



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

**Tuesday, October 16, 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 Tuesday, October 16, 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, Lynn Jarrett, Paul Chao and Bunny Carpenter (arrived late)

Directors Absent: None

Staff Present: Siobhan Foster, Eileen Paulin, Ernesto Munoz, Kurt Wiemann, Bruce Hartley, Chris Spahr, and Cheryl Silva

Others Present: Donna Dwaileebe (VMS), Stuart Hack (GV Assoc.)  
Dennis Cafferty (ETWD)

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

**6. Report of the Chair**

President diLorenzo introduced the new Board Members and commented that Third Mutual is accepting applications for the Third Board and VMS Board positions. The Boards will interview candidates for the new CEO position.

Director Frankel gave a brief summary of the presentation by the ETWD.

- Kathryn Freshley introduced Dennis Cafferty, Assistant General Manager of the El Toro Water District.
- Dennis Cafferty gave a presentation on Phase II Water Distribution System Expansion Project
- Dennis Cafferty answered questions from the Board

Director Frankel announced the Great California Shake-out on October 18, 2018, at 10:18 a.m. Volunteers and Staff will gather at Clubhouse 5 at 11:15 a.m. for a de-brief session.

**7. Open Forum**

Chris Collins (3306-Q) spoke about the benefits of the Laguna Woods Village Foundation.

**8. Responses to Open Forum Speakers**

None

**9. Update from VMS – Director Dwaileebe**

Director Dwaileebe gave an update from the last VMS Board Meeting. She spoke about the responsibilities of the VMS Board and commented on what the Board is doing to fill the CEO position. Employee retention, recruitment and training are a high priority of the VMS Board. Service awards were handed out on October 3, 2018; three employees have been employed with the Village for 45 years. At the next meeting, VMS Board will be reviewing the progress on their goals.

**10. CEO Report**

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

- Wind storm update; all pools are now open. Resident Services received eighty calls about fallen trees and limbs. Twenty fallen trees have been removed and Residents should call Resident Services or Security if they see any hazardous conditions in the Community;
- Legislative update: On September 27, 2018, the Senate signed into law SB 261. Beginning in January, 2019 the posting requirement for resolutions changed from 30 to 28-days and electronic notifications will be allowed;
- New Passive Park is complete at Clubhouse 2;
- Construction has started on the pickleball and paddle ball tennis courts at Gate 12;
- RV Lot repairs are completed ahead of schedule. Residents have until October 30<sup>th</sup> to get their vehicles back into the RV lot.
- Records Management Project is underway with a project kick-off. The inventory list will be reviewed by the Consultant. Final retention scheduled will be ready for review in December;
- Harvest Hoedown will be held at the Equestrian Center on Saturday, October 20<sup>th</sup>.

Siobhan Foster, answered questions from the Board.

## **11. Consent Calendar**

### **11a. Architectural Control and Standards Committee Recommendations:**

- (1) Recommendation to deny 2231-P (Casa Linda, 1106\_1) Retain Veneer Wall Coverings within Original Patio Footprint

### **RESOLUTION 03-18-142** **VARIANCE REQUEST**

**WHEREAS**, Ms. Pao Chow Randall of 2231-P Via Puerta, a Casa Linda style unit, is requesting Board approval of a variance to retain the veneer wall coverings within the original patio footprint and,

**WHEREAS**, a Neighborhood Awareness Notice was sent to Owners of affected Units on September 13, 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 September 24, 2018.

**NOW THEREFORE BE IT RESOLVED**, on October 16, 2018, the Board of Directors hereby denies the request to retain the veneer wall coverings within the original patio footprint;

**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) Approval of Non-standard Water Efficient Landscape (5323 Moya)

**RESOLUTION 03-18-143**

**APPROVAL OF NON-STANDARD WATER EFFICIENT LANDSCAPE-5323 MOYA**

**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 encourages water conservation and the elimination of turf in the community, and;

**WHEREAS**, the Third Mutual Landscape Committee recommended the approval of the conversion of turf to a water efficient landscape at 5232 Moya at the Member's expense, with the elimination of stepping stones from the plan, and all future maintenance to be provided by the Member;

**NOW, THEREFORE BE IT RESOLVED**, October 16, 2018, that the Board of the Mutual hereby approves the conversion of turf to a water efficient landscape at 5232 Moya at the Member's expense..

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

Director Tung made a motion, seconded by Director Parsons, to approve the Consent Calendar items. The motion passed by unanimous consent.

