



OPEN SESSION

**REGULAR OPEN MEETING OF THIRD LAGUNA WOODS MUTUAL
ARCHITECTURAL CONTROL AND STANDARDS COMMITTEE**

**Monday, May 24, 2021: 9:30AM -11:00AM
VIRTUAL MEETING**

Laguna Woods Village owners/residents are welcome to participate in all open committee meetings and submit comments or questions regarding virtual meetings using one of three options:

1. Via Zoom : <https://us06web.zoom.us/j/93156707417>
2. 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 unit number must be included.
3. By calling (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.

NOTICE and AGENDA

This Meeting May Be Recorded

1. Call to Order
2. Acknowledgement of Media
3. Approval of Agenda
4. Approval of Meeting Minutes – Monday April 26, 2021
5. Chair's Remarks
6. Member Comments - (Items Not on the Agenda)
7. Department Head Update

Consent:

All matters listed under the Consent Calendar are considered routine and will be enacted by the Committee by one motion. In the event that an item is removed from the Consent Calendar by members of the Committee, such item(s) shall be the subject of further discussion and action by the Committee.

8. Monthly Mutual Consent Report (Attachment 1)

Items for Discussion:

9. Alteration Fee Schedule (Attachment 2A)
 - A. Proposed Revised Alteration Fee Schedule (Attachment 2B)
10. Permitless Alteration: City of Laguna Woods Communication (Attachment 3)
11. Asbestos Meeting Report (Attachment 4)

Items for Future Discussion & Agendas:

- Standard Details Update Cost Estimates

Concluding Business:

12. Committee Member Comments
13. Date of Next Meeting – June 28, 2021
14. Adjournment

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OPEN MEETING

**REGULAR OPEN MEETING OF THE THIRD LAGUNA WOODS MUTUAL
ARCHITECTURAL CONTROL AND STANDARDS COMMITTEE**

Monday, April 26 2021: 9:30AM-11:00AM
Laguna Woods Village Community Center (Zoom)
24351 El Toro Road, Laguna Woods, CA 92637

REPORT

COMMITTEE MEMBERS PRESENT: Chair Steve Parson, Jon Frankel, Ralph Engdahl, Reza Karimi

DIRECTORS PRESENT:

COMMITTEE MEMBERS ABSENT: Robert Mutchnick, Michael Plean, Michael Butler

ADVISORS PRESENT:

STAFF PRESENT: Robbi Doncost, Lauryn Varnum, Gavin Fogg, Richard DeLaFuente

1. Call to Order

Chair Parsons called the meeting to order at 9:32AM.

2. Acknowledgement of Media

None present.

3. Approval of Agenda

Chair Parsons moved to accept the agenda, Director Frankel seconded. Agenda was approved.

4. Approval of Meeting Report for March 29, 2021

The committee approved the meeting report as presented.

5. Chair's Remarks

Chair Parsons commented on recently updated information with the 2021 Condo Blue Book which applies to common areas, specifically Sections 4145 and 4600,

6. Member Comments - (Items Not on the Agenda)

None.

7. Manor Alterations Division Update



Staff Officer Doncost updated the current status of the Manor Alterations (“MA”) staff, with the onboarding of multiple staff, including another new inspector, which will start within the next 3 weeks. Mr. Doncost also summarized MA’s new ability to add additional tasks back into MA purview, including vacant manor inspections and assistance to other divisions.

Consent:

All matters listed under the Consent Calendar are considered routine and will be enacted by the Committee by one motion. In the event that an item is removed from the Consent Calendar by members of the Committee, such item(s) shall be the subject of further discussion and action by the Committee.

8. Monthly Mutual Consent Report

Mr. Doncost summarized the totals of Mutual Consents processed and tickets initiated within the month of March and committed to providing updated monthly reports. Chair Parsons inquired as to specific categorizations and Director Karimi inquired as to the estimated completion times of permits. Mr. Doncost confirmed that specific permits can take extended periods to complete due to their incomplete submissions.

Variance Requests:

- A. Variance Request – Mrs. Mary Boehm of 3282-C (El Doble, 46) – Request to Retain Architectural Stone Veneer on Garage Wall

Staff Officer DeLaFuente summarized the Variance Request, including the confirmation that the material had been installed prior to the request. Chair Parsons inquired toward installation details, timing, and the nature of the perceived approval. Mr. DeLaFuente confirmed that no other members had expressed opposition, and that per the member, permission had been given by a former employee when the alteration was performed in 2018. Director Karimi inquired as to the consequences of unapproved alterations, which was referred to by Chair Parsons. It is recommended the owner appear before an Executive Hearing due to the unauthorized alteration. Motion passed.

