



**OPEN MEETING**

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

**Thursday, August 6, 2020 – 9:30 a.m.**

**VIRTUAL MEETING**

**Laguna Woods Village Community Center, 24351 El Toro Road,  
Laguna Woods, California**

**AGENDA**

1. Call to Order
2. Acknowledgment of Media
3. Approval of the Agenda
4. Approval of Meeting Report for July 2, 2020
5. Chair's Remarks
6. Department Head Update

**Consent:**

None

**Reports:**

7. Project Log
8. Tree Work Status Report

**Items for Discussion and Consideration:**

9. Tree Removal Request: 2379-D Via Mariposa W. (Frei) – One Silk Oak
10. Tree Removal Request: 3209-C Via Buena Vista (Thompson) – One Indian Laurel Fig
11. Hedge Trimming Request: 5191 Duenas (Powers)

**Items for Future Agendas:**

None.

**Concluding Business**

12. Member Comments (Items Not on the Agenda)

***The Community Center is closed and this will be a virtual meeting which Members may view on the Village website under Residents>Governance>Board Meeting Videos.***

***Member comments will be read during the meeting and the committee will respond.***

***Members may request to speak via email to [meeting@vmsinc.org](mailto:meeting@vmsinc.org) any time before the meeting is scheduled to begin or during the meeting. Please use the name of the committee meeting in the subject line of the email or you may 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.***

13. Response to Member Comments
14. Committee Member Comments
15. Date of Next Meeting – September 3, 2020
16. Adjournment



Lynn Jarrett, Chair  
Kurt Wiemann, Staff Officer  
Eve Morton, Landscape Operations Coordinator, 949-268-2565



**OPEN MEETING**

**REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL  
LANDSCAPE COMMITTEE**

**Thursday, July 2, 2020 – 9:30 a.m.**

**VIRTUAL MEETING**

**Laguna Woods Village Community Center Board Room  
24351 El Toro Road**

**REPORT**

**COMMITTEE MEMBERS PRESENT:** Chair - Lynn Jarrett, Annie McCary, Cush Bhada, Reza Karimi, Jon Pearlstone

**COMMITTEE MEMBERS ABSENT:**

**OTHERS PRESENT:**

**ADVISORS PRESENT:** Cindy Baker

**STAFF PRESENT:** Kurt Wiemann, Eve Morton, Maribel Flores

**1. Call to Order**

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

**2. Acknowledgement of Media**

No media was present.

**3. Approval of the Agenda**

Director Bhada made a motion to approve the agenda. The motion passed with a unanimous vote.

**4. Approval of the June 4, 2020 Report**

Director Bhada moved to approve the Report. The motion passed with a unanimous vote.

**5. Committee Chair Remarks**

Chair Jarrett stated that this is a virtual Open meeting and indicated that Members are welcome to email or call with a Member Comment during the first 15 minutes of the meeting.

Unfinished Business

None.

Items for Discussion and Consideration:

**9. Tree Removal Request: 3135-B Via Serena N. (Yang) – One Canary Island Pine tree**

Ms. Morton read a statement emailed in by this Member regarding their request.

Director McCary made a motion to accept staff's recommendation and deny removal of this tree. Director Karimi seconded. The committee was in unanimous support.

Director Bhada asked Mr. Wiemann if anything can be done now regarding this tree. Mr. Wiemann stated that it is scheduled for trimming next year. It is a beautiful, healthy tree and is not very dense. The trimming will help when it is done. There has been no report of the roots causing damage to their plumbing. Pine trees don't cause a lot of sewer/pipe damage.

**10. Discuss Cost of Proposed Turf Reduction Project in Cul-De-Sac 343**

Director Pearlstone made motion to move forward with this project. Director Bhada seconded. The committee was in unanimous support.

Mr. Wiemann discussed this project. This project will have similar plants to the Gate 14 turf reduction project.

Director Bhada inquired as to what Members must do if they wish to put in drought tolerant plants. Mr. Wiemann said they must fill out a Landscape Request Form. The committee will review their request.

Items for Future Agendas:

- Budget
- 5-year turf reduction plan

Concluding Business

**11. Member Comments (Items Not on the Agenda)**

*The Community Center is closed and this will be a virtual meeting which Members may view on the Village website under Residents>Governance>Board Meeting Videos. Member comments will be read during the meeting and the committee will respond. Please send your comment to the Committee by either calling (949) 268-2020 within the half hour prior to this meeting and fifteen minutes after the start of the meeting. Or, you may email [meeting@vmsinc.org](mailto:meeting@vmsinc.org) with your comment any time prior to the meeting and up to fifteen minutes after the start of this meeting. You must provide your name, manor number, and the meeting your comment is meant for.*

Director Karimi stated that some residents are doing their own weeding. Should we encourage this or not?

Director McCary goes out walking early each morning. She said the slope maintenance men are all over the place and doing a good job. Kudos to those crew supervisors and to the Landscape department.

Advisor Baker does a lot of her own weeding and believes residents should be welcome to do their own weeding, if they wish, as long as no one is taking out improper plants.

Chair Jarrett hopes the weeds are not thrown into the gutter. That is nice if people want to do some weeding on their own.

