



OPEN SESSION

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

**Tuesday, November 21, 2023 - 9:30 a.m.
Laguna Woods Village Community Center
Board Room/Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

NOTICE AND AGENDA

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

- 1. Call Meeting to Order / Establish Quorum – President Laws**
- 2. Pledge of Allegiance – Director Park**
- 3. Approval of the Agenda**
- 4. Approval of the Minutes**
 - a. October 17, 2023 – Regular Board Meeting
 - b. November 3, 2023 – Agenda Prep Meeting
- 5. Report of the Chair**
- 6. Open Forum (Three Minutes per Speaker) -** *At this time Members only may address the Board of Directors regarding items not on the agenda and within the jurisdiction of this Board of Directors. The board reserves the right to limit the total amount of time allotted for the Open Forum to thirty minutes. A member may speak only once during the forum. Speakers may not give their time to other people, no audio or video recording by attendees, and no rude or threatening comments. Members can attend the meeting by joining the Zoom link <https://zoom.us/j/94899806730> or call 1-(669) 900-6833 or email meeting@vmsinc.org to have your message read during the Open Forum.*
- 7. Responses to Open Forum Speakers**
- 8. Department Update: Maintenance and Construction – Manuel Gomez, Maintenance and Construction Director**
- 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 September 2023, 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. **Recommendations from the Finance Committee: None**
- c. **Recommendations from the Landscape Committee:**
(1) Approve the Request for One Canary Island Pine 3135-B Via Serna North
- d. **Recommendation from the Architectural Controls and Standards Committee: None**

11. Unfinished Business

- a. Entertain a Motion to Eliminate Demolition Consent Requirements & Associated Fees **(September initial notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**
- b. Entertain a Motion to Approve the Revision to Architectural Standard 31: Washer and Dryer Installation **(January initial notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**
- c. Entertain a Motion to Adopt the 2024 Third Collections and Lien Enforcement Policy **(October initial notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**
- d. Entertain a Motion to Approve the Amended Schedule of Monetary Penalties **(October 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 Revision to Architectural Standard 18: Gutters and Downspouts **(November initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)**
- b. Entertain a Motion to Approve the Proposed Architectural Standard 11 Exterior Floor Coverings **(November initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)**

- c. Entertain a Motion to Approve the Updated Fruit Tree Policy (**November initial notification – 28-day notification for member review and comments to comply with Civil Code §4360**)
- d. Entertain a Motion to Approve Urban Forest Management Plan
- e. Entertain a Motion to Approve Landscape Manual
- f. Entertain a Motion to Approve Updated Committee Assignments
- g. Discuss 2024 Compliance Budget Reduction and Consider Potential Motions

13. Third Mutual Committee Reports

- a. Report of the Finance Committee / Financial Report – Director Ginocchio. The Committee met on October 3, 2023; next meeting December 5, 2023 at 1:30 p.m. in the Board Room and as a virtual meeting.
- b. Report of the Architectural Controls and Standards Committee – Director Cook. The Committee met November 13, 2023; next meeting December 11, 2023 at 1:30 p.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 6, 2023; next meeting January 8, 2024 at 1:30 p.m. in the Board Room and as a virtual meeting.
- d. Report of the Landscape Committee – Director Lewis. The Committee met on November 2, 2023; next meeting December 7, 2023 at 9:30 a.m. in the Board Room and as a virtual meeting.
- e. Report of the Water Conservation Committee – Director Zalon. The Committee met on July 27, 2023; next meeting TBA.
- f. Report of the Resident Policy and Compliance Committee – Director Laws. The Committee met on October 24, 2023; next meeting November 29, 2023 at 9:30 a.m. in the Board Room and as a virtual meeting.
- g. Report of Third Garden Villa Recreation Room Subcommittee – Director Park. The Committee met on November 1, 2023: next meeting TBA.

14. GRF Committee Highlights

- a. GRF Community Activities Committee – Director Laws. This Committee met on November 9, 2023; the next meeting is December 14, 2023 at 1:30 p.m. in the Board Room and as a virtual meeting.
- b. Mobility and Vehicles Committee – Director Yun. This Committee met on November 6, 2023; the next meeting is February 7, 2024 at 1:30 p.m. in the Board Room.

- c. GRF Landscape Committee – Director Lewis. This committee met on November 8, 2023; the next meeting is February 14, 2024 at 1:30 p.m. in the Board Room and as a virtual meeting.
- d. GRF Media and Communications Committee – Director Cook. The Committee met on November 20, 2023; the next meeting is January 15, 2024 at 1:30 p.m. in the Board Room.
- e. GRF Finance Committee – Director Ginocchio. The Committee met on October 18, 2023; next meeting December 20, 2023, at 1:30 p.m. in the Board Room and as a virtual meeting.
- f. GRF Purchasing Task Force Committee – Director Ginocchio. The Committee met on October 23, 2023; next meeting is TBA.
- g. Information Technology Advisory Committee – Director Laws. This closed Committee last met on October 27, 2023; next meeting is TBA.
- h. GRF Security and Community Access Committee – Director Park. This Committee last met on October 25, 2023, and the next meeting is December 27, 2023, at 1:30 p.m. in the Board Room and as a virtual meeting.
- i. Report of the Laguna Woods Village Traffic Hearings – Director Park. The hearings were held on November 15, 2023; next meeting December 20, 2023.
- j. Space Planning Ad Hoc Committee – Director Ginocchio. This Ad Hoc Committee last met on November 22, 2023; next meeting TBA.
- k. Finance Advisory Group – Director Ginocchio. This Group last met on November 15, 2023; next meeting TBA.
- l. The following GRF Committees have not met since the last Third Board Meeting of October 17, 2023:
 - i. Clubhouse Facilities Removation Ad Hoc Committee – Director Engdahl. This Committee met on March 15, 2023; the next meeting is TBA.
 - ii. Website Ad Hoc Committee – Director Laws. The Committee last met on May 22, 2023; the next meeting is TBA.
 - iii. GRF Maintenance & Construction Committee – Director Engdahl. The Committee met on October 11, 2023; next meeting December 13, 2023, at 9:30 a.m. in the Board Room and as a virtual meeting.
 - iv. GRF Broadband Ad Hoc Committee – Director Cook. This closed Committee last met on October 16, 2023; the next meeting is TBA.
 - v. Disaster Preparedness Task Force – Director Park. The task force met on September 26, 2023; the next meeting is November 28, 2023 at 9:00 a.m. in the Board Room.
 - vi. Compliance Ad Hoc Committee – Director Ginocchio. This Committee met on October 5, 2023; next meeting TBA.

15. Future Agenda Items-- *All matters listed under Future Agenda Items are Resolutions that may be 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.*

- *Revision to Architectural Standard 18: Gutters and Downspouts*
- *Proposed Architectural Standard 11 Exterior Floor Coverings*
- *Updated Fruit Tree Policy*

16. Directors' Comments

17. Recess - *At this time the Meeting will recess for lunch and reconvene to Executive Session with the Executive Committee to discuss the following matters per California Civil Code §4935.*

Closed Executive Committee Session Agenda

Approval of Agenda

Approval of the Minutes

(a) October 17, 2023 – Regular Closed Executive Committee Meeting

(b) November 3, 2023 – Special Closed Board Meeting

(c) November 9, 2023 – Special Closed Board 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, October 17, 2023 - 9:30 a.m.
Laguna Woods Village Community Center
Board Room/Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

Directors Present: Mark Laws, Ralph Engdahl, N. Cris Prince, Andrew Ginocchio, Nathaniel Ira Lewis, S.K. Park, Cush Bhada, Jim Cook, Jules Zalon (entered meeting at 9:50 a.m.), Moon Yun (entered the meeting at 11:18 a.m.)

Directors Absent: Brad Rinehart (excused)

Staff Present: Siobhan Foster-CEO, Makayla Schwietert, Paul Nguyen, Eric Nunez, Bart Mejia, Carlos Rojas, Steve Hormuth, Bob Merget, Blessilda Wright

Others Present: VMS – None
GRF – Egon Garthoffner
United – None
VMS – Wei Ming Tao

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 Cook led the Pledge of Allegiance.

3. Approval of Agenda

President Laws asked for a motion to approve the agenda.

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

Director Prince requested the removal of the 28-day notice for Item 11c as it does not require it.

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

4. Approval of Minutes

- a. September 13, 2023 – Special Open Meeting**
- b. September 19, 2023 – Regular Board Meeting**
- c. September 29, 2023 – Special Open Meeting**
- d. October 5, 2023 – Annual Meeting**
- e. October 5, 2023 – Organizational Meeting**
- f. October 6, 2023 – Agenda Prep Meeting**

Director Prince made a motion to approve the minutes of September 13, 2023 – Special Open Meeting, September 19, 2023 – Regular Board Meeting, September 29, 2023 – Special Open Meeting, October 5, 2023 – Annual Meeting, October 5, 2023 – Organizational Meeting, and October 6, 2023 – Agenda Prep Meeting. Director Lewis seconded.

Hearing no changes or objections, the minutes were approved by consent.

5. Report of the Chair

President Laws commented on the following:

- Recent Election and the low turn out
- 3 incumbent Directors & 1 new Director

6. Open Forum (Three Minutes per Speaker)

- A member commented on The Foundation of Laguna Woods Village
- A member commented out of order on an ongoing damage restoration issue and spoke as Item 10.f of Unfinished Business (discussed later in the meeting)

7. Responses to Open Forum Speakers

- President Laws thank the member for the update from The Foundation of Laguna Woods Village
- Director Park responded to the members damage restoration issue

8. CEO Report

CEO Siobhan Foster reported on:

- Orange County Vector Control District
- Mosquito Control
- Laguna Beach Animal Services Division
- Coyotes and Our Community
- Gutter Cleaning Program
- Employee Health Insurance
- Communications
- Escrow Notification System
- General Services- Trash Services
- IT/Resident Services
- Employee Excellence Awards

- Cal-Trans On-Ramp Closure
- Fall Real Estate Forum

CEO Foster answered questions from the Board.

- 9. 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 Engdahl 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 August 2023, and by this vote ratify that such review be confirmed in this month's Board Member Open Session Meeting minutes per Civil Code §5501.

b. Recommendation from the Finance Committee

1. Approve a Resolution for Recording a Lien against Member ID # 931-630-71

RESOLUTION 03-23-118

Recording of a Lien

WHEREAS, Member ID 931-630-71; 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, October 17, 2023, that the Board of Directors hereby approves the recording of a Lien for Member ID 931-630-71 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.

2. Approve a Resolution for Recording a Lien against Member ID # 931-510-14

RESOLUTION 03-23-119

Recording of a Lien

WHEREAS, Member ID 931-510-14; is currently delinquent to Third Laguna Hills Mutual with regard to the monthly assessment; and

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

NOW THEREFORE BE IT RESOLVED, October 17, 2023, that the Board of Directors hereby approves the recording of a Lien for Member ID 931-510-14 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.

3. Approve a Resolution for Recording a Lien against Member ID # 933-800-30

RESOLUTION 03-23-120

Recording of a Lien

WHEREAS, Member ID 933-800-30; is currently delinquent to Third Laguna Hills Mutual with regard to the monthly assessment; and

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

NOW THEREFORE BE IT RESOLVED, October 17, 2023, that the Board of Directors hereby approves the recording of a Lien for Member ID 933-800-30 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 – None**
- d. **Recommendation from the Architectural Controls and Standards Committee – None**

10. Unfinished Business

- a. **Entertain a Motion to Amend the Administrative Fee for Damage Reimbursement (September initial notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**

Director Prince read the following resolution:

RESOLUTION 03-23-121

Revised Administrative Fee for Damage Reimbursements

WHEREAS, pursuant to Civil Code §5855, the Mutual is required to hold hearings to impose any monetary charges to reimburse the Mutual for costs incurred in the repair of damage to the common area, or facilities caused by the actions or inactions of a member, his or her tenant, guest, invitee, or vendor; and

WHEREAS, significant staff time is necessary to investigate, document, and prepare concise reports for the Damage Reimbursement Hearings; and

WHEREAS, the previous policy only applied the administrative fee to damage reimbursements over one thousand dollars; and

WHEREAS, the Mutual has seen an increase in administrative costs related to these damage reimbursement proceedings;

NOW THEREFORE BE IT RESOLVED, October 17, 2023, that the Board of Directors hereby adopts a Revised Administrative Fee Policy for Damage Reimbursements; and

RESOLVED FURTHER, effective October 17, 2023, the fee for costs related to damage reimbursement proceedings will be a minimum of \$20.00 or ten percent of the total reimbursement, for all decisions, regardless of the amount, whichever is greater; and

RESOLVED FURTHER, this fee would become applicable at the point the hearing notification is generated, as at that point, additional staff work is involved; and

RESOLVED FURTHER, Resolution 03-18-157, adopted on November 29, 2018, is hereby superseded and canceled; and

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

Director Cook made a motion to approve the resolution for Revised Administrative Fee for Damage Reimbursements. Director Ginocchio seconded.

Hearing no changes, the motion was called to a vote and passed 8-0-1. President Laws abstained.

b. Entertain a Motion to Approve Eliminate Demolition Consent Requirements & Associated Fees (September initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)

Bart Mejia, Assistant Director and Facilities Engineer, discussed Eliminate Demolition Consent requirements & Associated Fees.

Director Lewis and Director Cook requested the additional wording that will be provided by the Board.

RESOLUTION 03-23-XX

Alteration Fee Schedule

WHEREAS, alteration and variance requests require significant staff time for proper processing, including research, report preparation, presentation to the appropriate committee and Board; and

WHEREAS, in order to offset a portion of the administrative costs associated with processing alteration applications, the Board has adopted an Alterations Fee Schedule; and

WHEREAS, the attached revisions to the Alteration Fee Schedule are recommended to be approved by the Board; and

WHEREAS, the new Alteration Fee Schedule better aligns the fees with the administrative time it takes to process each task;

NOW THEREFORE BE IT RESOLVED, November 21, 2023, that the

Board hereby adopts the revised Alteration Fee Schedule as attached to the official minutes of this meeting and this resolution; and

RESOLVED FURTHER, that the following sections from prior resolutions remain valid:

- (1) The mutual consent processing fee for Solar Panel installation is to be calculated based on 4.7 hours charged at the current bill rates; and the mutual consent processing fee for Solar Panel installation requests is set at the initial rate of \$223 for 2023 and will be adjusted annually with the adoption of the new bill rates; and
- (2) The approval of variances for the use of common areas that extend beyond the original floorplan and that meet the requirements of Civil Code Section 4600, requires the execution and recordation of a Recordable Exclusive Use of Common Area Revocable License; that a flat legal fee of \$750 for the preparation of these agreements as a pass-through charge to the Mutual's legal team is adopted; and the processing of agreements for all other approved variances, including exclusive use common area as recognized within the footprint of the property, will utilize a Counsel- prepared and approved boilerplate form at no additional charge to the member;

RESOLVED FURTHER, that replacing all references to Demolition Mutual Consents with Pre-Construction Mutual Consents better defines the proposed activity without triggering unneeded regulatory requirements; and

RESOLVED FURTHER, that Resolution 03-23-111 adopted September 19, 2023 is hereby superseded and canceled; and

RESOLVED FURTHER, that future revisions to the Alteration Fee Schedule will be included with the Annual Assessment Letter Packet that the Finance

Department issues every year in November under the Architectural Review Procedures section of the Annual Policy Statement; and

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

Director Cook made a motion to approve the Resolution for Alteration Fee Schedule for discussion purposes and to postpone the final vote for 28-days per Civil Code §4360. Director Bhada seconded the motion.

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

c. Entertain a Motion to Approve the Revision to Architectural Standard 31: Washer and Dryer Installations (January initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)

Mr. Mejia discussed the Revision to Architectural Standard 31: Washer and Dryer Installations.

Mr. Mejia answered questions from the Board.

The Board requested staff to make modifications to the item.

RESOLUTION 03-23-XX

STANDARD 31: WASHER AND DRYER INSTALLATIONS

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

WHEREAS, the Architectural Control and Standards Committee recognizes the need to revise Alteration Standard 31: Washer and Dryer Installations;

NOW THEREFORE BE IT RESOLVED, November 21, 2023, that the Board of Directors of this Corporation hereby adopts Standard 31: Washer and Dryer Installations as attached to the official meeting minutes; and

RESOLVED FURTHER, that Resolution 03-18-156 adopted November 29, 2018, is hereby superseded in its entirety and no longer in effect; and

RESOLVED FURTHER, all washer and dryers installed in three story buildings with a Mutual Consent prior to November 21, 2023, 2023 continue to be “grandfathered”; and

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

Director Cook made a motion to approve the Resolution for Standard 31: Washer and Dryer Installations for discussion purposes and to postpone the final vote for 28-days per Civil Code §4360. Director Lewis seconded the motion.

Multiple members commented on this item.

The Board responded to the members comments.

Hearing no changes, the motion was called to a vote and passed 5-3-1. Director Park, Director Zalon, and Director Engdahl voted against, and Director Bhada abstained.

d. Entertain a Motion to Approve the Revised Stepping Stone Resolution and Guidelines (September initial notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)

Director Prince read the following resolution:

RESOLUTION 03-23-122

Stepping Stone Policy and Guidelines

WHEREAS, on January 16, 2007, that the Board of Directors adopted Resolution 03-07-02 Approval to Revoke Alteration Standard Section 36 – Stepping Stones; and

WHEREAS, Resolution 03-07-02, revoked the standard for stepping stones and required a variance application to the Architectural Committee; and

WHEREAS, the Landscape Committee determined that stepping stones are temporary in nature and are placed within common area landscaping; and

WHEREAS, the Landscape Committee determined that requiring a landscape request form application may unduly restrictive during the resale process and could be simplified by landscape management review;

NOW THEREFORE BE IT RESOLVED, October 17, 2023 the Board of Directors introduces the change from mandatory landscape request form and consideration thereof shall be performed by Landscape Management; and

RESOLVED FURTHER, all new stepping stone installations shall be performed following the attached Stepping Stone Guidelines and all existing stepping stone installations not previously approved by Variance or Standard shall be reviewed by landscape management staff for adherence to the Stepping Stone Guidelines; and

RESOLVED FURTHER, all existing stepping stone installations not previously approved

by Variance or Standard, and found not in adherence to the Stepping Stone Guidelines may be reviewed through the landscape request form process; and

RESOLVED FURTHER, Resolution 03-22-17, adopted February 15, 2022, is hereby superseded in their 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.

Director Lewis made a motion to approve the resolution for Stepping Stone Policy and Guidelines. Director Park seconded.

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

e. Entertain a Motion to Approve the Herbicide Spray Guidelines (September initial notification – 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)

Director Prince read the following resolution:

RESOLUTION 03-23-123

Herbicide Spray Cessation Guidelines

WHEREAS, due to staffing levels and the proliferation of invasive kikuyu grass, the only practical way to control weeds in the shrub beds and turf edges is the use of herbicides; and

WHEREAS, some members of Third Mutual have requested that staff not use herbicides in the shrub beds adjacent to their respective units; and

WHEREAS, due to the increased labor associated with hand weeding shrub beds, residents requesting the cessation of herbicide application adjacent to their units should be responsible for the timely removal of weeds and maintenance of the turf edges at the shrub beds; and

WHEREAS, said members of Third Mutual making such requests shall fill out and sign an agreement stating their intention and responsibility to perform the weeding and edging of the shrub beds; and

WHEREAS, the Landscape Department shall retain the responsibility for regular pruning of shrubs and the right to apply herbicides to turf areas, insecticides when necessary;

NOW THEREFORE BE IT RESOLVED, October 17, 2023, the Board of Directors introduces the ability to request cessation of herbicide applications in the shrub bed areas following the filing of a signed No Herbicide Agreement; and

RESOLVED FURTHER, all responsibility of weeding and turf edging in the shrub beds shall become the responsibility of the requesting resident; and

RESOLVED FURTHER, all other routine maintenance of the shrub beds shall remain the responsibility of the Landscape Department; 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 Lewis made a motion to approve the Herbicide Spray Cessation Guidelines. Director Park seconded.

Bob Merget, Landscape Manager, answered questions from the Board.

The Board requested some modifications to the Herbicide Spray Cessation Guidelines.

Multiple members commented on this item.

Hearing no changes, the motion was called to a vote and passed 7-1-1. President Laws voted against, and Director Prince abstained.

11. New Business

a. Entertain a Motion to Adopt the 2024 Third Collections and Lien Enforcement Policy (October initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)

RESOLUTION 03-23-XX

2024 Collection and Lien Enforcement Policy

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

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

NOW THEREFORE BE IT RESOLVED, November 21, 2023, that the Board of Directors hereby adopts the 2024 Third Laguna Hills Mutual Collection

and Lien Enforcement Policy as attached to the official minutes of this meeting; and

RESOLVED FURTHER, the policy statement is provided pursuant to the requirements of California Civil Code section 5310(a)(7) and will be distributed to members in November 2023 as part of the Annual Policy Statement; 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 Park made a motion to approve the Resolution for 2024 Collection and Lien Enforcement Policy for discussion purposes and to postpone the final vote for 28-days per Civil Code §4360. Director Bhada seconded the motion.

Discussion ensued among the Board.

Steve Hormuth, Finance Director, answered questions from the Board.

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

b. Entertain a Motion to Approve the Amended Schedule of Monetary Penalties (October initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)

Blessilda Wright, Compliance Supervisor, discussed Amended Schedule of Monetary Penalties.

RESOLUTION 03-23-XX

Monetary Penalty Schedule

WHEREAS, the Monetary Penalty Schedule is required per Civil Code to identify violations and potential monetary penalties which may be imposed upon a member following a disciplinary hearing by the Board of Directors for violations of the governing documents and rules and regulations by a member, co-occupant, guest or lessee; and

WHEREAS, the Resident Policy and Compliance Committee has recommended amending the Monetary Penalty Schedule to increase the penalty ranges to \$50 - \$2,000;

NOW THEREFORE BE IT RESOLVED, November 21, 2023, that the Board of Directors of this Corporation hereby approves the attached amended Monetary Penalty Schedule; and

RESOLVED FURTHER, that Resolution 03-96-31 adopted May 21, 1996 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 Prince made a motion to approve the Resolution for Monetary Penalty Schedule for discussion purposes and to postpone the final vote for 28-days per Civil Code §4360. Director Lewis seconded the motion.

Discussion ensued among the Board.

Hearing no changes, the motion was called to a vote and passed 6-4-0. Director Zalon, Director Yun, Director Park, and Director Bhada voted against.

c. Entertain a Motion to Approve an Unbudgeted Expense for Landscape Projects

Director Prince read the following resolution:

RESOLUTION 03-22-124

Unbudgeted Expense for Landscape Improvement 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

WHEREAS, September 7, 2023, the Third Mutual Landscape Committee endorsed the recommendation; and

WHEREAS, October 3, 2023, the Third Mutual Finance Committee endorsed the recommendation;

NOW THEREFORE BE IT RESOLVED, on October 17, 2023, that an Unbudgeted expense of \$314,900 has been approved to be used for landscape improvement projects throughout Third Mutual; and

RESOLVED FURTHER, this resolution shall become in full force and effect on October 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.

Director Lewis made a motion to approve the resolution for Unbudgeted Expense for Landscape Improvement Projects. Director Bhada seconded.

Hearing no changes, the motion was called to a vote and passed 9-1-0. Director Park voted against.

d. Update Committee Appointments

RESOLUTION 03-23-125

Third Mutual Committee Appointments

RESOLVED, October 17, 2023, 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~~

Andy Ginocchio, Chair

~~Mark Laws~~

~~Ralph Engdahl~~

~~Cris Prince~~

Cush Bhada

~~Jim Cook~~

~~Ira Lewis~~

~~Jules Zalon~~

Moon Yun

~~Brad Rinehart~~

SK Park

Non-Voting Advisors: Wei-Ming Tao

Architectural Control and Standards Committee (meets monthly)

James Cook, Chair

Cush Bhada

Ralph Engdahl

Nathaniel Ira Lewis

Cris Prince

Andy Ginocchio, Alternate

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

Landscape Committee (meets monthly)

Nathaniel Ira Lewis, Chair

~~Mark Laws~~

~~Jules Zalon~~

Ralph Engdahl

~~SK Park~~

~~Brad Rinehart~~

Cush Bhada, ~~Alternate~~

~~Donna Rane-Szostak~~

~~Moon Yun, Alternate~~

Maintenance and Construction Committee (meets every other month)

Ralph Engdahl, Chair

James Cook

~~Mark Laws~~

Brad Rinehart

Moon Yun

SK Park

Andy Ginocchio, Alternate

Non-voting Advisors: Judith Troutman, Peter Henschel

Executive Hearing Committee (meets monthly)

Mark Laws, Chair

Jim Cook, ~~Alternate~~

Cris Prince

Ralph Engdahl, ~~Alternate~~

Andy Ginocchio, ~~Alternate~~

~~Donna Rane-Szostak, Alternate~~

Resident Policy and Compliance Committee (meets monthly)

Mark Laws, Chair

~~Cush Bhada~~

Moon Yun

Andy Ginocchio

Cris Prince

Nathaniel Ira Lewis

SK Park, Alternate

Non-Voting Advisors: Stuart Hack, Theresa Keegan

Water Conservation Committee (meets quarterly)

~~Donna Rane-Szostak, Chair~~

Jules Zalon, ~~Chair~~

Cush Bhada

Brad Rinehart

Nathaniel Ira Lewis

~~Lee Goldstein, Advisor~~

Garden Villa Recreation Room Subcommittee (meets thrice yearly)

~~Mark Laws, Chair~~

SK Park, ~~Chair~~

Moon Yun

Cush Bhada

~~Donna Rane-Szostak~~

Voting Advisors: Stuart Hack, Lynn Jarrett

Non-Voting Advisors: Lorna Seung

Executive ~~Hearing~~ Committee (can attend Closed Meetings / Executive Sessions)

Mark Laws

Jim Cook
Ralph Engdahl
Andy Ginocchio
Cris Prince
Cush Bhada
Nathaniel Ira Lewis
Moon Yun
SK Park
Brad Rinehart

RESOLVED FURTHER, that Resolution 03-23-114, adopted September 19, 2023, 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 03-23-126

GRF Committee Appointments

RESOLVED, October 17, 2023, 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

Mark Laws

Andy Ginocchio

Cush Bhada, Alternate

~~Jules Zalon, Alternate~~

GRF Finance Committee

~~Donna Rane-Szostak~~

Andy Ginocchio

Moon Yun

Brad Rinehart, Alternate

~~Mark Laws, Alternate~~

GRF Landscape Committee

Nathaniel Ira Lewis

SK Park

~~Jules Zalon~~

Andy Ginocchio, Alternate

GRF Maintenance and Construction Committee

Ralph Engdahl

SK Park

Brad Rinehart, Alternate
~~James Cook, Alternate~~
~~Andy Ginocchio, Alternate~~

Clubhouse Renovation Ad Hoc Committee

Ralph Engdahl
Andy Ginocchio
Moon Yun, Alternate

GRF Media and Communications Committee

Jim Cook
Cris Prince
Moon Yun, Alternate

Mobility and Vehicles Committee

Cush Bhada
Moon Yun
Jim Cook, Alternate

Security and Community Access Committee

S.K. Park
~~Donna Rane-Szostak, Alternate~~

Purchasing Ad Hoc Committee (new)

~~Donna Rane-Szostak~~
Andy Ginocchio
Ralph Engdahl, Alternate

Broadband Ad Hoc Committee

Cris Prince
Jim Cook

Disaster Preparedness

SK Park
Moon Yun
~~Donna Rane-Szostak, Alternate~~

Laguna Woods Village Traffic Hearings

SK Park
Mark Laws, Alternate

IT Technology Advisory Committee (ITAC)

Mark Laws
SK Park

Website Ad Hoc Committee

Mark Laws

~~Donna Rane-Szostak~~

Compliance Ad Hoc Committee

~~Moon Yun~~

~~SK Park~~

Andy Ginocchio

Finance Advisory Group

~~Donna Rane-Szostak~~

Space Planning Ad Hoc Committee

~~Cush Bhada~~

~~Andy Ginocchio~~

~~S.K. Park~~

RESOLVED FURTHER, that Resolution 03-23-67, adopted June 20, 2023, 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 Yun made a motion to approve the resolutions for Third Mutual Committee Appointments and GRF-Third Committee Appointments. Director Engdahl seconded.

