

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

**May 20, 2008**

The Regular Meeting of the Third Laguna Hills Mutual Board of Directors, a California non-profit mutual benefit corporation, was held on Tuesday, May 20, 2008 at 9:30 A.M. at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Cynthia Conners, Carol Moore, Dominic Burrasca, John Paulus, Jim Matson, Don Lippert, Isabel Muennichow, Gunter Vogt (9:47 AM) Larry Souza, Bob Hatch, Stanley Feldstein

Directors Absent: None

Others Present: Cris Trapp, Patty Fox, Janet Price (10:12 A.M. –11:20 A.M.)  
*Executive Session:* Cris Trapp, Patty Fox

**CALL TO ORDER**

Director Cynthia Conners, President of the Corporation, chaired the meeting and stated that it was a regular meeting held pursuant to notice duly given and that a quorum was present. The meeting was called to order at 9:30 A.M.

A moment of silence was held to honor the US Troops serving our country and those placed in harm's way.

**PLEDGE OF ALLEGIANCE**

Director Don Lippert led the Membership in the Pledge of Allegiance to the Flag.

**ACKNOWLEDGEMENT OF PRESS**

Cheryl Walker from the Laguna Woods Globe, and by way of remote cameras, the Laguna Woods Village Channel 6 Camera Crew were acknowledged.

**APPROVAL OF AGENDA**

Director Stanley Feldstein made a motion to remove: *2259-A Approval of request for planter conversion at the Mutual's expense, 2259-O Approval of request for relandscaping at the Mutual's expense, and 4004-2G Denial of request for tree removal* from the Landscape Committee Consent calendar and return them back to the Landscape Committee for further review. Director Dominic Burrasca seconded the motion and the motion carried without objection, and without objection, the Agenda was approved as amended.

**CHAIR'S REPORT—Cynthia Conners**

President Conners encouraged residents to continue writing to the Board on their ideas on how the Board can improve the Community, and acknowledged each Board Member and their accomplishments during the year.

### **APPROVAL OF THE MINUTES**

The Board reviewed the Minutes of the Regular Meeting of April 15, 2008, and without objection, the Minutes were approved as amended by revising "SB 582" to "SB 528" on page 2 under Director Responses.

The Board reviewed the Minutes of the Special Meeting of April 18, 2008, and without objection, the Minutes were approved as written.

Director Gunter Vogt entered the meeting at 9:47 A.M.

### **THIRD MUTUAL MEMBER COMMENTS**

- Jerry Sheinblum (3488-C) announced the next CCA Town Hall Meeting
- Lucie Falk (3377-A) commented on the Town Hall Meeting held in April regarding the Management Agreement
- Corkie Eley (2401-2E) commented on the Trust's financial statements
- Gene Ryan (3361-O) commented on the Mutual's accounting system and need for independent audit
- Ron Saccone (3026-B) commented on an article in the Globe regarding PCM's employee incentive plan and the need for the Board to review the plan prior to implementation
- Virginia Templeton (3243-1E) announced that the Third and United Nominating Committees are looking for qualified candidates to fill vacancies on the Board and encouraged residents to pick up an application in the Administration Building
- Karel Brouwer (3189-C) commented on separate bank accounts
- Anita Robertson (2243-F) expressed her opposition to PCM's incentive plan and credit cards, and commented on separate bank accounts for operating and reserve funds

### **DIRECTOR RESPONSES TO MEMBER COMMENTS**

- President Conners responded to Ms. Falk's comments regarding the April Town Hall Meeting
- Director Moore commented on the advertisement of the Town Hall Meeting
- Director Feldstein commented on Ms. Robertson's comment on separate bank accounts
- Director Muennichow commented on PCM employee salaries falling at or below market.
- Director Lippert commented on the Mutual's financial statements

Ms. Janet Price entered the meeting at 10:12 AM and responded to Directors' comments on the audited financial statements and the Letter of Engagement.

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

In Mr. Johns' absence, Ms. Price announced the dates for the upcoming 2009 capital plan and budget meetings.

President Conners encouraged the residents to attend the budget meetings to voice their opinions on service levels and assessment increases.

### **TREASURER'S REPORT**

Director John Paulus reported on the Treasurer's Report and Resale & Lease Activities.

