



# Landscape Maintenance Manual United Laguna Woods Mutual

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# **VILLAGE LANDSCAPE OVERVIEW**

Laguna Woods Village is an active senior residential community of 3.8 square miles with more than 640 acres of maintained landscape. The urban forest within the Village includes nearly 33,000 trees, of which more than 30,000 are maintained by the mutual. All landscaped areas are maintained by Village Management Services Inc. (managing agent). Irrigation water for the landscape is provided by El Toro Water District, which delivers both potable and recycled water to the Village irrigation systems.

This landscape manual is an informative guide meant to provide information to residents on how landscape and related programs are managed in the Village. It is a resource to assist residents in understanding how landscaping is managed and what each of the mutuals permits residents to do around their residences. Schedules, scope of work and maintenance methods are subject to change.

Maintenance of turf areas is performed on a seasonally adjusted cycle, which varies from once every week to once every two to three weeks, depending on the weather for that time of year. Slopes and shrubs typically are pruned annually, with more frequent light trimming performed on a quarterly cycle. During summer months, crews focus on turf maintenance with only light maintenance of shrub beds being performed. In the cooler months, the focus returns to shrub beds with crews visiting the residential buildings more often.

Clubhouses and other community facilities receive more frequent landscape and grounds maintenance to maintain the appearance of these high-use facilities.

Trees are inspected and trimmed on a five-year species-based cycle. Some tree species require more frequent trimming than others; e.g., carrotwood and mulberry are trimmed every two years and magnolias and some pines every five.

Computer-controlled irrigation systems use an on-site weather station to adjust watering to meet plant needs based on current weather conditions. Water conservation has become a way of life in the Village, with many turf reduction projects completed each year and high water-using plantings converted to water-efficient and/or California-friendly plant choices. Planters and open areas are topped with mulch to improve the soil, reduce moisture loss and to return nutrients back to the environment.

All of the green waste generated from the maintenance of Village landscaped areas and trees is composted on site and returned as mulch, resulting in nearly 100% recycling.

Landscaping Services Department Contact Information
For landscaping requests or concerns, or to contact a member of staff:
949-597-4600 or residentservices@vmsinc.org

Cahaduling information.

Scheduling information: lagunawoodsvillage.com/services/landscaping

# THE ROLE OF THE LANDSCAPING SERVICES DEPARTMENT

# Common area maintenance responsibilities include the following:

- 1. Communicate schedules for various landscape maintenance activities for each mutual on the Village website at lagunawoodsvillage.com/services/landscaping.
- 2. Provide periodic mowing and edging of turf, based on seasonal needs.
- 3. Provide periodic pruning of shrubs and trees in planters and on slopes in common areas.
- 4. Fertilize turf and shrub areas.
- 5. Manage pests through integrated pest management techniques and the application of the least toxic materials available to control insects, weeds, diseases and rodents.
- 6. Address trees, shrubs or other plant materials that are not performing well. Remove and replace trees and shrubs as needed.
- 7. Schedule and maintain irrigation systems to provide sufficient moisture for plant health, reduce water waste and meet state and/or local water conservation mandates.
- 8. Collect and process green waste into mulch or compost for use in common-area landscape.
- 9. Removal of debris from walkways, cyclic mowing and landscape maintenance programs.

# The Landscaping Services Department does not perform the following services:

- 1. Substitute, rearrange or change the basic landscaping at a resident's request.
- 2. Change the irrigation system by adding or altering equipment at a resident's request.
- 3. Set irrigation system schedules to comply with requests from individual residents.
- 4. Maintain or help maintain any plantings in a private patio or other exclusive-use common area.
- 5. Permit any member of a landscape maintenance crew to provide personal gardening services to residents.

# LANDSCAPE MAINTENANCE PROGRAM

#### **Turf Maintenance**

Turf maintenance responsibilities consist of approximately 138 acres in United Mutual, 165 acres in Third Mutual and 8.8 acres in GRF.

Turf maintenance consists of the following:

- Grass is cut using mulching mowers, which cuts the grass into fine particles and leaves them in place.
- Grass mulching reduces fertilizer requirements by recycling the nutrients stored within the clippings, reducing labor and materials costs. Grass mulching also greatly reduces costs by eliminating the need to bag and dispose of waste.
- Mowing all turf areas, scheduled per seasonal growth requirements.
- Edging sidewalks and trimming turf edges every other mowing cycle.
- Blowing debris off of hardscape that is generated by mowing operation.
- Turf repair, reseed as needed and/or requested and perform mostly in cooler months due to water requirements of new plantings.
- Responding to non-chargeable resident requests pertaining to turf maintenance such as leaf clean up, reseeding, etc.

The mowing cycle follows a schedule that is adjusted seasonally throughout the year to respond to growing conditions. During summer growing months, the mowing cycle may be completed every seven to nine days. During spring and fall, slower turf growth allows for a cycle approximately every nine to 14 days. During winter, intervals of 14 to 21 days are common. During periods that mowing cycles are extended, staff time is directed to other tasks that are more appropriate for that season, such as planting and turf repairs, or tasks that may not be seasonally driven, such as mulch application. Turf repair is slowed in the summer months and usually done only in emergency situations due to the increased water and care that is needed to establish new growth during the heat of summer.

# **Shrub-Bed Maintenance**

The shrub-bed maintenance cycle is performed on approximately 75 shrub-bed acres in United Mutual, 83 shrub-bed acres in Third Mutual, and 10.7 shrub-bed acres in GRF.

Shrub-bed maintenance consists of:

- Selective pruning, rather than shearing, is practiced on most woody perennials, which leaves the plant with more blossoms and a more natural appearance with less new growth.
- Raking and removal of trimming debris and dead plant material.
- Weeding, both chemically and mechanically, using mutual-approved safe herbicides. No Roundup is used in the community.

- Mulching, using mulch made on site with green waste produced within the community. Using
  mulch produced from waste generated on site, in addition to significant cost savings in waste
  hauling and mulch purchases, reduce the introduction of new weeds and pests into the
  community.
- Replanting of unhealthy and dead plant material with plant stock grown in our own on-site nursery.
- Edging of the turf adjacent to the planters is done in alternate weeks coinciding with the turf maintenance program.

