



OPEN SESSION

**MINUTES OF THE REGULAR OPEN MEETING OF THE THIRD LAGUNA HILLS
MUTUAL BOARD OF
DIRECTORS A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION
Tuesday, December 15, 2020 - 9:30 a.m.
Laguna Woods Village Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

Directors Present: Steve Parsons, Annie McCary, Cush Bhada, Lynn Jarrett, John Frankel, Ralph Engdahl, Robert Mutchnick, Craig Wayne, Reza Karimi, Debbie Dotson, Donna Rane-Szostak

Directors Absent: None

Staff Present: Jeff Parker, Siobhan Foster, Becky Jackson, Cheryl Silva and Grant Schultz

Others Present: Wei-Ming Tao, Rosemarie DiLorenzo, Raquel Unger (VMS) Sandra Gottlieb, Esq.

1. Call meeting to order / Establish Quorum – President Parsons

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

2. Pledge of Allegiance – Director Bhada

Director Bhada led the pledge of allegiance

3. Acknowledge Media

The media was acknowledged online and through Village Television.

4. Approval of Agenda

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

Directors Bhada and Jarrett made some minor corrections to the agenda.

President Parsons called for the vote on the agenda as amended and the motion passed without objection.

5. Approval of Minutes

- 5a. November 3, 2020 – Special Open Meeting (Election)
- 5b. November 5, 2020 – Organizational Meeting (Board Officer Appointments)
- 5c. November 17, 2020 – Regular Open Meeting

Director Bhada made a motion to approve the minutes of November 3, 2020-Special Open Meeting (Election), November 5, 2020-Organizational Meeting (Board Officer Appointments) and November 17, 2020-Regular Open Meeting. Director Dotson seconded the motion and the motion passed by unanimous consent.

6. Report of the Chair

President Parsons commented about the role of the Insurance Task Force.

7. Open Forum (Three Minutes per Speaker) - *At this time Members only may address the Board of Directors regarding items not on the agenda and within the jurisdiction of this Board of Directors. The Board reserves the right to limit the total amount of time allotted for the Open Forum. Members can request to speak via email to meeting@vmsinc.org any time before the meeting is scheduled to begin or during the meeting. Please use the name of the board meeting in the subject line of the email or call 949-268-2020 beginning one half hour before the meeting begins and throughout the remainder of the meeting. You must provide your name and unit number.*

Becky Jackson read the member comments:

- A member commented about the decline of Common Interest Dwellings (CID) and if consolidation is the right choice for Third Mutual.
- A member commented about the revised CC&Rs.
- A member commented that the board should not be addressing public health issues; but should be focusing on managing the community.
- A member commented about a petition submitted requesting a membership meeting on the ballot initiative.
- A member commented about the cleaning of sidewalks and carports.
- A member commented the ballot initiative.

8. Responses to Open Forum Speakers

- Several Directors responded about the need to address public health issues in the Community and COVID-19.
- President Parsons responded about the article on CID communities and the board's involvement with GRF.
- Sandra Gottlieb, Esq. commented that the petition has been received and the board will be discussing the matter during closed session.
- President Parsons commented that the board will not stop the ballot initiative and the ballot will be counted on January 8, 2021.
- President Parsons asked Jeff Parker to respond on carport cleaning.

- Jeff Parker-CEO commented on the next carport and sidewalk cleaning. He commented on the importance of reporting on the recent COVID-19 guidelines.
- President Parsons commented on the board response to all member comments.

9. CEO Report (Jeff Parker-CEO and Siobhan Foster-COO)

- Network Recovery Project update
- Resale and Manor Alternation update
- COVID-19 update
- Vaccine distribution
- Power outage update
- El Toro Road construction update
- Tree trimming at RV lot A
- Laundry coins distribution
- Bulky item pick-up occurs on the third Saturday of each month.
- Upcoming Holiday activities
- Christmas and New Year holiday hours are available on the website.
- Christmas tree recycling program
- RFID availability
- Dwelling Live for guest entry

Jeff Parker and Siobhan Foster answered questions from the board.

10. Consent Calendar - *All matters listed under the Consent Calendar are recommended for action by committees and will be enacted by the Board by one motion. In the event 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.*

10a. Landscape Committee Recommendations:

(1) Recommendation to Approve Removal of a Weeping Fig Tree at 5395-A Due to Streetlight Obstruction

Resolution 03-20-82
Approve the Request for Removal
of One Weeping Fig Tree
5395-A Paseo Del Lago W.

