

OPEN MEETING

**REGULAR MEETING OF THE BOARD OF DIRECTORS OF
UNITED LAGUNA WOODS MUTUAL
A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION**

**Tuesday, January 10, 2017 · 9:30 AM
Laguna Woods Village Community Center–Board Room
24351 El Toro Road, Laguna Woods, California**

NOTICE AND AGENDA

Before an action item is open for discussion a motion and a second must be recognized by the Chair. After the Board discusses the issue, the Chair will open the floor to the audience on the immediately pending motion or resolution. There is a maximum time limit of three (3) minutes per member during the Member Comments period. There is a maximum time limit of three (3) minutes for member comments on motions before the Board. A Member may only address the Chair once for each agenda item.

1. Call Meeting to Order / Establish Quorum – Lenny Ross
2. Pledge of Allegiance – Director Andre Torng
3. Acknowledge Media
4. Approval of Agenda
5. Member Comments

At this time the members may address the Board of Directors regarding any item within the jurisdiction of the Board of Directors of the United Laguna Woods Mutual. There is a maximum time limit of three (3) minutes per member and a member may only address the Board once during this period. The Board reserves the right to limit the total amount of time allotted for the Member's Forum.

6. Response to Member Comments (Time Limit of three (3) Minutes per Director)
7. Report of the Chair
8. Report of the CEO
9. Update from VMS – Anthony Liberatore
10. Approval of Minutes
 - (a) December 13, 2016 – Regular Open Session
 - (b) December 2, 2016 – Special Open Session
 - (c) December 20, 2016 – Special Open Session

Hearing loop technology is available in the Board room for attendees who have hearing aids with a t-coil.

11. Consent Calendar

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

(a) Maintenance & Construction Committee Recommendations:

- 360-A Approve request to install room addition by entry, with contingencies
- 360-A Deny request to install a nonstandard window in the living room
- 360-A Deny request to replace common area brick sidewalk with concrete slab
- 172-D Approve request to Install nonstandard window in living room, with contingencies
- 500-C Approve request to install nonstandard window in living room, with contingencies

(b) Landscape Committee Recommendations:

None

(c) Finance Committee Recommendations:

Approval of Resolution to Record Lien against Members ID 947-413-22; ID 947-405-86; ID 947-455-38; and ID 947-451-20

COMMITTEE REPORTS

Before an action item is open for discussion a motion and a second must be recognized by the Chair. After the Board discusses the issue, the Chair will open the floor to the audience on the motion or resolution. A Member may only address the Chair once for each agenda item. There is a maximum time limit of three (3) minutes on motions before the Board. The Board reserves the right to limit the total amount of time allotted.

12. Finance Committee Report – Pat English

- (a) United financial Update
- (b) Report of Delinquencies
- (c) Report on Resale & Sub-Lease Activity
- (d) Entertain Motion to Approve an Additional Occupant Fee in the Amount of \$90 for Each Additional Occupant Over Two – **Resolution (initial notification – must postpone to February to conform to the 30 day notification requirement)**
- (e) Entertain Motion to Approve Revisions to Deactivation of Cable Service at a Delinquent Member's (Shareholder's) Unit – **Resolution (initial notification –**

must postpone to February to conform to the 30 day notification requirement)

13. Report of the Maintenance & Construction Committee – Don Tibbetts
 - (a) Authorize Staff to Correct the Monterey Style Buildings Classification from a 1 Bedroom Plus a Den to a 2 Bedroom Unit for Manors with Original Construction Only
14. Report of the Landscape Committee – Maggie Blackwell
15. Report of the Governing Documents Review Committee – Juanita Skillman
 - (a) Entertain Motion to Approve the United Mutual Non-Smoking Policy – **Resolution (initial notification – must postpone to February to conform to the 30 day notification requirement)**
16. Report of the Communications Committee – Jan LaBarge
17. Report of the Laguna Woods Village Traffic Hearings – Don Tibbetts
18. Report of Disciplinary Cases – Lenny Ross
19. Unfinished Business
 - (a) Discuss Holding a Town Hall Meeting on Land Use
20. New Business
 - (a) Discuss Director Training, Goals and Objectives
 - (b) Discuss GRF Solar Program
 - (c) Discuss Response Procedure to Letters Addressed to the Board of Directors
21. GRF Committee Highlights (If Time Permits)
22. Directors' Forum (Time Limit of 3 Minutes per Director)
23. RECESS

CLOSED EXECUTIVE SESSION AGENDA

At this time the Meeting will recess for lunch and reconvene to Executive Session to discuss the following matters per California Civil Code §4935.

1. Approval of Agenda
2. Approval of Minutes of Meeting
 - (a) December 13, 2016 – Regular Executive Session
 - (b) December 2, 2016 – Special Executive Session
 - (c) December 14, 2016 – Special Executive Hearing Committee
3. Discuss and Consider Membership Matters
4. Discuss and Consider Probate Petition

5. Discuss and Consider Contractual
6. Discuss Personnel Matters
7. Discuss and Consider Contractual Matters
8. Discuss and Consider Litigation Matters

**MINUTES OF THE OPEN MEETING OF THE
BOARD OF DIRECTORS OF UNITED LAGUNA WOODS MUTUAL
A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION**

December 13, 2016

The Regular Meeting of the Board of Directors of United Laguna Woods Mutual, a California Non-Profit Mutual Benefit Corporation, was held on Tuesday, December 13, 2016, at 9:30 AM at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Lenny Ross, Juanita Skillman, Don Tibbetts, Jan LaBarge, Janey Dorrell, Pat English, Steve Leonard, Maggie Blackwell, Andre Torng, Gary Morrison

Directors Absent: Prakash (Cash) Achrekar

Staff Present: Open Session: Brad Hudson, Lori Moss, Kim Taylor, Betty Parker, Kurt Rahn
Executive Session: Brad Hudson, Kim Taylor

Others Present: Jeffrey Beaumont Esq. of Beaumont Gitlin Tashjian

(1) CALL TO ORDER

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

(2) PLEDGE OF ALLEGIANCE

Director Maggie Blackwell led the Pledge of Allegiance to the Flag.

(3) ACKNOWLEDGEMENT OF MEDIA

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

(4) APPROVAL OF AGENDA

Director Dorrell moved to approve the agenda as written. Director Torng seconded the motion. By a vote of 9-0-0 the motion carried.

(5-9) APPOINTMENT TO UNITED BOARD TO FILL VACANCY (TERM ENDING 2017)

The following applicants provided a brief summary of their qualifications: Prakash (Cash) Achrekar, statement read by Director Blackwell, and Cynthia Statsmann. Jennifer Dorr was not present for the meeting.

Director English moved to commence balloting, Director Dorrell seconded the motion. Without objection, the motion carried and ballots were distributed to the Directors.

Director Dorrell moved to cease balloting, Director English seconded the motion. Without objection, the motion carried and the ballots were counted.

By way of a secret vote of 8-2 Prakash (Cash) Achrekar was appointed to fill the vacancy, term ending 2017.

(10-14) APPOINTMENT TO VMS BOARD TO FILL VACANCY (TERM ENDING 2019)

The following applicants provided a brief summary of their qualifications and answered questions from the Board: Delfin Ng and Mary Stone.

Director Skillman moved to commence balloting, Director Dorrell seconded the motion. Without objection the motion carried and ballots were distributed to the Directors.

Director LaBarge moved to cease balloting, Director Dorrell seconded the motion. Without objection the motion carried and the ballots were counted.

By way of a secret vote of 5-5 the vote was a tie. Ballots were passed out a second time and by a vote of 5-5 the second vote was a tie. The President postponed the appointment to have Corporate Counsel opinion on the matter when he arrives to the meeting.

Jeff Beaumont, Corporate Counsel, suggested that the Board schedule the vote to another meeting when the full Board is available. Without objection, the Board agreed to schedule a Special Board meeting at a time when the full Board is available.

(15-19) APPOINTMENT TO THE SELECT AUDIT COMMITTEE TO REPRESENT UNITED MUTUAL

The following applicants provided a brief summary of their qualifications: Manuel Armendariz, and Robert Radus. Nancy Nagy was not present for the meeting.

Director LaBarge moved to commence balloting, Director English seconded the motion. Without objection, the motion carried and ballots were distributed to the Directors.

Director Dorrell moved to cease balloting, Director LaBarge seconded the motion. Without objection, the motion carried and the ballots were counted.

By way of a secret vote of 8-2 Manuel Armendariz was appointed to the Select Audit Committee to represent United Mutual.

(20) UNITED MUTUAL MEMBER COMMENTS AND PUBLIC FORUM

United Mutual Members were given the opportunity to speak to items within the jurisdiction of the Board of Directors.

- Maxine McIntosh (68-C) commented on the VMS Director Appointment and provided an overview of selecting the Director for the VMS Board and commented on electrical boxes in one of the laundry rooms.
- Rhoda Lindner (2013-C) commented on the bus ride to Irvine Spectrum and stated that the bus ride was fun and thanked the Boards for providing the bus.

- Anita Robertson (23-G) spoke to an issue with excessive vehicles in the Mutual and provided pictures of the cars near her manor. She asked that the Board reduce the excessive cars in her area.
- Ruby Spencer (950-H) asked for an answer as to why the Board denied her request for a Co-occupant.
- Michael Francis (607-A) asked that the Board address the Common Area issue so he could remodel his manor accordingly.
- Dick Rader (270-D) spoke to the Common Area issue and asked if the Board was going to move forward asking the Mutual Members what their opinion was regarding the use of Common Area.

(21) RESPONSE TO MEMBER COMMENTS

United Mutual Directors briefly responded to Member Comments.

(22) REPORT OF THE CHAIR

President Lenny Ross commented on the Board changing subleasing terms from one month minimum to one year, to three months minimum to one year. President Ross announced that the Christmas Party on December 22, 2016 is at Clubhouse 2 at 1:00 PM. The Board will be having training on January 26, 2017. The Mutual is currently completing construction of the solar panels and the hot water heaters for the laundry rooms and are expecting to apply for best NEM rates at the end of the month. JCI has prepared a basic informational booklet to help residents understand solar. President Ross wished Ken Hammer improvement with his health and wished everyone a Happy and Healthy New Year.

(23) Update from VMS Director – Director Joe Rainey

Director Joe Rainey, of Village Management Services, Inc. announced that CPR training is in progress for all VMS Staff. Director Rainey stated that the Staff Holiday lunch was last week and that Denny Welch is leading a Staff Appreciation Day for Staff this Wednesday. Director Rainey spoke to various events for residents in the community and highlighted the Bus that went to Irvine Spectrum so Residents can do their holiday shopping. Director Rainey announced that Bruce Hartley is the new interim General Services Director and the VMS Annual Board meeting on December 21, 2016 at 9:00 AM. Director Rainey answered questions from the Board.

(24) REPORT OF CEO

Brad Hudson, CEO General Manager, commented on the next Town Hall meeting, the topic will be the vision of TV6/VTV. Mr. Hudson stated that technology upgrades will begin in January in the Board room and the transit program is currently undergoing changes. Mr. Hudson announced that the GRF Board hired an Architect for the Performing Arts Center and he will be updating all the Boards on the progress. Mr. Hudson commented on the work being done on the network the past year and more changes are scheduled to begin early next year with an expected completion date late 2017. The new Gate arms were tested last week at Gate 6 and issues were noted and the pilot will continue next week for a few hours at a time. Mr. Hudson commented on the new community website currently under construction and some of the exciting information that will be accessible to Residents. Mr. Hudson thanked the Board for the past year and thanked everyone for their kindness.

December 13, 2016

Mr. Hudson introduced the new interim Director of General Services Bruce Hartley. Mr. Hartley provided a brief overview of his background, management style and stated that he is currently working on addressing the priority issues and thanked the Board.

(25) APPROVAL OF MINUTES

Director Dorrell moved to approve the minutes of October 8, 2016 as written. Director Blackwell seconded the motion. By a vote of 9-0-0 the motion carried.

(26) CONSENT CALENDAR

Director Torng moved to approve the Consent Calendar as written. Director Blackwell seconded the motion. By a vote of 9-0-0 the motion carried.

(26a) Maintenance and Construction Committee Recommendations:

None

(26b) Landscape Committee Recommendations:

831-C	Approve request for tree removal at the Mutual's expense
89-F	Approve request for tree removal at Mutual Member's expense
436-G	Deny request for tree removal
370-F	Deny request for removal of two trees
2125-B	Approve request for tree removal at the Mutual's expense

(26c) Finance Committee Recommendations:

RESOLUTION 01-16-110

Recording of a Lien

WHEREAS, Member ID 947-400-09 is currently delinquent to United Laguna Woods 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, December 13, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-400-09; 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 01-16-111

Agenda Item # 10a
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Recording of a Lien

WHEREAS, Member ID 947-411-24 is currently delinquent to United Laguna Woods 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, December 13, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-411-24; 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.

