

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

**January 10, 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, December 13, 2016, at 9:30 AM at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Lenny Ross, Juanita Skillman, Don Tibbetts, Jan LaBarge, Janey Dorrell (via phone conference), Pat English, Steve Leonard, Maggie Blackwell, Andre Torng, Gary Morrison, Prakash (Cash) Achrekar

Directors Absent: Janey Dorrell (Executive Session Only)

Staff Present: Open Session: Brad Hudson, Lori Moss, Kim Taylor, Leslie Cameron, Betty Parker  
Executive Session: Brad Hudson, Lori Moss, Leslie Cameron, Francis Rangel, Jacob Huanosto

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 9:31 AM.

**(2) PLEDGE OF ALLEGIANCE**

Director Maggie Blackwell led the Pledge of Allegiance to the Flag.

**(3) ACKNOWLEDGEMENT OF MEDIA**

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

**(4) APPROVAL OF AGENDA**

Director Torng moved to approve the agenda as written. Director Leonard seconded the motion. By a vote of 9-0-0 the motion carried.

**(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.

- Director Mary Stone (356-C) commented on her manor being painted today and wanted to thank United for being appointed to the VMS Board and hoped to hear concerns to hear any concerns from the Board.
- The Laguna Woods Foundation thanked the Board, the Social Services Department and the Clubs for their support of the Laguna Woods Foundation.

- Maryalice Rey (2146-B) commented on December 29, 2016 'Letters to the Editor' that contained help and suggestions for self-management, a one year review and commented on GRF services and amenities.
- Rader (270-D) commented on the television program called This Day.

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

United Mutual Directors briefly responded to Member Comments. Staff will reach out to Maryalice Rey to address her concerns.

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

President Lenny Ross commented on Ms. Taylor's resignation and the phenomenal help she has given to the Boards. The Solar Program, hot water heaters, and electric water heaters are all coming to a completion. Once the solar is turned on the program can then be paid back in 7-8 yrs. President Ross commented on the Traffic Hearings held within the community. When a Resident receives a fine there is an opportunity for that Resident to come into the traffic hearing and plead their case. President Ross stressed the importance of driving safely in the community and adhering to traffic rules. January 26, 2017 is the All Boards training meeting which will include Mr. Beaumont, Esq., who will speak to the Directors of all boards about legal etiquette. A presentation by Ms. Betty Parker, Financial Services Director, will give a presentation on how finance works within the Community. Brad will give a presentation on how the boards can work together and how staff can provide the best services for the residents.

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

Brad Hudson, CEO President, welcomed Director Prakash (Cash) Achrekar to the first board meeting and Ms. Leslie Cameron as the interim Corporate Secretary after Ms. Taylor's departure. Mr. Hudson spoke towards customer service calls and the implementation of voluntary staff during the holidays. Bus services were available to residents for transportation to all holiday events. A Town hall for TV-6 programming is scheduled in the board room where residents will be able to discuss the programming they would like to see. The new cable package has allowed for lower Cable costs with 60 plus HD channels. Residents are encouraged to call and hear the new cable packages and pricing. Grass will not be mowed this week as grass needs to be dried out before mowing occurs. Residents should receive their 2017 RIFD sticker in the mail. Gates 5 and 6 have been running for a few days now and has been monitored through video. Compliments were given to staff on the technological challenge, gate ambassadors for properly manning the gates and the residents (Community) who have adapted to the new gates. An old garage has been turned into a Par 3 lounge for golfers to relax and hang out in. The Downstairs fitness center will be completed by mid-February which will clear up the third floor for a state of the art customer service call center. Gate 3 is currently being worked on and problems, landscaping specifically, are being addressed in the area.

#### **(9) Update from VMS Director – Director Anthony Liberatore (move before Report of CEO)**

Director Anthony Liberatore, of Village Management Services, Inc. (VMS) gave a VMS report and Mary Stone was welcomed as the new appointee. Director Liberatore Interpreted what a

deliverable is and how it is mandated by VMS to deliver products and services to the 3 corporations. He invited Board Members to discuss the deliverables with VMS. The deliverables have been taken out of the management agreements and put in a service format. A chart has been created by Director Parsons showing the deliverables with specific columns clarifying details of each deliverable. Ms. Moss, Community Manager, implemented a strategic plan that is accessible for all Directors in regards to customer service.

