

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

**June 16, 2015**

The Regular Meeting of the Third Laguna Hills Mutual Board of Directors, a California non-profit mutual benefit corporation, was held on Tuesday, June 16, 2015 at 9:30 A.M. at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Jim Matson, Beth Perak, Ray Gros, James Tung, John Luebbe, John McRae, Bert Moldow, Judith Troutman, Rosemarie di Lorenzo Dickins, Wei-Ming Tao

Directors Absent: Bunny Carpenter

Staff Present: Jerry Storage, Kim Taylor, Kristine Courdy  
Executive Session: Jerry Storage, Cris Robinson, Kim Taylor, Blessilda Fernandez

Others Present: Denver R. Andrews, Jr. Esq. - Law Offices of Denver R. Andrews, Jr. (Executive Session)

**CALL TO ORDER**

Jim Matson, President of the Corporation, chaired and opened the meeting, and stated that it was a Regular Meeting held pursuant to notice duly given. A quorum was established, and the meeting was called to order at 9:30 A.M.

**PLEDGE OF ALLEGIANCE**

Director Ray Gros led the Membership in the Pledge of Allegiance.

**ACKNOWLEDGEMENT OF MEDIA**

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

**APPROVAL OF AGENDA**

Director di Lorenzo Dickins moved to approve the agenda as amended by removing 3224-A from the Consent Calendar and sending it back to the Maintenance and Construction Committee for further review. Director Tung seconded the motion.

By a vote of 9-0-0 the motion carried.

**CHAIR'S REMARKS**

President Matson spoke of various items concerning the Mutual with regard to maintenance, energy conservation, lighting, landscape, and water conservation.

**APPROVAL OF THE MINUTES**

Director di Lorenzo Dickins moved to approve the minutes of the May 19, 2015 Regular Open Session, as written. Director Perak seconded the motion. By a vote of 9-0-0 the motion carried.

## **CONSENT CALENDAR**

Without objection, the Board approved the Consent Calendar as amended by removing 3224-A and sending it back to the Maintenance and Construction Committee for further review, and the Board took the following actions:

### Maintenance and Construction Committee Recommendations:

- |        |   |
|--------|---|
| B2402  | Approve installation of an access ramp to the entrance of Building 2402, at the requesting Member's expense, the Mutual to perform future repairs and maintenance, with a contingency |
| 3023-C | Deny request to retain a patio extension for the purpose of parking a golf cart   |
| 3398-A | Approve request to install multiple chaseways for an HVAC ductless system, with contingencies   |
| 5145   | Approve request to retain a chaseway for an HVAC central air conditioning system, with contingencies  |
| 5427   | Approve request to retain the elimination of the sliding glass door in the dining room and a master bedroom extension, with contingencies   |
| 5427   | Deny request to retain master bedroom extension at Manor 5427   |

### Maintenance and Construction Common Area - Variance Request Resolutions:

#### **RESOLUTION 03-15-75**

#### **Common Area - Variance Request**

**WHEREAS**, Ms. Janet Liang of 2346-D Via Mariposa West, Third Laguna Hills Mutual, submitted a request for a variance to construct an alteration on Common Area as defined in the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and

**WHEREAS**, Third Laguna Hills Mutual Board of Directors (the Board) has considered the request utilizing the Common Area Use Policy as approved by the Board via Resolution 03-14-24 as revised in accordance with California Civil Code § 4600 on March 18, 2014;

**NOW THEREFORE BE IT RESOLVED**, on June 16, 2015, the Board of Directors hereby approves the request for a variance to grant exclusive use of the subject common area to the requesting member due to the finding that the proposed alteration meets the following criteria:

1. Compliance with Community Standards.
2. Neighbor Awareness Forms were submitted from affected neighbors.
3. The area of the proposed alteration is located at least partially in Common Area.
4. The alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third.
5. The member is required to complete the Agreement Regarding Permitted Alteration of Common Area (the "Common Area Agreement").

