

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

**July 8, 2014**

The Regular Meeting of the Board of Directors of United Laguna Woods Mutual, a California Non-Profit Mutual Benefit Corporation, was held on Tuesday, July 8, 2014 at 9:30 A.M. at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Pat English, Jack Bassler, John Beckett, Ming-Lee Chang, Ken Hammer, Eva Lydick, Bevan Strom, Don Tibbetts, Tony Dauer, Anthony Liberatore

Directors Absent: Jan LaBarge

Staff Present: Jerry Storage, Kim Taylor, Wendy Panizza, Marcel Bradley, Alberto Garcia, Cynthia Grace  
(Executive Session: Jerry Storage, Cris Robinson, Kim Taylor, Pamela Bashline, Francis Rangel, Bryan English, Luis Rosas)

Others Present: Jeff Beaumont Esq. of Beaumont Gitlin Tashjian

**CALL TO ORDER**

Pat English, 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 9:30 A.M.

**PLEDGE OF ALLEGIANCE**

Director Eva Lydick led the Pledge of Allegiance to the Flag.

**ACKNOWLEDGEMENT OF PRESS**

A representative of the Laguna Woods Globe and the Channel 6 Camera Crew, by way of remote cameras, were acknowledged as present.

**APPROVAL OF AGENDA**

Without objection, the agenda was approved as amended by removing 108-A from the Consent Calendar and placing the item under Agenda Item 14 as 14(a) and by removing 385-C from the Consent Calendar and placing the item under Agenda Item 14 as 14(b).

**CHAIR'S REMARKS**

President English commented on working with the GRF Board and the Community.

**UNITED MUTUAL MEMBER COMMENTS AND PUBLIC FORUM**

United Mutual Members were given the opportunity to speak to items.

- Mary Stone (356-C) thanked the volunteers for their support with regard to the GRF election, and announced that the buses are returning to their regular schedule.
- Catherine Brians (2165-C) spoke on behalf of the Foundation of Laguna Woods Village.
- Sharon Roddan (181-C) commented on the California Club and invited the membership to join the California Club.
- Mary Wall (239-D) commented on plants and water conservation.
- Roberta Berk (933-B) commented on Aliso Creek and the gate.
- Pamela Grundke (2214-B) thanked the United Board and the Community.
- Maxine McIntosh (68-C) commented on the United Board recall.
- Kay Margason (510-C) thanked the United Board for their efforts.

### **RESPONSE TO MEMBER COMMENTS**

The Directors briefly responded to Member Comments.

### **APPROVAL OF MINUTES**

Director Hammer moved to approve the minutes of the Regular Session meeting of June 10, 2014 and the minutes of the Special Business Planning meeting Version 1 of June 12, 2014, as written. Director Bassler seconded the motion.

By a vote of 9-0-0 the motion carried unanimously.

### **UNFINISHED BUSINESS**

Mr. Jeff Beaumont, Esq. updated the Board on the progress of the Smoke-Free building application and supporting documents.

The Secretary of the Corporation, Director Beckett, read a proposed resolution approving revisions to the Golden Rain Foundation Committee appointments. Director Beckett moved to approve the resolution, Director Hammer seconded the motion, and discussion ensued.

Member Mary Stone (356-C) commented on the resolution.

By a vote of 9-0-0, the motion carried and the Board of Directors adopted the following resolution:

### **RESOLUTION 01-14-91**

#### **Golden Rain Foundation Committee Appointments**

**RESOLVED**, July 8, 2014, that, in compliance with Article 7, Section 7.3 of the Golden Rain Foundation Bylaws, adopted July 13, 2012, the following persons are hereby appointed to serve on the committees of the Golden Rain Foundation:

#### **Business Planning**

Pat English  
Jan LaBarge

**Clubhouse 2 Renovation Ad Hoc Committee**

***Jack Bassler***  
***Ken Hammer***

**Community Activities**

John Beckett  
Don Tibbetts

**Energy Committee**

Eva Lydick  
Ken Hammer

**Finance**

Jan LaBarge  
Pat English

**Government and Public Relations Committee**

John Beckett  
Anthony Liberatore

**Landscape Committee**

Jack Bassler  
Eva Lydick  
***Anthony Liberatore***

**Maintenance & Construction**

Jack Bassler  
Ming Lee Chang

**Media and Communications Committee**

Eva Lydick  
Ken Hammer

**Mobility and Vehicles Committee**

John Beckett  
Anthony Liberatore

**Recreation Master Plan Ad Hoc Committee**

John Beckett  
Jan LaBarge

**Security and Community Access**

John Beckett  
Ken Hammer

**RESOLVED FURTHER**, that Resolution 01-14-27, adopted March 11, 2014, is hereby superseded and canceled.

The Secretary of the Corporation, Director Beckett, read a proposed resolution approving revisions to the United Mutual Committee appointments. Director Beckett moved to approve the resolution, Director Bassler seconded the motion, and discussion ensued.

