

REGULAR 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 20, 2019

The Board of Directors of Laguna Woods Mutual No. Fifty, a California non-profit mutual benefit corporation, met at 2:00 p.m. on Thursday, June 20, 2019 at 24055 Paseo Del Lago West, Laguna Woods, California.

Directors Present: Ryna Rothberg-Chair, Al Amado, June Greenwald and John Dalis, John Carter (joined meeting after item 17a)

Directors Absent: None.

Staff Present: Kristen Orr, Ariana Rodriguez, Alex Banegas, Matthew Sanchez, Angela Medina and Renee Pedroza.

Others Present: None.

CALL TO ORDER

Director Rothberg called the meeting to order at 2:02 p.m. and established that a quorum was present.

PLEDGE OF ALLEGIANCE

Director Greenwald led the membership in the Pledge of Allegiance.

APPROVAL OF AGENDA

By unanimous consensus, the Board approved the agenda.

APPROVAL OF MINUTES OF MEETING

Without objection, the Board approved the minutes of:

- (a) May 16, 2019 – Regular Meeting
- (b) May 31, 2019 – Special Regular Meeting

PRESIDENT'S COMMENTS

President Rothberg recommended that residents attend the June 21, 2019 meeting of the OC Registrar of Voters to discuss polling locations within the Village for the 2019 General Election. She mentioned the closure of Gate 10, effective Monday, June 24th and highlighted alternate routes.

GOLDEN RAIN FOUNDATION REPORT

Ms. Orr reviewed relevant information from the May 2019 Golden Rain Foundation Board meeting.

GENERAL MANAGER'S REPORT

Ms. Orr reported on several items at The Towers, including the new dining program-- effective June 1st, 2019. She also reported on the progress of the flooring project and mentioned the new pumpkin patch. Ms. Orr also gave the management reports for May 2019, including: The Resale Report, the Leasing Report, the Maintenance and the Dining Services Reports (including budget overages/variances).

TREASURER'S REPORT/FINANCE COMMITTEE

Director Amado reported on the April 2019 financials.

MEMBER COMMENTS

- Lilian Falk, 711, mentioned roaches in her unit and that residents should be proactive and not be shy about the problem.
- Shelva Lenzkes, 401, requested that membership approach her with transportation problems which she will then present them to V.M.S. staff. She also mentioned people should stop complaining about the food.
- Jean Gagnon, 1107, commented that the pond is still being neglected.
- Sy Wellikson, 1161, commented that not all committee meetings are on the Agenda and that they should all be listed.
- Steve Handelman, 251, commented on caregivers getting coffee and cookies in Hearth Room 2-- possibly for residents. He suggested removing the service from Hearth Room 2 and keeping them just in Hearth Room 1 where residents can monitor usage.
- Carole Schnall, 611, recommended changing the location for Happy Hour to a location that has easier access.
- Ruth Stone, 603, recommend an easy alternate route (Gate 8) to get to The Towers.
- Ken Nickoll, 1155, commented on the value of lunch and thinks it should be available for all.
- Henry Nahoum, 1306, commented on the difficulty in getting rid of roaches.

RESPONSE TO MEMBERS' COMMENTS

The Board of Directors and Ms. Orr responded to member comments.

MUTUAL FIFTY COMMITTEE REPORTS

Activities Committee Report

Ms. Rothberg commented on looking for alternative transportation for trips.

Marketing Committee Report

No meeting, no report given.

Orientation Committee Report

No meeting, no report given.

Ad Hoc Transportation Committee

No meeting, no report given.

CONSENT CALENDAR

- a) **Reverse \$50 in Reminder Fees for Account 220-2288(\$25) and 232-1923(\$25)**
By consensus, approved.