**RESOLVED FURTHER**, the member is required to comply with all of the contingencies as presented in the report and approved by the Board; and

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

### **RESOLUTION 03-15-76**

#### **Common Area - Variance Request**

**WHEREAS**, Mr. Steven L. Peck of 3164-B Alta Vista, Third Laguna Hills Mutual, submitted a request for a variance to construct an alteration on Common Area as defined in the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and

**WHEREAS**, Third Laguna Hills Mutual Board of Directors (the Board) has considered the request utilizing the Common Area Use Policy as approved by the Board via Resolution 03-14-24 as revised in accordance with California Civil Code § 4600 on March 18, 2014;

**NOW THEREFORE BE IT RESOLVED**, on June 16, 2015, the Board of Directors hereby approves the request for a variance to grant exclusive use of the subject common area to the requesting member due to the finding that the proposed alteration meets the following criteria:

1. Compliance with Community Standards.
2. Neighbor Awareness Forms were submitted from affected neighbors.
3. The area of the proposed alteration is located at least partially in Common Area.
4. The alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third.

5. The member is required to complete the Agreement Regarding Permitted Alteration of Common Area (the "Common Area Agreement").

**RESOLVED FURTHER**, the member is required to comply with all of the contingencies as presented in the report and approved by the Board; and

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

### **RESOLUTION 03-15-77**

#### **Common Area - Variance Request**

**WHEREAS**, Mr. Robert Eckert of 3187-A Via Buena Vista, Third Laguna Hills Mutual, submitted a request for a variance to construct an alteration on Common Area as defined in the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and

**WHEREAS**, Third Laguna Hills Mutual Board of Directors (the Board) has considered the request utilizing the Common Area Use Policy as approved by the Board via Resolution 03-14-24 as revised in accordance with California Civil Code § 4600 on March 18, 2014;

**NOW THEREFORE BE IT RESOLVED**, on June 16, 2015, the Board of Directors hereby approves the request for a variance to grant exclusive use of the subject common area to the requesting member due to the finding that the proposed alteration meets the following criteria:

1. Compliance with Community Standards.
2. Neighbor Awareness Forms were submitted from affected neighbors.
3. The area of the proposed alteration is located at least partially in Common Area.
4. The alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third.
5. The member is required to complete the Agreement Regarding Permitted Alteration of Common Area (the "Common Area Agreement").

**RESOLVED FURTHER**, the member is required to comply with all of the contingencies as presented in the report and approved by the Board; and

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

**RESOLUTION 03-15-78**

**Common Area - Variance Request**

**WHEREAS**, Mike and Bilha Bender of 3289-B San Amadeo, Third Laguna Hills Mutual, submitted a request for a variance to construct an alteration on Common Area as defined in the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and

**WHEREAS**, Third Laguna Hills Mutual Board of Directors (the Board) has considered the request utilizing the Common Area Use Policy as approved by the Board via Resolution 03-14-24 as revised in accordance with California Civil Code § 4600 on March 18, 2014;

**NOW THEREFORE BE IT RESOLVED**, on June 16, 2015, the Board of Directors hereby approves the request for a variance to grant exclusive use of the subject common area to the requesting member due to the finding that the proposed alteration meets the following criteria:

1. Compliance with Community Standards.
2. Neighbor Awareness Forms were submitted from affected neighbors.
3. The area of the proposed alteration is located at least partially in Common Area.
4. The alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third.
5. The member is required to complete the Agreement Regarding Permitted Alteration of Common Area (the "Common Area Agreement").

**RESOLVED FURTHER**, the member is required to comply with all of the contingencies as presented in the report and approved by the Board; and

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

**RESOLUTION 03-15-79**

**Common Area - Variance Request**

**WHEREAS**, Yih-Shyun Cheng of 3334-A Bahia Blanca East, Third Laguna Hills Mutual, submitted a request for a variance to construct an alteration on Common Area as defined in the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and

**WHEREAS**, Third Laguna Hills Mutual Board of Directors (the Board) has considered the request utilizing the Common Area Use Policy as approved by the Board via Resolution 03-14-24 as revised in accordance with California Civil Code § 4600 on March 18, 2014;

**NOW THEREFORE BE IT RESOLVED**, on June 16, 2015, the Board of Directors hereby approves the request for a variance to grant exclusive use of the subject common area to the requesting member due to the finding that the proposed alteration meets the following criteria:

1. Compliance with Community Standards.
2. Neighbor Awareness Forms were submitted from affected neighbors.
3. The area of the proposed alteration is located at least partially in Common Area.
4. The alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third.
5. The member is required to complete the Agreement Regarding Permitted Alteration of Common Area (the "Common Area Agreement").