**12. Unfinished Business**

**12a. Entertain a Motion to Adopt a Resolution for Proposed Key Policy**

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

**RESOLUTION 03-18-144**

**KEY POLICY**

**WHEREAS**, the Key File Program is a voluntary program that allows resident and non-resident members to place manor keys on file with the Resident Service Department, which enables Mutual access for emergency repairs, access for welfare checks, Orange County emergency services, and entry for residents who have misplaced their keys; and

**WHEREAS**, the Mutual's legal counsel has advised that the Mutual and its managing agent have the legal right to enter a manor for health, safety, Board-approved

programs, or other emergencies that may impact Mutual property and have no legal right, authority, duty, nor obligation to enter for or any other purpose.

**NOW THEREFORE BE IT RESOLVED**, October 16, 2018, that the Board of Directors approves this policy authorizing the Key File Program that shall follow the provisions of the Key File Policy as attached to the official minutes of this meeting;

**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 7, 2018 INITIAL NOTIFICATION**

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

Director Bruninghaus made a motion to approve a Resolution for a Key Policy. Director Jarrett 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 Permanent Version of the Unoccupied Unit Policy

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

**RESOLUTION 03-18-145**  
**POLICY FOR INTERIOR INSPECTION OF UNOCCUPIED MANORS**

**WHEREAS**, unoccupied Manors present a number of concerns to Third Mutual and its residents, including without limitation, potential damage to the Mutual's Common Areas, and those concerns increase the longer the Manor is unoccupied;

**WHEREAS**, the fiduciary responsibility of the Board is to protect the Mutual's assets and it is to the benefit of the Mutual and its residents to inspect the condition of Manors which have been unoccupied for a period of six (6) months or more, or which are reasonably believed to pose potential maintenance concerns; and,

**WHEREAS**, based on the advice of the Mutual's legal counsel and consistent with the Mutual's governing documents, the Mutual has the right to access an owners Manor at any time in the event of an emergency and the right to access an owner's Manor at a reasonable hour in non-emergency situations for the purpose of inspection;

**NOW THEREFORE BE IT RESOLVED**, October 16, 2018, that the Board of Directors hereby adopts the Unoccupied Manor Inspection Policy ("Policy");

**RESOLVED FURTHER**, that except in case of an emergency inspection, in which case the Mutual or a representative thereof may enter without prior notice to the Manor owner, the Mutual must provide a minimum of fifteen (15) days' prior written notice to

the owner of record of each Manor that is unoccupied or presumed to be unoccupied before any inspection is carried out in a Manor in accordance with this Policy;

**RESOLVED FURTHER**, the Mutual will conduct non-emergency inspections in accordance with said notice of inspection and charge administrative costs/fees as set by the Mutual for each such inspection, including the cost of gaining entrance into the Manor, as may be applicable;

**RESOLVED FURTHER**, if the Owner of record of an unoccupied Manor objects in writing to the inspection of such Manor or specifically denies entry, the matter may be referred to the Board for member disciplinary action;

**RESOLVED FURTHER**, non-emergency inspections will be conducted with premises Security personnel in attendance to document and ensure there is no adverse impact upon the Manor interior by the Mutual's inspection; such inspection with Security personnel is subject to a fee(s) for the cost to the Mutual to provide such persons to witness the inspection;

**RESOLVED FURTHER**, the inspector must identify and note conditions within each inspected Manor in a written report, which shall be provided to the Manor Owner by mailing the report to the Owner's mailing address in the Mutual's records, and facilitate the maintenance or remediation of adverse conditions identified to protect against damage to Mutual property, Common Area damage, or nuisance to neighboring Manors and residents;

**RESOLVED FURTHER**, that any necessary emergency maintenance or repairs (meaning those that are required to prevent damage imminent damage or injury to persons or property) identified in the inspection and carried out by the Mutual, that are the responsibility of the member will be charged to the owner of record after a noticed hearing before the Board in accordance with the Mutual's governing documents;

**RESOLVED FURTHER**, that necessary emergency maintenance and repairs that are the responsibility of the Mutual will be carried out at the Mutual's expense;

**RESOLVED FURTHER**, that Resolution 03-18-59 adopted May 4, 2018, is hereby superseded in its entirety and no longer in effect; and

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

**SEPTEMBER 7, 2018 INITIAL NOTIFICATION**

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

Director Bruninghaus made a motion to adopt a resolution approving a policy for interior inspection of unoccupied Manors. Director Parsons 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 Revisions to the Common Area Use Policy**

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

**RESOLUTION 03-18-146**  
**COMMON AREA USE POLICY**

**WHEREAS**, the Third Laguna Hills Mutual, ("Mutual") is a corporate homeowners association that was formed in 1970; by 1984 had acquired the assets and liabilities by vote of each of the fifty-nine (59) individual Mutuals within the larger Leisure World (now Laguna Woods Village) common interest development, with full authority to manage, operate, and maintain them. By 1988, each of the fifty-nine (59) Mutuals had agreed by vote of each Mutual's membership to adopt identical amended CC&Rs.

