



OPEN MEETING

REGULAR MEETING OF THE UNITED LAGUNA WOODS MUTUAL
GOVERNING DOCUMENTS REVIEW COMMITTEE

Thursday, December 16, 2021 – 1:30 P.M.
BOARD ROOM/VIRTUAL
Laguna Woods Village Community Center

NOTICE & AGENDA

- | | |
|--|------------------|
| 1. Call to Order | Maggie Blackwell |
| 2. Acknowledgment of Media | Maggie Blackwell |
| 3. Approval of the Agenda | Maggie Blackwell |
| 4. Approval of the Report from November 18, 2021 | Maggie Blackwell |
| 5. Chair's Remarks | Maggie Blackwell |
| 6. Member Comments (Items Not on the Agenda) | |
- Laguna Woods Village owner/residents are welcome to participate in committee meetings and submit comments or questions regarding virtual committee meetings using one of two options:
- a. 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 committee in the subject line of the email. Name and manor number must be included.
 - b. Join the Committee meeting via Zoom at: <https://us06web.zoom.us/j/99710468599> or by dialing 669-900-6833 Access Code: 997 1046 8599
7. Response to Member Comments

Reports:

8. None

Items for Discussion and Consideration:

Maggie Blackwell

9. Aim: Monitor Unit Appearance to Protect Re-Sales and Property Values
Document Sources - possible acceptable Regulations regarding objectionable/offensive items:
- a. Occupancy Agreement, Article 15 – clarify wording
 - b. Landscape Maintenance Manual – review removed resolution
 - c. Clutter Policy – only for numbers of items not type of items?
 - d. Any relevant Alteration Regulations?
 - e. Current Law? – right for HOA/Co-op to control unit exterior appearance?

Concluding Business:

- 10. Committee Member Comments
- 11. Future Agenda Items
- 12. Date of next meeting: January 20, 2022
- 13. Adjournment

Maggie Blackwell, Interim-Chair
Francis Gomez, Staff Officer
(949) 268-2570



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Thursday, November 18, 2021 – 1:30 P.M.
BOARD ROOM/ VIRTUAL MEETING
Laguna Woods Village Community Center
24351 El Toro Road, Laguna Woods, CA 92637

MEMBERS PRESENT: Maggie Blackwell – Interim-Chair and Diane Casey

MEMBERS ABSENT: Pat English

ADVISORS PRESENT: Bevan Strom, Juanita Skillman, Dick Rader, and Elsie Addington

ADVISORS ABSENT: Mary Stone

STAFF PRESENT: Francis Gomez, Paul Nguyen, Pamela Bashline and Baltazar Meija

CALL TO ORDER

Maggie Blackwell, Interim-Chair, called the meeting to order at 1:33 p.m.

ACKNOWLEDGEMENT OF PRESS

The Media was not present.

APPROVAL OF THE AGENDA

The Committee reviewed the agenda as presented.

Without objection the agenda was approved as presented.

APPROVAL OF MEETING REPORTS

The Committee reviewed the meeting report for August 19, 2021. Without objection the Committee approved the meeting report of August 19, 2021 meeting.

CHAIR'S REMARKS

Chair Blackwell commented how much she is a fan of the governing documents and hoped to be available for everyone. She also welcomed the new board members and advisors who will be assigned to the Committee.

MEMBER COMMENTS ON NON-AGENDA ITEMS

None

RESPONSE TO MEMBER COMMENTS ON NON-AGENDA ITEMS

None

REPORTS

Electricity Rate for Dry Down Services

Baltazar Mejia, Maintenance & Construction Deputy Director, presented the Electricity Rate for Dry Down Services. The Committee members and advisors made comments and asked questions.

The Committee elected to take no action at this time and requested that staff bring the reimbursement issue forward if anything changes.

Mr. Mejia exited the meeting at 1:49 P.M.

ITEMS FOR DISCUSSION AND CONSIDERATION

Overnight Guest Policy

Interim-Chair Blackwell presented Overnight Guest Policy (OPP). The Committee members made comments and asked questions.

- Interim-Chair Blackwell stated at this time, only automobiles get OPPs.
- Interim-Chair Blackwell stated holiday season will be bringing in more guests into the community.
- Francis Gomez, Operations Manager, advised that occupancy checks are conducted if there are any allegations that the guests have passed the allotted 60-day limit.
- Compliance is notified when guests or noise are excessive.
- Ms. Gomez stated that the amount of guest allowed pertains to the number of bedrooms a unit contains.

Contractor Rules on Website and/or in Annual Mailing

Interim-Chair Blackwell presented Contractor Rules on Website and/or in Annual Mailing. The Committee members made comments and asked questions.

Interim-Chair Blackwell stated that she would like the rules/resolution placed in an area more accessible on the website and included in the annual mailer. Additionally, she advised the Committee that here is an opt out form included in the annual mailer.

Reading list for Directors Complete with Website Location

Interim-Chair Blackwell presented Reading list for Directors Complete with Website Location. The Committee members made comments and asked questions.