**RESOLVED FURTHER**, the member is required to comply with all of the contingencies as presented in the report and approved by the Board; and

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

### **RESOLUTION 03-15-80**

#### **Common Area - Variance Request**

**WHEREAS**, Marianne Kreter of 5152 Avenida Despacio, Third Laguna Hills Mutual, submitted a request for a variance to construct an alteration on Common Area as defined in the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and

**WHEREAS**, Third Laguna Hills Mutual Board of Directors (the Board) has considered the request utilizing the Common Area Use Policy as approved by the Board via Resolution 03-14-24 as revised in accordance with California Civil Code § 4600 on March 18, 2014;

**NOW THEREFORE BE IT RESOLVED**, on June 16, 2015, the Board of Directors hereby approves the request for a variance to grant exclusive use of

the subject common area to the requesting member due to the finding that the proposed alteration meets the following criteria:

1. Compliance with Community Standards.
2. Neighbor Awareness Forms were submitted from affected neighbors.
3. The area of the proposed alteration is located at least partially in Common Area.
4. The alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third.
5. The member is required to complete the Agreement Regarding Permitted Alteration of Common Area (the "Common Area Agreement").

**RESOLVED FURTHER**, the member is required to comply with all of the contingencies as presented in the report and approved by the Board; and

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

### **RESOLUTION 03-15-81**

#### **Common Area - Variance Request**

**WHEREAS**, Dr. Un Taek Yang of 5158 Avenida Despacio, Third Laguna Hills Mutual, submitted a request for a variance to construct an alteration on Common Area as defined in the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and

**WHEREAS**, Third Laguna Hills Mutual Board of Directors (the Board) has considered the request utilizing the Common Area Use Policy as approved by the Board via Resolution 03-14-24 as revised in accordance with California Civil Code § 4600 on March 18, 2014;

**NOW THEREFORE BE IT RESOLVED**, on June 16, 2015, the Board of Directors hereby approves the request for a variance to grant exclusive use of the subject common area to the requesting member due to the finding that the proposed alteration meets the following criteria:

1. Compliance with Community Standards.
2. Neighbor Awareness Forms were submitted from affected neighbors.
3. The area of the proposed alteration is located at least partially in Common Area.
4. The alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third.
5. The member is required to complete the Agreement Regarding Permitted Alteration of Common Area (the "Common Area Agreement").

**RESOLVED FURTHER**, the member is required to comply with all of the contingencies as presented in the report and approved by the Board; and

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

### **RESOLUTION 03-15-82**

#### **Common Area - Variance Request**

**WHEREAS**, Joe and Elaine Youmans of 5337-A Bahia Blanca West, Third Laguna Hills Mutual, submitted a request for a variance to construct an alteration on Common Area as defined in the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and

**WHEREAS**, Third Laguna Hills Mutual Board of Directors (the Board) has considered the request utilizing the Common Area Use Policy as approved by the Board via Resolution 03-14-24 as revised in accordance with California Civil Code § 4600 on March 18, 2014;

**NOW THEREFORE BE IT RESOLVED**, on June 16, 2015, the Board of Directors hereby approves the request for a variance to grant exclusive use of the subject common area to the requesting member due to the finding that the proposed alteration meets the following criteria:

1. Compliance with Community Standards.
2. Neighbor Awareness Forms were submitted from affected neighbors.
3. The area of the proposed alteration is located at least partially in Common Area.
4. The alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third.

5. The member is required to complete the Agreement Regarding Permitted Alteration of Common Area (the "Common Area Agreement").

**RESOLVED FURTHER**, the member is required to comply with all of the contingencies as presented in the report and approved by the Board; and

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

### **RESOLUTION 03-15-83**

#### **Common Area - Variance Request**

**WHEREAS**, Richard and Dawn Johnston of 5486-A Paseo Del Lago West, Third Laguna Hills Mutual, submitted a request for a variance to construct an alteration on Common Area as defined in the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and

**WHEREAS**, Third Laguna Hills Mutual Board of Directors (the Board) has considered the request utilizing the Common Area Use Policy as approved by the Board via Resolution 03-14-24 as revised in accordance with California Civil Code § 4600 on March 18, 2014;

**NOW THEREFORE BE IT RESOLVED**, on June 16, 2015, the Board of Directors hereby approves the request for a variance to grant exclusive use of the subject common area to the requesting member due to the finding that the proposed alteration meets the following criteria:

1. Compliance with Community Standards.
2. Neighbor Awareness Forms were submitted from affected neighbors.
3. The area of the proposed alteration is located at least partially in Common Area.
4. The alteration would relieve the Mutual of the burden of management and maintenance of an area which is generally inaccessible and not of general use to the other members of Third.
5. The member is required to complete the Agreement Regarding Permitted Alteration of Common Area (the "Common Area Agreement").

