

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

**April 19, 2012**

The Board of Directors of Laguna Woods Mutual Fifty, a California non-profit mutual benefit corporation, met at 2:00 P.M. on Thursday, April 19, 2012 at 24055 Paseo del Lago West, Laguna Woods, California.

**Directors Present:** Ryna Rothberg, Chair; Marilyn Ruekberg; Inesa Nord-Leth; Erwin Levy; and Joyce Bender

**Directors Absent:** None

**Others Present:** Judie Zoerhof, Patty Kurzet

**1. Call to Order**

President Rothberg chaired the meeting and 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 Bender led the membership in the Pledge of Allegiance to the Flag.

**3. Approval of the Minutes**

The Board reviewed and approved without objection the minutes of the Regular Meeting of March 15, 2012 and the Special Meeting of April 9, 2012.

**4. President's Comments**

President Rothberg commented on residents not honoring dinner and brunch reservations; encouraged residents to watch "In Conversation with Rob Merritt" on TV 6 on April 26, 2012; commented on the Friendly Visitor Program to assist in resident socialization; thanked resident Anne Gilbert for purchasing carts for the residents to use and encouraged those using the carts to return them and not store them in their unit; and announced that the minutes are posted on the Great Wall.

**5. Members' Comments**

No comments were made.

**6. Consent Calendar**

Without objection, the Consent Calendar was approved as submitted and the Board approved the following resolution:

**RESOLUTION M50-12-18**

**WHEREAS**, Member ID 932-961-83 currently delinquent to Laguna Woods Mutual Number Fifty 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**, April 19, 2012, that the Board of Directors hereby approves the recording of a Lien for Member ID 932-961-83; 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.

**7. Old Business**

**a. Reaffirm Policy re Members Not Residing in Towers Six Months Out of the Year**

Director Ruekberg read a proposed resolution that was postponed from last month to satisfy the 30-day notification requirement, restating the Mutual's long-standing Policy that all Owners/members will share in the Carrying Charges through the monthly assessments whether or not they are in residence. Director Ruekberg moved to approve the resolution. Director Levy seconded the motion.

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

**RESOLUTION M50-12-19**

**WHEREAS**, CC&R's (Covenants, Conditions, and Restrictions) Article VII sets forth the basis of the Corporation's monthly Carrying Charges; and

**WHEREAS**, the CC&R's at Article VII set forth that all costs incurred by Mutual Fifty to operate and maintain the Project are included in the monthly Carrying Charges; and

**WHEREAS**, the majority of the costs associated with the Second Occupant are incurred by the Mutual regardless of whether or not a second resident may be absent for a period of time; and

**WHEREAS**, the Board finds that it would be difficult and costly to administer a policy that allowed for a credit for those periods when an additional occupant is absent from a unit; and

**WHEREAS**, Article VII, Section 3 States in part: Carrying Charges shall be payable by each Owner whether or not he actually makes use of any part of the Project or receives any services provided by the Mutual;

**NOW THEREFORE BE IT RESOLVED**, April 19, 2012, the Board of Directors of this corporation hereby restates its long-standing Policy that all Owners/members will share in the Carrying Charges through the monthly assessments whether or not they are in residence; and

**RESOLVED FURTHER**, that the Second Occupant charges as calculated annually and as part of the annual pro forma budget shall be applied to all second, third or fourth occupants in those units as additional occupants are allowed; and

**RESOLVED FURTHER**, that no credit shall be provided to any owner for those periods when an additional occupant is absent from a unit;

**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. Approve Resident Employee Code of Conduct**

Director Ruekberg read a proposed resolution that was postponed from last month to satisfy the 30-day notification requirement, approving the Resident Employee Code of Conduct policy. Director Ruekberg moved to approve the resolution. Director Nord-Leth seconded the motion.

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

**RESOLUTION M50-12-20**

**WHEREAS**, by way of Resolution 50-06-07, the Board of Directors of this Corporation adopted a Caregiver Code of Conduct policy and wish to update the policy and change the name to Resident Employee Code of Conduct; and

**WHEREAS**, the members of the Corporation are ultimately responsible for the activities of Resident Employees while the Resident Employees are present at the Towers;

**NOW THEREFORE BE IT RESOLVED**, April 19, 2012, that the Board of Directors of this Corporation on behalf of the Corporation hereby adopts the revised Resident Employee Code of Conduct attached to these minutes concerning the conduct of Resident Employees while in the employ of residents working at the Towers, and

**RESOLVED FURTHER**, that Resolution 50-06-07, adopted January 19, 2006 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.