**WHEREAS**, the decisions of the Mutual's Board of Directors ("Board"), and any committees, task forces, etc., appointed by the Board, are governed or regulated by the Mutual's Governing Documents, the City of Laguna Woods and Orange County codes, and California and federal Laws and Regulations;

**WHEREAS**, the Mutual's Board recognizes that both new and existing Manor Owners may desire to upgrade or alter their Manors or elements thereof in style, structure or function. The current Mutual Board, prior Mutual Boards, and the Boards of the predecessor original condominium project mutual homeowner associations, have from time-to-time adopted policies and procedures to approve such Manor Alteration Applications in limited circumstances;

**WHEREAS**, the Mutual's current Governing Documents require that all such Manor Alteration Applications be approved either by the Architectural Control Committee, which may either be the Board itself or a separate committee of Members appointed by the Board, or by the Mutual's Manager, Village Management Services, Inc. ("Staff"), where VMSI is so authorized;

**WHEREAS**, pursuant to Article X of the Mutual's *Declaration of Revised and Amended Covenants, Conditions and Restrictions* ("CC&Rs") and Article 7 of the Mutual's Bylaws, the Board, by Resolution 03-16-128, dated December 20, 2016, has formed an Architectural Control and Standards Committee ("Committee") to perform the functions described therein;

**WHEREAS**, pursuant to Article IV, Section 2, Clause (c); Article IV, Section 5; and Article X, Section 1, Clause (c), of the CC&Rs, the Board has delegated, with continuing oversight by the Committee, authority to its Manager and Staff to receive, evaluate, and make recommendations to the Committee and the Board to approve or deny Manor Alteration Applications;

**WHEREAS**, the current Board, as well as prior Mutual boards, have noted that over the years that some manor Owners have made alterations to their Manors or to the immediately contiguous areas, both with and without Board authorization, which have affected relatively small sections of the Mutual's Common Area. Typically those alterations have involved enclosing patios that are Exclusive Use Common Area and occasionally have also involved extending that enclosure onto general Common Area, or the alterations have affected the landscape and hardscape contiguous to a Manor;

**WHEREAS**, in some cases these alterations may not have met the Mutual's then current Architectural Alteration Standards, notwithstanding the fact that the alteration may have enhanced the value of the Manor and possibly the community as well;

**WHEREAS**, the Board recognizes that to identify each prior alteration and determine whether or not it is non-conforming and/or unauthorized would be expensive, time consuming and disruptive to the community and its residents. This Board has concluded that such an undertaking would not be in the best interests of the owners of undivided interests in the Mutual's general Common Area;

**WHEREAS**, the Committee and the Board have reviewed and reconsidered the Mutual's current policies and procedures regarding Manor Alteration Applications to ensure proper procedures are in place in the Mutual on a going-forward basis with regard to alterations by Members;

**WHEREAS**, among other things, the Common Area Use Policy sets forth very limited circumstances where the Mutual's Board, Committee or Staff, would approve a proposed alteration of, addition to, or improvement of any Manor ("Alteration") that would be located upon or over a portion of the common area; and,

**WHEREAS**, due to the administrative, financial, and legal burdens involved, the Board and the Committee have determined that it is not in the Association's best interests to approve any Manor Alteration Applications that do not satisfy the very limited circumstances defined from time to time by the Committee and approved by the Board.

**NOW THEREFORE BE IT RESOLVED**, October 16, 2018, that the Board has prepared a "Decision Tree", "Neighbor Awareness Notice of Hearing" form, and "Covenant To Run With The Land" form, and the Board hereby adopts the policy outlined in this Resolution to govern the Board's, the Committee's and Staff's decision process when Manor Owners apply to the Mutual for authorization to make or construct an Alteration to or within the Manor's Separate Interest; to, upon or within the Exclusive Use Common Area ("Policy");

**BE IT RESOLVED FURTHER**, no proposed Alteration located upon or over a portion of the common area will be approved by the Board, the Committee or Staff for any reason, except as set forth pursuant to the Policy or as otherwise required by law;

**BE IT RESOLVED FURTHER**, that, in limited circumstances, as set forth in the Policy, Staff may, but is not obligated to; approve Manor Alteration Applications that meet pre-established *Third Architectural Alteration Standards* and other Board and Committee approved policies and procedures, and that do not raise an objection by the owner of a



neighboring Manor which is defined as manors “within 150 feet” of the proposed manor Alteration Application. Any Manor Alteration Application that cannot or will not be approved by Staff for any reason will be treated as a unique Variance Request to be investigated by Staff and considered by the Committee for approval or denial, with potential appeal of the Committee’s decision to the Board, all in accordance with the Mutual’s Governing Documents;

