

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

**July 15, 2014**

The Regular Meeting of the Third Laguna Hills Mutual Board of Directors, a California non-profit mutual benefit corporation, was held on Tuesday, July 15, 2014 at 9:30 A.M. at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Mike Straziuso, Kathryn Freshley, Rosemarie di Lorenzo Dickins, Ray Gros, Hank Gioia, Won Chang, Beth Perak, Bert Moldow, Jim Juhan, Wei-Ming Tao

Directors Absent: Judith Troutman

Staff Present: Jerry Storage, Kim Taylor, Petros Frangos  
*Executive Session:* Jerry Storage, Cris Robinson, Kim Taylor, Pamela Bashline, Blessilda Fernandez, Cindy Grace

Others Present: Kelly Richardson, Esq.

**CALL TO ORDER**

President Mike Straziuso called the meeting to order at 9:30 A.M. and confirmed that a quorum was present.

**PLEDGE OF ALLEGIANCE**

Director Jim Juhan led the Membership in the Pledge of Allegiance.

**ACKNOWLEDGEMENT OF MEDIA**

A representative of the Globe was present for the meeting and the Channel 6 Camera Crew, by way of remote cameras, was acknowledged as present.

**APPROVAL OF AGENDA**

Director Moldow moved to add as 11(c) 'Discuss and Consider Proposed Charter for GRF Energy Committee'. The motion failed from a lack of a second.

Without objection, the agenda was approved as written.

**CHAIR'S REMARKS**

President Straziuso spoke on various items concerning Third Mutual.

President Straziuso announced that Director Jim Juhan has tendered his resignation effective July 29, 2014.

**APPROVAL OF THE MINUTES**

Without objection, the minutes of June 13, 2014 Special Business Planning meeting Version 1 was approved as written.

Without objection, the minutes of the regular meeting of June 17, 2014 was approved as written.

### **CONSENT CALENDAR**

Without objection, the Board approved the Consent Calendar as amended by removing 3165-A from the Consent Calendar and adding it under the Maintenance and Construction Committee Report as Item 15(c). The Board took the following actions:

#### Maintenance & Construction Committee Recommendations:

- |                   |   |
|-------------------|---|
| 2127-C            | Approve request to install a handrail, with contingencies                                   |
| 2355-3D           | Approve request to install a retrofit casement window in master bedroom, with contingencies |
| 2400-2D           | Deny request to install multiple chaseways for an HVAC ductless system                      |
| 3073-C            | Deny request to retain plants on the patio block wall                                       |
| <del>3165-A</del> | <del>Deny request to retain plants on the patio block wall and wood fence</del>             |
| 3218-B            | Approve cosmetic painting of the trellis structure  |
| 3296-D            | Approve request for a major remodel, with contingencies                                     |
| 3511-C            | Approve request for a rear patio extension with enclosure and cover, with contingencies     |
| 5576-B            | Approve request for a non-standard awning color, with contingencies                         |

#### Landscape Committee Recommendations:

- |         |   |
|---------|---|
| 2404-1H | Deny request for installation of two stepping stone pathways within the Common Area Landscaping |
|---------|---|

#### Finance Committee Recommendations:

### **RESOLUTION 03-14-73**

#### **Recording of a Lien**

**WHEREAS**, Member ID 931-460-07 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;

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**NOW THEREFORE BE IT RESOLVED**, July 15, 2014, that the Board of Directors hereby approves the recording of a Lien for Member ID 931-460-07; 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.

**RESOLUTION 03-14-74**

**Recording of a Lien**

**WHEREAS**, Member ID 931-481-16 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**, July 15, 2014, that the Board of Directors hereby approves the recording of a Lien for Member ID 931-481-16; 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.

**RESOLUTION 03-14-75**

**Filing of Separate Small Claims Court Cases**

**WHEREAS**, the Finance Committee recommends filing separate Small Claims Court cases of \$2,500 (or less) in an attempt to collect delinquent assessments by way of a judgment or stipulation against members/owners in Third Laguna Hills Mutual; and

**NOW THEREFORE BE IT RESOLVED**, July 15, 2014, that the Board of Directors hereby approves the filing of separate Small Claims Court cases for: Member ID 931-470-86, Member ID 931-580-95, Member ID 931-900-31; Member ID 932-200-19; Member ID 932-311-26; Member ID 935-050-71; 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.

### **GENERAL MANAGER'S REPORT**

Mr. Storage updated the membership on Third Mutual projects and ongoing GRF projects within the Community.

### **MEMBER COMMENTS**

Third Mutual Members were given the opportunity to speak to any issues not on the agenda.