Hearing no changes, the motion was called to a vote and passed 9-1-0. Director Zalon voted against.

e. Discuss Establishing a Task Force to define a Members Bill of Rights – (Oral Discussion)

President Laws opened discussion with the Board regarding establishing a task force to define a Members Bill of Rights.

Director Prince commented that this discussion belongs in close session.

Prince made a motion to address item in close session. Director Cook seconded.

Discussion ensued among the Board.

Hearing no changes, the motion was called to a vote and passed 7-3-0. Director Yun, Director Zalon, and Director Bhada voted against.

The Board requested to schedule a Special Closed Meeting with Third Mutual's legal counsel present.

12. Third Mutual Committee Reports

- a. Report of the Finance Committee / Financial Report – Director Ginocchio. The Committee met on October 3, 2023; next meeting December 5, 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 October 9, 2023; next meeting November 13, 2023 at 1:30 p.m. in the Board Room and as a virtual meeting.
- c. Report of the Maintenance and Construction Committee – Director Engdahl. The Committee met on August 30, 2023; next meeting November 6, 2023 at 1:30 p.m. in the Board Room and as a virtual meeting.
- d. Report of the Landscape Committee – Director Lewis. The Committee met on October 11, 2023; next meeting November 2, 2023 at 9:30 a.m. in the Board Room and as a virtual meeting.
- e. Report of the Water Conservation Committee – Director Zalon. The Committee met on July 27, 2023; next meeting, October 26, 2023 at 2:00 p.m. in the Sycamore Room.
- f. Report of the Resident Policy and Compliance Committee – Director Laws. The Committee met on September 27, 2023; next meeting October 24, 2023 at 9:30 a.m. in the Board Room and as a virtual meeting.

13. GRF Committee Highlights

- a. GRF Community Activities Committee – Director Bhada. This Committee met on October 12, 2023; the next meeting is November 9, 2023 at 1:30 p.m. in the Board Room and as a virtual meeting.
- b. GRF Maintenance & Construction Committee – Director Engdahl. The Committee met on October 11, 2023; next meeting December 13, 2023, at 9:30 a.m. in the Board Room and as a virtual meeting.
- c. GRF Broadband Ad Hoc Committee – Director Cook. This closed Committee last met on October 3 & October 16, 2023; the next meeting is TBD.
- d. Disaster Preparedness Task Force – Director Park. The task force met on September 26, 2023; the next meeting is November 28, 2023 at 9:30 a.m. in the Board Room.
- e. Compliance Ad Hoc Committee – Director Ginocchio. This Committee met on October 5, 2023; next meeting TBA.

- f. GRF Purchasing Task Force Committee – Director Ginocchio. The Committee met on October 4, 2023; next meeting is TBA.
- g. Information Technology Advisory Committee – Director Laws. This closed Committee last met on September 29, 2023; next meeting is October 27, 2023 at 1:30 p.m. as a virtual meeting.
- h. Report of the Laguna Woods Village Traffic Hearings – Director Park. The hearings were held on September 20, 2023; next meeting October 18, 2023.
- i. The following GRF Committees have not met since the last Third Board Meeting of September 19, 2023:
 - i. Clubhouse Facilities Renovation Ad Hoc Committee – Director Engdahl. This Committee met on March 15, 2023; the next meeting is TBA.
 - ii. Website Ad Hoc Committee – Director Laws. The Committee last met on May 22, 2023; the next meeting is TBA.
 - iii. Mobility and Vehicles Committee – Director Bhada. This Committee met on August 2, 2023; the next meeting is November 6, 2023 at 1:30 p.m. in the Board Room.
 - iv. GRF Landscape Committee – Director Lewis. This committee met on August 22, 2023; the next meeting is November 8, 2023 at 1:30 p.m. in the Board Room and as a virtual meeting.
 - v. GRF Media and Communications Committee – Director Cook. The Committee met on September 18, 2023; the next meeting is November 20, 2023 at 1:30 p.m. in the Board Room.
 - vi. GRF Security and Community Access Committee – Director Park. This Committee last met on August 23, 2023, and the next meeting is October 25, 2023, at 1:30 p.m. in the Board Room and as a virtual meeting.
 - vii. GRF Finance Committee – Director Ginocchio. The Committee met on August 16, 2023; next meeting October 18, 2023, at 1:30 p.m. in the Board Room and as a virtual meeting.

14. 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.*

- Entertain a Motion to Eliminate Demolition Consent Requirements & Associated Fees
- Entertain a Motion to Approve the Revision to Architectural Standard 31: Washer and Dryer Installation
- Entertain a Motion to Adopt the Third Collections and Lien Enforcement Policy
- Entertain Motion to Approve the Amended Schedule of Monetary Penalties

15. Directors' Comments

- Director Yun commented on the transparency of the Board
- Director Ginocchio commented that the GRF Finance Committee has established two Hoc Committees: Building E Space Planning; and Purchasing

16. Recess - *At this time, the meeting will recess for lunch and reconvene to Executive*

Session to discuss the following matters per California Civil Code §4935.

The meeting was recessed into closed session at 12:56 p.m.

Closed Session Agenda

Approval of Agenda

Approval of the Minutes

(a) September 13, 2023 – Special Closed Meeting

(b) September 19, 2023 – Regular Closed Executive Committee Meeting

(c) September 26, 2023 – Special Closed Executive Committee Meeting

(d) October 6, 2023 – Special Closed Executive Committee Meeting

Discuss and Consider Member Matters

Discuss Personnel Matters

Discuss and Consider Contractual Matters

Discuss and Consider Litigation Matters

17. Adjournment

The meeting was adjourned at 5:01 p.m.

DocuSigned by:

N. Cris Prince

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



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, November 3, 2023 – 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

Directors present: Mark Laws, Nathaniel Ira Lewis, N. Cris Prince, Andy Ginocchio, Jules Zalon, Ralph Engdahl, Jim Cook, Cush Bhada, Moon G. Yun (entered meeting at 9:45 a.m.), S.K. Park, Brad Rinehart

Directors absent: None

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

Others present: None

1. Call Meeting to Order / Establish Quorum

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

2. Approval of the Agenda

President Laws asked for a motion to approve the Agenda.

Director Park made a motion to approve the Agenda. Director Bhada 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 November 21, 2023 Discussion ensued among the Board, and changes were made to the Open and Closed meeting Agendas.

During discussion of a member hearing for a moisture intrusion appeal, Director Zalon objected stating since he is not permitted to attend the hearing, the hearing should not be held.

Upon noting Director Zalon's objection, President Laws asked for a motion to approve the Open and Closed meeting Agendas as amended.

Director Lewis made a motion to approve the amended Open and Closed Meeting Agenda. Director Prince seconded.

Hearing no further objections, the November 21, 2023 amended Open and Closed Meeting Agenda were approved by consent.

4. Directors' Comments

- President Laws commented that there is a Fiduciary Duty Seminar next week on November 9th in the Willow Room at 5 p.m.

5. Adjournment

The meeting was adjourned at 10:01 a.m.

DocuSigned by:

N. Cris Prince

5441FC1E-0518422

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

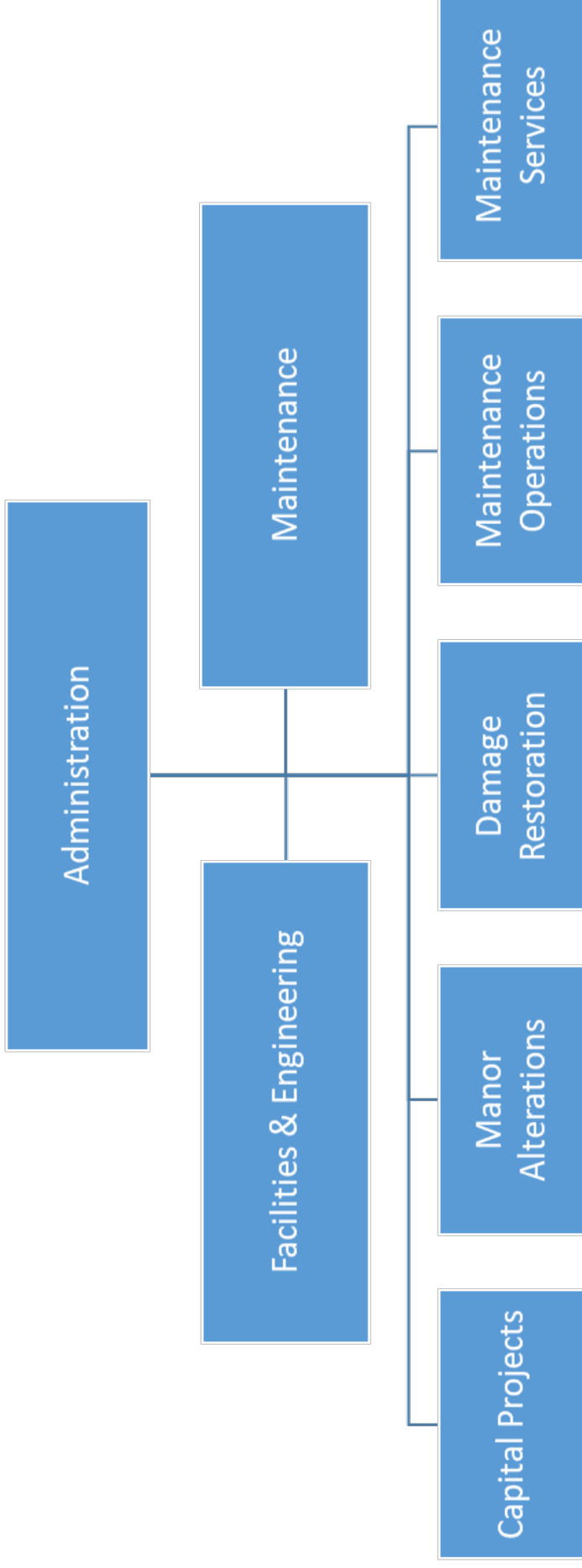
Maintenance & Construction Department Update

November 21, 2023



Department Structure

- \$38.7M annual operating budget
- Budget includes 179 full-time staff positions
- 163 full-time positions filled as of October 2023



Capital Projects

- Street paving and concrete repairs
- Roof replacements
- Clubhouse 1 renovations
- Golf driving range renovations



\$0.375 million



\$2.9 million



\$1.7 million

\$2.6 million

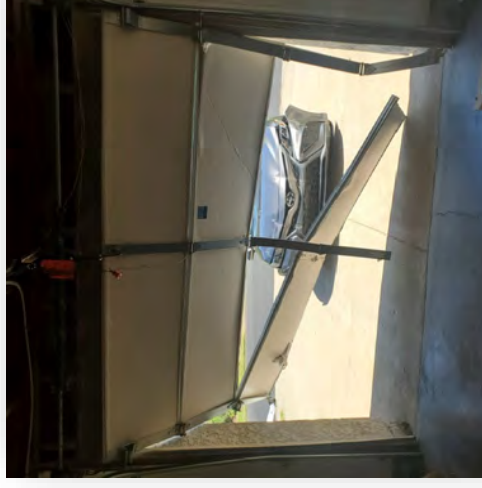


Manor Alterations

- Implementation of streamlined approvals:
 - Mutual consents (1,450 through September 2023)
 - Variances (26 through September 2023)
 - Resale inspections (662 through September 2023)
- Customer service improvements:
 - Website mutual consent status report real-time updates
 - Focus on incoming emails and phone calls
 - Front counter renovation
 - Resident Services window 7
- AQMD asbestos removal town hall:
 - February 24, 2024

Damage Restoration

- Moisture intrusion remediation
- Restoration of mutual property
- 2023 reimbursement cases/hearings:
 - 225 cases cleared resulting in \$725,000+ in reimbursements



Maintenance Services and Operations

- Closed more than 45,500 work order tickets through September 2023, including but not limited to:
 - GRF facility equipment, HVAC, commercial appliances, pool and spa pumps, heaters and boiler room equipment
 - Plumbing and electrical maintenance and repairs
 - Appliance repair and replacement
 - Prior to paint and exterior paint programs
 - Interior and exterior carpentry service requests

Maintenance

- Fumigation
- Dry rot
- Exterior paint
- Epoxy lining

\$0.575 million - 96 buildings



\$5.5 million - 135 buildings



\$3.9 million - 120 buildings



Solar and Energy Programs

- Monitor facility energy consumption, recommend changes to equipment and operations to reduce energy costs
- Audit utility bills, tariff/policy changes, rebates to identify community benefits
- Perform electric vehicle (EV) charging station administration
- Manage solar power operations and maintenance contracts
- Combined photovoltaic solar systems from United and Third Mutual produced over 1.5 million kilowatt hours (kWh); total of 13.5 million kWh have been generated over program lifetime



RESOLUTION 03-23-XX

**Approve the Request
for Removal of One Canary Island Pine
3135-B Via Serena North**

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 October 11, 2023, the Landscape Committee reviewed a request from the Member at 3135-B to remove one Canary Island Pine tree. The Member cited safety concerns; and

WHEREAS, staff inspected the condition of the tree and determined that it was a safety concern due to a high risk of limb failure; 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 Canary Island Pine tree located at 3135-B Via Serena North;

NOW THEREFORE BE IT RESOLVED, November 21, 2023, the Board of Directors approves the request for the removal of one Canary Island Pine tree located at 3135-B Via Serena North; 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)

Revision to for Revision to Demolition Consent Requirements & Associated Fees

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 that the Board of Directors approve the revisions to the Demolition Consent Requirements & Associated Fees.

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STAFF REPORT

DATE: November 21, 2023
FOR: Board of Directors
SUBJECT: Revision to Demolition Consent Requirements & Associated Fees

RECOMMENDATION

Approve a resolution to revise the demolition consent requirements and associated fees.

BACKGROUND

In 2018, in response to a rise in unauthorized alterations which resulted in asbestos materials disturbances, a separate demolition consent was established. The mutual demolition consent was intended to allow for tracking the progress of alteration projects between the demolition and construction phases and to provide staff with the material survey, testing and report while the member continues with the design and City permitting of the project. This practice seems to have created unnecessary steps in the processing and issuance of mutual consents and led to the request by the board to remove this requirement.

The Alteration Fee Schedule (Attachment 1) was last revised in September 2023 by Resolution 03-23-111 (Attachment 2) to update valuation thresholds and to move certain simpler alterations to the flat rate column.

On September 19, 2023, the Third Board reviewed the ACSC recommendation to revise the demolition consent requirements and fees and voted to send the item back to the ACSC for additional revisions.

DISCUSSION

Staff recommends the ACSC consider recommending that the board approve the following revisions to the current demolition requirements and options for members and their consultants and contractors seeking to obtain a Mutual Consent:

Revisions to the Current Demolition Requirements:

The activities that precede build back work have historically been covered under the Demolition Consent process. Members and board members have requested that this activity, which is believed to imply regulatory actions that may not be required, be revised to a more generic activity. The activities approved under this consent include environmental compliance (surveys, regulatory permitting when required and abatement) and removal of materials. As a result of this, it is proposed to replace “Demolition Mutual Consent” with “Pre-Construction Mutual Consent”. The attached fee schedule (Attachment 1) is the first document to be revised (Attachment 3) and its associated resolution (Attachment 4). Other documents that reference “Demolition Mutual Consents” will be revised after board approval of the proposed change.

Options for the Processing of Mutual Consents:

1. Process a single Mutual Consent where removal of building materials are incidental to the proposed work.

Processing a single Mutual Consent for an alteration will expedite the processing of the mutual consent for projects that have been completely designed and are ready to be submitted to the City for plan check and saves the member the cost of a separate Pre-Construction Mutual Consent. This action does not, in any way, waive or eliminate any regulatory requirements such as asbestos surveys, testing and reports. Those regulatory requirements will be imposed by the appropriate regulatory agency or the City. However, the mutual should continue to require the member to submit copies of the final air clearance to the mutual when the air clearance is required by the regulatory agency. A copy of the air clearance will allow staff to release any holds placed on the manor entered for the safety of VMS employees and its contractors.

Upon receipt of a complete mutual consent application, staff will collect the appropriate mutual consent fees and issue the mutual consent. The City will not issue any permits until there is an approved mutual consent on file. As per current standard procedure, a 'regulated materials' hold will be placed on a manor at the time the mutual consent for alteration work is issued to the member and will only be removed, once appropriate documents, if required by the regulatory agency, are provided to manor alterations staff showing the manor meets state requirements for re-entry.

2. Process a separate Pre-Construction Mutual Consent followed by a Mutual Consent for the balance of the work.

This is the current practice and offers the advantage of initiating hazardous material surveys, obtaining approvals from regulatory agencies and completing any required abatement while plans are being finalized. This is particularly advantageous for projects that need to be completed within a specified schedule.

On October 09, 2023 the ACSC reviewed and voted unanimously to recommend that the Board of Directors approve the revisions to the demolition consent requirements and associated fees.

FINANCIAL ANALYSIS

Based on the Mutual Consent Processing Analysis, it is anticipated that the projected revenue for 2024 will be reduced by \$4,500. The amount of staff time spent on processing Pre-Construction Mutual consents will be freed up to enhance efficiency for processing other manor alterations functions.

Prepared By: Baltazar Mejia, Maintenance & Construction Assistant Director
Reviewed By: Manuel Gomez, Maintenance & Construction Director

ATTACHMENT(S)

Attachment 1 – Current Alteration Fee Schedule
Attachment 2 – Current Resolution 03-23-111
Attachment 3 – Redlined Alteration Fee Schedule
Attachment 4 – Revised Resolution 03-23-XX and Alteration Fee Schedule

For items not listed, please contact Manor Alterations at (949) 597-4616 or alterations@vmsinc.org

Alteration Fee Legend	
Valuation	Fee
Less than \$750	\$50
\$751 to \$2,000	\$77
\$2,001 to \$4,000	\$168
\$4,001 to \$10,000	\$280
\$10,001 to \$20,000	\$392
\$20,001 to \$29,999	\$504
Above \$30,000	\$700

Type	Fee
Demolition Fee	\$50
Variance Processing Fee	\$150
Unauthorized Alteration Fee (Applicable to alterations that require City of Laguna Woods building permits)	\$300
Solar Application Processing Fee	\$223
Legal Fee for the preparation of a Recordable Exclusive Use of Common Area Revocable License Agreement for the use of common areas that extend beyond the original floorplan to be collected after board approval of the variance	\$750



Alteration Fee Schedule (Continued)

Notes

- Per Resolution 03-23-111, future revisions to the Alteration Fee Schedule will be included with the Annual Assessment Letter Packet that the Finance Department issues every year in November under the Architectural Review Procedures section of the Annual Policy Statement.
- The approval of variances for the use of common areas that extend beyond the original floorplan and that meet the requirements of Civil Code Section 4600, requires the execution and recordation of a Recordable Exclusive Use of Common Area Revocable License. The processing of agreements for all other approved variances, including exclusive use common area as recognized within the footprint of the property, will utilize a Counsel-prepared and approved boilerplate form at no additional charge to the member.
- Some Alterations may require a Demolition Mutual Consent, which carries a \$50 fee. To confirm if your Alteration will require a Demolition Mutual Consent, please contact Manor Alterations.
- Alteration Fees are paid via credit card upon approval of a completed Mutual Consent application. Manor Alterations will contact applicants directly upon approval to collect payment.
- The following fees, as appropriate to the nature of the work, apply to work completed without a Mutual Consent: Unauthorized alteration fee + Demolition fee + Mutual Consent fee + Variance fee (if applicable).
- Variance Processing Fees are in addition to any fees incurred via Mutual Consent processing.



RESOLUTION 03-23-111

Alteration Fee Schedule

WHEREAS, alteration and variance requests require significant staff time for proper processing, including research, report preparation, presentation to the appropriate committee and Board; and

WHEREAS, in order to offset a portion of the administrative costs associated with processing alteration applications, the Board has adopted an Alterations Fee Schedule; and

WHEREAS, the attached revisions to the Alteration Fee Schedule are recommended to be approved by the Board; and

WHEREAS, the new Alteration Fee Schedule better aligns the fees with the administrative time it takes to process each task;

NOW THEREFORE BE IT RESOLVED, September 19, 2023, that the Board hereby adopts the revised Alteration Fee Schedule as attached to the official minutes of this meeting and this resolution; and

RESOLVED FURTHER, that the following sections from prior resolutions remain valid:

(1) The mutual consent processing fee for Solar Panel installation is to be calculated based on 4.7 hours charged at the current bill rates; and the mutual consent processing fee for Solar Panel installation requests is set at the initial rate of \$223 for 2023 and will be adjusted annually with the adoption of the new bill rates; and

(2) The approval of variances for the use of common areas that extend beyond the original floorplan and that meet the requirements of Civil Code Section 4600, requires the execution and recordation of a Recordable Exclusive Use of Common Area Revocable License; that a flat legal fee of \$750 for the preparation of these agreements as a pass-through charge to the Mutual's legal team is adopted; and the processing of agreements for all other approved variances, including exclusive use common area as recognized within the footprint of the property, will utilize a Counsel- prepared and approved boilerplate form at no additional charge to the member;

RESOLVED FURTHER, that Resolution 03-23-43 adopted April 18, 2023 and Resolution 03-23-69 adopted June 20, 2023 are hereby superseded and canceled; and

RESOLVED FURTHER, that future revisions to the Alteration Fee Schedule will be included with the Annual Assessment Letter Packet that the Finance Department issues every year in November under the Architectural Review Procedures section of the Annual Policy Statement; and

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



Alteration Fee Schedule

Visit www.lagunawoodsvillage.com for Mutual Standards and Standard Plans

All items below require HOA Mutual Consent from Manor Alterations.

A City Permit may also be required. Contact the City Building Permits office for permitting requirements.

For items not listed, please contact Manor Alterations at (949) 597-4616 or alterations@vmsinc.org

\$50 Alteration Processing Fee	
Alteration Type	
Acoustic Ceiling Removal	
Awnings (Standard, Less than 54")	
Awnings (Powered)	
HVAC (No Increase in Amperage)	
Tub Replacement	
Block Walls (Less than 48" H)	
Block Walls (More than 48" H)	
Planter Wall	
Dishwasher (New Installation)	
Door Revision (Exterior)	
Electrical	
Exhaust Fan	
Fences (Less than 84") and Gates	
Floor Coverings (Exterior)	
Flooring (Vinyl)	
Gutters and Downspouts	
Metal Drop Shades	
Modesty Panels (Balcony)	
Patio Slab Revision	
Patio Wall Revision	
Plumbing	
Sliding Glass Doors (Retrofit)	
Soft Water System (Independent)	
Soft Water System (Connected to Water Heater)	
Solar Tubes	
Storage Cabinets (Carpport)	
Tub to Tub Replacement	
Windows (Retrofit)	
Shades (Roll-up)	

Alteration Fees Based on Valuation	
Alteration Type	
Air Conditioner (Through the Wall)	
Bathroom Addition (Split)	
Central HVAC (New Installation)	
Atrium, Balcony, Patio Covers (Replacement or New Installation)	
Doors (New Construction)	
Atrium, Balcony, Patio Enclosures	
French Doors (New Installation)	
Garden Room, Solarium	
Heat Pumps (New Installation through Wall)	
Man Doors (New Installation)	
Plumbing (New Installation or Relocation)	
Room Addition	
Shower to Shower Replacement	
Skylights	
Sliding Glass Doors (New Installation)	
Tub to Shower Installation	
Wall Revisions	
Washer and Dryer (New Installation)	
Water Heater (Relocation)	
Windows (New Construction)	

Alteration Fee Legend	
Valuation	Fee
Less than \$750	\$50
\$751 to \$2,000	\$77
\$2,001 to \$4,000	\$168
\$4,001 to \$10,000	\$280
\$10,001 to \$20,000	\$392
\$20,001 to \$29,999	\$504
Above \$30,000	\$700

Other Fees

Type	Fee
Demolition-Fee Pre-Construction Mutual Consent	\$50
Variance Processing Fee	\$150
Unauthorized Alteration Fee (Applicable to alterations that require City of Laguna Woods building permits)	\$300
Solar Application Processing Fee	\$223
Legal Fee for the preparation of a Recordable Exclusive Use of Common Area Revocable License Agreement for the use of common areas that extend beyond the original floorplan to be collected after board approval of the variance	\$750



Alteration Fee Schedule (Continued)

Notes

- Per Resolution 03-23-111, future revisions to the Alteration Fee Schedule will be included with the Annual Assessment Letter Packet that the Finance Department issues every year in November under the Architectural Review Procedures section of the Annual Policy Statement.
- The approval of variances for the use of common areas that extend beyond the original floorplan and that meet the requirements of Civil Code Section 4600, requires the execution and recordation of a Recordable Exclusive Use of Common Area Revocable License. The processing of agreements for all other approved variances, including exclusive use common area as recognized within the footprint of the property, will utilize a Counsel-prepared and approved boilerplate form at no additional charge to the member.
- Some Alterations may require a ~~Demolition~~ Pre-Construction Mutual Consent, which carries a \$50 fee. To confirm if your Alteration will require a ~~Demolition~~ Pre-Construction Mutual Consent, please contact Manor Alterations.
- Alteration Fees are paid via credit card upon approval of a completed Mutual Consent application. Manor Alterations will contact applicants directly upon approval to collect payment.
- The following fees, as appropriate to the nature of the work, apply to work completed without a Mutual Consent: Unauthorized alteration fee + ~~Demolition~~ Pre-Construction Mutual Consent fee + Mutual Consent fee + Variance fee (if applicable).
- Variance Processing Fees are in addition to any fees incurred via Mutual Consent processing.

For items not listed, please contact Manor Alterations at (949) 597-4616 or alterations@vmsinc.org

Alteration Fee Legend	
Valuation	Fee
Less than \$750	\$50
\$751 to \$2,000	\$77
\$2,001 to \$4,000	\$168
\$4,001 to \$10,000	\$280
\$10,001 to \$20,000	\$392
\$20,001 to \$29,999	\$504
Above \$30,000	\$700

Type	Fee
Pre-Construction Mutual Consent	\$50
Variance Processing Fee	\$150
Unauthorized Alteration Fee (Applicable to alterations that require City of Laguna Woods building permits)	\$300
Solar Application Processing Fee	\$223
Legal Fee for the preparation of a Recordable Exclusive Use of Common Area Revocable License Agreement for the use of common areas that extend beyond the original floorplan to be collected after board approval of the variance	\$750



Alteration Fee Schedule (Continued)

Notes

- Per Resolution 03-23-111, future revisions to the Alteration Fee Schedule will be included with the Annual Assessment Letter Packet that the Finance Department issues every year in November under the Architectural Review Procedures section of the Annual Policy Statement.
- The approval of variances for the use of common areas that extend beyond the original floorplan and that meet the requirements of Civil Code Section 4600, requires the execution and recordation of a Recordable Exclusive Use of Common Area Revocable License. The processing of agreements for all other approved variances, including exclusive use common area as recognized within the footprint of the property, will utilize a Counsel-prepared and approved boilerplate form at no additional charge to the member.
- Some Alterations may require a Pre-Construction Mutual Consent, which carries a \$50 fee. To confirm if your Alteration will require a Pre-Construction Mutual Consent, please contact Manor Alterations.
- Alteration Fees are paid via credit card upon approval of a completed Mutual Consent application. Manor Alterations will contact applicants directly upon approval to collect payment.
- The following fees, as appropriate to the nature of the work, apply to work completed without a Mutual Consent: Unauthorized alteration fee + Pre-Construction Mutual Consent fee + Mutual Consent fee + Variance fee (if applicable).
- Variance Processing Fees are in addition to any fees incurred via Mutual Consent processing.