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 3, 2020, the Landscape Committee reviewed the request for the removal of one Weeping Fig tree. The request was made by staff since the tree is obstructing a street light and;

WHEREAS, the Committee determined that this tree does meet the guidelines set forth in Resolution 03-11-149 and recommends approving the request by staff for the removal of one Weeping Fig tree located at 5395-A Paseo Del Lago W.

NOW THEREFORE BE IT RESOLVED, December 15, 2020, the Board of Directors approves the request for the removal of one Weeping Fig tree located at 5395-A;

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

(2) Recommendation to Deny Tree Removal Request: 5503-C Paseo del Lago W.
(Johnston) – One Indian Laurel Fig Tree

Resolution 03-20-83
Deny the Request for Removal
of One Indian Laurel Fig Tree
5503-C Paseo Del Lago W.

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 3, 2020, the Landscape Committee reviewed the request for the removal of one Indian Laurel Fig tree. The request was received from the Member at 5503-C who cited the reasons as litter/debris, overgrown, poor condition, and personal preference and;

WHEREAS, the Committee determined that this tree does not meet the guidelines set forth in Resolution 03-11-149 and recommends denying the request for the removal of one Weeping Fig tree located at 5395-A Paseo Del Lago W.

NOW THEREFORE BE IT RESOLVED, December 15, 2020, the Board of Directors denies the request for the removal of one Indian Laurel Fig tree located at 5503-C;

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

(3) Landscape Request 5333-C Bahia Blanca (Zarrinkelk) Recommendation to Deny Request to place decomposed granite in front patio area; recommendation to approve request to retain fruit trees; recommendation to deny request to retain grape vine on trellis in front of unit.

Resolution 03-20-84
Deny the Request to Place Decomposed Granite
in Front Landscape Common Area
Approve Request to Retain Fruit Trees
Deny Request to Retain the Grape Vines on Trellis in Front of Unit
5333-C Bahia Blanca

WHEREAS, on December 3, 2020, the Landscape Committee reviewed three requests from the resident; to place decomposed granite in the front landscape common area, to retain fruit trees, and to retain the grape vines on the trellis in front of the unit. The requests were received from the Member at 5333-C and;

WHEREAS, the Committee recommends denying the request to place decomposed granite in the front landscape common area, recommends approval to retain the fruit

trees, and recommends denial to retain the grape vines on the trellis in the front of the unit located at 5333-C Bahia Blanca.

NOW THEREFORE BE IT RESOLVED, December 15, 2020, the Board of Directors denies the request to place decomposed granite in the front landscape common area, approves the request to retain the fruit trees, and denies the request to retain the grape vines on the trellis in the front of the unit located at 5333-C;

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

10b. Finance Committee Recommendations:

Consistent with its statutory obligations the Board members individually reviewed Third Laguna Hills Mutual **preliminary** financials for the month of October, 2020 and by this vote ratify that such review be confirmed in this month's Board Member Open Session Meeting minutes per Civil Code 5501.

President Parsons asked for a motion to approve the consent calendar.

Director Mutchnick made a motion, seconded by Director McCary, to approve the consent calendar as presented. The motion was approved by unanimous consent.

11. Unfinished Business

11a. Entertain a Motion to Introduce a Resolution for Revision to Standard 12 Exterior Wall Attachments

Director Jarrett gave a summary of the resolution:

STANDARD 12: EXTERIOR WALL ATTACHMENTS
MARCH 1983
REVISED APRIL 1996, RESOLUTION M3-96-28
GENERAL REQUIREMENTS REVISED APRIL 2011, RESOLUTION 03-11-49
GENERAL REQUIREMENTS REVISED JANUARY 2018, RESOLUTION 03-18-12
REVISED JUNE 2018, RESOLUTION 03-18-88 REVISED
DECEMBER 15, 2020, RESOLUTION 03-20-85

1.0 GENERAL REQUIREMENTS

SEE STANDARD SECTION 1: GENERAL REQUIREMENTS

2.0 APPLICATIONS

2.1 No attachments may cover any common area mechanical system including, but not be limited to, electrical outlets, junction boxes, plumbing access, cleanouts, utility shut-off/disconnects, vents or existing openings.