- B. Variance Request – Mr. Donald and Mrs. Sandra Schuman of 5271 Avenida Del Sol (Villa Serena, C12A_1) - Request to install Architectural Stone Veneer on Garage Wall and Patio Columns

Staff Officer DeLaFuente summarized the Variance Request, and discussion ensued as to the discrepancy between common area and exclusive use common area, and the 67% vote of approval needed from the Third membership prior to the granting of common area alterations. Director Engdahl clarified the distinction between future updates based on aesthetics and the need for updated standards. Chair Parsons confirmed that previous similar approvals for alterations had been grandfathered prior to the



policy of not granting Common Area expansions or alterations. These alterations are not indicative of current approvals.

A motion was raised to recommend approval to the Third Board with an edited set of Conditions of Approval, to approve only the stone veneer being applied only within the confines of the patio which is not visible from the exterior and common areas, also to provide the Board with a review of current laws pertaining to this situation with the Staff Report. Motion passed.

Items for Discussion

9. Asbestos Rules & Regulations Meeting

Mr. Doncost confirmed that the meeting is set for Friday April 30 at 10:00am, an agenda is currently being confirmed to be distributed in advance of the meeting. He also encouraged members to submit questions by Tuesday April 28 at noon.

10. Manor Alterations News Bulletin Topic Suggestions

Mr. Doncost encouraged members to submit topic ideas, questions, or issues they feel strongly about to him for inclusion into the bulletin. Chair Parsons encouraged MA to emphasize the importance of early outreach for alterations by realtors. Mr. Doncost agreed to revisit this topic. Chair Parsons inquired as to how the bulletin is released and to whom. Mr. Doncost confirmed a contact list is in place that can be edited based on people's requests for information. Members can view the bulletins on the Manor Alterations page of the Laguna Woods website and read articles in the Breeze.

11. Permitless Alteration Proposal : Discussion Revisited

Chair Parsons discussed the review and potential revision of the Permitless Proposal as it results to Third. A resolution is being crafted for the Third Board for their next meeting. Chair Parsons inquired as to the approval process. Mr. Doncost explained the process. He also confirmed that adjustments have been made over time to the website to ensure residents have a clear understanding of the new alteration process.

Items for Future Agendas:

- **Standard Details Update – Cost Estimates**

Chair Parsons confirmed that the Third ACSC would like to explore options relating to the updating of exterior standards to improve the aesthetic appeal of our community.

Concluding Business:

12. Committee Member Comments:

None.

13. Date of Next Meeting – May 24, 2021

14. Adjournment at 10:45AM



X

Steve Parsons, Chair

Robbi Doncost, Staff Officer

Telephone: (949) 268-2281



Monthly Mutual Consent Report:
April 2021

Average Numbers:

Phone in-take: received per day / responded to per day = 30 – 38 Received per day / 32 – 35 Responded per day
E-mail in-take: received per day / responded to per day = 55 – 75 Emails per day / 65 – 69 Responded per day
Remote counter: total for March /average per day = 12 Appointments total (April) / 1-2 Appts per day

Average MC Sub process (From a complete application being submitted)

Class I Permits = 2-5 Business Days
Class II Permits = 5-10 Business Days
Class III Permits = 10-90 Business Days

Mutual Consents Processed and released April 2021:

United - 85
Third - 107
Total - 192

Mutual Consents Processed and released March 2021:

United - 99
Third - 121
Total - 220

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Alteration Fee Schedule

For items not listed, please contact Manor Alterations at (949) 597-4616 or alterations@vmsinc.org

Visit www.lagunawoodsvillage.com for Mutual Standards and Standard Plans

All items require HOA Mutual Consent from Manor Alterations and a City Permit as indicated below.

Unauthorized Alteration Fee	\$300
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Variance Processing Fee	\$150
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\$50 Alteration Processing Fee	
Alteration Type	City Permit Required
Acoustic Ceiling Removal	No
Awnings (Standard, Less than 54")	No
Awnings (Powered)	Yes
HVAC (No Increase in Amperage)	No
Tub Replacement	Yes
Block Walls (Less than 48" H)	No
Block Walls (More than 48" H)	Yes
Planter Wall	No
Dishwasher (New Installation)	Yes
Door Revision (Exterior)	No
Electrical	Yes
Exhaust Fan	Yes
Fences and Gates	No
Floor Coverings (Exterior)	No
Flooring (Vinyl)	No
Gutters and Downspouts	No
Metal Drop Shades	No
Modesty Panels (Balcony)	No
Patio Slab Revision	No
Patio Wall Revision	No
Plumbing	Yes
Soft Water System (Independent)	No
Soft Water System (Connected to Water Heater)	No
Storage Cabinets (Carpport)	No
Shades (Roll-up)	No

