



OPEN SESSION

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

**Tuesday, October 19, 2021 - 9:30 a.m.
Laguna Woods Village Community Center
24351 El Toro Road
Laguna Woods, California**

Directors Present: Robert Mutchnick, Steve Parsons, Annie McCary, Craig Wayne, Ralph Engdahl, John Frankel, Cush Bhada, Jim Cook, Mark Laws, Nathaniel Lewis, Donna Rane-Szostak

Directors Absent: None

Staff Present: Jeff Parker-CEO, Siobhan Foster-COO, Connie Habal, Eileen Paulin, Manuel Gomez, Robbi Doncost, Kurt Wiemann, Bart Mejia, Richard de la Fuente, Cheryl Silva and Grant Schultz

Others Present: Rosemarie diLorenzo (VMS), Wei-Ming Tao (VMS), Pat English (United), Yvonne Horton (GRF)

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

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

2. Pledge of Allegiance

Director Rane-Szostak led the Pledge of Allegiance.

3. Acknowledge Media

The media was acknowledged online and through Village Television.

4. Approval of Agenda

President Mutchnick asked for a motion to approve the agenda.

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

President Mutchnick requested to remove agenda item 11d. Committee Appointment from the Consent Calendar for discussion under New Business. Agenda item 13f. can be eliminated if the board chooses to open nominations for the vacancy.

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

5. Approval of Minutes

- 5a.** June 2, 2021 – Special Open Meeting (Budget M&C Review)
- 5b.** June 3, 2021 – Special Open Meeting (Budget Landscape Review)
- 5c.** July 16, 2021 – Special Open Meeting (Budget)
- 5d.** August 13, 2021 – Special Open Meeting (Budget)
- 5e.** September 10, 2021 – Agenda Prep Meeting
- 5f.** September 10, 2021 – Meet the Candidates
- 5g.** September 21, 2021 – Regular Board Meeting

President Mutchnick asked for a motion to approve the minutes.

Director Engdahl made a motion to approve the minutes of June 2, 2021—Special Open Meeting (Budget M&C Review). Director Wayne seconded the motion and the motion passed without objection.

Director McCary made a motion to approve the minutes of June 3, 2021---Special Open Meeting (Budget Landscape Review). Director Engdahl seconded the motion and the motion passed without objection.

Director Wayne made a motion to approve the minutes of July 16, 2021---Special Open Meeting (Budget). Director Rane-Szostak seconded the motion and the motion passed without objection.

Director McCary made a motion to approve the minutes of August 13, 2021—Special Open Meeting (Budget). Director Wayne seconded the motion and the motion passed without objection.

Director Engdahl made a motion to approve the minutes of September 10, 2021---Agenda Prep Meeting. Director Wayne seconded the motion and the motion passed without objection.

Director McCary made a motion to approve the minutes of September 10, 2021---Meet the Candidates. Director Rane-Szostak seconded the motion and the motion passed without objection.

Director Wayne made a motion to approve the minutes of September 21, 2021---Regular Board Meeting. Director Engdahl seconded the motion and the motion passed without objection.

6. Report of the Chair

President Mutchnick welcomed everyone in attendance in person and online. He commented that a personal secretary was not the intent of the Board. The Board is asking for a Corporate Secretary for Third Mutual. VMS does not do the training of the board of directors. VMS only organizes the training. Jeff Beaumont, Esq. will be conducting the training. The first Town Hall Meeting will be Wednesday, October 27 at Clubhouse 2. Town Hall Meetings will be held monthly.

7. Update from the VMS Board

VMS Director diLorenzo gave an update from the last VMS Board Meeting accompanied with a presentation:

- Key Performance Indicators – KPI's
- Operational Enhancements
- VMS Election Schedule
- All Boards Training
- Contact Information

VMS Directors diLorenzo and Tao answered questions from the board.

8. Open Forum (Three Minutes per Speaker) - At this time Members only addressed the Board of Directors regarding items not on the agenda and within the jurisdiction of this Board of Directors.

- A member commented there is no rule prohibiting mentioning names during member comments. Every resident needs to be heard.
- A member requested the Board terminate the contract of the Third Board attorney.
- A member asked why the Third Board needs their own Corporate Secretary, asked why the Board President needs a cell phone paid by the community and asked why the attorney fees are so high.
- A member recommended electing Mark Laws as Secretary of the Board.
- A member commented the number of committees is excessive, the increase in assessments because of insurance is excessive and the community is falling apart.
- A member commented that the vacancy should not be appointed today and requested the vacancy be posted for all members to apply. She encouraged the board welcome member participation.
- A member commented about the purpose of the Laguna Woods Foundation.
- A member commented about a work request for rodent and rat control that has not been addressed.
- A member commented about the increase in HOA dues and the decrease in services.
- A member commented about the need to provide accurate information and the attorney fee costs. Requested the board govern not manage the community. He requested the vacancy be opened up to the community.
- A member commented about the increase in HOA fees and legal fees. The additional cost for another corporate secretary and cell phone for the Board President. Feels it is important to have the vacancy be open to the community.

- A member commented it is time to streamline services. She asked that reasonable accommodations be accepted. Opposes hiring a corporate secretary for the Third Board. Asked for positive change.
- A member commented Laguna Woods Village is no longer affordable for seniors.