Interim-Chair Blackwell informed the Committee of the following:

- The documents are obtainable for free at Central Services for directors;
- Occupancy Agreement is available as part of the escrow agreement and emphasized Article 15 that discusses compliance with regulations;
- Emphasize that Occupancy Agreement is United's CC&R for new residents; and
- HO6 Policy is included in the Annual Business Packet.

CONCLUDING BUSINESS:

Committee Member Comments

None

Future Agenda Items

None

Date of Next Meeting

The next meeting is scheduled for Thursday, December 16, 2021 at 1:30 p.m. in the Board Room.

Adjournment

With no further business before the Committee, the Chair adjourned the meeting at 2:04 p.m.

Maggie Blackwell

[Maggie Blackwell \(Nov 29, 2021 23:07 PST\)](#)

Maggie Blackwell, Chair
United Laguna Woods Mutual



STAFF REPORT

DATE: December 16, 2021
FOR: Governing Documents Review Committee
SUBJECT: Monitor Unit Appearances to Protect Re-Sales and Property Values

RECOMMENDATION

Review and provide direction.

DISCUSSION

For discussion and consideration:

With the aim of monitoring appearances to protect mutual re-sales and property values:

1. Work to clarify wording of Occupancy Agreement #15 (Attachment 1)
2. Consult with **Attorney Jeff Beaumont** about adding wording to enable United to monitor appearance of exclusive use common areas in order to protect property values
3. Establish whether United has ability to enforce such regulations
4. Review **landscape manual deletions** on maintaining attractive common appearance in exclusive use common area with consideration of rewording and/or restoration of regulations to maintain or ensure non-offensive, non-objectional appearance of units and exclusive use common area (wind chimes are nuisance - can United control visual appearance as a nuisance or otherwise?) (Attachment 2)
5. California Civil Code appearance regulations which remain after Clutter Regulations. (Attachment 3)
6. Seek/review **alterations regulations** regarding preserving the exterior appearance of unit
7. Locate/discuss **current laws** regarding HOA ability to control exterior appearances.

Prepared By: Francis Gomez, Operations Manager

Reviewed By: Blessilda Wright, Compliance Supervisor

ATTACHMENT(S)

Attachment 1: Occupancy Agreement, Article 15
Attachment 2: Landscape Maintenance Manual Overview
Attachment 3: Clutter Policy

Attachment 1

Occupancy Agreement, Article 15, Compliance with Regulations:

The Member shall preserve and promote the cooperative ownership principles on which the Corporation and the Foundation have been founded, abide by the articles of incorporation, bylaws, rules and regulations of the Corporation and of the Foundation and any amendments thereto now or hereafter in force and by its acts of cooperation with other members, bring about for itself and its fellow members a high standard in home and community conditions.

Attachment 2

Landscape Maintenance Manual:

The Landscape Maintenance Manual is a 24 page informative guide meant to provide residents on how landscape and related programs are managed in the Village. The Landscape Maintenance Manual is located in the [Landscape Department](#) section of the Laguna Woods Village website.

Below is an overview of its contents:

- The role of the landscape division
- Landscape maintenance program
- The role of the resident
- The yellow stake program
- Use of private gardeners
- Landscapers and pest control operators
- The tree program
- Chargeable service program
- Water management
- Safety request forms and appeal process
- Mutual landscape request form
- United mutual resolutions
- Tree removal guidelines
- Memorials and tree signage
- Privately owned objects
- Clutter policy
- Stepping stones
- Placement of potted plants in common area
- Fruit trees
- Vegetable plantings
- Appeal policy



Clutter Policy
Resolution 01-18-104; Adopted September 26, 2018

I. Purpose

The purpose of this policy is to set forth guidelines by United Laguna Woods Mutual (United) for the safety and prevention of damage from items placed by the residents in “Exclusive Use Common Area” and “Common Area.”

Please note that this list is **not** exhaustive and **any** item that is placed within the Mutual property, including but not limited to, the balcony, breezeway, carport, patio, interior and common area is subject to the aforementioned rules and regulations of the Mutual.

II. Definitions

- a. Exclusive Use Common Area – a portion of the common area designated by the declaration for the exclusive use of one or more, but fewer than all, of the owners of the separate interests and which is or will be appurtenant to the separate interest or interests. Unless the declaration otherwise provides, any shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, patios, exterior doors, doorframes, and hardware incident thereto, screens and windows or other fixtures designed to serve a single separate interest, but located outside the boundaries of the separate interest, are exclusive use common area allocated exclusively to that separate interest (i.e. patios, balconies, carport and interior of a Unit). (Civil Code §4145)
- b. Clutter - to fill or litter with things in a disorderly manner; a collection of things lying about in an untidy mass. (cluttered. (n.d.) *Burton's Legal Thesaurus, 4E.* (2007)) In addition, anything positioned within the Mutual property in a manner which is obstructing the free use of the area, creating a health and safety risk to the community, and/or consequently causing property damage within the Mutual. See further details under Conditions.
- c. Common Area - the entire common interest development except the separate interests therein (i.e. walkways, breezeways, and open space). (Civil Code §4095)
- d. Community – Laguna Woods Village.
- e. Golden Rain Foundation (GRF) – the Golden Rain Foundation of Laguna Hills, a California nonprofit mutual benefit corporation.
- f. Governing Documents – all of the following, collectively, the Articles of Incorporation; the Bylaws; Occupancy Agreements; the Rules and Regulations; and any Resolutions or Policies of the Board; all the same may be lawfully amended or modified from time to time.

