

The Oak Hammock Residents' Council

HANDBOOK

Each year, the Oak Hammock residents elect six or more new members to the Council. This Handbook was designed to ensure that there is a smooth transition of leadership, so that the Council will better serve the residents it represents.

Version approved by Residents' Council at December 14, 2018 meeting.

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PREFACE

This document has been substantially revised and shortened compared to previous versions. It is intended as a source of guidance as well as a reference document for ensuring that the Oak Hammock Residents' Council is operated correctly and effectively. It will be revised from time to time to reflect changes that may occur.

I want to pay a special thank you to Roanne Coplin, who undertook nearly all of the work in preparing, and then revising this Handbook.

Douglas J. Merrey
Residents' Council President, 2018

A SPECIAL WELCOME TO THE NEW COUNCIL MEMBER

Welcome to the Oak Hammock Residents' Council (RC). In making the decision to run for a position on the RC, you have agreed to serve on the official body representing resident interests to Management and the Board of Directors. All continuing care retirement communities (CCRCs; now called "Life Care Communities") in Florida are governed and regulated by *Chapter 651, Florida Statutes (FS)*. This regulation:

- Provides that residents of CCRCs have the right to self-organization.
- Specifies the responsibility residents' councils have to those it represents.
- Describes the relationship residents' councils have with the administration that provides for the lifetime safety and welfare of its residents.
- Provides for designation of a resident to represent the residents of a CCRC at the Oak Hammock at the University of Florida Board of Directors meetings.
- Includes the list of residents' rights that persons must be given when they become residents of a CCRC.

The pertinent sections of *Chapter 651* are attached as Appendix 1.

This Handbook is intended to facilitate leadership transition and reduce inconsistencies in the function of the RC from year to year, such as meeting procedures, responding to resident and committee recommendations and requests, designating the responsibilities of each Council Member, and functioning according to the RC Bylaws.

As a Council Member, you agreed to:

- Regularly attend RC meetings during the two years of your term and notify the President in advance when you are not able to attend.
- Serve as an officer of the RC, chair a standing committee of the RC, and/or accept ad hoc assignments.
- Interact with residents, Staff, Management, and Board Members in a manner that enables the RC to represent the interests of the Community as a whole.

BYLAWS

Established under the authority of *Chapter 651.081, Florida Statutes*, the purpose of the Council as stated in Article II of the Bylaws is to set forth the basic rules governing the Council, including defining its purpose and providing rules relating to the election of members of the Council, the role of Council officers, the Council's committee structure, and procedures relating to meetings of the Council, its committees, and the residents.

The current RC Bylaws are attached as Appendix 2.

COMMITTEE CHAIRS

- Recruit the members of their Committees, appoint a secretary, preside at Committee meetings, prepare agendas for their Committee meetings, and ensure that follow-up action is taken.
- Appoint subcommittees and offer support as needed, including attending subcommittee meetings, as appropriate.
- Prepare reports of their committees' activities for submission to all RC members, the CEO, and before the next RC meeting and bring items needing to be acted upon by the RC to the Council meetings.
- Arrange for routine meetings (usually monthly, but at least once per quarter) at a time when support staff can be present and meeting rooms are available. It is the responsibility of the Chair to determine the best time for attendance by residents and staff and to communicate this to the Communications Coordinator for inclusion in the monthly calendar after verifying with the Communications Coordinator that a meeting room is available. It is important to be consistent with date and time to prevent conflicts for staff that attend meetings as support to the Committee.

MEMBERS AT LARGE

- Are those RC members who have neither an office nor a committee chair assignment. Their responsibilities revolve around the special assignments that they receive from the President. An example would be chairing the annual Employee Appreciation Fund. This position is not filled currently but may be in the future.

ASSISTED LIVING REPRESENTATIVE

- Is responsible for bringing concerns of Health Center residents to the attention of the RC. This representative is usually appointed by the President of the RC in the absence of a functioning Assisted Living Member Council.

STAFF SUPPORT

The CEO, a Board member, and other management staff attend meetings to hear and address concerns regarding all areas of Oak Hammock and give updates regarding items of interest to the RC.

RC MEETINGS

The current practice is to meet monthly. The President may call for additional meetings as necessary in accordance with the Bylaws. The President is responsible for the preparation of an agenda for each meeting.

ANNUAL MEETING

The President will call the Annual Meeting and is responsible for the preparation of an agenda. Following the RC Bylaws as amended in 2018, this meeting will be held during

the month of January with the date, time and place to be designated. Among other matters, the results of the RC election and the appointment of officers and committee chairs are announced at this meeting. If a new RC President has been elected, she or he will be announced at this time and will take over chairing of the Annual Meeting.

