



## **OPEN SESSION**

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

**Tuesday, December 20, 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*

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- 1. Call Meeting to Order / Establish Quorum – President Laws**
- 2. Pledge of Allegiance – Director Bhada**
- 3. Approval of the Agenda**
- 4. Approval of the Minutes**
  - a. November 15, 2022 – Regular Board Meeting
  - b. December 2, 2022 – Agenda Prep Meeting
  - c. December 2, 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](mailto:meeting@vmsinc.org) to have your message read during the Open Forum.*
- 8. Responses to Open Forum Speakers**
- 9. CEO Report**

**10. 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 October 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 – None**

**c. Recommendation from the Landscape Committee:**

- (1) Recommend to Approve the Request for Removal of One Ficus Nitida Tree Located at 3165-D Alta Vista

**11. Unfinished Business**

- a. Entertain a Motion to Approve Updates to the Rules for Board Meetings **(November initial notification –28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**

**12. New Business**

- a. Entertain a Motion to Approve the Revised Architectural Standard No. 26 – Skylight Installations **(December initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)**
- b. Entertain a Motion to Approve the Revised Nuisance Policy **(December initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)**
- c. Updated Committee Appointments
- d. Entertain a Motion to Approve Supplemental Appropriation for Water Landscaping in the amount of \$151,000 **(December initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)**

**13. Third Mutual Committee Reports**

- a. Report of the Finance Committee / Financial Report – Director Rane-Szostak. The committee met on December 6, 2022; next meeting February 7, 2023, 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 November 28, 2022; next meeting December 19, 2022 at 9:30 a.m. in the Board Room and as a virtual meeting.
- c. Report of the Maintenance and Construction Committee – Director Engdahl. The committee met on November 7, 2022; next meeting January 9, 2023 at 1:30 p.m. in the Board Room and as a virtual meeting.
- d. Report of the Landscape Committee – Director Bhada. The committee met on December 1, 2022; next meeting January 5, 2023 at 9:30 a.m. in the Board Room and as a virtual meeting.
- e. Report of the Water Conservation Committee – Director Rane-Szostak. The committee met on October 27, 2022; next meeting January 26, 2023, at 2:00 p.m. in the Elm Room.
- f. Report of the Resident Policy and Compliance Committee – Director Laws. The committee met on November 22, 2022; next meeting December 27, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.

#### **14. GRF Committee Highlights**

- a. Community Activities Committee – Director Laws. The committee met on December 8, 2022; next meeting, January 12, 2023, at 1:30 p.m. in the Board Room and as a virtual meeting.
- b. Media and Communications Committee – Director Cook. The committee met on November 21, 2022; next meeting December 19, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- c. Disaster Preparedness Task Force – Director Cook. The task force met on November 29, 2022; next meeting January 31, 2023 at 9:30 a.m. in the Board Room.
- d. GRF Maintenance & Construction Committee – Director Engdahl – The committee met on December 14, 2022; next meeting February 8, 2023, at 9:30 a.m. in the Board Room and as a virtual meeting.
- e. GRF Landscape Committee – Director Bhada. The committee met on December 14, 2022; next meeting February 8, 2023, at 1:30 p.m. in the Board Room and as a virtual meeting.
- f. Mobility and Vehicles Committee – Director Bhada – The committee met on December 7, 2022; next meeting February 1, 2023 at 1:30 p.m. in the Board Room.
- g. Report of the Laguna Woods Village Traffic Hearings – Director Zalon. The hearings were held on November 16, 2022; next meeting January 18, 2023 at 9:00 a.m. as a virtual meeting.

- h. Information Technology Advisory Committee – Director Laws. This closed committee last met on December 9, 2022; next meeting February 3, 2023 at 1:30 p.m.
- i. Compliance Ad Hoc Committee – Director Laws. The committee met on November 30, 2022; next meeting TBA.
- j. The following GRF Committees have not met since the last Third Board Meeting:
  - i. Security and Community Access Committee – Director Prince. The committee met on October 31, 2022; next meeting February 27, 2023, at 1:30 p.m. in the Board Room and as a virtual meeting.
  - ii. GRF Finance Committee – Director Rane-Szostak. The committee met on October 19, 2022; next meeting December 21, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
  - iii. Purchasing Ad Hoc Committee – Director Rane-Szostak. The committee met on April 7, 2022; next meeting TBA.
  - iv. Clubhouse Facilities Renovation Ad Hoc Committee – Director Engdahl. The committee met on June 24, 2022; next meeting, TBA.
  - v. Insurance Ad Hoc Committee – Director Laws. This Closed committee last met on July 25, 2022; next meeting TBA.
  - vi. Website Ad Hoc Committee – Director Laws. The committee met on August 10, 2022; next meeting TBA.
  - vii. GRF Strategic Planning Committee – Director Lewis. The committee met on October 3, 2022; next meeting TBA.

**15. 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. 26 – Skylight Installations
- Approve the Revised Nuisance Policy

**16. Directors' Comments**

**17. 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) November 15, 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, November 15, 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, Jim Cook, Nathaniel Ira Lewis, Cris Prince, Cush Bhada, Jules Zalon, Ralph Engdahl, Donna Rane-Szostak, Annie McCary

**Directors Absent:** Moon Yun(excused)

**Staff Present:** Siobhan Foster-CEO, Makayla Schwietert, Paul Nguyen, Robert Carroll, Eric Nunez, Carlos Rojas, Ian Barnette

**Others Present:** VMS –Wei-Ming Tao  
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 McCary led the Pledge of Allegiance.

**3. Approval of Agenda**

President Laws asked for a motion to approve the agenda.

Director Bhada made a motion to approve the agenda. Director Prince seconded.

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

**4. Approval of Minutes**

- a. October 6, 2022 – Third Annual Meeting**
- b. October 6, 2022 – Third Organizational Meeting**
- c. October 18, 2022 - Regular Board Meeting**
- d. November 4, 2022 – Agenda Prep Meeting**
- e. November 4, 2022 – Third Special Open Meeting**

Director McCary made a motion to approve the minutes of October 6, 2022 – Third Annual Meeting. Director Cook seconded.

Hearing no changes or objections, October 6, 2022 – Third Annual Meeting minutes were approved by consent.

Director Lewis made a motion to approve the minutes of October 6, 2022 – Third Organizational Meeting. Director Cook seconded.

Hearing no changes or objections, October 6, 2022 – Third Organizational Meeting minutes were approved by consent. Director Bhada abstained.

Director Prince made a motion to approve the minutes of October 18, 2022 - Regular Board Meeting. Director Cook seconded.

President Laws requested that the vote on page 8 of 16, Sheppard's Cook, be corrected to reflect aa vote change to 0-7-0.

Hearing no further changes or objections, October 18, 2022 - Regular Board Meeting minutes as amended were approved by consent.

Director Cook made a motion to approve the minutes of November 4, 2022 – Agenda Prep Meeting. Director Bhada seconded.

Hearing no changes or objections, November 4, 2022 – Agenda Prep Meeting minutes were approved by consent.

Director Cook made a motion to approve the minutes of November 4, 2022 – Third Special Open Meeting. Director Lewis seconded.

Hearing no changes or objections, November 4, 2022 – Third Special Open Meeting minutes were approved by consent.

## **5. Report of the Chair**

President Laws commented on the following:

- Seeking Advisors for Committees
- Assessing of Committees and restructure

## **6. Update from the VMS Board – Director Tao**

VMS Director Tao provided an update from the last VMS Board Meeting with the following information:



- Successful Contractor Open House
- Focus Groups – Resident Communications
- Customer Service Improvement Plan
- Re-emphasizing Employee Safety
- Work Order Satisfaction Survey Results
- Board Director Training Coordination

VMS Director Tao answered questions from the Board.

#### **7. Open Forum (Three Minutes per Speaker)**

- A member commented on the status of the Garden Villa Rec Room Sub-Committee

#### **8. Responses to Open Forum Speakers**

- President Laws stated that the Garden Villa Rec Room Sub-Committee has not been eliminated.

#### **9. CEO Report**

CEO Siobhan Foster reported on:

- Cost Savings Implemented
- Vehicle Replacement Program
- Fleet Right-Sizing Assessment
- Cost Savings with 2023 Employee Health Insurance
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- Cost Savings with the administration of the 401 (K) plan Recordkeeper
- Irrigation Master Control Upgrade
- “Bright Ideas” Pilot Program

CEO Foster answered questions from the Board.

**10. 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 Cook 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 by consent.

- a. Consistent with its statutory obligations the Board members individually reviewed Third Laguna Hills Mutual preliminary financials for the month of September 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# 932-310-38

**RESOLUTION 03-22-116**

**Recording of a Lien**

**WHEREAS**, Member ID 932-310-38; 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**, November 15, 2022, that the Board of Directors hereby approves the recording of a Lien for Member ID 932-310-38; 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.

2. Approve a Resolution for Recording a Lien against Member ID# 931-660-71

**RESOLUTION 03-22-117**

**Recording of a Lien**

**WHEREAS**, Member ID 931-660-71; 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**, November 15, 2022, that the Board of Directors hereby approves the recording of a Lien for Member ID 931-660-71; 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.

**c. Recommendation from the Landscape Committee**

1. Recommend to Request for Removal of One Australian Willow Tree 3041-C Via Serena South

**RESOLUTION 03-22-118**

**Approve the Request  
for Removal of One Australian Willow Tree  
3041-C Via Serena South**

**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...”

**WHEREAS**, on November 3, 2022, the Landscape Committee reviewed a request from the Member at 3041-C to remove two Australian Willow trees. The Member cited the reasons as overgrown, unsightly, and blocking of the sun causes the manor to be cold in the winter; and

**WHEREAS**, staff inspected the condition of the trees and determined that they were in fair condition, however, tree number one has a slight lean, a large amount of surface roots, codominant limbs and the canopy hangs over the roof by approximately six feet; and

**WHEREAS**, at the time of inspection, staff observed that tree number two has no surface roots, no codominant limbs, and is growing far enough away from the unit; and

**WHEREAS**, the Committee determined that tree number one meets the guidelines set forth in Resolution 03-21-10 and recommends approving the request for the removal of one Australian Willow tree located at 3041-C Via Serena South, and direct off-schedule trimming of the second Australian Willow tree in lieu of removal;

**NOW THEREFORE BE IT RESOLVED**, November 15, 2022, the Board of Directors approves the request for the removal of one Australian Willow tree located at 3041-C; and

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

2. Recommend to Approve the Request for Removal of One Kaffir Plum Tree  
5433 Via Carrizo

**RESOLUTION 03-22-119**

**Approve the Request  
for Removal of One Kaffir Plum Tree  
5433 Via Carrizo**

**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...”

**WHEREAS**, on November 3, 2022, the Landscape Committee reviewed a request from the Member at 5433 to remove one Kaffir Plum tree. The Member cited the reasons as structural damage, and overgrown; and

**WHEREAS**, staff inspected the condition of the tree and determined that it was in poor health with a fair amount of decay; 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 Kaffir Plum tree located at 5433 Via Carrizo;

**NOW THEREFORE BE IT RESOLVED**, November 15, 2022, the Board of Directors approves the request for the removal of one Kaffir Plum tree located at 5433; and

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

3. Recommend to Approve the Request for Removal of One King Palm Tree  
2231-P Via Puerta

**RESOLUTION 03-22-120**

**Approve the Request  
for Removal of One King Palm Tree  
2231-P Via Puerta**

**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...”

**WHEREAS**, on November 3, 2022, the Landscape Committee reviewed a request from the Member at 2231-P to remove one King Palm tree. The Member cited the reasons as litter/debris, structural damage, overgrown, and potential fire hazard; and

**WHEREAS**, staff inspected the condition of the tree and determined that it was in good health, however, it is growing at a rate that requires additional trimming throughout the year as it tends to develop more fronds than usual in a growing season; 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 King Palm tree located at 2231-P Via Puerta;

**NOW THEREFORE BE IT RESOLVED**, November 15, 2022, the Board of Directors approves the request for the removal of one King Palm tree located at 2231-P; and

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

4. Recommend to Deny the Request for Removal of One Fern Pine Tree 4021-B Calle Sonora Este

#### **RESOLUTION 03-22-121**

##### **Deny the Request for Removal of One Fern Pine Tree 4021-B Calle Sonora Este**

**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...”

**WHEREAS**, on November 3, 2022, the Landscape Committee reviewed a request from the Member at 4021-B to remove one Fern Pine tree. The Member cited the reasons as litter/debris, overgrown and view obstruction; and

**WHEREAS**, staff inspected the condition of the tree and determined that it was in good health, with no signs of dieback, pest activity or previous pest damage; and

**WHEREAS**, the Committee determined that the tree does not meet the guidelines set forth in Resolution 03-21-10 and recommends denying the request for the removal of one Fern Pine tree located at 4021-B Calle Sonora Este;

**NOW THEREFORE BE IT RESOLVED**, November 15, 2022, the Board of Directors denies the request for the removal of one Fern Pine tree located at 4021-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.

#### **11. Unfinished Business - None**

#### **12. New Business**

- a. Entertain a Motion to Approve Updates to the Rules for Board Meetings (**November initial notification – 28-day notification for member review and comments to comply with Civil Code §4360**)

### **Resolution 03-22-XX**

#### **Rules for Board Meetings**

**WHEREAS**, each Owner Member of Laguna Woods Village has an ongoing interest and right under California law to participate in the governance of their community; and

**WHEREAS**, the Board of Directors of the Third Laguna Hills Mutual has an equal interest and duty under law to ensure that the management of the community's affairs is carried out professionally and in adherence with the provisions of the Davis-Stirling Act; and

**WHEREAS**, the Board of Directors wishes to promote order and regulate meeting time in an even and consistent fashion;

**NOW THEREFORE BE IT RESOLVED**, XX XX, 2022, that the Board of Directors of this Corporation hereby approves the attached revised Rules for Board Meetings; and

**RESOLVED FURTHER**, that Resolution 03-20-80 adopted November 17, 2020 is hereby superseded and cancelled; 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-XX. Director Lewis seconded.

Discussion ensued among the Board.

Hearing no changes or objections, the motion passed unanimously.

**b. Update Committee Appointments**

**RESOLUTION 03-22-122**

**Third Mutual Committee Appointments**

**RESOLVED**, November 15, 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 (meets every-other month)**

Donna Rane-Szostak, Chair

Mark Laws

Annie McCary

Ralph Engdahl

Cris Prince

Cush Bhada

Jim Cook

Ira Lewis

Jules Zalon

Moon Yun

Non-Voting Advisors: Wei-Ming Tao

**Architectural Standards and Control Committee (meets monthly)**

James Cook, Chair

Cush Bhada

Ralph Engdahl

Nathaniel Ira Lewis

Cris Prince

Non-Voting Advisors: Mike Butler, Mike Plean, Lisa Mills

**Landscape Committee (meets monthly)**

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** (meets every-other month)

Ralph Engdahl, Chair  
James Cook  
Cush Bhada  
Mark Laws  
Cris Prince  
Non-voting Advisors: David Bienek, Judith Troutman

**Executive Hearing Committee** (meets monthly)

Annie McCary, Chair  
Ralph Engdahl  
Mark Laws  
Cris Prince, Alternate  
Jules Zalon, Alternate

**Resident Policy and Compliance Committee** (meets monthly)

Mark Laws, Chair  
Cush Bhada  
Jules Zalon  
Cris Prince  
Nathaniel Ira Lewis  
Non-Voting Advisors: Stuart Hack, Theresa Keegan

**Water Conservation Committee** (meets quarterly)

Donna Rane-Szostak, Chair  
Cush Bhada  
Jules Zalon  
Nathaniel Ira Lewis  
Non-Voting Advisor: Lee Goldstein

**Garden Villa Recreation Room Subcommittee** (meets thrice yearly)

Mark Laws, Chair  
Donna Rane-Szostak  
Nathaniel Ira Lewis  
Voting Advisors: Stuart Hack, ~~Martina Mangan~~, Sharon Molineri  
Non-Voting Advisors: Lynn Jarrett

**RESOLVED FURTHER**, that Resolution 03-22-111, adopted October 18, 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.

**RESOLUTION 03-22-123**

**GRF Committee Appointments**

**RESOLVED**, November 15, 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  
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

**Clubhouse Renovation Ad Hoc Committee**

Ralph Engdahl  
Cush Bhada

**GRF Media and Communications Committee**

Annie McCary  
Jim Cook  
Cris Prince, Alternate

**Mobility and Vehicles Committee**

Jim Cook, Alternate  
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

Donna Rane-Szostak, Alternate

**Laguna Woods Village Traffic Hearings**

Jules Zalon

Mark Laws, Alternate

**Strategic Planning Committee**

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 03-22-110, adopted October 18, 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.

Director Bhada made a motion to approve Resolution 03-22-122 and Resolution 03-22-123. Director Cook seconded.

Discussion ensued among the Board.

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

**c. Committee Updates – (Oral Discussion)**

- President Laws provided an overview of the Committees and discussed Committee Advisors
- Director Lewis discussed Landscape Committee Priorities & Committee Advisors
- Director Cook discussed Alterations Committee Priorities & Committee Advisors
- Director Engdahl discussed M&C Committee Priorities and Committee Advisors
- President Laws discussed Compliance Committee Priorities and Committee Advisors

**13. Third Mutual Committee Reports**

- a. Report of the Finance Committee / Financial Report – Director Laws. The committee met on November 1, 2022; next meeting December 6, 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 October 24, 2022; next meeting November 28, 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 November 3, 2022; next meeting December 1, 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 November 7, 2022; next meeting TBD.
  - (1) Garden Villa Rec. Room Subcommittee – Director Laws. The subcommittee met November 3, 2022; next meeting will be sometime in February 2023.
- e. Report of the Water Conservation Committee – Director Rane-Szostak. The committee met on October 27, 2022; next meeting January 26, 2023, at 2:00 p.m. in the Elm Room.
- f. Report of the Resident Policy and Compliance Committee – Director Laws. The committee met on October 25, 2022; next meeting November 22, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.

**14. GRF Committee Highlights**

- a. Community Activities Committee – Director McCary. The committee last met on November 10, 2022; next meeting December 8, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- b. Media and Communications Committee – Director McCary. The committee last 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 last met on August 10, 2022; next meeting TBA.
- d. Security and Community Access Committee – Director McCary. The committee last met on October 31, 2022; next meeting February 27, 2023.
- e. Compliance Ad Hoc Committee – Director McCary. The committee last met on October 19, 2022; next meeting TBA.
- f. GRF Finance Committee – Director Rane-Szostak. The committee last met on October 19, 2022; next meeting TBA.
- g. GRF Maintenance & Construction Committee – Director Engdahl – The committee last met on October 12, 2022; next meeting December 14, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.
- h. Clubhouse Facilities Renovation Ad Hoc Committee – Director Engdahl. The committee last met on June 24, 2022; next meeting, TBA.
- i. Report of the Laguna Woods Village Traffic Hearings – Director Zalon. The hearings were last held on October 19, 2022; next meeting November 16, 2022 at 9:00 a.m.
- j. Information Technology Advisory Committee – Director Laws. This closed committee last met on October 28, 2022; next meeting will be either the middle of December or January 13, 2023 at 1:30 p.m.
- k. The following GRF Committees have not met since the last Third Board Meeting and there are no updates for the Board to share:
  - i. GRF Landscape Committee – Director Lewis. The committee last met on September 14; next meeting December 14, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
  - ii. GRF Strategic Planning Committee – Director Lewis. The committee last met on October 3, 2022; next meeting December 5, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.
  - iii. 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.

- iv. Disaster Preparedness Task Force – Director Cook. The task force last met on September 27, 2022; next meeting November 29, 2022 at 9:30 a.m. in the Board Room.
- v. Purchasing Ad Hoc Committee – Director Rane-Szostak. The committee last met on April 7, 2022; next meeting TBA.
- vi. Insurance Ad Hoc Committee – Director Laws. This Closed committee last met on July 25, 2022; next meeting TBA.

**15. 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 Updates to the Rules for Board Meetings

**16. Directors' Comments**

- Director Rane-Szostak wished everyone a Happy Thanksgiving
- Multiple Directors congratulated Director McCary on her election to the Laguna Woods City Council
- Director Cook commented on December 3, 2022 at CH 1 Tree Lighting and children gift donation
- Director McCary stated it was an honor serving on the Third Mutual Board

**17. 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 11:31 a.m.

**Closed Session Agenda**

*Approval of Agenda*

*Approval of the Minutes*

*(a) October 18, 2022—Regular Closed Session*

*Discuss and Consider Member Matters*

*Discuss Personnel Matters*

*Discuss and Consider Contractual Matters*

*Discuss and Consider Litigation Matters*

**18. 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

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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, December 2, 2022 - 9:30 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

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

Directors absent: Mark Laws (excused), Donna Rane-Szostak

Staff present: CEO-Siobhan Foster, Makayla Schwietert, Catherine Laster

Others present: None

**1. Call Meeting to Order / Establish Quorum**

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

**2. Approval of the Agenda**

Second Vice President Engdahl asked for a motion to approve the Agenda.

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

Hearing no changes or objections, the Agenda was approved by consent.

**3. Discuss and Consider Items to be placed on the Third Board Regular Meeting Agenda (open & closed session) on December 20, 2022**

Discussion ensued among the board, and changes were made to the open and closed agendas.

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

Hearing no objections, the December 20, 2022 open and closed session amended agendas were approved unanimously.

**4. Director Comments**

- Director Bhada commented on the volunteer's luncheon at Clubhouse 5.
- Director Yun commented on if there were any plans for VMS staff to have some sort of holiday event.

**5. Adjournment**

The meeting was adjourned at 10:12 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, December 2, 2022 at 10:30 a.m.  
Board Room/Virtual Meeting  
24351 El Toro Road  
Laguna Woods, California**

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

Directors absent: Mark Laws (Excused) , Donna Rane-Szostak

Staff present: Makayla Schwietert, Paul Nguyen, Siobhan Foster- CEO,  
Catherine Laster, Ian Barnette

Candidates present: Rosemarie diLorenzo

Others present: None

**1. Call Meeting to Order / Establish Quorum**

Second Vice President Engdahl called the meeting to order at 10:33 a.m. and established that a quorum was present.

**2. State Purpose of Meeting – Second Vice President Engdahl**

Second Vice President Engdahl stated the purpose of the meeting.

**3. Approval of the Agenda**

Second Vice President Engdahl asked for a motion to approve the Agenda.