COMMITTEE REPORTS

(27) Finance Report

Director Pat English reported from the Finance Committee, gave a United Mutual financial update, and commented on the Resale Activities Report.

(27d) Discuss and Consider Merrill Lynch Certification of Authority

Betty Parker, Finance Director, answered questions from the Board.

Director English moved to approve updating the names on the Merrill Lynch Certification of Authority to Betty Parker, Brad Hudson, and Solange Backes. Director Morrison seconded the motion.

By a vote of 8-0-1 (Director LaBarge abstained) the motion carried.

(27e) Discuss and Consider Replenishing the Contingency Fund

Ms. Parker provided an overview of the replenishing of the Contingency Fund. No action was taken.

(27f) Discuss and Consider Third Person Occupant Fee

Ms. Parker stated that United Mutual does not currently have a third person occupant fee. Ms. Parker was tasked to report back to the Finance Committee with her findings and recommendations and will do so at their January meeting.

(28) Maintenance and Construction Committee

Director Tibbetts reported from the Maintenance and Construction Committee.

(28a) JCI Update

Director Steve Leonard provided an update on implementation of Solar in United Mutual and answered questions from the Board Directors.

(29) Landscape Committee

Director Maggie Blackwell reported from the Landscape Committee.

Kurt Rahn, Landscape Director, updated the Board and Members on the heavy winds last weekend. He stated that 117 trees were significantly damaged in the Community and the Landscape crew spent the week cleaning the Community. No injuries were reported. Mr. Rahn answered questions from the Board.

(30) Governing Documents Review Committee

Director Skillman reported from the Governing Documents Review Committee.

(30a) Entertain Motion to Approve the Care Provider Policy and Forms – Resolution (initial notification – must postpone to February to conform to the 30 day notification requirement)

Secretary of the Board, Director Juanita Skillman, read the following resolution approving the Care Provider Policy and Forms:

RESOLUTION 01-17-XX

WHEREAS, the Governing Documents Review Committee has recommended revising the Care Provider Policy, to fairly and reasonably address part-time, long-term, and terminal health care providers; and

WHEREAS, the current Permitted Health Care Provider policy addresses live-in care providers only:

NOW THEREFORE BE IT RESOLVED, February 14, 2017, that the Board of Directors of this Corporation hereby amends the "Permitted Health Care Provider Policy," and renames it to "Care Provider Policy," as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that Resolution 01-13-176 adopted October 16, 2013 is hereby superseded and canceled; 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.

Director Skillman moved to approve the resolution and postpone the resolution to the February meeting to satisfy the 30-day notification requirement, to comply with Civil Code §4360. Director Blackwell seconded the motion. Discussion ensued.

Director LaBarge moved to offer clarification under number "III. Policy – p." of the document.

Members Maxine McIntosh (68-C) and Barbara Copley (410-D) commented on the resolution.

Director Skillman moved to add to III. Policy (q.ii) "live-in" as stated below. Director Blackwell seconded the motion.

"The Resident submits a written request desiring the *live-in* Care Provider be allowed to remain in order to be present when the Resident returns to reside in the unit. [Civil Code §51.11.b.7]"

By a vote of 9-0-0 the amendment carried. By a vote of 9-0-0 the motion carried as amended and the resolution was postponed to the February meeting to satisfy the 30-day notification requirement.

(31) Report of the Proposed Communications Committee – Jan LaBarge

Director LaBarge reported from the new Communications Committee.

(32) Laguna Woods Village Traffic Hearings

Director Tibbetts reported from the Laguna Woods Village Traffic Hearings.

(33) Report on Disciplinary Cases

President Lenny Ross provided an update on the Disciplinary cases.

(34) UNFINISHED BUSINESS

(34a) Entertain Motion to Approve Allowing PEV Vehicles Owned by Residents of United Mutual be Permitted to Utilize 120 Volt Outlets in Common Areas of United Mutual – Resolution (30-Day notification to comply with Civil Code §4360 has been satisfied)

Secretary of the Board, Director Juanita Skillman, read the resolution approving allowing PEV vehicles owned by Residents of United Mutual be permitted to utilize 120 volt outlets in Common Areas of United Mutual, which was postponed in November to satisfy the 30-day notification requirement, Civil Code §4360:

RESOLUTION 01-16-112

**Plug-in Electric Vehicles (PEV) Permitted to Utilize 120 Volt Outlets
in the Common Areas**

WHEREAS, the State of California and the US Government offer significant financial incentives to buyers to encourage their purchase of PEVs due to reduced greenhouse gases, Laguna Woods should do what it can to support the government's environment objectives; and

WHEREAS, the current electric car policy prohibits PEV car owners to plug into common area outlets; and

WHEREAS, all PEV vehicles support charging using a 120 volt circuit; it places a charging load similar to that of a golf cart and in some cases actually requires lower power demand of some golf carts; and

WHEREAS, no data is available to ascertain the circuit capacity utilized on the 120 volt circuits, and it would be costly to hire a consultant to identify all 120 volt circuits and the existing power demand on those circuits, it is deemed more reasonable to take any corrective action at the time an excessive loading condition occurs;

NOW THEREFORE BE IT RESOLVED, on December 13, 2016 that all PEV vehicles owned by residents of United Mutual will be permitted to utilize 120 Volt outlets in common areas of United Mutual under the following rules and regulations:

1. Every PEV will be registered through the existing automobile registration process currently in place.
2. An annual (January to December) electricity usage fee set by the United Board will be required for every PEV registered. This fee may be pro-rated for PEVs registered during the year. (This fee is set at \$240 per year or \$20 per month.)
3. To prevent unauthorized use of Mutual common area 120 volt electrical outlets, all authorized PEVs will be issued a sticker to be affixed to the inside lower corner of the driver's rear window windshield designating that the car is properly registered for the use of 120 volt outlets in the common area. This sticker is the property of United Mutual and can be revoked for failure to comply with current United Mutual regulations.
4. Owners of PEVs are solely responsible for the proper use and maintenance of their vehicle and any associated equipment used in charging the vehicle and may not make any alterations to Mutual outlets, wiring, circuit breakers or electric service panels.
5. Owners of PEVs wishing to employ high voltage for charging will be responsible for installation of such service per the requirements of the Board approved Alteration Standard Section 41 Electric Vehicle Charging Stations and shall be required to apply for a permit and make necessary arrangements with the electrical service provider (currently SCE) for installation of a separate service panel and conduit and appropriate electrical outlet. In such an event, vehicle registration will not be required.

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.

Director Skillman moved to approve the resolution. Director Leonard seconded the motion. Discussion ensued.

By a vote of 8-1-0 the motion carried.

(34b) Entertain Motion to Approve a Revision to the Variance Request Processing Fee Policy Stating that Fees May be Refunded only if the Processing Fee was Generated by Staff in Error – Resolution (30-Day notification to comply with Civil Code §4360 has been satisfied)

Secretary of the Board, Director Juanita Skillman, read the resolution approve a revision to the Variance Request Processing Fee Policy stating that fees may be refunded only if the processing fee was generated by Staff in error – Resolution (30-Day notification to comply with Civil Code §4360 has been satisfied), which was postponed in November to satisfy the 30-day notification requirement, Civil Code §4360:

RESOLUTION 09-16-113

Variance Request Processing Fee

WHEREAS, variance requests require significant staff time for proper processing, including research, report preparation, presentation to the appropriate committee and to the Board for final approval; and

WHEREAS, the Mutual currently charges a \$50 ~~\$50~~ **\$100** fee to offset administrative costs associated with processing variance requests; and

WHEREAS, the Board realizes the fee cannot fully offset associated costs with processing variances requests, and when a member appeals the Board's decision on a variance request, the process extends the amount of administrative costs significantly;

NOW THEREFORE BE IT RESOLVED, December 13, 2016, that in order to partially offset administrative costs associated with processing variance requests, the Board of Directors of this Corporation hereby sets the variance request processing fee at \$100, fees may be refunded **only** if the processing fee was generated by staff in error;

RESOLVED FURTHER, that Resolution 01-09-46 adopted February 10, 2009 is hereby superseded and cancelled; and

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

Director Skillman moved to approve the resolution. Director Dorrell seconded the motion. Discussion ensued.

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

(35) NEW BUSINESS

35a Entertain Motion to Approve Revisions to the United Mutual Appointments – Resolution

Secretary of the Board, Director Juanita Skillman, read the following resolution approving revisions to the Mutual Committee Appointments:

RESOLUTION 01-16-114

United Laguna Woods Mutual Committee Appointments

RESOLVED, December 13, 2016, that the following persons are hereby appointed to serve the Corporation in the following capacities:

Energy Committee

~~Eva Lydick, Chair
Don Tibbetts, Vice-Chair
Barbara Copley
Ming Lee Chang
Non-voting Advisors: Doug Rook, Steve Leonard~~

Communications Committee

Jan LaBarge, Chair
Maggie Blackwell, Co-Chair

Executive Hearings Committee

Juanita Skillman, Chair
Barbara Copley
Lenny Ross, Co-Chair
Janey Dorrell

Finance Committee

Pat English, Chair
Gary Morrison, Co-Chair
Juanita Skillman, Vice-Chair
Lenny Ross
Andre Tornig
Eva Lydick
Ming Lee Chang
Non-voting Advisors: Cynthia Statsmann

Governing Documents Review Committee

Juanita Skillman, Chair
Maggie Blackwell, Co-Chair
Steve Leonard
Barbara Copley, Vice-Chair
Ming Lee Chang
Non-voting Advisor: Bevan Strom, Mary Stone, **Barbara Copley**

Laguna Canyon Foundation

TBD

Laguna Woods Village Traffic Hearings

~~Jack Bassler – Morning~~

~~Juanita Skillman – Afternoon~~

Lenny Ross – Morning

Don Tibbetts – Afternoon

Landscape Committee

~~Eva Lydick, Chair~~

Maggie Blackwell, Chair

~~Juanita Skillman, Co-Chair~~

~~Ming-Lee Chang~~

~~Barbara Copley~~

Andre Torng

Non-voting Advisors: Pamela Grundke, Paula Minnehan

Maintenance and Construction Committee

~~Don Tibbetts, Chair~~

~~Jack Bassler, Vice Chair~~

Steve Leonard, Co-Chair

~~Jan LaBarge~~

Janey Dorrell

Pat English

~~Ming-Lee Chang~~

~~Eva Lydick~~

Non-voting Advisor: ***Del Ng***

New Resident Orientation

Per Rotation List

Paint Committee

~~Juanita Skillman, Chair~~

~~Jan LaBarge, Vice Chair~~

~~Barbara Copley~~

Non-voting Advisors: Kay Anderson, Pamela Grundke

Preparedness for Disaster

Andre Torng, Chair

Janey Dorrell, Co-Chair

Non-voting Advisors: Kathleen Matthews

Resident Advisory Committee

~~Juanita Skillman, Chair~~

Andre Torng, Co-Chair

~~Barbara Copley~~

Non-voting Advisors: ~~Paula Minnehan~~, Kay Anderson, **Nancy Lannon**

RESOLVED FURTHER, that Resolution 01-16-71, adopted July 12, 2016 is hereby superseded and canceled.

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

Director Skillman moved to approve the resolution. Director English seconded the motion. Discussion ensued.

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

35b Entertain Motion to Approve Revisions to the GRF Committee Appointments – Resolution

Secretary of the Board, Director Juanita Skillman, read the following resolution approving revisions to the GRF Committee Appointments:

RESOLUTION 01-16-115

Golden Rain Foundation Committee Appointments

RESOLVED, December 13, 2016, that, in compliance with Article 7, Section 7.3 of the Golden Rain Foundation Bylaws, adopted September 29, 2014, the following persons are hereby appointed to serve on the committees of the Golden Rain Foundation:

Business Planning

Pat English

Lenny Ross

Clubhouse 2 Renovation Ad Hoc Committee

Jack Bassler

Pat English

Community Activities

Jan LaBarge

Tom Sirkel

Janey Dorrell

Energy Committee

Jack Bassler

Eva Lydick

Finance

Pat English
Lenny Ross

Financial Reporting Study Group

Pat English
Lenny Ross

Landscape Committee

Eva Lydick
Juanita Skillman
Maggie Blackwell

Maintenance & Construction

Jack Bassler
Don Tibbetts
Steve Leonard

Media and Communications Committee

Jan LaBarge
Juanita Skillman

Mobility and Vehicles Committee

Ming Lee Chang
Eva Lydick
Janey Dorrell
Steve Leonard

Security and Community Access

Ming Lee Chang
Tom Sirkel
Gary Morrison
Andre Tornig

Town Hall Meetings

Per Rotation

RESOLVED FURTHER, that Resolution 01-16-70, adopted July 12, 2016, is hereby superseded and cancelled.

