

Open Meeting

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF  
LAGUNA WOODS MUTUAL NO. FIFTY  
A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION**

**October 19, 2006**

The Board of Directors of Laguna Woods Mutual Fifty, a California non-profit mutual benefit corporation, met at 10:00 a.m. on Thursday, October 19, 2006 at 24055 Paseo del Lago West, Laguna Woods, California.

**Directors Present:** Richard Wurzel, Chair; Tom Jackson, Ruth Mervis, Bill Masterson, and Mollie Hayes

**Others Absent:** Keith Wallace, Advisor

**Others Present:** Judie Zoerhof, Milt Johns, and Barbara Pavia

**1. Call to Order**

Richard Wurzel, Chair stated that it was a regular meeting of the Corporation and that a quorum was present. The meeting was called to order at 10:00 A.M.

**2. Pledge of Allegiance to the Flag**

Richard Wurzel led the membership in the Pledge of Allegiance to the Flag.

**3. Approval of the Minutes**

The minutes of the September 21, 2006 meeting were approved.

The Board added Item 13C Proposed Membership Restrictions to the agenda.

**4. Member Comments**

- Shirley Prager (556) inquired about the Mailroom located inside the Towers.

**5. Financial and Budget Report**

**a. GRF Finance Committee**

Tom Jackson presented the Treasurer's report.

**6. City of Laguna Woods**

Brenda Ross reported on the City Council Meeting of October 18, 2006.

**7. Standing Committee Report**

- Activities Committee:** No report given
- Business Planning Committee:** No report given.
- Information and Orientation Committee:** Marilyn Ruekberg reported on behalf of the Information and Orientation Committee.
- Food Committee:** Joe Hathaway reported on behalf of the Food Committee

## **8. GRF Committees**

- a. **Community Activities Committee:** No report given.
- b. **Broadband Services Committee:** No report given.
- c. **Government and Public Relations Committee:** No report given.
- d. **Security Committee:** No report given.
- e. **Bus Service Committee:** No report given
- f. **Select Audit Committee:** No report given.

## **9. Guckenheimer Food Service Report**

Christopher Ramirez was present and reported on behalf of Guckenheimer Foods.

- Shirley Prager (556), Lillian Lever (551), and Betty Guggenheimer (1062), commented on the Food Service Report.

## **10. Golden Rain Foundation**

Milt Johns, General Manager reported on the October 3, 2006 Golden Rain Foundation Board Meeting.

## **11. Administrators Report**

- Judie Zoerhof requested consensus from the Board to allow Saddleback Outreach to place food barrels at the Towers for donations of nonperishable items and canned goods to help the less fortunate during the holidays. The Board gave their consensus for the food barrels to be placed inside the Towers.

## **12. Old Business:**

### **a. Dining Room I.D. Card Policy**

Director Mervis made a motion to approve the Dining Room I.D. Card Policy. Director Hayes seconded the motion.

By a unanimous vote of 4-0-0, the motion carried and the Board of Directors adopted the following resolution:

### **RESOLUTION 50-06-37**

**WHEREAS**, The Board of Directors of Laguna Woods Mutual Fifty believes and has evidence on which that belief is based that residents are allowing their guests to dine without the appropriate guest dinner tickets, or are allowing their caregiver to dine in their absence;

**NOW THEREFORE BE IT RESOLVED**, October 19, 2006, that the Board of Directors of this corporation on behalf of the Corporation hereby approves the following policy regarding the right to dine in the dining rooms of Mutual Fifty or to receive room service.

1. All persons residing in the Towers shall produce their Mutual Fifty Resident ID Card prior to dining in the Crystal Dining Room or the California Dining Room;
2. No caregiver shall be entitled to dine in the place of a resident under any circumstance without a guest ticket;
3. Resident ID cards are not transferable;
4. An Executor of an estate within the Towers may dine with the use of a special dining card and a \$5 deposit. Upon return of the card to the Reception Desk, the \$5 deposit will be refunded;
5. Resident ID card or guest tickets will be shown prior to entering the dining room; (No exceptions)

**RESOLVED FURTHER**, if a person wishing to dine does not have a Mutual Fifty ID Card, that person must produce the requisite card or purchase a guest dinner ticket;

**RESOLVED FURTHER**, residents qualified to dine in the dining room are allowed one meal per day, and residents shall not dine in the dining room and have a room service tray sent to the manor unless the room service tray is for a qualified resident who is not dining in the dining room;

**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;

**RESOLVED FURTHER**, this policy shall be in full force and effect January 1, 2007.

**b. Approval of Amendment to Standards Regarding Patio Enclosures**

Director Mervis made a motion to approve the Amendment to Standards Regarding Patio Enclosures. Director Jackson seconded the motion. Discussion ensued.