RESOLUTION 03-23-XX

Alteration Fee Schedule

WHEREAS, alteration and variance requests require significant staff time for proper processing, including research, report preparation, presentation to the appropriate committee and Board; and

WHEREAS, in order to offset a portion of the administrative costs associated with processing alteration applications, the Board has adopted an Alterations Fee Schedule; and

WHEREAS, the attached revisions to the Alteration Fee Schedule are recommended to be approved by the Board; and

WHEREAS, the new Alteration Fee Schedule better aligns the fees with the administrative time it takes to process each task;

NOW THEREFORE BE IT RESOLVED, November 21, 2023, that the Board hereby adopts the revised Alteration Fee Schedule as attached to the official minutes of this meeting and this resolution; and

RESOLVED FURTHER, that the following sections from prior resolutions remain valid:

(1) The mutual consent processing fee for Solar Panel installation is to be calculated based on 4.7 hours charged at the current bill rates; and the mutual consent processing fee for Solar Panel installation requests is set at the initial rate of \$223 for 2023 and will be adjusted annually, not to exceed statutory limits that apply to cities, with the adoption of the new bill rates; and

(2) The approval of variances for the use of common areas that extend beyond the original floorplan and that meet the requirements of Civil Code Section 4600, requires the execution and recordation of a Recordable Exclusive Use of Common Area Revocable License; that a flat legal fee of \$750 for the preparation of these agreements as a pass-through charge to the Mutual's legal team is adopted; and the processing of agreements for all other approved variances, including exclusive use common area as recognized within the footprint of the property, will utilize a Counsel- prepared and approved boilerplate form at no additional charge to the member;



RESOLVED FURTHER, that replacing all references to Demolition Mutual Consents with Pre-Construction Mutual Consents better defines the proposed activity without triggering unneeded regulatory requirements; and

RESOLVED FURTHER, that Resolution 03-23-111 adopted September 19, 2023 is hereby superseded and canceled; and

RESOLVED FURTHER, that future revisions to the Alteration Fee Schedule will be included with the Annual Assessment Letter Packet that the Finance Department issues every year in November under the Architectural Review Procedures section of the Annual Policy Statement; and

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

SEPTEMBER INITIAL NOTIFICATION: 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied.

ENDORSEMENT (to Board)

Revision to Architectural Standard No. 31 – Washer and Dryer 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 that the Board of Directors approve the revisions to the Architectural Standard No. 31 – Washer and Dryer Installations.

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STAFF REPORT

DATE: November 21, 2023
FOR: Board of Directors
SUBJECT: Revision to Standard 31: Washer & Dryer Installations

RECOMMENDATION

Approve a resolution to revise the Architectural Standard 31: Washer and Dryer Installations.

BACKGROUND

The ACSC initiated a review of the current Standard 31: Washer & Dryer Installation (Attachment 1) and proposed revisions to the Standard to allow for the installation of washers and dryers in 3-story buildings. Standard 31 was last revised in December 2018, via Resolution 03-18-156 (Attachment 2).

DISCUSSION

On January 17, 2023, the Third Board reviewed the initial ACSC recommendation and directed staff to make additional revisions to the Standard and deferred the matter for 28-day member review.

On February 21, 2023, the Third Board again reviewed the proposed revisions and voted to table the matter until the Garden Villa Association (GVA) had an opportunity to discuss the topic at their March 9th meeting.

On March 9, 2023, the GVA discussed the proposed Standard 31 revisions. Extensive discussion took place and included concerns with noise and plumbing. The discussion also included an option to revise the proposed Standard to only apply to those buildings that have been epoxy coated. There was no consensus in support or against the Standard as presented or for the option that excludes buildings with unlined waste lines.

Since the March GVA meeting, staff reviewed the member comments and suggestions and has drafted a revised Standard for consideration by the board. The attached revised Standard 31 (Attachment 3) reflects the current Building Codes, Municipal Codes, and mutual policies as well as the essence of these comments to allow for the installation of washers and dryers in 3-story buildings. Attachment 4 is a clean copy of the proposed revised Standard and Attachment 5 is the proposed resolution.

On October 09, 2023 the ACSC reviewed and voted unanimously to recommend that the Board of Directors approve the revisions to Standard 31.

FINANCIAL ANALYSIS

The installation of the washers and dryers will be considered an alteration and the installation cost will be the responsibility of the requesting mutual member. It is recommended that if the

proposed installation requires that the waste line be epoxy lined, that the cost that the member pays be reimbursed to the member if the building is scheduled to be epoxy lined within five years of the washer/dryer installation. The reimbursement will be processed on the year the building is budgeted for epoxy lining under the Epoxy Waste Line Remediation program.

Prepared By: Baltazar Mejia, Maintenance & Construction Assistant Director

Reviewed By: Gavin Fogg, Manor Alterations Supervisor

ATTACHMENT(S)

Attachment 1 – Current Standard 31: Washer & Dryer Installations

Attachment 2 – Current Resolution 03-18-156

Attachment 3 – Redlined Revised Standard 31: Washer & Dryer Installations

Attachment 4 – Final Draft Standard 31: Washer & Dryer Installations

Attachment 5 – Proposed Resolution 03-23-XX



STANDARD 31: WASHER & DRYER INSTALLATIONS

APRIL 1991

REVISED DECEMBER 1998, RESOLUTION M3-98-65

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

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

REVISED DECEMBER 2018, RESOLUTION 03-18-156

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 EXTERIOR CABINETS

- 2.1** All patio installations shall be enclosed in a cabinet which meets all manufacturer's requirements.
- 2.2** The cabinet design shall be submitted to the Alterations Division prior to issuance of a Mutual Consent. The design shall address protection of the equipment from the elements.
- 2.3** Cabinets must be obscured from public view (i.e., block wall, closed patio).
- 2.4** Cabinets to be painted to match existing color of building.
- 2.5** Location of unit and/or plumbing connections must be submitted in writing to the the Alterations Division prior to issuance of a Mutual Consent.
- 2.6** A Mutual Consent will be not be issued for manors that do not qualify as determined by existing waste line sizes. Minimum sizes are 3" ABS plastic and 3" cast iron.
- 2.7** All penetrations through existing walls shall be properly flashed and caulked to provide a weather tight seal around all protruding plumbing, electrical and vent lines.

- 2.8 Connections below slab shall be properly vented and covered with sand and "Visqueen" before replacement of concrete.
- 2.9 All hot and cold water supply lines shall be of minimum 1/2" diameter, type L copper.
- 2.10 All pressure lines shall be securely strapped to prevent movement or knocking.
- 2.11 All electrical wiring to be located in walls. No exposed conduit will be permitted.
- 2.12 **The installation of washers and dryers in three-story buildings is prohibited and variance requests for washers and dryers in three-story buildings will not be accepted.**

Note Any penetrations made on Mutual owned flat PVC roofs requires express approval by the Mutual via Mutual Consent and the Mutual Roofing Contractor to perform tie-ins per Mutual Roof Warranty requirements. Failure to do so, will result in corrections being performed by the Mutual and costs incurred, being passed onto the Member.

RESOLUTION 03-18-156**REVISE ALTERATION STANDARD 31: WASHER AND DRY 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 Control and Standard Committee recognizes the need to revise Alteration Standard 31: Washer and Dry Installations; and

WHEREAS, Resolution M3-98-65 ceased the acceptance of variance requests for installations of washers and dryers in three-story buildings and, by inference, "grandfathered" previous permitted installations of washers and dryers.

NOW THEREFORE BE IT RESOLVED, November 29, 2018, that the Board of Directors of this Corporation hereby adopts Alteration Standard 31: Washer and Dry Installations as attached to the official meeting minutes;

RESOLVED FURTHER, that Resolution M3-98-65 adopted December, 1998, is hereby superseded in its entirety and no longer in effect;

RESOLVED FURTHER, all washer and dryers installed in three story buildings with a Mutual Consent prior to December 15, 1998, continue to be "grandfathered;"

RESOLVED FURTHER, all washers and dryers installed after December 15, 1998, or without a Mutual Consent, shall be removed at the sole expense of the owner upon its discovery;

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.

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STANDARD 31: WASHER & DRYER INSTALLATIONS

APRIL 1991

REVISED DECEMBER 1998, RESOLUTION M3-98-65

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

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

REVISED DECEMBER 2018, RESOLUTION 03-18-156

REVISED [DATE], RESOLUTION 03-23-XX

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 SPECIAL REQUIREMENTS

- 2.1** Location of units and/or plumbing connections must be submitted in writing to the Alterations Division prior to issuance of a Mutual Consent.
- 2.2** A Mutual Consent will be not be issued for the installation of new washers and dryers for manors that do not meet the minimum waste line flow calculations.
- 2.3** All hot and cold water supply lines shall be of minimum 1/2" diameter, type L copper or PEX to type L copper in 3rd Mutual as required by the current City-adopted Building code.
- 2.4** All pressure lines shall be securely strapped to prevent movement or knocking.
- 2.5** All electrical wiring to be located in walls. No exposed conduit will be permitted.
- 2.6** Washers and dryers in multi-story buildings on 2nd or 3rd floors with common ceilings/floors or ground floor manors with common walls, must not exceed 73 db and 65 db respectively. All installations must

include commercial grade anti-vibration pads for the legs of the approved appliance.

- 2.7 Any flooring on upper floors which a washer/dryer is being installed must meet field impact insulation class (FIIC) rating of 50 as defined in the American Society for Testing and Materials (ASTM) E 1007 standard as per Standard 11A: Interior Hard-Surface Flooring requirements.

2.03.0 EXTERIOR CABINETS

- 2.13.1 All patio installations shall be enclosed in a cabinet which meets all manufacturer's requirements.

- 2.23.2 The cabinet design shall be submitted to the Alterations Division prior to issuance of a Mutual Consent. The design shall address protection of the equipment from the elements as well as the architecture of the building.

- 2.33.3 Cabinets must be obscured from public view (i.e., block wall, closed patio).

- 2.43.4 Cabinets to be painted to match existing color of building.

- 2.53.5 All penetrations through existing walls shall be properly flashed and caulked to provide a weathertight seal around all protruding plumbing, electrical and vent lines. Location of unit and/or plumbing connections must be submitted in writing to the Alterations Division prior to issuance of a Mutual Consent.

- 2.63.6 Connections below slab shall be properly vented and covered with sand and "Visqueen" before replacement of concrete. A Mutual Consent will be not be issued for manors that do not qualify as determined by existing waste line sizes. Minimum sizes are 3" ABS plastic and 3" cast iron.

- 2.7 All penetrations through existing walls shall be properly flashed and caulked to provide a weather tight seal around all protruding plumbing, electrical and vent lines.

- 2.8 Connections below slab shall be properly vented and covered with sand and "Visqueen" before replacement of concrete.

- 2.9 All hot and cold water supply lines shall be of minimum 1/2" diameter, type L copper

- 2.10 All pressure lines shall be securely strapped to prevent movement or knocking.

~~2.11 All electrical wiring to be located in walls. No exposed conduit will be permitted.~~

4.0 INSTALLATION IN THREE-STORY BUILDINGS

4.1 ~~The installation of washers and dryers in three-story buildings is prohibited and variance requests for washers and dryers in three-story buildings will not be accepted.~~ may be permitted under one of the following conditions:

- a. For building with waste lines that have been recently (less than five years) epoxy-lined, a licensed engineer must confirm that the existing waste line has the capacity to handle the additional flow from these appliances.
- b. For buildings with the original waste lines, a licensed engineer must verify that the existing waste lines have the capacity to handle the additional flow. Any approved installations will require that the waste line be cleared of any obstructions and/or build up from the point of connection in the manor to the sewer main line (Building Main). Depending on the condition of the waste line, the Member may be required to repair, replace or epoxy-line the waste line from the washer to the sewer main line (Building Main). The engineer of record must certify that the waste line meets the requirements of the design.

All work must conform to applicable building code requirements and the mutual specifications for waste line epoxy lining. Once the work is completed and has passed City and mutual inspections, the upgraded plumbing stack will become the responsibility of the mutual. Altered waste lines connecting to the main stack become the responsibility of the member as per current policy.

If the applicant is required to epoxy line the waste line due to the condition of the pipe and if the building is scheduled to be epoxy lined within five years after the installation of the washer, the amount paid by the member to epoxy line the waste line will be reimbursed to the member. Funding for this reimbursement will come from the budget allocations for the Epoxy Waste Line Remediation program.

2.124.2 All installations must have an appropriate plastic pan designed to catch any liquid that may inadvertently leak or be spilled. Exception being those units with built in safety pans.

4.3 All washer connections shall be required to have a leak detecting automatic shut off system installed as per manufacturers requirements and meet current California Plumbing Code at the time of install.

~~2.13~~4.4 New dryers must be ventless unless unfeasible. If a conventional dryer is the only option, all penetrations through existing walls shall be properly flashed and caulked to provide a weathertight seal and any penetrations made on Mutual-owned flat roofs requires express approval by the Mutual via Mutual Consent and the Mutual Roofing Contractor to perform tie-ins per Mutual Roof Warranty requirements. Failure to do so, will result in corrections being performed by the Mutual and costs incurred, being passed onto the Member. For roofs under warranty, the roofing contractor holding the warranty shall be hired to complete the roof tie-in work.



STANDARD 31: WASHER & DRYER INSTALLATIONS

APRIL 1991

REVISED DECEMBER 1998, RESOLUTION M3-98-65

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

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

REVISED DECEMBER 2018, RESOLUTION 03-18-156

REVISED [DATE], RESOLUTION 03-23-XX

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 SPECIAL REQUIREMENTS

- 2.1** Location of units and/or plumbing connections must be submitted in writing to the Alterations Division prior to issuance of a Mutual Consent.
- 2.2** A Mutual Consent will not be issued for the installation of new washers and dryers for manors that do not meet the minimum waste line flow calculations.
- 2.3** All hot and cold water supply lines shall be of minimum 1/2" diameter, type L copper or PEX to type L copper in 3rd Mutual as required by the current City-adopted Building code.
- 2.4** All pressure lines shall be securely strapped to prevent movement or knocking.
- 2.5** All electrical wiring to be located in walls. No exposed conduit will be permitted.
- 2.6** Washers and dryers in multi-story buildings on 2nd or 3rd floors with common ceilings/floors or ground floor manors with common walls, must not exceed 73 db and 65 db respectively. All installations must

include commercial grade anti-vibration pads for the legs of the approved appliance.

- 2.7** Any flooring on upper floors which a washer/dryer is being installed must meet field impact insulation class (FIIC) rating of 50 as defined in the American Society for Testing and Materials (ASTM) E 1007 standard as per Standard 11A: Interior Hard-Surface Flooring requirements.

3.0 EXTERIOR CABINETS

- 3.1** All patio installations shall be enclosed in a cabinet which meets all manufacturer's requirements.
- 3.2** The cabinet design shall be submitted to the Alterations Division prior to issuance of a Mutual Consent. The design shall address protection of the equipment from the elements as well as the architecture of the building.
- 3.3** Cabinets must be obscured from public view (i.e., block wall, closed patio).
- 3.4** Cabinets to be painted to match existing color of building.
- 3.5** All penetrations through existing walls shall be properly flashed and caulked to provide a weathertight seal around all protruding plumbing, electrical and vent lines.
- 3.6** Connections below slab shall be properly vented and covered with sand and "Visqueen" before replacement of concrete.

4.0 INSTALLATION IN THREE-STORY BUILDINGS

- 4.1** The installation of washers and dryers in three-story buildings may be permitted under one of the following conditions:
- a. For building with waste lines that have been recently (less than five years) epoxy-lined, a licensed engineer must confirm that the existing waste line has the capacity to handle the additional flow from these appliances.
 - b. For buildings with the original waste lines, a licensed engineer must verify that the existing waste lines have the capacity to handle the additional flow. Any approved installations will require that the waste line be cleared of any obstructions and/or build up from the point of

connection in the manor to the sewer main line (Building Main). Depending on the condition of the waste line, the Member may be required to repair, replace or epoxy-line the waste line from the washer to the sewer main line (Building Main). The engineer of record must certify that the waste line meets the requirements of the design.

All work must conform to applicable building code requirements and the mutual specifications for waste line epoxy lining. Once the work is completed and has passed City and mutual inspections, the upgraded plumbing stack will become the responsibility of the mutual. Altered waste lines connecting to the main stack become the responsibility of the member as per current policy.

If the applicant is required to epoxy line the waste line due to the condition of the pipe and if the building is scheduled to be epoxy lined within five years after the installation of the washer, the amount paid by the member to epoxy line the waste line will be reimbursed to the member. Funding for this reimbursement will come from the budget allocations for the Epoxy Waste Line Remediation program.

- 4.2** All installations must have an appropriate plastic pan designed to catch any liquid that may inadvertently leak or be spilled. Exception being those units with built in safety pans.
- 4.3** All washer connections shall be required to have a leak detecting automatic shut off system installed as per manufacturers requirements and meet current California Plumbing Code at the time of install.
- 4.4** New dryers must be ventless unless unfeasible. If a conventional dryer is the only option, all penetrations through existing walls shall be properly flashed and caulked to provide a weathertight seal and any penetrations made on Mutual-owned flat roofs requires express approval by the Mutual via Mutual Consent. For roofs under warranty, the roofing contractor holding the warranty shall be hired to complete the roof tie-in work.

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RESOLUTION 03-23-XX

STANDARD 31: WASHER AND DRYER INSTALLATIONS

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

WHEREAS, the Architectural Control and Standards Committee recognizes the need to revise Alteration Standard 31: Washer and Dryer Installations;

NOW THEREFORE BE IT RESOLVED, November 21, 2023, that the Board of Directors of this Corporation hereby adopts Standard 31: Washer and Dryer Installations as attached to the official meeting minutes; and

RESOLVED FURTHER, that Resolution 03-18-156 adopted November 29, 2018, is hereby superseded in its entirety and no longer in effect; and

RESOLVED FURTHER, all washer and dryers installed in three story buildings with a Mutual Consent prior to November 21, 2023, 2023 continue to be “grandfathered”; 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.

OCTOBER 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)

2024 Collections and Lien Enforcement Policy

The 2023 Collection and Lien Enforcement Policy was provided to legal counsel for review. Legal provided a revised 2024 policy to be reviewed and discussed for approval. A motion was made to accept and endorse the 2024 Collections and Lien Enforcement Policy as provided by legal.

Hearing no objection, the motion passed unanimously and will be presented at the next board meeting and be placed on the Consent Calendar and 28-day notice.

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STAFF REPORT

DATE: October 17, 2023
FOR: Finance Committee
SUBJECT: 2024 Collection and Lien Enforcement

RECOMMENDATION

Staff recommends approval of the proposed 2024 Collection and Lien Enforcement Policy (ATT1).

BACKGROUND

Third residents receive a copy of the upcoming year's Collection and Lien Enforcement Policy in accordance with Civil Code 5310(a)(6):

Within 30 – 90 day before the end of its fiscal year, the board shall distribute an annual policy statement that provides the members with information about association policies. The annual policy statement shall include all of the following information:

(6) The statement of assessment collections policies required by Section 5730.

DISCUSSION

Per staff research, there have been no law changes affecting assessment collection policies. Therefore, the content of the policy remains consistent with the 2023 Collection and Lien Enforcement Policy with two exceptions. The two changes highlighted in the redline version of the policy (ATT2) are an update of the title from 2023 to 2024 and an increase in the assessment late charge from \$75.00 to \$80.00. With the approval of the 2024 Business Plan, the total basic assessment in 2024 is \$815.82, therefore a late charge of \$80.00 equals 9.8% of the assessment.

FINANCIAL ANALYSIS

On average, Third has approximately 80 late charges per month. The additional \$5 per late charge is anticipated to equal \$4,800 per year.

Prepared By: Steve Hormuth, Director of Financial Services

Reviewed By: Jose Campos, Assistant Director of Financial Services

ATTACHMENT(S)

Attachment 1: 2024 Collection and Lien Enforcement Policy (Redline)
Attachment 2: 2024 Collection and Lien Enforcement Policy (Clean)
Attachment 3: Resolution 03-23-XX

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2024 COLLECTION AND LIEN ENFORCEMENT POLICY AND PROCEDURES FOR ASSESSMENT DELINQUENCIES

PURPOSE STATEMENT

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

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

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

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

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

BASIC POLICIES AND PROCEDURES

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

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

1. Assessment Due Date

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

2. Reminder Notice

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

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

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

3. Administrative Collection Fee

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

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

4. Late Charge

IT IS THE MEMBER'S RESPONSIBILITY TO ALLOW AMPLE TIME TO DROP OFF OR MAIL ALL PAYMENTS SO THAT THEY ARE RECEIVED BEFORE THEY BECOME DELINQUENT. Any notices or invoices for assessments and/or special assessments will be sent to Members by first-class and/or certified mail addressed to the Member at his/her/their/its address as shown on the books and records of the Mutual^[JP1] and/or by other delivery method required by Civil Code Section 4040 where applicable. However, it is the Member's responsibility to be aware of the assessment payment amounts and due dates and to advise the Mutual of any changes in the Member's mailing address, pursuant to Civil Code Section 4041.

A late payment charge for a delinquent assessment will be assessed in ~~the~~ an amount equal to ten percent (10%) of the delinquent assessment or ten dollars (\$10), whichever is greater, e amount of eighty dollars (\$80) and will be imposed on any assessment payment that is more than fifteen (15) days in arrears. Further, both Civil Code Section 5650 and the Mutual's Governing Documents provide for interest on all sums imposed in accordance with Section 5650, including on delinquent assessment, reasonable fees and costs of collection, and reasonable attorney's fees, which may be imposed thirty (30) days after the assessment is due, at an annual percentage rate of twelve percent (12%). Such interest may be imposed and collected regardless of whether the Member's delinquent account is referred to the Mutual's legal counsel and/or collection agent for handling. Non-assessment fines, fees, and chargeable services are also subject to a late fee and interest, in an amount determined by Board resolution.

5. Demand Letter (aka Pre-Lien Notice)

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

6. Alternate Means to Collect Delinquent Sums

If full payment of the delinquent amount (such as a duly levied and imposed assessment, fine, fee, or chargeable service including associated late charges and interest) is not received by the close of business on the thirtieth (30th) day after the date of a demand letter for payment of same (and with respect to recording a lien against a Member's separate interest in the condominium project ("Manor"), on the ~~thirtieth-forty-fifth~~ ^[JP2] ~~(4530th)~~ day after ~~receipt of mailing~~ a Pre-Lien Notice) the Mutual may, at its option, in accordance with the requirements and conditions herein and applicable law, and based on the circumstances of the delinquency, including but not limited to, the total delinquent amount owing and the Member's payment history, undertake to collect the delinquency by: (1) recording a notice of delinquent assessment (lien); (24) suspending a Member's right (and that of the Resident or Tenant of that Member's Manor) to use Mutual or Golden Rain Foundation of Laguna Woods ("GRF") facilities; (32) termination of the delinquent Member's Membership in the Mutual as a result of any foreclosure; (43) legal actions, discussed further below; or (54) other means permitted by law.

~~A demand letter and/or Pre-Lien Notice is presumed to have been received in the regular course of mail within five (5) days of mailing if the mailing address is within California and within ten (10) days if the~~ Agenda Item # 11c

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

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

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

7. Small Claims Court

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

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

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

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

8. Lien

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

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

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

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

9. Foreclosure/ADR

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

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

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

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

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

10. Board Decision to Initiate Foreclosure

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

If the Board votes to foreclose upon an owner's Manor, the Board shall provide notice by personal service in accordance with the manner of service of summons to an owner of a Manor if the owner occupies the Manor or to their legal representative. For a non-occupying owner, the Board shall provide written notice by first-class mail, postage prepaid, at the most current address shown on the books of the Mutual. In the absence of written notification by a non-occupying owner to the Mutual, the address of the

owner's Manor may be treated as the owner's mailing address.

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

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

11. Non-Judicial Foreclosure/Right of Redemption

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

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

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

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

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

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

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

13. Pre-Lien Notice

Prior to recording a lien against a Member's Manor, the Mutual must send the Member a certified notice providing information regarding the sums claimed as being delinquent ("Pre-Lien Notice"). No lien can be recorded until ~~thirty (30)~~ forty-five (45) days after this Pre-Lien Notice has been given.

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

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

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

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

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

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

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

15. Payment Plan Requests

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

16. Application of Payments

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

17. Secondary Address

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

18. No Right of Offset

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

19. Returned Checks

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

20. Charges and Fees Subject to Change

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

21. Overnight Payments

The mailing address for overnight payment of assessments is:

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

22. Rights Reserved by Mutual

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

23. Attachments

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

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

BOARD OF DIRECTORS

THIRD LAGUNA HILLS MUTUAL

ATTACHMENT A
NOTICE OF
ASSESSMENTS AND FORECLOSURE

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

NOTICE ASSESSMENTS AND FORECLOSURE

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

ASSESSMENTS AND FORECLOSURE

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

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

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

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

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

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

PAYMENTS

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

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

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

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

MEETINGS AND PAYMENT PLANS

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

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

ATTACHMENT B

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

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



2024 COLLECTION AND LIEN ENFORCEMENT POLICY AND PROCEDURES FOR ASSESSMENT DELINQUENCIES

PURPOSE STATEMENT

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

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

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

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

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

BASIC POLICIES AND PROCEDURES

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

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

1. Assessment Due Date

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

2. Reminder Notice

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

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

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

3. Administrative Collection Fee

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

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

4. Late Charge

IT IS THE MEMBER'S RESPONSIBILITY TO ALLOW AMPLE TIME TO DROP OFF OR MAIL ALL PAYMENTS SO THAT THEY ARE RECEIVED BEFORE THEY BECOME DELINQUENT. Any notices or invoices for assessments and/or special assessments will be sent to Members by first-class and/or certified mail addressed to the Member at his/her/their/its address as shown on the books and records of the Mutual and/or by other delivery method required by Civil Code Section 4040 where applicable. However, it is the Member's responsibility to be aware of the assessment payment amounts and due dates and to advise the Mutual of any changes in the Member's mailing address, pursuant to Civil Code Section 4041.

A late payment charge for a delinquent assessment will be assessed in an amount equal to ten percent (10%) of the delinquent assessment or ten dollars (\$10), whichever is greater, and will be imposed on any assessment payment that is more than fifteen (15) days in arrears. Further, both Civil Code Section 5650 and the Mutual's Governing Documents provide for interest on all sums imposed in accordance with Section 5650, including on delinquent assessment, reasonable fees and costs of collection, and reasonable attorney's fees, which may be imposed thirty (30) days after the assessment is due, at an annual percentage rate of twelve percent (12%). Such interest may be imposed and collected regardless of whether the Member's delinquent account is referred to the Mutual's legal counsel and/or collection agent for handling. Non-assessment fines, fees, and chargeable services are also subject to a late fee and interest, in an amount determined by Board resolution.

5. Demand Letter (aka Pre-Lien Notice)

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

6. Alternate Means to Collect Delinquent Sums

If full payment of the delinquent amount (such as a duly levied and imposed assessment, fine, fee, or chargeable service including associated late charges and interest) is not received by the close of business on the thirtieth (30th) day after the date of a demand letter for payment of same (and with respect to recording a lien against a Member's separate interest in the condominium project ("Manor"), on the forty-fifth (45th) day after mailing a Pre-Lien Notice) the Mutual may, at its option, in accordance with the requirements and conditions herein and applicable law, and based on the circumstances of the delinquency, including but not limited to, the total delinquent amount owing and the Member's payment history, undertake to collect the delinquency by: (1) recording a notice of delinquent assessment (lien); (2) suspending a Member's right (and that of the Resident or Tenant of that Member's Manor) to use Mutual or Golden Rain Foundation of Laguna Woods ("GRF") facilities; (3) termination of the delinquent Member's Membership in the Mutual as a result of any foreclosure; (4) legal actions, discussed further below; or (5) other means permitted by law.

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

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

7. Small Claims Court

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

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

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

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

8. Lien

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

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

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

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

9. Foreclosure/ADR

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

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

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

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

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

10. Board Decision to Initiate Foreclosure

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

If the Board votes to foreclose upon an owner's Manor, the Board shall provide notice by personal service in accordance with the manner of service of summons to an owner of a Manor if the owner occupies the Manor or to their legal representative. For a non-occupying owner, the Board shall provide written notice by first-class mail, postage prepaid, at the most current address shown on the books of the Mutual. In the absence of written notification by a non-occupying owner to the Mutual, the address of the

owner's Manor may be treated as the owner's mailing address.

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

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

11. Non-Judicial Foreclosure/Right of Redemption

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

12. Prerequisites to Recording a Lien: Offer of IDR/ADR and Pre-Lien Notice

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

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

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

13. Pre-Lien Notice

Prior to recording a lien against a Member's Manor, the Mutual must send the Member a certified notice providing information regarding the sums claimed as being delinquent ("Pre-Lien Notice"). No lien can be recorded until forty-five (45) days after this Pre-Lien Notice has been given.

