

**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, 2014**

The Board of Directors of Laguna Woods Mutual No. Fifty, a California non-profit mutual benefit corporation, met at 1:00 P.M. on Thursday, June 19, 2014 at 24055 Paseo del Lago West, Laguna Woods, California.

**Directors Present:** Ryna Rothberg-Chair; Inesa Nord-Leth, John Dalis, Chace Kendro

**Directors Absent:** Alice Gokkes

**Others Present:** Jerry Storage, Kim Taylor, Katy Howe, Jon Noell, Ed Presley, Betty Parker, Bill Rex, Representatives from Independa, Representatives from KPMG  
Executive Session: Jerry Storage, Kim Taylor, Katy Howe, Steve Roseman Esq., Teresa Agnew, Luis Rosas, Representatives from RE Reconstruction Experts, Inc.

**CALL TO ORDER**

President Ryna Rothberg served as Chair of the meeting and stated that it was a regular meeting held pursuant to notice duly given and that a quorum was present. The meeting was called to order at 1:00 P.M.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Director Nord-Leth led the membership in the Pledge of Allegiance to the Flag.

**APPROVAL OF AGENDA**

Without objection, the agenda was approved as written.

**APPROVAL OF MINUTES**

Without objection, the Board reviewed and approved the minutes of the Regular Meeting of May 15, 2014.

**PRESIDENT'S COMMENTS**

President Rothberg commented on various items relating to the Towers.

**GOLDEN RAIN FOUNDATION**

Mr. Jerry Storage gave the June 3, 2014 Golden Rain Foundation Board Meeting report.

**RESALE AND LEASING REPORTS**

Mr. Jerry Storage reported on the resale and leasing activity at the Towers.

### **ADMINISTRATOR'S REPORT**

Ms. Katy Howe announced that the Open House scheduled for July has been cancelled due to the lack of inventory. Ms. Howe reported that the Orange County Fire Authority will be conducting a fire drill and fireman training at the Towers in July. Ms. Howe answered questions from the Board and Members, and presented a report from Guckenheimer.

### **NEW BUSINESS (Items for Discussion and Consideration)**

Representatives from KMPG reviewed Mutual No. Fifty tax status for the year ending December 31, 2013.

Representatives from Independa gave a presentation on a concierge service.

### **REVIEW PRELIMINARY FINANCIAL STATEMENTS**

Ms. Betty Parker reviewed the Preliminary Financial Statements and answered questions from the Board and Members.

Ms. Parker left the meeting at 3:00 P.M.

### **MEMBERS' COMMENTS**

- Renee Merer (1005) commented on the Crystal Room reservations policy.
- Bryna Kulla (255) commented on holding bingo outside and suggested a shade cover.
- Blanche Goldman (1010) commented on a patio cover for outside bingo.
- Ruth Stone (602) commented on a key issue with regard to her neighbor.
- Nancy Hou (204) commented on the carpet in the California Room.
- Ann Mogel (303) commented on the food at the BBQ.

### **RESPONSE TO MEMBERS COMMENTS**

The Directors briefly responded to Members' comments.

### **CONSENT CALENDAR**

Without objection the Consent Calendar was approved.

### **OLD BUSINESS**

No old business came before the Board.

### **NEW BUSINESS (Items for Discussion and Consideration) CONTINUED**

Director John Dalis, read the following proposed resolution adopting the Regulated Building Materials Rule:

### **RESOLUTION 50-14-XXX**

**WHEREAS**, the buildings in Mutual No. Fifty were constructed when lead-based paint and asbestos-containing materials (ACM) were common; and the handling of these materials is now regulated at both Federal and State levels, mandating specific testing, material handling and disposal procedures when building components suspected to contain regulated building materials are disturbed; and

**WHEREAS**, in order to protect members, residents, guests, and Staff from exposure to asbestos and lead when these materials are disturbed; to strengthen the Corporation's defense against fines, penalties and litigation related to disturbances; and to address members' responsibility for compliance while performing alterations to their unit, a rule regulating building materials should be in place;

**NOW THEREFORE BE IT RESOLVED**, August 21, 2014, that the Board of Directors of this Corporation hereby approves the attached Regulated Building Materials Rule affirming member responsibility for testing and handling of ACM, lead and lead-based paint, and other regulated building materials when performing alterations to their units; and

**RESOLVED FURTHER**, that if it is discovered that an alteration has been performed without required regulated building materials testing and remediation procedures, as applicable, the member would be financially responsible for testing and decontamination/abatement of the affected area(s) by qualified professionals; and

**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.

Director Dalis moved to approve the rule and postpone it to the August meeting to conform to the 30-day notification requirement. Director Nord-Leth seconded the motion and discussion ensued.

