



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

Tuesday, March 12, 2019

The Regular Meeting of the Board of Directors of United Laguna Woods Mutual, a California Non-Profit Mutual Benefit Corporation, was held on Tuesday, March 12, 2019, at 9:30 a.m. at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Juanita Skillman, Carl Randazzo, Cash Achrekar, Maggie Blackwell, Gary Morrison, Elsie Addington, Manuel Armendariz, Reza Bastani, Sue Margolis and Andre Torng.

Directors Absent: Anthony Liberatore

Staff Present: Jeff Parker, CEO; Siobhan Foster, COO; Christine Spahr, Tim Moy, Pamela Bashline, Susan McInerney, Betty Parker and Cheryl Silva

Others Present: VMS: Dick Rader, and Mary Stone
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 Achrekar 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 Achrekar made a motion, seconded by Director Randazzo, to approve the agenda as presented. The motion passed by vote of 7-3-0 (Director Torng, Armendariz and Margolis opposed).

5. Approval of Minutes

5a. February 12, 2019 – Regular Open Session

Director Blackwell made a motion to approve the minutes of February 12, 2019, Regular Open Session. The motion was seconded by Director Randazzo.

The United Regular Meeting minutes of February 12, 2019 were approved without objection.

6. Report of the Chair

President Skillman asked the audience to silence their phones and fill out a speaker card if they would like to speak.

7. Open Forum

Members made comments regarding the following:

- Benefits of the Laguna Woods Foundation;
- Handyman Service
- Guarantor Loans and Interest Rates
- Financial Qualifications
- Solar Heating Report
- Survey of the Community

8. Responses to Open Forum Speakers

Several Directors responded to Member comments:

- Director Blackwell reminded residents to call 911 if you need help getting up and down the stairs if the elevators are out. They will send out Care Ambulance Services to help you.
- Director Achrekar responded to residents regarding Handyman Service, guarantor loans and survey.
- Director Randazzo responded to residents regarding the Handyman Program and financial qualifications, survey, and Solar Task Force.
- Director Morrison thanked Chris Collins for her work with the LWV Foundation. Financial qualifications and lenders.
- Director Torng responded to residents regarding guarantor loan interest rate reduction in sales and survey.
- Director Armendariz responded regarding survey, financing a unit in United and the Solar Task Force Report.
- President Skillman responded regarding the Handyman Service, Guarantor Loans, Solar Report is available.

a. Follow-up from the February , 2019, Board Meeting Open Forum— S.Margolis

- Roundup usage in the Village is only used around the edges and trees.
- Not everyone is using EZ pay which saves the Community money.
- Encouraged residents to come to the Committee or the Resident Advisory Committee where they can ask questions and dialog with the Directors.

9. Update from VMS - Director Stone

Director Stone discussed recent emergency repairs. Department updates were given to the VMS Board by the General Services Division under the direction of Kurt Wiemann. Kurt Wiemann discussed Landscape Services overview, current challenges in the Landscape Division, the various trees in the community, tickets vs. staffing, and Landscape Services priorities. The VMS Board also heard updates from the

Transportation and Maintenance Division under the direction of Chris Laugenour. Chris Laugenour discussed the transportation program, bus service evaluation study, town hall information meeting on transportation will take place on March 20th Clubhouse 1 at 10:00 a.m., fleet maintenance, custodial services, paving division, waste management, and current challenges.

10. CEO Report

Jeff Parker CEO, reported on the following subjects:

- Transportation Informational Meeting will be Wednesday, March 20th at Clubhouse 1 at 10:00 a.m.;
- Pickleball and Paddleball Court ribbon cutting ceremony will be tomorrow, March 13th;
- RFID Gate security renovation project continues at gates 2 and 8 as scheduled. During gate 2 construction; gates 1 and 3 will be open 24/7, gate 2 pedestrian access only from 6 a.m. to 10 p.m. gate 4 (exit only) will have extended hours from 6 a.m. to 10 p.m. During gate 8 construction; gates 7 and 10 will be open 24/7, gate 8 pedestrian and golf cart access from 6 a.m. to 10 p.m.;
- Staff will sponsor a photo contest. Submissions are due Friday, April 12th and the winners will be announced on April 19th;
- Staff is conducting interviews for new docents on Thursday, March 14th from 10 a.m. to 1 p.m. Contact Betty Jackson, Public Relations Specialist for appointment information.
- Update on Upcoming Recreation Events: Bohemian Rhapsody will be showing at Clubhouse 3 on Monday, March 18th at 7:30 p.m. and the upcoming Village Games return April 8-29th. Early registration begins on March 4th and ends on March 22nd.

Jeff Parker answered questions from the Board.