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

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

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

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

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

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

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

15. Payment Plan Requests

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

16. Application of Payments

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

17. Secondary Address

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

18. No Right of Offset

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

19. Returned Checks

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

20. Charges and Fees Subject to Change

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

21. Overnight Payments

The mailing address for overnight payment of assessments is:

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

22. Rights Reserved by Mutual

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

23. Attachments

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

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

BOARD OF DIRECTORS

THIRD LAGUNA HILLS MUTUAL

ATTACHMENT A

NOTICE OF

ASSESSMENTS AND FORECLOSURE

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

NOTICE ASSESSMENTS AND FORECLOSURE

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

ASSESSMENTS AND FORECLOSURE

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

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

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

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

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

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

PAYMENTS

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

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

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

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

MEETINGS AND PAYMENT PLANS

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

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

ATTACHMENT B

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

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

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**RESOLUTION 03-23-XX****2024 Collection and Lien Enforcement Policy**

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

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

NOW THEREFORE BE IT RESOLVED, November 21, 2023, that the Board of Directors hereby adopts the 2024 Third Laguna Hills Mutual Collection and Lien Enforcement Policy as attached to the official minutes of this meeting; and

RESOLVED FURTHER, the policy statement is provided pursuant to the requirements of California Civil Code section 5310(a)(7) and will be distributed to members in November 2023 as part of the Annual Policy Statement; and

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

OCTOBER 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 the Third Finance Committee)

Entertain a Motion to amend: Monetary Penalties

The Schedule of Monetary Penalties identifies the violations and potential monetary penalties which may be imposed upon a member following a duly noticed disciplinary hearing. Per California Civil Code, the Member Disciplinary Process and Schedule of Monetary Penalties must be disclosed to the membership yearly. A summary of the process and schedule are included as part of the annual mailing in November. Additionally, per Bylaws, Section 4.5.3, Disciplinary or Suspension Action Authorized, states that the Board is authorized to impose "... a fine for each breach, not to exceed the maximum established in the adopted Schedule of Monetary Penalties."

On July 26, 2023, Chair Laws, presented the Schedule of Monetary Penalties for discussion. The Committee discussed the matter and asked questions.

Director Prince made a motion to update the monetary penalties of the minimum \$50 to a maximum \$2,000. Chair Laws seconded the motion.

By way of vote, 3-1-0 (Director Zalon voted No), the motion passed.

Staff was directed to forward the matter to be reviewed by the Third Finance Committee.

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ENDORSEMENT (to board)

Amend Schedule of Monetary Penalties

Francis Gomez, Operations Manager, presented a staff report recommending an increase to the penalty schedule ranging from \$50-\$2,000. A motion was made and moved by President Mark Laws to accept staff's recommendation of the amended Monetary Penalty schedule as presented. Director Cris Prince seconded. Discussion ensued. By Unanimous decision, the motion passed and will be presented at the subsequent Board meeting.

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STAFF REPORT

DATE: October 17, 2023
FOR: Resident Policy and Compliance Committee
SUBJECT: Schedule of Monetary Penalty

RECOMMENDATION

Entertain a Motion to approve the Schedule of Monetary Penalty.

BACKGROUND

The Schedule of Monetary Penalties identifies the violations and potential monetary penalties which may be imposed upon a member following a duly noticed disciplinary hearing. Per California Civil Code, the Member Disciplinary Process and Schedule of Monetary Penalties must be disclosed to the membership yearly. A summary of the process and schedule are included as part of the annual mailing in November. Additionally, per Bylaws, Section 4.5.3, Disciplinary or Suspension Action Authorized, states that the Board is authorized to impose "... a fine for each breach, not to exceed the maximum established in the adopted Schedule of Monetary Penalties."

On January 19, 1993, the Board of Directors approved the Schedule of Monetary Penalties (Resolution M3-93-14). The Schedule of Monetary Penalties was amended in 1995 and 1996 (Resolutions M3-95-70 and M3-96-31).

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 will monitor the situation and if compliance is not evident, 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 merited, staff will proceed with noticing the Member for a hearing. During a Member Disciplinary Hearing the member has the right to meet 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 Schedule of Monetary Penalties, suspend Member privileges, and/or consider legal action.

On June, 27, 2023, the Committee discussed the matter and determined to table till the next meeting.

DISCUSSION

The Committee requested review of the Schedule of Monetary Penalties.

FINANCIAL ANALYSIS

The Board imposes disciplinary monetary penalties as an action for violation of the governing documents. The penalties range from \$25 - \$500 depending on the specifics of the matter. To date for 2023, the Board held twenty-three (23) hearings and imposed monetary penalties in total of \$4,100.

Prepared By: Blessilda Wright, Compliance Supervisor

Reviewed By: Francis Gomez, Operations Manager

ATTACHMENT(S)

Attachment 1: Schedule of Monetary Penalty Redline

Attachment 2: Schedule of Monetary Penalty Clean

Attachment 3: Resolution Schedule of Monetary Penalty 03-23-XX



SCHEDULE OF MONETARY PENALTIES

The following notice is provided pursuant to Civil Code Section §5310 and §5850.

The following schedules identify the violations and potential monetary penalties which may be imposed upon a member. Such penalties may be imposed following a hearing by Third Laguna Hills Mutual (Third) Board of Directors (Board) for a violation of the governing documents and rules and regulations by the member, co-occupant, guest or lessee.

Type of Violation	Penalty Ranges
Alteration	
Examples: Debris, work without a permit, work beyond the allowed hours, expired permit, noncompliance with approved variance request, use of community trash bins, failure to maintain alteration, etc.	\$50 - \$2,000 \$25- \$500
Clutter Restrictions	
Examples: Balcony, breezeway, carport, common area, interior, patio, vehicle, etc.	\$50 - \$2,000 \$25- \$500
Landscape Restrictions	
Examples: Saucers/casters not present, too many plants (refer to landscape maintenance manual), vegetable plants, vines attached to walls, wind chimes, etc.	\$50 - \$2,000 \$25- \$500
Maintenance/Repair	
Examples: (Major) failure to correct fire, safety, health hazard or other dangerous condition; (minor) broken blinds, etc., violation of the paint program, interior pest policy, moisture intrusion event, etc.	\$50 - \$500 \$2,000
Nonpayment	
Examples: Nonpayment of assessments, chargeable services, disciplinary penalties, facilities or services use charges, traffic citations, etc.	\$50 - \$2,000 \$25- \$500
Nuisance/Harassment Restrictions	
Behavior/Disturbances: Assault, theft, trespassing, yelling, etc.	\$50 - \$2,000 \$25- \$500
Noise: Activities that interfere with quiet enjoyment such as improperly installed hardwood floors, neighbors playing music or television too loud, loud conversation, barking dogs, etc.	\$50 - \$2,000 \$25- \$500

P.O. Box 2220, Laguna Woods, CA 92654-2220

Third Laguna Hills Mutual
Schedule of Monetary Penalties
Page 2 of 3

Odors: Strong cooking odors, BBQ smoke entering other units, etc.	\$50 - \$2,000 \$25 \$500
Visual: Draping articles over balcony rails, etc.	\$50 - \$2,000 \$25 \$500
Health/Safety: Hoarders who allow unsanitary conditions to exist that attract insects and rodents, or residents who wash dog feces and urine off their balcony onto the property below them, etc.	\$50 - \$2,000 \$25 \$500
Violation of laws: Violations of federal, state or local ordinances. Examples include public nudity or a resident engaged in drug dealing etc.	\$50 - \$2,000 \$25 \$500
Occupancy Restrictions	
Examples: Caregiver policy, short-term rentals, advertisement of short-term/vacation rentals, lease policy, unapproved occupancy, qualifying resident not in unit, room rentals, guest visitations exceeding 60 calendar days within a 12-month period, etc.	\$50 - \$2,000 \$25 \$500
Other	
Illegal business, nonsmoking policy, portable storage container policy	\$50 - \$2,000 \$25 \$500
Pet Restrictions	
Examples: Dog not on leash, dog not under control, unreasonable noise (barking), not picking up and disposing of feces, etc.	\$50 - \$2,000 \$25 \$500
Examples: Breeding of animals for sale or commercial gain, injury to persons or damage to property caused by animal, etc.	\$50 - \$500 \$2,000
Traffic Rules and Regulations	
Examples: Abandoned vehicle, commercial vehicles, excessive vehicles, vehicle oil, etc.	\$50 - \$2,000 \$25 \$500
Any violation of the governing documents or rules and regulations not specifically identified in this schedule.	\$50 - \$2,000 \$25 \$500
Second or Subsequent Violations of the Same Rule	
Ongoing violation of the same event may result in a daily fine in accordance with current monetary penalty schedule until compliance is achieved and/or double of fines imposed.	

In addition to, or instead of the monetary penalty, the board of directors may impose the following penalties, following a noticed hearing, for a violation of the governing documents or rules and regulations:

1. Suspension of the right to use any facilities owned, operated or managed by Third, for a period not to exceed 30 days for each breach, and/or any facilities owned, operated

P.O. Box 2220, Laguna Woods, CA 92654-2220

Third Laguna Hills Mutual
Schedule of Monetary Penalties
Page 3 of 3

or managed by the Golden Rain Foundation (GRF) for a period not to exceed 90 days for each breach.

2. Third may also make an application to a court of competent jurisdiction for legal or equitable relief.

Third bylaws and rules and regulations provide that members/residents who receive a traffic citation may elect to waive their right to a hearing and attend traffic school or forfeit a fine for certain violations and under certain circumstances. (See schedule of traffic monetary penalties).

Delinquent regular or special assessments, plus any costs of collection, late charges and interest, shall become a lien on the owner's interest in the common interest development upon recordation of a Notice of Delinquent Assessment in the Official Records of Orange County, California; and said lien may be enforced as provided by Sections 5650-5690 of the California Civil Code, and as otherwise permitted by law.

If you have questions regarding the above information, please contact the Compliance Division during regular business hours at 949-268-CALL or at compliance@vmsinc.org.

P.O. Box 2220, Laguna Woods, CA 92654-2220



SCHEDULE OF MONETARY PENALTIES

The following notice is provided pursuant to Civil Code Section §5310 and §5850.

The following schedules identify the violations and potential monetary penalties which may be imposed upon a member. Such penalties may be imposed following a hearing by Third Laguna Hills Mutual (Third) Board of Directors (Board) for a violation of the governing documents and rules and regulations by the member, co-occupant, guest or lessee.

Type of Violation	Penalty Ranges
Alteration	
Examples: Debris, work without a permit, work beyond the allowed hours, expired permit, noncompliance with approved variance request, use of community trash bins, failure to maintain alteration, etc.	\$50 - \$2,000
Clutter Restrictions	
Examples: Balcony, breezeway, carport, common area, interior, patio, vehicle, etc.	\$50 - \$2,000
Landscape Restrictions	
Examples: Saucers/casters not present, too many plants (refer to landscape maintenance manual), vegetable plants, vines attached to walls, wind chimes, etc.	\$50 - \$2,000
Maintenance/Repair	
Examples: (Major) failure to correct fire, safety, health hazard or other dangerous condition; (minor) broken blinds, etc., violation of the paint program, interior pest policy, moisture intrusion event, etc.	\$50 - \$2,000
Nonpayment	
Examples: Nonpayment of assessments, chargeable services, disciplinary penalties, facilities or services use charges, traffic citations, etc.	\$50 - \$2,000
Nuisance/Harassment Restrictions	
Behavior/Disturbances: Assault, theft, trespassing, yelling, etc.	\$50 - \$2,000
Noise: Activities that interfere with quiet enjoyment such as improperly installed hardwood floors, neighbors playing music or television too loud, loud conversation, barking dogs, etc.	\$50 - \$2,000
Odors: Strong cooking odors, BBQ smoke entering other units, etc.	\$50 - \$2,000
Visual: Draping articles over balcony rails, etc.	\$50 - \$2,000

Health/Safety: Hoarders who allow unsanitary conditions to exist that attract insects and rodents, or residents who wash dog feces and urine off their balcony onto the property below them, etc.	\$50 - \$2,000
Violation of laws: Violations of federal, state or local ordinances. Examples include public nudity or a resident engaged in drug dealing etc.	\$50 - \$2,000
Occupancy Restrictions	
Examples: Caregiver policy, short-term rentals, advertisement of short-term/vacation rentals, lease policy, unapproved occupancy, qualifying resident not in unit, room rentals, guest visitations exceeding 60 calendar days within a 12-month period, etc.	\$50 - \$2,000
Other	
Illegal business, nonsmoking policy, portable storage container policy	\$50 - \$2,000
Pet Restrictions	
Examples: Dog not on leash, dog not under control, unreasonable noise (barking), not picking up and disposing of feces, etc.	\$50 - \$2,000
Examples: Breeding of animals for sale or commercial gain, injury to persons or damage to property caused by animal, etc.	\$50 - \$2,000
Traffic Rules and Regulations	
Examples: Abandoned vehicle, commercial vehicles, excessive vehicles, vehicle oil, etc.	\$50 - \$2,000
Any violation of the governing documents or rules and regulations not specifically identified in this schedule.	\$50 - \$2,000
Second or Subsequent Violations of the Same Rule	
Ongoing violation of the same event may result in a daily fine in accordance with current monetary penalty schedule until compliance is achieved and/or double of fines imposed.	

In addition to, or instead of the monetary penalty, the board of directors may impose the following penalties, following a noticed hearing, for a violation of the governing documents or rules and regulations:

1. Suspension of the right to use any facilities owned, operated or managed by Third, for a period not to exceed 30 days for each breach, and/or any facilities owned, operated or managed by the Golden Rain Foundation (GRF) for a period not to exceed 90 days for each breach.
2. Third may also make an application to a court of competent jurisdiction for legal or equitable relief.

Third bylaws and rules and regulations provide that members/residents who receive a traffic citation may elect to waive their right to a hearing and attend traffic school or forfeit a fine for certain violations and under certain circumstances. (See schedule of traffic monetary penalties).

Delinquent regular or special assessments, plus any costs of collection, late charges and interest, shall become a lien on the owner's interest in the common interest development upon recordation of a Notice of Delinquent Assessment in the Official Records of Orange County, California; and said lien may be enforced as provided by Sections 5650-5690 of the California Civil Code, and as otherwise permitted by law.

If you have questions regarding the above information, please contact the Compliance Division during regular business hours at 949-268-CALL or at compliance@vmsinc.org.



RESOLUTION 03-23-XX

Monetary Penalty Schedule

WHEREAS, the Monetary Penalty Schedule is required per Civil Code to identify violations and potential monetary penalties which may be imposed upon a member following a disciplinary hearing by the Board of Directors for violations of the governing documents and rules and regulations by a member, co-occupant, guest or lessee; and

WHEREAS, the Resident Policy and Compliance Committee has recommended amending the Monetary Penalty Schedule to increase the penalty ranges to \$50 - \$2,000;

NOW THEREFORE BE IT RESOLVED, November 21, 2023, that the Board of Directors of this Corporation hereby approves the attached amended Monetary Penalty Schedule; and

RESOLVED FURTHER, that Resolution 03-96-31 adopted May 21, 1996 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.

OCTOBER 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)

Revision to Architectural Standard No. 18 – Gutters and Downspouts

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 that the Board of Directors approve the revisions to the Architectural Standard No. 18 – Gutters and Downspouts.

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STAFF REPORT

DATE: November 21, 2023
FOR: Board of Directors
SUBJECT: Revision to Standard 18: Gutters and Downspouts

RECOMMENDATION

Approve a resolution to revise the Architectural Standard 18: Gutters and Downspouts.

BACKGROUND

The ACSC initiated a review of the current Standard 18: Gutters and Downspouts (Attachment 1) and proposed revisions to the Standard are intended to bring it up to current standards and improved designs. Standard 18 was last revised in June 2018, via Resolution 03-18-91 (Attachment 2).

DISCUSSION

In order to improve the flow capacity of rain gutters and reduce maintenance, staff proposes to revise this standard to use K-style rain gutters (similar to the ones that VMS contractors use when installing or replacing rain gutters).

On November 13, 2023 the ACSC reviewed and voted unanimously to recommend that the Board of Directors approve the revisions to Standard 18.

FINANCIAL ANALYSIS

The proposed revisions to Standard 18 do not impact the budget.

Prepared By: Baltazar Mejia, Maintenance & Construction Assistant Director

Reviewed By: Alan Grimshaw, Manor Alterations Manager
Gavin Fogg, Manor Alterations Supervisor

ATTACHMENT(S)

Attachment 1 – Current Standard 18: Gutters and Downspouts
Attachment 2 – Current Resolution 03-18-91
Attachment 3 – Redlined Revised Standard 18: Gutters and Downspouts
Attachment 4 – Final Draft Standard 18: Gutters and Downspouts
Attachment 5 – Proposed Resolution 03-23-XX

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STANDARD 18: GUTTERS & DOWNSPOUTS

OCTOBER 1981

REVISED APRIL 1996 RESOLUTION M3-96-28

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

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

REVISED JUNE 2018, RESOLUTION 03-18-91

1.0 GENERAL REQUIREMENTS

SEE STANDARD SECTION 1: GENERAL REQUIREMENTS

2.0 APPLICATIONS

- 2.1** A splashblock will be required in areas where a downspout empties into an area in which erosion may result.
- 2.2** No downspout may be installed that will drain into an area that will effect surface drainage in an adverse way.
- 2.3** Applications to roofs where hangers penetrate or may harm the roofing in any way are prohibited.
- 2.4** All gutters and downspouts shall be seamless and the same style and color as the existing gutters on the building.
- 2.5** Gutters and downspouts will be of the same color to match the surface they are attached to.

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RESOLUTION 03-18-91

ALTERATION STANDARD SECTION 18 – GUTTERS AND DOWNSPOUTS

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 18 – Gutters and Downspouts.

NOW THEREFORE BE IT RESOLVED, April 17, 2018, that the Board of Directors of this Corporation hereby introduces the following Alteration Standard Section 18 – Gutters and Downspouts;

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.

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STANDARD 18: GUTTERS & DOWNSPOUTS

OCTOBER 1981

REVISED APRIL 1996 RESOLUTION M3-96-28

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

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

REVISED JUNE 2018, RESOLUTION 03-18-91

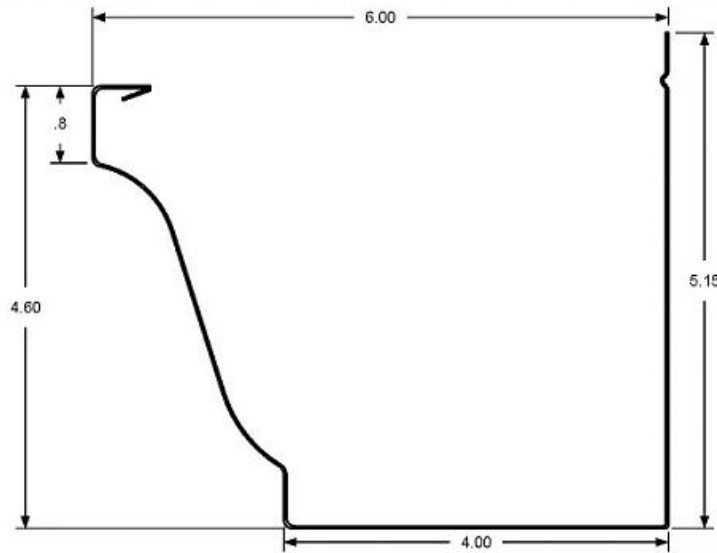
REVISED [DATE], RESOLUTION 03-23-XX

1.0 GENERAL REQUIREMENTS

SEE STANDARD ~~SECTION~~ 1: GENERAL REQUIREMENTS

2.0 APPLICATIONS

- 2.1 Gutters shall be installed per industry standards and slopped towards the downspouts. A splashblock will be required in areas where a downspout empties into an area in which erosion may result.
- 2.2 Downspouts shall be installed at intervals appropriate for its installation in compliance with The Sheet Metal and Air Conditioning Contractors' National Association (SMACNA). No downspout may be installed that will drain into an area that will effect surface drainage in an adverse way.
- 2.3 ApplicationsInstallations to roof systemss where hangers penetrate or may harm the roofing material in any way are prohibited.
- 2.4 All gutters are to be 6-inches wide as measured across the top. Gutters are to be made of painted aluminum with a minimum gauge of .027. Vinyl coated aluminum is permitted. Copper and steel gutters or downspouts are not permitted.



- 2.5** All downspouts to be sized appropriately for the area that is being drained and must match the color of existing guttering. and downspouts shall be seamless and the same style and color as the existing gutters on the building.
- 2.6** Termination of a downspout shall not allow water flowing out of a downspout to flow back towards the building. A combination of downspout and splash blocks may be used to achieve positive drainage away from building.
- 2.7** Downspouts that terminate directly into a drain inlet must provide a 1-inch air gap at point of transition.
- 2.4** —
- 2.8** Gutters and downspouts will be of the same color to match the surface they are attached to.
- 2.9** Alteration aluminum gutters and downspouts are not to be connected to original steel gutters and downspouts. If the alteration gutter system must be connected to an original steel gutter system, the Member is responsible for replacing the original steel gutter system with new aluminum that matches the original style and color.
- 2.10** Gutters attached to the Mutual owned fascia are required to be attached using hidden hangers and be spaced at a minimum of 30-inches. Smooth striated and spiral spikes are prohibited.
- 2.11** All penetrations must be properly sealed. Exposed wood must be primed and painted to match the existing paint of the building. Member will be responsible for all damages to roof or fascia.
- 2.52.12** Utilize downspouts fittings that facilitate water flow. No sharp angle fittings are allowed.



STANDARD 18: GUTTERS & DOWNSPOUTS

OCTOBER 1981

REVISED APRIL 1996 RESOLUTION M3-96-28

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

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

REVISED JUNE 2018, RESOLUTION 03-18-91

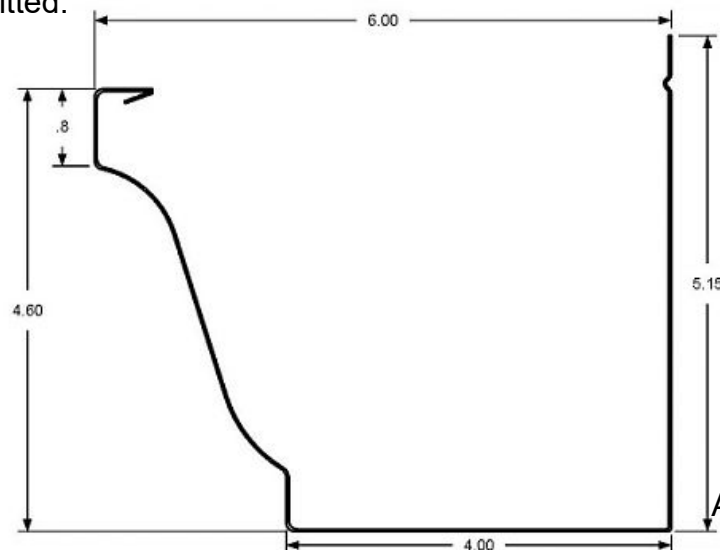
REVISED [DATE], RESOLUTION 03-23-XX

1.0 GENERAL REQUIREMENTS

SEE STANDARD 1: GENERAL REQUIREMENTS

2.0 APPLICATIONS

- 2.1 Gutters shall be installed per industry standards and sloped towards the downspouts.
- 2.2 Downspouts shall be installed at intervals appropriate for its installation in compliance with The Sheet Metal and Air Conditioning Contractors' National Association (SMACNA). No downspout may be installed that will drain into an area that will effect surface drainage in an adverse way.
- 2.3 Installations to roof systems where hangers penetrate or may harm the roofing material in any way are prohibited.
- 2.4 All gutters are to be 6-inches wide as measured across the top. Gutters are to be made of painted aluminum with a minimum gauge of .027. Vinyl coated aluminum is permitted. Copper and steel gutters or downspouts are not permitted.



- 2.5** All downspouts to be sized appropriately for the area that is being drained and must match the color of existing guttering.
- 2.6** Termination of a downspout shall not allow water flowing out of a downspout to flow back towards the building. A combination of downspout and splash blocks may be used to achieve positive drainage away from building.
- 2.7** Downspouts that terminate directly into a drain inlet must provide a 1-inch air gap at point of transition.
- 2.8** Gutters and downspouts will be of the same color to match the surface they are attached to.
- 2.9** Alteration aluminum gutters and downspouts are not to be connected to original steel gutters and downspouts. If the alteration gutter system must be connected to an original steel gutter system, the Member is responsible for replacing the original steel gutter system with new aluminum that matches the original style and color.
- 2.10** Gutters attached to the Mutual owned fascia are required to be attached using hidden hangers and be spaced at a minimum of 30-inches. Smooth striated and spiral spikes are prohibited.
- 2.11** All penetrations must be properly sealed. Exposed wood must be primed and painted to match the existing paint of the building. Member will be responsible for all damages to roof or fascia.
- 2.12** Utilize downspouts fittings that facilitate water flow. No sharp angle fittings are allowed.



RESOLUTION 03-23-XX
STANDARD 18: GUTTERS AND DOWNSPOUTS

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

WHEREAS, the Architectural Control and Standards Committee recognizes the need to revise Standard 18: Gutters and Downspouts;

NOW THEREFORE BE IT RESOLVED, December 19, 2023, that the Board of Directors of this Corporation hereby adopts Standard 18: Gutters and Downspouts as attached to the official meeting minutes; and

RESOLVED FURTHER, that Resolution 03-18-91 adopted June 19, 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.

NOVEMBER 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)

Revision to Architectural Standard No. 11 – Exclusive Use Common Area Floor Coverings

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

A motion was made and approved by a vote of 4/0/1 (Director Engdahl, abstained) to recommend that the Board of Directors approve the revisions to the Architectural Standard No. 11 – Exclusive Use Common Area Floor Coverings

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STAFF REPORT

DATE: November 21, 2023
FOR: Board of Directors
SUBJECT: Revision to Standard 11: Exclusive Use Common Area Floor Coverings

RECOMMENDATION

Approve a resolution to revise the Architectural Standard 11: Exclusive Use Common Area Floor Coverings.

BACKGROUND

The ACSC initiated a review of the current Standard 11: Exterior Floor Coverings (Attachment 1) and proposed revisions to the Standard that includes a more inclusive title and provisions to allow floor coating to garages such as epoxy coating. Standard 11 was last revised in March 2018, via Resolution 03-18-41 (Attachment 2).

DISCUSSION

Garage floor coating is a popular alteration that not only improves the appearance of the garage but also seals the surface of the concrete and fills any cracks. The current process to issue a mutual consent requires multiple steps, including a variance process. By including this improvement in Standard 11, the processing time will be greatly reduced; thus, benefiting the members.

On November 13, 2023 the ACSC voted 4/0/1 (Director Engdahl, abstained) to recommend that the board approve the revisions to Standard 11.

FINANCIAL ANALYSIS

It is not anticipated that the proposed revision to Standard 11 will impact the budget.

Prepared By: Baltazar Mejia, Maintenance & Construction Assistant Director

Reviewed By: Alan Grimshaw, Manor Alterations Manager
Gavin Fogg, Manor Alterations Supervisor

ATTACHMENT(S)

Attachment 1 – Current Standard 11: Exterior Floor Coverings

Attachment 2 – Current Resolution 03-18-41

Attachment 3 – Redlined Revised Standard 11: Exclusive Use Common Area Floor Coverings

Attachment 4 – Final Draft Standard 11: Exclusive Use Common Area Floor Coverings

Attachment 5 – Proposed Resolution 03-23-XX

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SECTION 11 EXTERIOR FLOOR COVERINGS

JANUARY 1989

REVISED MARCH 2003, RESOLUTION 03-03-23

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

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

REVISED MARCH 2018, RESOLUTION 03-18-41

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 APPLICATIONS

- 2.1** Attaching substances shall encompass glues or adhesive strips for coverings on concrete patio slabs only. Coverings for balconies shall utilize adhesive strips only. Mortar, cements, etc., for tile only.
- 2.2.** No screws, nails, or any type of penetrating attachments shall be permitted.
- 2.3** Walkway coverings and coatings are prohibited in Common Areas.
- 2.4** Color, style, fashion, or design of any floor covering shall be optional.
- 2.5** A four inch mow strip will be left (set back) on all patio slab coverings. For all walkway coverings, a four inch mow strip will be installed along the entire alteration.
- 2.6** Concrete stain and epoxy coatings are permitted on concrete slabs in patios, atriiums, and courtyards only. These coatings are prohibited on Common Area walkways.