Landscaping crews are scheduled to visit each building four times a year. The service level for the maintenance cycle performed by grounds maintenance is based as closely as possible to seasonal requirements; less shrub-bed maintenance is done during the summer months while staff focuses on the turf maintenance. Shrub-bed maintenance frequency increases during the cooler months, especially for tasks such as replanting and reseeding.

Grounds maintenance staff is responsible for the installation of replacement plantings due to failure of the existing material, overgrowth of existing plants or damage to plants during painting or building repair work.

# Irrigation

The irrigation work center oversees 10,449 community watering zones controlled by 163 irrigation controllers in United Mutual, 223 in Third Mutual and 21 in GRF. These controllers are managed by a central irrigation computer that determines and transmits all of the necessary scheduling information to the irrigation controllers in the community through the use of radio and telephone communication transmission technologies. The system is weather sensitized and adjusts watering schedules based on daily fluctuations in plant evapotranspiration rates. Adjustments are also made to accommodate water conservation and water supply shortage ordinances, and grounds maintenance work.

System checks of the entire community are performed regularly to evaluate the operation of the system and to troubleshoot and repair any damaged or failed irrigation equipment discovered. Residents are encouraged to call Resident Services during working hours at **949-597-4600** or email the department at <a href="mailto:residentservices@vmsinc.org">residentservices@vmsinc.org</a> to report irrigation leaks or dry spots.

Portions of the irrigation system are still the original design that was installed when the community was developed. Due to the age of those portions of the original system, areas of poor coverage and low water pressure still exist. The purpose of spot retrofitting is to replace and improve areas of the original irrigation system by redesigning and replacing irrigation system hardware, including piping, sprinklers and valves. Shrub-bed maintenance spot-retrofit work is most often completed after old plants are removed and before new plants are planted in areas where the renovation program has not been completed or to prevent irrigation run off to storm drains.

#### THE ROLE OF THE RESIDENT

Landscape throughout the Village is common area. All grounds outside the walls of a building, a contiguous patio or in the atriums of the Garden Villa buildings are common area landscape property and fall under the rules and regulations stated herein, unless they are an approved alteration.

To assist residents in understanding their role and responsibility in helping to keep the Village landscape looking its best, it is required that residents:

- Submit a Landscape Request Form with a planting plan, including plant species, for any
  proposed planting or any alteration of any common area to the Landscaping Services
  Department for review and written approval prior to any changes being made. Failure to do so
  may result in citation, fines and financial reimbursement of any costs associated with the
  restoration of mutual landscaping. Do not submit a Landscape Request Form for maintenance
  requests or plant replacement. Contact Resident Services during normal business hours at
  949-597-4600 or residentservices@vmsinc.org.
- Obtain signatures on the Landscape Request Form indicating approval from all the neighbors directly affected by your request for all proposed changes to the existing landscape. Common areas belong to everyone.
- Maintain any plantings that have been accepted as nonstandard landscape, including fruit trees. Residents are responsible to maintain all such landscape materials.
- Notify the Landscaping Services Department if you cannot or do not wish to continue to maintain nonstandard landscape. The nonstandard landscaping may be removed and replaced as a chargeable service.
- Notify the Landscaping Services Department if you cannot maintain any fruit trees for which you are responsible. These can be removed at no cost to the member.
- Notify the Landscaping Services Department if you do not wish to have specific plants, shrubs or small patio trees adjacent to your manor cultivated, pruned or maintained by the Landscaping Services Department. The program is initiated through Resident Services as a request to meet with a landscape supervisor to evaluate the practicality of the request.
- Do not plant/alter or have your gardener plant/alter any common area. This includes slopes, clear areas around trees or in the turf of the common area. These areas are not available for private maintenance. Fencing, rocks, art or other items shall not be placed in common areas without written approval.
- Do not remove plantings without approval from the Landscaping Services Department.
- Do not place materials such as stepping stones, edging materials, potted plants, statuary or any
  other item (including hoses, hose reels, patio furniture, etc.) in common areas. These items
  interfere with landscape maintenance operations and may create a safety hazard. The
  Landscaping Services Department will remove them as a chargeable service to the member
  responsible for their unauthorized placement. Please note: Stepping stones may be allowed if a
  written request is made to the Landscaping Services Department which meets the required

standard for stepping stones and the installation requirements. Also, if the Landscaping Services Department approves the request, such request will also need the approval of the Landscape Committee and the board of directors.

If you would like to request services outside the routine maintenance provided, the Landscaping Services Department may be able assist you. If you are unsure whether your request falls into this category, please contact Resident Services during working hours at **949-597-4600** or **residentservices@vmsinc.org** to initiate the process.

#### YELLOW STAKE PROGRAM

The former Yellow Stake Program provided an option for residents to install and maintain the planting areas immediately adjacent to their manor, either personally or through an outside maintenance service. Although the program has ended, residents are still required to maintain the plantings. Full responsibility includes, but is not limited to, fertilizing, pruning and the removal of plant waste/debris.

The mutual may intercede if the appearance or level of care of the private plantings is considered below standard, or if any dispute between residents arises. The landscape continues to be considered common property and yellow stake approval may be revoked by the committee. Failure to maintain private plantings will be subject to removal and replanting with standard landscape material. This work will be accomplished after notice to the member and will be completed as a chargeable service.

All new requests for approval of personal plantings require approval by staff or the landscape committee via the Landscape Request Form.

This responsibility does not end upon transfer of a unit. The seller must disclose the yellow stake or private plantings as an alteration and formally obtain acceptance from the buyer prior to close of escrow. If the buyer does not accept responsibility, the seller must restore the area to standard planting prior to close of escrow. If the buyer accepts the yellow stake area, they will be bound by all the rules governing the previous owner with regard to the Yellow Stake Program.

If you have questions regarding the care of or changes to the landscape, please contact the Landscaping Services Department by calling **949-597-4600** or emailing **residentservices@vmsinc.org**.