Ms. Moss spoke about the Bus Buddies training at 1:30 p.m. in Clubhouse 1 on January 12, 2017 and invited the community to come out and participate. A number was provided for contact information (949)597-4662.

Mr. Hudson spoke towards a new route schedule and the slight changes that are being implemented in regards to driver and rider input. Residents can call the transportation number and express ideas and concerns for the bus transportation.

Director Skillman encouraged all Directors to come to the Bus Buddy meeting to become informed and help answer questions.

Director Achrekar thanked the Board for electing him onto the Board and Brad for welcoming him. First goal for the year is service in the community.

Director Leonard commented on the bus system and the communication used for efficiency and the improvements coming to the routes.

President Ross invited everyone to the United meeting in the afternoon on January 26, 2017 following the All Board Training. President Ross thanked staff and Mr. Hudson for the extra clean up during the storms and addressing the damage caused by the storms.

#### **(10) APPROVAL OF MINUTES**

Director Skillman moved to approve the Regular minutes of December 13, 2016, the Special minutes of December 2, 2016 and the Special minutes of December 20, 2016 as written. Director Morrison seconded the motion. By a vote of 9-0-0 the motion carried.

#### **(11) CONSENT CALENDAR**

Director Tibbets moved to approve the Consent Calendar as written. Director LaBarge seconded the motion. By a vote of 10-0-0 the motion carried.

#### **(a) Maintenance and Construction Committee Recommendations:**

#### **RESOLUTION 01-17-01**

#### **Variance Request**

**RESOLVED**, January 10, 2017, that the variance request of Suk Soo Kim of Manor 360-A, to install room addition by entry, 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 360-A Avenida Castilla; and

**RESOLVED FURTHER**, a required Mutual Consent for Manor Alterations 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**, Unit-specific plans depicting the proposed alterations, signed and wet-stamped by a California-licensed architect or engineer must be submitted to the Manor Alterations Department 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 front room addition; and

**RESOLVED FURTHER**, Neighbor Awareness Forms are not required as the alterations will be installed within a gated and limited access front patio, therefore not visible to neighboring Manors; and

**RESOLVED FURTHER**, the room addition must be installed in accordance with United Laguna Woods Mutual Standards Section 6: Air Conditioning, Section 11: Doors, Exterior, Section 24: Skylight, Section 25: Tubular Skylight (Solar Tubes), and Section 31: Window and Window Attachments; and

**RESOLVED FURTHER**, the room addition is prohibited from containing a closet; 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 01-17-02**

#### **Variance Request**

**RESOLVED**, January 10, 2017, that the variance request of Suk Soo Kim of Manor 360-A to install a nonstandard window in the living room, is hereby denied; and

**RESOLVED FURTHER**, the denial is due to the finding that the proposed alteration fails to follow Mutual Standard; 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 01-17-03**

**Variance Request**

**RESOLVED**, January 10, 2017, that the variance request of Suk Soo Kim of Manor 360-A to replace common area brick sidewalk with concrete slab, is hereby denied; and

**RESOLVED FURTHER**, the denial is due to the finding that the proposed alteration fails to follow Mutual Standard; and

**RESOLVED FURTHER**, The Members are required to remove the brick sidewalk within 30 days of the Board's decision; and

**RESOLVED FURTHER**, The Members will be noticed for a disciplinary hearing due to the rule 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 01-17-04**

**Variance Request**

**RESOLVED**, January 10, 2017, that the variance request of Sandra Smith of Manor 172-D, to install nonstandard window in living room, 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 172-D Avenida Majorca; and

**RESOLVED FURTHER**, a required Mutual Consent for Manor Alterations 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**, detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits

and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions; and

**RESOLVED FURTHER**, Neighborhood Awareness Forms received from Manors 171-C Avenida Majorca and 172-D Avenida Majorca; and

