



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

**Tuesday, December 18, 2018 - 9:30 a.m.
Laguna Woods Village Community Center Board Room 24351 El Toro Road**

NOTICE OF MEETING AND AGENDA

- 1. Call meeting to order / Establish Quorum**
- 2. Pledge of Allegiance – Director Bhada**
- 3. Acknowledge Media**
- 4. Approval of Agenda**
- 5. Approval of Minutes**
 - a. November 6, 2018 – Special Open Meeting (Third Board Appointment)
 - b. November 9, 2018 – Special Open Meeting (VMS/Third Board Appointment)
 - c. November 19, 2018 – Special Open Meeting (VMS/Third Board Appointment)
 - d. November 29, 2018 – Regular Open Session
- 6. Report of the Chair**
- 7. Open Forum (Three Minutes per Speaker) - *At this time Members may address the Board of Directors regarding items not on the agenda and within the jurisdiction of this Board of Directors. There is a maximum time limit of three minutes per speaker and a speaker may only address the Board once during this period. The Board reserves the right to limit the total amount of time allotted for the Open Forum.***
- 8. Responses to Open Forum Speakers**
- 9. Update from VMS – Director Karimi**
- 10. CEO Report**
- 11. Consent Calendar - *All matters listed under the Consent Calendar are recommended for action by committees and will be enacted by the Board by one***

Please silence your cell phones.

motion. In the event that 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. Architectural Control and Standards Committee Recommendations:

- (1) Recommendation to Approve 2328-U (Monterey, PQ12) – Half Bathroom Conversion
- (2) Recommendation to Approve 5165 (Villa Paraisa, C13C_1) – Raise Ceiling in Living Room Only
- (3) Recommendation to Approve 5398-A (Casa Rosa, RP302_RA) – Retain Non-Standard Color on Two Exterior Entry Doors
- (4) Receive and File Revised Decision Tree – Full and Condensed Versions

b. Landscape Committee Recommendations:

(1) Tree Removal Requests:

- 2233-S Via Puerta (DiDomenico)-Approve the request for removal of one Brazilian Pepper tree located at 2233-S Via Puerta at Member's expense due to litter and debris and potential future damage to Common area patio wall and sidewalk. Cost will include replacement with another tree.
- 5396-B Via Carrizo (Cronin)-Approve request for removal of one Rustyleaf Fig tree located at 5396-B Via Carrizo, at Mutual expense, due to lean of tree and number of large surface roots causing unstable root structure posing a high likelihood of tree failure.
- 5578-B Luz del Sol (Levy)-Deny request for removal of one Rustyleaf fig tree located at 5578-B Luz del Sol. Trees are not removed because they are messy.

- (2) 5076 Tero (Asner)-Deny the appeal for the off-schedule trimming of one Brazilian Pepper and two Lemon Scented Gun trees located at the rear of 5303 Cantante. The request does not meet the criteria for topping trees or as required under the resolution regarding view obstruction.

c. Adopt a Resolution for Revised Third Mutual and GRF Committee Assignments

12. Unfinished Business – None

13. New Business

- a. Entertain a Motion to Introduce a Resolution for Revised Alteration Standard 37: Patio Covers; Awnings (**DECEMBER initial notification-must postpone 30-days for Member comments and suggestions to conform to Civil Code §4360**)
- b. Entertain a Motion to Introduce a Resolution for Revised Alteration Standard 30A: Storage Cabinets (**DECEMBER initial notification-must postpone 30-days for Member comments and suggestions to conform to Civil Code §4360**)
- c. Entertain a Motion to Introduce a Resolution for the Revised Care Provider Policy (**DECEMBER initial notification-must postpone 30-days for Member comments and suggestions to conform to Civil Code §4360**)

14. Committee Reports

- a. Report of the Finance Committee / Financial Report--Director Connelly. The Committee met on December 4, 2018; next meeting January 8, 2019, at 1:30 p.m. in the Board Room
- b. Report of the Architectural Controls and Standards Committee – Director Parsons. The Committee met on December 17, 2018; next meeting January 28, 2019, at 9:30 a.m. in the Sycamore Room
- c. Report of the Maintenance and Construction Committee – Director Bhada. The Committee did not meet in December, 2018; next meeting January 7, 2019, at 1:00 p.m. in the Board Room
 - Report of the Parking and Golf Cart Task Force – Director Parsons. The Task Force did not meet in December; next meeting TBA
- d. Report of the Landscape Committee – Director Tung. The Committee met on December 6, 2018, next meeting January 3, 2019, at 9:00 a.m. in the Board Room
- e. Report of the Laguna Woods Village Traffic Hearings – Director Frankel. The hearings were held on November 21, 2018; next hearing December 19, 2018, at 9:00 a.m. in the Board Room and 1:00 p.m. in the Pine Room
- f. Report of the Communications Committee – Director Bruninghaus. The Committee did not meet in December, 2018; next meeting January 9, 2019, at 1:30 p.m. in the Board Room
- g. Report of the Energy Task Force – Director Frankel. The Task Force did not meet in December, 2018; next meeting January 9, 2019, at 9:00 a.m. in the Willow Room

- h. Report of the Water Subcommittee – Director Tung. The Subcommittee met on December 11, 2018; next meeting February 12, 2019 at 11:00 a.m. in the Sycamore Room
- i. Report of the Resident Policy and Compliance Task Force – Director Bruninghaus. The Committee met on December 3, 2018, next meeting TBA

15. GRF Committee Highlights

- a. Community Activities Committee – Director Parsons. The Committee did not meet in December, 2018; next meeting January 10, 2019, at 1:30 p.m. in the Board Room
- b. Finance Committee – Director diLorenzo. Next meeting December 19, 2018, at 1:30 p.m. in the Board Room
- c. Landscape Committee – Director Tung. Next meeting December 19, 2018, at 2:30 p.m. in the Sycamore Room
- d. Maintenance & Construction Committee – Director Frankel. The Committee met on December 12, 2018; next meeting February 13 , 2019 at 9:30 a.m. in the Board Room
- e. Media and Communications Committee – Director Bruninghaus. The Committee met on December 17, 2018; next meeting January 21, 2019 at 1:30 p.m. in the Board Room
- f. Mobility and Vehicles Committee-Director Frankel – The Committee met on December 5, 2018; next meeting February 6, 2019, at 1:30 p.m. in the Board Room
- g. Security and Community Access Committee – Director Bruninghaus. The Committee met on December 17, 2018; next meeting January 25, 2019, at 9:30 a.m. in the Board Room
 - Disaster Preparedness Task Force—The Task Force did not meet in December, 2018; next meeting January 29, 2019, 9:30 a.m. in the Cypress Room

16. Future Agenda Items-- *All matters listed under Future Agenda Items are Resolutions on 30-day public review or items for a future Board Meetings. No action will be taken by the Board on these agenda items at this meeting. The Board will take action on these items at a future Board Meeting.*

- a. Resolution for Revised Alteration Standard 34: Window and Window Attachments **(NOVEMBER 29, 2018, initial notification-must postpone 30-days for Member comments and suggestions to conform to Civil Code §4360)**

- b. Resolution for a New Alteration Standard 44: Fencing; Vinyl (**NOVEMBER 29, 2018, initial notification-must postpone 30-days for Member comments and suggestions to conform to Civil Code §4360**)
- c. Resolution for Revised LH21 Storage Room Rules (**NOVEMBER 29, 2018, initial notification-must postpone 30-days for Member comments and suggestions to conform to Civil Code §4360**)

17. Director's Comments

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

Closed Executive Session Agenda

Approval of Agenda

Approval of the Following Meeting Minutes;

(a) December 18, 2018 – Regular Executive Session

Write-off Assessment & Chargeable Services Balances

Discuss and Consider Member Matters

Discuss Personnel Matters

Discuss and Consider Contractual Matters

Discuss and Consider Litigation Matters

19. Adjourn

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OPEN MEETING

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

Tuesday, November 6, 2018
Laguna Woods Village Community Center
Board Room • 11:30 a.m.

Board Members Present: Rosemarie diLorenzo, Steve Parsons, James Tung, Roy Bruninghaus, John Frankel, Jack Connelly and Cush Bhada

Board Members Absent: Bunny Carpenter, Lynn Jarrett and Paul Chao

Staff Present: Cheryl Silva and Eileen Paulin


Others Present: Jon Pearlstone and Gloria Shaw, Candidates

1. President diLorenzo called the meeting to order at 11:32 a.m. and announced that a quorum was present.
2. President diLorenzo announced the purpose of the meeting was to appoint one Third Mutual Director to fill a vacancy (term ending 2021) on the Third Board. The candidates were given (3) minutes to give their candidate statement, (2) minutes to answer questions from the Board then a candidate will be selected by secret ballot.
3. Director Bruninghaus gave each candidate (3) minutes for candidates statements and (2) minutes to answer pre-prepared questions (in random order) from the Board.
4. The candidates answered questions from Directors.

5. Candidates were given (2) minutes to give their closing statements.
6. Secret Ballots were passed out to the Board Members.
7. Director diLorenzo made a motion, seconded by Director Bruninghaus, to commence voting.
8. Director diLorenzo made a motion, seconded by Director Parsons, to cease voting.
9. The Corporate Secretary and the Secretary of the Board tallied the votes. Jon Pearlstone (7) and Gloria Shaw (0)

President diLorenzo announced that Jon Pearlstone was appointed as the new Third Board Member.

10. Meeting was adjourned at 12:30 p.m.


Roy Bruninghaus, Secretary of the Board
Third Mutual Laguna Hills



OPEN MEETING

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

Tuesday, November 9, 2018
Laguna Woods Village Community Center
Sycamore Room • 11:00 a.m.

Board Members Present: Rosemarie diLorenzo, Steve Parsons, James Tung, Roy Bruninghaus, John Frankel, Jack Connelly, Cush Bhada, and John Pearlstone

Board Members Absent: Bunny Carpenter, Lynn Jarrett and Paul Chao

Staff Present: Siobhan Foster and Whitney Thornton

Others Present: Wei-Ming Tao (Candidate), Donna Dwaileebe, and John Luebbe

1. President diLorenzo called the meeting to order at 11: 00 a.m. and announced that a quorum was present.
2. President diLorenzo announced the purpose of the meeting was to interview and appoint one Third Mutual Director to fill a vacancy (term ending 2021) on the VMS -Third Board. The candidate was given (3) minutes to give their candidate statement, (2) minutes to answer questions from the Board then a candidate will be selected by secret ballot.
3. Director Bruninghaus gave the candidate no time limit for candidate statements, (2) minutes to answer pre-prepared questions (in random order) from the Board and the option to give a closing statement.

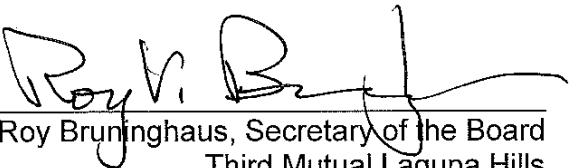
Candidate Wei-Ming Tao provided a statement to the Board.

4. The candidate answered questions from Directors.
5. The candidate was given (2) minutes to give a closing statement and the candidate declined.
6. Secret Ballots were passed out to the Board Members.

7. Director Connelly made a motion, seconded by Director Cush Bhada, to commence voting at 11:24 a.m.
8. Director Bruninghaus made a motion, seconded by Director Tung, to cease voting at 11:26 a.m.
9. The Assistant Corporate Secretary and the Secretary of the Board tallied the votes. Wei-Ming Tao (8-0-0)

President diLorenzo announced that Wei-Ming Tao was appointed as the new Third Board Member.

10. Meeting was adjourned at 11:28 p.m.



Roy Bruninghaus, Secretary of the Board
Third Mutual Laguna Hills



OPEN MEETING

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

Tuesday, November 19, 2018
Laguna Woods Village Community Center
Sycamore Room • 10:30 a.m.

Board Members Present: Rosemarie diLorenzo, Steve Parsons (via telephone), James Tung, Roy Bruninghaus, John Frankel, Bunny Carpenter, Jack Connelly, Cush Bhada, and John Pearlstone

Board Members Absent: Lynn Jarrett and Paul Chao


Staff Present: Whitney Thornton

Others Present: John Luebbe (Candidate), Reza Karimi (Candidate), and Hassan Alief (Candidate)

1. President diLorenzo called the meeting to order at 10: 30 a.m. and announced that a quorum was present.
2. President diLorenzo announced the purpose of the meeting was to interview and appoint one Third Mutual Representative to fill a vacancy (term ending 2019) on the VMS Board. The candidates were given three (3) minutes to provide their candidate statement, and two (2) minutes per question to answer questions from the Board after which the new Third VMS representative would be selected by secret ballot.
3. Director Bruninghaus gave each candidate two (2) minutes to answer seven (7) pre-prepared questions (in random order) from the Board.
4. John Luebbe, Reza Karimi, and Hassan Alief provided candidate statements to the board.
5. Each candidate answered the seven (7) prepared questions from Directors in random order.

6. The candidates did not give closing statements.
7. Director Bruninghaus made a motion to appoint one (1) Third VMS Representative for a term ending in 2019 by secret ballot. Director Connelly seconded the motion to commence voting and it passed by unanimous consent at 11:24.
8. Secret Ballots were passed out to the Board Members. Director Parsons voted via text message.
9. Director Bruninghaus made a motion to cease voting. The motion was seconded by President diLorenzo and it passed by unanimous consent at 11:28.
10. The Corporate Secretary and the Secretary of the Board tallied the votes. John Luebee (3); Reza Karimi (6); Hassan Alief (0).

President diLorenzo announced that Reza Karimi was appointed as the new VMS/Third Board Member.
11. Meeting was adjourned at 11:32 p.m.



Roy Bruninghaus, Secretary of the Board
Third Mutual Laguna Hills



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

**Thursday, November 29, 2018 - 9:30 a.m.
Laguna Woods Village Community Center Board Room 24351 El Toro Road**

The Regular Meeting of the Third Laguna Hills Mutual Board of Directors, a California non-profit mutual benefit corporation, was held on Thursday, November 29, 2018, at 9:30 a.m., at 24351 El Toro Road, Laguna Woods, California

Directors Present: Rosemarie diLorenzo, Steve Parsons, James Tung, Roy Bruninghaus, Jack Connelly, John Frankel, Cush Bhada, Jon Pearlstone, Paul Chao and Bunny Carpenter (arrived late)

Directors Absent: Lynn Jarrett

Staff Present: Siobhan Foster, Eileen Paulin, Kurt Wiemann and Cheryl Silva

Others Present: Raquel Unger (VMS)

1. Call meeting to order / Establish Quorum

Rosemarie diLorenzo, President of the Corporation, chaired and opened the meeting, and stated that it was a Regular Meeting held pursuant to notice duly given. A quorum was established, and the meeting was called to order at 9:30 a.m.

2. Pledge of Allegiance

Director Bhada led the Membership in the Pledge of Allegiance.

3. Acknowledge Media

The Globe and the Village Television Crew, by way of remote cameras, were acknowledged as present.

4. Approval of Agenda

Director Parsons made a motion to approve the agenda as presented. Director Bruninghaus seconded the motion and it passed by unanimous consent.

5. Approval of Minutes

- a. September 7, 2018 – Special Open Meeting (ACSC Endorsements)

- b. September 18, 2018 – Regular Open Session
- c. September 21, 2018 – Special Open Meeting (Resolutions on 30-day review)
- d. September 28, 2018 – Special Open Meeting (Counting of the Ballots)

Director Parsons made a motion, seconded by Director Bruninghaus, to approve the minutes as presented and the motion passed by unanimous consent.

6. Report of the Chair

President diLorenzo announced the names of the new Third/VMS Board Members, Reza Karimi and Wei-Ming Tao and the new Third Board Member, Jon Pearlstone.

7. Open Forum

Several Members spoke about various issues: Denial of manor alteration, flooding at a Member's Manor, and a request for information on what product will substitute for the Round-up chemicals.

8. Responses to Open Forum Speakers

President diLorenzo responded to the Members' concerns and requests.

9. Update from VMS – Director Unger

Director Unger gave an update from the last VMS Board Meeting. She highlighted the department updates presented by Ernesto Munoz and Brian Gruner last month. She gave a brief overview of the VMS Board goals and progress on their goals.

10. CEO Report

Siobhan Foster, Interim CEO, reported on the following developments:

- Rain event action plan has been implemented and is the common practice whenever rain is forecasted. Residents should call Resident Services at (949) 597-4600 if they need assistance.
- Fire Reduction areas have been identified by the OC Fire Authority. Brush has been removed. Hydro-seeding will start December 5th to be sprayed on the slopes that are at risk of erosion.
- Concrete pouring, fence posts and light posts have been completed at the Pickleball Courts. Project should be completed in February.
- Contractors will not be allowed gate access on Sundays and holidays. Contractors are allowed in the Village 8-5 pm M-F 9-3 on Sat.
- Final phase of analog channel removal will occur on Monday, December 3rd. Call 949-837-2670 for assistance.
- Recreation calendar is available at the Clubhouses and on the website. Some upcoming events for the holidays include a Holiday Buffet and New Year's Eve Party.
- New Social Worker, supported by Memorial Care at Saddleback Hospital, has begun work in the Social Services Office,

Siobhan Foster, answered questions from the Board.

11. Consent Calendar

11a. Architectural Control and Standards Committee Recommendations:

- (1) Recommendation to Approve 4020-N (Casa Milano, LHX06_C) – Install Photovoltaic (Solar) System on Two-Story Building in Allocated Spaced

RESOLUTION 03-18-154 **VARIANCE REQUEST**

WHEREAS, Mr. David R. Masters of 4020-N Calle Sonora Estes, a Casa Milano style unit, is requesting Board approval of a variance to install solar panels in allocated space on the roof of the attached garage structure and,

WHEREAS, a Neighborhood Awareness Notice was sent to Owners of affected Units on October 12, 2018, notifying them that an application to make an alteration to a neighboring Unit had been made and that comments or objections could be made in writing to the Architectural Controls and Standards Committee or in person at the Architectural Controls and Standards Committee Meeting on October 22, 2018.

NOW THEREFORE BE IT RESOLVED, on November 29, 2018, the Board of Directors hereby approves the request to install solar panels in allocated space on the roof of the attached garage structure and that the proposed alteration is constructed in accordance with the Conditions of Approval as included in the official Board Decision Notice;

RESOLVED FURTHER, all costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 4020-N and all future Mutual members at 4020-N;

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.

11b. Landscape Committee Recommendations:

(1) Tree Removal: Approval (2), Denial (2)

- Approve appeal to remove one Olive tree at member's expense (3217-B) due to adverse medical impacts
- Approve removal of one Southern Magnolia tree (5210) due to damage to adjacent concrete walkway
- Deny removal of one Cajeput tree (5543) due to lack of observable damage or negative impact of the tree
- Deny removal of one Brisban Box tree (3384-A) due to lack of any structural damage or negative impacts associated with the tree

RESOLUTION 03-18-155
TREE REMOVAL APPROVAL (2) TREE REMOVAL DENIAL (2)

WHEREAS, September 20, 2011, that the Board of Directors adopted Resolution 03-11-149 tree removal guidelines:

- 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 if the obstruction is at a considerable distance from the complaining manor and therefore causes only a partial obstruction.
- Trees on slopes should not be removed if the removal will contribute to the destabilization of that slope.
- Trees which are damaging or will damage a structure, pose a hazard, in failing health or interfering with neighboring trees, will be considered for removal.

WHEREAS, on November 1, 2018, the Landscape Committee recommended to:

- Approve the appeal to remove one Olive tree located at 3217-B Via Carrizo, at the Member's expense, due to adverse medical impacts, and;
- Approve the removal of one Southern Magnolia tree located at 5210 Elvira due to damage to the adjacent concrete walkway and a high likelihood of future damage to the driveway, and;
- Deny the request for the removal of one Cajeput tree located at 5543 Avenida Sosiega due to lack of any observable damage or negative impact of the tree and;
- Deny the request to remove one Brisbane Box tree located at 3384-A Punta Alta due to lack of any structural damage or negative impacts associated with the tree, and:

NOW THEREFORE BE IT RESOLVED, November 29, 2018, the Board of Directors approved the removal of one Olive tree located at 3217-B Via Carrizo and one Southern Magnolia tree located at 5210 Elvira; denied the request for the removal of one Cajeput tree located at 5543 Avenida Sosiega and one tree located at 3384-A Punta Alta, 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 Parsons made a motion, seconded by Director Connelly, to approve the Consent Calendar items. The motion passed by unanimous consent.

12. Unfinished Business

12a. Entertain a Motion to Adopt a Resolution to Revise Standard 31: Washers and Dryer Installations

Director Bruninghaus, Secretary of the Board, presented a summary of the following resolution:

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.

SEPTEMBER 18, 2018 INITIAL NOTIFICATION

30-day notification to comply with Civil Code §4360 has been satisfied.

Director Bruninghaus made a motion to approve a Resolution to revise Standard 31: Washer and Dryer Installations. Director Parsons seconded the motion.

Discussion ensued among the Directors.

President diLorenzo called for the vote and the motion passed by unanimous consent.

12b. Entertain a Motion to Adopt a Resolution for an Administrative Fee for Damage Reimbursements

Director Bruninghaus, Secretary of the Board, presented a summary of the following resolution:

RESOLUTION 03-18-157
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 common area or facilities caused by the actions or inactions of a member, his or her tenant, guest, invitee, or vendor;

WHEREAS, significant staff time is necessary to investigate, document, and prepare concise reports for Damage Reimbursement Hearings for damage caused by a member; and,

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

NOW THEREFORE BE IT RESOLVED, November 29, 2018, that the Board of Directors hereby adopts the Damage Reimbursement Administrative Fee;

RESOLVED FURTHER, effective December 1, 2018, the fee for costs related to damage reimbursement proceedings will be ten percent of the total reimbursement decision amount for all decisions of one thousand dollars or more;

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.

SEPTEMBER 18, 2018 INITIAL NOTIFICATION
30-day notification to comply with Civil Code §4360 has been satisfied.

Director Bruninghaus made a motion to adopt a resolution for an Administrative Fee for Damage Reimbursements. Director Chao seconded the motion.

Discussion ensued among the Directors.

President diLorenzo called for the vote and the motion passed by unanimous consent.

12c. Entertain a Motion to Adopt a Resolution for a Payment Plan Agreement Form-Fines, Fees, and Chargeable Services

Director Bruninghaus, Secretary of the Board, presented a summary of the following resolution:

RESOLUTION 03-18-158
DELINQUENT CHARGES PAYMENT PLAN AGREEMENT

WHEREAS, any Member who is unable to timely pay fines, fees, or chargeable services is entitled to make a written request for a payment plan to the Board;

WHEREAS, each request for a payment plan is approved or denied on a case-by-case basis after review by the Finance Committee;

WHEREAS, a Delinquent Charges – Payment Plan form is used to create an agreement between the delinquent Member and the Mutual;

WHEREAS, the Third Finance Committee recommends a Payment Plan Agreement Form submitted by legal counsel to help reinforce collection activity that will occur if a member breaches the agreed-to payment plan for delinquent fines, fees, and chargeable services; and

WHEREAS, the Finance Committee recommends recovering costs associated with accepting payments over time including the initiation of interest charges and an administrative fee for every month the agreement is in effect;

NOW THEREFORE BE IT RESOLVED, on November 29, 2018, the Board of Directors of this Corporation hereby adopts the Delinquent Charges - Payment Plan Agreement form, as attached to this Corporate record, initiating a monthly charge for interest at the rate of 10% per annum, and introducing a new payment plan administrative fee of \$25 per month; 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.

SEPTEMBER 18, 2018 INITIAL NOTIFICATION

30-day notification to comply with Civil Code §4360 has been satisfied.

Director Bruninghaus made a motion to adopt a resolution for a Payment Plan Agreement Form-Fines, Fees, and Chargeable Services. Director Parsons seconded the motion.

Discussion ensued among the Directors.

President diLorenzo called for the vote and the motion passed by unanimous consent.