11. Consent Calendar

11a. Landscape Committee Tree Removal Recommendations:

- (1) Recommendation to Approve Request for Tree Removal 612-C (Henderson) – White Mulberry Tree

RESOLUTION 01-19-25

Approval of Removal of One White Mulberry Tree and Replacement at Member's Expense – 612-C

WHEREAS, February 12, 2013, that the Board of Directors adopted Resolution 01-13-17 tree removal guidelines:

- Unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents' personal preferences concerning shape, color, size, or fragrance.
- Trees should not be removed because of view obstruction.

- Trees on slopes should not be removed if the removal will contribute to the destabilization of that slope.
- Trees which are damaging or will damage a structure, pose a hazard, in failing health or interfering with neighboring trees, will be considered for removal.

WHEREAS, on February 14, 2019, the Landscape Committee reviewed a request to remove one White Mulberry Tree. The request was received from *the Member at 612-C*, who cited the reasons of litter and debris, overgrown, and potential slip and fall from wet leaves; and

WHEREAS, on February 14, 2019, the Landscape Committee recommended to approve the removal of one White Mulberry tree *located at 612-C Avenida Sevilla* due to visible signs of decay and interference with a neighboring tree and to replace it at the Member's expense;

NOW THEREFORE BE IT RESOLVED, March 12, 2019, the Board of Directors approves the request for the removal of one White Mulberry tree and to replace it at the expense of the Member at 612-C, *and*;

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

- (2) Recommendation to Deny Request for Tree Removal 598-D (Yan) – Canary Island Pine Tree

RESOLUTION 01-19-26

Denial of Removal of One Canary Island Pine – 598-D

WHEREAS, February 12, 2013, that the Board of Directors adopted Resolution 01-13-17 tree removal guidelines:

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

WHEREAS, on February 14, 2019, the Landscape Committee reviewed a request to remove one Canary Island Pine tree. The request was received from *the Member at 598-D*, who cited the reasons of litter and debris, structural damage, sewer damage, overgrown, poor condition, and the tree is leaning toward the unit;

WHEREAS, the Committee recommended to deny the removal of one Canary Island Pine tree *located at 598-D Avenida Majorca* due to no visible decay, pests, or trunk damage nor any damage to sidewalk or unit;

NOW THEREFORE BE IT RESOLVED, March 12, 2019, the Board of Directors denies the request for the removal of one Canary Island Pine tree at 598-D, and;

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

- (3) Recommendation to Approve Request for Tree Removal 599-E (Myhra) – two Canary Island Pine Tree

RESOLUTION 01-19-27

Approval of Removal of One Canary Island Pine – 599-E

WHEREAS, February 12, 2013, that the Board of Directors adopted Resolution 01-13-17 tree removal guidelines:

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

WHEREAS, on February 14, 2019, the Landscape Committee reviewed a request to remove two Canary Island Pine trees. The request was received from *the Member at 599-E*, who cited the reasons of; litter and debris, overgrowth, structural damage, possible sewer damage, and seasonal pollen;

WHEREAS, *the Committee* recommended to approve the request to remove only one of the two Canary Island Pine trees located at 599-E Avenida Majorca to allow the remaining trees to fill out properly, reduce the amount of needle drops, and increase sunlight to the surrounding turf or shrub bed areas;

NOW THEREFORE BE IT RESOLVED, March 12, 2019, the Board of Directors approves the request for the removal of one Canary Island Pine tree at 599-E, and;

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

11b. Finance Committee Recommendations:

- (1) Approval of Resolution to Record Lien against Member ID#947-413-50

RESOLUTION 01-19-28
RESOLUTION TO RECORD LIEN

WHEREAS, Member ID 947-413-50; 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, March 12, 2019, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-413- 50 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.

11c. Approve City of Laguna Hills Memorial Day Half Marathon Run (10K/5K)

11d. This item was removed by Director Armendariz and moved to Unfinished Business agenda item 12d.

11e. Accept into corporate record the updated 2019 Reserve Component Schedule, used for preparation of Civil Code §5570 Assessment and Reserve Funding Disclosure Summary mailed to members In November 2018

11f. Ratify the Resolution for Additional Funding for Full Reserve Study

RESOLUTION 01-19-24
ADDITIONAL FUNDING FOR FULL RESERVE STUDY

WHEREAS, at the November 27, 2018 United Finance Committee meeting, Staff reviewed methodologies used to prepare the current reserve study and recommended retaining a reserve specialist to prepare a full reserve study with a draft available for upcoming budget meetings that start in the second quarter of 2019;

WHEREAS, on December 11, 2018, the Board of Directors approved via resolution 01-18-120 a supplemental appropriation of \$40,000 to perform a Full Reserve Study for use in the 2020 business planning process; and

WHEREAS, on February 21, 2019, the Board reviewed three proposals and conducted vendor interviews, making a request for additional information to assist in their decision.

