

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

**July 12, 2016**

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 12, 2016 at 9:30 AM at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Lenny Ross, Juanita Skillman, Jack Bassler, Ming-Lee Chang, Don Tibbetts, Jan LaBarge, Barbara Copley, Tom Sirkel, Pat English, Eva Lydick and Janey Dorrell (Following election)

Directors Absent: None

Staff Present: Open Session: Brad Hudson, Lori Moss, and Kim Taylor  
Executive Session: Brad Hudson, Lori Moss, Kim Taylor, Cris Robinson, Pamela Bashline, and Blessilda Fernandez

Others Present: Jeffrey Beaumont Esq. of Beaumont Gitlin Tashjian

**(1) CALL TO ORDER**

Lenny Ross, 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 AM.

**(2) PLEDGE OF ALLEGIANCE**

Director Juanita Skillman led the Pledge of Allegiance to the Flag.

**(3) ACKNOWLEDGEMENT OF MEDIA**

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

**(4) APPROVAL OF AGENDA**

Director Skillman moved to amend the agenda by adding under agenda item 10 "Entertain Motion to Commence Balloting" as agenda item 10a and "Entertain Motion to Cease Balloting" as item 10b. Without objection the motion carried and the agenda was approved as amended.

**(5) UNITED MUTUAL MEMBER COMMENTS AND PUBLIC FORUM**

United Mutual Members were given the opportunity to speak to items within the jurisdiction of the Board of Directors.

- Joan Grampp (372-B) spoke on behalf of the Foundation of Laguna Woods, gave a brief overview of what the Foundation does in the Community and asked for donations on behalf of the Foundation.
- Gisela Gutman (2218-A) commented on rental issues.
- Maxine McIntosh (68-C) commented on the United Mutual 2017 budget process and spoke to what makes a good candidate to run for the United Board.

- Pamela Grundke (2214-B) commented on security in the Community and the recent burglaries.
- Teri May (232-B) commented on construction in her area and stated that there is a toxic fume coming out of a Manor that is under construction.
- Lynda Zadra-Symes (76-A) commented on her request that the Mutual allow Building 76 to have a small sidewalk for wheel chair access and to the replanting of plants.

#### **(6) RESPONSE TO MEMBER COMMENTS**

The United Mutual Directors briefly responded to Member Comments.

#### **(7) REPORT OF THE CHAIR**

President Lenny Ross thanked everyone for being here today and stated that CEO Brad Hudson is addressing issues expeditiously and thanked him for doing so. President Ross wished former Director Ken Hammer well and a speedy recovery. He spoke to the upcoming election process, the solar kickoff meeting was held yesterday with Johnson Controls in (JCI). President Ross stated that JCI will advise the Community of the process during the construction of the solar panels, which should be completed in December. President Ross stated that the Budget process is underway and announced that the Board will be meeting with Insurance Brokers in an effort to provide the best quality for the best price.

#### **(8) REPORT OF CEO**

Mr. Bradley Hudson, CEO/General Manager, introduced General Services Department Head, Mr. Ernesto Munoz, P.E. and welcomed him to the Community and the VMS organization.

Mr. Munoz addressed the Board and residents and provided a brief overview of his background and stated the he is eager to address the issues that are a priority to the Board. Mr. Munoz stated that the transportation piece is first on his list and thanked the Board for the opportunity.

Mr. Hudson provided an overview of the 2017 budget process and congratulated the United Board for tackling the tough issues and stated that staff will be there to support the Board in every way. Mr. Hudson commented on the Community's security issues and stated that most of the crimes come from within. Staff is focusing on security and the number one priority is keeping the Community safe, Community involvement is the key in keeping the Community safe. Mr. Hudson stated that staff is currently fixing the current network infrastructure before implementing new software. He spoke to the intensity of the call volume in Community Services while using the same systems, recent changes have been made and currently calls are being answered at just fewer than 100%. Mr. Hudson stated that he is looking at many different ways to improve efficiency to provide much higher levels of customer service.

Mr. Hudson announced that Steve Baynar the Hypnotist Show will be performing on July 22, 2016, which is sponsored by Care Ambulance.

