



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

**Tuesday, September 11, 2018**

The Regular Meeting of the Board of Directors of United Laguna Woods Mutual, a California Non-Profit Mutual Benefit Corporation, was held on Tuesday, September 11, 2018, at 9:30 a.m. at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Juanita Skillman, Janey Dorrell, Don Tibbetts, Maggie Blackwell, Gary Morrison, Cash Achrekar, Manuel Armendariz, Reza Bastani, Pat English, Carl Randazzo, and Andre Torng

Directors Absent: None

Staff Present: Siobhan Foster, Christine Spahr, Eileen Paulin, Ernesto Munoz, Kurt Wiemann and Cheryl Silva

Others Present: VMS: Mary Stone, Dick Rader, Anthony Liberatore  
GRF: Joan Milliman  
Jeff Beaumont, Esq. of Beaumont Tashjian

**1. Call Meeting to Order/Establish Quorum**

President Skillman called the meeting to order at 9:30 a.m. and acknowledged that a quorum was present.

**2. Pledge of Allegiance**

Director English led the Pledge of Allegiance.

**3. Acknowledge Media**

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

**4. Approval of Agenda**

Director Dorrell made a motion to approve the agenda as amended. Director Blackwell added agenda item (13j) Entertain a Motion to Approve a Resolution for Early Release of 2019 Funds for the Waste Line Remediation Program and the motion passed without objection.

**5. Approval of Minutes**

5a. July 10, 2018 – Regular Open Session

Director Blackwell made a motion to approve the minutes as corrected to include the VMS presentation as an attachment to the minutes. The motion was seconded by Director Achrekar and it passed by unanimous consent.

## **6. Report of the Chair**

President Skillman thanked the directors whose terms are up this year.

## **7. Open Forum**

Members made comments regarding the action of some directors regarding election campaigning, calling Clubhouse 3 the Performing Arts Center, blind spots in cul-de-sacs where curbs need to be redlined and encouraged residents to vote.

## **8. Responses to Open Forum Speakers**

Several Directors responded to Member comments. Director Blackwell read the campaign guidelines for candidates.

## **9. Update from VMS - Director Liberatore**

Director Liberatore gave an update from the VMS Board meetings. He spoke about how Village Management Services, Inc. was developed and all the accomplishments of the new management company.

## **10. CEO Report**

Siobhan Foster, CEO, reported on the following subjects:

- Senate Bill 1128 is on the Governor's desk for approval;
- Ballots are due back on September 25<sup>th</sup> and will be counted on September 28<sup>th</sup>.
- Kiosk in Resident Services tracked more than 6,500 visits in the month of August; 19 percent were for Manor Alterations, 18 percent were for Landscape and Maintenance issues and 16 percent were for Sales and Leasing matters;
- SCE will resume upgrade work on September 17<sup>th</sup>. Notices of planned outages will be received directly from SCE;
- Gatehouse and Gate renovation continues;
- Manor Alterations will relocate to the Spruce Room on the first floor;
- RV lot A is closed for asphalt repair and RV are parking temporarily allowed to park on Avenida Sosiega and Bahia Blanca West near Gate 9 and 10;
- Reported on upcoming events through the Recreation Department: Monday Night Football in Clubhouse 5.

Siobhan Foster answered questions from the Board.

## **11. Consent Calendar**

### **11a. Architectural Control and Standards Committee Recommendations:**

- (1) Approval Recommendation – 386-A (Granada, 10A) - Add Window in Living Room and Replace Entry Tile with Concrete

**RESOLUTION 01-18-90**  
**Variance Request**

**WHEREAS**, Mr. Hoang of 386-A Avenida Castilla, a Granada style unit,, requests Board approval of a variance to return to the previous alteration color scheme for the entry door and the interior patio wall; and

**WHEREAS**, a Neighborhood Awareness Notice was sent to Owners of affected units on July 30, 2018, notifying them that an application to make an alteration to a neighboring Unit had been made and that comments or objections could be made in writing to the Architectural Controls and Standards Committee or in person at the Architectural Controls and Standards Committee Meeting on August 16, 2018.

**NOW THEREFORE BE IT RESOLVED**, on September 11, 2018, the Board of Directors hereby approves the requests with the condition that the proposed alterations are constructed in accordance with the Conditions of Approval as included in the official Board Decision Notice;

**RESOLVED FURTHER**, all costs for maintenance, repair, renovation, replacement or removal of the improvement, present and future, are the responsibility of the Shareholder at 386-A and all future Shareholders at 386-A.