**BE IT RESOLVED FURTHER**, that, if the proposed Alteration is to be located entirely within or upon an Exclusive Use Common Area already associated with the Manor, Staff, as authorized, the Committee or the Board may, but is not obligated to, approve the Manor Alteration Application, provided the Alteration is in compliance with the Mutual’s Architectural Review Procedures, subject to the discretion granted to Staff, the Committee, or the Board, as may be applicable, whether the Alteration would be located within a Manor’s Separate Interest, to, within or upon Exclusive Use Common Area;

**BE IT RESOLVED FURTHER**, that, if the Staff, as authorized, the Committee or the Board decides to approve a Manor Owner’s Application to make or construct an Alteration to, within or upon an Exclusive Use Common Area associated with that Manor, that Manor Owner must, as a condition to receiving final approval for the Manor Alteration Application, execute a recordable Covenant to Run with the Land. Such Covenant shall provide, among other things that the Manor Owner agrees that the area altered in any dimension or manner, shall remain Exclusive Use Common Area, licensed for the exclusive use of the Manor Owner, but shall not also become a part of the Manor’s Separate Interest. The Covenant will also require that the Manor Owner shall assume the responsibility for insuring, maintaining, repairing, replacing and restoring the area containing the Alteration, and shall agree to indemnify and hold harmless the Mutual for any and all claims pertaining to the Alteration;

**BE IT RESOLVED FURTHER**, that the Board, within the limits of its current authority, hereby “grandfathers” any existing Alteration to any of the Manors located within the original condominium projects, or to the area immediately adjacent to that Manor, which have been previously approved by this Board, a prior board of directors of the Mutual, a board of directors or the architectural committee of a predecessor original condominium project mutual homeowner association, or the staff of a prior management agent, if that staff were so authorized, prior to July 20, 2017, even though that Alteration may encroach upon some portion of the general Common Area, provided that:

- (1) there is no threat to the safety of persons or property;
- (2) the Alteration met the Mutual’s construction and architectural standards in effect at the time of the Alteration; and
- (3) there is no direction or order of a court requiring the Board to take contrary action; and

**BE IT RESOLVED FURTHER**, that “grandfathering” any such encroachment did not, does not, and will not constitute a transfer of general Common Area into any Manor’s Exclusive Use Common Area or Separate Interest, or the conversion of Exclusive Use Common Area into a Manor’s Separate Interest. Such “grandfathering” does not remove

the obligation of a Member/Owner of a non-compliant Alteration to a Manor to correct such non-compliance in the event of a sale or transfer of the Manor, correct or remove an Alteration to the Manor that:

- (1) was not permitted by the Mutual, or any predecessor mutual;  
or
- (2) was not constructed according to the terms or conditions of that permit.

“Grandfathering” merely means that such non-permitted or non-conforming Alterations will not be actively pursued by the Mutual, unless the Mutual determines that an Alteration poses a potential danger to persons or property, or a court of competent jurisdiction determines that the Alteration was not properly permitted;

**BE IT RESOLVED FURTHER**, that no further alteration may be approved or constructed on any previously approved or “grandfathered” alteration that encroaches upon common area, other than like for like, that augments, enlarges, or changes the construction, purpose, or use of the previously approved or grandfathered alteration;

**BE IT RESOLVED FURTHER**, that the determination of whether a proposed Alteration is “like-for-like” shall be made by the Committee, in consultation with Staff, and subject to appeal to the Board, whose decision shall be final and made in the Board’s sole and absolute discretion;

**BE IT RESOLVED FURTHER**, that the Board may, subject to the limitations provided in this Resolution, the Governing Documents, and applicable law, demand that any Alteration, not consistent with the Mutual’s *Third Architectural Alteration Standards* and other Mutual and VMSI policies and procedures published at the time of construction of said Alteration, be removed, at the Manor Owner’s expense, if the Alteration is not either altered or reconstructed to be in conformity with such *Third Architectural Alteration Standards*, state and local building codes, and other Mutual and VMSI policies and procedures;

**BE IT RESOLVED FURTHER**, that the Board may demand the removal of any Alteration that was constructed without the prior written approval of Staff, the Committee or the Board;

**BE IT RESOLVED FURTHER**, 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 Manor Owner 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;

**BE IT RESOLVED FURTHER**, that Mutual Board Resolution 03-17-77 is hereby superseded and cancelled; and

**BE IT RESOLVED FURTHER**, that Staff is charged with the responsibility of receiving, evaluating, approving or making recommendations for approval of Manor Alteration Applications; and overseeing construction of additions, modification, improvements, and such other Alterations to the Manors within the Mutual are hereby authorized to take all

appropriate actions consistent with this Resolution and to carry out the purpose and intent of this Resolution and assure compliance with its terms.