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.

December 13, 2016

Director Skillman moved to approve the resolution. Director Morrison seconded the motion. Discussion ensued.

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

(36) GRF COMMITTEE HIGHLIGHTS

Directors provided brief highlights from GRF Committees.

(37) DIRECTORS' FORUM

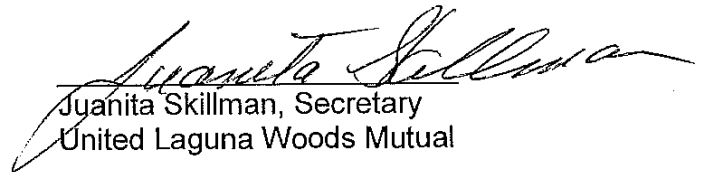
The Directors made final comments.

(38) MEETING RECESS

The Regular Open Session Meeting recessed for lunch at 1:16 PM and reconvened into the Regular Executive Session at 2:00 PM.

ADJOURNMENT

With no further business before the Board of Directors, the meeting was adjourned at 3:30 PM.


Juanita Skillman, Secretary
United Laguna Woods Mutual

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

During the November 8, 2016, Regular Executive Session meeting, the Board reviewed and approved the minutes of September 13, 2016 – Regular Executive Session, October 7, 2016 – Special Executive Session, October 7, 2016 – Special Executive Hearings Committee and October 27, 2016 – Special Executive Hearings Committee; the Board held no Disciplinary Hearings; discussed the Delinquency Report; discussed and considered numerous Member Disciplinary matters; discussed and considered Member Requests; discussed Personnel matters; discussed and considered Membership and Occupancy matters; discussed and considered Contractual matters; and discussed and considered Litigation matters.

During the December 2, 2016, Special Executive Board meeting the Board discussed and considered Litigation Matters, Personnel Matters, Member Matters and Contractual Matters.

During the December 7, 2016, Special Executive Board Workshop the Board reviewed Resale Membership Applications.

Care Provider Policy
Adopted Month, Day, 2017
Resolution 01-17-XX

I. Purpose

The purpose of this document is to define the policies of United Laguna Woods Mutual (ULWM) regarding individuals who provide care to residents.

II. Definitions

For the purposes of this policy:

- a. Care Provider, also known as Caregiver and Home Care Aide, is a person who has been approved by ULWM in writing on the basis of being a provider of primary support to the Resident. Care Provider services include, but are not limited to, assistance with the following:
 - Bathing
 - dressing
 - feeding
 - exercising
 - positioning
 - transferring
 - ambulating
 - personal hygiene and grooming
 - toileting and incontinence care
 - housekeeping
 - assisting with medication
 - meal planning and preparation
 - laundry
 - transportation
 - correspondence
 - making telephone calls
 - shopping for personal care items or groceries
 - companionship
- b. Resident is defined as any person who has been approved by the Board of Directors for occupancy.
- c. Community Facilities are defined as the facilities and services operated by the Golden Rain Foundation (GRF).
- d. Community Rules are defined as the Bylaws, Occupancy Agreement, Articles of Incorporation, or any rules and regulations of ULWM and of GRF.

III. Conditions

- a. All Care Provider(s) must be Board approved in writing **prior** to commencing support.
- b. A licensed medical physician must certify that the Resident has a need for care.
- c. The Care Provider must be 18 years old or older.
- d. The Care Provider must provide part-time, live-in, long-term or terminal health care for daily activities, medical treatment, or both to the Resident.

- e. The Care Provider must be registered with the California Department of Social Services Home Care Registry.
- f. The Care Provider must provide a copy of a government issued photo ID with the application.
- g. The Care Provider must provide a copy of their driver's license, vehicle registration, and proof of vehicle insurance with the application if he/she will be operating a vehicle within Laguna Woods Village.
- h. The Care Provider permit is approved for a period of up to one year. Residents are required to re-apply and obtain a new certification statement from a licensed medical physician annually.
- i. The total number of persons residing in a unit shall not exceed the number of bedrooms, plus one (i.e. no more than two persons in a one-bedroom unit; no more than three persons in a two-bedroom unit). Fees for a third individual in the unit may be assessed.
- j. Each Care Provider shall not have been convicted of a felony or a misdemeanor involving moral turpitude (e.g., fraud, perjury, criminal threats).
- k. The Resident and/or Mutual Member is responsible for the conduct of the Care Provider, and shall ensure that he/she complies with all community rules, regulations, and policies.
- l. Upon approval by the Board of Directors, a one year renewable pass shall be issued to the Care Provider that will permit gate access into the community, if needed.
- m. The Care Provider must wear, in clear sight, the Laguna Woods Village ID at all times. If a gate pass is supplied, it must be displayed on their car dashboard at all times.
- n. The Care Provider ID and gate pass may not be transferred or lent to anyone.
- o. The Care Provider is authorized to use the Community Facilities **only** as necessarily incidental to provide support to the Resident.
- p. Part-time Care Providers may only use the laundry facilities for the Resident's use. Full-time Care Providers may use the laundry facilities for their personal use and the Residents use.
- q. The live-in Care Provider requires written permission from the Board of Directors to remain in the unit without the Resident only if both of the following are applicable:
 - i. The Resident is absent from the unit due to hospitalization or other necessary medical treatment and expects to return to the unit within 90 days from the date the absence began; and
 - ii. The Resident submits a written request desiring the Care Provider be allowed to remain in order to be present when the Resident returns to reside in the unit. [Civil Code §51.11.b.7]
- r. Care Providers may not bring family members, pets or guests into the Community.
- s. The Resident must surrender the Care Provider ID and vehicle pass to the Resident Services Department at the conclusion of the care service.
- t. The Care Provider shall meet all applicable GRF requirements relating to operating a motor vehicle within the community.

IV. Procedures

- a. The Resident must complete and submit "Application for Care Provider Permit" for Board review.
- b. The Resident must complete and submit "Physician's Certification of Need for Care Provider"
- c. Application and Physician certification can be submitted to the Resident Services Department located in the Laguna Woods Village Community Center.
- d. The Board will review the application and approve or deny request.
- e. The Resident Services Department will notify the Resident of the results within 5 – 7 business days. Special circumstances may be granted.
- f. Upon request for renewal, the Community Services Department will check if the Resident has received notices of rules violations.



Application for Care Provider Permit

- LWM
- LHM
- Mutual 50

Return completed application to: Resident Services Department, 24351 El Toro Road, Laguna Woods, CA 92637; Phone: 949-597-4600, E-mail: residentservices@vmsinc.org

Name:		<input type="checkbox"/> Member	<input type="checkbox"/> Occupant
Address:			
Telephone:		Cell Phone:	
E-mail:			
What is the expected duration of the Care Provider?			
<input type="checkbox"/> Temporary		<input type="checkbox"/> Permanent	<input type="checkbox"/> Terminal Health Care
What is the expected schedule of the Care Provider?			
<input type="checkbox"/> Part-Time/Day Only		<input type="checkbox"/> Part-Time/Night Only	<input type="checkbox"/> Full-Time/24 hours/day
When is the Care Provider service expected to end?			
What is the service the Care Provider is expected to provide? (check all that apply)			
<input type="checkbox"/> bathing		<input type="checkbox"/> housekeeping	
<input type="checkbox"/> dressing		<input type="checkbox"/> assisting with medication	
<input type="checkbox"/> feeding		<input type="checkbox"/> meal planning and preparation	
<input type="checkbox"/> exercising		<input type="checkbox"/> laundry	
<input type="checkbox"/> positioning		<input type="checkbox"/> transportation	
<input type="checkbox"/> transferring		<input type="checkbox"/> correspondence	
<input type="checkbox"/> ambulating		<input type="checkbox"/> making telephone calls	
<input type="checkbox"/> personal hygiene and grooming		<input type="checkbox"/> shopping for personal care items or groceries	
<input type="checkbox"/> toileting and incontinence care		<input type="checkbox"/> companionship	
<input type="checkbox"/> Other: _____			
Name:			
Address:			
Telephone:		Cell Phone:	
Relationship to Resident:			
<input type="checkbox"/> Employee; Name of Agency (if any) _____			
<input type="checkbox"/> Family Member; Relationship _____			

Agenda Item # 10a
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December 13, 2016

Driver License No:		Expiration Date:	
Vehicle Color:	Make:	Model:	License:
Insurance Company:		Expiration Date:	
What is the Care Provider's state registration ID number?			
Has the Care Provider been convicted of a felony?			<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the Care Provider been convicted of a misdemeanor involving moral turpitude?			<input type="checkbox"/> Yes <input type="checkbox"/> No

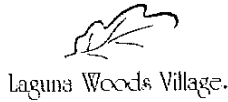
The undersigned acknowledges that the issuance of a Care Provider Permit does not constitute approval of the Care Provider nor does it represent any direct or indirect liability on behalf of United Laguna Woods Mutual, a California non-profit mutual benefit corporation, and the Golden Rain Foundation of Laguna Woods, a California non-profit mutual benefit corporation, and Village Management Services, Inc. a California corporation, and each of their respective directors, officers, employees, and agents. Further, I/we have read and received a copy of the Care Provider Policy and agree to wear the ID and display the pass at all times while in this Community. I/we also understand that falsification of any information related to this application is subject to disciplinary action.

Resident Signature: _____ Date: _____
 Members Signature: _____ Date: _____
 Care Provider Signature: _____ Date: _____

Received By:	WO#:
Reviewed By:	<input type="checkbox"/> WO Updated
Requirements:	<input type="checkbox"/> ID <input type="checkbox"/> Gate Pass <input type="checkbox"/> Other _____
Will approval cause the unit to exceed the no. of occupants permitted?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is state registration active for the Care Provider?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Was Physician's Certification verified?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the resident received notices of rules violation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does staff recommend approval of this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, state reason:	

Application DENIED	Application APPROVED
The Board of Directors of this Mutual Corporation has reviewed this application. Based on the information provided, the application is denied .	The Board of Directors of this Mutual Corporation has reviewed this application. Based on the information provided, the application is approved .
SIGNATURE	SIGNATURE
SIGNATURE	SIGNATURE
SIGNATURE	SIGNATURE

Resident Notified By:	
<input type="checkbox"/> WO Updated/Closed	<input type="checkbox"/> Documents Scanned



Physician's Certification of Need
 for a Care Provider Permit

- LWM
- LHM
- Mutual 50

Return completed certification to: Resident Services Department, 24351 El Toro Road,
 Laguna Woods, CA 92637; Phone: 949-597-4600, E-mail: residentservices@vmsinc.org

Name:	
Address:	
Telephone:	Cell Phone:
E-mail:	
<p>I authorize the physician named below to release information about me to a representative of Laguna Woods Village only for the purpose of confirming my request for a Care Provider Permit. I understand that my authorization will remain effective for one year from the date of my signature, and that the information will be handled confidentially in compliance with all applicable laws. I understand that I may revoke the authorization at any time by written, dated communication.</p>	
Residents Signature:	Date:
Name:	Office Stamp:
Address:	
Telephone:	
License#:	
<p>The person named above is a resident of an active senior Community. The Community is age-restricted. The information you provide is used for approval of an application for a Care Provider. Please refer to the back of this certification for definitions and further information.</p>	
<p>Are you the applicant's treating physician? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>If yes, length of time you've been treating the patient: _____</p>	
<p>Does the applicant have a mental or physical disability: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>Does the applicant need the services of a care provider: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>If yes, please answer the following:</p>	
<p>What is the recommended expected duration of the Care Provider?</p> <p><input type="checkbox"/> Temporary <input type="checkbox"/> Permanent <input type="checkbox"/> Terminal Health Care</p>	
<p>What is the recommended schedule of the Care Provider?</p> <p><input type="checkbox"/> Part-Time/Day Only <input type="checkbox"/> Part-Time/Night Only <input type="checkbox"/> Full-Time/24 hours/day</p>	
<p>When is care expected to end?</p>	
<p>I certify that the information provided herein is true and accurate to the best of my knowledge.</p>	

December 13, 2016

Physician's Signature (required):	Date:
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The person named is a resident of an age-restricted community. The information that you provide is used for approval of a permit for a care provider. Please refer to these definitions from **CAL. GOV. CODE Sections 12926 and 12926.1:**

Medical Condition means either of the following:

1. Any health impairment related to or associated with a diagnosis of **cancer**, or a record or history of cancer.
2. Genetic characteristics, including (a) Any scientifically or medically identifiable gene or chromosome, or combination or alteration thereof, that is **known to be a cause** of a disease or disorder in a person or his or her offspring, or that is determined to be associated with a statistically increased risk of development of a disease or disorder, and that is presently not associated with any symptoms of any disease or disorder. (b) **Inherited characteristics** that may derive from the individual or family member, that are known to be a cause of a disease or disorder in a person or his or her offspring, or that are determined to be associated with a **statistically increased risk** of development of a disease or disorder, and that are presently not associated with any symptoms of any disease or disorder.