Eileen Paulin read the written member comments:

- Several members requested a new attorney be hired because legal fees are too high.
- Several members requested the board vacancy be posted so members in the community can apply.
- Several members opposed a personal cell phone for the Board president.
- Several members opposed having another corporate secretary for Third Board.
- Several members requested GRF conduct the training of the Board members.
- Several members commented that the HOA fees are too high and expenditures are out of control.
- A member requested more transparency.
- A member commented about the long wait time for Manor Alterations requests.

The board took a 10-minute break at 11:14 a.m.

Ellyce Rothrock continued reading the written comments from members:

- Several members requested a new attorney be hired because legal fees are too high.
- Several members requested the Board vacancy be posted so members in the community can apply.
- Several members opposed a personal cell phone for the Board president.
- Several members opposed having another corporate secretary for Third Board.
- Several members requested GRF conduct the training of the Board members.
- A member commented they are unhappy with the vote that increased HOA assessments because of insurance.
- A member commented more staff is needed in Manor Alterations.
- A member commented that the president of the Board should have a cell phone because they get a lot of calls.
- A member commented that only owner-occupied members should be allowed to run for the Board.
- Several members commented that door hangers should be allowed in Laguna Woods Village.
- A member commented that door hangers should not be allowed.
- A member asked how often are dry-rot and termite inspections conducted.

9. Responses to Open Forum Speakers

- Jeff Parker-CEO commented the upcoming All Boards All Directors training will be recorded and will be available to residents to view. He commented about the role of the Corporate Secretary. He commented that Dan Yost, Risk Manager has been very involved in the insurance for Third, United and GRF and his role was moved to the

Human Resources Department because he is very involved with Workman's Compensation insurance in addition to mutual insurance. The residents with attic issues and tree trimming issues will be contacted by staff. Effective January 1, 2022, the new legislation requires an increase in trash disposal of food waste. He commented that dry rot and termite inspections are done as part of the prior-to-paint program.

- Director Frankel asked about the cost of food waste disposal.
- President Mutchnick responded the board has patiently listened to all resident comments. The Good Governance Coalition sent out an email that was misleading. The attorney fees this year were less than last year. The Third Board did not ask for a personal secretary for the Board President. The VMS staff is organizing the Board Training, but it will be delivered by a Board attorney. The request for a cell phone will be discussed under New Business. Residents do not understand the volume of calls the Board President must handle. He encouraged residents to read Third Bylaw 6.4.6.2 regarding replacing vacancies on the board.

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

- Staff will be working with City Manager Chris Macon on the new trash requirements.
- COVID Update: COVID cases continue to decrease.
- The annual room reservation lottery is underway. Please pick up lottery cards in the Recreation Department. Lottery cards must be submitted by Friday, October 29.
- Thursday is the Great Shake-out at 10:21 a.m. on October 21

Jeff Parker --- CEO and Siobhan Foster --- COO answered questions from the board.

11. Consent Calendar - *All matters listed under the Consent Calendar were recommended for action by committees and were enacted by the board by one motion. Items removed from the Consent Calendar by members of the board were moved for further discussion and action by the Board.*

11a. Finance Committee Recommendations:

Consistent with its statutory obligations, the Board members individually reviewed Third Laguna Hills Mutual preliminary financials for the month of August 2021 and by this vote ratify that such review be confirmed in this month's Board member Open Session Meeting minutes per Civil Code 5501.

11b. Recommendation from the Landscape Committee:

- (1) Recommend to Approve the Tree Removal Request: 2151-C Rhonda Granada – One Indian Laurel Fig

RESOLUTION 03-21-68

Approve the Request

**For Removal of One Indian Laurel Fig Tree
2151-C Rhonda Granada**

WHEREAS, February 16, 2021, that the Board of Directors adopted Resolution 03-21-10 Tree Maintenance Policy which states:

“...Unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents’ personal preferences concerning shape, color, size, or fragrance. Trees shall not be removed to preserve, enhance or create a view.

- Trees which are damaging or will damage a structure, pose a hazard, diseased, in failing health or interfering with neighboring trees, will be considered for removal.
- Removal requests will be reviewed by a staff arborist and, if necessary, referred to the Committee...”

WHEREAS, on September 29, 2021, the Landscape Committee reviewed a request from the Member at 2151-C to remove one Indian Laurel Fig tree. The Member cited the reasons as overgrown, poor condition, litter/debris, and shedding of berries;

WHEREAS, the Committee determined that the tree meets *the guidelines set forth in Resolution 03-21-10* and recommends approving the request for the removal of one Indian Laurel Fig tree located at 2151-C Rhonda Granada.

NOW THEREFORE BE IT RESOLVED, October 19, 2021, the Board of Directors *approves the request for the removal of one Indian Laurel Fig tree located at 2151-C;*

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

- (2) Recommend to Approve Tree Removal Request: 5348-Q Algarrobo – One Indian Laurel Fig tree

RESOLUTION 03-21-69
Approve the Request
For Removal of One Indian Laurel Fig Tree
5348-Q Algarrobo

WHEREAS, February 16, 2021, that the Board of Directors adopted Resolution 03-21-10 Tree Maintenance Policy which states:

“...Unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents’ personal preferences concerning shape, color, size, or fragrance. Trees shall not be removed to preserve, enhance or create a view.