#### **(9) Update from VMS Director – Director Anthony Liberatore**

Director Anthony Liberatore, of Village Management Services, Inc., stated that the Insurance Request for Proposal is going to GRF this week, a salary survey is underway, employee recognition efforts have been integrated into the Business Plan, the Board is finalizing the

interim performance matrix, and the VMS Board along with Staff have set Board objectives and five goals have been implemented, the five goals are:

1. Provide exemplary customer service
2. Facilitate efficient operations
3. Provide a safe community
4. Provide transparent communications
5. Become an employer of choice

#### **(10) INTRODUCTIONS OF CANDIDATES**

The following applicants provided a brief summary of their qualifications: Maggie Blackwell, Donald Colson, and Janey Dorrell.

**(10a)** Director Skillman moved to commence balloting, Director LaBarge seconded the motion. Without objection the motion carried and ballots were distributed to the Directors.

**(10b)** Director Skillman moved to cease balloting, Director English seconded the motion. Without objection the motion carried and the ballots were counted.

#### **(11) ENTERTAIN MOTION TO APPROVE UNITED BOARD DIRECTOR TO FILL VACANCY (TERM ENDING 2018)**

By way of secret vote of 7-3 Janey Dorrell was appointed to fill the vacancy, term ending 2018.

Director Janey Dorrell was seated with the rest of the Board.

#### **(12) APPROVAL OF MINUTES**

Director Skillman moved to approve the regular open session minutes of June 14, 2016 as written. Director Lydick seconded the motion. By a vote of 8-0-1 (Director English abstained) the motion carried.

Director Skillman moved to approve the Special Board meeting minutes of July 6, 2016 and the Special All Boards meeting minutes of July 6, 2016 as written. Director Lydick seconded the motion. By a vote of 7-0-1 (Director English abstained; Director LaBarge was absent for the vote) the motion carried.

#### **(13) CONSENT CALENDAR**

Director Lydick moved to approve the Consent Calendar as written. Director Chang seconded the motion. By a vote of 9-0-0 (Director LaBarge was absent for the vote) the motion carried and approved the following:

**Maintenance and Construction Committee Recommendations:**

#### **RESOLUTION 01-16-54**

**Variance Request**

**RESOLVED**, July 12, 2016, that the variance request of Benjamin Shavitto, to install a front patio enclosure at Manor 318-A, is hereby approved; and

**RESOLVED FURTHER**, all costs and maintenance of the alteration, present and future, are the responsibility of the Mutual member(s) at 318-A; and

**RESOLVED FURTHER**, all required Mutual and City of Laguna Woods permits must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations office located in the Laguna Woods Community Center; 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 01-16-55**

##### **Variance Request**

**RESOLVED**, July 12, 2016, that the variance request of Allison Holt, David and Nancy Moore, to retain the white vinyl sliding glass entry door at Manor 348-D, is hereby approved; and

**RESOLVED FURTHER**, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 348-D; and

**RESOLVED FURTHER**, a required Mutual Consent for Manor Alteration(s) and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center; and

**RESOLVED FURTHER**, Mutual Consent and City permits must be initiated prior to manor transfer and within 6 months of the Board's approval; and

**RESOLVED FURTHER**, the Member will be noticed for a hearing due to the rules violation; 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 01-16-56**

##### **Variance Request**

**RESOLVED**, July 12, 2016, that the variance request of Carol Wilmington, to retain the bay window that has been installed in the kitchen at Manor 480-A, is hereby approved; and

**RESOLVED FURTHER**, all future costs and maintenance associated with the subject alteration are the responsibility of the Mutual member at Manor 480-A; 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 Manor Alterations office located in the Laguna Woods Village Community Center; and

**RESOLVED FURTHER**, the Member will be noticed for a hearing due to the rules violation; 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 01-16-57**

**Variance Request**

**RESOLVED**, July 12, 2016, that the variance request of Louis Piso, to remove the balcony room addition and install a built-in storage closet and wrought iron railing at Manor 895-D, is hereby approved; and

**RESOLVED FURTHER**, all costs for installation, repair, and maintenance associated with the subject alterations are the responsibility of the Mutual Member(s) at 895-D; and

**RESOLVED FURTHER**, a required building permit must be obtained from the City of Laguna Woods and a Mutual Consent for Manor Alterations must be obtained through the Manor Alterations Department Office located in the Laguna Woods Village Community Center; and