12d. Entertain a Motion to Adopt a Resolution to Eliminate the Yellow Stake Program

Director Bruninghaus, Secretary of the Board, presented a summary of the following resolution:

RESOLUTION 03-18-159
YELLOW STAKE PROGRAM

WHEREAS, the Board of Directors (the "Board") of Third Laguna Hills Mutual ("Mutual") held a meeting on October 16, 2018, at which a quorum of the Board was present;

WHEREAS, the Board has revisited the "yellow stake" program given information provided to the Board regarding overwatering of landscaping in such "yellow stake" areas, as well as the apparent widespread abuse of the program by Mutual members and residents, and;

WHEREAS, upon reviewing with the Mutual's legal counsel, the Board has also determined that such "yellow stake" program raises the potential issue of an implicit grant of exclusive use of general common area to individual owners that may require approval of the membership and otherwise create an administrative burden for the Board and the Mutual; and

WHEREAS, on September 6 2018, the Landscape Committee recommended to eliminate the 'Yellow Stake' Program;

NOW THEREFORE BE IT RESOLVED, November 29, 2018, the Board of Directors adopts a resolution to eliminated the 'Yellow Stake' Program, 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 16, 2018 INITIAL NOTIFICATION
30-day notification to comply with Civil Code §4360 has been satisfied.

Director Bruninghaus made a motion to adopt a resolution to eliminate the Yellow Stake Program. Director Tung seconded the motion.

Discussion ensued among the Directors.

President diLorenzo called for the vote and the motion passed by unanimous consent.

12e. Entertain a Motion to Adopt a Resolution for a Tree Trimming Policy for Solar Panels

Director Bruninghaus, Secretary of the Board, presented a summary of the following resolution:

RESOLUTION 03-18-160
TREE TRIMMING FOR ROOFTOP SOLAR PANELS

WHEREAS, the Board of Directors (the "Board") of Third Laguna Hills Mutual ("Mutual") held a meeting on October 16, 2018, at which a quorum of the Board was present;

WHEREAS, pursuant to the Mutual's Governing Documents, the Association, acting through the Board, is responsible for the management and upkeep of the Mutual's common areas, including the landscaping and trees;

WHEREAS, the Third Mutual Landscape Committee recommended the establishment of a "Tree Trimming Policy for Solar Panels" and;

WHEREAS, the Landscape Committee approved specific tree management policies for the maintenance of trees affecting roof-top solar generating systems, including:

1. Trimming and/or removal of trees performed to the benefit of systems owned by the Mutual would be performed as needed at the expense of the Mutual.
2. Trimming and/or removal of trees to the benefit of a privately owned rooftop solar system would be considered a chargeable service, paid for by the requesting member unless routine scheduled trimming would achieve the desired results without any special consideration.
3. Determination of appropriate trimming and/or removal to be made by Staff on a case-by-case basis and would not be agenized for Committee approval.

NOW, THEREFORE BE IT RESOLVED, November 29, 2018, that the Board of the Mutual hereby adopts the "Tree Trimming for Rooftop Solar Panels" policy for the management of trees within the Mutual's common areas.

RESOLVED FURTHER, that the officers and agents of the Mutual are hereby authorized on behalf of the Mutual to carry out this Resolution

OCTOBER 16, 2018 INITIAL NOTIFICATION

30-day notification to comply with Civil Code §4360 has been satisfied.

Director Bruninghaus made a motion to adopt a resolution for a tree trimming policy for solar panels. Director Tung seconded the motion.

Discussion ensued among the Directors.

President diLorenzo called for the vote and the motion passed by unanimous consent.

13. New Business

13a. Entertain a Motion to Introduce a Resolution for Revised Alteration Standard 34: Window and Window Attachments

Director Bruninghaus, Secretary of the Board, presented a summary of the following Resolution:

RESOLUTION 03-18-xxx

REVISE ALTERATION STANDARD 34: WINDOWS AND WINDOW ATTACHMENTS

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 34: Windows and Window Attachments.

NOW THEREFORE BE IT RESOLVED, November 29, 2018, that the Board of Directors of this Corporation hereby introduces Alteration Standard 34: Windows and Window Attachments as attached to the official meeting minutes;

RESOLVED FURTHER, that Resolution 03-11-215 adopted December, 2011, is hereby superseded in its 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 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 30- days from the postponement to comply with Civil Code §4360.

Director Bruninghaus made a motion to introduce a resolution for 30-day review to revise alteration standard 34: window and window attachments.

Discussion ensued among the Directors.

By consensus, the Board introduced a resolution for 30-day review.

13b. Entertain a Motion to Introduce a Resolution for a New Alteration Standard 44: Fencing; Vinyl

Director Bruninghaus, Secretary of the Board, presented a summary of the following Resolution:

RESOLUTION 03-18-xxx
REVISE ALTERATION STANDARD 44: FENCES, VINYL

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 introduce a new Alteration Standard 44: Fences, Vinyl.

NOW THEREFORE BE IT RESOLVED, November 29, 2018, that the Board of Directors of this Corporation hereby introduces Alteration Standard 44: Fences, Vinyl as attached to the official meeting minutes;

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 30- days from the postponement to comply with Civil Code §4360.

Director Bruninghaus made a motion, seconded by Director Parsons, to introduce a resolution for 30-day review for new alteration standard 44: fencing; vinyl.

Discussion ensued among the Directors.

By consensus, the Board introduced a resolution for 30-day review.

13c. Entertain a Motion to Approve a Resolution to Reclass Garden Villa Recreation Room Expenditures from 2017

Director Bruninghaus, Secretary of the Board, presented a summary of the following Resolution:

Resolution 03-18-161
RECLASS GV REC ROOM EXPENDITURES FOR EPOXY FLOORING

WHEREAS, the Board of Directors adopted Resolution M3-95-82 approving a fund name of Garden Villa Recreation Room Fund;

WHEREAS, the purpose of this fund is to provide for all expenditures in the recreation rooms of the Garden Villa buildings (component repairs, replacements and preventive maintenance), other than janitorial services, heat pumps and water heaters that the Board has authorized as shared expenditures;

WHEREAS, the vinyl flooring in the kitchens and bathrooms are now replaced with epoxy coating and removal of the vinyl flooring requires asbestos testing and

abatement. The Board recently authorized that epoxy flooring will be a shared expenditure and not the responsibility of the Garden Villa Recreation Room Fund;

WHEREAS, in 2017, staff replaced vinyl flooring in the kitchens and bathrooms of six Garden Villa Rec Rooms, with epoxy coating. The Finance Department has reclassified expenditures that occurred in 2018 since that period is open but requires Board approval to reimburse the GV Rec Room Fund for 2017 expenditures; and

WHEREAS, at the November 6, 2018 Finance Committee Meeting, the Committee recommended that the Board authorize the re-class of funds spent in 2017 in the amount of \$23,371.42.

NOW THEREFORE BE IT RESOLVED, on November 29, 2018, the Board of Directors of this Corporation hereby authorizes \$23,371.42 in expenditures from asbestos testing, abatement and epoxy flooring installation to be reclassified from the Garden Villa Recreation Room Fund to Building Structures – Carpentry Replacement Fund; 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 Bruninghaus made a motion to approve a resolution to reclassify Garden Villa Recreation Room expenditures from 2017. Director Connelly seconded the motion

Discussion ensued among the Directors.

President diLorenzo called for the vote and the motion passed by unanimous consent.

13d. Entertain a Motion to Introduce a Resolution for Revised LH21 Storage Room Rules

Director Bruninghaus, Secretary of the Board, presented a summary of the following Resolution:

RESOLUTION 03-18-xxx
STORAGE AREAS IN LH-21 BUILDINGS

WHEREAS, such storage practices by residents under certain circumstances present a substantial and material threat to the health, safety and well-being of all residents; and

WHEREAS, it is deemed by this board to be in the best interest of this community to regulate, pursuant to reasonable rules, regulations and guidelines, the storage practices of the residents to ensure the prevention of any storage practices that may pose a substantial and material threat to the health, safety and well-being of all residents.

NOW THEREFORE BE IT RESOLVED, on November 29, 2018 that residents shall be permitted to store personal property in common storage rooms in the buildings listed below in which the dwelling unit of such resident is located, subject to the following terms and conditions. Buildings No. 3335, 3336, 3337, 3338, 3363, 3364, 3365, 3366, 3367, 3371, 3486, 3498, 3500, 3501, 3510, 4001, 4002, 4003, 4004, 4005, 4012, 4013, 4014, 4015, 4025, 4026, 5368, and 5369.

RESOLVED FURTHER, that residents shall be permitted to store personal property in common storage rooms in the buildings listed above in which the dwelling unit of such resident is located, subject to the following terms and conditions.

1. No person shall store any such personal property that is, or in the sole discretion of this Board (or any of its authorized representatives) may (a) become noxious or offensive, or (b) in any way threaten the health, safety or wellbeing of any member of this community.
2. All storage rooms shall be kept unlocked. Residents shall be advised they can store their items at their own risk.
3. All personal property stored in such storage rooms shall be properly packed in cardboard cartons or similar containers (suitcases or cabinets), neatly tied or sealed shut and marked clearly with the name and manor number of the owner thereof. Only current residents of the building may store their items there. All cartons shall be stacked or otherwise arranged neatly in the storage room. Lines are painted, or taped, on the storage room floor, clearly designating the approved storing area and each "Storage Spot" as well as the area to keep clear for safe access. These areas shall be maintained at all times. No loose items can be left out of a container; all items in the storage rooms must be identified with the manor number.
4. Because residents on the first floor have no storage room, they may use space in the second and third floor storage rooms. The second and third floor residents should use the storage area on their floor only.
5. Each resident may use only one Designated Storage Spot.
6. The ability of all residents to store any personal property in any storage room shall constitute a privilege only and shall not, under any circumstances, be deemed or construed as a bailment of such personal property. Such privilege is at the sole but reasonable discretion of this Board (or any of its authorized representatives), and may be revoked at any time, with or without cause, upon this Board (or any of its authorized representatives) providing to the affected resident or residents seven days' prior written notice of the termination of such privilege; provided, however, that no such prior notice shall be required if the storage of the affected personal property in the storage room, or the manner in which such property is stored, violates the

provisions or intent of this resolution.

7. Any personal property not removed from a storage room when demanded by this Board (or any of its authorized representatives hereof) may be removed by this Board (or any authorized representative hereof), and may be (a) stored at the expense of the owner of such property or (b) treated as abandoned property and disposed of in accordance with the provisions of California Civil Code Section 1980 et seq., or such other similar provision of law as may then be in effect.
8. Neither this Board, this Corporation of Third Laguna Hills Mutual, Golden Rain Foundation of Laguna Hills, nor any of their agents, employees, officers or representatives shall be responsible for any damage, loss, theft, vandalism or other loss of any kind or nature whatsoever suffered with respect to any personal property stored in a common storage room by a resident.

RESOLVED FURTHER, that Resolution 03-14-79 adopted July 15, 2014, is hereby superseded and cancelled; and

RESOLVED FURTHER, that the officers, directors and authorized agents of this Corporation be, and they hereby are, authorized and directed to take any and all steps reasonably necessary to ensure that this Resolution is properly and effectively implemented, including, but not limited to, the implementation of such rules and regulations and the posting of such signs as they may deem necessary or appropriate.

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 30- days from the postponement to comply with Civil Code §4360.

Director Bruninghaus made a motion to approve a resolution for 30-day review to revise LH21 storage room rules.

Discussion ensued among the Directors.

By consensus, the Board introduced a resolution for 30-day review.

14. Committee Reports

- 14a. Report of the Finance Committee / Financial Report - Director Connelly presented the Treasurer's Report. Director Parsons reported on the Resale and Lease Reports. Next meeting will be held on December 4, 2018, at 1:30 p.m. in the Board Room

- 14b. Report of the Architectural Controls and Standards Committee - Director Parsons reported on the last committee meeting. Next meeting will be held on Monday, December 17, 2018, at 9:30 a.m. in the Sycamore Room
- 14c. Report of the Maintenance and Construction Committee - Director Bhada reported from the last committee meeting. Next meeting will be held on January 7, 2019, at 1:00 p.m. in the Board Room. The Committee will meet every other month starting in January.
 - Report of the Parking and Golf Cart Task Force - Director Parsons reported from the last task force meeting. Next meeting TBA.
- 14d. Report of the Landscape Committee - Director Tung gave an update from the last committee meeting. Turf reduction will start at Gate 14. Next meeting will be held on December 6, 2018, at 9:00 a.m. in the Board Room
- 14e. Report of the Laguna Woods Village Traffic Hearings - Director Frankel and Director Bhada gave an update from the last committee meeting. Next hearings will be held on December 19, 2018, at 9:00 a.m. in the Board Room and 1:00 p.m. in the Pine Room.
- 14f. Report of the Communications Committee - Director Bruninghaus gave an update since the last committee meeting. Next meeting will be held on January 9, 2019, at 1:30 p.m. in the Board Room.
- 14g. Report of the Village Energy Task Force - Director Frankel gave an update from the last meeting. Director Moldow was election Chair of the Committee. Next meeting will be held on January 9, 2019, at 9:00 a.m. in the Willow Room.
- 14h. Report of the Water Subcommittee - Director Tung showed a presentation on Water Conservation. Director Connelly gave an update from the last meeting. Next meeting will be held on December 11, 2018 at 11:00 a.m. in the Sycamore Room.
- 14i. Report of the Resident Policy and Compliance Task Force - Director Bruninghaus gave an update from the last committee meeting. Next meeting December 3, 2018, at 1:00 p.m. in the Sycamore Room.

15. GRF Committee Highlights

- 15a. Community Activities Committee – Director Parsons reported on upcoming recreation and special events. Next meeting will be held on January 10, 2019, at 1:30 p.m. in the Board Room.
- 15b. Finance Committee – Director Connelly reported on highlights from the last committee meeting. Next meeting will be held on December 19, 2018, at 1:30 p.m. in the Board Room.

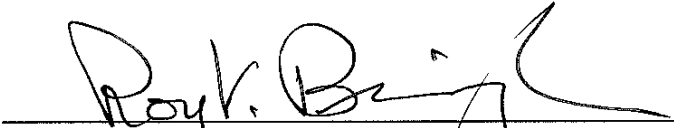
- 15c. Landscape Committee – Director Tung. Next meeting will be held on December 19, 2018 at 2:30 p.m. in the Sycamore Room
- 15d. Maintenance & Construction Committee – Director Frankel reported on highlights from the last committee meeting. Next meeting will be held on December 12, 2018 at 9:30 a.m. in the Board Room
- 15e. Media and Communications Committee – Director Bruninghaus reported on highlights from the last committee meeting. Next meeting will be held on December 17, 2018 at 1:30 p.m. in the Board Room
- Thrive Project Task Force – Next meeting December 19, 2018, at 9:30 a.m. in the Cypress Room
- 15f. Mobility and Vehicles Committee-Director Frankel reported on highlights from the last committee meeting. Going back to a seven day a week bus schedule is being considered at the next meeting. Next meeting will be held on December 5, 2018, at 1:30 p.m. in the Board Room
- 15g. Security and Community Access Committee – Director Bruninghaus gave an update from the last committee meeting. The Committee discussed illegal dumping, the use of smart ID cards and golf cart registration. The Board discussed the need to update the pictures on the ID cards. Next meeting will be held on December 17, 2018, at 9:30 a.m. in the Board Room
- Disaster Preparedness Task Force – Director Frankel reported on the last meeting. Next Building/Good Neighbor Captain meeting will be in March, 2019. Next meeting will be held on January 29, 2019, 9:30 a.m. in the Cypress Room
- 16. Future Agenda Items--** *All matters listed under Future Agenda Items are Resolutions on 30-day public review or items for a future Board Meetings. 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.*
- 17. Director's Comments**
There were no Director comments.
- 18. Recess**
The Board recessed at 11:35 a.m. and reconvened into Executive Session at 12:30 p.m..

Summary of Previous Closed Session Meeting per Civil Code Section §4935
During the October 16, 2018, Regular Executive Session, the Board:
Approval of Agenda
Approval of the Following Meeting Minutes;

(a) September 17, 2018 – Special Closed Session
(b) September 18, 2018 – Regular Executive Session
Discuss Contract Award Matters
Discuss and Consider Member Matters
Discuss and Consider Legal and Litigation Matters

19. Adjourn

With no further business to come before the Board of Directors, the meeting was adjourned at 6:08 p.m.



Roy Bruninghaus, Secretary of the Board
Third Laguna Hills Mutual

RESOLUTION ATTACHMENTS

~~THIRD LAGUNA HILLS MUTUAL~~



SECTION 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 JANUARY 2019 RESOLUTION 03-19-XXX

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 ~~Permits and Inspections office~~Alterations Division prior to issuance of ~~a Mutual Consent~~an alteration permit. 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 ~~Permits and Inspections office~~Alterations Division prior to issuance of a ~~permit~~Mutual Consent.
- 2.6** ~~No permits~~A Mutual Consent will be not be issued for manors that do not qualify as determined by existing waste line sizes. Minimum sizes are 23" 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. Variances for the installation of washers and dryers in individual manors will not be granted in three-story buildings.



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 JANUARY 2019, RESOLUTION 03-19-XXX

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- 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.
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- 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.**



DELINQUENT CHARGES - PAYMENT PLAN AGREEMENT

Manor Number: _____

Charges Delinquency: _____

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

1. Scope of Agreement. Owner is the legal owner of that certain real property commonly referred to as _____ (the "Subject Property"). This shall be a payment plan agreement between Owner and the Mutual, relative to the payment of all fines, fees, monetary penalties, reimbursement assessments, charges, late fees, interest, attorneys' fees and costs of collection, accruing on the Subject Property and owed by Owner to the Mutual on the account. The total amount as of the date of this Payment Agreement is \$_____.

2. Required Payments. Owner shall tender an upfront payment in the amount of \$_____ on or before _____. Thereafter, Owner shall make the following monthly payments:

a. Payment of \$_____ on or before _____;

b. _____

3. Monthly Statements. The Mutual shall not be obligated to send Owner monthly statements.

4. Continuing Monthly Assessments. Owner shall pay all regular and special assessments that come due in a timely manner and in addition to the payments required in paragraph 2 above.

5. Payment Destination. All payments and assessments required pursuant to this Payment Agreement shall be paid and sent directly to the Mutual. Notwithstanding this paragraph, at any time during the course of this Payment Agreement, the Mutual may require Owner to change the destination of the payments and the payee of such payments.

6. Sale; Refinance; Lien. If the Subject Property is sold or refinanced, the balance owing on the account must be paid in full and this Payment Agreement shall create a lien against the funds held in escrow relating to any such transaction.

7. Breach; Remedies. If any one payment is not received by the deadline stated or if this Payment Agreement is breached in any other way, the Mutual shall, after five days' written notice to Owner (or Owner's attorney) by email transmission, have the power and authority to pursue any and all collection remedies against Owner and/or Owner's property, including but not limited to non-judicial foreclosure, judicial foreclosure, or a lawsuit for purposes of securing a money judgment. Any additional late fees, interest, attorneys' fees and costs incurred will be charged to Owner's account.

8. Obligation to Pay All Charges. If this Payment Agreement is breached and the Board of Directors for the Mutual allows re-instatement, Owner will be responsible for payment of all attorneys' fees, costs, interest, late fees and other charges incurred as a result of said breach before this agreement will be deemed "paid in full."

9. Contact Information. Owner must keep the Mutual up to date regarding Owner's contact information and any changes to same.

10. Compliance with Governing Documents. In addition to any obligation stated herein, Owner shall comply with the Mutual's governing documents in all respects. Any violation of the governing documents shall be considered a breach of this Payment Agreement.

11. Assignment of Rents. Owner hereby irrevocably assigns to the Mutual, absolutely and regardless of possession of the property, all money now due or to become due under any agreement for the use or occupation of the Subject Property, for the

purpose of collecting all assessments and amount owed pursuant to this Payment Agreement and the Mutual's governing documents, including late fees, costs, interest, expenses and attorneys' fees which are in default.

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

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

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

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

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

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

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

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

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

Print Name: _____

DL#: _____

SS#: _____

Mailing Address: _____

Cell Phone: _____

E-Mail: _____

Member Signature: _____

Date: _____

Mutual Officer Signature: _____

Date: _____

Return signed form by mail to:

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

Or deliver in person to:

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



~~THIRD LAGUNA HILLS MUTUAL~~

SECTION STANDARD 34: WINDOWS & WINDOW ATTACHMENTS

MAY 1996, RESOLUTION M3-96-28

SEPTEMBER 2002, RESOLUTION M3-02-47

NOVEMBER 2002, RESOLUTION M3-02-62

OCTOBER 2004, RESOLUTION 03-04-27

REVISED FEBRUARY 2006, RESOLUTION 03-06-10

REVISED SEPTEMBER 2006, RESOLUTION 03-06-41

REVISED MAY 2007, RESOLUTION 03-07-47

REVISED APRIL 2011, RESOLUTION 03-11-51

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

REVISED DECEMBER 2011, RESOLUTION 03-11-215

REVISED JANUARY 2018, RESOLUTION 03-18-XX

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 APPLICATIONS

2.1 New construction window replacement is permitted only upon the approval of the ~~Permits and Inspections~~ Alterations Division office. Retrofit windows are permitted upon the approval of the Alterations Division ~~Permits and Inspections~~ office in accordance with the criteria established herein.

2.2 Windows may be framed with either aluminum or vinyl. Wood framed windows, and the use of other materials, ~~will be~~ are subject to the review of the Board of Directors.

2.3 Aluminum framed windows must match the original window frame color on the building with either a natural or bronzed anodized finish.

- 2.4 All vinyl framed windows must be white in color. Colors other than white vinyl will be reviewed by the Board of Directors.
- 2.5 Windows and sliding glass doors on the same wall of an individual manor will be replaced concurrently to ensure visual continuity ~~upon~~ in the building and surrounding area except when windows and/or sliding glass doors are obscured by patio walls or glass enclosures. At any such time that the enclosure is removed, exposing the windows and/or sliding glass doors, the Member must replace the windows and/or sliding glass doors to conform to the Mutual Standard.
- 2.6 Any existing retrofit windows in the building will set the precedent for trim size/dimensions to be utilized for new retrofit installations.
- 2.7 The top of window heights shall be at 6'-8" unless a special height is called for on the standard plan drawing.
- 2.8 Size and location of windows shall be as per standard plan drawings.
- 2.9 All retrofit windows must be certified with the City of Laguna Woods. Any retrofit window that is not properly certified is subject to permit revocation and removal at the sole cost of the manor owner.
- 2.10 Any retrofit of bedroom windows for a La Jolla-style manor must include a minimum of one (1) roll and turn style window ~~or a casement window~~ in order to meet building code egress regulations.

3.0 INSTALLATION REQUIREMENTS

- 3.1 All windows are required to meet building code regulations.
- 3.2 XOX windows may replace XO windows, and vice versa. Fixed panels may replace sliding panels, and sliding panels may replace fixed panels.

- 3.3** XO windows may be converted to picture windows, and vice versa, provided the height and width of the opening remain the same and egress is not compromised.
- 3.4** Windows may be converted to sliding glass doors, and vice versa, provided that 1) the area faces into a patio, atrium, or balcony, and 2) the height and width of the opening remain the same.
- 3.5** Where windows have a configuration of XO above an XO or OO in the same opening, the bottom section may be filled in using standard construction practices. The dimensions of the top section must remain the same.
- 3.6** Casement windows are not permitted where the window, when open, would protrude into an area where maintenance of property, i.e., mowing, pruning, planting, would be impeded, or where the window would protrude into a walkway or area where pedestrians walk.
- 3.7** Casement windows are permitted to be installed where egress windows in bedrooms are required due to the installation of a patio enclosure.
- 3.8** Bathroom windows covered with an original or permitted grille may remain as is during the retrofit of other windows on the same elevation, provided the existing frame is painted to match the retrofit windows.
- 3.9** Bathroom windows may remain as is during the retrofit of other windows on the same elevation when retrofitting the subject window would reduce the glass size to less than one (1) foot in any direction.
- 3.10** Retrofit louvered bathroom windows. Louvered bathroom windows may be retrofitted with other window options that fit the existing opening, a single fixed pane of glass, a double hung window, casement window, and glass blocks. Replacement windows must conform to Section 34 window standards. Plans and specifications must be submitted to the Permits Department for approval prior to installation.
- 3.11** Recessed vinyl retrofitted kitchen windows. Flanges on recessed vinyl retrofit kitchen windows shall be cut to fit the size of the window it is replacing. Metal frames around the window shall be painted to match the vinyl window frame, except for casement windows in three-story buildings. Paint must be appropriate for use on metal surfaces.
- 3.12** The total width of the perimeter frame and sash for retrofit vinyl windows shall not exceed ~~further than~~ four inches. Unless the subject window is surrounded by original wood framing, all non-casement window flanges must extend beyond any open areas between the

aluminum frame and all sides in order to adequately protect against water intrusion.