**RESOLVED FURTHER**, the member is required to comply with all of the contingencies as presented in the report and approved by the Board; and

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

Landscape Committee Recommendations:

- |        |   |
|--------|---|
| 3200-B | Approval of request to replace the plants at a portion of the area requested, at the Mutual's expense |
| 3485-B | Approval of request for tree removal at the Mutual's expense  |
| 5588-B | Approval of request for off-schedule trimming at the Mutual Member's expense                          |

Finance Committee Recommendations:

**RESOLUTION 03-15-84**

**Recording of a Lien**

**WHEREAS**, Member ID 931-531-36 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**, June 16, 2015, that the Board of Directors hereby approves the recording of a Lien for Member ID 931-531-36; 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 03-15-85**

**Recording of a Lien**

**WHEREAS**, Member ID 931-311-38 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**, June 16, 2015, that the Board of Directors hereby approves the recording of a Lien for Member ID 931-311-38; 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. Jerry Storage updated the membership on ongoing GRF projects within the Community.

### **MEMBER COMMENTS**

Third Mutual Members were given the opportunity to speak to items.

- Franklin Smith (5369-3D) commented on Member Comments being recorded in the minutes and spoke to a bill that he received.
- William Watson (2134-A) commented on a notice that he received regarding a golf cart fee and assessments rising from year to year in the Community.
- Gail Minichiello (2321-C) commented on the Laguna Woods Foundation, asked for contributions, and thanked the Community for their consideration.

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

Directors Moldow, Luebbbe, di Lorenzo Dickins, Gros and McRae briefly responded to Member Comments.

### **UNFINISHED BUSINESS**

Director McRae, Secretary of the Corporation, read a proposed resolution adopting the Third Laguna Hills Mutual Internal Dispute Resolution Policy, which was postponed in April to comply with Civil Code §4360. Director McRae moved to approve the resolution. Director Troutman seconded the motion and discussion ensued.

By a vote of 9-0-0 the motion carried, and the Board adopted the following resolution as written:

### **RESOLUTION 03-15-86**

#### **Third Laguna Hills Mutual Internal Dispute Resolution Policy**

**WHEREAS**, the new Civil Code §5910 starting January 1, 2015 establishes minimum requirements for internal dispute resolution meetings; and

**WHEREAS**, Mutual legal counsel recommended adopting procedures regarding internal dispute resolution meetings;

**NOW THEREFORE BE IT RESOLVED**, June 16, 2015, that the Board of Directors of this Corporation hereby adopts the Third Laguna Hills Mutual Internal Dispute Resolution Policy, as attached to the minutes of this meeting, effective June 16, 2015; 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 McRae, Secretary of the Corporation, read a proposed resolution postponing resolution 03-15-49 'Revision to Deactivation of Cable Service at a Delinquent Member's Unit, *when a Member becomes 75-Days Delinquent*':

**RESOLUTION 03-15-XX**

**Revision to Deactivation of Cable Service at a Delinquent Member's Unit,  
*when a Member becomes 75-Days Delinquent***

**WHEREAS**, Third Laguna Hills Mutual desires to strengthen delinquency collection procedures; and

**WHEREAS**, the Collection and Lien Enforcement Policy And Procedures For Assessment Delinquencies states "Failure to pay the assessments or failure to pay interest, a late fee, and/or the Administrative Collection Fee may also result in suspension of Membership in and the ability to use the facilities or services provided by the Golden Rain Foundation of Laguna Woods or by this Mutual"; and

**WHEREAS**, the GRF Board adopted Resolution 90-15-09 which authorizes GRF, at the request of the Mutual, to take disciplinary or suspension action against a Mutual Member which includes, but is not limited to, the suspension of the Mutual Member's right to use the cable TV system; and

**NOW THEREFORE BE IT RESOLVED**, on July 21, 2015, that the Board of Directors hereby approves deactivation of cable service at a delinquent member's unit, when a Member becomes 75-days delinquent, currently or hereafter, except when a member's payment plan is approved by the Board and remains current; and

**RESOLVED FURTHER**, that Resolution 03-15-49, April 21, 2015 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.

Director McRae moved to approve the resolution. Director di Lorenzo Dickins seconded the motion and discussion ensued.

By a vote of 9-0-0 the motion carried and the resolution was postponed to the July meeting to satisfy the 30-day notification requirement, to comply with Civil Code §4360.