The President will remind the residents that new committees have been (or will be) formed for the coming year and will urge them to sign up for committee membership. The Communications Coordinator prepares sign-up sheets for this purpose and the President will inform the residents of when and where the sheets will be available. If so announced, on-line sign up will also be permitted. These sheets or other announced procedures may be used to sign up for both Standing Committees and other non-RC Committees and activities, such as the Library Committee and the Oak Hammock Chorus. Committee Chairs may then refer to the sign-up material to recruit committee members.

RC POLICIES

- In case of a conflict, the RC Bylaws supersede any other RC policy statements. All formal meetings of the RC, its committees, and subcommittees are open to Oak Hammock residents who wish to attend.
- RC, RC committee, and RC subcommittee members may not accept any gifts or special privileges in the performance of their committee or subcommittee work. Any such advantages should be used to reduce costs or to share among all participants. For example, if a minimum number of people sign up for a travel event that leads to one free passage, the value of the passage must be used to reduce the cost to each participant. Group meals at Oak Hammock will be charged to resident accounts.
- The RC may address the concerns of all Oak Hammock residents, including those in Independent Living, Assisted Living, Memory Support, and Skilled Nursing.
- The RC is the official representative of the Oak Hammock membership in matters dealing with Management and the Board of Directors.

APPENDIX 1: PERTINENT SECTIONS OF 2018 STATUTE 651

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0600-0699/0651/0651.html (accessed October 9, 2018)

651.081 Residents' council.—

(1) Residents living in a facility holding a valid certificate of authority under this chapter have the right of self-organization, the right to be represented by an individual of their own choosing, and the right to engage in concerted activities for the purpose of keeping informed on the operation of the facility that is caring for them or for the purpose of other mutual aid or protection.

(2)(a) Each facility shall establish a residents' council created for the purpose of representing residents on matters set forth in s. 651.085. The residents' council shall be established through an election in which the residents, as defined in s. 651.011, vote by ballot, physically or by proxy. If the election is to be held during a meeting, a notice of the organizational meeting must be provided to all residents of the community at least 10 business days before the meeting. Notice may be given through internal mailboxes, communitywide newsletters, bulletin boards, in-house television stations, and other similar means of communication. An election creating a residents' council is valid if at least 40 percent of the total resident population participates in the election and a majority of the participants vote affirmatively for the council. The initial residents' council created under this section is valid for at least 12 months. A residents' organization formalized by bylaws and elected officials must be recognized as the residents' council under this section and s. 651.085. Within 30 days after the election of a newly elected president or chair of the residents' council, the provider shall give the president or chair a copy of this chapter and rules adopted thereunder, or direct him or her to the appropriate public website to obtain this information. Only one residents' council may represent residents before the governing body of the provider as described in s. 651.085(2).

(b) In addition to those matters provided in s. 651.085, a residents' council shall provide a forum in which a resident may submit issues or make inquiries related to, but not limited to, subjects that impact the general residential quality of life and cultural environment. The residents' council shall serve as a formal liaison to provide input related to such matters to the appropriate representative of the provider.

(c) The activities of a residents' council are independent of the provider. The provider is not responsible for ensuring, or for the associated costs of, compliance of the residents' council with the provisions of this section with respect to the operation of a residents' council.

(d) A residents' council shall adopt its own bylaws and governance documents subject to the vote and approval of the residents. The residents' council shall provide for open meetings when appropriate. The governing documents shall define the manner in which residents may submit an issue to the council and define a reasonable timeframe in which the residents' council shall respond to a resident submission or inquiry. A residents' council may include term limits in its governing documents to ensure consistent integration of new leaders. If a licensed facility files for bankruptcy under chapter 11 of the United States Bankruptcy Code, 11 U.S.C. chapter 11, the facility, in its required filing of the 20 largest unsecured creditors with the United States Trustee, shall include the name and contact information of a designated resident selected by the residents' council, and a statement explaining that the designated resident was chosen by the

residents' council to serve as a representative of the residents' interest on the creditors' committee, if appropriate.

651.083 Residents' rights.—

- (1) No resident of any facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, by the State Constitution, or by the United States Constitution solely by reason of status as a resident of a facility. Each resident of a facility has the right to:
 - (a) Live in a safe and decent living environment, free from abuse and neglect.
 - (b) Be treated with consideration and respect and with due recognition of personal dignity, individuality, and the need for privacy.
 - (c) Unrestricted private communication, including receiving and sending unopened correspondence. This includes the right to receive memos or announcements from or approved for distribution by the residents' council.
 - (d) Freedom to participate in and benefit from community services and activities and to achieve the highest possible level of independence, autonomy, and interaction within the community.
 - (e) Exercise civil and religious liberties. No religious beliefs or practices, and no requirement of attendance at religious services, may be imposed upon any resident.
 - (f) Present grievances and recommend changes in policies, procedures, and services to the staff of the facility, governing officials, or any other person without restraint, interference, coercion, discrimination, or reprisal. This right includes access to ombudsman volunteers and advocates and the right to be a member of, and active in, and to associate with, advocacy or special interest groups or associations.
 - (g) Freedom from governmental intrusion into the private life of the resident, as provided in s. 23, Art. I of the State Constitution.
- (2) The provider shall provide a copy of the bill of rights provided by subsection (1) to each resident at or before the resident's admission to the facility.
- (3) Any violation of the residents' rights set forth in subsection (1) constitutes grounds for disciplinary action by the office under ss. 651.106 and 651.108.
- (4) Any person who submits or reports a complaint concerning a suspected violation of a resident's rights or concerning services or conditions in a facility or who testifies in any administrative or judicial proceeding arising from such complaint is immune from any civil or criminal liability therefor, unless such person has acted in bad faith or with malicious purpose or if the court finds that there was a complete absence of a justiciable (sic) issue of either law or fact raised by the losing party.
- (5) The provider may not restrict a resident's access to the residents' council.
- (6) This section does not supersede any bill of rights provided by law for residents of nursing homes or assisted living facilities.