NOW THEREFORE BE IT RESOLVED, on February 28, 2019 that the Board of Directors of this Corporation awards a contract to Association Reserves to provide labor and materials required to perform a Level 2 Reserve Study at a cost of \$50,000, and authorizes a supplemental appropriation in the amount of \$10,000 to be funded from the Replacement Reserve Fund to be used in addition to the \$40,000 appropriated by Resolution 01-18-120.

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.

11g. Resolution to Update the United Mutual and GRF Committee Appointments

RESOLUTION 01-19-29
UNITED LAGUNA WOODS MUTUAL COMMITTEE APPOINTMENTS

RESOLVED, March 12, 2019, that the following persons are hereby appointed to serve the Corporation in the following capacities:

Architectural Control and Standards Committee

Cash Achrekar, Chair

Reza Bastani

Gary Morrison

Carl Randazzo

Non-Voting Advisors: Michael Mehrair, Kay Anderson, Janey Dorrell

Communications Committee

Maggie Blackwell, Chair

Elsie Addington

~~Reza Bastani~~

Non-Voting Advisors: Vacant (2)

Finance Committee

Gary Morrison, Chair

Sue Margolis

Carl Randazzo

Juanita Skillman

Elsie Addington, Alternate

Non-voting Advisors: Vacant (2)

FINANCIAL REVIEW TASK FORCE

Gary Morrison

Elsie Addington

Governing Documents Review Committee

Maggie Blackwell, Chair

Juanita Skillman

Andre Torng

Anthony Liberatore

Non-voting Advisors: Bevan Strom, Mary Stone

Laguna Woods Village Traffic Hearings

Andre Torng

~~Elsie Addington~~

Cash Achrekar, Alternate

Landscape Committee

Maggie Blackwell, Chair
Manuel Armendariz
Anthony Liberatore
Non-Voting Advisor: Catherine Brians, Vacant (2)

Maintenance and Construction Committee

Carl Randazzo, Chair
Cash Achrekar
Reza Bastani
Sue Margolis
Gary Morrison
Juanita Skillman, Alternate
Non-voting Advisor: Ken Deppe, Walter Ridley, Janey Dorrell

Members Hearing Committee

Cash Achrekar, Chair
Juanita Skillman
Maggie Blackwell
Elsie Addington

New Resident Orientation

Per Rotation List

Resident Advisory Committee

Cash Achrekar, Chair
Anthony Liberatore
Juanita Skillman
Andre Torng
Non-voting Advisors: Kay Anderson, Nancy Lannon

Village Energy Task Force

Sue Margolis
Carl Randazzo
Advisor: Steve Leonard, Sue Stephens

RESOLVED FURTHER Resolution 01-19-16, adopted February 12, 2018,
is hereby superseded and canceled.

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

RESOLUTION 01-19-30
GOLDEN RAIN FOUNDATION COMMITTEE APPOINTMENTS

RESOLVED, March 12, 2019, 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

Gary Morrison
Juanita Skillman

Community Activities

Sue Margolis
Andre Torng
Juanita Skillman, Alternate

GRF Finance

Gary Morrison
Juanita Skillman
Carl Randazzo, Alternate

GRF Landscape Committee

Manuel Armendariz
Maggie Blackwell
Anthony Liberatore, Alternate

GRF Maintenance & Construction

Gash Achrekar
Carl Randazzo
Gary Morrison
Sue Margolis, Alternate

GRF Media and Communications Committee

Maggie Blackwell
Elsie Addington
Juanita Skillman, Alternate

Mobility and Vehicles Committee

Elsie Addington
Andre Torng
Juanita Skillman, Alternate

PAC Renovation Task Force

Sue Margolis
Carl Randazzo
Juanita Skillman, Alternate

Security and Community Access

Reza Bastani
Anthony Liberatore
Carl Randazzo, Alternate

Disaster Preparedness Task Force

Cash Achrekar
Gary Morrison

Town Hall Meetings
As Needed

RESOLVED FURTHER, that Resolution 01-19-17, adopted February 12, 2018, is hereby superseded and cancelled.

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

Director Randazzo made a motion to approve the Consent Calendar. The motion was seconded by Director Blackwell.

Discussion ensued among the Directors.

Director Armendariz made a motion, seconded by Director Margolis, to removed agenda item 11d to unfinished business for discussion.

President Skillman called for the vote of the consent calendar with the removal of agenda item 11d and the motion passed by vote of 9-0-1 (Directors Bastani abstained).