# **USE OF PRIVATE GARDENERS, LANDSCAPERS AND PEST CONTROL OPERATORS**

Members/shareholders are responsible to maintain the landscaping within their exclusive-use common area. Members/shareholders may elect to have their exclusive use common area cared for by an outside service provider (gardener, landscaper, etc.). If a member/shareholder hires an outside provider for any authorized work, they must confirm that the person or company is insured for workers' compensation, liability, and auto insurance prior to the initiation of work. They must also have a City of Laguna Woods business license. It is recommended that residents considering the use of private gardeners check references to insure they are reliable and experienced.

Only authorized employees or contractors of the managing agent may access, alter or operate the mutual-owned irrigation systems or any water source that is not metered directly by the affected unit. No gardeners, landscapers or other vendors hired by the resident may access water sources or make any changes to mutual owned sprinklers. Unauthorized use of water or alterations made to irrigation systems is prohibited and may result in citation, fines and financial reimbursement of any costs associated with the repair or restoration of mutual irrigation equipment.

Similarly, no privately hired vendor may apply any fertilizers or pesticides (insecticides, snail bait, rodent bait, ant control materials, fungicides, etc.), or treat any area on the exterior portion of a unit, or the landscape around it without written permission from the managing agent. All proposed pest control operators and/or gardeners must provide copies of all licenses and insurance required by law when requesting approval, prior to any application of materials.

#### TREE PROGRAM

Laguna Woods Village has a wide variety of large mature trees. These are a tremendous asset to the community and improve the quality of life for all residents. All tree maintenance is performed by the Landscaping Services Department under the direction of a certified arborist.

OUTSIDE CONTRACTORS AND PRIVATE GARDENERS WHO PERFORM WORK FOR MEMBERS/SHAREHOLDERS WITHIN THE COMMUNITY MAY NOT PLANT OR PRUNE ANY TREE IN COMMON AREAS WITHOUT THE PRIOR WRITTEN APPROVAL OF THE MUTUAL LANDSCAPE COMMITTEE.

The inspection and trimming of Village trees are performed on a regular five-year species-based schedule, per International Society of Arboriculture standards. Trees are pruned whether they are original plantings or approved resident plantings. Former Yellow Stake Program trees are not pruned or maintained.

Trees are removed by the Landscaping Services Department only if they are dead, diseased, dying, pose a foreseeable risk of damage to property or injury to persons or are actively causing damage to buildings, structures or underground utilities, excluding irrigation. Trees will not be removed due to dropping excessive litter (leaves, needles, flowers, fruit, cones, etc.). Trees will not be topped or removed to establish, increase or preserve views (see Tree Removal Guidelines Resolution, page 17).

Members may request the removal of a tree by contacting Resident Services to obtain a Landscape Request Form or through the Laguna Woods Village website (see Mutual Landscape Request Form, Page 14). The form must be completed in its entirety, including the signatures of surrounding manor owners affected by the potential removal of the tree. If the removal request does not meet the criteria outlined above, it will be sent to the mutual landscape committee for determination. If a tree removal is approved, it is typically removed within 60 days. Emergency situations are handled on a case-by-case basis.

The landscape committees are made up of appointed directors from the governing board of the affected mutual. They will review the resident's request and work to find a solution.

# Tree Program Frequently Asked Questions What is the trimming cycle?

Beginning in 2020, all trees will be trimmed on a rotating five-year species-based protocol. This protocol is in place to properly maintain both the beauty and health of the tree stock in the

community. It is designed to initially reduce the size of the trees by 25%, thereby reducing off schedule trimming requests and reducing storm damage to overgrown trees.

# What is the procedure for tree removals?

Members/shareholders may request tree removal by submitting a Landscape Request Form. Keep in mind, per the resolution, "unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents' personal preferences concerning shape, color, size or fragrance. Trees should not be removed because of view obstruction."

#### Who pays to remove the tree?

The landscape committee may approve the removal of a tree at the expense of the mutual or at the expense of the requesting party.

# Will the tree be replaced?

Following removal, a tree may be replaced if there is sufficient space and need. The landscape affected by the removal will be repaired and a replacement tree (if appropriate) will be replanted within 90 days of the removal of the tree. The cost would be borne by mutual or the member/shareholder as determined by the landscape committee.

#### Do I need to wait five years to have the tree by my unit trimmed?

Although the program is referred to as a five-year program, the majority of the trees are trimmed every two to three years. Off-schedule trimming may be provided if there is an emergency or urgent need; otherwise, trees are not trimmed until they are scheduled.

# Can I have the tree by my unit trimmed as a chargeable service?

Typically, tree trimming is not provided as a chargeable service. Unique situations will be considered by the arborist and the landscape committee on a case-by-case basis.

#### CHARGEABLE SERVICE PROGRAM

The Chargeable Service Program provides very limited additional specialized services to residents of the community upon request that are nonstandard in nature and supplement the routine maintenance provided by the Landscaping Services Department (see The Role of the Landscaping Services Department, page 4).

To request services in addition to those already listed, residents should call Resident Services at **949-597-4600** for a landscaping supervisor to review the requested work and develop a cost quotation for resident approval.

Residents should not ask any member of a landscape maintenance crew for individual service. All requests shall be made through Resident Services. Staff time is to be used for the benefit of all residents. Employees are not allowed to accept tips or to perform work during or after hours for individual residents.

#### WATER MANAGEMENT

Water is a limited resource and should be used wisely and sparingly. In the Village, landscaped areas are irrigated with potable water (drinking water quality) or recycled water (not suitable for consumption). Irrigation water should not be consumed or fed to pets. Watering plants by hose is discouraged; use of a watering can is permitted. State law prohibits the use of water to wash patios, sidewalks or other hard surfaces. Please make sure that you have a nozzle on your hose that automatically shuts off to conserve water. Residents shall comply with all legal directives from the State of California, El Toro Water District, Laguna Woods Village or other agencies with authority to impose water conservation mandates or restrictions imposed during periods of drought. Any water use restrictions will be posted on the Village website at lagunawoodsvillage.org.

Residents should not tamper with sprinklers or irrigation controllers (timers), or access mutual water sources. To report dry landscape, water leaks, damaged sprinklers or other problems with irrigation systems, please contact Resident Services at **949-597-4600**. For emergency service after 4:30 p.m. on weekdays or on weekends, call Security at **949-580-1400**.