UNFINISHED BUSINESS

Legal Counsel's Opinion on Dress Code Enforcement

The Board has requested Legal Counsel's opinion on how to address the Dress Code enforcement. Legal Counsel's recommendation is the following: "For the Board to either reverse the rule or enforce it uniformly. If the Board elects to enforce the Dress Code Rule, it should rely on shareholders, rather than Management or dining hall personnel, to report alleged violations of the Dress Code. The Board can then provide each allegedly offending shareholder with a notice and hearing regarding the violation, at which time the Board can investigate the matter and decide on the appropriate discipline, if any, to impose. Further, we recommend that the Board revise the Dress Code Rule to remove certain language so as to be consistent with this recommendation.... in sum, shifting the reporting responsibility to the shareholders will likely result in less violations going unreported. Moreover, by consistently providing a notice and hearing to every allegedly offending shareholder, any claims that the Mutual is inconsistently or unevenly enforcing the Dress Code Rule will be prevented". Director Amado moved to follow Legal Counsel's opinion that shareholders report alleged violations to the General Manager. Director Greenwald seconded the motion. Discussion ensued. By a vote of 2-1-1, (Director Amado against, Director Dalis abstained) the motion passed.

Second Occupant Fee Adjustment

Director Greenwald read the proposed resolution:

RESOLUTION M50-19-26
2019 Budget Resolution

RESOLVED, September 20, 2018, that the Business Plan of this Corporation for the year 2019 is hereby adopted and approved; and

RESOLVED FURTHER, that pursuant to said Business Plan, the Board of Directors of this Corporation hereby estimates that the sum of \$9,953,972 is required by the Corporation to meet the Laguna Woods Mutual No. Fifty operating expenses and

Reserve requirements for the year 2019, from which will be deducted \$1,142,867 expected from various sources of revenue. In addition, the sum of \$756,962 is required by the Corporation to meet the Golden Rain Foundation and the Golden Rain Foundation Trust operating expenses and Reserve contributions for the year 2019. The Board of Directors hereby estimates that the net sum of \$7,748,193 is required to be collected from and paid by members of the Corporation as basic monthly assessments; and

RESOLVED FURTHER, that the Board of Directors of this Corporation hereby approves expenditures from Reserves in the sum of \$970,200 from the Replacement Funds; and

RESOLVED FURTHER, that the Board of Directors of this Corporation hereby determines and establishes monthly assessments of the Corporation as shown on each member's breakdown of monthly assessments for the year 2019 and as filed in the records of the Corporation; said assessments to be due and payable by the members of this Corporation on the first day of each month for the year 2019; and

RESOLVED FURTHER, that the Board of Directors of this Corporation hereby determines and establishes monthly assessments required to be paid by members of the Corporation effective January 1, 2019 as follows:

Unit Model	Monthly Assessment
A	\$2,155.01
B	\$2,192.06
C	\$2,362.53
D	\$2,332.88
F	\$2,540.41
G	\$2,295.83
H	\$2,481.12

RESOLVED FURTHER, that the second occupant charge will be \$671.00, of which \$550.00 is for food service and \$121.00 is for maintenance; and

WHEREAS, that upon investigation, the 2019 second occupant charge was determined to be calculated in error and necessitates an increase; and

NOW THEREFORE BE IT RESOLVED, that on September 1, 2019, that the Board of Directors of this Corporation, on behalf of the Corporation, hereby states the Laguna Woods Mutual No. Fifty second occupant charge as shown;

Laguna Woods Mutual No. Fifty Second Occupant Charge
\$737.34, of which \$616.34 is for food service and
\$121.00 is for maintenance; and

RESOLVED FURTHER, that Resolution M50-18-75, adopted September 20, 2018 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.

Director Greenwald moved the Resolution. Director Dallis seconded the motion. By a vote of 3-0-0, the resolution passed.

This Resolution will be out for 28-day public review to conform to the Davis Stirling Act.