**RESOLVED FURTHER**, the wrought iron railing must be installed as per United Mutual Standard Section 16: Fences Wrought Iron; and

**RESOLVED FURTHER**, Mutual Consent and City permits must be initiated prior to manor transfer and within 6 months of the Board's approval; 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 01-16-58**

**Variance Request**

**RESOLVED**, July 12, 2016, that the variance request of Tim and Esther Yuen, to install a powder room in the bedroom at Manor 2149-D, is hereby approved; and

**RESOLVED FURTHER**, all costs and maintenance of the alterations, present and future, are the responsibility of the Mutual member(s) at 2149-D; and

**RESOLVED FURTHER**, a required Mutual Consent and City of Laguna Woods permit must be obtained and the City of Laguna Woods permit number(s) and proof of completion, as evidenced by the final inspection signature, must be submitted to the Mutual through the Manor Alterations Department located in Laguna Woods Village Community Center; and

**RESOLVED FURTHER**, Mutual Consent and City permits must be initiated prior to manor transfer and within 6 months of the Board's approval; 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 01-16-59**

**Variance Request**

**RESOLVED**, May 10, 2016, that the request of Gholamreza Keihany Yazdy, for monetary compensation for reimbursement of HOA fees and loss of rent at Manor 664-A, is hereby denied; and

**RESOLVED FURTHER**, the denial is due to HOA Fees and loss of use of the manor are not included in the damage restoration reimbursement in accordance with the Mutual's current practice of reimbursing for qualified damage restoration; 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.

**13b Landscape Committee Recommendations:**

- |        |  |
|--------|--|
| 276-A  | Deny request for tree root removal                 |
| 736-C  | Approve request for tree removal at Mutual expense |
| 2049-E | Approve request for tree removal at Mutual expense |

Various Approve allowing the Landscape Division to work with JCI to trim and/or remove trees and large shrubs as necessary to prevent shading of solar panels

**13c Finance Committee Recommendations:**

**RESOLUTION 01-16-60**

**Recording of a Lien**

**WHEREAS**, Member ID 947-380-05 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-380-05; 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 01-16-61**

**Recording of a Lien**

**WHEREAS**, Member ID 947-380-21 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-380-21; 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 01-16-62**

**Recording of a Lien**

**WHEREAS**, Member ID 947-379-70 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-379-70; 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 01-16-63**

**Recording of a Lien**

**WHEREAS**, Member ID 947-388-13 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-388-13; 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 01-16-64**

**Recording of a Lien**

**WHEREAS**, Member ID 947-442-65 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-442-65; 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 01-16-65**

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

**WHEREAS**, Member ID 947-451-20 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-451-20; 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 01-16-66**

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

**WHEREAS**, Member ID 947-368-09 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-368-09; 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 01-16-67**

**Recording of a Lien**

**WHEREAS**, Member ID 947-368-54 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-368-54; 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 01-16-68**

**Recording of a Lien**

**WHEREAS**, Member ID 947-366-61 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-366-61; 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 01-16-69**

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

**WHEREAS**, Member ID 947-400-14 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 12, 2016, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-400-14; 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.

### **COMMITTEE REPORTS**

#### **(14) Finance Report**

Director Pat English reported from the Finance Committee, gave a United Mutual financial update, and commented on the Resale Activities Report.

#### **(15) Maintenance and Construction Committee**

Director Tibbetts reported from the Maintenance and Construction Committee.

#### **(16) Energy Committee**

Director Bassler reported from the Energy Committee stating that no meeting was held.

#### **(17) Landscape Committee**

Director Lydick reported from the Landscape Committee.

#### **(18) Governing Documents Review Committee**

Director Skillman reported from the Governing Documents Review Committee stating that no meeting was held.

#### **(19) Laguna Woods Village Traffic Hearings**

Director Skillman reported from the Laguna Woods Village Traffic Hearings.

**(20) Report on Disciplinary Cases**

Director Sirkel reported on the Disciplinary cases.

