion was called to a vote and passed 8-1. Director Zalon opposed.

c. Discuss and Consider 2021 Operating Deficit Transfer (AUGUST Initial Notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)

RESOLUTION 03-22-97

2021 Operating Deficit Transfer

WHEREAS, the Third Laguna Hills Mutual Operating Statement as of December 31, 2021 reflected an operating deficit, net of Depreciation, in the amount of \$1,276,497 due to unforeseen increases in Property Insurance premiums offset by savings in employee compensation and legal fees;

NOW THEREFORE BE IT RESOLVED, September 20, 2022, that the Board of Directors hereby authorizes a transfer in the amount of \$1,276,497 from the Unappropriated Expenditures Fund to the Operating Fund due to the 2021 Operating Fund Deficit; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Cook made a motion to approve Resolution 03-22-97. Director Lewis seconded.

Discussion ensued among the Board.

Hearing no changes or objections, the motion was called to a vote and passed unanimously.

d. Discuss and Consider Approval of Resolution Limiting Use of Potable Water for Watering Exterior Plants from Hose bibs to Wednesdays and Sundays Only (AUGUST Initial Notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)

RESOLUTION 03-22-98

Outside Plant Watering Restrictions

WHEREAS, July 28, 2022, the Third Landscape Committee recognized that the State of California is experiencing record drought conditions requiring parts of Southern California to reduce exterior irrigation water use; and

WHEREAS, exterior water sources available to residents in Third Mutual are potable water, accessed through hose bibs on the exterior of the units; and

WHEREAS, at this time, state and local mandates apply to potable water; and

WHEREAS, the Third Landscape Committee determined that members and residents in Third Mutual must limit exterior watering of outside plants with potable water from exterior mounted hose bibs using a hose or other methods;

NOW THEREFORE BE IT RESOLVED, on September 20, 2022, that members and residents within Third Mutual must limit the exterior watering of outside personal plants using potable water from exterior mounted hose bibs using a hose or other methods to Wednesdays and Sundays only, and no watering of common area plant material is permitted at any time from exterior mounted hose bibs; and

RESOLVED FURTHER, this resolution shall become in full force and effect on September 20, 2022; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.

Director Bhada made a motion to approve Resolution 03-22-98. Director Rane-Szostak seconded.

Discussion ensued among the Board.

- A member commented on their support of this policy
- Multiple members commented on their concerns of this policy
- Multiple Directors gave clarifications on the policy

Kurt Wiemann, Director of Landscape Services, gave an update on the watering schedule of the community.

Hearing no changes or objections, the motion was called to a vote and passed 8-0-1.
Director Engdahl abstained

13. New Business

a. Third 2023 Business Plan Adoption (Annual Budget)

- **Entertain a Motion to Approve the 2023 Third Business Plan**
- **Entertain a Motion to Approve the 2023 Third Reserves Funding Plan**

RESOLUTION 03-22-99

2023 Business Plan Resolution

RESOLVED, September 20, 2022, that the Business Plan of this Corporation for the year 2023 is hereby adopted and approved; and

RESOLVED FURTHER, that pursuant to said business plan, the Board of Directors of this Corporation hereby estimates that the net sum of \$41,437,424 is required by the Corporation to meet the Third Laguna Hills Mutual operating expenses and reserve contributions for the year 2023. In addition, the sum of \$16,205,277 is required by the Corporation to meet the Golden Rain Foundation and the Golden Rain Foundation Trust operating expenses and reserve contributions for the year 2023. Therefore, a total of \$57,642,701 is required to be collected from and paid by members of the Corporation as monthly assessments; and

RESOLVED FURTHER, that the Board of Directors of this Corporation hereby approves expenditures from reserves in the sum of \$10,739,313 of which \$10,453,167 is planned from the Replacement Fund, \$125,000 from the Elevator Replacement Fund, \$161,146 from the Laundry Replacement Fund; and

RESOLVED FURTHER, that the Board of Directors of this Corporation hereby approves expenditures from restricted funds in the sum of \$1,322,112 of which \$1,228,470 is planned from the Disaster Fund, \$93,642 from the Garden Villa Recreation Room Fund; and

RESOLVED FURTHER, that the Board of Directors of this Corporation hereby determines and establishes monthly assessments of the Corporation as shown on each member's breakdown of monthly assessments for the year 2023 and as filed in the records of the Corporation, said assessments to be due and payable by the members of this Corporation on the first day of each month for the year 2023; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Jose Campos presented 2023 GRF Business Plan and 2023 GRF Reserves Funding Plan.

Director Zalon made a motion to approve Resolution 03-22-99. Director Lewis seconded.

Discussion ensued among the Board.

Hearing no changes or objections, the motion was called to a vote and passed unanimously.

RESOLUTION 03-22-100

2023 Reserve Funding Plan

WHEREAS, Civil Code § 5570 requires specific reserve funding disclosure statements for common interest developments; and

WHEREAS, planned assessments or other contributions to replacement reserves must be projected to ensure balances will be sufficient at the end of each year to meet the Corporation's obligations for repair and/or replacement of major components during the next 30 years;

NOW THEREFORE BE IT RESOLVED, September 20, 2022, that the Board hereby adopts the 30-Year Alternate Reserve Funding Plan (attached) prepared by Association Reserves™ for fiscal year 2023; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Zalon made a motion to approve Resolution 03-22-100. Director Lewis seconded.

Discussion ensued among the Board.

Hearing no changes or objections, the motion was called to a vote and passed unanimously.

Staff directive for 2024 Operations goal to be reduced by (budget) 5% by President Laws.

b. Update Committee Appointments

RESOLUTION 03-22-101

GRF Committee Appointments

RESOLVED, September 20, 2022, that in compliance with Article 7, Section 7.3 of the Golden Rain Foundation Bylaws, the following persons are hereby appointed to serve on the committees of the Golden Rain Foundation:

Community Activities Committee

Annie McCary

Cush Bhada
Jules Zalon, Alternate

GRF Finance Committee

Donna Rane-Szostak
Mark Laws
~~Craig Wayne, Alternate~~

Purchasing Ad Hoc Committee (new)

Donna Rane-Szostak
Ralph Engdahl, Alternate
Mark Laws

GRF Landscape Committee

Jules Zalon
Nathaniel Ira Lewis
Annie McCary, Alternate

GRF Maintenance and Construction Committee

Ralph Engdahl
Jim Cook
John Frankel, Alternate

Clubhouse Renovation Ad Hoc Committee

John Frankel
Ralph Engdahl
Cush Bhada, Alternate

GRF Media and Communications Committee

Annie McCary
Jim Cook
Cris Prince, Alternate

Broadband Ad Hoc Committee

Cris Prince
~~Annie McCary~~
~~Jim Cook~~

Mobility and Vehicles Committee

Jim Cook, Alternate
John Frankel
Cush Bhada

Security and Community Access Committee

Annie McCary
Cris Prince

Donna Rane-Szostak, Alternate

Disaster Preparedness

John Frankel

Jim Cook

Donna Rane-Szostak, Alternate

Laguna Woods Village Traffic Hearings

John Frankel

Mark Laws

Strategic Planning Committee

Mark Laws

Nathaniel Ira Lewis

IT Technology Advisory Committee (ITAC)

Mark Laws

Insurance Ad Hoc Committee

Cris Prince

Mark Laws

Jim Cook

Website Ad Hoc Committee

Annie McCary

Mark Laws

RESOLVED FURTHER, that Resolution 03-22-93, adopted August 16, 2022, is hereby superseded and canceled; and

RESOLVED FURTHER; that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution.

President Laws approved Resolution 03-22-101 by unanimous consent as amended.

- c. **Entertain a Motion to Approve Revised Architectural Standard No. 10- Exterior Doors (SEPTEMBER initial Notification – 28-day notification for member review and comments to comply with Civil Code §4360)**

RESOLUTION 03-22-XX

Revised Alteration Standard 10- Doors, Exterior (Swing)

WHEREAS, the Architectural Controls and Standards Committee recognizes the necessity to amend Alteration Standards and create new Alteration Standards as necessary; and,

WHEREAS, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard Section 10 - Doors, Exterior;

NOW THEREFORE BE IT RESOLVED, October 18, 2022, that the Board of Directors of this Corporation hereby adopts revisions and amendments to Alteration Standard Section 10 - Doors, Exterior (Swing); and

2.0 TYPES OF DOORS

- 2.1** All doors shall be of solid core 1-1/2" minimum thickness with exterior grade hardware. Metal doors and other composite materials are also allowed provided that they meet current California Building Code requirements for entry doors.
- 2.2** Dutch doors, split doors, double doors and French doors may be allowed provided any and all required permits are obtained through the City of Laguna Woods and the Alterations Division office.
- 2.3** Glass in entry doors and other modern designs may be allowed provided it follows the standards set for such installation as required by the current California Building Code.
- 2.4** Door trim shall not exceed approximately 3.5" in width unless prior approval is obtained from the Alterations Division.
- 2.5** All costs of maintenance shall be borne by the Mutual member.

3.0 APPLICATIONS

- 3.1** Doors shall be of wood, fiberglass, metal, or vinyl clad material or other composite materials. Doors shall be:
 - 1. White.
 - 2. Natural or stained (oak, maple, walnut, cherry, etc.) wood finish.
 - 3. The current color of the building or trim.
 - 4. Black.
 - 5. Any of the new colors approved, or reasonably similar, but not yet painted.
 - 6. Commonly used door colors as per the door manufacturer.
 - 7. Colors approved via the variance process.
- 3.2** Screen door additions are acceptable.

- 3.3 Door frames may be replaced if pre-hung doors are being used as replacements.
- 3.4 Any required irrigation or landscaping modifications resulting from the door (or required landing) installation must be performed by the Agent's Landscaping Division, at the Mutual member's expense.
- 3.5 Exterior doors shall only be allowed in existing openings. For existing openings wider than 36", doors with accompanying sidelights may be used.
- 3.6 Existing header height must remain unchanged; and

RESOLVED FURTHER, Resolution 03-18-40, adopted March 23, 2018, is hereby superseded and canceled; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.

Manuel Gomez, Maintenance and Construction Director, discussed the revisions to Revised Architectural Standard No. 10- Exterior Doors.

Director Cook requested the word "not exceed" be added before approximately 3.5" in width in section 2.4.

Director Prince made a motion to approve the Resolution for discussion purposes and to postpone the final vote for 28-days per Civil Code §4360. Director Lewis seconded.

Discussion ensued among the Board.

Hearing no changes or objections, the motion was called to a vote and passed unanimously.

d. Committees: How to get Residents More Involved (Oral Discussion)

President Laws discussed ways to eliminate committees, sub committees and the creation of task force.

- The creation of task force would be self-managed thus not requiring staff to create agendas and minutes and these task force will be able to complete specific tasks
- The M&C, Landscape, ACSC, RP&C, Finance, and Executive Hearings Committees are to be kept
- The remaining committees are to be either turned into a task force or be absorbed by one of the remaining 6 committees
- For the remaining 6 committees, the committee chair will work with the other committee members to determine what information should be prepared by staff and be presented in the agenda packet.

- Committee Chairs to determine what advisors they need and want, what these advisors are expected to do, and if these advisors are able to attend close session
- Committee Chairs to create a list of high focal areas and tasks they'd like to be discussed and addressed by the committee so that these can be shared with the members.

Director Rane-Szostak discussed President Laws recommendation of eliminating the Water Conservation Ad Hoc Committee.

Director Zalon made a suggestion of a blue-ribbon committee/task force to get residents with certain expertise in certain fields more involved.

Further discussion ensued among the Board.

e. Contractor List – Repeal Resolution 03-15-135

Discussion ensued among the Board.

Director Cook made a motion to approve the motion to repeal Resolution 03-15-135. Director Lewis seconded.

- A member commented to remove the contractor list from the website and staff folders.

Hearing no changes or objections, the motion was called to a vote and passed unanimously.

The Committee Reports and GRF Committee Highlights were taken out of order with 14e and 15a-d going first.

Director McCary left the meeting at 12:19 p.m.

14. Committee Reports

- a. Report of the Finance Committee / Financial Report – Director Rane-Szostak. The committee met on September 6, 2022; next meeting October 4, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
 - (1) Treasurer's Report
 - (2) Third Finance Committee Report
 - (3) Resales/Leasing Reports
- b. Report of the Architectural Controls and Standards Committee – Director Cook. The committee met on August 22, 2022; next meeting September 26, 2022 at 9:30 a.m. in the Board Room and as a virtual meeting.
- c. Report of the Landscape Committee – Director Lewis. The committee met on September 1, 2022; next meeting November 3, 2022 at 9:30 a.m. in the Board Room and as a virtual meeting.

- d. Report of the Maintenance and Construction Committee – Director Engdahl. The committee met on September 12, 2022; next meeting November 7, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
 - (1) Report of the Parking and Golf Cart Subcommittee – Director Bhada. The subcommittee met on July 27, 2022; next meeting October 17, 2022, at 9:30 a.m. in the Board Room.
 - (2) Garden Villa Rec. Room Subcommittee – Director Laws. The subcommittee met on May 26, 2022; next meeting TBA.
- e. Report of the Communications Committee – Director McCary. The committee met on July 13, 2022. The next meeting is October 12, 2022, at 1:30 p.m. in the Willow Room and as a virtual meeting.
- f. Report of the Water Conservation Committee – Director Rane-Szostak. The committee met on July 28, 2022; next meeting October 27, 2022, at 2:00 p.m. in the Elm Room.
- g. Report of the Resident Policy and Compliance Committee – Director Laws. The committee met on August 23, 2022; next meeting September 28, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.

15. GRF Committee Highlights

- a. Community Activities Committee – Director McCary. The committee met on September 8, 2022; next meeting, October 13, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- b. Media and Communications Committee – Director McCary. The committee met on September 19, 2022; next meeting October 17, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- c. Security and Community Access Committee – Director McCary. The committee met on August 29, 2022; next meeting October 31, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- d. Website Ad Hoc Committee – Director McCary. The committee met on September 14, 2022; next meeting TBA.
- e. GRF Finance Committee – Director Rane-Szostak. The committee met on August 17; next meeting October 19, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.

- f. GRF Landscape Committee – Director Lewis. The committee met on September 14; next meeting December 14, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- g. GRF Maintenance & Construction Committee – Director Engdahl – The committee met on August 10, 2022; next meeting October 12, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.
- (1) Clubhouse Facilities Renovation Ad Hoc Committee – Director Engdahl. The committee met on June 24, 2022; next meeting, TBA.
- h. Report of the Laguna Woods Village Traffic Hearings – Director Laws. The hearings were held on August 17, 2022; next meeting September 21, 2022 at 9:00 a.m. as a virtual meeting.
- i. Information Technology Advisory Committee – Director Laws. This closed committee last met on August 26, 2022; next meeting September 30, 2022 at 1:30 p.m.
- j. The following GRF Committees have not met since the last Third Board Meeting:
 - i. Mobility and Vehicles Committee – Director Bhada – The committee met on August 3, 2022; next meeting October 5, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
 - ii. Disaster Preparedness Task Force – Director Cook. The task force met on July 26, 2022; next meeting September 27, 2022 at 9:30 a.m. in the Board Room.
 - iii. GRF Strategic Planning Committee – Director Lewis. The committee met on May 2, 2022; next meeting October 3, 2022 at 1:30 p.m. in the Board Room.
 - iv. Purchasing Ad Hoc Committee – Director Rane-Szostak. The committee met on April 7, 2022; next meeting TBA.
 - v. Insurance Ad Hoc Committee – Director Laws. This Closed committee last met on July 25, 2022; next meeting TBA.

16. Future Agenda Items-- *All matters listed under Future Agenda Items are Resolutions on 28-day public review or items for a future Board Meeting. No action will be taken by the Board on these agenda items at this meeting. The Board will take action on these items at a future Board Meeting.*

- Approve the Revised Architectural Standard No. 10 - Exterior Doors
- Committees Discussion: Solar Energy

17. Directors' Comments

- Director Zalon commented on a dispute with a Board member from VMS
- President Laws reminded the members about the next Town Hall meeting on September 28, 2022 at 3:00 p.m.

18. Recess - *At this time, the meeting will recess for lunch and reconvene to Executive Session to discuss the following matters per California Civil Code §4935.*

The meeting was recessed into closed session at 12:45 p.m.

Closed Session Agenda

Approval of Agenda

Approval of the Minutes

(a) August 16, 2022—Regular Closed Session

Discuss and Consider Member Matters

Discuss Personnel Matters

Discuss and Consider Contractual Matters

Discuss and Consider Litigation Matters

19. Adjournment

The meeting was adjourned at 4:50 p.m.

DocuSigned by:

N. Cris Prince

N. Cris Prince, Secretary of the Board
Third Mutual Laguna Hills



SPECIAL OPEN SESSION

MINUTES OF THE SPECIAL OPEN MEETING OF THE THIRD LAGUNA HILLS MUTUAL BOARD OF DIRECTORS A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION

**Friday, September 30, 2022 – 10:00 a.m.
Board Room/Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

The purpose of this meeting is to appoint one GRF/Third Delegate, term ending in 2025 to be seated at the GRF Annual Meeting on November 9, 2022, and to fill a VMS/Third Vacancy on the VMS Board with a term ending in 2023, in accordance with Civil Code §5110

Directors present: Mark Laws, Ralph Engdahl, N. Cris Prince, Cush Bhada, Nathaniel Lewis, Jim Cook, Annie McCary

Directors absent: Donna Rane-Szostak (Excused), Jules Zalon (Excused)

Staff present: CEO-Siobhan Foster, Makayla Schwieter, Paul Nguyen, Catherine Laster

Others present: Debbie Dotson, Rosemarie diLorenzo

1. Call Meeting to Order / Establish Quorum – President Laws

President Laws called the meeting to order at 10:00 a.m. and established that a quorum was present.

2. State Purpose of Meeting – President Laws

President Laws stated that the purpose of this meeting is to appoint on GRF/Third Delegate, term ending in 2025 to be seated at the GRF Annual Meeting on November 9, 2022; and to fill a VMS/Third Vacancy on the VMS Board with a term ending in 2023.

3. Approval of the Agenda

President Laws asked for a motion to approve the Agenda.

Director McCary made a motion to approve the Agenda. Director Prince seconded.

Hearing no changes or objections, the Agenda was approved unanimously.

4. Introduction of Third/GRF Candidates:

- Bunny Carpenter

- Egon Garthoffner
- Andrew Ginocchio
- James Hopkins
- Yvonne Horton

5. Candidate Opening Statements

Each candidate was given two (2) minutes to give an opening statement.

6. Candidate Interviews

Each candidate was given one to two (1)-(2) minutes to answer questions from the board.

7. Candidate Closing Statements

Each candidate was given two (2) minutes to give a closing statement.

8. Entertain a Motion to Commence Balloting

Director Cook made a motion to commence balloting. Director Lewis seconded.

Hearing no changes or objections, the motion was approved unanimously.

The board voted by secret ballot.

9. Entertain a Motion to Cease Balloting

Director Bhada made a motion to cease balloting. Director Cook seconded.

Hearing no changes or objections, the motion was approved unanimously.

10. Tabulation of Ballots and Announce Results – Corporate Secretary

Corporate Secretary, Makayla Schwietert, tabulated the ballots and Director Cris Prince announced that Egon Garthoffner was elected:

- Bunny Carpenter – 2 votes
- Egon Garthoffner – 3 votes
- Andrew Ginocchio – 1 votes
- James Hopkins – 0 votes
- Yvonne Horton – 1 votes

11. Introduction of Third/VMS Candidates:

- Edward Elwell
- Mehrnaz Mahabadi
- Mary Seto

12. Candidate Opening Statements

Each candidate was given two (2) minutes to give an opening statement.

13. Candidate Interviews

Each candidate was given one to two (1)-(2) minutes to answer questions from the board.

14. Candidate Closing Statements

Each candidate was given two (2) minutes to give a closing statement.

15. Entertain a Motion to Commence Balloting

Director Bhada made a motion to commence balloting. Director Cook seconded.

Hearing no changes or objections, the motion was approved unanimously.

The board voted by secret ballot.

16. Entertain a Motion to Cease Balloting

Director Bhada made a motion to cease balloting. Director McCary seconded.

Hearing no changes or objections, the motion was approved unanimously.

17. Tabulation of Ballots and Announce Results – Corporate Secretary

Corporate Secretary, Makayla Schwietert, tabulated the ballots and Director Cris Prince announced that Mary Seto was elected:

- Edward Elwell – 0 votes
- Mehrnaz Mahabadi – 0 votes
- Mary Seto – 7 votes

18. Director Comments

- Director Lewis reminded the candidates that they may also join committees
- Director Lewis thank the candidates for applying
- Multiple Directors congratulated Mary Seto and reminded the other candidates to possibly run for third board.

19. Adjournment 12:00 p.m.

DocuSigned by:

N. Cris Prince

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N. Cris Prince, Secretary of the Board
Third Mutual Laguna Hills

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OPEN SESSION

MINUTES OF THE AGENDA PREP MEETING OF THE THIRD LAGUNA HILLS MUTUAL BOARD OF DIRECTORS A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION

**Friday, October 7, 2022 - 8:30 a.m.
Willow Room/Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

The purpose of this meeting was to discuss agenda items for the Third Board Regular Meeting
Civil Code §4930

Directors present: Mark Laws, Ralph Engdahl, N. Cris Prince, Cush Bhada, Jules Zalon, Nathaniel Lewis, Jim Cook

Directors absent: Donna Rane-Szostak (Excused), Annie McCary (Excused)

Staff present: CEO Siobhan Foster, Paul Nguyen, Catherine Laster

Others present: None

1. Call Meeting to Order / Establish Quorum

President Laws called the meeting to order at 8:30 a.m. and established that a quorum was present.

2. Approval of the Agenda

President Laws asked for a motion to approve the Agenda.

Director Cook made a motion to approve the Agenda. Director Bhada seconded.

Hearing no changes or objections, the Agenda was approved unanimously.

3. Discuss and Consider Items to be placed on the Third Board Regular Meeting Agenda (open & closed session) on October 18, 2022

Discussion ensued among the board.

Hearing no changes or objections, the October 18, 2022 open and closed session agendas were approved unanimously.

4. Director Comments

- President Laws reminded the Board that there is a Third Board Special Open Meeting this Monday at 1:30 p.m. in the Board Room

5. Adjournment

The meeting was adjourned at 9:05 a.m.

DocuSigned by:

N. Cris Prince

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N. Cris Prince, Secretary of the Board
Third Mutual Laguna Hills



OPEN SESSION

**MINUTES OF THE SPECIAL OPEN MEETING OF THE THIRD LAGUNA HILLS
MUTUAL BOARD OF DIRECTORS A CALIFORNIA NON-PROFIT MUTUAL BENEFIT
CORPORATION**

**Friday, October 7, 2022
(Immediately Following Agenda Prep)
Willow Room/Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

Directors present: Mark Laws, Ralph Engdahl, N. Cris Prince, Cush Bhada, Jules Zalon, Nathaniel Lewis, Jim Cook

Directors absent: Annie McCary (Excused), Donna Rane-Szostak (Excused)

Staff present: CEO Siobhan Foster, Paul Nguyen, Catherine Laster

Others present: None

1. Call Meeting to Order / Establish Quorum

President Laws called the meeting to order at 9:05 a.m. and established that a quorum was present.

2. Approval of the Agenda

President Laws asked for a motion to approve the Agenda.

Director Bhada made a motion to approve the Agenda. Director Lewis seconded.

Hearing no changes or objections, the Agenda was approved unanimously.

3. New Business

a. Committees – (Oral Discussion)

President Laws discussed the vacant committee assignments due to Director Frankel stepping down and asked for input on how to fill the vacancies.

Discussion ensued among the board.

President Laws went through each Committee one at a time and made the necessary changes.

4. Director Comments

- President Laws asked for input on what advisors do.
- President Laws asked for the number advisors wanted for each committee
- Director Zalon spoke about Blue Ribbon Committees
- President Laws brought up creating certain tasks force
- President Laws spoke on eliminating ZOOM or similar platform – Discussion ensued
- A member commented on the capability of viewing the meetings remotely and its importance.

5. Adjournment

The meeting was adjourned at 9:56 a.m.

DocuSigned by:

N. Cris Prince

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N. Cris Prince, Secretary of the Board
Third Mutual Laguna Hills



OPEN SESSION

MINUTES OF THE SPECIAL OPEN MEETING OF THE THIRD LAGUNA HILLS MUTUAL BOARD OF DIRECTORS A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION

**Monday, October 10, 2022 at 1:30 p.m.
Board Room/Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

Directors present: Mark Laws, Ralph Engdahl, N. Cris Prince, Jules Zalon, Nathaniel Lewis, Jim Cook,

Directors absent: Cush Bhada (Excused) , Donna Rane-Szostak (Excused) , Annie McCary (Excused)

Staff present: Makayla Schwietert, Paul Nguyen, Ian Barnette

Candidates present: Moon Yun

Others present: Reza Karimi (GRF), Egon Garthoffner (GRF)

1. Call Meeting to Order / Establish Quorum

President Laws called the meeting to order at 1:30 p.m. and established that a quorum was present.

2. State Purpose of Meeting – President Laws

President Laws stated the purpose of the meeting.

3. Approval of the Agenda

President Laws asked for a motion to approve the Agenda.

Director Lewis made a motion to approve the Agenda. Director Zalon seconded.

Hearing no changes or objections, the Agenda was approved unanimously.

4. Introduction of Third Candidates

President Laws introduced the Third Candidates:

- Moon Yun

5. Candidate Opening Statements

The candidate was given two minutes to give an opening statement.