### **DIRECTORS' RESPONSES TO MEMBER COMMENTS**

The Directors briefly responded to Member Comments.

### **UNFINISHED BUSINESS**

In Director Troutman's absence, Director Perak read a proposed resolution approving revisions to the GRF Committee appointments. Director Perak moved to approve the resolution. Director Gioia seconded the motion and discussion ensued.

By a vote of 7-0-3, the motion carried and the Board of Directors adopted the following resolution:

### **RESOLUTION 03-14-76**

#### **GRF Committee Appointments**

**RESOLVED**, July 15, 2014, that in compliance with Article 7, Section 7.3 of the Golden Rain Foundation Bylaws, adopted July 2012, the following persons are hereby appointed to serve on the committees of the Golden Rain Foundation:

#### **Business Planning Committee**

Mike Straziuso  
Hank Gioia

#### **Clubhouse 2 Renovation Ad Hoc Committee**

***Hank Gioia***  
***Judith Troutman***

#### **Energy Committee**

Judith Troutman  
~~Ray Gros~~  
***Wei-Ming Tao***

#### **Community Activities Committee**

Beth Perak  
Rosemarie di Lorenzo Dickins

#### **Finance Committee**

Hank Gioia

Wei-Ming Tao

**Government and Public Relations Committee**

~~Wei-Ming Tao~~

Beth Perak

**Landscape Committee**

~~Jim Juhan~~

Rosemarie di Lorenzo Dickins, Chair

***Bert Moldow***

**Maintenance and Construction Committee**

~~Judith Troutman~~

Kathryn Freshley

Bert Moldow

**Media and Communication Committee**

Kathryn Freshley

~~Jim Juhan~~

***Beth Perak***

**Mobility and Vehicles Committee**

Mike Straziuso

Ray Gros

**Recreation Master Plan Ad Hoc Committee**

~~Hank Gioia~~

~~Judith Troutman~~

**Security and Community Access Committee**

Ray Gros

Bert Moldow

**RESOLVED FURTHER**, that Resolution 03-14-54, adopted May 20, 2014, is hereby superseded and canceled.

In Director Troutman's absence, Director Perak read a proposed resolution approving revisions to the Third Board Committee appointments. Director Perak moved to approve the resolution. Director Gioia second the motion and discussion ensued.

By a vote of 7-0-3, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 03-14-77**

**Mutual Committee Appointments**

**RESOLVED**, July 15, 2014, that the following persons are hereby appointed to serve on the committees and services of this Corporation; and

**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:

**Board Operating Rules Committee**

Mike Straziuso, Chair  
Ray Gros  
Judith Troutman  
Beth Perak

**Communications Committee**

Beth Perak, Chair  
~~Jim Juhan~~  
Ray Gros  
Won Chang  
Bert Moldow  
Non-Voting Advisor: Joan Milliman

**Energy Committee**

Bert Moldow, Chair  
Judith Troutman  
Kathryn Freshley  
Non-Voting Advisors: Doug Rook, Bill Walsh

**Finance (Committee of the Whole)**

Hank Gioia, Chair  
Wei-Ming Tao, Vice Chair  
Non-Voting Advisors: Joan Milliman, Mary Robertson

**Garden Villa Recreation Room Subcommittee**

~~Jim Juhan, Chair~~  
Rosemarie di Lorenzo Dickins, **Chair**  
Won Chang  
Mike Straziuso  
Non-Voting Advisors: Shari Horne, Harry Curtis, Lynn Jarrett, Marian Dailey