Mental Disability includes, but is not limited to, all of the following:

1. Having any mental or **psychological disorder or condition**, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disability, **that limits a major life activity**. For purposes of this section: (a) **Limits**" shall be determined **without regard to mitigating measures**, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity. (b) **A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.** (c) **Major life activities**" shall be broadly construed and shall include physical, mental, and social activities and working.

Mental Disability also includes:

1. Any other mental or psychological disorder or condition not described in paragraph (1) that **requires special education or related services**.
2. Having a record or **history** of a mental or psychological disorder or condition.
3. Being regarded or treated as having, or having had, any mental condition that **makes achievement of a major life activity difficult**.
4. Being regarded or treated as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that **may become a mental disability** as described in paragraph (1) or (2).

Physical Disability includes, but is not limited to, all of the following:

1. Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following: (a) **Affects** one or more of the following **body systems**: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine. (b) **Limits a major life activity**.
2. Being regarded or treated as having, or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but **may become a physical disability** as described in paragraph (1).

Mental Disability and Physical Disability does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

If the definition of "disability" used in the Americans with Disabilities Act, or in Cal. Gov. Code Section 12926.1 would result in broader protection of the civil rights of individuals with a mental disability or physical disability, or would include any medical condition not included within those definitions, then that broader protection or coverage shall prevail.

**MINUTES OF THE SPECIAL OPEN MEETING OF THE
BOARD OF DIRECTORS OF UNITED LAGUNA WOODS MUTUAL
A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION**

December 2, 2016

A Special Open Meeting of the United Laguna Woods Mutual Board of Directors, a California non-profit mutual benefit corporation, met on Friday, December 2, 2016, at 10:00 AM at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Lenny Ross - Chair, Juanita Skillman, Don Tibbetts, Janey Dorrell, Pat English, Steve Leonard, Maggie Blackwell, Andre Torng (entered the meeting at 10:16 AM), Jan LaBarge (entered the meeting 10:45 AM)

Directors Absent: Gary Morrison

Staff Present: Brad Hudson, Leslie Cameron

Others Present: None

(1 & 2) CALL TO ORDER

Lenny Ross - Chair, opened the meeting and stated that it was a Special Meeting held pursuant to notice duly given. A quorum was established and the meeting was called to order at 10:02 AM.

(3) APPROVAL OF THE AGENDA

Without objection the agenda was approved as written.

(4) MEMBER COMMENTS

Member Mary Stone (356-C) commented on attachments in the agenda packet.

(5) Director Response to Members Comments

There were no responses to Member Comments.

(6) Discuss and Consider Open Board Position Appointment Date

The Board discussed the open Board position. Without objection, the Board agreed to place the appointment on the December Regular Open Board meeting.

(7) Discuss and Consider the Process of Appointing a VMS Director Representing United Mutual

Director English nominated Mary Stone for the VMS Board position. Discussion ensued.

Director English moved which was seconded by Director LaBarge to hear nominees' presentations at the Regular Board Meeting with an appointment to follow; this will happen in place of voting at the special board meeting. By a vote of 5-3-0 (Directors English, LaBarge, and Skillman were opposed) the motion carried.

(8) Discuss and Consider Appointment to the Audit Task Force

The Board discussed the appointment of a representative to the Select Audit Task Force Committee.

Without objection, the Board agreed to place the appointment on the December Regular Open Board meeting.

(9) Discuss Board Training Date/United Mutual Resale Application Workshop

President Ross reminded the Board of the training and that Director Milliman will be leading a Robert's Rules Workshop on Thursday, December 8, 2016, at 10:00 a.m. in the Board Room.

The United Mutual Resale Application Workshop will be held on Tuesday, December 6, 2016, at 10:00 am, in the Sycamore room for new and experienced United Directors. Mr. Hudson stated that Staff will be in attendance at the Resale Workshop. Director Leonard inquired about having TV6 come up to record the Resale Application Workshop.

President Ross stated that additional Board training is needed; suggestions included the budget process and governance structure of the Community.

(10) Discuss Charging a Third Occupant Fee

The Board agreed unanimously to add the Third Occupant Fee at the next United Finance meeting . Discussion ensued.

(11) Discuss a Minimum Sublease of Three (3) Months

President Ross presented the background of the sublease term limitations. Director Skillman moved which was seconded by Director English that beginning January 1, 2017; the minimum sub-leasing in the Qualifications, Exhibit A, to Resolution 01-13-15 will be changed to a period of 90 days. The motion carried unanimously.

(12) Update on Residential Solar

By a unanimous vote the update on Residential solar was postponed to the Regular Board meeting.

(13) Discuss Efficiencies Regarding Washers and Dryers in Laundry Rooms

Director Leonard presented a document that showed the usage on the Common Area washers and dryers. Director Leonard discussed how we can become more efficient with staff and in the Equipment Fund. Discussion ensued and a Staff Report was requested to be presented by the Finance Department to address the reduction of the reserves in regards to the washers and dryers.

(14) Entertain Motion to Approve Revisions to the United Mutual Committee Appointments – Resolution

The Board discussed revisions to the United Mutual Committee Appointments. Without objection, the Board postponed approving the United Mutual Committee Appointments to the Regular Board meeting on December 13, 2016.

December 2, 2016

**(15) Entertain Motion to Approve Revisions to the GRF Committee Appointments
– Resolution**

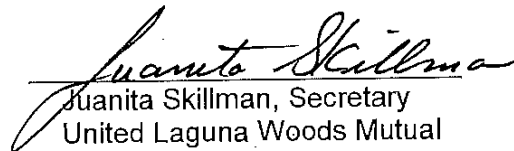
The Board discussed revisions to the GRF Committee Appointments.
Without objection, the Board postponed approving the GRF Committee Appointments to the Regular Board meeting on December 13, 2016.

MEETING RECESS

The Special Open Session Meeting recessed for lun ch at 11:35 AM and reconvened into the Special Executive Session at 2:16 PM to discuss and consider litigation matters.

ADJOURNMENT

With no further business before the Board of Directors, the meeting was adjourned at 4:39 PM.


Juanita Skillman, Secretary
United Laguna Woods Mutual

**MINUTES OF THE SPECIAL OPEN MEETING OF THE
BOARD OF DIRECTORS OF UNITED LAGUNA WOODS MUTUAL
A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION**

December 20, 2016

A Special Open Meeting of the United Laguna Woods Mutual Board of Directors, a California non-profit mutual benefit corporation, met on Tuesday, December 20, 2016, at 9:00 AM at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Lenny Ross - Chair, Juanita Skillman, Don Tibbetts, Janey Dorrell, Pat English, Steve Leonard, Maggie Blackwell, Andre Torng, Jan LaBarge (Via Phone), Gary Morrison (Via Phone), Cash Achrekar (Via Phone)

Directors Absent: None

Staff Present: Leslie Cameron

Others Present: None

(1 & 2) CALL TO ORDER

Lenny Ross - Chair, opened the meeting and stated that it was a Special Meeting held pursuant to notice duly given. A quorum was established and the meeting was called to order at 9:07 AM.

(3) APPROVAL OF THE AGENDA

Director Skillman moved for a voice vote instead of a secret ballot vote for the VMS Board Election due to three Board Members being present via phone conference. It was seconded by Director Dorrell and the motion passed with a unanimous vote of 11-0-0.

Director English moved to remove agenda items 7a. Delfin Ng and 7b. Mary Stone from the agenda due to presentations given at the previous Regular Board Meeting. It was seconded by Director Skillman and the motion passed with a unanimous vote of 11-0-0.

Director Skillman moved to approve the agenda as amended. Director Leonard seconded and the motion passed with a unanimous vote of 11-0-0.

(4) MEMBER COMMENTS

Member Barbara Copley (410-D) commented on leaf blowers used in the carport and the dust it places on her car. She asked if it was possible to have the landscapers use a lower setting to help keep dust from settling on cars.

(5) Director Response to Members Comments

Barbara Copley's (410-D) comment was duly noted.

(6-12) APPOINTMENT TO VMS BOARD TO FILL VACANCY (TERM ENDING 2019)

Director English moved to commence balloting, Director Dorrell seconded the motion. Without objection the motion carried, a voice vote was called and the official tally was taken by Director Skillman.

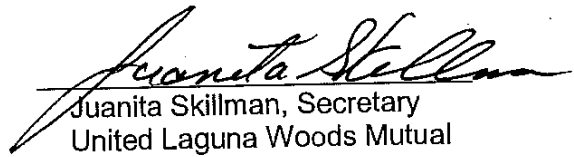
December 20, 2016

Director Blackwell moved to cease balloting, Director Dorrell seconded the motion. Without objection the motion carried and the voice tally was counted.

By way of a voice vote of 8-3 Mary Stone was appointed to fill the vacancy on the VMS Board representing United Mutual, term ending 2019.

(13) ADJOURNMENT

With no further business before the Board of Directors, the meeting was adjourned at 9:21 AM.


Juanita Skillman, Secretary
United Laguna Woods Mutual

ENDORSEMENT

Mr. Suk Soo Kim of 360-A Avenida Castilla to Install Room Addition by Entry

A motion was made to recommend the Board approve the request to install room addition by entry. By a vote of 5/0/0 the motioned carried with the following contingencies:

1. All future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 360-A Avenida Castilla.
2. A required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center.
3. Unit-specific plans depicting the proposed alterations, signed and wet-stamped by a California-licensed architect or engineer must be submitted to the Manor Alterations Department office located in the Laguna Woods Village Community Center for approval. These plans must include structural details and calculations required to insure the structural integrity of the building is maintained upon completion of the proposed front room addition.
4. Neighbor Awareness Forms are not required as the alterations will be installed within a gated and limited access front patio, therefore not visible to neighboring Manors.
5. The room addition must be installed in accordance with United Laguna Woods Mutual Standards Section 6: Air Conditioning, Section 11: Doors, Exterior, Section 24: Skylight, Section 25: Tubular Skylight (Solar Tubes), and Section 31: Window and Window Attachments.
6. The room addition is prohibited from containing a closet.

RESOLUTION 01-17-XX

Variance Request

RESOLVED, January 10, 2017, that the variance request of Suk Soo Kim of Manor 360-A, to install room addition by entry, is hereby approved; and

RESOLVED FURTHER, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 360-A Avenida Castilla; and

RESOLVED FURTHER, a required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center; and

RESOLVED FURTHER, Unit-specific plans depicting the proposed alterations, signed and wet-stamped by a California-licensed architect or engineer must be submitted to the Manor Alterations Department office located in the Laguna Woods Village Community Center for approval. These plans must include structural details and calculations required to insure the structural integrity of the building is maintained upon completion of the proposed front room addition; and

RESOLVED FURTHER, Neighbor Awareness Forms are not required as the alterations will be installed within a gated and limited access front patio, therefore not visible to neighboring Manors; and

RESOLVED FURTHER, the room addition must be installed in accordance with United Laguna Woods Mutual Standards Section 6: Air Conditioning, Section 11: Doors, Exterior, Section 24: Skylight, Section 25: Tubular Skylight (Solar Tubes), and Section 31: Window and Window Attachments; and

RESOLVED FURTHER, the room addition is prohibited from containing a closet; 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.

United Laguna Woods Mutual
Maintenance & Construction Committee
January 10, 2017

ENDORSEMENT

Mr. Suk Soo Kim of 360-A Avenida Castilla to Install Nonstandard Window in Living Room

A motion was made to recommend the Board deny the request to install a nonstandard window in the living room as it fails to follow Mutual Standard. By a vote of 5/0/0 the motioned carried.

RESOLUTION 01-17-XX

Variance Request

RESOLVED, January 10, 2017, that the variance request of Suk Soo Kim of Manor 360-A to install a nonstandard window in the living room, is hereby denied; and

RESOLVED FURTHER, the denial is due to the finding that the proposed alteration fails to follow Mutual Standard; 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.

