

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**

June 19, 2008

The Board of Directors of Laguna Woods Mutual Fifty, a California non-profit mutual benefit corporation, met at 2:00 P.M. on Thursday, June 19, 2008 at 24055 Paseo del Lago West, Laguna Woods, California.

Directors Present: Ruth Mervis, Chair; Janet Schwartz; Keith Wallace; and Dick Gray

Directors Absent: Richard Wurzel

Others Present: Judie Zoerhof, Milt Johns, Kim Taylor, Bryan English

1. Call to Order:

Ruth Mervis, Chair, stated that it was a regular meeting of the Corporation and that a quorum was present. The meeting was called to order at 2:00 P.M.

2. Pledge of Allegiance to the Flag:

Director Schwartz led the membership in the Pledge of Allegiance to the Flag.

3. Approval of the Minutes:

The minutes of the Regular meeting of May 15, 2008 were approved as submitted.

4. President's Comments

President Mervis announced that the Special Board Business Planning-Version 1 meeting will be presented Friday June 27, 2008. The meeting will be held in Lortscher Hall.

5. Old Business

a. Final Approval of Policy Regarding Community Distribution of Printed Material

The Secretary of the Corporation, Keith Wallace, read a proposed resolution approving the policy regarding the distribution of printed material in the community. Director Wallace made a motion to approve the resolution. Director Schwartz seconded the motion.

By a vote of 3-0-0, the motion carried and the Board of Directors adopted the following resolution:

RESOLUTION M50-08-26

RESOLVED, June 19, 2008, that the Board of Directors of this Corporation hereby establishes the following policy for residents to distribute publications, advertisement, announcements, campaign

material, petitions, and related printed literature (hereinafter "Material") on property managed by the Laguna Woods Mutual Number Fifty; and

RESOLVED FURTHER, that residents shall comply with Resolution G-01-65 adopted by the Golden Rain Foundation Board of Directors on August 7, 2001.

RESOLVED FURTHER, any materials, including petitions to gather signatures, to be distributed to Mutual Fifty residents shall bear identification as to its source and any individual or entity distributing such material shall comply with all of the following conditions:

1. Distribution of Material
 - a. Door-to-door distribution of Material shall be permitted, as long as the act of distributing such Material does not rise to the level of creating a nuisance for Laguna Woods Village residents.
 - b. Material that is distributed door-to-door may only be left on the door clip or immediately in front of the door. Material may not be hung from doorknobs nor placed in USPS delivery points, nor left on vehicles in carports.
2. Petitions
 - a. Only resident Mutual Members or their designated resident representative are permitted to gather signatures on petitions.
 - b. The petition must remain in the possession of the signature gatherer (there can be no unattended petitions).
3. Posting of Material
 - a. Posting locations are limited to those areas reserved for posting, such as bulletin boards and are available only for residents.
 - b. Only one posting per subject matter is allowed on the posting site, per individual.
 - c. The size of the posting shall not exceed 6" by 8" to allow space for other postings.
 - d. Each posting by a resident must identify the posting individual's name and posting date.
 - e. Any Material considered lewd, libelous, or vulgar is not permitted.
 - f. Postings shall be removed after not more than thirty (30) days.
 - g. All Material must comply with state and federal laws.
 - h. Postings that do not comply with these rules will be subject to removal.

RESOLVED FURTHER, that the Officers and Agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purposes of this resolution.

b. Final Approval of Policy to Use Copier and Fax at Reception Desk

The Secretary of the Corporation read a proposed resolution approving the policy to use the copier and fax machines at the Reception Desk. Director Wallace made a motion to approve the resolution. Director Schwartz seconded the motion.