**SEPTEMBER 7, 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 revisions to the Common Area Use Policy. Director Bhada 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 the Yellow Stake Program**

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

**RESOLUTION 03-18-xxx**  
**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**, October 16, 2018, the Board of Directors introduces 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 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 Director Bhada seconded the motion.

Discussion ensued among the Directors.

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

**13b. Entertain a Motion to Introduce a Tree Trimming Policy for Solar Panels**

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

**RESOLUTION 03-18-xxx**  
**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 roof-top 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**, October 16, 2018, that the Board of the Mutual hereby Introduces 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 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.

Discussion ensued among the Directors.

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

**13c.** Entertain a Motion to Approve Supplemental Appropriation of \$150,000 from the Replacement Fund for 2018 Tree Trimming

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

**Resolution 03-18-147**  
**SUPPLEMENTAL FUNDING FOR TREE TRIMMING**

**WHEREAS**, Staff projected seven months of work would be necessary to complete the scheduled tree trimming in Third Mutual with a budget of \$826,475;

**WHEREAS**, the accelerated growth of the trees following the wet winter of 2017 and the emphasis on performing increased thinning of the trees has slowed the trimming cycle; and

**WHEREAS**, the tree crew fully utilized the 2018 funding at the end of August, with additional trees yet to be trimmed and insufficient funding to complete annual palm trimming or un-scheduled work.

**NOW THEREFORE BE IT RESOLVED**, on October 16, 2018, the Board of Directors of this Corporation hereby approves a supplemental appropriation in the amount of \$150,000, to be funded from the Replacement Reserve, to complete scheduled trimming through September 2018 and un-scheduled tree trimming and palm trimming through December 2018 in Third Mutual;

**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 supplemental appropriation of \$150,000 from the replacement fund for 2018 tree trimming. Director Tung 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 Approve a Resolution for Third Board and GRF Committee Assignments**

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

**RESOLUTION 03-18-148**  
**THIRD MUTUAL COMMITTEE APPOINTMENTS**

**RESOLVED,** October 16, 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  
Jack Connelly  
Bunny Carpenter  
Lynn Jarrett  
Non-Voting Advisors: Carol St. Hillaire, Burt Baum

**Village Energy Task Force**

Paul Chao (Third)  
John Frankel (Third)  
Cush Bhada, Alternate (Third)

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  
Roy Bruninghaus, Alternate

**Finance (Committee of the Whole)**

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

**Garden Villa Recreation Room Subcommittee (Quarterly)**

Lynn Jarrett, Chair  
Rosemarie diLorenzo  
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

**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

Lynn Jarrett

**Third Mutual Parking & Golf Cart Task Force**

Steve Parsons, Chair

John Frankel, Co-Chair

Bunny Carpenter

Lynn Jarrett

**Third Mutual Resident Policy and Compliance Task Force**

Roy Bruninghaus, Chair

Bunny Carpenter

Rosemarie diLorenzo

Steve Parsons

Stuart Hack, Advisor

**RESOLVED FURTHER**, that Resolution 03-18-114, adopted July 17, 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.

**RESOLUTION 03-18-149**  
**GRF COMMITTEE APPOINTMENTS**

**RESOLVED**, October 16, 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

**GRF Finance Committee**

Rosemarie di Lorenzo

Jack Connelly

Steve Parsons, Alternate



**GRF Landscape Committee**

James Tung  
John Frankel  
Lynn Jarrett, Alternate

**GRF Maintenance and Construction Committee**

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

**GRF 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

**Security and Community Access Committee**

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

**Disaster Preparedness Task Force**

Roy Bruninghaus  
John Frankel  
Steve Parsons, Alternate

**RESOLVED FURTHER**, that Resolution 03-18-115, adopted July 17, 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.

Director Bruninghaus made a motion to approve a resolution for the Third Board Committee Assignments. Director Carpenter seconded the motion

Discussion ensued among the Directors.

Director Frankel suggested that the Third Mutual Resident Policy and Compliance Task Force be a Committee of the Whole.