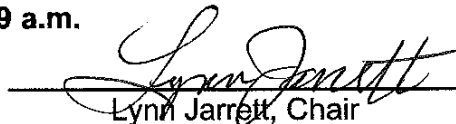
Mr. Wiemann stated that a fair amount of residents do their own weeding in between staff visits. If residents put all of their weeding debris into a pile, staff will pick it up if the resident calls Resident Services.

Director Bhada recommended putting an article about this topic into the next Breeze or in the emails to residents.

Chair Jarrett thanked Mr. Wiemann for his work and she appreciates that he always has the answers to their questions.

**14. Date of Next Meeting – August 6, 2020 at 9:30 a.m.**

**15. Adjournment at 10:19 a.m.**



Lynn Jarrett, Chair

Kurt Wiemann, Staff Officer

Eve Morton, Landscape Operations Coordinator – 268-2565



<b>Third Mutual Landscape Project Log</b> <b>August 2020</b> <b>2020 Reserve Fund Projects</b>						
Project	Description	Status	Estimated Completion	Completion*	Budget	YTD*
Tree Maintenance	The annual program will be a combination of contracted work and in-house staff.	As of June 30, 2020, the in-house crew trimmed 607 and removed 58 trees. Contracted tree crews trimmed 2,836, removed 54 and planted 10 trees.	Annual Program	54%	\$853,812	\$459,118
Landscape Modernization/ Aeration	Elimination of highest water using turf areas; replacing with water efficient landscapes.	Parking island turf removal project in CDS 343 schedule start early August. Work on Aeration Continues.	December 31, 2020	12%	\$100,000	\$12,421
Slope Maintenance Outsourced	Annual Maintenance	Work is on going	Annual Program: December 2020	61%	\$470,176	\$284,605
Slope Acacia Renovation	Removal and replacement of dead Acacia.	Work started in May 2020	Annual Program: December 2020	24%	\$235,394	\$56,124
Fire Risk Reduction	Project includes the removal of vegetation; lowering height of shrubs and raising the lower branches on trees on slopes with a high risk of fire.	Work started June 23, 2020	Annual Program: December 2020	0%	\$180,000	\$0



Third Mutual Off Schedule Tree Work						
Date	Manor	Description	Tree Type	Labor Hours	Reason	Decision Level
1/14/2020	5342	Clearance Trim	Elm	8	Large Elm tree was encroaching onto the roof	Staff
1/14/2020	3451	Clearance Trim	Carrowood	4	Tree was encroaching onto the roof	Staff
1/21/2019	3162	Removal	Jacaranda	10	There was a street light conflict, trimming was not an option due to proximity to light	Staff
1/23/2020	Assorted locations	Stump Grinding	Assorted Removals	14	Previously removed trees	Staff/Committee approved
1/24/2020	Assorted locations	Stump Grinding	Assorted Removals	8	Previously removed trees	Staff/Committee approved
2/10/2020	Assorted locations	Clearance Trim	Assorted tree types (6)	54	Assorted trees were encroaching onto the manors	Staff
2/10/2020	3242-1A	Full trim	Ficus (1)	10	Ficus benjamina was encroaching onto all three manors 1A, 1B, 1C	Staff
2/11/2020	3086	Removal	Ash	20	Large Ash tree was approved for removal due to damage to V ditch	Board Approved
2/11/2020	3074	Removal	Desert Willow	12	Tree had developed a large split between trunk and major branches	Staff
2/11/2020	55537	Removal	Melaleuca	14	The tree was removed at the request of the projects department to add sidewalk	Parking Committee
2/13/2020	3486	Removal	Eucalyptus	10	The tree uprooted due to a wind/storm event	Staff
2/15 thru 2/13/20	Assorted locations	Stump Grinding	Assorted Removals	20.6	Assorted stump grinding. As of 2/13/20 there are no stumps in Third Mutual	Staff
2/20/2020	3086	Stump Grinding	Assorted Removals	6	Additional grinding needed at 3086 for the 936 department	Staff
2/28/2020	3467-A	Removal	Queensland Pittosporum	10	Tree failure at perimeter wall due to undeveloped tree roots	Staff
3/5/2020	Assorted locations	Stump Grinding	Assorted removals	7	3467-A stump grinding	Staff
3/5/2020	3429	Removal	Sil Oak	19	Large branch failure, staff was unable to restore the tree due to the damage	Staff
3/16/2020	Assorted locations	Trimming	Assorted tree types (4)	13	Storm related trimming and restoration	Staff
3/23/2020	5492	Removal	Ornamental Pear	12	Complete up-rooting of tree due to shallow root system, no damage to manor.	Staff
3/24/2020	5357	Removal	Plum	1	Storm related removal	Staff
3/27/2020	3025	Removal	Orange	2	Citrus tree removal	Staff
3/27/2020	Assorted locations	Clearance Trim	Assorted trees	14.4	Clearance trim, limbs hanging on roof and major end weight, generated by tickets	Staff
4/13/2020	Assorted locations	Clearance Trim	Assorted trees	6.4	Clearance trim, limbs hanging on roof and major end weight, generated by tickets	Staff
4/16/2020	2333	Removal	Spartan Junipers (11)	4	Storm related and diseased will replant the whole planter this month	Staff
4/30/2020	3280	Chipper	Grinding of brush	5	Other Department Assist 530	Staff
5/1/2020	3280	Chipper	Grinding of brush	4	Other Department Assist 530	Staff
5/11/2020	5089	Chargeable	Crown Reduction	4.8	Resident paid for the trimming of 3 Pepper trees. Staff has performed the work prior	Staff
5/12/2020	969	Removal	2 Plum, 1 Pine	6.2	All three trees were in decline, only one will be replaced due to available space	Staff
5/12/2020	5035	Removal	Plum	1.1	Plum tree in decline as are most of them in the community, will replant with red bud	Staff
5/18/2020	3057	Clearance Trim	Pear	1.7	Clearance trim	Staff
6/15/2020	3470-C	Trim	2 Queen Palms	3.5	Remove hanging branches and fruit pods	Staff
6/15/2020	3292-8	Clearance Trim	Mulberry	5	Removed branches from roof	Staff
6/15/2020	5330-Q	Clearance Trim	Carrowood	8	Remove branches from roof and hangers in the canopy	Staff
6/15/2020	5322-8	Removal	Lemon tree	2.5	Remove lemon tree due to a code enforcement	Staff
6/15/2020	3038-D	Trim	New Zealand Christmas tree	10	Trim, thin and crown raise	Staff
6/16/2020	3487-8	Trim	Carrowood	4.5	Clearance trim away from patio	Staff
6/16/2020	5363-C	Trim	Elm	13	Restore Elm tree after major limb loss	Staff
6/16/2020	3191-D	Trim	Peppermint	3	Street light clearance	Staff
6/16/2020	5486-A	Trim	Ficus	9	Trim, thin and crown reduction to eliminate end weight	Staff
6/17/2020	4015-1G	Trim	2 Queen Palms	3.5	Remove hanging branches and fruit pods	Staff
6/17/2020	4015-1B	Removal	2 Flakleaf Paper bark	3	Small tree removals due to major dieback, not able to restore	Staff
6/17/2020	3350-O	Trim	Carrowood	3.5	Clearance trim away from patio	Staff
6/17/2020	3261-A	Trim	Aleppo pine	7	Clearance trim away from balcony	Staff
6/17/2020	5561-8	Removal	Ficus benjamina	16	Removal due to aggressive root system, stump grinding to follow	Board Approved
7/13/2020	5329-A	Clearance Trim	Carrowood	5	Trim away from the roof and sidewalk	Staff
7/13/2020	5353-O	Clearance Trim	Ficus Nitida	4	Trim Away from light	Staff
7/13/2020	5392-A	Clearance Trim	Crape Myrtle	4	Trim away from building	Staff
7/13/2020	5036	Clearance Trim	Mulberry	4.5	Trim away from building and walkway	Staff
7/13/2020	5206	Clearance Trim	Carrowood	5	Street light clearance	Staff
7/13/2020	5307	Removal	Lemon Bottle Brush (2)	6.6	Remove due to pests	Staff
7/13/2020	5312	Clearance Trim	Mulberry	5.2	Crown raise low hanging branches and shape tree	Staff
7/17/2020	5317	Clearance Trim	Carrowood	4.9	Clearance trim from roof and entry	Staff
7/20/2020	3111-O	Crown reduction	Ficus	5	Crown reduce due to die back, tree has been previously been crown reduced	Staff
Total Trees		12	Total Labor Hours	184.6	Hours Budgeted	1766
Trees YTD		12	Total Labor Hours YTD	184.6	Hours Remaining	1581.4