- Trees which are damaging or will damage a structure, pose a hazard, diseased, in failing health or interfering with neighboring trees, will be considered for removal.
- Removal requests will be reviewed by a staff arborist and, if necessary, referred to the Committee...”

WHEREAS, on September 29, 2021, the Landscape Committee reviewed a request from the Member at 5348-Q to remove one Indian Laurel Fig tree. The Member cited the reasons as structural damage, overgrown, sewer damage, and shade causing a moist, damp situation for mosquitos to breed;

WHEREAS, the Committee determined that the tree meets the guidelines set forth in Resolution 03-21-10 and recommends approving the request for the removal of one Indian Laurel Fig tree located at 5348-Q Algarrobo.

NOW THEREFORE BE IT RESOLVED, October 19, 2021, the Board of Directors approves the request for the removal of one Indian Laurel Fig tree located at 5348-Q;

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

- (3) Recommend to Deny Tree Removal Request: 3316-C San Amadeo – One Carrotwood Tree

RESOLUTION 03-21-70

Deny the Request

**For Removal of One Carrotwood Tree
3316-C San Amadeo**

WHEREAS, February 16, 2021, that the Board of Directors adopted Resolution 03-21-10 Tree Maintenance Policy which states:

“...Unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents’ personal preferences concerning shape, color, size, or fragrance. Trees shall not be removed to preserve, enhance or create a view.

- Trees which are damaging or will damage a structure, pose a hazard, diseased, in failing health or interfering with neighboring trees, will be considered for removal.
- Removal requests will be reviewed by a staff arborist and, if necessary, referred to the Committee...”

WHEREAS, on September 29, 2021, the Landscape Committee reviewed a request from the Member at 3316-C to remove one Carrotwood tree. The Member cited the reasons as litter/debris and personal preference;

WHEREAS, the Committee determined that the tree does not meet the guidelines set forth in Resolution 03-21-10 and recommends denying the request for the removal of one Carrotwood tree located at 3316-C San Amadeo.

NOW THEREFORE BE IT RESOLVED, October 19, 2021, the Board of Directors denies the request for the removal of one Carrotwood tree located at 3316-C;

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

- (4) Recommend to Deny Tree Removal Request: 4007-2G Calle Sonora Oeste – One Rusty Leaf Fig

RESOLUTION 03-21-71
Deny the Request
For Removal of One Rusty Leaf Fig Tree
4007-2G Calle Sonora Oeste

WHEREAS, February 16, 2021, that the Board of Directors adopted Resolution 03-21-10 Tree Maintenance Policy which states:

"...Unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents' personal preferences concerning shape, color, size, or fragrance. Trees shall not be removed to preserve, enhance or create a view.

- Trees which are damaging or will damage a structure, pose a hazard, diseased, in failing health or interfering with neighboring trees, will be considered for removal.
- Removal requests will be reviewed by a staff arborist and, if necessary, referred to the Committee..."

WHEREAS, on September 29, 2021, the Landscape Committee reviewed a request from the Member at 4007-2G to remove one Rusty Leaf Fig tree. The Member cited the reasons as over grown, branches are breaking off, the tree blocks sunlight, roots growing under the foundation, and mold on the roof;

WHEREAS, the Committee determined that the tree does not meet the guidelines set forth in Resolution 03-21-10 and recommends denying the request for the removal of one Rusty Leaf Fig tree located at 4007-2G Calle Sonora Oeste.

NOW THEREFORE BE IT RESOLVED, October 19, 2021, the Board of Directors denies the request for the removal of one Rusty Leaf Fig tree located at 4007-2G;

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

11c. Recommendation from the Finance Committee:

- (1) Recommendation to Approve a Resolution for Recording of Lien Against Member ID#931-580-71

RESOLUTION 03-21-72
Recording of a Lien

WHEREAS, Member ID 931-580-71; is currently delinquent to Third LagunaHills Mutual with regard to the monthly assessment; and

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

NOW THEREFORE BE IT RESOLVED, October 19, 2021, that the Board of Directors hereby approves the recording of a Lien for Member ID 931-580-71 and;

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

- (2) Recommendation to Approve a Resolution for Recording of Lien Against Member ID #933-200-32

RESOLUTION 03-21-73
Recording of a Lien

WHEREAS, Member ID 933-200-32; is currently delinquent to Third Laguna Hills Mutual with regard to the monthly assessment; and

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

NOW THEREFORE BE IT RESOLVED, October 19, 2021, that the Board of Directors hereby approves the recording of a Lien for Member ID 933-200-32 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.

This item was removed from the Consent Calendar and moved to New Business.

11d. Approve a Resolution to Update Committee Appointments:

11e. Recommendation from the Architectural Control and Standards Committee:

- (1) Recommend to Approve a Variance Request for a Handrail at 5236 Elvira

RESOLUTION 03-21-74
Variance Request

WHEREAS, Mrs. Victoria Kalinsky of 5236 Elvira, a Villa Reposa style unit, is requesting Board approval of a variance to construct a handrail along the driveway approach to the manor in common area; and,

WHEREAS, a Neighborhood Awareness Notice was sent to Owners of affected units on July 16, 2021, 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 July 26, 2021.

