

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**

**April 20, 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, April 20, 2006 at 24055 Paseo del Lago West, Laguna Woods, California.

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

**Directors Absent:** None

**Others Present:** Judie Zoerhof, Cris Trapp, 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 March 16, 2006 Regular Meeting and the March 27, 2006 Special Meeting were approved.

**4. Financial and Budget Report**

**a. GRF Finance Committee**

Joseph Schaefer presented the Treasurer's report.

**5. City of Laguna Woods**

Dr. Brenda Ross reported on the City Council Meeting of April 19, 2006.

**6. Standing Committee Report**

**a. Activities Committee:** Ms. Ingram reported on behalf of the Activities Committee.

**b. Business Planning Committee:** No report given.

**c. Information and Orientation Committee:** Ms. Sullivan reported on behalf of the Information and Orientation Committee.

**d. Food Committee:** Mr. Hathaway reported on behalf of the Food Committee

## **7. 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:** Janet Schwartz reported on behalf of the Bus Service Committee

## **8. Golden Rain Foundation**

Cris Trapp, Legal Affairs Manager reported on local developments under review by the Cities of Irvine and Lake Forest and informed the Community on the impact of increased traffic in and around Laguna Woods.

## **9. Administrators Report**

Judie Zoerhof, Towers Administrator reported on the following items that included:

- Four (4) mature trees were found to be the cause of a potential walkway hazard along the sidewalk. The trees have since been replaced with two (2) new trees. The uplifted portion of the sidewalk will be ground down to mitigate the potential hazard
- A new fountain will be placed outside the window area of the Do-Drop-in Lounge to have a garden affect.

## **10. Action Items:**

- a. Approve Appointment of Director in place and stead of Al Sniderman, resigned**

Chairman Wurzel announced that there were two candidates running for the board of directors to replace Al Sniderman. The candidates were Tom Jackson and Bill Masterson.

Secret ballots were distributed, collected, and tallied for the election of a new director three times, all of which ended in a tie. After a fourth voting session, Mr. Masterson was elected to the position.

The Secretary of the Corporation, Director Ruth Mervis read the proposed resolution regarding the appointment of Bill Masterson. Director Mervis made a motion to approve, and Richard Wurzel seconded the motion.

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

### **Resolution 50-06-15**

**RESOLVED**, on April 20, 2006 the Board of Directors of this corporation on behalf of the corporation hereby appoints Bill

Masterson to the Mutual Fifty Board of Directors in the place and stead of Al Sniderman, resigned.

Mr. Masterson joined the Board at the table.

**10b: Election of Officers – (Treasurer)**

Secretary Mervis read and moved to approve the following proposed resolution on approving the Officers of the Corporation.

The motion failed due to a lack of a second.

Director Schaefer made a motion to table the motion until next month, due to a lack of a second, the motion failed.

Director Mervis made another motion to approve the proposed resolution on approving the Officer of the Corporation. Director Hayes seconded the motion.

The motion failed by a vote of 2 in favor (R. Mervis & B. Masterson) and 3 against (R. Wurzel, J. Schaefer and M. Hayes).

**10c: Approve Support of AB 2851**

Secretary Mervis read and moved to approve the following proposed resolution supporting Assembly Bill 2851. Director Schaefer seconded the motion.

By a unanimous vote the motion carried and the Board of Directors adopted the following resolution:

**Resolution 50-06-16**

**WHEREAS**, existing law requires unanimous owner approval for any change in the Condominium Plan;

**WHEREAS**, existing law requires signatures of all lenders in order to change the Condominium Plan;

**WHEREAS**, unanimous votes, especially in associations with hundred of owners, are virtually impossible;

**NOW THEREFORE BE IT RESOLVED**, on April 20, 2006 the Board of Directors of this Corporation on behalf of the Corporation hereby affirms its support of the proposed legislative Bill AB 2851; this bill recommends reducing the 100% voting requirement stipulated in the current law to change a Condominium Plan, and

**RESOLVED FURTHER**, Staff is hereby directed to include Laguna Woods No. Fifty as a supporter in all communications with appropriate parties;

**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.

**10d. Approve Policy on Real Estate Signage**

Secretary Mervis read and moved to approve the following proposed resolution approving the Real Estate Signage Policy with one modification to the size of the sign size. Director Hayes seconded the motion.

By a vote of 3 in favor and 2 against the motion carried and the Board of Directors adopted the following resolution:

**Resolution 50-06-17**

**WHEREAS**, to protect the aesthetic integrity of Laguna Woods Village and the Towers, and further to prevent the diminishment of the surrounding beauty of the Community, it is necessary to establish architectural guidelines with respect to real estate signage, and

**WHEREAS**, the Housing Mutuals do not currently have a standard in place for temporary window signage.

**WHEREAS**, California Civil Codes §1368.1 prohibits a board of directors of a Common Interest Developments from adopting rules and regulations that unreasonably restrict an owner's ability to market his or interest in a Common Interest Development, and

**WHEREAS**, California Civil Code §713 permits any owner or owner's agent to display on the owner's real property signage that displays (1) the property is for sale, lease, or exchange by the owner or his or her agents, (2) directions to the property, (3) the owner's or agent's name, or (4) the owner's or agent's address and the telephone number, and

**NOW THEREFORE BE IT RESOLVED**, April 20, 2006 that the Board of Directors of the Corporation on behalf of the Corporation hereby adopts an architectural guideline for temporary real estate signage that would emulate the requirements put forth in the City's Zoning Ordinance.