Permit Alteration Fees Based on Valuation	
Alteration Type	City Permit Required
Air Conditioner (Through the Wall)	Yes
Bathroom Addition (Split)	Yes
Central HVAC (New Installation)	Yes
Atrium, Balcony, Patio Covers (Replacement or New Installation)	Yes
Doors (New Construction)	Yes
Atrium, Balcony, Patio Enclosures	Yes
French Doors (New Installation)	Yes
Garden Room, Solarium	Yes
Heat Pumps (Through the Wall)	Yes
Man Doors (New Installation)	Yes
Plumbing (New Installation or Relocation)	Yes
Room Addition	Yes
Shower to Shower Replacement	Yes
Skylights	Yes
Sliding Glass Doors (New Installation)	Yes
Sliding Glass Doors (Retrofit)	Yes
Solar Tubes	Yes
Tub to Shower Installation	Yes
Tub to Tub Replacement	Yes
Wall Revisions	Yes
Washer and Dryer	Yes
Water Heater (Relocation)	Yes
Windows (New Construction)	Yes
Windows (Retrofit)	Yes

*Some Alterations may require a Demolition Permit, which carries a \$50 fee. To confirm if your Alteration will require a Demolition Permit, please contact the Manor Alterations Department.

*Alteration Fees are paid via credit card upon approval of a completed permit. Manor Alterations will contact applicants directly upon approval to collect payment.

Permit Fee Legend	
Valuation	Fee
Less than \$750	\$50
\$750 to \$2,000	\$77
\$2,001 to \$4,000	\$168
\$4,001 to \$6,000	\$280
\$6,001 to \$8,000	\$392
\$8,001 to \$10,000	\$504
Above \$10,000	\$700

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Laguna Woods Village®

Alteration Fee Schedule

Mutual Consent for alteration(s) fee schedule

For items not listed, please call the Alterations Department at 949-597-4616

alterations@vmsinc.org

Visit www.lagunawoodsvillage.com for Mutual Standards and Standard Plans
All items require HOA Mutual Consent for manor alterations; city permit required as shown.

All construction, with a value of \$500 or greater, is subject to a refundable \$250 conformance deposit.

Unauthorized Alteration Fee	\$500
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Variance Processing Fee	\$331
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\$50 Alteration Processing Fee	
Alteration Type	City Permit Required
Acoustic ceiling removal	Yes
Awnings (standard, less than 54")	No
Awnings (powered)	Yes
Air conditioner, central (replacement)	Yes*
Bath tub replacement	Yes
Block walls (less than 4 feet high)	No
Block walls (more than 4 feet high)	Yes
Planter wall	No
Dishwasher	Yes
Doors revisions (exterior)	No
Electrical	Yes
Exhaust fan	Yes
Fences and gates	No
Floor coverings (exterior)	No
Flooring (vinyl)	Yes
Gutters and downspouts	Yes
Metal drop shades	No
Modesty panels (balcony)	No
Patio slab revision	No
Patio wall revision	No
Plumbing (Minor)	No
Soft water system	Yes
Soft water system (connected to water heater)	Yes
Storage cabinets (carport)	No
Shades (roll-up)	No

Inspection Fees Based on Value	
Alteration Type	City Permit Required
Air conditioner (through the wall)	Yes
Bathroom addition (split)	Yes
Central heating & air (new)	Yes
Covers (atrium, balcony, patio) Replace or New	Yes
Doors (new)	Yes
Enclosures atrium/balcony/patio	Yes
French doors (new)	Yes
Garden room/solarium	Yes
Heat pumps (through the wall)	Yes
Man doors (new)	Yes
Plumbing (new or relocation)	Yes
Room addition	Yes
Shower to shower	Yes
Skylights	Yes
Sliding glass doors (new)	Yes
Sliding glass door (retrofit)	Yes
Solatubes	Yes
Solar panels	Yes
Tub to shower	Yes
Wall revisions	Yes
Washer and dryer	Yes
Water heater (relocation)	Yes
Windows (new construction)	Yes
Windows (retrofit)	Yes

* Replacement A/C and Heat Pumps will not require City permit so long as the Amperage remains the same as current installed unit.

* Resale Expedition Fee is \$1200 to provide 1st Inspection, issue report, and process a single Mutual Consent over the counter for like-for-like water heater, A/C unit switch-out, or Class I Mutual Consent issuance for a 45 Calendar Day expedite.