- 3.13 With the exception of recessed windows, cutting of the flanges is not permitted.
- 3.14 The retrofit window frame should be constructed in a flat plane with out raised or sculptured parts.
- 3.15 Windows must be properly insulated according to the manufacturer's installation instructions.
- 3.16 Retrofits of recessed windows must paint any exposed aluminum framing to match the color of the vinyl window. Garden Villa casement windows are an exception to this ~~standard~~ Standard.

4.0 **TYPE OF GLASS**

- 4.1 All glass to be clear, single light (no grids) with the following exception: single story manors may install vinyl retrofit windows and doors with grids that match the design pattern and dimension of the grids for all windows and doors on the same elevation. All glass shall be tempered as required on standard plan, except as outlined in Section 6.0. Thermopane-type glass is required. Replacement window will correspond with Section 2.0.
- 4.2 Stained or leaded-type glass per Section 6.0.
- 4.3 Reflective tints or films applied to glass after manufacture may be applied providing it does not have a reflectivity factor of more than 15%. Documentation of such material must be on hand and approved by the Alterations Division ~~Permits and Inspections~~ office before such application.
- 4.4 All bathroom windows will be of opaque glass.

5.0 **ATTACHMENTS**

- 5.1 No window awnings permitted.
- 5.2 No storm windows or glass shields will be installed on the exterior of any window.

6.0 STAINED GLASS

- 6.1 Any application for stained, leaded, etc., types of glass must be submitted to the Permits and Inspections office for approval of design, color, and sizes.
- 6.2 All ~~questionable non-standard~~ designs will be reviewed by the Board of Directors.

~~7.0 WROUGHT IRON GRILLES~~

- ~~7.1 All wrought iron grilles will be painted in accordance with the Mutual Paint Policy and approved color palette.~~
- ~~7.2 All grilles shall be decorative in nature and design. They will match other wrought iron, i.e., gates and fences where present.~~
- ~~7.3 Grilles shall not be placed on sliding glass doors or any other part of the unit except windows.~~
- ~~7.4 Grilles may be placed on only the first floor of any building except on those buildings where windows face into a breezeway and do not open directly into a walkway as determined by the Permits and Inspections office.~~
- ~~7.5 Maximum overhang of grilles shall be limited to 6" in any direction beyond window dimensions. No grille shall protrude more than 6" from the window.~~
- ~~7.6 Quick emergency release pins are required for fire purposes. Release pins shall be U.L. or U.B.C. approved and a smoke detector shall be utilized within the room where the grilles are installed.~~

87.0 GARDEN WINDOWS

87.1 Garden windows may be defined as planter windows, greenhouse, protruding windows, or bay windows.

87.2 No garden window shall extend outward from the building beyond 24". The largest horizontal or vertical dimensions of a garden window shall not exceed 8'-0" x 6'-0".

87.3 Garden windows shall be permitted only in dining rooms, nooks, and kitchens. Exception: any room where a window will face into a walled patio area.

87.4 No garden window shall be permitted where it may conceivably obstruct normal pedestrian traffic even within a walled patio area.

87.5 No garden window shall be permitted above the first floor of any building except on buildings where the window faces into the breezeway area.

87.6 A window in which an existing fire-rated assembly has been included into the building to satisfy building code requirements shall not be removed and replaced by a garden window, except where a garden window is a similarly fire-rated unit.

87.7 Garden window frames will meet Staff approval and [Section 1.3.this Standard.](#)

98.0 SLIDING GLASS DOORS

98.1 In order to maintain visual consistency, sliding glass doors are subject to the Standards set forth in Section 2.0.



STANDARD 34: WINDOWS & WINDOW ATTACHMENTS

MAY 1996, RESOLUTION M3-96-28

SEPTEMBER 2002, RESOLUTION M3-02-47

NOVEMBER 2002, RESOLUTION M3-02-62

OCTOBER 2004, RESOLUTION 03-04-27

REVISED FEBRUARY 2006, RESOLUTION 03-06-10

REVISED SEPTEMBER 2006, RESOLUTION 03-06-41

REVISED MAY 2007, RESOLUTION 03-07-47

REVISED APRIL 2011, RESOLUTION 03-11-51

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

REVISED DECEMBER 2011, RESOLUTION 03-11-215

REVISED JANUARY 2018, RESOLUTION 03-18-XX

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 APPLICATIONS

- 2.1** New construction window replacement is permitted only upon the approval of the Alterations Division office. Retrofit windows are permitted upon the approval of the Alterations Division office in accordance with the criteria established herein.
- 2.2** Windows may be framed with either aluminum or vinyl. Wood framed windows, and the use of other materials, are subject to the review of the Board of Directors.
- 2.3** Aluminum framed windows must match the original window frame color on the building with either a natural or bronzed anodized finish.
- 2.4** All vinyl framed windows must be white in color. Colors other than white vinyl will be reviewed by the Board of Directors.
- 2.5** Windows and sliding glass doors on the same wall of an individual manor will be replaced concurrently to ensure visual continuity in the building and surrounding area except when windows and/or sliding glass doors are obscured by patio walls or glass enclosures. At any such time that the enclosure is removed, exposing the windows and/or sliding glass doors, the Member must replace the windows and/or sliding glass doors to conform to the Mutual Standard.

- 2.6 Any existing retrofit windows in the building will set the precedent for trim size/dimensions to be utilized for new retrofit installations.
- 2.7 The top of window heights shall be at 6'-8" unless a special height is called for on the standard plan drawing.
- 2.8 Size and location of windows shall be as per standard plan drawings.
- 2.9 All retrofit windows must be certified with the City of Laguna Woods. Any retrofit window that is not properly certified is subject to permit revocation and removal at the sole cost of the manor owner.
- 2.10 Any retrofit of bedroom windows for a La Jolla-style manor must include a minimum of one (1) roll and turn style window or a casement window in order to meet building code egress regulations.

3.0 INSTALLATION REQUIREMENTS

- 3.1 All windows are required to meet building code regulations.
- 3.2 XOX windows may replace XO windows, and vice versa. Fixed panels may replace sliding panels, and sliding panels may replace fixed panels.
- 3.3 XO windows may be converted to picture windows, and vice versa, provided the height and width of the opening remain the same and egress is not compromised.
- 3.4 Windows may be converted to sliding glass doors, and vice versa, provided that 1) the area faces into a patio, atrium, or balcony, and 2) the height and width of the opening remain the same.
- 3.5 Where windows have a configuration of XO above an XO or OO in the same opening, the bottom section may be filled in using standard construction practices. The dimensions of the top section must remain the same.
- 3.6 Casement windows are not permitted where the window, when open, would protrude into an area where maintenance of property, i.e., mowing, pruning, planting, would be impeded, or where the window would protrude into a walkway or area where pedestrians walk.
- 3.7 Casement windows are permitted to be installed where egress windows in bedrooms are required due to the installation of a patio enclosure.
- 3.8 Bathroom windows covered with an original or permitted grille may remain as is during the retrofit of other windows on the same elevation, provided the existing frame is painted to match the retrofit windows.

- 3.9** Bathroom windows may remain as is during the retrofit of other windows on the same elevation when retrofitting the subject window would reduce the glass size to less than one (1) foot in any direction.
- 3.10** Retrofit louvered bathroom windows. Louvered bathroom windows may be retrofitted with other window options that fit the existing opening, a single fixed pane of glass, a double hung window, casement window, and glass blocks. Replacement windows must conform to Section 34 window standards. Plans and specifications must be submitted to the Permits Department for approval prior to installation.
- 3.11** Recessed vinyl retrofitted kitchen windows. Flanges on recessed vinyl retrofit kitchen windows shall be cut to fit the size of the window it is replacing. Metal frames around the window shall be painted to match the vinyl window frame, except for casement windows in three-story buildings. Paint must be appropriate for use on metal surfaces.
- 3.12** The total width of the perimeter frame and sash for retrofit vinyl windows shall not exceed four inches. Unless the subject window is surrounded by original wood framing, all non-casement window flanges must extend beyond any open areas between the aluminum frame and all sides in order to adequately protect against water intrusion.
- 3.13** With the exception of recessed windows, cutting of the flanges is not permitted.
- 3.14** The retrofit window frame should be constructed in a flat plane without raised or sculptured parts.
- 3.15** Windows must be properly insulated according to the manufacturer's installation instructions.
- 3.16** Retrofits of recessed windows must paint any exposed aluminum framing to match the color of the vinyl window. Garden Villa casement windows are an exception to this Standard.

4.0 TYPE OF GLASS

- 4.1** All glass to be clear, single light (no grids) with the following exception: single story manors may install vinyl retrofit windows and doors with grids that match the design pattern and dimension of the grids for all windows and doors on the same elevation. All glass shall be tempered as required on standard plan, except as outlined in §6.0. Thermopane-type glass is required. Replacement window will correspond with §2.0.
- 4.2** Stained or leaded-type glass per §6.0.

4.3 Reflective tints or films applied to glass after manufacture may be applied providing it does not have a reflectivity factor of more than 15%. Documentation of such material must be on hand and approved by the Alterations Division office before such application.

4.4 All bathroom windows will be of opaque glass.

5.0 ATTACHMENTS

5.1 No window awnings permitted.

5.2 No storm windows or glass shields will be installed on the exterior of any window.

6.0 STAINED GLASS

6.1 Any application for stained, leaded, etc., types of glass must be submitted to the Permits and Inspections office for approval of design, color, and sizes.

6.2 All non-standard designs will be reviewed by the Board of Directors.

7.0 GARDEN WINDOWS

7.1 Garden windows may be defined as planter windows, greenhouse, protruding windows, or bay windows.

7.2 No garden window shall extend outward from the building beyond 24". The largest horizontal or vertical dimensions of a garden window shall not exceed 8'-0" x 6'-0".

7.3 Garden windows shall be permitted only in dining rooms, nooks, and kitchens. Exception: any room where a window will face into a walled patio area.

7.4 No garden window shall be permitted where it may conceivably obstruct normal pedestrian traffic even within a walled patio area.

7.5 No garden window shall be permitted above the first floor of any building except on buildings where the window faces into the breezeway area.

7.6 A window in which an existing fire-rated assembly has been included into the building to satisfy building code requirements shall not be removed and replaced by a garden window, except where a garden window is a similarly fire-rated unit.

7.7 Garden window frame will meet Staff approval and this Standard.

8.0 SLIDING GLASS DOORS

8.1 In order to maintain visual consistency, sliding glass doors are subject to the Standards set forth in this Standard.



STANDARD 44: FENCES; VINYL
JANUARY 2019, RESOLUTION 03-18-XX

1.0 GENERAL REQUIREMENTS

SEE STANDARD SECTION 1: GENERAL REQUIREMENTS

2.0 PREPARATIONS

- 2.1** An Alterations Inspector will visit the site prior to work, for adjustments pertaining to this section.
- 2.2** Attachments to buildings shall be avoided; if necessary connections shall only be accomplished using galvanized or stainless steel lag bolts, predrilled with waterproof silicone sealant applied prior to installation.
- 2.3** No vinyl fencing is permitted in areas where access for maintenance is required.
- 2.4** In no case shall concrete post supports cover sprinklers, sprinkler lines or other Mutual maintained property.
- 2.5** No fencing will be allowed that may encroach upon a view of a neighboring manor as determined by the Alterations Division.
- 2.6** All vinyl shall be white or beige in color.
- 2.7** All fencing shall border patio slabs only. No fencing shall be installed in garden or grass areas or on common area.

3.0 APPLICATIONS

- 3.1** No fence shall be over 5'-0" in height, inclusive of wall and fence; nor under 12" in height.
- 3.2** All posts shall be attached to slab or set in concrete. No posts shall have contact with any soil.
- 3.3** Vinyl fencing may be installed as approved by the Alterations Division as part of a block wall. See Standard 6 for block walls.
- 3.4** Openings for gates are permissible. Gates may not open onto common area unless a walkway exists.



- 3.5** Gates shall be no higher than the wall in which they are part of, with the exception of decorative arc or radius finished tops.
- 3.6** Existing fencing may be lowered as requested by the resident with the approval of the Alterations Division.

4.0 SPRINKLER REVISIONS

- 4.1** Sprinklers will be revised only by VMS Landscape staff. The cost of such revisions shall be at the expense of the resident owner of that unit.
- 4.2** No sprinklers will be placed inside any patio area by VMS Landscape staff, and any sprinkler systems added shall not be connected to the Mutual-owned system.

RESOLUTION 03-18-XX
Variance Request

WHEREAS, Mr. Roger D. Decker of 2328-U Via Mariposa West, a Monterey style unit, is requesting Board approval of a variance to install a bathroom conversion and,

WHEREAS, a Neighborhood Awareness Notice was sent to Owners of affected Units on November 14, 2018, notifying them that an application to make an alteration to a neighboring Unit had been made and that comments or objections could be made in writing to the Architectural Controls and Standards Committee or in person at the Architectural Controls and Standards Committee Meeting on November 26, 2018.

NOW THEREFORE BE IT RESOLVED, on December 18, 2018, the Board of Directors hereby approves the request to install a bathroom conversion and that the proposed alteration is constructed in accordance with the Conditions of Approval as included in the official Board Decision Notice;

RESOLVED FURTHER, all costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 2328-U and all future Mutual members at 2328-U;

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

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RESOLUTION 03-18-XX
Variance Request

WHEREAS, Ms. Hope H. Miller of 5165 Belmez, a Villa Paraisa style unit, is requesting Board approval of a variance to raise the ceiling in the living room only, above the structural members,

WHEREAS, a Neighborhood Awareness Notice was sent to Owners of affected Units on November 14, 2018, notifying them that an application to make an alteration to a neighboring Unit had been made and that comments or objections could be made in writing to the Architectural Controls and Standards Committee or in person at the Architectural Controls and Standards Committee Meeting on November 26, 2018.

NOW THEREFORE BE IT RESOLVED, on December 18, 2018, the Board of Directors hereby approves the request to raise the ceiling in the living room and that the proposed alteration is constructed in accordance with the Conditions of Approval as included in the official Board Decision Notice;

RESOLVED FURTHER, all costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 5165 and all future Mutual members at 5165;

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

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RESOLUTION 03-18-XX
Variance Request

WHEREAS, Ms. Kerrie A. Bantivoglio of 5398-A Via Carrizo, a Casa Rosa style unit, is requesting Board approval of a variance to retain the non-standard color on two exterior doors and,

WHEREAS, a Neighborhood Awareness Notice was sent to Owners of affected Units on November 14, 2018, notifying them that an application to make an alteration to a neighboring Unit had been made and that comments or objections could be made in writing to the Architectural Controls and Standards Committee or in person at the Architectural Controls and Standards Committee Meeting on November 26, 2018.

NOW THEREFORE BE IT RESOLVED, on December 18, 2018, the Board of Directors hereby approves the request to retain the non-standard color on two exterior doors and that the proposed alteration is constructed in accordance with the Conditions of Approval as included in the official Board Decision Notice;

RESOLVED FURTHER, all costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Property's Member Owner at 5398-A and all future Mutual members at 5398-A;

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

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STAFF REPORT

DATE: December 18, 2018
FOR: Board of Directors
SUBJECT: Revised Decision Tree

RECOMMENDATION

Receive and File.

BACKGROUND

On July 20, 2017, the Board passed Resolution 03-17-77 Common Area Use Policy, which restricted the Board from granting exclusive use of common area for alterations. This Policy rendered the existing Decision Tree obsolete and created the need to replace it with an updated version which aligns with the new policy. That updated Decision Tree was approved by the Board on March 20, 2018.

On October 16, 2018, the Board of Directors passed Resolution 03-18-146 which revised the Common Area Use Policy, further restricting the use of common area for alterations. This action requires updating the Decision Tree.

On November 26, 2018, the Architectural Controls and Standards Committee reviewed this report and attachments. The Committee voted to approve the documents.

DISCUSSION

Paragraph 12 of the Resolution refers to the Decision Tree, "...the Board has a Decision Tree..." and "...the Board hereby adopts the policy outlined in this Resolution to govern Staff's, the Committee's, and the Board's decision process when Manor Owners apply to the Mutual for authorization to make or construct an Alteration..." The Decision Tree is an outline of that process; it does not create new or revise Board approved policies.

The Decision Tree (Attachment 1) was developed by Staff and the Architectural Control and Standards Committee (ACSC) to assist those charged with reviewing alteration requests with a step-by-step decision making process that is aligned with the policies set forth in the Resolution.

The Decision Tree is based on the above referenced policy and the Davis-Stirling Act. It includes all pertinent references to Code as well as excerpts from the Code; consequently, it is a lengthy document containing 16 pages of text. The ACSC desires to release the Decision Tree in a usable format for residents. Staff has revised the Decision Tree (Attachment 2), removing references to code and unnecessary text to render the document more straightforward for the general public. The revised version contains all the necessary decision points and text in an easier to read format to assist residents in understanding the decision making process without being burdensome.

FINANCIAL ANALYSIS

None.

Prepared By: Kurt Wiemann, Permits, Inspections and Restoration Manager

Reviewed By: Eve Morton, Alterations Coordinator

Attachments:

Attachment 1: Decision Tree

Attachment 2: Reduced Decision Tree

DECISION TREE

**Procedure for the
Third Mutual Board of Directors,
Architectural Control and Standards Committee,
and the Manor Alteration Division Staff**

**When Considering Applications for
Mutual Consent for Manor Alterations
for Standard Alterations & Variance Requests**

December 2018

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INTRODUCTION

This "Decision Tree" sets forth an outline of the criteria that the Village Management Services Manor Alterations Division ("Staff"), the Architectural Control and Standards Committee ("Committee") and the Board of Directors ("Board") of the Third Laguna Hills Mutual ("Mutual") will use when reviewing, considering and approving or denying an application ("Application") to make an alteration ("Alteration") to a Mutual Member's ("Member") individual Manor ("Manor"), pursuant to the Mutual's Governing Documents and applicable law. These criteria apply, without limitation, to an Application where the proposed Alteration would be:

- A. within the Separate Interest of the Member's Manor;
- B. to, upon, or within the Manor's Exclusive Use Common Area; or
- C. upon or over the Mutual's General Common Area.

DEFINITIONS

The foregoing capitalized terms, and additional capitalized terms appearing in the following text, are defined, in more detail, in Appendix 2, *Definitions*, to this document, in the Mutual's *Amended and Restated Declaration of Covenants, Conditions and Restrictions* ("CC&Rs") and the Mutual's *Condominium Plan* ("Condominium Plan").

STEP 1: Staff Review of Application for Compliance with the Mutual's Standards and Mutual and Staff Policies.

A Member who wants to submit an Alteration Application should make an appointment with Alterations Division. Prior to or during the meeting, Staff will check the Mutual's corporate records to determine if the Member has previous alteration compliance issues, is subject to discipline after a noticed hearing before the Board, or is past due on fines, fees or assessments. If so, Staff will inform the Member that the delinquencies need to be resolved prior to submitting the Alteration Application.

If no compliance, disciplinary, or delinquency issues are found, Staff will review the Application with the Member to determine if the Application and the architectural plans for the Alteration are complete and if the proposed Alteration would comply with the Third Architectural Alteration Standards ("Standards").

- A. If Staff determines that the Application or architectural plans are not complete, the Application will be returned to the Member with a written request for additional information.
- B. If Staff or the Committee determines that the Application requests an Alteration where a previous alteration was approved on the condition that further alterations would not be approved, the Application will be returned to the Member with an explanation of why it cannot be considered.
- C. If Staff determines that:
 - (1) the Application is complete; and

(2) the Application can be considered because there is no record that a prior alteration was approved on the condition that further alterations would not be approved; and

(3) the proposed Alteration, as described in the complete Application and architectural plans, would meet all of the requirements of the Standards and other approved Mutual and Staff Policies;

Staff will send, *via email or First Class Mail*, a notice of the Application's completeness to the Member. Included within that notice of completeness will be a reminder that, in accordance with the Mutual's CC&Rs, the existence in the Mutual of a prior Alteration comparable to an Alteration being sought by a Member shall have no precedential value, and shall not obligate in any way Staff, the Committee, or the Board to approve any subsequent Manor Alteration Application.

D. If Staff's field investigation into the Application resolves any questions and confirms that the Alteration meets all of the requirements of the Standards and other approved Mutual and Staff Policies, and would not affect the Owner(s) of a neighboring Manor, then Staff will process the Application as a Standard Request and approve the Application within 60 days after sending the notice of the Application's completeness. **Go to Step 7.**

E. If Staff determines that the proposed Alteration does not meet all of the requirements of the Standards and other approved Mutual and Staff Policies, or could affect the Owner of a neighboring Manor, or could require a Common Area Agreement, then Staff will process the Application as a Variance Request, prepare a report and recommendations, refer the Application and the report to the Committee, send a Neighbor Awareness Notice to the Owner of any Affected Manor (see Appendix 1), and schedule an Open Session meeting before the Committee. **Go to Step 2.**

STEP 2: Determine Whether the Proposed Alteration, Which Staff Has Determined Should Be Processed as a Variance Request, Would Be Located Within the Manor's Separate Interest; Would Be Upon, or Within the Manor's Exclusive Use Common Area; or Would Be Upon or Over the Mutual's General Common Area.

All of the Manors within the Mutual are Condominiums, and are part of a common interest development as described in the Davis-Stirling Common Interest Development Act ¹ ("Davis-Stirling Act"). Each of the Manors within the Mutual is also within the geographic boundaries of one of the 59 original condominium Projects within Laguna Woods Village. The mutual homeowner associations of those original condominium Projects subsequently adopted identical amended CC&Rs and Third Laguna Hills Mutual has acquired the assets and liabilities by vote of each of the fifty-nine individual Mutuels. Maps showing the geographic boundaries of each of the original Projects are available at www.lagunawoodsvillage.com or at Resident Services.

1/ See California Civil Code §4000, *et seq.*

- A. If Staff or the Committee determines that the proposed Alteration would be constructed entirely within the Manor's Separate Interest; **go to Step 3.**
- B. If Staff or the Committee determines that the proposed Alteration would be constructed entirely or partially in, upon, or within the Manor's Exclusive Use Common Area; **go to Step 4.**
- C. If Staff or the Committee determines that the proposed Alteration would be constructed entirely or partially upon or over the Mutual's general Common Area; **go to Step 5.**

STEP 3: Application for a Manor Alteration to Be Constructed Entirely within the Manor's Separate Interest That Staff Has Determined Should Be Processed as a Variance Request.

If the proposed Alteration would be constructed entirely within the Manor's Separate Interest, but Staff initially determines that the Application would not fully comply with the Standards and other approved Staff and Mutual Policies, Staff and the Committee will review the circumstances surrounding the Application as a Variance Request.

- A. If after further review, Staff and the Committee determine that the proposed Alteration would, in fact, fully comply with the Standards and other approved Staff and Mutual Policies, and would not unreasonably affect the Owner(s) of a neighboring Manor, Staff will revert to processing the Application as a Standard Alteration. **Go to Step 1.**
- B. If after further review, Staff and the Committee determine that the proposed Alteration would not fully comply with one or more of the Standards and other approved Staff and Mutual policies, but would not impair the structural integrity or mechanical systems of the surrounding building or lessen its support, the Committee may, but is not required to, approve the Application, or the Committee may approve the Application conditional upon the non-conformance being corrected. See California Civil Code §4760 and, as applicable, successor statutes. **Go to Step 7.**
- C. If the proposed Alteration would be to facilitate access to the Manor by persons with a physical disability, or to alter existing conditions which could be hazardous to such persons, the Committee may approve the Application if it otherwise conforms to the conditions required by California Civil Code §4760(a)(2) and, as applicable, successor statutes, as well as any applicable federal or state fair housing and discrimination standards. **Go to Step 7.**
- D. If the proposed Alteration would not satisfy any of the foregoing conditions in this Step 3, then the Committee should deny the Application. **Go to Step 7.**

STEP 4: Application for a Manor Alteration To Be Constructed Entirely or Partially within the Manor's Exclusive Use Common Area That Staff Has Determined Should Be Processed as a Variance Request.