6. Candidate Interviews

The candidate was given 1-2 minutes to answer questions from the board.

7. Candidate Closing Statements

The candidate was given 2 minutes to give a closing statement.

8. Entertain a Motion to commence Balloting

Director Cook made a motion to commence balloting. Director Engdahl seconded.

Hearing no changes or objections, the motion was approved unanimously.

9. Entertain a Motion to Cease Balloting

Director Engdahl made a motion to cease balloting. Director Lewis seconded.

Hearing no changes or objections, the motion was approved unanimously.

10. Tabulation of Ballots and Announce Results – Corporate Secretary

Corporate Secretary, Makayla Schwietert, tabulated the ballots and announced the results.

- Term Ending in 2023 – 3 votes
- Term Ending in 2025 – 2 votes
- Withhold – 1 vote

Mr. Yun was elected to a 1-year term ending in October 2023

11. Director Comments

- Director Yun commented helping the residents
- Multiple Directors congratulated Director Yun, thanked him for applying, and looked forward to working with him

12. Adjournment

The meeting was adjourned at 2:12 p.m.

DocuSigned by:

N. Cris Prince

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N. Cris Prince, Secretary of the Board
Third Mutual Laguna Hills



RESOLUTION 03-22-XX

Recording of a Lien

WHEREAS, Member ID 931-371-47; is currently delinquent to Third Laguna Hills Mutual with regard to the monthly assessment; and

WHEREAS, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

NOW THEREFORE BE IT RESOLVED, October 18, 2022, that the Board of Directors hereby approves the recording of a Lien for Member ID 931-371-47; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

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RESOLUTION 03-22-XX

Recording of a Lien

WHEREAS, Member ID 930-764-70; is currently delinquent to Third Laguna Hills Mutual with regard to the monthly assessment; and

WHEREAS, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

NOW THEREFORE BE IT RESOLVED, October 18, 2022, that the Board of Directors hereby approves the recording of a Lien for Member ID 930-764-70; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

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RESOLUTION 03-22-XX

Recording of a Lien

WHEREAS, Member ID 933-612-26; is currently delinquent to Third Laguna Hills Mutual with regard to the monthly assessment; and

WHEREAS, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

NOW THEREFORE BE IT RESOLVED, October 18, 2022, that the Board of Directors hereby approves the recording of a Lien for Member ID 933-612-26; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

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STAFF REPORT

DATE: October 18, 2022
FOR: Board of Directors
SUBJECT: 2023 Collection and Lien Enforcement Policy

RECOMMENDATION

Staff recommends approval of the 2023 Collection and Lien Enforcement Policy.

BACKGROUND

The proposed 2023 Third Laguna Hills Mutual Collection and Lien Enforcement Policy outlines the procedures, policies, and practices employed by the Mutual in enforcing rights or other legal remedies against members who are in default in payment of assessments. The policy statement is provided pursuant to the requirements of California Civil Code section 53150(a)(7) and will be distributed to members in November 2022 as part of the Annual Policy Statement.

DISCUSSION

None.

FINANCIAL ANALYSIS

None.

Prepared By: Erika Hernadnez, Finance Department Administrative Assistant

Reviewed By: Jose Campos, Assistant Director of Financial Services
Steve Hormuth, Director of Financial Services

ATTACHMENT(S)

Attachment 1: 2023 Collection and Lien Enforcement Policy (Redline)

Attachment 2: 2023 Collection and Lien Enforcement Policy (Clean)

Attachment 2: Resolution 03-22-XX

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2022-2023 COLLECTION AND LIEN ENFORCEMENT POLICY AND PROCEDURES FOR ASSESSMENT DELINQUENCIES

PURPOSE STATEMENT

The following is a statement of the specific procedures, policies, and practices (“Policy Statement”) employed by Third Laguna Hills Mutual, a California nonprofit mutual benefit corporation (the “Mutual”) in enforcing lien rights or other legal remedies for default in payment of its assessments against its owners (“Members”). This Policy Statement is provided pursuant to the requirements of California Civil Code Section 5310(a)(7).

The collection of delinquent assessments is of vital concern to **all** Members of the Mutual. Such efforts ensure that all Members pay their fair share of the costs of services and facilities provided and maintained by the Mutual. Members’ failure to pay assessments when due creates a cash-flow problem for the Mutual and causes those Members who make timely payment of their assessments to bear a disproportionate share of the community’s financial obligations. Special assessments must be received in a timely fashion in order to finance the needs for which said special assessments are imposed.

Accordingly, in order to reduce the amount and duration of delinquencies and to encourage the prompt and full payment of all assessments, the Mutual has been vested with certain enforcement rights and remedies which are in addition to those which exist generally for creditors. These rights and remedies are described in this Policy Statement.

FAILURE TO MAKE TIMELY PAYMENTS CAN RESULT IN THE IMPOSITION OF LATE CHARGES, INTEREST, COSTS OF COLLECTION, POSSIBLE RESULTANT LEGAL ACTION AND ~~AGREE~~ MEMBERS AGREE THAT THEY CAN BE REQUIRED TO REIMBURSE THE MUTUAL FOR SUCH LEGAL COSTS, REGARDLESS OF WHETHER FORMAL LEGAL ACTION IS TAKEN. IT IS IN YOUR AND EVERY OTHER MEMBER’S BEST INTEREST FOR EACH OF YOU TO MAKE YOUR MONTHLY ASSESSMENT PAYMENTS ON TIME.

REGARDLESS OF WHETHER THE MUTUAL RECORDS A LIEN ON YOUR PROPERTY DURING THE COLLECTION OF PAST-DUE ASSESSMENTS, ALL MEMBERS HAVE A PERSONAL AND ONGOING OBLIGATION TO PAY ASSESSMENTS AND CHARGES.

BASIC POLICIES AND PROCEDURES

Delinquency reports are prepared monthly by the Mutual’s managing agent to the Mutual’s Board of Directors (“Board”), identifying the delinquent Member, and the amount and length of time the assessments have been in arrears. The policies and practices outlined in this Policy Statement shall remain in effect until such time as they may be changed, modified, or amended by a duly adopted resolution of the Board, or unless the applicable statutory scheme changes, in which event, this Policy Statement shall be construed so as to be consistent with any newly adopted statutes or court decisions. In accordance with the Mutual’s governing documents (including, without limitation, the Articles of

Incorporation, the Bylaws, the recorded CC&Rs, rules and regulations, and written policies) (collectively, the “Governing Documents”) and the Civil Code, to ensure the prompt payment of monthly assessments, the Mutual employs the following collection and lien enforcement policies and procedures, including for the collection of assessments, late charges, interest, fees, and chargeable services charged against Members pursuant to the Governing Documents and current law:

1. Assessment Due Date

Regular assessments (“Carrying Charges” as defined in Article 1, Section 8 of the CC&Rs) are due and payable to the Mutual, in advance, in equal monthly installments, on the first (1st) day of each month. It is each Member’s responsibility to pay assessments in full each month regardless of whether a billing statement is received. Special assessments shall be due and payable on the due date specified by the Board in the notice imposing the special assessment or in the ballot presenting the special assessment to the Members for approval. In no event shall a special assessment be due and payable earlier than thirty (30) days after the special assessment is duly imposed.

2. Reminder Notice

A monthly assessment becomes delinquent if it is not received by the Mutual on or before the close of business on the sixteenth (16th) day of the month (or, for special assessments, if it is not received by the Mutual on or before the close of business on the fifteenth (15th) day after it is due). A written reminder notice may be sent and emailed to the Member. It is each Member’s responsibility to pay assessments in full each month regardless of whether a reminder notice is received.

TO BE CONSIDERED TIMELY, PAYMENT MUST BE **RECEIVED** BY THE MUTUAL WITHIN THE FIFTEEN (15) DAY GRACE PERIOD. SIMPLY PLACING THE PAYMENT IN THE MAIL BEFORE THE GRACE PERIOD EXPIRES IS INSUFFICIENT.

IN ADDITION TO THE FOREGOING, CHARGEABLE SERVICES ARE LATE IF NOT PAID WITHIN TWENTY-FIVE (25) DAYS AFTER BECOMING DUE.

3. Administrative Collection Fee

It is the policy of the Mutual not to routinely waive any duly imposed late charges, interest, or actually incurred “Costs of Collection.” “Costs of Collection” as used in this Policy Statement include, without limitation, an administrative collection fee, currently in the amount of five hundred dollars (\$500) (the “Administrative Collection Fee”), which is charged by the Mutual’s managing agent to cover staff’s costs to prepare files for delivery to the Mutual’s legal counsel and/or collection agent in order to carry out authorized legal and/or collection actions, as well as direct costs incurred in recording and/or mailing documents attendant to the legal and/or collection process.

The Administrative Collection Fee may be increased by majority vote of the Mutual’s Board and may be collected by the Mutual’s legal counsel and/or collection agent on its behalf, and remitted to the Mutual’s managing agent, or may be directly collected by the Mutual’s managing agent. Any change to the Administrative Collection Fee shall not be deemed a change to this Policy and shall not require rule change or member review period procedures to be undertaken by the Board.

4. Late Charge

IT IS THE MEMBER'S RESPONSIBILITY TO ALLOW AMPLE TIME TO DROP OFF OR MAIL ALL PAYMENTS SO THAT THEY ARE RECEIVED BEFORE THEY BECOME DELINQUENT. Any notices or invoices for assessments and/or special assessments will be sent to Members by first-class and/or certified mail addressed to the Member at his/her/their/its address as shown on the books and records of the Mutual. However, it is the Member's responsibility to be aware of the assessment payment amounts and due dates and to advise the Mutual of any changes in the Member's mailing address, pursuant to Civil Code Section 4041.

A late payment charge for a delinquent assessment will be assessed in the amount of seventy-five dollars (\$75) and will be imposed on any assessment payment that is more than fifteen (15) days in arrears. Further, both Civil Code Section 5650 and the Mutual's Governing Documents provide for interest on all sums imposed in accordance with Section 5650, including on delinquent assessment, reasonable fees and costs of collection, and reasonable attorney's fees, which may be imposed thirty (30) days after the assessment is due, at an annual percentage rate of twelve percent (12%). Such interest may be imposed and collected regardless of whether the Member's delinquent account is referred to the Mutual's legal counsel and/or collection agent for handling. Non-assessment fines, fees, and chargeable services are also subject to a late fee and interest, in an amount determined by Board resolution.

5. Demand Letter (aka Pre-Lien Notice)

If full payment of the delinquent amount is not received by the close of business on the day which is fifteen (15) days after the date of a reminder notice, as described in Section 2 above, or if no reminder notice was sent, then within thirty (30) days after the date when the delinquent amount became due, then a demand letter pursuant to Civil Code Section 5660 (a "Pre-Lien Notice"), as detailed below, will be sent to the Member by Certified Mail. The Mutual, through its managing agent, may also attempt to contact the Member by telephone to remind the Member of the delinquency and determine when payment will be made. However, no assurances can be given that the Mutual will in fact reach the Member by telephone, and the Member is responsible to pay off the delinquency whether or not a reminder notice or telephone reminder is actually received by the Member.

6. Alternate Means to Collect Delinquent Sums

If full payment of the delinquent amount (such as a duly levied and imposed assessment, fine, fee, or chargeable service including associated late charges and interest) is not received by the close of business on the thirtieth (30th) day after the date of a demand letter for payment of same (and with respect to recording a lien against a Member's separate interest in the condominium project ("Manor"), on the thirtieth (30th) day after receipt of a Pre-Lien Notice) the Mutual may, at its option, in accordance with the requirements and conditions herein and applicable law, and based on the circumstances of the delinquency, including but not limited to, the total delinquent amount owing and the Member's payment history, undertake to collect the delinquency by: (1) suspending a Member's right (and that of the Resident or Tenant of that Member's Manor) to use Mutual or Golden Rain Foundation of Laguna Woods ("GRF") facilities; (2) termination of the delinquent Member's Membership in the Mutual as a result of any foreclosure, (3) legal actions, discussed further below, or (4) other means permitted by law.

A demand letter and/or Pre-Lien Notice is presumed to have been received in the regular course of mail within five (5) days of mailing if the mailing address is within California and within ten (10) days if the

mailing address is within the United States but outside of California and within twenty (20) days if the mailing address is outside of the United States.

The Mutual may, after following appropriate procedures prescribed by law and the Mutual's Governing Documents, suspend a delinquent Member's right to use facilities or receive services provided by the Mutual, or both, until the delinquency is paid in full, including interest, late charges, and/or Costs of Collection, as may have been imposed or incurred in a particular instance. Failure to pay in full such amounts may also result in suspension of certain Membership rights and the ability to use the facilities or services provided by GRF or by this Mutual.

The Mutual may also take various legal actions to enforce the collection of delinquencies. **THESE ACTIONS MAY BE TAKEN SEPARATELY OR CONCURRENTLY.**

7. Small Claims Court

A civil action in small claims court may be filed, with a management company representative or bookkeeper appearing and participating on behalf of the Mutual.

PLEASE NOTE THAT A SMALL CLAIMS COURT ACTION MAY BE PURSUED BASED ON A BOARD RESOLUTION EITHER BEFORE OR AFTER RECORDING A NOTICE OF DELINQUENT ASSESSMENT (LIEN), AND/OR AFTER A WRITE-OFF.

The amount that may be recovered in small claims court may not exceed the jurisdictional limits of the small claims court, and shall be the sum of the following: (a) the amount owed as of the date of filing of the complaint in the small claims court; and (b) in the discretion of the court, an additional amount equal to the amount owed for the period from the date the complaint is filed until satisfaction of the judgment, which total amount may include accruing unpaid assessments, fines, fees, or chargeable services, and any reasonable late charges, fees and Costs of Collection (including attorney's fees), and interest, all up to the jurisdictional limits of the small claims court.

Successive small claims court actions may be pursued, consistently with applicable laws, until the entire amount of the delinquency is recovered.

8. Lien

The Mutual may secure the delinquency by recording a notice of delinquent assessment (lien) on the owner's Manor with the Orange County recorder. The debt shall be a lien on the owner's Manor from and after the time the Mutual records a notice of delinquent assessment, which shall state: the amount of the assessment and other sums imposed in accordance with Civil Code Section 5650(b); a legal description of the owner's Manor; and the name of the record owner of the Manor.

An itemized statement of the debt owed by the owner, as described in Civil Code Section 5660(b), shall be recorded together with the notice of delinquent assessment. In order for the lien to be enforced by nonjudicial foreclosure as provided in Civil Code Sections 5700 to 5710, inclusive, the notice of delinquent assessment shall state the name and address of the trustee authorized by the Mutual to enforce the lien by sale of the Manor. The notice of delinquent assessment shall be signed by the person designated in the declaration or by the Mutual for that purpose, or if no one is designated, by the president of the Mutual. A copy of the recorded notice of delinquent assessment shall be mailed by certified mail

to every person whose name is shown as an owner of the Manor in the Mutual's records, and shall be mailed no later than ten (10) calendar days after recordation.

If it is determined that the Mutual has recorded a lien for a delinquent assessment in error, the Mutual shall promptly reverse all related late charges, fees, interest, attorney's fees, and Costs of Collection, and pay all costs incurred by the Mutual related to any related an internal dispute resolution (IDR) or alternative dispute resolution (ADR).

9. Foreclosure/ADR

After thirty (30) days following the recording of a delinquent assessment lien, the lien may be enforced in any manner permitted by law. Once the amount of delinquent assessments (not including any late charges, fees, interest, or Costs of Collection), exceeds One Thousand Eight Hundred Dollars (\$1,800), OR any unpaid assessments are more than twelve (12) months delinquent, then, subject to the conditions specified below, the Mutual may initiate foreclosure proceedings to collect the amounts owed.

These conditions include that, prior to initiating a foreclosure, the Mutual shall offer the Member, and if so requested by the Member, the Mutual shall participate in dispute resolution pursuant to the Mutual's "meet and confer" program, or alternative dispute resolution (ADR). THE DECISION TO PURSUE DISPUTE RESOLUTION OR A PARTICULAR TYPE OF ADR SHALL BE THE CHOICE OF THE MEMBER, EXCEPT THAT BINDING ARBITRATION SHALL NOT BE AVAILABLE IF THE MUTUAL INTENDS TO INITIATE A JUDICIAL FORECLOSURE.

Civil Code Section 5965 requires the following statement to be included in this Policy Statement:

"Failure of a member of the association to comply with the alternative dispute resolution requirements of Section 5930 of the Civil Code may result in the loss of the member's right to sue the association or another member of the association regarding enforcement of the governing documents or the applicable law."

If any "meet and confer" session or ADR is engaged in by and between the Member and the Mutual (or any neutral third parties, as the case may be), and these efforts do not result in a payment plan, then, assuming the statutory minimum as to the delinquent amount or duration of the delinquency has been met, the Mutual may commence foreclosing the lien against the Member's Manor and sell the Manor at a private sale or by a judicial sale. If this occurs, the Member may lose title to his/her/their/its Manor.

10. Board Decision to Initiate Foreclosure

The decision to initiate foreclosure of a validly recorded delinquent assessment lien shall be made **only** by the Board and may not be delegated to an agent of the Mutual. The Board shall approve the decision by a majority vote of the Board in an executive session. The vote must be recorded in the minutes of the next meeting of the Board open to all Members; however, the confidentiality of the delinquent Member shall be maintained by identifying the matter in the minutes only by the Parcel Number, and not by the name of the delinquent Member. A Board vote to approve foreclosure of a lien shall take place at least thirty (30) days prior to any public sale or judicial foreclosure.

If the Board votes to foreclose upon an owner's Manor, the Board shall provide notice by personal service to an owner of a Manor if the owner occupies the Manor or to their legal representative. For a non-occupying owner, the Board shall provide written notice by first-class mail, postage prepaid, at the

most current address shown on the books of the Mutual. In the absence of written notification by a non-occupying owner to the Mutual, the address of the owner's Manor may be treated as the owner's mailing address.

11. Non-Judicial Foreclosure/Right of Redemption

A non-judicial foreclosure by the Mutual to collect upon a debt for delinquent assessments is subject to a statutory right of redemption. The redemption period within which the Manor may be redeemed from a foreclosure sale ends ninety (90) days after the sale, per Civil Code Section 5715.

If a foreclosure action is prosecuted to judgment and the judgment is in favor of the Mutual, assets of the Member may be seized or a lien may be placed on such assets to satisfy the judgment. Pursuant to the provisions of California law, applicable regulations, and the Covenants, Conditions and Restrictions (CC&Rs), the delinquent amount, as well as late charges on the delinquent assessments and/or interest charges and/or Costs of Collection (including, but not limited to, attorney's fees, title company and foreclosure service company charges, charges imposed to defray the cost of preparing and mailing demand letters (such as the Administrative Collection Fee), recording costs and costs associated with small claims court actions) may be enforced as a lien against the Member's Manor.

Moreover, pursuant to California law, monetary penalties that have been imposed by the Mutual as a means of reimbursing the Mutual for costs incurred by the Mutual in the repair of damage to common areas and/or community facilities for which a Member or a Member's guests or tenants were responsible may also be enforced as a lien against the Member's Manor.

12. Prerequisites to Recording a Lien: Offer of IDR/ADR and Thirty (30) Day Pre-Lien Notice

Before a lien may be recorded against a Manor of a delinquent Member, the Mutual must offer the Member, and if so requested by the Member, the Mutual must participate in IDR pursuant to the Mutual's "meet and confer" program (per the requirements set forth in Article 2 commencing with section 5900 of Chapter 10) or ADR as set forth in Article 3 (commencing with Section 5925 of Chapter 10), both in the Civil Code.

Any choice by a Member to pursue IDR or any kind of ADR must be made by the Member's delivery of written notice of such choice to the Mutual's managing agent within thirty (30) days of any event which triggers a Member's right to pursue IDR/ADR, whether it is before a lien can be recorded (i.e., upon receipt of the certified Pre-Lien Notice), or prior to initiating a foreclosure action, or in any other situation for which the Davis-Stirling Common Interest Development Act or the Mutual's Governing Documents authorize or allow a Member to choose IDR/ADR. A Member's right to pursue IDR/ADR may be triggered by, among other things, a decision by the Board and/or Executive Hearing Committee, as applicable, following any right to appeal pursuant to the Mutual's Appeal Policy.

THE DECISION TO PURSUE IDR OR A PARTICULAR TYPE OF ADR SHALL BE THE CHOICE OF THE OWNER. However, binding arbitration is not available if the Mutual intends to initiate a judicial foreclosure.

13. Pre-Lien Notice

Prior to recording a lien against a Member's Manor, the Mutual must send the Member a certified notice providing information regarding the sums claimed as being delinquent ("Pre-Lien Notice"). No lien can be recorded until thirty (30) days after this Pre-Lien Notice has been given.

The Pre-Lien Notice must include the following information (per Civil Code Section 5660):

- (a) A general description of the collection and lien enforcement procedures of the Mutual and the method of calculation of the amount, a statement that the owner of the Manor has the right to inspect the association records pursuant to Section 5205, and the following statement in 14-point boldface type, if printed, or in capital letters, if typed:

"IMPORTANT NOTICE: IF YOUR SEPARATE INTEREST IS PLACED IN FORECLOSURE BECAUSE YOU ARE BEHIND IN YOUR ASSESSMENTS, IT MAY BE SOLD WITHOUT COURT ACTION."
- (b) An itemized statement of the charges owed by the owner, including items on the statement which indicate the amount of any delinquent assessments, the fees and reasonable costs of collection, reasonable attorney's fees, any late charges, and interest, if any;
- (c) A statement that the owner shall not be liable to pay the charges, interest, and costs of collection, if it is determined the assessment was paid on time to the association;
- (d) The right to request a meeting with the Board as provided in Section 5665;
- (e) The right to dispute the assessment debt by submitting a written request for dispute resolution to the association pursuant to the association's "meet and confer" program required in Article 2 (commencing with Section 5900) of Chapter 10;
- (f) The right to request alternative dispute resolution with a neutral third party pursuant to Article 3 (commencing with Section 5925) of Chapter 10 before the association may initiate foreclosure against the owner's Manor, except that binding arbitration shall not be available if the Association intends to initiate a judicial foreclosure;

14. Member's Right to Request a Meeting with the Board, or IDR or ADR.

Upon receipt of the certified Pre-Lien Notice described above, the noticed Member has several possible courses of action that can be taken at this point in the collection process, such as:

- (a) The Member has the right to dispute the assessment debt by submitting a written request for IDR to the Mutual pursuant to the Mutual's "meet and confer" program, which is required by Civil Code Sections 5900-5920;
- (b) The Member may exercise his/her/their/its right to participate in ADR with a neutral third party under Civil Code Sections 5925-5965 before the Mutual may initiate foreclosure against the owner's Manor, except that binding arbitration shall not be available if the Mutual intends to initiate a judicial foreclosure;

- (c) The Member has a right to submit a written request to meet with the Board to discuss a payment plan for the delinquent assessment, as long as the request for a meeting is made within fifteen (15) days following the postmark on the Mutual's Pre-Lien Notice to the Member. That meeting must take place within forty-five (45) days (calculated from the postmark on the Member's request) and must be conducted in executive session. When a Member has made a timely request for a meeting to discuss a payment plan, the Mutual must provide the requesting Member with the Mutual's standards for payment plans, if any standards have been adopted. There is no statutory authorization for the Board to delegate this meeting obligation to a property manager, but the Board may designate a committee of one or more directors to meet with the Member in a specially called executive session meeting that will occur within forty-five (45) days of the Member's request.

15. Payment Plan Requests

Any Member who is unable to timely pay regular or special assessments is entitled to make a written request for a payment plan to the Mutual's Board. A Member may also request to meet with the Board in executive session to discuss a payment plan if the payment plan request is mailed within fifteen (15) days of the postmark date of the Pre-Lien Notice. The Mutual's Board will consider payment plan requests on a case-by-case basis and is under no obligation to grant payment plan requests. Payment plans may incorporate any assessments that accrue during the payment plan period. Payment plans may not impede the Mutual's ability to record a lien on the Member's Manor to secure payment of delinquent assessments. Additional late fees shall not accrue during the payment plan period if the Member is in compliance with the terms of the payment plan. In the event of a default on any payment plan, the Mutual may resume its efforts to collect the delinquent assessments from the time prior to entering into the payment plan. The Mutual reserves the right to impose reasonable conditions on any approvals for a payment plan and request that the delinquent Member provide disclosure of certain identifying information and other assets that may be used as additional security for the debt owed.

16. Application of Payments

In accordance with state law payments received on delinquent assessments shall be applied to the Member's account in the following order of priority: assessments owed, then fees and costs of collection, attorney's fees, late charges, interest. Payments on account of principal shall be applied in reverse order so that the oldest arrearages are retired first. Interest shall continue to accrue on unpaid balances of principal, and other costs and charges imposed in accordance with Civil Code Section 5655.

17. Secondary Address

Members have a right and obligation to identify in writing to the Mutual a secondary address for purposes of collection notices delivered pursuant to the Mutual's Policy Statement, and upon receipt of a proper written request from a Member identifying a secondary address that complies with Civil Code Section 4041 and the Governing Documents, the Mutual must send additional notices to this secondary address. Pursuant to Civil Code Section 4041, Members must keep the Mutual updated with respect to any mailing or secondary address to which notices from the Mutual are to be delivered. If Members fail to provide such information to the Mutual, the Manor shall be deemed to be the address to which notices are to be delivered.

18. No Right of Offset

There is no right of offset. This means that a Member may not withhold assessments and related charges owed to the Mutual on the alleged grounds that the Member would be entitled to recover money or damages from the Mutual based on some other obligation or some claim of another obligation.