NOW THEREFORE BE IT RESOLVED, on October 19, 2021, the Board of Directors hereby approves the request to construct a handrail along the driveway approach to the manor in common area;

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 **5236 Elvira** and all future Mutual members at **5236 Elvira**;

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.

President Mutchnick asked for a motion to approve the Consent Calendar.

Director Rane-Szostak made a motion to approve the Consent Calendar. Director Wayne seconded the motion and the motion passed without objection.

12. Unfinished Business

12a. Entertain a Motion to Approve a Resolution for Alterations Fee Schedule Revisions

RESOLUTION 03-21-xx **ALTERATION/VARIANCE PROCESSING FEE POLICY**

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

WHEREAS, in order to offset administrative costs associated with processing variance requests, which is often followed by multiple resubmittals, and can be followed by an appeal to the Board as mandated in accordance with Resolution 03-13-105; and

WHEREAS, the Mutual currently charges a \$50 fee for a Mutual Consent and a \$150 fee for a Variance; and

WHEREAS, the new Alteration Fee Schedule increases to better align the fees with the administrative time it takes to process each task.

WHEREAS, the Board realizes that the current fee schedule does not appropriately cover staff time;

NOW THEREFORE BE IT RESOLVED, October 19, 2021, to partially offset administrative costs associated with processing alteration and variance requests, the Board of Directors of this Corporation hereby revise the alteration and inspection fees as attached to the official minutes of this meeting; the Variance request processing fee will increase to \$662, the Alteration processing fee will increase to \$50, the Unauthorized Alteration Fee will increase to \$350, the Revised Inspection Fee Schedule will be adopted; and

RESOLVED FURTHER, October 20, 2017, that Resolution 03-17-120 adopted October 20, 2017 is hereby superseded and cancelled; and

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

SEPTEMBER Initial Notification—October Referred Back to Committee

Staff recommends the board approve the Alterations Fee Schedule Revisions.

Director Cook made a motion to refer this item back to committee for reconsideration. Director Laws seconded that motion.

Discussion ensued among the directors.

A member had a comment about the increase in fees.

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

- 12b.** Entertain a Motion to Approve a Resolution to Revise the Pest Control for Termite Policy to Allow for Unscheduled Fumigation of Single-Unit Buildings, at Member Expense

RESOLUTION 03-21-75
PEST CONTROL FOR TERMITES

WHEREAS, the buildings that are qualified for whole structure tenting in any given year are scheduled for fumigation the following fiscal year, as the fumigation costs are based on a pre-determined contract value per building type; and

WHEREAS, manor owners have requested that fumigation take place in the building, the same fiscal year they are qualified in for various reasons; and

WHEREAS, in an effort to accommodate these requests when the current years' budget is already allocated to a scheduled group of buildings, the Board will allow manor owners of free-standing, single-unit buildings to arrange for fumigation by whole

structure tenting at their own expense, provided that the conditions in item 3 below are met without exception;

NOW THEREFORE BE IT RESOLVED, October 19, 2021, the Board hereby adopts the following procedure with regard to the scheduling and implementation of the fumigation process as part of the Mutual's Pest Control for Termites Program:

1. The Mutual shall provide members and tenants of buildings scheduled for treatment with four (4) weeks advance written notice specifying:
 - (a) The Mutual's intent to perform fumigation in accordance with the Mutual's authorized standard practice.
 - (b) Each member or tenant has the option of arranging for accommodations, in addition to any accommodations which may be provided by the Mutual during the fumigation process, and taking any additional steps that they believe are necessary and appropriate at their own expense.
2. If the Mutual receives, at its mailing address, no less than two weeks prior to the scheduled fumigation, a written request from a member or tenant to delay fumigation, and if the written request is due to a documented medical reason, and includes an estimated duration of the medical ailment, signed by a licensed physician, prohibiting the resident from vacating the unit:
 - (a) The Mutual shall allow for a one-time rescheduling of the fumigation on behalf of the requesting resident.
 - (b) Staff shall work with the resident and reschedule fumigation. Considerations affecting their scheduling include the nature of the medical issue and the timing of the request within the program year. Requests made late in a program year may preclude fumigation until the following program year.
 - (c) Staff will refer residents who request a second rescheduling of fumigation to the Board for action.
 - (d) Staff shall issue a letter to members and tenants of an affected building advising that the fumigation of the building has been postponed and will be rescheduled by the Mutual at the earliest date possible and that they will be advised of that date in accordance with the notification procedure.
3. The Mutual will allow Members who request that their qualified free-standing, single-unit buildings, be fumigated by whole structure tenting in the current fiscal year, to do so at their expense when the following conditions are met:
 - (a) The building is not attached to other residential buildings and contains a single residential manor.
 - (b) The building has qualified for fumigation based on the inspection findings in the termite report issued to the member by the Mutual's fumigation contractor.