If the proposed Alteration would be constructed entirely or partially within the Manor's Exclusive Use Common Area, but Staff initially determines that the Application would not fully comply with the Standards and other approved Staff and Mutual Policies, Staff

and the Committee will review the Application and the circumstances surrounding the Application as a Variance Request.

A. If after further review, Staff determines that the proposed Alteration would be constructed on Common Area that had previously been granted as Exclusive Use Common Area and the proposed alteration does not augment, enlarge, or change the construction, purpose, or use of the previously approved Alteration (like-for-like), Staff will revert to processing the Application as a Standard Alteration. **Go to Step 1.**

B. If after further review, Staff determines that the proposed Alteration would be constructed on Common Area that had previously been granted as Exclusive Use Common Area and the proposed alteration is not like-for-like, Staff and the Committee will investigate the circumstances surrounding the Application as a Variance Request.

C. If after further review, Staff and the Committee determine that the proposed Alteration would, in fact, fully comply with the Standards and other approved Staff and Mutual Policies, and would not unreasonably affect the Owner(s) of a neighboring Manor, Staff will revert to processing the Application as a Standard Alteration. **Go to Step 1.**

D. If after further review, Staff and the Committee determine that the proposed Alteration would not fully comply with one or more of the Standards and other approved Staff and Mutual policies, but would not impair the structural integrity or mechanical systems of the surrounding building or lessen its support, the Committee may, but is not required to, approve the Application, or may approve the Application conditional upon the non-conformance being corrected. **Go to Step 6.**

E. If the Committee determines that the proposed Alteration would eliminate or correct an encroachment onto the Manor's Exclusive Use Common Area due to errors in the Manor's original construction, ground settlement, structural shifting, or any other cause, unless the encroachment was due to the willful conduct of the Member, the Committee will refer the Application to the Board, which may, but is not obligated to, approve the Application. **Go to Step 6.**

F. If the Committee determines that the proposed Alteration would be to facilitate access to the Manor by persons with a physical disability, or to alter existing conditions which could be hazardous to such persons, the Committee shall approve the Application if it is otherwise required by any federal or state fair housing and discrimination standards or other applicable law and if it otherwise conforms to the conditions imposed by California Civil Code §4760(a)(2). See California Civil Code §§ 4760(a)(2), 4765(a)(3). **Go to Step 6.**

G. If the Committee determines that the proposed Alteration would be for the installation in the Manor's Exclusive Use Common Area, such as a garage or designated parking space, of an electric vehicle charging station that meets the requirements of California Civil Code §4745, the Committee may, but is not obligated to, other than to be in compliance with the requirements of California Civil Code §4745, and, as applicable, any successor statute, approve the Application. **Go to Step 6.**

H. If the proposed Alteration would not satisfy any of the foregoing conditions in this Step 4, then the Committee should deny the Application. **Go to Step 7.**

STEP 5: Application for a Manor Alteration to be Constructed Entirely or Partially Upon or Over the Mutual's General Common Area or on Previously Granted Common Area for Exclusive Use, Will Be Processed as a Variance Request.

If Staff determines that the proposed Alteration would be constructed entirely or partially upon or over any of the Mutual's general Common Area or previously approved Common Area for Exclusive Use, Staff and the Committee will investigate the circumstances surrounding the Application as a Variance Request.

A. If the Committee determines that the proposed Alteration would eliminate or correct an encroachment onto the Mutual's General Common Area due to errors in the Manor's original construction, ground settlement, structural shifting, or any other cause, unless the encroachment was due to the willful conduct of the Member, the Committee will refer the Application to the Board, which may, but is not obligated to, approve the Application. **Go to Step 6.**

B. If the Committee determines that the proposed Alteration would be to facilitate access to the Manor by persons with a physical disability, or to alter conditions which could be hazardous to such persons, the Committee shall approve the Application if it is otherwise required by any federal or state fair housing and discrimination standards or other applicable law and if it otherwise conforms to the conditions imposed by California Civil Code §4760(a)(2). See California Civil Code §§ 4760(a)(2), 4765(a)(3). **Go to Step 6.**

C. If the Committee determines that the proposed Alteration would require reasonable access through or across the Mutual's general Common Area for installation of utility lines or meters as part of the installation in the Member's Exclusive Use Common Area, such as a garage or designated parking space, of an electric vehicle charging station that meets the requirements of California Civil Code §4745, the Committee may, but is not obligated to, other than to be in compliance with the requirements of California Civil Code §4745, as applicable, and successor statutes, approve the Application. **Go to Step 6.**

D. If the Committee determines that the proposed Alteration would be for the installation, in or on the Mutual's general Common Area that is not Exclusive Use Common Area, of an electric vehicle charging station for the Exclusive Use of the Member, the Committee may, but is not obligated to, other than to be in compliance with the requirements of California Civil Code §4745, approve the Application, but only if installation in the Member's garage or designated parking space is impossible or unreasonably expensive as defined in the above referenced Civil Code provision. In such cases, the Member shall comply with all of the requirements of California Civil Code §4745(f), as applicable, and successor statutes. **Go to Step 6.**

E. If the Committee determines that the proposed Alteration would be upon or over a part of the Mutual's general Common Area that is an entryway area which is "trapped" between Manors in an area which is generally inaccessible and not of general use to

other Members/Residents,² and the Owners of both Manors agree to the proposed Alteration, the Committee will refer the Application to the Board, which may, but is not obligated to, approve the Application. **Go to Step 6.**

F. If the Committee determines that the proposed Alteration:

- (1) would be upon or over the Mutual's general Common Area; and
- (2) would be beneficial to the applicant Member or Residents, but would not be generally accessible and not of general use to other Residents or Members; and
- (3) would require construction of an enclosure or otherwise encroach into the third (vertical) dimension of the Mutual's general Common Area;

then Staff and the Committee will investigate the circumstances surrounding the Application, and the Committee will refer the Application to the Board, which may, but is not obligated to, approve the Application only if all of the following objective factors are present:

- (a) There is an existing wall of at least 18 inches in height, which already encloses the Exclusive Use Common Area where the proposed Alteration would be located and which has been in place for at least 30 years and has a previously approved Mutual Consent; and
- (b) The proposed Alteration would not be new construction on previously granted Common Area for Exclusive Use or augments, enlarges, or changes the construction, purpose, or use of a previously approved Alteration; and
- (b) The proposed Alteration would not unreasonably impact the aesthetic aspects of the architectural design of the community, as described in Article X, Section 1(e) of the CC&Rs, which may take into account, without limitation, the impact of the view of the Alteration from an adjacent Manor, but no right to or protection of a view or view corridor shall be created or implied by such consideration; and
- (c) The encroachment into the third (vertical) dimension would not impede ingress or egress of other Owners or Residents onto any adjacent general Common Area or impede community maintenance staff from going into or across any adjacent general Common Area; and

2/ This Section E refers to a proposed Alteration that would lay a concrete slab over a horizontal (two-dimensional) section of the general Common Area that is "trapped" between the opposing side doors of the garages of two adjoining Manors with a common wall. The historical record indicates that these small areas may have been originally left as uncovered dirt. It probably would have been better to cover this area between the Manors with a small concrete slab during the original construction to allow entry and exit from the garages without having to step onto muddy ground in the event of rain. Only a few of these "trapped" areas may remain unaltered today. This provision is included specifically to address this construction omission where it has not already been rectified.

(d) The proposed area of the Alteration can only be reasonably accessed through or benefit the Applicant's Manor; and

(e) The proposed Alteration would not negatively impact the ability of a neighboring Manor to make a similar future alteration.³

Go to Step 6.

G. If the Committee determines that the proposed Alteration would be located partially or entirely upon or over a part of the Mutual's general Common Area that could reasonably be accessible to or used by or for the benefit of other Mutual Members, but would be "*de minimis and necessary*" (see Appendix 2, *Definitions*) for the continued use of the Applicant's Manor and staff has received notice that there is potential conflict with a neighboring unit, the Committee will refer the Application to the Board, which may, but is not obligated to, approve the Application. **Go to Step 6.**

I. If none of the foregoing limiting conditions in this Step 5 is met and the proposed Alteration would require amending the Condominium Plan of the original Project wherein the Applicant's Manor is located, the Board will deny the Application. **Go to Step 7.**

J. If the proposed Alteration would not satisfy any of the foregoing conditions in this Step 5, then the Committee should deny the Application. **Go to Step 7.**

STEP 6: Circumstances When the Mutual Will Require a Recordable Common Area Agreement.

Before Staff, if authorized to do so, the Committee or the Board gives final approval for any proposed Alteration to, on, or within a Manor's Exclusive Use Common Area, or upon or over the Mutual's general Common Area, including, but not limited to, moving, adding or changing any walls, floors or ceilings, the Mutual will require that the Applicant execute a recordable Common Area Agreement, which will serve as a Covenant that Runs with the Land/Equitable Servitude.

The following are examples of Alteration Applications where the Common Area Agreement shall be required (please note that this is not an inclusive list and that other types of Alterations may also be conditioned upon the execution of a Common Area Agreement):

A. The proposed Alteration would eliminate or correct an encroachment onto the Manor's Exclusive Use Common Area or to the Mutual's general Common Area due to

3/ This Section F, refers to a proposed Alteration that would enclose a three-dimensional space, typically on an existing patio or courtyard slab. An Alteration extending vertically into the Mutual's general Common Area is just as problematic as a horizontal extension would be. Examples of proposed Alterations that might have to be treated as a Variance Application would be: a trellis cover, a sun room, an expanded room addition, or rooftop solar panels. In some cases, where a "grandfathered" concrete slab or wall has been in place for many years, the footprint of such a proposed Alteration could also extend a few feet beyond the Manor's designated Exclusive Use Common Area onto or over the Mutual's general Common Area.

errors in the Manor's original construction, ground settlement, structural shifting, or any other cause, unless the encroachment was due to the willful conduct of the Member; or

B. The proposed Alteration would facilitate access to the Manor by persons with a physical disability, or to alter conditions which could be hazardous to these persons, unless prohibited by state or federal fair housing and discrimination standards; or

C. The proposed Alteration would provide reasonable access through or across the Mutual's general Common Area for installation of utility lines or meters as part of the installation in the Member's Exclusive Use Common Area, such as a garage or designated parking space, of an electric vehicle charging station that meets the requirements of California Civil Code §4745; or

D. The proposed Alteration would be for the installation, in or on the Mutual's general Common Area that is not Exclusive Use Common Area, of an electric vehicle charging station for the Exclusive Use of the Member, which charging station meets the requirements of California Civil Code §4745(f); or

E. The proposed Alteration would be "*de minimis and necessary*" and located on the Mutual's general Common Area; or

F. The proposed Alteration would be located on an area that is designated as general Common Area (i.e. in the recorded Condominium Plan), but is an entryway area which is "trapped" between Manors in an area that is generally inaccessible and not of general use to other Members/Residents, and the Owners of both Manors agree to the proposed Alteration; or

G. The proposed Alteration would include an enclosure that extends into the third (vertical) dimension of the Mutual's general Common Area and meets the requirements of Step 5.F, above.

Go to Step 7.

STEP 7: Staff Will Notify the Member If The Application Is Approved or Denied.

Whether Staff decides to approve the Application as a Standard Alteration, or the Committee or the Board decides to approve or, for any reason, to deny any part or all of the Application for a proposed Alteration, Staff will notify the applicant Member of the decision, within 60 days after the notice of the Application's completeness was mailed, in accordance with the Mutual's Governing Documents, except in cases where a shorter notice applies pursuant to statute, in which case, notice shall be provided within such statutory timeframe.

A. If the Application is denied, that notification will include any necessary information about the Member's right to appeal the Committee's decision to the Board for reconsideration, along with a brief description of the reasons for the Committee's denial of the Application.

B. If the Application is approved, that notification will include the Consent for Manor Alterations, the Alteration Conditions of Approval, and the Common Area Agreement, if applicable. **Go to Step 8.**

STEP 8: Staff Will Monitor the Construction of the Alteration to Confirm That It Conforms to the Terms of the Mutual's Manor Alterations Permit.

After the Manor Alterations Permit is issued, Staff will prepare and have posted or emailed/mailed to the last known mailing address on file, a Neighbor Courtesy Notice of Alterations to inform neighbors of the approved Alteration. The Notice gives neighbors information on the Alteration and the Mutual's policies regarding noise, parking, and the prohibition of dumping construction materials in the Mutual's dumpsters.

When construction is complete, Staff will inspect the completed Alteration for consistency with the Application and architectural plans, Conditions of Approval, Architectural Standards, and Mutual Alteration policies. When the Alteration has met all Alteration approval requirements, Staff will issue the final approval certificate for the Alteration.

APPENDIX 1

SEND NEIGHBOR AWARENESS NOTICE TO OWNERS OF AFFECTED MANORS.

A. In the case of all Applications where the Owner(s) of a neighboring Manor or Manors could be affected by the proposed Alteration ("Affected Manor"), Staff will send, *Via Regular Mail* and e-mail (if available), a Neighbor Awareness Notice to the last known address(es) on file of the record Owner(s) of the Affected Manor(s) notifying them that they may present any concerns they have at the next open meeting of the Committee scheduled for a date not less than ten calendar days after the Neighbor Awareness Notice is mailed.

B. The Committee will hear any comments or objections regarding the proposed Alteration expressed by the Owner(s) of Affected Manors at its monthly Open Sessions and review any written responses to Neighbor Awareness Notices that are submitted by Owner(s) of Affected Manors. The Committee will consider those comments or objections regarding the proposed Alteration by the Owner(s) of the Affected Manors only if those comments or objections are heard in person at the noticed Open Session or received in writing, not later than two (2) business days prior to the noticed Open Session. Otherwise, the Committee will presume that an Owner of an Affected Manor, who does not respond in person or in writing, has no comments or objections regarding the proposed Alteration.

C. The objection by an Owner of an Affected Manor to the proposed Alteration does not necessarily determine whether the Alteration will or will not be approved, inasmuch as the Committee, with recommendation to the Board, has the unilateral right to make that determination. If the Committee determines that the proposed Alteration would cause an unreasonable burden to an Owner of an Affected Manor that cannot be mitigated by conditions of approval, the Committee, subject to endorsement by the Board, will balance the interests of those other Owner(s) against the interests of the Member submitting the Application and determine what is in the best interests of the Third Mutual community.

D. If the Committee, or Board, decides to deny the Application because the Alteration would cause an unreasonable burden to an Owner of an Affected Manor and would not be in the best interests of the Third Laguna Hills Mutual community, then Staff will notify the Applicant in accordance with Step 7, above.

APPENDIX 2

DEFINITIONS

Affected Manor is defined generally as any neighboring Manor that is within 150 feet of the proposed Alteration, and from any part of which the proposed Alteration could be seen once the Alteration is made or constructed as proposed, or any neighboring Manor that is close enough to the Manor where the proposed Alteration would be made or constructed such that the residents of the neighboring Manor could be affected by any noise, dust, odors, etc., caused by the making or construction of the proposed Alteration.

Alteration is defined generally as any structural change to the interior of a Manor, its mechanical systems or the structural integrity of the building; or any physical, structural or cosmetic change to the exterior of a Manor, including the Separate Interest, Exclusive Use Common Area, adjacent general Common Area, or any prior grant of Exclusive Use of Common Area. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article X, Architectural Control Committee, dated April 11, 1988*. See also California Civil Code §4765 and successor statutes as applicable.

Application is defined generally as a written request submitted by a Member to Staff or the Committee, in a form required by the Mutual's Governing Documents, to make an Alteration to the Manor, including the Separate Interest, Exclusive Use Common Area, adjacent general Common Area, or any prior grant of Exclusive Use of Common Area. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article X, Architectural Control Committee, dated April 11, 1988*. See also California Civil Code §4765 and successor statutes as applicable.

Board is defined generally as the Mutual's Board of Directors, elected or appointed as applicable as provided in the Mutual's corporate Bylaws. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article I, Definitions, Section 5, and Article X, Architectural Control Committee, dated April 11, 1988*. See also California Civil Code §4765 and successor statutes as applicable.

Committee is defined generally as the Mutual's Architectural Control and Standards Committee, which the Board has appointed and charged to oversee and maintain the Mutual's established standards of conformity, harmony and structural integrity of the internal and external design of the existing residential structures within the Mutual's condominium community. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article I, Definitions, Section 2, and Article X, Architectural Control Committee, dated April 11, 1988*. See also California Civil Code §4765 and successor statutes as applicable.

Common Area is defined generally as the entire condominium project, except the Separate Interests.⁴ See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article I, Definitions, Section 9, dated April 11, 1988*. See also California Civil Code §4095 and successor statutes as applicable.

Common Area Agreement is defined generally as a recordable agreement between the Mutual and a Member regarding Exclusive Use of Common Area.

Condominium is defined generally as an ownership interest in real property consisting of a Separate Interest, a related Exclusive Use Common Area, and an undivided real estate interest in the condominium project's general Common Area. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article I, Definitions, Section 11, dated April 11, 1988*. See also California Civil Code §4125 and successor statutes as applicable.

Condominium Plan is defined generally as the original condominium plan that was recorded with each of the original CC&Rs of the 59 individual Homeowner Associations, which were merged into the Third Laguna Hills Mutual. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article I, Definitions, Section 29, dated April 11, 1988*. See also California Civil Code §4120 and successor statutes as applicable.

Covenants, Conditions and Restrictions or “**CC&Rs**” is defined generally as the essentially identical “Amended and Restated Declaration of Covenants, Conditions and Restrictions” of the 59 original Projects’ Mutual Homeowner Associations, which were merged into the Third Laguna Hills Mutual on or about April 11, 1988. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, dated April 11, 1988*. See also California Civil Code §4135 and successor statutes as applicable.

de minimis and necessary is defined generally to mean a maximum of several square feet, as necessary and appropriate to accommodate for example a heating unit, an air conditioning unit, or similar equipment necessary to the habitability of a Member’s Manor. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article XXII, dated April 11, 1988*. See also California Civil Code §4215 and successor statutes as applicable.

Exclusive Use Common Area or **Limited Common Area** is defined generally as a portion of the Mutual's Common Area that is designated as such on the original Project’s Condominium Plan and intended for the Exclusive Use of one or more, but

4/ In a condominium project such as the Mutual, each Member owns, as tenant in common with the other Members, an undivided real estate interest in the general Common Area. See California Civil Code §§4125, 4500 and successor statutes as applicable. The Common Area is not owned by the Mutual, even though the Mutual does have certain management and maintenance rights and responsibilities regarding the general and Exclusive Use Common Areas, as described in the Condominium Declaration of each of the 59 original mutual homeowner associations, which have subsequently been merged into the one Third Laguna Hills Mutual. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article IV, Management, dated April 11, 1988*.

fewer than all, of the owners of the Separate Interests, and is usually adjacent to the Separate Interest (Manor), including individually assigned carports.⁵ See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article VII, Limited Common Areas, dated April 11, 1988*. See also California Civil Code §4145 and successor statutes as applicable.

Governing Documents is defined generally as the Mutual's Articles of Incorporation; Corporate Bylaws; Amended and Restated Declaration of Covenants, Conditions and Restrictions; Condominium Plan; and Operating Rules, all of which govern the Condominium. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article I, Definitions, Section 21, dated April 11, 1988*. See also California Civil Code §§4150, 4135, 4120, 4250, 4280, 4285, 4340, 4350 and successor statutes as applicable.

Manor is defined generally as a Member's residential living space, including the Member's Separate Interest or Unit, and any Exclusive Use Common Area or Limited Common Area assigned or appurtenant to that Separate Interest or Unit. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article 1, Definitions, Section 40, "Unit", dated April 11, 1988*. See also California Civil Code §4145, "Exclusive Use Common Area" and §4185, "Separate Interest", and successor statutes as applicable.

Member is defined generally as each person entitled to membership in the Mutual as provided in the Governing Documents. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article 1, Definitions, Section 24, dated April 11, 1988*. See also California Civil Code §4160 and successor statutes as applicable.

Mutual is defined generally as the Third Laguna Hills Mutual, a California non-profit mutual benefit corporation, the successor by merger to Laguna Hills Mutual No's 22 through 84, but excluding No's 50, 67, 76 and 79. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article 1, Definitions, Section 26, dated April 11, 1988*. See also California Civil Code §4800 and successor statutes as applicable.

Neighbor Awareness Notice is defined generally as a notice sent, *Via Regular Mail* and e-mail (when available), by Staff to the Owner(s) of any Affected Manor notifying them that an Application to make an Alteration to a neighboring Manor has been filed and that any comments or objections they may have to the proposed Alteration can be made in person or in writing to the Committee.

Operating Rules is defined generally as the rules and procedures adopted from time to time by the Mutual's Board, including, but not limited to, the Mutual's Architectural Review Procedures and Architectural Alteration Standards. See e.g., *Laguna Hills*

5/ In the Third Laguna Hills Mutual, the Exclusive Use Common Areas appurtenant to each Manor were established by the Condominium Plans of the 59 original Projects, which were developed in phases over several years. Those Plans were filed with the California Bureau of Real Estate and recorded with the Orange County Clerk/Recorder as those Projects were phased in by the original developer, Rossmoor Corporation, and its successor, Oaklawn Homes, Inc.

Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article X, Architectural Control Committee, dated April 11, 1988. See also California Civil Code §§4340, 4350 and successor statutes as applicable.

Owner is defined generally as the person or persons, partnership, trust, or corporation, and their successors and assigns, in whom title to a Condominium is vested, but does not include a holder of a mortgage or other security interest. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article I, Definitions, Section 28, dated April 11, 1988.*

Project is defined generally as one of the original Laguna Hills Mutual Projects, No's 22 through 84, but excluding No's 35, 78, 79 and 80. All of those Projects have been merged into the Third Laguna Hills Mutual for administrative purposes, but each of those Projects has retained separate CC&Rs, Plat Maps, Condominium Plans, and Legal Descriptions. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article I, Definitions, Section 30, dated April 11, 1988.*

Resident is defined generally as "the Qualifying Resident and each Co-occupant who resides in the same Unit." See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article 1, Definitions, Section 35, dated April 11, 1988.*

Separate Interest or **Unit** is defined generally as the airspace within the walls of an individual Manor, but includes also the doors; windows; kitchen, bathroom and lighting fixtures; and utility installations, such as hot water heaters and space heaters. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article I, Definitions, Section 40, dated April 11, 1988. See also California Civil Code §4185 and successor statutes as applicable.*

Standards or **Third Architectural Alteration Standards** is defined generally as a series of written architectural standards that have been previously considered and pre-approved by the Committee and the Board as applicable generally to Alterations made to any Manor within the Mutual, or sometimes specifically applicable only to certain Manor floor plans. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article X, Architectural Control Committee, Section 1, Clause (e), dated April 11, 1988. See also California Civil Code §4765 and successor statutes as applicable.*

Variance Request is defined generally as an Application by an Owner to make a Manor Alteration that, for whatever reason, does not meet all the requirements of the applicable Standards and Mutual and Staff policies that have previously been pre-approved by the Committee and the Board, and therefore must be considered as a unique Application by the Committee and, if denied, by the Board. See e.g., *Laguna Hills Mutual #22, Amended and Restated Declaration of Covenants, Conditions and Restrictions, Article X, Architectural Control Committee, dated April 11, 1988. See also California Civil Code §4765 and successor statutes as applicable.*

DECISION TREE

**Procedure for the
Third Mutual Board of Directors,
Architectural Control and Standards Committee,
And the Alteration Division Staff**

**When Considering Applications for
Mutual Consent for Manor Alterations
For Standard Alterations & Variance Requests**

December, 2018

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INTRODUCTION

This "Decision Tree" is an outline of the criteria that the Village Management Services Alterations Division ("Staff"), the Architectural Control and Standards Committee ("Committee") and the Board of Directors ("Board") of the Third Laguna Hills Mutual ("Mutual") will use when reviewing, considering and approving or denying an application ("Application") to make an alteration ("Alteration") to a Mutual Member's ("Member") individual Manor ("Manor"), pursuant to the Mutual's Governing Documents and applicable law. These criteria apply to an Application where the proposed Alteration would be:

- A. within the Separate Interest of the Member's Manor;
- B. to, upon, or within the Manor's Exclusive Use Common Area; or
- C. upon or over the Mutual's General Common Area.

DEFINITIONS

The capitalized terms appearing in the following text, are defined in more detail in Appendix 2, *Definitions*, to this document, in the Mutual's CC&Rs and the Mutual's Condominium Plan.