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

Hearing no changes or objections, the Agenda was approved by consent.

**4. Introduction of Third Candidates**

Second Vice President Engdahl appointed Rosemarie diLorenzo as VMS Director by acclimation.

Rosemarie diLorenzo made a statement.

**5. Election of Officers - Entertain a Motion to Open Nominations, Close Nominations and Vote for First Vice President**

Second Vice President Engdahl made a motion to open nominations for board officer. The motion was approved by unanimous consent.

**FIRST VICE PRESIDENT**

Second Vice President Engdahl opened the floor for nominations for the position of First Vice President.

Director Lewis nominated Director Cook for the position of First Vice President. Director Prince seconded the nomination.

Director Prince moved to close the nomination. Director Yun seconded. Director Cook accepted the nomination.

Hearing no other nominations, the nomination was approved unanimously.

**6. Entertain a Motion to Approve a Resolution for Election of Officer  
RESOLUTION 03-22-131**

**APPOINTMENT OF OFFICERS**

**RESOLVED**, on December 2, 2022, pursuant to Third Laguna Hills Mutual Bylaws Article 9 which sets guidelines, terms and responsibilities for the election of Officers to this Corporation the following persons are hereby elected to the office indicated next to their names to serve:

Mark Laws	President
Jim Cook	1 <sup>st</sup> Vice President
Ralph Engdahl	2 <sup>nd</sup> Vice President
Cris Prince	Secretary
Donna Rane-Szostak	Treasurer

**RESOLVED FURTHER**, that the following Staff person is hereby appointed as ex Officio officer of this Corporation:

Siobhan Foster	Vice President ex Officio
Carlos Rojas	Assistant Secretary ex Officio
Steve Hormuth	Assistant Treasurer ex Officio

**RESOLVED FURTHER**, that Resolution 03-22-104, adopted October 6, 2022, is hereby superseded and cancelled; and

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

Director Prince made a motion to approve the Resolution for appointment of officers.  
Director Yun seconded.

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

**7. Member Comments - None**

**8. Director Comments**

- Director Zalon commented the process of acclimation
- Multiple Directors congratulated Director Cook.

**9. Adjournment**

The meeting was adjourned at 10:41 a.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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### **RESOLUTION 03-22-XX**

#### **Approve the Request for Removal of One Ficus Nitida Tree 3165-D Alta Vista**

**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...”

**WHEREAS**, on December 1, 2022, the Landscape Committee reviewed a request from the Member at 3165-D to remove one Ficus Nitida tree. The Member cited the reasons as structural damage and plumbing stoppage; and

**WHEREAS**, staff inspected the condition of the tree and determined that it was in good condition, however, several large surface roots were observed as far as 25 feet from the trunk, within three feet of the unit, and the sewer line cleanout; 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 Ficus Nitida tree located at 3165-D Alta Vista;

**NOW THEREFORE BE IT RESOLVED**, December 20, 2022, the Board of Directors approves the request for the removal of one Ficus Nitida tree located at 3165-D; 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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## **ENDORSEMENT (to Board)**

### **Rules for Board Meetings**

On January 15, 2013, the Board established Rules for Board Meetings to ensure the management of the community's affairs are carried out professionally and in adherence with the provision of the Davis-Stirling Act (Resolution 03-13-04). Since the adoption, the Rules for Board Meetings Policy has been revised twice (Resolution 03-14-04, January 21, 2014 and Resolution 03-20-80, November 17, 2020).

The Rules for Board Meetings Policy is to provide Directors and Mutual Members the rules and expectation for a successful, efficient and orderly Board meeting.

On July 27, 2022, the Committee reviewed the policy and directed staff to add clarifying language to specific sections, change notation format and review against the Board of Directors handbook for consistency. The Board of Directors handbook was created by Staff to outline the duties and responsibilities of a Board Member. The handbook was not adopted by the Board as it was intended to be used as an informational guide for incoming Board Members.

On August 23, 2022, the Committee reviewed the policy and directed staff to add clarifying language to specific sections, and seek clarification from management on specific sections.

On October 25, 2022 the Resident Policy and Compliance Committee reviewed the Rules for Board Meetings.

Director Prince made a motion to accept the Rules for Board Meetings Policy and refer the matter to the Board of Directors for adoption. Director Lewis seconded the motion.

By way of unanimous vote, the motion carried.

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## STAFF REPORT

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**DATE:** December 20, 2022  
**FOR:** Resident Policy and Compliance Committee  
**SUBJECT:** Rules for Board Meetings

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### **RECOMMENDATION**

Amend the Rules for Board Meetings.

### **BACKGROUND**

On January 15, 2013, the Board established Rules for Board Meetings to ensure the management of the community's affairs are carried out professionally and in adherence with the provision of the Davis-Stirling Act (Resolution 03-13-04). Since the adoption, the Rules for Board Meetings Policy has been revised twice (Resolution 03-14-04, January 21, 2014 and Resolution 03-20-80, November 17, 2020).

The Rules for Board Meetings Policy is to provide Directors and Mutual Members the rules and expectation for a successful, efficient and orderly Board meeting.

On July 27, 2022, the Committee reviewed the policy and directed staff to add clarifying language to specific sections, change notation format and review against the Board of Directors handbook for consistency. The Board of Directors handbook was created by Staff to outline the duties and responsibilities of a Board Member. The handbook was not adopted by the Board as it was intended to be used as an informational guide for incoming Board Members.

On August 23, 2022, the Committee reviewed the policy and directed staff to add clarifying language to specific sections, and seek clarification from management on specific sections.

### **DISCUSSION**

Consider the clarifying language added to the Closed Session Hearings section regarding allowing alleged parties to attend the hearing.

**Prepared By:** Blessilda Wright, Compliance Supervisor

**Reviewed By:** Francis Gomez, Operations Manager

### **ATTACHMENT(S)**

Attachment 1: Rules for Board Meetings (Red-line)

Attachment 2: Rules for Board Meetings (Final)

Attachment 3: Resolution 03-22-XX, Rules for Board Meetings

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**RULES FOR BOARD MEETINGS**  
**Resolution 03-22-XX; Adopted [date]**

**I. INTRODUCTION**

Successful, efficient and orderly Board meetings benefit everyone in the community. Manor owners ("Members") have the right to observe the open board meetings and are encouraged to attend, but meetings which are disorderly or too long can be discouraging.

These Rules inform both Director and non-Director as to what is expected of all attending Board meetings, and how meetings are conducted. The goal is orderly and efficient meetings, protection of Owners' right to observe productive deliberations, and enhancement of the governance and the membership experience in Third Laguna Hills Mutual ("Third").

**II. BOARD MEETINGS**

**A. Regular Board Meetings**

Notice of the date, time and location of regular Board meetings will be provided by posting in the Clubhouse kiosks and the community center bulletin board and on the web site a minimum of four days before the meeting is to take place. Board meetings are open to all ~~Association-Mutual~~ Members to attend and observe. Non-Members may attend only at the discretion of the Board of Directors.

Normally, regular Board meetings are held in the morning on the third Tuesday of each month. However, four days posted advance notice is always given of all open Board meetings except in case of emergency. Regular Board meetings are normally held in the Board Room on the ground floor of the Community Center at 9:30 a.m., ~~in accordance with Civil Code § 4920. Notice of Board Meetings.~~

**B. Special Meeting or Altering Location, Date or Time**

If a special Board meeting is called or if the location, date or time of a Board meeting is to be changed, all Members will be notified at least four days prior to the meeting by posting in the ~~Clubhouse kiosks and the community center bulletin board~~ and on the web site. In an emergency, the President or any two Directors may call for a Board meeting on shorter notice, ~~in accordance with Civil Code § 4923. Emergency Board Meetings~~

**C. Attendance**

Third Laguna Hills Mutual  
**Rules for Board Meetings**  
 Resolution 03-22-XX  
 Page 2 of 12

Members may attend Board meetings, but Executive Session meetings are closed. **A “Member” is not a tenant, guest, family, or legal counsel of the Member.**

**D. Agendas**

1. **Preparation.** Agendas are prepared by the President ~~1t~~, in cooperation with management staff. At least one week prior to a Board meeting, the President will inquire if any Director requests inclusion of an agenda item. The Chair may also call a Board meeting for the purpose of setting the regular Board meeting agenda.
2. **Request for inclusion.** A Director may request an item be included in an agenda, by submitting the action requested and an explanation of the reason for the request. A Director requesting an agenda item is responsible to present that item to the Board with supporting information if the item is included in the agenda.
3. **Rejected agenda items.** The Chair with the assistance of Management Staff shall include a requested item in the agenda unless the item:
  1. Has no suggested action;
  2. Is redundant with an item already on the agenda or was addressed in a Board meeting in the previous three months;
  3. Must be discussed in Executive Session;
  4. Would make the agenda unduly lengthy (and so will be on the next agenda);
  5. Is sent first to a committee for recommendation; or
  - f) Is, based on the advice of legal counsel, proposing action barred by law.
4. **Board request for agenda item.** Notwithstanding the foregoing, if an agenda item is requested in writing or by electronic mail by at least six Directors, the Chair shall include it in the Agenda for the open meeting or the Executive Session meeting, depending upon the item.
5. **Member Request for Agenda Item.**
  - a) A Member may request the President in advance that a topic be added to the agenda, but the President with the assistance of Staff will determine whether a requested topic will be included in the agenda.
  - b) A topic will also be added to the agenda if at least one week prior to the scheduled Board meeting, the Chief Executive Officer (CEO) or Staff receives a petition signed by at least twenty five different Members entitled to vote.
  - c) The requested agenda topic must still meet the standards of Rule II(D)(~~3~~) above.

Third Laguna Hills Mutual  
**Rules for Board Meetings**  
 Resolution 03-22-XX  
 Page 3 of 12

<sup>1</sup> Any action to be taken by the President may be taken by the First Vice President or the next officer in order as stated in the By-laws if the President is unable to attend or participate.

- d) A Member who has requested an agenda item which is placed on the agenda ("Requesting Member"), may speak to the item during Open Forum, or at the election of the Chair, may present the topic to the Board immediately before the Board begins its deliberation of the item (assuming there is a Motion from the Board after the Requesting Member speaks). The Requesting Member may speak on the matter for up to five minutes. Only one person may be considered the "Requesting Member" for the purpose of addressing the Board. The Board may by motion give the Requesting Member more time to speak.
6. **Publication, agenda packets.** Agendas will be published at least four days prior to any non-emergency Board meeting. The Board will receive a board packet (also referred to as "agenda package"), prepared by management staff, at least four days prior to the meeting, and may be transmitted electronically upon request. To make the meeting more efficient, Directors should read the board packet prior to arriving at the meeting.
7. **No discussion of matters not disclosed on agenda.** The Board may not discuss subjects which are not on the agenda unless the matter is determined by a majority of the Board to involve an emergency, or unless the matter arose prior to the meeting but after the agenda was published and at least eight Directors concur that the matter requires immediate action.

**Sample agenda.** The following is a typical Agenda:

1. ~~Call meeting to order/Establish Quorum-Call Meeting to Order~~
2. Pledge of Allegiance
3. ~~Acknowledge Media~~
- 4.3. Approval of the Agenda
- 5.4. Approval of the Minutes
5. Report of the Chair
6. Update of VMS Board -
7. Open Forum (Three Minutes per Speaker)
8. Responses to Open Forum Speakers
9. CEO/~~COO~~ Report
10. Consent Calendar
11. Unfinished business
12. New Business
13. Third Mutual Committee Reports
14. GRF Committee Highlights
15. Future Agenda Items

- 16. Director's Comments
- 17. Recess
- 18. Adjournment

**E. Committees: Reports, Meetings**

1. If the Bylaws provide for standing committees or if the Board from time to time establishes committees, committee reports may be submitted to the Board prior to the meeting for review. If the committee recommends any Board action, the report should also indicate the reasons it is recommended. If possible, the committee Chair or a ~~member~~Member of the committee should present the report.
2. A committee consisting of six or more Directors, or including at least six Directors in its roster, shall conduct its meetings in the same manner as a Board meeting, with agendas, minutes, Open Forum, and in compliance with all other requirements applicable to Board meetings.
3. A committee consisting of both Directors and non-Directors but which has less than six Directors may, but is not required to, conduct its meetings in the same manner as a Board meeting, but shall prepare and submit a report to the Board prior to the agenda publication, including any recommended action.
4. Any committee reports will be included in the board packets if they are timely submitted. Committee reports which do not contain a request for action will be noted in the minutes as "received."
5. A committee request for action shall be placed by the Chair or staff on the agenda, so long as it complies with Rule D ~~.(3).~~
6. Directors, upon presentation of a committee report, may ask questions about the report, but may not deliberate about the report unless that subject was timely placed on the agenda for deliberation and possible action in that meeting.

**F. Open Forum**

The Open Meeting Act, Civil Code §§4900-4950, provides that Board meetings are open to Members. A "meeting" under the law is "a congregation of a majority of the ~~member~~Members of the board at the same time and place to hear, discuss, or deliberate upon any item of business that is within the authority of the board." The Board thus may not exclude Members from attending, absent discipline imposed as provided herein. The only exception is for Executive Session as discussed further below.

1. **Time for Open Forum.** Open Forum will normally occur at the beginning of

Third Laguna Hills Mutual  
**Rules for Board Meetings**  
 Resolution 03-22-XX  
 Page 5 of 12

the Board meeting. The agenda may also provide for a second Open Forum time at the end of the agenda. The Board may by motion re-open Open Forum on a specific agenda item, or reschedule Open Forum within the agenda.

2. **Member's Right to Speak.** Open Forum is a valuable and legally required portion of every open Board meeting. Open Forum is the opportunity for the Member to inform the Board of matters which may not be known.
  - a) During Open Forum, a Member may speak to the Board on any topic not on the agenda. The purpose of Open Forum is to inform the Board of viewpoints or information of which the Board may not be aware regarding Third. Therefore, although a Member may use their time to speak upon any topic of interest to the Member, Members are advised that the Board may not be as attentive to comments on matters outside the Board's jurisdiction.
  - b) At the time designated on the agenda for Open Forum, the Chair shall ask the Members present to raise their hand if they wish to speak in Open Forum or fill out a speaker card. In order to give all Members an opportunity to speak at meetings, and to control meeting length, each ~~member~~Member may speak for a maximum of three minutes. In the event more than ten Members indicate a desire to speak, the time limit per speaker shall be shortened to two minutes per speaker.
  - c) Open Forum is the time for Members to speak and provide additional opinions and viewpoints to the Board, and is not a time for the Board to speak. Directors will listen and not respond or otherwise interrupt a speaker at Open Forum, so long as the speaker is within these Rules and time limits. A response, if any, by a Director or staff to an Open Forum remark or question shall be after the close of Open Forum. The Chair may appoint a Director or Staff-person as timekeeper.
  - d) So long as the Open Forum comments comply with these Rules, neither staff, the Chair, nor other Director shall interrupt the speaker.
  - e) The statements made by Members in Open Forum are not the position of ~~the Association~~Third, and Third takes no responsibility as to the content of Open Forum comments. At the beginning of Open Forum, the Chair shall remind all attending as to these Rules regarding Open Forum.
3. **Open Forum During Agenda Item Discussions.**
  - a) During the Board deliberations of a matter, and when the Chair at the Chair's sole discretion determines there has been sufficient discussion to inform the attendees in the audience of the issue, the Chair will inquire if any Members in the audience wish to speak to the motion at hand.
  - b) If the Chair sees any hands raised indicating a desire to speak or fill out a speaker card, Open

Third Laguna Hills Mutual  
**Rules for Board Meetings**  
 Resolution 03-22-XX  
 Page 6 of 12

Forum will be reopened on the issue, and the Members indicating a desire to speak to the topic may speak for up to three (3) minutes on the specific agenda item.

- c) Off-topic commentary will not be permitted, but so long as the speaker complies with the Rules, neither the Chair nor any Director will interject or otherwise interrupt during the speaker's remarks.
  - d) The Chair in its sole discretion may reduce the time per speaker to two (2) minutes on an issue, if the Chair deems it necessary to insure that all who wish to speak have the opportunity to do so.
  - e) A ~~member~~Member (or co-Owner of a Member) shall only speak once on a given agenda item.
  - f) Once the Chair determines that all have spoken who wished to speak, or that no one has indicated a desire to speak, the Chair shall announce Open Forum is again closed, and the Board shall resume and conclude its deliberations on the item.
4. **Re-opening of Open Forum.** If an issue on the Agenda is deemed by the Board to require further Membership input, the Board may by majority vote re- open Open Forum, to allow Members to speak to the pending subject. If Open Forum is reopened, Members may speak for up to two minutes each. Upon completion of such Membership input, in compliance with Open Forum Rules, the Board will then close Open Forum and resume deliberating the subject.
5. **Member Observation of Deliberations.** Except for Open Forum, Members may not speak to the Board, and shall quietly observe Board deliberations except for those in Executive Session. Members do not vote or make motions at Board meetings, as only Directors vote at Board meetings. Applause, boos, or other audible response to Board deliberations or decisions is out of order.
6. **Addressing the Board During Open Forum.** When speaking, the Member will identify Member's name and Manor, and will stand at the speaker's podium if physically able to stand, and will address the Board, not the audience.

**G. Meeting Conduct**

Directors, Members and anyone else permitted to attend the meeting will conduct themselves in a reasonable manner. The following conduct is strictly prohibited:

- 1. Profane or obscene language;
- 2. Slurs involving race, religion, ethnicity, gender, sexual orientation, gender identity, or age;
- 3. Shouting or yelling;



Third Laguna Hills Mutual  
**Rules for Board Meetings**  
 Resolution 03-22-XX  
 Page 7 of 12

4. Physical threats, including non-verbal communications such as gestures or using body language in such a way as to intimidate;
5. Pounding on table or throwing items; and
6. All other unreasonable and disruptive behavior which does not allow Members to peacefully observe the proceedings, or which otherwise impedes the ability of the Board to peacefully conduct its deliberations and the Members to peacefully observe those deliberations.

Directors will also refrain from making comments which:

7. Divulge information from closed sessions;
8. Divulge attorney client privileged confidential advice; or
9. Maliciously malign any person, business or entity.

To create a positive atmosphere, all persons present will be seated (unless some handicap exists by which they cannot be seated) and will remain seated at all times when others are speaking, except when standing in line to speak for their turn in Open Forum. Neither Directors nor anyone addressing the Board will be allowed to speak while standing or hovering over someone else. All in attendance must behave in a professional and orderly manner. Directors shall refrain from interrupting each other or from making audible "sidebar" remarks while a fellow Director is speaking. Directors shall keep their microphones off except when they are addressing the Board.

#### H. **Violation of Rules**

Anyone (Member or Director) violating these Rules during a meeting may be:

1. First warned by the Chair,
2. Then warned by majority vote of the Board, and
3. Then by majority vote of the Board asked to leave the meeting.

In the event a person refuses to leave after the Board votes to eject the individual, the meeting shall be recessed until such time as security and/or law enforcement can be summoned to assist or until the person voluntarily leaves.

The Board may schedule a disciplinary hearing to determine whether a Member will as a result of violation of these Rules be suspended from attending one or more future Board meetings as well as any other appropriate disciplinary measures.

A non-Member who is permitted to attend but disrupts a Board meeting may be ejected by the Chair or upon majority Board vote without warning.

#### I. **Parliamentary Procedure**

Meetings will generally follow "Robert's Rules of Order." In brief, there should be no discussion on an item unless and until motion is made and there is a second to the motion. A motion is a proposal that the Board takes a stand or takes action

on some issue. Only Directors can make motions.

The Resolution or motion recommended by a Committee report shall be considered as a motion and need not have a second for discussion to commence, so long as the recommendation has been stated on the agenda at least four days in advance of the meeting, absent emergency.

The Chair, normally the President, may call for a motion or, if temporarily passing the gavel, may make a motion. If there is no second to a motion, the issue is dropped. If a motion receives a second, then the Chair will ask for debate and discussion. Fair play, courtesy and cooperative behavior is preferred over strict compliance with Robert's Rules.

**J. Recording of meetings: Minutes**

The proceedings of Board meetings shall not be electronically recorded, except by "Village TV". Any other recording devices (audio, video or photographic) at Board or committee meetings are forbidden. The proceedings of such meetings shall be recorded in the minutes of the meeting. Minutes of Board meetings are prepared by the Secretary or, if the Board directs, by a Recording Secretary who need not be a Director. Minutes shall record actions taken, but shall ~~not~~ record general commentary or statements by Directors, or comments during Open Forum.

**K. Board Deliberations**

1. Directors will deliberate topics only when on an agenda, except for emergency matters 2, and when a motion has been made and seconded by a Director, ~~except for Committee recommendations, which do not require a motion or second~~. Unless a Director is only asking a question, Directors will indicate at the beginning of their remarks if they speak for or against the pending motion.
2. Generally, the motion initiating discussion should be made by the Director requesting the item to be placed on the agenda.
3. Directors shall:
  - a) Cooperate to keep their remarks on the topic of a motion,
  - b) Speak to each other,
  - c) Not personally address the live audience or the television/virtual audience, and
  - d) Avoid repetition of points already made, or repeating their own previous remarks on a motion.
4. If a Director violates the standards set forth in these Rules, the Chair may remind the Director of the standard being violated, and will then request the Director to bring their comments into compliance. In the event a Director continues to violate these Rules, the Board may proceed pursuant to subpart ~~H(H)~~H.II herein.

Third Laguna Hills Mutual  
**Rules for Board Meetings**  
 Resolution 03-22-XX  
 Page 9 of 12

2 Emergency Defined. An emergency is defined as "circumstances that could not have been reasonably foreseen by the board, that require immediate attention and possible action by the board, and that, of necessity, make it impracticable to provide notice." (Civ. Code §4930(d)(1).)

4.5. Motions may be amended in at least two ways:

- a) A motion, after receiving a second, may be amended by a motion, which motion must also receive a second and a majority vote.
- b) A motion may also be amended by a "friendly amendment" in which the author of the original motion consents to a proposed amendment to the motion. If the second also consents, the motion is amended and deliberations continue on the motion as amended.

