



OPEN MEETING

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

Thursday, February 15, 2024 – 1:30 P.M.  
Board Room/Virtual Meeting  
Laguna Woods Village Community Center

**AGENDA NOTICE**

1. Call to Order Maggie Blackwell
2. Approval of Agenda Maggie Blackwell
3. Approval of Reports: Maggie Blackwell
  - a. January 18, 2024
4. Chair's Remarks Maggie Blackwell
5. Member Comments - *At this time Only United Members may address the Committee regarding items not on the agenda and within the jurisdiction of this Committee. The Committee reserves the right to limit the total amount of time allotted for Member Comments to thirty-minutes. Each individual has no longer than three-minutes. A Member may speak only once during the Member Comments. Speakers may not give their time to other people, no audio or video recording by attendees and no rude or threatening comments.*

Laguna Woods Village owner/residents are welcome to participate in committee meetings and submit comments or questions regarding virtual committee meetings using one of two options:

- a. Via email to [meeting@vmsinc.org](mailto:meeting@vmsinc.org) any time before the meeting is scheduled to begin or during the meeting. Please use the name of the committee in the subject line of the email. Name and manor number must be included.
- b. Join the Committee meeting via Zoom at: <https://us06web.zoom.us/j/99710468599> or by dialing 669-900-6833 / Access Code: 997 1046 8599

**Items for Discussion and Consideration**

6. Schedule of Monetary Penalties Francis Gomez
7. Committee Charter Francis Gomez

**Concluding Business:**

8. Committee Member Comments

9. Future Agenda Items – *All matters listed under Future Agenda Items are items for a future Committee meeting. No action will be taken by the Committee on these agenda items at this meeting.*

a. None

10. Adjournment

**\*A quorum of the United Board, or more, may be present at the meeting.**

Maggie Blackwell, Chair  
Francis Gomez, Staff Officer  
(949) 268-4207



**OPEN MEETING**

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

Thursday, January 18, 2024 – 1:30 p.m.  
BOARD ROOM/VIRTUAL MEETING  
Laguna Woods Village Community Center  
24351 El Toro Road, Laguna Woods, CA 92637

**MEMBERS PRESENT:** Maggie Blackwell – Chair, Vidya Kale and Nancy Carlson

**MEMBER ABSENT:** None.

**ADVISORS PRESENT:** Dick Rader and Juanita Skillman

**ADVISORS ABSENT:** Mary Stone

**STAFF PRESENT:** Francis Gomez, Pamela Bashline and Ruby Rojas

**CALL TO ORDER**

Maggie Blackwell, Chair, called the meeting to order at 1:34 p.m.

**APPROVAL OF THE AGENDA**

Director Kale made a motion to approve the agenda. Director Carlson seconded the motion.

By unanimous consent, the motion passed.

**APPROVAL OF REPORTS**

Director Carlson made a motion to approve the report for December 21, 2023. Director Kale seconded the motion.

By unanimous consent, the motion passed.

**CHAIR'S REMARKS**

Wanted to relay the importance of reviewing the Governing Documents for the United Mutual.

**MEMBER COMMENTS**

None.

### **ITEMS FOR DISCUSSION**

#### **Financial Requirements**

Ms. Pamela Bashline, Community Services Manager, presented the Financial Requirements for the Committee to consider and review. The Committee discussed and elected to make minor Scribner changes to the document.

Director Carlson made a motion to update the document with minor Scribner edits. Director Kale seconded the motion.

By unanimous consent, the motion passed.

Ms. Bashline left the meeting at 2:13 p.m.

#### **Bylaws and Operating Rules**

The Committee reviewed and discussed the Operating Rules Guidebook that is on the website.

Director Carlson made a motion to edit and include the Committee's changes to the Operating Rules Guidebook. Director Kale seconded the motion.

By unanimous consent, the motion passed.

The Committee directed staff to review and update the Operating Rules Guidebook and present at the next meeting.

### **Concluding Business**

#### **Committee Member Comments**

Advisor Dick Rader provided suggestions for easier access of the website and Governing Documents.

#### **Future Agenda Items**

- a. Schedule of Monetary Penalties
- b. Committee Charter

#### **Date of Next Meeting**

The next meeting is scheduled for Thursday, February 15, 2024 at 1:30 p.m. in the Board Room.

#### **Adjournment**

With no further business, Chair Blackwell adjourned the meeting at 2:44 p.m.

*MABlackwell*

MABlackwell (Feb 2, 2024 17:26 PST)

Maggie Blackwell, Chair



## STAFF REPORT

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**DATE:** February 15, 2024  
**FOR:** Governing Documents Review Committee  
**SUBJECT:** Schedule of Monetary Penalties

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### **RECOMMENDATION**

Review and file.