**Landscape (Committee of the Whole)**

~~Jim Juhan, Chair~~

Rosemarie di Lorenzo Dickins, **Chair**

***Kathryn Freshley, Vice Chair***

Non-Voting Advisors: Barbara Marsh, John Dudley

**Maintenance and Construction (Committee of the Whole)**

~~Judith Troutman, Chair~~

Kathryn Freshley, **Chair**

***Bert Moldow, Vice Chair***

Non-Voting Advisors: Sy Wellikson, ***Bill Walsh***

**Meet and Confer**

Mike Straziuso, Chair

Ray Gros

Kathryn Freshley

**New Resident Orientation**

Per Rotation List

**Paint Color Subcommittee**

~~Judith Troutman~~

***Beth Perak***

Wei-Ming Tao

Non-Voting Advisor: Rose Weiss

**Resident Problem Resolution Services**

Mike Straziuso

Beth Perak

~~Jim Juhan~~

***Ray Gros***

**Revitalization Committee**

Won Chang, Chair

Kathryn Freshley

Beth Perak

Wei-Ming Tao

Judith Troutman

Bert Moldow

Non-Voting Advisors: Bob Hatch, Barbara Marsh

**Standards Subcommittee**

~~Jim Juhan, Chair~~

***Hank Gioia, Chair***

Ray Gros

Rosemarie di Lorenzo Dickins

Kathryn Freshley

Non-Voting Advisor: Denny Welch

**Traffic Hearing (quarterly)**

Hank Gioia, Chair  
Bert Moldow  
Ray Gros

**Laguna Canyon Foundation**

Ray Gros

**Joint Task Force to Analyze GRF Trust and Bylaws**

Jim Juhan

***Judith Troutman***

Beth Perak

**RESOLVED FURTHER**, that Resolution 03-14-27, adopted March 18, 2014 is hereby superseded and canceled.

The Board discussed the way Third Board Directors votes are recorded in the minutes.

Without objection, the Board agreed to hear 15(c) '3165-A Deny request to retain plants on the patio block wall and wood fence,' out of order.

Mr. Petros Frangos entered the meeting at 10:40 AM.

Member Ms. Betty Rubin of (3165-A) addressed the Board regarding the recommendation of Maintenance and Communication Committee to deny the request to retain plants on the patio block wall and wood fence.

Mr. Robert Sherinian of (3232-A) spoke on behalf of Ms. Rubin.

Mr. Petros Frangos addressed the Board on the issue and answered questions.

Director Freshley moved to accept Alternative Three: Approve the request to retain plants on the patio block wall and wood fence. Director Moldow seconded the motion.

By a vote of 10-0-0 the motion carried.

**NEW BUSINESS**

The Board discussed performing background checks for membership.

Mr. Richardson suggested that the Board discuss the agenda item in Closed Session.

**COMMITTEE REPORTS**



Director Gioia gave the Treasurer's and the Finance Committee Reports, and commented on the Resale & Lease Activities.

Director di Lorenzo Dickins reported from the Landscape Committee.

On behalf of Director Troutman, Director Freshley reported from the Maintenance and Construction Committee.

Director Perak read a resolution approving the Exterior Paint Colors Subcommittee Charter. Director Freshley moved to approve the resolution. Director Tao seconded the motion and discussion ensued.

By a vote of 8-0-0, the motion carried and the Board of Directors adopted the following resolution:

**Resolution 03-14-78**

**Exterior Paint Colors Subcommittee Charter**

**WHEREAS**, an Exterior Paint Colors Subcommittee has been established by the Third Laguna Hills Mutual Board of Directors under the purview of the Maintenance and Construction Committee;

**NOW THEREFORE BE IT RESOLVED**, July 8, 2014 that the Board of Directors of this Corporation hereby assigns the duties and responsibilities of this Committee, as follows:

1. Serve as a working liaison between the Third Laguna Hills Mutual Maintenance and Construction Committee and Board of Directors and the Managing Agent's Maintenance Division, specific to all exterior paint color requirements.
2. Periodically, at least every ten (10) years review, evaluate and recommend to the Maintenance and Construction Committee proposed changes to the paint color palette and specific color groups approved for use on the exterior surfaces of all Mutual structures.
3. Periodically, as needed review, evaluate and recommend to the Maintenance and Construction Committee proposed changes to the Board of Directors approved policies and procedures followed in the assignment of paint color groups to each Mutual structure during execution of the Exterior Paint Program.
4. Should member conflict or other circumstances prevent a color group selection for a particular building following the Board approved

policies and procedures, the Subcommittee shall, by a simple majority vote of the Subcommittee, select the color group for that particular building.

5. As needed review, evaluate and make recommendations to the Maintenance and Construction Committee for approval or denial regarding member requests for the application of paint colors to building exteriors that vary from the Board approved color palette and color group specifications. The Maintenance and Construction Committee shall have the authority to make final decisions on all member requests for variations of color applications falling within the Board approved color groups; 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 Perak read a resolution approving the storing of personal property in the Garden Villa Storage Areas in LH-21 buildings. Director Freshley moved to approve the resolution. Director Tao seconded the motion and discussion ensued.

By a vote of 8-0-1, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 03-14-79**

**GARDEN VILLA STORAGE AREAS IN LH-21 BUILDINGS**

**WHEREAS**, such storage practices by residents under certain circumstances present a substantial and material threat to the health, safety and well-being of all residents; and

**WHEREAS**, it is deemed by this board to be in the best interest of this community to regulate, pursuant to reasonable rules, regulations and guidelines, the storage practices of the residents to ensure the prevention of any storage practices that may pose a substantial and material threat to the health, safety and well-being of all residents.