- (c) The member agrees to provide the termite inspection report to staff.
- (d) The building is not on the fumigation schedule for the current fiscal year, where funds have already been allocated for the Program.
- (e) The member agrees to only use the exterminating company currently under contract with Third Mutual, for fumigation by whole structure tenting.
- (f) The member agrees to be responsible for scheduling the fumigation; to enter into an agreement with the Mutual's fumigation contractor; and to pay all associated costs to fumigate the building.
- (g) The member agrees to pay all costs for lodging if the unit is occupied by the member, lessee or other registered occupant.
- (h) The member agrees to notify staff 2 weeks prior to the scheduled fumigation in order to prepare the liability waiver and to allow for a roof inspection to be conducted by staff and/or the Mutual's roofing contractor, on the building to be fumigated.
- (i) The member agrees to have the fumigation contractor provide written evidence the fumigation took place as scheduled, that is consistent with what it regularly provides to Third Mutual for buildings fumigated under the contract.
- (j) The member will provide to Third Mutual a warranty for work consistent with the warranty it currently provides for buildings scheduled for fumigation by Third Mutual.
- (k) The member agrees to sign a waiver provided by staff that holds Third Laguna Hills Mutual harmless for any problems, issues, damage, loss of property, etc. for the fumigation they independently contract for with the exterminating company.
- (l) The member acknowledges that any dry rot repairs to Mutual property will be remediated by the Mutual at Mutual expense as soon as scheduling allows.

RESOLVED FURTHER, that Resolution 03-12-138, adopted November 20, 2012 is hereby superseded and cancelled; and

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

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

Director McCary made a motion to approve a resolution for Unscheduled Fumigation of Single-Unit Buildings, at members expense. Director Bhada seconded the motion.

Discussion ensued among the directors.

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

13. New Business

13a. Entertain a Motion to Introduce a Resolution for the 2022 Collection and Lien Enforcement Policy

Director Mutchnick, President of the Board, read the following resolution:

RESOLUTION 03-21-XX **2022 Collection & Lien Enforcement Policy**

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

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

NOW THEREFORE BE IT RESOLVED, [DATE], that the Board of Directors hereby adopts the 2022 Third Laguna Hills Mutual Collection and Lien Enforcement Policy **as attached to the official minutes of this meeting**; and

RESOLVED FURTHER, the policy statement is provided pursuant to the requirements of California Civil Code section 5310(a)(7) and will be distributed to members in November 2021 as part of the Annual Policy Statement.

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 resolution, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 28-days from the postponement to comply with Civil Code §4360.

President Mutchnick commented this item will be placed on 28-day review for member review and comment.

13b. Entertain a Motion to Provide a Company Cell-phone for Board President (Oral Report by CEO Parker)

Jeff Parker-CEO commented about the monthly service fee to provide a cell-phone for the Board President.

Director McCary made a motion to approve a company cell-phone for the Board President. Director Wayne seconded the motion.

Discussion ensued among the directors.

A member commented that data should not be included in the cost.

Director Rane-Szostak made a motion to table this vote until next month. Director Bhada seconded the motion.

President Mutchnick called for the vote to table the motion and the motion passed by a vote of 10-0-0.

13c. Discuss Continuing Training and Education for Board

The All-Boards All-Directors Training session will be held on Monday, November 15, from 9 a.m. to 2 p.m. at Clubhouse 7.

President Mutchnick discussed the agenda for the training session.

Discussion ensued among the directors. A member commented about the Board member training and asked how residents can report unethical behavior of Board members.

Siobhan Foster-COO commented that harassment training will take place online.

13d. Entertain a Motion to Update 2022 Reserve Study Funding Plans

Director Mutchnick, President of the Board, read the following resolution:

RESOLUTION 03-21-76
UPDATED 2022 RESERVE FUNDING PLAN

WHEREAS, Civil Code § 5570 requires specific reserve funding disclosure statements for common interest developments;

WHEREAS, planned assessments or other contributions to replacement reserves must be projected to ensure balances will be sufficient at the end of each year to meet the Corporation's obligations for repair and/or replacement of major components during the next 30 years; and

NOW THEREFORE BE IT RESOLVED, October 19, 2021, that the Board hereby adopts the 30-Year Alternate Reserve Funding Plan (attached) prepared by Association Reserves™ for fiscal year 2022; and

RESOLVED FURTHER, that Resolution 03-21-60, adopted September 21, 2021, is hereby superseded and canceled; and,

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

Director Cook made a motion to approve a resolution to update the 2022 Reserve Study. Director Rane-Szostak seconded the motion.

Discussion ensued among the directors.

President Mutchnick called for the vote and the motion passed by a vote of 9-1-0 (Director Lewis opposed).

13e. Entertain a Motion to Introduce a Resolution for a Stepping Stones Policy and Guidelines

Director Mutchnick, President of the Board, read the following resolution:

RESOLUTION 03-21-XX
Stepping Stone Policy and Guidelines

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

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

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

WHEREAS, the Landscape Committee determined that requiring a variance application is unduly burdensome for Members and the process could be simplified by use of the Landscape Request form process. All stepping stone installations must be approved by the Board of Directors prior to installation.

NOW THEREFORE BE IT RESOLVED, [DATE], 2021, the Board of Directors approves the change from variance request to landscape request form and consideration thereof shall be performed by the Landscape Committee;

RESOLVED FURTHER, all new stepping stone installations shall be performed following the attached Stepping Stone Guidelines and all existing stepping stone installations not approved by variance shall be removed upon resale;

RESOLVED FURTHER, Resolution 03-07-02, adopted January 16, 2007, is hereby superseded in their entirety and no longer in effect;

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

OCTOBER Initial Notification

Should the Board endorse the proposed resolution, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a

Board Member postpones the resolution to the next available Board Meeting no less than 28-days from the postponement to comply with Civil Code §4360.