**(21) UNFINISHED BUSINESS**

**21a Entertain Motion to Approve Revisions to the GRF Committee Appointments**

Secretary of the Board, Director Juanita Skillman, read the following proposed resolution approving revisions to the GRF Committee Appointments:

**RESOLUTION 01-16-70**

**Golden Rain Foundation Committee Appointments**

**RESOLVED**, July 12, 2016, 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**

Pat English  
Lenny Ross

**Clubhouse 2 Renovation Ad Hoc Committee**

Jack Bassler  
~~Ken Hammer~~  
***Pat English***

**Community Activities**

Jan LaBarge  
Tom Sirkel

**Energy Committee**

Jack Bassler  
~~Ken Hammer~~  
***Eva Lydick***

**Finance**

Pat English  
Lenny Ross

**Financial Reporting Study Group**

Pat English  
Lenny Ross

**Landscape Committee**

Eva Lydick

~~Jan LaBarge~~  
**Juanita Skillman**

**Maintenance & Construction**

Jack Bassler  
Don Tibbetts

**Media and Communications Committee**

Jan LaBarge  
Juanita Skillman

**Mobility and Vehicles Committee**

Ming Lee Chang  
~~Jan LaBarge~~  
**Eva Lydick**

**Security and Community Access**

Ming Lee Chang  
Tom Sirkel

**Town Hall Meetings**

Per Rotation

**RESOLVED FURTHER**, that Resolution 01-16-11, adopted January 12, 2016, is hereby superseded and cancelled.

**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 Skillman moved to approve the resolution. Director Lydick seconded the motion. By a vote of 10-0-0 the motion carried the motion carried and the Board approved the resolution as written.

**(21b) Entertain Motion to Approve Revisions to the Mutual Committee Appointments**

Secretary of the Board, Director Juanita Skillman, read the following proposed resolution approving the United Mutual Committee Appointments:

**RESOLUTION 01-16-71**

**United Laguna Woods Mutual Committee Appointments**

**RESOLVED**, July 12, 2016, that the following persons are hereby appointed to serve the Corporation in the following capacities:

**Energy Committee**

~~Jack Bassler, Chair~~

***Eva Lydick, Chair***

Don Tibbetts, Vice Chair

~~Ken Hammer~~

Barbara Copley

Ming Lee Chang

Non-voting Advisors: Doug Rook, Steve Leonard

**Executive Hearings Committee**

Juanita Skillman, Chair

~~Ken Hammer~~

***Barbara Copley***

Lenny Ross

**Finance Committee**

Pat English, Chair

Juanita Skillman, Vice Chair

Lenny Ross

Eva Lydick

Ming Lee Chang

Non-voting Advisors: TBD

**Governing Documents Review Committee**

Juanita Skillman, Chair

Barbara Copley, Vice Chair

Ming-Lee Chang

Non-voting Advisor: Bevan Strom, Mary Stone

**Laguna Canyon Foundation**

TBD

**Laguna Woods Village Traffic Hearings**

~~Ken Hammer~~

***Jack Bassler – Morning***

***Juanita Skillman - Afternoon***

**Landscape Committee**

Eva Lydick, Chair

Juanita Skillman, Vice Chair

Ming Lee Chang

Barbara Copley

Non-voting Advisors: Pamela Grundke, Paula Minnehan

**Maintenance and Construction Committee**

Don Tibbetts, Chair

Jack Bassler, Vice Chair

Ming Lee Chang

Jan LaBarge  
Eva Lydick  
Non-voting Advisor: Janey Dorrell

**New Resident Orientation**

Per Rotation List

**Parking Committee**

~~Ken Hammer, Chair  
Eva Lydick, Vice Chair  
Tom Sirkel  
Non-voting Advisor: Bevan Strom~~

**Paint Committee**

Juanita Skillman, Chair  
Jan LaBarge, Vice Chair  
Barbara Copley  
Non-voting Advisors: Kay Anderson, Pamela Grundke, ~~Susie Swain, Jerren  
Auble~~

**Resident Advisory Committee**

Juanita Skillman  
Barbara Copley  
Non-voting Advisors: Paula Minnehan, Kay Anderson

**RESOLVED FURTHER**, that Resolution 01-16-31, adopted April 12, 2016 is hereby superseded and canceled.

**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 Skillman moved to approve resolution as amended. Director Dorrell seconded the motion. Discussion ensued.

Members Paula Minnehan (65-H) and Dick Rader (270-D) commented on the resolution.