**RESOLVED FURTHER**, The requirements are as follows:

1. Sign location: To be displayed in the manor window

2. Maximum Number: One per residence
3. Maximum sign area: The smaller of three (3) sq. ft. or twenty percent of the window area
4. Maximum Character Size: Twelve (12) inches
5. Sign Copy: Pertaining only to the sale, rent or lease of the manor
6. Sign Material: Wood or metal
7. Sign Illumination: None permitted
8. Permit Requirement: None

**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.

#### **10e. Election Procedure**

Secretary Mervis read and moved to approve the following proposed resolution supporting the new Election Procedures. Director Hayes seconded the motion.

By a unanimous vote the motion carried and the Board of Directors adopted the following resolution:

#### **Resolution 50-06-18**

**WHEREAS**, California Civil Code §1363.03, effective July 1, 2006 regulates the manner in which Common Interest Developments conduct their election process; and

**WHEREAS**, it is necessary for each corporation to adopt the rules regarding elections;

**NOW THEREFORE BE IT RESOLVED**, May 16, 2006 that the Board of Directors of this Corporation hereby authorizes staff to administer the election process per the subject report titled "Election Procedure" which is attached to the official record of this meeting in the files of this Corporation, and which is in compliance with Civil Code §1363.03, 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.

By consensus of the Board, the following resolution was added to the agenda.

The Secretary of the Corporation, Director Mervis read the following proposed resolution on revised election procedures. Director Mervis moved to approve the resolution. The motion was seconded.

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

**Resolution 50-06-19**

**WHEREAS**, California Civil Code §1363.03, effective July 1, 2006 regulates the manner in which Common Interest Developments conduct their election process; and

**WHEREAS**, Senator Battin introduced Senate Bill 1560 on February 23, 2006 to amend California Civil Code §1363.03;

**WHEREAS**, SB 1560 modifies election requirements as follows:

- Allows the inspectors of election to appoint and oversee additional persons to count and tabulate votes (i.e. staff or outside contractor)
- Clarifies quorum requirements as stated in bylaws of an association
- Would require that a director not participate in decisions in which the director has a material financial interest
- Clarifies the use of proxies as stated in the bylaws of an association
- Once a secret ballot is cast it shall be irrevocable
- A membership meeting shall not be required unless required by the governing documents
- Specifies that procedures in the code shall apply only to membership voting, not delegate or elected representative voting (i.e. GRF)

**WHEREAS**, this Bill does not address the Community's current allowance for self-nomination by petition; and

**NOW THEREFORE BE IT RESOLVED**, April 20, 2006 that the Board of Directors of this Corporation hereby approves and authorizes staff to communicate to appropriate state legislative entities and HOA industry organizations, regarding newly introduced Senate Bill 1560, language that requires allowance of a self nomination process by petition, based on a reasonable number of required signatures and if specified in the community's governing documents; 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.

**10f. Approve Fire Authority Policy regarding Pictures Hung in the Resident Hallways**

Secretary Mervis read and moved to approve the following proposed resolution to approve the Fire Authority's policy on pictures being hung in the resident hallways. Director Schaefer seconded the motion.

By a unanimous vote the motion carried and the Board of Directors adopted the following resolution:

**Resolution 50-06-20**

**WHEREAS**, the Orange County Fire Authority, Fire and Life Safety Inspection Notice has given notice that objects displayed in the exit corridors shall be limited to items that will not create an undue trip hazard and/or add a combustible material to the fire-rated exit corridor and that this applies to the decorations outside the individual manors;

**NOW THEREFORE BE IT RESOLVED**, on May 16, 2006 the Board of Directors of the Corporation, on behalf of the Corporation hereby approves a policy that resident hallway decorations shall be displayed in the elevator lobbies and on the walls immediately outside of the resident doorways only; and

**RESOLVED FURTHER**, that no art work may be displayed on any resident hallway and no decorations may be placed on the floor outside of the resident doors;

**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.

**11. Discussion Items:**  
**a. I.D. Card for Dining**

The Board of Directors discussed the idea of having residents present a picture I.D. card when they dine in the dining room to ensure that invited guests present their dinner coupons to the servers. This will hopefully establish a procedure to eliminate people from dining in the dining room without paying.

Mary VanNess (255), Sheila DeKalb (761), Lorna Ingram (1161), Ramona Petersen (652), Tom Davis (1208), Tom Jackson (754) and Phyllis Benveniste (560) commented on the dining card.

**10b. Entrance Location for Crystal Dining Room.**

The Board discussed an optional entrance to the Crystal Dining Room. The consensus of the Board was to leave the entrance as it is.

**12. President's Comments:**

President Wurzel commented that all projects are on schedule and that he is pleased that the Key Club is such a success.

**13. Guckenheimer Food Service Report:**

Christopher Ramirez, Food Service Manager reported on behalf of Guckenheimer Food.

- President Wurzel commented on the food cart noise in the dining room.

**14. Resale & Leasing Report:**

President Wurzel reported on the year-to-date resale and leasing activity.

**15. Resident Questions:**

No residents questions at this month's meeting.

**Recess**

The meeting recessed at 11:57 A.M and reconvened into Executive Session at 12:05 P.M.

During Executive Session the Board approved Executive Session Minutes from February 16, 2006 and March 3, 2006 Special meeting, and reviewed any Litigation and/or Delinquency Reports.

**ADJOURNMENT**

There being no further business to come before the Board the meeting was adjourned at 12:13 P.M.

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Ruth Mervis, Secretary