**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.

(2) Denial Recommendation - 612-B (San Sebastian, 7A) - Replace Sunroom with Permanent Structure

**RESOLUTION 01-18-91**  
**Variance Request**

**WHEREAS**, Mr. Takahashi of 612-B Avenida Sevilla, a San Sebastian style unit, requests Board approval of a variance to replace the existing prefabricated sunroom with a permanent wood framed structure which is located on common area that was granted via Mutual Consent for exclusive use to the Member in 1993; and

**WHEREAS**, a Neighborhood Awareness Notice was sent to Owners of affected units on July 30, 2018, notifying them that an application to make an alteration to a neighboring Unit had been made and that comments or objections could be made in writing to the Architectural Controls and Standards Committee or in person at the Architectural Controls and Standards Committee Meeting on August 16, 2018.

**NOW THEREFORE BE IT RESOLVED**, on September 11, 2018, the Board of Directors hereby denies this request;

**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.

**11b. Finance Committee Recommendations:**

(1) Approval of Resolution to Record Lien against Member ID; 947-422-09

**RESOLUTION 01-18-92**  
**Recording of a Lien**

**WHEREAS**, Member ID 947-422-09; 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**, September 11, 2018, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-396-02 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.

(2) Approval of Resolution to Record Lien against Member ID; 947-451-45

**RESOLUTION 01-18-93**  
**Recording of a Lien**

**WHEREAS**, Member ID 947-451-45; 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**, September 11, 2018, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-451-45 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.

(3) Approval of Resolution to Record Lien against Member ID; 947-429-58

**RESOLUTION 01-18-94**  
**Recording of a Lien**

**WHEREAS**, Member ID 947-429-58; 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**, September 11, 2018, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-429-58 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.

(4) Approval of Resolution to Record Lien against Member ID; 947-400-14

**RESOLUTION 01-18-95**  
**Recording of a Lien**

**WHEREAS**, Member ID 947-400-14; 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**, September 11, 2018, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-400-14 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.

(5) Approval of Resolution to Record Lien against Member ID; 947-368-76

**RESOLUTION 01-18-96**

**Recording of a Lien**

**WHEREAS**, Member ID 947-368-76; 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**, September 11, 2018, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-368-76 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 Blackwell made a motion to approve the Consent Calendar as presented. The motion was seconded by Director English and the motion passed by vote of 10-0-1 (Director Bastani abstained).

**12. Unfinished Business**

**12a.** Entertain a Motion to Approve the 2019 United Business Plan and Reserves Funding Plan

Director Blackwell read the following resolution:

**RESOLUTION 01-18-97**

**United Laguna Woods Mutual  
2019 Business Plan Resolution**

**RESOLVED**, September 11, 2018, that the Business Plan of this Corporation for the year 2019 is hereby adopted and approved; and

**RESOLVED FURTHER**, that pursuant to said Business Plan, the Board of Directors of this Corporation hereby estimates that the net sum of \$39,117,592 is required by the Corporation to meet the United Laguna Woods Mutual operating expenses and reserve contributions for the year 2019. In addition, the sum of \$15,389,556 is required by the Corporation to meet the Golden Rain Foundation and the Golden Rain Foundation Trust operating expenses and reserve contributions for the year 2019. Therefore, a total of \$54,507,148 is required to be collected from and paid by the members of the Corporation as monthly assessments; and

**RESOLVED FURTHER**, that the Board of Directors of this Corporation hereby approves expenditures from reserves in the sum of \$14,750,524 of which \$13,378,267 is planned from the Reserve Fund and \$1,372,257 from the Contingency Fund; and

**RESOLVED FURTHER**, that the Board of Directors of this Corporation hereby determines and establishes monthly assessments of the Corporation as shown on each member's breakdown of monthly assessments for the year 2019, inclusive of property taxes and property insurance as filed in the records of the Corporation, and said assessments to be due and payable by the members of this Corporation on the first day of each month; 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 Blackwell made a motion to adopt a resolution for the 2019 United Business Plan. The motion was seconded by Director English.

Discussion ensued among the Directors.

President Skillman called for the vote and the motion passed by a vote of 8-3-0 (Directors Armendariz, Bastani and Torng opposed).