**L. Board Comments During Meetings**

1. The comments of Directors, staff, or Mutual consultants during Board or Committee Meetings are not comments of the Mutual, and only the speaker's opinions.
2. The position of the Mutual is only that expressed in Motions or Resolutions which are adopted by the Board of Directors.
- ~~3. The Chair of any Board or Committee Open Meeting shall make an announcement at the beginning of the Board or Committee meeting which recites the first two sentences of this section verbatim.~~

**M. Chair**

1. The Chair shall be the President of Third, if present at the meeting, unless the Chair passes the gavel temporarily to the First Vice President. If the First Vice President is unavailable, then the Second Vice President may serve as Chair. If neither the President, First or Second Vice President are in attendance, then the Secretary or Treasurer may serve as Chair.
2. The Chair may discuss and vote on any motion, unless the Chair recuses itself.
3. If the Chair wishes to make a motion, the Chair shall pass the gavel to the First Vice President or next Officer in succession until deliberation of the motion is concluded by a vote on the motion.
4. The Chair shall be entrusted with the orderly progress of the Board's deliberations. In the event the Chair perceives that deliberations have ceased to move the discussion forward (either because unanimity already exists; debate has become repetitive or otherwise unduly lengthy; positions on a motion have become clear; or because the Board is not ready to decide on the matter), the Chair shall call for a motion to close debate, or a motion to table the matter.
5. The relationship between the Board and Chair should be one of mutual respect. The Board should give respect and deference to the Chair's leadership in moving deliberations forward, while the Chair should give respect and not request a conclusion to deliberations of a matter if the Board majority wishes to continue deliberation of a topic.

Third Laguna Hills Mutual  
**Rules for Board Meetings**  
 Resolution 03-22-XX  
 Page 10 of 12

6. Any Director also may move the previous question, which is not debatable, and requires a two-thirds vote to conclude deliberations so that the matter being deliberated may be voted upon.

### III. EXECUTIVE SESSION

#### A. Purpose of Executive Session

Executive Session meetings allow the Board of Directors to address issues of sensitive nature, which may involve attorney client privilege or other privacy rights. It is important that all information discussed and disclosed at these sessions remain private.

The Board may meet in Executive Session only on the following subjects:

1. Litigation or threatened litigation.
2. Contract negotiations.
3. Member disciplinary hearings (i.e.: imposing fines or other penalties).
4. Hearings on Mutual reimbursement claims against a Member
5. Member's proposal of a payment plan for delinquent assessments.
6. Voting on the decision to foreclose upon an assessment lien.
7. Personnel issues.

Subsequent Board minutes will contain a general note of the actions taken.

#### B. Confidentiality Agreement

To protect Third and its Members, each Director shall annually sign a confidentiality agreement before attending and participating in Executive Session meetings. A Director who refuses to do so will not be permitted to attend Executive Session meetings, and legal counsel will not copy that Director on confidential communications, nor participate in legal advice discussions with that Director present.

**Commented [WB1]:** Committee: Whistleblower language under review by management

~~The Confidentiality Agreement shall state substantially as follows:~~

~~"I, \_\_\_\_\_ (Name), after having been duly elected or appointed as a Director of Third Laguna Hills Mutual, do hereby agree that all information which is disclosed by or to me, orally or in writing, and all discussions held at an Executive Session Meeting of the Board and all attorney advice shall be kept confidential and shall remain confidential, even after I am no longer a Director. I understand that this means that anything I say, hear or see at an Executive Session Meeting may not be discussed with anyone outside of Executive Session.~~

~~I further understand that if I do not sign this Confidentiality Agreement or do not honor this Agreement, I will not be permitted to participate in or attend Executive Session Meetings or to receive confidential attorney-client communications. I~~

Third Laguna Hills Mutual  
**Rules for Board Meetings**  
 Resolution 03-22-XX  
 Page 11 of 12

~~further understand that I will be held responsible for any damages which result to the Mutual or its individual Members if I violate this agreement."~~

**C. Procedure for Setting**

The notice for a meeting which is solely an Executive Session meeting must be posted in the Clubhouse kiosks, community center bulletin board and on the website two days in advance, unless it is an emergency Executive Session meeting.

The notice should state that the only item of business to come before the Board will be held in Executive Session and that no issues will be discussed in open session.

**D. Agenda Packets**

Due to the sensitive nature of the subjects discussed in closed session, Directors will return their Executive Session agenda packets to management staff immediately upon adjournment of the meeting, or when they depart from the meeting, whichever occurs first. The Secretary, Treasurer and Committee Chair and Co-chair may retain the agenda packet. Executive session agenda packets will not be distributed to Directors in electronic form.

**IV. CLOSED SESSION HEARINGS**

The Mutual conducts its disciplinary hearings and reimbursement claim hearings in closed session. The following rules are to inform both ~~member~~Member(s) and Directors regarding how these hearings are conducted.

**A. Notification**

If the Mutual is considering discipline or pursuing a reimbursement claim against a Member, it will first provide written notification to the Member, of a hearing to be held by the Board to consider the matter, at least ten days after the date the notification is sent to the Member. The notification will inform the Member the nature of the alleged violation or reimbursement claim.

**B. Attendance**

A Member being considered for discipline or a reimbursement claim may attend the hearing to address the Board regarding whether the Board should impose discipline or pursue reimbursement. The Member may bring written witness(es) statements. The ~~M~~member may not bring legal counsel to Executive Hearings Committee meeting only the regular closed session Board meeting. At the discretion of the Chair the alleged party may attend the hearing. The ~~M~~member being considered for discipline or reimbursement claim may not observe the Board's deliberation of the matter. A ~~member~~Member may provide a written statement as a substitute for personally appearing at the hearing.

Third Laguna Hills Mutual  
**Rules for Board Meetings**  
Resolution 03-22-XX  
Page 12 of 12

A complaining ~~member~~Member may provide a written statement to the Board. The complaining ~~member~~Member will not be permitted to hear the Board's deliberation or the presentation by the ~~Member~~Member being considered for discipline.

C. Addressing the Board

A ~~Member~~Member being considered for discipline or reimbursement claim may speak to the Board for a maximum of five minutes of uninterrupted time. Then the Board will have five minutes to ask questions for a total of 10 minutes. If a Member brings supporting documentation, it is suggested the ~~member~~Member bring one copy for staff, one copy for Mutual legal counsel, and 11 copies for the Board. If a ~~member~~Member brings supporting witnesses and/or alleged party, an additional five minutes can be added to the ~~member~~Member's time.

Members addressing the Board should be prepared and organized for the hearing, to maximize their allotted time.

D. The Board's Decision

The Board will notify the Member being considered for discipline or reimbursement claim within fifteen (15) days of the hearing. The Board will not notify other Members of the Board's decision, which shall remain confidential.



**RULES FOR BOARD MEETINGS**  
**Resolution 03-22-XX; Adopted [date]**

**I. INTRODUCTION**

Successful, efficient and orderly Board meetings benefit everyone in the community. Manor owners (“Members”) have the right to observe the open board meetings and are encouraged to attend, but meetings which are disorderly or too long can be discouraging.

These Rules inform both Director and non-Director as to what is expected of all attending Board meetings, and how meetings are conducted. The goal is orderly and efficient meetings, protection of Owners’ right to observe productive deliberations, and enhancement of the governance and the membership experience in Third Laguna Hills Mutual (“Third”).

**II. BOARD MEETINGS**

**A. Regular Board Meetings**

Notice of the date, time and location of regular Board meetings will be provided by posting in the Clubhouse kiosks and the community center bulletin board and on the web site a minimum of four days before the meeting is to take place. Board meetings are open to all Mutual Members to attend and observe. Non-Members may attend only at the discretion of the Board of Directors.

Normally, regular Board meetings are held in the morning on the third Tuesday of each month. However, four days posted advance notice is always given of all open Board meetings except in case of emergency. Regular Board meetings are normally held in the Board Room on the ground floor of the Community Center at 9:30 a.m., in accordance with Civil Code § 4920. Notice of Board Meetings.

**B. Special Meeting or Altering Location, Date or Time**

If a special Board meeting is called or if the location, date or time of a Board meeting is to be changed, all Members will be notified at least four days prior to the meeting by posting in the Clubhouse kiosks and the community center bulletin board and on the web site. In an emergency, the President or any two Directors may call for a Board meeting on shorter notice, in accordance with Civil Code § 4923. Emergency Board Meetings

**C. Attendance**

Members may attend Board meetings, but Executive Session meetings are

closed. A **“Member”** is not a tenant, guest, family, or legal counsel of the Member.

**D. Agendas**

1. **Preparation.** Agendas are prepared by the President<sup>1t</sup>, in cooperation with management staff. At least one week prior to a Board meeting, the President will inquire if any Director requests inclusion of an agenda item. The Chair may also call a Board meeting for the purpose of setting the regular Board meeting agenda.
2. **Request for inclusion.** A Director may request an item be included in an agenda, by submitting the action requested and an explanation of the reason for the request. A Director requesting an agenda item is responsible to present that item to the Board with supporting information if the item is included in the agenda.
3. **Rejected agenda items.** The Chair with the assistance of Management Staff shall include a requested item in the agenda unless the item:
  1. Has no suggested action;
  2. Is redundant with an item already on the agenda or was addressed in a Board meeting in the previous three months;
  3. Must be discussed in Executive Session;
  4. Would make the agenda unduly lengthy (and so will be on the next agenda);
  5. Is sent first to a committee for recommendation; or
  - f) Is, based on the advice of legal counsel, proposing action barred by law.
4. **Board request for agenda item.** Notwithstanding the foregoing, if an agenda item is requested in writing or by electronic mail by at least six Directors, the Chair shall include it in the Agenda for the open meeting or the Executive Session meeting, depending upon the item.
5. **Member Request for Agenda Item.**
  - a) A Member may request the President in advance that a topic be added to the agenda, but the President with the assistance of Staff will determine whether a requested topic will be included in the agenda.
  - b) A topic will also be added to the agenda if at least one week prior to the scheduled Board meeting, the Chief Executive Officer (CEO) or Staff receives a petition signed by at least twenty five different Members entitled to vote.
  - c) The requested agenda topic must still meet the standards of Rule IID.3 above.



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1 Any action to be taken by the President may be taken by the First Vice President or the next officer in order as stated in the By-laws if the President is unable to attend or participate.

- d) A Member who has requested an agenda item which is placed on the agenda ("Requesting Member"), may speak to the item during Open Forum, or at the election of the Chair, may present the topic to the Board immediately before the Board begins its deliberation of the item (assuming there is a Motion from the Board after the Requesting Member speaks). The Requesting Member may speak on the matter for up to five minutes. Only one person may be considered the "Requesting Member" for the purpose of addressing the Board. The Board may by motion give the Requesting Member more time to speak.
- 6. **Publication, agenda packets.** Agendas will be published at least four days prior to any non-emergency Board meeting. The Board will receive a board packet (also referred to as "agenda package"), prepared by management staff, at least four days prior to the meeting, and may be transmitted electronically upon request. To make the meeting more efficient, Directors should read the board packet prior to arriving at the meeting.
  - 7. **No discussion of matters not disclosed on agenda.** The Board may not discuss subjects which are not on the agenda unless the matter is determined by a majority of the Board to involve an emergency, or unless the matter arose prior to the meeting but after the agenda was published and at least eight Directors concur that the matter requires immediate action.

**Sample agenda.** The following is a typical Agenda:

- 1. Call Meeting to Order
- 2. Pledge of Allegiance
- 3. Approval of the Agenda
- 4. Approval of the Minutes
- 5. Report of the Chair
- 6. Update of VMS Board -
- 7. Open Forum (Three Minutes per Speaker)
- 8. Responses to Open Forum Speakers
- 9. CEO Report
- 10. Consent Calendar
- 11. Unfinished business
- 12. New Business
- 13. Third Mutual Committee Reports
- 14. GRF Committee Highlights
- 15. Future Agenda Items
- 16. Director's Comments

17. Recess

18. Adjournment

**E. Committees: Reports, Meetings**

1. If the Bylaws provide for standing committees or if the Board from time to time establishes committees, committee reports may be submitted to the Board prior to the meeting for review. If the committee recommends any Board action, the report should also indicate the reasons it is recommended. If possible, the committee Chair or a Member of the committee should present the report.
2. A committee consisting of six or more Directors, or including at least six Directors in its roster, shall conduct its meetings in the same manner as a Board meeting, with agendas, minutes, Open Forum, and in compliance with all other requirements applicable to Board meetings.
3. A committee consisting of both Directors and non-Directors but which has less than six Directors may, but is not required to, conduct its meetings in the same manner as a Board meeting, but shall prepare and submit a report to the Board prior to the agenda publication, including any recommended action.
4. Any committee reports will be included in the board packets if they are timely submitted. Committee reports which do not contain a request for action will be noted in the minutes as "received."
5. A committee request for action shall be placed by the Chair or staff on the agenda, so long as it complies with Rule D.3.
6. Directors, upon presentation of a committee report, may ask questions about the report, but may not deliberate about the report unless that subject was timely placed on the agenda for deliberation and possible action in that meeting.

**F. Open Forum**

The Open Meeting Act, Civil Code §§4900-4950, provides that Board meetings are open to Members. A "meeting" under the law is "a congregation of a majority of the Members of the board at the same time and place to hear, discuss, or deliberate upon any item of business that is within the authority of the board." The Board thus may not exclude Members from attending, absent discipline imposed as provided herein. The only exception is for Executive Session as discussed further below.

1. **Time for Open Forum.** Open Forum will normally occur at the beginning of the Board meeting. The agenda may also provide for a second Open Forum

time at the end of the agenda. The Board may by motion re-open Open Forum on a specific agenda item, or reschedule Open Forum within the agenda.

**2. Member's Right to Speak.** Open Forum is a valuable and legally required portion of every open Board meeting. Open Forum is the opportunity for the Member to inform the Board of matters which may not be known.

- a) During Open Forum, a Member may speak to the Board on any topic not on the agenda. The purpose of Open Forum is to inform the Board of viewpoints or information of which the Board may not be aware regarding Third. Therefore, although a Member may use their time to speak upon any topic of interest to the Member, Members are advised that the Board may not be as attentive to comments on matters outside the Board's jurisdiction.
- b) At the time designated on the agenda for Open Forum, the Chair shall ask the Members present to raise their hand if they wish to speak in Open Forum or fill out a speaker card. In order to give all Members an opportunity to speak at meetings, and to control meeting length, each Member may speak for a maximum of three minutes. In the event more than ten Members indicate a desire to speak, the time limit per speaker shall be shortened to two minutes per speaker.
- c) Open Forum is the time for Members to speak and provide additional opinions and viewpoints to the Board, and is not a time for the Board to speak. Directors will listen and not respond or otherwise interrupt a speaker at Open Forum, so long as the speaker is within these Rules and time limits. A response, if any, by a Director or staff to an Open Forum remark or question shall be after the close of Open Forum. The Chair may appoint a Director or Staff-person as timekeeper.
- d) So long as the Open Forum comments comply with these Rules, neither staff, the Chair, nor other Director shall interrupt the speaker.
- e) The statements made by Members in Open Forum are not the position of Third, and Third takes no responsibility as to the content of Open Forum comments. At the beginning of Open Forum, the Chair shall remind all attending as to these Rules regarding Open Forum.

**3. Open Forum During Agenda Item Discussions.**

- a) During the Board deliberations of a matter, and when the Chair at the Chair's sole discretion determines there has been sufficient discussion to inform the attendees in the audience of the issue, the Chair will inquire if any Members in the audience wish to speak to the motion at hand.
- b) If the Chair sees any hands raised indicating a desire to speak or fill out a speaker card, Open Forum will be reopened on the issue, and the Members indicating a desire to speak to the topic may speak for up to three (3) minutes on

- the specific agenda item.
- c) Off-topic commentary will not be permitted, but so long as the speaker complies with the Rules, neither the Chair nor any Director will interject or otherwise interrupt during the speaker's remarks.
  - d) The Chair in its sole discretion may reduce the time per speaker to two (2) minutes on an issue, if the Chair deems it necessary to insure that all who wish to speak have the opportunity to do so.
  - e) A Member (or co-Owner of a Member) shall only speak once on a given agenda item.
  - f) Once the Chair determines that all have spoken who wished to speak, or that no one has indicated a desire to speak, the Chair shall announce Open Forum is again closed, and the Board shall resume and conclude its deliberations on the item.
4. **Re-opening of Open Forum.** If an issue on the Agenda is deemed by the Board to require further Membership input, the Board may by majority vote re- open Open Forum, to allow Members to speak to the pending subject. If Open Forum is reopened, Members may speak for up to two minutes each. Upon completion of such Membership input, in compliance with Open Forum Rules, the Board will then close Open Forum and resume deliberating the subject.
5. **Member Observation of Deliberations.** Except for Open Forum, Members may not speak to the Board, and shall quietly observe Board deliberations except for those in Executive Session. Members do not vote or make motions at Board meetings, as only Directors vote at Board meetings. Applause, boos, or other audible response to Board deliberations or decisions is out of order.
6. **Addressing the Board During Open Forum.** When speaking, the Member will identify Member's name and Manor, and will stand at the speaker's podium if physically able to stand, and will address the Board, not the audience.

**G. Meeting Conduct**

Directors, Members and anyone else permitted to attend the meeting will conduct themselves in a reasonable manner. The following conduct is strictly prohibited:

- 1. Profane or obscene language;
- 2. Slurs involving race, religion, ethnicity, gender, sexual orientation, gender identity, or age;
- 3. Shouting or yelling;
- 4. Physical threats, including non-verbal communications such as gestures or using body language in such a way as to intimidate;

5. Pounding on table or throwing items; and
6. All other unreasonable and disruptive behavior which does not allow Members to peacefully observe the proceedings, or which otherwise impedes the ability of the Board to peacefully conduct its deliberations and the Members to peacefully observe those deliberations.

Directors will also refrain from making comments which:

7. Divulge information from closed sessions;
8. Divulge attorney client privileged confidential advice; or
9. Maliciously malign any person, business or entity.

To create a positive atmosphere, all persons present will be seated (unless some handicap exists by which they cannot be seated) and will remain seated at all times when others are speaking, except when standing in line to speak for their turn in Open Forum. Neither Directors nor anyone addressing the Board will be allowed to speak while standing or hovering over someone else. All in attendance must behave in a professional and orderly manner. Directors shall refrain from interrupting each other or from making audible “sidebar” remarks while a fellow Director is speaking. Directors shall keep their microphones off except when they are addressing the Board.

#### **H. Violation of Rules**

Anyone (Member or Director) violating these Rules during a meeting may be:

1. First warned by the Chair,
2. Then warned by majority vote of the Board, and
3. Then by majority vote of the Board asked to leave the meeting.

In the event a person refuses to leave after the Board votes to eject the individual, the meeting shall be recessed until such time as security and/or law enforcement can be summoned to assist or until the person voluntarily leaves.

The Board may schedule a disciplinary hearing to determine whether a Member will as a result of violation of these Rules be suspended from attending one or more future Board meetings as well as any other appropriate disciplinary measures.

A non-Member who is permitted to attend but disrupts a Board meeting may be ejected by the Chair or upon majority Board vote without warning.

#### **I. Parliamentary Procedure**

Meetings will generally follow “Robert’s Rules of Order.” In brief, there should be no discussion on an item unless and until motion is made and there is a second to the motion. A motion is a proposal that the Board takes a stand or takes action on some issue. Only Directors can make motions.

The Resolution or motion recommended by a Committee report shall be considered as a motion and need not have a second for discussion to commence, so long as the recommendation has been stated on the agenda at least four days in advance of the meeting, absent emergency.

The Chair, normally the President, may call for a motion or, if temporarily passing the gavel, may make a motion. If there is no second to a motion, the issue is dropped. If a motion receives a second, then the Chair will ask for debate and discussion. Fair play, courtesy and cooperative behavior is preferred over strict compliance with Robert's Rules.

**J. Recording of meetings: Minutes**

The proceedings of Board meetings shall not be electronically recorded, except by "Village TV". Any other recording devices (audio, video or photographic) at Board or committee meetings are forbidden. The proceedings of such meetings shall be recorded in the minutes of the meeting. Minutes of Board meetings are prepared by the Secretary or, if the Board directs, by a Recording Secretary who need not be a Director. Minutes shall record actions taken, but shall not record general commentary or statements by Directors, or comments during Open Forum.

**K. Board Deliberations**

1. Directors will deliberate topics only when on an agenda, except for emergency matters <sup>2</sup>, and when a motion has been made and seconded by a Director. Unless a Director is only asking a question, Directors will indicate at the beginning of their remarks if they speak for or against the pending motion.
2. Generally, the motion initiating discussion should be made by the Director requesting the item to be placed on the agenda.
3. Directors shall:
  - a) Cooperate to keep their remarks on the topic of a motion,
  - b) Speak to each other,
  - c) Not personally address the live audience or the television/virtual audience, and
  - d) Avoid repetition of points already made, or repeating their own previous remarks on a motion.
4. If a Director violates the standards set forth in these Rules, the Chair may remind the Director of the standard being violated, and will then request the Director to bring their comments into compliance. In the event a Director continues to violate these Rules, the Board may proceed pursuant to subpart H.II herein.

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The Mutual conducts its disciplinary hearings and reimbursement claim hearings in closed session. The following rules are to inform both Member(s) and Directors regarding how these hearings are conducted.

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A complaining Member may provide a written statement to the Board. The complaining Member will not be permitted to hear the Board's deliberation or the presentation by the Member being considered for discipline.

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A Member being considered for discipline or reimbursement claim may speak to the Board for a maximum of five minutes of uninterrupted time. Then the Board will have five minutes to ask questions for a total of 10 minutes. If a Member brings supporting documentation, it is suggested the Member bring one copy for staff, one copy for Mutual legal counsel, and 11 copies for the Board. If a Member brings supporting witnesses and/or alleged party, an additional five minutes can be added to the Member's time.

Members addressing the Board should be prepared and organized for the hearing, to maximize their allotted time.

D. The Board's Decision

The Board will notify the Member being considered for discipline or reimbursement claim within fifteen (15) days of the hearing. The Board will not notify other Members of the Board's decision, which shall remain confidential.

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### **RESOLUTION 03-22-XX**

#### **Rules for Board Meetings**

**WHEREAS**, each Owner Member of Laguna Woods Village has an ongoing interest and right under California law to participate in the governance of their community; and

**WHEREAS**, the Board of Directors of the Third Laguna Hills Mutual has an equal interest and duty under law to ensure that the management of the community's affairs is carried out professionally and in adherence with the provisions of the Davis-Stirling Act; and

**WHEREAS**, the Board of Directors wishes to promote order and regulate meeting time in an even and consistent fashion;

**NOW THEREFORE BE IT RESOLVED**, December 20, 2022, that the Board of Directors of this Corporation hereby approves the attached revised Rules for Board Meetings; and

**RESOLVED FURTHER**, that Resolution 03-20-80 adopted November 17, 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.