President Mutchnick commented that this item is on 28-day review for member review and comment.

Discussion ensued among the directors.

A Member spoke in favor of this item.

13f. Board review of Board member Resignation and appointment of a replacement Director pursuant to By-laws Section 6.4.6.2—President Mutchnick

President Mutchnick read the resignation letter from Steve Parsons under the condition that Lynn Jarrett be appointed to replace his vacancy.

President Mutchnick commented his resignation is conditional in accordance with Third Mutual Bylaw §6.4.6.2

Director McCary made a motion to accept Steve Parsons resignation and appoint Lynn Jarrett as a director on the board. Director Wayne seconded the motion.

Discussion ensued among the directors.

A member spoke against this conditional resignation.

President Mutchnick called for the vote and the motion passed by a vote of 7-4-0 (Directors Laws, Lewis, Bhada and Cook opposed).

President Mutchnick thanked Steve Parsons for his service and invited Lynn Jarrett to take

Director Frankel nominated Lynn Jarrett as Secretary of the Board. Director Jarrett accepted the nomination.

Director Bhada nominated Mark Laws as Secretary of the Board. Director Laws declined the nomination.

RESOLUTION 03-21-77 **APPOINTMENT OF OFFICERS**

RESOLVED, on October 19, 2021, pursuant to Third Laguna Hills Mutual Bylaws Article 9 which sets guidelines, terms and responsibilities for the election of Officers to this Corporation the following persons are hereby elected to the office indicated next to their names to serve:

Robert Mutchnick	President
Annie McCary	1 st Vice President

Ralph Engdahl 2nd Vice President

Lynn Jarrett Secretary

Donna Rane-Szostak Treasurer

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

Jeff Parker Vice President ex Officio

Siobhan Foster Assistant Secretary ex Officio

Steve Hormuth Assistant Treasurer ex Officio

RESOLVED FURTHER, that Resolution 03-21-67, adopted October 7, 2021, is hereby superseded and cancelled; and

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

President Mutchnick called for the vote and the motion passed unanimously.

This item was removed from the Consent Calendar for discussion.

13g. Approve a Resolution to Update Committee Appointments:

RESOLUTION 03-21-78
Third Mutual Committee Appointments

RESOLVED, October 7, 2021, 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

Robert Mutchnick, **Chair**

John Frankel

Ralph Engdahl

James Cook

Craig Wayne, Alternate

~~Steve Parsons~~

~~Reza Karimi~~

Voting Advisors: Mike Butler and Mike Plean

Communications Committee

Annie McCary, Chair

Donna Rane-Szostak

~~Steve Parsons~~

James Cook

Mark Laws

~~Lynn Jarrett~~

~~Reza Karimi~~

~~Cush Bhada~~

Executive Hearing Committee

Annie McCary, Chair

Ralph Engdahl, Co-Chair

Robert Mutchnick

John Frankel

Mark Laws

~~Donna Rane-Szostak~~

Finance (Committee of the Whole)

~~Steve Parsons, Chair~~

Non-Voting Advisors: John Hess, Wei-Ming Tao

Banking Ad Hoc Committee

~~Robert Mutchnick~~

~~Donna Rane-Szostak~~

~~Craig Wayne~~

Insurance Task Force

Meeting of the Whole

Investment Ad Hoc Committee

Robert Mutchnick

Craig Wayne

Donna Rane-Szostak

Garden Villa Recreation Room Subcommittee (Quarterly)

~~Steve Parsons, Chair~~

Donna Rane-Szostak

Nathaniel "Ira" Lewis

~~Lynn Jarrett, Chair~~

~~Robert Mutchnick~~

Voting Advisors: Sharon Molineri, Stuart Hack

Landscape Committee

Lynn Jarrett

~~Steve Parsons, Chair~~

Annie McCary

Ralph Engdahl

Donna Rane-Szostak

Nathaniel "Ira" Lewis

Cush Bhada, Alternate

~~Reza Karimi~~

Advisor: Cindy Baker

Maintenance and Construction Committee

Ralph Engdahl, Chair

Robert Mutchnick

John Frankel

Craig Wayne

James Cook

Cush Bhada, Alternate

~~Reza Karimi~~

New Resident Orientation

Everybody Participates on a Rotating Basis

Water Conservation Committee (Quarterly)

Donna Rane-Szostak, Chair

John Frankel

Cush Bhada

Nathaniel "Ira" Lewis

~~Reza Karimi~~

~~Lynn Jarrett~~

Advisor: Katheryn Freshley, Kay Havens

Parking & Golf Cart Task Force

~~Steve Parsons, Chair~~

John Frankel

Cush Bhada

Mark Laws

~~Lynn Jarrett~~

Advisors: Hal Horne

Resident Policy and Compliance Committee

~~Steve Parsons, Chair~~

Robert Mutchnick

Cush Bhada

Annie McCary

Mark Laws

Nathaniel "Ira" Lewis, Alternate

~~Lynn Jarrett~~

~~Reza Karimi~~

Voting Advisors: Stuart Hack

Energy Research Group

Ralph Engdahl

John Frankel

Nathaniel "Ira" Lewis

~~Craig Wayne~~

Advisors: Sue Stephens, Bill Walsh

RESOLVED FURTHER, that Resolution 03-21-41, adopted July 20, 2021, 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 03-21-79
GRF Committee Appointments