- Joseph Schaefer (1356) and Leonard Wissink (1456) commented on the proposed resolution.

By a vote of 3 in favor and 1 opposed (Masterson) the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 50-06-39**

**WHEREAS**, the Board of Directors of this Corporation has expressed concern regarding maintenance time, material and unrecoverable costs associated with the balcony enclosures installed on Mutual Fifty penthouses;

**WHEREAS**, of the nine balcony enclosures installed, six have had leakage problems causing damage to the manor, Mutual Fifty property and damage to the manors below the installation;

**WHEREAS**, contractors working on Mutual Fifty property have not obtained adequate permits, in some cases no permit was obtained; in many instances flat-roof drainage was altered; elevators were used beyond their designed capacity; and in one instance concrete was poured on the 13<sup>th</sup> floor without an engineering assessment of the load for the structure;

**NOW THEREFORE BE IT RESOLVED**, October 19, 2006, that the Board of Directors of this Corporation on behalf of the Corporation hereby revokes Alteration Standard Section 7 Balcony Enclosures / Alteration Impacting Limited Common Area and;

**RESOLVED FURTHER**, that all existing Balcony Enclosures shall be allowed to remain and the owner of said enclosures shall be responsible for all repairs of leaks and the search for the source of leaks;

**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.

**c. Approval of Employee of the Month Program for Food Service Employees**

Director Mervis made a motion to approve the Employee of the Month Program for Food Service Employees. Director Masterson seconded the motion.

By a unanimous vote of 4-0-0, the motion carried and the Board of Directors adopted the following resolution

**RESOLUTION 50-06-43**

**WHEREAS**, the Mutual Fifty Food Committee has recommended to the Board of Directors that Mutual Fifty implement an Employee of the Month Program for the staff of Guckenheimer, and

**WHEREAS**, the purpose of this program is to encourage proper dress and customer service in the dining rooms;

**NOW THEREFORE BE IT RESOLVED**, October 19, 2006 that the Board of Directors of the Corporation on behalf of the Corporation hereby authorizes the implementation of the Employee of the Month Program for the employees of the Guckenheimer, and

**RESOLVED FURTHER**, that this Program shall include \$50.00 each month to the Guckenheimer employee who is voted by the residents to most closely comply with the desired standard of dress and service; and

**RESOLVED FURTHER**, that this policy shall be implemented immediately and shall remain in effect until terminated by decision of the Board at a time the Board shall decide;

**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.

**d. Approval of Policy to Sign a Waiver for Resident Storage**

Director Mervis made a motion to approve the Waiver for Resident Storage. Director Hayes seconded the motion. Discussion ensued.

- Jacob Badiner (902) commented on the resolution.

By a vote of 3 in favor and 1 opposed, (Jackson). The motion carried and the Board of Directors adopted the following resolution

**RESOLUTION 50-06-44**

**WHEREAS**, Mutual Fifty has subterranean resident storage lockers allocated to each unit; and

**WHEREAS**, normal irrigation and/or rain can cause water intrusion into the storage unit area;

**NOW THEREFORE BE IT RESOLVED**, October 19, 2006 the Board of Directors of this Corporation on behalf of the Corporation hereby approves a Waiver and Release policy for each resident of the Towers informing them of the potential for moisture intrusion;

**RESOLVED FURTHER**, that the form given to each resident requesting their signature is attached to the minutes of this meeting;

**RESOLVED FURTHER**, that the Board of Directors of this Corporation hereby instructs staff to carry out the purpose of this resolution.

**13. New Business**

**a. Approval of Lien and Foreclosure Policy**

Director Mervis made a motion to approve the Lien and Foreclosure Policy. Director Hayes seconded the motion. Discussion ensued.

- Anne Gilbert of Manor 1403 commented on the proposed resolution.

Director Mervis made a motion to table the resolution to satisfy the required statutory thirty-day notice requirements. The motion was seconded and carried unanimously.