Member Lou Parker (1206) commented on the policy.

## **8. Items for Discussion and Consideration**

### **a. Exterior Paint Color**

Ms. Zoerhof stated that the Board is looking at the existing exterior paint coating and is considering a different paint color at the end of the paint cycle.

### **b. Approve Sun Shade for Zen Garden**

Director Ruekberg read a proposed resolution approving the installation of a sun shade for the Zen Garden. Director Ruekberg moved to approve the resolution. Director Nord-Leth seconded the motion.

Members Mary Wayman (860), Vicky Kasselheim (1056) Lou Parker (1206), and Olive Guggenmos (455) commented on the motion.

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

### **RESOLUTION M50-12-21**

**WHEREAS**, the Towers Zen Garden includes two pavilion-like structures and four themed benches; and is regarded as an aesthetic improvement that is rarely used by residents for social events, possibly due to the absence of shade;

**NOW THEREFORE BE IT RESOLVED**, April 19, 2012, the Board of Directors of this Corporation on behalf of the Corporation hereby authorizes a supplemental appropriation in the amount of \$700 from the Contingency Fund to add outdoor curtains to the pavilions and to repair the shade cloth as a means of providing shade to the Towers Zen Garden; 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.

**c. Food Service**

Ms. Zoerhof reported that the Board plans on reconsidering holding the monthly brunches due to the loss of revenue when reservations are not honored. Mutual Fifty cannot subsidize the brunches; they must be self sustaining.

**d. Guckenheimer Budget**

Ms. Zoerhof commented on resident complaints about the pasta dishes and explained that Guckenheimer has a budget that they must work with.

Member Vicky Kasselheim (1056) commented on the food; Lou Parker (1206) recommended that no refunds be given for those not honoring reservations; Mary Wayman (860); and Anne Gilbert (1403) commented on the brunches; Ollie Guggenmos (455) commented on no refunds; and Ruth Goodman (905) commented on the brunches.

**e. Towers Troopers**

Director Bender announced that the dates for the Towers Troopers Show has been changed to May 24<sup>th</sup> and May 25<sup>th</sup>, and volunteers are welcome to assist in the production.

**f. Use of Common Area**

Ms. Zoerhof commented on a resident violating the Mutual's carport storage policy and asked for Board direction. The Board agreed to schedule a hearing.

**g. Curb Cuts**

Ms. Zoerhof asked the Board if it would consider installing 3 curb cuts leading down from the Towers to the lower parking lot. The Board directed Staff to draft a subject report on the issue.

**h. Retain Interest Payment**

Director Levy made a motion to retain interest payments in the Merrill Lynch/BlackRock Discretionary Account for purpose of reinvestment. Director Ruekberg seconded the motion and discussion ensued.

Members Anne Gilbert (1403) and Lucy Maxym (1004) commented on the motion.

The motion carried unanimously.

**i. Marketing**

Ms. Zoerhof announced that the next Open House will be held May 4, 2012 and one of the units will be open as a model home; announced the number of hits received on the

Towers' website from foreign countries, and commented on the Towers' marketing and publicity success.

#### **9. Financial and Budget Report**

Director Levy gave the Financial and Budget Report.

#### **10. Standing Committee Reports:**

- **Resident Entertainment Committee:** JoAnn Cramer reported on behalf of the Resident Entertainment Committee.

Member Inga Behr (1451) commented on headsets for the hearing impaired.

- **Business Planning Committee:** Director Levy reported on the upcoming budget meetings.
- **Orientation Committee:** Director Ruekberg reported on behalf of the Orientation Committee.
- **Architectural Control Committee:** No report was given.

#### **11. GRF Committees:**

- **Community Activities Committee:** President Rothberg reported on behalf of the Community Activities Committee.
- **Media and Communications Committee:** No report was given.
- **Mobility and Vehicles Committee:** No report was given.
- **Finance:** Director Levy reported on behalf of the Finance Committee

Member Ollie Guggenmos (455) commented on the number of leases in the Towers.

- **Security Committee:** Director Ruekberg reported that Morton Bender attended the meeting on the Board's behalf.

#### **12. Golden Rain Foundation**

No report was given on the April 3, 2012 Golden Rain Foundation Board Meeting.