Director Paulus commented on GRF's and the Mutual's accounting system and what happens to the money when the assessment checks come in and how GRF reimburses the Mutual to pay its bills.

Member Corkie Eley (2401-2E) addressed Director Paulus on his report.

The Secretary of the Corporation, Director Larry Souza, read a proposed resolution authorizing the transfer of \$400,000 from the Corporation's Operating Surplus into the Corporation's General Operating Fund and \$50,000 into the Corporation's Replacement Fund for a total transfer from Operating Surplus of \$450,000 (out of a total surplus balance of \$498,000). Director Souza moved to approve the resolution. Director Bob Hatch seconded the motion and discussion ensued.

President Conners reminded the Board of its operating policy, that to avoid a full scale repeat of committee discussions during board meetings, directors who wish to comment on committee recommendations may speak once for a maximum of 3 minutes.

Members Jerry Sheinblum (3488-C), Bud Nesvig (2392-3H), Denny Welch (5517-1C), and Corkie Eley (2401-2E) commented on the resolution.

Director Souza called the question. Director Burrasca seconded the motion. By a vote of 5-5-0 (Directors Vogt, Matson, Burrasca, Souza, and Hatch voted in favor), the motion failed due to the lack of a required 2/3 vote.

Director Feldstein made a motion to table the resolution. Director Lippert seconded the motion. By a vote of 4-6-0 (Directors Feldstein, Lippert, Burrasca and Moore voted in favor), the motion failed.

Discussion continued.

By a vote of 6-4-0 (Directors Vogt, Matson, Paulus, Souza, Hatch, and Muennichow voted in favor, the motion carried and the Board of Directors adopted the following resolution:

### **RESOLUTION 03-08-37**

**WHEREAS**, according to the Davis-Stirling Act, a Common Interest Development shall not retain significant operating surplus (funds that are not needed to defray current operating costs); and

**WHEREAS**, the Third Laguna Hills Mutual Balance Sheet reflects a total operating surplus from the prior year of over \$571,000, of which \$73,224 is

May 20, 2008

being returned to the members by way of reduced 2008 assessments, with the remaining surplus balance of \$498, 000;

**NOW THEREFORE BE IT RESOLVED**, May 20, 2008 that the Board of Directors of this Corporation hereby authorizes the transfer of \$400,000 from Operating Surplus into the General Operating Fund and \$50,000 into the Replacement Fund; 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.

Ms. Price left the meeting at 11:20 A.M.

### **COMMITTEE REPORTS**

Director Jim Matson reported from the Maintenance and Construction Committee.

Without objection, the Board waived the reading of the following proposed resolution establishing a time requirement for new members to complete repairs or corrections identified via resale inspections:

#### **RESOLUTION 03-08-**

**WHEREAS**, currently there is no specific, finite time requirement in which to complete repairs or corrections identified via resale inspections, which delays the settling of resale funds held from sellers;

**NOW THEREFORE BE IT RESOLVED**, July 15 2008 the Board of Directors hereby establishes an 18-month time requirement for new members to complete corrections required, for which funds have been held from the seller; and

**RESOLVED FURTHER**, that any corrections required for which funds were withheld from the seller that are not completed by the end of the 18-month period, or that are not completed by the time of the next resale, whichever comes first, shall automatically become the buyer's sole responsibility and the Mutual shall automatically return the money to the seller; and

**RESOLVED FURTHER**, that this resolution applies only to corrections or repairs that are determined to be the seller's responsibility; and

**RESOLVED FURTHER**, that this resolution would not apply to those items for which the Mutual has caused the correction to be delayed and is unable to complete required corrections within 18-months or prior to resale; and

May 20, 2008

**RESOLVED FURTHER**, that all Third Mutual resale applications packages and all other resale information shall reflect the change in policy (including a signed acknowledgement of the policy by all parties); and;

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

President Conners provided a brief summary of the resolution.

Director Souza made a motion to approve the resolution. Director Matson seconded the motion.

Member Denny Welch (5517-1C) commented on the resolution.

Director Matson made a motion to table the resolution to the July Meeting to satisfy the required statutory thirty-day notice requirements. Director Hatch seconded the motion and the motion carried unanimously.

Without objection, the Board waived the reading of the proposed resolution authorizing the painting of the garage interiors of certain Garden Villa buildings.