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

#### **14. Committee Reports**

- 14a. Report of the Finance Committee / Financial Report - Director Connelly reported on the Treasurer's Report, Resale and Lease Reports. Next meeting will be held on November 6, 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. Architectural Standards are being updated. Next meeting will be held on Monday, October 22, 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 November 5, 2018, at 1:00 p.m. in the Board Room. President diLorenzo announced that Third's Chargeable Services Program is now available to residents.
  - Report of the Parking and Golf Cart Task Force - Director Frankel
- 14d. Report of the Landscape Committee - Director Tung gave an update from the last committee meeting. Clearing the slopes of vegetation continues to reduce fire risk. Next meeting will be held on November 1, 2018, at 9:00 a.m. in the Board Room
- 14e. Report of the Laguna Woods Village Traffic Hearings - Director Frankel gave an update from the last committee meeting. Next hearings will be held on October 17, 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 from the last committee meeting. Next meeting TBD.
- 14g. Report of the Village Energy Task Force - Director Bhada gave an update from the last meeting. Next meeting will be held on November 7, 2018, at 1:30 p.m. in the Willow Room.
- 14h. Report of the Water Subcommittee - Director Tung showed a presentation on water usage and gave an update on water usage in the Community. Directors discussed the importance of communicating the importance of conserving water usage in the Manors and Community. 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 TBD.

## **15. GRF Committee Highlights**

- 15a. Community Activities Committee – Director Parsons reported on upcoming recreation and special events. Next meeting will be held on November 8, 2018, 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 October 24, 2018, at 1:30 p.m. in the Board Room. Director Parsons announced the formation of a new Investment Task Force with representatives from all Boards.
- 15c. Landscape Committee – Director Tung. Next meeting will be held on December 19, 2018 at 2:30 p.m. in the Board Room
- 15d. Maintenance & Construction Committee – Director Carpenter 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 November 19, 2018 at 1:30 p.m. in the Board Room
- 15f. Mobility and Vehicles Committee-Director Frankel reported on highlights from the last committee 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 reported that the September Committee meeting was cancelled. Next meeting will be held on October 22, 2018, at 1:30 p.m. in the Board Room
  - Disaster Preparedness Task Force – Director Frankel reported on the last meeting. The Great Shake Out event will be held on October 18, 2018, at 10:18 a.m. Next meeting will be held on November 27, 2018, 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.*

- 16a. Revised Alteration Standard 31: Washer/Dryer Installations (October)
- 16b. Resolution to Revise the LH-21 Storage Policy

## **17. Director's Comments**

Director Bruninghaus asked for planned absences of Board Members for the next three months.

**18. Recess**

The Board recessed at 11:45 a.m. and reconvened into Executive Session at 12:15 p.m..

**Summary of Previous Closed Session Meeting per Civil Code Section §4935**

*During the September 18, 2018, Regular Executive Session, the Board:*

*Approval of Agenda*

*Approval of the Following Meeting Minutes;*

*(a) August 21, 2018 – Regular Executive Session*


*Write-off Assessment & Chargeable Services Balances*

*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 4:45 p.m.



Roy Bruninghaus, Secretary of the Board  
Third Laguna Hills Mutual



## **Key File Program**

The Community Access Department maintains keys to manors within the Community for the convenience of Laguna Woods Village residents. The Key File Program is completely voluntary, is not a requirement, but is encouraged.

All keys maintained in this program are secured; the keys are kept in a secure location with 24-hour video surveillance. The keys can only be accessed by Security personnel. Members are encouraged to file keys for their Manor with Resident Services to ensure:

1. Should an emergency maintenance repair be required during a resident's absence, access can be made to the unit to affect repairs. The key usage is tracked and documented.
2. With proper credentials, a member can obtain the key(s) to their unit to gain access when they have been locked out of their residence, have misplaced, or otherwise cannot locate their keys.
3. If the unit is vacant, access can be made for preventive maintenance inspections and repairs.

To submit keys for your Manor into the Key File Program, please visit:

Laguna Woods Village Community Center

Resident Services

24351 El Toro Road

Laguna Woods, CA

## PROCEDURES FOR ACCESS TO MANOR KEYS

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### 1. RESIDENT LOCKOUTS

#### **Normal Business Hours are Monday to Friday 8:00 AM – 4:30 PM**

1. During normal business hours, Security Dispatch will transfer resident requests to Resident Services (949-597-4443).
2. A Security Officer will proceed to the Community Center to pick up the requested key.
3. Security Officer will proceed to the west door of the Community Center, park in the 20 minute zone and proceed to Resident Services to retrieve the key.
4. Security Officer will then proceed promptly to the lock out location.
5. Security Officer will return the key to Resident Services in the Community Center.

#### **After Business Hours:**

Security Dispatch will obtain the resident's name, address, and enter same into the database. If the caller is not a resident, Dispatch will refer the caller to the Watch Commander.