Patios are exclusive-use common areas, but occasionally may be the only source of water for Landscaping Services Department staff to use when installing new plants. Crews are instructed to be considerate of residents' privacy and property. However, when necessary, staff must be allowed access to all exterior water sources, which may include those in exclusive use common areas.

# **SAFETY**

Safety is our number-one priority in the Village. Assistance from residents is vital to keeping the areas around manors free of hazards. Participate in keeping your neighborhood safe by reporting problems such as:

- Raised or broken concrete walkways or driveways
- Holes in turf areas
- Low-hanging or broken tree branches
- Foliage or branches close to fireplace chimneys or brushing against windows, eaves or roofs
- Inappropriately placed objects on sidewalks, balconies or patio walls, such as statuary, pots, hanging plants or vines
- Excessively wet areas or persistent ponding water
- Any item blocking an exit, stairwell or other pedestrian path of travel

If you become aware of any potential safety hazard, please notify the Landscaping Services Department at **949-597-4600**. For emergency service after 4:30 p.m. or on weekends, call Security at **949-580-1400**.

# **REQUEST FORMS AND APPEAL PROCESS**

If you would like to request a change to the plants around your manor, please request assistance from your landscape supervisor by contacting Resident Services at **949-597-4600** or **residentservices@vmsinc.org**.

Your area supervisor will either authorize the changes, or advise you that your request will require approval from your mutual's landscape committee and supply the necessary forms.

The committee may visit your unit prior to making a decision on your request. Following their decision, it will be presented to the board of directors of your mutual for action. You will be notified in advance of such meetings. You may appear in person at that time, should you wish to speak on your behalf. Appeal of a decision is based on Resolution 01-13-182 (pages 28 and 29).



# MUTUAL LANDSCAPE REQUEST FORM

#### PLEASE NOTE: THIS FORM IS NOT INTENDED FOR ROUTINE MAINTENANCE REQUESTS.

For all non-routine requests, please fill out this form. Per the policy of your Mutual, if your request falls outside the scope of the managing agent's authority, it will be forwarded to the Mutual's Landscape Committee for review. If you are unsure whether your request falls into this category, first contact Resident Services at 597-4600 in order to make that determination.

#### PLEASE RETURN COMPLETED REQUEST FORM TO RESIDENT SERVICES.

Resident/Owner Information				
You must be an <b>owner</b> to request	non-routine Landscape requ	ests.		
Address		Today's Date		
Resident's Name	esident's Name Telephone Number			
	Non-Routine Request	t		
Please checkmark the item that be "Other" and explain.	est describes your request. It	f none apply, please checkmark		
☐ Tree Removal ☐ 0	Off-Schedule Tree Trimming	☐ Plant Replacement		
☐ Other (explain):				
	Reason for Request			
Please checkmark the item(s) that		vour request		
Trease checkmark the item(s) tha	t best explain the reason for y	•		
☐ Structural Damage ☐ Sewe	er Damage □ Overgrown	☐ Poor Condition		
☐ Other (explain):				

#### **GUIDELINES:**

- Structural/Sewer Damage: Damage to buildings, sidewalks, sewer pipes, or other facilities may justify removal if corrective measures are not practical.
- Overgrown/Crowded: Trees or plants that have outgrown the available space may justify removal.
- <u>Damaged/Declining Health</u>: Trees or plants that are declining in health will be evaluated for corrective action before removal/replacement is considered.
- Litter and Debris: Because all trees shed litter seasonally, this is not an adequate reason to justify removal.
- Personal Preference: Because one does not like the appearance or other characteristics of the tree or plant does not justify its removal.
- View Obstruction: Trees will not be off-schedule trimmed or removed due to view obstruction.

By signing below, you acknowledge that your request meets the established conditions. Initial here:

Landscape/Forms/Request Forms OVER → Revised: May 2025 14

Des	scription & L	ocation of	Request			
Please <u>briefly</u> describe the situa			-	•		
"roots of pine tree in front of mai		ing the sidewa	alk"). <b>Req</b> i	uired to attach	pictures,	
plant preference, and designs	<i>i.</i>					
Signatures of	All Neighbo	ors Affected	d By This	s Request		
Because your request may affect				•		
their signatures, manor numbers	s, and whether	they are for, u	ındecided,	, or against this	request.	
Signature		Manor #	For	Undecided	Against	
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Owner's Signature		Owner's Name				
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	OFFICE	USE ONL				
MOVE IN DATE:						
MOVE IN DATE:	WC 530	540	570			
	WC 530	) 540 PRUNE:	570 TI	REE ID#		
LAST PRUNED:	WC 530 NEXT P TREE R	0 540 PRUNE: REMOVAL CC	570 TI	REE ID#		
LAST PRUNED: TREE VALUE: \$ OFF-SCHEDULE TRIM COST	WC 530 NEXT P TREE R	D 540 PRUNE: REMOVAL CC	570 TI	REE ID#		
LAST PRUNED:	WC 530 NEXT P TREE R	D 540 PRUNE: REMOVAL CC	570 TI DST: \$	REE ID#		

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# **BOARD RESOLUTIONS**

**Please note:** Any changes to landscaping must be approved by the board prior to the start of any work.

First fill out a Landscape Request Form, which may be obtained from Resident Services at **949-597-4600** or **residentservices@vmsinc.org**. This form may also be found at lagunawoodsvillage.com > Services > Landscaping > Landscaping forms and documents.

# **RESOLUTION – Tree Removal Guidelines**

Resolution 01-13-17 - Adopted February 12, 2013 - United Laguna Woods Mutual

This corporation established the following tree removal guidelines:

- Unless there is a purposeful reason, trees should not be removed merely because they
  are messy, or because of residents' personal preferences concerning shape, color, size,
  or fragrance.
- Trees should not be removed because of view obstruction.
- Trees on slopes should not be removed if the removal will contribute to the destabilization of that slope.
- Trees which are damaging or will damage a structure, pose a hazard, in failing health or interfering with neighboring trees, will be considered for removal.