651.085 Quarterly meetings between residents and the governing body of the provider; resident representation before the governing body of the provider.—

- (1) The governing body of a provider, or the designated representative of the provider, shall hold quarterly meetings with the residents of the continuing care facility for the purpose of free discussion of subjects including, but not limited to, income, expenditures, and financial trends and problems as they apply to the facility, as well as a discussion on proposed changes in policies, programs, and services. At quarterly meetings where monthly maintenance fee increases are discussed, a summary of the reasons for raising

the fee as specified in subsection (4) must be provided in writing to the president or chair of the residents' council. Upon request of the residents' council, a member of the governing body of the provider, such as a board member, general partner, principal owner, or designated representative shall attend such meetings. Residents are entitled to at least 7 days' advance notice of each quarterly meeting. An agenda and any materials that will be distributed by the governing body or representative of the provider shall be posted in a conspicuous place at the facility and shall be available upon request to residents of the facility. The office shall request verification from a facility that quarterly meetings are held and open to all residents. In addition, a facility shall report to the office in the annual report required under s. 651.026 the dates on which quarterly meetings were held during the reporting period.

(2) A residents' council formed pursuant to s. 651.081, members of which are elected by the residents, shall designate a resident to represent them before the governing body of the provider. The initial designated representative elected under this section shall be elected to serve at least 12 months.

(3) The designated representative shall be notified at least 14 days in advance of any meeting of the full governing body at which proposed changes in resident fees or services will be discussed. The representative shall be invited to attend and participate in that portion of the meeting designated for the discussion of such changes.

(4) At a quarterly meeting prior to the implementation of any increase in the monthly maintenance fee, the designated representative of the provider must provide the reasons, by department cost centers, for any increase in the fee that exceeds the most recently published Consumer Price Index for All Urban Consumers, all items, Class A Areas of the Southern Region. Nothing in this subsection shall be construed as placing a cap or limitation on the amount of any increase in the monthly maintenance fee, establishing a presumption of the appropriateness of the Consumer Price Index as the basis for any increase in the monthly maintenance fee, or limiting or restricting the right of a provider to establish or set monthly maintenance fee increases.

(5) The board of directors or governing board of a licensed provider may at its sole discretion allow a resident of the facility to be a voting member of the board or governing body of the facility. The board of directors or governing board of a licensed provider may establish specific criteria for the nomination, selection, and term of a resident as a member of the board or governing body. If the board or governing body of a licensed provider operates more than one licensed facility, regardless of whether the facility is in-state or out-of-state, the board or governing body may select at its sole discretion one resident from among its facilities to serve on the board of directors or governing body on a rotating basis.

APPENDIX 2: RESIDENT COUNCIL BYLAWS

Adopted 8/24/2018

**Bylaws of the Residents' Council
of Oak Hammock at the University of Florida
August 2018**

ARTICLE I – BACKGROUND AND AUTHORITY

The Residents' Council of Oak Hammock at the University of Florida (RC) has been established by the residents of Oak Hammock at the University of Florida ("Oak Hammock") under the authority of Section 651.081 of the Florida Statutes.

For all purposes of these bylaws, the word "resident" shall mean, consistent with the definition of resident set forth in Section 651.011 of the Florida Statutes, a person who has purchased or subscribed to an Oak Hammock continuing care contract that has not terminated. Thus, it shall have the same meaning as the word "member" as used in official Oak Hammock documents and contracts.

The RC shall serve as the elected representative of the residents and shall, pursuant to Section 651.081 of the Florida Statutes, be the sole residents' organization authorized to represent the residents to the Board of Directors of Oak Hammock (the "Board") and to the Board's representatives, employees, and agents.

Nothing in these bylaws shall limit or otherwise affect the rights of any resident or residents under Section 651.083 of the Florida Statutes, including the right to present grievances and recommend changes in policies, procedures, and services to the staff of the facility, governing officials, or any other person without restraint, interference, coercion, discrimination, or reprisal, including, without limitation, the right of access to ombudsman volunteers and advocates and the right to be a member of, and active in, and to associate with, advocacy or special interest groups or association.