### **BACKGROUND**

The Schedule of Monetary Penalties identifies the violations and potential monetary penalties which may be imposed upon a member following a duly noticed disciplinary hearing. Per California Civil Code, the Member Disciplinary Process and Schedule of Monetary Penalties must be disclosed to the membership yearly. A summary of the process and schedule are included as part of the annual mailing in November.

On January 26, 1993, the Board of Directors approved the Schedule of Monetary Penalties (Resolution U-93-14). The Schedule of Monetary Penalties was amended in 1999 and 2017 (Resolutions U-96-99 ). The most recent changes, in 2017, were by way of a motion and included removal of fees application to the Golden Rain Foundation (GRF) and increase maximum amounts of penalties.

The member-discipline process is coordinated by the Compliance Division. Upon notice of an alleged violation, staff investigates and should staff identify objective evidence of a violation by a member or their guests, staff will send a courtesy notice to the offending party describing the allegation(s) and the disciplinary action that may ensue if not corrected. Staff will monitor the situation and if compliance is not evident, staff will send a final notice requesting compliance. Additionally, the matter is scheduled for a disciplinary hearing with the Board of Directors to determine if member-discipline is merited. If the alleged violation has been resolved, no further action is required.

If a disciplinary hearing is merited, staff will proceed with noticing the member for a hearing. During a Member Disciplinary Hearing the member has the right to meet before the Board of Directors in executive session. If the board finds the member to be in violation of the governing documents, the board may impose a fine based on the Schedule of Monetary Penalties, suspend Member privileges, and/or consider legal action.

### **DISCUSSION**

Staff has been directed to review the Schedule of Monetary Penalties and advise of any change, if any.

### **FINANCIAL ANALYSIS**

The Board imposes disciplinary monetary penalties as an action for violation of the governing documents. The penalties range from \$25 - \$500 depending on the specifics of the matter. For 2023, the Board held seventy-four (74) hearings and imposed monetary penalties in total of \$5,399.

**Prepared By:** Francis Gomez, Operations Manager

**Reviewed By:** Blessilda Wright, Compliance Supervisor

### **ATTACHMENT(S)**

Attachment 1: Schedule of Monetary Penalties



## SCHEDULE OF MONETARY PENALTIES

The following notice is provided pursuant to Civil Code Section §5310 and §5850.

The following schedules identify the violations and potential monetary penalties which may be imposed upon a member. Such penalties may be imposed following a hearing by United Laguna Woods Mutual (United) Board of Directors (Board) for a violation of those governing documents and rules and regulations by the member, co-occupant, guest or lessee.

Type of Violation	Range of Penalties
<b>Alteration</b>	
Examples: Debris, work without a permit, work beyond the allowed hours, expired permit, noncompliance with approved variance request, use of community trash bins, failure to maintain alteration, etc.	\$25 - \$500
<b>Clutter Restrictions</b>	
Examples: Balcony, breezeway, carport, common area, interior, patio, vehicle, etc.	\$25 - \$500
<b>Landscape Restrictions</b>	
Examples: Saucers/casters not present, too many plants (refer to landscape maintenance manual), vegetable plants, vines attached to walls, wind chimes, etc.	\$25 - \$500
<b>Maintenance/Repair</b>	
Examples: (Major) failure to correct fire, safety, health hazard or other dangerous condition; (minor) broken blinds, etc., violation of the paint program, interior pest policy, moisture intrusion event, etc.	\$50 - \$500
<b>Nonpayment</b>	
Examples: Nonpayment of assessments, chargeable services, disciplinary fines, facilities or services use charges, traffic citations, etc.	\$25 - \$500
<b>Nuisance/Harassment Restrictions</b>	
Behavior/Disturbances: Assault, theft, trespassing, yelling, etc.	\$25 - \$500
Noise: Activities that interfere with quiet enjoyment such as improperly installed hardwood floors, neighbors playing music or television too loud, loud conversation, etc.	\$25 - \$500
Odors: Strong cooking odors, BBQ smoke entering other units, etc.	\$25 - \$500
Visual: Draping articles over balcony rails, etc.	\$25 - \$500