By a vote of 10-0-0 the motion carried and the Board approved the resolution as amended.

**(22) NEW BUSINESS**

**(22a) Motion to Approve Revisions to the Land Use Policy**

Secretary of the Board, Director Juanita Skillman, read the following proposed resolution approving revisions to the Land Use Policy:

**LAND USE ALTERATION POLICY**

**ADOPTED APRIL 2002, RESOLUTION U-02-46**

**REVISED NOVEMBER 2002, RESOLUTION U-02-155  
REVISED APRIL 2004, RESOLUTION 01-04-54  
REVISED MAY 2007, RESOLUTION 01-07-45  
REVISED MAY 2008, RESOLUTION 01-08-73**

**REVISED \_\_\_\_\_, 2016, RESOLUTION XX-XX-XX**

**WHEREAS**, members have expressed a desire to perform alterations to improve their manors; and

**WHEREAS**, the Maintenance and Construction committee recommends that the Board of Directors of United Laguna Woods Mutual ("Board") establish policies and procedures for the construction of any alterations, additions and expansions; and

**WHEREAS**, the Board has been advised by corporate legal counsel of its fiduciary duty to preserve open common area owned by the Corporation for the benefit of all its members, as well as its fiduciary duty to protect and preserve the value, desirability and attractiveness of the Corporation's property; and

**WHEREAS**, the Board has been further advised by corporate legal counsel that the law limits its authority to grant to any member the exclusive use of any portion of the common area, i.e., property outside a manor, without a vote of at least sixty-seven percent (67%) of all members, unless the grant is to, among other things, transfer the burden of management and maintenance of any common area that is generally inaccessible and not of general use to the membership at large (Civil Code Section 4600(b)(3)(E)); and

**WHEREAS**, the Board wishes to adopt a Land Use Alteration Policy that complies with Civil Code Section 4600; and

**WHEREAS**, the original manor footprint shall be defined in this policy as the original construction, including atriums, balconies, and patios, and all property outside the furthest point of any such areas is common area; and

**WHEREAS**, the Board finds that allowing members in certain manors to expand their manor beyond the original construction onto open common area owned by the Corporation could impact property values of the Corporation; and

**WHEREAS**, the Board desires to provide direction and guidance to current and future Board members and members of United with respect to Land Use, and this resolution contemplates land owned by the Corporation;

**NOW THEREFORE BE IT RESOLVED**, September 13, 2016, that Resolution 01-08-73 is hereby superseded and cancelled; and

**BE IT FURTHER RESOLVED**, that the following resolution, 01-16-XX is adopted by the Board:

1. Alterations within the manor footprint, based on original architectural plans, to enclose patios, atrioms and balconies may be constructed with prior written approval of the Board and the City of Laguna Woods, where required.
2. Alterations, additions and expansions (“Modifications”) beyond the manor footprint, not exceeding ten percent (10%) of the total square feet of the manor or 100 square feet (whichever is greater), both lifetime total, which require the grant of exclusive use common area, may be constructed with prior written approval of the Board, as set forth herein.
3. Members requesting approval of a Modification requiring a grant of exclusive use common area must present reasonably detailed plans and elevations of the proposed Modification to the United Maintenance and Constructions Committee. Such Modifications may be denied for, among other things, inadequate plans or elevations, architectural and/or aesthetic incompatibility, or proximity of sidewalks, landscaping, trees or other constraints.
4. The requesting Member shall pay for all costs associated with the Modification, including, without limitation, the cost of permits and all exterior modifications, as well as a one-time fee of \$1,000 paid to United Mutual to defray the costs of processing the application and reviewing the plans and elevations of proposed Modifications.
5. The requesting Member shall notify neighbors adjacent to, or who may be affected by, the Modification, in writing, prior to any approval by the Maintenance and Construction Committee. In the event a manor is vacant, the requesting Member must make a reasonable attempt to communicate with the neighbor and/or affected Member.
6. The requesting Member shall agree, pursuant to a written agreement, provided in a form by United, to bear the burden of the installation, maintenance and management of the Modification, including insuring same, as well as the burden of maintenance and repair of the area unto which the Modification is installed, referred to as the exclusive use common area, and to agree, among other things, to defend and indemnify United and its officers, directors, members and agents from any claims, demands, costs, judgments or the like in any way arising from the Modification.