United Laguna Woods Mutual
Maintenance & Construction Committee
January 10, 2017

ENDORSEMENT

Mr. Suk Soo Kim of 360-A Avenida Castilla to Replace Common Area Brick Sidewalk with Concrete Slab

By way of the Consent Calendar, the Committee unanimously voted to recommend the Board deny the request to replace common area brick sidewalk with concrete slab as it fails to follow Mutual Standards. The following contingencies will apply:

Staff recommends the Board deny the request with the following contingencies:

1. The Members are required to remove the brick sidewalk within 30 days of the Board's decision.
2. The Members will be noticed for a disciplinary hearing due to the rule violation.

RESOLUTION 01-17-XX

Variance Request

RESOLVED, January 10, 2017, that the variance request of Suk Soo Kim of Manor 360-A to replace common area brick sidewalk with concrete slab, is hereby denied; and

RESOLVED FURTHER, the denial is due to the finding that the proposed alteration fails to follow Mutual Standard; and

RESOLVED FURTHER, The Members are required to remove the brick sidewalk within 30 days of the Board's decision; and

RESOLVED FURTHER, The Members will be noticed for a disciplinary hearing due to the rule violation; 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.

ENDORSEMENT

Variance to Install Nonstandard Window in Living Room at Manor 172-D Avenida Majorca - Smith

A motion was made to recommend the Board approve staff's recommendation .By a vote of 4/0/0 the motion carried with the following contingencies:

1. All future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 172-D Avenida Majorca.
2. A required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center.
3. Detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions.
4. Neighbor Awareness Forms received from Manors 171-C Avenida Majorca and 172-D Avenida Majorca.
5. The window(s) must be installed in accordance with United Laguna Woods Mutual Standard Section 31: Window and Window Attachments.

RESOLUTION 01-17-XX

Variance Request

RESOLVED, January 10, 2017, that the variance request of Sandra Smith of Manor 172-D, to install nonstandard window in living room, is hereby approved; and

RESOLVED FURTHER, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 172-D Avenida Majorca; and

RESOLVED FURTHER, a required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center; and

RESOLVED FURTHER, detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions; and

RESOLVED FURTHER, Neighborhood Awareness Forms received from Manors 171-C Avenida Majorca and 172-D Avenida Majorca; and

RESOLVED FURTHER, the window(s) must be installed in accordance with United Laguna Woods Mutual Standard Section 31: Window and Window Attachments; 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.

ENDORSEMENT

Variance to Install Electrical Vehicle Charging Station in Carport at Manor 500-C Avenida Sevilla - Matthews

By way of the Consent Calendar, the Committee unanimously voted to recommend the Board approve the request to install an electrical vehicle charging station in carport with the following contingencies:

1. All costs and maintenance of the alteration, present and future, are the responsibility of the Mutual member(s) at 500-C Avenida Sevilla.
2. All required Mutual and City of Laguna Woods permits must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Permits and Inspections office located in the Laguna Woods Community Center.
3. Detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions.
4. The electric charging station must be installed in accordance with United Laguna Woods Mutual Standard Section 41: Electric Vehicle Charging Station.

RESOLUTION 01-17-XX

Variance Request

RESOLVED, January 10, 2017, that the variance request of James and Kathleen Mathews of Manor 500-C, to install electrical vehicle charging station in carport, is hereby approved; and

RESOLVED FURTHER, all costs and maintenance of the alteration, present and future, are the responsibility of the Mutual member(s) at 500-C Avenida Sevilla.; and

RESOLVED FURTHER, all required Mutual and City of Laguna Woods permits must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Permits and Inspections office located in the Laguna Woods Community Center; and

RESOLVED FURTHER, detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions; and

RESOLVED FURTHER, the electric charging station must be installed in accordance with United Laguna Woods Mutual Standard Section 41: Electric Vehicle Charging Station; 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 01-17-XX

Recording of a Lien

WHEREAS, Member ID 947-413-22 is currently delinquent to United Laguna Woods 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, January 10, 2017, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-413-22; 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 01-17-XX

Recording of a Lien

WHEREAS, Member ID 947-405-86 is currently delinquent to United Laguna Woods 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, January 10, 2017, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-405-86; 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 01-17-XX

Recording of a Lien

WHEREAS, Member ID 947-455-38 is currently delinquent to United Laguna Woods 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, January 10, 2017, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-455-38; and

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

RESOLUTION 01-17-XX

Recording of a Lien

WHEREAS, Member ID 947-451-20 is currently delinquent to United Laguna Woods 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, January 10, 2017, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-451-20; 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.

REPORT OF THE REGULAR MEETING OF THE
UNITED LAGUNA WOODS MUTUAL FINANCE COMMITTEE

Wednesday January 4, 2017 – 2:00 p.m.
Laguna Woods Village Community Center Sycamore Room, 24351 El Toro Road

MEMBERS PRESENT: Gary Morrison, Juanita Skillman, Andre Torng, Janey Dorrell
Advisor – Cynthia Statsmann

OTHERS PRESENT Lenny Ross, Don Tibbets, Maggie Blackwell, Steven Leonard

MEMBERS ABSENT: Pat English

STAFF PRESENT: Betty Parker, Leslie Cameron

Call to Order

Director Morrison chaired the meeting and called it to order at 2:05 p.m.

Approval of the Regular Meeting Report of December 5, 2016

The Committee Report was approved as presented.

Member Comments

Dick Rader (270-D) inquired about the JCI energy project and reimbursement to the Contingency Fund.

Chair Remarks

None

Review Preliminary Financial Statements dated November 30, 2016

Ms. Parker, Financial Services Director, presented the financials through November 30, 2016. Discussion ensued and questions were addressed.

It was noted that the committee should review the investment policy and discuss any questions prior to the BlackRock presentation in February.

Additional Occupancy Fee

The committee reviewed a handout showing potential fee calculations, to address incremental operating and maintenance costs when more than two residents occupy a manor.

A motion was made and seconded to recommend the Board approve implementing an Additional Occupancy Fee using Option 2, in the amount of \$50.00, for each additional occupant over two. The vote was split 2-2-0, (Director Morrison and Director Dorrell opposed).

After further discussion a second motion was made and carried unanimously to recommend the Board approve implementing an Additional Occupancy Fee using Option 1, in the amount of \$90 for each additional occupant over two.

Committee Member Comments

Director Skillman commented on the need for enforcement of rule violations and the use of penalties.

Date of Next Meeting – Monday, February 6, 2017 at 2:00 p.m.

Adjournment – The meeting recessed to closed session at 3:12 p.m.

Gary Morrison, Chair

United Treasurers Report

as of November 30, 2016 (in Thousands)

INCOME STATEMENT

ACTUAL

TOTAL REVENUE

\$35,623

TOTAL EXPENSE

35,564

Revenue over Expense

\$59

United Treasurers Report

as of November 30, 2016 (in Thousands)

FUNDS INCOME STATEMENT	OPERATING	FUNDS	TOTAL
Assessment Revenue	\$23,240	\$10,921	\$34,161
Non-assessment Revenue	1,142	320	1,462
Total Revenue	\$24,382	\$11,241	\$35,623
Total Expense	23,634	11,930	35,564
Revenue Over Expense	\$748	(\$689)	\$59
Plus Non-Operating	215		
Revenue Over Expense	\$963		

United Treasurers Report

as of November 30, 2016 (in Thousands)

With a favorable bottom line of \$59K, compared to a planned deficit of (\$249K) through October, United was better than budget by \$308K primarily due to:

More Revenue

- More assessment revenue than anticipated due to higher taxes from County Tax Assessor. Property valuations are no longer under the temporary economic relief and have been restored to market.

United Treasurers Report

as of November 30, 2016 (in Thousands)

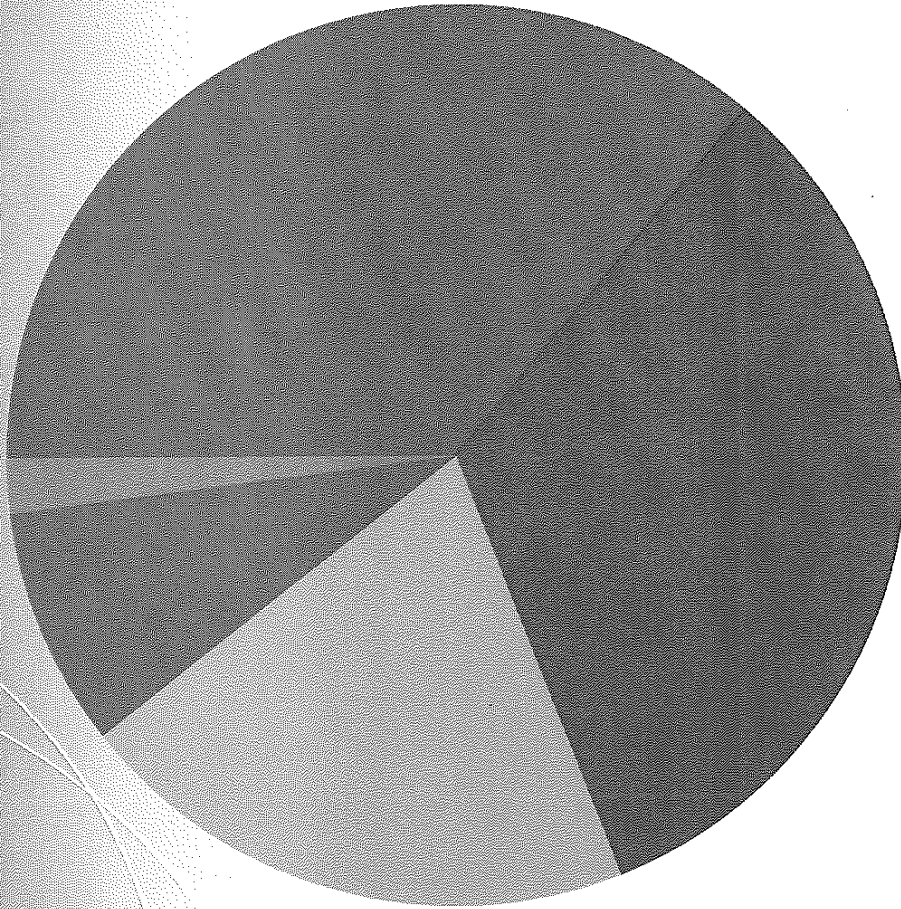
Lower Expenses

- Timing of union medical and 401(k) contributions
- Fewer materials for reserve programs (i.e. Water Heaters)
- Elimination of management fee

Partially Offset by

- Higher property taxes based on OC Tax Assessor

Total Non Assessment Revenues \$1,461,772 as of November 30, 2016



■ 36% Fees and Charges to Residents

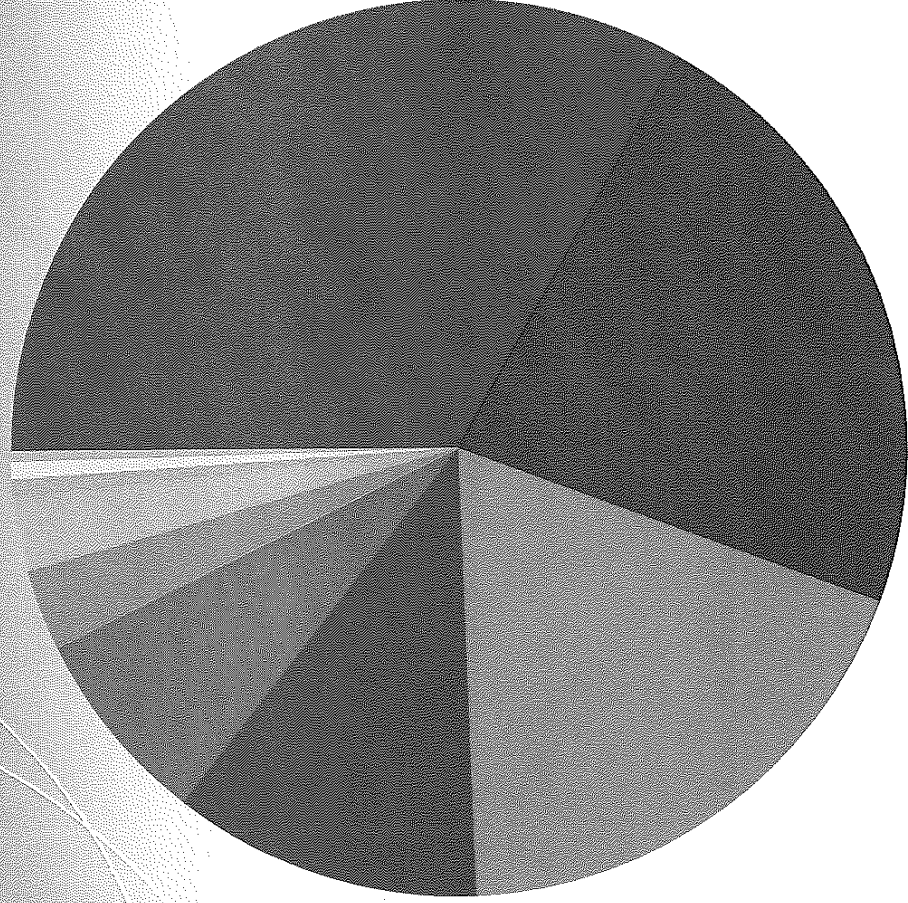
■ 33% Miscellaneous

■ 20% Interest Income

■ 9% Laundry

■ 2% Merchandise Sales

Total Expenses \$35,564,153 as of November 30, 2016



- 33% Employee Compensation and Related
- 22% Property and Sales Tax
- 19% Outside Services
- 11% Utilities and Telephones
- 6% Material and Supplies
- 3% Insurance
- 3% Net Allocation to Mutuals
- 1% Legal Fees
- 1% Depreciation and Amortization
- 1% Other Operating Expense