**RESOLVED FURTHER**, the window(s) must be installed in accordance with United Laguna Woods Mutual Standard Section 31: Window and Window Attachments; 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 01-17-05**

##### **Variance Request**

**RESOLVED**, January 10, 2017, that the variance request of James and Kathleen Mathews of Manor 500-C, to install electrical vehicle charging station in carport, 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 500-C Avenida Sevilla; 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 Permits and Inspections office located in the Laguna Woods Community Center; and

**RESOLVED FURTHER**, detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions; and

**RESOLVED FURTHER**, the electric charging station must be installed in accordance with United Laguna Woods Mutual Standard Section 41: Electric Vehicle Charging Station; 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.

**(b) Landscape Committee Recommendations:**

None

**(c) Finance Committee Recommendations:**

**RESOLUTION 01-17-06**

**Recording of a Lien**

**WHEREAS**, Member ID 947-413-22 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**, January 10, 2017, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-413-22; 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 01-17-07**

**Recording of a Lien**

**WHEREAS**, Member ID 947-405-86 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**, January 10, 2017, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-405-86; 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 01-17-08**

**Recording of a Lien**

**WHEREAS**, Member ID 947-455-38 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**, January 10, 2017, that the Board of Directors hereby approves the recording of a Lien for Member ID 947-455-38; 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 the resolution and postpone the resolution to the February meeting to satisfy the 30-day notification requirement, to comply with Civil Code §4360. Director Blackwell seconded the motion. Discussion ensued.

**RESOLUTION 01-17-09**

**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**, January 10, 2017, 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.

## **COMMITTEE REPORTS**

### **(12a-c) Finance Report**

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

### **(12d) Entertain Motion to Approve an Additional Occupant Fee in the Amount of \$90 for Each Additional Occupant Over Two – Resolution (initial notification – must postpone to February to conform to the 30 day notification requirement)**

Secretary of the Board, Director Juanita Skillman, read the following proposed resolution approving revisions to the Additional Occupant Fee:

#### **RESOLUTION 01-17-XX**

**WHEREAS**, the basic assessment for United Laguna Woods Mutual is divided equally by the number of units in the Mutual, regardless of how many individuals occupy a unit; and

**WHEREAS**, the Mutual desires to recover incremental operating expenses, such as utilities and maintenance, incurred as a result of additional occupants; and

**WHEREAS**, an additional occupant fee will be calculated annually at 25% of the Total Basic Assessment (excluding property tax, property insurance, and GRF amounts), rounded to the nearest whole dollar; and

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors of this Corporation hereby approves charging an Additional Occupant Fee in the amount of \$90 per manor per month for each additional occupant over two, effective April 1, 2017; and

**RESOLVED FURTHER**, that such fee shall be reflected on the Fee Schedule; 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 English moved to approve the resolution and postpone the resolution to the February meeting to satisfy the 30-day notification requirement, to comply with Civil Code §4360. Director Morrison seconded the motion. Discussion ensued. Questions were asked by the Board, and addressed by the Board and Ms. Parker, Financial Services Director.

Member Dick Rader (270-D) and Barbara Copley (410-D) commented on the resolution.

By a vote of 8-0-2 (President Ross and Director Achrekar abstained) the motion carried.

(e) Entertain motion to approve revisions to Deactivation of Cable Services at a Delinquent Member's (Shareholder's) Unit – **Resolution (initial notification – must postpone to February to conform to the 30 day notification requirement)**

Secretary of the Board, Director Juanita Skillman, read the following proposed resolution approving revisions to the Deactivation of Cable Service at a Delinquent Member's (Shareholder's) Unit Policy:

### **RESOLUTION 01-17-XX**

#### **Deactivation of Cable Service at a Delinquent Member's (Shareholder's) Unit**

**WHEREAS**, United Laguna Woods Mutual desires to strengthen delinquency collection procedures; and

**WHEREAS**, the Collection and Lien Enforcement Policy And Procedures For Assessment Delinquencies states "Until the Shareholder has paid all amounts due, including delinquent assessments, late charges, interest and fees and costs of collection, including attorneys' fees, the Board of Directors may suspend the Shareholder's right to vote, and suspend the Shareholder's right to use United's recreational facilities and/or the facilities or services provided by the Golden Rain Foundation of Laguna Woods after providing the Shareholder with a duly noticed hearing pursuant to Civil Code Section 5855"; and