#### **NOVEMBER INITIAL NOTIFICATION**

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

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**ENDORSEMENT (to board)**

**Revised Architectural Standard No. 26 – Skylight Installations**

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. 26 – Skylight Installations with revisions.

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## STAFF REPORT

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**DATE:** December 20, 2022  
**FOR:** Board of Directors  
**SUBJECT:** Revision to Architectural Standard 26: Skylight Installations

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### **RECOMMENDATION**

Approve a resolution to revise Architectural Standard Section 26 – Skylight Installations.

### **BACKGROUND**

The Architectural Controls and Standards Committee (ACSC) requested staff to review and revise the current Alteration Standards for applicability, usefulness, and current technology. There are currently 40 Architectural Standards available for members to use to perform alterations to their manor. Architectural Standard Section 26 – Skylight Installations was last revised in June 2018, via Resolution 03-18-92.

### **DISCUSSION**

The ACSC has reviewed the existing Architectural Standard Section 26 – Skylight Installations, and determined that the Standard needs to be revised to reflect the current Building Codes, Municipal Codes, or mutual policies. On November 28, 2022, the ACSC reviewed and approved the proposed revisions to the Standard (Attachment 4) with the additional recommended revisions (blue font) to Sections 2.5 and 2.6.

### **FINANCIAL ANALYSIS**

There is no financial impact to the mutual.

**Prepared By:** Gavin Fogg, Manor Alterations Interim Manager

**Reviewed By:** Baltazar Mejia, Maintenance & Construction Assistant Director

### **ATTACHMENT(S)**

Attachment 1 – Current Resolution 03-18-92  
Attachment 2 – Current Standard 26: Skylight Installations  
Attachment 3 – Redlined Revised Standard 26: Skylight Installations  
Attachment 4 – Final Draft Standard 26: Skylight Installations  
Attachment 5 – Revised Resolution 03-23-XX

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**RESOLUTION 03-18-92**

**Revise Alteration Standard Section 26: Skylight Installations**

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need 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 26: Skylight Installations.

**NOW THEREFORE BE IT RESOLVED**, May 15, 2018, that the Board of Directors of this Corporation hereby introduces the following Alteration Standard 26: Skylight Installations;

**1.0 GENERAL REQUIREMENTS**

**See Standard Section 1: General Requirements**

**2.0 APPLICATIONS**

- 2.1** Skylights may be of openable or fixed type.
- 2.2** Interior finish, such as open well or luminous panel ceiling, is optional. Size of opening at ceiling line is optional unless specifically called out on Standard Plan drawing to be of a special size, to comply with light and ventilation requirement.
- 2.3** Skylight(s) installed in any roof, under warranty with the Mutual's reroofing contractor, shall be sealed using the same specifications in force at that time.
- 2.4** Roofing must be in strict conformance with the I.B.C., Third Mutual Standards, and standard drawings.
- 2.5** Electrical fixtures may be placed inside skylight wells providing they meet the latest edition of the N.E.C.
- 2.6** Skylights shall be in keeping with the architecture of the building and be either off-white or smoke tinted in color. Approval by the Alterations Division office will be deemed in keeping with the existing architecture. All skylights shall match other existing skylights. Clear skylights are not acceptable on any roof.
- 2.7** One skylight shall be permitted per 10 linear feet of a patio cover's longest dimension, and all skylight placement and spacing shall be approved by the Permits and Inspections office.
- 2.8** Maximum skylight size shall not exceed International Building Code and Title 24 requirements. All non-standard skylights are to be reviewed by the Mutual's Board of Directors.
- 2.9** Skylights shall be curb mounted and installed per Standard Plans and/or drawings in detail, size and location. Skylights will meet or exceed all current International Building Code (I.B.C.), State and/or City Standards.
- 2.10** Skylights shall be mounted on minimum 2"x6" curbs. Mounting shall be with Galvanized or equal hex-head screws to aid in removal during reroofing.
- 2.11** No skylight shall be installed within 12" of any vent, ridge, or vertical structure.

- 2.12** Skylights installed in existing acoustical sprayed ceilings may encounter asbestos. The resident(s) and contractor(s) must meet or exceed requirements of Federal, State or local government regarding asbestos removal procedures.
- 2.13** All skylights shall be of ICBO approved double lens construction.
- 2.14** Square-Flex™ or equivalent skylight tubes are permitted, provided that the installation meets all of the aforementioned standards.
- 2.15 No trusses shall be cut in the installation of skylights.**

**RESOLVED FURTHER**, that Resolution 03-03-43 adopted May 20, 2003, is hereby superseded in its entirety and no longer in effect; 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.



## **STANDARD 26: SKYLIGHT INSTALLATIONS**

AUGUST 1992

REVISED MAY 2003, RESOLUTION 03-03-43

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

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

REVISED MAY 2018, RESOLUTION 03-18-92

### **1.0 GENERAL REQUIREMENTS**

**SEE STANDARD SECTION 1: GENERAL REQUIREMENTS**

### **2.0 APPLICATIONS**

- 2.1** Skylights may be of openable or fixed type.
- 2.2** Interior finish, such as open well or luminous panel ceiling, is optional. Size of opening at ceiling line is optional unless specifically called out on Standard Plan drawing to be of a special size, to comply with light and ventilation requirement.
- 2.3** Skylight(s) installed in any roof, under warranty with the Mutual's reroofing contractor, shall be sealed using the same specifications in force at that time.
- 2.4** Roofing must be in strict conformance with the I.B.C., Third Mutual Standards, and standard drawings.
- 2.5** Electrical fixtures may be placed inside skylight wells providing they meet the latest edition of the N.E.C.
- 2.6** Skylights shall be in keeping with the architecture of the building and be either off-white or smoke tinted in color. Approval by the Alterations Department office will be deemed in keeping with the existing architecture. All skylights shall match other existing skylights. Clear skylights are not acceptable on any roof.

- 2.7 One skylight shall be permitted per 10 linear feet of a patio cover's longest dimension, and all skylight placement and spacing shall be approved by the Permits and Inspections office.
- 2.8 Maximum skylight size shall not exceed International Building Code and Title 24 requirements. All non-standard skylights are to be reviewed by the Mutual's Board of Directors.
- 2.9 Skylights shall be curb mounted and installed per Standard Plans and/or drawings in detail, size and location. Skylights will meet or exceed all current International Building Code (I.B.C.), State and/or City Standards.
- 2.10 Skylights shall be mounted on minimum 2"x6" curbs. Mounting shall be with Galvanized or equal hex-head screws to aid in removal during reroofing.
- 2.11 No skylight shall be installed within 12" of any vent, ridge, or vertical structure.
- 2.12 Skylights installed in existing acoustical sprayed ceilings may encounter asbestos. The resident(s) and contractor(s) must meet or exceed requirements of Federal, State or local government regarding asbestos removal procedures.
- 2.13 All skylights shall be of ICBO approved double lens construction.
- 2.14 Square-Flex™ or equivalent skylight tubes are permitted, provided that the installation meets all of the aforementioned standards.
- 2.15 **No trusses shall be cut in the installation of skylights.**



## **STANDARD 26: SKYLIGHT INSTALLATIONS**

AUGUST 1992

REVISED MAY 2003, RESOLUTION 03-03-43

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

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

REVISED JUNE 2018, RESOLUTION 03-18-92

**REVISED JANUARY 2023, RESOLUTION 03-23-XX**

### **1.0 GENERAL REQUIREMENTS**

**SEE STANDARD SECTION 1: GENERAL REQUIREMENTS**

### **2.0 APPLICATIONS**

**2.1** Skylights may be of openable or fixed type.

**2.2** Interior finish, such as open well or luminous panel ceiling, is optional. Size of opening at ceiling line is optional unless specifically called out on Standard Plan drawing to be of a special size, to comply with light and ventilation requirement.

**2.3** Skylight(s) installed ~~on~~ in any roof, under warranty with the Mutual's reroofing contractor, shall **require the roofing contractor holding the warranty to complete the roof tie-in work at the member's expense. be sealed using the same specifications in force at that time.**

**2.4** Roofing **repairs and installation** must be in strict conformance with the **International Code Council (I.C.C.)**, Third Mutual Standards, and standard drawings.

**2.5** Electrical fixtures may be placed inside skylight wells providing they meet the latest edition of the **National Electrical Code (N.E.C.)** **as adopted by the City of Laguna Woods.**

~~**2.6** Skylight glazings shall be in keeping with the architecture of the building and be either off white or smoke tinted in color. Approval by the Alterations Department office will be deemed in keeping with~~

~~the existing architecture. All skylights shall match other existing skylights. Clear skylights are not acceptable on any roof. All skylight glazing shall match in style with the existing skylights on the same roof. Any deviation in style will require review and approval by Manor Alterations and/or may require Architectural Controls and Standards Committee (ACSC) approval.~~

**2.7** One skylight shall be permitted per 10 linear feet of a patio cover's longest dimension, and all skylight placement and spacing shall be approved by ~~the Permits and Inspections office~~ Manor Alterations.

**2.72.8** Maximum skylight size shall not exceed International Building Code and Title 24 requirements. ~~All non-standard skylights are to be reviewed by the Mutual's Board of Directors.~~

**2.82.9** Skylights shall be curb mounted and installed per Standard Plans and/or drawings in detail, size and location. Skylights will meet or exceed all current International Code Building Council Code (I.CB.C.), State and/or City Standards.

**2.92.10** Skylights shall be mounted on minimum 2"x6" curbs. Mounting shall be with ~~Galvanized or equal~~ hex-head screws with neoprene washers to aid in removal during reroofing.

**2.102.11** No skylight shall be installed within 12" of any vent, ridge, or vertical structure.

**2.112.12** Skylights installed in existing acoustical sprayed ceilings may encounter asbestos. The resident(s) and contractor(s) must meet or exceed requirements of Federal, State or local government regarding asbestos ~~removal~~ abatement procedures.

**2.122.13** All skylights shall be of International Conference of Building Officials (ICBO) approved double lens construction.

**2.132.14** Square-Flex™ or equivalent skylight tubes are permitted, provided that the installation meets all of the aforementioned standards.

**2.142.15** ~~No Modification of~~ trusses and other structural members are not allowed unless such modifications are properly engineered and submitted to the City for review and approval. A complete set of plans and structural calculations and associated City Building permit is required to be submitted to Manor Alterations prior to the start of the work and a complete set of as-builts upon completion of the work along with a copy of the City finalized permit. shall be cut in the installation of skylights.



## **STANDARD 26: SKYLIGHT INSTALLATIONS**

AUGUST 1992

REVISED MAY 2003, RESOLUTION 03-03-43

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

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

REVISED JUNE 2018, RESOLUTION 03-18-92

REVISED JANUARY 2023, RESOLUTION 03-23-XX

### **1.0 GENERAL REQUIREMENTS**

**SEE STANDARD SECTION 1: GENERAL REQUIREMENTS**

### **2.0 APPLICATIONS**

- 2.1** Skylights may be of openable or fixed type.
- 2.2** Interior finish, such as open well or luminous panel ceiling, is optional. Size of opening at ceiling line is optional unless specifically called out on Standard Plan drawing to be of a special size, to comply with light and ventilation requirement.
- 2.3** Skylight(s) installed on any roof under warranty with the Mutual's reroofing contractor, shall require the roofing contractor holding the warranty to complete the roof tie-in work at the member's expense.
- 2.4** Roofing repairs and installation must be in strict conformance with the International Code Council (I.C.C.), Third Mutual Standards, and standard drawings.
- 2.5** Electrical fixtures may be placed inside skylight wells providing they meet the latest edition of the National Electrical Code (N.E.C.) as adopted by the City of Laguna Woods.
- 2.6** One skylight shall be permitted per 10 linear feet of a patio cover's longest dimension, and all skylight placement and spacing shall be approved by Manor Alterations.

- 2.7** Maximum skylight size shall not exceed International Building Code and Title 24 requirements.
- 2.8** Skylights shall be curb mounted and installed per Standard Plans and/or drawings in detail, size and location. Skylights will meet or exceed all current International Code Council (I.C.C.), State and/or City Standards.
- 2.9** Skylights shall be mounted on minimum 2"x6" curbs. Mounting shall be with hex-head screws with neoprene washers to aid in removal during reroofing.
- 2.10** No skylight shall be installed within 12" of any vent, ridge, or vertical structure.
- 2.11** Skylights installed in existing acoustical sprayed ceilings may encounter asbestos. The resident(s) and contractor(s) must meet or exceed requirements of Federal, State or local government regarding asbestos abatement procedures.
- 2.12** All skylights shall be of International Conference of Building Officials (ICBO) approved double lens construction.
- 2.13** Square-Flex™ or equivalent skylight tubes are permitted, provided that the installation meets all of the aforementioned standards.
- 2.14** Modification of trusses and other structural members are not allowed unless such modifications are properly engineered and submitted to the City for review and approval. A complete set of plans and structural calculations and associated City Building permit is required to be submitted to Manor Alterations prior to the start of the work and a complete set of as-builts upon completion of the work along with a copy of the City finalized permit.



## **Attachment 5 – Revised Resolution**



### **RESOLUTION 03-23-XX**

#### **Revised Architectural Standard 26: Skylight Installations**

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

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to revise Architectural Standard Section 26: Skylight Installations;

**NOW THEREFORE BE IT RESOLVED**, January 17, 2023, that the Board of Directors of this Corporation hereby introduces the attached Architectural Standard 26: Skylight Installations; and

**RESOLVED FURTHER**, that Resolution 03-18-92 adopted May 15, 2018, is hereby superseded in its entirety and no longer in effect; 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.

#### **DECEMBER 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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## **ENDORSEMENT (to Board)**

### **Nuisance Policy**

The member-discipline process is coordinated by the Compliance Division. Upon notice of an alleged violation, staff investigates and should staff identify objective evidence of a violation by a member or their guests, staff will send a courtesy notice to the offending party describing the allegation(s) and the disciplinary action that may ensue if not corrected. staff then monitors the situation and if compliance is not achieved, staff will send a final notice requesting compliance. Additionally, the matter is scheduled for a disciplinary hearing with the Board of Directors to determine if member-discipline is merited. If the alleged violation has been resolved, no further action is required.

If a disciplinary hearing is necessary, staff will notice the member for a hearing before the Board of Directors in Executive Session. If the Board finds the member to be in violation of the governing documents, the Board may impose a fine based on the Monetary Fee Schedule, suspend member privileges, and/or consider legal action. Violations include but are not limited to: behavior/disturbance, noise, odors and neighbor disputes.

On April 21, 2020, the Board approved the Nuisance Policy (Resolution 03-20-28).

On November 22, 2022 the Resident Policy and Compliance Committee reviewed the Nuisance Policy.

Director Prince made a motion to send the “Red-Line” version of the policy to the Board for approval. Director Lewis seconded the motion.

Director Zalon amended the motion to state that allegations will not be considered a nuisance if a reporting-parties complaint is baseless. The motion died for lack of a second.

By way of unanimous vote Director Prince’s motion carried

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## STAFF REPORT

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**DATE:** December 20, 2022  
**FOR:** Resident Policy and Compliance Committee  
**SUBJECT:** Nuisance Policy

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### **RECOMMENDATION**

Receive and file.

### **BACKGROUND**

The member-discipline process is coordinated by the Compliance Division. Upon notice of an alleged violation, staff investigates and should staff identify objective evidence of a violation by a member or their guests, staff will send a courtesy notice to the offending party describing the allegation(s) and the disciplinary action that may ensue if not corrected. Staff then monitors the situation and if compliance is not achieved, staff will send a final notice requesting compliance. Additionally, the matter is scheduled for a disciplinary hearing with the Board of Directors to determine if member-discipline is merited. If the alleged violation has been resolved, no further action is required.

If a disciplinary hearing is necessary, staff will notice the member for a hearing before the Board of Directors in Executive Session. If the Board finds the member to be in violation of the governing documents, the Board may impose a fine based on the Monetary Fee Schedule, suspend member privileges, and/or consider legal action.

Violations include but are not limited to: behavior/disturbance, noise, odors and neighbor disputes.

On April 21, 2020, the Board approved the Nuisance Policy (Resolution 03-20-28).

### **DISCUSSION**

The purpose of the Nuisance Policy is to set forth guidelines to address alleged violations of nuisance that occur in Third Mutual.

### **FINANCIAL ANALYSIS**

None.

**Prepared By:** Blessilda Wright, Compliance Supervisor

**Reviewed By:** Jacob Huanosto, Interim Compliance Supervisor  
Francis Gomez, Operations Manager

### **ATTACHMENT(S)**

Attachment 1: Nuisance Policy  
Attachment 2: Nuisance Policy red line version  
Attachment 3: Resolution 03-23-XX, Nuisance Policy

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**Nuisance Policy**  
**Resolution 03-20-28, Adopted April 21, 2020**

**I. Purpose**

The purpose of this Nuisance Policy (“Policy”) is to set forth guidelines for the treatment and handling of nuisance complaints received by Third Laguna Hills Mutual (“Third”), in accordance with the requirements of Third’s Governing Documents, as defined below, and the law.

**II. Definitions**

- a. Community – Laguna Woods Village.
- b. Golden Rain Foundation (GRF) – the Golden Rain Foundation of Laguna Hills, a California nonprofit mutual benefit corporation.
- c. Governing Documents – all of the following, collectively, the Articles of Incorporation; the Bylaws; CC&Rs; the Rules and Regulations; and any Resolutions or Policies duly adopted by the Board; all as may be lawfully amended or modified from time to time.
- d. Member – any person who is an owner of a Unit in Third’s development who has been approved for membership in Third in accordance with the Governing Documents.
- e. Nuisance – see details under Conditions.
- f. Resident – any person who has been approved by the Board of Directors, or its designee, as applicable, for occupancy of a manor within Third’s development.
- g. Staff - Employees of Village Management Services, Inc. authorized to act on behalf of Third.
- h. Third or the Mutual – the corporate homeowners association that was formed in 1970 and by 1984 had acquired the assets and liabilities by vote of each of the 59 individual mutuels within the larger Leisure World (now Laguna Woods Village), a common interest development, with full authority to “manage, operate, and maintain” them.

**III. Conditions for Nuisance**

**Nuisance in General:** Anything which is injurious to health, indecent or offensive to the senses, causes an unreasonable disturbance or annoyance, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, is a nuisance. (Civ. Code § 3479)

**Public Nuisance:** A public nuisance is a condition or activity that interferes with the health or well-being of the entire community or a considerable number of persons in the neighborhood. (Civ. Code §§ 3479-3480)

**Private Nuisance:** A private nuisance is a condition or activity that interferes with an individual's use or enjoyment of their property. (Civ. Code §§ 3479, 3481)

**Governing Documents:** "No Owner or Resident shall permit or suffer anything to be done or kept within the Project which will increase insurance rates on any Building or contents thereof, or which will obstruct or interfere with the rights of other persons in the Project or annoy them by unreasonable noises or otherwise, nor shall any Owner or Resident commit or permit any nuisance or commit or permit any illegal act within the Project. An Owner and each Resident shall comply with the requirements of all governmental authorities. If by reason of any act of any Owner insurance rates should be increased, the Owner shall be personally liable for the additional premium" (CC&Rs Article III, Section 6, Use Restrictions)

Based upon the foregoing provision of the CC&Rs and various statutory provisions, with regard to Third, a nuisance shall be deemed to be anything that unreasonably interferes with another Member or Resident's use and enjoyment of his/her/their/they manor, as determined by the Board. Below are examples of activities that fall into a nuisance category; please note, however, that this is not an exhaustive list of potential nuisances, inasmuch as any activity that falls within the above definition of a nuisance shall be deemed a violation of Third's Governing Documents:

1. **Noise:** Things that interfere with quiet enjoyment such as improperly installed hardwood floors, residents playing their music or TV at an excessively loud volume, overly loud conversations, yelling or shouting, barking dogs, excessively loud vehicles, etc. Excessive and overly loud characteristics are measured against what a reasonable person in the same or similar circumstance would consider to be excessive or overly loud.
2. **Odors:** This includes second-hand smoke or smoke odors (cigarettes, cigars, vaping matter/materials and marijuana), strong odors from e-cigarettes or vaping devices, strong cooking odors, smoke from a BBQ grill entering other units, etc. The word strong shall be measured against what a reasonable person in the same or similar circumstance would consider to be strong.
3. **Visual:** Draping articles over balcony rails or patio walls, storing inoperable vehicles in parking spaces, excessive amount of items or clutter in visible areas, etc.



4. **Health/Safety:** Persons who allow unsanitary conditions to exist in and around their unit/manor where the accumulation of household items, belongings and/or materials, that attract insects, pests and rodents or creates strong odors that are recognizable in the common area or another unit/or manor, or residents who wash dog feces and/or urine off their unit/manor balcony onto the property below them.
5. **Violation of Laws:** A violation of federal or state laws or local ordinances, including, without limitation, such violations as public nudity, brandishing weapons which are registered or unregistered at or in the presence of another resident, the resident's guest and invitees and/or a staff member or a Resident, the resident's guest and invitees engaged in drug dealing (selling drugs for money or in exchange for some other form of remuneration) or prostitution.

#### IV. Nuisance Complaints and Investigation

A complaint may be registered by calling the Security Department at 949-580-1400 or the Compliance Division by calling 949-268-CALL or email to [compliance@vmsinc.org](mailto:compliance@vmsinc.org). Staff will inform the reporting party to call the Security Department for documentation of the ongoing nuisance violation.

Investigating Alleged Nuisances: To determine whether or not a nuisance in violation of the Governing Documents is taking place or has occurred, Staff evaluates the alleged behavior, based upon the written complaint provided along with all of the information provided to support the complaint, and may further investigate the complaint before determining if the alleged behavior or nuisance activity in fact occurred, and whether the impact on other Members/Residents or units is deemed reasonable or unreasonable to an average reasonable person similarly situated. This may include, without limitation, further conversations with the reporting party and neighbors, and inspection of the unit(s)/manor(s) in question. Staff may also take the following steps when investigating certain nuisance complaints:

- For hard surface flooring complaints: Staff may perform informal sound tests that include two Staff members in the downstairs unit at the same time that two Staff members are in the upstairs unit, with an attempt to replicate the alleged noise.
- For odor complaints: Staff may perform an informal odor test that includes two Staff members in the unit from which the alleged nuisance odor arose at the same time that two Staff members are in the reporting party's unit, with an attempt to replicate the alleged odors. Staff may also seek assistance from the Maintenance Department to determine if the building

structure is a factor that allows for the transmission of the odor that can be remedied.