Stop Work Fee Schedule	
Violation of Unauthorized Work	Fee
1st Violation by Contractor	\$500
2nd Violation by Contractor	\$1200**

*Each subsequent violation doubles prior Violation Fee

**Notice of Asbestos Release is \$1500 + Clean Up and Testing Fees

Inspection Fee Schedule			
Valuation	Current Fee	Proposed Fee	% of Increase
Less than \$750	\$50	\$70	40%
\$750 to \$2,000	\$77	\$108	40%
\$2,001 to \$4,000	\$168	\$235	40%
\$4,001 to \$6,000	\$280	\$392	40%
\$6,001 to \$8,000	\$392	\$549	40%
\$8,001 to \$10,000	\$504	\$706	40%
Above \$10,000	\$700	\$980	40%

MA Issuance of IN110 Stop Notice Fee : \$500
MA Issuance of Notice of Correction Fee : \$250

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City of Laguna Woods : Permitless Alteration Memorandum

Mr. Chris Macon,

This letter is in response to that certain City of Laguna Woods (“City”) email letter from Mr. Chris Macon, dated Friday, March 26, 2021, in which the City offered suggestions to facilitate the City’s issuance of its permits relating to the new United Mutual Board adopted Policy and Resolution # 01-21-12 commonly called the Permitless Resolution for the Component Replacement Permit-less Alteration Policy.

The following attachments are included in this document:

1. Attachment 1 – Resolution,
2. Attachment 2 – Policy,
3. Attachment 3 – United Mutual Permitless Alteration Form.

United Mutual has considered the City’s concerns and has revised the Permitless form to alleviate the City’s concerns. The revisions include the removal of any items from the Permitless Alteration Form that would have required a City permit such as the water heater replacement. The original Resolution that is attached does indicate the water heater replacement, but the on-line form has been revised to omit that work from the Resolution.

We would like to point out a few relevant components of the Like-For-Like (“LFL”) Permitless process for clarification:

1. At present LFL replacements only pertain to the United Mutual,
2. LFL replacements are specific to those items only listed in the Policy and also on the Permitless Alteration Form (“Form”).
3. United Mutual Consent: By the existence of the United Mutual Board approval of the Resolution, the Mutual approves this process.
4. Specific list of LFL components is included in the Attachment 2 – Policy. The detailed items and descriptions indicate all items allowed by this Policy and Resolution. It appears that only Hot Water Heaters would be a City permissible item in the entire list. It is for this reason that the Hot Water Heaters will be deleted from this Permitless process.
 - a. These LFL replacements do not require modifications to existing plumbing, mechanical, or electrical connections beyond the wall surface and are considered “Like for Like” (LFL) replacements.

Therefore, and in consideration of the above stated information, United Mutual’s Permitless Resolution does not appear to violate City code compliance. If the City of Laguna Woods feels there exists a remaining conflict please let us know.

Sincerely,

Robbi Doncost
Manor Alterations Manager
Village Management Services,
As agent for the United Laguna Woods Mutual

CC: Rebecca Pennington – City of Laguna Woods
Sue Margolis – United Laguna Woods Mutual President
Brian Gilmore – United ACSC Chairman
Jeff Parker – VMS CEO
Siobhan Foster – VMS COO

ATTACHMENT #1 – RESOLUTION 01-21-12 COMPONENT REPLACEMENT PERMIT-LESS ALTERATION
POLICY

RESOLUTION 01-21-12

Component Replacement Permit-less Alteration Policy

WHEREAS, the Architectural Controls and Standard Committee recognized the need to provide a more streamlined approach to some of the shareholder alterations that are like for like replacements of existing components; and

WHEREAS, the purpose of the Permit-less Component Replacement Permit-less Alteration Policy is to allow the shareholder to submit a notification form (with waiver) that instantaneously notifies Manor Alterations of the like for like replacement of existing alteration components without the need of a mutual consent burden; and

WHEREAS, this policy will be effective for a trial period of six (6) months from the date of Board approval and will be evaluated after four months, for its usefulness.

NOW THEREFORE, BE IT RESOLVED, on March 9, 2021, the Board of Directors hereby approves the Component Replacement Permit-less Alterations Policy as attached to these minutes; and

RESOLVED FURTHER, that this policy will be evaluated in July 2021 to determine if the policy will remain in effect or be rescinded;

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.

ATTACHMENT #2 – COMPONENT REPLACEMENT PERMIT-LESS ALTERATION POLICY

The Architectural Controls and Standard Committee recognized the need to provide a more streamlined approach to some of the shareholder alterations that are like for like replacements of existing components. The purpose of the Permit-less process is to allow the shareholder to have available a submittal notification that instantaneously notifies Manor Alterations of the work without the need of a mutual consent burden.

This policy will be effective for a trial period of six (6) months from the date of Board approval and will be evaluated after four months, for its usefulness.

For all the components listed below, no Mutual Consent (alteration permit) will be required. However, notification of the change-out using the specified form is required.

The Mutual requires notification of the like for like (“LFL”) replacements using a form provided by the Manor Alterations Division along with a signed waiver releasing the Mutual from liability. The Shareholder will be responsible for contractor liabilities and securing insurance certificates. Where City permit(s) are required, the resident is responsible for obtaining the required City of Laguna Woods permit(s). This does not allow any replacements where asbestos containing materials could be released such, as but not limited to, acoustic/popcorn ceiling, drywall, or linoleum tile (with mastic) floors. This document does not imply any variance.