12. Unfinished Business

12a. Entertain a Motion to Adopt a Resolution for an Alteration Standard Plan Policy
Director Blackwell read the following resolution:

RESOLUTION 01-19-31
STANDARD PLAN REVIEW POLICY

WHEREAS, the Village has 248 previously approved Standard Plans available for Members to use for alterations with an over-the-counter Mutual Consent without having to use the variance process or need further Board approval;

WHEREAS, The Architectural Control and Standards Committee (Committee) reviews numerous variance requests from members proposing to make alterations using a previously approved Standard Plan with minor variations;

WHEREAS, current policy requires all variations from a Standard Plan to be reviewed by the Committee;

WHEREAS, the Committee desires to simplify the approval process for alterations and minimize the time for review of these alterations; and

WHEREAS, the Committee directed Staff to create a policy pertaining to minor revisions to Standard plans for Members who are proposing to perform alterations to their units using a previously approved Standard Plan.

NOW THEREFORE BE IT RESOLVED, March 12, 2019, the Board of Directors

adopts the Standard Plan Review Policy; and

RESOLVED FURTHER, architectural drawings shall be provided for all revisions to Standard Plans to the Alterations Department office for review and to determine if they meet the intent of this policy, including but not limited to, closets, windows, door style or placement;

RESOLVED FURTHER, Staff shall thoroughly review the submitted drawings. If Staff determines that the proposed alteration does not affect load bearing walls or alter the purpose of rooms as depicted on the Standard Plan, meets the intent of this policy, and conforms to all pertinent alteration policies, Staff may issue a Mutual Consent; and

RESOLVED FURTHER, if Staff determines that the proposed alteration does not meet the intent of this policy and the Member desires to pursue the proposed alteration, Staff shall process the request as a variance for review by the Committee; and

RESOLVED FURTHER, all proposals for revisions that are not considered minor or alter the exterior aesthetics of the Unit shall require Board approval via the variance process; 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.

FEBRUARY Initial Notification

28-day notification to comply with Civil Code §4360 has been satisfied.

Director Blackwell made a motion to adopt the resolution to an alteration standard plan policy. The motion was seconded by Director Achrekar.

Discussion ensued among the Directors.

President Skillman called for the vote and the motion passed by a vote of 9-0-0 (Director Torng was absent for the vote).

12b. Entertain a Motion to Adopt a Resolution to Amend the Care Provider Policy and Change the Name to Private Caregiver Policy

Director Blackwell read the following resolution:

RESOLUTION 01-19-32
PRIVATE CAREGIVER POLICY

WHEREAS, Staff has recommended enhancements to the existing Care Provider Policy; and

WHEREAS, the Private Caregiver Policy will encompass part-time and long-term caregivers, whenever scheduled day or night and;

WHEREAS, the Private Caregiver Policy addresses caregivers irrespective of

whether they are paid or not paid;

NOW THEREFORE BE IT RESOLVED, March 12, 2019, that the Board of Directors of this Corporation hereby introduces the "Care Provider Policy," and renames it "Private Caregiver Policy," as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that Resolution 01-17-28 adopted February 14, 2017, 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.

FEBRUARY Initial Notification

28-day notification to comply with Civil Code §4360 has been satisfied.

Director Armendariz made a motion to adopt the resolution to amend the care provider policy and change the name to private caregiver policy. The motion was seconded by Director Addington.

Discussion ensued among the Directors.

Residents spoke about this issue.

Staff answered questions from the Board.

Jeff Beaumont, Esq. answered questions from the Directors.

Director Armendariz called for the question and the motion failed by vote of 3-7-0 (Directors Armendariz, Margolis and Torng approved).

Discussion continued among the Directors.

President Skillman called for the vote and the motion passed by a vote of 7-3-0 (Director Blackwell, Morrison, and Addington opposed).

12c. Entertain a Motion to Adopt a Resolution for an Administrative Fee for Damage Reimbursement

Director Blackwell read the following resolution:

RESOLUTION 01-19-xx
ADMINISTRATIVE FEE FOR DAMAGE REIMBURSEMENT

WHEREAS, pursuant to Civil Code §5855, the Mutual is required to hold hearings to impose any monetary charges to reimburse the Mutual for costs incurred in the repair of damage to common area or facilities caused by the actions or inactions of a member, his or her tenant, guest, invitee, or vendor;

WHEREAS, significant staff time is necessary to investigate, document, and

prepare concise reports for Damage Reimbursement Hearings for damage caused by a member; and,

WHEREAS, the Mutual has seen an increase in administrative costs related to these damage reimbursement proceedings.

NOW THEREFORE BE IT RESOLVED, xxx, 2019, that the Board of Directors hereby adopts the Damage Reimbursement Administrative Fee;

RESOLVED FURTHER, effective April 1, 2019, the administrative fee for costs related to damage reimbursement proceedings will be ten percent of the total reimbursement decision amount for all decisions of one thousand dollars or more;

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.

FEBRUARY Initial Notification

28-day notification to comply with Civil Code §4360 has been satisfied.

Director Blackwell made a motion to adopt the resolution for administrative fee for damage reimbursement. The motion was seconded by Director Armendariz.

Discussion ensued among the Directors.