**RESOLUTION 01-18-98**  
**United Laguna Woods Mutual**  
**2019 Reserve Fund Resolution**

**RESOLVED**, September 11, 2018, that the Business Plan of this Corporation for the year 2019 is hereby adopted and approved; and

**RESOLVED FURTHER**, that pursuant to said Business Plan, the Board of Directors of this Corporation hereby estimates that the net sum of \$39,117,592 is required by the Corporation to meet the United Laguna Woods Mutual operating expenses and reserve contributions for the year 2019. In addition, the sum of \$15,389,556 is required by the Corporation to meet the Golden Rain Foundation and the Golden Rain Foundation Trust operating expenses and reserve contributions for the year 2019. Therefore, a total of \$54,507,148 is required to be collected from and paid by the members of the Corporation as monthly assessments; and

**RESOLVED FURTHER**, that the Board of Directors of this Corporation hereby approves expenditures from reserves in the sum of \$14,750,524 of which \$13,378,267 is planned from the Reserve Fund and \$1,372,257 from the Contingency Fund; and

**RESOLVED FURTHER**, that the Board of Directors of this Corporation hereby determines and establishes monthly assessments of the Corporation as shown on each member's breakdown of monthly assessments for the year 2019, inclusive of property taxes and property insurance as filed in the records of the Corporation, and said assessments to be due and payable by the members of this Corporation on the first day of each month; 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 Blackwell made a motion to adopt a resolution for the 2019 United Reserves Funding Plan. The motion was seconded by Director Tibbetts.

Discussion ensued among the Directors.

President Skillman called for the vote and the motion passed by a vote of 8-3-0 (Director Armendariz, Bastani and Torng opposed).

### **13. New Business**

**13a.** Entertain a Motion to Approve a Resolution Interpreting GRF Bylaws 2.1.4

#### **RESOLUTION 90-18-xx**

**WHEREAS**, GRF is required to obtain approval of the Corporate Members prior to engaging in any business or activity specified in Paragraph 2.1.4 of its Bylaws (Bylaw 2.1.5) not included in a previously approved budget; and

**WHEREAS**, GRF and the Housing Mutuals desire to create a routine process for presenting information to the Housing Mutuals relating to those facilities that do require approval and to confirm what does not require approval, in accordance with the express terms and spirit of Paragraph 2.1.4 of the GRF Bylaws; and

**WHEREAS**, the Bylaw Section 2.1.4(4) limits the discretion of the GRF Corporation as to either the construction of a new facility or an addition or expansion of or to an existing facility of at least one thousand (1,000) new or additional square feet and a cost of Five Hundred Thousand Dollars (\$500,000) or more; and

**WHEREAS**, the term "facilities" is defined in the GRF Trust Agreement Section VII(M)(4) (Bylaw 2.1.4(4)); and

**WHEREAS**, the GRF Trust Agreement Section VII(M)(4) defines "facilities" to mean a single Structure or addition to an existing Structure of a minimum cost or minimum size as stated in the Bylaws in total floor space and intended for office, residential, recreational or commercial use or any combination thereof; and

**WHEREAS**, the term "Structure" is not defined in either the GRF Bylaws, Articles of Incorporation or GRF Trust Agreement, rendering Bylaw Section 2.1.4 vague and ambiguous; and

**WHEREAS**, the vague and ambiguous term "Structure" introduces uncertainty as to whether certain GRF business or activity requires the approval of the Corporate Members under Bylaws Sections 2.1.4 and 2.1.5; and

**WHEREAS**, the uncertainty whether certain GRF business or activity requires approval of the Corporate Members introduces inefficiency, waste, delay and strife to the process of undertaking certain GRF business and activities; and

**WHEREAS**, GRF, in conjunction with the Housing Mutuals, as defined in the GRF Bylaws, desires to eliminate this potential for inefficiency, waste, delay and strife by defining the term "Structure" as it relates to GRF Bylaws Sections 2.1.4 and 2.1.5;

**NOW THEREFORE BE IT RESOLVED**, that a Special Meeting of the Corporate Members shall be held in or about July of each year so that GRF can present any business or activity projects that require approval by the Corporate Members. May it be resolved further that the Corporate Members shall be permitted to vote personally at such meeting, or by written ballot prior to such meeting, in the same manner that votes are solicited and cast at each Annual Meeting of the Corporate Members, and that the GRF Board may appoint a member of VMS staff to serve as inspector of election for all such Special Meetings of the Corporate Members.

**NOW THEREFORE, BE IT FURTHER RESOLVED**, that, for the purposes of this resolution, the term "**Total Project Cost**" shall be understood to refer to the aggregate expense associated with the construction of a building or recreational facility intended for use by GRF Members, including pre-construction costs, such as the cost of preliminary designs and concepts and cost appraisals. It is understood that costs may be incurred in the development of such preliminary designs and cost estimates before they are presented to and approved by the Corporate Members in order to develop a meaningful understanding of the cost and scope of a project, and that these preliminary costs shall be included in the **Total Project Cost**. The **Total Project Cost** shall include the cost of engineering to generate a final plan, as is typically associated with the process for obtaining City permits, as well as the estimated project cost, including the estimated construction cost, design costs, consultant costs, and construction support by architects and engineers.