•

# **RESOLUTION – Memorials and Tree Signage**

Resolution 01-08-20 – Adopted February 12, 2008 – United Laguna Woods Mutual

The placement of memorials of any sort on trees, benches or anywhere on United Mutual property except in areas especially designated by the Board of Directors is prohibited.

Tree signage in such designated areas shall be limited to 3" x 5" size with white lettering on a black background using only the botanical and common names of the tree and the country of origin. The managing agent is authorized to carry out the purpose of this resolution.

# **RESOLUTION – Personal Items in Common Areas**

Resolution 01-22-75 – Adopted November 8, 2022 – United Laguna Woods Mutual

**WHEREAS**, all land outside the unit walls is considered common area, including the planting beds immediately adjacent to the units. The Board of Directors of this Corporation is concerned about the placement of privately-owned objects in the common areas, the possible safety hazards to persons, and maintenance problems caused by such placement; and

**WHEREAS**, the placement of privately-owned objects including plants, potted plants, statuary, and solar lights has become prevalent and unrestrained causing concerns about clutter, safety, and an obstruction to Mutual maintenance activities; and

**WHEREAS**, the Compliance Division and Landscape Committee receives numerous concerns from residents regarding the proliferation of privately-owned objects;

**NOW THEREFORE BE IT RESOLVED**, November 8, 2022, that placement of privately-owned objects in the common areas, including planting beds, shall permit personal/non-standard landscape, within the following guidelines:

- Residents may not enlarge foundation planters.
- Residents may place decorative items, garden décor, statuary, potted plants, or freestanding solar lights within one single 36-square-foot area immediately adjacent to their unit.
- Residents shall be responsible for the maintenance of this area including weeding, pruning and clean up. These items should be kept in good repair and potted plants should be well-maintained and any empty pots, gardening supplies or tools removed.
- Items placed in this area shall not impede the regular maintenance of the landscape and building, nor shall they block or interfere with Mutual irrigation systems.
- Residents understand that the area shall remain common area, subject to the use and passage of all residents.
- Upon sale of the unit, the Member or the estate will be financially responsible for the removal of all personal items and the re-landscaping of this area.
- If the personal plantings and/or decorative items in the common area directly adjacent to the manor are not maintained in a satisfactory manner may result in disciplinary action, including monetary penalties, suspension of member privileges and/or legal action.
- Members are responsible for ensuring that the rules, regulations and policies are followed by anyone they allow into the Community.
- Residents seeking a larger area or alteration of the Mutual owned landscape shall seek and obtain permission from the Board of Directors prior to any changes through the Landscape Request Form process.

**RESOLVED FURTHER**, that Resolution 01-05-63, adopted June 14, 2005 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 this resolution as written.

# RESOLUTION – Clutter Policy

Resolution 01-18-104 - Adopted September 26, 2018 - United Laguna Woods Mutual

The walkway, breezeway, patio and balcony areas are "common areas" or "limited common areas" with by-laws and Occupancy Agreement provisions for their management and care under the direction of the United Mutual Board.

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

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

#### **Purpose**

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

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

#### **Definitions**

**Exclusive-use common area** - A portion of the common area designated by the declaration for the exclusive use of one or more, but fewer than all, of the owners of the separate interests and which is or will be appurtenant to the separate interest or interests. Unless the declaration otherwise provides, any shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, patios, exterior doors, doorframes and hardware incident thereto, screens and windows or other fixtures designed to serve a single separate interest, but located outside the boundaries of the separate interest, are exclusive use common area allocated exclusively to that separate interest (i.e. patios, balconies, carport and interior of a Unit). (Civil Code §4145)

**Clutter** - To fill or litter with things in a disorderly manner; a collection of things lying about in an untidy mass. (cluttered. (n.d.) Burton's Legal Thesaurus, 4E. (2007)) In addition, anything positioned within the mutual property in a manner which is obstructing the free use of the area, creating a health and safety risk to the community, and/or consequently causing property damage within the mutual. See further details under conditions.

**Common area** - The entire common interest development except the separate interests therein (i.e., walkways, breezeways and open space). (Civil Code §4095)

**Community** - Laguna Woods Village.

**Golden Rain Foundation (GRF)** – The Golden Rain Foundation of Laguna Hills, a California nonprofit mutual benefit corporation.

**Governing documents** - All of the following, collectively, the articles of incorporation; the bylaws; occupancy agreements; the rules and regulations; and any resolutions or policies of the board; all the same may be lawfully amended or modified from time to time.

**Interior clutter** - Any items that are hazardous or may be of fire or safety danger, and/or potential damage to the inside of the unit or surrounding units.

**Member** - Entitled to membership in the corporation and approved by the board of directors. Also known as shareholder(s).

**Resident** - Any person who has been approved by the board of directors for occupancy.

Staff - Employees of Village Management Services Inc. authorized to act on behalf of United Mutual.

United Laguna Woods Mutual (United) - A nonprofit cooperative housing corporation which owns and manages all real property within the original 21 cooperative mutuals. In a cooperative, shareholders are members of a corporation which own all real property, including the dwelling units, carports and laundry facilities within the mutual's boundaries, and each shareholder is entitled to occupy a specific dwelling unit under the terms of an occupancy agreement. Also known as corporation. Also known as the mutual.

#### Conditions

#### Clutter

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

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

All plants must be suitably potted with adequately sized saucers to collect excess water and elevated by substantial caster or sturdy platforms. Care must be used to control the amount of water given to these plants so as not to run over the saucer and collect on the floor surface or fall to a lower level of the building on people, windows, or other objects belonging to neighbors.

Items, including plants, statues, furniture, etc., may be placed adjacent to a Unit's front door on the floor and shall be limited. Adequate clearance is required to allow for easy walkway access along the area (at least in number and size to allow for a 48-inch clearance as required by law.

All plants shall be maintained by the resident in a healthy, well cared for condition, properly watered and pruned. Non-plant items shall be maintained clean and in good repair.

Potted plants are not to be placed on railings in common areas. Hanging plants or hanging objects are prohibited in breezeway and walkways.