STEP 1: Staff Review of Application for Compliance with the Mutual's Standards and Mutual and Staff Policies.

A Member who wants to submit a Manor Alteration Application should call or make an appointment with the Alterations Division. Members should make sure they are up to date on fees and assessments; no applications will be accepted if a Member is behind in payment obligations to the Mutual. Staff will check the Mutual's corporate records to determine if the Member is delinquent in paying fines, fees or assessments. If so, Staff will inform the Member that the delinquencies need to be resolved prior to submitting the Alteration Application.

Staff will review the Application with the Member to determine if the Application and the architectural plans for the Alteration are complete and if the proposed Alteration would comply with the Third Architectural Alteration Standards ("Standards").

- A. If Staff determines that the Application or architectural plans are not complete, the Application will be returned to the Member with a written notification for additional information.
- B. If Staff or the Committee determines that the Application requests an Alteration where a previous alteration was approved on the condition that further alterations would not be approved, the Application will be returned to the Member with an explanation of why it cannot be considered.
- C. If Staff determines that:
 - (1) the Application is complete; and
 - (2) the Application can be considered because there is no record that a prior alteration was approved on the condition that further alterations would not be approved; and
 - (3) the proposed Alteration, as described in the complete Application and architectural plans, would meet all of the requirements of the Standards and other approved Mutual and Staff Policies; and

(4) the Member is not delinquent in the payment of fines, fees and/or assessments;

Staff will then send a notice of the Application's completeness to the Member.

D. If Staff's field investigation into the Application confirms that the Alteration meets all of the requirements of the Standards and other approved Mutual and Staff Policies, and would not negatively affect the Owner(s) of a neighboring Manor, Staff will process the Application as a Standard Request and approve the Application within 60 days of sending the notice of the Application's completeness. **Go to Step 7.**

E. If Staff determines that the proposed Alteration does not meet all of the requirements of the Standards and other approved Mutual and Staff Policies, or could affect the Owner(s) of a neighboring Manor, or could require a Covenant that Runs with the Land, then Staff will process the Application as a Variance Request and prepare a report with recommendations to the Committee. Staff will also send a Neighbor Awareness Notice to the Owner of any Affected Manor, and schedule an Open Session meeting before the Committee. **Go to Step 2.**

STEP 2: Determine whether the proposed Variance Request would be located within the Manor's Separate Interest; would be upon, or within the Manor's Exclusive Use Common Area; or would be upon or over the Mutual's General Common Area.

A. If Staff or the Committee determines that the proposed Alteration would be constructed entirely within the Manor's Separate Interest; **go to Step 3.**

B. If Staff or the Committee determines that the proposed Alteration would be constructed entirely or partially in, upon, or within the Manor's Exclusive Use Common Area; **go to Step 4.**

C. If Staff or the Committee determines that the proposed Alteration would be constructed entirely or partially upon or over the Mutual's general Common Area, it will be referred to the Committee; **go to Step 5.**

STEP 3: Variance Request Application for a Manor Alteration to be constructed entirely within the Manor's Separate Interest.

If the proposed Alteration would be constructed entirely within the Manor's Separate Interest, but Staff determines that the Application would not fully comply with the Standards and other approved Staff and Mutual Policies in Step 1, Staff and the Committee will review the circumstances surrounding the Application as a Variance Request.

A. If after further review, Staff and the Committee determine that the proposed Alteration would not impair the structural integrity or mechanical systems of the surrounding building or lessen its support, the Committee may, but is not required to, approve the Application, or the Committee may approve the Application conditional upon the non-conformance being corrected. **Go to Step 7.**

B. If the proposed Alteration would be to facilitate access to the Manor by persons with a physical disability, or to alter existing conditions which could be hazardous to such persons, the Committee may approve the Application, in accordance with the requirements of statute and federal and state fair housing laws. **Go to Step 7.**

C. If the proposed Alteration would not satisfy any of the foregoing conditions in this Step 3, then the Committee should deny the Application. **Go to Step 7.**

STEP 4: Variance Request Application for a Manor Alteration to be constructed entirely or partially within the Manor's Exclusive Use Common Area.

If the proposed Alteration would be constructed entirely or partially within the Manor's Exclusive Use Common Area, the Application will be processed as a Variance Request.

A. If after further review, Staff determines that the proposed Alteration would be constructed on Common Area that had previously been granted as Exclusive Use Common Area and the proposed alteration does not augment, enlarge, or change the construction, purpose, or use of the previously approved Alteration (like-for-like), Staff will revert to processing the Application as a Standard Alteration. **Go to Step 1.**

B. If after further review, Staff determines that the proposed Alteration would be constructed on Common Area that had previously been granted as Exclusive Use Common Area and the proposed alteration is not like-for-like, Staff and the Committee will investigate the circumstances surrounding the Application as a Variance Request.

C. If the Committee determines that the proposed Alteration would be to facilitate access to the Manor by persons with a physical disability, or to alter existing conditions which could be hazardous to such persons, the Committee may approve the Application. **Go to Step 6.**

D. If after further review, Staff and the Committee determine that the proposed Alteration would not impair the structural integrity or mechanical systems of the surrounding building or lessen its support, the Committee may, but is not required to, approve the Application, or the Committee may approve the Application conditioned upon the non-conformance being corrected. **Go to Step 6.**

E. If the proposed Alteration would not satisfy any of the foregoing conditions in this Step 4, then the Committee should deny the Application. **Go to Step 7.**

STEP 5: Application for a Manor Alteration to be constructed entirely or partially upon or over the Mutual's General Common Area or previously approved Common Area for Exclusive Use, will be processed as a Variance Request.

If Staff determines that the proposed Alteration would be constructed entirely or partially upon or over any of the Mutual's general Common Area, or previously approved Common Area for Exclusive Use, Staff and the Committee will consider the Application as a Variance Request. **The Committee will review the request for an Alteration on Common Area on a case-by-case basis:**

Staff and the Committee will investigate the circumstances surrounding the Application, and the Committee will refer the Application to the Board if necessary, which may, but is not obligated to, approve the Application.

A. If the proposed Alteration would be to facilitate access to the Manor by persons with a physical disability, or to alter existing conditions which could be hazardous to such persons, the Committee may approve the Application, in accordance with the requirements of statute and federal and state fair housing laws. **Go to Step 7.**

B. If the proposed Alteration would not satisfy any of the foregoing conditions in this Step 5, then the Committee shall deny the Application. **Go to Step 7.**

STEP 6: Circumstances when the Mutual will require a Recordable Common Area Agreement.

Before final approval for any proposed Alteration to, on, or within a Manor's Exclusive Use Common Area, or upon or over the Mutual's General Common Area, the Mutual will require that the Applicant execute a recordable Covenant that Runs with the Land. **Go to Step 7.**

STEP 7: Staff will notify the Member if the Application is approved or denied.

Whether the Application for an Alteration is approved or denied, in full or in part, Staff will notify the applicant Member of the decision, within 60 days after the notice of the Application's completeness was mailed, in accordance with the Mutual's Governing Documents (unless otherwise required by statute).

A. If the Application is denied, if applicable, that notification will include any necessary information about the Member's right to appeal the Committee's decision to the Board for reconsideration.

B. If the Application is approved, that notification will include any Standard Manor Alteration Conditions of Approval and the Common Area Agreement, if applicable. **Go to Step 8.**

STEP 8: Staff will monitor the construction of the Alteration to confirm that it conforms to the terms of the Mutual's Manor Alterations Permit.

After the Manor Alterations Mutual Consent is issued, Staff will prepare and have posted or emailed/mailed to the last known mailing address on file, a Neighbor Courtesy Notice of Alterations to inform neighbors of the approved Alteration. The Notice gives neighbors information on the Alteration and the Mutual's policies regarding noise, parking, and the prohibition of dumping construction materials in the Mutual's dumpsters.

When construction is complete, Staff will inspect the completed Alteration for consistency with the Application and architectural plans, Conditions of Approval, Architectural Standards, and Mutual Alteration policies. When the Alteration has met all Alteration approval requirements, including City permits, Staff signs the final approval for the Alteration.

APPENDIX 1

SEND NEIGHBOR AWARENESS NOTICE TO OWNERS OF AFFECTED MANORS.

A. In the case of all Applications where the Owner(s) of a neighboring Manor or Manors could be affected by the proposed Alteration ("Affected Manor"), Staff will send, *Via Regular Mail* and e-mail (if available), a Neighbor Awareness Notice to the last known address(es) on file of the record Owner(s) of the Affected Manor(s) notifying them that they may present any concerns they have at the next open meeting of the Committee scheduled for a date not less than ten (10) calendar days after the Neighbor Awareness Notice is mailed.

B. The Committee will hear any comments or objections regarding the proposed Alteration expressed by the Owner(s) of Affected Manors at its monthly Open Sessions and review any written responses to Neighbor Awareness Notices that are submitted by Owner(s) of Affected Manors. The Committee will consider those comments or objections regarding the proposed Alteration by the Owner(s) of the Affected Manors only if those comments or objections are heard in person at the noticed Open Session or received in writing, not later than two (2) business days prior to the noticed Open Session. Otherwise, the Committee will presume that an Owner of an Affected Manor, who does not respond in person or in writing, has no comments or objections regarding the proposed Alteration.

C. The objection by an Owner of an Affected Manor to the proposed Alteration does not necessarily determine whether the Alteration will or will not be approved, inasmuch as the Committee, with recommendation to the Board, has the unilateral right to make that determination. If the Committee determines that the proposed Alteration would cause an unreasonable burden to an Owner of an Affected Manor that cannot be mitigated by conditions of approval, the Committee, subject to endorsement by the Board, will balance the interests of those other Owner(s) against the interests of the Member submitting the Application and determine what is in the best interests of the Third Mutual community.

D. If the Committee, or Board, decides to deny the Application because the Alteration would cause an unreasonable burden to an Owner of an Affected Manor and would not be in the best interests of the Third Laguna Hills Mutual community, then Staff will notify the Applicant in accordance with Step 7, above.

APPENDIX 2

DEFINITIONS

Affected Manor is defined generally as any neighboring Manor that is within one hundred and fifty (150) feet of the proposed Alteration, and from any part of which the proposed Alteration could be seen once the Alteration is made or constructed as proposed, or any neighboring Manor that is close enough to the Manor where the proposed Alteration would be made or constructed such that the residents of the neighboring Manor could be affected by any noise, dust, odors, etc., caused by the making or construction of the proposed Alteration.

Alteration is defined generally as any structural change to the interior of a Manor, its mechanical systems or the structural integrity of the building; or any physical, structural or cosmetic change to the exterior of a Manor, including the Separate Interest, Exclusive Use Common Area, adjacent general Common Area, or any prior grant of Exclusive Use of Common Area.

Application is defined generally as a written request submitted by a Member to Staff or the Committee, in a form required by the Mutual's Governing Documents, to make an Alteration to the Manor, including the Separate Interest, Exclusive Use Common Area, adjacent general Common Area, or any prior grant of Exclusive Use of Common Area.

Board is defined generally as the Mutual's Board of Directors, elected or appointed as applicable as provided in the Mutual's corporate Bylaws.

Committee is defined generally as the Mutual's Architectural Control and Standards Committee, which the Board has appointed and charged to oversee and maintain the Mutual's established standards of conformity, harmony and structural integrity of the internal and external design of the existing residential structures within the Mutual's condominium community.

Common Area is defined generally as the entire condominium project, except the Separate Interests.

Common Area Agreement is defined generally as a recordable agreement/covenant between the Mutual and a Member regarding Exclusive Use of Common Area.

Condominium is defined generally as an ownership interest in real property consisting of a Separate Interest, a related Exclusive Use Common Area, and an undivided real estate interest in the condominium project's general Common Area.

Condominium Plan is defined generally as the original condominium plan that was recorded with each of the original CC&Rs of the fifty-nine (59) individual Homeowner Associations, which were merged into the Third Laguna Hills Mutual.

Covenants, Conditions and Restrictions or "***CC&Rs***" is defined generally as the essentially identical "Amended and Restated Declaration of Covenants, Conditions and Restrictions" of the fifty-nine (59) original Projects' Mutual Homeowner Associations, which were merged into the Third Laguna Hills Mutual on or about April 11, 1988.

de minimus and necessary is defined generally to mean a maximum of several square feet, as necessary and appropriate to accommodate for example a heating unit, an air

conditioning unit, or similar equipment necessary to the habitability of a Member's Manor.

Exclusive Use Common Area or **Limited Common Area** is defined generally as a portion of the Mutual's Common Area that is designated as such on the original Project's Condominium Plan and intended for the Exclusive Use of one or more, but fewer than all, of the owners of the Separate Interests, and is usually adjacent to the Separate Interest (Manor), including individually assigned carports.

Governing Documents is defined generally as the Mutual's Articles of Incorporation; Corporate Bylaws; Amended and Restated Declaration of Covenants, Conditions and Restrictions; Condominium Plan; and Operating Rules, all of which govern the Condominium.

Manor is defined generally as a Member's residential living space, including the Member's Separate Interest or Unit, and any Exclusive Use Common Area or Limited Common Area assigned or appurtenant to that Separate Interest or Unit.

Member is defined generally as each person entitled to membership in the Mutual as provided in the Governing Documents.

Mutual is defined generally as the Third Laguna Hills Mutual, a California non-profit mutual benefit corporation, the successor by merger to Laguna Hills Mutual No's 22 through 84, but excluding No's 50, 67, 76 and 79.

Neighbor Awareness Notice is defined generally as a notice sent, *Via Regular Mail* and e-mail (when available), by Staff to the Owner(s) of any Affected Manor notifying them that an Application to make an Alteration to a neighboring Manor has been filed and that any comments or objections they may have to the proposed Alteration can be made in person or in writing to the Committee.

Operating Rules is defined generally as the rules and procedures adopted from time to time by the Mutual's Board, including, but not limited to, the Mutual's Architectural Review Procedures and Architectural Alteration Standards.

Owner is defined generally as the person or persons, partnership, trust, or corporation, and their successors and assigns, in whom title to a Condominium is vested, but does not include a holder of a mortgage or other security interest.

Project is defined generally as one of the original Laguna Hills Mutual Projects, No's 22 through 84, but excluding No's 35, 78, 79 and 80. All of those Projects have been merged into the Third Laguna Hills Mutual for administrative purposes, but each of those Projects has retained separate CC&Rs, Plat Maps, Condominium Plans, and Legal Descriptions.

Resident is defined generally as "the Qualifying Resident and each Co-occupant who resides in the same Unit."

Separate Interest or **Unit** is defined generally as the airspace within the walls of an individual Manor, but includes also the doors; windows; kitchen, bathroom and lighting fixtures; and utility installations, such as hot water heaters and space heaters.

Standards or **Third Architectural Alteration Standards** is defined generally as a series of written architectural standards that have been previously considered and pre-approved by the Committee and the Board as applicable generally to Alterations made

to any Manor within the Mutual, or sometimes specifically applicable only to certain Manor floor plans.

Variance Request is defined generally as an Application by an Owner to make a Manor Alteration that, for whatever reason, does not meet all the requirements of the applicable Standards and Mutual and Staff policies that have previously been pre-approved by the Committee and the Board, and therefore must be considered as a unique Application by the Committee and, if denied, by the Board.

RESOLUTION 03-18-XXX
Tree Removal Approval (2) Tree Removal Denial (1)

WHEREAS, September 20, 2011, that the Board of Directors adopted Resolution 03-11-149 tree removal guidelines:

- 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 if the obstruction is at a considerable distance from the complaining manor and therefore causes only a partial obstruction.
- Trees on slopes should not be removed if the removal will contribute to the destabilization of that slope.
- Trees which are damaging or will damage a structure, pose a hazard, in failing health or interfering with neighboring trees, will be considered for removal.

WHEREAS, on December 6, 2018, the Landscape Committee recommended to:

- Approve the request to remove one Brazilian Pepper tree located at 2233-S Via Puerta at Member's expense due to litter and debris and potential future damage to Common area patio wall and sidewalk. Cost will include the replacement with another tree, and;
- Approve the removal of one Rustyleaf Fig tree located at 5396-B Via Carrizo, at Mutual expense, due to the lean of the tree and a number of large surface roots causing unstable root structure posing a high likelihood of tree failure, and;
- Deny the request for the removal of one Rustyleaf Fig tree located at 5578-B Luz Del Sol, based on the tree removal guidelines of Third Mutual, there is no justification to remove this tree solely due to litter and debris, and:

NOW THEREFORE BE IT RESOLVED, December 6, 2018, the Board of Directors approved the request to remove one Brazilian Pepper tree at 2233-S Via Puerta and one Rustyleaf Fig tree located at 5396-B Via Carrizo; denied the request to removed one Rustyleaf Fig tree located at 5578-B Luz Del Sol, 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

Appeal of Denied Off-Schedule Trimming Request – Asner (5076)

A motion was made and carried unanimously to recommend the Board deny the appeal by Nadine Asner (5076) of the Landscape Committee's decision to not approve the requested off-scheduled tree trimming of Mutual trees to improve views.

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RESOLUTION 03-18-xxx
Third Mutual Committee Appointments

RESOLVED, December 18, 2018, that the following persons are hereby appointed to serve on the committees and services of this Corporation;

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

Architectural Standards and Control Committee

Steve Parsons, Chair
Roy Bruninghaus
John Frankel
Lynn Jarrett
Rosemarie diLorenzo, Alternate
Voting Advisors: Mike Butler and Mike Plean

Communications Committee (Bi-Monthly)

Roy Bruninghaus, Chair
Jon Pearlstone, Co-Chair
Jack Connelly
Bunny Carpenter
Lynn Jarrett
Non-Voting Advisors: Carol St. Hillaire, Burt Baum

Energy Task Force

John Frankel (Third)
Cush Bhada (Third)
Paul Chao (Third), Alternate
Juanita Skillman (United)
Carl Randazzo (United)
Bert Moldow (GRF)
Jim Juhan (GRF)
Voting Advisors: Steven Leonard

Executive Hearing Committee

Steve Parsons, Chair
Rosemarie diLorenzo, Co-Chair
Bunny Carpenter
John Frankel
James Tung
Cush Bhada, Alternate
Jon Pearlstone, Alternate

Finance (Committee of the Whole)

Jack Connelly, Chair
Steve Parsons, First Co-Chair
Rosemarie diLorenzo, Second Co-Chair
Non-Voting Advisors: John Hess, Michael Cunningham

Garden Villa Recreation Room Subcommittee (Quarterly)

Lynn Jarrett, Chair
Jon Pearlstone
Cush Bhada
Voting Advisors: Sharon Molineri, Stuart Hack, Randy Scott

Laguna Woods Village Traffic Hearings

John Frankel
Jack Connelly

Landscape

James Tung, Chair
Cush Bhada
Lynn Jarrett
John Frankel
Jon Pearlstone

Maintenance and Construction (Committee of the Whole)

Cush Bhada, Chair
Bunny Carpenter, First Co-Chair
John Frankel, Second Co-Chair
Paul Chao

New Resident Orientation

Per Rotation List

Water Conservation Committee (Bi-Monthly)

James Tung, Chair
John Frankel
Paul Chao
Cush Bhada
Jack Connelly

Parking & Golf Cart Task Force

Steve Parsons, Chair

John Frankel

Bunny Carpenter

Lynn Jarrett

Jon Pearlstone

Resident Policy and Compliance Task Force

Roy Bruninghaus, Chair

Bunny Carpenter

Rosemarie diLorenzo

Steve Parsons

Advisors: Stuart Hack, **Cindy Baker**

RESOLVED FURTHER, that Resolution 03-18-152, adopted November 9, 2018, is hereby superseded and canceled; and,

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

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RESOLUTION 03-18-xxx
GRF Committee Appointments

RESOLVED, November 9, 2018, 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:

Business Planning Committee

Rosemarie diLorenzo
Jack Connelly

Community Activities Committee

Steve Parsons
Cush Bhada
Jack Connelly, Alternate
Jon Pearlstone, Alternate

Finance Committee

Rosemarie di Lorenzo
Jack Connelly
Steve Parsons, Alternate

Landscape Committee

James Tung
John Frankel
Jon Pearlstone, Alternate

Maintenance and Construction Committee

John Frankel
Bunny Carpenter
Cush Bhada, Alternate
Paul Chao, Alternate

PAC Task Force

John Frankel
Cush Bhada

Media and Communication Committee

Roy Bruninghaus
Lynn Jarrett
Jack Connelly, Alternate
Bunny Carpenter, Alternate

Mobility and Vehicles Committee

John Frankel
Cush Bhada
Lynn Jarrett, Alternate
Jon Pearlstone, Alternate

Security and Community Access Committee

Roy Bruninghaus
John Frankel
Steve Parsons, Alternate
Cush Bhada, Alternate

Disaster Preparedness

Roy Bruninghaus
John Frankel
Steve Parsons, Alternate
Jon Pearlstone, Alternate

RESOLVED FURTHER, that Resolution 03-18-153, adopted November 9, 2018, is hereby superseded and canceled; and

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



STAFF REPORT

DATE: December 18, 2018
FOR: Board of Directors
SUBJECT: Revision to Alteration Standard 37: Patio Covers; Awnings

RECOMMENDATION

Approve a resolution to revise Alteration Standard 37: Patio Covers; Awnings.

BACKGROUND

On November 26, 2018, the ACSC reviewed this Staff Report and Resolution. The Committee voted to recommend the item for approval by the Board.

The Architectural Controls and Standards Committee (ACSC) requested Staff to review and revise the current Alteration Standards for applicability, usefulness, and current technology.

There are currently 41 Alteration Standards available for Members to use to perform alterations to their manor. Many have not been reviewed or updated for years to reflect changes in technology, materials, and construction methods.

Alteration Standard 37: Patio Covers; Awnings was last revised in September 2015, via Resolution 03-15-128.

DISCUSSION

The ACSC reviewed the existing Alteration Standard 37: Patio Covers; Awnings and determined that the Standard needs to be revised to reflect the current Building Codes, Municipal Codes, or Mutual policies. The proposed revisions to the Standard are as follows:

- §2.1 An awning is defined as an architectural projection that provides weather protection or decoration and is partially or wholly supported by the building to which it is attached. An awning is comprised of a lightweight frame structure over which a covering is attached. A roof-like shelter of canvas or other material, i.e. awning. A roof-like shelter of canvas or other material, i.e., awning. Awnings may extend over a patio from the top of sliding doors in a detached manor to provide protection from the sun extend over a patio from the top of sliding doors in a detached manor to provide protection from the sun. are limited to single story buildings.
- §2.2 The awning may be either fixed or retractable. Awning fabric shall meet all local, state, and federal fire safety requirements. Awning fabric must pass the California State Fire Marshall's Test Procedure #804 in which a registration number is received that verifies its' fire resistance. Awning fabric must pass the California State Fire Marshall's Test Procedure #804 in which a registration number is received that verifies its' fire resistance. Sufficient documentation shall be submitted to the Alterations Division prior to installation.

- | §2.3 ~~The New~~ awnings ~~will-may~~ cover only the original patio area as defined by the ~~existing~~ original patio slab, wall or as indicated on the standard drawing. Patio is defined as a paved, cement or tile area that adjoins the manor at ground level, which does not serve as a walkway or landing. Replacement awnings shall match the originally approved awnings in size.

FINANCIAL ANALYSIS

None.

Prepared By: Kurt Wiemann, Permits, Inspections and Restoration Manager

Reviewed By: Eve Morton, Alterations Coordinator

ATTACHMENT(S)

Attachment 1: Resolution 03-18-XXX Alteration Standard 37: Patio Covers; Awnings

Attachment 2: Red Lines of Alteration Standard 37: Patio Covers; Awnings

Attachment 3: Alteration Standard 37: Patio Covers; Awnings

Attachment 1

RESOLUTION 03-18-XX

Introduce Alteration Standard 37: Patio Covers; Awnings

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 create Alteration Standard 37: Patio Covers; Awnings.

NOW THEREFORE BE IT RESOLVED, December 18, 2018, that the Board of Directors of this Corporation hereby introduces Alteration Standard 37: Patio Covers; Awnings as attached to the official meeting minutes;

RESOLVED FURTHER, that Resolution 03-15-128 adopted September 2015, is hereby superseded in its 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 as written.