Director Paulus moved to approve the resolution. Director Muennichow seconded the motion and discussion ensued.

Members Corkie Eley (2401-2E), Bud Nesvig (2392-3H), and Shari Horne (2354-3C) commented on the resolution.

By a vote of 10-0-0, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 03-08-38**

**WHEREAS**, the garage interiors of all 53 Garden Villa style buildings were last painted between 1994 and 2000 to enhance the aesthetic qualities of the buildings and to improve light reflectivity within the garages; and

**WHEREAS**, the painting of the Garden Villa style building garage interiors has not been included in the scope of the Mutual's Paint Program since 2000, and some of the interiors are showing severe wear on the paint;

**NOW THEREFORE BE IT RESOLVED**, May 20, 2008 that the Board of Directors of this Corporation hereby authorizes the painting of the garage interiors, including the ceilings, of Garden Villa buildings 2369, 2370, and 2381 as part of the Mutual's exterior paint program, beginning 2008; and

**RESOLVED FURTHER**, that the Board further authorizes an unbudgeted expenditure of \$32,100 (\$10,700 per building) for the painting of the buildings, to be charged to General Maintenance in operations; 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.

Without objection, the Board agreed to waive the reading of the following proposed resolution establishing a fee to be collected from sellers on each resale transaction:

**RESOLUTION 03-08-**

**WHEREAS**, when a manor is sold, items noted for repair or replacement on the final inspection report are flagged as correction settlement items, and it is indicated whether it's the Mutual's or the seller's responsibility; and

**WHEREAS**, the corrections settlement process includes the distribution of funds to the Mutual, through escrow, necessary for the completion of required corrections to the manor; and

**WHEREAS**, the Property Services Department manages the resale corrections settlement process, including service order entry, coordinating with members, scheduling work as required, tracking completion status, initiating reimbursements upon completion of corrections, and closing out completed events, and

**WHEREAS**, currently there are no fees collected in the resale process to offset settlement administrative costs,

**NOW THEREFORE BE IT RESOLVED**, July 15, 2008 that the Board of Directors hereby establishes a fee to be collected from sellers on each resale transaction of \$27.50 per manor, and

**RESOLVED FURTHER**, that this fee would directly recover costs to administer the activities required to complete resale transactions and corrections settlements, and

**RESOLVED FURTHER**, the settlement fee would be the seller's responsibility and would be added to the escrow demand; and

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

Director Matson made a motion to approve the resolution. Director Vogt seconded the motion and discussion ensued.

Member Corkie Eley (2401-2E) commented on the resolution.

Without objection, the resolution was tabled to the July Meeting to satisfy the required statutory thirty-day notice requirements.

Member Harry Curtis (5371-2A) commented on the need for the report from the Garden Villa Recreation Room Ad-Hoc Committee and that it should go to the Maintenance and Construction Committee before review by the Board.

Director John Paulus did not report on the Garden Villa Recreation Room Ad-Hoc Committee.

Director Don Lippert did not report on the Standards Sub Committee.

Director Jim Matson reported from the Plumbing Ad Hoc Committee.

Members Pat Feeney (2399-1E) addressed the Board on the copper pipe program, and Corkie Eley (2401-2E) commented on garage cleaning.

President Cynthia Connors reported from the Board Operating Rules Ad Hoc Committee.

Director Gunter Vogt reported from the Landscape Committee.

Director Bob Hatch reported from the Long Range Planning Committee.

Director Hatch made a motion to establish a joint community-wide environmental committee. Director Vogt seconded the motion and discussion ensued.

Director Muennichow amended the motion that Third Mutual establish a standing Environmental Committee and invite the other boards to join in for the purpose of turning it into a joint committee. Director Feldstein seconded the motion.

Member Denny Welch (5517-1C) commented on the amendment.

The amendment carried unanimously.

Without objection, the main motion as amended carried.

President Connors reported from the Management Agreement Ad Hoc Committee.

Director John Paulus reported from the Resident Information Services.

Director Paulus described the service and encouraged the residents to provide suggestions to change the name of the service.

Members Corkie Eley (2401-2E), Hillel Pitlik (3181-A), Pat Feeney (2399-1E), Lucie Falk (3377-A); and Carol Skydell (3070-B) commented on the service.

Director Dominic Burrasca reported from the Traffic Committee.