- g. Interior Clutter – any items that are hazardous or may be of fire or safety danger, and/or potential damage to the inside of the Unit or surrounding Units.
- h. Member – Shareholder(s) entitled to Membership in the Corporation and approved by the Board of Directors. Also known as Shareholder(s).
- i. Resident is defined as any person who has been approved by the Board of Directors for occupancy.
- j. Staff - Employees of Village Management Services, Inc. authorized to act on behalf of United.
- k. United Laguna Woods Mutual (United) - is a non-profit cooperative housing corporation which owns and manages all real property within the original 21 cooperative Mutual's. In a cooperative, Shareholders are members of a corporation which own all real property, including the dwelling units, carports, and laundry facilities within the Mutual's boundaries, and each Shareholder is entitled to occupy a specific dwelling unit under the terms of an Occupancy Agreement. Also known as Corporation. Also known as the Mutual.

III. Conditions Clutter

Common areas are for the use and enjoyment of all residents and it is essential that all residents be aware of the need for the safety and prevention of damage to the buildings by items placed by the residents in or on the common areas of the Mutual's multi-story buildings and where applicable to other residential buildings.

The following rules for residents address the safety and prevention of damage issues. Residents should take whatever corrective action is necessary to manage those items they have placed outside their unit. Residents who disregard these guidelines will be given a citation to correct the problem, possibly followed with disciplinary action.

- 1. All plants must be suitably potted with adequately sized saucers to collect excess water and elevated by substantial castor or sturdy platforms. Care must be used to control the amount of water given to these plants so as not to run over the saucer and collect on the floor surface or fall to a lower level of the building on people, windows, or other objects belonging to neighbors.
- 2. Items, including plants, statues, furniture, etc., may be placed adjacent to a Unit's front door on the floor and shall be limited. Adequate clearance is required to allow for easy walkway access along the area (at least in number and size to allow for a 48-inch clearance as required by law.)
- 3. All plants shall be maintained by the resident in a healthy, well cared for condition, properly watered and pruned. Non-plant items shall be maintained clean and in good repair.

4. Potted plants are not to be placed on railings in common areas. Hanging plants or hanging objects are prohibited in breezeway and walkways.
5. Items that constitute a nuisance to one's neighbors should not be placed in common areas. Examples are intrusive wind chimes, food and water, which will attract birds, insects, and other animals. (City of Laguna Woods Municipal Code Section 5.20.070) Residents are encouraged to resolve amicably differences or disputes involving such items.
6. A resident's balcony and patio area adjoining a unit is Exclusive Use Common Area. This area needs the same care & protection as the walkways and breezeways to prevent dry rot, decay and mold of surfaces. Therefore only a limited number of potted plants on the balconies of multistory buildings are allowed. No more than 15% of the total floor area of a balcony may be used for potted plants.
7. Landscape crews will not care for a resident's personal items placed in common areas unless arranged through the Customer Service Department as a chargeable service.

Any building, by majority decision, may establish additional rules for its own use, providing the rules are not in conflict with the above guidelines. United shall resolve any disputes or misunderstandings relating to Exclusive Use Common Areas and Common Areas.

Governing Documents: "The Member shall not permit or suffer anything to be done or kept in or about the dwelling unit or other premises of the Corporation which will increase the rate of insurance on any building or other property of the Corporation or on the contents thereof or which will obstruct or interfere with the rights of other members of the Corporation or annoy them by unreasonable noises or otherwise nor will it commit or permit any nuisance in or about the dwelling unit or other premises of the Corporation or commit or suffer any immoral or illegal act to be committed thereon." (Occupancy Agreement, Article 5, Use of Premises)

IV. Enforcement

United is authorized to take disciplinary action against a Member(s) whose dwelling may be found in violation of the Governing Documents. When a complaint is lodged regarding the occurrence of a violation, the Board of Directors has a fiduciary duty to investigate and impose, if appropriate, discipline as set forth in the Governing Documents.

The Board has the authority to impose monetary fines, suspend Member(s) privileges, and/or bring forth legal action. The Member(s) are entirely responsible for ensuring that the Governing Documents are followed by anyone they allow into the Community. This includes any Co-occupant, Lessee, Guest, Care Provider, Vendor, invitee or contractor.

A complaint may be registered by calling the Security Department at 949-580-1400 or the Compliance Division by calling 949-268-CALL or email to compliance@vmsinc.org.

Investigating clutter: a Security Inspector patrols the Community and should Staff identify objective evidence of clutter a Notice of Clutter Violation is issued. The Compliance Division will send a follow up notice advising the Member of the rules and requesting compliance.

For interior clutter: Staff will schedule an interior inspection to obtain photographs and determine the severity of the clutter, potential hazard, and damage to the property. Staff works closely with the Social Services Division and outside agencies on interior clutter violations.