**RESOLVED FURTHER, NOW THEREFORE BE IT RESOLVED, on July 15, 2014 that** residents shall be permitted to store personal property in common storage rooms in the buildings listed below in which the dwelling unit of such resident is located, subject to the following terms and conditions. Buildings No. 3335, 3336, 3337, 3338, 3363, 3364, 3365, 3366, 3367, 3371, 3486, 3498, 3500, 3501, 3510, 4001, 4002, 4003, 4004, 4005, 4012, 4013, 4014, 4015, 4025, 4026, 5368, and 5369.

**RESOLVED FURTHER**, that residents shall be permitted to store personal property in common storage rooms in the buildings listed above in which the dwelling unit of such resident is located, subject to the following terms and conditions.

1. No person shall store any such personal property that is, or in the sole discretion of this Board (or any of its authorized representatives) may (a) become noxious or offensive, or (b) in any way threaten the health, safety or wellbeing of any member of this community.

2. All storage rooms shall be kept unlocked. Residents shall be advised they can store their items at their own risk.

3. All personal property stored in such storage rooms shall be properly packed in cardboard cartons or similar containers (suitcases or cabinets), neatly tied or sealed shut and marked clearly with the name and manor number of the owner thereof. Only current residents of the building may store their items there. All cartons shall be stacked or otherwise arranged neatly in the storage room. Lines are painted, or taped, on the storage room floor, clearly designating the approved storing area, and the area to keep clear for safe access. These areas shall be maintained at all times. No small loose items shall be left out of a container and unmarked or unlabeled.

4. All storage space in such storage rooms shall be used and occupied by the personal property of residents on a reasonably equitable basis. Residents on each floor should use the storage area on their floor first whenever possible.

5. The ability of all residents to store any personal property in any storage room shall constitute a privilege only and shall not, under any circumstances, be deemed or construed as a bailment of such personal property. Such privilege is at the sole but reasonable discretion of this Board (or any of its authorized representatives), and may be revoked at any time, with or without cause, upon this Board (or any of its authorized representatives) providing to the affected resident or residents seven days' prior written notice of the termination of such privilege; provided, however, that no such prior notice shall be required if the storage of the affected personal property in the storage room, or the manor in which such property is stored, violates the provisions or intent of this resolution.

6. Any personal property not removed from a storage room when demanded by this Board (or any of its authorized representatives hereof) may be removed by this Board (or any authorized representative hereof), and may be (a) stored at the expense of the owner of such property or (b) treated as abandoned property and disposed of in accordance with the provisions of California Civil Code Section 1980 et seq., or such other similar provision of law as may then be in effect.

7. Neither this Board, this Corporation of Third Laguna Hills Mutual, Golden Rain Foundation of Laguna Hills, nor any of their agents, employees, officers or

representatives shall be responsible for any damage, loss, theft, vandalism or other loss of any kind or nature whatsoever suffered with respect to any personal property stored in a common storage room by a resident.

**RESOLVED FURTHER**, that Resolution M3-85-114 adopted September 17, 1985, is hereby superseded and cancelled; and

**RESOLVED FURTHER**, that the officers, directors and authorized agents of this Corporation be, and they hereby are, authorized and directed to take any and all steps reasonably necessary to ensure that this Resolution is properly and effectively implemented, including, but not limited to, the implementation of such rules and regulations and the posting of such signs as they may deem necessary or appropriate.

Mr. Petros Frangos left the meeting at 11:30 AM.

Director Moldow reported from the Energy Committee.

President Straziuso reported from Resident Problem Resolution Services.

Director Chang reported from the Revitalization Committee.

Director Gros reported from the Traffic Rules and Regulations Ad-hoc Committee.

Director Perak reported from the Communications Committee.

Director Gros reported on the Laguna Canyon Foundation.

#### **GRF COMMITTEE HIGHLIGHTS**

GRF Committee highlights were given.

#### **DIRECTORS' COMMENTS**

The Directors made their final comments.

#### **ADDITIONAL MEMBER COMMENTS**

No additional Member Comments were made.

The Board recessed at 11:45 A.M. and reconvened into Executive Session at 1:00 P.M.

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

During its June 15, 2014 Regular Executive Session Board Meeting, the Board approved the May 20, 2014 Regular Executive Session minutes as written. The Board heard one disciplinary hearing and imposed no fines for violations of the Mutual's rules and regulations; approved one Chargeable Services write-off; approved five recordings of Notices for Default;

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held eight Damage Restoration Hearings; discussed other member disciplinary matters; discussed contractual issues; and discussed potential litigation matters.

With no further business before the Board of Directors, the meeting was adjourned at 5:00 PM.

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Mike Straziuso, President