### **NEW BUSINESS**

No New Business came before the Board.

### **COMMITTEE REPORTS**

Director Wei-Ming Tao gave the Finance Committee Report, and commented on the Resale & Lease Activities.

Director James Tung reported from the Landscape Committee.

Director Tung moved to appoint Mr. Reza Vazirian as an Advisor to the Landscape Committee. Director Troutman seconded the motion.

By a vote of 9-0-0 the motion carried.

Director Rosemarie di Lorenzo-Dickins reported from the Maintenance and Construction Committee.

Director McRae, Secretary of the Corporation, read a proposed resolution approving revisions to Alteration Standard Section 4 Air Conditioning Units/Heat Pumps:

### **RESOLUTION 03-15-XX**

#### **Alteration Standard Section 4 Air Conditioning Units/Heat Pumps**

**WHEREAS**, the Maintenance and Construction Committee of this Corporation recognizes the need to amend the Alteration Standard for Air Conditioning Units/Heat Pumps;

**NOW THEREFORE BE IT RESOLVED**, July 21, 2015, that Section 4 Air Conditioning Units/Heat Pumps of the Mutual Alteration Standards is hereby amended as attached to the official minutes of this meeting; and

**RESOLVED FURTHER**, that Resolution 03-13-98 adopted September 17, 2013 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.

Director McRae moved to approve the resolution. Director di Lorenzo Dickins seconded the motion and discussion ensued.

By a vote of 9-0-0 the motion carried and the resolution was postponed to the July meeting to satisfy the 30-day notification requirement, to comply with Civil Code §4360.

Director Tung reported from the Water Subcommittee.

Ms. Kristine Courdy entered the meeting at 10:35 AM.

Ms. Kristine Courdy provided an update on the new Wasteline Volunteer Mitigation Program.

Ms. Kristine Courdy left the meeting at 10:45 AM.

Director Moldow reported from the Energy Committee.

Director di Lorenzo Dickins moved to approve July 15, 2015 as the starting date to apply the Section 44 Electric Vehicle Charging Stations Policy, and to have the decals and the mileage collection available. Director Moldow seconded the motion. Discussion ensued.

By a vote of 9-0-0 the motion carried.

Director Gros reported from Resident Problem Resolution Services.

Director Gros reported from the Laguna Woods Village Traffic Hearings.

Director Perak reported from the Communications Committee.

Director McRae, Secretary of the Corporation, read a proposed resolution approving an appropriation of \$1,000 from the Unappropriated Expenditures Fund for use of miscellaneous projects at the discretion of the Communications Committee. Director McRae moved to approve the resolution. Director Luebbe seconded the motion and discussion ensued.

By a vote of 9-0-0 the motion carried, and the Board adopted the following resolution as written:

**RESOLUTION 03-15-87**

**Funding for Miscellaneous Communications Committee Projects**

**WHEREAS**, the Third Mutual Communications Committee has requested a contingency funding source for small miscellaneous projects that arise during the year; and

**NOW THEREFORE BE IT RESOLVED**, June 16, 2015, the Board of Directors of this Corporation hereby authorizes an appropriation of \$1,000 from the Unappropriated Expenditures Fund, for use on miscellaneous projects at the discretion of the Third Communications Committee; and

**RESOLVED FURTHER**, the Communications Committee may proceed on small unforeseen projects using this funding without obtaining approval from the Board, by means of regular procurement procedures in place for the Corporation; 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 Troutman provided an update on the Village Helper Program.  
Director Gros reported on the Laguna Canyon Foundation.

#### **GRF COMMITTEE HIGHLIGHTS**

Director Moldow reported from the GRF Energy Committee.

Director Luebbe reported from the GRF Media and Communications Committee and the GRF Mobility and Vehicles Committee meeting.

Director Perak reported from the GRF Media and Communications Committee meeting and the GRF Community Activities Committee meeting.

Director Tao reported from the GRF Finance Committee meeting.

Director Tung reported from the GRF Landscape Committee.

Director di Lorenzo Dickins reported from the GRF Community Activities Committee meeting.

Director Gros reported from the GRF Security and Community Access Committee.

Director Troutman reported from the City of Laguna Woods General Amendment Task Force.

Director McRae reported from the GRF Budget Planning Committee meetings.

President Matson reported from the GRF Maintenance and Construction Committee.

#### **DIRECTORS' COMMENTS**

Director Moldow commented on the efficiency of the Board during the open session portion of the meeting.