19. Returned Checks

The Mutual may charge the Member a twenty-five-dollar (\$25) fee for the first check tendered to the Mutual that is returned unpaid by the Member's bank, and thereafter, the Mutual may charge a thirty-five-dollar (\$35) fee for any subsequent check that is returned based on insufficient funds. If a Member's check cannot be negotiated for any reason, then the Mutual may also seek to recover damages of the greater of (a) one hundred dollars (\$100); or (b) three (3) times the amount of the check up to one thousand five hundred dollars (\$1,500) in accordance with Civil Code Section 1719.

20. Charges and Fees Subject to Change

All charges and fees set forth in this Policy Statement are subject to change upon thirty (30) days prior written notice.

21. Overnight Payments

The mailing address for overnight payment of assessments is:

Third Laguna Hills Mutual
Attn: Assessment Payments
24351 El Toro Road
Laguna Woods, CA 92637

22. Rights Reserved by Mutual

Although the matters set forth above summarize the policies and practices ordinarily employed to collect delinquent assessments, the Mutual reserves the right to employ other or additional policies and practices as may be necessary or appropriate when the uniqueness of the circumstances or habitualness of the delinquency so requires.

23. Attachments

Notice of Assessments and Foreclosure (pursuant to Civil Code Section 5730): Attachment A.

State Rosenthal Fair Debt Collection Practices Act and the Federal Fair Debt Collection Practices Act disclosures: Attachment B.

BOARD OF DIRECTORS

THIRD LAGUNA HILLS MUTUAL

ATTACHMENT A
NOTICE OF
ASSESSMENTS AND FORECLOSURE

The following notice is provided pursuant to California Civil Code Section 5730

NOTICE ASSESSMENTS AND FORECLOSURE

This notice outlines some of the rights and responsibilities of owners of property in common interest developments and the associations that manage them. Please refer to the sections of the Civil Code indicated for further information. A portion of the information in this notice applies only to liens recorded on or after January 1, 2003. You may wish to consult a lawyer if you dispute an assessment.

ASSESSMENTS AND FORECLOSURE

Assessments become delinquent fifteen (15) days after they are due, unless the governing documents provide for a longer time. The failure to pay association assessments may result in the loss of an owner's property through foreclosure. Foreclosure may occur either as a result of a court action, known as judicial foreclosure, or without court action, often referred to as nonjudicial foreclosure. For liens recorded on and after January 1, 2006, an association may not use judicial or nonjudicial foreclosure to enforce that lien if the amount of the delinquent assessments or dues, exclusive of any accelerated assessments, late charges, fees, attorney's fees, interest, and costs of collection, is less than one thousand eight hundred dollars (\$1,800). For delinquent assessments or dues in excess of one thousand eight hundred dollars (\$1,800) or more than 12 months delinquent, an association may use judicial or nonjudicial foreclosure subject to the conditions set forth in Article 3 (commencing with Section 5700) of Chapter 8 of Part 5 of Division 4 of the Civil Code. When using judicial or nonjudicial foreclosure, the association records a lien on the owner's property. The owner's property may be sold to satisfy the lien if the amounts secured by the lien are not paid. (Sections 5700 through 5720 of the Civil Code, inclusive)

In a judicial or nonjudicial foreclosure, the association may recover assessments, reasonable costs of collection, reasonable attorney's fees, late charges, and interest. The association may not use nonjudicial foreclosure to collect fines or penalties, except for costs to repair common area damaged by a member or a member's guests, if the governing documents provide for this. (Section 5725 of the Civil Code)

The association must comply with the requirements of Article 2 (commencing with Section 5650) of Chapter 8 of Part 5 of Division 4 of the Civil Code when collecting delinquent assessments. If the association fails to follow these requirements, it may not record a lien on the owner's property until it has satisfied those requirements. Any additional costs that result from satisfying the requirements are the responsibility of the association. (Section 5675 of the Civil Code)

At least thirty (30) days prior to recording a lien on an owner's separate interest, the association must provide the owner of record with certain documents by certified mail, including a description of its collection and lien enforcement procedures and the method of calculating the amount. It must also provide an itemized statement of the charges owed by the owner. An owner has a right to review the association's records to verify the debt. (Section 5660 of the Civil Code)

If a lien is recorded against an owner's property in error, the person who recorded the lien is required to record a lien release within twenty-one (21) days, and to provide an owner certain documents in this regard. (Section 5685 of the Civil Code)

The collection practices of the association may be governed by state and federal laws regarding fair debt collection. Penalties can be imposed for debt collection practices that violate these laws.

PAYMENTS

When an owner makes a payment, the owner may request a receipt, and the association is required to provide it. On the receipt, the association must indicate the date of payment and the person who received it. The association must inform owners of a mailing address for overnight payments. (Section 5655 of the Civil Code)

An owner may, but is not obligated to, pay under protest any disputed charge or sum levied by the association, including, but not limited to, an assessment, fine, penalty, late fee, collection cost, or monetary penalty imposed as a disciplinary measure, and by so doing, specifically reserve the right to contest the disputed charge or sum in court or otherwise.

An owner may dispute an assessment debt by submitting a written request for dispute resolution to the association as set forth in Article 2 (commencing with Section 5900) of Chapter 10 of Part 5 of Division 4 of the Civil Code. In addition, an association may not initiate a foreclosure without participating in alternative dispute resolution with a neutral third party as set forth in Article 3 (commencing with Section 5925) of Chapter 10 of Part 5 of Division 4 of the Civil Code, if so requested by the owner. Binding arbitration shall not be available if the association intends to initiate a judicial foreclosure.

An owner is not liable for charges, interest, and costs of collection, if it is established that the assessment was paid properly on time. (Section 5685 of the Civil Code)

MEETINGS AND PAYMENT PLANS

An owner of a separate interest that is not a time-share interest may request the association to consider a payment plan to satisfy a delinquent assessment. The association must inform owners of the standards for payment plans, if any exists. (Section 5665 of the Civil Code)

The board must meet with an owner who makes a proper written request for a meeting to discuss a payment plan when the owner has received notice of a delinquent assessment. These payment plans must conform with the payment plan standards of the association, if they exist. (Section 5665 of the Civil Code)

ATTACHMENT B

The following Disclosure is made pursuant to California Civil Code Sections 1812.700-1812.703.

“The State Rosenthal Fair Debt Collection Practices Act and the Federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.”



DELINQUENT ASSESSMENT – PAYMENT PLAN AGREEMENT

Manor Number: _____ Assessment Delinquency: _____

Member Name: _____ Member SS#: _____ DL# _____

The undersigned hereby acknowledges the assessment delinquency shown above. He or she acknowledges the rights of Third Laguna Hills Mutual (the Mutual) to collect such assessments, together with accrued late charges, interest and collection costs, in accordance with the laws of the State of California and the governing documents of the Mutual. The following reflects the standards that have been adopted by the Board of Directors. Refer to the Payment Plan Standards For Delinquent Assessment Payments document for more details. The undersigned agrees to repay the delinquency debt according to the following plan,

Check One:

- ☐ **INSTALLMENTS:** The delinquent balance will be paid off in its entirety within 1 months. To achieve this, extra monthly payments will be made in the amount of \$ _____. **These payments will be in addition to the regular monthly assessment.** Extra payments will commence on _____ and be made on or before the first of each successive month until the delinquency and accrued late charges are paid in full. With this standard payment option, the undersigned is also required to submit a completed financial statement form (enclosed) as well as a copy of pages one and two of the two most recent federal tax returns.
- ☐ **LUMP SUM:** Payment in full of the delinquent amount will be made in a lump sum on or before _____. **This payment will be in addition to the regular monthly assessment.**
- ☐ **ESCROW:** The undersigned states that the manor is presently for sale, and will present a copy of the executed listing agreement in conjunction with this agreement. If the listing agreement expires before the manor is sold, a new executed listing agreement must be presented. The total term of the payment plan under this option cannot exceed 90 days. Payment in full of the delinquent amount will be made from the proceeds of sale of the manor, through escrow. Further, undersigned understands and agrees that accrued fees, charges and legal collection costs will be collected through escrow. This option allows a request for review by the Board of Directors for an extension.
- ☐ **OTHER:** Member's payment plan proposal that is in accordance with the standards for payment plans adopted by the Mutual: _____. **This will be in addition to the regular monthly assessment**

Initial All:

- ☐ The undersigned understands that interest will accrue at the rate of 10% per annum, in accordance with the Collection and Lien Enforcement Policy of the Mutual, until the delinquency is paid in full. In addition, the undersigned shall pay an administrative fee of \$25.00 for every month this agreement is in effect. If this agreement is breached and the Board of Directors for the Mutual allows re-instatement, Owner will be responsible for payment of all attorneys' fees, costs, interest, late fees and assessments incurred as a result of said breach before this agreement will be deemed "paid in full."
- ☐ The undersigned understands that the Mutual will pursue all available legal means to collect the sums due on the manor including the recording of a lien for an additional cost of a minimum of \$625 if the terms of this agreement are breached. If any one payment is not received by the deadline stated, the Mutual shall, without any further notice to undersigned, have the power and authority to pursue any and all collection remedies against undersigned and/or undersigned's property, including but not limited to non-judicial foreclosure, judicial foreclosure, any remedies available, and a lawsuit for purposes of securing a money judgment. Undersigned waives any and all claims against the Mutual and its agents and attorneys, and undersigned waives any and all defenses available related to or arising out of this matter, the amounts owed under this agreement, and any other obligation stated herein.
- ☐ The undersigned understands that he or she has the right to meet with the Board of Directors of the Mutual to discuss a reasonable alternative payment plan option (see the fourth option above), according to the payment plan standards adopted by the Board of Directors of the Mutual.

Member Name: _____ Signature: _____ Date: _____

Mutual Officer Signature: _____ Date: _____

Return signed form by mail to:

Assessment Payment Representative
PO Box 2220
Laguna Woods, CA 92654-2220

Or deliver in person to:

Assessment Payment Representative
24351 El Toro Road
Laguna Woods, CA 92637
Phone: (949) 597-4221 Fax: (949) 472-4154



DELINQUENT CHARGES - PAYMENT PLAN AGREEMENT

Manor Number: _____ Charges Delinquency: _____

This Payment Plan Agreement (this "Payment Agreement") is a binding contract and agreement and is executed by the undersigned, Third Laguna Hills Mutual (the "Mutual"), on the one hand, and _____ ("Owner"), on the other hand. The Mutual and Owner may sometimes be collectively referred to as the "Parties."

1. Scope of Agreement. Owner is the legal owner of that certain real property commonly referred to as _____ (the "Subject Property"). This shall be a payment plan agreement between Owner and the Mutual, relative to the payment of all fines, fees, monetary penalties, reimbursement assessments, charges, late fees, interest, attorneys' fees and costs of collection, accruing on the Subject Property and owed by Owner to the Mutual on the account. The total amount as of the date of this Payment Agreement is \$_____.
2. Required Payments. Owner shall tender an upfront payment in the amount of \$_____ on or before _____. Thereafter, Owner shall make the following monthly payments:
 - a. Payment of \$_____ on or before _____;
 - b. _____
3. Monthly Statements. The Mutual shall not be obligated to send Owner monthly statements.
4. Continuing Monthly Assessments. Owner shall pay all regular and special assessments that come due in a timely manner and in addition to the payments required in paragraph 2 above.
5. Payment Destination. All payments and assessments required pursuant to this Payment Agreement shall be paid and sent directly to the Mutual. Notwithstanding this paragraph, at any time during the course of this Payment Agreement, the Mutual may require Owner to change the destination of the payments and the payee of such payments.
6. Sale; Refinance; Lien. If the Subject Property is sold or refinanced, the balance owing on the account must be paid in full and this Payment Agreement shall create a lien against the funds held in escrow relating to any such transaction.
7. Breach; Remedies. If any one payment is not received by the deadline stated or if this Payment Agreement is breached in any other way, the Mutual shall, after five days' written notice to Owner (or Owner's attorney, if applicable) by email transmission, have the power and authority to pursue any and all collection remedies against Owner and/or Owner's property, including but not limited to non-judicial foreclosure, judicial foreclosure, or a lawsuit for purposes of securing a money judgment. Any additional late fees, interest, attorneys' fees and costs incurred will be charged to Owner's account.
8. Obligation to Pay All Charges. If this Payment Agreement is breached and the Board of Directors for the Mutual allows reinstatement, Owner will be responsible for payment of all attorneys' fees, costs, interest, late fees and other charges incurred as a result of said breach before this agreement will be deemed "paid in full."
9. Contact Information. Owner must keep the Mutual up to date regarding Owner's contact information and any changes to same.
10. Compliance with Governing Documents. In addition to any obligation stated herein, Owner shall comply with the Mutual's governing documents in all respects. Any violation of the governing documents shall be considered a breach of this Payment Agreement.
11. Assignment of Rents. Owner hereby irrevocably assigns to the Mutual, absolutely and regardless of possession of the property, all money now due or to become due under any agreement for the use or occupation of the Subject Property, for the purpose of collecting all assessments and amount owed pursuant to this Payment Agreement and the Mutual's governing documents, including late fees, costs, interest, expenses and attorneys' fees which are in default.

12. Waiver of Defenses. Owner acknowledges that all amounts claimed by the Mutual to be owed are in fact owed. Owner waives any defenses available related to or arising out of the Subject Property, the amounts owed under this Payment Agreement, and any other obligation stated herein.

13. Homestead Waiver. Owner, to the extent permitted by law, does hereby waive, to the extent of any liens created against Subject Property and pursuant to law, whether such liens are now in existence or are created at any time in the future, the benefit of any homestead or exemption laws of the State of California now in effect, or in effect from time to time hereafter.

14. Not Construed against Drafter. Neither the Mutual nor Owner shall be deemed to have been the drafter of this Agreement or of any of the particular provisions or provisions hereof and no part of this Agreement shall be construed against the Mutual or Owner.

15. Laws of California; Severability of Provisions. This Payment Agreement shall be controlled by and interpreted according to the laws of the State of California. The invalidity or unenforceability of any provision of this Agreement shall in no way affect the validity or enforceability of any other provision or the remainder of this Agreement.

16. Binding on Successors. The provisions of this Payment Agreement shall be deemed to obligate, extend to, and inure to the benefit of the successors, assigns, transferees, granters, heirs and representatives of each of the persons and entities referred to herein.

17. Enforcement; Attorneys' Fees and Costs. In the event litigation is commenced to enforce any of the provisions hereof or enforce this Payment Agreement in any other way, the prevailing party shall be entitled to recover attorney fees, costs and expenses from the opposing party related to such litigation, including such amounts that accrue prior to the litigation being initiated.

The undersigned, the Mutual and Owner, have read the foregoing Payment Agreement, have had an opportunity to fully consider the rights and consequences regarding executing same, fully understand the terms of this Payment Agreement and knowingly and voluntarily execute this Agreement.

IN WITNESS WHEREOF, THE MUTUAL AND OWNER CAUSE THIS PAYMENT AGREEMENT TO BE DULY EXECUTED ON THE DATE SET FORTH BELOW.

[CAUTION: PLEASE READ THIS ENTIRE AGREEMENT CAREFULLY BEFORE SIGNING.]

Print Name: _____

DL#: _____

SS#: _____

Mailing Address: _____

Cell Phone: _____

E-Mail: _____

Member Signature: _____

Date: _____

Mutual Officer Signature: _____

Date: _____

Return signed form by mail to:

Payment Representative
PO Box 2220
Laguna Woods, CA 92654-2220

Or deliver in person to:

Payment Representative
24351 El Toro Road
Laguna Woods, CA 92637
Phone: (949) 597-4221 Fax: (949) 472-4154

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2023 COLLECTION AND LIEN ENFORCEMENT POLICY AND PROCEDURES FOR ASSESSMENT DELINQUENCIES

PURPOSE STATEMENT

The following is a statement of the specific procedures, policies, and practices (“Policy Statement”) employed by Third Laguna Hills Mutual, a California nonprofit mutual benefit corporation (the “Mutual”) in enforcing lien rights or other legal remedies for default in payment of its assessments against its owners (“Members”). This Policy Statement is provided pursuant to the requirements of California Civil Code Section 5310(a)(7).

The collection of delinquent assessments is of vital concern to **all** Members of the Mutual. Such efforts ensure that all Members pay their fair share of the costs of services and facilities provided and maintained by the Mutual. Members’ failure to pay assessments when due creates a cash-flow problem for the Mutual and causes those Members who make timely payment of their assessments to bear a disproportionate share of the community’s financial obligations. Special assessments must be received in a timely fashion in order to finance the needs for which said special assessments are imposed.

Accordingly, in order to reduce the amount and duration of delinquencies and to encourage the prompt and full payment of all assessments, the Mutual has been vested with certain enforcement rights and remedies which are in addition to those which exist generally for creditors. These rights and remedies are described in this Policy Statement.

FAILURE TO MAKE TIMELY PAYMENTS CAN RESULT IN THE IMPOSITION OF LATE CHARGES, INTEREST, COSTS OF COLLECTION, POSSIBLE RESULTANT LEGAL ACTION AND MEMBERS AGREE THAT THEY CAN BE REQUIRED TO REIMBURSE THE MUTUAL FOR SUCH LEGAL COSTS, REGARDLESS OF WHETHER FORMAL LEGAL ACTION IS TAKEN. IT IS IN YOUR AND EVERY OTHER MEMBER’S BEST INTEREST FOR EACH OF YOU TO MAKE YOUR MONTHLY ASSESSMENT PAYMENTS ON TIME.

REGARDLESS OF WHETHER THE MUTUAL RECORDS A LIEN ON YOUR PROPERTY DURING THE COLLECTION OF PAST-DUE ASSESSMENTS, ALL MEMBERS HAVE A PERSONAL AND ONGOING OBLIGATION TO PAY ASSESSMENTS AND CHARGES.

BASIC POLICIES AND PROCEDURES

Delinquency reports are prepared monthly by the Mutual’s managing agent to the Mutual’s Board of Directors (“Board”), identifying the delinquent Member, and the amount and length of time the assessments have been in arrears. The policies and practices outlined in this Policy Statement shall remain in effect until such time as they may be changed, modified, or amended by a duly adopted resolution of the Board, or unless the applicable statutory scheme changes, in which event, this Policy Statement shall be construed so as to be consistent with any newly adopted statutes or court decisions. In accordance with the Mutual’s governing documents (including, without limitation, the Articles of

Incorporation, the Bylaws, the recorded CC&Rs, rules and regulations, and written policies) (collectively, the “Governing Documents”) and the Civil Code, to ensure the prompt payment of monthly assessments, the Mutual employs the following collection and lien enforcement policies and procedures, including for the collection of assessments, late charges, interest, fees, and chargeable services charged against Members pursuant to the Governing Documents and current law:

~~1. Assessment Due Date~~

Regular assessments (“Carrying Charges” as defined in Article 1, Section 8 of the CC&Rs) are due and payable to the Mutual, in advance, in equal monthly installments, on the first (1st) day of each month. It is each Member’s responsibility to pay assessments in full each month regardless of whether a billing statement is received. Special assessments shall be due and payable on the due date specified by the Board in the notice imposing the special assessment or in the ballot presenting the special assessment to the Members for approval. In no event shall a special assessment be due and payable earlier than thirty (30) days after the special assessment is duly imposed.

~~2. Reminder Notice~~

A monthly assessment becomes delinquent if it is not received by the Mutual on or before the close of business on the sixteenth (16th) day of the month (or, for special assessments, if it is not received by the Mutual on or before the close of business on the fifteenth (15th) day after it is due). A written reminder notice may be sent and emailed to the Member. It is each Member’s responsibility to pay assessments in full each month regardless of whether a reminder notice is received.

TO BE CONSIDERED TIMELY, PAYMENT MUST BE **RECEIVED** BY THE MUTUAL WITHIN THE FIFTEEN (15) DAY GRACE PERIOD. SIMPLY PLACING THE PAYMENT IN THE MAIL BEFORE THE GRACE PERIOD EXPIRES IS INSUFFICIENT.

IN ADDITION TO THE FOREGOING, CHARGEABLE SERVICES ARE LATE IF NOT PAID WITHIN TWENTY-FIVE (25) DAYS AFTER BECOMING DUE.

~~3. Administrative Collection Fee~~

It is the policy of the Mutual not to routinely waive any duly imposed late charges, interest, or actually incurred “Costs of Collection.” “Costs of Collection” as used in this Policy Statement include, without limitation, an administrative collection fee, currently in the amount of five hundred dollars (\$500) (the “Administrative Collection Fee”), which is charged by the Mutual’s managing agent to cover staff’s costs to prepare files for delivery to the Mutual’s legal counsel and/or collection agent in order to carry out authorized legal and/or collection actions, as well as direct costs incurred in recording and/or mailing documents attendant to the legal and/or collection process.

The Administrative Collection Fee may be increased by majority vote of the Mutual’s Board and may be collected by the Mutual’s legal counsel and/or collection agent on its behalf, and remitted to the Mutual’s managing agent, or may be directly collected by the Mutual’s managing agent. Any change to the Administrative Collection Fee shall not be deemed a change to this Policy and shall not require rule change or member review period procedures to be undertaken by the Board.

4. Late Charge

IT IS THE MEMBER'S RESPONSIBILITY TO ALLOW AMPLE TIME TO DROP OFF OR MAIL ALL PAYMENTS SO THAT THEY ARE RECEIVED BEFORE THEY BECOME DELINQUENT. Any notices or invoices for assessments and/or special assessments will be sent to Members by first-class and/or certified mail addressed to the Member at his/her/their/its address as shown on the books and records of the Mutual. However, it is the Member's responsibility to be aware of the assessment payment amounts and due dates and to advise the Mutual of any changes in the Member's mailing address, pursuant to Civil Code Section 4041.

A late payment charge for a delinquent assessment will be assessed in the amount of seventy-five dollars (\$75) and will be imposed on any assessment payment that is more than fifteen (15) days in arrears. Further, both Civil Code Section 5650 and the Mutual's Governing Documents provide for interest on all sums imposed in accordance with Section 5650, including on delinquent assessment, reasonable fees and costs of collection, and reasonable attorney's fees, which may be imposed thirty (30) days after the assessment is due, at an annual percentage rate of twelve percent (12%). Such interest may be imposed and collected regardless of whether the Member's delinquent account is referred to the Mutual's legal counsel and/or collection agent for handling. Non-assessment fines, fees, and chargeable services are also subject to a late fee and interest, in an amount determined by Board resolution.

5. Demand Letter (aka Pre-Lien Notice)

If full payment of the delinquent amount is not received by the close of business on the day which is fifteen (15) days after the date of a reminder notice, as described in Section 2 above, or if no reminder notice was sent, then within thirty (30) days after the date when the delinquent amount became due, then a demand letter pursuant to Civil Code Section 5660 (a "Pre-Lien Notice"), as detailed below, will be sent to the Member by Certified Mail. The Mutual, through its managing agent, may also attempt to contact the Member by telephone to remind the Member of the delinquency and determine when payment will be made. However, no assurances can be given that the Mutual will in fact reach the Member by telephone, and the Member is responsible to pay off the delinquency whether or not a reminder notice or telephone reminder is actually received by the Member.

6. Alternate Means to Collect Delinquent Sums

If full payment of the delinquent amount (such as a duly levied and imposed assessment, fine, fee, or chargeable service including associated late charges and interest) is not received by the close of business on the thirtieth (30th) day after the date of a demand letter for payment of same (and with respect to recording a lien against a Member's separate interest in the condominium project ("Manor"), on the thirtieth (30th) day after receipt of a Pre-Lien Notice) the Mutual may, at its option, in accordance with the requirements and conditions herein and applicable law, and based on the circumstances of the delinquency, including but not limited to, the total delinquent amount owing and the Member's payment history, undertake to collect the delinquency by: (1) suspending a Member's right (and that of the Resident or Tenant of that Member's Manor) to use Mutual or Golden Rain Foundation of Laguna Woods ("GRF") facilities; (2) termination of the delinquent Member's Membership in the Mutual as a result of any foreclosure, (3) legal actions, discussed further below, or (4) other means permitted by law.

A demand letter and/or Pre-Lien Notice is presumed to have been received in the regular course of mail within five (5) days of mailing if the mailing address is within California and within ten (10) days if the

mailing address is within the United States but outside of California and within twenty (20) days if the mailing address is outside of the United States.

The Mutual may, after following appropriate procedures prescribed by law and the Mutual's Governing Documents, suspend a delinquent Member's right to use facilities or receive services provided by the Mutual, or both, until the delinquency is paid in full, including interest, late charges, and/or Costs of Collection, as may have been imposed or incurred in a particular instance. Failure to pay in full such amounts may also result in suspension of certain Membership rights and the ability to use the facilities or services provided by GRF or by this Mutual.

The Mutual may also take various legal actions to enforce the collection of delinquencies. **THESE ACTIONS MAY BE TAKEN SEPARATELY OR CONCURRENTLY.**

7. Small Claims Court

A civil action in small claims court may be filed, with a management company representative or bookkeeper appearing and participating on behalf of the Mutual.

PLEASE NOTE THAT A SMALL CLAIMS COURT ACTION MAY BE PURSUED BASED ON A BOARD RESOLUTION EITHER BEFORE OR AFTER RECORDING A NOTICE OF DELINQUENT ASSESSMENT (LIEN), AND/OR AFTER A WRITE-OFF.