ARTICLE II – PURPOSE

Section 1. The goal of the RC is to promote the general well-being of the residents and to enhance the quality of life at Oak Hammock.

Section 2. In order to accomplish its goal, the RC shall work cooperatively, and in an advisory capacity, on the residents' behalf with the Board and its representatives, employees, and agents.

Section 3. The RC shall establish and maintain close liaison with the Oak Hammock residents so that their needs, interests, ideas, and concerns may be accurately represented to the Board and its representatives, employees, and agents.

Section 4. The RC shall report to Oak Hammock residents on the activities of the RC and on any other activities of which it is aware that impact Oak Hammock.

ARTICLE III -VOTING BY RESIDENTS

Section 1. All persons who qualify as residents of Oak Hammock pursuant to Section 651.011 of the Florida Statutes shall be entitled to vote for members of the RC and to vote at all meetings of Oak Hammock residents.

Section 2. Each Oak Hammock resident, residing in any level of care, shall have one vote.

Section 3. Residents may vote by absentee ballot.

ARTICLE IV- ELECTION OF RC MEMBERS

Section 1. Each member of the RC shall be a resident of Oak Hammock. Any resident of Oak Hammock, residing in any level of care, is eligible to run for membership on the RC.

Section 2. Unless a vacancy exists, there shall be twelve RC members.

Section 3. Any Oak Hammock resident wishing to become a RC

member shall submit a request in writing to such effect, together with a brief biographical sketch, to the Election Coordinator (Section 5). The RC shall establish timing requirements for the submission of requests to run, for the distribution of sketches, and for the dates of the election; provided that in all events the election process (except for any required run-off election) shall be completed by the end of October.

Section 4. Each candidate for membership on the RC must agree to serve actively as an officer of the RC, a chairperson of a standing or ad hoc committee of the RC, or a member at large of the RC.

Section 5. The RC shall establish the election procedure in accordance with the following basic guidelines and the other provisions of this Article IV:

- The President of the RC, no later than the August Council meeting, shall appoint a resident of Oak Hammock who is not running for election to coordinate the election of the positions to be filled (the "Election Coordinator").
- The biographical sketch referred to in Section 3 shall be in at least 12-point type and no more than one-half page, single spaced. The Election Coordinator may edit the sketch if necessary in order to insure that the sketch meets the length requirement. In such event, the Election Coordinator will give the edited version to the candidate for final approval.
- Residents shall vote by provided secret written ballot printed in at least 12-point type or by electronic voting on a professional disinterested and neutral website, as determined by the RC. A paper ballot shall be provided to any resident upon request.
- The Election Coordinator will appoint a panel of six impartial Oak Hammock residents to receive the results from votes cast electronically and to count the paper ballots. Advance notice shall be provided to all residents as to the time and location of the meeting to count votes and each resident shall be entitled to attend such meeting as a silent observer.

- Candidates with the highest number of votes will be elected.
- For the election to be valid, at least 20 percent of the total resident population must cast a ballot.
- In the event of a tie vote, the residents will vote by written secret ballot in a run-off election conducted at the annual meeting of the residents to select the winner.

Section 6. Six RC members shall be elected each year. Each member shall be elected for a term of two years and shall serve until a successor has been elected and takes office at the annual meeting of the RC following the election, unless the member sooner dies, resigns, or is removed.

Section 7. An RC member may resign at any time by submitting a written resignation to the President or the Secretary. A resignation shall be effective when the notice is delivered unless the notice specifies a later effective date.

Section 8. A member of the RC may be removed, with or without cause, by an affirmative vote of at least two-thirds (2/3) of the total number of residents voting at a special meeting of the residents at which a quorum is present. Such action of the residents may be taken only after the RC, by an affirmative vote of at least two-thirds (2/3) of the total number of RC members then serving, has recommended the removal.

Section 9. Any vacancy on the RC created by reason of death, resignation, removal, or the failure of at least six people to be elected in an annual election may be filled through election by a majority of the remaining members of the RC even if less than a quorum. The member so elected shall serve (a) in the case of a vacancy created by reason of death, resignation, or removal, for the unexpired term of his or her predecessor in office and (b) in the case of a vacancy created by the failure of at least six people to be elected, for the remainder of what would have been the two-year term if all six seats had been filled at the annual election in question.

Section 10. If the number of people who qualify to run for the RC for any annual election is exactly the number of seats to be filled in the election or is fewer than such number, the Election Coordinator shall certify such fact to the RC and the persons who have so qualified to run shall be deemed to be elected without the necessity of holding an election or otherwise following the procedures set forth in Section 5 of this Article IV.

Section 11. If there is no elected RC member residing in the Health Center, the President may appoint a resident of the Health Center as a nonvoting liaison to the RC.