Shareholder agrees to be responsible for damage due to any alterations/modifications to their and/or neighbors’ manors as a result of this LFL replacement.

Category I: Replace items that have already received Alteration approval and are currently installed:

Like for like replacement of items that have already been previously approved and permitted as alterations. This is the removal of the existing component and installation of the replacement and will not change existing electrical, plumbing, structure, walls. Absolutely, no cutting into walls, demolition, cutting into wall studs/framing and the like is covered under this document. Plumbing replacements will only cause the replacement of the tubing and the plumbing components outside of the wall from the wall valve to the plumbing. This document is intended to be narrowly defined and any components not expressly listed in this policy is not allowed.

In order to fall into this category, the following requirements must be met:

- Same size envelope and location as the existing item
- Same power connection, voltage, amperage as existing item
- Same or better function as existing item
- Same plumbing connections and flows as existing (or better, for example low flow toilets).

Initial List: Tthis list are items where the shareholder has taken responsibility due to the fact that it is an alteration. These items do not require a Mutual Alteration consent/permit or permission to change the item out. The only requirement is to notify Manor Alterations via the proper form, as to what has been changed for the record.

City permits may be required: The resident is responsible for obtaining all City of Laguna Woods permits and final City inspections.

- Alteration Refrigerators
- Alteration Stoves/oven
- Alteration Microwaves
- Alteration Dishwasher
- Alteration faucets, sinks, garbage disposals
- Alteration Kitchen Counter-tops (including backsplash)
- Alteration Kitchen Cabinet Doors (and fronts)
- Alteration Light fixtures
- Alteration Ceiling fans
- Alteration Shower enclosures/shower-tub doors
- Alteration Bathroom Toilets
- Alteration Bathroom vanities
- Alteration Hot water heaters
- Alterations in wall heat pumps/air conditioners
- Alteration Central air and split system type air conditioners/heat pumps

Category II: For Component replacement in (original) Unaltered areas.

Like for like replacement of items in unaltered manors for the only those items listed below. This is the removal of the existing component and installation of the replacement and will not change existing electrical, plumbing, structure, walls. Absolutely, no cutting into walls, demolition, cutting into wall studs and the like is covered under this document. Plumbing replacements will only cause the replacement of the tubing and the plumbing components outside of the wall from the wall valve to the plumbing. This document is intended to be narrowly defined and any components not expressly listed are not allowed. All Mutual owned appliances will be returned to the mutual, all mutual owned items (such as sinks, counter-tops, etc.) will be returned to the mutual to track what has been altered and therefore becomes shareholder's responsibilities.

Component replacement requirements:

- Same size envelope and location as existing
- Same power connection, voltage, amperage as existing
- Same or better function as existing
- Same plumbing connections and flows as existing (or better, for example low flow toilets).

Initial List: There are items which are mutual owned but shareholder desires to upgrade or change out based on their preferences.

- Refrigerators
- Stove/oven
- Microwaves
- Dishwashers
- Kitchen Counter-tops (including backsplash) and sinks and faucets
- Kitchen Cabinet Doors (and fronts)
- Bath faucets, counter tops, vanities and sinks
- Shower enclosures/shower-tub doors

Category III: (All Manors) Decorative and Functional changes as noted below will not require any notification (including Like for Like Form not needed) and do not disturb Mutual building components.

- Curtain rods and other hangers required for plants, and wall hangings
- Shades, Blinds and other types of indoor window treatments
- Upgrades to closets – closet upgrade kits e.g., double poles/hangers, shelves, shoes racks, etc.
- Closet doors
- Shelving attached to walls for books, Knick knacks, etc. in various rooms and furniture earthquake protection
- Installation of wall hung and/or floor supported storage cabinets not in the kitchen
- painting of interior walls and ceilings and, wallpapering of interior walls
- Addition of indoor carpeting over indoor hard surface flooring
- Changeout of indoor carpeting to new indoor carpeting
- Installation of hard surface flooring in those areas that are permitted in the community in accordance with Resolution 01-18-115 Interior Flooring Policy can be added without need for United Board approval and permitting.
- Interior doors and hardware
- Cabinet Hardware
- Lighting fixtures (fixture must be existing)
- Outdoor solar lights – not to interfere with mowing, walkways, etc.

Grand-Fathering: The shareholder will be allowed to entitle a previously undocumented (non-permitted) alteration as noted in Categories I, II, and III if the manor owner submits the Permit-less Form within 6 months of the approved Board resolution for the Component Replacement Permit-less Alteration Policy.