## STAFF REPORT

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**DATE:** August 6, 2020  
**FOR:** Landscape Committee  
**SUBJECT:** Tree Removal Request: 2379-D Via Mariposa W. (Frei) – One Silk Oak tree

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### **RECOMMENDATION**

Deny the request for the removal of one Silk Oak tree.

### **BACKGROUND**

Mr. and Mrs. Frei purchased the manor in May 2020, and are requesting the removal of one Silk Oak tree, *Grevillea, robusta*. The reasons cited for the removal are litter/debris in the patio area, fire hazard, and poisonous to animals. The resident included an article regarding Mimosa trees, *Albizia, julibrissin* and the hazards with these trees; however, this is a different species of tree, which was explained to the residents during staff's inspection.

There are six additional signatures on the Mutual Request Form in favor of the tree removal (Attachment 2).

The tree was last pruned in December 2019. Future trimming is tentatively scheduled for fiscal year 2022. The height of the tree is approximately 34 feet with a trunk diameter of approximately 20 inches. The tree is approximately eight feet from the patio wall and the laundry room and approximately four feet from the sidewalk (Attachment 1).

### **DISCUSSION**

At the time of inspection, the tree was found to be in good condition with a well-shaped root flare, no noticeable pests, disease, or damage to the trunk. There are several cracks in the walkways near the laundry room. However, staff does not believe the cracks are caused by this tree but more the settling of the surrounding soil. The previous trimming of the Silk Oak tree included the removal and thinning of limbs as a clearance from the patio. This has eliminated the majority of the leaf drop which, according to Mr. and Mrs. Frei, was much appreciated, although they are concerned about future growth. After speaking with staff regarding the residents' misidentification of the tree, the residents are no longer concerned with the health reasons stated in the request.

### **FINANCIAL ANALYSIS**

The cost to remove the tree is estimated at \$1,200. The cost to trim the tree is estimated at \$100 and the estimated value of the tree is \$3,894 based on the tree inventory data.