NEW BUSINESS

Board Vacancy

Director Greenwald read the proposed resolution:

RESOLUTION 50-19-27

WHEREAS, Laguna Woods Mutual No. 50 has a Board vacancy resulting from the resignation of Inesa Nord-Leth and;

WHEREAS, the term of Director Nord-Leth expires December 2020;

WHEREAS, the Board reserves the right to fill the vacancy through an appointment and;

NOW THEREFORE BE IT RESOLVED that the Board of Directors hereby appoints John Carter to fill the vacancy resulting from the resignation of Inesa Nord-Leth with an expiration date of December 2020;

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 Greenwald moved the Resolution. Director Dallis seconded the motion. By a vote of 4-0-0, the motion passed.

Approve Reserve Study Agreement

Director Greenwald read the proposed resolution:

RESOLUTION 50-19-28

Supplemental Appropriation for 2019 Reserve Study

WHEREAS, California Civil Code requires condominium associations to prepare a formal Reserve Study every three years, and

WHEREAS, Mutual No. Fifty performed its last Reserve Study in 2018, and

WHEREAS, RSI, the Reserve Study Specialist that Mutual No. Fifty has used for the previous studies, has quoted a price of \$3,360 to perform a study in 2019,

NOW THEREFORE BE IT RESOLVED, June 20, 2019, that the Board of Directors of this Corporation hereby awards a sole source contract to RSI and approves a supplemental appropriation of \$3,360 from the Replacement Fund for the completion of the Reserve Study; 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 Greenwald moved the Resolution. Director Amado seconded the motion. By a vote of 4-0-0, the motion passed.

Engage Services of an Engineer

At a previous meeting, Staff was asked to determine qualified engineers to evaluate our Zen Garden area and the water intrusion in the pedestrian tunnel below. Staff has identified the following three Engineering Firms, all of which have extensive experience in Hydro-Engineering. The companies are as follows: Global Geo Engineering (Irvine) with complimentary site-visit, Hetherington Engineering Inc. (Carlsbad) with complimentary site-visit, and Hannan Geotechnical (Laguna Hills) with \$500 site-visit. Staff is seeking Board approval to invite these three (3) companies for site-visits so they can evaluate the Zen Garden in order to draft accurate proposals for the study of this area and the resulting water intrusion. Director Amado made a motion to invite the three (3) vendors to make site-visits and submit proposals for studying this area. Director Dalis seconded the motion. Discussion ensued. By a vote of 4-0-0, the motion passed.

Agenda Workshop List

Staff is requesting that relevant items brought up at the monthly Agenda Workshop be subsequently placed on the monthly Open Board Meeting Agenda for Board consideration. Staff is seeking Board consideration of the relevant items discussed at the June Meeting (attached). The Board addressed these items and directed staff to refer items 2, 3, 4, and 6 to the Dining Services Committee; item 5 to Bemus Landscape; and to turn off the Hearth Room fireplaces when the temperature exceeds 75b degrees.

GRF COMMITTEE REPORTS

Community Activities Committee – Ryna Rothberg

No report.

Business Planning Committee – Al Amado

No report.

Finance Committee – Al Amado

No report

Landscape Committee – June Greenwald

No report

Maintenance and Construction Committee – Ryna Rothberg

Ms. Rothberg commented on items discussed at the Maintenance and Construction Committee Meeting.

Media and Communications Committee- Ryna Rothberg

Ms. Rothberg commented on items discussed at the Media & Communications Committee Meeting.

Mobility and Vehicles Committee – June Greenwald

No report.

Security and Community Access – John Dalis

No report

Disaster Planning Task Force – Inesa Nord-Leth

No report

PAC Ad Hoc Committee – June Greenwald

No report

Laguna Woods Traffic Hearings – Ryna Rothberg

No report

Board Member Closing Comments

No closing comments.

ADJOURNMENT

The Meeting was adjourned at 4:20 p.m.

Summary of Previous Executive Session Of June 20, 2019 per Civil Code Section 4935

The Board approved the minutes of the May 14, 2019 Executive Session, the May 20, 2019 Special Closed Meeting and the May 24, 2019 Special Closed Meeting and discussed disciplinary and contractual issues.

This Executive Session was adjourned at 2:35 p.m.



John Carter, Secretary