

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

**March 11, 2008**

The Regular Meeting of the Board of Directors of United Laguna Hills Mutual, a California Non-Profit Mutual Benefit Corporation, met on Tuesday March 11, 2008, at 9:30 A.M. at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Beth O'Brien, Jan McLaughlin, Linda Wilson, Bevan Strom, John Dalis, Marty Rubin, Mary Stone, Maxine McIntosh, Jim McNulty, Lloyd Foster, Burns Nugent

Directors Absent: None

Others Present: Milt Johns, Patty Fox, Janet Price (11:02 AM – 11:15 AM)  
*Executive Session:* Milt Johns, Patty Fox, Pamela Bashline

**CALL TO ORDER**

Beth O'Brien, President and Chair of the Board, 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.

A moment of silence was held to honor the US Troops serving our country and those placed in harm's way.

**PLEDGE OF ALLEGIANCE**

Director Lloyd Foster led the Pledge of Allegiance to the Flag.

**ACKNOWLEDGEMENT OF PRESS**

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

**APPROVAL OF AGENDA**

The agenda was approved as written.

Without objection, the Board agreed to limit the total time for Member Comments to 30 minutes.

**MEMBER COMMENTS**

- Roberta Berk (933-B) commented on plumbing leaks in her building and suggested that the Board consider a service level to periodically check plumbing and electrical systems of vacant units
- Kay Margason (510-C) commented on the availability of a Red Book in the Library
- Libby Marks (82-Q) commended PCM for their courtesy and helpfulness in performing service
- Gunther Austin (326-B) commented on property taxes included in assessments
- Roy McLain (2087-E) commented on voting requirements and qualifications

- Dottie Fredericks (776-Q) as chair of the Nominating Committee, encouraged residents to run for the Board and to pick up an application in the Administration Building
- Jerry Sheinblum (3488-C) announced the next CCA Townhall Meeting

President O'Brien briefly answered each comment made from the members.

Director McIntosh encouraged Ms. Berk to attend the PPD Committee to address her piping issues.

Director Dalis commented on property taxes.

Director Nugent stated he would look into Mr. McLain's comments on voting.

### **APPROVAL OF MINUTES**

The minutes of the Regular Meeting of February 12, 2008 were approved as amended by adding the word "pilot" before the word "program" on pages 15 and 16; revising the word "forth" to "fourth" on page 15; and revising the word "Woods" on page 1 under Approval of the Agenda to "Canyon."

### **OLD BUSINESS**

Director Maxine McIntosh made a motion to postpone the motion to approve revised Alteration Standard Section 20 – Balcony and Patio Covers, Aluminum and Vinyl to the April Meeting Consent Calendar. Director Linda Wilson seconded the motion and the motion carried without objection.

Director Mary Stone made a motion to postpone the motion to approve new Alteration Standard Section 35–Solar Panels, 1 Story Buildings and Buildings with Unshared Roof Space to the April Meeting Consent Calendar. Director Lloyd Foster seconded the motion and the motion carried without objection.

Mutual Member Libby Marks (82-Q) commented on the motions to postpone and suggested that the Board explain the procedure.

Director McIntosh made a motion to postpone the motion to approve new Alteration Standard Section 36 – Ramps to the April Meeting Consent Calendar. Director Foster seconded the motion and the motion carried without objection.

President O'Brien commented on resident inquiry on removing the prohibition of scooters and skateboards from the Electronic Personal Assistive Mobility Devices resolution.

President O'Brien entertained a motion to remove the prohibition of scooters, skateboards, and roller skates from the Electronic Personal Assistive Mobility Devices resolution. No motion was made.

Mutual Member Kay Margason (510-C) commented on dedicating an area in the Community as a skate park.

Director John Dalis made a motion to postpone the motion to approve the use of Electronic Personal Assistive Mobility Devices to the Old Business portion of the April Meeting. Director Foster seconded the motion and the motion carried without objection.