If Staff determines that the alleged nuisance in violation of the Governing Documents has or may have occurred, a warning letter may be sent to the responsible Member and/or the Member may be sent a notice that the Member is being called to a disciplinary hearing before the Board or a committee thereof. At the disciplinary hearing, the Board will consider all evidence and documentation of the alleged nuisance violation, and the Member may speak and present evidence regarding the nuisance before the Board makes a decision on disciplinary action to be taken, if any.

#### **V. Enforcement**

Third is authorized to take disciplinary action against any Member who may be found in violation of the Governing Documents, or whose unit or Residents, tenants, or guests are found to be in violation of the Governing Documents (CC&R Article XIX; Bylaws Article 4, Section 4.5). When a complaint is lodged regarding the occurrence of a violation, the Board of Directors has a duty to investigate and impose, if appropriate, discipline as set forth in the Governing Documents. Discipline shall be imposed, if at all, after a duly noticed disciplinary hearing in accordance with the requirements of statute and Third's Governing Documents.

If a Member or such Member's unit/manor is found to have committed a nuisance violation as defined herein, the Board has the authority to impose monetary fines, suspend Member(s) privileges, and/or bring forth legal action, as more fully set forth in the Governing Documents, including without limitation the Schedule of Monetary Penalties, as may be revised from time to time. Each Member is entirely responsible for ensuring that the Governing Documents are followed by anyone they allow into the Community—this includes any co-occupant, lessee, guest, care provider, vendor, invitee or contractor.

In the event there is an ongoing dispute between neighbors over nuisance violations or alleged violations, and the Board ultimately determines that the activity/behavior in question does not rise to the level of a governing document violation, although the Mutual is not obligated to do so, Staff, on behalf of the Mutual, may offer informal mediation performed by the Compliance and Social Services Division to help facilitate a resolution to the dispute. Staff will also recommend, as an alternative for the complaining and the owner against whom the complaint is made, professional mediation services offered by the County of Orange. Notwithstanding the foregoing, nothing in this paragraph or this Policy shall be construed to create a duty on the Board to resolve any dispute between neighbors or an obligation beyond those duties imposed on Third and its Board by the Governing Documents or by law.



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### **Third Mutual Nuisance Policy**

**Resolution 03-20-28, Adopted April 21, 2020**

#### **I. Purpose**

The purpose of this Nuisance Policy ("Policy") is to set forth guidelines for the treatment and handling of nuisance complaints received by Third Laguna Hills Mutual ("Third"), in accordance with the requirements of Third's Governing Documents, as defined below, and the law. **This policy is applicable to all Third members, residents, and their guests.**

#### **II. Definitions**

- a. Community – Laguna Woods Village.
- b. Golden Rain Foundation (GRF) – the Golden Rain Foundation of Laguna Hills, a California nonprofit mutual benefit corporation.
- c. Governing Documents – all of the following, collectively, the Articles of Incorporation; the Bylaws; CC&Rs; the Rules and Regulations; and any Resolutions or Policies duly adopted by the Board; all as may be lawfully amended or modified from time to time.
- d. Member – any person who is an owner of a Unit in Third's development who has been approved for membership in Third in accordance with the Governing Documents.
- e. Nuisance – see details under Conditions.
- f. Resident – any person who has been approved by the Board of Directors, or its designee, as applicable, for occupancy of a manor within Third's development.
- g. Staff – Employees of Village Management Services, Inc. authorized to act on behalf of Third.
- h. Third or the Mutual – the corporate homeowners association that was formed in 1970 and by 1984 had acquired the assets and liabilities by vote of each of the 59 individual mutuels within the larger Leisure World (now Laguna Woods Village), a common interest development, with full authority to "manage, operate, and maintain" them.

#### **III. Conditions for Nuisance**

**Nuisance in General:** Anything which is injurious to health, indecent or offensive to the senses, causes an unreasonable disturbance or annoyance, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, is a nuisance. (Civ. Code § 3479) **To be considered a nuisance, the behavior has to be repeated or continuous; single instances of an action or activity will not be considered a nuisance.**

**Public Nuisance:** A public nuisance is a condition or activity that interferes with the health or well-being of the entire community or a considerable number of persons in the neighborhood. (Civ. Code §§ 3479-3480)

**Private Nuisance:** A private nuisance is a condition or activity that interferes with an individual's use or enjoyment of their property. (Civ. Code §§ 3479, 3481)

**Governing Documents:** "No Owner or Resident shall permit or suffer anything to be done or kept within the Project which will increase insurance rates on any Building or contents



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thereof, or which will obstruct or interfere with the rights of other persons in the Project or annoy them by unreasonable noises or otherwise, nor shall any Owner or Resident commit or permit any nuisance or commit or permit any illegal act within the Project. An Owner and each Resident shall comply with the requirements of all governmental authorities. If by reason of any act of any Owner insurance rates should be increased, the Owner shall be personally liable for the additional premium" (CC&Rs Article III, Section 6, Use Restrictions)

Based upon the foregoing provision of the CC&Rs and various statutory provisions, with regard to Third, a nuisance shall be deemed to be anything that unreasonably interferes with another Member or Resident's use and enjoyment of his/her/their/they manor, as determined by the Board. Below are examples of activities that fall into a nuisance category; please note, however, that this is not an exhaustive list of potential nuisances, inasmuch as any activity that falls within the above definition of a nuisance shall be deemed a violation of Third's Governing Documents:

1. **Noise:** Things that interfere with quiet enjoyment such as improperly installed hardwood floors, residents playing their music or TV at an excessively loud volume, overly loud conversations, yelling or shouting, barking dogs, excessively loud vehicles, etc. Excessive and overly loud characteristics are measured against what a reasonable person in the same or similar circumstance would consider to be excessive or overly loud.
2. **Odors:** This includes second-hand smoke or smoke odors (cigarettes, cigars, vaping matter/materials and marijuana), strong odors from e-cigarettes or vaping devices, strong cooking odors, smoke from a BBQ grill entering other units, etc. The word strong shall be measured against what a reasonable person in the same or similar circumstance would consider to be strong.
3. **Visual:** Draping articles over balcony rails or patio walls, storing inoperable vehicles in parking spaces, excessive amount of items or clutter in visible areas, etc.
4. **Health/Safety:** Persons who allow unsanitary conditions to exist in and around their unit/manor where the accumulation of household items, belongings and/or materials, that attract insects, pests and rodents or creates strong odors that are recognizable in the common area or another unit/or manor, or residents who wash dog feces and/or urine off their unit/manor balcony onto the property below them.
5. **Violation of Laws:** A violation of federal or state laws or local ordinances, including, without limitation, such violations as public nudity, brandishing weapons which are registered or unregistered at or in the presence of another resident, the resident's guest and invitees and/or a staff member or a Resident, the resident's guest and invitees engaged in drug dealing (selling drugs for money or in exchange for some other form of remuneration) or prostitution. **Instances of these law violations should be reported to the OCSD.**



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#### IV. Nuisance Complaints and Investigation

A complaint may be registered by calling the Security Department at 949-580-1400 or the Compliance Division by calling 949-268-2255 ~~CALL~~ or email to [compliance@vmsinc.org](mailto:compliance@vmsinc.org). Staff will inform the reporting party to call the Security Department for documentation of the ongoing nuisance violation.

**Investigating Alleged Nuisances:** To determine whether or not a nuisance in violation of the Governing Documents is taking place or has occurred, Staff evaluates the alleged behavior, based upon the written complaint provided along with all of the information provided to support the complaint, and may further investigate the complaint before determining if the alleged behavior or nuisance activity in fact occurred, and whether the impact on other Members/Residents or units is deemed reasonable or unreasonable to an average reasonable person similarly situated. This may include, without limitation, further conversations with the reporting party and neighbors, and inspection of the unit(s)/manor(s) in question. Staff may also take the following steps when investigating certain nuisance complaints:

- For hard surface flooring complaints: Staff may perform informal sound tests that include two Staff members in the downstairs unit at the same time that two Staff members are in the upstairs unit, with an attempt to replicate the alleged noise.
- For odor complaints: Staff may perform an informal odor test that includes two Staff members in the unit from which the alleged nuisance odor arose at the same time that two Staff members are in the reporting party's unit, with an attempt to replicate the alleged odors. Staff may also seek assistance from the Maintenance Department to determine if the building structure is a factor that allows for the transmission of the odor that can be remedied.

If Staff determines that the alleged nuisance in violation of the Governing Documents has or may have occurred, a warning letter may be sent to the responsible Member and/or the Member may be sent a notice that the Member is being called to a disciplinary hearing before the Board or a committee thereof. At the disciplinary hearing, the Board will consider all evidence and documentation of the alleged nuisance violation, and the Member may speak and present evidence regarding the nuisance before the Board makes a decision on disciplinary action to be taken, if any.

#### V. Enforcement

Third is authorized to take disciplinary action against any Member who may be found in violation of the Governing Documents, or whose unit or Residents, tenants, or guests are found to be in violation of the Governing Documents (CC&R Article XIX; Bylaws Article 4, Section 4.5). When a complaint is lodged regarding the occurrence of a violation, the Board of Directors has a duty to investigate and impose, if appropriate, discipline as set forth in the Governing Documents. Discipline shall be imposed, if at all, after a duly noticed disciplinary hearing in accordance with the requirements of statute and Third's Governing Documents.



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If a Member or such Member's unit/manor is found to have committed a nuisance violation as defined herein, the Board has the authority to impose monetary fines, suspend Member(s) privileges, and/or bring forth legal action, as more fully set forth in the Governing Documents, including without limitation the Schedule of Monetary Penalties, as may be revised from time to time. Each Member is entirely responsible for ensuring that the Governing Documents are followed by anyone they allow into the Community—this includes any co-occupant, lessee, guest, care provider, vendor, invitee or contractor.

In the event there is an ongoing dispute between neighbors over nuisance violations or alleged violations, and the Board ultimately determines that the activity/behavior in question does not rise to the level of a governing document violation, although the Mutual is not obligated to do so, Staff, on behalf of the Mutual, may offer informal mediation performed by the Compliance and Social Services Division to help facilitate a resolution to the dispute. Staff will also recommend, as an alternative for the ~~complaining-complainant~~ and the owner against whom the complaint is made, professional mediation services offered by the County of Orange. Notwithstanding the foregoing, nothing in this paragraph or this Policy shall be construed to create a duty on the Board to resolve any dispute between neighbors or an obligation beyond those duties imposed on Third and its Board by the Governing Documents or by law.



**Resolution 03-23-XX**

**Nuisance Policy**

**WHEREAS**, the Resident Policy and Compliance Committee has recognized the need to amend the Nuisance Policy to clarify guidelines for Nuisance complaints received by the Board;

**NOW THEREFORE BE IT RESOLVED**, January 17, 2023, that the Board of Directors of this Corporation hereby adopts the Nuisance Policy, as attached to the official minutes of this meeting; and

**RESOLVE FURTHER**, that Resolution 03-20-28, adopted on April 21, 2020, is hereby superseded and canceled; and

**RESOLVE 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.

**DECEMBER 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**, December 20, 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** (meets every-other month)

Donna Rane-Szostak, Chair

Mark Laws

~~Annie McGary~~

Ralph Engdahl

Cris Prince

Cush Bhada

Jim Cook

Ira Lewis

Jules Zalon

Moon Yun

Non-Voting Advisors: Wei-Ming Tao

#### **Architectural Standards and Control Committee** (meets monthly)

James Cook, Chair

Cush Bhada

Ralph Engdahl

Nathaniel Ira Lewis

Cris Prince

Non-Voting Advisors: Mike Butler, Mike Plean, Lisa Mills

#### **Landscape Committee** (meets monthly)

Nathaniel Ira Lewis, Chair

~~Annie McGary~~

~~Mark Laws~~

Jules Zalon

Ralph Engdahl

Donna Rane-Szostak

Cush Bhada, Alternate  
Non-Voting Advisors: Cindy Baker

**Maintenance and Construction Committee** (meets every-other month)

Ralph Engdahl, Chair  
James Cook  
Cush Bhada  
Mark Laws  
Moon Yun  
Cris Prince, Alternate  
Non-voting Advisors: David Bienek, Judith Troutman

**Executive Hearing Committee** (meets monthly)

~~Annie McGary, Chair~~  
Mark Laws, Chair  
Ralph Engdahl  
Cris Prince, ~~Alternate~~  
Jules Zalon, Alternate

**Resident Policy and Compliance Committee** (meets monthly)

Mark Laws, Chair  
Cush Bhada  
Jules Zalon  
Cris Prince  
Nathaniel Ira Lewis  
Non-Voting Advisors: Stuart Hack, Theresa Keegan

**Water Conservation Committee** (meets quarterly)

Donna Rane-Szostak, Chair  
Cush Bhada  
Jules Zalon  
Nathaniel Ira Lewis  
Non-Voting Advisor: Lee Goldstein

**Garden Villa Recreation Room Subcommittee** (meets thrice yearly)

Mark Laws, Chair  
Donna Rane-Szostak  
Nathaniel Ira Lewis  
Voting Advisors: Stuart Hack, Sharon Molineri  
Non-Voting Advisors: Lynn Jarrett

**RESOLVED FURTHER**, that Resolution 03-22-122, adopted November 15, 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**, December 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

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

#### **Clubhouse Renovation Ad Hoc Committee**

Ralph Engdahl

Cush Bhada

#### **GRF Media and Communications Committee**

~~Annie McCary~~

Jim Cook

Cris Prince, ~~Alternate~~

Moon Yun

**Mobility and Vehicles Committee**

Jim Cook, Alternate

Cush Bhada

Moon Yun

**Security and Community Access Committee**

~~Annie McGary~~

Moon Yun

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

Donna Rane-Szostak, Alternate

**Laguna Woods Village Traffic Hearings**

Jules Zalon

Mark Laws, Alternate

**Strategic Planning Committee**

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 McGary~~

Mark Laws

**Compliance Ad Hoc Committee**

Mark Laws

Cris Prince

**RESOLVED FURTHER**, that Resolution 03-22-123, adopted November 15, 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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**ENDORSEMENT (to board)**

**Supplemental Appropriation for Water Saving Landscaping**

Kurt Wiemann, Director of Landscape Services, presented a staff report requesting approval of a supplemental appropriation in the amount of \$151,000 to be funded from the Replacement Reserve Fund to hire a water architect to design a water saving landscape plantings to replace existing plantings and turf areas in order to reduce the impacts of water usage on the budget. Discussion ensued. A motion was made by director Cush Bhada to follow staff's recommendation. Director Ira Lewis seconded.

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

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## STAFF REPORT

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**DATE:** December 20, 2022  
**FOR:** Third Laguna Hills Mutual Board of Directors  
**SUBJECT:** Supplemental Appropriation for Water Saving Landscaping

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### **RECOMMENDATION**

Approve a supplemental appropriation in the amount of \$151,000 to be funded from the 2022 Water Expense Account, for water saving landscaping projects within Third Mutual.

### **BACKGROUND**

On June 21, 2022, the Board of Directors approved Resolution 03-22-65, directing staff to reduce irrigation water use by 15 percent (Attachment 1). Staff began reducing irrigation water usage in early July by decreasing run times on shrub beds and reducing watering days for turf, from three days to two. These reductions have lowered expenditures for water significantly. Staff has forecasted these savings to the end of the year (Attachment 2). Staff predicts an estimated savings of \$151,000 to the budgeted amount for 2022 based on five-year averages.

This report was reviewed by the Third Landscape Committee at the regular meeting on December 1, 2022. The committee voted unanimously to recommend approval to the Finance Committee.

### **DISCUSSION**

The Third Landscape Committee has expressed a desire to hire a landscape architect to design attractive water saving landscape plantings to replace existing plantings and turf areas. The designs are intended to have two parts, specific designs for large non-functional turf areas and templates for staff to use to replace turf in hard to maintain and irrigate areas.

These designs, when implemented, will further reduce the impacts of water use on the budget of Third Mutual. The funds from this supplemental appropriation will be used for these design services and for the planting of these new designs.

### **FINANCIAL ANALYSIS**

A supplemental appropriation of \$151,000 from the 2022 Water Expense Account to the Landscape Replacement Reserve Fund will accomplish the design and installation of water saving landscaping.

**Prepared By:** Kurt Wiemann, Director of Landscape Services  
**Reviewed By:** Jayanna Abolmoloki, Landscape Administrative Assistant

**ATTACHMENT(S)**

- Attachment 1:** Resolution 03-22-65  
**Attachment 2:** Water Saving Comparison  
**Attachment 3:** Resolution 03-23-XX

## **Attachment 1**

### **RESOLUTION 03-22-65**

#### **Recycled Water Mandate**

**WHEREAS**, June 2, 2022, the 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**, the irrigation water sources in Third Mutual are a mixture of potable water and recycled water; and

**WHEREAS**, at this time, state and local mandates do not apply to recycled water; and

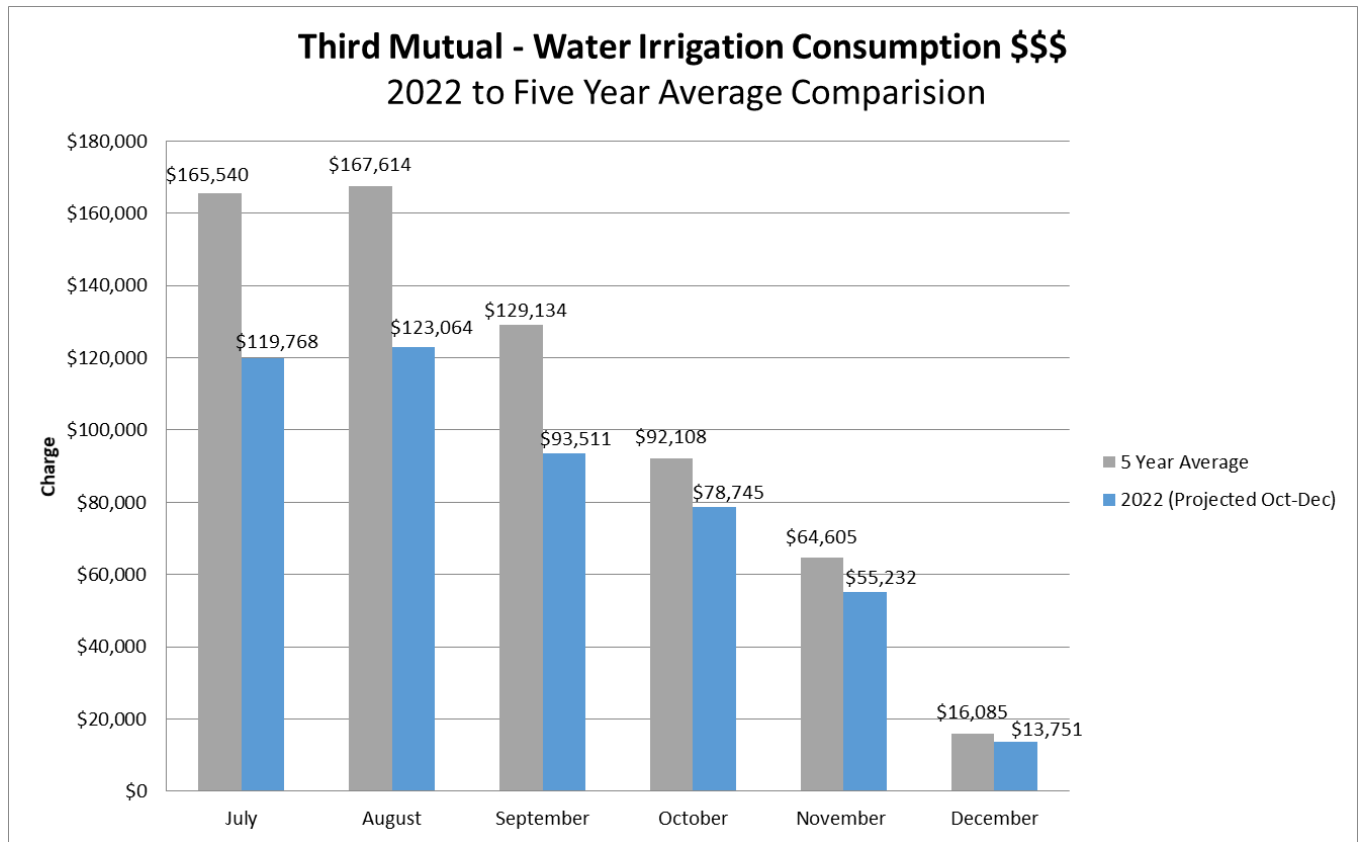
**WHEREAS**, the Landscape Committee determined that irrigation reductions shall be equitable across the Mutual, regardless of water source;

**NOW THEREFORE BE IT RESOLVED**, on June 21, 2022, that all state and local irrigation water use restrictions and mandates shall be applied to all irrigation within Third Mutual; and

**RESOLVED FURTHER**, this resolution shall become in full force and effect on June 21, 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.

## Attachment 2



### **Attachment 3**



### **RESOLUTION 03-23-XX**

#### **Supplemental Funding for Turf Reduction Projects**

**WHEREAS**, June 21, 2022, the Third Board of Directors recognized that the State of California is experiencing record drought conditions requiring parts of Southern California to reduce exterior irrigation water use and directed staff to reduce irrigation by 15 percent; and

**WHEREAS**, the Third Landscape Committee determined that funding for turf reduction projects should be appropriated from savings to the Water Expense account based on savings from these reductions and funded from the Landscape Replacement Reserve Fund; and

**WHEREAS**, December 1, 2022, the Third Mutual Landscape Committee endorsed the recommendation;

**NOW THEREFORE BE IT RESOLVED**, on January 17, 2023, that a supplemental appropriation of \$151,000 has been approved to be used for turf reduction projects throughout Third Mutual; and

**RESOLVED FURTHER**, this resolution shall become in full force and effect on January 17, 2023; 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

#### **December Initial Notification**

Should the Board endorse the proposed resolution, 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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## Chair's Report for December 20, 2022 Board Meeting

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**SLIDE 1** – Through the reporting period of **October 31, 2022**, total revenue for Third was \$36,297K compared to expenses of \$32,346K, resulting in a net revenue of \$3,951K.