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 30-days from the postponement to comply with Civil Code §4360.

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SECTION 37 STANDARD 37: PATIO COVERS, AWNINGS

FEBRUARY 2006, RESOLUTION 03-06-11

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

REVISED SEPTEMBER 2015, RESOLUTION 03-15-128

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

JANUARY 2019, RESOLUTION 03-19-XX

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 APPLICATIONS

- 2.1 An awning is defined as an architectural projection that provides weather protection or decoration and is partially or wholly supported by the building to which it is attached. An awning is comprised of a lightweight frame structure over which a covering is attached. A roof-like shelter of canvas or other material, i.e., awning, Awnings may extend over a patio from the top of sliding doors in a detached manor to provide protection from the sun are limited to single story buildings.
- 2.2 The awning may be either fixed or retractable. Awning fabric shall meet all local, state, and federal fire safety requirements. , Awning fabric must pass the California State Fire Marshall's Test Procedure #804 in which a registration number is received that verifies its' fire resistance. Sufficient documentation shall be submitted to the Alterations Division prior to installation.
- 2.3 New awnings will may cover only the original patio area as defined by existing original the patio slab, wall or as indicated on the standard drawing. Patio is defined as a paved, cement or tile area that adjoins the manor at ground level, which does not serve as a walkway or landing. Replacement awnings shall match the originally approved awnings in size.
- 2.4 The color of the awnings shall be Desert Sand, or equivalent, in color.
- 2.5 Comprehensive plans shall be submitted to the Manor Alterations Department at the time of application, including awning material to be



used, dimensions of awning, dimensions of patio, and color swatch of material to be used.

- 2.6** The Mutual Member must maintain the awning in good condition.



STANDARD 37: PATIO COVERS: AWNINGS

FEBRUARY 2006, RESOLUTION 03-06-11

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

REVISED SEPTEMBER 2015, RESOLUTION 03-15-128

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

JANUARY 2019, RESOLUTION 03-19-XX

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 APPLICATIONS

- 2.1** An awning is defined as an architectural projection that provides weather protection or decoration and is partially or wholly supported by the building to which it is attached. An awning is comprised of a lightweight frame structure over which a covering is attached. Awnings are limited to single story buildings.
- 2.2** The awning may be either fixed or retractable. Awning fabric shall meet all local, state, and federal fire safety requirements. Sufficient documentation shall be submitted to the Alterations Division prior to installation.
- 2.3** New awnings may cover only the original patio area as defined by original patio slab, wall or as indicated on the standard drawing. Patio is defined as a paved, cement or tile area that adjoins the manor at ground level, which does not serve as a walkway or landing. Replacement awnings shall match the originally approved awnings in size.
- 2.4** The color of the awnings shall be Desert Sand, or equivalent, in color.
- 2.5** Comprehensive plans shall be submitted to the Manor Alterations Department at the time of application, including awning material to be



used, dimensions of awning, dimensions of patio, and color swatch of material to be used.

- 2.6** The Mutual Member must maintain the awning in good condition.



STAFF REPORT

DATE: December 18, 2018
FOR: Board of Directors
SUBJECT: Introduction of Alteration Standard 30A: Storage Cabinets (Patios, Breezeways, and Balconies)

RECOMMENDATION

Approve a resolution to introduce Alteration Standard 30A: Storage Cabinets (Patios, Breezeways, and Balconies).

BACKGROUND

On November 26, 2018, the ACSC reviewed this Staff Report and Resolution. The Committee voted to recommend the item for approval by the Board.

The Architectural Controls and Standards Committee (ACSC) requested Staff to review and revise the current Alteration Standards for applicability, usefulness, and current technology.

There are currently 41 Alteration Standards available for Members to use to perform alterations to their manor. Many have not been reviewed or updated for years to reflect changes in technology, materials, and construction methods.

Alteration Standard 30: Storage Cabinets was last revised in June 2002, via Resolution M3-02-29.

DISCUSSION

The ACSC reviewed the existing Alteration Standard 30: Storage Cabinets and determined that the Standard needs to be revised to reflect the current Building Codes, Municipal Codes, or Mutual policies. The Committee decided the Standard should be divided into two separate documents; one for patios, balconies and breezeways, the other for parking areas. The proposed standard for parking areas will be introduced at a future meeting. The proposed new standard for patios, balconies and breezeways is attached to the official minutes of this meeting.

FINANCIAL ANALYSIS

None.

Prepared By: Kurt Wiemann, Permits, Inspections and Restoration Manager

Reviewed By: Eve Morton, Alterations Coordinator

ATTACHMENT(S)

Attachment 1: Resolution 03-18-XXX Introduce Alteration Standard 30A: Storage Cabinets (Patios, Breezeways, and Balconies)

Attachment 2: Alteration Standard 30A: Storage Cabinets (Patios, Breezeways, and Balconies)

Attachment 1

RESOLUTION 03-18-XX

**Introduce Alteration Standard 30A: Storage Cabinets
(Patios, Breezeways, and Balconies)**

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 create Alteration Standard 30A: Storage Cabinets (Patios, Breezeways, and Balconies).

NOW THEREFORE BE IT RESOLVED, December 18, 2018, that the Board of Directors of this Corporation hereby introduces Alteration Standard 30A: Storage Cabinets (Patios, Breezeways, and Balconies) as attached to the official meeting minutes;

RESOLVED FURTHER, that Resolution M3-02-29 adopted December, 1998, is hereby superseded in its 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 as written.

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 30-days from the postponement to comply with Civil Code §4360.

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STANDARD 30A: STORAGE CABINETS (Patios, Breezeways, and Balconies)

FEBRUARY 1985

REVISED JUNE 2002, RESOLUTION M3-02-29

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

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

REVISED JANUARY 2019, RESOLUTION 03-19-XXX

1.0 GENERAL REQUIREMENTS

See Standard Section 1: General Requirements

2.0 GENERAL CONDITIONS

This Standard is pertinent to storage cabinets in breezeways, balconies, and patios. For information regarding storage cabinets in parking areas, see Standard 30B: Cabinets; Parking Area Storage.

- 2.1** Cabinets shall be positively attached to adjacent wall or structure to prevent overturning as required by the International Building Code.
- 2.2** A 12" access shall be maintained between cabinets and existing plumbing. No electrical wiring shall be run through the cabinet.
- 2.3** No loose items are allowed outside of storage cabinets. All personal property, including foot lockers, file cabinets, trunks and work benches shall be stored in cabinets and shall not violate use restrictions set forth in Article III of Declaration of Covenants, Conditions, and Restrictions.
- 2.4** A Mutual Consent will not be required for cabinets which are located within patios or balconies provided they are not visible from common area. Maximum of two cabinets per patio or balcony is permissible.

3.0 PATIO CABINETS

- 3.1** Cabinet height shall not exceed the height of the patio walls.
- 3.2** Cabinets may be limited to two per patio.

4.0 BREEZEWAY CABINETS

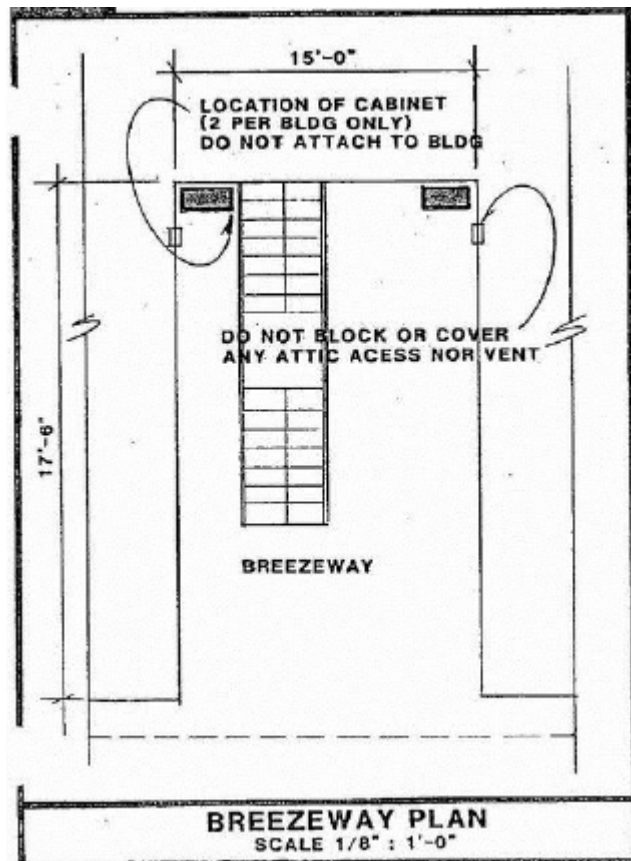
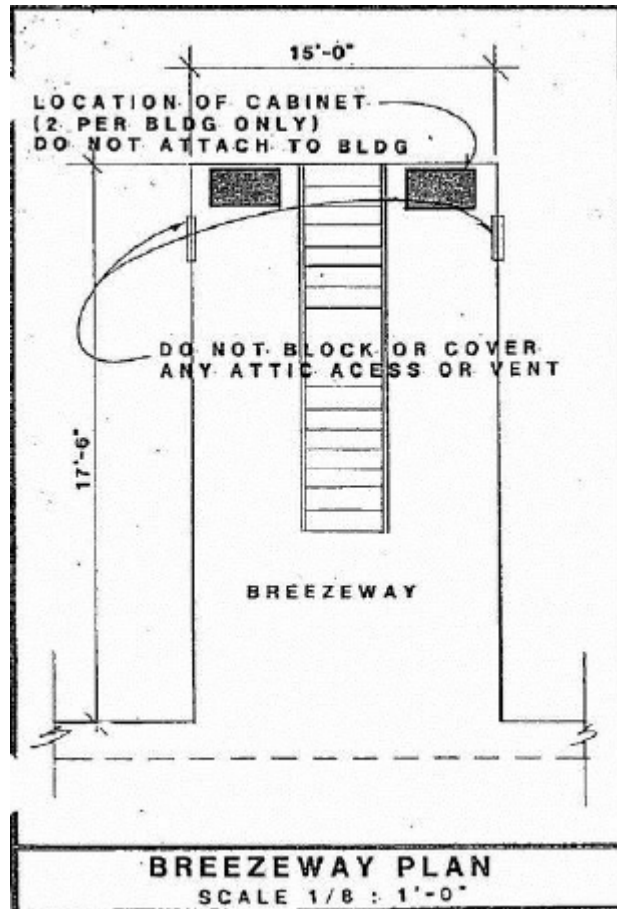
All storage cabinets in breezeways require a Mutual Consent issued by the Alterations Division prior to installation.

- 4.1** Breezeway cabinets will be permitted in Casa Linda (11-06 type), Casa Contenta (KK-08 type), and Casa Vista (II06) buildings only.
- 4.2** The cabinet shall be no taller than 6', no wider than 3'-0", nor deeper than 1'-6".
- 4.3** Breezeway cabinets will be limited to two, based upon available space. Available space shall be divided equally among adjacent units.
- 4.4** Cabinet units will be placed under stairwell area as indicated on attached drawing. All cabinets shall be legibly labeled with the manor number.
- 4.5** Cabinets shall be consistent in appearance; colors shall coordinate with adjacent buildings.
- 4.6** The cabinet shall be placed on lockable casters.

5.0 BALCONY CABINETS

- 5.1** Cabinets located on a balcony will be limited to one. Cabinets are not allowed along railings without balcony railing paneling. Cabinet heights may not exceed the height of the balcony railing. Cabinets against the building shall not exceed 6' in height.

Breezeway Storage Cabinet Locations



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STAFF REPORT

DATE: December 18, 2018
FOR: Board of Directors
SUBJECT: Private Caregiver Policy

RECOMMENDATION

Approve the amended Private Caregiver Policy.

BACKGROUND

On January 24, 2017, the Board of Directors approved an amended Care Provider Policy to fairly and reasonably address home care aids that provide part-time, long-term, and terminal health services to residents. The amended policy included the following changes: registration with the California Department of Social Services (CDSS), finger printing, background checks, issuance of care provider photo identification (ID) cards and a requirement that care providers be registered for each resident receiving care.

Since adoption of the amended policy, Staff has been approached by various residents who shared their concerns and challenges with the new requirements. These included, but were not limited to: the necessity of obtaining a physician's certification when non-medical service was needed; the cost of obtaining background and fingerprint clearance; emergency circumstances and quickly changing medical needs that could not reasonably wait application processing; and request for licensed agency approval rather than individual caregivers.

On December 3, 2018, the Residency Policy and Compliance Task Force reviewed and approved the amended Private Caregiver Policy with changes.

The Community Services Division, Resident Service Department, coordinates the Care Provider Process. As of July 31, 2018, fewer than 125 care providers were registered.

DISCUSSION

The purpose of the amendments (Attachment 1) is to address resident concerns and provide efficiencies. The proposed amendments maintain the requirement that all caregivers – whether private or agency employed – satisfy a background check, fingerprinted and registered with the CDSS.

Below is a breakdown of the recommended changes and justifications:

1. Removal of Physicians Certification
 - a. Only needed for medical care. i.e., home health care – physical or occupational therapy, hospice care, in-home supportive services (IHSS), all in-home care requiring insurance billing, etc.
 - b. A Physician will never refuse to sign if patient requests it. They would not want to open themselves to liability.

- c. Requires residents to make an appointment with their physician, transport to/from appointment and is a chargeable service (co-pay) for a non-medical service wanted.
 - d. Residents requiring medical care at home will be treated by a licensed professional who can present proper identification to gain access to the Community. Typically, these are temporary short-term visits.
2. Family caregiver revision. Do not require a Private Caregiver Application for a family member(s) or any person(s) who is/are not living in the unit more than 60 days.
 - a. Resident doesn't have to pay for services.
 - b. Issue a 60 day caregiver gate pass and/or overnight pass. (This would help track how long family member has been in the Community).
 - c. Require Private Caregiver Application for family member who live in the unit more than 60 days in a calendar year.
 - d. As a Private Caregiver, this will reduce chances of family members becoming occupants.
3. Home Care Organization/Agency (HCO) exemption
 - a. HCO's should be exempt from the process because HCO's have already performed background checks on their employed caregivers.
 - b. HCO's Caregivers are required to be registered with the CDSS.
 - c. HCO's monitor their Caregivers and are liable.
 - d. Issue a business pass to the HCO to provide to their Caregivers.
4. Reduce Board review of all applications. Only submit Private Caregiver Applications to the Board when there are exceptions. If the application meets all requirements, allow Staff approval.
 - a. Reduces turnaround for the resident and Private Caregiver.
 - b. Reduces the number of staff reports submitted by Resident Services
 - c. Reduces number of applications reviewed by the Board.
5. Managing access to the Community.
 - a. Private Caregivers will be issued a picture ID card with expiration date. Thirty/sixty days prior to expiration, a letter can be sent to the Resident and/or the Private Caregiver notifying them that their ID is about to expire and needs to be renewed prior to the deadline.
 - b. Require ID's to be worn in plain sight while in the Community.
 - c. Private Caregivers will be issued a "Private Caregivers" gate pass and/or overnight parking pass, if needed.

Additionally, the Application has been modified and simplified to avoid HIPPA related concerns. Individuals, whether seeking a homemaker or home health care aide, generally are sensitive about disclosing personal health needs.

The Social Services Division, Security Services Department, and Marketing and Communications Division, Office of the CEO, are collaborating to realize an ongoing educational campaign to promote the value of using only registered Caregivers and the importance of improved safety for all Village residents. A multi-pronged approach involving print, television, group and one-on-one meetings will be launched to reinforce the goals of the

Private Caregiver Policy. Various touch points will be identified, evaluated and incorporated in the educational campaign.

FINANCIAL ANALYSIS

None.

Prepared By: Jeanne Chestnut, Social Services Intake Coordinator
Pamela Bashline, Community Services Manager
Susan McInerney, Social Services Manager

Reviewed By: Francis Rangel, Operations Manager
Tim Moy, Chief of Security
Siobhan Foster, Chief Executive Officer

ATTACHMENT(S)

Attachment 1 – Private Caregiver Policy
Attachment 2 – Private Caregiver Application
Attachment 3 – Instructions & Checklist for Hiring Private Caregiver
Attachment 4 – Frequently Asked Questions
Attachment 5 – Resolution 03-19-XX

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Private Caregiver Policy

I. Purpose

The purpose of this document is to define the policies of Third Laguna Hills Mutual (Third) regarding individuals who provide care to residents.

II. Definitions

For the purposes of this policy:

- a. Activities of Daily Living (ADL) are defined as a series of basic activities performed by individuals on a daily basis necessary for independent living at home or in the community. There are many variations on the definition of the activities of daily living, but there are five basic categories. ADLs include:
 - i. Personal hygiene – bathing/showering, grooming, nail care, and oral care
 - ii. Dressing - the ability to make appropriate clothing decisions and physically dress/undress oneself
 - iii. Eating - the ability to feed oneself, though not necessarily the capability to prepare food
 - iv. Maintaining continence - both the mental and physical capacity to use a restroom, including the ability to get on and off the toilet and cleaning oneself
 - v. Transferring/Mobility- moving oneself from seated to standing, getting in and out of bed, and the ability to walk independently from one location to another
- b. Application is the form prescribed by Third to apply for a Private Caregiver.
- c. Community is Laguna Woods Village.
- d. Community Facilities are defined as the facilities and services operated by the Golden Rain Foundation (GRF).
- e. Community Rules are defined as the Bylaws, Covenants, Conditions, and Restrictions (CC&R's), Articles of Incorporation, or any rules and regulations of Third and of GRF.
- f. Golden Rain Foundation (GRF) – the non-profit mutual benefit corporation organized to manage and maintain the Community Facilities and services for the Community.
- g. A Live-in Private Caregiver is defined as an individual who will stay overnight for more than sixty (60) days in any twelve (12) month period, including individuals who are related to the resident/member.
- h. A Live-in Private Caregiver can be a family member, paid or not paid. All rules in the Private Caregiver Policy apply.
- i. Member is a person who has been approved by Third as being entitled under the Governing Documents of Third to membership in Third and has an appurtenant right of membership in GRF.
- j. Private Caregiver, also known as a Home Care Aide or Care Provider, is a person who has been approved by Third or authorized designee in writing on the

basis of being a provider of primary caregiver support to the Resident. A Private Caregiver is a helper who assists an individual with activities of daily living or non-medical services. Non-medical home care is provided by caregivers. Unlike home health, caregivers are considered “non-clinical” and are not covered by insurance and does not need a physician order.

Private Caregiver services include, but are not limited to, assistance with the following:

- activities of daily living
 - laundry
 - light housekeeping
 - shopping for personal care items or groceries
- k. An affiliated Caregiver is a person who is employed by a licensed Home Care Organization/Agency (HCO) who provides homecare services to a resident(s).
- l. A Private Caregiver is independent and is not employed by a HCO.
- m. In-Home Supportive Service (IHSS) Caregivers are part of the Medi-Cal program and required to adhere to this policy.
- n. Resident is defined as any person who has been approved by the Board of Directors for occupancy.

III. Conditions

- a. Private Caregivers must be approved by the Board or authorized designee in writing prior to commencing support. Special circumstances may be granted.
- b. Private Caregivers must be 18 years old or older.
- c. Private Caregivers must be registered with the California Department of Social Services Home Care Services Bureau.
- d. Private Caregivers must provide a copy of a government issued photo ID with the application.
- e. Private Caregivers must provide a copy of their driver's license, vehicle registration, and proof of vehicle insurance with the application if he/she will be operating a vehicle within Laguna Woods Village.
- f. A Private Caregiver Permit is approved for a period of up to one year. Residents are required to re-apply for approval.
- g. The total number of persons residing in a unit shall not exceed the number of bedrooms, plus one or no more than two persons in a one-bedroom unit; no more than three persons in a two-bedroom unit etc. Fees for third and fourth parties will be assessed.
- h. Each Private Caregiver shall not have been convicted of a felony or a misdemeanor involving moral turpitude (e.g., fraud, perjury, criminal threats).
- i. The Resident and/or Member are responsible for the conduct of the Private Caregiver and shall ensure that he/she complies with all community rules, regulations, and policies.
- j. Upon approval by the Board or authorized designee, a gate pass shall be issued to the Private Caregiver that will permit gate access into the community. If a gate pass is supplied, it must be displayed on their car dashboard at all times. This pass may include an overnight parking pass when necessary.

- k. The Private Caregiver must wear in clear sight the Laguna Woods Village picture ID at all times.
- l. The Private Caregiver's ID and gate pass may not be transferred or lent to anyone.
- m. The Private Caregiver is authorized to use the Community Facilities only as necessarily incidental to provide support to the Resident.
- n. Part-time Private Caregivers may only use the laundry facilities for the Resident's use. Live-in Private Caregivers may use the laundry facilities for their limited personal use and the Residents use.
- o. The live-in Private Caregiver requires written permission from the Board of Directors to remain in the unit without the Resident only if both of the following are applicable:
 - i. The Resident is absent from the unit due to hospitalization or other necessary medical treatment and expects to return to the unit within 90 days from the date the absence began; and
 - ii. The Resident submits a written request desiring the live-in Private Caregiver be allowed to remain in order to be present when the Resident returns to reside in the unit. [Civil Code §51.11.b.7]
- p. Private Caregivers are not permitted to bring family members, pets or guests into the Community. The sole purpose of the Private Caregiver is to provide care for the resident.
- q. The Resident must surrender the Private Caregiver ID and vehicle pass to the Resident Services Department at the conclusion of the care service or be subject to charges.
- r. The Private Caregiver shall meet all applicable GRF requirements relating to operating a motor vehicle within the community.
- s. All Caregivers employed by a licensed Home Care Organization/Agency (HCO) are required to obtain a business pass.
- t. A person living in the residence to provide short term care must obtain a sixty (60) day caregiver pass. Any person providing care beyond sixty (60) days must adhere to the private caregiver policy.
- u. If applicant employs an In Home Supportive Services (IHSS) Caregiver and receives any correspondence related to ineligibility or violations that have occurred involving Caregiver, the applicant must notify the Resident Services Department immediately.

IV. Enforcement

Third is authorized to take disciplinary action against a Member whose property may be found in violation of the Private Caregiver Policy. When a violation occurs the Board of Directors is obligated to evaluate and impose, if appropriate, Member-discipline as set forth in the Governing Documents. The Board has the authority to impose monetary fines, suspend Member privileges, and/or bring forth legal action. The Member is entirely responsible for ensuring that the Community Rules and policies are followed by anyone they allow into the Community.

- a. The Member and Private Caregiver must read and agree to comply with and be bound by all the Governing Documents and the Community Rules.
- b. Nothing contained herein shall relieve Member of the performance of any obligation owed to Third and/or GRF under the Governing Documents.

V. Procedures

- a. The Resident must complete and submit "Application for Private Caregiver Permit" for review. The Application is available for download at www.lagunawoodsvillage.com or upon request from the Resident Services Department.
- b. Application can be submitted to the Resident Services Department located in the Laguna Woods Village Community Center.
- c. Upon receipt of an Application, the Resident Services Department will research whether the Member and/or Private Caregiver has received notices of violations or has any outstanding Charges and Assessments before approval of the application.
- d. The Board or authorized designee will review the application and approve or deny request.
- e. The Resident Services Department will notify the Resident of the results within 10 business days. Special circumstances may be granted.
- f. Office hours of operation are Monday-Friday, 8:00 A.M. to 5:00 P.M., phone number (949) 597-4600.
- g. Mailing address is P.O. Box 2220, Laguna Hills, CA 92654-2220.