The Secretary of the Corporation, Director Linda Wilson, read the revised portion of the following committee appointment resolution:

**RESOLUTION 01-08**

**RESOLVED**, March 11, 2008, that the following persons are hereby appointed to serve the corporation in the following capacities:

**Officers**

Beth O'Brien, President  
Bevan Strom, 1<sup>st</sup> Vice Pres.  
Lloyd Foster, 2<sup>nd</sup> Vice Pres.  
Linda Wilson, Secretary  
Jim McNulty, Treasurer

**Architectural Standards & Variances Committee**

Lloyd Foster, Chair  
Jan McLaughlin, Vice Chair  
Maxine McIntosh  
Mary Stone  
Bevan Strom  
*Advisors: To Be Announced*

**Finance Committee**

Jim McNulty, Chair  
Linda Wilson, Vice Chair  
John Dalis  
Burns Nugent  
Marty Rubin  
*Advisors: Paul Vogel*

**Landscape Committee**

Linda Wilson, Chair  
Maxine McIntosh, Vice Chair  
John Dalis  
Lloyd Foster  
Jim McNulty  
*Advisors: Mary Kay Tibbetts, Polly Spahr*

**Planning & Project Development**

Bevan Strom, Chair  
Burns Nugent, Vice Chair

Lloyd Foster  
Jan McLaughlin  
Mary Stone  
*Advisors: Bill Cleveland, Rich Haskell*

**Resident Relations (Ombudsman)**

Linda Wilson, Chair  
Marty Rubin, Vice Chair

**Traffic Court**

Mary Stone, Chair  
Maxine McIntosh, Vice Chair  
Per rotation list

**New Resident Orientation**

Per Rotation List

**Select Audit**

Jim McNulty  
Linda Wilson

**Laguna Canyon Foundation**

Mary Stone (replacing Jan McLaughlin)

**RESOLVED FURTHER**, that Resolution 01-08-22, adopted February 12, 2008, is hereby superseded and canceled.

Director Stone moved to approve the resolution. Director Foster seconded the motion and discussion ensued on allowing a member of Third Mutual to serve as an advisor on a United Mutual committee.

Mutual Member Libby Marks (82-Q) commented on the motion.

By a vote of 1-8-1 (Director Nugent voted in favor, and Director Strom abstained), the motion failed.

The Secretary of the Corporation read a proposed resolution revising the appointments to the Nominating Committee. Director Wilson moved to approve the resolution. Director McIntosh seconded the motion.

Without objection, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 01-08-36**

**RESOLVED**, March 11, 2008 that the following persons are hereby appointed to serve on the Nominating Committee of this Corporation:

Jody Foster  
Dottie Fredericks  
Marie Hall  
Maureen LaBonte  
**Cy Levine (replaced Mary Melgun)**  
Libby Marks  
Althea Usher  
**Geraldine Knight (alternate)**

**RESOLVED FURTHER**, that Resolution 01-08-23, adopted February 12, 2008 is hereby superseded and cancelled; 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.

#### **NEW BUSINESS**

President O'Brien announced that TrueBallot agreed to serve as the Inspectors of Election for the 2008 Board Election.

#### **CHAIR'S REMARKS**

President O'Brien wished Directors Jim McNulty and Burns Nugent a Happy Birthday, commented on the power of positive thinking, and encouraged the Community to be positive and to focus on the good things in life.

Ms. Janet Price entered the meeting at 11:02 A.M.

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

Mr. Milt Johns reported on GRF's Communications Plan to push the positive and address the negative by way of weekly articles and press releases on the website, and updated the Board on the San Sebastian Project regarding the resurfacing of the parking lot near the Library and income received from leasing the area.

#### **CONSENT CALENDAR**

Without objection the Consent Calendar was approved and the following actions were taken:

#### **Architectural Standards and Variances Committee**

##### **RESOLUTION 01-08-37**

**RESOLVED**, March 11, 2008 that the request of Mr. Norman Marcovitch of 11-D Via Castilla to install an additional pathway light in the planter near Laundry Room 8 and Manor 11-D at the Mutual's expense is hereby approved; and

**RESOLVED FURTHER**, that such installation shall be funded through the General Maintenance section of the Mutual's 2008 Business Plan.

**RESOLUTION 01-08-38**

**RESOLVED**, March 11, 2008 that the request of Dr. Harvey Lester of 407-A Avenida Castilla for window modifications in his Master Bedroom is hereby approved; and

**RESOLVED FURTHER**, that all future costs and maintenance associated with the subject alteration are the responsibility of the Mutual member at 407-A; and

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

**RESOLUTION 01-08-39**

**RESOLVED**, March 11, 2008 that the request of Dr. Harvey Lester of 407-A Avenida Castilla to convert the atrium into a second bathroom is hereby approved; and

**RESOLVED FURTHER**, that detailed site specific construction plans including structural, plumbing and electrical plans prepared by a California licensed architect should be submitted to confirm that the alterations will not negatively impact the integrity of the building's structure, plumbing, and electrical systems; and

**RESOLVED FURTHER**, that all future costs and maintenance associated with the subject alteration are the responsibility of the Mutual member at 407-A; and

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

**Landscape Committee Recommendation:**

No Recommendations at this time.