By a vote of 3-0-0, the motion carried and the Board of Directors adopted the following resolution:

RESOLUTION M50-08-27

RESOLVED, June 19, 2008 that the Board of Directors of this corporation hereby approves the following Policy with regard to the service of providing copies to the residents:

1. The hours to obtain copies or send or receive faxes are 8:00 a.m. to 11:00 a.m. and 2:00 p.m. to 4:00 p.m. Monday through Friday
2. Residents are asked to fill out a brief form indicating the number and size of the copies or instructions for sending and receiving a fax
3. The price of an 8 1/2 X 11 copy is \$.05 each for 1 to 30 copies
4. The price of an 8 1/2 X 14 copy is \$.07 each for 1 to 30 copies
5. Sending a fax is \$2.00 for the first page and \$1.00 for each additional page
6. Receiving a fax is \$1.00 per page.

RESOLVED FURTHER, that staff shall make copies as time allows during the specified business hours;

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. Final Approval of Policy Regarding Plants on Balconies

The Secretary of the Corporation read a proposed resolution approving the policy regarding placing plants on balconies. Director Wallace made a motion to approve the resolution. Director Gray seconded the motion.

By a vote of 3-0-0, the motion carried and the Board of Directors adopted the following resolution:

RESOLUTION M50-08-28

WHEREAS, Laguna Woods Mutual No. Fifty has had a policy precluding plants on the balcony railings since 1975; and

WHEREAS, there was a recent instance of a planter falling to the ground and landing near workmen;

NOW THEREFORE BE IT RESOLVED, June 19, 2008 that the Board of Directors of this Corporation hereby approves a restated policy regarding planters on individual balconies stating that flower containers, ornamentation, and all storage items of any kind are not allowed on the railings or ledges of the balconies at any time; and

RESOLVED FURTHER, that containers of flowers or other ornamentation, or stored items shall be at least six inches below the top of the ledge and adequately secured to prevent any toppling of such items over the ledge; and

RESOLVED FURTHER, that no clothing, linens, rugs, or other items shall be hung on the balcony railing or ledge or draped on the ledges at any time; and

RESOLVED FURTHER, that all hanging baskets, bird feeders, or other hanging pots must be secured with a chain in such a manner as to preclude wind damage or the hanger falling from the balcony; and

RESOLVED FURTHER, that exceptions to the policy shall be considered on a case by case basis; 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.

d. Final Approval of Policy for Guest Suite Fee

The Secretary of the Corporation read a proposed resolution approving the policy for the Guest Suite Fee. Director Wallace made a motion to approve the resolution. Director Schwartz seconded the motion.

By a vote of 3-0-0, the motion carried and the Board of Directors adopted the following resolution:

RESOLUTION M50-08-29

WHEREAS, On October 18, 2007 Laguna Woods Mutual No. Fifty authorized changing the former nurses' quarters into a Guest Suite; and

WHEREAS, The Guest Suite opened for guests in December of 2007 with the option for use of one bedroom for \$88.00 per night or two bedrooms for \$138 per night which includes the 10% Transient Occupancy tax; and

WHEREAS, The Board of Directors requested a reevaluation of the pricing after the first quarter of 2008;

NOW THEREFORE BE IT RESOLVED, June 19, 2008, that the Board of Directors of this Corporation after reviewing the history of Guest Suite usage hereby approves one visit rate of \$80.00 per night regardless of whether one bedroom is used or two bedrooms are used; and

RESOLVED FURTHER, that Staff shall include the City's Transient Occupancy Tax of 10% of the per night rate for a total of \$88.00 per night; and

RESOLVED FURTHER, that the date of the new rate will be effective on July 1, 2008; and

RESOLVED FURTHER, that Resolution M50-08-06, adopted February 21, 2008 is hereby amended as per the room rate 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 the purpose of this resolution.

6. New Business

a. Approve Policy for Use of Personal Transportation Devices in Community

The Secretary of the Corporation read the following proposed resolution approving a policy for use of Segways in the Community:

RESOLUTION M50-08

WHEREAS, Mutual Fifty desired an evaluation of Electronic Personal Assistive Mobility Devices (EPAMDs), as defined by the State of California, to ensure equal treatment of both existing and emerging technologies affecting safe personal transportation needs of its members and adult guests; and

WHEREAS, of particular interest is an EPAMD with the commercial name of "Segway," and