**Prepared By:** Bob Merget, Landscape Manager

**Reviewed By:** Kurt Wiemann, Director of Landscape Services

Third Laguna Hills Mutual  
Tree Removal Request – 2379-D  
August 6, 2020

**ATTACHMENT(S)**

<b>Attachment 1:</b>	Photographs
<b>Attachment 2:</b>	Mutual Landscape Request Form

ATTACHMENT 1







**MUTUAL LANDSCAPE REQUEST FORM****PLEASE NOTE: THIS FORM IS NOT INTENDED FOR ROUTINE MAINTENANCE REQUESTS**

For all non-routine requests, please fill out this form. Per the policy of your Mutual, if your request falls outside the scope of the managing agent's authority, it will be forwarded to the Mutual's Landscape Committee for review. If you are unsure whether your request falls into this category, first contact Resident Services at 597-4600 in order to make that determination.

**PLEASE RETURN COMPLETED REQUEST FORM TO RESIDENT SERVICES.****Resident/Owner Information**

*You must be an owner to request non-routine Landscape requests.*

2379 Unit D Via Mariposa West, Laguna Woods, CA 6-15-2020  
 Address 192637 Today's Date

Larry + Sherman Frei  
 Resident's Name

928-202-0648  
 Telephone Number

**Non-Routine Request**

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

☒ Tree Removal☐ New Landscape☐ Off-Schedule Trimming

☐ Other (explain): Please see Attached form.

**Reason for Request**

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

☐ Structural Damage ☐ Sewer Damage ☐ Overgrown ☐ Poor Condition☒ Litter/Debris ☐ Personal Preference

☒ Other (explain): Poisonous to Animals, Fire Hazardous  
(our dog cannot go into patio due to this)

**GUIDELINES:**

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

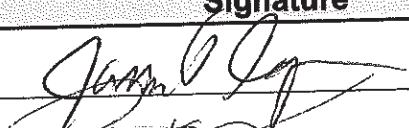
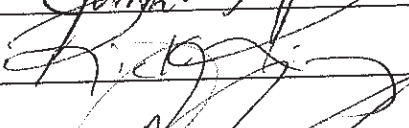
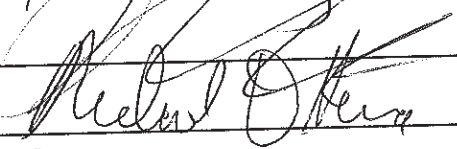
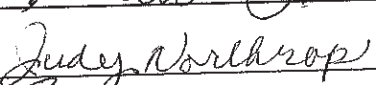
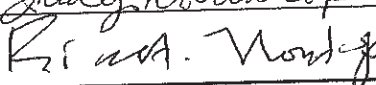
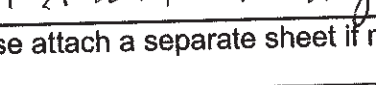
### Description & Location of Request

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

Large Alizia tree approximately 9 feet from the patio fence of 2379D Via Mariposa West. The tree constantly showers debris onto the patio floor, cover and units roof creating a fire hazard and blocking drains.

### Signatures of All Neighbors Affected By This Request

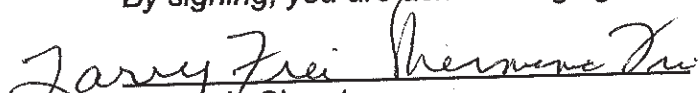
Because your request may affect one or more of your neighbors, it is imperative that you obtain their signatures, manor numbers, and whether they are for, undecided, or against this request.

Signature	Manor #	For	Undecided	Against
	2379-A	✓		
	2379-B	✓		
	2382	✓		
	2378C	✓		
	2377D	✓		
	2377D	✓		

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

### Acknowledgement - Owner

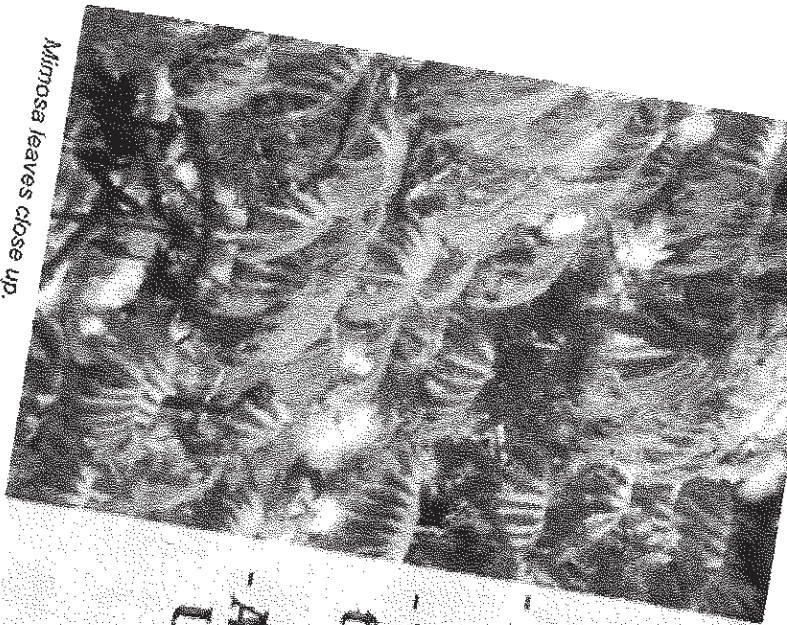
By signing, you are acknowledging this request.