Section 12. Under the bylaws of the Oak Hammock Board of Directors, the RC has been charged with the responsibility of submitting to the Board the names of a specified number of residents of Oak Hammock from which the Board is to select one resident to serve as a member of the Board for the term specified in the Board bylaws. The provisions of the Board bylaws as they may exist from time to time that detail the responsibilities of the RC in taking such action are hereby incorporated by this reference. If the person selected by the Board is not a member of the RC, such person shall serve as an ex-officio nonvoting member of the RC as long as the person serves as a member of the Board under these provisions.

ARTICLE V- RC OFFICERS

Section 1. The officers of the RC shall be a President, a Vice President, and a Secretary, together with any other officer or officers as the RC may deem appropriate. Only RC members shall be eligible to be officers.

Section 2. The officers shall be elected by the RC at the annual meeting of the RC or as soon thereafter as may be convenient.

Section 3. Each officer shall be elected for a term ending at the next annual meeting of the RC and shall serve until the officer's successor RC has been elected and takes office, unless that officer sooner dies, resigns, or is removed by the RC. An officer may be reelected to an office for such additional term or terms as the RC may approve.

- Section 4. The President shall preside at all meetings of the RC, have agenda prepared for the meetings, and ensure that follow-up action is taken. The President may vote on all matters that come before the RC. The President shall be an ex-officio member of all RC committees. The President shall be one of two Oak Hammock residents who serve as a member of the Board.
- Section 5. The Vice President shall act in the absence of the President and perform such other duties as the President may request.
- Section 6. The Secretary shall keep the minutes of the RC meetings, distribute them to the RC members prior to the next meeting, maintain a file of minutes, and cause copies to be posted on the Oak Hammock Commons Area Bulletin Board and placed in the appropriate book of minutes located in the library.
- Section 7. An officer of the RC may resign at any time by submitting a written resignation to the President or the Secretary, except that in the event of the President's resignation, such resignation is to be submitted to the Vice President, who shall assume the office of President, or if there is no then serving Vice President, to the Secretary. A resignation shall be effective when the notice is delivered unless the notice specifies a later effective date. The RC shall choose a replacement for any vacated office other than for President where the Vice President has assumed the Presidency.
- Section 8. An officer of the RC may be removed, with or without cause, by an affirmative vote of at least two-thirds (2/3) of the total number of RC members then serving.
- Section 9. Any vacancy in an office created by reason of death, resignation, or removal shall be filled through election by a majority of the remaining members of the RC even if less than a quorum. The member so elected shall serve for the unexpired term of his or her predecessor in office.

ARTICLE VI-RC MEETINGS

Section 1. The annual meeting of the RC shall be held immediately following the annual meeting of Oak Hammock residents and in the same location as such residents' annual meeting, and regular meetings of the RC shall be held at least quarterly thereafter. Regular meetings of the RC shall be held at such time and place as may be determined by the RC from time to time.

Section 2. Special meetings of the RC may be called at any time by the President, and they shall be called by the President or another officer at the request of any five (5) RC members or by petition signed by 20 percent of the residents. The call or request shall state the purpose of the special meeting.

Section 3. a. Notice of each RC meeting, together with an agenda for the meeting, shall be given at least seven (7) days prior to the meeting. Notices shall be disseminated to residents by various methods of communication that exist at Oak Hammock to ensure wide distribution.

b. Residents may submit an issue or inquiry to the RC in written or electronic form at least 10 days before the next regular meeting of the RC in order to appear on the agenda. The RC shall respond to the submission or inquiry no later than the next regular RC meeting.

Section 4. A simple majority of the total number of RC members then in office shall constitute a quorum, and the act of a majority at which a quorum is present shall be the act of the RC.

Section 5. If less than a majority of the total number of RC members then in office is present at a meeting, a majority of the members so present may adjourn the meeting to another time or times without further notice. At any meeting that has been so rescheduled and at which a quorum shall be present, any business may be transacted that might have been transacted at the meeting as originally noticed.

Section 6. All Regular and Special meetings of the RC shall be open to all Oak Hammock residents as observers without vote.

Residents shall be provided an opportunity to speak on a given subject for a limited period.

Section 7. Members shall be deemed present at a meeting of the RC if the meeting is conducted using a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time.

ARTICLE VII – RC COMMITTEES

Section 1. The President, after appropriate consultation with the RC members, shall appoint each Standing Committee Chairperson from the RC membership. In addition, if one or more RC members shall not be appointed to head a Standing Committee, each such member shall serve as a Member-at- Large, with such specific duties and responsibilities as may be assigned by the President to the Member-at-Large from time to time.

Section 2. Each committee shall meet and discuss issues within the scope of its responsibility. Recommendations and suggestions for action that are passed by majority vote of the committees are brought to the full RC for information or action as appropriate. All committee meetings are open to all residents.