- 2.2 No attachments may cover any pedestrian access or opening that will violate building code or hinder access, inclusive of restricting ingress or egress requirements, in any way.
- 2.3 All attachments must be permanent in nature and not subject to deterioration due to weathering.
- 2.4 Any exterior wall attachment will be limited to only those walls which face Exclusive Use Common Areas, such as patios or atriums with the exception of American Flags.
- 2.5 No attachment of an object weighing more than 25 pounds shall be allowed on the wall at a single wood framed stud. The attachment is to be made into the wood framing studs for support.
- 2.6 Provide silicone sealer in all holes in the wall. All lag bolts and screws into walls must be sealed, with full depth silicone caulking, prior to installation to prevent water penetration and dry rot of wall components.
- 2.7 Any attachment to the wall may require removal by the member for Mutual wall maintenance with a 72-hour written notice. Resident shall be responsible for all costs associated with the removal and re-installation of any Alterations on the wall(s).
- 2.8 All approvals of the addition of an element to the wall will be considered an Alteration and become the responsibility of the manor owner.
- 2.9 No wood may be used in conjunction with Third Mutual Alternative Construction Materials Policy 03-17-38.

3.0 TILE AND VENEER

- 3.1 Tile and veneer used on a vertical surface exterior wall, without disturbance of the stucco veneer, must be attached with thin set/epoxy mortar mixes.
- 3.2 Tile and veneer will be limited to use on stucco covered exterior chimneys and entryway columns.
- 3.3 Tile must match in color, design, and size as close as possible any existing brickwork on building.

4.0 TRELLIS AND WROUGHT IRON DESIGNS

- 4.1 Any trellis (which must be void of vegetation), or wrought iron component, attached to a wall must be painted the same color as the wall. The wrought iron may be black in color if readily removable by the resident at the request of the Mutual or its agent.
- 4.2 Trellis and wrought iron shall be within 12" of walls and not used as screens, shades, or shields, cannot be higher than wall to which it is attached.
- 4.3 Wrought iron shall be easily removable for access to the wall for maintenance purposes.
- 4.4 All trellis and wrought iron shall be mounted vertically on the wall.

5.0 MURALS AND WALL HANGINGS

- 5.1 Any installation of murals or wall hangings shall be limited to patio and atrium locations. No installation will protrude above the height of a patio wall.
- 5.2 Visibility of mural and wall hangings through wrought iron gates is acceptable.

6.0 ASBESTOS TESTING AND MONITORING

- 6.1 The Mutual is required to ensure that all installation and demolition work related to exterior surfaces with presumed asbestos containing materials properly follow the current governing authorities' rules and regulations, as they pertain to Condominiums. This may include the use of a certified asbestos abatement contractor and an Industrial Hygienist for asbestos testing and/or clearance reports.
- 6.2 Reports of asbestos findings and final clearance reports shall be provided at Member expense to Manor Alterations.

OCTOBER Initial Notification

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

Director Jarrett made a motion to approve the resolution for revision to standard 12 exterior wall attachments. Director Mutchnick seconded the motion and the motion was approved by unanimous consent.

12. New Business

12a. Entertain a Motion to Introduce a Resolution to Amend the Lease Authorization Policy

Resolution 03-20-xx
Lease Authorization Policy

WHEREAS, Assembly Bill 3182 restricts community associations' enforcement of some rental restrictions relating to common interest developments; and

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

NOW THEREFORE BE IT RESOLVED; January [DATE], 2021, that the Board of Directors of this Corporation hereby approves and adopts the revised Lease Authorization Policy, as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that Resolution 03-19-93 adopted September 17, 2019 is hereby superseded in its entirety and cancelled; and

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

DECEMBER initial Notification--Must postpone 28-days to comply with Civil Code Section 4360.

Director Jarrett commented that the resolution is being introduced to amend the lease authorization policy for 28-day review.

13. Committee Reports

13a. Report of the Finance Committee / Financial Report – Director Mutchnick gave the Treasurer's Report. The committee met on December 1, 2020; next meeting January 5, 2020, at 1:30 p.m. as a virtual meeting.

- (1) Treasurer's Report
- (2) Third Finance Committee Report
- (3) Resale/Leasing Reports

13b. Report of the Architectural Controls and Standards Committee – President Parsons. The committee met on September 28, 2020; next meeting December 29, 2020 at 9:30 a.m. as a virtual meeting

13c. Report of the Communications Committee – Director McCary. The committee has not met this year; next meeting January 13, 2021 at 1:30 p.m. as a virtual meeting.