RESOLVED, October 19, 2021, that in compliance with Article 7, Section 7.3 of the Golden Rain Foundation Bylaws, the following persons are hereby appointed to serve on the committees of the Golden Rain Foundation:

Community Activities Committee

Annie McCary

Cush Bhada

~~Reza Karimi~~

Equestrian Center Ad Hoc Committee

Cush Bhada

Annie McCary

GRF Finance Committee

~~Steve Parsons~~

Robert Mutchnick

Craig Wayne, Alternate

Purchasing Ad Hoc Committee (new)

Donna Rane-Szostak

Ralph Engdahl

Robert Mutchnick, Alternate

~~Steve Parsons~~

GRF Landscape Committee

~~Lynn Jarrett~~

~~Reza Karimi~~

Donna Rane-Szostak, Alternate

GRF Maintenance and Construction Committee

John Frankel
Ralph Engdahl

~~Reza Karimi, Alternate~~

Clubhouse Renovation Ad Hoc Committee

John Frankel
Cush Bhada
Ralph Engdahl, Alternate

Media and Communication Committee

Annie McCary
~~James Cook~~
~~Steve Parsons, Alternate~~
~~Lynn Jarrett~~
~~Donna Rane-Szostak, Alternate~~

Broadband Ad Hoc Committee

Annie McCary
~~Lynn Jarrett~~

Mobility and Vehicles Committee

~~James Cook~~
Cush Bhada
~~Craig Wayne~~
~~Reza Karimi~~

Security and Community Access Committee

~~Annie McCary~~
Craig Wayne
Donna Rane-Szostak, Alternate
~~Cush Bhada~~

Disaster Preparedness

John Frankel
Donna Rane-Szostak
~~James Cook~~
~~Annie McCary~~

Laguna Woods Village Traffic Hearings

John Frankel
~~Mark Laws~~
~~Cush Bhada~~

Strategic Planning Committee

Robert Mutchnick
~~Nathaniel "Ira" Lewis~~

~~Cush Bhada~~

~~Steve Parsons, Alternate~~

~~Customer Experience Subcommittee~~

~~Cush Bhada~~

~~Robert Mutchnick~~

~~Facilities Subcommittee~~

~~Cush Bhada~~

Budget Ad Hoc Committee

Robert Mutchnick

Annie McCary

~~Steve Parsons~~

~~Reza Karimi, Alternate~~

~~GRF Insurance Ad Hoc Committee~~

~~Robert Mutchnick~~

~~Reza Karimi~~

Trash Task Force

Craig Wayne

John Frankel, Alternate

IT Technology Advisory Committee (ITAC)

Mark Laws

~~Steve Parsons~~

~~Lynn Jarrett~~

~~Reza Karimi~~

RESOLVED FURTHER, that Resolution 03-21-42, adopted July 20, 2020, is hereby superseded and canceled; and

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

Director Cook made a motion to approve the revised resolutions to update the committee appointments. Director Laws seconded the motion.

Discussion ensued among the directors.

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

14. Committee Reports

- 14a.** Report of the Finance Committee / Financial Report – Director Rane-Szostak gave the Treasurer’s Report. The committee met on October 5, 2021; next meeting November 2, 2021, at 1:30 p.m. in the board room and as a virtual meeting.
- (1) Treasurer’s Report
 - (2) Third Finance Committee Report
 - (3) Resale/Leasing Reports
- 14b.** Report of the Architectural Controls and Standards Committee – Director Engdahl gave an update from the last committee meeting. The committee met on September 27, 2021; next meeting October 25, 2021, at 9:30 a.m. in the board room and as a virtual meeting.
- 14c.** Report of the Communications Committee – Director McCary gave an update from the committee. The next meeting is scheduled for January 12, 2022 at 1:30 p.m. as a virtual meeting.
- 14d.** Report of the Maintenance and Construction Committee – Director Mutchnick gave an update from the M&C Committee. The committee met on September 13, 2021; next meeting November 1, 2021, at 1:30 p.m. in the board room and as a virtual meeting.
- (1) Report of the Parking and Golf Cart Subcommittee – Director Parsons gave an update from the subcommittee. The subcommittee met on August 18, 2021; next meeting TBA.
 - (2) Report of the Garden Villa Rec. Room Subcommittee – Director Rane-Szostak gave an update from the subcommittee. The Garden Villas Rec. Room Subcommittee met on September 29, 2021; next meeting. February 23, 2021, at 9:30 a.m. in the Board Room.
- 14e.** Report of the Landscape Committee – Director McCary gave an update from the Landscape Committee. The committee met on September 29, 2021; next meeting November 4, 2021, at 9:30 a.m. as a virtual meeting.
- 14f.** Report of the Water Committee – Director Rane-Szostak gave a presentation on Water Conservation. The committee met on July 29, 2021; next meeting October 28, 2021, at 2:00 p.m. as a virtual meeting.
- 14g.** Report of the Resident Policy and Compliance Committee – Director Mutchnick. The committee met on August 24, 2021; next meeting TBA.