The amount that may be recovered in small claims court may not exceed the jurisdictional limits of the small claims court, and shall be the sum of the following: (a) the amount owed as of the date of filing of the complaint in the small claims court; and (b) in the discretion of the court, an additional amount equal to the amount owed for the period from the date the complaint is filed until satisfaction of the judgment, which total amount may include accruing unpaid assessments, fines, fees, or chargeable services, and any reasonable late charges, fees and Costs of Collection (including attorney's fees), and interest, all up to the jurisdictional limits of the small claims court.

Successive small claims court actions may be pursued, consistently with applicable laws, until the entire amount of the delinquency is recovered.

8. Lien

The Mutual may secure the delinquency by recording a notice of delinquent assessment (lien) on the owner's Manor with the Orange County recorder. The debt shall be a lien on the owner's Manor from and after the time the Mutual records a notice of delinquent assessment, which shall state: the amount of the assessment and other sums imposed in accordance with Civil Code Section 5650(b); a legal description of the owner's Manor; and the name of the record owner of the Manor.

An itemized statement of the debt owed by the owner, as described in Civil Code Section 5660(b), shall be recorded together with the notice of delinquent assessment. In order for the lien to be enforced by nonjudicial foreclosure as provided in Civil Code Sections 5700 to 5710, inclusive, the notice of delinquent assessment shall state the name and address of the trustee authorized by the Mutual to enforce the lien by sale of the Manor. The notice of delinquent assessment shall be signed by the person designated in the declaration or by the Mutual for that purpose, or if no one is designated, by the president of the Mutual. A copy of the recorded notice of delinquent assessment shall be mailed by certified mail

to every person whose name is shown as an owner of the Manor in the Mutual's records, and shall be mailed no later than ten (10) calendar days after recordation.

If it is determined that the Mutual has recorded a lien for a delinquent assessment in error, the Mutual shall promptly reverse all related late charges, fees, interest, attorney's fees, and Costs of Collection, and pay all costs incurred by the Mutual related to any related an internal dispute resolution (IDR) or alternative dispute resolution (ADR).

9. Foreclosure/ADR

After thirty (30) days following the recording of a delinquent assessment lien, the lien may be enforced in any manner permitted by law. Once the amount of delinquent assessments (not including any late charges, fees, interest, or Costs of Collection), exceeds One Thousand Eight Hundred Dollars (\$1,800), OR any unpaid assessments are more than twelve (12) months delinquent, then, subject to the conditions specified below, the Mutual may initiate foreclosure proceedings to collect the amounts owed.

These conditions include that, prior to initiating a foreclosure, the Mutual shall offer the Member, and if so requested by the Member, the Mutual shall participate in dispute resolution pursuant to the Mutual's "meet and confer" program, or alternative dispute resolution (ADR). THE DECISION TO PURSUE DISPUTE RESOLUTION OR A PARTICULAR TYPE OF ADR SHALL BE THE CHOICE OF THE MEMBER, EXCEPT THAT BINDING ARBITRATION SHALL NOT BE AVAILABLE IF THE MUTUAL INTENDS TO INITIATE A JUDICIAL FORECLOSURE.

Civil Code Section 5965 requires the following statement to be included in this Policy Statement:

"Failure of a member of the association to comply with the alternative dispute resolution requirements of Section 5930 of the Civil Code may result in the loss of the member's right to sue the association or another member of the association regarding enforcement of the governing documents or the applicable law."

If any "meet and confer" session or ADR is engaged in by and between the Member and the Mutual (or any neutral third parties, as the case may be), and these efforts do not result in a payment plan, then, assuming the statutory minimum as to the delinquent amount or duration of the delinquency has been met, the Mutual may commence foreclosing the lien against the Member's Manor and sell the Manor at a private sale or by a judicial sale. If this occurs, the Member may lose title to his/her/their/its Manor.

10. Board Decision to Initiate Foreclosure

The decision to initiate foreclosure of a validly recorded delinquent assessment lien shall be made **only** by the Board and may not be delegated to an agent of the Mutual. The Board shall approve the decision by a majority vote of the Board in an executive session. The vote must be recorded in the minutes of the next meeting of the Board open to all Members; however, the confidentiality of the delinquent Member shall be maintained by identifying the matter in the minutes only by the Parcel Number, and not by the name of the delinquent Member. A Board vote to approve foreclosure of a lien shall take place at least thirty (30) days prior to any public sale or judicial foreclosure.

If the Board votes to foreclose upon an owner's Manor, the Board shall provide notice by personal service to an owner of a Manor if the owner occupies the Manor or to their legal representative. For a non-occupying owner, the Board shall provide written notice by first-class mail, postage prepaid, at the

most current address shown on the books of the Mutual. In the absence of written notification by a non-occupying owner to the Mutual, the address of the owner's Manor may be treated as the owner's mailing address.

11. Non-Judicial Foreclosure/Right of Redemption

A non-judicial foreclosure by the Mutual to collect upon a debt for delinquent assessments is subject to a statutory right of redemption. The redemption period within which the Manor may be redeemed from a foreclosure sale ends ninety (90) days after the sale, per Civil Code Section 5715.

If a foreclosure action is prosecuted to judgment and the judgment is in favor of the Mutual, assets of the Member may be seized or a lien may be placed on such assets to satisfy the judgment. Pursuant to the provisions of California law, applicable regulations, and the Covenants, Conditions and Restrictions (CC&Rs), the delinquent amount, as well as late charges on the delinquent assessments and/or interest charges and/or Costs of Collection (including, but not limited to, attorney's fees, title company and foreclosure service company charges, charges imposed to defray the cost of preparing and mailing demand letters (such as the Administrative Collection Fee), recording costs and costs associated with small claims court actions) may be enforced as a lien against the Member's Manor.

Moreover, pursuant to California law, monetary penalties that have been imposed by the Mutual as a means of reimbursing the Mutual for costs incurred by the Mutual in the repair of damage to common areas and/or community facilities for which a Member or a Member's guests or tenants were responsible may also be enforced as a lien against the Member's Manor.

12. Prerequisites to Recording a Lien: Offer of IDR/ADR and Thirty (30) Day Pre-Lien Notice

Before a lien may be recorded against a Manor of a delinquent Member, the Mutual must offer the Member, and if so requested by the Member, the Mutual must participate in IDR pursuant to the Mutual's "meet and confer" program (per the requirements set forth in Article 2 commencing with section 5900 of Chapter 10) or ADR as set forth in Article 3 (commencing with Section 5925 of Chapter 10), both in the Civil Code.

Any choice by a Member to pursue IDR or any kind of ADR must be made by the Member's delivery of written notice of such choice to the Mutual's managing agent within thirty (30) days of any event which triggers a Member's right to pursue IDR/ADR, whether it is before a lien can be recorded (i.e., upon receipt of the certified Pre-Lien Notice), or prior to initiating a foreclosure action, or in any other situation for which the Davis-Stirling Common Interest Development Act or the Mutual's Governing Documents authorize or allow a Member to choose IDR/ADR. A Member's right to pursue IDR/ADR may be triggered by, among other things, a decision by the Board and/or Executive Hearing Committee, as applicable, following any right to appeal pursuant to the Mutual's Appeal Policy.

THE DECISION TO PURSUE IDR OR A PARTICULAR TYPE OF ADR SHALL BE THE CHOICE OF THE OWNER. However, binding arbitration is not available if the Mutual intends to initiate a judicial foreclosure.

13. Pre-Lien Notice

Prior to recording a lien against a Member's Manor, the Mutual must send the Member a certified notice providing information regarding the sums claimed as being delinquent ("Pre-Lien Notice"). No lien can be recorded until thirty (30) days after this Pre-Lien Notice has been given.

The Pre-Lien Notice must include the following information (per Civil Code Section 5660):

- (a) A general description of the collection and lien enforcement procedures of the Mutual and the method of calculation of the amount, a statement that the owner of the Manor has the right to inspect the association records pursuant to Section 5205, and the following statement in 14-point boldface type, if printed, or in capital letters, if typed:

"IMPORTANT NOTICE: IF YOUR SEPARATE INTEREST IS PLACED IN FORECLOSURE BECAUSE YOU ARE BEHIND IN YOUR ASSESSMENTS, IT MAY BE SOLD WITHOUT COURT ACTION."
- (b) An itemized statement of the charges owed by the owner, including items on the statement which indicate the amount of any delinquent assessments, the fees and reasonable costs of collection, reasonable attorney's fees, any late charges, and interest, if any;
- (c) A statement that the owner shall not be liable to pay the charges, interest, and costs of collection, if it is determined the assessment was paid on time to the association;
- (d) The right to request a meeting with the Board as provided in Section 5665;
- (e) The right to dispute the assessment debt by submitting a written request for dispute resolution to the association pursuant to the association's "meet and confer" program required in Article 2 (commencing with Section 5900) of Chapter 10;
- (f) The right to request alternative dispute resolution with a neutral third party pursuant to Article 3 (commencing with Section 5925) of Chapter 10 before the association may initiate foreclosure against the owner's Manor, except that binding arbitration shall not be available if the Association intends to initiate a judicial foreclosure;

14. Member's Right to Request a Meeting with the Board, or IDR or ADR.

Upon receipt of the certified Pre-Lien Notice described above, the noticed Member has several possible courses of action that can be taken at this point in the collection process, such as:

- (a) The Member has the right to dispute the assessment debt by submitting a written request for IDR to the Mutual pursuant to the Mutual's "meet and confer" program, which is required by Civil Code Sections 5900-5920;
- (b) The Member may exercise his/her/their/its right to participate in ADR with a neutral third party under Civil Code Sections 5925-5965 before the Mutual may initiate foreclosure against the owner's Manor, except that binding arbitration shall not be available if the Mutual intends to initiate a judicial foreclosure;

- (c) The Member has a right to submit a written request to meet with the Board to discuss a payment plan for the delinquent assessment, as long as the request for a meeting is made within fifteen (15) days following the postmark on the Mutual's Pre-Lien Notice to the Member. That meeting must take place within forty-five (45) days (calculated from the postmark on the Member's request) and must be conducted in executive session. When a Member has made a timely request for a meeting to discuss a payment plan, the Mutual must provide the requesting Member with the Mutual's standards for payment plans, if any standards have been adopted. There is no statutory authorization for the Board to delegate this meeting obligation to a property manager, but the Board may designate a committee of one or more directors to meet with the Member in a specially called executive session meeting that will occur within forty-five (45) days of the Member's request.

15. Payment Plan Requests

Any Member who is unable to timely pay regular or special assessments is entitled to make a written request for a payment plan to the Mutual's Board. A Member may also request to meet with the Board in executive session to discuss a payment plan if the payment plan request is mailed within fifteen (15) days of the postmark date of the Pre-Lien Notice. The Mutual's Board will consider payment plan requests on a case-by-case basis and is under no obligation to grant payment plan requests. Payment plans may incorporate any assessments that accrue during the payment plan period. Payment plans may not impede the Mutual's ability to record a lien on the Member's Manor to secure payment of delinquent assessments. Additional late fees shall not accrue during the payment plan period if the Member is in compliance with the terms of the payment plan. In the event of a default on any payment plan, the Mutual may resume its efforts to collect the delinquent assessments from the time prior to entering into the payment plan. The Mutual reserves the right to impose reasonable conditions on any approvals for a payment plan and request that the delinquent Member provide disclosure of certain identifying information and other assets that may be used as additional security for the debt owed.

16. Application of Payments

In accordance with state law payments received on delinquent assessments shall be applied to the Member's account in the following order of priority: assessments owed, then fees and costs of collection, attorney's fees, late charges, interest. Payments on account of principal shall be applied in reverse order so that the oldest arrearages are retired first. Interest shall continue to accrue on unpaid balances of principal, and other costs and charges imposed in accordance with Civil Code Section 5655.

17. Secondary Address

Members have a right and obligation to identify in writing to the Mutual a secondary address for purposes of collection notices delivered pursuant to the Mutual's Policy Statement, and upon receipt of a proper written request from a Member identifying a secondary address that complies with Civil Code Section 4041 and the Governing Documents, the Mutual must send additional notices to this secondary address. Pursuant to Civil Code Section 4041, Members must keep the Mutual updated with respect to any mailing or secondary address to which notices from the Mutual are to be delivered. If Members fail to provide such information to the Mutual, the Manor shall be deemed to be the address to which notices are to be delivered.

18. No Right of Offset

There is no right of offset. This means that a Member may not withhold assessments and related charges owed to the Mutual on the alleged grounds that the Member would be entitled to recover money or damages from the Mutual based on some other obligation or some claim of another obligation.

19. Returned Checks

The Mutual may charge the Member a twenty-five-dollar (\$25) fee for the first check tendered to the Mutual that is returned unpaid by the Member's bank, and thereafter, the Mutual may charge a thirty-five-dollar (\$35) fee for any subsequent check that is returned based on insufficient funds. If a Member's check cannot be negotiated for any reason, then the Mutual may also seek to recover damages of the greater of (a) one hundred dollars (\$100); or (b) three (3) times the amount of the check up to one thousand five hundred dollars (\$1,500) in accordance with Civil Code Section 1719.

20. Charges and Fees Subject to Change

All charges and fees set forth in this Policy Statement are subject to change upon thirty (30) days prior written notice.

21. Overnight Payments

The mailing address for overnight payment of assessments is:

Third Laguna Hills Mutual
Attn: Assessment Payments
24351 El Toro Road
Laguna Woods, CA 92637

22. Rights Reserved by Mutual

Although the matters set forth above summarize the policies and practices ordinarily employed to collect delinquent assessments, the Mutual reserves the right to employ other or additional policies and practices as may be necessary or appropriate when the uniqueness of the circumstances or habitualness of the delinquency so requires.

23. Attachments

Notice of Assessments and Foreclosure (pursuant to Civil Code Section 5730): Attachment A.

State Rosenthal Fair Debt Collection Practices Act and the Federal Fair Debt Collection Practices Act disclosures: Attachment B.

BOARD OF DIRECTORS

THIRD LAGUNA HILLS MUTUAL

ATTACHMENT A
NOTICE OF
ASSESSMENTS AND FORECLOSURE

The following notice is provided pursuant to California Civil Code Section 5730

NOTICE ASSESSMENTS AND FORECLOSURE

This notice outlines some of the rights and responsibilities of owners of property in common interest developments and the associations that manage them. Please refer to the sections of the Civil Code indicated for further information. A portion of the information in this notice applies only to liens recorded on or after January 1, 2003. You may wish to consult a lawyer if you dispute an assessment.

ASSESSMENTS AND FORECLOSURE

Assessments become delinquent fifteen (15) days after they are due, unless the governing documents provide for a longer time. The failure to pay association assessments may result in the loss of an owner's property through foreclosure. Foreclosure may occur either as a result of a court action, known as judicial foreclosure, or without court action, often referred to as nonjudicial foreclosure. For liens recorded on and after January 1, 2006, an association may not use judicial or nonjudicial foreclosure to enforce that lien if the amount of the delinquent assessments or dues, exclusive of any accelerated assessments, late charges, fees, attorney's fees, interest, and costs of collection, is less than one thousand eight hundred dollars (\$1,800). For delinquent assessments or dues in excess of one thousand eight hundred dollars (\$1,800) or more than 12 months delinquent, an association may use judicial or nonjudicial foreclosure subject to the conditions set forth in Article 3 (commencing with Section 5700) of Chapter 8 of Part 5 of Division 4 of the Civil Code. When using judicial or nonjudicial foreclosure, the association records a lien on the owner's property. The owner's property may be sold to satisfy the lien if the amounts secured by the lien are not paid. (Sections 5700 through 5720 of the Civil Code, inclusive)

In a judicial or nonjudicial foreclosure, the association may recover assessments, reasonable costs of collection, reasonable attorney's fees, late charges, and interest. The association may not use nonjudicial foreclosure to collect fines or penalties, except for costs to repair common area damaged by a member or a member's guests, if the governing documents provide for this. (Section 5725 of the Civil Code)

The association must comply with the requirements of Article 2 (commencing with Section 5650) of Chapter 8 of Part 5 of Division 4 of the Civil Code when collecting delinquent assessments. If the association fails to follow these requirements, it may not record a lien on the owner's property until it has satisfied those requirements. Any additional costs that result from satisfying the requirements are the responsibility of the association. (Section 5675 of the Civil Code)

At least thirty (30) days prior to recording a lien on an owner's separate interest, the association must provide the owner of record with certain documents by certified mail, including a description of its collection and lien enforcement procedures and the method of calculating the amount. It must also provide an itemized statement of the charges owed by the owner. An owner has a right to review the association's records to verify the debt. (Section 5660 of the Civil Code)

If a lien is recorded against an owner's property in error, the person who recorded the lien is required to record a lien release within twenty-one (21) days, and to provide an owner certain documents in this regard. (Section 5685 of the Civil Code)

The collection practices of the association may be governed by state and federal laws regarding fair debt collection. Penalties can be imposed for debt collection practices that violate these laws.

PAYMENTS

When an owner makes a payment, the owner may request a receipt, and the association is required to provide it. On the receipt, the association must indicate the date of payment and the person who received it. The association must inform owners of a mailing address for overnight payments. (Section 5655 of the Civil Code)

An owner may, but is not obligated to, pay under protest any disputed charge or sum levied by the association, including, but not limited to, an assessment, fine, penalty, late fee, collection cost, or monetary penalty imposed as a disciplinary measure, and by so doing, specifically reserve the right to contest the disputed charge or sum in court or otherwise.

An owner may dispute an assessment debt by submitting a written request for dispute resolution to the association as set forth in Article 2 (commencing with Section 5900) of Chapter 10 of Part 5 of Division 4 of the Civil Code. In addition, an association may not initiate a foreclosure without participating in alternative dispute resolution with a neutral third party as set forth in Article 3 (commencing with Section 5925) of Chapter 10 of Part 5 of Division 4 of the Civil Code, if so requested by the owner. Binding arbitration shall not be available if the association intends to initiate a judicial foreclosure.

An owner is not liable for charges, interest, and costs of collection, if it is established that the assessment was paid properly on time. (Section 5685 of the Civil Code)

MEETINGS AND PAYMENT PLANS

An owner of a separate interest that is not a time-share interest may request the association to consider a payment plan to satisfy a delinquent assessment. The association must inform owners of the standards for payment plans, if any exists. (Section 5665 of the Civil Code)

The board must meet with an owner who makes a proper written request for a meeting to discuss a payment plan when the owner has received notice of a delinquent assessment. These payment plans must conform with the payment plan standards of the association, if they exist. (Section 5665 of the Civil Code)

ATTACHMENT B

The following Disclosure is made pursuant to California Civil Code Sections 1812.700-1812.703.

“The State Rosenthal Fair Debt Collection Practices Act and the Federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.”



RESOLUTION 03-22-XX

2023 Collection and Lien Enforcement Policy

WHEREAS, in accordance with California Civil Code, Third Laguna Hills Mutual maintains a collection and lien enforcement policy that outlines the procedures, policies and practices employed by the Mutual in enforcing lien rights or other legal remedies for default in payment of assessments; and

WHEREAS, legal counsel has reviewed the existing Collection and Lien Enforcement Policy and determined that the updated policy complies with Civil Code requirements and reflects current practices for collection of Mutual delinquencies.

NOW THEREFORE BE IT RESOLVED, October 18, 2022, that the Board of Directors hereby adopts the 2023 Third Laguna Hills Mutual Collection and Lien Enforcement Policy as attached to the official minutes of this meeting; and

RESOLVED FURTHER, the policy statement is provided pursuant to the requirements of California Civil Code section 5310(a)(7) and will be distributed to members in November 2022 as part of the Annual Policy Statement.

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution.

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ENDORSEMENT (to board)

Revised Architectural Standard No. 10 – Exterior Doors

Baltazar Mejia, Maintenance & Construction Assistant Director, presented the staff report and answered questions from the committee.

A motion was made and carried unanimously to recommend the board approve the revised Architectural Standard No. 10 – Exterior Doors.

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STAFF REPORT

DATE: October 18, 2022
FOR: Board of Directors
SUBJECT: Revised Architectural Standard No. 10 – Exterior Doors

RECOMMENDATION

Adopt a Resolution approving revisions to Architectural Standard No. 10 – Exterior Doors.

BACKGROUND

Architectural Standard No. 10 dictates the permitted type and color for doors. The Standard was originally adopted in 1989 and has been revised a number of times with the last revision in March 2018 with Resolution No. 03-18-40 (Attachment 1). A copy of the current Standard is included as Attachment 2.

On August 22, 2022, the Architectural Controls and Standards Committee (ACSC) reviewed the proposed revisions to Standard No. 10 and unanimously recommended that the Board approve the revised Standard.

DISCUSSION

The number of manor remodels has increased in the last few years and with it is the implementation of more modern concepts in space utilization and modernization. Associated with this and newly adopted exterior colors for the various buildings in the Mutual, the number of requests for new colors for front doors has increased. However, Standard No. 10 – Exterior Doors, as currently written, only allows colors that match current colors of the building or trim, or be white.

The ACSC has considered the requests for additional exterior door colors and recommends approving the following updated list of colors for Standard No. 10 – Exterior Doors:

1. White.
2. Natural or stained (oak, maple, walnut, cherry, etc.) wood finish.
3. The current color of the building or trim.
4. Black.
5. Any of the new door colors approved, or reasonably similar, but not yet painted (Attachment 3).
6. Commonly used colors as per door manufacturer.

7. Colors approved via the variance process.

A redlined copy of Resolution No. 03-18-40 is attached for reference as Attachment 4. The proposed Resolution 03-22-XX (Attachment 5) if enacted by the board would serve to update the existing Architectural Standard No. 10 – Exterior Doors (Attachment 6).

FINANCIAL ANALYSIS

A small decrease in maintenance cost to the Mutual will be realized, as these alterations would become the responsibility of the manor owner.

Prepared By: Baltazar Mejia, Maintenance & Construction Assistant Director

Reviewed By: Robbi Doncost, Manor Alterations Manager

ATTACHMENT(S)

Attachment 1 – Current Resolution 03-18-40
Attachment 2 – Current Standard No. 10 – Exterior Doors
Attachment 3 – Color Board
Attachment 4 – Redlined Revised Resolution 03-22-XX
Attachment 5 – Revised Resolution 03-22-XX
Attachment 6 – Revised Standard No. 10 – Exterior Doors



Attachment 1 – Current Resolution 03-18-40

RESOLUTION 03-18-40

Revise Alteration Standard Section 10 - Doors, Exterior (Swing)

WHEREAS, the Architectural Controls and Standards Committee recognizes the necessity to amend Alteration Standards and create new Alteration Standards as necessary; and,

WHEREAS, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard Section 10 - Doors, Exterior.

NOW THEREFORE BE IT RESOLVED, March 23, 2018, that the Board of Directors of this Corporation hereby adopts revisions and amendments to Alteration Standard Section 10 - Doors, Exterior (Swing);

2.0 TYPES OF DOORS

2.1 All doors shall be of solid core 1-1/2" minimum thickness with exterior grade hardware.

2.2 Dutch doors, split doors and French doors may be allowed provided any and all required permits are obtained through the City of Laguna Woods and the Alterations Division office. All costs of maintenance shall be borne by the Mutual member.

2.3 Glass in entry doors may be allowed provided it follows the standards set for such installation as required by the current California Building Code.

2.4 Door trim shall not exceed 3" in width unless prior approval is obtained from the Alterations Division.

3.0 APPLICATIONS

3.1 Doors shall be of wood, fiberglass or vinyl clad material. Doors shall be the body or trim color of the building, or be white. Doors may have natural or stained wood finish.

3.2 Screen door additions are acceptable.

3.3 Door frames may not be replaced. Exterior doors shall only be allowed in existing openings. For existing openings wider than 36", doors with accompanying sidelights may be used.

3.4 Any required irrigation or landscaping modifications resulting from the door (or required landing) installation must be performed by the Agent's Landscaping Division, at the Mutual member's expense.

3.5 Exterior doors shall only be allowed in existing openings. For existing openings wider than 36", doors with accompanying sidelights may be used.

3.6 Existing header height must remain unchanged; and

RESOLVED FURTHER, Resolution 03-02-22, adopted March 18, 2003, is hereby superseded and canceled; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.



SECTION 10 DOORS, EXTERIOR (SWING)

JANUARY 1989

REVISED AUGUST 2002, RESOLUTION M3-02-38

REVISED MARCH 2003, RESOLUTION 03-02-22

GENERAL REQUIREMENTS REVISED APRIL 2011, RESOLUTION 03-11-49

GENERAL REQUIREMENTS REVISED JANUARY 2018, RESOLUTION 03-18-12

REVISED MARCH 2018, RESOLUTION 03-18-40

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 TYPES OF DOORS

- 2.1** All doors shall be of solid core 1-1/2" minimum thickness with exterior grade hardware.
- 2.2** Dutch doors, split doors and French doors may be allowed provided any and all required permits are obtained through the City of Laguna Woods and the Permits and Inspections office. All costs of maintenance shall be borne by the Mutual member.
- 2.3** Glass in entry doors may be allowed provided it follows the standards set for such installation as required by the current California Building Code.
- 2.4** Door trim shall not exceed 3" in width unless prior approval is obtained from the Alterations Department

3.0 APPLICATIONS

- 3.1** All doors shall be of wood, fiberglass, or vinyl clad materials. Doors shall be the body or trim color of the building, or be white. Doors may have natural or stained wood finish.
- 3.2** Screen door additions are acceptable.
- 3.3** Door frames may not be replaced. Exterior doors shall only be allowed in existing openings. For existing openings wider than 36", doors with accompanying sidelights may be used.

- 3.4** Any required irrigation or landscaping modifications resulting from the door (or required landing) installation must be performed by the Agent's Landscaping Division, at the Mutual member's expense.
- 3.5** Exterior doors shall only be allowed in existing openings. For existing openings wider than 36", doors with accompanying sidelights may be used.
- 3.6** Existing header height must remain unchanged.