The **Total Project Cost** shall take into account the estimated costs of new equipment and refurbishments associated with such construction. In addition, the **Total Project Cost** shall include a ten percent (10%) contingency above the actual estimated cost for cost overruns. For example, a project that is expected to incur an aggregate expense of Four Hundred Seventy-Five Thousand Dollars (\$475,000) shall be understood and presented as having an expected Total Project Cost of Five Hundred Twenty-Two Thousand Five Hundred Dollars (\$522,500) (i.e. Four Hundred Seventy-Five Thousand Dollars (\$475,000) + Forty-Seven Thousand Five Hundred Dollars (\$47,500)).

**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the following types of business and activities shall require the approval of the Corporate Members, as described in GRF Bylaws Sections 2.1.4 & 2.1.5:

1. **Construction of a new building** intended for use by GRF Members or VMS employees, agents or invitees. The following lists examples of buildings that would be considered Structures requiring Corporate Member approval if they involve a Total Project Cost over Five Hundred Thousand Dollars (\$500,000):
  - a. A new clubhouse;
  - b. A new gym facility;
  - c. A new office building.
2. **Construction of a new recreational facility** intended for use by GRF Members or GRF's employees, agents or invitees, which may be comprised of court surface areas, restrooms, seating areas, covered shade structures, etc. The following are examples of recreational facilities that would be considered Structures requiring Corporate Member approval if they involve a Total Project Cost over Five Hundred Thousand Dollars (\$500,000):
  - a. A new Pickleball Court;
  - b. A new Bocce Ball Court;
  - c. A new Tennis Court;
  - d. A new Lawn Bowling area.
3. **Construction of an addition** to an existing building or recreational facility that involves a Total Project Cost of Five Hundred Thousand Dollars (\$500,000) or more or that expands the total square footage of the building or recreational facility by more than one thousand (1,000) square feet.
4. **Modification or repurposing** of an existing building or recreational facility that involves a Total Project Cost of Five Hundred Thousand Dollars (\$500,000) or more. For the purposes of this Resolution, "modification or repurposing" refers to the modification or renovation of an existing facility from its original purpose or use to a significantly different purpose or use. For example, the following changes would be a "modification or repurposing":

- a. The removal of the Club 19 Restaurant and its replacement with meeting rooms;
- b. The removal of the community gym and its replacement with additional office space;
- c. The removal of open space park and its replacement with a golf facility;
- d. The renovation of Clubhouse 3 to serve a purpose other than its present purpose as a performing arts center; or
- e. The closure of a clubhouse.

The following changes would NOT be considered a "modification or replacement":

- a. The renovation of the Board Meeting Room;
- b. The relocation of the gym from the second floor to the first floor;
- c. The renovation of Clubhouse 3 in a manner where it retains its use as a performing arts center;
- d. The renovation of a gatehouse to incorporate cameras, computer equipment and programs associated with access control;
- e. The partial renovation of a clubhouse or other facility to bring it into compliance with ADA or with other City or State Code requirements (e.g. widening a door, expanding a bathroom; adding equipment for the vision impaired, etc.); or f. Replacement of existing equipment associated with a facility (e.g. air conditioners, boilers, camera systems, or alarm systems).

**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the following types of business and activities shall NOT require the approval of the Corporate Members pursuant to GRF Bylaws Sections 2.1.4 & 2.1.5:

1. **Construction involving less than Five Hundred Thousand Dollars (\$500,000) in Total Project Cost for new buildings and recreational facilities.**
2. **Repair, replacement or maintenance of existing improvements, assets and/or vehicles.** For example, purchase, repair, replacement or maintenance of the following:
  - a. Streets & parking lots (i.e. resurfacing, slurry sealing and/or striping);
  - b. Street signs;
  - c. Exterior lighting;
  - d. Computer equipment and software;
  - e. Cameras and other surveillance equipment, whether located in the interior or exterior of buildings, in recreational facilities or at access gates;
  - f. Vehicles used by GRF or its agents (including, but not limited to, VMS employees) such as buses, vans, cars, golf

- g. Landscaping (e.g. hydro-seeding, installation of straw wattles or the implementation of other anti-erosion measures);
- h. Perimeter fencing/walls;
- i. Air conditioning or heating units, water heaters and other associated plumbing;
- j. Sewers;
- k. Irrigation pipes and controllers, including relocation;
- l. Equipment at Restaurant 19;
- m. Landscaping (i.e. non-building improvements) of the golf course;
- n. Sidewalks & other outdoor walking areas;
- o. Modifications or additions to existing buildings and recreational facilities required to bring the building or facility into compliance with the Americans with Disabilities Act, the Fair Housing Act, or any similar laws.

