

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

October 5, 2012

The Special Meeting of the Board of Directors of United Laguna Woods Mutual, a California Non-Profit Mutual Benefit Corporation, was held on Friday, October 5, 2012 at 1:00 P.M. at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Ron Beldner, Catherine Brians, Paul Vogel, John Dalis, Barbara Copley, Heather Gerson, Jack Bassler, Mary Stone, Barbara B. Howard, Roger Turner and Charles Hammer

Directors Absent: None

Staff Present: Jerry Storage, Patty Kurzet; Executive Session only: Luis Rosas

Others Present: Sandra Gottlieb of Swedelson & Gottlieb

CALL TO ORDER

Ron Beldner, President of the Corporation, chaired and opened the meeting, and stated that it was a Regular Meeting held pursuant to notice duly given. A quorum was established and the meeting was called to order at 1:00 P.M.

ACKNOWLEDGEMENT OF PRESS

A representative of the Laguna Woods Globe was acknowledged as present.

APPROVAL OF AGENDA

Without objection, the Board approved the agenda as submitted.

CHAIR'S REMARKS

No remarks were made.

UNITED MUTUAL MEMBER COMMENTS AND PUBLIC FORUM

United Mutual Members were given the opportunity to speak and the Directors briefly responded to the comments.

CONSENT CALENDAR

Without objection the Board approved the Consent Calendar as written and the Board took the following actions:

Maintenance and Construction Committee Recommendations:

RESOLUTION 01-12-165

WHEREAS, Mr. Navin Sanghvi of 76-U Calle Aragon disputes charges in the amount of \$64.93 for a fire-related cooktop inspection, contending that the inspection was unnecessary;

NOW THEREFORE BE IT RESOLVED, October 5, 2012, that the request of Mr. Navin Sanghvi of 76-U Calle Aragon that the Mutual reverse charges in the amount of \$64.93 for a fire-related cooktop inspection is hereby denied; and

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

RESOLUTION 01-12-166

RESOLVED, October 5, 2012, that the request of Ms. Betty Crucis of 170-B Avenida Majorca for a patio addition with cover at her manor is hereby approved; and

RESOLVED FURTHER, that all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member at Manor 170-B; and

RESOLVED FURTHER, that all required Mutual and City of Laguna Woods permits must be obtained and the appropriate City of Laguna Woods permit numbers must be submitted to the Mutual through the Permits and Inspections Office located in the Laguna Woods Community Center; and

RESOLVED FURTHER, that the patio slab must be installed as per United Mutual Alteration Standard Section 22 - *Patio Slab Extensions*, and the patio cover installed as per Section 20 - *Balcony and Patio Covers, Aluminum and Vinyl*; and

RESOLVED FURTHER, that any required landscape, irrigation, and drainage revisions are to be performed by the Landscape Division at the expense of the requesting Mutual member at Manor 170-B; and

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

RESOLUTION 01-12-167

RESOLVED, October 5, 2012, that the request of Mr. and Mrs. Allison Roddan of 181-C Avenida Majorca to extend the patio and construct a room addition at their manor is hereby approved; and

RESOLVED FURTHER, that all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 181-C; and

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

RESOLVED FURTHER, that all required Mutual and City of Laguna Woods permits must be obtained and the appropriate City of Laguna Woods permit numbers must be submitted to the Mutual through the Permits and Inspections Office located in Laguna Woods Village Community Center; and

RESOLVED FURTHER, that all required landscape, irrigation, and drainage modifications are to be completed by the Landscape Division at the expense of the Mutual Member(s) at 181-C; and

RESOLVED FURTHER, that the patio addition is installed as per United Mutual Standards Section 22 - *Patio Slab Extensions*; and

RESOLVED FURTHER, that prior to issuance of a Mutual permit, a Roof Alteration Policy Agreement (roof tie-in form) must be completed and submitted to the Permits and Inspections office; and

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

RESOLUTION 01-12-168

RESOLVED, October 5, 2012, that the request of Mrs. Arlene Kishi of 218-H Avenida Majorca that the Mutual reimburse her \$200 for expenses incurred for hiring an outside plumber to clear a single-fixture stoppage that affected her alteration washing machine is hereby denied; and

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

RESOLUTION 01-12-169

RESOLVED, October 5, 2012, that the request of Ms. Corinna Nee of 303-B Avenida Sevilla to retain a bathroom remodel at her manor is hereby approved; and

RESOLVED FURTHER, that all future costs and maintenance associated with the subject alteration are the responsibility of the Mutual Member(s) at 303-B; and

RESOLVED FURTHER, that all required Mutual and City of Laguna Woods permits must be obtained and the appropriate City of Laguna Woods building permit number must be submitted to the Mutual through the Permits and Inspections Office located in the Laguna Woods Village Community Center. The Mutual permit must be revised to depict the installation of the additional shower unit; and