  
Owner's Signature

Larry + Shermane Frei  
Owner's Name

### OFFICE USE ONLY

MOVE-IN DATE: \_\_\_\_\_ DATE: \_\_\_\_\_ INITIALS: \_\_\_\_\_  
 530 \_\_\_\_\_ 540 \_\_\_\_\_ 570 \_\_\_\_\_ LAST PRUNED: \_\_\_\_\_  
 RELANDSCAPED: \_\_\_\_\_ NEXT TIME: \_\_\_\_\_  
 TREE SPECIES: \_\_\_\_\_  
 COMMENTS: \_\_\_\_\_  
 TREE VALUE: \_\_\_\_\_ TREE REMOVAL COST: \_\_\_\_\_



Mimosa leaves close up.

- Mimosa grow quickly
- Have invasive roots
- Can cause damage to infrastructure
- Are not natural to U.S. ecosystems

## Warnings About These Trees

- The seedpods are poisonous at all times and the seeds within are even more so.
- Do not allow livestock, pets, or especially children to put the seedpods or seeds in their mouths. They can cause seizures and even death.
- Be sure to keep the seed pods away from animals and children. Rake them up as soon as they begin to fall, and teach your little ones and all of your children never to put the seedpods in their mouths. Do not assume an older child, or even an adult, who may be unfamiliar with mimosa trees, knows not to do so.
- The flowers and leaves are not toxic and some people cook them and eat them like vegetables or make tea from them, but avoid the seedpods and seeds.

## Acts About Albizia Julibrissin



## STAFF REPORT

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**DATE:** August 6, 2020  
**FOR:** Landscape Committee  
**SUBJECT:** Tree Removal Request: 3209-C Via Buena Vista (Thompson) – One Indian Laurel Fig tree

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### **RECOMMENDATION**

Approve the request for the removal of one Indian Laurel Fig tree.

### **BACKGROUND**

Mr. and Mrs. Thompson purchased the manor in January 2019, and are requesting the removal of one Indian Laurel Fig tree, *Ficus, nitida*. The reasons cited for the removal are structural damage and the tree has outgrown the area. There are six additional signatures on the Mutual Request Form in favor of the tree removal (Attachment 2).

The tree was last pruned in February 2018. Future trimming is tentatively scheduled for fiscal year 2020. The height of the tree is approximately 50 feet with a trunk diameter of approximately 32 inches. The tree is approximately six feet from the driveway and common area sidewalks (Attachment 1).

### **DISCUSSION**

At the time of inspection, the tree was found to be in fair condition with a well-shaped root flare, no noticeable pests, disease, or damage to the trunk. The tree does have co-dominant limbs and included bark. This is typical for these types of trees and lends itself to the possibility of limb failure due to weak attachment. There are a number of very large damaging surface roots, one of which have grown under the driveway and re-surfaced approximately 22 feet from the tree. These roots have caused cracking in both sidewalks as well as both driveways. In the past, a grinding of one of the driveways has been performed. Due to the size of these roots, staff does not recommend any root trenching as it would cause an unstable situation for the future stability of the tree. This tree was scheduled to be crown reduced and its canopy thinned out. However, this will not control root growth or the potential for infrastructure damage. This tree has outgrown the area.

To date, there is no record of concrete replacement or plumbing mainline stoppages due to tree roots at either of these two manors.

### **FINANCIAL ANALYSIS**

The cost to remove the tree is estimated at \$2,100. The cost to trim the tree is estimated at \$1,000 and the estimated value of the tree is \$5,526 based on the tree inventory data.

Third Laguna Hills Mutual  
Tree Removal Request – 3209-C  
August 6, 2020

**Prepared By:** Bob Merget, Landscape Manager

**Reviewed By:** Kurt Wiemann, Director of Landscape Services

**ATTACHMENT(S)**

**Attachment 1:** Photographs

**Attachment 2:** Mutual Landscape Request Form

ATTACHMENT 1







**MUTUAL LANDSCAPE REQUEST FORM****PLEASE NOTE: THIS FORM IS NOT INTENDED FOR ROUTINE MAINTENANCE REQUESTS**

For all non-routine requests, please fill out this form. Per the policy of your Mutual, if your request falls outside the scope of the managing agent's authority, it will be forwarded to the Mutual's Landscape Committee for review. If you are unsure whether your request falls into this category, first contact Resident Services at 597-4600 in order to make that determination.

**PLEASE RETURN COMPLETED REQUEST FORM TO RESIDENT SERVICES.****Resident/Owner Information***You must be an owner to request non-routine Landscape requests.*3209 VIA Buena Vista unit c

Address

7-6-2020

Today's Date

Robert and Mary Thompson

Resident's Name

949 460-0925

Telephone Number

**Non-Routine Request**

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

☒ Tree Removal☐ New Landscape☐ Off-Schedule Trimming☐ Other (explain): \_\_\_\_\_**Reason for Request**

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

☒ Structural Damage ☐ Sewer Damage ☒ Overgrown ☐ Poor Condition☐ Litter/Debris ☐ Personal Preference☐ Other (explain): \_\_\_\_\_**GUIDELINES:**

- **Structural/Sewer Damage:** Damage to buildings, sidewalks, sewer pipes, or other facilities may justify removal if corrective measures are not practical.
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- **Personal Preference:** Because one does not like the appearance or other characteristics of the tree or plant generally does not justify its removal. However, if granted, removal/replacement is usually at the resident's expense.