3.0 MAINTENANCE

- 3.1** Members must maintain and/or replace, as needed, all floor coverings installed.

- 3.2** Members shall remove any floor covering for access to the subsurface for purposes of repairs as may be required.
- 3.3** Members assume all responsibility for tile that cracks or become loose due to the building movement or other causes.
- 3.4** Members assume responsibility for any building damage occurred due to the installation of a floor covering.
- 3.5** On wood frame balconies, if the floor covering restricts the Mutual from performing periodic or preventive maintenance activities, the Member shall be responsible for all damages caused by the lack of maintenance.
- 3.6** If the floor covering holds moisture, restricts water drainage, or causes moisture related damage, the Member shall be responsible for all costs related to the damage.

RESOLUTION 03-18-41

Revise Alteration Standard Section 11 – Exterior Floor Coverings

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

WHEREAS, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard Section 11 – Exterior Floor Coverings.

NOW THEREFORE BE IT RESOLVED, March 23, 2018, that the Board of Directors of this Corporation hereby adopts revisions and amendments to the following section of Alteration Standard Section 11 – Exterior Floor Coverings;

RESOLVED FURTHER, Resolution 03-02-23, adopted March 18, 2003, is hereby superseded and canceled; and

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

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SECTION STANDARD 11 EXTERIOR EXCLUSIVE USE COMMON AREA FLOOR COVERINGS

JANUARY 1989

REVISED MARCH 2003, RESOLUTION 03-03-23

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

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

REVISED MARCH 2018, RESOLUTION 03-18-41

REVISED [DATE], RESOLUTION 03-23-XX

1.0 GENERAL REQUIREMENTS

See Standard ~~Section~~ 1: General Requirements

2.0 APPLICATIONS

- 2.1 Attaching substances shall encompass glues or adhesive strips for coverings on concrete garage, courtyard, atrium and patio slabs only. Coverings for balconies shall utilize adhesive strips only. ~~Mortar, cements, etc., for tile only.~~
- 2.2. No screws, nails, or any type of penetrating attachments shall be permitted.
- 2.3 ~~Walkway c~~ Coverings and coatings ~~are prohibited~~ in Non-Exclusive Common Areas such as driveways and walkways are prohibited.
- 2.4 Color, style, fashion, or design of any floor covering shall be optional.
- 2.5 A four inch mow strip will be left (set back) on all patio slab coverings. For all walkway coverings, a four inch mow strip will be installed along the entire alteration.
- 2.6 Concrete stain and epoxy coatings are permitted on concrete slabs in garages, patios, atriums, and courtyards only. These coatings are prohibited on Common Area walkways.

3.0 MAINTENANCE

- 3.1 Members must maintain and/or replace, as needed, all floor coverings installed.

3.2 Members shall remove any floor covering for access to the subsurface for purposes of repairs as may be required at Member's expense.

~~**3.23.3** Members assume all responsibility to replace any floor coverings removed or impacted by repairs performed by VMS or its contractors.~~

~~**3.33.4**~~ Members assume all responsibility for tile that cracks or become loose due to the building movement or other causes.

~~**3.43.5**~~ Members assume responsibility for any building damage that occursred due to the installation of a floor covering.

~~**3.5** On wood frame balconies, if the floor covering restricts the Mutual from performing periodic or preventive maintenance activities, the Member shall be responsible for all damages caused by the lack of maintenance.~~

3.6 If the floor covering holds moisture, restricts water drainage, or causes moisture related damage, the Member shall be responsible for all costs related to the damage.



STANDARD 11 EXCLUSIVE USE COMMON AREA FLOOR COVERINGS

JANUARY 1989

REVISED MARCH 2003, RESOLUTION 03-03-23

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

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

REVISED MARCH 2018, RESOLUTION 03-18-41

REVISED [DATE], RESOLUTION 03-23-XX

1.0 GENERAL REQUIREMENTS

See Standard 1: General Requirements

2.0 APPLICATIONS

- 2.1** Attaching substances shall encompass glues or adhesive strips for coverings on concrete garage, courtyard, atrium and patio slabs only. Coverings for balconies shall utilize adhesive strips only.
- 2.2.** No screws, nails, or any type of penetrating attachments shall be permitted.
- 2.3** Coverings and coatings in Non-Exclusive Common Areas such as driveways and walkways are prohibited.
- 2.4** Color, style, fashion, or design of any floor covering shall be optional.
- 2.5** A four inch mow strip will be left (set back) on all patio slab coverings. For all walkway coverings, a four inch mow strip will be installed along the entire alteration.
- 2.6** Concrete stain and epoxy coatings are permitted on concrete slabs in garages, patios, atriums, and courtyards only. These coatings are prohibited on Common Area walkways.

3.0 MAINTENANCE

- 3.1** Members must maintain and/or replace, as needed, all floor coverings installed.

- 3.2** Members shall remove any floor covering for access to the subsurface for purposes of repairs as may be required at Member's expense.
- 3.3** Members assume all responsibility to replace any floor coverings removed or impacted by repairs performed by VMS or its contractors.
- 3.4** Members assume all responsibility for tile that cracks or become loose due to the building movement or other causes.
- 3.5** Members assume responsibility for any building damage that occurs due to the installation of a floor covering.
- 3.6** If the floor covering holds moisture, restricts water drainage, or causes moisture related damage, the Member shall be responsible for all costs related to the damage.



RESOLUTION 03-23-XX

STANDARD 11: EXCLUSIVE USE COMMON AREA FLOOR COVERINGS

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

WHEREAS, the Architectural Control and Standards Committee recognizes the need to revise Standard 11: Exclusive Use Common Area Floor Coverings;

NOW THEREFORE BE IT RESOLVED, December 19, 2023, that the Board of Directors of this Corporation hereby adopts Standard 11: Exclusive Use Common Area Floor Coverings as attached to the official meeting minutes; and

RESOLVED FURTHER, that Resolution 03-18-41 adopted March 23, 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.

NOVEMBER 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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STAFF REPORT

DATE: November 21, 2023
FOR: Landscape Committee
SUBJECT: Prohibition of Fruit Trees and Vegetable Planting

RECOMMENDATION

Approve a revised resolution prohibiting the planting of new fruit trees and vegetable planting, and authorizing retention of well-maintained fruit trees.

BACKGROUND

Resolution 03-19-94 (Attachment 1), revised on March 15, 2011, prohibits the planting of fruit trees and vegetables in common area and requires the removal of fruit trees during the resale process.

DISCUSSION

There are currently more than 7,000 fruit trees within the Village. These fruit trees were either planted by members or by staff as a chargeable service. A resolution that was adopted in 2011, permitted only dwarf type fruit trees, however these can grow to well over 12 feet tall and produce almost as much fruit as the full-size variety.

Fruit trees and vegetable gardens are highly attractive to rodents as a convenient and consistent source of food. Resolution 03-19-94 prohibited the growing of vegetables in the common area and authorized staff to remove any plant that is discovered. The proposed resolution would continue prohibit planting in an effort to reduce rodent populations.

Rodent control experts agree that the most effective methods to reduce rodent populations is to remove their food sources. Between 2012 and 2018, the Mutuels have experienced a 110% increase in calls and complaints regarding issues with rodents (Attachment 2); 953 calls in 2012, to almost 2,000 in 2018. Since Resolution 03-19-94 was put into effect, 248 fruit trees were removed in Third. 2022 showed a 50 percent reduction in rodent tickets compared to the high of 1,999 in 2018. The resolution was effective in reducing the number of rodent tickets.

Although it has been effective the policy has been unpopular with new residents, who often buy the unit because of the fruit trees. Staff recommends approving a resolution (Attachment 3) that continues the prohibition of all new plantings of fruit trees and vegetables in common area. The proposed resolution authorizes staff to remove any unmaintained existing fruit trees. Additionally, Staff recommends revising the resale policy to permit retention of existing fruit trees at resale if the new member agrees to maintain the trees and include removal of fruit trees in common area at resale if the new member rejects the responsibility of maintenance.

Staff will monitor the number and frequency of rodent calls and report back to the Board of Directors if the number of rodent calls increases.

FINANCIAL ANALYSIS

There is no financial impact expected at this time.

Third Laguna Hills Mutual Landscape Committee
Prohibition of Fruit Trees and Vegetable Planting
November 21, 2023

Prepared By: Kurt Wiemann, Director of Field Services

Reviewed By: Megan Feliz, Landscape Department Administrative Assistant

ATTACHMENT(S)

Attachment 1: Resolution 03-19-94
Attachment 2: Rodent Call Chart
Attachment 3: Resolution 03-23-XX



RESOLUTION 03-19-94

Fruit Tree and Vegetables Policy Resolution

WHEREAS, fruit trees in the Common Area were planted by or at the request of Members as part of the discontinued “Yellow Stake” program;

WHEREAS, fruit trees are not maintained or trimmed by the Mutual and are the responsibility of the Member to maintain;

WHEREAS, the maintenance of fruit trees is passed on to new Members with the purchase of the residence;

WHEREAS, fruit trees and vegetable gardens are a known attractant and food source for wildlife and rodents, and unmaintained fruit trees exacerbate the problem and;

WHEREAS, two Garden Centers have been provided by the Golden Rain Foundation for the purpose of providing a place for residents to grow tomatoes or other crops.

WHEREAS, there has been a consistent increase in rodent activity over the past six years.

NOW THEREFORE BE IT RESOLVED, effective January 1, 2020, that the Board of Directors of this Corporation hereby prohibits the planting of any fruit trees in Common Area and requires Members to maintain existing fruit trees on Common Area and in Exclusive Use Common Areas;

RESOLVED FURTHER, the planting of vegetables in Common Area is prohibited;

RESOLVED FURTHER, to maintain the health and safety of the Members, fruit trees found to be unmaintained will be removed, with notice, by the Mutual.;

RESOLVED FURTHER, existing fruit trees in Common Area are to be removed in the resale process;

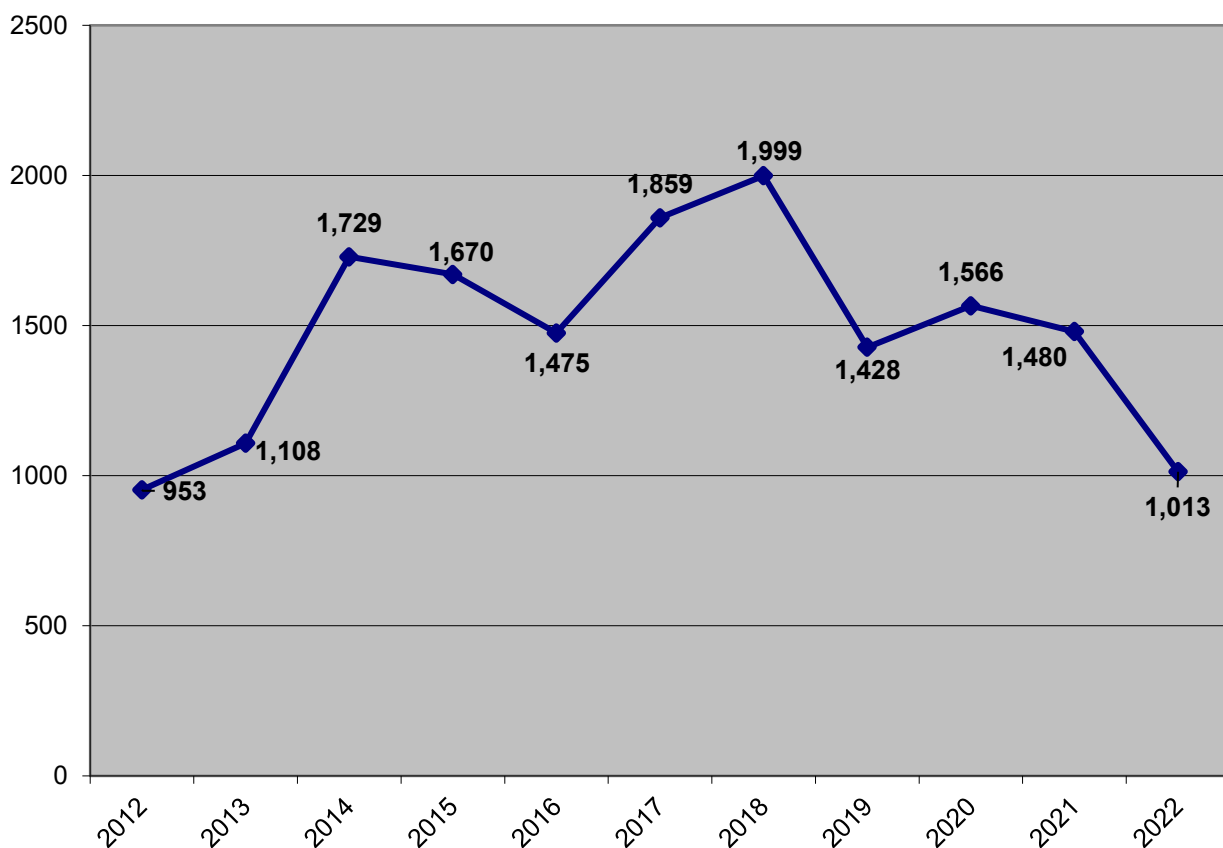
RESOLVED FURTHER, Resolution 03-11-30, revised March 15, 2011, and Resolution M3-84-122, revised November 15, 1984, are hereby superseded in their entirety and no longer in effect;

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

Two Garden Centers have been provided by the Golden Rain Foundation of Laguna Hills for the purpose of providing a place for residents to grow tomatoes, or other vegetables, and other crops.

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Resident Requests Re. Rodents 2012-2022



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RESOLUTION 03-23-XX

Fruit Tree and Vegetables Policy

WHEREAS, fruit trees in the Common area were planted by or at the request of Members as part of the discontinued “Yellow Stake” program; and

WHEREAS, fruit trees are not maintained or trimmed by the Mutual and are the responsibility of the Member to maintain; and

WHEREAS, fruit trees and vegetable gardens are a known attractant and food source for wildlife and rodents, and unmaintained fruit trees exacerbate the problem; and

WHEREAS, two Garden Centers have been provided by the Golden Rain Foundation for the purpose of providing a place for residents to grow tomatoes or food crops; and

WHEREAS, there had been a significant decrease in rodent activity since Resolution 03-19-94, was put into effect;

NOW THEREFORE BE IT RESOLVED, December 19, 2023, the Board of Directors, that the Board of Directors of this Corporation introduces the revised Fruit Tree and Vegetables Policy which prohibits the planting on any fruit trees in Common area and requires members to maintain existing fruit trees on common area and in Exclusive Use Common areas; and

RESOLVED FURTHER, the planting of vegetables and new fruit trees in common area is prohibited; and

RESOLVED FURTHER, existing fruit trees in Common area and exclusive use are to be maintained by the member; and

RESOLVED FURTHER, during the resale process, the responsibility to maintain existing fruit trees in common area may be accepted by the new member, if the new member declines to accept the responsibility to maintain the fruit trees, the fruit trees will be removed at no cost to the members; and

RESOLVED FURTHER, to maintain the health and safety of the members, fruit trees found to be unmaintained will be removed, after notice, by the Mutual at no cost to the member; and

RESOLVED FURTHER, Resolution 03-19-94, effective January 1, 2020 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.

NOVEMBER 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.

ENDORSEMENT (to Third Board)

Approval of the Urban Forest Management Plan.

On November 2, 2023, there was an Open Meeting of the Third Landscape Committee to discuss the Urban Forest Management Plan. The proposed Urban Forest Management Plan is a management tool that incorporates resident and committee input and values toward a long-term management plan.

A motion was made and unanimously approved to recommend the Board approve the Urban Forest Management Plan.

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STAFF REPORT

DATE: November 21, 2023
FOR: Board of Directors
SUBJECT: Approve the Urban Forest Management Plan

RECOMMENDATION

Approve the Urban Forest Management Plan.

BACKGROUND

On September 20, 2022, the Third Laguna Hills Board of Directors awarded a contract to Dudek in the amount of \$43,614 to develop an Urban Forest Management Plan for Third Laguna Hills Mutual tree inventory.

DISCUSSION

Third Mutual is responsible for the maintenance of 14,160 trees, with 224 different species. In 2021, Third Mutual Board of Directors approved a species-based tree trimming policy, after years of an unsystematic approach to tree trimming, which led to inefficiencies, an increased amount of service requests, and storm damage to mutual owned trees. Tree trimming is now performed based on the specific growth rate of each species, ensuring financially efficient methodologies to reduce risk and enhance the beauty of the urban forest.

Tree trimming is just one piece of an efficient, long-term maintenance plan of the mutual tree inventory. Most of the trees in Third's urban forest are mature trees, with many of them planted in the late 1960s and early 1970s. The sheer number and variety of trees in Third are unique in the region and will require a long-term plan to maintain and manage the trees through the years. Consideration needs to be taken of the age and condition of the inventory, developing an efficient replanting plan to maintain the inventory, as well as adapting to changes in the environment and the forecasted long-term drought conditions.

The proposed Urban Forest Management Plan (UFMP) (Attachment 1) is a management tool that incorporates resident and committee input and values toward a long-term management plan. Community involvement and education is an important component of any successful UFMP program. The proposed plan incorporated the resident and Board's input from community meetings, an extensive survey with over 900 responses, consultation with staff regarding existing protocol and policies, and review of existing databases.

The Landscape Committee was involved throughout the process and reviewed several versions of the draft document. The Committee reviewed the final draft on November 2, 2023 and voted to recommend approval by the Board.

FINANCIAL ANALYSIS

There are no additional funds necessary for approval of this document.

Prepared By: Kurt Wiemann, Director of Landscape Services

Reviewed By: Megan Feliz, Landscape Administrative Assistant

ATTACHMENT(S)

Attachment 1: Urban Forest Management Plan



Urban Forest Management Plan

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ENDORSEMENT (to Third Board)

Approve the updated Landscape Maintenance Manual

On November 2, 2023, there was an Open Meeting of the Third Landscape Committee to discuss Third Landscape Manual. The manual is intended to educate and assist them with understanding a wide variety of landscape topics including maintenance programs, the roles and responsibilities of residents, tree maintenance protocols and rules specific to the mutual.

A motion was made and unanimously approved to recommend the Board approve the Third Landscape Manual for residents.

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STAFF REPORT

DATE: November 21, 2023
FOR: Board of Directors
SUBJECT: Landscape Maintenance Manual Update

RECOMMENDATION

Approve the updated Landscape Maintenance Manual

BACKGROUND

The Landscape Maintenance Manual (Attachment 1) is a guide for residents of Third Laguna Hills Mutual. It is intended to educate and assist them with understanding a wide variety of landscape topics including maintenance programs, the roles and responsibilities of residents, tree maintenance protocols and rules specific to the mutual. The original version of the manual was created in 2011, and has been revised several times since.

DISCUSSION

Staff presented the most recent version of the manual to the Landscape Committee at the meeting of April 6, 2023, requesting input from the Committee. Several variants of the revisions were reviewed by the Committee over the course of several months. The proposed final version was brought back to the Committee at the meeting of November 2, 2023, for final review.

The Committee reviewed the document and voted unanimously to recommend the document, with a non-substantive revision, to the Board for approval.

FINANCIAL ANALYSIS

There are no fiscal impacts associated with this report.

Prepared By: Kurt Wiemann, Director of Field Operations

Reviewed By: Megan Feliz, Department Administrative Assistant

ATTACHMENTS

Attachment 1: Landscape Maintenance Manual

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Laguna Woods Village®



Landscape Maintenance Manual

Third Laguna Hills Mutual

Revised October 2023

This manual is an informative guide meant to provide information to residents on how landscaping and related programs are managed in Laguna Woods Village. It is a resource to assist residents in understanding how landscaping is maintained and what landscaping-related tasking Third Mutual permits residents to perform around their residences.

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FOR MORE INFORMATION

<https://www.lagunawoodsvillage.com/residents/third-laguna-hills-Mutual/documents>

VILLAGE LANDSCAPE OVERVIEW

Laguna Woods Village is an active senior residential community of 3.8 square miles with more than 640 acres of maintained landscape. The urban forest within the Village includes nearly 33,000 trees, of which more than 30,000 are maintained by Third Mutual (mutual/the mutual). All landscaped areas are maintained by Village Management Services Inc. (managing agent). Irrigation water for the landscape is provided by El Toro Water District, which delivers both potable and recycled water to Village irrigation systems.

Landscaping crews perform turf area maintenance on a seasonally adjusted cycle, which varies every week to every three weeks, depending on the time of year. Crews typically prune slopes and shrubs annually and perform more frequent light trimming on a quarterly cycle. During summer months, they focus on turf maintenance with only light maintenance of shrub beds. In the cooler months, their focus returns to shrub beds with crews visiting the residential buildings more often.

Clubhouses and other community facilities receive more frequent landscape and grounds maintenance to maintain the appearance of these high-use facilities.

Trees are inspected and trimmed on a five-year species-based cycle. Some tree species require more frequent trimming than others. For example, carrotwood and mulberry are trimmed every two years and magnolias and some pines every five.

Computer-controlled irrigation systems use an onsite weather station to adjust watering to meet plant needs based on current weather conditions. Water conservation has become a way of life in the Village, with many turf reduction projects completed each year and high water-using plantings converted to water-efficient and/or California-friendly plant choices. Planters and open areas are topped with mulch to improve the soil, reduce moisture loss and to return nutrients back to the environment.

All green waste generated from the maintenance of Village landscaped areas and trees is composted onsite and returned as mulch, resulting in nearly 100% recycling.

Schedules, scope of work and maintenance methods are subject to change.

Landscaping Services Department Contact Information

For landscaping requests or concerns, or to contact staff, email residentservices@vmsinc.org or call 949-597-4600.

For scheduling information visit
lagunawoodsvillage.com/news/category/landscape.

THE ROLE OF THE LANDSCAPING SERVICES DEPARTMENT

What the Landscaping Services Department DOES Perform

1. Communicate schedules for various landscape maintenance activities for each mutual on the Village website at lagunawoodsvillage.com/news/category/landscape.
2. Provide periodic mowing and edging of turf, based on seasonal needs.
3. Provide periodic pruning of shrubs and trees in planters and on slopes in common areas.
4. Fertilize turf and shrub areas when appropriate.
5. Manage pests through integrated pest management techniques and the application of the least toxic materials available to control insects, weeds, diseases and rodents.
6. Address trees, shrubs or other plant materials that are not performing well. Remove and replace trees and shrubs as needed.
7. Schedule and maintain irrigation systems to provide sufficient moisture for plant health, reduce water waste and meet state and/or local water conservation mandates.
8. Collect and process green waste into mulch or compost common-area landscape use.
9. Remove debris from walkways during scheduled mowing and landscape maintenance programs.

What the Landscaping Services Department DOES NOT Perform

1. Substitute, rearrange or change basic landscaping at individual resident requests.
2. Change the irrigation system by adding or altering equipment at individual resident requests.
3. Set irrigation system schedules to comply with individual resident requests.
4. Maintain or help maintain plantings in a private patio or other exclusive-use common area.
5. Permit any member of a landscaping maintenance crew to provide personal gardening services to residents.

Turf Maintenance

Turf maintenance responsibilities consist of approximately 165 acres in Third Mutual.

Turf maintenance consists of the following:

- Cutting grass using mulching mowers, which cut the grass into fine particles and leave them in place.
- Mulching grass to further reduce fertilizer requirements by recycling nutrients stored within grass clippings, reducing labor and materials costs. Grass mulching also greatly reduces costs by eliminating the need to bag and dispose of waste.
- Mowing all turf areas, scheduled per seasonal growth requirements.
- Edging sidewalks and trimming turf edges every other mowing cycle.
- Blowing mowing-generated debris off of hardscape.
- Repairing and reseeding turf as needed and/or requested, mostly in cooler months due to water requirements of new plantings.
- Responding to nonchargeable resident requests pertaining to turf maintenance such as leaf cleanup, reseeding, etc.

The mowing cycle schedule is adjusted seasonally throughout the year to respond to growing conditions. During summer growing months, the mowing cycle may be completed every seven to nine days. During spring and fall, slower turf growth allows for a cycle approximately every nine to 14 days. During winter, intervals of 14 to 21 days are common. During periods when mowing cycles are extended, staff time is directed to other tasks that are more appropriate for that season, such as planting and turf repairs, or tasks that may not be seasonally driven, such as

mulch application. Turf repair slows in the summer and is usually done only in emergency situations due to the increased water and care needed to establish new growth during the heat of summer.

Shrub-Bed Maintenance

Crews perform shrub-bed maintenance on approximately 83 shrub-bed acres in Third Mutual. Shrub-bed maintenance consists of:

- Selective pruning, rather than shearing, which is practiced on most woody perennials, leaving the plant with more blossoms, a more natural appearance and less new growth.
- Raking and removing trimming debris and dead plant material.
- Weeding, both chemically and mechanically, using mutual-approved safe herbicides. No RoundUp is used in the community.
- Mulching with mulch made on-site with green waste produced within the community. Using mulch produced from waste generated on-site, in addition to the big cost savings in waste hauling and mulch purchases, reduces the introduction of new weeds and pests into the community. Replanting of unhealthy and dead plant material with plant stock grown in our own on-site nursery.
- Edging turf adjacent to sidewalks, done in alternate weeks coinciding with the turf maintenance program.

Landscaping crews visit each building four times a year. Service levels for the maintenance cycle performed by staff are based as closely as possible to seasonal requirements; less shrub-bed maintenance is done during summer while staff focuses on turf maintenance. Shrub-bed maintenance frequency increases during cooler months. Grounds maintenance staff is responsible for the installation of replacement plantings due to failure of the existing material, overgrowth of existing plants or damage to plants during painting or building repair work.

Irrigation

The irrigation work center oversees irrigation controllers in Third Mutual. A central irrigation computer manages these controllers and determines and transmits all necessary scheduling information to them via cellular networks. The system is weather sensitized and adjusts watering schedules based on daily fluctuations in plant evapotranspiration rates. It also adjusts to accommodate water conservation and water supply shortage ordinances, and grounds maintenance work.

Crews regularly perform system checks of the entire community to evaluate the operation of the system and to troubleshoot and repair any damaged or failed irrigation equipment. If you notice irrigation leaks or dry spots, contact Resident Services at 949-597-4600 or residentservices@vmsinc.org during normal business hours.

Portions of the irrigation system are the original design that was installed when the community was developed. Areas of poor coverage and low water pressure still exist because of the age of those portions of the original system. The purpose of spot retrofitting is to replace and improve areas of the original irrigation system by redesigning and replacing irrigation system hardware, including piping, sprinklers and valves. Crews usually complete shrub-bed maintenance spot-retrofit work after removing old plants and before planting new ones in areas where the renovation program has not been completed or to prevent irrigation runoff to storm drains.

THE ROLE OF THE RESIDENT

All grounds outside the walls of a building, a contiguous patio or in the atriums of the Garden Villa buildings, are common landscape property and fall under the rules and regulations stated herein, unless they are an approved alteration. Now let's look at residents' responsibilities.