**SLIDE 2** – In Finance, we keep a close eye on the operating portion of our financial results. The Operating Fund shows a surplus of \$1,044K through the reporting period. This chart shows how much of our revenue went into operations, with \$23,835K coming in from assessments and \$1,626K coming from non-assessment revenue. This is compared to operating expenditures of \$24,417K (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 \$3,215K when combining both operating and reserve revenues and expenses.

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

- **Outside Services \$1,420K;** Favorable variance resulted from delays in invoice processing for moisture intrusion programs, copper pipe remediation, asphalt overlay program, and asphalt seal coat program. Moisture Intrusion Programs are expected to end the year \$168K over budget due to more work than anticipated at the time of budget preparation. Copper Pipe Remediation is expected to end the year \$400K better than budget due to a late start of the program. Through October, PVC Cool Roof program completed 20 of the 32 roofs and is expected to be complete and on budget at year end.
- **Employee Compensation & Related \$987K;** Favorable variance resulted due to open positions in M&C and Landscape departments. Impacted areas in Landscape include Grounds Maintenance. Impacted areas in M&C include Damage Restoration, Carpentry, Paint, Maintenance Operations, Plumbing and Maintenance Services.
- **Insurance \$700K;** Favorable variance due to lower insurance renewal than anticipated. Third renewed their property and earthquake insurance for \$7.85M as of June 1, 2022 compared to a budget of \$8.1M. Third property and earthquake insurance policies between January 1, 2022 and June 1, 2022 resulted in approximately \$500K favorable variance in the first half of the year.
- **Legal Fees \$258K;** Favorable variance resulted from less Legal fees through the reporting period than anticipated. Approximately \$71K of expenses related to collections was charged back to residents, reducing the total expense.
- **Utilities (\$152K);** Unfavorable variance resulted from Electricity and Water. At the end of 2021 SCE was going through a system change and we were not notified of



### Chair's Report for December 20, 2022 Board Meeting

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approximately \$161K of bills. The 2021 electricity bills were paid in 2022 and contribute to the unfavorable variance. Water consumption was 3.7% lower than anticipated due to the ongoing drought and strong conservation efforts. Going forward, the Board approved a reduction in irrigation water to help offset water costs.

**SLIDE 5** – On this pie chart, we show non-assessment revenues earned to date of \$1,786K by category, starting with our largest revenue generating categories of Chargeable Services, Permit Fee, Lease Processing Fee, Laundry Revenue, Investment Interest Income, and so on.

**SLIDE 6** – On this pie chart, we see the expenses to date of \$32,346K by category, starting with our largest categories of Employee Compensation & Related, Insurance, Outside Services, Utilities and so on.

**SLIDE 7** – The non-operating fund balance on October 31, 2022 was \$31,481K. YTD contributions and interest were \$10,834K while YTD expenditures were \$7,815K.

**SLIDE 8** – We compare the non-operating fund balances to historical fund balances for the past five years on this chart, which has averaged \$29.3 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 October 31, 2022, Third sales totaled 365, which is 40 lower than prior year for the same time period. The average YTD resale price for a Third Mutual was \$525K, which is \$65K higher than prior year for the same time period.

# Financial Report

As of October 31, 2022



INCOME STATEMENT (in Thousands)		ACTUAL
Assessment Revenue		\$34,511
Non-assessment Revenue		\$1,786
Total Revenue		\$36,297
Total Expense		\$32,346
Net Revenue/(Expense)		\$3,951

# Financial Report

As of October 31, 2022



OPERATING INCOME STATEMENT (in Thousands)		ACTUAL
Assessment Revenue		\$23,835
Non-assessment Revenue		\$1,626
Total Revenue		\$25,461
Total Expense <sup>1</sup>		\$24,417
Operating Surplus		\$1,044

1) excludes depreciation

# Financial Report

As of October 31, 2022



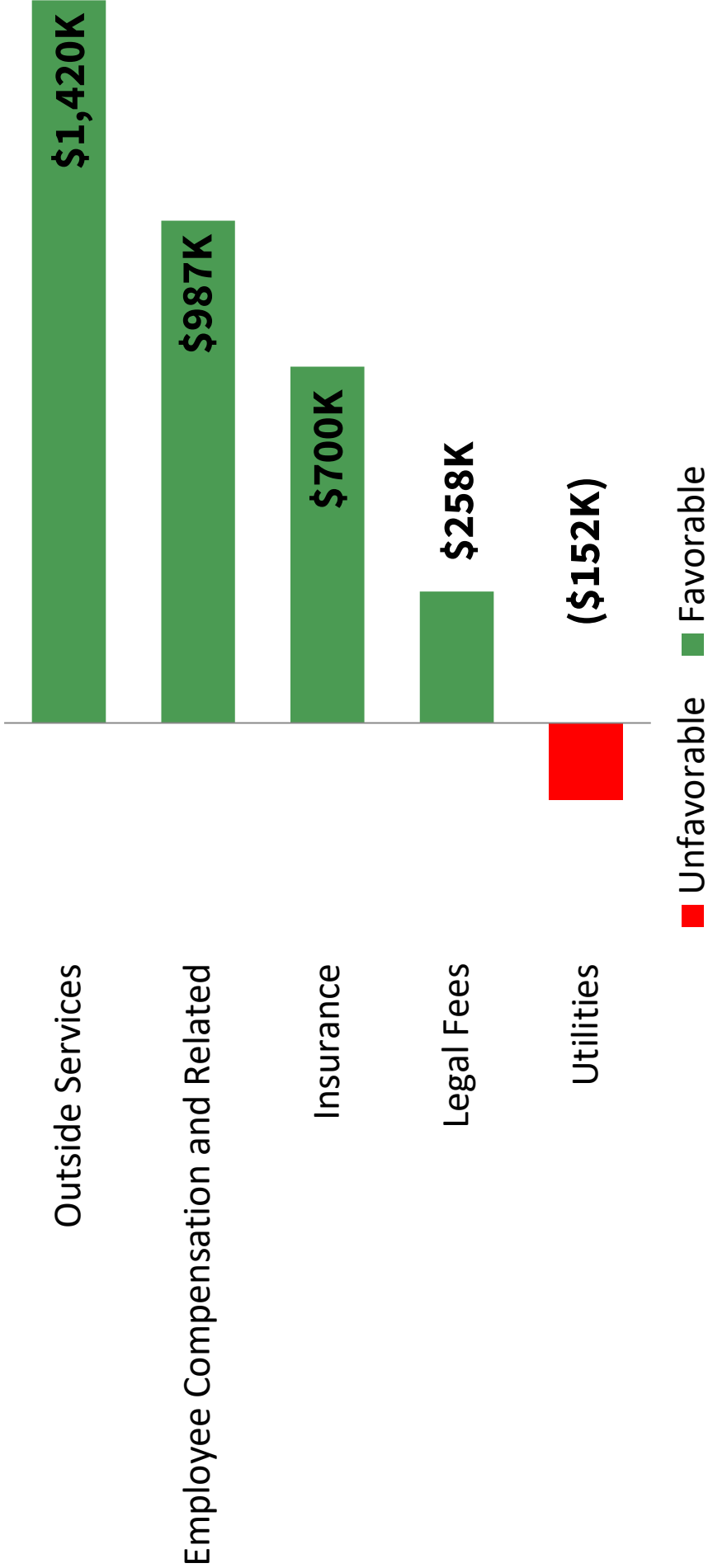
INCOME STATEMENT (in Thousands)	ACTUAL	BUDGET	VARIANCE B/(W)
Assessment Revenue	\$34,511	\$34,512	(\$1)
Non-assessment Revenue	\$1,786	\$1,747	\$39
Total Revenue	\$36,297	\$36,259	\$38
Total Expense	\$32,346	\$35,523	\$3,178
Net Revenue/(Expense)	\$3,951	\$736	\$3,215

# Financial Report

As of October 31, 2022



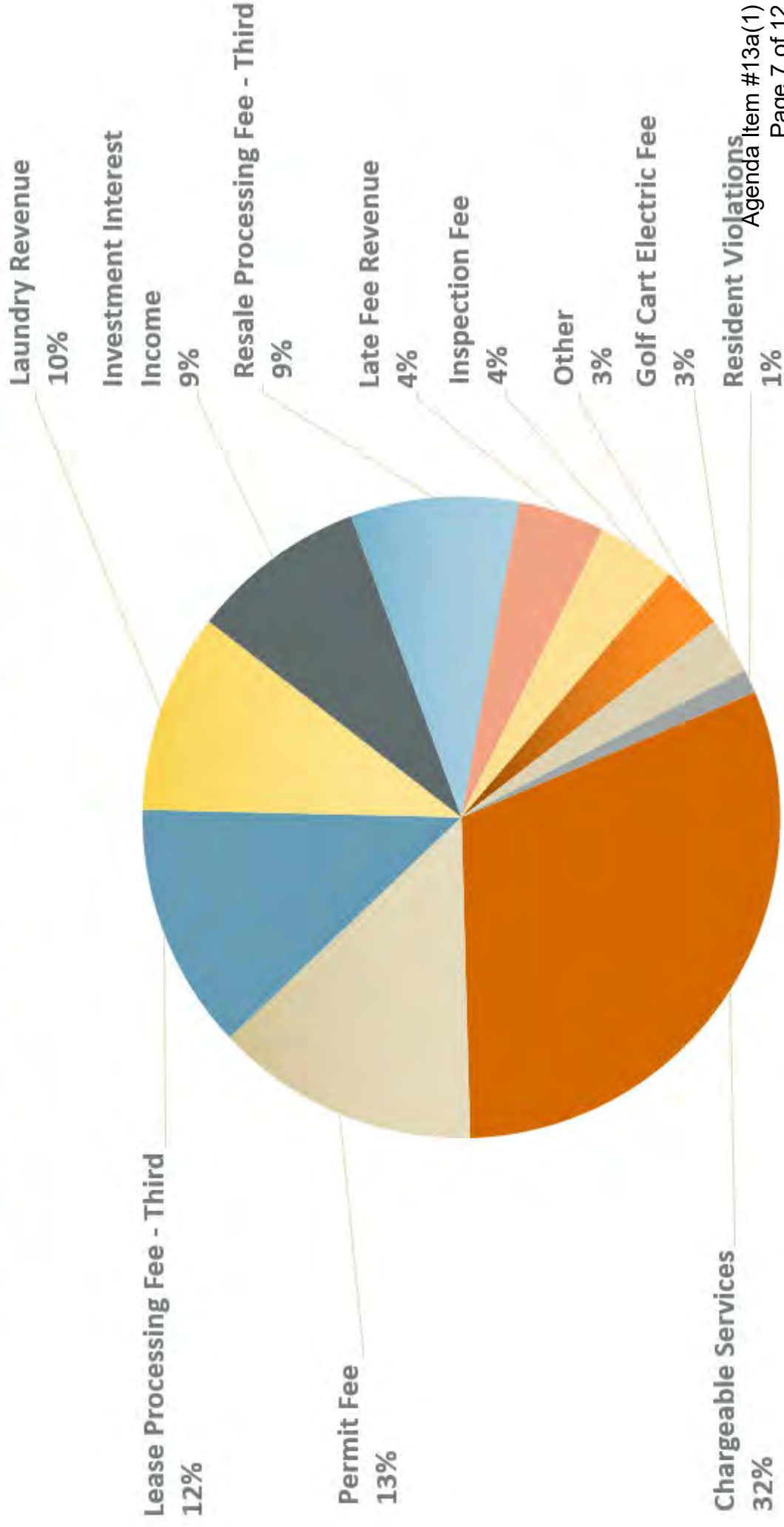
## Year to Date Variances



# Financial Report

As of October 31, 2022

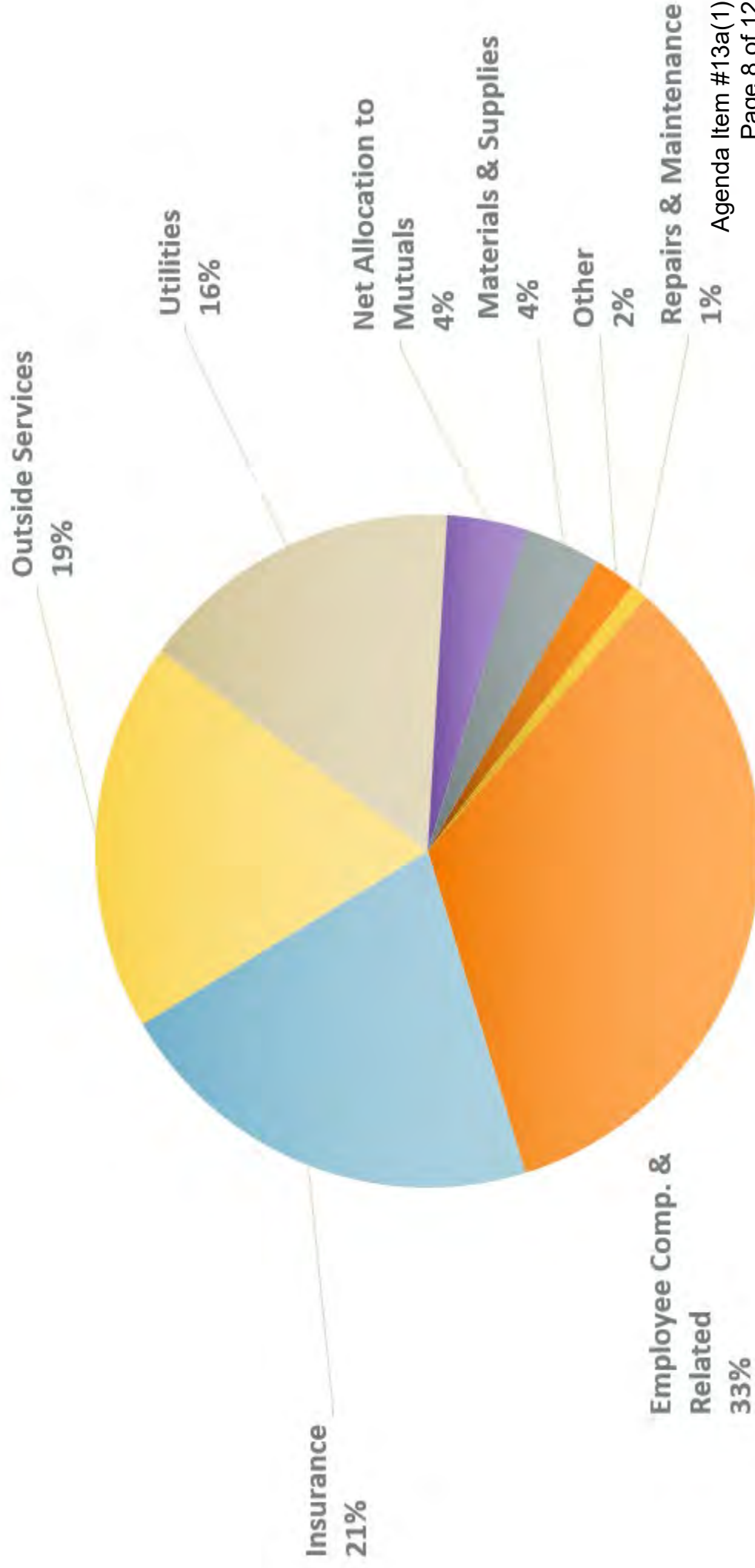
**Total Non Assessment Revenues \$1,785,675**



# Financial Report

As of October 31, 2022

**Total Expenses \$32,345,776**





# Financial Report

As of October 31, 2022



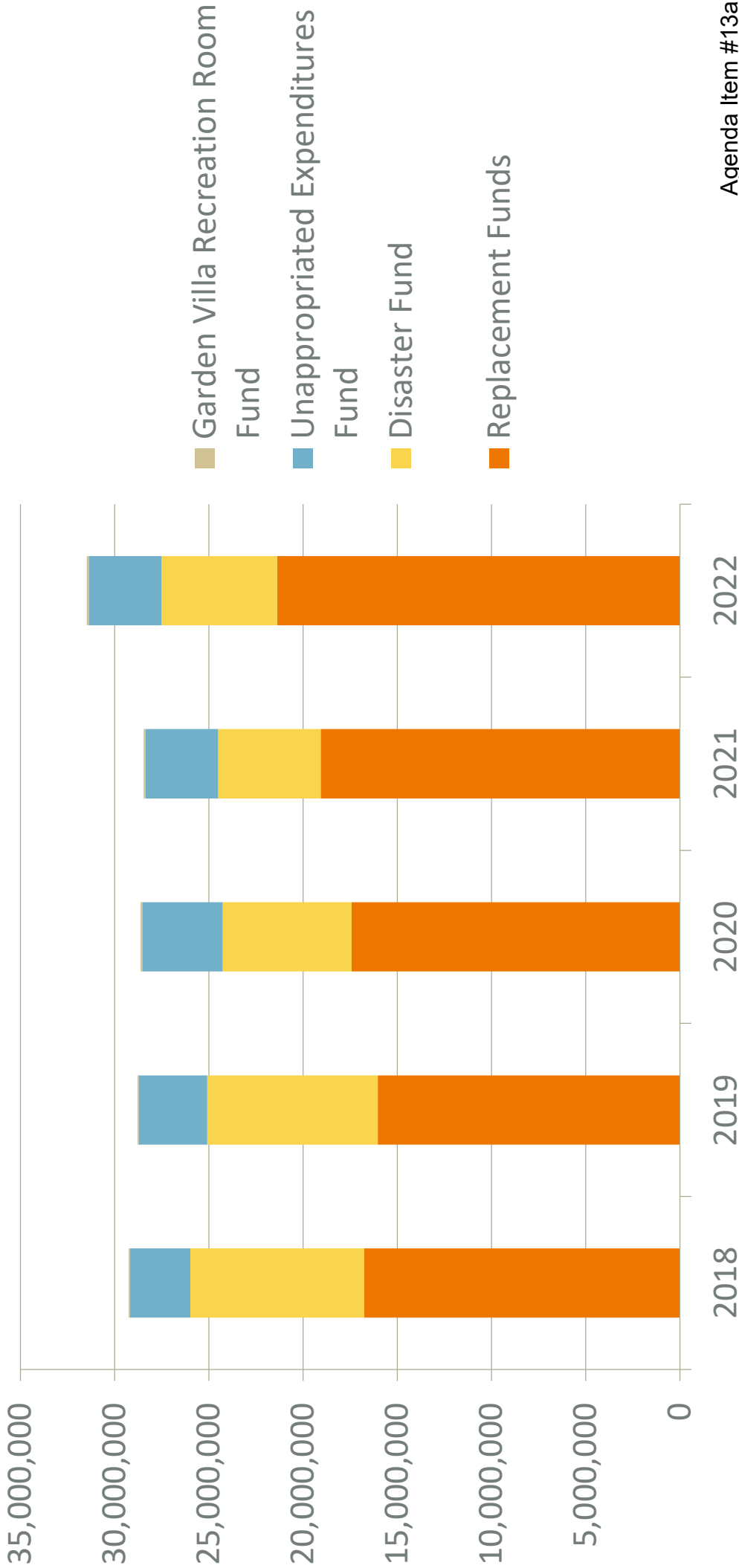
NON OPERATING FUND BALANCES (in Thousands)	Replacement Funds*	Garden Villa Fund	Disaster Fund	Unappropriated Expenditures Fund	TOTAL
Beginning Balances: 1/1/22	\$19,069	\$104	\$5,442	\$3,847	\$28,462
Contributions & Interest	\$9,390	\$75	\$1,357	\$12	\$10,834
Expenditures	\$7,076	\$78	\$660	\$1	\$7,815
Current Balances: 10/31/22	\$21,383	\$101	\$6,139	\$3,858	\$31,481

\* Includes Elevator and Laundry Funds

# Financial Report

As of October 31, 2022

## FUND BALANCES – Third Mutual

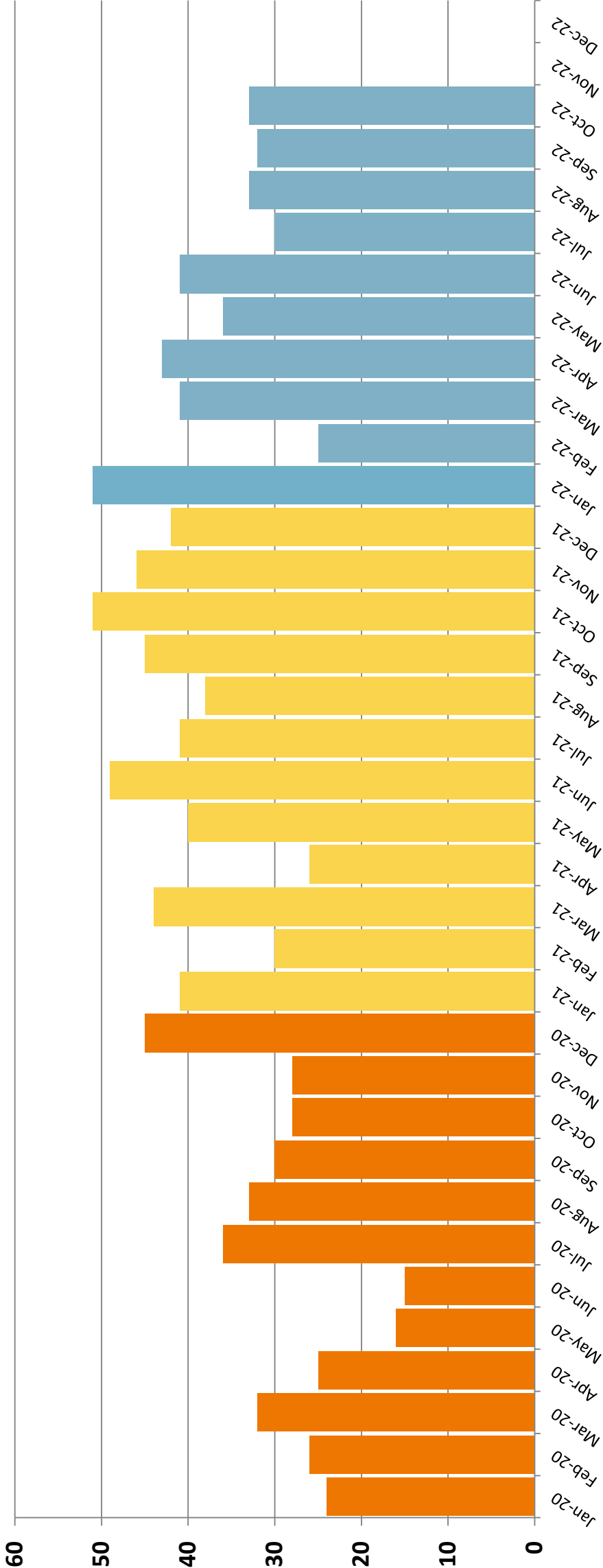


# Financial Report

As of October 31, 2022

## RESALE HISTORY – Third Mutual

	NO. OF RESALES	AVG. RESALE PRICE
YTD 2020	265	\$427,589
YTD 2021	405	\$460,000
YTD 2022	365	\$524,958



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

Tuesday, December 6, 2022 – 1:30 p.m.  
Hybrid Meeting

**DIRECTORS PRESENT:** Donna Rane-Szostak – Chair, Mark Laws, Ralph Engdahl, Cris Prince, Cush Bhada, Jim Cook, Ira Lewis, Moon Yun  
**DIRECTORS ABSENT:** Jules Zalon  
**ADVISORS PRESENT:** Wei-Ming Tao  
**STAFF PRESENT:** Steve Hormuth, Jose Campos, Ada Montesinos

**Call to Order**

Director Donna Rane-Szostak, Treasurer, chaired and called the meeting to order at 1:31 p.m.