United Treasurers Report

as of November 30, 2016 (in Thousands)

FUND BALANCES

ACTUAL

BEGINNING BALANCES: 1/1/16

\$21,527

Contributions & Interest

11,241

Expenditures

(11,930)

Current Balances: 11/30/16

\$20,838

Monthly Resale Report

PREPARED BY
Community Services Department

MUTUAL
All-Mutuals

REPORT PERIOD
December, 2016

MONTH	NO. OF RESALES		TOTAL SALES VOLUME IN \$		AVG. RESALE PRICE	
	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR
January	78	72	\$20,660,350	\$17,986,050	\$264,876	\$249,806
February	70	64	\$20,379,400	\$15,177,490	\$291,134	\$237,148
March	89	100	\$22,910,361	\$28,704,700	\$257,420	\$287,047
April	97	98	\$28,616,128	\$24,545,555	\$295,012	\$250,465
May	91	90	\$24,537,100	\$22,981,950	\$269,638	\$255,355
June	86	102	\$22,067,900	\$27,723,788	\$256,603	\$271,802
July	91	108	\$27,013,400	\$29,242,999	\$296,851	\$270,769
August	104	78	\$32,699,074	\$19,762,310	\$314,414	\$253,363
September	83	89	\$23,485,500	\$24,803,660	\$282,958	\$278,693
October	76	94	\$21,449,050	\$22,100,507	\$282,224	\$235,112
November	88	72	\$27,762,000	\$19,543,500	\$315,477	\$271,438
December	70	76	\$20,628,100	\$21,041,388	\$294,687	\$276,860
TOTAL	1023.00	1043.00	\$292,208,363	\$273,613,897		
MON. AVG.	85.00	86.00	\$24,350,697	\$22,801,158	\$285,108	\$261,488

* Amount is excluded from percent calculation

Monthly Resale Report

PREPARED BY
Community Services Department

MUTUAL
United

REPORT PERIOD
December, 2016

MONTH	NO. OF RESALES		TOTAL SALES VOLUME IN \$		AVG. RESALE PRICE	
	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR
January	46	29	\$9,883,000	\$5,823,300	\$214,848	\$200,803
February	38	35	\$9,023,400	\$7,335,490	\$237,458	\$209,585
March	45	54	\$8,501,500	\$11,956,600	\$188,922	\$221,419
April	48	45	\$10,445,600	\$9,835,750	\$217,617	\$218,572
May	47	45	\$10,833,200	\$9,738,200	\$230,494	\$216,404
June	44	54	\$9,229,600	\$12,229,900	\$209,764	\$226,480
July	45	56	\$10,900,900	\$12,699,699	\$242,242	\$226,780
August	48	36	\$11,613,874	\$7,469,240	\$241,956	\$207,479
September	42	44	\$10,834,000	\$9,291,160	\$257,952	\$211,163
October	36	45	\$8,062,550	\$8,962,720	\$223,960	\$199,172
November	45	33	\$11,308,800	\$7,156,500	\$251,307	\$216,864
December	34	42	\$8,099,300	\$9,456,588	\$238,215	\$225,157

TOTAL	518.00	518.00	\$118,735,724	\$111,955,147		
MON AVG	43.00	43.00	\$9,894,644	\$9,329,596	\$229,561	\$214,990
% CHANGE YTD	0.0%		6.1%		6.8%	

% Change calculated (ThisYear - LastYear)/LastYear

* Amount is excluded from percent calculation

Monthly Resale Report

PREPARED BY
Community Services Department

MUTUAL
Third

REPORT PERIOD
December, 2016

MONTH	NO. OF RESALES		TOTAL SALES VOLUME IN \$\$\$		AVG. RESALE PRICE	
	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR	THIS YEAR	LAST YEAR
January	30	39	\$10,663,350	\$11,735,750	\$355,445	\$300,917
February	31	27	\$11,354,000	\$7,690,000	\$366,258	\$284,815
March	44	41	\$14,408,861	\$16,302,100	\$327,474	\$397,612
April	49	51	\$18,170,528	\$14,509,805	\$370,827	\$284,506
May	44	43	\$13,703,900	\$12,983,750	\$311,452	\$301,948
June	42	45	\$12,838,300	\$15,321,388	\$305,674	\$340,475
July	46	50	\$16,112,500	\$16,392,300	\$350,272	\$327,846
August	56	41	\$21,085,200	\$12,231,250	\$376,521	\$298,323
September	41	43	\$12,651,500	\$15,332,500	\$308,573	\$356,570
October	40	44	\$13,386,500	\$12,924,787	\$334,663	\$293,745
November	43	38	\$16,453,200	\$12,332,000	\$382,633	\$324,526
December	36	33	\$12,528,800	\$11,532,800	\$348,022	\$349,479
TOTAL	502.00	495.00	\$173,356,639	\$159,288,430		
MON AVE	41.00	41.00	\$14,446,387	\$13,274,036	\$344,818	\$321,730
% CHANGE YTD	1.4%		8.8%		7.2%	

% Change calculated (ThisYear - LastYear)/LastYear

* Amount is excluded from percent calculation

UNITED LAGUNA WOODS MUTUAL

MONTHLY LEASING REPORT

Report Period:
Dec-16

MONTH	LEASES IN EFFECT			New Monthly Transactions				
	1 Month	3 Months	6 Months	12 Months	12 Months	Leases	Renewals	Extensions
JAN	4	50	67	356	7	39	0	4
FEB	1	50	68	354	8	48	0	1
MARCH	1	34	53	372	8	67	0	1
APRIL	1	28	46	389	7	79	0	3
MAY	7	33	46	398	5	79	0	3
JUNE	2	48	53	398	9	90	0	2
JULY	5	47	52	404	11	94	0	0
AUGUST	3	43	54	411	10	56	0	1
SEPTEMBER	1	32	53	418	10	69	0	3
OCTOBER	0	30	59	417	10	67	0	0
NOVEMBER	2	32	61	413	10	91	0	2
DEC	4	34	64	406	8	65	0	2
Monthly Average	2.6	38.4	56.3	394.5	8.6	70.3	0	11

MONTH	Total this year	Total last year	Total Expirations
JAN	484	435	31
FEB	481	449	43
MARCH	468	422	71
APRIL	471	405	88
MAY	489	434	55
JUNE	510	454	55
JULY	519	461	40
AUGUST	521	447	73
SEPTEMBER	514	432	71
OCTOBER	516	441	71
NOVEMBER	518	472	41
DEC	516	474	49
Monthly Average	500.6	443.8	57.3

518 / 6323 = 8.2%

New Leases = Units Sublet



STAFF REPORT

DATE: January 10, 2017
FOR: Board of Directors
SUBJECT: Additional Occupant Fee

RECOMMENDATION

Staff recommends charging an Additional Occupant Fee of \$90 per month, per occupant over two, effective April 1, 2017 to help offset the incremental operating expenses incurred by the Mutual.

BACKGROUND

Currently, the Golden Rain Foundation charges an Additional Occupant Fee of \$49 per manor, per month, when more than two people occupy a unit. The fee provides an offset to GRF for incremental wear and tear to community facilities and use of services. The fee is updated annually and included with the assessment coupon or EZ pay auto debit amount.

United Mutual board members have expressed an interest in charging a similar fee to recover incremental operating costs when more than two people reside in a manor, as it pertains to mutual-specific maintenance and operations. Staff was directed to analyze the implementation of an additional occupant fee.

DISCUSSION

The basic assessment for United is divided equally by the number of units in the Mutual, regardless of how many individuals occupy a unit. The majority of the units within United are occupied by one or two residents; however, in 2016 approximately 103 units had occupancy of three people. These additional occupants contribute to increased cost for items such as electricity, water, sewer, trash and maintenance.

At their January 4, 2016 meeting, the United Finance Committee recommended the initiation of an additional occupancy fee at 25 percent of the basic mutual assessment (excluding property tax, property insurance, and GRF amounts). Based on the 2017 Business Plan, the fee would be set at \$90 per manor, per month for any occupants in excess of two.

FINANCIAL ANALYSIS

Assuming 100 additional occupants per year, a fee of \$90 per additional occupant would generate annual revenue of approximately \$108,000. The basic assessment would be reduced by this amount, lowering assessments by approximately \$1.42 per manor per month.

United Laguna Woods Mutual
Additional Occupant Fee
January 10, 2017
Page 2

Prepared By: Kelly Farano, Financial Services Manager

Reviewed By: Betty Parker, Financial Services Director

ATTACHMENTS(S)

ATT-1: Occupancy Fee Options

ATT-2: Additional Occupant Fee Resolution

**ADDITIONAL OCCUPANCY FEE CALCULATIONS
UNITED LAGUNA WOODS MUTUAL**

Option 1: Based on 25% of Basic Assessment

DESCRIPTION	2017 PLAN	Per Manor Per Month
REVENUES:		
Non-assessment Revenues:		
Merchandise Sales	\$15,000	\$0.20
Fees and Charges to Residents	708,024	9.33
Laundry	146,000	1.92
Miscellaneous	461,008	6.08
Total Revenue	\$1,330,032	\$17.53

DESCRIPTION	2017 PLAN	Per Manor Per Month
EXPENSES:		
Employee Compensation	\$6,328,965	\$83.40
Expenses Related to Compensation	2,594,054	34.19
Material and Supplies	1,076,468	14.19
Electricity	185,320	2.44
Sewer	1,771,800	23.35
Water	1,892,480	24.94
Trash	335,417	4.42
Legal Fees	200,000	2.64
Professional Fees	128,970	1.70
Management Fee	0	0.00
Equipment Rental	9,202	0.12
Outside Services	1,009,216	13.30
Repairs and Maintenance	33,830	0.45
Other Operating Expense	113,652	1.50
(Gain)/Loss on Sale	(7,500)	(0.10)
Property Tax*	n/a	n/a
Property Insurance*	n/a	n/a
Insurance	507,097	6.68
Allocated Expenses	862,286	11.36
Uncollectible Accounts	0	0.00
Total Expenses	\$17,041,257	\$224.58
(Surplus)/Deficit Recovery	(37,400)	(0.49)
Total Operating	\$17,003,857	\$206.56

RESERVE CONTRIBUTIONS	\$11,912,532	\$157.00
Basic Mutual Assessment*	\$27,586,356	\$363.56

25% of Basic Mutual Assessment **\$90.00**

*Excludes property tax and property insurance

Option 2: Based on 50% of Incremental Costs

DESCRIPTION	2017 PLAN	Per Manor Per Month
REVENUES:		
Utilities		
Electricity	\$185,320	\$2.44
Sewer	1,771,800	23.35
Water	1,892,480	24.94
Trash	335,417	4.42
Total Expenses	\$4,185,017	\$55.15

DESCRIPTION	2017 PLAN	Per Manor Per Month
EXPENSES:		
Maintenance Operations		
Plumbing Service	\$1,241,972	\$16.37
Carpentry Service	430,644	5.68
Concrete Repair/Replace	350,630	4.62
Electrical Service	337,547	4.45
Appliance Repairs	318,294	4.19
Janitorial Service	228,851	3.02
Balcony/Breezeway/Resurface	189,981	2.50
Countertop/Floor/Tile Repair	138,282	1.82
Paint Touchup	128,873	1.70
Paving Maint & Repairs	87,228	1.15
Misc Repairs by Outside Service	30,822	0.41
Traffic Control	15,817	0.21
Total Expenses	\$9,498,941	\$46.11
Total Incremental Expenses	\$7,683,958	\$101.26

50% of Assessment - Incremental Cost **\$50.00**

Option 3: Based on Incremental Cost per Resident

DESCRIPTION	2017 PLAN	Per Manor Per Month
REVENUES:		
Utilities		
Electricity	\$185,320	\$2.44
Sewer	1,771,800	23.35
Water	1,892,480	24.94
Trash	335,417	4.42
Total Expenses	\$4,185,017	\$55.15

DESCRIPTION	2017 PLAN	Per Manor Per Month
EXPENSES:		
Maintenance Operations		
Plumbing Service	\$1,241,972	\$16.37
Carpentry Service	430,644	5.68
Concrete Repair/Replace	350,630	4.62
Electrical Service	337,547	4.45
Appliance Repairs	318,294	4.19
Janitorial Service	228,851	3.02
Balcony/Breezeway/Resurface	189,981	2.50
Countertop/Floor/Tile Repair	138,282	1.82
Paint Touchup	128,873	1.70
Paving Maint & Repairs	87,228	1.15
Misc Repairs by Outside Service	30,822	0.41
Traffic Control	15,817	0.21
Total Expenses	\$9,498,941	\$46.11
Total Incremental Expenses	\$7,683,958	\$101.26

Estimated Number of Residents (1 or 2) **8,963**
Estimated Charge Per Resident Per Month **\$72.00**

Agenda Item # led
Page 3 of 4

ENDORSEMENT

Additional Occupant Fee

A motion was made and carried unanimously to recommend the Board approve implementing an Additional Occupant Fee in the amount of \$90 per manor per month for each additional occupant over two.