Director Luebbe stated that he enjoys working with the current Board.

Director Perak stated that she enjoys working with the current Board.

Director Tao commented on Finance matters.

Director Tung stated that he enjoys working with the current Board.

Director di Lorenzo Dickins spoke to issues relating to the Resales Department.

Director Gros stated that he enjoys working with the current Board.

Director Troutman thanked the audience for coming.

Director McRae complimented President Matson for running an efficient meeting.

President Matson commented on Board lunches.

**ADDITIONAL MEMBER COMMENTS**

No additional Member Comments were made.

The Board recessed at 11:45 AM and reconvened into Executive Session at 12:40 PM.

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

During its May 19, 2015 Regular Executive Session Board Meeting, the Board approved the April 21, 2015 Regular Executive Session minutes, the April 28, 2015 Special Executive Committee meeting minutes, the April 29, 2015 Special Executive meeting minutes, and the May 8, 2015 Special Executive meeting minutes, as written. The Board heard four (4) disciplinary hearings and imposed \$2,150 in fines for violations of the Mutual's rules and regulations; approved four (4) hearing requests; discussed other member disciplinary matters; approved one delinquent assessment debt write-off; formed an Executive Committee to hold disciplinary hearings; discussed the deactivation of cable services for small claims matters; discussed checking leases for non-conforming rooms in the Mutual; discussed calling a Corporate Members meeting; discussed and considered Contractual Matters; and discussed Litigation matters.

During the May 28, 2015 Special Closed Session All Boards meeting the Board discussed and considered contractual and legal matters.

During the Special Executive Session Board meeting of June 4, 2015 the Board discussed and considered Contractual Matters.

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

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John McRae, Secretary

### Third Laguna Hills Mutual Internal Dispute Resolution Policy

1. The Internal Dispute Resolution (“IDR”) process provides the Mutual as well as all Owners an alternative to the filing of any litigation related to a dispute involving their respective rights, duties or liabilities under the Mutual governing documents, the Davis-Stirling Common Interest Development Act and/or the nonprofit mutual benefit corporation law or any other state or federal law (a “CID Dispute”). ***An owner should be permitted to request IDR for a disputed assessment or charge (not a delinquency or a request for a payment plan.)*** The IDR process is available not only to disputes between the Mutual and an Owner, but can also be used to help resolve disputes between Owners. ~~It does not relate to any collection of assessments unless the Mutual determines it needs to pursue litigation to collect same.~~
2. Either party (Mutual or an Owner) to a CID Dispute may invoke the following procedure:
  - a. The party may request the other party to meet and confer, in an effort to resolve the CID Dispute. The request shall be in writing.
  - b. An Owner may refuse a request to meet and confer. The Mutual may not refuse an Owner’s request to meet and confer.
  - c. In response to a CID Dispute involving the Mutual, the Board will designate two Directors (“Mutual Designees”) to represent the Mutual and meet and confer with the Owner. The Mutual Designees shall also have the right to request the Chairperson of any applicable Committee involved in the CID Dispute to assist the Mutual and attend the meet and confer session with the Owner.
  - d. IDR meetings between Owners and not involving the Mutual should be held at a “neutral” location. To the extent conference rooms are available, and if the requesting Owners provide a minimum of ten (10) business days’ advance written notice, the Mutual will provide a conference room in the Community Center for the purpose of the IDR meeting. IDR meetings involving the Mutual will be held in the Community Center.
  - e. IDR meetings will be one hour in length. By requesting or agreeing to participate in IDR, the parties agree to commit one hour to the effort to resolve the dispute.
3. An Owner participating in IDR may be assisted by an attorney or another person in explaining their positions at the Owner’s cost, as also the Mutual may be so assisted at Mutual cost. Although an Owner is permitted to bring Owner’s attorney or other representative to the IDR meeting, the Mutual encourages direct discussions between the Mutual representative and the Owner, without legal counsel, to further the goal of resolution through an amicable, no cost, and expeditious process.