Application for Private Caregiver Permit

☐ UNITED

☐ THIRD

UNIT # _____

Return completed application to: Resident Services Department – 240, 24351 El Toro Road, Laguna Woods, CA 92637; Phone: 949-597-4600, email: residentservices@vmsinc.org

Resident Information			
Name:		<input type="checkbox"/> Member <input type="checkbox"/> Occupant	
Address:			
Telephone:		Cell Phone:	
Email:			
What is the expected schedule of the Private Caregiver? <input type="checkbox"/> Day time only <input type="checkbox"/> Night time only <input type="checkbox"/> 24 Hours – no. of days per week:			
What is the service the Private Caregiver is expected to provide? (check all that apply) <input type="checkbox"/> activities of daily living <input type="checkbox"/> shopping for personal care items or groceries <input type="checkbox"/> laundry <input type="checkbox"/> other: _____ <input type="checkbox"/> light housekeeping			
Is resident an In Home Supportive Services (IHSS) recipient? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes, list the 7 digit County IHSS case number: _____			
Private Caregiver Information			
Name:			
Address:			
Telephone:		Cell Phone:	
Email:			
Driver's License No:		Expiration Date:	
Vehicle Color:	Make:	Model:	License Plate:
Vehicle Insurance Company:		Policy No./Expiration Date:	
Private Caregiver's personal state identification number:			
Has the Private Caregiver been convicted of a felony? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Has the Private Caregiver been convicted of a misdemeanor involving moral turpitude (e.g., fraud, perjury, criminal threats)? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Is the live-in Private Caregiver a family member? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes, relationship to resident:			

Private Caregiver Permit Agreement

The undersigned acknowledges that the issuance of a Private Caregiver Permit does not constitute approval of the Private Caregiver nor does it represent any direct or indirect liability on behalf of Third Laguna Hills Mutual (Third), and the Golden Rain Foundation of Laguna Woods (GRF), all California non-profit mutual benefit corporations, and Village Management Services, Inc. (VMS). a California corporation, and each of their respective directors, officers, employees, and agents. Further, I/we have read and received a copy of the Private Caregiver Policy and agree to wear the ID in clear sight and display the pass at all times while in this Community. I/we also understand that falsification of any information related to this application is subject to disciplinary action.

Resident Signature:

Date:

Member Signature:

Date:

Private Caregiver Signature:

Date:

For Office Use Only

Received By:

WO#

Requirements: ☐ ID ☐ Gate Pass ☐ Overnight Pass ☐ Other

Will approval cause the unit to exceed the number of occupants permitted? ☐ Yes ☐ No

State status of the Private Caregiver: ☐ Pending ☐ Registered ☐ Other:

Has the Resident received notices of rules violation? ☐ Yes ☐ No

Verified IHSS Caregiver's Form SOC 2271 ☐ Yes ☐ No

Does staff recommend approval of this application? ☐ Yes ☐ No

If, No, state reason:

For Board of Directors or Authorized Designee Use Only

Application **DENIED**

The Board of Directors of this Mutual Corporation or authorized designee has reviewed this application. Based on the information provided, the application is **denied**.

Signature:

Signature:

Signature:

Application **APPROVED**

The Board of Directors of this Mutual Corporation or authorized designee has reviewed this application. Based on the information provided, the application is **approved**.

Signature:

Signature:

Signature:

For Office Use Only

Resident Notified By:

☐ WO Updated/Closed

☐ Documents Scanned



Instructions & Checklist for Hiring a Private Caregiver

☐ UNITED

☐ THIRD

UNIT # _____

The Board of Directors adopted a Private Caregiver Policy to reasonably address caregivers that provide care for Residents. **All Private Caregiver Applications must be Board or authorized designee approved in writing prior to commencing support.** Please follow this checklist to ensure a smooth and efficient process.

Please note omission of any required items will result in delay or denial of the Private Caregiver Permit.

1. Review the Private Caregiver Policy and Submit the Required Paperwork.

- ☐ Register the Private Caregiver with the California Department of Social Services and complete the Live Scan requirements which includes Background Check and Fingerprinting
- ☐ Complete the "Application for Private Caregiver Permit"
- ☐ Provide a copy of the Private Caregiver's state issued Driver's License or ID
- ☐ Submit "Application for Private Caregiver Permit" to the Resident Services Department

2. Documentation Review

The Board of Directors or authorized designee will review the submitted documentation for approval or denial. The Resident Services Department will notify the Resident of the outcome within 10 to 14 business days.

- a. If approved, the Private Caregiver will be issued an ID which must be worn in clear sight at all times and obtain a Gate Pass which may include an overnight parking pass.
- b. If denied, the Private Caregiver will be notified by the Resident Services department.

Important information

- ☐ All documents must be received by the Resident Services Department before the application can be processed
- ☐ The Private Caregiver cannot commence work until a Permit is obtained. Special circumstances may be granted
- ☐ Only completed applications with the required paperwork will be reviewed
- ☐ The Private Caregiver must be registered with the California Department of Social Services Home Care Services Bureau
- ☐ The Private Caregiver Permit is approved for a period of up to one year
- ☐ The Resident Services Department must be informed in writing of any deviations from an approved Private Caregiver Permit before it is made
- ☐ You are responsible for ensuring that rules, regulations, and policies are followed by anyone you allow into the community
- ☐ Failure to abide by the rules, regulations, and policies may result in disciplinary action including monetary fines, suspension of Members privileges, and/or legal action

Attachments:

Application for Private Caregiver Permit
Private Caregiver Policy
Frequently Asked Questions

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Private Caregiver Policy Frequently Asked Questions

1. Who is a Private Caregiver?

A Private Caregiver also known as a Home Care Aide or Care Provider, is a person who has been approved by Third Laguna Hills Mutual (Third) or authorized designee in writing on the bases of being a provider of primary caregiver support to the Resident. Private Caregiver services include, but are not limited to, assistance with the following:

- activities of daily living
- laundry
- light housekeeping
- shopping for personal care items or groceries

2. What if my Private Caregiver is already registered with the California Department of Social Services (CDSS)?

If your Private Caregiver is already registered with the CDSS you will need to provide proof of registration with expiration date along with the completed Private Caregiver Permit application to the Resident Services Department.

3. How does a Private Caregiver get registered with the CDSS?

The Private Caregiver can apply as a Home Care Aide by visiting the CDSS website <http://www.cdss.ca.gov/inforesources>:

- a. Select Home Care Services listed under Community Care Licensing.
- b. Scroll down to Quick Links and select Home Care Aide Application Process.

4. How does a Private Caregiver get a background check?

Complete the request for LiveScan fingerprinting service, form LIC 9163. Take form to a LiveScan location for processing. A criminal background check will be performed and the results will be electronically sent to the CDSS.

5. What are the costs to get registered?

The CDSS currently charges a registration fee of \$35. Other fees involved are LiveScan fingerprinting and Government criminal history background checks. The LiveScan fingerprinting operator's fee will vary depending on location of your choice and can run from \$10 up to \$35. Government fees for state and federal background checks for Private Caregivers will cost \$49. Costs are subject to change.

6. Who pays the registration costs?

That is held to the Resident's discretion. You can pay the Private Caregiver's registration fees or require the Private Caregiver that you hire pay his/her own registration fees.

7. When did the mandate take place?

The new policy began March 1, 2017

8. Why do I have to obtain a Private Caregiver Permit?

The Board recognized a need to provide a systematic, fair, and reasonable manner to address individuals who provide care to residents.

9. Who is expected to abide by the amended Private Caregiver Policy?

All residents that hire a Private Caregiver must abide by the amended policy. Residents with existing Private Caregivers must abide by the amended policy when their current permit expires.

10. How do I find out when my current permit is up for renewal?

By calling the Resident Services Department at 949-597-4600, any customer service representative can assist you.

11. Are there any exemptions or exceptions to the Policy?

There is no set list of exemptions. If there are “special circumstances” to which the member would like to have taken into account, the member may file this request in writing stating why they cannot abide by the policy. This Statement will be reviewed by the Board for consideration.

12. How can I file an exception/exemption to the Policy?

Members may file for an exception/exemption by submitting a written request to the Resident Services Department located on the first floor of the Community Center.

13. What if I hire a Caregiver from a licensed agency?

Caregivers from a licensed agency are exempt from this process because agencies are required by law to do background checks on all their caregivers. Agencies are required to obtain a business pass.

14. What is In Home Supportive Services (IHSS) recipient?

In Home Supportive Services (IHSS) Program. The In-Home Supportive Services (IHSS) program provides in-home assistance to eligible aged, blind and disabled individuals as an alternative to out-of-home care and enables recipients to remain safely in their own homes.

RESOLUTION 03-19-XX

WHEREAS, the Residency Policies and Compliance Task Force has recommended enhancements to the existing Care Provider Policy; and

WHEREAS, The Private Caregiver Policy will encompass part-time, long-term, and terminal health caregivers, whenever scheduled day or night; and

WHEREAS, the Private Caregiver Policy addresses caregivers irrespective of whether they are paid or not paid,

NOW THEREFORE BE IT RESOLVED, February 19, 2019, that the Board of Directors of this Corporation hereby amends the "Care Provider Policy," and renames it to "Private Caregiver Policy," as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that Resolution 03-17-03 adopted January 24, 2017 is hereby superseded and canceled; and

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

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ENDORSEMENT

Private Caregiver Policy

Susan McInerney, Social Services Manager, presented the changes that were made to the Private Caregiver Policy. The Committee commented and asked questions.

Director diLorenzo made a motion approve the amended Private Caregiver Policy with the changes discussed. Director Carpenter seconded the motion.

By unanimous vote, the motion carried.

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Financial Report

As of October 31, 2018



INCOME STATEMENT

ACTUAL

(in Thousands)

TOTAL REVENUE

\$28,272

TOTAL EXPENSE

26,026

Revenue over Expense

\$2,246

Financial Report

As of October 31, 2018



INCOME STATEMENT - OPERATING

ACTUAL

(in Thousands)

Assessment Revenue

\$15,733

Non-assessment Revenue

\$1,176

Total Revenue

\$16,909

Total Expense

\$17,558

Net Revenue/(Expense)

(\$649)

w/o Depreciation

(\$527)

Financial Report

As of October 31, 2018



INCOME STATEMENT – NON OPERATING

ACTUAL

(in Thousands)

Assessment Revenue	\$10,962
---------------------------	-----------------

Non-assessment Revenue	\$401
-------------------------------	--------------

Total Revenue	\$11,363
----------------------	-----------------

Total Expense	8,468
----------------------	--------------

Net Revenue/(Expense)	\$2,895
------------------------------	----------------

Financial Report

As of October 31, 2018



Through October, Third was better than budget by \$2,295K primarily in outside service reserve programs:

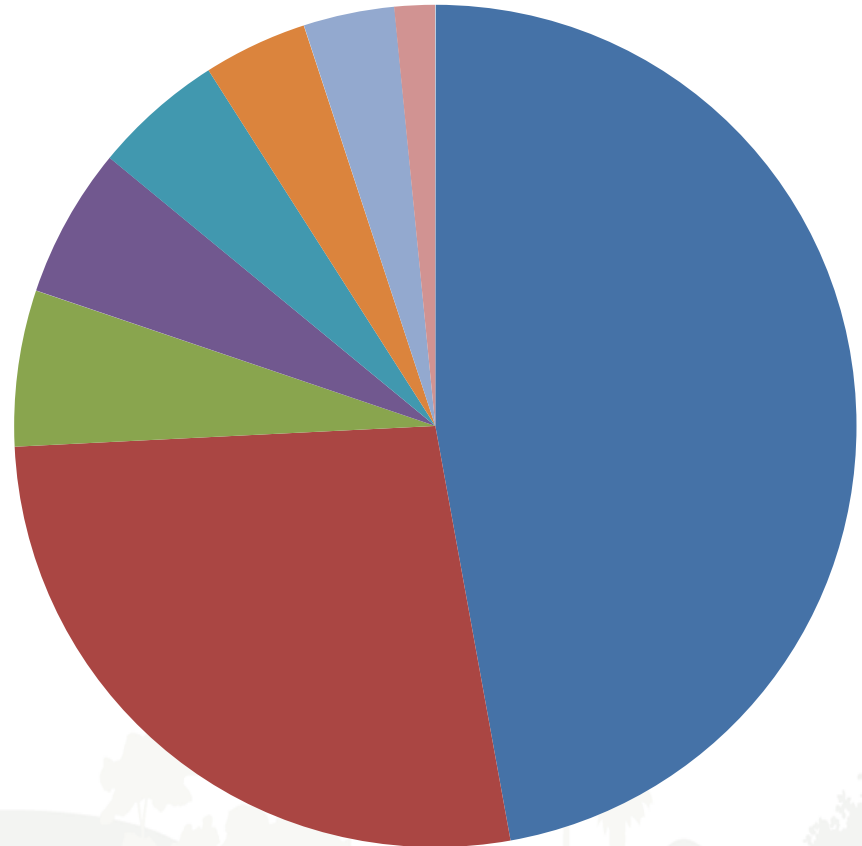
- **Building Structures;** A contract was approved at the November Board meeting and work is expected to begin mid-December.
- **Disaster Fund;** more reimbursable expenditures and fewer rain leaks than anticipated.
- **Exterior Lighting;** acquisition of street lights from Edison is in progress, anticipated in Q1 2019.
- **Roof Replacements ;** PVC Cool Roof replacements are in progress and will be completed by year end.

Financial Report

As of October 31, 2018

Total Operating Expenses \$17,558,013

- 47% Employee Compensation & Related
- 27% Utilities and Telephones
- 6% Insurance
- 6% Outside Services
- 5% Net Allocation to Mutuals
- 4% Material and Supplies
- 3% Other Operating Expense
- 2% Repairs and Maintenance



Financial Report

As of October 31, 2018



NON OPERATING FUND BALANCES

ACTUAL

(in Thousands)

Beginning Balances: 1/1/18

\$28,094

Contributions & Interest

11,362

Expenditures

(8,468)

Current Balances: 10/31/18

\$30,988



Financial Report for December 18, 2018 Board Meeting

SLIDE 1 – Total revenue for Third through October 31, 2018 was \$28,272K compared to expenses of \$26,026K, resulting in more revenue than expense by \$2,246K.

SLIDE 2 – Now we look at those same results with a distinction between operating and reserve funds. This chart shows how much of our revenue went into operations, with \$15,733K coming in from assessments and \$1,176K coming from non-assessment revenue. This is compared to operating expenditures of \$17,558K. After backing out depreciation, which is not funded through operations, we can see a bottom line operating deficit of (\$527K) as of the reporting period. The deficit primarily results from more water usage for irrigation at the beginning of the year to improve appearance of landscaping.

SLIDE 3 – This chart shows how much of our revenue went into reserve funds and the amount expended to date.

SLIDE 4 – Through October, Third was better than budget by \$2,295K primarily in outside service reserve programs:

- **Building Structures.** The GRF M&C Committee recommended awarding a contract for 15 buildings. A contract was approved at the November Board meeting and work is expected to begin mid-December.
- **Disaster Fund.** The disaster fund provides for emergency expenditures not covered by insurance, including insurance policy deductibles. The budget was based on historical data and to date more reimbursable expenses and fewer rain leaks occurred than budgeted.
- **Exterior Lighting.** This program is for the acquisition of street lights from Edison which was approved by the California Public Utility Commission (CPUC). Prior to transfer SCE will complete an audit of fixtures, anticipated in Q1 2019.
- **Roof Replacements.** PVC Cool Roof replacements are in progress and will be completed by the end of the year.

SLIDE 5 – On this pie chart, we see the Operating expenses to date of \$17.6 Million by category, showing that our largest categories of expense are for Employee Compensation and Utilities.

SLIDE 6 – The reserve balances on October 31, 2018 were \$31 Million. To date, contributions to reserves including assessments and interest earnings totaled \$11.3 Million and expenditures to date totaled \$8.4 Million.

[No slide] – In closed session, we reviewed delinquencies for unpaid assessments totaling \$236K, which represents less than 1% of the annual assessment budget. We are able to maintain such a relatively low level of delinquencies by following prescribed collection policies to pursue payment on these accounts, either through the non-judicial foreclosure process or by obtaining personal judgments in small claims court. The Board has been working closely with our collection firm and legal counsel to pursue further collection activity for unpaid accounts. We also reviewed delinquencies for fines, fees and chargeable services totaling \$221K. The Board is pursuing further collection activity such as cable TV disconnection and small claims.

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REPORT OF THE REGULAR OPEN MEETING OF THE THIRD LAGUNA HILLS MUTUAL FINANCE COMMITTEE

Tuesday, December 4, 2018 – 1:30 p.m.
Laguna Woods Village Community Center Board Room, 24351 El Toro Road

MEMBERS PRESENT: Jack Connelly – Chair, Steve Parsons, Rosemarie diLorenzo, James Tung, Roy Bruninghaus, Bunny Carpenter, Cush Bhada, John Frankel, Jon Pearlstone, Lynn Jarrett, Advisor: Michael Cunningham

MEMBERS ABSENT: Paul Chao, Advisors: Wei-Ming Tao, John Hess

STAFF PRESENT: Betty Parker, Steve Hormuth, Christopher Swanson

Call to Order

Director Jack Connelly, Treasurer, chaired the meeting and called it to order at 1:33 p.m.

Approval of Meeting Agenda

A motion was made and carried unanimously to approve the agenda with the following additional items:

- Fidelity Insurance Coverage
- Credit Card Payments Update

Approval of Meeting Report for November 6, 2018

A motion was made and carried unanimously to approve the Committee report as presented.

Chair Remarks

Director Connelly requested to have all questions held to the end of the presentation of the financial statements.

Department Head Update

The Committee was informed that the 2019 Annual Budget Report and Policy Statement were mailed last week and an electronic version of the packet is available on the Community website.

Preliminary Financial Statements Dated October 31, 2018

The Committee reviewed financials and questions were addressed.

Investment Task Force Update

Advisor Cunningham provided an update from the Investment Task Force.

Fidelity Insurance Coverage

The Committee was provided a handout informing of new insurance limits required by Civil Code 5806 effective January 1, 2019. By consensus, the Committee authorized the additional premium costs as unbudgeted operating expenses to account 54401000 – Hazard & Liability Insurance.

Credit Card Payment Update

The Committee was advised that live tests of the assessment and chargeable services payments by credit card are in progress. Director diLorenzo requested Staff explore the feasibility of adding a notice to chargeable service invoices informing residents of the option to pay charges by credit card.

Future Agenda Items

Reserve Study (February Agenda)

Date of Next Meeting

Tuesday, January 8, 2019 at 1:30 p.m. in the Board Room.

Recess to Closed Session

The meeting recessed at 2:26 p.m.



Jack Connelly, Chair

Monthly Resale Report

PREPARED BY

MUTUAL

REPORT PERIOD

Community Services Department

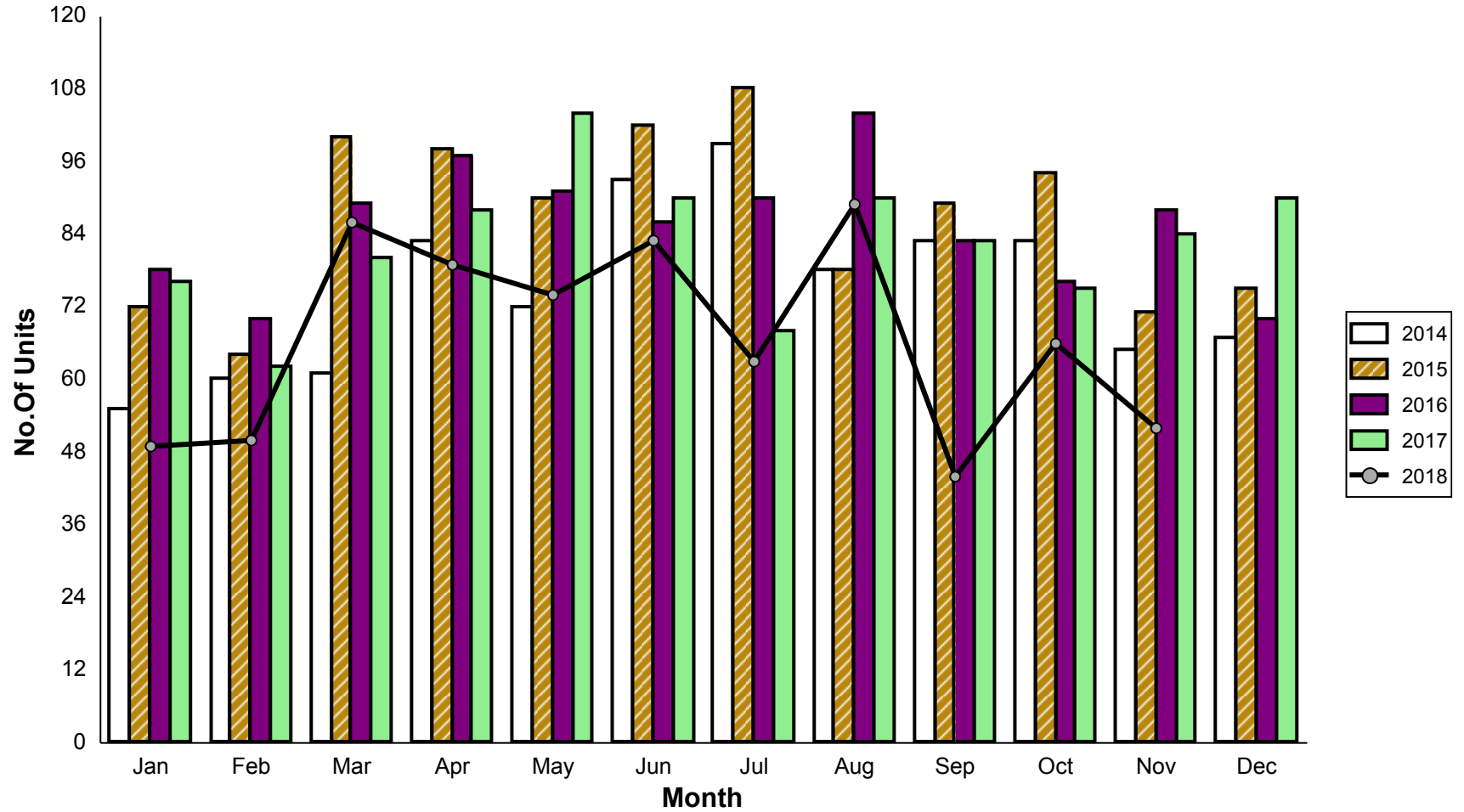
All Mutuals

November, 2018

MONTH	NO. OF RESALES		TOTAL SALES VOLUME IN \$\$		AVG RESALE PRICE	
	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR
January	49	76	\$14,821,540	\$23,481,992	\$308,782	\$308,974
February	50	63	\$18,660,142	\$18,400,200	\$373,203	\$292,067
March	86	80	\$28,065,799	\$24,765,800	\$359,818	\$309,573
April	79	88	\$27,694,226	\$29,024,579	\$364,398	\$329,825
May	74	105	\$24,187,990	\$34,046,751	\$350,551	\$327,373
June	83	90	\$28,002,538	\$31,945,600	\$378,413	\$354,951
July	63	68	\$19,434,100	\$21,413,120	\$329,392	\$314,899
August	89	90	\$28,612,100	\$29,277,556	\$340,620	\$325,306
September	44	83	\$17,185,192	\$25,481,938	\$409,171	\$310,755
October	66	75	\$22,702,400	\$26,703,200	\$366,168	\$356,043
November	52	86	\$16,869,000	\$29,641,100	\$324,404	\$344,664
December		*		\$31,413,715		* \$356,974
TOTAL	735.00	904.00	\$246,235,027	\$294,181,836		
MON AVG	66.00	82.00	\$22,385,002	\$26,743,803	\$354,993	\$324,948

* Amount is excluded from percent calculation

Resales - 5 Year Comparison



Monthly Resale Report

PREPARED BY

Community Services Department

MUTUAL

Third

REPORT PERIOD

November, 2018

MONTH	NO. OF RESALES		TOTAL SALES VOLUME IN \$\$		AVG RESALE PRICE	
	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR
January	25	38	\$8,807,150	\$14,513,062	\$352,286	\$381,923
February	29	28	\$12,600,892	\$9,887,500	\$434,514	\$353,125
March	38	42	\$16,909,199	\$15,185,800	\$444,979	\$361,567
April	46	45	\$18,869,626	\$18,847,150	\$410,209	\$418,826
May	38	44	\$15,452,990	\$18,157,951	\$406,658	\$412,681
June	37	49	\$16,981,138	\$21,011,450	\$458,950	\$428,805
July	24	36	\$9,892,800	\$13,526,020	\$412,200	\$375,723
August	40	47	\$17,327,000	\$17,967,189	\$433,175	\$382,281
September	24	46	\$12,552,692	\$16,020,038	\$523,029	\$356,001
October	34	46	\$14,146,300	\$18,804,700	\$416,068	\$408,798
November	*28	49	** \$10,675,000	\$19,847,200	*****\$381,250	\$405,045
December		39		\$18,834,275		\$482,930