Attachment 3 – Color Board



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Attachment 4 – Redlined Revised Resolution 03-22-XX

RESOLUTION ~~03-18-40~~ 03-22-XX

Revise Alteration Standard Section 10 - Doors, Exterior (Swing)

WHEREAS, the Architectural Controls and Standards Committee recognizes the necessity to amend Alteration Standards and create new Alteration Standards as necessary; and,

WHEREAS, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard Section 10 - Doors, Exterior.

NOW THEREFORE BE IT RESOLVED, ~~March 23, 2018~~ [DATE], that the Board of Directors of this Corporation hereby adopts revisions and amendments to Alteration Standard Section 10 - Doors, Exterior (Swing);

2.0 TYPES OF DOORS

2.1 All doors shall be of solid core 1-1/2" minimum thickness with exterior grade hardware. ~~Metal doors and other composite materials are also allowed provided that they meet current California Building Code requirements for entry doors.~~

2.2 Dutch doors, split doors, ~~double doors~~ and French doors may be allowed provided any and all required permits are obtained through the City of Laguna Woods and the Alterations Division office. ~~All costs of maintenance shall be borne by the Mutual member.~~

2.3 Glass in entry doors ~~and other modern designs~~ may be allowed provided it follows the standards set for such installation as required by the current California Building Code.

2.4 Door trim shall ~~not exceed 3"~~ ~~be approximately 3.5"~~ in width unless prior approval is obtained from the Alterations Division.

2.5 ~~All costs of maintenance shall be borne by the Mutual member.~~

3.0 APPLICATIONS

3.1 Doors shall be of wood, fiberglass, ~~metal~~, vinyl clad material ~~or other composite materials. Doors shall be: the body or trim color of the building, or be white. Doors may have natural or stained wood finish.~~

1. ~~White.~~
2. ~~Natural or stained (oak, maple, walnut, cherry, etc.) wood finish.~~
3. ~~The current color of the building or trim.~~
4. ~~Black.~~

5. Any of the new door colors approved, or reasonably similar, but not yet painted.
6. Commonly used door colors as per the door manufacturer.
7. Colors approved via the variance process.

3.2 Screen door additions are acceptable.

3.3 Door frames may not be replaced if pre-hung doors are being used as replacements. ~~Exterior doors shall only be allowed in existing openings. For existing openings wider than 36", doors with accompanying sidelights may be used.~~

3.4 Any required irrigation or landscaping modifications resulting from the door (or required landing) installation must be performed by the Agent's Landscaping Division, at the Mutual member's expense.

3.5 Exterior doors shall only be allowed in existing openings. For existing openings wider than 36", doors with accompanying sidelights may be used.

3.6 Existing header height must remain unchanged; and

RESOLVED FURTHER, Resolution 03-02-22, adopted March 18, 2003, is hereby superseded and canceled; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.

SEPTEMBER INITIAL NOTIFICATION: Should the Board endorse the proposed revisions, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 28-days from the postponement to comply with Civil Code §4360.



Attachment 5 – Revised Resolution 03-22-XX

RESOLUTION 03-22-XX

Revise Alteration Standard Section 10 - Doors, Exterior (Swing)

WHEREAS, the Architectural Controls and Standards Committee recognizes the necessity to amend Alteration Standards and create new Alteration Standards as necessary; and,

WHEREAS, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard Section 10 - Doors, Exterior;

NOW THEREFORE BE IT RESOLVED, [DATE], that the Board of Directors of this Corporation hereby adopts revisions and amendments to Alteration Standard Section 10 - Doors, Exterior (Swing); and

2.0 TYPES OF DOORS

2.1 All doors shall be of solid core 1-1/2" minimum thickness with exterior grade hardware. Metal doors and other composite materials are also allowed provided that they meet current California Building Code requirements for entry doors.

2.2 Dutch doors, split doors, double doors and French doors may be allowed provided any and all required permits are obtained through the City of Laguna Woods and the Alterations Division office.

2.3 Glass in entry doors and other modern designs may be allowed provided it follows the standards set for such installation as required by the current California Building Code.

2.4 Door trim shall be approximately 3.5" in width unless prior approval is obtained from the Alterations Division.

2.5 All costs of maintenance shall be borne by the Mutual member.

3.0 APPLICATIONS

3.1 Doors shall be of wood, fiberglass, metal, or vinyl clad material or other composite materials. Doors shall be:

1. White.
2. Natural or stained (oak, maple, walnut, cherry, etc.) wood finish.
3. The current color of the building or trim.
4. Black.
5. Any of the new colors approved, or reasonably similar, but not yet painted.

6. Commonly used door colors as per the door manufacturer.
7. Colors approved via the variance process.

3.2 Screen door additions are acceptable.

3.3 Door frames may be replaced if pre-hung doors are being used as replacements.

3.4 Any required irrigation or landscaping modifications resulting from the door (or required landing) installation must be performed by the Agent's Landscaping Division, at the Mutual member's expense.

3.5 Exterior doors shall only be allowed in existing openings. For existing openings wider than 36", doors with accompanying sidelights may be used.

3.6 Existing header height must remain unchanged; and

RESOLVED FURTHER, Resolution 03-18-40, adopted March 23, 2018, is hereby superseded and canceled; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.

SEPTEMBER INITIAL NOTIFICATION:

28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied

Attachment 6 - Revised Standard No. 10



SECTION 10 DOORS, EXTERIOR (SWING)

JANUARY 1989

REVISED AUGUST 2002, RESOLUTION M3-02-38

REVISED MARCH 2003, RESOLUTION 03-02-22

GENERAL REQUIREMENTS REVISED APRIL 2011, RESOLUTION 03-11-49

GENERAL REQUIREMENTS REVISED JANUARY 2018, RESOLUTION 03-18-12

REVISED MARCH 2018, RESOLUTION 03-18-40

REVISED SEPTEMBER 2022, RESOLUTION 03-22-XX

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 TYPES OF DOORS

2.1 All doors shall be of solid core 1-1/2" minimum thickness with exterior grade hardware. Metal doors and other composite materials are also allowed provided that they meet current California Building Code requirements for entry doors.

2.2 Dutch doors, split doors, double doors and French doors may be allowed provided any and all required permits are obtained through the City of Laguna Woods and the Permits and Inspections office. All costs of maintenance shall be borne by the Mutual member.

2.3 Glass in entry doors and other modern designs may be allowed provided it follows the standards set for such installation as required by the current California Building Code.

2.4 Door trim shall be approximately 3.5" in width unless prior approval is obtained from the Alterations Division.

2.5 All costs of maintenance shall be borne by the Mutual member.

3.0 APPLICATIONS

3.1 Doors shall be of wood, fiberglass, metal, or vinyl clad material or other composite materials. Doors shall be:

1. White.
2. Natural or stained (oak, maple, walnut, cherry, etc.) wood finish.
3. The current color of the building or trim.
4. Black.
5. Any of the new door colors approved, or reasonably similar, but not yet painted.
6. Commonly used door colors as per the door manufacturer.
7. Colors approved via the variance process.

3.2 Screen door additions are acceptable.

3.3 Door frames may be replaced if pre-hung doors are being used as replacements.

3.4 Any required irrigation or landscaping modifications resulting from the door (or required landing) installation must be performed by the Agent's Landscaping Division, at the Mutual member's expense.

3.5 Exterior doors shall only be allowed in existing openings. For existing openings wider than 36", doors with accompanying sidelights may be used.

3.6 Existing header height must remain unchanged.

ENDORSEMENT (to board)

Request for Supplemental Appropriation for Shepherd's Crook Conditional Use Permit Amendment

Manuel Gomez, Director of Maintenance and Construction, presented a staff report requesting the committee approve and endorse a supplemental appropriation in the amount of \$10,000 from the Replacement Reserve Fund for the Conditional Use Permit application to be processed with the City of Laguna Woods to revise the Shepherd's Crook height restriction contained in CUP-1135 from 7 feet to 11 feet.

On September 12, 2022, the Third M&C Committee, by a vote of 2/1/0 (Directors Cook and Bhada in favor; Director Laws opposed) approved a motion recommending the Board approve the request for a supplemental appropriation in the amount of \$10,000 for the City required application process.

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ENDORSEMENT (to board)

Request for Supplemental Appropriation for Shepherd's Crook Conditional Use Permit Amendment

Manuel Gomez, Director of Maintenance and Construction, presented a staff report requesting the committee approve and endorse a supplemental appropriation in the amount of \$10,000 from the Replacement Reserve Fund for the Conditional Use Permit application to be processed with the City of Laguna Woods to revise the Shepherd's Crook height restriction contained in CUP-1135 from 7 feet to 11 feet. A motion was made by Director Ralph Engdahl and seconded by Director Annie McCary to accept the request.

The motion passed unanimously to approve and endorse the recommendation and present at the next board meeting.

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STAFF REPORT

DATE: October 18, 2022
FOR: Board of Directors
SUBJECT: Request for Supplemental Appropriation for Shepherd's Crook Conditional Use Permit Amendment

RECOMMENDATION

Approve a supplemental appropriation in the amount of \$10,000 from the Replacement Reserve Fund for the proposed Conditional Use Permit (CUP) amendment application process with the City of Laguna Woods to revise the height restriction contained in CUP-1135 from 7 feet up to 11 feet measured from either side of the perimeter wall.

BACKGROUND

In May 2017, the City of Laguna Woods issued CUP-1135 (Attachment 1) governing the replacement of barbed-wire fencing with wrought-iron shepherd's crook fence. The CUP limits the height of the shepherd's crook installation to a height of 7 feet "when viewed from adjoining properties." This is interpreted to require the measurement of the fence height from the exterior side of the perimeter walls. Third Mutual has approximately 33,760 linear feet of fencing to be replaced. To date, 7,000 linear feet of shepherd's crook has been installed with 26,760 linear feet remaining to be completed.

Several residents in Gate 11 have expressed safety concerns due to the height of recently installed shepherd's crook fence at certain locations. The concerns arise at locations where the ground level is higher on the inside of the wall and at places where utility boxes are located adjacent to the exterior walls (Attachment 2). Staff estimates that approximately 10% (2,700 l.f.) of the remaining areas would benefit from a higher fence installation to address similar potential safety concerns.

On September 12, 2022, the Third M&C Committee, by a vote of 2/1/0 (Directors Cook and Bhada in favor; Director Laws opposed), approved a motion recommending the Board approve the request for a supplemental appropriation in the amount of \$10,000 for the City required application process.

On October 4, 2022, the Third Finance Committee unanimously approved recommending the Board consider approving the use of Replacement Reserve Funds for the proposed supplemental budget appropriation.

DISCUSSION

The existing CUP limits the height of the fencing installations to 7 feet measured from the exterior side of the perimeter walls. Staff is recommending that the mutual authorize the submittal of an application to the City requesting that the height restriction be revised or amended to allow for:

1. The height restriction to be measured from the highest ground level on either side of the wall, and
2. Allow for a height of up to 11 feet at locations where the presence of utility structures create a potential trespassing risk.

The City application process requires an initial fee deposit of \$6,000 to process the application. It is anticipated that the City will also require the mutual to submit engineering plans to confirm the structural integrity of the proposed installations for any wall extension higher than the currently allowed 7 feet. Staff recommends allocating an additional \$4,000 for a total of \$10,000 to cover the cost of the application fee and preparing structural plans, if needed.

FINANCIAL ANALYSIS

A supplemental appropriation from the Replacement Reserve Fund in the amount of \$10,000 will be needed if the board approves the submittal of the recommended CUP amendment application.

The current contract price for shepherd's crook installations up to 7 feet in height is approximately \$120 per linear foot. Bid pricing would need to be obtained for installations at specific locations that are selected to receive fencing up to 11 feet in height. Staff estimates the cost for these installations to be in the range of \$200 per linear foot. The 2023 Business Plan includes an allocation of \$35,000 for the shepherd's crook program in 2023.

Prepared By: Bart Mejia, Maintenance & Construction Assistant Director

Reviewed By: Eric Nunez, Director of Security Services
Steve Hormuth, Director of Financial Services

ATTACHMENT(S)

Attachment 1: Conditional Use Permit CUP-1135

Attachment 2: Shepherd's Crook Presentation

Attachment 3: Resolution – Supplemental Appropriation for CUP Amendment

ATTACHMENT 1 - CONDITIONAL USE PERMIT CUP-1135

CITY OF LAGUNA WOODS

Exhibit A to Resolution No. 17-12

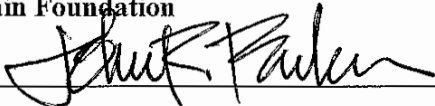
Conditions of Approval for Conditional Use Permit CUP-1135

1. The proposed project shall be constructed, developed, used, operated, and permanently maintained in accordance with the terms of the application, plans, drawing, and conditions imposed in the resolution of approval.
2. The Applicant(s)/Owner(s) shall comply with all of the requirements of Resolution No. 17-12, adopted as part of Conditional Use Permit CUP-1135.
3. The Applicant(s)/Owner(s) shall comply with all requirements of the City of Laguna Woods Municipal Code, as it pertains to this application, and such requirements are made a condition of permit approval. This includes, but is not limited to, all requirements related to building permits, engineering review, and plan review, generally, of proposed construction plans.
4. This conditional use permit allows exceedances of maximum fence and wall height provisions of the Laguna Woods Municipal Code, up to a maximum height of seven feet when viewed from adjoining properties, along all perimeter fences and walls of Laguna Woods Village. Permitted materials for any portion of a fence or wall in excess of six feet in height include shepherd's hook, masonry, or other materials as permitted by the Laguna Woods Municipal Code.
5. Subject to the termination provisions below, this conditional use permit shall remain in effect, indefinitely, provided that at least 900 lineal feet of perimeter fencing and walls for Laguna Woods Village is modified each calendar year with the first requirement of 900 lineal feet due no later than December 31, 2018. For the purpose of this section, "modified" shall mean increased in height in excess of six feet and/or the removal and replacement of barbed wire with shepherd's hook, masonry, or similar materials as determined by the City Manager. After completion of the modification of the perimeter fencing and walls, the 900 foot per calendar year requirement shall be deemed satisfied, and the remainder of this conditional use permit, and all conditions thereon, shall remain in full force and effect.

**OWNER(S)/APPLICANT(S) AGREEMENT TO CONDITIONS OF APPROVAL FOR
CONDITIONAL USE PERMIT CUP-1135 ("AGREEMENT")**

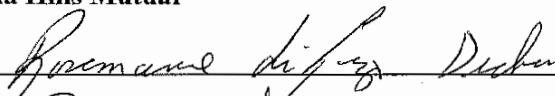
1. **AGREEMENT TO CONDITIONS OF APPROVAL.** The person or persons executing this AGREEMENT on behalf of the respective Owner(s)/Applicant(s) has reviewed all Conditions of Approval for Conditional Use Permit CUP-1135 that were approved by the Laguna Woods City Council on May 17, 2017, has had the opportunity to consult with legal counsel regarding them as the Owner(s)/Applicant(s) has deemed appropriate, and understands and agrees, without exception, to each and all of the conditions.
2. **AUTHORITY TO EXECUTE.** The person or persons executing this AGREEMENT on behalf of the respective Owner(s)/Applicant(s) represents and warrants that he/she/they has/have the authority to so execute this AGREEMENT and to bind the respective Owner(s)/Applicant(s) to the performance of its obligations hereunder.
3. **BINDING EFFECT.** This AGREEMENT shall be binding upon the heirs, executors, administrators, successors and assigns of the parties.
4. **SEVERABILITY.** If any term, condition or covenant of this AGREEMENT is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this AGREEMENT shall not be affected thereby and the AGREEMENT shall be read and construed without the invalid, void or unenforceable provision(s).

Golden Rain Foundation

Signature:  Date: 5/19/2017
Full Name: JOHN R. PARKER Title: PRESIDENT GRF


SIGNATURE MUST BE NOTARIZED; ATTACH JURAT.

Third Laguna Hills Mutual

Signature:  Date: 5-19-17
Full Name: ROSEMARIE DI LORENZO Title: PRESIDENT
DI LORENZO

SIGNATURE MUST BE NOTARIZED; ATTACH JURAT.

United Laguna Woods Mutual

Signature:  Date: 5/19/17
Full Name: Juanita Skillman Title: President

SIGNATURE MUST BE NOTARIZED; ATTACH JURAT.

ATTACHMENT 1

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 *[Signature]* _____

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me

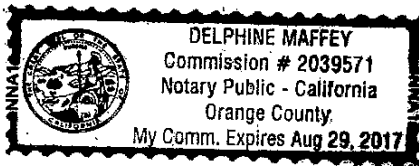
on this 19 day of May, 2017,
 by _____ Date _____ Month _____ Year _____

(1) John Parker

(and (2) Rosemarie delorenzo),
 Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature *[Signature]*
 Signature of Notary Public



Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Conditions of Approval for Conditional Document Date: 5.19.17
Use Permit CUP-1135
 Number of Pages: 3 Signer(s) Other Than Named Above: Juanita Killman

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Laguna Woods Village – Shepherd's Crook Fencing



SANTA MARIA



INTERIOR HEIGHT: 8'
 EXTERIOR HEIGHT: 7'
 UTILITY BOX HEIGHT: 3'-5", 4'
 UTILITY DIST TO WALL: 7" - 9"

TOTAL PROPOSED HEIGHTS:
 INTERIOR HEIGHT: 12'
 EXTERIOR HEIGHT: 11'



INTERIOR HEIGHT: 7'-3"
 EXTERIOR HEIGHT: 7'
 UTILITY BOX HEIGHT: 4'
 UTILITY DIST TO WALL: 7"

TOTAL PROPOSED HEIGHTS:
 INTERIOR HEIGHT: 11'-3"
 EXTERIOR HEIGHT: 11'

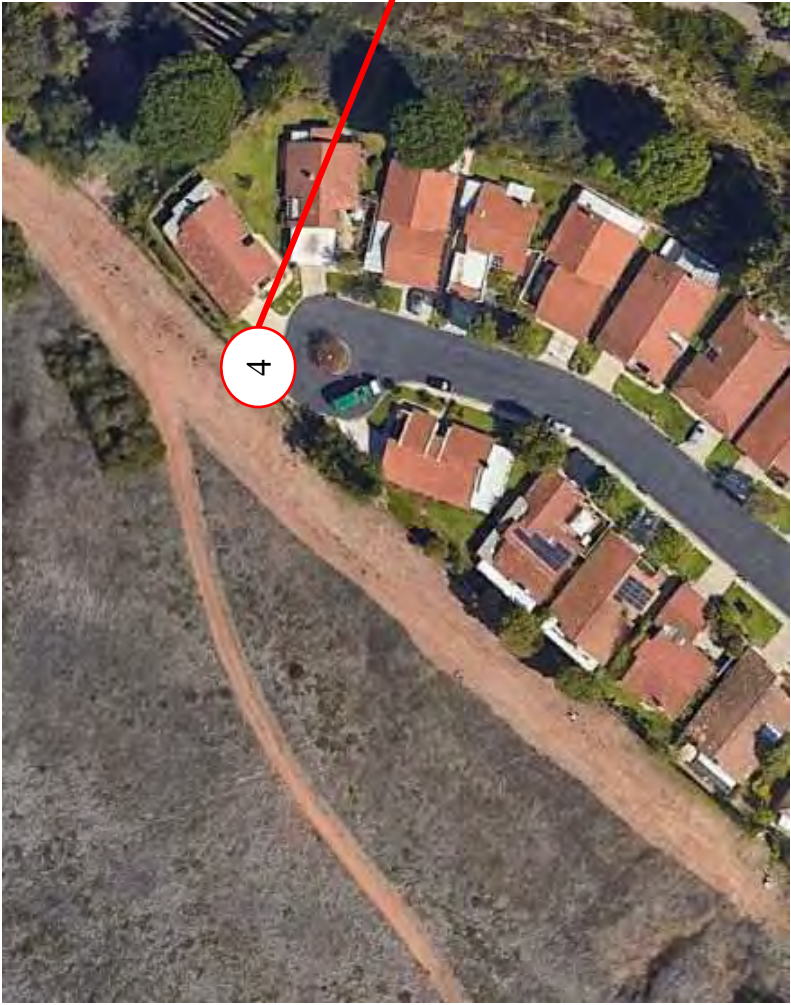


INTERIOR HEIGHT: 7'-7"
 EXTERIOR HEIGHT: 7'
 UTILITY BOX HEIGHT: 4' - 7"
 UTILITY DIST TO WALL: 2' - 6"

TOTAL PROPOSED HEIGHTS:
 INTERIOR HEIGHT: 11'-7"
 EXTERIOR HEIGHT: 11'

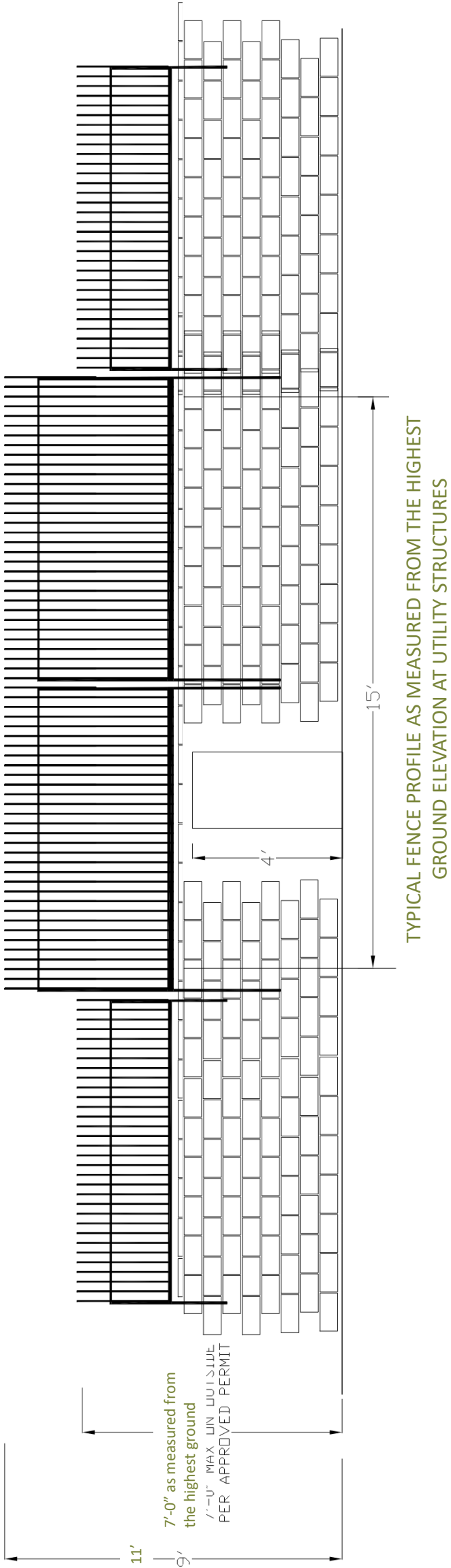
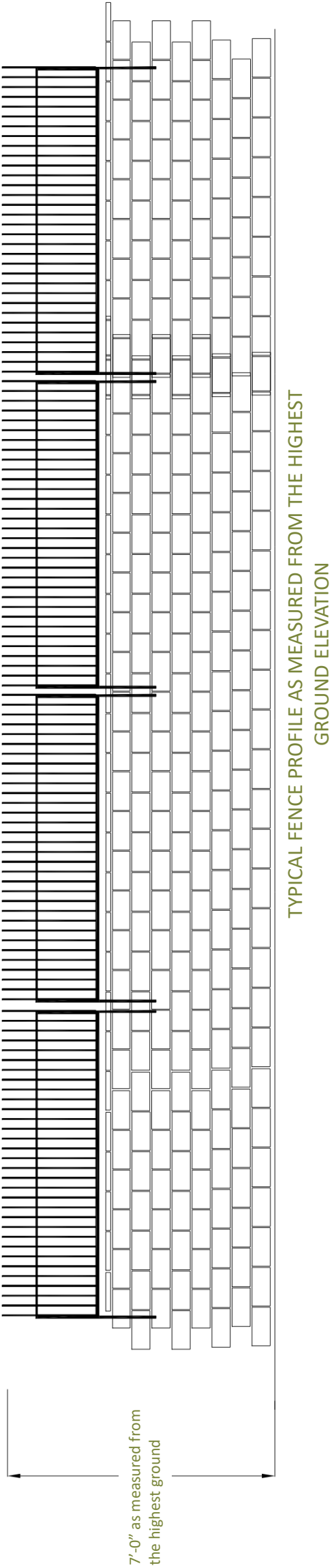


B5309



INTERIOR HEIGHT: 5’
EXTERIOR HEIGHT: 7’

TOTAL PROPOSED HEIGHTS:
INTERIOR HEIGHT: 7’
EXTERIOR HEIGHT: 9’





ATTACHMENT 3 - RESOLUTION

Resolution 03-22-XX

Supplemental Appropriation for CUP Amendment for Shepherd's Crook Installations

WHEREAS, in May 2017, the City of Laguna Woods issued CUP-1135 governing the replacement of barbed-wire fencing with wrought-iron shepherd's crook fence; and

WHEREAS, the CUP limits the height of the shepherd's crook installation to a height of 7 feet when viewed from adjoining properties; and

WHEREAS, staff recommends that the mutual authorize the submittal of an application to the City of Laguna Woods requesting that the height restriction be revised or amended to allow for the height restriction to be measured from the highest ground level on either side of the wall and allow for a height of up to 11 feet at locations where the presence of utility structures create a potential trespassing risk;

NOW THEREFORE BE IT RESOLVED, on November 15, 2022, the Board of Directors of this Corporation hereby authorizes a supplemental appropriation in the amount of \$10,000, for the City application process; and

RESOLVED FURTHER, that funding in the amount of \$10,000 from the Replacement Reserve Fund will be used for this project; and

RESOLVED FURTHER, a supplemental appropriation is authorized from the Reserve Fund in the amount of \$10,000; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

OCTOBER INITIAL NOTIFICATION:

Should the Board endorse the proposed revisions, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 28-days from the postponement to comply with Civil Code §4360.