13d. Report of the Maintenance and Construction Committee – Director Mutchnick. The committee met on December 3, 2020; next meeting March 1, 2021, at 1:30 p.m. as a virtual meeting

(1) Report of the Parking and Golf Cart Task Force – President Parsons. The task force will meet on January 20, 2021, at 2 p.m. as a virtual meeting

(2) Garden Villa Rec. Room Sub-Committee – Director Jarrett. The committee met on October 5, 2020; next meeting will be TBA.

13e. Report of the Landscape Committee – Director Jarrett. The committee met on December 3, 2020; next meeting January 7, 2021, at 9:30 a.m. as a virtual meeting

13f. Report of the Water Subcommittee – Director Karimi. The committee has not met this year; next meeting will be on January 20, 2021, at 10:00 a.m. as a virtual meeting

13g. Report of the Resident Policy and Compliance Committee – Director Jarrett. The committee met on December 2, 2020; next meeting TBA.

14. GRF Committee Highlights

14a. Community Activities Committee – Directors Karimi and Dotson. The committee met on December 10, 2020; next meeting January 14, 2021, at 1:30 p.m. as a virtual meeting.

(1) Equestrian Center Ad Hoc Committee – Director Bhada. The committee met on December 3, 2020; next meeting January 6, 2021 at 1:00 p.m.

14b. GRF Finance Committee – Director Mutchnick. The committee met on October 21, 2020; next meeting December 16, 2020, at 1:30 p.m. as a virtual meeting

14c. GRF Landscape Committee – Director Jarrett. The committee met on November 30, 2020; next meeting February 10, 2021 at 1:30 p.m. as a virtual meeting.

14d. GRF Maintenance & Construction Committee – Director Frankel – The committee met December 9, 2020; next meeting February 10, 2021, at 9:30 a.m. as a virtual meeting

(1) Clubhouse 1 Renovation Ad Hoc Committee – Director Engdahl. The committee met on September 2, 2020; next meeting TBA.

14e. Media and Communications Committee – Director McCary. The committee met on December 14, 2020 as a virtual meeting; next meeting January 18, 2021, at 1:30 p.m. as a virtual meeting

14f. Mobility and Vehicles Committee – Director Karimi – The committee met on October 7, 2020; next meeting February 3, 2021, at 1:30 p.m. as a virtual meeting

14g. Security and Community Access Committee – Director Bhada. The committee met on August 24, 2020; next meeting December 28, 2020 at 1:30 p.m. as a virtual meeting

(1) Disaster Preparedness Task Force – Director McCary. The task force met on November 24, 2020; next meeting January 26, 2021, 9:30 a.m. as a virtual meeting

14h. Report of the Laguna Woods Village Traffic Hearings – Director Frankel. The traffic hearings were on October 21, 2020; next meeting is December 16, 2020 at 9 a.m. and 1 p.m. as a virtual meeting.

15. Future Agenda Items-- *All matters listed under Future Agenda Items are 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. Parking Report
- b. Resident Suggestion Program
- c. Alterations Review
- d. Property and Casualty Insurance
- e. Rules for Barbeques
- f. Presentation from El Toro Water District

16. Director's Comment

- Director Frankel commented on gas valves.
- Director Wayne commented on the backlog caused by COVID-19 and the network problem.
- Director Karimi commented about the vaccine distribution level.
- Director Jarrett thanked staff for all their hard work this year.
- Several Directors wished everyone a safe and Happy Holiday.

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

The meeting was recessed at 11:20 a.m.

Summary of Previous Closed Session Minutes per Civil Code §4935.

*During the November 2, 2020 Special Closed Meeting the Board:
Discussed Legal and Contractual Matters*

*During the November 17, 2020, Regular Closed Session, the Board:
Approval of Agenda
Approval of the Following Meeting Minutes.*

(a) October 14, 2020—Emergency Closed Meeting

(b) October 20, 2020 – Regular Closed Session

(c) October 28, 2020 – Emergency Closed Meeting

Discussed Member Disciplinary Update

Discussed Personnel Matters

Discussed Contractual Matters

Discussed and Considered Legal/Litigation Matters

18. Adjournment

The meeting was adjourned at 2:00 p.m.



Lynn Jarrett, Secretary of the Board
Third Mutual Laguna Hills