**Finance Committee Recommendations:**

**RESOLUTION 01-08-40**

**WHEREAS**, Member ID 947-373-49 is currently delinquent to United Laguna Hills 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**, March 11, 2008 that the Board of Directors hereby approves the recording of a Lien for Member ID 947-373-49; and

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

**RESOLUTION 01-08-41**

**WHEREAS**, Member ID 947-369-28 is currently delinquent to United Laguna Hills 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**, March 11, 2008 that the Board of Directors hereby approves the recording of a Lien for Member ID 947-369-28; 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 01-08-42**

**WHEREAS**, Member ID 947-377-61 is currently delinquent to United Laguna Hills 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**, March 11, 2008 that the Board of Directors hereby approves the recording of a Lien for Member ID 947-377-61; 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 01-08-43**

**WHEREAS**, Member ID 947-403-53 is currently delinquent to United Laguna Hills 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**, March 11, 2008 that the Board of Directors hereby approves the recording of a Lien for Member ID 947-403-53; and

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

**RESOLUTION 01-08-44**

**WHEREAS**, Member ID 947-408-02 is currently delinquent to United Laguna Hills 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**, March 11, 2008 that the Board of Directors hereby approves the recording of a Lien for Member ID 947-408-02; 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 01-08-45**

**WHEREAS**, Member ID 947-415-56 is currently delinquent to United Laguna Hills 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**, March 11, 2008 that the Board of Directors hereby approves the recording of a Lien for Member ID 947-415-56; 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 and SERVICES**

#### **FINANCE REPORT**

Director Jim McNulty reported on the Treasurer's Report and the Finance Committee.

Ms. Price left the meeting at 11:15 A.M.

Director Lloyd Foster reported from the Architectural Standards and Variances Committee.

The Secretary of the Corporation read the following proposed resolution on denying the request of 131-C to retain the non-standard painted front doors. Director Foster moved to approve the resolution. Director McIntosh seconded the motion and discussion ensued.

Mutual Members Dottie Fredericks (776-Q), Ken Hammer (797-B), and Roberta Berk (933-B) commented on the length of the discussion.

By a vote of 6-4-0 (Directors Dalis, McLaughlin, Rubin and Wilson opposed), the motion carried and the Board of Directors adopted the following resolution:

#### **RESOLUTION 01-08-46**

**RESOLVED**, March 11, 2008 that the request of Mr. Irving Warner of 131-C Avenida Majorca to retain the non-standard painted front doors at his manor is hereby denied.

The Secretary of the Corporation read the following proposed resolution on denying the request of 176-B to retain the non-standard painted front door. Director Stone moved to approve the resolution. Director Foster seconded the motion and discussion ensued.

By a vote of 6-4-0 (Directors Dalis, McLaughlin, Rubin and Wilson opposed), the motion carried and the Board of Directors adopted the following resolution:

#### **RESOLUTION 01-08-47**

**RESOLVED**, March 11, 2008 that the request of Mr. William Bruecken of 176-

B Avenida Majorca to retain the non-standard painted front door at his manor is hereby denied.

The Secretary of the Corporation read the following proposed resolution approving a land use policy:

**RESOLUTION 01-08-**

**LAND USE ALTERATION POLICY**

**WHEREAS**, the Board has been advised by Corporate Counsel of its fiduciary duty to preserve open area owned by the Corporation for the benefit of all its members, as well as its fiduciary duty to preserve and even maximize property values of the Corporation; and

**WHEREAS**, the original manor footprint shall be defined as the original construction including atriums, balconies, and patios; and

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

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

**NOW THEREFORE BE IT RESOLVED**, May 13, 2008 that the Board of Directors shall approve or deny usage of open area when considering a proposed alteration that is not an established Alteration Standard (a Variance Request) for patio extensions, enclosures on extended patios, room additions, and any other usage of open area utilizing the following Criteria for Consideration of Land Use:

- The proposed alteration must meet the requirement that the alteration complies with all architectural and building guidelines within the Community, whether the proposed alteration is wholly or partially on open area.
- The Board may consider whether such open area is generally inaccessible and is not of general use to the other members of United Mutual, or is only accessible to and of use by the applicant.
- The location of the proposed alteration should be such that the alteration would not prevent a Member of a neighboring manor from also performing such an alteration.