Director Gunter Vogt reported from the Laguna Canyon Foundation.

### **CONSENT CALENDAR**

President Conners explained the items on the Consent Calendar for the television audience. Absent objections, the Consent Calendar was approved as amended, and the following actions were taken:

#### Maintenance & Construction Committee Recommendations:

- |         |   |
|---------|---|
| 4003-3E | Approval of request for indoor/outdoor carpeting, with contingencies  |
| 5013    | Approval of landscaping alterations – landings, walkway additions, driveway concrete addition, with contingencies                 |
| 5300    | Approval of request for room addition on rear patio, and replace enclosure on side patio with room addition, with contingencies   |
| 5388-B  | Approval of request to install new wider entry walkways and construct rock garden/pond fountain on rear patio, with contingencies |
| 5479-B  | Approval of request to extend Master Bedroom, with contingencies  |
| 5539-C  | Approval of request to retain garage window, with contingencies   |

#### Landscape Committee Recommendations

- |         |   |
|---------|---|
| 2403-1H | Approval of request for relandscaping at the Mutual's expense   |
| 3072-C  | Approval of request for tree removal and replacement at the Mutual Member's expense                       |
| 3140-C  | Approval of request for tree removal and replacement at the Mutual Member's expense                       |
| 3173-C  | Approval of request for stepping stones at the Mutual Member's expense                                    |
| 3363-3D | Denial of request for additional trees; approval of request for additional plants at the Mutual's expense |
| 3523-A  | Approval of request for tree removal at the Mutual's expense  |
| 4010-1D | Approval of request for tree removal at the Mutual's expense  |
| 5388-B  | Denial of request for tree removal and relandscaping  |
| 5401    | Approval of request for tree removal at the Mutual's expense  |
| Staff   | Approval of removal and replacement of 7 trees located on corner of Avenida Sosiega & San Amadeo          |

#### Finance Committee Recommendation

### **RESOLUTION 03-08-39**

**WHEREAS**, Member ID 931-370-16 is currently delinquent to Third Laguna Hills Mutual with regard to the monthly assessment; and



May 20, 2008

**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**, May 20, 2008 that the Board of Directors hereby approves the recording of a Lien for Member ID 931-370-16; 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 03-08-40**

**WHEREAS**, Member ID 931-660-55 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**, May 20, 2008 that the Board of Directors hereby approves the recording of a Lien for Member ID 931-660-55; 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 03-08-41**

**WHEREAS**, Member ID 933-050-06 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**, May 20, 2008 that the Board of Directors hereby approves the recording of a Lien for Member ID 933-050-06; and

May 20, 2008

**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.

**OLD BUSINESS**

Director Lippert made a motion to remove from the table the motion to approve revised Mutual Alteration Standard, Section 17 - Gates. Director Souza seconded the motion, and the motion carried without objection.

President Connors provided a summary of the revisions to Alteration Standard, Section 17-Gates.

Without objection, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 03-08-42**

**WHEREAS**, the Board of Directors of this corporation adopted Resolution M3-96-28 on May 21, 1996, which approved the Third Laguna Hills Mutual Alteration Standards, (revised April, 1996); and

**WHEREAS**, the Maintenance & Construction Committee of this Corporation recognizes the need to further amend a portion of the alteration standards with regard to Section 17 – Gates;

**NOW THEREFORE BE IT RESOLVED**, May 20, 2008, that Section 17 – Gates of the Mutual Alteration Standards is hereby amended as attached to the official minutes of this meeting; 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; and

**RESOLVED FURTHER**, that Resolution M3-96-28, adopted May 21, 1996 is hereby amended.

Without objection, the Board waived the reading of the resolution to approve the revised policy on the use of Electronic Personal Assistive Mobility Devices.

President Connors provided a summary of the revisions to the policy and indicated that the changes are not substantial enough to go through the notification requirements again.

Director Feldstein made a motion to approve the revised policy on the use of Electronic Personal Assistive Mobility Devices. The motion was seconded.