Section 3. From time to time, the RC shall form such Standing Committees and combine, divide, or delete such then existing Standing Committees as it deems necessary or desirable.

Section 4. The RC shall form ad hoc committees, as it deems necessary.

Section 5. The President may remove a Committee Chairperson with approval from the RC.

Section 6. Any vacancy in a Committee Chair created by reason of death, resignation or removal by the RC shall be filled by the

President.

Section 8. Every effort shall be made to encourage broad resident representation on all committees. Accordingly, no resident shall be denied membership on a committee unless, for good reason (such as, but not limited to, an unwieldy number of people signing up), the Committee Chairperson, with approval by the RC, limits membership under specified criteria.

Section 9. Committees shall meet at least quarterly and each Committee Chairperson shall give a report of its activities at the next regular RC meeting. The Committee Chairperson or any three-committee members may call a special meeting of a committee at any time.

ARTICLE VIII-MEETINGS OF OAK HAMMOCK RESIDENTS

Section 1. The annual meeting of Oak Hammock residents shall be held during the month of January, with the specific date, time and place to be designated by the RC. Written notice of the specific date, time and place of the annual meeting, together with a copy of the meeting agenda, shall be disseminated to residents by various methods of communication that exist at Oak Hammock to ensure wide distribution not less than twenty-one (21) days prior to the meeting.

Section 2. Special meetings of Oak Hammock residents may be called at any time by the President, and they shall be called by the President or another officer upon the request of any five (5) RC members or upon the petition of not less than twenty (20) percent of Oak Hammock residents. The call or petition shall state the purpose or purposes of the special meeting.

Section 3. Notice of special meetings of Oak Hammock residents, together with a statement of the purposes of the meeting, shall be given to all residents at least seven (7) days prior to the meeting. Notices shall be disseminated to residents by various means of communication that exist at Oak Hammock to ensure wide distribution. Business transacted at any special

meeting of the residents shall be limited to the purpose or purposes stated in the notice thereof.

Section 4. A quorum for the transaction of business at any regular or special meeting of the Oak Hammock residents shall consist of at least twenty (20) percent of the residents present in person or by proxy. The withdrawal of residents after a quorum has been established at a meeting shall not affect the validity of any action taken at the meeting.

Section 5. Except as otherwise provided in these bylaws (including without limitation provisions relating to run-off elections, removal of a RC member and adoption of bylaw amendments), at any meeting at which a quorum is present, an affirmative vote of at least a majority of the residents present in person or by proxy shall constitute the action of the residents.

Section 6. Proxies must be in writing and signed by the person giving the proxy and submitted to the Director of Community Services at least one (1) day prior to the meeting at which the vote is to take place.

Section 7. The President, or the Vice President in the absence of the President, shall preside at meetings of the Oak Hammock residents.

ARTICLE IX- AMENDMENTS

Section 1. An amendment or amendments to these bylaws, including a restatement thereof, may be proposed by a majority vote of the RC or upon the petition of not less than twenty (20) percent of Oak Hammock residents. The bylaws may then be amended at a special meeting of the residents by the affirmative vote of at least two-thirds (2/3) of the residents voting in person or by proxy, provided a quorum of at least twenty (20) percent of the residents present or represented by proxy.

Section 2. The text of the proposed amendment(s) shall be disseminated to residents by various methods of communication that exist at Oak Hammock to ensure wide distribution at least thirty (30) days prior to the meeting at which the vote is to take place

Section 3. Each amendment shall become effective immediately after approval by the residents unless some other effective date is included in the approved amendment.

ARTICLE X- PERSONAL LIABILITY

In addition to any other protection afforded by Florida or other applicable law, no member or officer of the RC shall be held personally liable or responsible for any action taken or not taken by the RC, such member, or such officer if such person acted in good faith and in a manner such person reasonably believed to be in, or not opposed to, the best interests of the organization.

ARTICLE XI-CONDUCT OF MEETINGS

The President or other presiding officer shall rule on all questions relating to the orderly conduct of the meeting.

APPENDIX 4: RC ORIENTATION PROGRAM

Note: The assignments suggested below may be changed because of the expertise in a certain area of a different RC member or the inability of a particular RC member to be present at the orientation session. Ideally, the presenters are the current or immediate past officers and chairs. It is preferable to hold the orientation after the RC election and the annual meeting. The RC Handbook should be distributed to new RC members before the orientation, so that they can review it before the event takes place.

The RC member appointed by the President to be responsible for the orientation of new RC members is responsible for planning, coordinating, and participating in the new RC member orientation.

The President or designee:

- Gives a sincere thank you, extends a warm welcome to the new members of the Resident Council (RC), and moderates the orientation session
- Moderates the orientation session, calling on the other participants, as appropriate
- Reviews the RC Handbook, calling on other participants with expertise in specific sections
- Stresses the expectation that each RC member will represent all Oak Hammock residents and will be available to hear their concerns and follow up appropriately.
- Stresses the expectation that both the RC and the Standing Committees are advisory in nature and have no authority over staff or management decisions, although it is expected that advice given will be given due consideration.