**Approval of Meeting Agenda**

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

**Approval of Meeting Report for November 1, 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**

Director Rane-Szostak deferred remarks to agenda item # 8c and announced that Finance Committee meetings will be held Bi-monthly beginning February 07, 2023.

**Member Comments (Items Not on the Agenda)**

None.

**Department Head Update**

Steve Hormuth, Director of Financial Services, provided the dates for the new bi-monthly 2023 Finance Committee meetings.

**Preliminary Financial Statements dated October 31, 2022**

Jose Campos, Assistant Director of Financial Services, presented the Preliminary Financial Statements dated October 31, 2022. Questions and comments were noted by staff.

**Annual Financial Services Review**

Steve Hormuth provided a brief presentation on the GAAP method used to present financial statements and explained the data displayed on each Financial Statement that is reviewed by the committee during the monthly meetings.

**Discretionary Investments – Treasury Bill Reinvestment**

Director Rane-Szostak shared an overview of the Davis-Stirling Civil Code §5380 regarding guiding principles for HOA Reserve Funds and the current Third Mutual investment strategy. Additionally, Steve Hormuth presented a report displaying two discretionary investment portfolio options in accordance with the guiding principles: Safety, Liquidity and Yield. Any change to the investments would take place upon maturation of the current treasury bills scheduled on February 23, 2023. Discussion ensued. Questions and Comments were addressed and noted by staff. No action was taken.

**Endorsements from Standing Committees**

Landscape Services – Supplemental Appropriation for Water Saving Landscaping. Kurt Wiemann, Director of Landscape Services, presented a staff report requesting approval of a supplemental appropriation in the amount of \$151,000 to be funded from the Replacement Fund to hire an architect to design water saving landscape plantings to replace existing plantings and turf areas in order to reduce the impacts of water usage on the budget. Discussion ensued. A motion was made by director Cush Bhada to follow staff's recommendation with necessary corrections to staff report and resolution. Director Ira Lewis seconded.

Hearing no objections, 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, February 7, 2022 at 1:30 p.m.

**Recess to Closed Session**

The meeting recessed at 3:13 p.m.

  
Donna Rane-Szostak, Chair

# Monthly Resale Report

PREPARED BY

Community Services Department

MUTUAL

Third

REPORT PERIOD

November, 2022

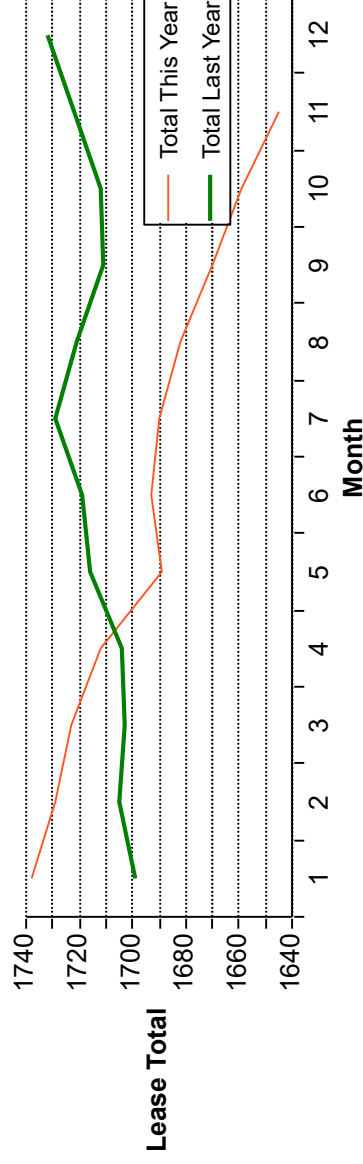
MONTH	NO. OF REALES		TOTAL SALES VOLUME IN \$\$		AVG RESALE PRICE	
	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR
January	51	41	\$22,789,400	\$16,433,725	\$446,851	\$400,823
February	25	30	\$12,688,000	\$11,904,525	\$507,520	\$396,818
March	41	44	\$19,655,200	\$20,903,100	\$479,395	\$475,070
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	33	51	\$17,632,500	\$22,829,400	\$534,318	\$447,635
November	21	46	\$10,409,612	\$23,744,300	\$495,696	\$516,180
December		*		\$20,172,500		* \$458,466
TOTAL	386.00	451.00	\$202,019,307	\$210,044,966		
ALL TOTAL	386.00	495.00	\$202,019,307	\$230,217,466		
MON AVG	35.00	41.00	\$18,365,392	\$19,094,997	\$521,773	\$463,873
% CHANGE - YTD	-14.4%		-3.8%		12.5%	

% Change calculated (ThisYear - LastYear)/LastYear

\* Amount is excluded from percent calculation



# Monthly Active Leasing Report 2022 Period 11 (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	% Leased This Year	% Change	Total Renewals	Total Expirations
2022	January	14	25	143	1,556	1,738	1,699	28.5	27.8	0.7	125	38
2022	February	15	23	156	1,535	1,729	1,705	28.3	27.9	0.4	123	42
2022	March	16	21	180	1,506	1,723	1,703	28.2	27.9	0.3	137	52
2022	April	11	17	207	1,477	1,712	1,704	28.1	27.9	0.2	142	53
2022	May	6	13	225	1,445	1,689	1,716	27.7	28.1	-0.4	113	44
2022	June	10	16	256	1,411	1,693	1,719	27.7	28.2	-0.5	185	57
2022	July	16	19	280	1,375	1,690	1,729	27.7	28.3	-0.6	111	46
2022	August	16	21	308	1,337	1,682	1,721	27.6	28.2	-0.6	108	51
2022	September	15	21	328	1,306	1,670	1,711	27.4	28.0	-0.6	103	59
2022	October	10	25	350	1,274	1,659	1,712	27.2	28.1	-0.9	123	50
2022	November	11	21	369	1,244	1,645	1,722	27.0	28.2	-1.2	88	53
2022	December					1,732						





**OPEN MEETING**

**REGULAR MEETING OF THIRD LAGUNA HILLS MUTUAL  
ARCHITECTURAL CONTROLS AND STANDARDS COMMITTEE\***

**Monday, November 28, 2022 – 9:30 a.m.  
Laguna Woods Village Board Room/Virtual Meeting  
24351 El Toro Road, Laguna Woods, California**

**REPORT**

**COMMITTEE MEMBERS PRESENT:** Jim Cook – Chair, Ralph Engdahl, Nathaniel Ira Lewis, Cris Prince

**COMMITTEE MEMBERS ABSENT:** Cush Bhada (Absent), Mike Plean-Advisor (Excused)

**OTHERS PRESENT:** Michael Butler, Lisa Mills - Advisors

**STAFF PRESENT:** Bart Mejia – Maintenance & Construction Assistant Director, Abraham Ballesteros - Inspector II, Manor Alterations, Sandra Spencer - Administrative Assistant

**1. Call Meeting to Order**

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 the Meeting Report for October 24, 2022**

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

**4. Remarks of the Chair**

None.

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

None.

**6. Response to Member Comments**

None.

**7. Department Head Update**

Mr. Mejia updated the committee regarding the staffing vacancies; response time to phone calls and emails; and updated the committee on the online revised Water Heater Replacement Form.

**8. Consent Calendar:** *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.*

**a. Over-The-Counter Variances**

The Monthly Mutual Consent Calendar was approved unanimously.

**9. Variance Requests**

**a. 2400-3D – Install non-standard size condenser on ground level**

The variance was introduced by Mr. Ballesteros. Discussion ensued and staff answered questions from the committee regarding rooftop solar panels preventing condenser units from being installed on the roof; easier access for maintenance when installed at ground level; the power source for the condenser; and suggested revisions to Standard 4 – Air Conditioning Units/Heat Pumps.

- A member emailed comments against approving the variance.

A motion was made to approve the variance as described. Hearing no objection, the variance was approved by unanimous consent.

**b. 3468-A – Fence and gate on entry common area**

The variance was introduced by Mr. Ballesteros. Discussion ensued and staff answered questions from the committee regarding the member's responsibility to maintain the area within the fenced and gated patio area.

A motion was made to approve the variance as described. Hearing no objection, the variance was approved by unanimous consent.

c. 5043 – Pavers on walkway, rear patio extension (2), replace wood fence with stucco wall

The variance was introduced by Mr. Ballesteros. Discussion ensued and staff answered questions from the committee regarding placement of the pavers.

A motion was made to approve the variance as described. Hearing no objection, the variance was approved by unanimous consent.

d. 5110 – Office room addition onto front courtyard, reduction in bedroom count from 3 to 2, master bedroom extension onto rear patio, 3<sup>rd</sup> bathroom, laundry room, relocate kitchen to dining room, 10' sliding glass door in living room, relocate entry door, new construction garden window in kitchen

The variance was introduced by Mr. Ballesteros. Discussion ensued and staff answered questions from the committee regarding the incorrect owner name on the plans; elimination of the fireplace and subsequent roofing repair contractor options. Staff will ensure the owner name on the plans is corrected by the contractor.

A motion was made to approve the variance as described. Hearing no objection, the variance was approved by unanimous consent.

## **10. Items for Discussion and Consideration**

### **a. Washer/Dryer Installations in Three-Story Buildings – Verbal Report**

Mr. Mejia introduced the item, described two scenarios for the existing waste lines (epoxy-lined and unlined) and how it will affect the review packet for these requests. Additional conditions will apply to proposed installations that utilize unlined waste lines. Discussion ensued regarding the language in the Standard; the potential reduction in wear and tear on the laundry rooms; and the recent reduction of water usage within the mutual. Mr. David Gorevitz of 4009-3C addressed the committee with comments that some owners in Building 4009 have indicated a desire to pay out of pocket for the sewer lines to be scoped and potentially cleared in order that they could move ahead with installing personal washer/dryer units in their manors.

Staff was directed to draft revisions to the Standard for review by the committee at a future meeting.

### **b. Revision to Architectural Standard 26: Skylight Installations**

Mr. Mejia introduced the item and answered questions from the committee.

Staff was directed to further revise the Standard with regard to color and the requirement that new skylights match existing skylights and present the revisions to the Third Board.

**11. Items for Future Agendas**

- a. Under 32 SF and Under 100 SF Asbestos Abatement To Be Performed As a Chargeable Service
- b. Revised Resale Inspection Fee Schedule

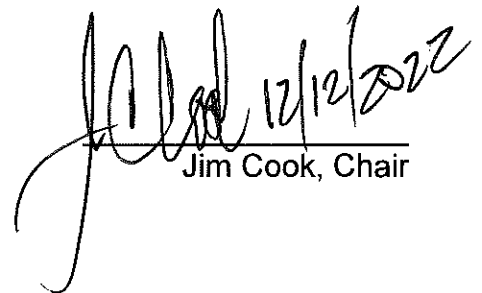
**12. Committee Member Comments**

- Advisor Butler offered Davis-Stirling Civil Code Section 4600 as clarification regarding the variance request at 3468-A.
- Advisor Mills congratulated the staff on the efficient water heater replacement form and suggested using the same process for replacement windows/doors and HVAC systems.
- Chair Cook commented on the staff's hard work and moving forward with efficiencies for the benefit of the mutual members.

**13. Date of Next Meeting: December 19, 2022**

**14. Adjournment**

The meeting was adjourned at 11:00 a.m.



12/12/2022  
Jim Cook, Chair

Jim Cook, Chair  
Baltazar Mejia, Staff Officer  
Telephone: 949-597-4616



## **OPEN MEETING**

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

**Monday, November 7, 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, Cris Prince

**MEMBERS ABSENT:** Advisors Dave Bienek and Judith Troutman

**OTHERS PRESENT:** **GRF:** Egon Garthoffner  
**Third:** Lynn Jarrett

**STAFF PRESENT:** Bart Mejia – Maintenance & Construction Assistant  
Director, Ian Barnette – Maintenance & Construction  
Assistant Director, Guy West – Projects Division Manager,  
Roberto 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 1:30 p.m. and established that a quorum was present.

#### **2. Approval of the Agenda**

The agenda was amended to remove item 9a and forward the item to the next Third ACSC committee meeting; move item 9e to item 9d; and item 9d to 9e. Hearing no objection, the agenda was approved as amended.

#### **3. Approval of the Meeting Report from September 12, 2022**

Staff was directed to edit item 9c to reflect that Chair Engdahl did not vote on the motion.

Hearing no objection, the meeting report was approved by a vote of 4/0/1 (Director Prince abstained).

**4. Remarks of the Chair**

None.

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

None.

**6. Response to Member Comments**

None.

**7. Department Head Update**

None.

**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.

- a. Project Log
- b. Solar Production Report

Hearing no changes or objections, the motion to approve the Consent Calendar was passed by a vote of 2/0/2 (Directors Laws and Prince abstained; Chair Engdahl did not vote).

**9. Items For Discussion and Consideration**

**a. Handrail Request at 2324 Via Puerta**

Staff was directed to remove this item from the M&C agenda and introduce the request at the November 28, 2022 meeting of the Third Architectural Controls and Standards Committee.

**b. Gate 11 French Drain Design**

Mr. Mejia updated the committee including that the engineering field survey has been completed and further research is underway on the infrastructure and current water levels of monitoring wells. It is expected that plans will be developed by the end of 2022 and construction will begin in March/April 2023.

**c. Exterior Paint Program - Transition From 10 to 15 Year Cycle**

Mr. Barnett presented the topic and answered questions from the committee. Averages on a 10-year cycle complete 140 buildings per year; averages on a 15-year cycle

complete 93 buildings per year. The balconies, breezeways and trim are on 7.5-year painting schedule.

A suggestion was made to publish the painting schedule. Director Cook suggested adding “subject to change” clearly visible if the list is published. Staff was requested to provide the schedule to President Laws for his review.

**d. Annual Maintenance Programs Priority Process**

Mr. Barnette presented the topic and answered questions from the committee. Programs include pest control, fencing, recreation room heat pump/AC units and water heaters, gutters and mailboxes, epoxy programs, and laundry countertops and flooring.

Director Laws suggested moving the reserve funding for the contingency of new rain gutter installations to the damage restoration funding. Staff will investigate this possibility; research the availability of pre-painted gutters; and provide the number of mailboxes which need replacing.

**e. Shepherd’s Crook Project Update**

Mr. Mejia provided an update and answered questions from the committee. Discussion ensued regarding the CUP; the history of the Shepherd’s Crook installation; how the number of linear feet per year was determined; less expensive options for replacing existing barbed wire; security breaches; and the balance of linear feet remaining for GRF and Third.

A motion was made to only replace the difference between 900 linear feet and the length that GRF plans to replace in 2023 in order to keep the CUP active while continuing to research whether the CUP should be maintained beyond that time. Said difference may be split between Third and United. The motion was approved by unanimous consent.

Staff was directed to research alternative materials to Shepherd’s Crook that are acceptable to the City and to inform the committee of the number of linear feet remaining within Gate 11.

**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.*

- Report on the Feasibility of Additional Solar Installations
- Shepherd’s Crook
- EV Charging Solutions

**11. Committee Member Comments**

None.

**12. Date of Next Meeting:** TBD

**13. Adjournment**

The meeting was adjourned at 3:39 p.m.



Ralph Engdahl, Chair

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





**OPEN MEETING**

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

**Thursday, December 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, Jules Zalon, Cush Bhada, Donna Rane-Szostak (joined the meeting at 9:44 a.m.)

**COMMITTEE MEMBERS ABSENT:** Mark Laws

**OTHERS PRESENT:** Doug Gibson (Gate 11 Club), Vu Chu (El Toro Water District)

**ADVISORS PRESENT:** None.

**STAFF PRESENT:** Kurt Wiemann, Jayanna Abolmoloki

**1. Call Meeting to Order**

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

**2. Approval of the Agenda**

The meeting agenda was approved by unanimous consent.

**3. Approval of the September 1, 2022 Report**

Director Zalon made a motion to approve the meeting report. Director Engdahl seconded. The committee was in unanimous support.

**4. Remarks of the Chair**

Chair Lewis stated that he did not have a lot to share. Chair Lewis mentioned that the topic involving artificial turf will be on the next agenda.

**5. Department Head Update**

Mr. Wiemann also stated that he did not have a lot to share. Mr. Wiemann stated that the Gate 10 and Gate 11 areas have been experiencing an infestation of grubs due to climate change. Mr. Wiemann stated that 97 areas, encompassing 89,550 square feet have been treated for this condition year to date.

**5a. Project Log**

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

## **5b. Water Use Comparison Graph**

Mr. Wiemann reviewed the Water Use Comparison Graph in detail. Members made comments and asked questions.

## **6. Member Comments**

None.

## **7. Response to Member Comments**

None.

## **8. Items for Discussion and Consideration**

### **8a. Landscape Charter**

Chair Lewis stated that this will be discussed at the next meeting after staff compiles all of the input from each Director into one document.

### **8b. Tree Removal Request – One Ficus Nitida Tree – 3165-D Alta Vista**

Director Bhada made a motion to approve staff's recommendation to remove the tree. Director Engdahl seconded. The motion passed unanimously.

### **8c. Recommendation to Approve Supplemental Funds for Turf Reduction**

Director Bhada made a motion to approve a supplemental appropriation in the amount of \$151,000 to be funded from the 2022 Water Expense Account, for water saving landscaping projects within Third Mutual. Director Rane-Szostak seconded. The motion passed with unanimous support from the committee.

## **9. Items for Future Agendas**

- Landscape Charter
- Turf Reduction Locations

## **10. Committee Member Comments**

Several comments were made.

**11. Date of Next Meeting:** Thursday, January 5, 2023 at 9:30 a.m.

**12. Adjournment at 10:01 a.m.**

Ira Lewis

Ira Lewis (Dec 7, 2022 11:22 PST)

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



**OPEN MEETING**

**REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL  
WATER CONSERVATION COMMITTEE**

**Thursday, October 27, 2022 – 2:00 p.m.  
ELM ROOM AND VIRTUAL MEETING  
Laguna Woods Village Community Center 24351 El Toro Road**

**REPORT**

**COMMITTEE MEMBERS PRESENT:** Chair- Donna Rane-Szostak, Cush Bhada

**COMMITTEE MEMBERS ABSENT:** Ira Lewis (Excused), Jules Zalon (Excused)

**OTHERS PRESENT:** Vu Chu (ETWD Water Use Efficiency Expert), Kay Havens (Vice President of El Toro Water District)

**ADVISORS PRESENT:** Lee Goldstein

**STAFF PRESENT:** Kurt Wiemann, Jayanna Abolmoloki

**1. Call Meeting to Order**

Chair Rane-Szostak called the meeting to order at 2:04 p.m.

**2. Approval of the Agenda**

Director Bhada moved to approve the agenda. It was approved by consensus.

**3. Approval of the Meeting Report from July 28, 2022**

Director Bhada moved to approve the Report. It was approved by consensus.

**4. Committee Chair Remarks**

Chair Rane-Szostak stated there will be a panel on Village Television. It will be limited to five people in the studio. Chair Rane-Szostak ended her remarks by congratulating the committee and audience that residential water usage has been lower than the previous year's data every single month so far for a total decrease of 19% this past year.

**5. Member Comments**

Various comments were made. Topics included the following.

- ¼ of a page in the Globe dedicated to water conservation material
- Low water-use home appliances and rebates

- Bewaterwise.com
- Innovative ideas for the upcoming water conservation panel

**6. Response to Member Comments**

Discussion ensued after each member comment.

**7. Consent**

None.

**8. Third Mutual Water Usage Graphs**

Director Rane-Szostak and Mr. Wiemann discussed the graphs in depth.

Members made comments and asked questions.

**9. Items for Future Agendas**

None.

**10. Committee Member Comments**

Various comments were made.

**11. Date of Next Meeting:** Monday, January 26, 2023 at 2:00 p.m.

**12. Adjournment** at 3:10 p.m.

**DRAFT**

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Donna Rane-Szostak, Chair



**REGULAR OPEN MEETING OF THE THIRD LAGUNA HILLS MUTUAL  
RESIDENT POLICY AND COMPLIANCE COMMITTEE**

Tuesday, November 22, 2022– 9:30 A.M.  
Board Room/Virtual Meeting  
Laguna Woods Village Community Center  
24351 El Toro Road, Laguna Woods, CA 92637

**MEMBERS PRESENT:** Mark Laws - Chair, Cris Prince, Nathaniel Lewis, Cush Bhada  
(Via Zoom) and Jules Zalon

**MEMBERS ABSENT:** None

**ADVISORS PRESENT:** Stuart Hack and Theresa Keegan (Via Zoom)

**ADVISORS ABSENT:** None

**STAFF PRESENT:** Jacob Huanosto and Ruby Rojas

**1. Call to Order**

Mark Laws - Chair, called the meeting to order at 9:32 a.m.

**2. Approval of Agenda**

Director Lewis made a motion to approve the agenda as presented. Director Prince seconded the motion.