### Description & Location of Request

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

*Overgrown Ficus tree <sup>approximately</sup> 45' by 50' on a lot <sup>approximately</sup> 21' by 21' in front of 3209 Via Buena Vista C has outgrown its available space, large roots are lifting and walk in sidewalk and driveway and cracking our street sidewalk and curb. Ficus tree growth reaches our manor and our neighbors' manor.*

### Signatures of All Neighbors Affected By This Request

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

Signature	Manor #	For	Undecided	Against
<i>W. W. Tury</i>	3210 Unit A	✓		
<i>Erin Chien</i>	3209 Unit A	✓		
<i>J. Keirby Marshall</i>	3205A	✓		
<i>Barbara C. Lotwell</i>	3210 B	✓		
<i>Kurt Clangitt</i>	7209B	✓		
<i>M. J. Giamboni</i>	3209D	✓		

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

### Acknowledgement - Owner

By signing, you are acknowledging this request.

*[Signature]*  
Owner's Signature

*Mayhew Thompson*  
Owner's Name

### OFFICE USE ONLY

MOVE-IN DATE: \_\_\_\_\_ DATE: \_\_\_\_\_ INITIALS: \_\_\_\_\_

530 \_\_\_\_\_ 540 \_\_\_\_\_ 570 \_\_\_\_\_ LAST PRUNED: \_\_\_\_\_

RELANDSCAPED: \_\_\_\_\_ NEXT TIME: \_\_\_\_\_

TREE SPECIES: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

TREE VALUE: \_\_\_\_\_ TREE REMOVAL COST: \_\_\_\_\_

701  
3120 Laguna Hills Mutual,

Robert & Mary Thompson  
3209 Via Buena Vista, Unit C  
Laguna Woods, CA 92637

## Mutual Landscape Request

July 6, 2020

Deferred maintenance is an important factor with the current condition of our Ficus tree that has resulted in extra large overgrowth and massive size. A major problem is that the tree is squeezed in between two manors (that are attached) and two driveways creating easy invasion by the rapid growing Ficus roots. At this time the Ficus branches have reached our Manor and our neighbor's Manor. This encroachment could be damaging.

The problems with the Ficus tree will not go away because the lot will always be too small for the massive tree with the strong large, extensive rapid growing root system.

Removing the tree now would prevent future serious and costly problems and eliminate the look of neglect.

It is unfortunate that the tree didn't receive the attention it needed 13 months ago when we first requested assistance with the tree.

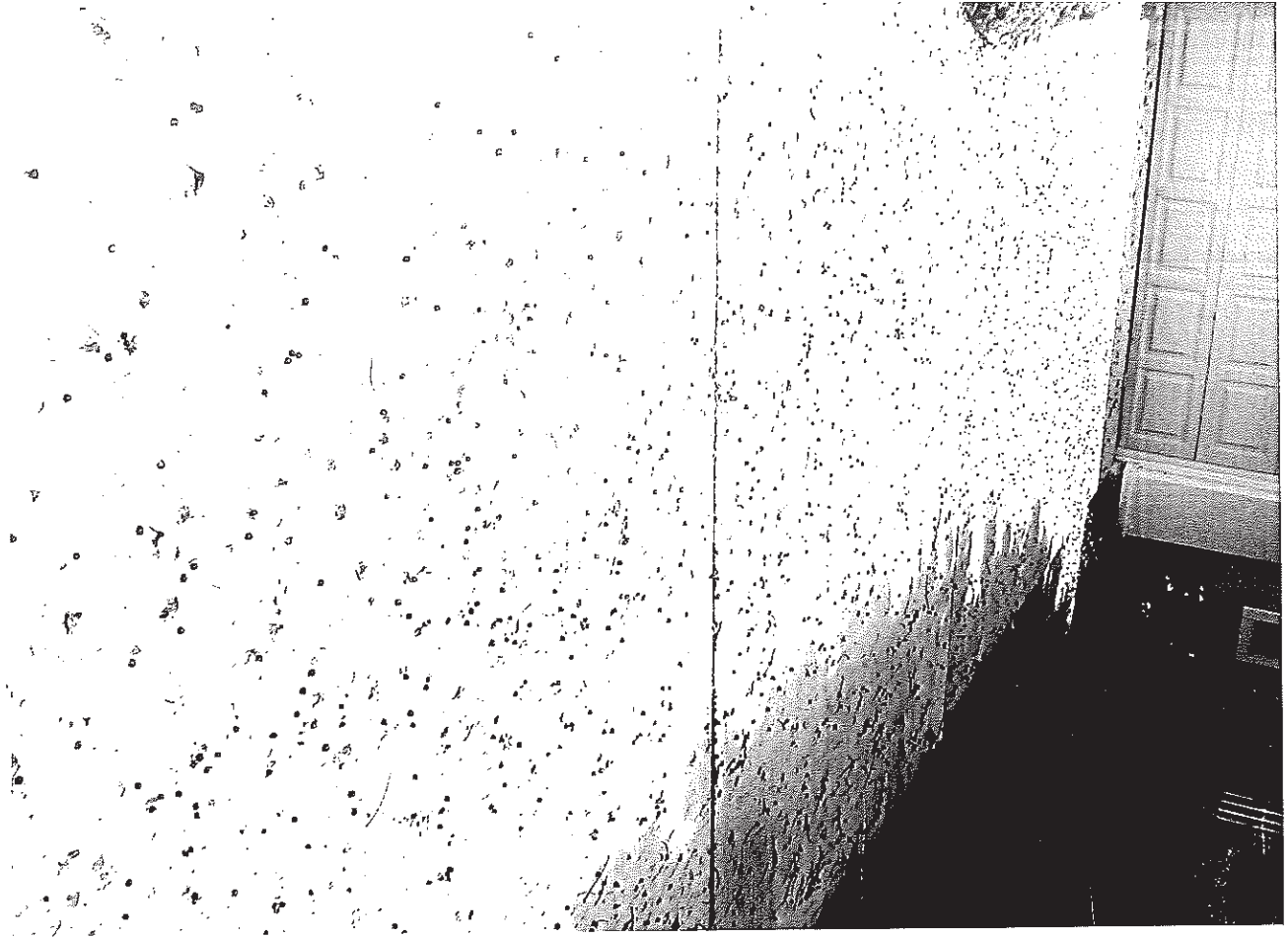
We appreciate this opportunity to express our concerns regarding our Ficus tree.