1. Request the Village ID number from resident; if unavailable, ask for alternate ID such as social security number or date of birth.
2. Inform the resident that the Security Officer will need to verify ID upon arrival. If ID is locked inside the manor, ID will be verified once the manor is unlocked.
3. **Under No Circumstances** is the Security Officer to leave the manor unattended until identification is secured.
4. Inform the resident there will be a charge for the service. The charges will be calculated after-the-fact; do not give the resident any amount.
5. Check the computer to see if a manor key is on file.
6. After business hours, Security Dispatch will notify a Supervisor to go to the Community Center and retrieve the key for the Security Officer.
7. The Supervisor that pulls the key will fill out the blue Work Order Invoice. Additionally, the Supervisor will put the manor key onto one of the key rings and give it to the Security Officer. The Manor key tag number will be left attached to the key(s).
8. The Security Officer will return the key to the Supervisor who will then return it to the Community Center.

# PROCEDURES FOR ACCESS TO MANOR KEYS

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## **REQUEST PROCESSING**

### **A. Information Required**

Service Orders (blue tickets) will be required every time a key in the file is removed from the key cabinets. **NO EXCEPTIONS.**

1. Upon confirmation of a key on file, Security Dispatch will advise Resident Service of the Request for manor entry.
2. For resident requests, Security Dispatch will provide the manor number, hook number and requestor name.
3. For Staff requests, Security Dispatch will provide the manor number, hook number, requestor name and work center.

### **B. Issuance of Service Order**

Resident Services staff will enter the appropriate service order into the SOE system. The service order will be printed by Resident Services dispatch. Resident Services staff will retrieve the appropriate key(s) for pickup by Security staff.

### **C. Request Handling: Recording Actions Taken**

1. Resident Services Staff will record the time the key was removed on the service order and sign the order.
2. Upon arrival, Security staff will record the time of receipt of the key and sign the work order.
3. Resident Services staff will keep the yellow copy of the work order on file until the key is returned.
4. Security staff will proceed to the manor and obtain entry following established Security SOPs.
5. Security Staff will record the time of arrival at the manor and the time of departure (or completion of the request).
6. Security staff will request the resident's signature on the service order and leaves the white copy with the resident.
7. Security returns keys and completed for to Resident Services, noting time of return on the service order.
8. Resident Services will return the key to the file and forwards the service order to MIS data entry.

## PROCEDURES FOR ACCESS TO MANOR KEYS

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### REQUEST PROCESSING: AFTER HOURS, WEEKENDS AND HOLIDAYS

#### A. Information Required

Service Orders (blue tickets) will be required every time a key is removed from the key cabinets located in the Community Center Building. **NO EXCEPTIONS.**

1. Upon Confirmation of a key on file, Security Dispatch will advise the Watch Commander of the resident request for manor entry.
2. For resident requests, Security Dispatch will provide the manor number, hook number and requestor's name.
3. For staff requests, Security Dispatch will provide the manor number, hook number and requestor's name & work center.

#### B. Issuance of a Service Order

1. Watch Commander will confirm the name of the requestor and manor number on preprinted service forms. Watch Commander will print out resident's information for record of hook number.
2. Watch Commander provides service order and print out to Supervisor.
3. Supervisor retrieves key from hook at the Community Center.

#### C. Request Handling

1. Supervisor records the time the key was retrieved on the service order and signs the order.
2. Upon arrival, Security Officer will record time the key was picked up and sign the order.
3. Supervisor attaches the printout to the yellow copy of the service order and places it in the top drawer of file cabinet #6.
4. Security Staff proceeds to the manor and enters following established Security SOPs.
5. Security staff will record their time of arrival and departure (or completion of request).
6. Security Staff requests the resident's signature on the service order and leaves the white copy of the service order with the resident.
7. Security returns keys and completed form to the Supervisor,



## PROCEDURES FOR ACCESS TO MANOR KEYS

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8. Security Staff returns the key and completed blue service order to the top drawer of key cabinet #6 in the Community Center.
9. The next business day Resident Services will return the key to the file and forward the service order to MIS data entry.

### **D. Arrival at Manor Procedures**

1. Ask the resident for a Laguna Woods Village ID card and verify that it is current
2. If the identification card is locked inside the manor, it can be checked after entry is made.
3. Whenever a manor key is required, a blue Work Order invoice will be completed, whether or not the resident is charged.
4. Have the resident sign the blue Work Order invoice.
5. If the resident refuses to sign the invoice, write "refused to sign" in the signature box.
6. The invoice will be filled out when opening the manors for staff. The security Officer will write "no charge" in the charge box.