Items that constitute a nuisance to one's neighbors should not be placed in common areas. Examples are intrusive wind chimes, food and water, which will attract birds, insects, and other animals. (City of Laguna Woods Municipal Code Section 5.20.070) Residents are encouraged to resolve amicably differences or disputes involving such items.

A resident's balcony and patio area adjoining a unit is exclusive-use common area. This area needs the same care and protection as the walkways and breezeways to prevent dry rot, decay and mold of surfaces. Therefore, only a limited number of potted plants on the balconies of multistory buildings are allowed. No more than 15% of the total floor area of a balcony may be used for potted plants.

Landscaping crews will not care for a resident's personal items placed in common areas unless arranged through Resident Services as a chargeable service.

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

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

#### Enforcement

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

The board has the authority to impose monetary fines, suspend member(s) privileges, and/or bring forth legal action. The member(s) are entirely responsible for ensuring that the Governing Documents are followed by anyone they allow into the community. This includes any co-occupant, lessee, guest, care provider, vendor, invitee or contractor.

A complaint may be registered by calling the Security Services Department at **949-580-1400** or the Compliance Division by calling **949-268-CALL** or emailing <a href="mailto:compliance@vmsinc.org">compliance@vmsinc.org</a>.

Investigating clutter: A security inspector patrols the community and should staff identity objective evidence of clutter a notice of clutter violation is issued. The Compliance Division will send a follow up notice advising the member of the rules and requesting compliance.

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

We ask each resident to read these guidelines and take whatever corrective action is necessary for the care and protection of property where plants and items have been placed outside manors.

The United Mutual board shall have full authority to recommend remedial action or a hearing for disciplinary action.

# RESOLUTION – Stepping Stones

Resolution U-85-25 – Adopted January 22, 1985 – United Laguna Woods Mutual

In order to create and maintain a safe, hazard-free and well-groomed Community it is important that all walkways and other avenues of pedestrian traffic be properly established, constructed and maintained only by the managing agent of this corporation.

It is important that no unauthorized or hazardous walkways or other avenues of pedestrian traffic be established, either through the placement of stepping stones or otherwise, that may interfere with the landscape maintenance operations for the Community or may pose a threat to the health, safety or well-being of the residents, guests or employees of the Community. The existence of stepping stones under these conditions is prohibited.

The managing agent is authorized to remove any stepping stones existing in the common area which meet these criteria.

# <u>RESOLUTION – Standard for Stepping Stones</u>

Resolution 01-03-79 – Adopted May 13, 2003 – United Laguna Woods Mutual

In addition to establishing a policy to prohibit the placement of stepping stones as outlined in Resolution #U-85-25, the corporation recognizes the need to establish a policy to streamline the proper installation and maintenance of stepping stones within common areas. The standard is as follows:

#### 1.0 Preparations

- 1.1 No stepping stones will be allowed that will hinder yard drainage.
- 1.2 In no case will stepping stones cover over sprinklers, sprinkler lines, or other related items.
- 1.3 Stepping stones will be allowed in planter areas adjacent to the manor only. No stepping stones will be permitted to be placed in grass.
- 1.4 Stepping stone paths will only be permitted to provide access from a point of ingress/egress to a hose bib, an existing patio gate or opening, and/or personal plants.

#### 2.0 Applications

- 2.1 Stepping stones may be constructed of concrete only.
- 2.2 All stepping stones must have a non-slip/non-skid surface.
- 2.3 All stepping stones must have a minimum diameter or width of 12 inches.
- 2.4 Stepping stones will be spaced no more than four inches apart.
- 2.5 The path created with the stepping stones will be no greater than three feet wide.
- 2.6 No decorative material may be used to fill in the spacing between stepping stones (i.e., gravel, mulch, etc.)

#### 3.0 Installation Requirements

3.1 Prior to installation, the Resident Services must be contacted to schedule the Landscaping Services Department to clear away plants, adjust irrigation, and make any other landscaping

- changes necessary to accommodate the area. This work will only be performed by the Landscape Department, and will be performed as a service chargeable to the requesting Mutual member.
- 3.2 Outline each stepping stone and dig out the marked area so that it is one and a half inches deeper than the thickness of the stepping stone. Make sure that dug out space is level. Line bottom of hole for stepping stone with a base of one and a half inches of damp sand. Tamp the sand base to compact sand. Level the sand layer. Set stepping stone in the space and make level with surrounding soil grade.
- 3.3 Installed stepping stones must be stable and level to the surrounding soil grade. Any loose or non-level stones will not be permitted and may result in the removal of the stones. Such removal will be performed as a service chargeable to the Mutual member.
- 3.4 Ongoing maintenance to ensure the stability and level grade of the stepping stones is the sole responsibility of the Mutual member. Improperly maintained stepping stones will be identified as a safety hazard and may result in the removal of the stones. Such removal will be performed as a service chargeable to the Mutual member.

The officers and agents of this Corporation are authorized on behalf of the Corporation to carry out the purpose of this resolution.

# **RESOLUTION – Placement of Potted Plants in Common Area**

Resolution U-90-74 – Adopted August 28, 1990 – United Laguna Woods Mutual

Out of concern that potted plants and other moisture retaining objects placed directly on decks, breezeways or balcony surfaces of buildings managed by this corporation contribute directly to dry rot and other damage, the board of directors hereby prohibits their placement on these surfaces unless these objects are placed on a water-resistant surface designed to prevent moisture from reaching the decking, breezeway or balcony surface on which it is placed.

Additionally, the placement of indoor/outdoor carpeting is also prohibited on any surface which is supported by wood (such as; patios, atriums, decks, entryways, elevated and regular breezeways. Any member found in violation of the above requirements shall be subject to disciplinary action in accordance to the Bylaws of this corporation and as deemed appropriate by the board of directors.