#### **13. Resale and Leasing Reports**

No report was given on the resale and leasing activity at the Towers.

#### **14. Administrator's Report**

No report was given.

#### **15. Directors' Forum**

No report was given.

#### **Recess**

The meeting recessed at 3:08 P.M. and reconvened into Executive Session at 3:15 P.M.

**Summary of Previous Closed Session Meetings per Civil Code Section §1363.05**

During its Regular Executive Session of March 15, 2012 the Board of Directors reviewed and approved the minutes of the February 16, 2012 Regular Executive Session, and the February 28, 2012 Special Executive Session; held one disciplinary hearing; and discussed contractual and litigation matters.

During its Special Executive Session of March 22, 2012, the Board discussed contractual issues.

There being no further business to come before the Board, the meeting was adjourned at 4:24 P.M.

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Joyce Bender, Secretary

LAGUNA HILLS MUTUAL NO. FIFTY  
(THE TOWERS)

Resident Employee Code of Conduct

Tower residents who employ personal assistants or any type of resident employee are responsible for the conduct of said employees in accordance with Article II, Section 6 of the Covenants, Conditions and Restrictions which state in part “no owner shall permit or suffer anything to be done within the Project which will obstruct or interfere with the right of other persons in the Project or annoy them by unreasonable noises or otherwise, nor shall he commit or permit any nuisance or commit or permit any immoral or illegal act within the Project”. In order to ensure that the resident employees abide by the policies and rules of the Towers, we provide the following information. (Whenever the masculine is mentioned, it includes the feminine). Please note: Failure of a resident to enforce this Code of Conduct with the resident employee could result in disciplinary action as provided in the Bylaws.

1. Resident employees must fill out the Resident Employee Information form available at the Reception Desk for each employer.
2. A Resident employee is required to sign in at the Reception Desk at the beginning of his shift and must sign out at the end of his shift. In the event that resident employees use the tunnel to gain access to the Towers, signing in and out at the Reception Desk still is required. When in the Towers’ common area, resident employees are required to provide and wear identification that identifies them as a resident employee.
3. The thirteen (13) **parking spaces in front of the Towers are for guests only**. A resident employee may park in his employer’s carport as arranged with the resident or in the parking lot off of Avenida Sosiega.
4. Resident employees are required to dress in keeping with the formal environment of the Towers. Resident employees are required to comply with the dress code of the dining rooms whether dining or escorting a resident to dine. Nursing uniforms are not permitted.
5. Mutual Fifty strives for high quality and prestigious independent senior living. Resident employees using Common Areas must comply with these standards at all times.
6. A resident employee must present the appropriate guest ticket when dining with his resident employer.
7. The appropriate area for resident employees awaiting resident employers dining in the Crystal Dining Room is Lounge I. Lounge II is appropriate for resident employees awaiting resident employers dining in the California Dining Room. **The area**

**immediately adjacent to a dining room entrance is not to be used by anyone not waiting to dine. Resident employees must wait at least thirty (30) feet from the dining room entrance.** The hostess will notify a resident employee when the resident employer is ready to leave.

8. A resident employee, when asked to do laundry, shall use the laundry facilities on the floor where his resident employer resides. **The Board of Directors states their position that the resident employee refrain from using laundry facilities on other floors; or for using Mutual Fifty facilities for personal laundry.**

9. Resident employees using Tower shopping carts are to return them to the tunnel immediately after use or call the Reception Desk to advise where the carts are located so a staff member may return them to the tunnel.

This Code of Conduct serves resident employers so they can inform resident employees working in the Towers what the resident employees are expected to do and the professional demeanor they should present.

**The Resident is responsible for assuring that this Code of Conduct is followed.** Failure to comply will result in you or your legal representative meeting personally with the Board of Directors to resolve the issue as provided in the Bylaws of the Corporation.

Because the Towers is home to individuals from many walks of life, it is a formidable task to maintain rules that are considerate of everyone's needs. Resident employees are expected to display professionalism in demeanor and dress at all times. The Board of Directors expects that each resident employing a resident employee will communicate this Code of Conduct to the resident employee to ensure the best possible living environment for all residents.

For your protection, it is suggested that you hire caregivers who are registered with reputable services. If someone approaches you to help, ask him or her if they are registered with a home care service. Ask for the name and telephone number of the agency and check it out. Call the Social Services Department (597-4267) for referrals if additional services are needed.