4. If an Owner desires to bring Owner's attorney to the IDR meeting, the Owner shall give ten (10) business days' advance written notice to the other parties, including the Mutual, so that the other parties may determine if they wish their respective legal counsel to attend. Failure of Owner to advise if Owner is bringing legal counsel will require a postponement of the IDR meeting to a date at which Mutual counsel or the counsel of any other party is able to participate. If an Owner appears at the IDR meeting with previously unannounced counsel, the IDR will be rescheduled and will not proceed.
5. In an IDR meeting, the parties will meet promptly at a mutually convenient time and place, explain their positions to each other and confer in good faith in an effort to resolve the CID Dispute. If all parties to the IDR are not present, and no one has called to indicate a problem with arrival, the IDR will be cancelled after 15 minutes of waiting.
6. A resolution of the CID Dispute agreed to by the parties shall be memorialized in writing and signed by all participating parties, including, if the Mutual is involved, the Board Designees on behalf of the Mutual.
7. The Agreement reached by the Owners or the Owners and the Board Designees will bind the parties and be judicially enforceable if the following conditions are satisfied.
  - a. The Agreement is in writing and signed by all parties to the IDR process;
  - b. The Agreement is not in conflict with law or the Mutual governing documents; and
  - c. If the IDR involves the Mutual as a participant, the Agreement is consistent with the authority granted in advance to the Mutual representatives by the Board or is ratified by the Board of Directors within thirty (30) days of the date that the Agreement is executed by the Owner and the Mutual Designees.
8. The Owner participating in the IDR Process shall not be charged a fee to participate in the IDR Process.
9. All parties participating in the IDR process should note that the goal of the meeting is not to determine who is right or who is wrong, nor does IDR determine a "winner." The purpose of the IDR meeting is to try to find a compromise between the disputing parties, and thereby enhance neighborliness and harmony at Third Laguna Hills Mutual. Therefore, parties participating should come to the IDR meeting with an open mind and prepared to be flexible in dealing with other parties to the IDR.

## THIRD LAGUNA HILLS MUTUAL

### **SECTION 4 AIR CONDITIONING UNITS/HEAT PUMPS**

REVISED SEPTEMBER 2005, RESOLUTION 03-05-20  
REVISED FEBRUARY 2006, RESOLUTION 03-06-09  
REVISED SEPTEMBER 2006, RESOLUTION 03-06-40  
REVISED JULY 2010, RESOLUTION 03-10-100  
GENERAL REQUIREMENTS REVISED APRIL 2011, RESOLUTION 03-11-49  
REVISED SEPTEMBER 2013, RESOLUTION 03-13-98  
**REVISED JULY 2015, RESOLUTION 03-15-XXX**

#### **1.0 GENERAL REQUIREMENTS**

- 1.1 PERMITS AND FEES:** A Mutual permit is required for all alterations to the building. A City of Laguna Woods permit may be required. All fees for both Mutual and City permits shall be paid for by the Member and/or his or her contractor. Member and/or his or her contractor must provide the Permits and Inspections office with City permit number(s) prior to beginning work.
- 1.2 MEMBERS' RESPONSIBILITY:** The Member is solely responsible for the maintenance, repair, and/or removal of all alterations to the building.
- 1.3 CODES AND REGULATIONS:** All work shall comply with all applicable local, state, and federal requirements including, but not limited to, the current edition of the National Electric Code (NEC).
- 1.4 WORK HOURS:** No work shall commence prior to 7:00a.m. and no work shall be permitted after 6:00p.m. Monday through Friday. Work on Saturday shall be permitted from 9:00a.m – 2:00p.m. for work which results in construction-related noise (e.g. cutting tile, hammering, use of power tools). For work that does not result in excessive noise, such as painting and carpet installation, permitted hours are 7:00a.m. – 6:00p.m. No work whatsoever shall be permitted on Sunday.
- 1.5 PLANS:** The Member applying for a permit shall provide to the Permits and Inspections office a detailed plan(s) for approval indicating all work to be done, i.e., size, location, description and specifications.
- 1.6 DUMPSITES:** The premises shall be kept free of accumulation of waste materials and/or rubbish caused by construction work. The Member and/or his or her contractor is responsible for removal of debris and excess material and must leave work areas "**BROOM CLEAN**" daily. **USE OF COMMUNITY DUMPSITES FOR CONSTRUCTION RELATED DUMPING IS NOT**

**PERMITTED.** Contractor's or Member's dumpsters, if required, must have location approved by the Permits and Inspections office.

**1.7 CONTRACTOR:** Installation must be performed by a California licensed contractor of the appropriate trade.

**1.8 CONTRACTOR'S CONDUCT:** Member's contractor's, their personnel, and sub-contractors shall refrain at all times from using profanity, abusive or loud language, and must wear shirts at all times. Radio, MP3, CD or cassette players are not permitted on the project site. Contractor personnel will, at all times, extend and exhibit a courteous demeanor to residents.