3. **Acquisitions that do not involve any expense to GRF** (e.g. by will, gift or otherwise gratuitously). For example:
- a. A bequest or donation from a member;
  - b. A conveyance of property from the City for general maintenance or for a specified purpose;
  - c. A grant of easement from a neighboring property owner for maintenance to be performed.

**NOW THEREFORE, BE IT FURTHER RESOLVED**, that the term "demolition" as used in Subparagraph 5, of Paragraph M, of Section VII of the Trust Agreement shall mean to completely remove a Facility (as that term is defined in Subparagraph 4, of Paragraph M, of Section VII of the Trust Agreement) and not replace it; that the term "rebuilding" refers to reconstruction of an existing facility after its "complete demolition"; and neither the term "demolition" nor "rebuilding" shall refer to the renovation of an existing facility that does not involve a complete demolition; and

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

Jeff Beaumont, Esq. gave a report on the interpretation of GRF Bylaw 2.1.4.

Director Blackwell made a motion to approve a resolution interpreting GRF Bylaw 2.1.4 to be approved by the Corporate Members at the Annual Corporate Members meeting in November. The motion was seconded by Director English.

Discussion ensued among the Directors.

Several Members spoke in favor of the Resolution and asked questions about the definitions in the Resolution.

The Board directed legal counsel to communicate the recommended changes to the GRF attorneys.

President Skillman called for the vote and the motion passed by a vote of 10-1-0 (Directors Tornig opposed).

**13b. Entertain a Motion to Approve Supplemental Appropriation for Emergency Panel Replacement**

Director Blackwell read the following resolution:

**Resolution 01-18-99**  
**Supplemental Appropriation for Emergency Panel Replacements**

**WHEREAS**, the 4-meter main electric panels at Buildings 765 & 766 were in need of replacement due to excessive corrosion and the structural integrity was compromised by rust, which affected the electrical components and the feeds, which interrupted power to several manors in each of these buildings; and

**WHEREAS**, the cost to perform emergency repairs at two buildings was charged to the 2018 Reserves Plan for Electrical Systems; however, this funding is required for scheduled program work.

**NOW THEREFORE BE IT RESOLVED**, on September 11, 2018, the Board of Directors of this Corporation hereby ratifies the expenditure and authorizes a supplemental appropriation in the amount of \$48,000 from the Replacement Reserve Fund for emergency electric panel replacements at Buildings 765 and 766; 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 Blackwell made a motion to approve supplemental appropriation for Emergency Panel Replacement. The motion was seconded by Director Tibbetts.

Discussion ensued among the Directors.  
Ernesto Munoz answered questions from the Board.

President Skillman called for the vote and the motion passed by unanimous consent.

**13c. Entertain a Motion to Approve Supplemental Appropriation for Emergency Paving Repairs**

Director Blackwell read the following resolution:

**Resolution 01-18-100**  
**Supplemental Appropriation for Emergency Paving Work**

**WHEREAS**, in July the asphalt overlay work commenced in cul de sac 38 and during the pavement milling operation, the pavement structural section failed and significant deflections were experienced due to existing poor subgrade conditions over a large portion of the cul-de-sac area;

**WHEREAS**, this unplanned work was expedited to allow residents access to their respective parking spaces; and

**WHEREAS**, the 2018 Business Plan included funding for the annual Paving and Concrete Repair Programs, but contingency funding was not appropriated this fiscal year in the event of unplanned paving failures.

**NOW THEREFORE BE IT RESOLVED**, on September 11, 2018, the Board of Directors of this Corporation hereby ratifies the expenditure and authorizes a supplemental appropriation in the amount of \$114,246 from the Replacement Fund for full-depth emergency paving repairs completed in cul de sac 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.

Director Blackwell made a motion to approve supplemental appropriation for Emergency Paving Repairs. The motion was seconded by Director Tibbetts.

Discussion ensued among the Directors.

President Skillman called for the vote and the motion passed by unanimous consent.

**13d.** Entertain a Motion to Introduce a Resolution for Revisions to United Architectural Standard 17: Patio Gates and Courtyards

Director Blackwell read the following resolutions:

**RESOLUTION 01-18-XX**

**Revise United Alteration Standard 17: Patio Gates and Courtyard Doors**

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to amend Alteration Standards and create new Alteration Standards as necessary; and,

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard 17: Patio Gates and Courtyard Doors.