To assist residents in their role and responsibility in helping to keep Village landscaping looking its best, residents must:

- Submit a landscape request form with a planting plan, including plant species, for any proposed planting or any alteration of any common area to the Landscaping Services Department for review and written approval prior to making any changes. Failure to do so may result in citation, fines and financial reimbursement of any costs associated with the restoration of mutual landscaping. Do not submit a landscape request form for maintenance requests or plant replacement. Instead contact Resident Services during normal business hours at 949-597-4600 or residentservices@vmsinc.org.
- Obtain signatures on the landscape request form indicating approval from **all neighbors directly affected by your request** for all proposed changes to the existing landscape. Common areas belong to everyone.
- Maintain any plantings that have been accepted as nonstandard landscape, including fruit trees. Residents are responsible to maintain all such landscape materials.
- Notify Landscaping Services if you cannot or do not wish to continue to maintain nonstandard landscape. The nonstandard landscaping may be removed and replaced as a chargeable service.
- Notify Landscaping Services if you cannot maintain any fruit trees (fruit tree policy page 16) for which you are responsible. These can be removed at no cost to the member.
- Notify Landscaping Services if you do not wish to have specific plants, shrubs or small patio trees adjacent to your manor cultivated, pruned or maintained by Landscaping Services. The program is initiated through Resident Services as a request to meet with a landscape supervisor to evaluate the practicality of the request.
- Do not plant/alter or have your gardener plant/alter any common area, including slopes, clear areas around trees or in the turf of the common area. These areas are not available for private maintenance. Fencing, rocks, art or other items shall not be placed in common areas without written approval.
- Do not remove plantings without approval from Landscaping Services.
- Do not place materials such as stepping stones (stepping stone policy page 17), edging materials, potted plants, statuary or any other item (including hoses, hose reels, patio furniture, etc.) in common areas. These items interfere with landscape maintenance operations and may create a safety hazard. Landscaping Services will remove them as a chargeable service to the member responsible for their unauthorized placement.

If you would like to request services outside the routine maintenance provided, Landscaping Services may be able assist you. If you are unsure whether your request falls into this category, please contact Resident Services during normal business hours at 949-597-4600 or residentservices@vmsinc.org to initiate the process.

MEMBER-MAINTAINED LANDSCAPING (YELLOW STAKE PROGRAM)

The former yellow stake program, which ended for Third Mutual in September 2018, provided an option for residents to install and maintain the planting areas immediately adjacent to their manor, either personally or through an outside maintenance service. Although the program has ended, residents are still required to maintain the plantings. Full responsibility includes, but is not limited to, fertilizing, pruning and removing plant waste/debris.

The mutual may intercede if the appearance or care level of the private plantings is considered substandard, or if any dispute between residents arises. Landscape continues to be considered common property and member-maintained landscape privileges may be revoked. Failure to maintain private plantings will be subject to removal and replanting with standard landscape material. This work will be accomplished after notice to the member and will be completed as a chargeable service.

All new requests for approval of personal plantings require approval by the landscape committee via the landscape request form (sample page 11).

This responsibility does not end upon transfer of a unit. The seller must disclose the yellow stake or private plantings as an alteration and formally obtain acceptance from the buyer prior to close of escrow. If the buyer does not accept responsibility, the seller must restore the area to standard planting prior to close of escrow. If the buyer accepts the member-maintained yellow stake program, they will be bound by all the rules governing the previous owner.

Contact Landscaping Services at 949-597-4600 or residentservices@vmsinc.org with questions.

USE OF PRIVATE GARDENERS, LANDSCAPERS AND PEST CONTROL OPERATORS

Members must maintain the landscaping within their exclusive-use common area. If a member hires an outside provider for any authorized work, they must confirm that the person or company is insured for workers' compensation, liability and auto prior to initiation of work. Residents considering the use of private gardeners should check references to ensure they are reliable and experienced.

Only authorized employees or contractors of the managing agent may access, alter or operate the mutual-owned irrigation systems or any water source not metered directly by the affected unit. No gardeners, landscapers or other vendors hired by the resident may access water sources or make any changes to mutual-owned sprinklers. Unauthorized use of water or alterations made to irrigation systems is prohibited and may result in citation, fines and financial reimbursement of any costs associated with the repair or restoration of mutual irrigation equipment.

Similarly, no privately hired vendor may apply any fertilizers or pesticides (insecticides, snail bait, rodent bait, ant control materials, fungicides, etc.), or treat any area on the exterior portion of a unit or the landscape around it, without written permission from the managing agent. All proposed pest control operators and/or gardeners must provide copies of all licenses and insurance required by law when requesting approval prior to any application of materials.

TREE PROGRAM

Laguna Woods Village has a wide variety of large mature trees. These are a tremendous asset to the community and improve the quality of life for all residents. All tree maintenance is performed by Landscaping Services under the direction of a certified arborist.

Outside contractors and private gardeners who perform work for members within the community may not plant or prune any tree in common areas without the prior written approval of the mutual's landscape committee.

Inspection and trimming of Village trees is performed on a regular five-year species-based schedule, per International Society of Arboriculture standards. Trees are pruned whether they are original plantings or approved resident plantings. Member-maintained trees are not pruned or maintained.

Trees are removed by Landscaping Services only if they are dead, diseased, dying, pose a foreseeable risk of damage to property or injury to persons or are actively causing damage to buildings, structures or underground utilities, excluding irrigation. Trees will not be removed for dropping excessive litter (leaves, needles, flowers, fruit, cones, etc.). Trees will not be topped or removed to establish, increase or preserve views (see Tree Topping Resolution, page 14).

Members may request tree removal by contacting Resident Services to obtain a landscape request form or through the Laguna Woods Village website (see sample form, Mutual Landscape Request Form, page 11). The form must be completed in its entirety, including the **signatures of surrounding manor owners affected by the potential removal of the tree**. If the removal request does not meet the criteria outlined above, it will be sent to the mutual landscape committee for determination. If a tree removal is approved, it is typically removed within 60 days. Emergency situations are handled on a case-by-case basis.

Landscape committees are comprised of appointed directors from the governing board of the affected mutual. They will review the resident request and work to find a solution (see Mutual Landscape Request Form Sample for more information, page 11).

Tree Program FAQ

Q: What is the trimming cycle?

A: All trees will be trimmed on a rotating six-year species-based protocol. This protocol is in place to properly maintain both the beauty and health of the tree stock in the community. It is designed to reduce the foliage of the trees by 25%, thereby reducing off-schedule trimming requests and reducing storm damage to overgrown trees.

Q: What is the procedure for tree removals?

A: Members may request tree removal by submitting a landscape request form. Keep in mind, per the resolution, "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 should not be removed because of view obstruction."

Q: Who pays to remove the tree?

A: The landscape committee may approve the removal of a tree at the expense of the mutual or at the expense of the requesting party.

Q: Will the tree be replaced?

A: Following removal, a tree may be replaced if there is sufficient space and need. The landscape affected by the removal will be repaired and a replacement tree (if appropriate) will be replanted within 90 days of the removal of the tree. The cost would be borne by the mutual or the member/shareholder as determined by the landscape committee.

Q: Do I need to wait six years to have the tree by my unit trimmed?

A: Although the program is referred to as a five-year program, the majority of the trees are trimmed every two to four years. Off-schedule trimming may be provided if there is an emergency or urgent need; otherwise, trees are not trimmed until they are scheduled.

Q: Can I have the tree by my unit trimmed as a chargeable service?

A: Typically, tree trimming is not provided as a chargeable service. Unique situations will be considered by the arborist and the landscape committee on a case-by-case basis.

CHARGEABLE SERVICE PROGRAM

The chargeable service program provides limited, specialized/nonstandard services to community residents who supplement routine maintenance provided by Landscaping Services (see “The Role of the Landscaping Services Department,” page 4).

To request services in addition to those already listed, residents may contact Resident Services at 949-597-4600 or residentservices@vmsinc.org for a landscape supervisor to review the requested work and develop a cost quotation for resident approval.

Residents must not ask any member of a landscape maintenance crew for individual service. All requests must be made through Resident Services. Staff time is to be used for the benefit of all residents. Employees are not allowed to accept tips or to perform work during or after hours for individual residents.

WATER MANAGEMENT

Water should be used wisely and sparingly. In the Village, landscaped areas are irrigated with potable water (drinking-water quality) or recycled water (not suitable for consumption). Do not consume irrigation water. Do not water plants by hose; use a watering can. Third Mutual must limit the exterior watering of outside personal plants using potable water from exterior-mounted hose bibs using a hose or other methods to Wednesdays and Sundays only. No watering of common area plant material is permitted at any time from exterior mounted hose bibs (see page 20). State law prohibits the use of water to wash patios, sidewalks or other hard surfaces. Ensure an automatic shutoff nozzle is affixed to your hose.

Residents must comply with all legal directives from the State of California, El Toro Water District, Laguna Woods Village or other agencies with authority to impose water conservation mandates or restrictions during periods of drought. Any water use restrictions will be posted on the Village website at www.lagunawoodsvillage.org.

Do not tamper with sprinklers or irrigation controllers (timers), or access mutual water sources. To report dry landscape, water leaks, damaged sprinklers or other problems with irrigation systems, please contact Resident Services at 949-597-4600 or residentservices@vmsinc.org. For emergency service after 4 p.m. on weekdays or on weekends, call Security Services at 949-580-1400.

Patios are exclusive-use common areas, but occasionally may be the only source of water for Landscaping Services staff to use when installing new plants. Crews are instructed to be considerate of residents' privacy and property. However, when necessary, staff must be allowed access to all exterior water sources, which may include those in exclusive-use common areas.

SAFETY

Safety is the number one priority in the Village. Your assistance is vital to keeping the areas around manors free of hazards. Participate in keeping your neighborhood safe by reporting problems such as:

- Raised or broken concrete walkways or driveways
- Holes in turf areas
- Low-hanging or broken tree branches
- Foliage or branches close to fireplace chimneys or brushing against windows, eaves or roofs
- Inappropriately placed objects on sidewalks, balconies or patio walls, such as statuary, pots, hanging plants or vines
- Excessively wet areas or persistent ponding water
- Any item blocking an exit, stairwell or other pedestrian path of travel

If you become aware of any potential safety hazard, please notify Resident Services at 949-597-4600 or residentservices@vmsinc.org. For emergency service after 4 p.m. or on weekends, call Security at 949-580-1400.

REQUEST FORMS AND APPEAL PROCESS

If you would like to request a change to the plants around your manor, please request assistance from your landscape supervisor by contacting Resident Services at 949-597-4600 or residentservices@vmsinc.org.

Your area supervisor will either authorize the changes or advise you that your request will require approval from the mutual's landscape committee and a landscape request form must be filled out (see sample page 13). The committee may visit your unit prior to deciding on your request. Once the committee reaches a decision, they will present it to your mutual's board of directors for action. You will be notified in advance of such meetings. You may appear in person at that time, should you wish to speak on your behalf.

MUTUAL LANDSCAPE REQUEST FORM SAMPLE

NOTE: Any changes to landscaping must be approved by the board prior to the start of any work. Obtain a landscape request form from Resident Services at 949-597-4600 or residentservices@vmsinc.org. Return the completed request form to Resident Services.

PLEASE NOTE: THIS FORM IS NOT INTENDED FOR ROUTINE MAINTENANCE REQUESTS

For all nonroutine requests, please fill out this form. Per the policy of your mutual, if your request falls outside the scope of the managing agent's authority, it will be forwarded to the mutual's landscape committee for review. If you are unsure whether your request falls into this category, please contact Resident Services at 949-597-4600 for assistance in making that determination.

PLEASE RETURN THIS COMPLETED REQUEST FORM TO RESIDENT SERVICES.

Resident/Member/Shareholder Information

You must be an owner to request nonroutine Landscape requests.

Manor Number

Today's Date

Resident/Member Name

Telephone Number

Non-Routine Request

Please checkmark the item that best describes your request. If none apply, please checkmark "Other" and explain.

☐ Tree removal ☐ New landscape ☐ Off-schedule trimming
☐ Other (explain): _____

Reason for Request

Please checkmark the item(s) that best explain the reason for your request.

☐ Structural damage ☐ Sewer damage ☐ Overgrown ☐ Poor condition ☐ Personal preference
☐ Other (explain): _____

GUIDELINES:

- Structural/Sewer damage: Damage to buildings, sidewalks, sewer pipes, or other facilities may justify removal if corrective measures are not practical.
- Overgrown/Crowded: Trees or plants that have outgrown the available space may justify removal.
- Damaged/Declining health: Trees or plants that are declining in health will be evaluated for corrective action before removal/replacement is considered.
- Litter and debris: Because all trees shed litter seasonally, generally this is not an adequate reason to justify removal. However, if granted, removal/replacement may be at the resident's expense.
- Personal preference: Because one does not like the appearance or other characteristics of the tree or plant generally does not justify its removal. However, if granted, removal/replacement is usually at the resident's expense.

Description and Location of Request

Please **briefly** describe the situation and the exact location of the subject of the request (e.g., “roots of pine tree in front of manor XYZ are lifting the sidewalk”). Attach pictures as necessary.

Signatures of All Neighbors Affected by This Request

Because your request may affect one or more of your neighbors, it is imperative that you obtain their signatures, manor numbers, and whether they are for, undecided or against this request.

Signature	Manor	For	Undecided	Against

(Please attach a separate sheet if more signatures are necessary.)

Acknowledgement - Owner

By signing, you are acknowledging this request.

Owner Signature

Owner Name

OFFICE USE ONLY

MOVE-IN DATE: _____
530 _____ 540 _____

DATE: _____ INITIALS: _____
570 _____ LAST PRUNED: _____

RELANDSCAPED: _____

NEXT TIME: _____

TREE SPECIES: _____

COMMENTS: _____

TREE VALUE: _____ TREE REMOVAL COST: _____

Exhibit A

Landscaping Resolutions and Policies

RESOLUTION - Tree Maintenance Policy

Resolution 03-21-10 – Third Laguna Hills Mutual

WHEREAS, pursuant to the Governing Documents of Third Mutual, the Board of Directors is responsible for the management and upkeep of the common areas within, including the landscaping and trees;

WHEREAS, Third Mutual maintains over 12,000 trees with 224 different species, each having different growth rates;

WHEREAS, the Mutual adopted Resolution 03-19-06, Five-Year Species-Based Tree Trimming Policy, as the most efficient manner in which to maintain the Mutual's tree inventory and resources;

WHEREAS, under the policy, trees are maintained on a rotating five-year schedule with fast growing species trimmed as often as every two years and slower growing species are trimmed at five-year intervals;

WHEREAS, the Mutual receives numerous requests annually to trim or remove trees at intervals that differ from those set forth in the policy, and;

WHEREAS, Staff proposes the attached Tree Trimming Policy as a standard for staff and the Board to use when evaluating off-schedule requests for tree maintenance services.

NOW THEREFORE BE IT RESOLVED, effective February 16, 2021, that the Board of Directors of this Corporation hereby establishes the Tree Maintenance Policy attached to this resolution;

RESOLVED FURTHER, Resolution 03-18-58, adopted May 4, 2018, and Resolution 03-11-149 adopted September 20, 2011, are hereby superseded in their entirety and no longer in effect;

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

TREE MAINTENANCE POLICY

Tree Topping

No trees shall be topped, with the following exceptions:

- Staff would be authorized to top a tree to treat or eliminate an insect or disease infestation.
- Staff would be authorized to top a tree that has already been topped and is deemed to not be a candidate for restoration trimming.

Trees shall not be topped to preserve, enhance or create a view.

Tree Trimming

Tree trimming is scheduled on a species-based five-year schedule; any tree trimming request outside of this schedule shall be considered off schedule.

- Off-schedule trimming shall not be considered to remove or reduce litter or leaf drop or to mitigate a nuisance.
- Trimming, whether on or off schedule, shall not be considered to preserve, enhance or create a view.
- Off-schedule trimming requests will be reviewed by a staff arborist and, if necessary, referred to the committee.
- Trimming requests for clearance to buildings or damage to infrastructure shall be performed at no cost to the owner.
- Off-schedule requests approved for the convenience of the requestor shall be performed as a chargeable service.

Tree Removal

Unless a purposeful reason exists, 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 that are damaging or will damage a structure, pose a hazard, diseased, in failing health or interfering with neighboring trees, will be considered for removal.
- Removal requests will be reviewed by a staff arborist and, if necessary, referred to the committee.
- Staff would be authorized to evaluate stands of trees in selected areas and recommend the selective removal of certain trees within the grouping while still preserving the overall look and intent of the grouped plantings. The Landscape Committee shall consider such recommendations.

Fruit-Tree Maintenance

Fruit-tree maintenance is the sole responsibility of the owner.

In order to reduce the attraction to rodents, fruit trees shall be maintained in the following manner:

- Ripe fruit shall be promptly harvested and not allowed to remain on the tree.
- Fallen fruit shall be promptly cleaned up and disposed of in closed containers.
- All tree limbs and foliage shall be maintained at 3 feet above ground level and provided adequate clearance for maintenance equipment and personnel.
- Rodent guards shall be installed on the lower 24 inches of the trunk.

If an owner is unable to properly maintain a fruit tree, the mutual will remove it at no cost to the owner.

RESOLUTION - Fruit Tree and Vegetables Policy

Resolution 03-19-94 – Revised September 17, 2019 – Third Laguna Hills Mutual

WHEREAS, fruit trees in the Common Area were planted by or at the request of Members as part of the discontinued “Yellow Stake” program;

WHEREAS, fruit trees are not maintained or trimmed by the Mutual and are the responsibility of the Member to maintain;

WHEREAS, the maintenance of fruit trees is passed on to new Members with the purchase of the residence;

WHEREAS, fruit trees and vegetable gardens are a known attractant and food source for wildlife and rodents, and unmaintained fruit trees exacerbate the problem and;

WHEREAS, two Garden Centers have been provided by the Golden Rain Foundation for the purpose of providing a place for residents to grow tomatoes or other crops.

WHEREAS, there has been a consistent increase in rodent activity over the past six years.

NOW THEREFORE BE IT RESOLVED, effective January 1, 2020, that the Board of Directors of this Corporation hereby prohibits the planting of any fruit trees in Common Area and requires Members to maintain existing fruit trees on Common Area and in Exclusive Use Common Areas;

RESOLVED FURTHER, the planting of vegetables in Common Area is prohibited;

RESOLVED FURTHER, to maintain the health and safety of the Members, fruit trees found to be unmaintained will be removed, with notice, by the Mutual;

RESOLVED FURTHER, existing fruit trees in Common Area are to be removed in the resale process;

RESOLVED FURTHER, Resolution 03-11-30, revised March 15, 2011, and Resolution M3-84-122, revised November 15, 1984, are hereby superseded in their entirety and no longer in effect;

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

Two Garden Centers have been provided by the Golden Rain Foundation of Laguna Hills for the purpose of providing a place for residents to grow tomatoes or other vegetables, and other crops.

RESOLUTION - Stepping Stone Policy and Guidelines

Resolution 03-23-112 – Adopted October 17, 2023 – Third Laguna Hills Mutual

WHEREAS, on January 16, 2007, that the Board of Directors adopted Resolution 03-07-02 Approval to Revoke Alteration Standard Section 36 – Stepping Stones; and

WHEREAS, Resolution 03-07-02, revoked the standard for stepping stones and required a variance application to the Architectural Committee; and

WHEREAS, the Landscape Committee determined that stepping stones are temporary in nature and are placed within common area landscaping; and

WHEREAS, the Landscape Committee determined that requiring a landscape request form application may unduly restrictive during the resale process and could be simplified by landscape management review;

NOW THEREFORE BE IT RESOLVED, October 17, 2023 the Board of Directors introduces the change from mandatory landscape request form and consideration thereof shall be performed by Landscape Management; and

RESOLVED FURTHER, all new stepping stone installations shall be performed following the attached Stepping Stone Guidelines and all existing stepping stone installations not previously approved by Variance or Standard shall be reviewed by landscape management staff for adherence to the Stepping Stone Guidelines; and

RESOLVED FURTHER, all existing stepping stone installations not previously approved by Variance or Standard, and found not in adherence to the Stepping Stone Guidelines may be reviewed through the landscape request form process; and

RESOLVED FURTHER, Resolution 03-22-17, adopted February 15, 2022, is hereby superseded in their 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.

Stepping Stone Guidelines

The member applying for a landscape variance shall provide to the Landscaping Services Department a landscape request form with detailed plan(s), for approval, indicating all work to be done, i.e., size, location, description and specifications.

PREPARATIONS

- Stepping stones shall not be used to create a new path across common area for access to exclusive use patios, courtyards or parking areas.
- No stepping stones will be allowed that will hinder yard drainage.
- In no case will stepping stones cover over sprinklers, sprinkler lines, or other related items.
- Stepping stones may not hinder access by maintenance crews.
- Stepping stones will not be allowed farther than four feet from the walls of the manor.

No stepping stones will be permitted in the grass.

- Stepping stone layout will only be permitted to provide access from a point of ingress/egress to a hose bib, an existing patio gate or opening and/or personal plants.

APPLICATIONS

- Stepping stones should be constructed of concrete. No wood or degradable products.
- All stepping stones must have a non-slip/non-skid surface.
- All stepping stones must have a minimum diameter or width of 12 inches.
- Stepping stones should be spaced no more than eight inches apart.
- The layout created with the stepping stones should be no greater than two feet wide.
- No decorative material may be used to fill in the spacing between stepping stones (i.e. gravel, pebbles, etc.)

RESOLUTION - Installation of Pavers, Gravel, Decomposed Granite and Stepping Stones

Resolution 03-09-108 – Adopted September 15, 2009 – Third Laguna Hills Mutual

WHEREAS, the re-landscaping program is leading to the removal of narrow strips of grass between driveways, along some walkways, and between manors; and

WHEREAS, due to the slope of some of these areas, the perimeters require soil retention measures, which is mitigated by way of a standard low height mortarless block wall; and

WHEREAS, the current soil retention measures made necessary by the re-landscaping program are creating concerns about reduced accessibility on driveways, walkways, and between manors, and the Mutual does not have a policy addressing the reduced accessibility as a result of the re-landscaping program.

NOW THEREFORE BE IT RESOLVED, September 15, 2009, that the Board of Directors hereby adopts a policy to allow for the installation of pavers, gravel, decomposed granite, and stepping stones as part of the re-landscaping program for soil retention in areas not to exceed 300 square feet; and

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

RESOLUTION - Dry Rot

Resolution M3-87-13 – Adopted March 17, 1987 – Third Laguna Hills Mutual

Out of concern that potted plants and other moisture retaining objects placed directly on decks, breezeways or balcony surfaces of buildings managed by this corporation contribute directly to dry rot and other damage, the board of directors hereby prohibits their placement on these surfaces unless these objects are placed on a water-resistant surface designed to prevent moisture from reaching the decking, breezeway or balcony surface on which it is placed.

RESOLUTION - Plants and Limited Common Area Walls Policy

RESOLUTION 03-14-106 – Adopted October 21, 2014 – Third Laguna Hills Mutual

WHEREAS, Mutual members have installed vines and plants that impede maintenance access to walls surrounding exclusive use patio areas; and

WHEREAS, the Mutual notifies Mutual members of the need to remove the plantings to facilitate maintenance of wood, stucco, and block walls in conjunction with various Maintenance programs; and

WHEREAS, the Mutual desires to establish a policy whereby Mutual members can be permitted to retain vines and plants only on block walls surrounding exclusive use patios, and not wood and stucco walls, with the condition the requesting Mutual members be responsible for all future maintenance and repairs of block walls necessitated by the plant/vine retention;

NOW THEREFORE BE IT RESOLVED, October 21, 2014, the Board of Directors of this Corporation hereby adopts a policy for Plants and Limited Common Area Walls (as attached to the official meeting minutes); and

RESOLVED FURTHER, the requesting Mutual member must sign and record an Agreement Regarding Permitted Maintenance of Exterior Ivy which assigns responsibility for the maintenance and/or repair of the subject walls to the member and to any subsequent member of the subject manor; 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.

RESOLUTION - Appeal Policy

RESOLUTION 03-19-79 – Adopted August 20, 2019 – Third Laguna Hills Mutual

WHEREAS, Third Laguna Hills Mutual's ("Third") Governing Documents require a Member to seek approval from the Board of Directors ("Board") on various matters of Corporate business by way of the Committee structure or Management;

WHEREAS, the Board recognized that need to amend the Appeal Policy to align with the current California Civil Code; and

NOW THEREFORE BE IT RESOLVED; August 20, 2019, that the Board of Directors of this Corporation hereby adopts the amended Appeal Policy, as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that Resolution 03-13-105 adopted October 15, 2013 is hereby superseded in its entirety and cancelled;

RESOLVED FURTHER, that this Appeal Policy and the mechanisms for appeals of decisions described herein shall supersede any prior or contrary appeal procedure or

right of Members on the decisions subject to this Appeal Policy as may be found in Third's Governing Documents, as may be applicable;

RESOLVED FURTHER, that the foregoing Appeal Policy shall apply to decisions on matters heard and decided by the Board as described therein, but shall not otherwise affect the ability of Members to appeal committee and/or management decisions on matters not heard by the Board as may otherwise be provided for in Third's Governing Documents; 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.

RESOLUTION - Outside Plant Watering Restrictions

Resolution 03-22-98 – Revised September 20, 2022 – Third Laguna Hills Mutual

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

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

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

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

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

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

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

RESOLUTION - Herbicide Spray Cessation Guidelines

Resolution 03-23-123 – Adopted October 17, 2023 – Third Laguna Hills Mutual

WHEREAS, due to staffing levels and the proliferation of invasive kikuyu grass, the only practical way to control weeds in the shrub beds and turf edges is the use of herbicides; and

WHEREAS, some members of Third Mutual have requested that staff not use herbicides in the shrub beds adjacent to their respective units; and

WHEREAS, due to the increased labor associated with hand weeding shrub beds, residents requesting the cessation of herbicide application adjacent to their units should be responsible for the timely removal of weeds and maintenance of the turf edges at the shrub beds; and

WHEREAS, said members of Third Mutual making such requests shall fill out and sign an agreement stating their intention and responsibility to perform the weeding and edging of the shrub beds; and

WHEREAS, the Landscape Department shall retain the responsibility for regular pruning of shrubs and the right to apply herbicides to turf areas, insecticides when necessary;

NOW THEREFORE BE IT RESOLVED, October 17, 2023, the Board of Directors introduces the ability to request cessation of herbicide applications in the shrub bed areas following the filing of a signed No Herbicide Agreement; and

RESOLVED FURTHER, all responsibility of weeding and turf edging in the shrub beds shall become the responsibility of the requesting resident; and

RESOLVED FURTHER, all other routine maintenance of the shrub beds shall remain the responsibility of the Landscape Department; and

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



No Herbicide Agreement

Members of the Village are entitled to request that herbicide is not sprayed in the common area shrub beds (planters) adjacent to their unit by Landscaping Services Department staff. However, this request prohibits staff from performing regular landscape maintenance as scheduled at the unit. By signing the agreement below, you are acknowledging that you do not want VMS Inc. staff to spray herbicides in the designated area adjacent your unit, and that you will maintain the turf edging and weeding in the designated area adjacent to your unit going forward. This agreement applies only to herbicides used for the control of weeds and grasses in the shrub beds. The Village reserves the right to revoke this agreement if landscape maintenance standards are not being met by the undersigned member.

I, _____, certify that I have read and understand the agreement above. I also understand that due to my request, I am now responsible for the routine landscape weeding in the shrub beds adjacent to my unit in the common area. If I do not maintain the landscaping up to the current standards, Third Mutual maintains the right to void this agreement at any time and VMS Inc. will regain routine maintenance responsibilities at my unit, including the right to spray herbicides.