## **2.0 THROUGH THE WALL A/C-H/P UNITS**

**2.1** Units must be installed in knock-out panel areas, under windows, or as determined by the Permits and Inspections office, with due consideration given to the effect on adjoining manors.

**2.2** No condensing unit may be located or project directly into any walkway, breezeway or interior court of a three-story building.

**2.3** Window mounted units are prohibited.

**2.4** Condensing units must match in appearance, size and type to existing condensing units on the same side of the building.

**2.5** Condensing units must not be located more than 12" off the floor as measured from the bottom of the unit, unless otherwise approved by the Permits and Inspections office due to site conditions.

**2.6** Sleeves must be painted to match the color of the wall.

**2.7** Above grade installation of heat pumps require condensation drain line connection to an approved discharge location. Mutual Member assumes all responsibilities for any damage that may occur.

**2.8** In the absence of an approved alternate heat source, removal of the through-the-wall AC/Heat pump and wall condensing unit sleeves is prohibited.

**2.9** Removal of sleeves in stucco walls require that the patch must be made in accordance with standard construction practices to maintain the water proof integrity of the wall. The texture and color must match the existing wall.

**2.9.1** Removal of sleeves in walls with wood siding must be made in accordance with standard construction practices to maintain the water proof integrity of the wall.

The entire section of wood siding under a window, from trim to trim, must be replaced and the texture and color must match the existing wood siding.

### **3.0 CENTRAL AND DUCTLESS UNITS**

- 3.1** Only one condensing unit per manor is permitted.
- 3.2** Roof-mounted self-contained package units are prohibited.
- 3.3** No outdoor condensing unit will be larger than 48" high, 37" wide, and 36" deep.
- 3.4** Outdoor condensing units for single level manors shall be installed on the ground only.
- 3.5** Outdoor condensing unit locations for two story buildings are as follows: first floor manors will be installed only on the ground, second floor manors will be installed only on the flat roof, directly above the manor, or on the ground.
- 3.6** Outdoor condensing unit locations for three story buildings are as follows: first floor manors will be installed only on the ground, second floor manors will be installed on the flat roof directly above the manor, or on the ground, third floor manors will be installed only on the flat roof, directly above the manor.
- 3.7** The location of outdoor condensing units must be approved by the Permits and Inspections office. Prior to permit issuance, consideration will be given to any affected or adjoining manors. The Mutual Member is required to submit signed Neighbor Awareness forms as deemed needed by the Permits and Inspections office.
- 3.8** All landscape and irrigation revisions required to accommodate the location of an outdoor condensing unit must be performed by the Mutual at the Mutual Member's expense.
- 3.9** Ground-mounted outdoor condensing units must be located within 24" of the building wall and mounted on a manufactured non-metallic and/or concrete pad.
  - 3.9.1** All exterior wiring, condensate, and coolant lines must be encased in a single square sheet metal two-piece chaseway painted to match the color of the wall to which it is attached. No roof ducts or chases are allowed.
  - 3.9.2** The chaseway must be made rodent proof by using wiremesh at the bottom of the chaseway.

- 3.9.3** Watertight seals must be provided around all penetrations.
- 3.9.4** Each installation on a building's elevation that faces another building or heavily traveled common area will be limited to **one run** and the length must be kept to a minimum and be as unobtrusive as possible.
- 3.9.5** Each installation on a building's elevation that does not face another building or heavily traveled common area will be limited to **three runs**, and the lengths must be kept to a minimum and be as unobtrusive as possible.
- 3.9.6** Cutting of a cornice moulding to accommodate a chaseway shall be performed by removing the affected section of moulding, cutting the metal flashing at both ends, applying sealant under the metal flashing, bending the metal flashing to be flush with the wall and fastening the metal flashing in place using screws. Sealant shall be applied as needed and the cut ends of the cornice moulding shall be sealed.
- 3.9.7** Roof-mounted condensing units must be mounted on a raised platform constructed per Mutual approved standard plan drawings. All tie-ins to a PVC Cool Roof must be performed by a certified roofing contractor. A Roofing Contractor Verification form will be required prior to the issuance of a permit.
- 3.9.8** Cutting or altering of roof trusses for the installation of air handlers in attic spaces is strictly prohibited.
- 3.9.9** When air handlers are installed in water heater closets, sufficient space must be provided above and around the water heater for repair and replacement of the water heater.