President Skillman called for the vote and the motion failed by a vote of 5-5-0 (Director Achrekar, Bastani, Torng, Margolis and Armendariz opposed).

12d. Consistent with its statutory obligations under Civil Code §5501, a subcommittee of the Board consisting of the Treasurer and at least one other board member reviewed the United Laguna Woods Mutual financials for the month of January, 2019, and such review is hereby ratified.

This item was removed from the Consent Calendar by Director Armendariz.

Director Margolis made a motion, seconded by Director Armendariz, to discuss this item in closed session.

Legal Counsel commented that this item does not qualify for closed session discussion pursuant to Civil Code § 4935.

Director Armendariz made a comment that he pulled this item because he feels it is not in compliance with the law.

Legal Counsel reminded directors that should recognize the difference between productively participating in discussions and counter-productively dominating deliberations through the volume or length of comments when they do not agree with the vote of the majority.

Discussion ensued among the Directors.
Staff answered questions from the Board.

Director Blackwell made a motion, seconded by Director Armendariz, to approve the Financial Review per Civil Code 5501.

President Skillman called for the vote and the motion passed by a vote of 6-4-0 (Directors Bastani, Torng, Armendariz, and Margolis opposed).

13. New Business

13a. Entertain a Motion to Approve Supplemental Funding for the 2019 Fumigation Program

Director Blackwell read the following resolution:

RESOLUTION 01-19-33
SUPPLEMENTAL FUNDING FOR THE 2019 FUMIGATION PROGRAM
Supplemental Funding for 2019 Fumigation Program

WHEREAS, in 2018, staff, along with the contracted vendor, Newport Exterminating, conducted visual interior and exterior inspections of various building structures throughout the Mutual; and

WHEREAS, evidence of termite infestations that require whole structure tenting were found at 37 building structures, which encompass 216 units and 3 carports; and

WHEREAS, the adopted 2019 funding of \$111,200, will only cover 14 fumigations and related accommodations; and

WHEREAS, the additional fumigations and hotel accommodation would require a supplemental appropriation in the amount of \$104,762 to be funded from the Contingency Fund to complete the treatments in 2019.

NOW THEREFORE BE IT RESOLVED, on March 12, 2019, the Board of Directors of this Corporation hereby authorizes a supplemental appropriation in the amount of \$104,762, to be funded from the Contingency Fund, for termite fumigation and hotel accommodation for 37 building structures, to be performed by the Mutual's contractor, Newport Exterminating during the 2019 Fumigation Program; 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 the resolution to approve supplemental funding for the 2019 Fumigation Program for 28-day review. The motion was seconded by Director Achrekar.

Discussion ensued among the Directors.

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

13b. Entertain a Motion to Introduce a Resolution to Allow Guarantors
Director Blackwell read the following resolution:

RESOLUTION 01-19-XX

**Authorization to Accept Personal Unconditional Continuing Guaranty &
Security Agreement and to Revise Financial Qualifications Policy (rev. 5-23-18)**

WHEREAS, United Laguna Woods Mutual (hereinafter "United" or "Corporation"), is a non-profit mutual benefit corporation, existing under and by virtue of the laws of the State of California, organized for the purpose of providing its Members with housing on a cooperative non-profit basis pursuant to the provisions set forth in its Articles of Incorporation and Bylaws and Board Resolutions (collectively referred to as the "Governing Documents");

WHEREAS, the Corporation's Amended and Restated Bylaws ("Bylaws") provides the purpose of the Corporation is to, among other things, "manage, maintain, preserve, and administer the business of a common interest development, specifically, a stock cooperative";

WHEREAS, the Bylaws provide that the Board of Directors of the Corporation is responsible for managing the business and affairs and exercising all corporate powers of the Corporation;

WHEREAS, United is a stock cooperative wherein each shareholder-member is granted the right to occupy a specific unit pursuant to an Occupancy Agreement together with ownership of one share in the cooperative, provided each shareholder- member meets the financial qualifications set forth in the Financial Qualifications Policy (rev. 5-23-18);

WHEREAS, the Board of Directors desires the ability to enter into Occupancy Agreement(s) with certain Members whereby same require guarantor(s) to meet the Corporation's financial qualifications in order to qualify for membership and consistent policies regarding same;

NOW, THEREFORE, be it resolved on March 12, 2019, that the following resolution is introduced by the Board of Directors:

1. Personal Unconditional Continuing Guaranty & Security Agreement. The Corporation, by and through the Board of Directors, is authorized to enter into Personal Unconditional Continuing Guaranty & Security Agreement, in the manner and form attached hereto as Exhibit A and incorporated herein by reference thereto, and such Personal Unconditional Continuing Guaranty & Security Agreement will bind the Corporation and Guarantor.