RESOLUTION 01-17

WHEREAS, the basic assessment for United Laguna Woods Mutual is divided equally by the number of units in the Mutual, regardless of how many individuals occupy a unit; and

WHEREAS, the Mutual desires to recover incremental operating expenses, such as utilities and maintenance, incurred as a result of additional occupants; and

WHEREAS, an additional occupant fee will be calculated annually at 25% of the Total Basic Assessment (excluding property tax, property insurance, and GRF amounts), rounded to the nearest whole dollar; and

NOW THEREFORE BE IT RESOLVED, February 14, 2017, that the Board of Directors of this Corporation hereby approves charging an Additional Occupant Fee in the amount of \$90 per manor per month for each additional occupant over two, effective April 1, 2017; and

RESOLVED FURTHER, that such fee shall be reflected on the Fee Schedule; 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.

January initial Notification

Should the Board endorse the proposed revisions, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 30-days from the postponement to comply with Civil Code §4360.

ENDORSEMENT

Dactivation of Cable Service at a Delinquent Unit

A motion was made and carried unanimously to recommend the Board approve deactivation of cable service when unpaid assessments become 60 days or more past due.

RESOLUTION 01-17

**Deactivation of Cable Service at a Delinquent Member's
(Shareholder's) Unit, when the Board Approves an
Assessment Lien**

WHEREAS, United Laguna Woods Mutual desires to strengthen delinquency collection procedures; and

WHEREAS, the Collection and Lien Enforcement Policy And Procedures For Assessment Delinquencies states "Until the Shareholder has paid all amounts due, including delinquent assessments, late charges, interest and fees and costs of collection, including attorneys' fees, the Board of Directors may suspend the Shareholder's right to vote, and suspend the Shareholder's right to use United's recreational facilities and/or the facilities or services provided by the Golden Rain Foundation of Laguna Woods after providing the Shareholder with a duly noticed hearing pursuant to Civil Code Section 5855"; and

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

NOW THEREFORE BE IT RESOLVED, January 10, 2017, that the Board of Directors hereby approves deactivation of cable service at a delinquent Member's unit when an assessment amount is 60 days or more past due, ~~when the Board approves an assessment lien~~, and after providing the Member with an opportunity to be heard, except when a Member's payment plan is approved by the Board and remains current; and

RESOLVED FURTHER, that Resolution 01-15-61, adopted May 12, 2015, is hereby superseded and canceled; and

United Laguna Woods Mutual
Finance Committee Closed Session
January 4, 2017

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.

January initial Notification

Should the Board endorse the proposed revisions, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 30-days from the postponement to comply with Civil Code §4360.

OPEN MEETING

**REPORT OF REGULAR MEETING OF THE UNITED LAGUNA WOODS
MUTUAL MAINTENANCE AND CONSTRUCTION COMMITTEE**

**Wednesday, December 28, 2016 - 9:00 a.m.
Laguna Woods Village Community Center Board Room
24351 El Toro Road**

MEMBERS PRESENT: Don Tibbetts - Chair, Steve Leonard, Jan LaBarge, Janey Dorrell, Pat English

MEMBERS ABSENT: None

OTHERS PRESENT: Andre Torng, Dick Rader

STAFF PRESENT: Ernesto Munoz - Staff Officer, Nazli Boroshan, Mark Stal, Laurie Chavarria

1. Call to Order

Chair Tibbetts called the meeting to order at 9:02 a.m.

2. Acknowledgement of Press

Chair Tibbetts noted no members of the press were present.

3. Approval of Meeting Report for October 26, 2016

The Meeting Report for October 26, 2016 was approved as written.

4. Chairman's Remarks

Chair Tibbetts had no remarks

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

Members had no comments.

CONSENT

6. Variance to Install a Room Addition by Entry at Manor 360-A Avenida Castilla – Kim

This item was pulled for discussion and a motion was made to recommend the Board approve staff's recommendation. By a vote of 4/0/0 the motion carried with the following contingencies

1. All future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 360-A Avenida Castilla.

2. A required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center.
3. Unit-specific plans depicting the proposed alterations, signed and wet-stamped by a California-licensed architect or engineer must be submitted to the Manor Alterations Department office located in the Laguna Woods Village Community Center for approval. These plans must include structural details and calculations required to insure the structural integrity of the building is maintained upon completion of the proposed front room addition.
4. Neighbor Awareness Forms are not required as the alterations will be installed within a gated and limited access front patio, therefore not visible to neighboring Manors.
5. The room addition must be installed in accordance with United Laguna Woods Mutual Standards Section 6: Air Conditioning, Section 11: Doors, Exterior, Section 24: Skylight, Section 25: Tubular Skylight (Solar Tubes), and Section 31: Window and Window Attachments.
6. The room addition is prohibited from containing a closet.

Variance to Install a Nonstandard Window in Living Room at Manor 360-A Avenida Castilla – Kim

This item was pulled for discussion and a motion was made to recommend the Board approve staff's recommendation. By a vote of 4/0/0 the motion carried with the following contingencies:

1. All future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 360-A Avenida Castilla.
2. A required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center.
3. The Committee suggests that a window can be installed in accordance with the pre-approved United Mutual Standard Plan 16 for Window Addition in the Living Room of a Madrid style manor.

Variance to Replace Common Area Brick Sidewalk with Concrete Slab at Manor 360-A Avenida Castilla – Kim

This item was pulled for discussion and a unanimous motion was made to recommend the Board deny the request to replace common area brick sidewalk with concrete slab.

7. Variance to Install Nonstandard Window in Living Room at Manor 172-D Avenida Majorca - Smith

This item was pulled and a motion was made to recommend the Board approve staff's recommendation. By a vote of 4/0/0 the motion carried with the following contingencies:

1. All future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 172-D Avenida Majorca.
2. A required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center.
3. Detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions.
4. Neighbor Awareness Forms received from Manors 171-C Avenida Majorca and 172-E Avenida Majorca.
5. The window(s) must be installed in accordance with United Laguna Woods Mutual Standard Section 31: Window and Window Attachments.

8. Variance to Install Electrical Vehicle Charging Station in Carport at Manor 500-C Avenida Sevilla - Matthews

This item was pulled and a motion was made to recommend the Board approve the recommendation. By a vote of 4/0/0 the motion carried with the following contingencies:

1. All costs and maintenance of the alteration, present and future, are the responsibility of the Mutual member(s) at 500-C Avenida Sevilla.

2. Detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions.
3. The electric charging station must be installed in accordance with United Laguna Woods Mutual Standard Section 41: Electric Vehicle Charging Station.

9. United Mutual Project Log

The item was pulled for discussion and staff addressed comments from the committee. Director LaBarge stated that she was impressed by the format of the project log and said it was easy to read.

Staff was directed to get an inventory of solar bollards on hand and the estimated cost to return the lights to the manufacture and if it was cost effective, return the lights. If not, keep the lights and use them for the current qualified requests for additional lighting and present lighting alternatives to the Committee at a future meeting.

Additionally, staff was directed to report on the toilet replacement program and to add a start date in the description of each item on the Project Log.

10. Programs Report (November 30, 2016)

This item was pulled for discussion and staff addressed comments from the Committee. Discussion ensued.

Staff was directed to bring back a report in January regarding how many roofs were damaged during the wind storm in December with estimated costs paid to Letner Roofing.

11. Maintenance Expenditures Report (November 30, 2016)

This item was pulled for discussion. The Committee reviewed the report and had no questions for staff.

REPORTS

12. JCI Solar Panels Installation Update (Verbal Discussion – Steve Leonard)

Director Leonard provided an update and answered questions from the Committee. JCI meetings have been discontinued. Solar Panels are on schedule and have no current problems. The connections will be tested and all panels should be brought on line in January, 2017.

13. Laundry Rooms (Verbal Discussion – Steve Leonard)

Director Leonard provided an update and answered questions from the Committee. The extra water heaters in each laundry room have been removed and mothballed. Pushmatic Panel installations are 40-50% complete.

Some laundry room coin boxes were broken into and damaged. Director Leonard is waiting on staff to find out the extent of damage. Mark Stal said that all the damages have been repaired. Director Leonard is working with risk management to see if it's possible to purchase additional coverage not included in the current policy which has a \$10,000 deductible. Risk Management will obtain a quote and provide an update to the Finance Committee.

Staff was directed to bring information regarding the repair costs for the coin boxes and the age of the machines that were damaged.

14. Solar Panel Brochure for Residents (Verbal Discussion – Steve Leonard)

Director Leonard provided an update on issue with the Solar Panel Brochure and answered questions from the Committee. It was decided that a table in the brochure that listed building square footages will be removed instead of amended. Director Leonard stated that the Brochure has been reviewed by Legal. Director Leonard will remove the table and bring back new brochure to next Committee meeting for review.

15. Water Pressure Review and Heavy Water Users (Mark Stal)

Mark Stal presented information regarding water pressure review and heavy water usage and answered questions from the Committee. Discussion ensued.

Staff has determined that water pressure is not at a dangerous level, however staff will install regulators where needed.

Heavy water usage is hard to determine especially for Buildings near laundry rooms. There could also be multiple buildings on a single meter.

Staff was directed to e-Blast a letter regarding heavy water usage with water conservation tips every 90 days. Staff will draft a letter and bring it back to the Committee for their review.

ITEMS FOR DISCUSSION AND CONSIDERATION

16. Monterey Manors (Brett Crane)

Discussion ensued regarding the report recommendations. Urban Crossroads performed a parking study a few years ago for United Mutual. Director Leonard would like those reports emailed to him for review.

This item was pulled and a motion was made to correct the Monterey style buildings classification from a 1 bedroom plus Den to a 2 bedroom unit for manors with original construction only. This motion does not apply to manors with alterations patio enclosures. Decal recommendations based on the number of bedrooms will remain the same. A 2 bedroom unit would receive 3 vehicle decals which could potentially increase the number of allowed vehicles at the affected cul-de-sacs. By a vote of 4/0/0, the motion was approved unanimously.

By consensus, Staff was directed to provide an inventory of Monterey Manors that have a den with a window and also have an alteration enclosed patios, at the next Committee meeting.

17. Plumbing Leak Rate Tracking Data & Copper Pipe Epoxy Lining Leak Ratio (Ernesto Munoz)

Staff presented an update on Plumbing Leak Rate Tracking Data & Copper Pipe Epoxy Lining Leak Ratio and answered questions from the Committee. The Committee accepted staff's recommendation to not institute a program at this time.

Committee Member Comments

Director LaBarge commented that she would like reports from Directors Tibbetts, English, Leonard and Torng for the Breeze on various topics.

ITEMS FOR FUTURE COMMITTEE MEETINGS

18. Chargeable Services

CONCLUDING BUSINESS

19. Date of Next Meeting – January 25, 2017

20. Adjournment - The meeting was adjourned at 11:25 a.m.



Don Tibbetts, Chair



UNITED LAGUNA WOODS
MUTUAL

STAFF REPORT

DATE: January 10, 2016
FOR: United Mutual Board of Directors
SUBJECT: Monterey Floor Plan

RECOMMENDATION

Direct staff to survey Monterey Units to determine if any are not in compliance, specifically the ability to exit through a window into the outdoors, and forward information to the Compliance Division for follow up; Direct the General Services Director to begin a parking study of the United Mutual area and report back to the Committee; and approve the new floor plan description for Monterey style units to be classified as a two bedroom.