By a vote of 9-0-0, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 01-14-92**

**United Laguna Woods Mutual Committee Appointments**

**RESOLVED**, July 8, 2014, that the following persons are hereby appointed to serve the Corporation in the following capacities:

**Finance Committee**

Jan LaBarge - Chair  
Pat English  
Bevan Strom  
Advisors: Florence Kleinfeld, Lou Skogen

**Governing Documents Review Ad Hoc Committee**

John Beckett, Chair  
Bevan Strom  
Eva Lydick  
Advisors: Juanita Skillman

**Landscape Committee**

Eva Lydick, Chair  
~~Jack Bassler, Vice Chair~~  
Anthony Liberatore  
Ken Hammer  
Advisors: Cynthia Chyba, Pamela Grundke

**Maintenance and Construction Committee**

Jack Bassler, Chair  
Ming Lee Chang, Vice Chair  
Jan LaBarge  
Anthony Liberatore  
Don Tibbetts  
Advisors: Janey Dorrell

**New Resident Orientation**

Per Rotation List

**Standards Sub-Committee**

~~Jack Bassler, Chair  
Ming Lee Chang  
Anthony Liberatore~~

**Traffic Hearing (quarterly)**

John Beckett, Chair  
Ken Hammer  
Tony Dauer

**Walkway Lighting Subcommittee**

Ming Lee Chang, Chair  
Jack Bassler  
Ken Hammer  
Advisors: Doug Rook, Collette Sigman

**Water Conservation Ad Hoc Committee**

Pat English  
Eva Lydick  
Anthony Liberatore  
**Jack Bassler**

**Parking Committee**

Ken Hammer, Chair  
Tony Dauer

**Damage Restoration Executive Committee**

John Beckett, Chair  
Tony Dauer  
Anthony Liberatore

**Laguna Canyon Foundation**

TBD

**RESOLVED FURTHER**, that Resolution 01-14-85, adopted June 10, 2014 is hereby superseded and canceled.

The Secretary of the Corporation, Director Beckett, read a proposed resolution approving guidelines for Director request of association records. Director Beckett moved to approve the resolution, Director Lydick seconded the motion, and discussion ensued.

Member Mary Stone (356-C) commented on the resolution.

Without objection the Board inserted the word 'unredacted' in number 11 of the resolution.

By a vote of 9-0-0, the motion carried and the Board of Directors adopted the following amended resolution:

### **RESOLUTION 01-14-93**

#### **Guidelines for Director Request of Association Records**

**WHEREAS**, Section 8334 of the California Corporations Code states:

*“Every director shall have the absolute right at any reasonable time to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the corporation of which such person is a director.”; and*

**WHEREAS**, the Board desires to ensure that the managing agent's responses to directors' records requests are provided in a timely, equitable manner, and that the production of requested records becomes an efficient and orderly routine.

**NOW THEREFORE BE IT RESOLVED**, on July 8, 2014 that the Board adopts the following guidelines for Directors to follow when requesting association records, and for staff to follow when responding to requests from a director for association records:

1. Directors shall request records in writing, preferably by email, to the General Manager, who will forward the request to the custodian of the requested records.
2. When an administrative staff member is present at a board or committee meeting, the chair may verbally request records from the staff member.
3. The General Manager shall, within one business day, acknowledge receipt of the request for records.
4. Directors shall specify whether the records are to be provided in paper copy or by email.
5. Where the requested records are confidential, the Managing Agent may make the records available for inspection and copying at the administrative office.
6. Records for the current fiscal year will be made available within five business days of receipt of the records request.  
Records for the prior two fiscal years will be made available no more than 10 business days from the date of receipt of the records request.  
Many records that are older than 2006 are not yet stored electronically, and staff may need as long as 15 business days to provide them.
7. Directors may request records, books or other documents.
8. Directors' requests shall be satisfied in the order they are received, unless the records are needed at an earlier date.
9. Directors shall deliver their records requests as early as possible, preferably six calendar days prior to committee and board meetings, in order to allow staff a reasonable response time.