Health/Safety: Hoarders who allow unsanitary conditions to exist that attract insects and rodents, or residents who wash dog feces and urine off their balcony onto the property below them, etc.	\$25 - \$500
Violation of laws: Violations of federal, state, or local ordinances. An example would be public nudity or a resident engaged in drug dealing, etc.	\$25 - \$500
<b>Occupancy Restrictions</b>	
Examples: Caregiver policy, short-term rentals, advertisement of short-term/vacation rentals, lease policy, unapproved occupancy, qualifying resident not in unit, room rentals, guest visitations exceeding 60 calendar days within a 12-month period, etc.	\$25 - \$500
<b>Other</b>	
Illegal business, nonsmoking policy, portable storage container policy	\$25 - \$500
<b>Pet Restrictions</b>	
Examples: Dog not on leash, dog not under control, unreasonable noise (barking), not picking up and disposing of feces, etc.	\$25 - \$500
Examples: Breeding of animals for sale or commercial gain, injury to persons or damage to property caused by animal, etc.	\$50 - \$500
<b>Traffic Rules and Regulations</b>	
Examples: Abandoned vehicle, commercial vehicles, excessive vehicles, vehicle oil, etc.	\$25 - \$500
Any violation of the governing documents or rules and regulations not specifically identified in this schedule.	\$25 - \$500
<b>Second or Subsequent Violations of the Same Rule</b>	
Ongoing violation of the same event may result in a daily fine in accordance with current monetary penalty schedule until compliance is achieved and/or double of fines imposed.	

In addition to, or instead of the monetary penalty, the United Board of Directors may impose the following penalties, following a noticed hearing, for a violation of the governing documents or rules and regulations:

1. Suspension of the right to use any facilities owned, operated or managed by United, for a period not to exceed 30 days for each breach, and/or any facilities owned, operated or managed by the Golden Rain Foundation (GRF) for a period not to exceed 90 days for each breach.
2. United may also make an application to a court of competent jurisdiction for legal or equitable relief.

United Bylaws and rules and regulations provide that members/residents who receive a traffic citation may elect to waive their right to a hearing and attend traffic school or forfeit

a fine for certain violations and under certain circumstances (see schedule of traffic monetary penalties).

Delinquent regular or special assessments, plus any costs of collection, late charges and interest, shall become a lien on the owner's interest in the common interest development upon recordation of a Notice of Delinquent Assessment in the Official Records of Orange County, California; and said lien may be enforced as provided by Sections 5650-5690 of the California Civil Code, and as otherwise permitted by law.

If you have questions regarding the above information, please contact the Compliance Division during regular business hours at 949-268-CALL or at [compliance@vmsinc.org](mailto:compliance@vmsinc.org).





## STAFF REPORT

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**DATE:** February 15, 2024  
**FOR:** Governing Documents Review Committee  
**SUBJECT:** Governing Documents Review Committee Charter

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### **RECOMMENDATION**

Receive and file.

### **BACKGROUND**

On November 13, 2012, the Board established a Governing Documents Review Ad Hoc Committee for the purposes of reviewing the governing documents for clarity, legality and current applicability through regularly announced meetings open to members (Resolution 01-12-185).

On July 14, 2015, the Board approved to establish the Ad Hoc as a stand-alone Committee (Resolution 01-15-107).

On December 10, 2019, the Board revised the Committee Charter to define the governing documents and approvals required to contact Corporate Counsel (Attachment 1, Resolution 01-19-105).

### **DISCUSSION**

Staff has been directed to review the Committee Charter to ensure compliance.

### **FINANCIAL ANALYSIS**

None.

**Prepared By:** Francis Gomez, Operations Manager

**Reviewed By:** Blessilda Wright, Compliance Supervisor

### **ATTACHMENT(S)**

Attachment 1: Governing Documents Review Committee Charter

**Attachment 1:**

**RESOLUTION 01-19-105**

**GOVERNING DOCUMENTS REVIEW COMMITTEE CHARTER**

**RESOLVED**, December 10, 2019, that the Board of Directors of this Corporation hereby establishes a Governing Documents Review Committee for the purposes of reviewing the United Laguna Woods Mutual governing documents for clarity, legality and current applicability through monthly meetings open to United Members;

**RESOLVED FURTHER**, that the Board of Directors of this Corporation hereby assigns the duties and responsibilities of this Committee as follows:

1. Review governing documents including policies, resolution and operating rules for compliance with applicable laws;
2. Consider conformance, as required, between each governing document with another governing document;
3. Confer, as appropriate, with United Managing Agent;
4. Consult, as appropriate and upon approval of Board President and Committee Chair, with United Corporate Counsel and;
5. Make regular committee progress reports and recommendations to the United Board of Directors regarding proposed revisions to the United governing documents including policies, resolution and operating rules; and

**RESOLVED FURTHER**, that the Governing Documents Review Committee shall perform such other duties as may be assigned by the Board;

**RESOLVED FURTHER**, that resolution 01-15-107 adopted July 14, 2015 is hereby superseded and cancelled.