Without objection, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 03-08-43**

**WHEREAS**, Third Mutual desired an evaluation of Electronic Personal Assistive Mobility Devices (EPAMDs), as defined by the State of California, to ensure equal treatment of both existing and emerging technologies affecting safe personal transportation needs of its members and adult guests; and

**WHEREAS**, of particular interest is an EPAMD with the commercial name of "Segway," and

**WHEREAS**, the Segway meets the state of California's definition of an EPAMD; and

**WHEREAS**, The State of California encourages the use of EPAMDs in an effort to reduce the state's traffic and air pollution problems and declares that the EPAMD is part of the state's program to use no-emission vehicles;

**NOW THEREFORE BE IT RESOLVED**, May 20, 2008 that the Board of Directors of this Corporation hereby authorizes the use of Electronic Personal Assistive Mobility Devices (EPAMDs) within the Mutual, with the following restrictions to which each operator of such device shall agree:

- 1) To operate the EPAMD at a speed that is reasonable and prudent but never faster than 4.5 MPH on sidewalks and crosswalks in the community;
- 2) To not operate an EPAMD at a speed that endangers the safety of persons or property, or with willful or wanton disregard for the safety of persons or property;
- 3) To operate an EPAMD in such a way as to yield the right-of-way to all pedestrians on foot, including persons with disabilities using assistive devices and service animals that are close enough to constitute a hazard;
- 4) To operate the EPAMD only on sidewalks and cross walks in the Community,
- 5) To indemnify, defend and hold harmless GRF, the housing Mutuals and their agent for loss arising out of the ownership, maintenance or use of the EPAMD, and
- 6) To abide by all state and local laws and community rules
- 7) The owner and/or operator shall be responsible for safe use of the device and will be responsible for complying with all safe use measures recommended by the manufacturer or any regulatory body.

**RESOLVED FURTHER**, that in order to ensure safe operation of the devices, an annual permit shall be required for operation of EPAMDs on sidewalks in the community. The application for such permit shall be accompanied by:

- 1) A written statement signed by the operator's physician that the operator has consulted with the physician and that the applicant is in satisfactory health to operate the EPAMD. The medical consultation shall be at the member's cost, and shall be dated within 30 days of the submission of the application.
- 2) Proof of Homeowners' Liability Insurance, Personal Liability Insurance, or Personal Umbrella Liability Insurance, with limits per person or combined single limit of not less than \$500,000 per occurrence.

**RESOLVED FURTHER**, that a one time permit processing fee of \$10.00 shall be charged to the applicant at the time of the original application; and

**RESOLVED FURTHER**, that the applicant shall be the sole operator of the device; and

**RESOLVED FURTHER**, that the use of roller skates, in-line skates and any skateboard-based scooters within the Community shall be prohibited; and

**RESOLVED FURTHER**, that Resolution 03-08-32, adopted April 15, 2008 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.

President Conners reported on the Town Hall Meeting held on April 29, 2008 in Clubhouse 5 regarding the Management Agreement.

#### **NEW BUSINESS**

The Secretary of the Corporation read the following proposed resolution on appointing the Inspectors of Election:

#### **RESOLUTION 03-08**

**RESOLVED**, May 20, 2008 that the Board of Directors of this Corporation hereby appoints the following persons as Inspectors of Election for the counting of the ballots for the 2008 Election of Directors of this Corporation, and for all other elections which may occur until their appointment is rescinded:

Hillel Pitlik  
Charline Brant  
Gene Brant  
Howard Baumann, Alternate

**RESOLVED FURTHER**, that such appointments shall remain in effect until successors are appointed by the Board.

Director Souza moved to approve the resolution. Director Hatch seconded the motion and discussion ensued.

Member Hillel Pitlik (3181-A) provided a summary of the election process and the duties of the Inspectors.

Director Lippert made a motion to table the resolution and refer it to the Operating Rules Ad Hoc Committee. Director Burrasca seconded the motion.

By 6-4-0 (Directors Lippert, Vogt, Burrasca, Moore, Paulus, and Feldstein voted in favor), the motion carried.

### **GRF COMMITTEE REPORTS HIGHLIGHTS**

Due to the late hour, Agenda items 25(a) *Discussion re Government and Public Relations Committee – Forming Joint Committee*, and 25(b) *Increase Community Visibility Nationwide via Internet* were deferred to next month

### **PUBLIC FORUM**

No comments from non-Third members were made.