By way of consensus, the motion passed.

**3. Approval of Meeting Report**

Director Zalon made a motion to approve the October 25, 2022 meeting report. Director Lewis seconded the motion.

By way of consensus, the motion passed.

**4. Chairman's Remarks**

None

**5. Members Comments (Items Not on Agenda)**

Mr. Andre Torng of 3129-Q discussed allegations made against him by United Laguna Woods Mutual and suggested that the Disciplinary Process be changed.

**6. Response to Members Comments**

Director Zalon responded to Mr. Torng's comments.

**7. Department Head Update**

None

## **8. Items for Discussion and Consideration**

### **a. Care & Maintenance of Patios, Balconies, Breezeways & Walkways**

The Committee reviewed and commented on the Care & Maintenance of Patios, Balconies, Breezeways & Walkways Policy. The Committee commented and asked questions.

Chair Laws will work with staff and bring the policy back to the Committee for review.

### **b. Director Zalon's Proposed Members' Bill of Rights**

Director Zalon presented the proposed Members' Bill of Rights. The Committee commented and asked questions.

Mr. Andre Torng of 3129-Q discussed allegations made against him by United Laguna Woods Mutual and suggested that the Disciplinary Process be changed.

Without objection, the Committee will discuss the proposed Members' Bill of Rights with the full Board and legal counsel.

### **c. Nuisance Policy**

Chair Laws presented the Nuisance Policy for discussion. The Committee discussed the matter.

Mr. Andre Torng of 3129-Q discussed allegations made against him by United Laguna Woods Mutual and suggested that the Disciplinary Process be changed.

Director Prince motioned to send the "Red-Line" version of the policy to the Board for approval. Director Lewis seconded the motion.

Director Zalon proposed to amend the motion to state that allegations will not be considered a nuisance if a reporting-parties complaint is baseless. The amendment died for lack of a second.

The motion to send the red-line version of the policy to the Board for approval passed by way of unanimous vote.

### **d. Appeal Policy**

The Committee reviewed and discussed the Appeal Policy.

The committee tabled the matter and directed staff to make changes to the Appeal Policy and bring the policy back to the Committee for review.

### **e. Pet Policy**

The Committee reviewed and discussed the Pet Policy.

Director Prince will work with the Chair and bring the policy back to the Committee for review.

**9. Items for Future Agendas**

- Pre-Hearing Approval Process
- Social Media Use Policy
- Barbeque Rules and Regulations

**10. Committee Member Comments**

None

**11. Date of Next Meeting**

Tuesday, December 27, 2022 at 9:30 a.m.

**12. Adjournment**

With no further business before the Committee, the meeting was adjourned at 12:01 p.m.

*Mark W. Laws*

Mark W. Laws (Dec 15, 2022 09:17 PST)

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Mark Laws, Chair  
Third Laguna Hills Mutual

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## **OPEN MEETING**

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

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

**MEMBERS PRESENT:** Yvonne Horton, Chair, Elsie Addington, Pearl Lee, Diane Casey, Cush Bhada, Mark Laws, Sue Stephens, Ajit Gidwani

**MEMBERS ABSENT:** Dennis Boudreau, excused

**OTHERS PRESENT:** Bunny Carpenter, Juanita Skillman, Joan Milliman, Maggie Blackwell, Cash Achrekar

**STAFF PRESENT:** Alison Giglio, Jennifer Murphy, Jackie Chioni

#### **Call to Order**

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

#### **Acknowledgement of Media**

There was no press present.

#### **Approval of Agenda**

Director Laws made a motion to approve the agenda. Director Bhada seconded.

Motion passed unanimously.

#### **Approval of Committee Report for November 10, 2022**

Director Casey made a motion to approve the report. Director Laws seconded.

Motion passed unanimously.

#### **Chair's Remarks**

Chair Horton stated the Volunteer Luncheon sponsored by the Recreation Department was enjoyed by over 400 resident volunteers. These volunteers are the lifeblood of the community. If anyone would like to volunteer, please contact Recreation office.

#### **Report of the Recreation and Special Events Director**

Ms. Giglio stated the following operational and facility updates: the Garden Center volunteers have gleaned tangerines and apples from the GRF tree plots which was dropped off at Clubhouse 1 drop-in lounge for the enjoyment of those who visit; Pool 1 has reopened and Pool 2 is now closed for annual maintenance; the Village Tree Lighting was held at Clubhouse 1 including a local high school choir and band, hot cocoa and cookies and a toy drive with 175 toys donated to Spark of Love which will be dropped off at fire station 22; the Clubhouse 4 ceramic lab technician position has been filled; the annual Christmas Buffet at Clubhouse 5 sold out in two hours; rain gutters were added outside the Clubhouse 5 multi-purpose room; a new horse has been acquired at the Equestrian Center; Equestrian Center boarding revenue is up over 40% and care service fees have generated revenue of approximately \$1,100 to \$1,500 each month; two new staff have been hired at the Equestrian Center; 709 volunteer hours have been reported at the Library; 2,369 residents have been helped at the Library; a special article will be featured in the December Globe issue highlighting Village authors; the Men's 18 Hole Golf club is hosting a member/member tournament on December 14; Clubhouse 2 and 7 weekend room reservations for 2023 will be taken starting December 19 as more staff has been hired.

Ms. Murphy stated the following upcoming events: Help the Herd is sponsoring Santa Paws, an event hosting pet photos with Santa at the Equestrian Center on December 10, 11 a.m. to 2 p.m.; AARP Smart Driver class will be held December 14 and 15 at Clubhouse 1, Dining Room 2, noon to 5:30 p.m. for new students only; New Year's Eve at the Performing Arts Center will host five different acts including music, magic and comedy all starting at 7:30 p.m. with tickets available at the box office; New Year's Eve at Clubhouse 5 will host dinner and dancing starting at 7:15 p.m. with complimentary champagne 9 p.m. to midnight and tickets are available for purchase at the Clubhouse 5 office; Kickboxing/self-defense class is held at Clubhouse 5, Tuesdays and Thursdays at 3 :30 p.m. and Wednesdays at 3 p.m.; Tennis, paddle tennis and pickleball lessons are available from Coach Alan, please call the Recreation office for details; Zumba Gold is held at Clubhouse 2 on Mondays at 10 a.m., Clubhouse 5 on Wednesdays at 9 a.m. and Clubhouse 2 on Fridays at 9 a.m. with punch cards available for purchase at both the Recreation office or Clubhouse 5 office.

Director Lee inquired as to Performing Arts Center reservations. Ms. Giglio confirmed only Clubhouse 2 and 7 will be reopening for room reservations with the Performing Arts Center expected to reopen next.

### **Member Comments (Items Not on the Agenda)**

None.

### **CONSENT**

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

Motion passed unanimously.

## **REPORTS**

None.

## **ITEMS FOR DISCUSSION AND CONSIDERATION**

**Rock 'N Rollers Club Exception Request to Clubhouse Holiday Hours** - Chair Horton stated the exception request to clubhouse holiday hours and this is the regular dance time for this club.

Member was called to speak regarding a club date taken away due to Grandparents Fun Day and the club wants to have this date in order to not lose two dates; the club hosts a big Veterans day program with no A/V needed, only need staff to ensure facility is secured; Rock 'N Rollers club hosts a golf event once a month that would like to use Clubhouse 2.

Discussion ensued.

Director Casey made a motion to accept the request for exception to extend the holiday hours on November 11, 2023 and extra fees to be paid by the Rock 'N Rollers club. Director Laws seconded.

Motion passed unanimously.

**GRF Credit Card and Transaction Fee (ActiveNet)** - Ms. Murphy stated the staff report regarding the GRF Credit Card and Transaction Fee within ActiveNet.

Members were called to speak regarding the following: consideration of all online reservation systems, including Golf and the Performing Arts Center; if costs are the same for employees to process each type of payment, then all members are paying the same rate which is not fair to those coming in person or paying by cash or check; charge a fee for online or credit card only; this report must go to the GRF board however other fees may be increased and all fees need to be reviewed; staff should review and report findings of all fees before going to the GRF board, not just ActiveNet; golf fees may be paid directly from a personal bank account which is cheaper; inquiry regarding the difference between all online systems used for purchasing within the Recreation Department.

Discussion ensued.

Director Addington made a motion to approve GRF Credit Card and Transaction Fees within ActiveNet to be allocated to the user whether online or in person. Director Casey seconded.

Director Bhada amended the motion to state one price for each activity purchase to include the transaction fees and credit card fees. No second.

Motion amendment failed.

The motion passed by a vote of 6-1. Director Bhada opposed.

Staff was directed to place Activity Fees under Items for Future Agendas and to add verbiage that transaction and credit card fees apply on each flyer for events.

### **ITEMS FOR FUTURE AGENDAS**

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

**Facility 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.

### **CONCLUDING BUSINESS**

#### **Committee Member Comments**

Director Addington stated it was fun to exchange ideas at this meeting.

Director Casey appreciates the information gathered.

Director Lee stated this was a very important meeting and good starting point for reviewing fees.

Director Stephens stated she is the current president of the Mutual 50 board and Director Stern will be the appointed CAC representative from Mutual 50. The new members to the Mutual 50 board will be a great addition.

Advisor Gidwani thanked everyone and wished Merry Christmas and Happy New Year to all.

#### **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, January 12, 2023.

#### **Adjournment**

There being no further business, the Chair adjourned the meeting at 3:01 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, November 21, 2022 – 1:30 p.m.  
Board Room / Virtual Hybrid Meeting**

**REPORT**

**Members Present:** Chair Joan Milliman; Directors Elsie Addington, Maggie Blackwell, James Cook, Anthony Liberatore; Alternate Cris Prince; Advisors Catherine Brians, Lynn Jarrett, Tom Nash, Carmen Pacella, Lucy Parker

**Members Absent:** Directors Moon Yun (excused), Ryna Rothberg; Advisor Theresa Frost (excused)

**Others Present:** Juanita Skillman, Richard Rader, Egon Garthoffner

**Staff Present:** Eileen Paulin, Paul Ortiz, Ellyce Rothrock, 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 October 17, 2022**

Approved by unanimous consent.

**5. Chair's Remarks**

Chair Milliman commended the all-boards training and presentations on Friday, November 18. The meeting was recorded and will be available on the website.

**6. Member Comments**

There were no member comments during this portion of the meeting, but there were two member comments during the committee member comments.

## **Items for Discussion**

### **7. Media and Communications Report – Eileen Paulin**

Ms. Paulin mentioned slides from the all-boards training presentation are available for board members who would like a copy.

She highlighted from the Media and Communications Activities Report:

- The October/November Village Breeze
- The weekly email blast to residents
- Reporting on Village elections
- Town hall for new fire station
- Focus groups preliminary report
- Volunteer luncheon
- Employee Excellence Awards
- Halloween morale building costume contest and potluck
- New resident orientations
- Docent tours
- Press releases sent weekly to the Globe

She discussed the results of the focus groups.

Director Addington mentioned the need for volunteers who speak multiple languages to help translate news and information for residents who speak English as a second language. Ms. Paulin concurred and mentioned that one of the focus groups included those individuals. A discussion ensued.

Director Skillman mentioned the afternoon Saturday docent tours are scheduled when the Village Library is closed. Ms. Rothrock explained that morning tours are less attended than afternoon tours. A discussion ensued.

### **8. Broadband Ad Hoc Committee Report – Eileen Paulin**

Ms. Paulin announced the next meeting will immediately follow today's MACC closed meeting. The subsequent meeting will be Tuesday, November 29, from 10 a.m. to 2 p.m. and will include lunch.

### **9. Website Ad Hoc Committee Report – Ellyce Rothrock**

Ms. Rothrock reported on a meeting with three potential vendors on November 15. She expects to receive proposals back from each of them.

### **10. Broadband Services Report – Paul Ortiz**

Mr. Ortiz highlighted:

- The Village YouTube subscriber count is up over 43% year-over-year.
- Bonus movies will be shown over the Thanksgiving holiday weekend.
- Subscriber counts are decreasing in general because people are increasingly using different devices.
- The two lowest tiers of internet services are down as people opt for higher



speeds.

- The A&E contract will expire Dec. 31, 2022, and is in negotiations.
- This year has been a successful political year for advertising revenue.

### **Items for Future Agendas**

Report on the focus groups

### **Concluding Business**

#### **Committee Member Comments**

Chair Milliman stated that she is looking into possibly having Globe newsstands at the Village Library and Community Center. The First Amendment might require us to include newsstands for all media who wish to be here if we allow newsstands for the Globe. This is under review by our legal counsel.

Advisor Jarrett commended the movie selections that go out to residents on Mondays, Fridays and Saturdays.

Advisor Briens stated she is happy to be part of this committee.

Advisor Pacella commended the meeting and suggested the Globe be delivered to every home in the Village. A discussion ensued.

Director Blackwell stated her interest in the results of the focus groups.

Director Skillman stated that she has been assigned to another committee and this would be her last meeting after 10 years on this committee.

Chair Milliman welcomed the new advisor and directors on the committee. She also thanked Director Skillman for her service on this committee.

Two members commented on the Globe suggestion. Ms. Deb Allen stated her support for the idea of getting the Globe out to the residents. Mr. Richard Rader also supported the idea.

**Date of Next Meeting – Monday, December 19, 2022, at 1:30 p.m.**

#### **Adjournment**

Chair Milliman adjourned the meeting at 2:33.

  
Joan Milliman, Chair  
Media and Communications Committee

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**REPORT OF THE REGULAR MEETING OF THE GOLDEN RAIN  
FOUNDATION DISASTER PREPAREDNESS TASK FORCE**

**Tuesday, November 29<sup>th</sup>, 2022 at 9:30 AM**

**HYBRID MEETING**

**MEMBERS PRESENT:** Chair: Eric Nuñez, Sue Stephens, Jim Cook, Juanita Skillman, Anthony Liberatore, Gan Mukhopadhyay

**MEMBERS ABSENT:** None

**ADVISORS PRESENT:** Bruce Bonbright, Tom Soule

**OTHERS PRESENT:** Grace Stencel, Doug Gibson, Joan Grampp, Rick Kopps

**STAFF PRESENT:** Tom Siviglia, Carman Aguilar, Jayanna Abolmoloki, Edward Green

**THE MEETING WAS CALLED TO ORDER:** 9:31 AM

**ACKNOWLEDGEMENT OF THE PRESS:** None present

**APPROVAL OF THE AGENDA:** By consensus, the agenda was approved.

**APPROVAL OF MEETING REPORT:** By consensus, the meeting report was approved.

**CHAIRS REMARKS:** Chair Nuñez began his remarks by offering his sincere condolences to the recent passing of James (Jim) Riedel. Chair Nuñez also introduced Carmen Aguilar, our new Security Admin Specialist. Admin Coordinator Cody DeLeon is out sick. Jayanna Abolmoloki is acting Security Coordinator for meeting.

**MEMBER COMMENTS:** No comments were made.

**REPORTS**

**RADIO & COMMUNICATIONS:** Bruce Bonbright shared that Jim Riedel would be pleased as there was 100% participation in this month's radio drill. Agenda Item #14c

**OFFICE MANAGER/ADVISOR:** Tom Soule did not have much to report.

**RECRUITMENT / RETENTION / TRAINING:** Director Skillman is waiting for Clubhouse Coordinator training.

**GRF BOARD:** Director Gan Mukhopadhyay offered to assist in a risk/safety assessment of structures and surrounding areas.

**UNITED BOARD:** Director Liberatore did not have anything to report.

**THIRD BOARD:** Director Cook did not have anything to report.

**TOWERS:** Rick Kopps mentioned they perform monthly radio checks.

**PET EVACUATION SUBMIT COMMITTEE:** Sandy Benson did not have anything to report regarding pet evacuation.

## **DISCUSSIONS AND CONSIDERATIONS**

**Disaster Preparedness Action Overview:** Chair Nuñez introduced Edward Green who then discussed his Disaster Preparedness Overview.

**Culture of Preparedness:** Edward Green went over plan to develop cultural preparedness.

## **ITEMS FOR FUTURE AGENDAS**

- More In-depth Information and Training Surrounding Disaster Prep
- Incident Command Systems (ICS brief overview)

**MEMBER COMMENTS:** Multiple members made comments

**NEXT MEETING:** January 31<sup>st</sup>, 2023 at 9:30 a.m.

**ADJOURNMENT:** 10:38 AM (In the Name of Jim Riedel)

**SUBMITTED BY:**

*Tom Swiglia*

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**OPEN MEETING**

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

**Wednesday, October 12, 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, Cash Achrekar, Jim Cook, Ralph Engdahl, Gan Mukhopadhyay, Lenny Ross, Sue Stephens  
Advisors Ajit Gidwani, Carl Randazzo, Bill Walsh

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** **GRF:** Elsie Addington, Bunny Carpenter, Juanita Skillman  
**Third:** Cush Bhada  
**United:** Reza Bastani  
Richard Rader

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

**1. Call to Order**

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

**2. Acknowledgement of Media**

Chair Garthoffner noted that no media was present.

**3. Approval of the Agenda**

Hearing no objection, the agenda was approved as written.

**4. Approval of Meeting Report for August 10, 2022**

Hearing no objection, the August 10, 2022 meeting report was approved unanimously.

## **5. Chair's Remarks**

Chair Garthoffner commented on a statement in the VMS Agreement regarding the principals of cooperative effort and stressed the goal of the committee to work together, discuss controversial issues calmly, and to reach a consensus.

## **6. Member Comments**

A member commented via email on EV charging in Laguna Woods Village. The committee addressed the comments and discussed the topic.

## **7. Department Head Update**

Mr. West commented that repairs to the swamp cooler in the archery range will be made but there are no plans to replace it with an HVAC unit at this time. Mr. West also commented that a meeting has been scheduled for 11:00 a.m. on October 19, 2022 with the representatives from each mutual and 27 Diamonds, the interior design consultant for CH1 and the PAC lobby restrooms.

### 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 provided an overview of the projects and answered questions from the committee.

Mr. Mejia updated the committee on the status of SCE's evaluation of potential EV charging sites. Of the 7 sites that were initially evaluated, 3 met the requirements: CH3, CH4 and CH5. Discussion ensued regarding the number of charging stations per site; the loss of parking spaces; and SCE's approval criteria.

Mr. Mejia suggested the results of the SCE evaluation be presented at a special M&C committee meeting. Staff was directed to schedule the meeting at Clubhouse 2 (or similar venue) to provide an opportunity for residents to participate in a discussion on this important topic.

## **8. Project Log**

## **9. ChargePoint Summary**

The consent calendar was approved unanimously.

### Items for Discussion and Consideration:

## **10. Building E – Open Discussion**



President Carpenter requested the item be tabled at this time. After discussing the reasons for tabling the item, Chair Garthoffner approved the request.

#### **11. Call Center Completion**

Mr. West presented a PowerPoint update on the completion of the project to add 11 new work stations in the call center on the first floor of the community center.

#### **12. Warehouse Dock Leveler Completion**

Mr. West presented a PowerPoint update on the completion of the warehouse replacement of the dock leveler, bumpers, straps, concrete pad, and removable bollards.

#### **13. Equestrian Hay Barn**

Mr. West presented a staff report recommending the purchase of lightweight curtains to protect the hay bales stored at the equestrian barn. A motion was made to approve staff's recommendation. The motion passed by unanimous consent.

#### **14. 2023 Equestrian Center Arena Lighting**

Mr. West presented a PowerPoint overview of the preliminary scope for the lighting options at the equestrian center which have been budgeted for 2023.

#### **15. 2023 Equestrian Center Fencing and Gate**

Mr. West presented a PowerPoint overview of the preliminary scope for the gate and fencing options at the equestrian center which have been budgeted for 2023.

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.*

- Maintenance Service Center Generator
- EMS Status Update
- MelRok Energy Management System
- SCE EV Charging Stations
- 2023 Projects Overview

#### Concluding Business:

#### **16. Committee Member Comments**

- Director Ross commented on the need for financial transparency on large projects; and potential cost sharing of projects at the equestrian center.
- Advisor Randazzo commented on solar panel installation for EV charging.
- Advisor Gidwani thanked the committee and staff for their hard work and dedication to

the village.

- President Carpenter commented on reserve funding for projects.
- Advisor Walsh agreed that a separate special meeting on EV charging would be beneficial.
- Director Bhada commented on deferred maintenance.
- Director Cook, Achrekar and Chair Garthoffner commented on the need for economy in spending.
- Director Mukhopadhyay commented on space planning for the community center.

**17. Date of Next Meeting:** Wednesday, December 14, 2022 at 9:30 a.m.

**18. Adjourn** – The meeting was adjourned at 11:52 a.m.



Egon Garthoffner, Chair

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





**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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**REPORT OF REGULAR MEETING OF THE GOLDEN RAIN FOUNDATION  
MOBILITY AND VEHICLES COMMITTEE**

**Wednesday, December 07, 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), Egon Garthoffner, Cush Bada, Moon Gil Yun, Maggie Blackwell, Azar Asgari, Sue Stephens

**ADVISORS:**

**MEMBERS ABSENT:** Frank Stern

**OTHERS PRESENT:** Juanita Skillman, Elsie Addington

**STAFF PRESENT:** Robert Carroll - General Services Director, Francisco Perez – Transportation Supervisor, Liz Cortez – Administrative Coordinator

**1. Call to Order**

Chair Tibbetts called the meeting to order at 1:35 p.m.

**2. Acknowledgment of Media**

None present.

**3. Approval of the Agenda**

Hearing no objection, the agenda was approved by acclamation.

**4. Approval of Meeting Report for**

Hearing no objection, the regular meeting report of October 5, 2022 was approved by acclamation.

**5. Chair's Remarks**

None

**6. Member Comments (Items Not on the Agenda)**

Member Rhoda Lindner made a recommendation regarding the Laguna Woods Mall and its transportation turnouts.

**7. Response to Member Comments**

Chair Tibbetts responded to member's comments. Mr. Carroll, director of General Services, also responded to member 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.

### **Items for Discussion**

None.

### **Items for Future Agendas:**

None.

### **Concluding Business:**

#### **Committee Member Comments:**

None.

**Date of Next Meeting – Wednesday February 1, 2022 at 1:30 p.m.**

#### **Adjournment:**

The meeting was adjourned at 1:58 p.m.

*Don Tibbetts*  
Don Tibbetts (Dec 14, 2022 12:59 PST)