Member Signature

Street Address

Date

Staff Signature

Employee ID

Date



RESOLUTION 03-23-XX

Third Mutual Committee Appointments

RESOLVED, November 21, 2023, 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)

Andy Ginocchio, Chair

~~Cush Bhada~~

Moon Yun

Brad Rinehart

SK Park

~~Mark Laws~~

Non-Voting Advisors: Wei-Ming Tao

Architectural Control and Standards Committee (meets monthly)

James Cook, Chair

~~Cush Bhada~~

Ralph Engdahl

Nathaniel Ira

Lewis

Cris Prince

~~Brad Rinehart~~

Andy Ginocchio, Alternate

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

Landscape Committee (meets monthly)

Nathaniel Ira Lewis, Chair

Ralph Engdahl

SK Park

Brad Rinehart

Cush Bhada

Moon Yun, ~~Alternate~~

Mark Laws, Alternate

Maintenance and Construction Committee (meets every other month)

Ralph Engdahl, Chair

James Cook

Brad Rinehart

Moon Yun

SK Park

Andy Ginocchio, Alternate

Non-voting Advisors: Judith Troutman, Peter Henschel

Executive Hearing Committee (meets monthly)

Mark Laws, Chair

Jim Cook

Cris Prince

Ralph Engdahl, Alternate

Andy Ginocchio, Alternate

Resident Policy and Compliance Committee (meets monthly)

Mark Laws, Chair

Moon Yun

Andy Ginocchio

Cris Prince

Nathaniel Ira Lewis

SK Park, Alternate

Non-Voting Advisors: Stuart Hack, Theresa Keegan

Water Conservation Committee (meets quarterly)

Jules Zalon, Chair

~~Cush Bhada~~

Brad Rinehart

Nathaniel Ira Lewis

Garden Villa Recreation Room Subcommittee (meets thrice yearly)

SK Park, Chair

Moon Yun

~~Cush Bhada~~

Voting Advisors: Stuart Hack, Lynn Jarrett

Non-Voting Advisors: Lorna Seung

Executive Committee (can attend Closed Meetings / Executive Sessions)

Mark Laws

Jim Cook

Ralph Engdahl
Andy Ginocchio
Cris Prince
~~Cush Bhada~~
Nathaniel Ira Lewis
Moon Yun
SK Park
Brad Rinehart

RESOLVED FURTHER, that Resolution 03-23-125, adopted October 17, 2023, 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 03-23-XX

GRF Committee Appointments

RESOLVED, November 21, 2023, 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

Mark Laws

Andy Ginocchio

~~Cush Bhada, Alternate~~

GRF Finance Committee

Andy Ginocchio

Brad Rinehart

Mark Laws, Alternate

GRF Landscape Committee

Nathaniel Ira Lewis

SK Park

Andy Ginocchio, Alternate

GRF Maintenance and Construction Committee

Brad Rinehart

Ralph Engdahl

James Cook, Alternate

Clubhouse Renovation Ad Hoc Committee

Ralph Engdahl

Andy Ginocchio

Moon Yun, Alternate

GRF Media and Communications Committee

Jim Cook

Cris Prince

Moon Yun, Alternate

Mobility and Vehicles Committee

~~Cush Bhada~~

~~SK Park~~

Moon Yun

Jim Cook, Alternate

Security and Community Access Committee

S.K. Park

Purchasing Ad Hoc Committee (new)

Andy Ginocchio

Ralph Engdahl, Alternate

Broadband Ad Hoc Committee

Cris Prince

Jim Cook

Disaster Preparedness

SK Park

Moon Yun

Laguna Woods Village Traffic Hearings

SK Park

Mark Laws, Alternate

IT Technology Advisory Committee (ITAC)

Mark Laws

SK Park

Website Ad Hoc Committee

Mark Laws

~~Compliance Ad Hoc Committee~~

~~Moon Yun~~

~~Andy Ginocchio~~

Finance Advisory Group

Andy Ginocchio

Space Planning Ad Hoc Committee

Andy Ginocchio

SK Park

RESOLVED FURTHER, that Resolution 03-23-126, adopted October 17, 2023, 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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STAFF REPORT

DATE: November 21, 2023
FOR: Board of Directors
SUBJECT: Compliance Division Enforcement Budget Reduction 2024

RECOMMENDATION

Review and provide direction to staff regarding approved reduction of the Compliance Division funding for 2024.

BACKGROUND

The Board of Directors is obligated to evaluate and impose if appropriate, member-discipline under its Bylaws and California Civil Code. On July 20, 2004, the Board of Directors established the Timely Processing of Member Discipline process for the purposes of holding disciplinary hearings in a timely manner and ensuring progressive discipline (Resolution 03-04-12).

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 will monitor the situation and if compliance is not evident, 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.

On September 19, 2023, the Board of Directors reduced the 2024 Business Plan budget of the Compliance Division by 25%, or \$71,439; which will result in a dramatic reduction of service level and enforcement of current rules and regulations. It's important to note that any elimination of positions falls under the authority of Village Management Services, Inc. (VMS). Any reduction in staff will be to be reviewed and approved by VMS.

DISCUSSION

The Compliance Division is composed of eight (8) full time equivalent staff members and is responsible for administering the rules enforcement programs for the Golden Rain Foundation (GRF), United Laguna Woods Mutual (United) and Third Laguna Hills Mutual (Third). The Compliance Division coordinates the investigation for all alleged violations and facilitates and organizes three disciplinary hearing committees. In addition, the Compliance Division serves as Staff Officer to three governing documents committees.

For year-to-date 2023, the Compliance Division averages 760 open disciplinary cases each month; 419 for Third. Below is a breakdown of disciplinary cases for Third:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Total Number of Cases	381	387	454	410	470	416	479	416	399	381
Allegation:										
Abandoned Vehicle	6	7	9	6	6	4	8	7	9	4
Alteration Maintenance	9	15	17	16	10	13	15	14	17	13
Alteration Standards	34	28	29	31	39	32	31	32	38	41
Animal Nuisance	25	30	33	31	23	28	30	29	22	26
Care Giver Policy	3	2	2	3	2	2	2	2	5	1
Clutter	145	167	192	179	203	177	191	165	152	130
Delinquencies	30	31	31	29	36	31	35	32	32	29
Illegal Occupancy	34	34	38	31	44	36	40	37	34	27
Landscape	40	31	39	37	42	38	44	39	42	32
Maintenance	16	16	23	20	28	21	39	23	27	23
Nuisance	21	15	23	14	21	19	25	20	16	32
Other	9	0	3	3	5	4	1	4	1	0
Real Estate Signage	4	8	7	7	6	6	5	6	2	3
Smoking Policy	2	2	3	3	5	3	7	4	1	4
Traffic Violations	3	1	5	0	0	2	6	2	1	16

Additionally, the Compliance Division has scheduled 142 disciplinary hearings; 43 for GRF, 73 for United and 37 for Third. Below is a breakdown of disciplinary hearings for Third:

Type of Violation	Disciplinary Hearings	Found in Violation	Found Not In Violation	Fines Imposed
Alteration Standards	2		2	
Animal Nuisance	1	1		\$100
Clutter - Breezeway	4	3	1	
Clutter - Carport	2	2		\$500
Clutter - Common Area	4	3	1	\$2,500
Clutter - Interior	3	1	2	
Clutter - Patio	2	2		
Delinquent Account	1	1		
Landscape Restrictions	2	1	1	\$500
Maintenance	3	2	1	\$500
Nuisance	5	3	2	\$250
Unauthorized Occupancy	8	7	1	\$2,300
Total	37	26	11	\$6,650

Below is a breakdown of violations by category:

Allegation:	%
Clutter	38%
Illegal Occupancy	9%
Landscape	9%
Alteration Standards	8%
Delinquencies	8%
Animal Nuisance	7%
Maintenance	6%
Nuisance	5%
Alteration Maintenance	3%
Abandoned Vehicle	2%
Real Estate Signage	1%
Smoking Policy	1%
Traffic Violations	1%
Care Giver Policy	1%
Other	1%

The Compliance Division has two (2) Compliance Inspectors, one (1) dedicated to and funded by United and one (1) dedicated to and funded by Third, who are responsible for inspecting the following types of violations: balcony clutter, breezeway clutter, carport clutter, interior clutter, patio clutter, alterations, sign (estate sales, realtor sales, campaign signs), illegal occupancy, and vehicle restrictions. Additionally, the Compliance Division is tasked with delivery of specific notices, conducting informal sound inspections and serve as back up.

FINANCIAL ANALYSIS

The Board has the authority to impose disciplinary action, after a duly noticed hearing, if compliance has not been achieved. For 2023, the total budget for Resident Violations is \$63,444, which has been based on past history of violations and associated fines and anticipated actions taken by the Board. For year-to-date 2023, the Board has imposed approximately 10% of this budgeted line item in the amount of \$6,650 in disciplinary fines.

The Board has approved a reduction of 25%, or \$71,439, for the 2024 Business Plan. The 25% reduction will result in the inability to investigate, enforce and inspect a majority of violations such as all types of clutter and other regularly complaints by members of Third Mutual. As a result, service levels will decrease and many policies will have to be addressed formally in order to reflect this reduction rather than create a situation of statutory neglect.

Below are alternatives for the 25% reduction:

Alternative 1: Reduction of Enforcement

Under this alternative, the Board will need to direct staff on which types of violations to cease/reduce investigation and extend the disciplinary process allowing members more time to address the violations. Currently, clutter and occupancy investigations require the most staff

time as documentation, interviews, and follow ups are conducted for each allegation. The corresponding policies would need to be updated per resolution to reflect the changes.

Alternative 2: Share Compliance Inspector with United

At present, the Compliance Inspector Position averages ten (10) inspections of clutter/occupancy per day. Removal of a Compliance Inspector would result in United and Third sharing one (1). This will result in half of the cases that can be handled for United and Third per day. This will create a wait list for cases handled by the Compliance Inspector. If complaints are not acted on in a timely manner by the Board, the residents may be critical of the Boards inaction and/or may litigate due to the perceived failure of the Boards to enforce their Bylaws and rules and regulations. The United Board of Directors would have to agree to the reduction in service level under this alternative.

Alternative 3: Reinstatement of the 25%

Under this alternative, the Board would pass a supplemental appropriation reinstating the 25% reduction in the Compliance Division. As a result, there will be no negative changes in service levels.

Prepared By: Francis Gomez, Operations Manager

Reviewed By: Eric Nunez, Security Services Director

ATTACHMENT(S)

None



FINANCE COMMITTEE MEETING REPORT OF THE REGULAR OPEN SESSION

Tuesday, October 3, 2023 – 1:30 p.m.
Hybrid Meeting

DIRECTORS PRESENT: Donna Rane-Szostak – Chair, Mark Laws, Jim Cook, Ralph Engdahl, Cris Prince, Cush Bhada, Ira Lewis, Moon Yun, S.K. Park, Andy Ginocchio
DIRECTORS ABSENT: Jules Zalon
ADVISORS PRESENT: Wei Ming Tao
STAFF PRESENT: Steve Hormuth, Jose Campos, Kurt Wiemann, Francis Gomez, Erika Hernandez

Call to Order

Director Donna Rane-Szostak, Treasurer, chaired and called the meeting to order at 1:30 p.m.

Approval of Meeting Agenda

A motion was made and carried unanimously to approve the agenda as presented.

Approval of Meeting Report for August 1, 2023

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 thanked the Board, the Village and the community for allowing her to serve as the Treasurer. In addition, she briefly discussed the Investment Policy and current investments.

Member Comments (Items Not on the Agenda)

None.

Department Head Update

Steve Hormuth, Director of Financial Services, provided an update of the 2024 Business Plan adoption that took place on September 19 and the implementation process of the ERP.

Preliminary Financial Statements dated August 31, 2023

Jose Campos, Assistant Director of Financials Services, presented the Preliminary Financial Statements dated August 31, 2023. Questions and comments were noted by staff.

2024 Collections and Lien Enforcement Policy

The 2023 Collection and Lien Enforcement Policy was provided to legal counsel for review. Legal provided a revised 2024 policy to be reviewed and discussed for approval. A motion was made to accept and endorse the 2024 Collections and Lien Enforcement Policy as provided by legal. Hearing no objection, the motion passed unanimously and will be presented at the next board meeting and be placed on the Consent Calendar and 28-day notice.

Endorsements from Standing Committees

Resident Policy & Compliance Committee – Amend Schedule of Monetary Penalties. Francis Gomez, Operations Manager, presented a staff report recommending an increase to the penalty schedule ranging from \$50-\$2,000. A motion was made and moved by President Mark Laws to accept staff's recommendation of the amended Monetary Penalty schedule as presented. Director Cris Prince seconded. Discussion ensued. By Unanimous decision, the motion passed and will be presented at the subsequent Board meeting.

Director Jim Cook left the meeting at 3:00PM.

Landscape Services Committee – Approve and Endorse an Unbudgeted Expense for Landscape Projects. Kurt Wiemann, Director of Landscape Services, presented a staff report requesting approval for a supplemental expenditure in the amount of \$314,900 to be funded from the 2023 Operating Fund. The motion was made and moved by Director Ira Lewis and seconded by President Mark Laws. Hearing no objection, the motion passed unanimously and will be presented at the next scheduled board meeting.

Future Agenda Items

Self-Insurance: Joint Powers Insurance Authority (JPIA)

Committee Member Comments

Multiple members of the committee shared their gratitude towards Director Rane-Szostak and thanked her for her years as Treasurer of Third Mutual.

Date of Next Meeting

Tuesday, December 5, 2023 at 1:30 p.m.

Recess to Closed Session

The meeting recessed at 3:17 p.m.

Donna Rane-Szostak

[Donna Rane-Szostak \(Oct 12, 2023 14:09 PDT\)](#)

Donna Rane-Szostak, Chair

Donna Rane-Szostak, Chair
Steve Hormuth, Staff Officer
Telephone: 949-597-4201

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OPEN MEETING

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

**Monday, October 09, 2023 – 1:30 p.m.
Laguna Woods Village Board Room/Virtual Meeting
24351 El Toro Road, Laguna Woods, California**

REPORT

COMMITTEE MEMBERS PRESENT: Jim Cook – Chair, Ralph Engdahl, Andy Ginocchio (Alternate), Nathaniel Ira Lewis, Advisors: Michael Butler, Lisa Mills, Mike Plean

COMMITTEE MEMBERS ABSENT: Cush Bhada (Excused), Cris Prince (Excused)

STAFF PRESENT: Bart Mejia – Maintenance & Construction Assistant Director, Gavin Fogg – Manor Alterations Supervisor, David Rudge – Manor Alterations Inspector II, Josh Monroy – Manor Alterations Coordinator

1. Call Meeting to Order

Chair Cook called the meeting to order at 1:30 p.m.

2. Approval of the Agenda

Hearing no objection, the agenda was approved by consent.

3. Approval of the Meeting Report for September 11, 2023

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

None.

- 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** – None.

9. Variance Requests

None.

10. Items for Discussion and Consideration

- a. Revision to Architectural Standard 31: Washer and Dryer Installation

The Committee suggested revisions to Section 4.3 as follows: “All washer hook ups...” to “All washer **connections**...”. Section 4.4 revision “Mutual-owned flat PVC roofs” to “Mutual-owned flat roofs”.

A motion was made to recommend the Third Board approve the standard. Hearing no objection, the motion was approved by unanimous consent.

- b. Revision to Demolition Consent Requirements & Associated Fees

The Committee suggested fixing a double entry clerical error.

A motion was made to recommend the Third Board approve the revisions to the demolition consent requirements and associated fees. Hearing no objection, the motion was approved by unanimous consent.

11. Items for Future Agendas

- a. Revision to Architectural Standard 8: Porch Lift/Elevators – **November**
- b. Proposed Architectural Standard 41B: Solar Panels, 3 Story Buildings – **November**
- c. Revision to Architectural Standard 18: Gutters and Downspouts – **TBD**
- d. Detailed Interior Inspections – **TBD**

- e. Review Current Conditions and Restrictions for Solar Installations – **November**

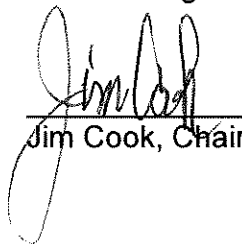
12. Committee Member Comments

- Advisor Butler shared his sentiments that while gradual, incremental changes are happening and that should be applauded.

13. Date of Next Meeting: Monday, November 13, 2023 at 1:30 p.m.

14. Adjournment

The meeting was adjourned at 1:56 p.m.


Jim Cook, Chair

10/12/2023

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

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OPEN MEETING

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

**Monday, November 6, 2023 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, Jim Cook, SK Park, Brad Rinehart, Moon Yun

MEMBERS ABSENT: Peter Henschel, Advisor

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

1. Call Meeting to Order

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

2. Approval of the Agenda

Hearing no objection, the agenda was approved as written.

3. Approval of the Meeting Report from August 30, 2023

Hearing no objection, the meeting report was approved unanimously.

4. Remarks of the Chair

None.

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

- A member inquired about potential options to replace flooring in Garden Villa rec room kitchens and restrooms.

- A member inquired about the potential of replacing the mailboxes at their building.

6. Response to Member Comments

Staff responded to the member's comments and will follow up as appropriate.

7. Department Head Update

- Gate 11 Seepage
Mr. Mejia provided an update on this completed project via PowerPoint.
- Speed Queen Washer/Dryer Installations
Mr. Barnette provided an update and answered questions from the committee. As of today, 20 washing machines and 17 dryers have been replaced; none of which have required any repairs.
- Recruitment for Temporary Staff for Building Pressure Valve Readings
Mr. Barnette provided an update and answered questions from the committee. A part-time temporary position, open to residents, was posted on the village website on October 30, 2023. No applications have been received at this time.

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 at the end of the open session.

a. Project Log

Staff answered questions from the committee regarding various projects. A motion was made and passed by unanimous consent to approve the consent calendar.

9. Items for Discussion and Consideration

a. Slope Repair RFP Update (Verbal)

Mr. Mejia provided an update via PowerPoint and answered questions from the committee. Staff will present a recommendation for this item in closed session.

b. Post-Paint Program (Verbal)

Mr. Barnette provided background on the suggested program. At the request of the committee, staff has instated a warranty walk/inspection 2-4 weeks post paint with the paint vendor.

c. Contractor and Staff Oversight Presentation

Mr. Gomez provided a description of the process for overseeing contractors and staff via PowerPoint.

d. Options for Improving Delivery of Hot Water to Individual Manors

Mr. Barnette discussed recirculating systems and inline water heaters via PowerPoint and answered questions from the committee. Installation and maintenance of any type of system would be the responsibility of the owner, not the mutual.

10. 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.*

- a. Incentive to Upgrade Pipes and/or Dedicated Water Shut-Off Valves in Walls During Remodeling
- b. Mutual Owned/Mutual Funded Solar Power Options for EV Charging

11. Committee Member Comments

- Director Park thanked staff for their hard work.

12. Date of Next Meeting: Monday, January 8, 2024 at 9:30 a.m.

13. Recess – The meeting was recessed at 3:09 p.m.



Ralph Engdahl, Chair

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

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OPEN MEETING

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

**Thursday, November 2, 2023 at 9:30 a.m.
BOARD ROOM/VIRTUAL MEETING
Laguna Woods Village Community Center, 24351 El Toro Road**

REPORT

COMMITTEE MEMBERS PRESENT: Chair- Ira Lewis, Ralph Engdahl, Brad Rinehart, Cush Bhada, S.K. Park

COMMITTEE MEMBERS ABSENT: None

OTHERS PRESENT: None.

ADVISORS PRESENT: None.

STAFF PRESENT: Kurt Wiemann, Megan Feliz

1. Call Meeting to Order

Chair Lewis called the meeting to order at 9:35 a.m.

2. Approval of Agenda

Director Park made a motion to approve the agenda. Director Bhada seconded. The meeting agenda was approved by unanimous consent.

3. Approval of the October 11, 2023 Report

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

4. Remarks of the Chair

Chair Lewis had no remarks.

5. Department Head Update

Mr. Wiemann provided an update regarding the Habitat Restoration project.

Mr. Wiemann gave an update on two new laws; AB 1572 (prohibition of potable water for non-functional turf) and AB 1322 (rodenticide material change).

Mr. Wiemann recommended that unbudgeted funds be used to contract for additional mulching throughout the Mutual. The Committee was in unanimous support.

Members made comments and asked questions.

5a. Project Log

Mr. Wiemann discussed the provided Project Log in detail. Members made comments and asked questions.

5b. Water Use Comparison

Mr. Wiemann discussed the provided Water Use Chart in detail. Members made comment and asked questions.

5c. Tree Work Status Report

Committee member asked questions regarding labor hours

6. Member Comments

Two member made comments, topics included the following:

- Compliments on weed control
- West Creek
- Compliments to Landscaping Staff, Mission Landscape Staff, and the Board of Directors
- Prevention of wildfires

7. Response to Member Comments

Mr. Wiemann and members of the Committee responded to the comments.

8. Items for Discussion and Consideration

8a. Owl Box Pilot Program

Mr. Wiemann discussed the provided presentation. He recommended that the Committee wait one year prior to beginning any work related to this potential project due to an existing group within the Village already making progress on the installation of Owl boxes in partnership with the Recreation Department. The Committee agreed unanimously.

8b. Wildflower Pilot Program

Mr. Wiemann stated that he will bring this item back to the Committee at the next meeting.

8c. Landscape Manual

Discussion ensued, the Committee asked for links to be added in the manual to help guide residents. Director Engdahl made a motion to send the Manual to the Board with the changes. Director Bhada seconded the motion. The Committee was in unanimous support.

8d. Urban Forest Management Plan

Mr. Wiemann explained the report to the new committee members. Discussion ensued among the Committee. The Committee agreed to have the images fixed for clarity.

Director Engdahl made a motion to submit the Urban Forest Management Plan to the Board of Directors for final approval and adoption. Director Bhada seconded. The motion passed unanimously.

9. Items for Future Agendas

- Wildflower Pilot Program
- Costs to increase service levels
- Comparison of labor hours for shrub bed maintenance

10. Committee Member Comments

Several comments were made.

11. Date of Next Meeting: Thursday, December 7, 2023, at 9:30 a.m.

12. Adjourned at 11:35 p.m.


Ira Lewis 12/07/2023 10:14 PST

Ira Lewis, Chair

Kurt Wiemann, Staff Officer

Megan Feliz, Landscape Administrative Assistant

949-268-2565

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

Tuesday, October 24, 2023 at 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, S.K. Park

MEMBERS ABSENT: Andy Ginocchio (excused), Nathaniel "Ira" Lewis (excused), Moon Yun (excused);

ADVISORS PRESENT: Stuart Hack and Theresa Keegan

ADVISORS ABSENT: None

STAFF PRESENT: Blessilda Wright and Ruby Rojas

OTHERS PRESENT: None

1. Call to Order

Mark Laws, Chair, called the meeting to order at 9:30 a.m.

2. Approval of Agenda

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

By unanimous consent, the motion passed.

3. Approval of Meeting Report

Director Prince made a motion to approve the September 27, 2023 meeting report. Chair Laws seconded the motion.

By a vote of 2-0-1 (Director Prince abstained), the motion passed.

4. Remarks of the Chair

None.

5. Members Comments (Items Not on Agenda)

A member made comments regarding RV parking on streets and year-round Christmas lights.

A member made a comment regarding the possible change to the Manor Alteration rules for asbestos testing.

6. Response to Members Comments

Chair Laws responded to the member stating the matters will be looked into with the Compliance Division.

7. Department Head Update

None.

8. Items for Discussion and Consideration

a. Barbecue Policy

Chair Laws, presented the Barbecue Policy for discussion. The Committee discussed the matter and asked questions.

Members made comments regarding barbecue grills being used in three-story buildings.

Director Park made a motion for the Chair and Staff to revise the proposed Barbecue Policy based upon comments received and bring to next Committee Meeting for further discussion. Director Prince seconded the motion.

By consensus the motion passed.

b. Clarification of Definition of “Objective Evidence”

Ms. Blessilda Wright, Compliance Supervisor, presented the Clarification of Definition of “Objective Evidence” for discussion. The Committee discussed the matter, asked questions, and clarified, against the Disciplinary Violations Matrix, what would suffice as "objective evidence" for most potential violations.

The Committee made scrivener error updates to the Disciplinary Violations Matrix.

9. Items for Future Agendas

- a. Financial Qualifications for Purchasing in Third Mutual
- b. Audit/ Review of Compliance Department against updated Davis-Stirling laws
- c. Temporary Container Policy
- d. Caregiver Policy

10. Committee Member Comments

None.

11. Date of Next Meeting

Wednesday, November 29, 2023 at 9:30 a.m.

12. Adjournment

With no further business before the Committee, the meeting was adjourned at 10:57 a.m.

Mark W. Laws
Mark W. Laws (Nov 2, 2023 12:30 PDT)

Mark W. Laws, Chair
Third Laguna Hills Mutual



OPEN MEETING

MINUTES OF THE REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL GARDEN VILLA RECREATION ROOM SUBCOMMITTEE

Wednesday, November 1, 2023 – 1:30 PM
Laguna Woods Village Board Room/Zoom Webinar
24351 El Toro Road, Laguna Woods, CA 92637

DIRECTORS PRESENT: S.K. Park – Chair, Moon Yun, Ralph Engdahl (Alternate)

DIRECTORS ABSENT: Cush Bhada (Excused)

ADVISORS PRESENT: Stuart Hack, Lynn Jarrett, Lorna Seung

ADVISORS ABSENT: None

STAFF PRESENT: Adam Feliz – Staff Officer
Chontelle Crite – Maintenance Operations Coordinator
Czarina Livelo – Senior Operations Specialist

1. Call to Order

Chair S.K. Park called the meeting to order at 1:34 p.m. and established that a quorum was present.

2. Approval of Meeting Agenda

Chair Park asked for a motion to approve the agenda.

Director Moon Yun made a motion to approve the agenda. Director Ralph Engdahl seconded.

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

3. Approval of Meeting Report for July 5, 2023

Chair Park asked for a motion to approve the meeting report of July 5, 2023.

Director Yun made a motion to approve the report. Advisor Stuart Hack seconded the motion.

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

4. Chair's Remarks

Chair Park commented that this is his first meeting as Chair of the subcommittee. He introduced and thanked all staff and subcommittee members.

5. Member Comments (Items Not on the Agenda)

None.

Items for Discussion

6. Garden Villa Recreation Room Projected Fund Balance Review

Staff Officer Adam Feliz presented the projected fund balance report. Questions from the subcommittee were addressed and noted by staff.

7. Third Mutual Epoxy Flooring, Heat Pump, and Water Heater Component Update

Staff Officer Feliz presented the update for informational purposes only. Questions from the subcommittee were addressed and noted by staff.

Director Yun requested a list of all buildings' components' completion status. Staff Officer Feliz suggested preparing a supplemental document for the Recreation Room Component Replacement Lifespan Schedule to present at the next meeting.

8. 2023 Garden Villa Recreation Room Expenditures Program Update

Staff Officer Feliz presented the update—no questions or requests from the subcommittee.

9. Recreation Room Carpet Replacement Update (Discussion Only)

Staff Officer Feliz presented the carpet replacement update, including the stockpiling plan. Questions from the subcommittee were addressed and noted by staff.

10. Recreation Room Component Replacement Lifespan Schedule

Staff Officer Feliz reviewed the schedule. He confirmed any “overdue” replacements were unnecessary to complete per staff inspections or building captain requests; all components will remain part of the biannual inspections regardless of when they were last replaced. Questions and requests from the subcommittee were addressed and noted by staff.

Advisor Hack inquired about other epoxy flooring options. Staff Officer Feliz referred the matter to the Maintenance and Construction Committee.

Chair Park proposed increasing the lifespan of each component to save money. Discussion ensued among the subcommittee. Staff Officer Feliz suggested staff present lifespan recommendations at the next meeting.

11. 2023 Recreation Room Component Replacement List and Budget Review

Staff Officer Feliz reviewed the projected component replacement list and budget. Questions from the subcommittee were addressed and noted by staff.

Director Yun asked if the Garden Villa budget is separate from the Third Mutual budget. Advisor Hack and Advisor Lynn Jarrett confirmed it is a different “restricted reserved fund.”

Discussion ensued regarding the Program Report provided by the Accounting Department.

Staff Officer Feliz recommended removing the Program Report from future agendas, as the same data is provided in more detail on the Garden Villa Recreation Room Expenditures Summary from Agenda Item #8.

Hearing no changes or objections, the removal of the Program Report was approved by unanimous consent.

12. Garden Villa Recreation Room Inspection Schedule Review

Staff Officer Feliz reviewed the proposed inspection procedure and schedule, which will be completed in collaboration between the staff and building captains. Discussion ensued, and questions from the subcommittee were addressed and noted by staff.

Staff Officer Feliz confirmed that all component replacements scheduled for 2023 have been completed.

13. Items for Future Agendas

Did not discuss.

Concluding Business

Subcommittee Member Comments

Did not discuss.

Staff Member Comments

Did not discuss.

Date of Next Meeting

Did not discuss.

Adjournment

The meeting was adjourned at 2:43 p.m.