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RESOLUTION 03-22-XX

Third Mutual Committee Appointments

RESOLVED, October 18, 2022, that the following persons are hereby appointed to serve on the committees and services of this Corporation.

RESOLVED FURTHER, that each committee chair may appoint additional members and advisors with interim approval by the President subject to the approval of the Board of Directors:

Finance Committee

Donna Rane-Szostak, Chair
Mark Laws
Annie McCary
Ralph Engdahl
Cris Prince
Cush Bhada
Jim Cook
Ira Lewis
Jules Zalon
Non-Voting Advisors: Wei-Ming Tao

Architectural Standards and Control Committee

James Cook, Chair
~~John Frankel~~
Cush Bhada
Ralph Engdahl
Nathaniel Ira Lewis
Cris Prince
Non-Voting Advisors: Mike Butler, Mike Plean, Lisa Mills

Landscape Committee

Nathaniel Ira Lewis, Chair
Annie McCary
Jules Zalon
Ralph Engdahl
Donna Rane-Szostak
Cush Bhada, Alternate
Non-Voting Advisors: Cindy Baker

Maintenance and Construction Committee

Ralph Engdahl, Chair

James Cook

Cush Bhada

Mark Laws

~~John Frankel~~

Cris Prince, ~~Alternate~~

Non-voting Advisors: David Bienek, Judith Troutman

Executive Hearing Committee

Annie McCary, Chair

Ralph Engdahl

Mark Laws

~~John Frankel, Alternate~~

Cris Prince, Alternate

Jules Zalon, Alternate

Resident Policy and Compliance Committee

Mark Laws, Chair

Cush Bhada

Jules Zalon

Cris Prince

Nathaniel Ira Lewis, ~~Alternate~~

Non-Voting Advisors: Stuart Hack

Water Conservation Committee

Donna Rane-Szostak, Chair

~~John Frankel~~

Cush Bhada

Jules Zalon

Nathaniel Ira Lewis

Non-Voting Advisor: Lee Goldstein

Garden Villa Recreation Room Subcommittee

Mark Laws, ~~Chair~~

Donna Rane-Szostak

Nathaniel Ira Lewis

Voting Advisors: Martina Mangan, Sharon Molineri

Non-Voting Advisors: Lynn Jarrett

Parking & Golf Cart Committee

~~Cush Bhada, Chair~~

~~John Frankel~~

~~Mark Laws~~

~~Ralph Engdahl, Alternate~~

~~Non-Voting Advisor: Hal Horne~~

Communications Committee

~~Annie McGary, Chair~~

~~Donna Rane-Szostak~~

~~Cris Prince~~

~~James Cook~~

~~Mark Laws~~

~~Cush Bhada, Alternate~~

Energy Research Group

~~Ralph Engdahl~~

~~John Frankel~~

~~Nathaniel Ira Lewis~~

~~Non-Voting Advisors: Sue Stephens, Bill Walsh~~

Investment Ad Hoc Committee

~~Mark Laws~~

~~Donna Rane-Szostak~~

RESOLVED FURTHER, that Resolution 03-22-82, adopted July 19, 2022, is hereby superseded and canceled; and,

RESOLVED FURTHER; that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution.

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RESOLUTION 03-22-XX

GRF Committee Appointments

RESOLVED, October 18, 2022, that in compliance with Article 7, Section 7.3 of the Golden Rain Foundation Bylaws, the following persons are hereby appointed to serve on the committees of the Golden Rain Foundation:

Community Activities Committee

Annie McCary

~~Cush Bhada~~

Mark Laws

Jules Zalon, Alternate

GRF Finance Committee

Donna Rane-Szostak

Mark Laws

GRF Landscape Committee

Jules Zalon

Nathaniel Ira Lewis

Annie McCary, Alternate

GRF Maintenance and Construction Committee

Ralph Engdahl

Jim Cook

Cush Bhada, Alternate

~~John Frankel, Alternate~~

Clubhouse Renovation Ad Hoc Committee

Ralph Engdahl

~~John Frankel~~

Cush Bhada, ~~Alternate~~

GRF Media and Communications Committee

Annie McCary

Jim Cook

Cris Prince, Alternate

Mobility and Vehicles Committee

Jim Cook, Alternate

~~John Frankel~~

Cush Bhada

Security and Community Access Committee

Annie McCary

Cris Prince

Donna Rane-Szostak, Alternate

Purchasing Ad Hoc Committee (new)

Donna Rane-Szostak

Mark Laws

Ralph Engdahl, Alternate

Broadband Ad Hoc Committee

Cris Prince

Jim Cook

Disaster Preparedness

Jim Cook

~~John Frankel~~

Donna Rane-Szostak, Alternate

Laguna Woods Village Traffic Hearings

~~John Frankel~~

Jules Zalon

Mark Laws, Alternate

Strategic Planning Committee

Nathaniel Ira Lewis

~~Mark Laws~~

IT Technology Advisory Committee (ITAC)

Mark Laws

Insurance Ad Hoc Committee

Cris Prince

Mark Laws

Jim Cook

Website Ad Hoc Committee

Annie McCary

Mark Laws

RESOLVED FURTHER, that Resolution 03-22-101, adopted September 20, 2022, is hereby superseded and canceled; and

RESOLVED FURTHER; that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution.

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Chair's Report for October 18, 2022 Board Meeting

SLIDE 1 – Through the reporting period of **August 31, 2022**, total revenue for Third was \$29,031K compared to expenses of \$24,693K, resulting in a net revenue of \$4,338K.

SLIDE 2 – In Finance, we keep a close eye on the operating portion of our financial results. The Operating Fund shows a surplus of \$992K through the reporting period. This chart shows how much of our revenue went into operations, with \$19,068K coming in from assessments and \$1,301K coming from non-assessment revenue. This is compared to operating expenditures of \$19,377K (without Depreciation).

SLIDE 3 – This next chart takes the full income statement and compares those results to budget. We can see that Third ended the period better than budget by \$3,176K when combining both operating and reserve revenues and expenses.

SLIDE 4 – The most significant variances from budget were attributable to:

- **Outside Services \$1,848K**; Favorable variance due to the timing of payments for moisture intrusion plumbing leaks and stoppages. Additionally, delays in contract approvals contributed to the variance. Roof replacements had a late start. Replacements began in April and are expected to be completed by October, on budget.
- **Employee Compensation & Related \$733K**; Favorable variance resulted from open positions in the M&C and Landscape departments. The most heavily impacted area in Landscape is grounds maintenance. Impacted areas in M&C are Maintenance Operations, Damage Restoration, Carpentry, Plumbing and Paint.
- **Insurance \$659K**; Favorable variance primarily due to a lower insurance than anticipated at the beginning of the year.
- **Legal Fees \$193K**; Favorable variance resulted from less Legal fees through the reporting period than anticipated.
- **Utilities (\$302K)**; Unfavorable variance resulted from Electricity and Water. Water consumption was 3.4% higher than anticipated due to the ongoing drought. Going forward, the Board approved a reduction in irrigation water to help offset water costs. At the end of 2021 SCE was going through a system change and we were not notified of



Chair's Report for October 18, 2022 Board Meeting

approximately \$100K of bills. The 2021 electricity bills were paid in 2022 and contribute to the unfavorable variance.

SLIDE 5 – On this pie chart, we show non-assessment revenues earned to date of \$1,422K by category, starting with our largest revenue generating categories of Chargeable Services, Permit Fee, Lease Processing Fee, Laundry Revenue, Resale Processing Fee, and so on.

SLIDE 6 – On this pie chart, we see the expenses to date of \$24,693K by category, starting with our largest categories of Employee Compensation & Related, Insurance, Utilities, Outside Services, and so on.

SLIDE 7 – The non-operating fund balance on August 31, 2022 was \$31,896K. YTD contributions and interest were \$8,662K while YTD expenditures were \$5,228K.

SLIDE 8 – We compare the non-operating fund balances to historical fund balances for the past five years on this chart, which has averaged \$29.4 Million. Third Laguna Hills Mutual has been committed to supporting reserve requirements while providing more contingency funds for unexpected events.

SLIDE 9 – We have a slide here to show resale history from 2020 - 2022. Through August 31, 2022, Third sales totaled 301, which is 8 lower than prior year for the same time period. The average YTD resale price for a Third Mutual was \$531K, which is \$71K higher than prior year for the same time period.

Financial Report

As of August 31, 2022



INCOME STATEMENT (in Thousands)		ACTUAL
Assessment Revenue		\$27,609
Non-assessment Revenue		\$1,422
Total Revenue		\$29,031
Total Expense		\$24,693
Net Revenue/(Expense)		\$4,338

Financial Report

As of August 31, 2022



OPERATING INCOME STATEMENT (in Thousands)		ACTUAL
Assessment Revenue		\$19,068
Non-assessment Revenue		\$1,301
Total Revenue		\$20,369
Total Expense ¹		\$19,377
Operating Surplus		\$992

1) excludes depreciation

Financial Report

As of August 31, 2022



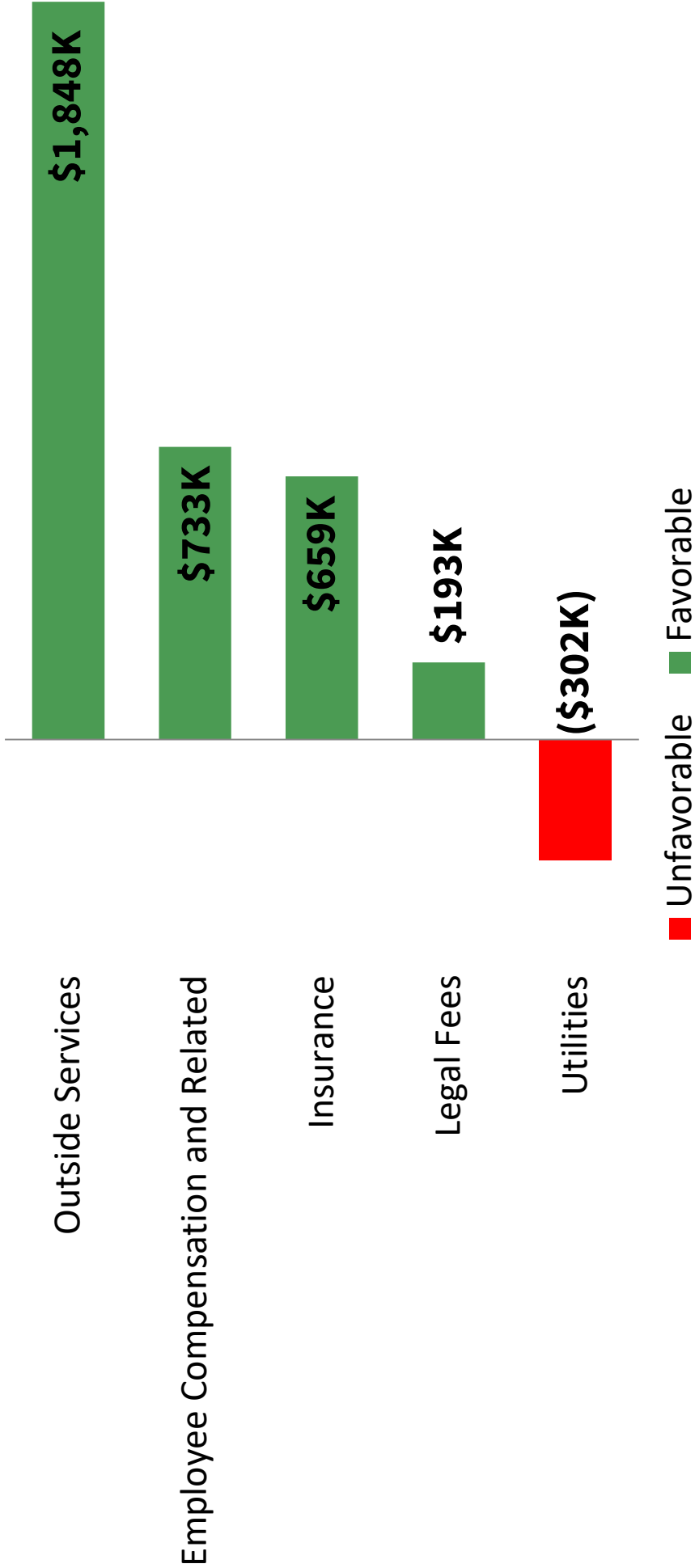
INCOME STATEMENT (in Thousands)	ACTUAL	BUDGET	VARIANCE B/(W)
Assessment Revenue	\$27,609	\$27,610	(\$1)
Non-assessment Revenue	\$1,422	\$1,396	\$25
Total Revenue	\$29,031	\$29,006	\$24
Total Expense	\$24,693	\$27,845	\$3,152
Net Revenue/(Expense)	\$4,338	\$1,161	\$3,176

Financial Report

As of August 31, 2022



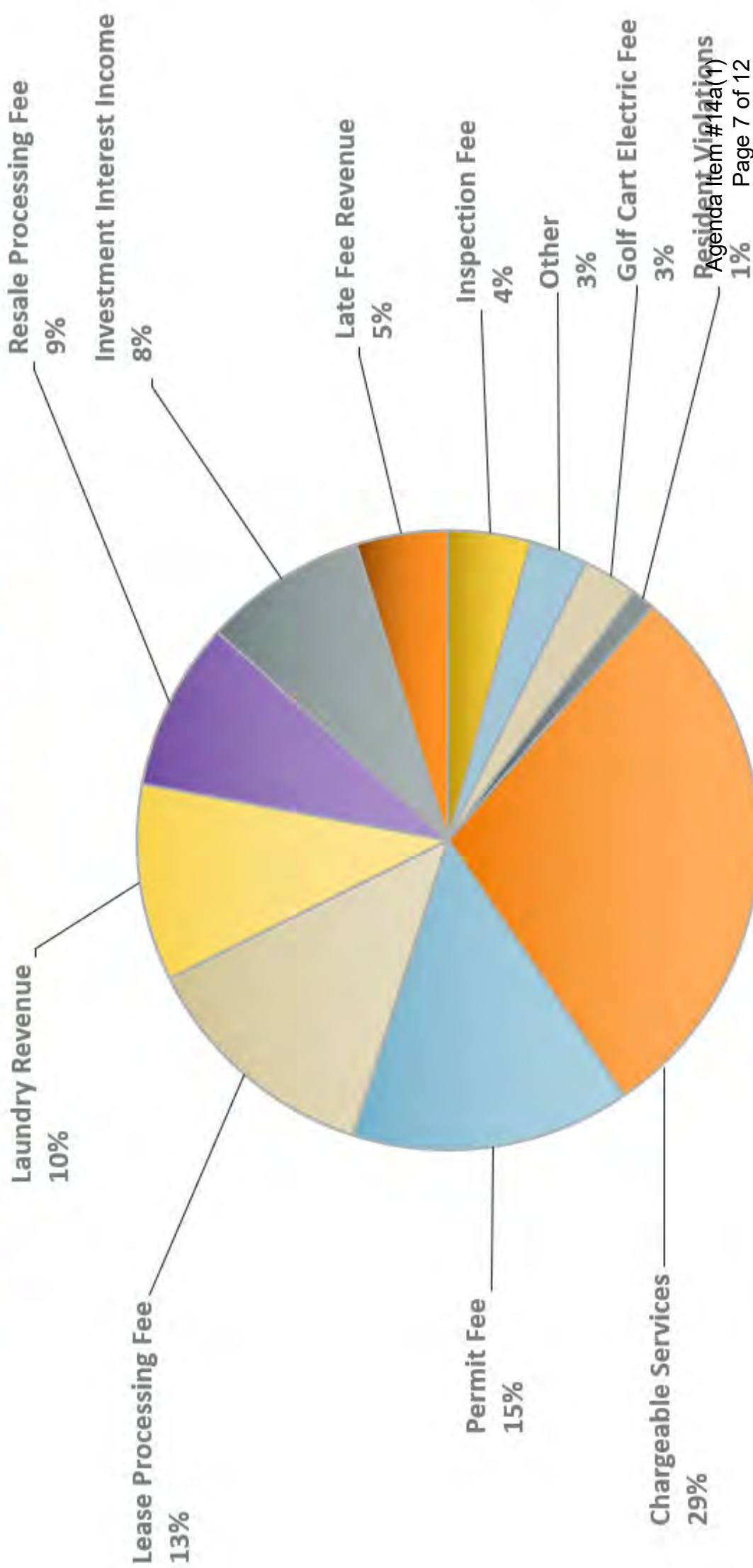
Year to Date Variances



Financial Report

As of August 31, 2022

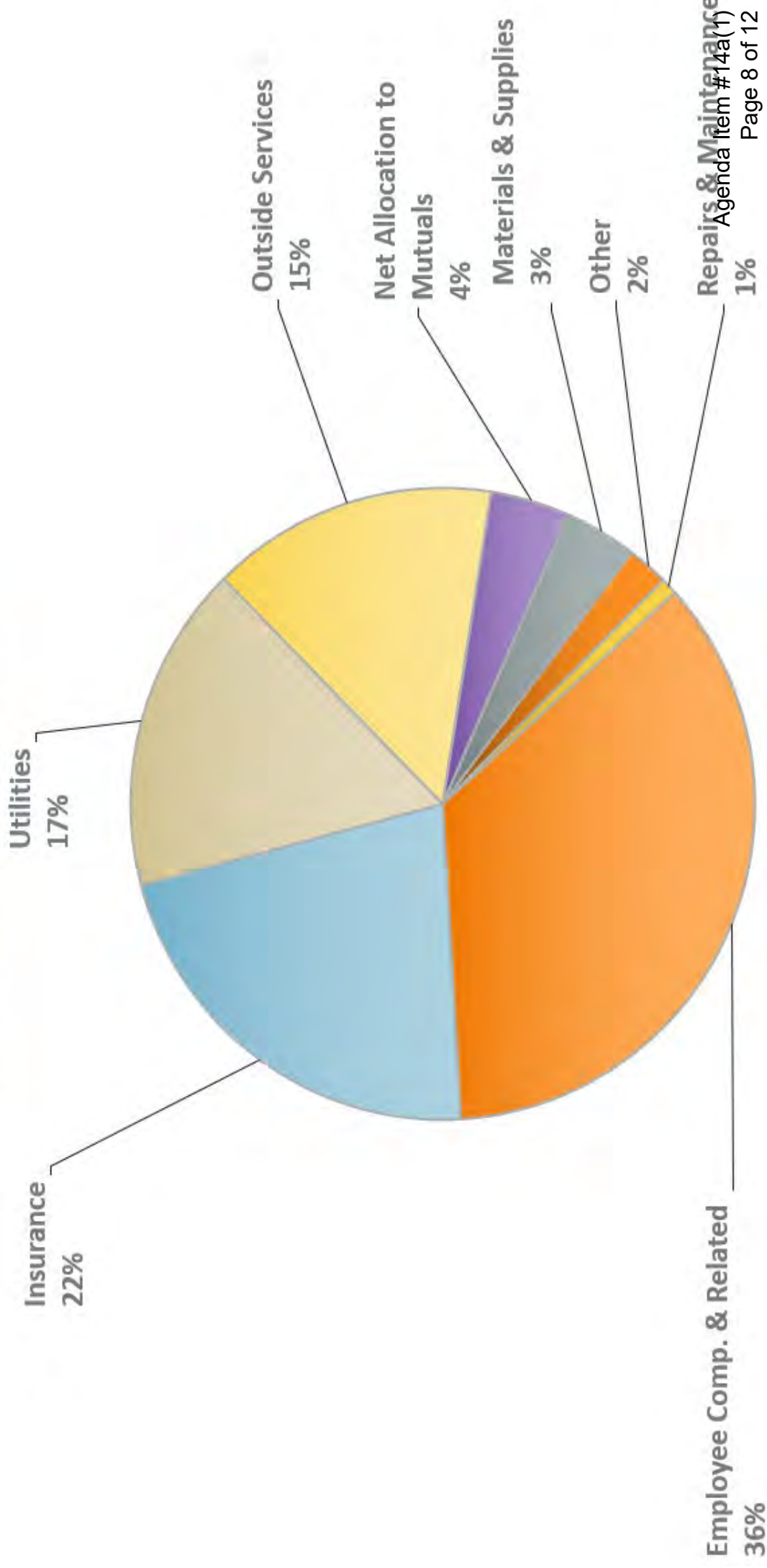
Total Non Assessment Revenues \$1,421,725



Financial Report

As of August 31, 2022

Total Expenses \$24,693,322



Employee Comp. & Related
36%

Repairs & Maintenance
1%

Agenda Item #14a(1)

Page 8 of 12

Financial Report

As of August 31, 2022



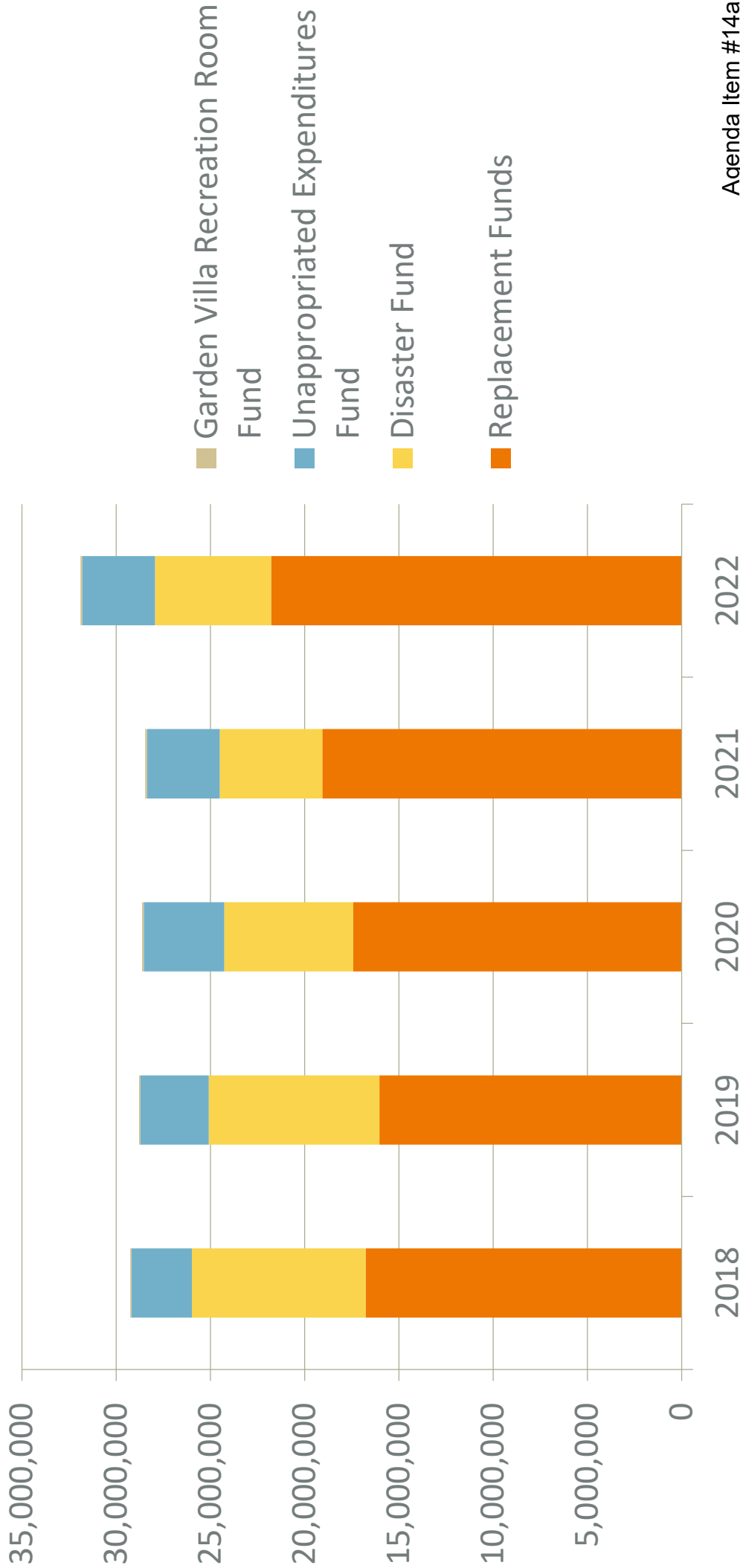
NON OPERATING FUND BALANCES (in Thousands)	Replacement Funds*	Garden Villa Fund	Disaster Fund	Unappropriated Expenditures Fund	TOTAL
Beginning Balances: 1/1/22	\$19,069	\$104	\$5,442	\$3,847	\$28,462
Contributions & Interest	\$7,508	\$60	\$1,085	\$9	\$8,662
Expenditures	\$4,795	\$74	\$358	\$1	\$5,228
Current Balances: 8/31/22	\$21,782	\$90	\$6,169	\$3,855	\$31,896