Based on the Board's findings, the Board may consider whether at least three of the following objective factors are present prior to approving any alteration that will include an enclosure, or otherwise encroach onto open area:

- 1) The alteration is consistent with the architectural aesthetics and integrity of the Community.
- 2) The alteration is constructed behind an already existing block wall at least five feet in height.
- 3) The alteration does not obstruct a neighboring manor's view.
- 4) ~~The encroachment~~ **Any alteration on** ~~the~~ open area does not impede ingress or egress of other members onto adjacent open area or impede Community maintenance Staff from going into or across the open area.
- 5) The proposed area of alteration can only be reasonably accessed through or benefit the subject manor.

**RESOLVED FURTHER**, that previously-approved Standard Plans for Room Additions will continue to be permitted without approval of a Variance; and

**RESOLVED FURTHER**, that Resolution 01-07-45, adopted May 8, 2007 is hereby superseded and cancelled; 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 Wilson moved to approve the resolution. Director Foster seconded the motion and discussion ensued.

Without objection, the Board made the following changes to objective factor number 4 to read as follows: "~~The encroachment~~ **Any alteration on** ~~the~~."

Mutual Member Roberta Berk (933-B) addressed the Board on the resolution.

Director Strom made a motion to postpone the motion as amended to the Old Business portion of the April Meeting Agenda to satisfy the required statutory thirty-day notice requirements. Director Rubin seconded the motion, and the motion carried without objection.

Director Linda Wilson reported from the Landscape Committee and thanked PCM employees Ismael Saenz, Jose Diaz, and Jose Soto for rescuing a kitten from a tree.

Director Bevan Strom reported from the Planning and Project Development Committee.

The Board made changes to the Committee Report.

The Secretary of the Corporation read a proposed resolution on curb cuts. Director Wilson moved to approve the resolution. Director Dalis seconded the motion and discussion ensued.

Director Stone amended the motion to add the word "ADA" in the fourth paragraph. Director Strom seconded the motion. Without objection, the amendment carried.

Without objection, the motion, as amended, carried and the Board of Directors adopted the following resolution:

**RESOLUTION 01-08-48**

**WHEREAS**, this Corporation recognizes that currently there is no ADA-compliant pedestrian crossing of Avenida Majorca at its intersection with Calle Aragon; and

**WHEREAS**, an Advisory Committee has recommended that ramping of the Corporation's sidewalks be performed in conjunction with curb cuts to be made by the Golden Rain Foundation;

**NOW THEREFORE BE IT RESOLVED**, March 11, 2008, that the Board of Directors of this Corporation will include funding for necessary sidewalk modifications in its 2009 Business Plan; and

**RESOLVED FURTHER**, that the Board of Directors of this Corporation hereby requests the Golden Rain Foundation to include funding to perform the necessary **ADA** curb cuts in its 2009 Business Plan; 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 Marty Rubin reported from the Resident Relations Information Services.

Director Dalis made a motion to dispense with the GRF Committee highlights. Director Foster seconded the motion and without objection the motion carried.

**DIRECTORS' FORUM**

- Director Wilson reminded the community to attend the upcoming First Aid and CPR courses
- Director Dalis announced the Annual Kiwanis Pancake Breakfast
- Director Foster commented on breaking down boxes and placing them in the dumpsters
- Director McLaughlin thanked Libby Marks for her compliments on staff

- Director Stone reminded the Community on Clutter Awareness Week
- President O'Brien encouraged the residents to look for the good in their lives

### **MEETING RECESS**

The Regular Open Session Meeting recessed for lunch at 12:37 P.M. and reconvened back into the Regular Executive Session at 1:25 P.M.

During its Regular Executive Session of February 12, 2008 the Board reviewed and approved the minutes of the Regular Executive Session of January 8, 2008. The Board of Directors heard five (5) Regular Disciplinary Hearings and imposed fines totaling \$750 for violations of the Mutual's rules and regulations; approved the recording of Notices of Default for Member ID 947-363-23, Member ID 947-366-04, Member ID 947-396-11, Member ID 947-417-55, Member ID 947-429-27, and Member ID 947-434-44; and discussed other member disciplinary, litigation and contractual issues.

During its Special Executive Session of March 5, 2008, the Board of Directors discussed litigation matters.

The Traffic Committee of the Board met in Executive Session on February 20, 2008 to discuss member disciplinary issues.

### **ADJOURNMENT**

With no further business before the Board of Directors, the meeting was adjourned at 3:53 P.M.

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Linda Wilson, Secretary