**NOW THEREFORE BE IT RESOLVED**, September 11, 2018, that the Board of Directors of this Corporation hereby introduces the revisions to Alteration Standard 17: Patio Gates and Courtyard Doors, attached as part of the official minutes of this meeting;

**RESOLVED FURTHER**, that Resolution 01-07-62, adopted June 2007, is hereby superseded and cancelled; and

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

Director Blackwell made a motion to introduce a resolution for revisions to United Architectural Standard 17: Patio Gates and Courtyards for 30-day review. The motion was seconded by Director Dorrell.

Discussion ensued among the Directors.

President Skillman called for the vote and the motion passed by a vote of 10-1-0 (Director English opposed).

**13e. Entertain a Motion to Introduce a Resolution for Revisions to the United Architectural Standard 18: Gutters and Downspouts**

Director Blackwell read the following resolution:

**RESOLUTION 01-18-XX**

**Revise United Alteration Standard 18: Gutters and Downspouts**

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to amend Alteration Standards and create new Alteration Standards as necessary; and,

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard 18: Gutters and Downspouts.

**NOW THEREFORE BE IT RESOLVED**, September 11, 2018, that the Board of Directors of this Corporation hereby introduces the revisions to Alteration Standard 18: Gutters and Downspouts, attached as part of the official minutes of this meeting;

**RESOLVED FURTHER**, that Resolution 01-10-224, adopted October, 2010, is hereby superseded and cancelled; and

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

Director Blackwell made a motion to introduce a resolution to revise the United Architectural Standard 18: Gutters and Downspouts for 30-day review. The motion was seconded by Director English.

Discussion ensued among the Directors.

President Skillman called for the vote and the motion passed by a vote of 10-1-0 (Director Bastani opposed)

**13f. Entertain a Motion to Introduce a Resolution for Revisions to United Architectural Standard 43: Bathroom Splits**

Director Blackwell read the following resolution:

**RESOLUTION 01-18-XX**

**Revise Alteration Standard 43: Bathroom Splits**

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to amend Alteration Standards and create new Alteration Standards as necessary; and,

**WHEREAS**, the Architectural Controls and Standards Committee recognizes the need to revise Alteration Standard 43: Bathroom Splits.

**NOW THEREFORE BE IT RESOLVED**, September 11, 2018, that the Board of Directors of this Corporation hereby introduces revisions to Alteration Standard 43: Bathroom Splits, attached as part of the official minutes of this meeting;

**RESOLVED FURTHER**, that Resolution 01-18-26, adopted February 2018, is hereby superseded and cancelled; and

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

Director Blackwell made a motion to introduce a resolution for revisions to United Architectural Standard 43: Bathroom Splits for 30-day review. The motion was seconded by Director English.

Discussion ensued among the Directors.

Director Bastani made an amendment to the motion, seconded by Director Randazzo, to add the requirement of electrical plans to the Resolution.

Kurt Wiemann answered questions from the Board.

The motion passed by a vote of 10-1-0 (Director Dorrell opposed)

President Skillman called for the vote of the original motion and it passed by unanimous consent.

**13g. Entertain a Motion to Introduce a Resolution for Revised Interior Flooring Policy**

Director Blackwell read the following resolution:

**RESOLUTION 01-18-XX**

**INTERIOR FLOORING POLICY**

**WHEREAS**, the installation of replacement flooring in units situated on a building level directly over another units living space has generated nuisance complaints to the

Mutual related to noise transmitted to the lower neighboring units when members have replaced original flooring types with alternate flooring materials;

**WHEREAS**, the United Laguna Woods Mutual Occupancy Agreement requires that "a Member shall not obstruct or interfere with the rights of other members or annoy them by unreasonable noise...;" and legal counsel has previously opined that the Mutual has the authority to establish rational rules to regulate unreasonable noise;

**WHEREAS**, on May 13, 2014, the Board of Directors adopted Resolution 01-14-58 which prohibited any future installation of hard surface flooring in second floor units in areas other than the kitchen and bathrooms of units;

**WHEREAS**, Resolution 01-14-58 defined hard surface flooring as any flooring other than original flooring types of carpet, vinyl or linoleum; and,

**WHEREAS**, due to the advances in soundproofing underlayment technology and the continued popularity and value of installing hardwood style and laminate floors;

**NOW THEREFORE BE IT RESOLVED**, September 11, 2018, the Board of Directors hereby introduces the Interior Flooring Policy, attached to the official minutes of this meeting, to further define and regulate permitted flooring types;

**RESOLVED FURTHER**, the Mutual shall permit the installation of alternate flooring materials other than the original flooring types, provided the materials meet the sound transmission specifications in the attached policy;

**RESOLVED FURTHER**, the installation of flooring types other than carpet with padding in any area of the unit with living space, of a separate residence below it, shall meet the requirements of the policy;

**RESOLVED FURTHER**, living space shall be defined as any area within a unit that is not a bathroom or kitchen;

**RESOLVED FURTHER**, that Resolution 01-14-58, adopted May 13, 2014, 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 Blackwell made a motion to introduce a resolution to revise Interior Flooring Policy for 30-day review. The motion was seconded by Director Dorrell.