RESOLVED FURTHER, that the Board has, from time to time, received complaints of noise transference due to alterations within the interior of neighboring manors. For example, alterations to walls that allow noise to travel differently, alterations to plumbing that cause water noises within the shared walls, or alterations to floor coverings. The Board should advise the member that should the Board receive such a complaint concerning an alteration, the requesting member may be subject to member disciplinary proceedings and could be required to take additional noise mitigating measures, up to and including removing the alteration and restoring to original; and

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

RESOLUTION 01-12-170

RESOLVED, October 5, 2012, that the request of Mr. Yung Yum of 313-B Avenida Castilla to construct a room addition on the patio and perform a Master Bedroom window modification at his manor is hereby approved; and

RESOLVED FURTHER, that all future costs and maintenance associated with the subject alteration are the responsibility of the Mutual Member(s) at 313-B; and

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

RESOLVED FURTHER, that all required Mutual and City of Laguna Woods permits must be obtained and the appropriate City of Laguna

Woods building permit number must be submitted to the Mutual through the Permits and Inspections Office located in the Laguna Woods Village Community Center; and

RESOLVED FURTHER, that prior to issuance of a Mutual permit, a Roof Alteration Policy Agreement (roof tie-in form) must be completed and submitted to the Permits and Inspections office; and

RESOLVED FURTHER, that the Board has, from time to time, received complaints of noise transference due to alterations within the interior of neighboring manors. For example, alterations to walls that allow noise to travel differently, alterations to plumbing that cause water noises within the shared walls, or alterations to floor coverings. The Board should advise the member that should the Board receive such a complaint concerning an alteration, the requesting member may be subject to member disciplinary proceedings and could be required to take additional noise mitigating measures, up to and including removing the alteration and restoring to original; and

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

RESOLUTION 01-12-171

RESOLVED, October 5, 2012, that the request of Ms. Jennifer Heflin of 330-D Avenida Sevilla to perform a bath remodel and install a washer and dryer on the front patio of her manor is hereby approved; and

RESOLVED FURTHER, that all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 330-D; and

RESOLVED FURTHER, that all required Mutual and City of Laguna Woods permits must be obtained and the appropriate City of Laguna Woods permit numbers must be submitted to the Mutual through the Permits and Inspections Office located in the Laguna Woods Village Community Center; and

RESOLVED FURTHER, that the washer/dryer must be installed as per United Mutual Alteration Standard Section 29 - *Washer and Dryer Installations*; and

RESOLVED FURTHER, that the Board has, from time to time, received complaints of noise transference due to alterations within the interior of neighboring manors. For example, alterations to walls that allow noise to travel differently, alterations to plumbing that cause water noises within

the shared walls, or alterations to floor coverings. The Board should advise the member that should the Board receive such a complaint concerning an alteration, the requesting member may be subject to member disciplinary proceedings and could be required to take additional noise mitigating measures, up to and including removing the alteration and restoring to original; and

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

RESOLUTION 01-12-172

WHEREAS, Ms. Sharon Lester, successor trustee of 632-B Avenida Sevilla, requested that the Mutual waive all additional resale inspection fees that may arise as a result of her attempt to sell her manor;

NOW THEREFORE BE IT RESOLVED, October 5, 2012, that the request of Ms. Sharon Lester, successor trustee of 632-B Avenida Sevilla that the Mutual waive all additional resale inspection fees is hereby denied; and

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

RESOLUTION 01-12-173

WHEREAS, by way of Resolution 01-11-62 the Board has prohibited personal furnishings to stay in the common area laundry rooms; and

WHEREAS, a number of white plastic chairs and a large plastic white table were removed from Laundry Room #106 and Mr. Ron Adair of 653-C requests that the items be returned and that the Mutual install a magazine rack in the laundry room;

NOW THEREFORE BE IT RESOLVED, October 5, 2012, that the Board of Directors hereby upholds its Mutual Laundry Room Furniture Policy and denies the request of Mr. Ron Adair of 653-C that the items be returned and that the Mutual install a magazine rack in the laundry room; and

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

RESOLUTION 01-12-174

RESOLVED, October 5, 2012, that the request of Ms. Miriam Garcia of 808-Q Rhonda Mendoza that the Mutual provide locking mailboxes is hereby denied; and

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

RESOLUTION 01-12-175

RESOLVED, October 5, 2012, that the request of Mr. Robert Mealey of 2105-B Ronda Granada that the Mutual reverse charges totaling \$1,091.74 for damage restoration repairs and dry down due to his alteration ice-maker supply line leak causing moisture intrusion is hereby denied; 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.

Landscape Committee Recommendations:

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|--------|----------------------------------------------------------------------------|
| 96-A | Denial of appeal request for tree removal, uphold previous decision |
| 565-B | Approval of landscape design change at Mutual's expense |
| 565-D | Approval of landscape design change at Mutual Member's expense |
| 2138-B | Denial of request for tree removal |

Finance Committee Recommendations:

RESOLUTION 01-12-176

WHEREAS, Member ID 947-403-53 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, October 5, 2012, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-403-53; and

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

RESOLUTION 01-12-177

WHEREAS, Member ID 947-441-49 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, October 5, 2012, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-441-49; 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.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

No report was given from the Finance Committee.