Mary Ann Thompson  
Bob Thompson











## STAFF REPORT

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**DATE:** August 6, 2020  
**FOR:** Landscape Committee  
**SUBJECT:** Hedge Trimming Request: 5191 Duenas (Powers)

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### **RECOMMENDATION**

Approve the request to reduce the height of a portion of the Carolina Cherry Hedge located adjacent to the subject property and adjacent to 5212 Elvira.

### **BACKGROUND**

Mr. and Mrs. Powers purchased the manor in March of 2005, and are requesting the Mutual trim hedges that were installed by the Mutual at the request of the neighbor at 5212 Elvira (Lester).

### **DISCUSSION**

There is a hedge, which was installed by the Mutual approximately two years ago, that runs along the top of the slope that abuts the residences at 5191 Duenas and 5211 and 5212 Elvira (Attachment 1). The hedge blocks the view of the neighboring open space from the patio of 5191 Duenas. The residents at 5191 contend that since the hedge is new and did not exist when the residence was purchased, the hedge should be maintained at a height that does not interfere with the view of the open space.

Staff spoke to the resident at 5212 Elvira who lowered the hedge by approximately one foot, which did not alleviate the view issue for 5191.

### **FINANCIAL ANALYSIS**

There is no additional cost to trim the hedge as it would be accomplished on the normal trim schedule.



**Prepared By:** Kurt Wiemann, Director of Landscape Services  
**Reviewed By:** Eve Morton, Landscape Operations Coordinator

### **ATTACHMENT(S)**

**Attachment 1:** Photograph of area  
**Attachment 2:** Photograph of site  
**Attachment 3:** Mutual Landscape Request Form



Map data ©2020, Map data ©2020 20 ft

 = shrubs along SW side on common Area  
 = 6 feet of shrubs currently blocking view from 5191



**MUTUAL LANDSCAPE REQUEST FORM****PLEASE NOTE: THIS FORM IS NOT INTENDED FOR ROUTINE MAINTENANCE REQUESTS**

For all non-routine requests, please fill out this form. Per the policy of your Mutual, if your request falls outside the scope of the managing agent's authority, it will be forwarded to the Mutual's Landscape Committee for review. If you are unsure whether your request falls into this category, first contact Resident Services at 597-4600 in order to make that determination.

**PLEASE RETURN COMPLETED REQUEST FORM TO RESIDENT SERVICES.****Resident/Owner Information***You must be an owner to request non-routine Landscape requests.*5191 DUENAS

Address

7/13/20

Today's Date

CHRIS AND JAPET POWERS

Resident's Name

949-206-0720

Telephone Number

**Non-Routine Request***Please checkmark the item that best describes your request. If none apply, please checkmark "Other" and explain.*☐ Tree Removal☐ New Landscape☐ Off-Schedule Trimming☒ Other (explain): TOPPING OF COMMON AREA SHRUBS**Reason for Request***Please checkmark the item(s) that best explain the reason for your request.*☐ Structural Damage☐ Sewer Damage☒ Overgrown☐ Poor Condition☐ Litter/Debris☐ Personal Preference☒ Other (explain): COMMON AREA LANDSCAPE BLOCKING OUR VIEW**GUIDELINES:**

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

### Description & Location of Request

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

**SEE ATTACHED EXPLANATION AND PHOTOS**

### Signatures of All Neighbors Affected By This Request

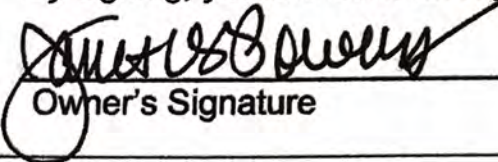
Because your request may affect one or more of your neighbors, it is imperative that you obtain their signatures, manor numbers, and whether they are for, undecided, or against this request.

Signature	Manor #	For	Undecided	Against
NOT APPLICABLE				
WE ARE ONLY ONES				
WHO ARE AFFECTED				
Harriet Schmitt	5192	✓		
Carol Loden	5211	✓		

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

### Acknowledgement - Owner

By signing, you are acknowledging this request.