TOTAL	363.00	470.00	***\$154,214,787	\$183,768,060		
MON AVG	33.00	42.00	**** \$14,019,526	\$16,706,187	*** \$424,847	\$389,525
% CHANGE - YTD	-22.8%		-16.1%		9.1%	

% Change calculated (ThisYear - LastYear)/LastYear

* Amount is excluded from percent calculation

* 27

** \$10,625,000

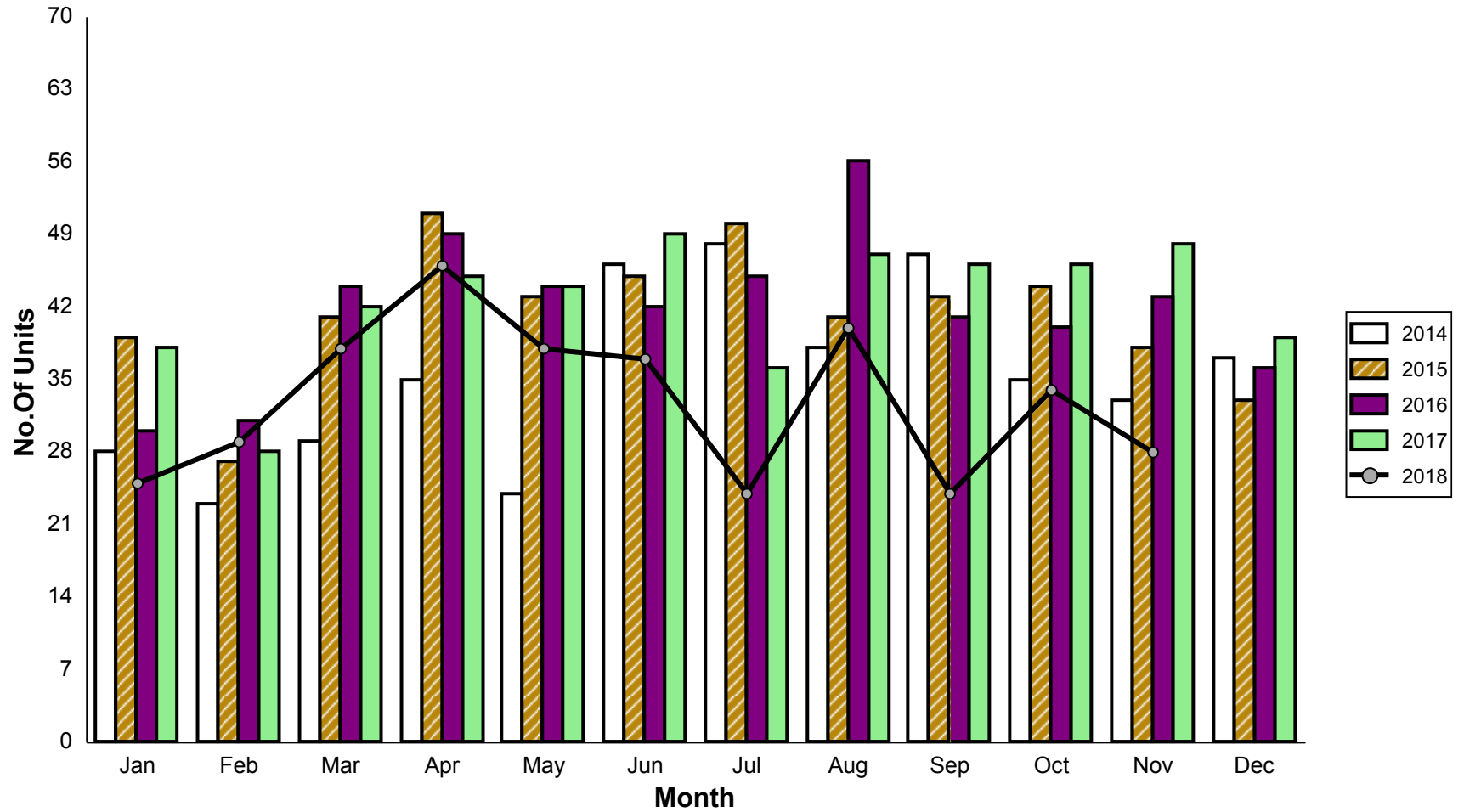
*** \$154,164,787

**** \$14,014,980

***** \$393,519

***** \$425,962

Resales - 5 Year Comparison



Monthly Resale Report

PREPARED BY
Community Services Department

MUTUAL
Third

November 2018

Period	Month	NO. OF REALES				TOTAL SALES VOLUME IN \$\$				AVG RESALE PRICE			
		2018	2017	2016	2015	2018	2017	2016	2015	2018	2017	2016	2015
1	January	25	38	30	39	\$8,807,150	\$14,513,062	\$10,663,350	\$11,735,750	\$352,286	\$381,923	\$355,445	\$300,917
2	February	29	28	31	27	\$12,600,892	\$9,887,500	\$11,354,000	\$7,690,000	\$434,514	\$353,125	\$366,258	\$284,815
3	March	38	42	44	41	\$16,909,199	\$15,185,800	\$14,408,861	\$16,302,100	\$444,979	\$361,567	\$327,474	\$397,612
4	April	46	45	49	51	\$18,869,626	\$18,847,150	\$18,170,528	\$14,509,805	\$410,209	\$418,826	\$370,827	\$284,506
5	May	38	44	44	43	\$15,452,990	\$18,157,951	\$13,703,900	\$12,983,750	\$406,658	\$412,681	\$311,452	\$301,948
6	June	37	49	42	45	\$16,981,138	\$21,011,450	\$12,838,300	\$15,321,388	\$458,950	\$428,805	\$305,674	\$340,475
7	July	24	36	46	50	\$9,892,800	\$13,526,020	\$16,112,500	\$16,392,300	\$412,200	\$375,723	\$350,272	\$327,846
8	August	40	47	56	41	\$17,327,000	\$17,967,189	\$21,085,200	\$12,231,250	\$433,175	\$382,281	\$376,521	\$298,323
9	September	24	46	41	43	\$12,552,692	\$16,020,038	\$12,651,500	\$15,332,500	\$523,029	\$356,001	\$308,573	\$356,570
10	October	34	46	40	44	\$14,146,300	\$18,804,700	\$13,386,500	\$12,924,787	\$416,068	\$408,798	\$334,663	\$293,745
11	November	28	49	43	38	\$10,675,000	\$19,847,200	\$16,453,200	\$12,332,000	\$381,250	\$405,045	\$382,633	\$324,526
12	December		38	36	33		\$18,509,275	\$12,528,800	\$11,532,800		\$487,086	\$348,022	\$349,479
TOTAL		363	470	466	462	\$154,214,787	\$183,768,060	\$160,827,839	\$147,755,630				
MON AVG		33.0	42.7	42.4	42.0	\$14,019,526	\$16,706,187	\$14,620,713	\$13,432,330	\$424,847	\$389,525	\$344,527	\$319,208
% CHANGE-YTD		-22.8%	0.9%	0.9%	19.4%	-16.1%	14.3%	8.8%	17.6%	9.1%	13.1%	7.9%	-0.7%

% Change calculated (This Year - Last Year)/Last Year
Percent calculation only includes YTD figures in black.

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Resales Report **Third Laguna Hills Mutual** **November, 2018**

Close	Manor	Mutual	Price	Model/Style	Listing Realtor	Buyer Realtor	Escrow
11/06/2018	966-A	3	\$193,000	Casa Del Mar	UNITED EMPIRE REALTY	ZUTELA, iNC.	Granite Escrow
11/19/2018	2110-Q	3	\$235,000	Casa Linda	Realty One Group	Realty One Group	Homestead Escrow
11/26/2018	2111-S	3	\$210,000	Coronado	Century 21 Rainbow	Century 21 Rainbow	Granite Escrow
11/08/2018	2128-A	3	\$228,000	Valencia	Laguna Woods Village Realty	Realty National	Granite Escrow
* 11/02/2018	2131-G	3	\$50,000	Coronado	FSBO	FSBO	Homestead Escrow
11/02/2018	2132-G	3	\$210,000	Coronado	Regency Real Estate	Laguna Premier Realty, Inc	Pacific Closing Services
11/16/2018	2252-D	3	\$330,000	Cordoba	Century 21 Rainbow Realty	Century 21 Astro	Granite Escrow
11/20/2018	2259-P	3	\$230,000	Casa Contenta	Mark Carlson, Broker	No Broker	Granite Escrow
11/09/2018	2300-B	3	\$128,500	Casa Contenta	No Broker	No Broker	Escrow Leaders
11/21/2018	2317-C	3	\$375,000	La Jolla	Century 21 Masters	Properties With Style	Homestead Escrow
11/07/2018	2325-A	3	\$441,000	Cordoba	Laguna Premier Realty, Inc	ReMax Premier Realty	Pacific Closing Services
11/05/2018	3060-D	3	\$343,000	Casa Bonita	Century 21 Rainbow	Century 21 Rainbow	Granite Escrow
11/15/2018	3072-B	3	\$462,500	San Clemente	HomeSmart Evergreen	Presidential Real Estate	Escrow Options Group
11/16/2018	3085-C	3	\$350,000	Ventura	Presidential Real Estate	Integrated Realty	Granite Escrow
11/29/2018	3210-A	3	\$620,000	El Doble	Surterre Properties, Inc.	Presidential Real Estate	Blue Water Escrow
11/21/2018	3250-Q	3	\$275,000	Casa Vista	Century 21 Rainbow	Laguna Premier Realty, Inc	Granite Escrow
11/06/2018	3266-A	3	\$650,000	La Reina	HomeSmart Evergreen	HomeSmart Evergreen	Escrow Options Group
11/20/2018	3277-P	3	\$380,000	Casa Vista	CENTURY 21	Coldwell Banker	Granite Escrow
11/06/2018	3309-O	3	\$295,000	Casa Vista	Laguna Premier Realty, Inc	Laguna Premier Realty, Inc	Pacific Closing Services
11/13/2018	3335-1C	3	\$270,000	Sierra	Aspero Realty	Berkshire Hathaway	Homestead Escrow
11/08/2018	3366-3E	3	\$210,000	Aragon	Berkshire Hathaway	Professionals Broker	Homestead Escrow
11/14/2018	4010-3D	3	\$545,000	El Mirador	IG Realty	Coldwell Banker	Homestead Escrow
11/06/2018	5362-B	3	\$250,000	La Brisa	Laguna Premier Realty, Inc	HomeSmart Evergreen	Pacific Closing Services

Resales Report **Third Laguna Hills Mutual** **November, 2018**

Close	Manor	Mutual	Price	Model/Style	Listing Realtor	Buyer Realtor	Escrow
11/01/2018	5362-Q	3	\$300,000	La Brisa	HomeSmart Evergreen	Keller Williams Real Estate	Granite Escrow
11/16/2018	5500-3C	3	\$406,000	El Mirador	Keller Williams Real Estate	Keller Williams Real Estate	Granite Escrow
11/02/2018	5525-N	3	\$348,000	Villa Lugano	HomeSmart Evergreen	Top World Investment	Escrow Options Group
11/13/2018	5553-A	3	\$1,095,000	Casa Lorenzo	Fiduciary Real Estate	Village Real Estate	Granite Escrow
11/30/2018	5564-B	3	\$1,245,000	Casa Monaco	HomeSmart Evergreen	Re/Pro	Escrow Options Group

Number of Resales:	28	27*
Total Resale Price:	\$10,675,000	\$10,625,000
		\$ 393,519
Average Resale Price:	\$381,250	
Median Resale Price:	\$315,000	



MONTHLY LEASING REPORT

Report Period:
November-2018

MONTH	LEASES IN EFFECT				Total this year	Total last year	Total Expirations	New Monthly Transactions		
	3 Months	6 Months	12 Months	12+Months				Leases	Renewals	Extensions
January	21	22	378	1192	1613	1678	75	31	95	0
February	21	24	386	1220	1651	1664	38	50	138	1
March	14	22	375	1233	1644	1667	52	45	124	0
April	9	22	385	1240	1656	1630	50	46	93	0
May	15	20	381	1209	1625	1653	66	54	110	0
June	29	25	379	1229	1662	1652	53	78	151	2
July	30	26	390	1227	1673	1659	40	72	146	1
August	24	24	383	1247	1678	1667	48	58	132	2
September	15	30	381	1241	1667	1648	42	45	102	0
October	14	36	382	1258	1690	1646	47	67	130	0
November	14	38	378	1275	1705	1656	53	42	86	5
December					0	1669				

Monthly Average	18.7	26.3	381.6	1233.7	1660.4	Jan- Nov 1656.4	51.3	53.5	118.8	1.0
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Percentage Leased	1705 / 6102 = 28%									
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OPEN MEETING

**REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL
ARCHITECTURAL CONTROL AND STANDARDS COMMITTEE**

**Monday, November 26, 2018 – 9:30 a.m.
Laguna Woods Village Community Center Sycamore Room
24351 El Toro Road**

REPORT

COMMITTEE MEMBERS PRESENT: Chair – Steve Parsons, Roy Bruninghaus, John Frankel

COMMITTEE MEMBERS ABSENT: Lynn Jarrett

OTHERS PRESENT: Bunny Carpenter

ADVISORS PRESENT: Michael Plean, Mike Butler

STAFF PRESENT: Kurt Wiemann, Eve Morton

1. Call to Order

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

2. Acknowledgement of Media

No media were present.

3. Approval of October 22, 2018 Report

Director Bruninghaus moved to approve the Report. Director Carpenter seconded. The motion passed with a unanimous vote.

4. Approval of the Agenda

Director Frankel made a motion to accept the agenda. Advisor Plean seconded. The motion passed with a unanimous vote.

5. Committee Chair Remarks

Chair Parsons welcomed Advisor Butler back from his travels and hoped everyone had a nice holiday.

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

None.

7. Department Head Update

Mr. Wiemann reported that the new alterations office has been open for about a month and is going well.

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.

None.

Items for Discussion and Consideration:

Variance Requests:

8. 2328-U (Monterey, PQ12) - Half Bathroom Addition

Director Bruninghaus made a motion to accept Staff's recommendation and approve this request. Advisor Plean seconded. The Committee was in unanimous support.

9. 5165 (Villa Paraisa, C13C_1) - Raise Ceiling in Living Room and Extend Entry Way onto Common Area

Director Frankel made a motion to accept Staff's recommendation to approve the request for raising the ceiling but to table the request to extend the entry way into Common Area until there is a legal ruling regarding this request. Advisor Plean seconded. The Committee was in unanimous support.

The committee requested that Mr. Wiemann write a report regarding the common area classification of the entryways on these units.

10. 5398-A (Casa Rosa, RP302_RA) - Retain Non-Standard Color On Two Exterior Entry Doors

Director Bruninghaus made a motion to accept Staff's recommendation and approve this request. Director Frankel seconded. The Committee was in unanimous support.

Standard Updates:

11. Review Further Updates to Architectural Standard 30: Storage Cabinets

The committee requested that 2.4 be moved to Section 4.

The committee requested that the Code be put into the Standard.

Director Bruninghaus made a motion to accept Staff's recommendation, with the changes, and approve the updates to the Standard. Director Jarrett seconded. The Committee was in unanimous support.

12. Review Updates to Architectural Standard 37: Patio Covers; Awnings

Chair Parsons made a motion to accept Staff's recommendation and approve the updates to the Standard. Director Bruninghaus seconded. The Committee was in unanimous support.

Reports:

13. Revised Decision Tree

Chair Parsons made a motion to approve the full version of the Decision Tree (Attachment 1) and send it on to the Board to receive and file. Director Bruninghaus seconded. The Committee was in unanimous support.

Chair Parsons made a motion to approve the condensed version of the Decision Tree (Attachment 2) and send it on to the Board to receive and file. Director Bruninghaus seconded. The Committee was in unanimous support.

These items will be put onto the December Board Consent Calendar.

Items for Future Agendas

None.

Concluding Business:

14. Committee Member Comments


A discussion ensued regarding a slab break due to tree roots at 3255-B which dislodged a sliding glass door. The resident is requesting that she not be required to replace all three doors which face her back yard which is dictated by Standard 34: Windows and Window Attachments. The committee directed Staff to waive the variance fee and requested an official variance request report written on this case to be presented at a future committee meeting.

Director Bruninghaus thanked the committee for using common sense in the decisions being made.

Chair Parsons asked Mr. Wiemann to present a State of the Division report for the January meeting to include ideas for fixing any impediments to streamlining processes for Staff or residents, ideas for any new materials to be considered, etc.

15. Date of next meeting – Monday, December 17, 2018

16. Adjourned at 10:52 a.m.



Chair, Steve Parsons

Kurt Wiemann, Staff Officer

Eve Morton, Alterations Coordinator, 268-2565

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OPEN MEETING

**REPORT OF THE REGULAR MEETING OF THE
THIRD LAGUNA WOODS MUTUAL LANDSCAPE COMMITTEE**

Thursday, November 1, 2018 – 9:00 a.m.
Laguna Woods Village Community Center Board Room – 24351 El Toro Road

MEMBERS PRESENT: James Tung – Chair, John Frankel, Steve Parsons in for Cush Bhada

MEMBER ABSENT: Cush Bhada, Lynn Jarrett

OTHER DIRECTORS: Bert Moldow, Annette Sabol Soule

STAFF PRESENT: Bruce Hartley, Larry Hernandez, Robert Merget, Lulu Bactor

1. Call to Order

Chair Tung called the meeting to order at 9:00 a.m.

2. Acknowledgement of the Press

No media was present.

3. Approval of the Agenda

The agenda was approved by consensus.

4. Approval of Committee Report for July 5, 2018

The meeting report of July 5, 2018, was approved by consensus.

5. Chair's Remarks

Chair Tung spoke about the Pina slope project; that it was completed significantly under budget. He spoke about residential and landscape water use and the high cost.

6. Member Comments (Items Not on the Agenda)

Ed Mc Gill 2390-2C– Spoke about tree debris that needed to be picked up.

Nancy Leventhal 2311-B- Spoke about the yellow stake program.

Phyllis Waite 3128-N- Spoke about maintenance and contracting.

Annette Sabol Soule 3428-C- Spoke about a previous landscape report and was dissatisfied with the current landscape and maintenance.

Lois Rubin 5509-B- Spoke about minutes from last meeting, herbicide use and replacement products.

Sherrie Merchant 3364-1G- Spoke about a compliance issue.

Esther Wright 3036-N- Spoke about herbicides.

Doug Gibson 5289- Spoke about Gate 11 weeds.

7. Response to Member's Comments

Chair Tung spoke about the yellow stake program, stating that if staff evaluates a landscape and there are no issues or water wasting, no action will be taken to have the member remove it.

Annette Sabol Soule spoke about yellow stake program.

Mr. Hartley responded to Ms. Waite.

8. Department Head Update

Mr. Hartley spoke about a new landscape supervisor starting soon; the fuel modification project; the start of bi-weekly mowing schedule and completion of the Pina slope project in Gate 11.

Consent:

None

Reports

9. Project Log

Chair Tung spoke about tree trimming.

Director Parsons spoke about funding.

10. Irrigation Report

Chair Tung spoke about letters sent to residents regarding water use.

ITEMS FOR DISCUSSION AND CONSIDERATION

11. Appeal – Denial of Tree Removal Request (Cohen) 3217-B Via Carrizo

Mr. Cohen spoke in support of his request.

Chair Tung spoke commenting that the removal might be possible as a chargeable service to the Member.

Director Parsons made motion to approve the appeal to remove one Olive tree located at 3217-B Via Carrizo, at the Member's expense; due to adverse medical impacts on the member associated with the tree. Second by Director Frankel. Approved by Committee unanimously.

12. Tree Removal/Off-Schedule Trim Request

a) 5543-C – Avenida Sosiega (Naideth)

Mr. Naideth spoke about the poor results of a turf removal project around the tree.

Director Frankel made motion to deny the request for the removal of one Cajeput tree due to lack of any observable damage or negative impact of the tree and directed staff to replant the adjacent bare areas. Approved by consensus.

b) 3384-A-Punta Alta (Zelko)

Mrs. Waite spoke against the removal and pointed out the lack of maintenance.

John Frankel made motion to deny the request to remove one Brisbane Box tree located at 3384-A Punta Alta due to lack of any structural damage or negative impacts associated with the tree. Approved by consensus.

c) 5210 Elvira (Sando)

Chair Tung made motion to approve the removal of one Southern Magnolia tree located at 5210 Elvira due to damage to the adjacent concrete walkway and a high likelihood of future damage to the driveway. Second by Director Parsons. Approved by Committee on a 2-1 vote, with Director Frankel dissenting.

13. Preliminary Plan for Landscape Conversion

Mr. Hartley outlined the proposed areas for the 2019 Turf Reduction Project.

Chair Tung recommended that staff instead, complete the turf reduction project for a large turf area located within the gate 14 area.

Phyllis Waite 3128-N- Spoke against turf removal projects in general.

Director Frankel made the motion to approve the change to Gate 14. Second by Steve

Parsons. Approved on a 2-1 vote; with Director Frankel dissenting.

Items for Future Agendas

14. Water Efficient Plant Palette (DEC)

Director Frankel stated that there is a need for a water discussion.

Concluding Business

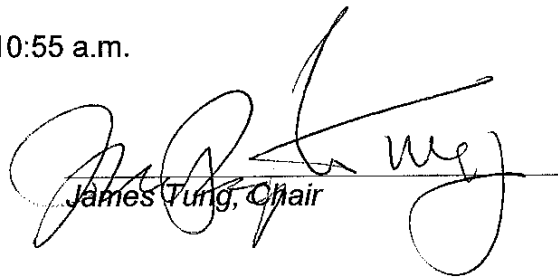
15. Committee Member Comments

None

16. Date of Next Meeting September 6, 2018

17. Adjournment

Meeting was adjourned at 10:55 a.m.



James Tung, Chair

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OPEN MEETING

REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL RESIDENCY POLICY AND COMPLIANCE TASK FORCE

Monday, December 3, 2018 – 1:00 p.m.
Laguna Woods Village Community Center, Willow Room – 24351 El Toro Road

MEMBERS PRESENT: Roy Bruninghaus, Chair, Rosemarie di Lorenzo, and Bunny Carpenter

MEMBERS ABSENT: Steve Parsons

ADVISORS PRESENT: None

ADVISORS ABSENT: Stuart Hack and Cindy Baker

STAFF PRESENT: Tim Moy, Pamela Bashline, Francis Rangel, Eileen Paulin, Susan McInerney, Siobhan Foster, and Debbie Ballesteros

CALL TO ORDER

Roy Bruninghaus, Chair, called the meeting to order at 1:02 p.m.

ACKNOWLEDGEMENT OF PRESS

The Media was not present.

APPROVAL OF AGENDA

Director di Lorenzo made a motion to approve the agenda as presented. Director Bruninghaus seconded the motion.

By unanimous vote the motion carried.

APPROVAL OF MEETING REPORTS

Director di Lorenzo made a motion to approve the July 31, 2018 meeting report as presented. Director Carpenter seconded the motion.

By unanimous vote the motion carried.

CHAIRMAN'S REMARKS

Chair Bruninghaus shared his appreciation to everyone attending the meeting and introduced himself as the new Chair for the Task Force. He stated that the Task Force will not meet on a regular basis but as needed. Additionally, he stated that a meeting will be scheduled in January to review the Lease Policy and requested that he be notified of any items to add to future agendas.

MEMBER COMMENTS ON NON-AGENDA ITEMS

None

ITEMS FOR DISCUSSION AND CONSIDERATION

Care Provider Policy

Susan McNerney, Social Services Manager, presented the changes that were made to the Care Provider Policy. The Committee commented and asked questions.

Director di Lorenzo made a motion approve the amended Care Provider Policy with the changes discussed. Director Carpenter seconded the motion.

By unanimous vote the motion carried.

The Committee and Staff discussed the marketing campaign for the policy changes. Without objection, the Committee requested that the marketing be included in the Staff Report for the Boards review.

Siobhan Foster, Chief Executive Officer, left the meeting 1:58 p.m.

ITEMS FOR FUTURE AGENDAS

- Lease Policy

CONCLUDING BUSINESS

Committee Member Comments

There were no Committee Member Comments.

Date of Next Meeting

To be determined.

Adjournment

With no further business before the Committee, the meeting was adjourned at 2:12 p.m.



Roy Brunninghaus, Chair
Third Laguna Hills Mutual