### **Director Comments**

- Director Burrasca commented on need to encourage advertisers to supply enclosed benches
- Director Lippert commented on need for additional revenues by way of advertisement on the benches
- Director Moore encouraged the residents to attend the Landscape Committee
- Director Feldstein thanked the remaining members in the audience
- Director Muennichow reminded residents to attend the Memorial Day 5K, and commented on microphone use
- President Conners announced the May 26th American Legion Post Memorial program at 11:00 A.M.

The Board recessed for lunch at 1:07 P.M. and reconvened into Executive Session at 1:58 P.M.

The Traffic Committee of the Board met in Executive Session on April 23, 2008 to discuss member disciplinary issues.

With no further business before the Board of Directors, the meeting was adjourned at 4:10 P.M.

---

Larry Souza, Secretary

**THIRD LAGUNA HILLS MUTUAL**

**SECTION 17 GATES**  
**SEPTEMBER 1981**

**REVISED APRIL 1996, RESOLUTION M3-96-28**  
**REVISED MAY 2008, RESOLUTION 03-08-XX**

**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 contractor. Member and/or his contractor must supply the Permits and Inspections office located in the Laguna Woods Village Community Center with City permit number 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 Uniform Building Code and the California Building Code (UBC/CBC).
- 1.4 **WORK HOURS:** No work shall commence prior to 7:00 a.m. and no work will be permitted after 6:00 p.m. Monday through Friday. Saturday work should be held to a minimum and no work whatsoever 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 from accumulation of waste materials and/or rubbish caused by the construction work. Member and/or his 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 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.

**2.0 APPLICATIONS – PATIO WALLS**

- 2.1 No single gate will be of two pieces or require more than three hinges for attachments.

- 2.2 all gates will be painted to match the color of the wall or the building in accordance with mutual painting policy.
- 2.3 gates may be installed that open into limited common area; also where limited access to entryways does not obstruct necessary access to common areas.
- 2.4 gates will be constructed of wood or wrought iron only.
- 2.5 gates shall match existing design and construction.
- 2.6 gates shall be no higher than the wall in which they are part of, with the exception of decorative or radiused finished tops.

**3.0 applications – patio railings in three story buildings**

- 3.1 this section addresses gates cut into existing metal, or wood, patio railings in three story buildings.
- 3.2 gates can be installed only if the common area made accessible by the gate is safe to traverse considering factors such as the slope of the land and the landscaping, as determined by staff.
- 3.3 a site visit by the alterations inspector will be required prior to the issuance of a permit for a gate installation.
- 3.4 the opening cut into the railing for the gate must be a minimum of 24” and a maximum of 36” wide.
- 3.5 gates will be constructed and painted to match the existing railing.
- 3.6 where cuts have been made they will be finished to prevent injuries. horizontal wrought iron bars must be capped, or sealed to prevent moisture intrusion.
- 3.7 vertical bars of the same size and shape as the railing’s original bars must finish the ends of the gate and railing where they have been cut. these vertical bars must be capped, or otherwise sealed, to prevent moisture intrusion.
- 3.8 gates should be positioned in either side of the railing, and not the front, be clear of obstructions, and designed to swing so that they provide access to a safe passage with minimal impact on the landscaping. the gates must be able to open fully, at least 90 degrees, without striking objects on adjacent walls or in the landscape. if the gate opens onto the patio it must not obstruct the manor doorway that accesses the patio.

- 3.9 a landing the length of the gate opening and 36" wide may be required to be constructed to be even with the grade of the patio. site-specific plans, including method of attachment to the existing patio, inclusive of any necessary moisture barrier, must be submitted for consideration.
- 3.10 steps, positioned along the side of the patio must be provided to reach the landing if the distance from the surface of the landing to the ground is greater than 7.5". no step may have a rise of over 7.5", or a tread of less than 11". steps will be 36" wide to match the width of the landing if more than one step is required the rise for each of the steps may not vary by more than 3/8" from one another. maximum number of steps is four (4) with no more than a 30 inch rise.
- 3.11 all required landscaping and irrigation revisions will be performed by the mutual at the member's expense.
- 3.12 should the height of the patio require installation of steps and a stoop in common area, in addition to the required landing, the applicant is required to execute and submit to third laguna hills mutual, prior to installation of the landing, steps, and stoop, the "agreement regarding patio ingress/egress installation on common area property" or similarly titled document.
- 3.13 personal items cannot be located outside of the patio in the common area made accessible by the gate, or on the landing, steps, or stoop.