BACKGROUND

There are 120 Monterey style units which are currently classified as a one bedroom, one den, and one bathroom.

The City of Laguna Woods concurs that the room marked "den" on the original floor plan meets the floor area requirements to be classified as a bedroom, particularly since it has a closet. However, one issue that needs to be analyzed, before designating the Monterey Manors as a two bedroom unit, is window exiting. If the patio has been enclosed, an additional means of exiting for the bedroom will need to be installed.

DISCUSSION

The following items need to be discussed further to classify the Monterey style units as a two bedroom:

1. The Uniform Building Code requirements for bedrooms and habitable space.
2. An inventory of which units have an enclosed patio adjacent to the room marked "den", as they may be out of compliance.
3. Discuss ways to inform owners of units that are out of compliance.
4. Discuss a parking study as designating the Monterey Manors as a two bedroom will allow a total of three decals (rather than two for one bedroom units).

Monterey Floor Plan

December 28, 2016

Page 2

FINANCIAL ANALYSIS

Costs related to the recommendation include; Alteration staff inspections of existing units, Compliance staff follow up, unknown costs for a study of parking and related costs should the Board desire to implement the study.

Prepared By: Brett Crane, Manor Alterations Supervisor
Reviewed By: Lori Moss, Community Manager

ATTACHMENT(S)

Attachment 1: Monterey Style Floor Plan

Attachment 2: Uniform Building Code Requirements

United Laguna Woods Mutual
Maintenance & Construction Committee
January 10, 2017

ENDORSEMENT (to United Mutual)

Monterey Manors

A motion was made to correct the Monterey style buildings classification from a 1 bedroom plus Den to a 2 bedroom unit for manors with original construction only. This motion does not apply to manors with alteration patio enclosures. Decal recommendations based on the number of bedrooms will remain the same. A 2 bedroom unit would receive 3 vehicle decals. By a vote of 4/0/0, the motion was approved unanimously.

By consensus, Staff was directed to provide an inventory of Monterey Manors that have a Den with a window and also have an alteration enclosed patio, at the next Committee meeting.

REGULAR MEETING OF THE UNITED LAGUNA WOODS MUTUAL
GOVERNING DOCUMENTS REVIEW COMMITTEE

Monday, December 29, 2016 – 1:00 P.M.
Laguna Woods Village Community Center, Sycamore Room
24351 El Toro Road, Laguna Woods, CA 92637

MEMBERS PRESENT: Juanita Skillman - Chair, Steve Leonard, Maggie Blackwell,
Advisors - Bevan Strom and Barbara Copley

MEMBERS ABSENT: Advisor - Mary Stone

OTHERS PRESENT:

STAFF PRESENT: Eve Morton, Blessilda Fernandez, Pamela Bashline

REPORT

1. Call to Order

Chair Skillman called the meeting to order at 1:00 p.m.

2. Acknowledgement of Press

No Press present.

3. Member Comments

None.

4. Chair's Remarks

Chair Skillman wants to schedule an additional meeting before the next scheduled meeting.

Chair Skillman asked committee if they would like to tackle the policies regarding the different floorplans.

Discussion was held.

Committee decided to consider this at a future date.

Reports:

5. Approval of Report from the November 28 meeting

Director Leonard moved to approve the report and Director Blackwell seconded. All were in favor.

Items for Discussion and Consideration:

New Business:

6. Discuss and Consider Non-Smoking Policy

Committee considered not including 2h so not all products have to be defined. Committee agreed.

Committee agreed to remove "underground parking" from 3 e.

Director Leonard moved and Director Blackwell seconded to make these recommendations to the board. All were in favor.

7. Discuss and Consider Bylaw Changes Recommended by Legal

Advisor Strom recommended letting the Village real estate agents know that a unit may not be listed until the seller sends a letter to United and 30 days goes by (Section 6b in the Bylaws). United has the option to buy the unit. The committee agreed to make Bylaw 6b known to residents and agents.

The committee made other suggested changes to the bylaws which will be given to the United attorney for review.

CONCLUDING BUSINESS:

8. Committee Member Comments

None.

9. Discuss date of next meeting

Date of next meeting will be Friday, January 13 at 2 p.m.

10. Adjournment at 3:30 p.m.


Juanita Skillman, Chair



STAFF REPORT

DATE: January 10, 2017
FOR: Board of Directors
SUBJECT: Non-Smoking Policy

RECOMMENDATION

Staff recommends adoption of a Non-Smoking Policy.

BACKGROUND

The Board created a Governing Documents Review Committee to review policies and processes for consistency. The committee and staff have identified areas of improvement including, but not limited to, the need to adopt a Non-Smoking Policy.

The Community does not have a non-smoking policy however; Article 5, Use of Premises, of the Occupancy Agreement, contains nuisance restrictions that declare: "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 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..." A nuisance as defined under California Civil Code §3479 is "anything which is ...offensive to the senses, or an obstruction to the free use of property." Additionally, the City of Laguna Woods has adopted an ordinance regulating smoking in public places and places of employment (Ord. No. 11-03, § 2, 3-16-2011).

On February 12, 2008, the Board adopted rules defining responsibility for remediation costs associated with second-hand smoke infiltration (Resolution 01-08-21). The rules were adopted as a result of numerous complaints received from various residents concerning second-hand smoke odors.

On September 9, 2014, the Board developed and adopted a procedure under which Members occupying units in a building can collectively petition for the designation of their building as "smoke-free" (Resolution 01-14-117). This innovative procedure was designed in response to Member's concerns about the health effects of second-hand smoke and the nuisance that tobacco and other smoke can cause. There are two buildings that have been formally designated smoke-free through successful completion of the smoke free building designation process.

On November 8, 2016, the State of California passed Proposition 64 legalizing the recreational use of marijuana for adults age 21 years and older. The Proposition permits smoking in private homes but does not permit smoking in public.

On December 29, 2016, the Governing Documents Review Committee discussed the proposed policy. By way of consensus, the committee recommends adopting the policy.

Non-Smoking Policy

January 10, 2017

Page 2

DISCUSSION

There is a recent increase in reports of smoking nuisance violations in Laguna Woods Village. Several residents have experienced second hand smoke infiltration caused by other residents smoking outside their private units and/or in common areas.

The purpose of the Non-Smoking Policy (Attachment 1) is to fairly and reasonably address smoking in Laguna Woods Village. The policy defines the areas where smoking is prohibited.

FINANCIAL ANALYSIS

None

Prepared By: Francis Rangel, Compliance Supervisor

Reviewed By: Tim Moy, Chief of Security
Lori Moss, Community Manager

ATTACHMENT(S)

Attachment 1: Proposed Non-Smoking Policy

Attachment 2: Proposed Resolution



UNITED LAGUNA WOODS
MUTUAL

Non-Smoking Policy

Adopted February 17, 2017

Resolution 01-14-XX

I. Purpose

The purpose of this document is to define the policies of United Laguna Woods Mutual (ULWM) regarding smoking in private units and common area.

II. Definitions

For the purposes of this policy:

- a. Common area means the area which is available for use by more than one person.
- b. Community Rules are defined as the Bylaws, Occupancy Restrictions, Articles of Incorporation, or any rules and regulations of ULWM.
- c. Enclosed is defined as an area closed in by a roof and contiguous walls or windows, connected floor to ceiling with appropriate opening for ingress and egress.
- d. Member is defined as any person entitled to membership in ULWM.
- e. Multi-unit residential facility means a building or portion thereof that contains more than one dwelling unit.
- f. Private residence is defined as that portion of any Cooperative which is not in common with other owners.
- g. Smoking is defined as inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, e-cigarette, pipe, cannabis, or other combustible substance in any manner or in any form.

III. Conditions

Smoking is prohibited in the following areas:

- a. Enclosed areas of all public places, including lobbies, elevators, hallways and other areas used by members of the public.
- b. Elevators, hallways, recreation rooms, laundry rooms, stairs, and other common areas in multi-unit residential facilities.
- c. Unenclosed hallways, entryways, breezeways, stairways and other common areas accessible and useable by more than one residence.

- d. Balconies and patios in residential facilities. For the purpose of this policy, balconies and patios shall include unenclosed and screened patios and balconies as well as enclosed patios and balconies unless windows and doors are closed to prevent the escape of smoke.
- e. Carports.
- f. In an enclosed vehicle.
- g. Any common area within 20 feet from any building so long as smoke does not enter any enclosed area in which smoking is prohibited.
- h. Private residence with open windows and/or doors.
- i. Smoking marijuana is only permitted inside a residence.

IV. Enforcement

ULWM is authorized to take disciplinary action against a Member found to be in violation of the Non-Smoking Policy. When a violation occurs the Board is obligated to evaluate and impose if appropriate, member-discipline as set forth in the governing documents. The Board of Directors has the authority to impose monetary fines, suspend Member privileges, and/or bring forth legal action.

The Member is entirely responsible for ensuring that the rules, regulations, and policies are following by anyone they allow into the community. This includes any Co-occupant, lessee, or guest, care provider, vendor, invitee, or contractor.

Per Resolution 01-08-21, adopted February 12, 2008, the following guidelines define the responsibility for remediation costs associated with second-hand smoke infiltration:

- a. Remediation costs considered reasonable would be paid for by the Member responsible for the second-hand smoke.
- b. Remediation costs due to defects or damages to property which is ULWM responsibility would be paid for by ULWM.
- c. Remediation costs beyond those which would be construed as reasonable would be borne by complainant.

A complaint may be registered with the Compliance Department by calling 949-268-CALL or by calling the Security Department at 949-580-1400.



United Laguna Woods Mutual
Governing Documents
December 29, 2016

ENDORSEMENT

Non-Smoking Policy

By way of consensus, The Committee approved the proposed Non-Smoking Policy for United Mutual.

RESOLUTION 01-17-XX

WHEREAS, the Governing Documents Review Committee has recommended adopting a Non-Smoking Policy, to fairly and reasonably address smoking in Laguna Woods Village; and

WHEREAS, United Laguna Woods Mutual has received numerous complaints from various residents concerning odors and annoyance in and around manors caused from residents second-hand smoke and smoke infiltration;

NOW THEREFORE BE IT RESOLVED, February 14, 2017, that the Board of Directors of this Corporation hereby adopts the "Non-Smoking Policy," 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 this resolution as written.

January initial Notification

Should the Board endorse the proposed revisions, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 30-days from the postponement to comply with Civil Code §4360.

ULWM Membership Disciplinary Report

	Nov.	Dec	Jan
Total Number of Cases:	210	233	228
Cases Resolved this Month:	19	23	23

Allegations:

Abandoned Vehicle:	5	6	8	First Letter	4
				Final Letter	2
				Hearing	2
Alteration Maintenance:	1	4	6	First Letter	4
				Final Letter	2
				Hearing	-
Animal Nuisance:	21	34	20	First Letter	17
				Final Letter	3
				Hearing	-
Assessment Delinquency:	0	2	2	First Letter	-
				Final Letter	-
				Hearing	2
Balcony Clutter:	5	5	5	First Letter	3
				Final Letter	2
				Hearing	-
Breezeway Clutter:	6	9	8	First Letter	4
				Final Letter	3
				Hearing	1
Carport Clutter:	25	25	25	First Letter	13
				Final Letter	7
				Hearing	5
Common Area Clutter:	3	25	3	First Letter	2
				Final Letter	1
				Hearing	-
Electrical Upgrade:	0	0	1	First Letter	1
				Final Letter	-
				Hearing	-
Illegal Occupancy	20	18	19	First Letter	14
				Final Letter	-
				Hearing	5
Interior Clutter:	7	7	7	First Letter	5
				Final Letter	1
				Hearing	-
Landscape:	8	9	10	First Letter	6
				Final Letter	3
				Hearing	1
Nuisance:	27	23	28	First Letter	23
				Final Letter	-
				Hearing	5
Other:	0	2	4	First Letter	4
				Final Letter	-
				Hearing	-

ULWM Membership Disciplinary Report

Allegations:

Short Term Rentals:	20	12	27	First Letter	21
				Final Letter	6
				Hearing	
Traffic Violations:	13	3	4	First Letter	2
				Final Letter	2
				Hearing	-
Patio Clutter:	17	20	20	First Letter	10
				Final Letter	5
				Hearing	5
Unauthorized Alteration:	28	26	28	First Letter	15
				Final Letter	7
				Hearing	6
Vehicle Oil:	4	3	3	First Letter	2
				Final Letter	1
				Hearing	-

The increase in violations is due to the newly created Compliance Hotline. Members can call 949-268-CALL and leave information on possible violations for the Compliance Department to investigate.

The clutter violations are common during this time of year and we anticipate that they will decrease by February.

The Compliance and Security Departments are proactively working with the Members so they comply.