DRAFT

S.K. Park, Chair

S.K. Park, Chair
Adam Feliz, Staff Officer
Telephone: 949-268-2074

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OPEN MEETING

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

Thursday, October 12, 2023 – 1:30 p.m.
Board Room/Virtual Meeting

MEMBERS PRESENT: Yvonne Horton, Chair, Joan Milliman, Maggie Blackwell, Cush Bhada, Mark Laws, Sue Stephens

MEMBERS ABSENT: Pearl Lee (excused), Elsie Addington (excused), Dennis Boudreau (excused), Ajit Gidwani (excused)

OTHERS PRESENT: Bunny Carpenter, Juanita Skillman, Andy Ginocchio, Alison Bok

STAFF PRESENT: Alison Giglio, Jennifer Murphy, Tom McCray, Jose Campos, Ada Montesinos, Jackie Chioni

Call to Order

Chair Horton called the meeting to order at 1:31 p.m.

Acknowledgement of Media

There was no press present.

Approval of Agenda

Director Laws made a motion to approve the agenda with the addition of Golf Driving Range Net Donation under Reports. Director Bhada seconded.

Motion passed unanimously.

Approval of Committee Report for September 14, 2023

Director Bhada made a motion to approve the report. Director Milliman seconded.

Motion passed unanimously.

Chair's Remarks

Chair Horton thanked Recreation office staff, William Arceo and Daniel Alcala, for their exceptional customer service.

Report of the Recreation and Special Events Director

Ms. Giglio reported the following Recreation Department highlights: Clubhouse 1 Pour and Paint classes continue to sell out so an additional class with the same content is now offered each month; on October 8, the Library hosted a volunteer appreciation dinner; Clubhouse 2 hosted a Tom Jones tribute on September 28 with approximately 250 attendees; registration is full for the Clubhouse 4 Arts and Crafts Bonanza and a waitlist has been created; Pool 5 will remain open one extra hour in the evening during the month of October; the Equestrian Center lesson program waitlist is under 85 and will drop to under 50 once new lessons begin in three weeks; Belle retired to Hoofs and Woofs Rescue due to a generous donation from residents for her care; the Equestrian Center security gate project is underway which will protect horses, owners and staff; the Library volunteers greeted 2,570 visitors and logged 783 hours in September.

Ms. Murphy reported the following: Monday night football is offered each Monday at Restaurant 19 and Lounge with food and drink specials; the Equestrian Center Harvest Hoedown will be held Saturday, October 14, 4 to 7 p.m.; Cheryl Russell, Laughter Yoga volunteer instructor, returns October 30 and class will continue each Monday, 9:15 to 10:15 a.m. at Clubhouse 1; Ms. Russell has been a volunteer instructor for approximately 20 years; the Halloween Golf Cart Parade will be hosted on October 31 and will begin at Clubhouse 1 at 11 a.m.; the Arts and Crafts Bonanza will be held at Clubhouse 4 on Saturday, November 4 and Sunday, November 5; the annual Thanksgiving buffet will be hosted at both Clubhouse 2 and Clubhouse 5; New Year's Eve tickets at the Performing Arts Center are on sale.

Mr. McCray reported the following: the golf course is in great condition after fall aerification; an irrigation issue has been addressed; the Greens Committee suggested a four-club mixer which was hosted today with approximately 100 players; the driving range may open first week of November; the Garden Center advisory group meeting went well with suggested action plan and enhancements to improve volunteer organization.

Member Comments (Items Not on the Agenda)

Members were called to speak on the following: billiard room at Clubhouse 1; not enough room at the Performing Arts Center for additional billiards tables; inquiry as to weekend hours at the Performing Arts Center; inquiry as to Clubhouse 1 renovation start date and end date; inquiry as to reinstatement of operational hours at Clubhouse 6; Saddle Club donations include, but are not limited to, the purchase of stall fans, sand, tools, stall guards, wheelbarrow, turnout covers and stethoscope, financial support of GRF horses, finding new homes for those horses that need to retire, assist in the Equestrian Center office, volunteer with Help the Herd and at Equestrian Center events, provides eight Equestrian Center tours

weekly, appears on Village TV to promote programs, hosts BBQs, movie days, bus trips to horse shows for the community, hosts moonshiners concerts with proceeds going to the Equestrian Center, all of which serves the riders, owners, management and the Laguna Woods Village community for free.

President Carpenter stated the Clubhouse 1 project bid package will be reviewed on October 24 during the M&C committee meeting. Chair Horton stated all facilities are being reviewed with no decision made regarding the closure of the billiards room at Clubhouse 1. Ms. Murphy stated Clubhouse 6 is opened, closed and monitored by the neighboring Clubhouse 5 staff. Chair Horton and Director Bhada thanked the Saddle Club.

CONSENT

Mr. Campos attended to update the Community Activities Committee on the Financial Statement.

Discussion ensued.

Director Milliman made a motion to approve the consent calendar. Director Blackwell seconded.

Motion passed unanimously.

REPORTS

Golf Driving Range Net Donation – Mr. McCray stated the driving range nets are not viable for long term use and recommended donation to a local high school.

Director Laws made a motion to accept the recommendation to donate the golf driving range nets to a local high school. Director Milliman seconded.

Discussion ensued.

Motion passed unanimously.

ITEMS FOR DISCUSSION AND CONSIDERATION

Donation of Fans for Equestrian Center - Director Blackwell made a motion to accept the donation of fans for the Equestrian Center. Director Bhada seconded.

Discussion ensued.

Motion passed 4-1 (Director Laws opposed).

Golf Pro Shop Sales Promotions – Mr. McCray stated the staff recommendation to allow Golf operations staff to utilize the resident golf database for merchandise sales promotions.

Director Laws made a motion to allow Golf operations staff to utilize the resident golf database for merchandise sales promotions. Director Milliman seconded.

Discussion ensued.

Motion passed unanimously.

Recreation and Special Events Department Operating Rules (Final Review) – Director Milliman made a motion to accept the presented operating rules with suggested edits. Director Bhada seconded.

Members were called to speak regarding the following: suggested edits to tennis operating rules; thanked tennis staff for contribution to tennis community; requested tennis staff to create more group play; court 2 group play harassment and exclusivity.

Discussion ensued.

Motion passed unanimously.

ITEMS FOR FUTURE AGENDAS

Reservation System Review – Staff was directed to place this item under Items for Future Agendas.

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

Equestrian Center Non-Resident Boarder Fee – Staff was directed to bring this item to CAC next month.

CONCLUDING BUSINESS

Committee Member Comments

None.

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, November 9, 2023.

Adjournment

There being no further business, the Chair adjourned the meeting at 3:23 p.m.

____*Yvonne Horton*____

Yvonne Horton, Chair

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

Wednesday, August 2, 2023 – 1:30 p.m.
Laguna Woods Village Community Center Board Room
24351 El Toro Road, Laguna Woods, CA 92637

MEMBERS PRESENT: Elsie Addington (Chair), Azar Asgari, Alison Bok, Cush Bhada, Egon Garthoffner, Sue Stephens, Moon Yun

MEMBERS ABSENT: Vashti Williams

OTHERS PRESENT: **GRF:** Juanita Skillman
Third: Maggie Blackwell

STAFF PRESENT: Robert Carroll, Francisco Perez, Joana Rocha, Sandra Spencer

1. Call to Order

Chair Addington called the meeting to order at 1:31 p.m.

2. Acknowledgment of Media

None present.

3. Approval of the Agenda

Hearing no objections, the agenda was approved by unanimous consent.

4. Approval of Meeting Report for

The meeting report for June 7, 2023, was unanimously approved as written.

5. Chair's Remarks

None.

6. Member Comments (Items Not on the Agenda)

- A member asked about the \$10 charged for the destination shopping where it reflects on the green book.
- A member asked why the bus counter devices were removed.
- A member asked who is responsible for monitoring spending.

7. Response to Member Comments

- Destination shopping is shown in a different revenue.
- The counters in the bus are sometimes removed for maintenance.
- General Services Director and Supervisor monitor the budget.

8. Director's Report

Staff provided the committee with an 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.

9. Overview of 2019 Fehr and Peers Short Range Transit Plan

Mr. Carroll Introduced the topic and answers questions from the committee.

Items for Discussion

10. Mobility and Vehicle Committee Meeting Schedule

Director Bhada made motion to approve staff's recommendation to modify the meeting schedule. Director Bok seconded the motion. A discussion followed, no objections were raised, and the motion was passed unanimously. The next committee meeting will be held on November 1, 2023.

11. Transportation Information Meeting Schedule

Director Stephens made a motion to approve staff's recommendation to modify the frequency of the Transportation Information Meeting from bi-monthly to semi-annual, with the exact dates to be determined by the staff as needed. Director Bok seconded the motion. A discussion followed, no objections were raised, and the motion was passed unanimously.

Items for Future Agendas:

- To be determined.

Concluding Business:

Committee Member Comments - None

Report of the Regular Open Session
GRF Mobility and Vehicles Committee Meeting
August 2, 2023
Page 3 of 3

Date of Next Meeting – Monday, November 6, 2023, at 1:30 p.m.

Adjournment - The meeting was adjourned at 3:32 p.m.

Elsie Addington

Elsie Addington (Aug 9, 2023 09:25 PDT)

Elsie Addington, Chair
Robert Carroll, Staff Officer
Telephone: 949-597-4242

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OPEN MEETING

**REGULAR MEETING OF THE GOLDEN RAIN FOUNDATION
LANDSCAPE COMMITTEE**

**TUESDAY, August 22, 2023 – 1:30 P.M.
BOARD ROOM / VIRTUAL MEETING
Laguna Woods Village Community Center
24351 El Toro Road**

REPORT

COMMITTEE MEMBERS PRESENT: Chair – Juanita Skillman, Yvonne Horton, Sue Quam, Glenn Miller, Maggie Blackwell (Alternate)

COMMITTEE MEMBERS ABSENT: Diane Casey, Ira Lewis, Jules Zalon

OTHERS PRESENT: Dennis Cafferty (El Toro Water District General Manager), Vu Chu (El Toro Water District Water Use Efficiency Analyst)

ADVISORS PRESENT: Catherine Brians

STAFF PRESENT: Kurt Wiemann, Jayanna Abolmoloki

1. Call Meeting to Order

Chair Skillman called the meeting to order at 1:30 p.m.

2. Acknowledgment of Media

No formal press was present. Granicus was not used during this meeting due to technical difficulties.

3. Approval of the Agenda

The agenda was approved without objections.

4. Approval of the Meeting Report for May 10, 2023

The report was approved without objections.

5. Committee Chair Remarks

Chair Skillman invited Mr. Cafferty from El Toro Water District to the lectern to give a presentation on the rate increases.

Members made comments and asked questions.

6. Department Head Update

Mr. Wiemann discussed staffing vacancies in detail.

6a. Update on Aliso Creek

Mr. Wiemann discussed the presentation in detail.

Members made comments and asked questions.

6b. Mower Shop Insulation Update

Mr. Wiemann discussed the presentation in detail.

Member made comments and asked questions.

Items for Discussion and Consideration**7. Member Comments (Items Not on the Agenda)**

One member voiced a complaint about the Willow trees at Aliso Creek.

8. Response to Members Comments

Members of the Committee responded to the member comment.

Concluding Business:**9. Committee Member Comments**

Several comments were made.

10. Date of Next Meeting – Wednesday, November 8, 2023 at 1:30 p.m.**11. Adjourned at 2:23 p.m.**
Juanita Skillman (Aug 30, 2023 1:53:33 PM)

Juanita Skillman, Chair



OPEN MEETING

REGULAR MEETING OF THE GOLDEN RAIN FOUNDATION MEDIA AND COMMUNICATIONS COMMITTEE

**Monday, September 18, 2023 – 1:30 p.m.
Board Room / Virtual Hybrid Meeting**

REPORT

Members Present: Chair Joan Milliman; Directors Margaret Bennett, Maggie Blackwell, James Cook, Cris Prince, Sue Quam, Juanita Skillman (alternate for Elsie Addington); Advisors Catherine Brians, Tom Nash, Carmen Pacella, Lucy Parker

Members Absent: Director Elsie Addington (excused); Advisor Theresa Frost (excused)

Others Present: GRF – Bunny Carpenter, Egon Garthoffner, Martin Roza
Third – S.K. Park
VMS – Debbie Allen

Staff Present: Robert Carroll, Catherine Laster, Susan Logan-McCracken, Paul Ortiz, Joana Rocha, Ellyce Rothrock

1. Call to Order

The meeting was called to order at 1:30 p.m. and a quorum was established by Chair Milliman.

2. Acknowledgement of Media

None present.

3. Approval of Agenda

Approved by unanimous consent.

4. Approval of Report for July 17, 2023

Approved by unanimous consent.

5. Chair's Remarks

Chair Milliman announced that the September/October Village Breeze is out. She welcomed Robert Carroll, General Services Director, who then introduced himself.

6. Member Comments

There were no member comments.

Items for Discussion

7. Media and Communications Report – Ellyce Rothrock

Ms. Rothrock held up the latest issue of the Village Breeze and read through highlights from the Media and Communications Activities Report.

8. Website Ad Hoc Committee Report – Ellyce Rothrock

Ms. Rothrock updated the committee on the contract with Urban Insight and stated that Information Services Director Chuck Holland will be in charge of the project, while she and Ms. McCracken will handle the day-to-day updating of the website.

9. Broadband Ad Hoc Committee Report – Paul Ortiz

Mr. Ortiz announced new Broadband Ad Hoc Committee Chair Martin Roza and updated the committee on the contract with The Broadband Group, who reached out to a list of potential providers that the ad hoc committee will review at 3:30 p.m. today.

10. Broadband Services Report – Paul Ortiz

Mr. Ortiz highlighted from the subscriber counts report:

- Village Television's YouTube channel subscriber counts continue to increase
- The use of set-top boxes is trending downward
- Pay services continue to decrease
- The higher speeds in internet subscriptions are increasing, while the lowest speed is decreasing

Mr. Ortiz gave a presentation on skyrocketing re-transmission fees, the programming landscape and expiring contracts.

Mr. Roza commented about the cable programming landscape and asked about the future of streaming costs. Discussion ensued.

Another discussion ensued on educating residents on how they can save money by purchasing the streaming app rather than paying the retail rate contractually offered to the community.

Mr. Ortiz then presented a staff report on adding NewsNet and Sports News Highlights to Village Television's current lineup for the period of November 1, 2023, through November 1, 2026, at no cost to GRF. All associated equipment and transmission costs will be the responsibility of Bridge Media Networks.

Chair Milliman entertained a motion. Juanita Skillman made a motion to recommend the approval of a contract with Bridge Media Networks to add NewsNet and Sports News Highlights to Village Television's current programming lineup for the period of November 1, 2023, through November 1, 2026, at no cost to GRF. All associated equipment and transmission costs will be the responsibility of Bridge Media Networks. Margaret Bennett seconded the motion, which carried unanimously.

Items for Future Agendas

TBD

Concluding Business

Committee Member Comments

Advisor Brians commended Village Television's longevity.

Advisor Parker commended the meeting and discussed the Village Community Fund's publicity guide for Village clubs.

Director Quam commended the staff for all the communications work completed every month.

Director Blackwell stated it was good to hear about the NewsNet channel.

Director Skillman discussed the Disaster Preparedness Task Force and reminded everyone to shelter in place if there is a disaster and not go to the clubhouses.

Director Cook recommended including information about streaming in the "What's Up in the Village" email blast and in the new resident orientation packets.

Mr. Carroll stated he looks forward to working with the committee.

Advisor Pacella thanked the committee for the work that they do.

Ms. McCracken introduced Ms. Rocha, who will assist with meeting coordination.

Date of Next Meeting – Monday, November 20, 2023, at 1:30 p.m.

Adjournment

Chair Milliman adjourned the meeting at 2:36 p.m.

p.p. Joan Milliman / SLM
Joan Milliman, Chair
Media and Communications Committee

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

Wednesday, October 18, 2023 – 1:30 p.m.
Hybrid Meeting

DIRECTORS PRESENT: James Hopkins – Chair, Bunny Carpenter (Substitute), Andy Ginocchio, Mickie Choi Hoe, Thomas Tuning, Sue Stephens

DIRECTORS ABSENT: Juanita Skillman, Martin Roza, Mark Laws, Brad Rinehart (excused), Margaret Bennett

ADVISORS PRESENT: None.

STAFF PRESENT: Steve Hormuth, Jose Campos, Alison Giglio, Erika Hernandez

OTHERS PRESENT: GRF – Reza Karimi, Egon Garthoffner
Third – S.K. Park

Call to Order

Director James Hopkins chaired the meeting and was called to order at 1:34 p.m.

Acknowledgement of Media

The meeting was streamed via Zoom for members of the community to participate virtually.

Approval of Meeting Agenda

A motion was made to approve the agenda as presented; the agenda was amended to add the following item:

- Add Agenda Item # 9.5 – Proposed Defunding at Year End

A motion was made to approve the amended agenda; hearing no objection, the amended agenda was approved by consent.

Approval of the Regular Meeting Report of August 16, 2023

A motion was made and carried unanimously to approve the meeting report as presented.

Chair Remarks

Director Hopkins provided an update of the current GRF Investment Portfolio.

Member Comments (Items Not on the Agenda)

A member representing the Camera Club requested the use of equipment on an earlier date and would like to know if their request had been approved by staff. Steve Hormuth responded and shared that he will direct the question to the Recreation and Special Events Director.

Department Head Update

Steve Hormuth, Director of Financial Services, provided updates regarding the Annual Budget Report and Annual Policy distribution and mentioned that the GRF Finance Advisory Group has begun to meet to discuss and review fee recommendations as shared by staff.

Review Preliminary Financial Statements dated September 30, 2023

The committee reviewed the financial statements dated September 30, 2023. Questions were addressed and noted by staff.

Additional Occupancy Fee

Steve Hormuth presented a staff report requesting approval to change the GRF Additional Occupant Fee to equal 50% of the GRF per manor per month basic assessment resulting in a monthly fee of \$114.00 (rounded to the nearest dollar). A motion was made and moved by Director Andy Ginocchio to approve staff's recommendation. Director Mickie Choi Hoe seconded. Discussion ensued. The motion passed unanimously and will be presented at the next Board meeting.

Proposed Defunding at Year End

Jose Campos, Assistant Director of Financial Services, presented a staff report recommending to defund capital projects as follows: one reserve expenditure from the Equipment fund, one from the Facilities Fund, and reducing funding on one from the Equipment Fund by December 31, 2023. The capitals items will be closed out at year end. A motion was made and moved by Director Thomas Tuning to accept staff's recommendation as presented. Director Micki Choi Hoe seconded. Discussion ensued. Hearing no objects, the motion passed unanimously and will be presented at the next Board meeting.

Endorsement from Standing Committees

Community Activities Committee – Donation of Fans for Equestrian Center. Alison Giglio, Recreation and Special Events Director, presented a staff report to approve acceptance of a donation made by The Saddle Club consisting of 18 NewAir outdoor high-velocity fans and approval of an unbudgeted operating expense in the amount of \$6,715 for the installation of the fans. A motion was made and moved by Director Bunny Carpenter to accept the donation and approve the unbudgeted operating expense as presented by staff. Director Thomas Tuning seconded. Discussion ensued. The motion passed by a 5-1 vote (Director Sue Stephens opposed) and will be presented at the next Board meeting.

Future Agenda Items

Recreation Room Rental Fees

RV Fees

Traffic Fees

Committee Member Comments

None.

Date of Next Meeting

Wednesday, December 20, 2023 at 1:30 p.m.

Recess to Closed Session

The meeting recessed to closed session at 2:56 p.m.



James Hopkins, Chair

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**SPECIAL OPEN MEETING OF THE PURCHASING TASK FORCE
WITH INVITATION TO ALL BOARDS ALL DIRECTORS
REPORT OF THE OPEN SESSION**

Monday, October 23, 2023 – 9:30 a.m.
Laguna Woods Village Community Center Board Room

DIRECTORS PRESENT: Bunny Carpenter – Chair, Jim Hopkins, Thomas Tuning, Andy Ginnochio, Donna Rane-Szostak

DIRECTORS ABSENT: None.

STAFF PRESENT: Steve Hormuth, Jose Campos, Dan Hoxie, Erika Hernandez

OTHERS PRESENT: GRF – Debbie Dotson, Reza Karimi, Joan Milliman, Yvonne Horton, Gan Mukhopadhyay, Egon Garthoffner
United – Mickie Choi Hoe, Maggie Blackwell, Anthony Liberatore, Nancy Carlson, Georgiana Willis
Third – Mark Laws, Cris Prince, S.K. Park
VMS – Diane Phelps

Call to Order

President Bunny Carpenter chaired the meeting and called it to order at 9:35 a.m.

Acknowledgement of the Media

The meeting is made available on Granicus and via Zoom for members of the community to participate virtually.

Approval of Agenda

A motion was made and carried unanimously to approve the agenda as presented.

Approval of the Meetings Report for October 4, 2023

A motion was made and carried unanimously to approve the meeting report as presented.

Chair Remarks

President Carpenter shared that the Purchasing Task Force held multiple meetings to review and discussed the Purchasing Policy and stated that the purpose of the meeting is to present and discuss the 2023 revision of the policy.

Member Comments (Items not on the Agenda)

None.

Discuss Revised Purchasing Policy

The Task Force presented a revised Purchasing Policy to all Directors in attendance for review and discussion. Multiple comments and questions were made by Directors which were noted by staff. No action was taken at this time.

Task Force Member Comments

None.

Recessed

The meeting Recessed at 10:55 a.m. At this time Directors gathered in their group to discuss the Purchasing Policy and entertained a motion to accept it. Director Carpenter resumed the meeting at 11:09 a.m. to acknowledge GRF and United had accepted the revisions to the Purchasing Policy.

Adjournment

The meeting adjourned at 11:15 a.m.

Bunny Carpenter

Bunny Carpenter, Chair



**SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF THE GOLDEN RAIN FOUNDATION LAGUNA WOODS
A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION
REPORT OF THE OPEN SESSION**

Monday, October 23, 2023 – Following
Purchasing Task Force Presentation Scheduled at 9:30 a.m.
Laguna Woods Village Community Center Board Room

DIRECTORS PRESENT: Bunny Carpenter – Chair, Jim Hopkins, Reza Karimi,
Joan Milliman, Yvonne Horton, Gan Mukhopadhyay,
Egon Garthoffner

DIRECTORS ABSENT: Debbie Dotson, Martin Roza, Elsie Addington

STAFF PRESENT: Jose Campos

OTHERS PRESENT: None.

Call to Order

President Bunny Carpenter, President, chaired the meeting and called it to order at 10:55 a.m.

Approval of Agenda

A motion was made and carried unanimously to approve the agenda as presented.

Open Forum (Three Minutes Per Speaker)

None.

Entertain a Motion to Accept the Purchasing Policy (Revision 2023)


The Board of Directors were presented with a 2023 revision of the Purchasing Policy to review and discuss. A motion was made and moved by Director Juanita Skillman to accept the Purchasing Policy as presented. Director Joan Milliman seconded. Director Debbie Dotson voted by proxy. The motion passed by vote of 8-1 (Director Egon Garthoffner opposed).

Director Comments

None.

Adjournment

The meeting adjourned at 10:59 a.m.


Joan Milliman (Nov 13, 2023 10:50 PST)

Joan Milliman, Secretary

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REPORT OF THE REGULAR MEETING OF THE GOLDEN
RAIN FOUNDATION OF LAGUNA WOODS SECURITY AND
COMMUNITY ACCESS COMMITTEE

The Hybrid Model Meeting of the Security and Community Access Committee was held on Wednesday, October 25, 2023 at 1:30 p.m. 24351 El Toro Road, Laguna Woods, California.

MEMBERS PRESENT: Chair: Juanita Skillman, Maggie Blackwell, SK Park, Sue Stephens

MEMBERS ABSENT: Martin Roza, Elsie Addington

OTHERS PRESENT: Bunny Carpenter

STAFF PRESENT: Eric Nuñez, Alycia Magnuson, Carmen Aguilar

1. CALL TO ORDER

Juanita Skillman, Chair, called the meeting to order at 1:33 p.m.

2. ACKNOWLEDGEMENT OF PRESS

Media via Zoom intermittent connection.

3. APPROVAL OF AGENDA

By way of consensus, the Committee approved the agenda without requested changes.

4. APPROVAL OF MEETING REPORT

By way of consensus, the Committee approved the June 28, 2023, meeting report.

5. CHAIRMAN'S REMARKS

Chair Skillman shared expectations of respect and order from audience and members for today's SCAC meeting for all to participate moving.

6. MEMBER COMMENTS (items not on the agenda)

Members made comments about our Zoom connections and link not being posted on the agenda. We were having technical difficulties.

Chair Skillman shared expectations of respect and order from audience and members for today's SCAC meeting for all to participate. She would like to take this moment to acknowledge the two recipients of The Excellence Awards given by Laguna Woods Village to Kyle Belanger and Roger Cowdrey for job performance that demonstrates excellent customer service or exceptional achievement. Kyle Belanger has been with Laguna Woods

Village since 2018 as a Patrol Officer. Promoted to Supervisor I in 2021. Excellent team player, self-initiative, and his flexible and adaptable attitude has been a great fit to the Security Department. Roger Cowdrey has been with Laguna Woods Village for 14 years. His background in law enforcement has allowed us to gain inside knowledge of his expertise and professionalism in customer service and mastery in leadership. Roger continues to be a great resource that our team can rely on.

REPORTS:

6. Disaster Preparedness Task Force Report

Some topics from our Last Disaster Preparedness meeting, September 26, 2023 The Fire suppression blankets are recommended to have on hand.

Athena status- Outside vendors have been contacted about this. Current status waiting on estimates from different vendors.

The California Shake Out happened October 19, 2023, at 10:19 a.m. A windshield survey was in effect after the Great Shake Out; a simulation Radio roll call was in place. There were some glitches noted that will be focused on for the next meeting. All members that are assigned a radio should be part of the roll call and have their radios on hand. On Nov. 17, 2023, the Clubhouse Coordinator for Clubhouse 3 will be hosting a meeting for Shelter in Place in case of natural disaster. Communication about shelter in place and how the Club House Coordinators play a vital role in case of natural disaster. The flyers will be coming out November 3, 2023.

8. SECURITY STATISTICS

Staff Nuñez explained the statistics provided within the agenda packet. Members made comments and asked questions. Note there are only ten spaces on the waiting list due to some prospects being in the middle of purchasing RV. The Pivot table had a glitch and it did not transfer the accurate information to the graph. This has been noted for next meeting. Staff Eric Nuñez mentioned, the Foot Patrol log is currently being monitored by hand, and the numbers do not reflect the accurate amount of time it takes our officers to go around the perimeter. In addition to our officers doing foot patrol, they also do self-initiative monitoring of intrusion or damage to our gates in addition to reporting running water, lights being out, reporting any hazards. We will have the accurate information at the next meeting. The log for violations issued includes gates per phase as requested at the last SCAC meeting. Crime Reports are public information on OC mapping. Noted the gates will also be included per phase requested by board member.

9. NOTEWORTHY INCIDENTS

- On September 8 at 7:45 p.m., a resident's vehicle had stalled in the middle of the street and a call was made for assistance moving her vehicle as to not cause an accident. SPO Portuguese responded, assisted in moving the vehicle to a safe area and remained present until AAA arrived.
- On September 9 at 5:47 p.m., SPO Gluck went "above and beyond" assisting a resident at 4014-1F with her kitchen sink backing up.

- On September 13 at 4:10 p.m., it was brought to our attention that SPO Gluck had helped the resident at 371-C twice in 3 years and “her effective, thorough, professional approach was invaluable.”

On September 23, at 10:21 a.m., it was brought to our attention that Supervisor Belanger assisted a resident at 5148 Miembro with resetting the electric breaker for the residence without a hesitation.

- On October 7 at 12:30 p.m., SPO Andrews assisted in rectifying a “6 to 7 year” ongoing dispute between the neighbors residing in 3109-O and 3109-B.

ITEMS FOR DISCUSSION AND CONSIDERATIONS:

Chair- Juanita Skillman stated that each mutual needs to check their rules and regulations for everyone to be on the same page

10. Review of Rules and Regulations for all registered vehicles.
11. Status on Traffic Engineer- Waiting on quote
- 12: Gate Entry for non- residents attending Village events

ITEMS FOR FUTURE AGENDA

13. Review Rules and Regulations for all registered vehicles.

CONCLUDING BUSINESS

14. Committee Members Comments
15. The next meeting will be held TBD, 2023 at 1:30 p.m.
16. Adjournment- 4:27 p.m.

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