#### **RESOLUTION 50-06**

**WHEREAS**, Section 1365 of the California Civil Code requires that homeowner associations have a specific policy relating to collection of delinquent assessment accounts and enforcement of liens placed upon such delinquent properties; and

**NOW THEREFORE BE IT RESOLVED**, November 16, 2006 that the Board of Directors of this Corporation hereby approves the attached Collection and Lien Enforcement Policy and Procedures for Assessment Delinquencies, effective January 1, 2007; and

**RESOLVED FURTHER**, that Resolution M50-92-22, adopted April 16, 1992 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.

#### **b. 1456 Balcony Enclosure**

Director Mervis made a motion to approve the Balcony Enclosure at Manor 1456. Director Jackson seconded the motion. Discussion ensued.

- Joseph Schaefer (1356), Leonard Wissink (1456), and Tom Davis (1208) commented on the proposed resolution.

By a vote of 2 in favor and 2 opposed, (Mervis, Hayes) President Wurzel voted in favor of the resolution to break the tie. The motion carried and the Board of Directors adopted the following resolution:

#### **RESOLUTION 50-06-48**

**WHEREAS** resident member of unit 1456 has requested a variance to install a patio enclosure on the patio balcony of his penthouse unit;

**WHEREAS** six of the nine installed patio enclosures previously approved have shown leaks over time and have generated unrecoverable costs to the Mutual;

**NOW THEREFORE BE IT RESOLVED**, on October 19, 2006 the Board of Directors of the Corporation on behalf of the corporation hereby approves the request for variance contingent upon the resident member complying with the following:

1. That all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member, and
2. Unit-specific plans depicting the proposed alteration, signed and wet-stamped by a California-licensed architect or engineer must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center for approval. These plans must include structural and plumbing details and calculations required to insure the structural integrity and the plumbing lines of the building are maintained upon completion of the proposed alteration, and
3. All required Mutual and City of Laguna Woods permits must be obtained and the appropriate City of Laguna Woods permit numbers must be submitted to the Mutual through the Permits and Inspections Office located in Laguna Woods Village Community Center, and
4. The bottom plate of the enclosure shall be sealed where it comes in contact with balcony deck to prevent any leakage under the enclosure, and
5. The Board shall explore the option of requiring a bond for \$2,500 from the member to cover future leaking problems relative to the enclosure;

**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.

**c. Proposed Membership Restrictions**

Director Mervis made a motion to approve the proposed membership Restrictions. Director Hayes seconded the motion. Discussion ensued.

- Thomas Beckwith (1005) commented on the proposed resolution.

Director Mervis made a motion to table the resolution to satisfy the required statutory thirty-day notice requirements. The motion was seconded and carried unanimously.

**RESOLUTION 50-06-**

**WHEREAS**, it is in the best interest of the Corporation to protect and preserve the financial integrity of the Corporation;

**NOW THEREFORE BE IT RESOLVED**, November 16, 2006, that the minimum financial requirements for membership will be as follows:

For any condominium in which only one person will be in residence, \$1,210, plus the current monthly assessment amount(s) for each manor owned, and

For any condominium in which two or more persons will be in residence, \$1,815 plus the current monthly assessment amount(s) for each manor owned; and

**RESOLVED FURTHER**, that the managing agent is hereby directed to disseminate this information to the realty community serving Laguna Woods Village; and

**RESOLVED FURTHER**, that this policy shall be put into effect January 1, 2007; and

**RESOLVED FURTHER**, that the Managing Agent is hereby directed to return to the Board in two years with recommendations for retaining or changing the requirements; and

**RESOLVED FURTHER**, that Resolution 50-03-25, adopted July 17, 2003 is hereby superseded and canceled.

**14. Discussion Items**

There were no discussion items.

**15. President's Comments**

President Wurzel reported on the prospective Beauty Salon and the painting of the halls.

**16. Resale & Leasing Report:**

Milt Johns reported on the year-to-date resale and leasing activity.

**17. Directors Forum**

There were no comments at this time.

**Recess**

The meeting recessed at 11:20 A.M. and reconvened into Executive Session at 11:25 A.M.



During Executive Session the Board approved Executive Session Minutes from September 21, 2006 and reviewed any Contractual, Litigation and/or Delinquency Reports.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 11:26 A.M.

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Ruth Mervis, Secretary