**WHEREAS**, the GRF Board adopted Resolution 90-15-09 which authorizes GRF, at the request of the Mutual, to take disciplinary or suspension action against a Mutual Member which includes, but is not limited to, the suspension of the Mutual Member's right to use the cable TV system; and

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors hereby approves deactivation of cable service at a delinquent Member's unit when an assessment amount is 60 days or more past due and after providing the Member with an opportunity to be heard, except when a Member's payment plan is approved by the Board and remains current; and

**RESOLVED FURTHER**, that Resolution 01-15-61, adopted May 12, 2015, 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 the purpose of this resolution.

Director Skillman moved to endorse the resolution and postpone final vote on the resolution to the February meeting to satisfy the 30-day notification requirement, to comply with Civil Code §4360. Director Leonard seconded the motion. Discussion ensued.

By a vote of 10-0-0 the motion carried.

**(13) Maintenance and Construction Committee**

Director Tibbetts reported from the Maintenance and Construction Committee. Discussion ensued and questions were addressed.

**(a) Authorize Staff to Correct the Monterey Style Buildings Classification from a 1 Bedroom Plus a Den to a 2 Bedroom Unit for Manors with Original Construction Only.**

Director Leonard moved to approve and Authorize Staff to Correct the Monterey Style Buildings Classification from a 1 Bedroom Plus a Den to a 2 Bedroom Unit for Manors with Original Construction Only. Director English seconded the motion.

Member Barbara Copley (410-D) commented on the Monterey Style Bedrooms.

By a vote of 8-0-1 (*Director LaBarge abstained; Director Dorrell did not vote*) the motion carried.

Pictures were presented on TV-6 exhibiting the completion of the solar panels that have been installed on the roofs of United Mutual carports.

**(14) Landscape Committee**

Director Maggie Blackwell reported from the Landscape Committee.

**(15) Governing Documents Review Committee**

Director Skillman reported from the Governing Documents Review Committee. Director Skillman reminded Residents and the Board that a 30 day notice is required when selling your share/unit and United Mutual has right to first refusal. The Committee is working to update the Bylaws by simplifying the language and bringing the legal codes and statutes up to date.

**(15a) Entertain Motion to Approve the United Mutual Non-Smoking Policy – Resolution (initial notification – must postpone to February to conform to the 30 day notification requirement)**

Secretary of the Board, Director Juanita Skillman, read the following resolution approving the United Mutual Non-Smoking Policy:

**RESOLUTION 01-17-XX**

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

**WHEREAS**, United Laguna Woods Mutual has received numerous complaints from various residents concerning odors and annoyance in and around manors caused from residents second-hand smoke and smoke infiltration;

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors of this Corporation hereby adopts the "Non-Smoking Policy," as attached to the official minutes of this meeting; 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.

Director Skillman moved to approve the resolution and postpone the resolution to the February meeting to satisfy the 30-day notification requirement, to comply with Civil Code §4360. Director LaBarge seconded the motion. Discussion ensued.

By a vote of 9-0-0 (Director Dorrell did not vote) the motion carried.

**(16) Report of the Communications Committee – Jan LaBarge**

Director LaBarge reported from the Communications Committee. A video from the Christmas dinner was shown on TV-6 and Director LaBarge thanked all of the Directors and Staff for helping to create a successful event for the Residents.

Director Blackwell read the Charter for the Communications Committee.

**(17) Laguna Woods Village Traffic Hearings**

Director Tibbetts reported from the Laguna Woods Village Traffic Hearings.

**(18) Report on Disciplinary Cases**

President Lenny Ross provided an update on the Disciplinary cases.

**(19) UNFINISHED BUSINESS**

**(a) Discuss Holding a Town Hall Meeting on Land Use**

President Ross commented on sending out a poll to the community for a yes or no vote for the Common Area Land Use. Discussion Ensued.