Deployment: The Permit-less notification, by the shareholder, is required to send an email to a dedicated Manor Alterations mailbox. The email shall contain the manor number and letter in the email subject line. Pictures of the existing unit and the replacement unit are to be included with the email. Manor Alterations will acknowledge the email through an auto-reply. Manor Alterations will supply instructions and a form on their website.

Notice to residents: The Portal or Manor Alterations can confirm if appliances are considered alterations and owned by the shareholder.



ASBESTOS SUMMIT MEETING MINUTES
Friday April 30, 2021: 10:00AM-12:00PM

Subject: Asbestos Rules and Regulations

Attendees: Elsie Addington, Rosemarie DiLorenzo, Ralph Engdahl, Brian Gilmore, Sue Margolis, Robert Mutchnick, Richard Rader, Carl Randazzo, Juanita Skillman, Ron Harbin, Michael Haynes, May Khalighi, Amir Karamati, AQMD [Terrence Mann, Christopher Ravenstein, Victor Yip], VMS [Michael Carre, Robbi Doncost, Gavin Fogg, Siobhan Foster, Ernesto Munoz, Jeff Parker, Josh Perrin, Lauryn Varnum]

The purpose of the April 30, 2021 virtual meeting was to clarify the rules and regulations of AQMD in the practices of asbestos management utilized in the Laguna Wood Village by contractors, members, and VMS staff. The meeting started with self-introductions of all attendees. Then, Sue Margolis presented a brief summary of the construction history of Laguna Woods Village and an explanation of the motivations to host the Asbestos Summit Meeting. AQMD presented the current rules and regulations as applicable to asbestos abatement and testing, followed by a Q&A session and then a concluding summary.

This meeting provided a free exchange of information from all perspectives. We have attempted to properly record, in this memorandum, the essence of the conversation, to that end, some interpretations have been made on my behalf in the interest of shortening the memorandum to core issues.

1. Introduction: Why are we here?

Sue Margolis- Laguna Woods Village (“LWV”) has approximately 12,000 residences, built approximately 50-60 years ago. Due to the timeframe of construction, Asbestos Containing Materials (“ACM”) are common within the community. For many years VMS warned residents of the presence of asbestos. Presently, rules are enacted to safely address ACM but members feel they are too extensive and draconian. Members desire a happy medium between law and practical application, along with a firm decision toward the involvement of VMS staff. Residents feel remediations are too expensive and want to confirm exactly what is necessary.

2. Objectives: What is to be achieved?

Carl Randazzo- The members of LWV want to come to a resolution for a “reasonable man” approach to ACM. The current regulations enacted by VMS lead to costly remediations and unnecessarily

costly removal/disposal of materials. Mr. Randazzo further cited examples of cabinetry removals, minor holes cut into walls and ceilings, installation of curtain rods, other items of similar nature that maybe should not warrant the extensive testing and disposal of regulated material to the extent taken in the past. A more reasonable approach should be considered within the governing agency regulations.

3. Contractor's View: Understanding what a contractor's role is while working within Laguna Woods Village, and a history of previous experience with asbestos removal in prior projects.

Ron Harbin- It is understood within the pool of contractors working within LWV when testing of suspected ACM is 0.1% or less, that contractors can remove the material unencumbered, however this may not be an accurate reaction based on AQMD regulations. Issues also arise when members have a set remodeling scope, then desire to expand that scope above and beyond which will now require additional abatement. These changing scopes require a clear understanding of the '100 sq. ft.' rules from AQMD.

4. Member's View: Understanding of what a member of Laguna Woods Village has experienced during remodeling both on a personal level and as a previous member of the Architectural Committee.

Rosemarie Di Lorenzo- Over the course of a renovation started in October 2020, costing approximately \$90k, a member met with many contractors and each displayed a different understanding of asbestos requirements. Members are unaware of the rules for asbestos and what alterations requires testing. In most members' experience, the City of Laguna Woods ("City") is not involved at all, only requiring the passing of an air clearance test. Several different testing and abatement vendors exist, with widely differing cost brackets. Members would benefit from a recommended vendor list, as well as the creation of a cumulative record of asbestos removal. It would be ideal to have a building be determined "asbestos free" if enough testing has provided negative results.

5. Regulations: AQMD

Terence Mann- The role of AQMD is to perform inspections, notifications, respond to complaints, enforce legal code, and provide the distinction between "reasonable man approach", which are business and policy decisions, and consistency with the law.

Chris Ravenstein- 1403 Asbestos Rule ("1403") Describes the policies surrounding asbestos and testing. At the highest level, 1403 requires an asbestos test be done prior to any demolition, an asbestos survey is required by a licensed CAC. The rule 1403 states notifications are required for renovations, outlines standardized procedures for abatement, and includes Procedure 4 & 5 guidelines for items out of the norm situations. These rules apply to owners and/or contractors.