# **RESOLUTION – Fruit Tree and Vegetable Policy**

Resolution 01-25-52 – Adopted May 13, 2025 – United Laguna Woods Mutual

**WHEREAS**, fruit trees in the common area were planted by or at the request of Members as part of the discontinued "Yellow Stake" program; and

**WHEREAS**, fruit trees are not maintained or trimmed by the Mutual and are the sole responsibility of the Member to maintain and must be tagged by the Member, or his or her successor; and

**WHEREAS**, the responsibility of maintenance of fruit trees can be passed on to new members with the purchase of the residence; and

**WHEREAS**, fruit trees and vegetable gardens are a known attractant and food source for wildlife and rodents, and unmaintained fruit trees exacerbate the problem; and

**WHEREAS**, two Garden Centers have been provided by the Golden Rain Foundation for the purpose of providing a place for residents to grow vegetables or food crops; and

**WHEREAS**, there had been a significant increase in rodent activity since State mandated restrictions on rodenticides were put into effect;

**NOW THEREFORE BE IT RESOLVED**, on May 13, 2025, that the Board of Directors of this Corporation introduces the revised Fruit Tree and Vegetables Policy which prohibits the planting of any fruit trees, vegetables or other food crops in common area and requires members to tag and maintain existing fruit trees in common area and in Exclusive Use Common areas; and

**RESOLVED FURTHER**, the planting of vegetables and new fruit trees in common area is prohibited; and

**RESOLVED FURTHER**, existing fruit trees in common area and exclusive use are to be tagged and maintained by the member; and

**RESOLVED FURTHER**, during the resale process, the responsibility to maintain existing fruit trees in common area may be accepted by the new member, if the new member declines to accept the responsibility to maintain the fruit trees, the fruit trees will be removed at no cost to the members; and

**RESOLVED FURTHER**, to maintain the health and safety of the members, fruit trees found to be unmaintained will be removed, after notice, by the Mutual at no cost to the member; and

**RESOLVED FURTHER**, fruit tree maintenance shall be defined in the attached Fruit Tree Maintenance Policy; and

**RESOLVED FURTHER**, Resolutions U-84-129 and Resolution U-84-130, effective August 28, 1984 are hereby superseded in their entirety and no longer in effect; and

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

# **Fruit-Tree Maintenance Policy**

Fruit-tree maintenance is the sole responsibility of the Member.

Fruit trees shall be tagged so as to easily identify the Member responsible for their maintenance and for their fruit.

In order to reduce the attraction to rodents, fruit trees shall be maintained in the following manner:

- Ripe fruit shall be promptly harvested and not allowed to remain on the tree.
- Fallen fruit shall not be allowed to accumulate and shall be promptly cleaned up and disposed of in closed containers.
- All tree limbs, fruit and foliage shall be maintained at 3 feet above ground level and provided adequate clearance for pedestrians, maintenance equipment, and personnel.
- Rodent guards shall be installed on the lower 24 inches of the trunk, to prevent rodent activity.

If an owner is unable to properly maintain a fruit tree, the Mutual will remove them after providing notice to the responsible Member (if their identity is known), at no cost to the Member.

United and staff are not responsible for fruit produced by trees in the Common Area; this includes, but is not limited to, residents picking fruit from trees not maintained by them, the health, safety and/or consumption of fruit, etc.

# **RESOLUTION – Outdoor Water Conservation**

Resolution 01-16-09 – Adopted January 12, 2016 – United Laguna Woods Mutual

**WHEREAS**, it is increasingly important for the Corporation to conserve and manage water resources and costs; and

**WHEREAS**, the residents of United Mutual pay a water bill based on a shared direct Mutual Operating Expense; and

**WHEREAS**, the Landscape Department adjusts the irrigation systems and rates so as to maximize the benefits to United Mutual landscaping while minimizing the use of outdoor water use,

**NOW THEREFORE BE IT RESOLVED**, January 12, 2016, that residents shall, under no conditions, personally irrigate landscaping in common areas; and

**BE IT RESOLVED FURTHER**, that residents can continue to water their personal plantings but watering must be aligned with El Toro Water District regulations, in regards to the number of days that such plantings can be watered; for example, 2 days per week in summer and 1 day per week in winter and turn off water before rain and let soil dry before turning water on again; and

**BE IT RESOLVED FURTHER**, that when residents use hand-held shut-off nozzles, the water must be turned off at the spigot when personal watering is completed for the day; and

**BE IT RESOLVED FURTHER**, that residents who disregard these guidelines will be given a citation requesting them to comply with this regulation and that they could face disciplinary action.

**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 – Bench Policy**

Resolution 01-24-27 – Adopted March 12, 2024 – United Laguna Woods Mutual

**WHEREAS,** Resolution 01-12-34 adopted February 14, 2012 states the type of bench, color, and model of bench; and

**WHEREAS**, the landscape committee recognizes it does not address location, placement, adjacent surfaces or other safety considerations; and

**NOW THEREFORE BE IT RESOLVED**, March 12, 2024, that the Board of Directors of this Corporation introduces the revised Bench Policy which gives guidance and direction on the type of bench, color, and model of bench, request procedure, placement, and safety considerations; and

**RESOLVED FURTHER**, Heritage Bench style made of recycled plastic slats in cedar color and a heavy-duty cast aluminum frame, powder coated in black for all benches. Benches should have the following requirements:

- Benches should have a seat height of 17" to 19" above ground or floor space.
- Clear "firm and stable" ground space adjacent to benches should be included and should be a minimum of 30" x 48".
- Seat backs should be provided that extend the full length of the seat.
- Benches should include armrests; and

**RESOLVED FURTHER**, for benches located on paved walkways, the bench should be placed behind the back of the sidewalk. In locations where this is not possible, there should be at least four feet of clear space in front of the bench to allow for pedestrian traffic while someone is seated on the bench and thirty inches on at least one side to permit a wheelchair to sit aside the bench; and

**RESOLVED FURTHER**, in unpaved areas, such as passive parks and landscaped areas, benches shall be placed where there is clear access to the bench on unobstructed, weather resistant, firm, and stable ground from a paved walkway. If there is more than one bench in a given area, at least one shall be accessible by wheelchairs; and

**RESOLVED FURTHER**, seating areas should be shaded, if possible and benches should be anchored to prevent unauthorized movement or theft; and

**RESOLVED FURTHER**, no benches can be donated as a memorial and no plaque maybe placed on them; and

**RESOLVED FURTHER,** requests for benches, whether to be funded by the Mutual or by donation, shall be accomplished through the Landscape Request Form process. As with other requests, staff would meet with the requestor, ascertain the need and possible locations and prepare a recommendation for consideration by the Landscape Committee; and

**RESOLVED FURTHER**, that Resolution 01-12-34, adopted February 14, 2012, 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.