The Vice President

- Reviews the special projects assigned during the year
- Explains that the Vice President is available to assist Chairs, as requested

The Secretary

- explains the duties of the RC Secretary position
- spells out the expectations of each Chair regarding submission of Standing Committee minutes to the:
 - Secretary
 - Business Center
 - Infoh.us

The moderator will call on each RC Chair from the previous year to explain the function of the chaired committee and the expectations of the Chair. It is understood, however, that there may be new committees established for the current year.

Responsibilities of Standing Committee Chairs include:

- Selecting members for the Committee, keeping in mind subcommittee needs. The sign-up list from the Annual Meeting will be helpful in identifying interested residents.
- Appointing a secretary and/or vice chair.
- Presiding at committee meetings. In the event of a planned absence, the Chair will need to identify a committee member to preside in the chair's absence. While the Bylaws require quarterly meetings, most committees meet monthly. When there is little business to address, however, such as during summer months or around the holiday season, one or more months may be skipped.
- Preparing an agenda for each meeting and distributing to committee members and support staff before the meeting.
- Ensuring that any needed follow-up action is taken.
- Determining what subcommittees are needed and appointing chairs for them. This may change midyear as changing needs are identified.
- Giving needed support to subcommittees.
- Bringing items that need to be acted upon by the RC to the RC meeting.
- Arranging regularly scheduled meetings at a time when support staff can be present and meeting rooms are available; and finalizing this with the Communications Coordinator, so that the room can be reserved and the meeting can be posted on the monthly calendar, Subcommittee Chairs have this same responsibility for their meetings. Consistency in time and date is important to prevent conflicts for staff who attend meetings in a support capacity.

The Chairs will address what is unique about their Committees, how they relate to other Standing Committees, and information that may be helpful to a new Chair.

APPENDIX 5: EMPLOYEE APPRECIATION FUND GOVERNING PRINCIPLES

September 14, 2018

The Residents' Council (RC) appointed an Ad Hoc Committee in February 2018, charged with reviewing and revising the Employee Appreciation Fund Policy (EAF). The Committee work included a review of past studies of 2014 and 2015, as well as discussion from the former PCA—now RC—at the PCA 2015 meeting and subsequent resident workshop sessions on February 18, 2015, and May 31, 2015. The Residents' Council, on behalf of the residents of Oak Hammock, adopts the following as the principles governing the Employee Appreciation Fund (the "EAF") and its administration going forward, effective this Fourteenth day of September, 2018 (the "Effective Date").

1. The EAF program is a voluntary program. It is considered to be a desirable program and shall be continued in accordance with the principles as set forth in this document.
2. The program began as a resident initiative and should continue as a resident sponsored and approved program. The governing criteria by which awards are made shall be adopted by the RC acting on behalf of the residents.
3. Each year, the RC President shall appoint a resident (who may, but need not, be a member of the RC) to be the EAF Coordinator for the program for that year. The EAF Coordinator shall be responsible for overseeing the solicitation of contributions from residents (including without limitation overseeing the providing of notices to residents and otherwise encouraging the residents to make contributions) and performing the other tasks assigned to such person by this document.
4. The Oak Hammock Accounting Department (the "Department") shall be asked to continue to administer the program from an accounting and tax reporting standpoint. Each year, using the criteria adopted by the residents and acting strictly in an administrative capacity, the Department shall prepare a schedule of payments to be made and, after approval by the EAF Coordinator, shall issue checks in accordance with the approved schedule.
5. Amounts paid shall be considered as taxable income to the recipients and shall be subject to proper income and employment tax withholding and reporting. We have been advised that contributions to the fund are not deductible as charitable contributions for federal income tax purposes.
6. Amounts are to be paid once a year in November but contributions will be accepted throughout the year.