A simple and free option to receiving answers regarding asbestos exists via a hotline available at (909) 396-2336.

There are many rules, regulations, specifications, and mandates regarding asbestos and specifically, Rule 1403. The following is a discussion of these AQMD policies:

There is a distinction between demolition and renovation:

- Per 1403, demolition is when one or more load-bearing supports are going to be damaged, disturbed or removed (2" x 4" or rafters).
- Per 1403, renovation is classified as everything else (drywall, flooring, acoustic, etc.).

There are policies and regulations regarding surveys:

- Survey Purpose – Determine the levels of asbestos and the conditions of the material.
- Survey Requirements – Surveys do not expire unless the conditions of the material surveyed change as determined by the Certified Asbestos Consultant “CAC”.
- A CAC is mandated to perform a complete and legal survey in accordance with 1403.
 - Survey Exceptions – Conditions that provide allowances to the mandated survey include, Single family dwelling, detached house NOT a condo or apartment, less than 100 sq. ft. removal (AQMD stated that the application of this rule would need further evaluation upon receipt of article of incorporation to determine applicability.)
 - AQMD has a 14-day mandatory waiting period unless a sudden unexpected event occurs such as a fire, vehicular disaster, or other unpredicted catastrophic event

Q & A:

1. Q – What is the distinction between the terms ‘industrial demolition/renovation’ and a ‘residential alteration’? How is asbestos addressed within these definitions and how does LWV fit into these distinctions?

A – 1403 makes no distinction between ‘industrial demolition/renovation’ and a ‘residential alteration’; it is applicable in both instances.

2. Q – Are there differing regulations for differing scopes? If a kitchen or bathroom remodel is isolated or renovates more than 60% of the unit, are the regulations different?

A – 1403 makes no distinction of room designation, use, or percentage of removal as the size of the unit is not applicable.

3. Q – If a member wants to remove Kitchen Cabinetry but they suspect the wall may have asbestos, can they remove cabinetry without notification?

A – Cities may have differing minimums, but for single-family dwellings ACM of less than 100 sq. ft., AQMD doesn't require a notification, and is to be removed by the owner. For cabinetry, the rule is clear; if cabinets can be removed cleanly and safely without disturbing the contaminated wall material, the non-regulated cabinetry can be disposed of with other construction debris safely by a contractor. If the cabinet removal will or does disturb the wall, then that removed wall material must be treated as regulated material. Further clarification from AQMD is required here regarding ownership.

AQMD's focus is on asbestos emissions. While it is humanly possible that a paper towel dispenser removal could rip a chunk out of the wall, it is unlikely. However, rules are designed to address all situations evenly. It is reasonable to assume that removal of the towel dispenser would not require any AQMD involvement.

4. Q – Can the individual residents/Manor owners manage the asbestos permits and regulations with their contractor independent of VMS?

A – This decision is dependent upon the confirmed definition of ownership that will be forthcoming in a follow-up memo.

5. Q – If cabinetry can be removed neatly can this be completed by a contractor?

A – Correct, as long as asbestos or building material is not affected.

6. Q – Regarding ownership, if someone tests their home and asbestos is found, if the owner sells, would the same wall would have to be retested?

A – Per Rule 1403, if you sell a house to someone else, that new buyer must have a new survey. Side note: VMS is to further review this situation with the board to determine any further action by the mutual.

7. Q – Within the community are both co-ops and some condos. If a member gets testing done, is the Mutual still considered the owner and can they maintain the validity of the survey?

A – Rule 1403 applies to the structure owner only. If a different person takes ownership, the law is clear that previous testing is now moot. For stand-alone structures, no notification is required. Within notification is a waiting period. Side Note: VMS to forward articles of incorporation to validate ownership of the structures to AQMD for further clarification.

8. Q – If within a kitchen there's 40 sq. ft. of tile and 40 sq. ft. of mastic, does this total 80 sq. ft.?

A – Correct, since the area is <100 sq. ft. the rule applies only to the owner or spouse of a single-family dwelling to perform the removal. Asbestos material must now be disposed of properly,

however the only place to do so legally by an owner or spouse is in Arizona. Owners don't need a survey for a single-family home if their alterations do not impact others, including not affecting any shared ventilation, hallways, etc. Further clarification of ownership will be defined in a follow-up discussion with AQMD.

9. Q – Many contractors understand that once the survey is complete and is noted at under 1% they can proceed with a point count, but when can a contractor remove material? If scope changes but still is cumulatively under 100 sq. ft. and does the contractor have to be certified?