# <u>RESOLUTION – Shrub Replacement Policy</u>

Resolution 01-25-72- Adopted July 8, 2025- United Laguna Woods Mutual

**WHEREAS**, the Landscape Department recognizes the need for a formal policy regarding shrub replacement to promote consistent landscaping standards, sustainability and long-term community landscape goals; and

**WHEREAS**, the proposed Shrub Replacement Policy outlines clear criteria and procedures for replacing shrubs that are dying, hazardous or overgrown, and emphasizes environmental stewardship, biodiversity, and water conservation; and

**WHEREAS**, the policy also ensures all shrub replacement requests are assessed by the Landscape Department, with final selections favoring drought-tolerant, regionally appropriate plants sourced from the GRF Nursery; and

**WHEREAS**, resident requests for shrub replacement will follow a structured process including request submission, professional evaluation, Board or staff approval, and scheduled installation aligned with seasonal best practices and available budget; and

**WHEREAS**, the policy has been reviewed and recommended for adoption by the Landscape Committee;

**NOW THEREFORE BE IT RESOLVED**, July 8, 2025, the Board of Directors hereby adopts the Shrub Replacement Policy as presented; and

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

# **Shrub Replacement Policy**

# **Purpose**

This policy outlines the criteria and procedures for shrub replacement to ensure aesthetic consistency, environmental stewardship and alignment with long-term landscape goals.

A resident may request shrub replacements or landscape alterations via a Landscape Request Form (landscape-request-form). Approval depends on compliance with community standards and budget limitations.

Replacements must align with long-term landscape plans and promote biodiversity, water conservation, soil health and unified community aesthetics.

# 1. Criteria for Residential Shrub Replacement

Shrubs will be only be considered for replacement if they meet the following criteria:

- **Health and vigor**: Shrubs that are dying, diseased or have suffered irreparable damage due to age, pests or weather conditions.
- **Overgrowth**: Shrubs that have outgrown their space or consistently block walkways, windows, signage or impede visibility.
- **Risk or safety concerns**: Shrubs that present hazards near utility infrastructure, impede emergency access or are damaging infrastructure.
- Personal preference: Shrubs will not be replaced for personal preference.

# 2. Process for Shrub Replacement

#### Assessment

- Performed by the Landscaping Services Department.
- o Evaluated for plant health, location relevance and potential for replacement.

# • Selection of replacement shrubs

- Drought-tolerant, regionally appropriate and lower-maintenance plants are prioritized.
- Preference is given to species from the GRF nursery (list available on the Village website: <u>GRF Nursery Plants</u>)
- All plant replacements must be approved by staff or board.

#### Installation

- Performed by staff or contracted landscape crews. With prior approval, residents may engage outside landscapers to install approved plants.
- May include soil preparation, mulch application and irrigation adjustment.

# • Documentation

Documentation is maintained by the mutual for transparency and tracking.

#### 3. Timing and Scheduling

- **Routine replacement**: Planting occurs mostly during optimal planting seasons, fall through spring, when conditions provide better plant establishment.
- **Resident requests**: Processed in order of receipt and subject to budget availability. Target response time is 30 to 90 days.
- **Planned renovations**: Conducted in phases as part of budgeted annual programs, with scheduling coordinated by Landscaping Services Department.

# **RESOLUTION – Appeal Policy**

RESOLUTION 01-20-27- Adopted June 9, 2020- United Laguna Woods Mutual

**WHEREAS**, United Laguna Woods Mutual's ("United") Governing Documents require a Member to seek approval from the Board of Directors ("Board") on various matters of Corporate business by way of the Committee structure for review of a question that may/will ultimately be determined by the Board;

WHEREAS, while decisions made by various Committees or Management may be subject to appeal by an Member to a Committee or to the Board of Directors as may be permitted by the Governing Documents, certain decisions on United matters, including without limitation, architectural requests, landscape requests, variance requests and disciplinary matters, may be heard directly by the Board for its decision;

**WHEREAS**, Civil Code Section §4765 provides that decisions made by Board or of a committee having the same composition as the Board relating to a Member's architectural and/or landscape request that occur in an Open Session Board meeting in compliance with the requirements of Civil Code §4900 et seq. (the Open Meeting Act) may be final, without the right of a Member to appeal said decision;

**WHEREAS**, committee decisions regarding disciplinary/confidential matters that are made in Executive Session meetings are subject to appeal to the United Board by the Member in accordance with United's Governing Documents;

**NOW THEREFORE BE IT RESOLVED**; June 9, 2020 that the Board of Directors of this Corporation hereby establishes and adopts the attached Appeal Policy pertaining to the rights of Members to appeal decisions of Committees of the Board and, as applicable, by the Board regarding certain Corporate business, for this Corporation;

**NOTWITHSTANDING THE FOREGOING**, if new information is brought to the Board's attention relating to a matter previously decided by the Board, the Board may, in its sole discretion, revisit such decision due to extraordinary circumstances, but it shall have no obligation to do so and no Member shall be entitled to such reconsideration as a matter of right. The SME (Subject Matter Expert) will review any extraordinary circumstances for consideration if submitted within 30 days in writing from the Board's determination.

**RESOLVED FURTHER**, that Resolution 01-13-182 adopted October 28, 2013 is hereby superseded in its entirety and cancelled;

**RESOLVED FURTHER**, that this Appeal Policy and the mechanisms for appeals of decisions described herein shall supersede any prior or contrary appeal procedure or right of Members on the decisions subject to this Appeal Policy as may be found in United's Governing Documents, as may be applicable;

**RESOLVED FURTHER**, that the foregoing Appeal Policy shall apply to decisions on matters heard and decided by the Board as described therein, but shall not otherwise affect the ability of Members to appeal committee and/or management decisions on matters not heard by the Board as may otherwise be provided for in United's Governing Documents; 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.

For more information, visit <u>lagunawoodsvillage.com/documents/#united-tab</u>.