10. The managing agent shall not redact or withhold requested records, except where the requested records contain:
  - (a) privileged attorney-client communications,
  - (b) information protected by law, or
  - (c) social security number, tax identification number, driver license number, bank account or credit card numbers; and production of the requested records is likely to result in identity theft or other fraud.
11. If the managing agent receives a request for any of the records listed in the previous paragraph, the managing agent shall immediately deliver the **unredacted** requested records to Corporate Counsel, and notify the director that the requested records are available from Corporate Counsel.
12. If the managing agent is unable to locate the requested records within the time they are needed, the managing agent shall immediately notify the director:
  - (a) The managing agent has been unable to locate the requested records,
  - (b) The steps the managing agent is taking to locate the requested records, and
  - (c) The estimated time required to locate the requested records.
13. These guidelines will apply to all existing corporate documents, books and records including analyses, legal opinions, interpretations, explanations, comparisons, historical background, opinions on the records requested, and all information contained within such records.
14. The creation of new records must be ordered by the chair of the relevant committee or board.

## **NEW BUSINESS**

Mr. Jeff Beaumont, Esq. discussed with the Board the possible issues regarding placing an item on the Annual Election ballot for members to vote whether the Board may grant exclusive use of any portion of the common area to a Member.

Director Beckett made a motion to send the issue of exclusive use of any portion of the common area to a Member to the Maintenance & Construction and the Governing Documents Committees. Director Bassler seconded the motion.

Members Maxine McIntosh (68-C), Mary Stone (356-C), Barbara Copley (410-D) and Roberta Berk (933-B) commented on the motion.

By a vote of 9-0-0 the motion carried.

## **CONSENT CALENDAR**

Without objection, the Consent Calendar was approved as **amended** and the Board took the following actions:

### **Maintenance and Construction Committee Recommendations:**

#### **RESOLUTION 01-14-94**

#### **Variance Request**

**RESOLVED**, July 8, 2014 that the request of Mr. Michael Dorris and Ms. Annie Dorris to retain a front patio extension at manor 132-D Avenida Majorca, is hereby approved;

**RESOLVED FURTHER**, all costs and maintenance of the alteration, present and future, are the responsibility of the Mutual member(s) at 132-D; and

**RESOLVED FURTHER**, a required Mutual permit must be obtained from the Permits and Inspections office located in the Laguna Woods Community Center; and

**RESOLVED FURTHER**, all irrigation modifications associated with the alteration are to be completed by the Landscape Division at the expense of the Mutual member(s) at 132-D; 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 01-14-95**

##### **Variance Request**

**RESOLVED**, July 8, 2014 that the request of Ms. Gail Homer for a Variance for the Courtyard Gate Color and Paint the Gate at Mutual Expense at manor 204-D Avenida Majorca, is hereby approved;

**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 01-14-96**

##### **Variance Request**

**RESOLVED**, July 8, 2014, that the request of Mr. Nicholas G. Onuf for the proposed patio addition at Manor 418-C Avenida Castilla 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 01-14-97**



### **Variance Request**

**RESOLVED**, July 8, 2014 that the request of Mr. Nicholas G. Onuf for a room addition, living room window, without the requested door from the kitchen to the side of the manor at Manor 418-C Avenida Castilla is hereby approved;

**RESOLVED FURTHER**, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 418-C; and

**RESOLVED FURTHER**, 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 alterations; and

**RESOLVED FURTHER**, 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**, any required landscape, irrigation, and drainage revisions (if any) are to be performed by the Landscape Division at the requesting Mutual member's expense; and

**RESOLVED FURTHER**, 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. Should the Board receive such a complaint concerning an alteration, the requesting member is hereby advised that they 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 01-14-98**

### **Variance Request**

**RESOLVED**, July 8, 2014 that the request of Mrs. Gloria Chi-Fishman for the proposed walkway and modification of the entry steps at Manor 517-A Calle Aragon is hereby approved;

**RESOLVED FURTHER**, all costs for installation, repair, and maintenance associated with the subject alterations are the responsibility of the Mutual Member(s) at 517-A; and

**RESOLVED FURTHER**, a required Mutual permit must be obtained through the Permits and Inspections Office located in the Laguna Woods Village Community Center; and

**RESOLVED FURTHER**, the walkway and modification of the entry steps must be of concrete construction, installed as per standard construction practices and the steps must include safety stripes painted on the front edge of each tread; and

**RESOLVED FURTHER**, the tile must be installed as per United Laguna Woods Mutual Alteration Standard Section 15: Exterior Floor Coverings; and

**RESOLVED FURTHER**, all landscape, irrigation, and drainage modifications associated with the alteration are to be completed by the Landscape Division at the expense of the Mutual Members(s) at 517-A; 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 01-14-99**