WHEREAS, the Segway meets the state of California's definition of an EPAMD; and

WHEREAS, The State of California encourages the use of EPAMDs in an effort to reduce the state's traffic and air pollution problems and declares that the EPAMD is part of the state's program to use no-emission vehicles;

NOW THEREFORE BE IT RESOLVED, August 21, 2008 that the Board of Directors of this Corporation hereby allows the use of Electronic Personal Assistive Mobility Devices (EPAMDs) within the Mutual, with the following contingencies to which each operator of such device shall agree to:

- 1) Operate the EPAMD at a speed that is reasonable and prudent but never faster than 4.5 MPH on sidewalks and crosswalks in the community;
- 2) Not operate an EPAMD at a speed that endangers the safety of persons or property, or with willful or wanton disregard for the safety of persons or property;
- 3) Operate an EPAMD in such a way as to yield the right-of-way to all pedestrians on foot, including persons with disabilities using assistive devices and service animals that are close enough to constitute a hazard;
- 4) Operate the EPAMD only on sidewalks and cross walks in the Community,
- 5) Indemnify, defend and hold harmless the Mutual and their agent for loss arising out of the ownership, maintenance or use of the EPAMD, and
- 6) Abide by all state and local laws and community rules

RESOLVED FURTHER, that in order to endeavor to ensure safe operation of the devices, an annual permit shall be required for operation of EPAMDs on sidewalks in the community, which shall include:

- 1) A written statement signed by the operator's physician that the operator has consulted with their physician and that they are in satisfactory health to operate the EPAMD. Medical consultation is at the member's cost
- 2) Proof of Homeowners' Liability Insurance, Personal Liability Insurance, or Personal Umbrella Liability Insurance, with limits per person or combined single limit of not less than \$500,000 per occurrence.

RESOLVED FURTHER, that a one time permit processing fee of \$10.00 shall be charged to the applicant at the time of original application; and

RESOLVED FURTHER, that the use of skate boards, roller skates, in-line skates and any skateboard-based scooters within the Community shall be prohibited; 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 Wallace made a motion to approve the resolution. Director Gray seconded the motion and discussion ensued.

Members Vickie Kasselheim (1056) and Clara Zimmerman (358) commented on the resolution.

Director Wallace made a motion to table the resolution to the August Meeting to satisfy the required statutory thirty-day notice requirements. Director Gray seconded the motion and the motion carried without objection.

b. Discuss Appropriation of an Additional \$154,600 from the Replacement Reserve Fund for Insulated film on the West facing Tower II Windows

A discussion was held relative to the installation of Ceramic 30 film on the west facing windows of Tower 2.

Members Mary Chabot-Wayman (860), Jackie Sahelian (1252), Lorna Ingram (1161), Sonia Gorman (555), Herb Harris (454), and Pearl Zweibach (861) commented on the resolution.

Director Wallace made a motion to table the resolution to the July Meeting. Director Gray seconded and the motion carried without objection.

c. Discuss Computer Managed Access Control System versus Mechanical Locking System

Ms. Judie Zoerhof updated those present on the Computer Managed Access Control System stating that the Board approved the funds including the installation of a computer managed locking system for twelve exterior doors including system computer software, computer hardware, locks, key cards, tunnel monitors, and reception desk elevator call switch in 2007. The twelve doors are complete and are very effective at controlling access. The 2008 Reserve Expenditure Plan added one Tower or one half of the manor doors to the program. The remaining doors would have new locks in 2010. If

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the Board desires to move forward with the Computer Controlled System, a Town Hall meeting will be scheduled.

Members Sonia Gorman (555), Clara Zimmerman (358), Lorna Ingram (1161), Mary Chabot-Wayman (860), Manheimer (802), Herb Harris (454), and Nora Neustaedter (763), commented on the Control System.