A – A point count can be performed at any time in the process and is allowed by AQMD. Once it's been noted below 1% asbestos the 1403 rule no longer applies. CalOSHA regulations start at 0.1%, but these regulations cover employees, not residents. A further meeting with CalOSHA will be attempted. CalOSHA building materials containing more the 0.1% must be removed by licensed abatement contractors.

10. Q – What is the ruling for resident/contractor removing tack strips, if a popcorn ceiling contains asbestos does a test have to be performed for a ceiling fan?

A – Regarding tack strips; if owner puts them through the floor tiles that are glued down directly onto existing mastic they may be releasing asbestos. If its glued or secured down to the subfloor directly, abatement is not necessary. It is critical to test these materials and locations to protect all members and contractor's well-being. If the ACM is not disturbed then the tack strips maybe removed.

11. Q – Regarding ACM, is it mandatory have to have everything tested if members know it contains asbestos?

A – While it must be surveyed, if a member doesn't want to have materials tested, it is not mandatory to test, but the material must then be considered containing asbestos material. CAC can state it is 'Assumed ACM' which requires no testing.

12. Q – If ACM is not friable, and not airborne, why is the asbestos remediation contract necessary? Where does friable issue become factored in?

A – Per EPA, it is established that non-friable materials, if damaged, can be made friable, which is why those materials must be removed by a certified specialist, with no permissible exposure limit. The CAC will determine the condition of the material in question.

13. Q – For homogeneous material testing (drywall vs. paint vs. mud), do the materials have to be separated? Can the CAC test the 3 material components as an assembly?

A – Rule 1403 requires each separate building material be tested and analyzed individually. While EPA considers certain walls as one full system, (asbestos can become friable) drywall mud may contain asbestos while other layers do not. The CAC Inspector can take one sample and capture all three materials, but those materials must be separated for testing at the lab.

14. Q – For the sake of accountability, in a situation whereby the Mutual owns asbestos interior, does the liability for that material being tested falls to Mutual? Who is responsible to monitor the testing?

A – Rule 1403 applicability is with the owner of the structure. Enforcement falls to owner and contractor doing the work.

15. Q – When does a survey fail to meet standards? How do we provide a failsafe or balance? How do we report inadequate surveys?

A – South Coast AQMD does not review individual contractors regularly, they do not constantly regulate the consultants, but they do recommend enforcement to CalOSHA, who acts on behalf of inappropriate actions by contractors. A few examples of deficiencies would be insufficient testing or contradictory lab reports. These can be reported to AQMD via the hotline. The CAC is accountable to AQMD for in accurate testing and reporting. Gross survey compliance with Rule 1403 could be reported to AQMD.

16. Q – What is the delineation between Mutual ownership and how VMS participates? When members move in, can VMS refer back to actual individual member to oversee or manage the activity? Does VMS have to manage the activity? Mutual owns the structure, VMS manages the community.

A – Rule 1403 and NESHAP applies to owner of structure. If VMS allows resident in the structure to be responsible, that is a business decision of the mutual to allow. If there is an issue with noncompliance, the owner (Mutual) is responsible, however AQMD cannot make definitive statements on the ownership relationship between the Mutual and the members at this time.

AQMD Representative Terence Mann recommended providing AQMD with written, official documentation in regards to ownership within LWV in order to provide accurate advice.

Ernesto Munoz reminded all call participants that CalOSHA is also a factor. Mutuals have a liability to the OSHA guidelines in addition AQMD regulations.

6. Regulations: Cal OSHA

Unfortunately, CalOSHA could not provide a representative during the meeting, but Terence Mann encouraged VMS to provide a written list of questions for CalOSHA that can be addressed. He may be able to present the questions to CalOSHA in the future.

7. Summary: Consensus on the material presented during the meeting and identification of a path forward.

Discussion ensued about the need for clear, documented analysis of where the responsibility and ownership of structures is decided. VMS and some directors recommended connecting with the legal representation for each Mutual in order to validate this documentation.

Jeff Parker encouraged all participants on the call to submit any remaining outstanding questions to Manor Alterations. Once all questions are answered and clarifications are complete, the decided policies and resulting regulations will be provided to the members and contractors alike. A few examples of remaining questions would be:

Sample Questions:

1. Does the City or the mutual bear responsibility for regulatory enforcement?
2. After establishment of demolition SOW, what is the process to make minor changes to increase the area of ACM removal?
3. Define role of Owner in testing and CAC roles in Village ACM reporting, and demolition work.
4. Clarify the City's role in AQMD requirements for demolition permit issuance and clearance oversight.
5. Recommended vendor list of testing and CAC consultants for members to use – if applicable after ownership clarifications.

These minutes attempted to summarize the main points of the meeting. If you feel certain aspects of this summary to be incomplete or mis-characterize the matter, please provide your comments to the minutes as soon as possible for final distribution to all parties.

Robbi Doncost

Manor Alterations Manager

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