Discussion ensued among the Directors.

Resident comments were heard.

Kurt Wiemann answered questions from the Board.

President Skillman called for the vote and the motion passed by a vote of 10-1-0 (Director Bastani opposed).

**13h. Entertain a Motion to Introduce a Resolution Banning Residents from Entering Dumpsters**

Director Blackwell read the following resolution:

**RESOLUTION 01-18-XX**  
**Unauthorized Removal of Refuse and Recyclable Materials  
from Mutual Provided Containers**

**WHEREAS**, the Governing Documents Review Committee has recognized a need to establish a rule prohibiting the unauthorized removal of refuse and recyclable materials from United provided containers;

**WHEREAS**, the Mutual has determined that unauthorized access to materials placed in refuse and recycle bins provided by the Mutual is unsafe and may result in increased liability for the Mutual;

**WHEREAS**, removing material from refuse and recycle bins provided by the Mutual is illegal under California law;

**NOW THEREFORE BE IT RESOLVED**, September 11, 2018, that the Board of Directors of this Corporation hereby introduces a rule prohibiting the unauthorized removal of refuse and recyclable materials from Mutual provided containers in Common Area for use by residents; and

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

Director Blackwell made a motion to introduce a resolution banning residents from entering dumpsters for 30-day review. The motion was seconded by Director English.

Discussion ensued among the Directors.

Several Directors and Members offered suggestions for the second reading of the Resolution.

President Skillman called for the vote and the motion passed by unanimous consent.

**13i. Entertain a Motion to Approve the Disciplinary Violations Matrix**

Director Blackwell made a motion to approve the Disciplinary Violations Matrix. The motion was seconded by Director Dorrell.

Discussion ensued among the Directors.

President Skillman called for the vote and the motion passed by a vote of 10-0-0 (Director Randazzo was absent for the vote).

**13j. Entertain a Motion to Approve a Resolution for Early Release of 2019 Funds for the Waste Line Remediation Program**

Director Blackwell read the following resolution:

**Resolution 01-18-101**  
**Early Release of 2019 Funds for the Waste Line Remediation Program**

**WHEREAS**, Specialized Pipe Technologies (SPT) has been working at an advanced pace in order to line as many buildings as possible with the \$1,500,000 allocation, however, the approved funding will be expended by the end of September; and

**WHEREAS**, there are several buildings that have recently experienced stoppages due to compromised sewer lines, but currently there are insufficient funds to perform this work.

**NOW THEREFORE BE IT RESOLVED**, on September 11, 2018, the Board of Directors of this Corporation hereby authorizes an early release of \$200,000 from the adopted 2019 Business Plan for additional Waste Line remediation work in 2018; 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 Blackwell made a motion to approve the Early Release of 2019 Funds for the Waste Line Remediation Program. The motion was seconded by Director English.

Discussion ensued among the Directors.

President Skillman called for the vote and the motion passed by unanimous consent.

**14. Committee Reports**

**14a.** Report of the Finance Committee / Financial Report – Director Morrison presented the Treasurer’s Report and reviewed the resale and leasing reports. Next meeting will be September 25, 2018, 2:00 p.m. in the Sycamore Room

**14b.** Report of the Architectural Control and Standards Committee – Director Dorrell gave a report from the last Architectural Control and Standards Committee meeting. Next meeting will be September 20, 2018, 9:30 a.m. in the Sycamore Room.

**14c.** Report of the Communications Committee – President Blackwell gave a report from the Communications Committee meeting. Please submit articles for The Breeze to Director Blackwell. The next meeting TBA.

**14d.** Report of Executive Hearings Committee - President Skillman gave a report from the last Executive Hearings Committee. Next meeting will be September 27, 2018, 9:00 a.m. in the Willow Room.

**14e.** Report of the Governing Documents Review Committee - President Skillman reported from the last Governing Documents Review Committee meeting. Next meeting will be Monday, September 24, 2018, 1:30 p.m. in the Sycamore Room.