7. Alterations made to manors before the effective date of this new policy shall be grandfathered in and, therefore, may be permitted to remain, irrespective of the terms and conditions of this policy.

8. This policy has been reviewed and approved by legal counsel, prior to adoption by the Board.

9. The Board of Directors shall approve or deny usage of open common area when considering a proposed Modification for patio extensions, enclosures on extended patios, room additions, and any other usage of open common area utilizing the following Criteria for Consideration of Land Use ("Land Use Criteria"):

a. The proposed Modification must comply with all United and City architectural and building guidelines and requirements, whether the proposed alteration is wholly or partially on open area.

b. The Board may consider, in its reasonable discretion, whether such request is to transfer to a member the burden of management and maintenance of any open common area that is generally inaccessible and is not of general use to the other members of United Mutual. With respect to determining whether the open common area is "generally inaccessible and is not of general use to the other members" the Board may consider, among other things, whether the proposed area of alteration can only be reasonably accessed through or benefit the subject manor.

c. The location of the proposed Modification should be such that it would not prevent a resident of a neighboring manor from also performing such an alteration.

10. Based on the Board's findings, it may consider the following factors are present, among others, prior to approving any Modification that will include an enclosure or will otherwise encroach onto open common area:

a. The Modification is consistent with the architectural aesthetics and integrity of the community.

b. The Modification does not unreasonably obstruct a neighboring manor's view, as determined by the Board, in its sole discretion.

c. The Modification does not impede ingress or egress of other members onto adjacent open common area or impede maintenance staff from going into or across the open area.

**RESOLVED FURTHER**, the Board, when reviewing applications for approval or disapproval of Modifications, shall consider the specific facts and circumstances unique for each application; 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 Skillman moved to approve postponement of resolution for 30 days to comply with Civil Code. Director Tibbetts seconded the motion. Discussion ensued.

Members Mary Stone (356-C), Roberta Berk (933-B), Dick Rader (270-D), Donald Colson (807-D), Maxine McIntosh (68-C), Andre Torng (389-Q), Pamela Grundke (2214-B) and Maggie Blackwell (71-D) commented on the resolution.

By a vote of 5-5-0 (Directors LaBarge, Copley, Chang, Lydick and Dorrell opposed; Director Bassler was absent for the vote) the motion failed.

**(23) GRF COMMITTEE HIGHLIGHTS**

Directors provided brief highlights from GRF Committees.

**(24) DIRECTORS' FORUM**

The Directors made final comments.

**(25) MEETING RECESS**

The Regular Open Session Meeting recessed for lunch at 12:50 PM and reconvened into the Regular Executive Session at 1:30 PM.

**ADJOURNMENT**

With no further business before the Board of Directors, the meeting was adjourned at 4:50 PM.

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Juanita Skillman, Secretary  
United Laguna Woods Mutual

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

During the June 14, 2016 Regular Executive Session meeting, the Board reviewed and approved the minutes of May 10, 2016, Regular Executive Session, the May 24, 2016, Special Executive Session and the May 26, 2016, Regular Executive Hearing Committee minutes; approved three (3) hearing requests; approved I Recording of a Lien; held three (3) disciplinary hearings and imposed \$200 in fines for violations of the Mutual's rules and regulations; discussed the delinquency report; discussed and considered numerous Member disciplinary matters; discussed Land Use with Counsel; discussed Sub-leasing with Counsel; discussed Status of Pending Legislation - Assembly Bills 1720 & 1799 with Counsel;

discussed Board Directors responsibilities on Committees; discussed private lenders in United Mutual with Counsel; discussed HUD Guidance letter with Counsel; discussed personnel matters; discussed and considered Membership and Occupancy matters; discussed and considered contractual matters; and discussed and considered litigation matters.

During the June 6, 2016, Special Executive Board meeting, the Board discussed and considered VMS Inc. Bylaws.

During the June 13, 2016, June 22, 2016, June 27, 2016, June 28, 2016, and June 30, 2016 Special Executive Board meetings the Board discussed contractual matters.

During the June 23, 2016, Special Executive Emergency Board meeting, the Board discussed and considered contractual matters.