If Security is given keys after a forced entry is made into a manor due to the lack of key on file, once the broken lock has been replaced, the keys will be filed with Resident Services immediately, as follows:

7. Keys delivered to Resident Services without a corresponding key ticket; the personnel turning in the keys will request Community Access to enter a SC17 ticket, "Manor Keys Placed on File," submit the keys for filing, and sign the ticket that the keys have been delivered.
8. Resident Services will immediately provide a key hook number, provide a receipt to the Security personnel, and hang the keys accordingly.
9. Keys do not go to Maintenance Dispatch.
10. Security does not take payments of any kind.
11. Only Watch Commanders have the authority to waive a fee.
12. The resident will be charged the appropriate fee even if entry is not made. Cancellation must be received prior to Security arriving on scene.
13. This same procedure will be utilized when Security is asked to open a manor for maintenance.

# PROCEDURES FOR ACCESS TO MANOR KEYS

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## **OPEN AND STAND-BY**

Maintenance Department employees do not enter manors unattended. To ensure that emergency repairs are made in a timely manner, Security will respond to the manor upon request of the Maintenance Department. This program assists in eliminating accusations of nefarious actions by VMS employees.

In occupied manors in which the resident is present, the Security Officer is not needed and may depart. In occupied manors where the resident is NOT present, the Security Officer will enter the manor with the Maintenance personnel and stand-by until the work is completed, and then secure the manor. If the manor is vacant (no furniture or belongings present) there is no need for the security Officer to stand-by. When the work is completed, the Security Officer will return to lock the manor.

A Dispatch Log Entry (LE) is to be issued by Security Communications to document the activity. Security security Officer will leave a yellow Notice of Manor Entry on the inside of the front door.

## **OPEN AND CLOSE FOR FUMIGATION**

Unlocking manor doors for building fumigation is a regular routine that may be assigned to any day shift security Officer. Every security Officer must be familiar with the routine should they be assigned this duty. Following is the standard routine:

### **A. Monday: Begin 7:30 a.m.; Unlock**

1. Pick up manor keys for fumigation from Resident Services key in the Community Center
2. Unlock each manor on the schedule. If unlocked upon arrival, verify that the key works. Note of paperwork if any key doesn't work.
3. When route is completed, deliver all keys to the Watch Commander.

### **B. Wednesday: Begin 7:30 a.m.; Relock**

1. Pick up keys from Watch Commander.
2. Lock each manor on the schedule. Verify each key during the route. Make a note if the key does not lock the location. Lock only the lock for which the key works.
3. When completed, deliver the keys to the designated member of the Resident Service Staff at the Community Center.

Note: It is not necessary for the same security Officer to perform both Unlock and Relock functions.

# PROCEDURES FOR ACCESS TO MANOR KEYS

## Work Order Invoice Instructions

DATE <b>A</b>	MUTUAL <b>B</b>	MANOR - LOCATION <b>C</b>	PLAN	W.C. CODE <b>D</b>	CLERK	ORDER NUMBER		
OWNER		MANOR ADDRESS		CUSTOMER NUMBER	PHONE			
SERVICE REQUESTED BY <b>E</b>		TYPE OF CALL	WORK CENTER <b>F</b>	SCHEDULED DATE	DATE COMPLETED <b>G</b>			
ITEM OF WORK REQUESTED <b>H</b>				OLD SERIAL NUMBER	NEW SERIAL NUMBER			
COMMENTS <b>I</b>				OLD MODEL NUMBER	NEW MODEL NUMBER	COLOR		
ITEM OF WORK PERFORMED				OTHER WORK NEEDED				
				CHARGE/REPEAT	TIME IN	TIME OUT		
SUB CATEGORY	STOCK NUMBER	QUANTITY	UNIT OF MEASURE	DESCRIPTION	EMPLOYEE NUMBER	HOURS	DATE	C
	Pulled from file:	<b>J</b>				*		
	P/U by Security:	<b>K</b>	X			*		
	Returned by Security:	<b>L</b>	X			*		
	Returned to File:		X			*		
						*		
						*		
						*		
						*		
						*		
						*		
						*		
						*		
If you have any questions regarding service please call: 597-4800				RESIDENT <b>X</b> EMPLOYEE	TOTALS:	QUANTITY	HOURS	
					SUPERVISOR/FOREMAN			

Required fields that need to be filled in by Security:

- A. Date.
- B. Mutual.
- C. Manor or location service provided.
- D. W.C. Code is 4000.
- E. Who requested the service, example: resident, 913-A, OCSD, OCFA, VMS Inspector, VMS Plumber.
- F. Work Center is 400.
- G. Date Completed.
- H. Manor Key.
- I. Comments, example: toilet leak, water flow, emergency entry and welfare check.
- J. Date, time, and name if Staff personnel pulled the key from the file.
- K. Date, time, and name of Security Officer picking up the manor key.
- L. Date, time, and name of Security personnel returning key to Community Access.