**14f.** Report of the Landscape Committee - Director Blackwell gave a report from the last Landscape Committee meeting and gave instructions for residents that hire personal gardeners. The next meeting will be on October 11, 2018, 1:30 a.m. in the Board Room.

**14g.** Report of the Maintenance & Construction Committee - Director Tibbetts reported on the last Maintenance & Construction Committee meeting. Waste Line Remediation, Electrical Panels and Shepherds Crooks installations continue throughout the Mutual. Next meeting will be October 24, 2018, 9:00 a.m. in the Board Room.

- Village Energy Task Force Charter – Director Randazzo gave a report from the last Village Energy Task Force. There are two members from each Board on the Task Force. Next meeting will be September 12, 2018 at 9:30 a.m. in the Willow Room.

**14h.** Report of the Resident Advisory Committee – Director Tibbetts gave a report from the last Resident Advisory Committee meeting. Next meeting will be September 13, 2018, 4:00 p.m. in the Sycamore Room

Director Armendariz left the meeting at 12:45 p.m.

## **15. GRF Committee Highlights**

**15a.** Report of the Finance Committee—Director Morrison shared highlights from the last GRF Finance Committee meeting and reported on the budget meetings. Next meeting will be October 24, 2018, 1:30 p.m. in the Board Room.

**15b.** Report of the Community Activities Committee—Director Skillman shared highlights from the last GRF Community Activities Committee meeting and announced upcoming events. Next meeting will be September 13, 2018, 1:30 p.m. in the Board Room.

**15c.** Report of the Maintenance & Construction Committee—Director Tibbetts shared highlights from the last GRF Maintenance & Construction Committee meeting. Next meeting will be October 10, 2018, 9:30 a.m. in the Board Room.

**15d.** Report of the Media and Communication Committee—Director Blackwell shared highlights from the last GRF Media and Communication Committee meeting. Next meeting will be September 17, 2018, 1:30 p.m. in the Board Room.

- Thrive Project Task Force – Next meeting September 19, 2018, 9:30 a.m. in the Cypress Room

**15e.** Report of the Mobility and Vehicles Committee—Director Achrekar shared highlights from the last GRF Mobility and Vehicles Committee meeting. Next meeting will be October 3, 2018, 1:30 p.m. in the Board Room.

**15f.** Report of the Security and Community Access Committee—Director Tibbets shared highlights from the last GRF Security and Community Access Committee meeting. Next meeting will be Monday, September 24, 2018, 1:30 a.m. in the Board Room.

- Laguna Woods Village Traffic Hearings – Director Achrekar reported from the last Traffic Hearings. Next meeting September 19, 2018, 9:00 a.m. in the Board Room and 1:00 p.m. in the Pine Room

**15g.** Disaster Preparedness Task Force—Director Achrekar reported from the last Disaster Preparedness Task Force meeting and encouraged residents to volunteer as building captains and medical personnel. Next meeting will be September 25 2018, 9:30 a.m. in the Cypress Room.

## **16. Future Agenda Items**

- 16a.** Adopt a Resolution to Amend the United Clutter, Harassment and Nuisance Policies
- 16b.** Adopt a Resolution for Revisions to the United Architectural Standard 15: Floor Coverings; Exterior
- 16c.** Adopt a Resolution for Revisions to the United Architectural Standard 16: Fences; Wrought Iron
- 16d.** Resolution to Update the Golf Cart Plug-In Fee
- 16e.** Revise Alteration Standards on Window Colors

## **17. Director's Comments**

Several Directors thanked Director English and Tibbetts for their service to the Board. President Skillman commented on the consequences of not having loss of use insurance for resident units and encouraged residents to vote.

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

The meeting recessed at 1:03 p.m. into the Executive Session.

## **Pursuant to California Civil Code Section §5705(c)**

*The vote to initiate foreclosure of the validly recorded lien for delinquent assessments against the real property identified as:*

*Assessor's Parcel No. ("APN"): 947-377-35, 947-400-09 is hereby recorded in the minutes of the open meeting following the executive session wherein the vote took place. The vote took place at least 30 days prior to the public sale.*

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

*Approval of Agenda*

*Approval of the Following Meeting Minutes;*

*(a) July 10, 2018 – Regular Executive Session*

*Write-Offs from Assessment Balances against Members*


*Discuss Disciplinary Cases*

*Discuss and Consider Contractual Matters*

*Discuss and Consider Litigation Matters*

**19. Adjourn**

The meeting was adjourned at 4:30 p.m.

  
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Maggie Blackwell, Secretary of the Board  
United Laguna Woods Mutual