Director Bassler reported from the Maintenance and Construction Committee.

Director Copley read a proposed resolution agreeing to maintain the current service level of installing up to three additional walkway lights. Director Copley moved to approve the resolution. Director Gerson seconded the motion.

By a vote of 10-0-0, the motion carried and the Board of Directors adopted the following resolution:

RESOLUTION 01-12-178

WHEREAS, the 2012 and 2013 Business Plans include funding for the installation of up to three additional walkway lights per month for installations meeting established criteria; and

WHEREAS, the City of Laguna Woods recently increased the documentation requirements for issuance of City building permits for additional walkway lighting to include information on the total circuit load on the associated electrical panel; and

WHEREAS, costs for the Mutual to have a certified electrical engineer evaluate electrical panels to satisfy the City's new permit requirements are not included in the 2012 and 2013 Business Plans;

NOW THEREFORE BE IT RESOLVED, October 5, 2012, that the Board of Directors of this Corporation hereby agrees to maintain the current service level of installing up to three additional walkway lights per month until existing operating funds are depleted; 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 Copley read a proposed resolution approving to uphold the Mutual's policy limiting provision of access utilizing keys submitted to the Key File Programs. Director Copley moved to approve the resolution. Director Gerson seconded the motion and discussion ensued.

Members Linda Wilson (816-P) and Pat English (558-B) commented on the motion.

By a vote of 10-0-0, the motion carried and the Board of Directors adopted the following resolution:

RESOLUTION 01-12-179

WHEREAS, the Key File Program is a voluntary program that allows resident and non-resident members to place manor keys on file with the Community Access Department, which enables Mutual access for emergency repairs, access for welfare checks by Security and Orange County emergency services, and entry for residents who have misplaced their keys; and

WHEREAS, Corporate counsel has advised that the Mutual and its managing agent have no legal right, authority, duty, nor obligation, to enter a manor for any other purpose than for health, safety, Board-approved programs, or other emergencies that may impact Mutual property;

NOW THEREFORE BE IT RESOLVED, October 5, 2012, that the Board of Directors upholds its policy limiting provision of access utilizing keys submitted to the Key File Programs defined as follows:

1.1 DEFINITIONS

- 1.1.1 Emergency access – permitted in order to mitigate damage to Mutual property; inclusive of obtaining City permit approval

- 1.1.2 Welfare checks – permitted in response to a report from friends and family concerned about a resident’s well-being
- 1.1.3 Resident request – permitted to provide access to a resident or person designated in the system as having authority for the property, i.e. manor occupant, non-resident owner, administrator, conservator, executor, trustee, and certain POAs
- 1.1.4 Board-approved access – permitted for Unoccupied Manor Inspections; and program work that requires concurrent access to all manors in a building, including but not limited to fumigation and epoxy lining programs
- 1.1.5 Agencies – permitted for access as needed for emergency medical services, Orange County Fire Authority (OCFA), Orange County Sheriff’s Department (OCSD), and authorized governmental agencies

1.2 SCOPE

- 1.2.1 Authorized parties may submit keys to the Key File Program
- 1.2.2 All keys are maintained in locked cabinets
- 1.2.3 Upon removal from file, keys are tracked and use documented
- 1.2.4 Key return to file is documented
- 1.2.5 It is the responsibility of the Member to ensure the keys submitted to the Key File Program are current
- 1.2.6 Keys on file are updated upon manor resale

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.

The Board considered painting the walls of trash enclosures in CDS 67 the same color as the carports (Creekside). Director Turner moved that the wall of the trash enclosure be painted. Director Gerson seconded the motion and the motion carried unanimously.

DIRECTORS’ FORUM

- The Directors provided final comments.

MEETING RECESS

The Special Open Session Meeting recessed at 1:30 P.M. and reconvened into the Special Executive Session at 1:35 P.M.

Summary of Previous Closed Session Meetings per Civil Code Section §1363.05

During its September 11, 2012 Regular Executive Session Meeting, the Board reviewed and approved, without objection, the minutes of the Special Executive Session meeting of August 13, 2012, the Regular Executive Session meeting of August 14, 2012, and the

Special Executive Session meeting of September 4, 2012. The Board heard four disciplinary hearings and imposed fines totaling \$600 for violations of the Mutual's rules and regulations; and discussed litigation, contractual, and other member disciplinary matters.

During its September 19, 2012 and September 21, 2012 Special Executive Session Meetings, the Board discussed matters with legal counsel.

ADJOURNMENT

With no further business before the Board of Directors, the meeting was adjourned at 4:47 P.M.

Barbara Copley, Secretary