By a vote of 3-0-0 the motion carried.

Without objection, the Board directed staff to obtain a legal opinion from Counsel regarding the distribution of flyers at the Towers.

Without objection, the board decided not to obtain a legal opinion from Counsel on performing a census of residents' physical ability for service levels.

Ms. Howe discussed the need to update the Towers website.

Director Nord-Leth moved to direct staff, in conjunction with the current web developer, to perform revisions to the Towers website. Director Dalis seconded the motion.

By a vote of 3-0-0 the motion carried.

Ms. Howe updated the Board on the condition of the chairs in the Crystal Dining Room and the inability to purchase replacement chairs.

Without objection, the Board directed staff to pursue purchasing new chairs for the Crystal Dining Room.

Director Dalis read a proposed resolution approving a property removal policy. President Dalis moved to approve the resolution. Director Kendro seconded the motion.

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

**Resolution M50-14-31**

**Property Removal Policy**

**WHEREAS**, Mutual No. Fifty often acquires belongings and furniture from previous residents who leave them behind; and

**WHEREAS**, Mutual No. Fifty currently has more furnishings in its possession than it can utilize in vacant units and common areas; and

**NOW THEREFORE BE IT RESOLVED**, June 19, 2014, that the Board of Directors of this Corporation hereby authorizes Staff to develop and implement property removal procedures for items abandoned in units, storage lockers or otherwise donated to the Mutual; 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 Dalis read a proposed resolution to increase holiday and brunch guest ticket costs to \$22 per ticket. Director Dalis moved to approve the resolution. Director Kendro seconded the motion.

By a vote of 3-1-0 (Director Dalis opposed), the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION M50-14-32**

### **Holiday and Brunch Guest Ticket Pricing**

**WHEREAS**, the price of Guest Holiday Dinner and Brunch tickets is currently \$19.00;

**WHEREAS**, the price of food continues to rise, increasing costs to Mutual No. Fifty to host these events.

**NOW THEREFORE BE IT RESOLVED**, June 19, 2014, that the Board of Directors of this Corporation hereby establishes the non-refundable guest holiday dinner ticket price at \$22.00 for all guests effective July 1, 2014; and

**RESOLVED FURTHER**, the non-refundable brunch ticket price is now \$22.00 for all brunch patrons, effective July 1, 2014; and

**RESOLVED FURTHER**, that this price does not include regular guest dinner tickets prices; and

**RESOLVED FURTHER**, Resolutions M50-11-21 and M50-11-10 are 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.

### **MUTUAL FIFTY COMMITTEE REPORTS**

#### **Finance Committee**

Director Dalis reported on behalf of the Finance Committee.

#### **Marketing Committee**

No meeting was held and no report was given.

#### **Landscaping Committee**

No meeting was held and no report was given.

#### **Orientation Committee**

No report was given on behalf of the Orientation Committee.

#### **Resident Entertainment Committee**

No report was given for the Resident Entertainment Committee.

### **GRF COMMITTEE REPORTS**

#### **Community Activities Committee**

No report was given on behalf of the GRF Community Activities Committee.

#### **Energy Committee**

No report was given on behalf of the GRF Energy Committee.

**Finance Committee**

No report was given on behalf of the GRF Finance Committee.

**Government & Public Relations Committee**

No meeting was held and no report was given.

**Landscape Committee**

No meeting was held and no report was given.

**Maintenance & Construction Committee**

No report was given on behalf of the GRF Maintenance & Construction Committee.

**Media & Communications Committee**

No report was given on behalf of the Media & Communications Committee.

**Mobility & Vehicles Committee**

No meeting was held and no report was given.

**Recreation Master Plan Ad Hoc Committee**

No meeting was held and no report was given.

**Security and Community Access Committee**

Lou Parker reported on behalf of the Security and Community Access Committee.

**RECESS**

The meeting recessed at 3:20 PM and reconvened into Executive Session at 3:30 PM.

**Summary of Previous Closed Session Meetings per Civil Code Section §4935**

During its Regular Executive Session meeting of May 15, 2014, the Board approved the April 15, 2014 Special Executive Session minutes and the April 17 Regular Executive Session minutes; heard reports from Reconstruction Experts and Realtor Cathy Flores; accepted title of (1) Unit; approved (1) Non-Judicial Foreclosure Sale Date; approved a supplemental appropriation; and discussed litigation and delinquency matters.

There being no further business to come before the Board, the June 19, 2014 meeting was adjourned at 6:30 P.M.

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Ryna Rothberg, President