7. Only "Eligible Employees" (as defined in paragraph 9 below) shall receive regular awards. The total amount collected in a year by the contribution cutoff date established by the EAF Coordinator, less the amounts set aside as provided in paragraph 10 below, shall be the "Award Pool" to be distributed to the Eligible Employees. Each Eligible Employee shall receive a regular award according to the agreed upon Calculation Procedure (attached), based on "Eligible Hours".
8. Eligible Hours shall be all hours worked by full- and part-time employees (including hours for paid vacation and other paid leave) during the 12-month period ending on the "Eligibility Cutoff Date" (as defined in the next sentence); provided that the maximum number of Eligible Hours for any one Eligible Employee shall not exceed 2,080 for any such 12-month period. The Eligibility Cutoff Date shall be established by the EAF Coordinator. The first payday in November is recommended.
9. Eligible Employee shall mean any person who is an employee of Oak Hammock at the University of Florida, Inc. ("OH") on the Eligibility Cutoff Date, including full time, part time and as needed employees. Notwithstanding the foregoing, the following persons shall not be considered as Eligible Employees (it is recognized that a person may be ineligible under more than one category):
 - a. Any employee who is entitled to receive a commission or bonus.
 - b. Any person who, on the Eligibility Cutoff Date, has not then satisfied his or her 90-day probationary period.
 - c. Any contractor with OH and any employee of any such contractor. Without limitation, at the present time, this would exclude, among others, employees of the contractors providing grounds maintenance, physical (including speech and occupational) therapy, and dental services, as well as persons provided under contract with the University of Florida for health services and service at the Fitness Center.
 - d. Any employee serving as the Director of a Department (including the Director of Community Services, the Director of Dining Services, the Director of Human Resources, the Director of Plant Operations, the Health Care Administrator, the Director of Marketing, the Director of the Fitness Center, and the Director of Rehab), and any licensed doctor, dentist, or nurse practitioner whose employment involves providing such professional services, together with any employees serving in positions similar to any of the foregoing.
10. Special Rule for Fitness Center workers, excluding the Director thereof. Although workers in the Fitness Center (see paragraph 9(d) above) are not Eligible Employees, each of such persons (except the Director of the Fitness Center) who works as an intern or as an employee of the Fitness Center on the Eligibility Cutoff

Date shall be entitled to an award of \$25. The aggregate amount needed to make such payments shall be set aside for this purpose and shall not be included in the Award Pool for regular awards.

11. The provisions of this document may be changed at any time by the residents acting through the RC. Accordingly, no employee or other potential recipient of an award shall have any contract or other rights based on this document or the existence of the award program. Unless otherwise noted, any changes made by the residents acting through the RC shall be effective immediately, but no change made after the Eligibility Cutoff Date for a year shall impact the awards to be paid for the 12-month period ending on such Eligibility Cutoff Date.

Employee Appreciation Calculation Procedure

Revised June 1, 2018

Approved September 14, 2018

The procedure for calculating the Employee Appreciation check amounts is as follows:

- Payroll, in consultation with HR, will prepare a list of all employees who have completed the 90-day introductory period prior to the “cutoff” date and will, from the list, segregate those employees who are specifically excluded from the EAF pool pursuant to the guidelines established by the Residents’ Council, including those who are eligible for bonus/commission payments. The remaining employees will become the “eligible employees”.
- Prior to calculating the amount of each eligible employee’s award, the funds needed for the Fitness Center employees’ awards will be deducted from the total.
- The funds collected through the efforts of the Residents’ Council committee with the assistance of Oak Hammock accounting will be totaled.
- Each eligible employee’s hours for the 12 months prior to the “cutoff” date will be calculated from the payroll system, yielding “total hours worked”. For the purposes of this award, no employee will be credited with more than 2080 hours - the equivalent of a 40-hour work week for one year.
- The sum of the individual eligible employees’ “total hours worked” will be divided into the total amount of the current year’s fund balance remaining after deducting the amount for the Fitness Center employee awards. This yields the “amount per hour” that each eligible employee will receive.
- Each eligible employee’s “total hours worked” will be multiplied by the computed “amount per hour” to derive the amount of the check each will receive, subject to withholding.
- Each check will be drawn as a “paper check” so that it can be handed to the eligible employee by a representative of the Residents’ Council along with our thanks. Arrangements for distribution at other than “normal hours” will be made by the Residents’ Council. Electronic payment will not be available.

APPENDIX 6: GUIDELINES FOR HOLDING RC ELECTIONS

NOTE: These Guidelines will be updated and elaborated well before elections must be held.

All residents with an interest in Oak Hammock's culture and quality of life are invited to consider how they might bring personal, professional and community interests and background to continue to strengthen the Oak Hammock experience. We seek a broad range of interested residents who care about Oak Hammock and its residents!

THE PROCESS:

1. Interested parties should attend an overview meeting on the second Sunday of September, at 5:00pm in the seating area outside the Treats and Treasures/Ice Cream Parlor, to learn about the Residents' Council, its committees, history and opportunities
2. Submit a Biographical Sketch during the two weeks following the overview meeting. The Biographical Sketch may be no more than one-half page in length, single spaced.
3. Biographical Sketches will be distributed to the OH community, for their information, on the last Wednesday of September.
4. Candidates will be introduced to the community at a social on the Sunday nearest October 1st.
5. Voting will take place during the first full week in October, Monday through Friday, and Monday through Thursday of the following week. Paper ballots may be cast during normal business hours; electronic ballots may be cast at any time during that period.
6. Vote counting will take place on the Friday following the close of voting, at 12:30, in the Oak Room. There will be two teams of three people each to count the votes and certify the election results. Individual residents may be silent observers of the vote counting.

You are encouraged to consider this opportunity - Oak Hammock's residents are well-served by a committed Residents' Council!