A motion was made by Director Gray and seconded by Director Wallace to table Computer Managed Access Control System versus a Mechanical Locking System discussion and bring it back before the Board under New Business at the July meeting.

d. Approval of Policy to Disallow Parking Motorized Wheelchairs in Common Area

The Secretary of the Corporation read the following proposed resolution, moved by Mr. Wallace and seconded Mr. Gray to disallow parking motorized wheelchairs in common area:

RESOLUTION M50-08-

RESOLVED, August 21, 2008, that the Board of Directors of this Corporation on behalf of the corporation hereby approves a policy denying the use of Common Area Hallways and Elevator Lobbies for the purpose of parking wheelchairs, Segways, or any other device used for mobility, or storage for any one individual resident; 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 Wallace made a motion to approve the resolution. Director Gray seconded the motion and discussion ensued.

Lillian Lever (551) commented on the resolution.

Director Wallace made a motion to table the resolution to the August Meeting to satisfy the required statutory thirty-day notice requirements. Director Gray seconded the motion and the motion carried without objection.

e. Approval for Monthly Sunday Brunch

The Secretary of the Corporation read the following proposed resolution approving monthly Sunday Brunches:

RESOLUTION M50-08

WHEREAS, the Board of Directors of this Corporation expressed an interest in adding a monthly Sunday Brunch to food services for Tower

residents, their guests, and the greater community in the Crystal Dining Room; and

WHEREAS, the Board of Directors would like to extend such service to the residents of the Laguna Woods Village Community to create a favorable public relations event that showcases the Towers and its amenities;

NOW THEREFORE BE IT RESOLVED, August 21, 2008, that the Board of Directors of this Corporation hereby approves offering a monthly Sunday Brunch, available to Tower residents, their guests, and other members of Laguna Woods Village at a cost of \$20 per person; and

RESOLVED FURTHER, that the Board further authorizes \$12,000 in unbudgeted operating expenditures, which shall be offset by anticipated revenues from brunch ticket sales, and

RESOLVED FURTHER, that in order to maintain the condition of revenue offsetting expenses, Reservations, paid in advance with no refund, will be required; and

RESOLVED FURTHER, that such service shall require a permit from the City of Laguna Woods, 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 Wallace made a motion to approve the resolution. Director Gray seconded the motion and discussion ensued.

Betty Fox (603) commented on the resolution.

Director Wallace made a motion to table the resolution to the August Meeting to satisfy the required statutory thirty-day notice requirements. Director Gray seconded the motion and the motion carried without objection.

f. Acceptance of \$1,000 gift from Anonymous Donor

The Secretary of the Corporation read a proposed resolution accepting a gift of \$1,000 to be used toward the purchase of new tables in the Do Drop In – Coffee Lounge (Hearth Room I). Director Wallace made a motion to approve the resolution. Director Gray seconded the motion.

By a vote of 3-0-0, the motion carried and the Board of Directors adopted the following resolution:

RESOLUTION M50-08-30

RESOLVED, June 19, 2007 that the Board of Directors of this Corporation hereby accepts the donation of \$1,000 from an anonymous donor; and

RESOLVED FURTHER, that the funds shall be used toward the purchase of new tables in the Do Drop In – Coffee Lounge (Hearth room I); and

RESOLVED FURTHER, that the President of this Corporation is hereby authorized to advise said donor in writing and to express the thanks of the corporation.

7. Financial and Budget Report:

Director Schwartz presented the Treasurer's report.

8. City of Laguna Woods:

Dr. Brenda Ross updated the Board stating that the regular council meeting was held Wednesday June 18th at 2:00 and suggested that the members may watch it on TV or come to the city and watch the meeting. Dr. Ross stated that a great deal of time was spent discussing the Moulton Parkway Widening Project. Dr. Ross stated that Water usage was discussed; residents were urged to save water and keep water for emergencies. Dr. Ross stated that the Fire Dept. honored three children for their efforts with 911 in saving a parent during an emergency. Dr. Ross invited everyone to visit the Nix center.

9. Standing Committee Reports:

- a. **Activities Committee:** Lorna Ingram reported on behalf of the Activities Committee.
- b. **Business Planning Committee:** No report was given.
- c. **Information and Orientation Committee:** No report was given
- d. **Architectural Control Committee:** No report was given

10. GRF Committees:

- a. **Community Activities Committee:** No report was given.
- b. **Finance:** No report was given.
- c. **Broadband Services Committee:** Director Keith Wallace reported on behalf of the Broadband Services Committee.
- d. **Government and Public Relations Committee:** Director Dick Gray reported on behalf of the Government and Public Relations Committee.
- e. **Bus Services Committee:** Director Janet Schwartz reported on behalf of the Bus Services Committee.
- f. **Select Audit Committee:** No report was given.