Specifically, the Corporation may accept from guarantor(s) a guarantee to pay a Member's debt and/or obligation should the Member default or otherwise fail to pay a debt and/or obligation owed to the Corporation pursuant to an executed Personal Unconditional Continuing Guaranty & Security Agreement, and to cause security documents, which the Corporation may require, which shall evidence the asset(s) pledge by such guarantor(s).

2. Further Acts. The Board of Director may do and perform such other acts and things as may be reasonably necessary and proper in order to carry into effect the provisions of this Resolution, including, but not limited to, revising the current operative Financial Qualifications Policy (rev. 5-23-18) to allow prospective Members to meet the Corporation's financial qualifications, and to revise such other documentation, as may be necessary and appropriate.

- Satisfactory verification of annual income of at least \$90,000 and marketable or income producing assets of at least \$250,000 plus the unit purchase price.
- This in addition to the prospective Member's minimum annual income of at least \$24,000 and marketable and/or income producing assets of at least \$75,000.

BE IT FURTHER RESOLVED, that the officers, directors and agents of this Corporation are authorized to carry out the purpose of this Resolution.

MARCH 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 28-days from the postponement to comply with Civil Code §4360.

Director Blackwell made a motion to introduce and amend the resolution to allow guarantors for 28-day review. The motion was seconded by Director Randazzo.

Discussion ensued among the Directors.

Director Blackwell made amendments to Exhibit A of the resolution in paragraph three instead of "The undersigned..." and requested that the bullet points in the staff report be added to the resolution.

Director Morrison made amendments to Exhibit A of the resolution adding wording to require "renewal every 5 years" and the bullet points in the staff report.

Discussion ensued among the Directors.

Director Addington made a motion to send this item back to Committee for revisions.

The motion failed for lack of a second.

President Skillman called for the vote and the motion passed by a vote of 8-2-0 (Directors Addington and Bastani opposed).

14. Committee Reports

14a. Report of the Finance Committee / Financial Report – Director Morrison showed a presentation on the Treasurer's Report and reviewed the resale and lease reports. The Committee met on January 29, 2019; next meeting will be March 26, 2019, 2:00 p.m. in the Sycamore Room

14b. Report of the Architectural Control and Standards Committee – Director Achrekar. The Committee did not meet in February; next meeting will be March 21, 2019, 9:30 a.m. in the Elm Room.

14c. Report of the Communications Committee – Director Blackwell encouraged the Directors to read The Breeze. The next meeting TBA.

14d. Report of Member Hearings Committee - Director Achrekar gave a report from the last Committee meeting. The Committee met on February 28, 2019; next meeting will be March 28, 2019, 9:00 a.m. in the Sycamore Room.

14e. Report of the Governing Documents Review Committee - Director Blackwell gave a report from the last Committee meeting. The Committee met on February 25, 2019; next meeting will be March 25, 2019, 1:30 p.m. in the Board Room.

14f. Report of the Landscape Committee - Director Blackwell gave a report from the last Committee meeting. Herbicide update covered under the VMS Report. The Committee met on February 14, 2019; next meeting will be April 11, 2019, 9:00 a.m. in the Board Room.

14g. Report of the Maintenance & Construction Committee - Director Randazzo. The Committee discussed pedestals under the United laundry washers and dryers, painting of the exterior alterations, and drainage concerns. The Committee met on February 27, 2019; next meeting will be April 24, 2019, 9:00 a.m. in the Board Room.

- Village Energy Task Force Charter – Director Randazzo gave a report from the last Task Force meeting. Solar power and EV Charging stations were discussed. The Task Force met on March 6, 2019; next meeting will be May 1, 2019 at 1:30 p.m. in the Board Room.

14h. Report of the Resident Advisory Committee – Director Achrekar encouraged residents to attend this Committee meeting. The Committee met on February 14, 2019; next meeting will be March 14, 2019, 4:00 p.m. in the Sycamore Room.

15. GRF Committee Highlights

15a. Report of the Finance Committee—Director Morrison gave highlights from the last Committee meeting. The Committee met on February 20, 2019; next meeting will be April 24, 2019, 1:30 p.m. in the Board Room.

15b. Report of the Community Activities Committee—Director Margolis gave highlights from the last Committee meeting. The Committee did not meet in February; next meeting will be March 14, 2019, 1:30 p.m. in the Board Room.

15c. Report of the Landscape Committee—Director Blackwell gave highlights from the last Committee meeting. The Committee did not meet in February and the March meeting has been canceled; next meeting will be May 15, 2019, 1:30 p.m. in the Board Room.

15d. Report of the Maintenance & Construction Committee—Director Randazzo gave highlights from the last Committee meeting. The committee discussed street and walkway lighting. The Committee met on February 13, 2019; next meeting will be April 10, 2019, 9:30 a.m. in the Board Room.