* Includes Elevator and Laundry Funds

Financial Report

As of August 31, 2022

FUND BALANCES – Third Mutual

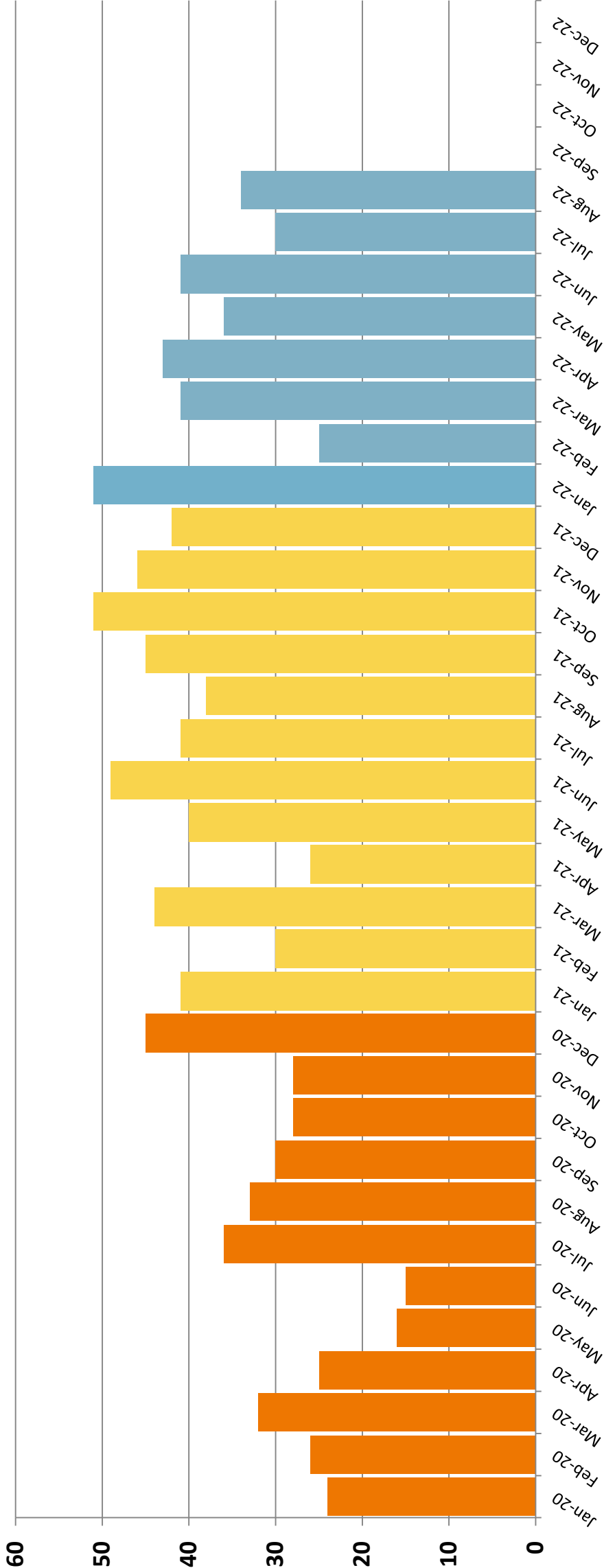


Financial Report

As of August 31, 2022

RESALE HISTORY – Third Mutual

	NO. OF RESALES	AVG. RESALE PRICE
YTD 2020	207	\$420,312
YTD 2021	309	\$460,018
YTD 2022	301	\$531,205



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**FINANCE COMMITTEE MEETING
REPORT OF THE REGULAR OPEN SESSION**

Tuesday, October 4, 2022 – 1:30 p.m.
Hybrid Meeting

DIRECTORS PRESENT: Mark Laws – Chair (Substitute for Donna Rane-Szostak), Annie McCary, Ralph Engdahl, Cris Prince, Cush Bhada, Jim Cook, Ira Lewis, Jules Zalon
DIRECTORS ABSENT: Donna Rane-Szostak (excused)
ADVISORS PRESENT: Wei-Ming Tao
STAFF PRESENT: Steve Hormuth, Jose Campos, Manuel Gomez, Erika Hernandez

Call to Order

Director Mark Laws, President, chaired and called the meeting to order at 1:30 p.m.

Approval of Meeting Agenda

A motion was made and the agenda was approved as presented by consent.

Approval of Meeting Report for September 6, 2022

A motion was made to approve the meeting report as presented; no changes were requested, and the report was approved by consent.

Chair Remarks

None.

Member Comments (Items Not on the Agenda)

None.

Department Head Update

Steve Hormuth, Director of Financial Services, provided a brief summary of the 2023 Business Plan adoption that occurred at the September Third Board meeting.

Preliminary Financial Statements dated August 31, 2022

Jose Campos, Assistant Director of Financials Services, presented the Preliminary Financial Statements dated August 31, 2022.

2023 Collection and Lien Enforcement Policy

The 2022 Collection and Lien Enforcement Policy was provided by legal with minor redline changes for year 2023. The committee reviewed the changes and a motion was made and seconded. By unanimous decision, the motion passed to accept the 2023 Collection and Lien Enforcement Policy. It will be presented at the next Board meeting and will be placed on the Consent Calendar.

Endorsements from Standing Committees

Maintenance and Construction Committee – Request for Supplemental Appropriation for Shepherd's Crook Conditional Use Permit Amendment. Manuel Gomez, Director of Maintenance and Construction, presented a staff report requesting the committee not to discuss the merits of the higher shepherd's crook but simply to approve and endorse a supplemental appropriation in the amount of \$10K from the Replacement Reserve Fund for the Conditional Use Permit application to be processed with the City of Laguna Woods to revise the Shepherd's Crook height restriction contained in CUP-1135 from 7 feet to 11 feet. A motion was made by Director Ralph Engdahl and seconded by Director Annie McCary to accept the request.

The motion passed unanimously to approve and endorse the recommendation and present at the next board meeting.

Future Agenda Items

None.

Committee Member Comments

None.

Date of Next Meeting

Tuesday, November 1, 2022 at 1:30 p.m.

Recess to Closed Session

The meeting recessed at 2:32 p.m.



Mark Laws, Chair (Substitute for Donna Rane-Szostak)

Monthly Resale Report

PREPARED BY

Community Services Department

MUTUAL

Third

REPORT PERIOD

September, 2022

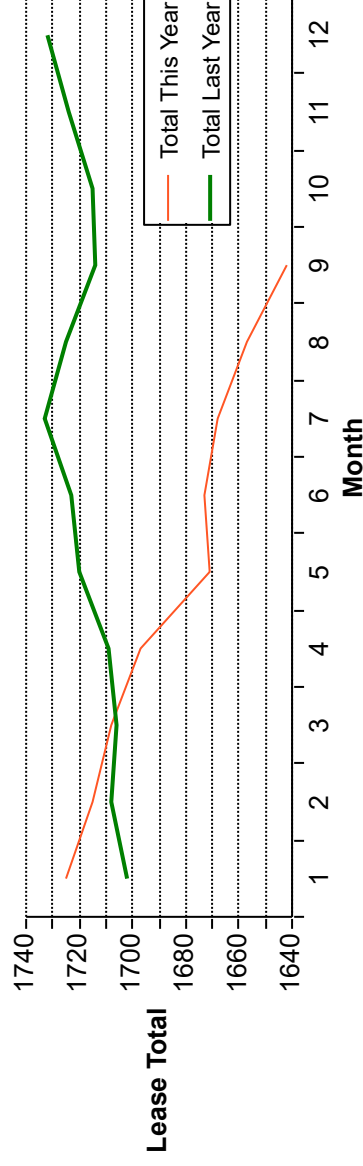
MONTH	NO. OF RESALES		TOTAL SALES VOLUME IN \$\$		AVG RESALE PRICE	
	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR
January	51	41	\$22,789,400	\$16,433,725	\$446,851	\$400,823
February	25	30	\$12,688,000	\$11,904,525	\$507,520	\$396,818
March	41	44	\$19,655,200	\$20,903,100	\$479,395	\$475,070
April	43	26	\$27,123,000	\$12,851,400	\$630,767	\$494,285
May	36	40	\$19,627,005	\$18,741,800	\$545,195	\$468,545
June	41	49	\$23,772,900	\$25,804,388	\$579,827	\$526,620
July	30	41	\$13,801,990	\$17,901,388	\$460,066	\$436,619
August	33	38	\$19,925,700	\$18,292,000	\$603,809	\$481,368
September	32	45	\$14,594,000	\$20,638,940	\$456,063	\$458,643
October		* 51		* \$22,829,400		* \$447,635
November		* 46		* \$23,744,300		* \$516,180
December		* 44		* \$20,172,500		* \$458,466
TOTAL	332.00	354.00	\$173,977,195	\$163,471,266		
ALL TOTAL	332.00	495.00	\$173,977,195	\$230,217,466		
MON AVG	36.00	39.00	\$19,330,799	\$18,163,474	\$523,277	\$459,866
% CHANGE - YTD	-6.2%		6.4%		13.8%	

% Change calculated (ThisYear - LastYear)/LastYear

* Amount is excluded from percent calculation

Monthly Active Leasing Report

2022 Period 9 (Mutual 3)



Year	Month	1 to 3 Month	4 to 6 Month	7 to 12 Month	12+ Month	Total This Year	Total Last Year	% Leased Last Year	% Change	Total Renewals	Total Expirations
2022	January	14	24	177	1,510	1,725	1,702	28.3	27.9	125	38
2022	February	15	22	190	1,488	1,715	1,708	28.1	28.0	123	43
2022	March	16	20	214	1,458	1,708	1,706	28.0	28.0	137	52
2022	April	11	15	242	1,429	1,697	1,709	27.8	28.0	142	56
2022	May	6	10	260	1,395	1,671	1,720	27.4	28.2	113	46
2022	June	10	13	289	1,361	1,673	1,723	27.4	28.2	185	58
2022	July	15	17	312	1,324	1,668	1,733	27.3	28.4	111	49
2022	August	14	20	340	1,283	1,657	1,725	27.2	28.3	108	54
2022	September	13	20	360	1,249	1,642	1,714	26.9	28.1	103	66
2022	October					1,715					
2022	November					1,724					
2022	December					1,732					



OPEN MEETING

REPORT OF THE REGULAR OPEN MEETING OF THE THIRD LAGUNA HILLS MUTUAL ARCHITECTURAL CONTROLS AND STANDARDS COMMITTEE

**Monday, September 26, 2022 – 9:30 a.m.
Laguna Woods Village Board Room/Virtual Meeting
24351 El Toro Road, Laguna Woods, California**

REPORT

MEMBERS PRESENT: Jim Cook – Chair, Ralph Engdahl, Nathaniel Ira Lewis, Cris Prince, Mark Laws

OTHERS PRESENT: Michael Butler, Advisor

MEMBERS ABSENT: Michael Plean, Advisor

STAFF PRESENT: Robbi Doncost-Manor Alterations Manager
Gavin Fogg – Manor Alterations Supervisor
Abraham Ballesteros-Inspector II, Manor Alterations
Manuel Gomez-Maintenance & Construction Director
Kristen Valdovinos-Manor Alterations Coordinator
Sandra Spencer-Administrative Assistant

1. Call Meeting to Order / Establish Quorum

Chair Cook called the meeting to order at 9:30 a.m.

2. Approval of the Agenda

Hearing no objection, the agenda was unanimously approved as written.

3. Approval of Meeting Reports for August 22, 2022

Hearing no objection, the meeting report was unanimously approved as written.

4. Chair's Remarks

Chair Cook remarked that Director Frankel has retired from the committee and thanked him for his time, efforts and service. Mark Laws will be filling in on the committee until a new member is assigned.

5. Member Comments - (Items Not on the Agenda)

None.

6. Response to Member Comments

None.

7. Division Manager Update

Mr. Doncost updated the committee on staffing issues in Manor Alterations; the number of phone calls received daily by the department; and introduced Kristen Valdovinos as the new Manor Alterations Coordinator.

8. Consent: *All matters listed under the Consent Calendar are considered routine and will be enacted by the Committee by one motion. In the event that an item is removed from the Consent Calendar by members of the Committee, such item(s) shall be the subject of further discussion and action by the Committee.*

No items on the consent calendar for review.

9. Over-The-Counter Variances

None.

10. Variance Requests:

a. 3467-B: Retain Patio Extension into Common Area

The variance was introduced by Mr. Ballesteros. Discussion ensued and staff answered questions from the committee regarding the prior-approved canopy; safe access to the electrical panel; and the original design of the slab being problematic with regard to drainage.

- Two members emailed comments in support of the variance request.

A motion was made to approve the variance to retain the patio extension into common area. Hearing no objection, the variance was approved by unanimous consent.

b. 5458: Slab Extension from Driveway

The variance was introduced by Mr. Ballesteros. Discussion ensued regarding a similar request being approved at a prior ACSC committee meeting; the relocation of planting material to screen the extension from the street; the space between the adjacent driveway and manor; fire department access; and the possibility of members creating golf cart parking spots on their properties.

Ultimately, no vote was taken and the committee directed staff to clarify the measurements and to obtain input from the members on the cul-de-sac for discussion and consideration at the next committee meeting.

c. 3415-A: Remove and Support 3 Structural Kitchen Walls

The variance was introduced by Mr. Ballesteros. The committee asked questions regarding the complexities of such a variance request. Staff clarified that the member would still need to obtain a permit from the City of Laguna Woods; the Conditions of Approval require a shoring plan; and who would be responsible should any damage occur to the manor above. Advisor Butler suggested exceptions should this variance become an Over-the-Counter Variance.

- A member emailed comments on structural integrity and voiced opposition to this variance.
- A member emailed questions concerning other members' requests for load bearing walls being denied by the committee; earthquake safety; and insurance rates.

A motion was made to approve the variance and passed by a 5/1/0 vote. (Advisor Plean opposed, via email.)

11. Items Open for Discussion and Consideration

a. Develop Policy for Incidental Work Related to an Approved Variance

Chair Cook introduced the item and answered questions from the committee. Staff was directed to draft a policy whereby incidental work relating to an approved variance be simultaneously approved and that no further approval by the committee or board be required for such incidental work.

12. Items for Future Agendas

- Under 32 SF and Under 100 SF Asbestos Abatement to Be Performed As a Chargeable Service
- Revised Resale Inspection Fee Schedule
- Review of the Stepping Stones Removal Policy

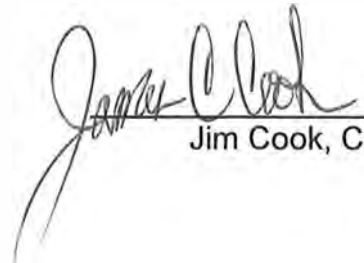
13. Committee Member Comments

- Chair Cook commented that all the standards will be revisited as time permits; that some alterations may be the reason a new member may buy a specific manor and that those alterations should not necessarily always be required to be removed; dryer ventilation duct cleaning and inspection schedule; breaker panel inspection schedule.
- Director Lewis commented that clarification is needed on policies related to potentially removable alterations as there is confusion between departments and that real estate agents are also confused about the policies.
- Advisor Butler commented that a buyer should be able to work with the seller to keep the alterations they wish to keep.

14. Date of Next Meeting – Monday, October 24, 2022 at 9:30 a.m.

15. Adjournment

The meeting was adjourned at 10:41 a.m.



Jim Cook, Chair

Jim Cook, Chair
Robbi Doncost, Staff Officer
Telephone: 949-597-4616



OPEN MEETING

**REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL
LANDSCAPE COMMITTEE**

**Thursday, September 1, 2022 – 9:30 AM
BOARD ROOM/VIRTUAL MEETING
Laguna Woods Village Community Center, 24351 El Toro Road**

REPORT

COMMITTEE MEMBERS PRESENT: Chair- Ira Lewis, Ralph Engdahl, Annie McCary, Donna Rane-Szostak, Jules Zalon

COMMITTEE MEMBERS ABSENT: None.

OTHERS PRESENT: Mark Laws, Kay Havens (ETWD)

ADVISORS PRESENT: None.

STAFF PRESENT: Kurt Wiemann, Jayanna Abolmoloki, Siobhan Foster

1. Call to Order

Chair Lewis called the meeting to order at 9:31 a.m.

2. Acknowledgement of Media

No media was present.

3. Approval of the Agenda

The agenda was approved by unanimous consent.

4. Approval of the July 7, 2022 Report

The meeting report was approved by unanimous consent.

5. Committee Chair Remarks

Chair Lewis shared details regarding the reduction in watering turf from three days to two. Chair Lewis also informed the audience on measures that the Landscape Department is conducting to monitor the turf, trees, and shrubs within the community throughout the drought. Chair Lewis shared that the committee is in contact with various landscape designers to help formulate a cohesive plan for the re-planting and re-landscaping of the community.

6. Department Head Update

Mr. Wiemann reviewed the Manager Update presentation in detail. Members made comments and asked questions.

6a. Project Log

Mr. Wiemann reviewed the Project Log and answered some questions.

6b. Tree Work Status Report

7. Member Comments (Items Not on the Agenda)

Several members made comments and asked questions. Topics included the following:

- Turf Reduction Plant Material
- Praise for the Landscape crews
- Gates 5 and 6 in regard to slope maintenance

8. Response to Member Comments

Mr. Wiemann explained the turf reduction process using the Landscape Request Form, and how staff works with the residents on plant material and installation.

Mr. Wiemann stated that the Landscape Managers are listening to the meeting, and that they will respond to any issues discussed.

Items for Discussion and Consideration

9. Updating the Landscape Manual

Chair Lewis explained this task to the committee, and provided each member with a paper copy of the Landscape Manual. Chair Lewis informed the audience that specific areas requiring updates would be discussed at the next meeting.

10. Tree Removal Request: 5579-B Luz Del Sol – One Star Pine Tree

Director McCary made a motion to accept staff recommendation to remove one Star Pine tree located at 5579-B. Director Rane-Szostak seconded. The committee was in unanimous support.

Future Agenda Items:

11. Updating the Landscape Manual

Mr. Wiemann stated that the Water Use Report will be included in the Department Head Update portion of the committee meetings moving forward.

Concluding Business:

12. Committee Member Comments

Several comments were made.

Director Rane-Szostak reported that residential water use has decreased by 19% per information obtained from El Toro Water District.

13. Date of Next Meeting – Thursday, October 6, 2022, at 9:30 a.m.

14. Recess at 10:25 a.m. to prepare for Closed Session.

Ira Lewis

Ira Lewis (Sep 10, 2022 19:21 PDT)

Ira Lewis, Chair
Kurt Wiemann, Staff Officer
Jayanna Abolmoloki, Landscape Administrative Assistant
949-268-2565

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OPEN MEETING

**REPORT OF THE REGULAR MEETING OF THE
THIRD LAGUNA HILLS MUTUAL
MAINTENANCE AND CONSTRUCTION COMMITTEE**

**Monday, September 12, 2022 at 1:30 p.m.
24351 El Toro Road, Laguna Woods, CA 92637
Board Room and Virtual with Zoom**

REPORT

MEMBERS PRESENT: Ralph Engdahl - Chair, Cush Bhada, Jim Cook,
Mark Laws

MEMBERS ABSENT: John Frankel

OTHERS PRESENT: Dave Bienek – Advisor
Third: Cris Prince

STAFF PRESENT: Manuel Gomez – Maintenance & Construction Director,
Bart Mejia – Maintenance & Construction Assistant
Director, Ian Barnette – Maintenance & Construction
Assistant Director, Guy West – Projects Division Manager,
Robert Valdovinos – Maintenance Operations Manager,
Laurie Chavarria – Sr. Management Analyst, Sandra
Spencer – Administrative Assistant

1. Call Meeting to Order

Chair Engdahl called the meeting to order at 1:31 p.m. and established that a quorum was present.

2. Approval of the Agenda

Hearing no objection, the agenda was approved as written.

3. Approval of the Meeting Report from July 7, 2022

Hearing no objection, the meeting report was approved by a vote of 3/0/1 (Director Laws abstained).

4. Remarks of the Chair

None.

5. Member Comments – *(Items Not on the Agenda)*

- A member commented on the washing machines in the GVA laundry rooms; the lighting in the GVA buildings; and the communication regarding repair and maintenance projects in the GVA buildings.

6. Response to Member Comments

- Staff responded that the manual lighting timers are in the process of being adjusted. Mr. Gomez offered to speak with the appropriate managers regarding improving communications with the GVA building captains during maintenance projects.

7. Department Head Update

Mr. Gomez reported that the member concern from the July 2022 committee meeting has been resolved to the owner's satisfaction.

8. Consent: *All matters listed under the Consent Calendar are considered routine and will be enacted by the committee by one motion. In the event that an item is removed from the Consent Calendar by members of the committee, such item(s) shall be the subject of further discussion and action by the committee.*

The project log was pulled for discussion. Staff answered questions from the committee and offered to bring back details about the amount of dry rot found within the mutual.

The solar production report was pulled for discussion. Staff commented on the reason for providing the report. Director Laws volunteered to work with the Chair to devise a more concise report to reflect the production levels and the return on investment.

- a. Project Log
- b. Solar Production Report

Hearing no changes or objections, the motion to approve the Consent Calendar was approved unanimously.

9. Items For Discussion and Consideration

- a. Presentation Regarding Epoxy Lining for Copper Water Line Pipes

Mr. Barnette presented the topic and answered questions from the committee. Discussion ensued regarding criteria for selecting buildings for the program. Staff will present a recommendation for a contract award for this item in closed session.

- b. Removal of Planter at Building 2369

Mr. Gomez reported that a consensus of building owners favored removal of the planter by in-house staff at a cost of approximately \$2800.

A motion was made to remove the planter and was approved by unanimous consent.

c. CUP Amendment for Shepherd's Crook Installations

Mr. Gomez presented the topic and answered questions from the committee. Discussion ensued regarding the history of the project; the security concerns expressed by some residents in Gate 11; and the cost of the application to the mutual.

A motion was made to recommend the finance committee and then the board approve a request for a supplemental appropriation in the amount of \$10,000 for the City required application process. The motion passed by a vote of 2/1/0 (Director Laws opposed).

d. Spray Polyurethane Foam (SPF) Roof Systems Update

Mr. West presented the topic and answered questions from the committee. Discussion ensued regarding the roofing program; the current contract; the cost analyses of SPF and PVC roofing systems; the process for installing each type of application; and potential savings in energy costs. Staff will present a recommendation for this item in closed session.

10. Items for Future Agendas: *All matters listed under Future Agenda Items are items for a future committee meeting. No action will be taken by the committee on these agenda items at this meeting.*

- Policy to address reimbursements for MI events when residents pay for work due to delay in response from VMS
 - Staff offered to assist in prepping this item to take to the Third Resident Policy and Compliance Committee for review.
- Report on the feasibility of additional solar installations

11. Committee Member Comments

None.

12. Date of Next Meeting: Monday, November 7, 2022 at 1:30 p.m.

13. Recess - *At this time, the meeting will recess and reconvene to Closed Session to discuss the following matters.*

The meeting was recessed into closed session at 2:52 p.m.

Closed Session Agenda

Third Laguna Hills Mutual
Maintenance & Construction Committee
Report of the Regular Open Session
September 12, 2022
Page 4 of 4

Approval of the Agenda
Approval of the Meeting Report from July 7, 2022
Remarks of the Chair
Discuss and Consider Contractual Matters

14. Adjournment

The meeting was adjourned at 3:55 p.m.


Ralph Engdahl, Chair

Ralph Engdahl, Chair
Manuel Gomez, Staff Officer
Telephone: 949-268-2380

OPEN MEETING

REPORT OF THE REGULAR MEETING OF THE GOLDEN RAIN FOUNDATION COMMUNITY ACTIVITIES COMMITTEE

Thursday, September 8, 2022 – 1:30 p.m.
Board Room/Virtual Meeting

MEMBERS PRESENT: Yvonne Horton, Chair, Elsie Addington, Maggie Blackwell, Annie McCary, Diane Casey, Cush Bhada, Dennis Boudreau, Ajit Gidwani

MEMBERS ABSENT: Ryna Rothberg

OTHERS PRESENT: Bunny Carpenter, Juanita Skillman, Joan Milliman, Debbie Dotson

STAFF PRESENT: Brian Gruner, Steve Hormuth, Jennifer Murphy, Jackie Chioni

Call to Order

Chair Horton called the meeting to order at 1:34 p.m.

Acknowledgement of Media

There was no press present.

Approval of Agenda

Chair Horton made a motion to approve the agenda with the addition under Reports as Donation of Drum Sander for Clubhouse 4 Woodshop and under Items for Discussion and Consideration as Garden Center Operating Rules, no second.

Motion passed unanimously.

Approval of Committee Report for August 11, 2022

Director Bhada made a motion to approve the report, Director Casey seconded.

Motion passed unanimously.

Chair's Remarks

Chair Horton welcomed the audience and stated an orderly meeting is expected with respectful behavior.

Report of the Recreation and Special Events Director

Mr. Gruner stated staff levels are improving with nine new employees and four additional new employees in the onboarding process. More interviews are scheduled next week. These improvements allow the expansion of services such as extended hours at Clubhouse 5 and 7 and table tennis in the Community Center. Additional services will be announced in the eblast this Friday. Mr. Gruner stated the following facility updates: the Garden Center volunteer program is very successful with a total of 16 volunteers; a worm farming class will be held on October 14; the hours at the Performing Arts Center will be expanded soon; the aerification process for the golf course will begin next week; poolside food delivery service at Pool 2 began in August and has been well received with approximately five deliveries per day; the Library had 3952 items in circulation which is an increase from last month and 811 volunteer hours were reported.

Mr. Gruner presented the Premier Aquatics slide show which reports 42 first aid assists, 13 water rescues and 1 major incident. Mr. Gruner thanked Premier Aquatics for their swift response to the needs of our resident swimmers.