15. GRF Committee Highlights

- 15a.** Community Activities Committee – Director McCary shared highlights from the last Community Activities Committee. The committee met on October 14, 2021; next meeting November 8, 2021, at 1:30 p.m. as a virtual meeting.
- (1) Equestrian Center Ad Hoc Committee – Director Bhada shared highlights from the last committee meeting. The committee met on September 20, 2021; next meeting November 4, 2021 at 10:00 a.m. as a virtual meeting.

- 15b.** GRF Finance Committee – Director Mutchnick shared highlights from the last committee meeting. The committee met on August 25, 2021; next meeting October 20, 2021, at 1:30 p.m. as a virtual meeting.
- 15c.** GRF Landscape Committee – The committee met on September 8, 2021; next meeting November 10, 2021 at 1:30 p.m. as a virtual meeting.
- 15d.** GRF Maintenance & Construction Committee – Director Frankel shared highlights from the last committee meeting. The committee met October 13, 2021; next meeting December 8, 2021, at 9:30 a.m. as a virtual meeting.
- (1) Clubhouse Facilities Renovation Ad Hoc Committee – Director Engdahl shared highlights from the last committee meeting. The committee met on September 22, 2021; next meeting TBA.
- 15e.** Media and Communications Committee – Director McCary shared highlights from the last committee meeting. The committee met on September 20, 2021; next meeting November 17, 2021, at 2:30 p.m. as a virtual meeting.
- 15f.** Mobility and Vehicles Committee – Director Wayne shared highlights from the last committee meeting. He commented that Chris Laugenour is resigning and we are recruiting for a replacement to his position. The committee met on October 6, 2021; next meeting December 1, 2021, at 1:30 p.m. as a virtual meeting.
- 15g.** Security and Community Access Committee – Director Bhada shared highlights from the last committee meeting. The committee met on August 30, 2021; next meeting October 25, 2021 at 1:30 p.m. as a virtual meeting.
- (1) Disaster Preparedness Task Force – Director McCary updated the board on the last task force meeting. The task force met on September 28, 2021; next meeting November 30, 2021, 9:30 a.m. as a virtual meeting.
- 15h.** Report of the Laguna Woods Village Traffic Hearings – Director Frankel reported on the last traffic hearings held on September 15, 2021; next meetings are October 20, 2021 at 9 a.m. in as a virtual meeting.
- 15i.** Report of the GRF Strategic Planning Ad Hoc Committee – Director Mutchnick shared highlights from the last committee meeting. The committee met on June 28, 2021; next meeting TBA.
- 15j.** Report of the Trash Task Force – Director Wayne commented about the increase in trash fees. No meeting has been schedule.

16. Future Agenda Items-- *All matters listed under Future Agenda Items are items for a future board meeting. No action will be taken by the board on these agenda items at this meeting. The board will take actions on these items at a future board meeting.*

16a. Resolution for Manor Alteration Requests for Modifications

17. Director's Comments

- Director Lewis commented everyone needs to work hard to do things more efficiently to save money for the residents.
- Director Laws commented about working together to save money.
- Director Cooks commented about simplifying the process.
- Director Engdahl welcomed the new board members and thanked the members that attending the meeting.
- Director Jarrett thanked the board for their support.
- Director Bhada commented we need to save before we spend.
- Director Wayne commented we are getting off to a good start.
- President Mutchnick thanked Steve Parsons for his contribution on the board. He thanked the three new members on the board. He thanked the members for attending the meeting today and invited everyone to attend the Town Hall on October 27. He shared his email address.

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.*

The meeting was recessed at 1:53 p.m.

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

During the September 10, 2021, Emergency Closed Meeting, the board:

Stated the Purpose of the Meeting

Approval of the Agenda

Discussed Legal Matters

Director Comments

Adjournment

During the September 21, 2021, Regular Closed Session the Board:

Approved the Agenda

VMS Board Update

Discussed and Considered Legal/Litigation Matters

CEO Report (Personnel Matters)

Approval of the Following Meeting Minutes.

(a) August 6, 2021 – Emergency Closed Meeting

(b) August 17, 2021 – Regular Closed Session

Approve Notice of Sale against Member ID#931-630-83

Approve Notice of Sale against Member ID#934-902-51

Approve Notice of Sale against Member ID#932-310-40

Approve Notice of Sale against Member ID#932-200-13

Discuss and Consider Insurance Matters

Discuss Personnel Matters

Discuss COVID-19 Matters

Discussed Contractual Matters

Member Disciplinary Report

Director Comments

Adjournment

During the September 24, 2021, Special Closed Meeting, the board:

Stated the Purpose of the Meeting

Approval of the Agenda

Discussed Contractual Matters

Director Comments

Adjournment

During the September 28, 2021, Special Closed Meeting, the board:

Stated the Purpose of the Meeting

Approval of the Agenda

Discussed Contractual Matters

Director Comments

Adjournment

19. Adjournment

The meeting was adjourned at 5:00 p.m.



Lynn Jarrett, Secretary of the Board
Third Mutual Laguna Hills