11. Golden Rain Foundation

Mr. Milt Johns reported on the June 3, 2008 Golden Rain Foundation Board Meeting. Mr. Johns commented on the report from Dr. Ross regarding the Moulton Widening Project. Mr. Johns stated that there is a difference of opinion regarding who is at fault for the delay of the project.

12. Resale and Leasing Reports

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

13. Administrator's Report

No report was given.

14. Discussion Items:

No discussion items came before the Board.

15. Directors' Forum

No comments were made under Directors' Forum.

16. Members' Comments

Clara Zimmerman (358) commented on pets and motorized wheelchairs.

Recess

The meeting recessed at 3:25 P.M. and reconvened into Executive Session at 3:30 P.M.

There being no further business to come before the Board, the meeting was adjourned at 3:45 P.M.

Keith Wallace, Secretary

Towers Guest Suite Guidelines

We ask that you observe the following guidelines while you are here:

- **Check in time is 2:00 p.m.** **Check out time is 10:00 a.m.**
- Arrangements must be made in advance if a late checkout time is requested. Please call 597-4228 or 597-4278 to make these arrangements at least 24 hours in advance. Not all requests can be honored.
- Room Rate:

For Guest Suite	\$80.00 (One or Two Bedrooms)
Occupancy Tax	8.00
Total	\$88.00 per night
- No Smoking is allowed in the Guest Suite or Common Area of the Towers.
- No one will be denied a room on the basis of race or sex.
- Children under twelve are to be supervised and not left unattended. Please respect the rights of residents.
- There is no safe or safety deposit box for use by guests in the Suite.
- No disorderly conduct or actions injurious to the reputation or dignity of the Towers will be allowed.
- Bed linens and towels are provided on the first day of your visit. Additional Housekeeping services are not provided during your stay.
- Guests staying in the Suite are welcome to have meals in the Crystal or California Dining Rooms at the rate of \$16.00 per person. Please confer with your resident host regarding Dress Codes for the dining rooms. Tickets are available from the Reception Desk.
- The key for the Guest Suite must be left at the Reception Desk upon your departure. Failure to return the key could result in an additional charge of \$25 to your resident host.
- You may notify the Reception Desk if you encounter any urgent problems with your room by calling 597-4278.
- A public telephone is located in the Galleria area adjacent to Lounge II.
- Rooms must be free of all personal belongings and luggage at checkout time unless prior permission has been given in advance and confirmed. Staff needs at least four hours to prepare the Suite for the next guest.
- Fire exits are located at either end of the halls.
- Reservations are not confirmed until the chargeable services form is signed by the requesting resident.
- All cancellations must be in writing.
- Please return the room key to the Reception Desk at checkout.
- Carryout Lunches can be ordered at the Reception Desk at a cost of approximately \$6.50 each. Complete the form for each lunch selection and take it to the Reception Desk between

11:30 – 2:00 p.m. The lunch will be prepared promptly and can be picked up shortly thereafter.

California Civil Code 1863. (a) Every keeper of a hotel, inn, boardinghouse or lodginghouse, shall post in a conspicuous place in the office or public room, and in every bedroom of said hotel, boardinghouse, inn or lodginghouse, a printed copy of this section, and a statement of rate or range of rates by the day for lodging. (b) No charge or sum shall be collected or received for any greater sum than is specified in subdivision (a). For any violation of this subdivision, the offender shall forfeit to the injured party one hundred dollars (\$100) or three times the amount of the sum charged in excess of what he is entitled to, whichever is greater. There shall be no forfeiture under this subdivision unless notice be given of the overcharge to such keeper within 30 days after payment of such charges and such keeper shall fail or refuse to make proper adjustment of such overcharge.

S:GuestSuiteGuidelines.Rev. 6/19/08