15e. Report of the Media and Communication Committee—Director Blackwell gave highlights from the last Committee meeting. The Committee discussed how residents can call 911 for assistance getting in or out of their manors when elevators are out of service, negotiations with TV networks on charges, and conduction interviews for new docents. The Committee met on February 26, 2019; next meeting will be March 18, 2019, 1:30 p.m. in the Board Room.

15f. Report of the Mobility and Vehicles Committee—Director Addington gave highlights from the last Committee meeting. The Committee met on February 6, 2019; next meeting will be April 3, 2019, 1:30 p.m. in the Board Room.

15g. Report of the Security and Community Access Committee—Director Skillman. The Committee met on February 25, 2019; next meeting will be April 22, 2019, 1:30 p.m. in the Board Room.

- Laguna Woods Village Traffic Hearings – Director Addington summarized the results of the last traffic hearings. The Hearings were held on February 20, 2019; next hearings March 20, 2019, 9:00 a.m. in the Board Room and 1:00 p.m. in the Sycamore Room.

15h. Disaster Preparedness Task Force—Director Achrekar gave highlights from the last Committee meeting. The Village has one of the best Disaster Preparedness programs. The Task Force did not meet in February; next meeting will be March 26, 2019, 9:30 a.m. in the Board Room.

16. Future Agenda Items

16a. Revised Payment Plan Agreement Form and a Resolution for a Payment Plan Fee Policy for Assessments (FEBRUARY initial notification-sent back to Committee for review)

16b. Roles and Responsibilities

17. Director's Comments

- Director Blackwell commented about the Caregiver Policy
- Director Armendariz commented about the Financial Review per Civil Code 5501.
- Director Achrekar commented about the Handyman Program.
- Director Torng commented about the Financial Review, Roles and Responsibilities of VMS Board and if employees should be under VMS or United Board.
- Director Bastani commented about gate 2 construction.

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 1:16 p.m. into the Executive Session.

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

During the February 12, 2019, Regular Executive Session, the Board:

Approval of Agenda

Approval of the Following Meeting Minutes;

(a) January 8, 2018 – Regular Closed Meeting

(b) January 9, 2019 – Special Closed Meeting (Legal Matters)

Discussed Member Disciplinary Cases


Discussed and Considered Contractual Matters

Discussed Personnel Matters

Discussed and Considered Legal and Litigation Matters

19. Adjourn

The meeting was adjourned at 4:50 p.m.



Maggie Blackwell, Secretary of the Board
United Laguna Woods Mutual

ATTACHMENT 1 (Page 1 of 4)



Private Caregiver Policy

I. Purpose

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

II. Definitions

For the purposes of this policy:

- a. Activities of Daily Living (ADL) are defined as a series of basic activities performed by individuals on a daily basis necessary for independent living at home or in the community. There are many variations on the definition of the activities of daily living, including, without limitation:
 - i. Personal hygiene – bathing/showering, grooming, nail care, and oral care
 - ii. Dressing - the ability to make appropriate clothing decisions and physically dress/undress oneself
 - iii. Eating - the ability to feed oneself, though not necessarily the capability to prepare food
 - iv. Maintaining continence/toileting - both the mental and physical capacity to use a restroom, including the ability to get on and off the toilet and cleaning oneself
 - v. Transferring/Mobility/Ambulating - moving oneself from seated to standing, getting in and out of bed, and the ability to walk independently from one location to another
- b. Instrumental Activities of Daily Living are not necessary for fundamental functioning, but they let an individual live independently in a Community.
 - i. Companionship and mental support
 - ii. Transportation and shopping
 - iii. Preparing meals
 - iv. Managing household
 - v. Managing medications and finances
 - vi. Communicating with others
- c. Application is the form prescribed by United to apply for a Private Caregiver.
- d. Community is Laguna Woods Village.
- e. Community Facilities are defined as the facilities and services operated by the Golden Rain Foundation (GRF).
- f. Community Rules are defined as the Bylaws, Articles of Incorporation, Occupancy Agreement or any rules and regulations of United and of GRF.
- g. Golden Rain Foundation (GRF) – the non-profit mutual benefit corporation organized to manage and maintain the Community Facilities and services for the Community.

- h. A Live-In Private Caregiver is defined as an individual who will stay overnight for more than sixty (60) days in any twelve (12) month period, including individuals who are related to The Resident/Member.
- i. A Live-In Private Caregiver can be a family member, paid or not paid. All rules in the Private Caregiver Policy apply.
- j. Member is a person who has been approved by United as being entitled under the Governing Documents of United to membership in United and has an appurtenant right of membership in GRF.
- k. Private Caregiver, also known as a Home Care Aide or Care Provider, is a person who has been approved by United or authorized designee in writing on the basis of being a provider of primary caregiver support to The Resident. A Private Caregiver is a helper who assists an individual with activities of daily living or non-medical services. Non-medical home care is provided by caregivers. Unlike home health, caregivers are considered "non-clinical" and are not covered by insurance and does not need a physician order.
- l. Private Caregiver services include, but are not limited to, assistance with the following:
 - i. Activities of Daily Living as defined in Section II, a.
 - ii. Instrumental Activities of Daily Living as defined in Section II, b.
- m. An Affiliated Caregiver is a person who is employed by a licensed Home Care Organization/Agency (HCO) who provides homecare services to a Resident(s).
- n. A Private Caregiver is independent and is not employed by a HCO.
- o. In-Home Supportive Service (IHSS) Caregivers are part of the Medi-Cal program and required to adhere to this policy.
- p. Resident is defined as any person who has been approved by the Board of Directors for occupancy.