#### **Variance Request**

**RESOLVED**, July 8, 2014 that the request of Ms. Roberta Curtis for a request for non-standard entry door color at manor 783-B Via Los Altos, is hereby denied;

**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 01-14-100**

### **Reverse Damage Restoration Charges Request**

**RESOLVED**, July 8, 2014 that the request of Ms. Judith Duby to reverse the charges totaling \$4,326.12 for damage restoration of Manor 2122-Q Ronda Granada and Carport 2093, is hereby denied;

**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:**

None

#### **Finance Committee Recommendations:**

### **RESOLUTION 01-14-101**

#### **Recording of a Lien**

**WHEREAS**, Member ID 947-375-83 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**, July 8, 2014, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-375-83; 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.

#### **GENERAL MANAGER'S REPORT**

Mr. Jerry Storage updated the membership on the ongoing projects in United Mutual and for the Golden Rain Foundation.

#### **COMMITTEE REPORTS AND SERVICES**

##### **FINANCE REPORT**

In Director LaBarge's absence President English reported from the Finance Committee, gave the United Treasurer's Report, and commented on the Resale & Lease Activities.

Ms. Wendy Panizza entered the meeting at 10:50 AM.

Mr. Marcel Bradley and Mr. Alberto Garcia entered the meeting at 11:00 AM.

Director Bassler reported from the Maintenance and Construction Committee.

Director Hammer moved to deny the request of Mr. A. Duane Smith of 385-C Avenida Castilla for reimbursement totaling \$542.20, associated with a special order appliance replacement. The motion was seconded.

Members Roberta Berk (933-B) and Maxine McIntosh (68-C) commented on the motion.

Ms. Cynthia Grace entered the meeting at 11:10 AM.

By a vote of 2-7-0 (Directors Lydick and Hammer in favor) the motion failed.

No motion was made to approve the variance request, and therefore the request is to be returned to the Maintenance & Construction Committee for review.

#### **RESOLUTION 01-14-XX**

##### **Reimbursement Request**

**RESOLVED**, July 8, 2014, that the request of Mr. A. Duane Smith of 385-C Avenida Castilla for reimbursement totaling \$542.20 associated a special order appliance replacement is hereby approved;

**RESOLVED FURTHER**, that the reimbursement is hereby authorized as an unbudgeted expenditure from the Replacement Fund; 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 Chang moved to deny the variance request of Mr. Michael Carey and Ms. Heidi Ann Carey for a front patio extension with stucco wall and wrought iron gate at manor 108-A Via Estrada. Director Dauer seconded the motion.

By a vote of 9-0-0 the motion carried to deny the variance request of Mr. Michael Carey and Ms. Heidi Ann Carey.

#### **RESOLUTION 01-14-102**

##### **Variance Request**

**RESOLVED**, July 8, 2014 that the request of Mr. Michael Carey and Ms. Heidi Ann Carey for a front patio extension with stucco wall and wrought iron gate at manor 108-A Via Estrada, is hereby denied;

**RESOLVED FURTHER**, the Board found it necessary to deny the request due to the Board's application of Civil Code § 4600 which limits the Board's authority to grant to any shareholder the exclusive use of any portion of the common area.

**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.

Ms. Wendy Panizza and Ms. Cynthia Grace left the meeting at 11:15 AM.

Director Chang reported on the Walkway Lighting Sub-Committee.

Mr. Marcel Bradley and Mr. Alberto Garcia left the meeting at 11:20 AM.

Director Lydick reported from the Landscape Committee.

Director Beckett reported from the Governing Documents Review Ad Hoc Committee.

Director Beckett read a report on disciplinary cases.

#### **GRF COMMITTEE HIGHLIGHTS**

No GRF Committee reports were given.

#### **DIRECTORS' FORUM**

The Directors provided final comments.

#### **MEETING RECESS**

The Regular Open Session Meeting recessed at 11:35 P.M. and reconvened into the Regular Executive Session at 11:40 P.M.

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

During its June 10, 2014 Regular Executive Session Meeting, the Board reviewed and approved the minutes of the regular Executive Session of May 13, 2014, the minutes of the Special Executive Session of May 28, 2014, and the minutes of Special Executive Session of June 4, 2014 as written. The Board heard three disciplinary hearings and imposed fines in the amount of \$50 for violations of the Mutual's rules and regulations; discussed and considered numerous member disciplinary matters; approved four Hearing Requests; and reviewed the Litigation Status Report.

#### **ADJOURNMENT**

With no further business before the Board of Directors, the meeting was adjourned at 3:40 P.M.

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John Beckett, Secretary