  
Owner's Signature

**JANET & CHRIS POWERS**  
Owner's Name

### OFFICE USE ONLY

MOVE-IN DATE: \_\_\_\_\_

DATE: \_\_\_\_\_ INITIALS: \_\_\_\_\_

530 \_\_\_\_\_ 540 \_\_\_\_\_

570 \_\_\_\_\_ LAST PRUNED: \_\_\_\_\_

RELANDSCAPED: \_\_\_\_\_

NEXT TIME: \_\_\_\_\_

TREE SPECIES: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

TREE VALUE: \_\_\_\_\_ TREE REMOVAL COST: \_\_\_\_\_

Janet L.S. Powers  
Christopher L. Powers  
5191 Duenas  
Laguna Woods, CA 92637  
949-206-0720

July 12, 2020

Third Laguna Hills Mutual  
c/o VMS  
Kurt Wiemann  
[kurt.wiemann@vmsinc.org](mailto:kurt.wiemann@vmsinc.org)

RE: Landscape at 5212 Elvira Blocking Our View from 5191 Duenas

Dear Kurt:

Per our conversation, we are submitting our Landscape Request form to Third Laguna Hills Mutual ("Third") regarding the view impairment from landscape at 5212 Elvira which is blocking our view, and to request that Third cut the landscape to restore our view.

It is important to provide Third with some background and facts on this situation.

We have owned our residence for fifteen years. We have also owned other residences in Third since 1995. We are very familiar with the community and the Governing Documents that control our Association.

The Lesters purchased less than 3 years ago. There have been issues since they purchased. They wanted to expand their Unit into the Common Area behind their Unit. We vigorously opposed this, hired legal counsel, and served Third and the Lesters with an ADR offer to resolve our legal concerns regarding their proposed application to take Common Area. Ultimately, the Lesters were not allowed to build out into the Common Area.

Since their denial, and before the current landscape personnel were in place, the Lesters began receiving special treatment from Third and VMS. The Third/VMS landscapers have spent more time, effort and resources on the Lesters' than any other residence since they moved in. For example, countless visits from Third/VMS landscape personnel, including irrigation installation and monitoring, Common Area grass installation, numerous plants installed on Common Areas, and mulch put in twice since they have owned (no one on our street has received mulch in years). While many other owners were put on waiting lists and/or denied similar services on a regular basis. We don't know who their connections are or who is responsible for this treatment, and frankly, we don't care.

But it is a fact that the landscape that was put in on the Common Area around the Lesters' Unit was installed by Third/VMS without going through the procedures that are required for landscape installation in Third. Landscape was installed by Third/VMS without going through the Landscape Committee. None of the neighbors, ourselves included, received any notification that any landscape would be installed, including the shrubs that are the main concern at this time. ("Shrubs") There was no neighbor awareness required, there was no consent by affected owners, and no consultation regarding the landscape. We received zero contact before the Shrubs and other landscape was installed one day by Third/VMS. We don't know who paid for

the Shrubs or under whose authority the Shrubs were installed. But the Shrubs are on Common Area and the yellow stake program was abolished before the Lesters purchased. So Third/VMS, not the Lesters own, and are completely responsible for the Shrubs.

We have not complained until now.

Our view of the Laguna Greenbelt Conservancy area and hillsides to the Northwest from our patio and dining room is now unreasonably blocked by the Shrubs located on the Common Area on the Southeast from the Lesters' Unit. ("Southeast Common Area Shrubs") This is an approximately 6 foot run of Shrubs in this location. We expect the Southeast Common Area Shrubs to be topped two feet and maintained permanently at that level.

At the current time we do not have a view impairment from the shrubs planted by Third/VMS on the Common Area along the South side of the residence. ("South Common Area Shrubs") We do expect the South Common Area Shrubs to be maintained at their current height permanently in order to maintain our view from our kitchen.

We requested that the Shrubs be topped. Apparently, Third/VMS went out and looked at the area. They advised the Lesters of our request. The Lesters then had their own landscapers to out to maintain the Common Area Shrubs on July 6, 2020. The Lesters cut @3 inches off of the Shrubs.

This is not acceptable to us. First, the Lesters don't control the Common Area landscape. Third/VMS do. The Lesters have no right to refuse to allow Third/VMS to top, thin, remove, maintain, or otherwise address Common Area landscape, including the Shrubs. The Lesters have no authority, or ability to control Common Area landscape. Even if they did pay for it; which we seriously doubt. They can't decide how Common Area landscape is maintained. These are Condominiums and they can't control the Common Area at all.

Trust us. We do not want to see the Lesters or their Unit. We just want to maintain the view we have enjoyed and expected for 15 years.

The Lesters are not impacted by our request at all. Their views and privacy are not impacted by our requests.

In summary, we expect Common Area to be maintained by Third/VMS. Not the Lesters. We expect our views which we have had for 15 years to be preserved. We expect the Landscape Committee/Third Board/VMS to maintain the Common Area landscape was requested above.

This is an attachment to our Landscape Request Form.

Please let us know if there are any questions. We will be available during the Landscape Committee Meeting by email at [Chrispowers@comline.com](mailto:Chrispowers@comline.com) if there are any questions.

Thank you for your consideration of our request.

We appreciate all the volunteers and staff who work very hard for all of us.

Sincerely,

Janet and Chris Powers

View from 5191 Duenas sitting down on patio



5212 Elvira from 5191 Duenas



View from patio at 5191 Duenas



5212 Elvira from outside dining room at 5191 Duenas