III. Conditions

- a. Private Caregivers must be approved by the Board or authorized designee in writing prior to commencing support. Special circumstances may be granted.
- b. Private Caregivers must be 18 years old or older.
- c. Private Caregivers must be registered with the California Department of Social Services Home Care Services Bureau.
- d. Private Caregivers must provide a copy of a government issued photo ID with the application.
- e. Private Caregivers 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.
- f. A Private Caregiver Permit is approved for a period of up to one year. Residents are required to re-apply for approval.
- g. The total number of persons residing in a unit shall not exceed the number of bedrooms, plus one or no more than two persons in a one-bedroom unit; no more than three persons in a two-bedroom unit etc.
- h. Each Private Caregiver shall not have been convicted of a felony or a misdemeanor involving moral turpitude (e.g., fraud, perjury, criminal threats).
- i. The Member is responsible for the conduct of the Private Caregiver and shall ensure that he/she complies with all community rules, regulations, and policies.

- j. Upon approval by the Board or authorized designee, a gate pass shall be issued to the Private Caregiver that will permit gate access into the community. If a gate pass is supplied, it must be displayed on their car dashboard at all times. This pass may include an overnight parking pass when necessary.
- k. The Private Caregiver must wear in clear sight the Laguna Woods Village picture ID at all times.
- l. The Private Caregiver's ID and gate pass may not be transferred or lent to anyone.
- m. The Private Caregiver is authorized to use the Community Facilities only as necessarily incidental to provide support to The Resident.
- n. Part-time Private Caregivers may only use the laundry facilities for The Resident's use. Live-In Private Caregivers may use the laundry facilities for their limited personal use and The Resident's use.
- o. The Live-In Private Caregiver 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 Live-In Private Caregiver be allowed to remain in order to be present when The Resident returns to reside in the unit. [Civil Code §51.11.b.7]
- p. Private Caregivers are not permitted to bring family members, pets or guests into the Community. The sole purpose of the Private Caregiver is to provide care for The Resident.
- q. The Resident must surrender the Private Caregiver ID and vehicle pass to the Resident Services Department at the conclusion of the care service or be subject to charges.
- r. The Private Caregiver shall meet all applicable GRF requirements relating to operating a motor vehicle within the community.
- s. All Caregivers employed by a licensed Home Care Organization/Agency (HCO) are required to obtain a business pass.
- t. A person living in the residence to provide short term care must obtain a sixty (60) day Caregiver pass. Any person providing care beyond sixty (60) days must adhere to the Private Caregiver Policy.
- u. If applicant employs an In Home Supportive Services (IHSS) Caregiver and receives any correspondence related to ineligibility or violations that have occurred involving Caregiver, the applicant must notify the Resident Services Department immediately.

IV. Enforcement

United is authorized to take disciplinary action against a Member whose is found in violation of the Private Caregiver Policy. When a violation occurs, the Board of Directors is obligated to evaluate and impose, if appropriate, Member-discipline as set forth in the Governing Documents. The Board 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 Community Rules and policies are followed by anyone they allow into the Community.

- a. The Member and Private Caregiver must read and agree to comply with and be bound by all the Governing Documents and the Community Rules.
- b. Nothing contained herein shall relieve Member of the performance of any obligation owed to United and/or GRF under the Governing Documents.

V. Procedures

- a. The Resident must complete and submit "Application for Private Caregiver Permit" for review. The Application is available for download at www.lagunawoodsvillage.com or upon request from the Resident Services Department.
- b. Application can be submitted to the Resident Services Department located in the Laguna Woods Village Community Center.
- c. Upon receipt of an Application, the Resident Services Department will research whether the Member and/or Private Caregiver has received notices of violations or has any outstanding Charges and Assessments before approval of the application.
- d. The Board or authorized designee will review the application and approve or deny request.
- e. The Resident Services Department will notify The Resident of the results within 10 business days. Special circumstances may be granted.
- f. The Resident Service Department hours of operation are Monday-Friday, 8:00 AM to 5:00 PM, phone number 949-597-4600.
- g. Mailing address is P.O. Box 2220, Laguna Hills, CA 92654-2220.