



OPEN MEETING

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

Thursday, December 21, 2023 – 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. November 16, 2023
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 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. Resale Package Pamela Bashline
7. Smoking Policy 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



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Thursday, November 16, 2023 – 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, Nancy Carlson and Vidya Kale

MEMBER ABSENT: None

ADVISORS PRESENT: Dick Rader, Juanita Skillman and Mary Stone

ADVISORS ABSENT: None

STAFF PRESENT: Francis Gomez and Ruby Rojas

OTHERS PRESENT: Ellen Leonard

CALL TO ORDER

Maggie Blackwell, Chair, called the meeting to order at 1:42 p.m.

APPROVAL OF THE AGENDA

Director Carlson made a motion to add the Resale Package as a future agenda item to educate members on the units acquired in escrow. Director Kale seconded the motion.

By unanimous consent, the motion passed.

APPROVAL OF REPORTS

Chair Blackwell made a motion to approve the report for October 19, 2023. Director Carlson seconded the motion.

By unanimous consent, the motion passed.

CHAIR'S REMARKS

Chair Blackwell commented on the importance of the Committee.

MEMBER COMMENTS

Members made comments regarding the Occupancy Agreement, Traffic Rules and GRF accommodation requests in the Board Room. The Committee advised the members to attend the appropriate open meetings/sessions and submit correspondence if they deem necessary.

ITEMS FOR DISCUSSION

Member Comments Section for Committees

Chair Blackwell distributed samples of agendas for the Committee to review in respect to uniformity and consistency. The Committee discussed and edited the templates for both Committee and Board meetings.

The Committee implement the following changes to both Committee and Board agenda templates, respectively:

1. For Committee and Board agendas, standardize the Open Forum section of the agendas to read as follows:
Open Forum - 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.
2. For Committee and Board agendas, standardize the Future Agenda Items section of the agendas to read as follows:
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.
3. For Committee agendas, standardize the Member Comments section of the Committee to be agenda item number 5 for all Committee meetings.
4. For Board agendas, remove Acknowledge Media section.
5. For Board agendas, add language 'The meeting may be recorded.' following the Civil Code statement to read as follows:

NOTICE OF MEETING AND AGENDA

The purpose of this meeting is to conduct the regular Board Meeting in accordance with *Civil Code §4930* and was hereby noticed in accordance with *Civil Code §4920*. **This meeting may be recorded.**

Director Carlson made a motion to update and implement the statements above for all Committee and Board templates. Director Kale seconded the motion.

By unanimous consent, the motion passed.

Advisor Skillman left the meeting at 2:32 p.m.

Committee Member Comments

The Committee members made comments regarding educating community members of resources available to them and simplifying the Governing Documents for member viewing and access. Chair Blackwell advised that she will present the matter to the Media and Communications Committee.

Future Agenda Items

Without objection the Committee elected to add Resale Package as a discussion item for a future agenda.

Date of Next Meeting

The next meeting is scheduled for Thursday, December 21, 2023 at 1:30 p.m. in the Board Room.

Adjournment

With no further business, Chair Blackwell adjourned the meeting at 3:12 p.m.

M A Blackwell

M A Blackwell (Dec 15, 2023 12:40 PST)

Maggie Blackwell, Chair



STAFF REPORT

DATE: December 21, 2023
FOR: Governing Documents Review Committee
SUBJECT: Non-Smoking Policy

RECOMMENDATION

Staff recommends approval of the amended Non-Smoking Policy.

BACKGROUND

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

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

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

On February 14, 2017, the Board approved a Non-Smoking Policy to fairly and reasonably address smoking in Laguna Woods Village. The policy defines the areas where smoking is prohibited (Resolution 07-17-56).

DISCUSSION

The amended Non-Smoking Policy (Attachment 1) includes clarifying language and defines the areas where smoking is allowed.

FINANCIAL ANALYSIS

There is no financial impact.

Prepared By: Francis Gomez, Operations Manager
Reviewed By: Blessilda Wright, Compliance Supervisor

ATTACHMENT(S)

Attachment 1: Proposed Non-Smoking Policy
Attachment 2: Resolution



Non-Smoking Policy

Resolution 01-24-XX; Adopted February 14, 2017 [Date]

I. Purpose

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

II. Definitions

For the purposes of this policy:

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

III. Conditions

Smoking is prohibited in the following areas:

- a. Enclosed areas of all public places, including lobbies, elevators, hallways and other areas used by members of the public.
- b. Elevators, hallways, recreation rooms, laundry rooms, stairs, and other common areas in multi-unit residential facilities.

- c. Unenclosed hallways, entryways, breezeways, stairways and other common areas accessible and usable useable by more than one unit residence.
- d. Balconies and patios in residential facilities. For the purpose of this policy, closed or unenclosed Units, balconies and patios where smoke escapes. ~~shall include unenclosed and screened patios and balconies as well as enclosed patios and balconies unless windows and doors are closed to prevent the escape of smoke.~~
- e. Carports.
- f. In an enclosed vehicle.
- g. Any common area within 20 feet from any building so long as smoke does not enter any enclosed area in which smoking is prohibited.
- h. Private residence, but residents are required to use adequate ventilation devices such as air-purifiers, etc.
- i. Smoking marijuana is only permitted inside a residence.

IV. Smoking is allowed in the following areas:

- a. In a completely enclosed vehicle.
- b. In any common area which is 20 feet from any building as long as smoke does not enter any other residence or any enclosed area which smoking is prohibited.
- c. In a private residence, balcony, or patio where no smoke escapes or where there are adequate ventilation devices or air purifiers to prevent the escape of smoke.
- d. Smoking marijuana is permitted only in enclosed residence.

Enforcement

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

V.

- a.—
- a. A complaint can be registered with the Security Services Department by calling 949-580-1400. The Security Services Department and Compliance Division will investigate and follow the Member Discipline Process.

- b. United is authorized to take disciplinary action against the Shareholder/Member of the Unit where the violating smoker visits, works, or resides.
- a. ~~If remediation is determined necessary, remediation costs are assessed per~~ The Member is entirely responsible for ensuring that the rules, regulations, and policies are following by anyone they allow into the community. This includes any Co-occupant, lessee, or guest, care provider, vendor, invitee, or contractor.
- ~~b.c.~~ Per Resolution 01-08-21 (, adopted February 12, 2008), the following guidelines define the responsibility for remediation costs associated with second-hand smoke infiltration:
- i. Reasonable r~~Remediation costs for the damage or effects of the second-hand smoke considered reasonable~~ would be paid for by the Member of the smoker's Unit responsible for the second-hand smoke.
 - ii. Remediation costs due to a defect ~~ins or damages to property which is United property are the ULWM responsibility of~~ would be paid for by United ULWM.
 - iii. Remediation costs beyond those which would be construed as reasonable would be borne by complainant.

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



RESOLUTION 01-24-XX

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

NOW THEREFORE BE IT RESOLVED, on [Date], that the Board of Directors of this Corporation hereby approves the revisions to the Non-Smoking Policy, as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that Resolution 01-17-26 approved on 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.