Mr. Beaumont, Esq., Corporate Counsel, recommended that he be present at the Town Hall Meeting for legal issues. Mr. Beaumont, Esq. will be able to inform the board and residents of the previous Board issues as this has been an ongoing topic.

Director Skillman clarified that we are not giving away land and that United still owns it.

Dick Rader (270-D) and Barbara Copley (410-D) commented on Common Area Land Use.

A motion was made by Director LaBarge to hold a town hall meeting to let the Community discuss the pros and cons of the Common Area Land Use. Director Torng seconded the motion. Discussion ensued and an amendment to the motion was made by Director English to include Mr. Beaumont, Esq., in the Town Hall Meeting. Director Torng seconded. By a vote 6-2-0 (Skillman and Morrison opposed) the amendment carried.

By a vote of 6-5-0 (Director's Skillman, Tibbets, Morrison, Achrekar, Leonard opposed) the motion carried to hold a Town Hall Meeting for Common Area Land Use issues.

## **(20) NEW BUSINESS**

### **(a) Discuss Training, Goals, and Objectives**

Nor further discussion was held as the topic was discussed in Chair's Comments.

### **(b) Discuss GRF Solar Program**

Director Leonard commented that GRF has decided to apply for two of the state grant categories. Discussion ensued.

### **(c) Discuss Response Procedure to Letters Addressed to the Board of Directors**

Ms. Moss commented that the accessibility to check the status of letters addressed to the Board of Directors is about one to two months out.

Director Torng commented that it would be nice for residents to be able to check the status of their letters they sent as well.

## **(21) GRF COMMITTEE HIGHLIGHTS**

Director LaBarge and Director Skillman reported on the Communications Committee.

## **(22) DIRECTOR'S FORUM**

Director Achrekar inquired on the finance report Slide 2 Funds Column. Director English will explain it to him offline.

Director Labarge gave thanks in support of the 2016 Annual Holiday Dinner to the following; Mr. Beaumont, Esq., of Beaumont Gitlin Tashjia, for their generous donation, Scott Marvel for his video of the event, all of the volunteers, ticket services, Ms. Moss and Mr. Gruner for the room, Mr. Hudson for the gift certificates, the Transportation Department and bus drivers for bringing guests to and from the event and the community for showing up and wished everyone a Happy a New Year.

Director Skillman reminded residents of the Resident Advisory Committee which is held on the Thursday at 3:00 P.M. for residents who wish to discuss their concerns.

**(23) MEETING RECESS**

The Regular Open Session Meeting recessed for lunch at 1:06 PM and reconvened into the Regular Executive Session at 1:49 PM.

**ADJOURNMENT**

With no further business before the Board of Directors, the meeting was adjourned at 4:55 PM.

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

During the December 13, 2016, Regular Executive Session meeting, the Board reviewed and approved the minutes of November 8, 2016 – Regular Executive Session; the Board held no Disciplinary Hearings; discussed and considered numerous Member Disciplinary matters; discussed and considered Member Requests; discussed Personnel matters; discussed and considered Membership and Occupancy matters; discussed and considered Contractual matters; and discussed and considered Litigation matters; discussed recording of a notice of sale for three units.

---

Juanita Skillman, Secretary  
United Laguna Woods Mutual

## **Non-Smoking Policy**

Adopted Month, Day, 2017

Resolution 01-17-XX

### **I. Purpose**

The purpose of this document is to define the policies of United Laguna Woods Mutual (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 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 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 useable by more than one residence.
- d. Balconies and patios in residential facilities. For the purpose of this policy, balconies and patios 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 and parking areas.
- 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 with open windows and/or doors.
- i. Smoking marijuana is only permitted inside a residence.

#### **IV. 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.

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.

Per Resolution 01-08-21, adopted February 12, 2018,, the following guidelines define the responsibility for remediation costs associated with second-hand smoke infiltration:

- a. Remediation costs considered reasonable would be paid for by the Member responsible for the second-hand smoke.
- b. Remediation costs due to defects or damages to property which is ULWM responsibility would be paid for by ULWM.
- c. 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