Mr. Gruner reported the following past events: Kids Splash Days at Pool 2; Queen Nation at the Performing Arts Center with 715 attendees; Space Oddity, a tribute to David Bowie was moved inside the Performing Arts Center due to the heat with approximately 400 attendees; the Garden Center hosted a composting event in August at Clubhouse 2.

Ms. Murphy stated the following upcoming events: Grandparents' Fun Day will be hosted at Clubhouse 5 on September 10 with tickets on sale at the Clubhouse 5 office for \$5 per child over the age of 2; Ronstadt Revival, Tribute to a Legend will perform at the Performing Arts Center on September 17 at 7 p.m.; the free movie at the Performing Arts Center on September 19 at 2 p.m. will be West Side Story; the Italian buffet monthly dinner will be hosted on September 29 at Clubhouse 5 with tickets on sale at the Clubhouse 5 office for \$25 each; Who's Zeppelin will perform at the Performing Arts Center on Saturday, October 1 at 7 p.m.

Chair Horton stated kudos were given from those who host the Trading Post on Village TV to the Recreation Department for moving the Space Oddity concert into the Performing Arts Center.

Member Comments (Items Not on the Agenda)

Members were called to speak regarding the following: Village Musicians Studio Music club on wait list for new clubs and the proposed club project; club exclusion of players; clubs bypassing the wait list; reopening of Clubhouse 7; residents allowed to set up rooms with reservations; trail and riding program reinstatement after COVID; request for Equestrian Ad Hoc Committee minutes.

Mr. Gruner stated rollovers take precedence when scheduling rooms as facilities reopen and no club has bypassed the wait list. Chair Horton stated staff is addressing the proposed club project.

Chair Horton stated the riding lesson program is reinstated and the wait list is extensive as only a few horses are compatible with this program. She stated a records request may be made for the Equestrian Ad Hoc Committee minutes.

CONSENT

Director Addington made a motion to approve the consent calendar, Director McCary seconded.

Motion passed unanimously.

REPORTS

Golf Greens Committee Update - Director Blackwell stated the following updates: the driving range will use the batting cage from the Par 3 course during the construction project; weeds on the golf course are being addressed progressively; merchandise replaced in pro shop has improved sales; new scorecards were created with additional Par 5 options resulting in a better evaluation of the course and better golf play; new staff is doing a great job; the perimeter path is being monitored as it should not allow access for golf carts which damage the greens due to misuse; reservation violations are considerably lower with the new measures implemented; new shotgun rule has provided better safety; threesomes are now allowed during club times; a tournament has been approved; new rules for cancellations have been implemented; the flashing light used for street crossing by the maintenance yard has been fixed to allow for better safety; Golf Genius will not work for 9-hole club at this time. Director Blackwell thanked the Greens Committee as they have been working well together to ensure a safer, better golf experience.

Chair Horton thanked Director Blackwell for this update.

Donation of Drum Sander for Clubhouse 4 Woodshop - Chair Horton stated the recommendation of the donation of a drum sander for Clubhouse 4 woodshop.

Director McCary made a motion to approve the donation, Director Casey seconded.

Motion passed unanimously.

ITEMS FOR DISCUSSION AND CONSIDERATION

Garden Center Fees – Mr. Hormuth, Financial Services Director, presented the staff recommendation to approve the proposed Schedule of Garden Center Rental Fees with an effective date of January 1, 2023.

Discussion ensued.

Member was called to speak regarding the following: fees raised by 25%; generating revenue from missed revenue opportunities.

Director Addington made a motion to accept staff recommendation to approve the proposed Schedule of Garden Center Rental Fees with an effective date of January 1, 2023, Director Blackwell seconded.

Motion passed 4-2-1 (Director Blackwell and Director Casey voted no; Director Rothberg was absent).

African American Heritage Club Request for Rollover Exception - Ms. Murphy stated the request for African American Heritage Club's request for an exception to the Permanent/Rollover Reservation Policy for a Juneteenth automatic annual rollover.

Discussion ensued.

Chair Horton asked if any exceptions from the committee to direct the African American Heritage Club to work with Ms. Murphy and clubs with existing reservations at all clubhouses and to direct the African American Heritage Club to present this exception to CAC in 2023 for the 2024 calendar year.

No exceptions were stated from the CAC committee.

Garden Center Operating Rules - Mr. Gruner stated the change adding the limit of 9 feet under section L.6.

Director Addington inquired as to a reference change under section J.5. which should state D1. Staff was directed to implement the change.

Member was called to speak regarding the following: tree cut by an unknown individual and allowance of a temporary fence to be kept up indefinitely on a tree plot.

Director Addington made a motion to approve the Garden Center operating rules as presented, Director Casey seconded.

Discussion ensued.

Motion passed unanimously.

ITEMS FOR FUTURE AGENDAS

Equestrian Center Operating Rules – Staff was directed to keep this item under Items for Future Agendas.

Performing Arts Center Rental Fees – Staff was directed to keep this item under Items for Future Agendas.

Poster Policy Review – Staff was directed to keep this item under Items for Future Agendas.

CONCLUDING BUSINESS

Committee Member Comments

Director Casey stated good meeting.

Advisor Gidwani thanked staff for being on top of things within the Village.

Date of Next Meeting

The next regular meeting of the GRF Community Activities Committee will be held both in the board room and virtually via the Zoom platform at 1:30 p.m. on Thursday, October 13, 2022.

Adjournment

There being no further business, the Chair adjourned the meeting at 3:17 p.m.

____*Yvonne Horton*____

Yvonne Horton, Chair

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OPEN MEETING

**REGULAR MEETING OF THE GOLDEN RAIN FOUNDATION
MEDIA AND COMMUNICATIONS COMMITTEE**

**Monday, September 19, 2022 – 1:30 p.m.
Board Room / Virtual Hybrid Meeting**

REPORT

Members Present: Chair Joan Milliman; Directors Neda Ardani, Maggie Blackwell, James Cook, Annie McCary, Juanita Skillman; Advisors Theresa Frost, Lynn Jarrett, Tom Nash, Lucy Parker; Alternates Debbie Dotson, Cris Prince

Members Absent: Director Ryna Rothberg

Others Present: Jim Hopkins, Richard Rader

Staff Present: Eileen Paulin, Ellyce Rothrock, Paul Ortiz, Susan Logan-McCracken

- 1. Call to Order**
The meeting was called to order at 1:30 p.m. and a quorum was established by Chair Milliman.
- 2. Acknowledgement of Media**
None present.
- 3. Approval of Agenda**
Approved by unanimous consent.
- 4. Approval of Report for July 18, 2022**
Approved by unanimous consent.
- 5. Chair's Remarks**
Chair Milliman welcomed everyone in attendance.
- 6. Member Comments**
Ms. Bonnie Tauber asked via email about the availability of the CW, MTV and VH1 channels.

Mr. Ortiz answered that the programming committee several years ago chose

not to finance VH1 and MTV channels in its contract with Viacom. The CW channel is part of KTLA and, due to fee increases, the committee decided not to continue its contract. KTLA is available for free via internet at KTLA.com and as an over-the-air channel that can be accessed with a digital antenna. Because KTLA is not a member of NCTC, the committee would need to negotiate with the network directly if the committee chooses to finance the channel. A discussion ensued.

Ms. Mary Wall suggested selling the Village television station to avoid paying franchise tax fees and so members could choose their own programming.

Director Cook answered that everyone can get their own programming, but it probably wouldn't be as cost-effective.

Items for Discussion

7. Media and Communications Report – Eileen Paulin

Ms. Paulin highlighted from the Media and Communications Activities Report:

- Docent tours are going great.
- Flyers and email blasts went out for various departments
- Website traffic remains strong.
- The meetings at the Village gates are vital.

Director Skillman asked about Saturday docent tours. Ms. Rothrock stated new docents need to get up to speed before leading Saturday tours, which have a different dynamic.

8. Broadband Ad Hoc Committee Report – Eileen Paulin

Ms. Paulin discussed the upcoming meeting on Thursday, September 22, which will include a tour of the headend facility, followed by an industry orientation in the Sycamore Room.

9. VMS Communications Focus Groups – Eileen Paulin

Ms. Paulin reported on four focus groups that took place Thursday, Sept. 15 and Friday, Sept. 16 with Village residents on how they get their information and what platforms they use. Two more focus groups are scheduled for Monday, Oct. 3. She recommended that the focus group facilitator present the report at the all-boards training Nov. 18.

10. Website Ad Hoc Committee Report – Ellyce Rothrock

Ms. Rothrock discussed nine vendor candidates and next step of sending RFP to the top choice and two runners up. The committee is reviewing the wireframing before the next meeting on Oct. 17 in the Sycamore Room.

Director Skillman asked if the current website would go down before the new website goes live. Ms. Paulin stated the new website would live on a development site before it is ready to go live. The current website will not go

down until the new one is ready.

11. Broadband Services Report – Paul Ortiz

Mr. Ortiz presented:

- 2022 Cable TV Network Operation second quarter report
- 2022 Broadband Services Operation second quarter report
- Expiring programming contracts report
- Programming contracts forecast report
- Broadband subscriber count report
- Village Television subscribers for July and August
- Internet subscriber second quarter report

He announced the recent rebranding of NCTC from the National Cable TV Cooperative to the National Content and Technology Cooperative.

He shared information about the NextGen TV service that is available to viewers in most markets for free with an HD antenna and NextGen television.

Items for Future Agendas

Status of expanding docent tours to Saturdays

Concluding Business

Committee Member Comments

Advisor Parker suggested a “What’s Up in the Village” TV6 program based on the weekly Friday e-newsletter. A discussion ensued.

Director Skillman suggested having committee meeting reports featured on Village Television.

Advisor Jarrett stated today's meeting was excellent.

Director Blackwell discussed the search for United Mutual investor advisors.

Director Dotson stated she and Mr. Ortiz will talk about the rapid changes in technology on an upcoming “Let’s Talk Tech” Village Television show.

Director Ardani stated the meeting was great as usual.

Advisor Nash suggested a calendar feature in addition to committee meetings and more news for Village Television.

Chair Milliman discussed the upcoming Village board elections. Joan: candidates for election are not in the Globe, Eileen: editor of the Globe is responsible; Juanita: Catherine said we offered, but Globe said they didn't want it.

Ms. Paulin discussed the upcoming Broadband Ad Hoc Committee meetings.
Mr. Ortiz discussed “Meet the Candidates” on TV6 and presented a new handout of

residents' frequently asked questions regarding their cable television programming.

Date of Next Meeting – Monday, October 17, 2022, at 1:30 p.m.

Adjournment

Chair Milliman adjourned the meeting at 2:50 p.m.

A handwritten signature in black ink, appearing to read "Joan Milliman". The signature is written in a cursive, flowing style.

Joan Milliman, Chair

Media and Communications Committee



OPEN MEETING

**REGULAR MEETING OF THE GOLDEN RAIN FOUNDATION
LANDSCAPE COMMITTEE
WEDNESDAY, SEPTEMBER 14, 2022 – 1:30 P.M.
BOARD ROOM / VIRTUAL MEETING
Laguna Woods Village Community Center
24351 El Toro Road**

REPORT

COMMITTEE MEMBERS PRESENT: Chair – Juanita Skillman, Reza Karimi, Ira Lewis, Diane Casey, Maggie Blackwell

COMMITTEE MEMBERS ABSENT: Annie McCary

OTHERS PRESENT: Bunny Carpenter, Yvonne Horton, Joanna Kipper (Biologist from Chambers Group, inc.)

ADVISORS PRESENT: Lynn Jarrett

STAFF PRESENT: Kurt Wiemann, Jayanna Abolmoloki

1. Call Meeting to Order

Chair Skillman called the meeting to order at 1:32 p.m.

2. Acknowledgment of Media

No press was present.

3. Approval of the Agenda

Director Karimi made a motion to approve the agenda. Director Lewis seconded. The committee was in unanimous support.

4. Approval of the Meeting Report for June 6, 2022

The report was approved without objections.

5. Committee Chair Remarks

Chair Skillman addressed the audience by reminding them that the GRF Landscape Committee typically highlights items of particular interest.

6. Department Head Update

6a. Irrigation Control Project Update

Mr. Wiemann stated that GRF owns the irrigation controls for the entire community and informed the audience that the current system is almost 25 years old. Mr. Wiemann updated the committee by stating that he is waiting on the first set of controllers to be delivered. Mr. Wiemann also reminded the committee that the new system is eligible for rebates.

Members made comments and asked questions.

Reports

7. Update on the Creek (Presentation)

Mr. Wiemann introduced Joanna Kipper, the Biologist working with Landscape Services to preserve Aliso Creek. Ms. Kipper presented a slide show containing images and information regarding the creek.

Members made comments and asked questions.

8. Drought Tolerant Plants (Presentation)

Mr. Wiemann discussed the many drought tolerant plants depicted in the slide show presented. Mr. Wiemann also shared that Landscape Services will be replanting the Gate 1 area as a pilot to display multiple drought tolerant plants. Mr. Wiemann stated that United Mutual will soon have a passive park planted full of drought tolerant plants, and it will be pet-friendly. Mr. Wiemann recommends that residents purchase their drought tolerant plants from nurseries, in lieu of big box stores.

Members made comments and asked questions.

Items for Discussion and Consideration

9. Member Comments (Items Not on the Agenda)

Several members made comments and asked questions. Topics included:

- The history of Conservators of the Creek
- Request to speak at a Fish, Game, and Wildlife Meeting
- Willow trees near Aliso Creek
- Request to re-plant butterfly-friendly bushes near Aliso Creek
- Informational brochures available at the History Center

10. Response to Members Comments

Kurt Wiemann and Joanna Kipper both responded to member comments.

Concluding Business:

11. Committee Member Comments

Advisor Lynn Jarrett stated that she appreciates the presentations shared. She also stated that Bob Merget's previous presentation given should be turned into a YouTube video.

Director Blackwell stated that What's Up in the Village should soon contain information on drought tolerant plants.


Director Casey commented that she is doing good things with the United Tree Ad Hoc Committee.

Director Lewis stated he is happy that this information is getting to the public.

Director Karimi appreciates what Landscape Services is doing in Aliso Creek.

12. Date of Next Meeting – Wednesday, December 14, 2022 at 1:30 p.m.

13. Recess for Special Closed Session at 3:18 p.m.


Juanita Skillman (Sep 26, 2022 11:19 PDT)

Juanita Skillman, Chair

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OPEN MEETING

**REPORT OF THE REGULAR MEETING OF THE
GOLDEN RAIN FOUNDATION
MAINTENANCE AND CONSTRUCTION COMMITTEE**

**Wednesday, August 10, 2022 – 9:30 a.m.
24351 El Toro Road, Laguna Woods, CA 92637
Board Room and Virtual with Zoom**

REPORT

MEMBERS PRESENT: Egon Garthoffner – Chair, Jim Cook, Ralph Engdahl, John Frankel, Gan Mukhopadhyay, Lenny Ross, Sue Stephens

MEMBERS ABSENT: Cash Achrekar

OTHERS PRESENT: **GRF:** Elsie Addington, Bunny Carpenter, Juanita Skillman
Advisors Ajit Gidwani, Steve Leonard, Bill Walsh

STAFF PRESENT: Guy West – Staff Officer & Projects Division Manager, Bart Mejia – Maintenance & Construction Assistant Director, Ian Barnette – Maintenance & Construction Assistant Director, Rodger Richter – Project Manager, Laurie Chavarria – Sr. Management Analyst, Sandra Spencer – Administrative Assistant

1. Call to Order

Chair Garthoffner called the meeting to order at 9:31 a.m.

2. Acknowledgement of Media

Chair Garthoffner noted that the meeting was being broadcast on Granicus and Zoom.

3. Approval of the Agenda

Hearing no objection, the agenda was approved as written.

4. Approval of Meeting Reports

- a. June 8, 2022 – Regular Open Session
- b. June 29, 2022 – Special Open Session

Hearing no objections, the June 8, 2022 – Regular Open Session and June 29, 2022 – Special Open Session meeting reports were approved unanimously.

5. Chair's Remarks

None.

6. Member Comments

None.

7. Department Head Update

Mr. West commented that a contract has been executed for the interior design consultant for CH1. A meeting is tentatively scheduled for August 19 to meet with the designer to discuss the process and tour CH2 and 3 (PAC). As details are finalized, the committee will be informed.

Consent:

All matters listed under the Consent Calendar are considered routine and will be enacted by the committee by one motion. In the event that an item is removed from the Consent Calendar by members of the committee, such item(s) shall be the subject of further discussion and action by the committee.

The Project Log was pulled for discussion. Mr. West answered questions from a member regarding the service center generator and stated that a thorough investigation of the existing generator is underway. A detailed report will be brought to the committee to facilitate future decision making.

Mr. Mejia explained the data on the ChargePoint Summary and answered questions from the committee. Discussion ensued regarding the resident vs. non-resident charging rates; and raising the Resident - Level 2 fee from \$.175 to \$.20 per kWh. Chair Garthoffner will discuss the idea of a rate increase at the September GRF Board meeting.

8. Project Log

9. ChargePoint Summary

The consent calendar was approved unanimously.

Items for Discussion and Consideration:

10. Gate 12 Security Cameras – Chuck Holland, Information and Resident Services Director

Mr. Holland presented a report via PowerPoint on the upgrades at the Gate 12 security camera system and answered questions from the committee.

11. EV Charging – Verbal Update

Mr. Mejia provided an update on SCE's recommendations for charging stations within the village. Conceptual designs from SCE and estimated costs from ChargePoint will be presented to the committee as soon as it is available.

Staff was asked to arrange a meeting between an SCE representative and the committee after the conceptual designs have been received. A member commented on government funds that will be available on January 1, 2023 and the potential for GRF to take advantage of any that would apply to this HOA.

12. PAC Beautification – PowerPoint Presentation

Mr. West presented an update including before-and-after photos of completed work at the PAC and answered questions from the committee.

13. Space Planning & Building E Replacement, PowerPoint and Group Discussion

Chair Garthoffner presented an overview of the prior meetings, discussions and presentations regarding the topic via PowerPoint. Discussion ensued among the committee included comments regarding working conditions and staffing levels in Building E; current resident use of the community center; potentially vacant office space at the community center; and parking availability at the community center.

Future Agenda Items: *All matters listed under Future Agenda Items are items for a future committee meeting. No action will be taken by the committee on these agenda items at this meeting.*

- Hay Barn Enclosure
- Welding Shop Replacement
- Maintenance Service Center Generator
- EMS Status Update
- MelRok Energy Management System

Concluding Business:

14. Committee Member Comments

None.

15. Date of Next Meeting: October 12, 2022

16. Recess – The meeting recessed at 11:17 a.m.

Closed Session Agenda

Approval of the Agenda

Chair's Remarks

Discuss and Consider Contractual Matters

Adjournment



Egon Garthoffner, Chair

Egon Garthoffner, Chair
Guy West, Staff Officer
Telephone: 949-268-2380



OPEN MEETING

**MINUTES OF THE REGULAR MEETING OF THE GOLDEN RAIN FOUNDATION
STRATEGIC PLANNING COMMITTEE**

**Monday, October 3, 2022 – 1:30 p.m.
BOARD ROOM/VIRTUAL MEETING
Laguna Woods Village Community Center 24351 El Toro Road**

Director Present: Debbie Dotson, Mark Laws, Nathaniel Ira Lewis, Diane Casey, Ryna Rothberg, Joan Milliman, James Hopkins

Directors Absent: Gan Mukhopadhyay, Anthony Liberatore, Cash Achrekar

Staff Present: CEO-Siobhan Foster, Makayla Schwietert, Paul Nguyen

Others Present: Richard Rader (Advisor)

1. Call to Order—Director Dotson, Chair

Chair Dotson called the meeting to order at 1:30 p.m. and established that a quorum was present.

2. Approval of the Agenda

Chair Dotson requested the addition of Item 6c. Broadband Status Update, Item 6d. Website Status Update, and Item 6e. Space Planning (Oral Discussion).

Hearing no changes or objections, Chair Dotson declared the agenda as approved unanimously.

3. Approval of the Minutes

a. GRF Strategic Planning Committee Meeting – May 02, 2022

Hearing no changes or objections, Chair Dotson declared the minutes of May 02, 2022 as approved unanimously.

4. Chair's Remarks

Chair Dotson commented on the following:

- Goal for today is to discuss comments and ideas from committee members, and hopefully end the meeting with some new goals for the future.

5. Old Business

a. Committee Member Responses to Internal Survey

Chair Dotson provided a presentation on the Internal Survey with responses from committee members.

Discussion ensued among the committee.

b. Discussion of Ideas

The committee further discussed ideas that can be brought back at future meetings.

6. New Business

a. Status of Corporate Vote on Building E Replacement

Chair Dotson provided an update regarding Building E Replacement vote results from the Corporate Members.

Discussion ensued among the committee.

b. Set 3 Goals for 2023

Chair Dotson and the Committee discussed the following goals for 2023:

- Obtain trend reports.
- Recreational space utilization consultant.

THIS ITEM WAS ADDED DURING APPROVAL OF AGENDA

c. Broadband Status Update

Chair Dotson commented on a study that took place to advise on strategic planning for broadband services.

Discussion ensued among the committee.

THIS ITEM WAS ADDED DURING APPROVAL OF AGENDA

d. Website Status Update

Chair Dotson provided a brief update regarding the status of the Website renewals.

THIS ITEM WAS ADDED DURING APPROVAL OF AGENDA

e. Space Planning (Oral Discussion)

Chair Dotson commented that over the years, the need for space planning has been discussed.

Chair Dotson has requested a short-term ad-hoc committee be formed to move forward on the Building-E space planning project.

7. Next Meeting – TBD


8. Committee Member Comments

- Director Hopkins commented on the importance of obtaining a trends report, as the facts are the most important things to gather
- Chair Dotson commented Board Elections are in some way a form of Strategic

Planning. Sometimes change in Boards are needed, and sometimes they are not. The importance that a Member has proper experience, and want to be on a Board to make a difference.

9. Adjournment

There being no further business the meeting was adjourned at 3:25 p.m.

DocuSigned by:


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Debbie Dotson, Chair
GRF Strategic Planning Committee

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OPEN MEETING

**REPORT OF REGULAR MEETING OF THE GOLDEN RAIN FOUNDATION
MOBILITY AND VEHICLES COMMITTEE**

**Wednesday, August 3, 2022 – 1:30 p.m.
Laguna Woods Village Community Center Board Room
24351 El Toro Road, Laguna Woods, CA 92637**

MEMBERS PRESENT: Don Tibbetts (Chair), Cush Bada, Maggie Blackwell,
Egon Garthoffner, Pearl Lee, Sue Stephens (Alternate)

ADVISORS: Vashti Williams

MEMBERS ABSENT: John Frankel

OTHERS PRESENT: Elsie Addington, Juanita Skillman, Bunny Carpenter

STAFF PRESENT: Robert Carroll, Francisco Perez, Liz Cortez

1. Call to Order

Chair Tibbetts called the meeting to order at 1:30 p.m.

2. Acknowledgment of Media

No media was present.

3. Approval of the Agenda

Agenda was approved by acclamation.

4. Approval of Meeting Report for

The regular meeting report of June 1, 2022 was approved by acclamation.

5. Chair's Remarks

None

6. Member Comments (Items Not on the Agenda)

Marion Levine – requested a regular shuttle bus on Fridays for religious transportation and update on Age Well proposal

Mary Wall – questioned the operation hours of the Fixed Route program

Vashti Williams left the meeting at this time.

Susan Hashemi – commented on the bus transportation

Director Pearl Lee entered the meeting via zoom at this time.

7. Response to Member Comments

Chair Tibbetts responded to member's comments.

Reports

8. Director's Report

Staff provided the committee with a current overview of the Laguna Woods Village Transportation ridership for the Fixed-Route, Journey and BOOST transportation programs.

Staff also provided a map of Laguna Woods Transportation boundaries. Staff is following guidance from County/State mandates for mask requirements in public Transportation as it relates to COVID-19 restrictions.

The committee was provided with a delivery update of the vehicles per the 2021 capital approved purchases. The delay of new vehicle deliveries is a result of a worldwide chip shortage and supply change issues.

Staff provided an update on the fleet right-sizing project. Staff is meeting with each department to evaluate opportunities to share vehicles across work centers, change vehicles where it makes sense, and reduce the number of vehicles. The goal of the assessment is to help ensure that the number and type vehicles included in the GRF fleet are appropriate for supporting VMS operations. Staff will provide an update on this project at the October meeting.

Director Garthoffner presented a power point presentation covering the benefits of electric and hybrid vehicles.

Items for Discussion

Staff recommended to the committee the purchase of four replacement Ford Edge vehicles for the Security Department.

Director Stephens moved to defer the planned purchase of four Ford Edge vehicles recommended by staff for approximately 3-4 months to permit consideration of EV alternatives such as the Ford Escape. Director Garthoffner seconded motion. The motion passed by a vote of five to one. Director Tibbetts opposed.

Staff presented the proposed Vehicle Replacement policy to the committee. The policy provides guidance related to how vehicles are scheduled to be replaced, criteria for purchasing vs. leasing, criteria for purchasing used vehicles, and criteria for purchasing hybrid and electric vehicles. Discussion amongst committee members ensued.

Items for Future Agendas:

None

Concluding Business:

Committee Member Comments:

None

Date of Next Meeting – Wednesday October 5, 2022 at 1:30 p.m.

Adjournment:

The meeting was adjourned at 3:14 p.m.


Don Tibbetts (Aug 31, 2022 10:53 PDT)

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