

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

**June 18, 2009**

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 18, 2009 at 24055 Paseo del Lago West, Laguna Woods, California.

**Directors Present:** Dick Gray, Chair; Ruth Mervis; Richard Wurzel; Keith Wallace; and Herb Harris

**Directors Absent:** None

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

**1. Call to Order**

Dick Gray, 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 Wurzel led the membership in the Pledge of Allegiance to the Flag.

**3. Approval of the Minutes**

Without objection, the minutes of the 2010 Business Planning Kick-off Meeting of March 4, 2009 and the Regular Meeting of May 21, 2009 were approved as submitted.

**4. President's Comments**

President Gray introduced Mr. Bob Hill, the General Manager of the El Toro Water District, who provided a presentation of the El Toro Water District's Water Conservation and Water Supply Shortage Program.

Director Mervis read a proposed resolution proclaiming the El Toro Water District Mandatory Water Rationing Program. Director Mervis moved to approve the resolution. Director Wurzel seconded the motion.

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

**RESOLUTION M50-09-43**

WHEREAS, The El Toro Water District (ETWD), serves Laguna Woods Mutual No. Fifty; and

WHEREAS, very serious drought conditions exist as a result of three straight years of below-average rainfall, very low snowmelt runoff, and

the largest court-ordered water transfer restrictions in state history;  
and

**WHEREAS**, Laguna Woods Mutual No. Fifty supports ETWD's 2009 Water Conservation and Water Supply Shortage Program, effective April 1, 2009, that outlines newly adopted mandatory rules for all of its customers; and

**WHEREAS**, the purpose and intent of the Program is to minimize or avoid the effect and hardship of potential shortages of potable water to the greatest extent possible;

**NOW THEREFORE BE IT RESOLVED**, June 18, 2009, that the Board of Directors of this Corporation hereby commits to working with ETWD to encourage all Laguna Woods Village residents to strive to change consumption habits to endeavor to conserve water; and

**RESOLVED FURTHER**, that staff would assist with dissemination of information from El Toro Water District, including articles and links on the Community website and by direct mailing at no cost to Laguna Woods Mutual No. Fifty; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are thereby authorized on behalf of this Corporation to carry out the purpose of this Resolution.

Mr. Hill left the meeting at 2:14 P.M.

## **5. Old Business**

### **a. Approve Standards for Future Installation of Window Film**

Director Mervis read the following standard for future installations of window film:

#### **RESOLUTION M50-09-**

**WHEREAS**, by way of Resolution M50-09-32, the Board of Directors of this Corporation approved the installation of Ceramic 30 insulated window film on Common Area windows and Mutual owned units; and

**WHEREAS**, in order to maintain uniformity in appearance and the most effective means of insulation, a standard for window film is necessary;

**NOW THEREFORE BE IT RESOLVED**, July 16, 2009, that the Board of Directors of this Corporation hereby adopts Ceramic30 3M window film or the equivalent as a standard for window film at the Towers; 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.

The motion was moved and seconded last month and President Gray announced that the resolution establishes a policy and that it is necessary that it go through the 30-day notification process.

Without objection, the Board postponed the resolution to the July Meeting to satisfy the required statutory thirty-day notice requirement.

## **6. New Business**

### **a. Approval of Rate Increase for Use of Guest Suites**

Director Mervis read a proposed resolution approving a rate increase for use of the Guest Suite. Director Mervis moved to approve the resolution. Director Wurzel seconded the motion and discussion ensued on those reservations made prior to July 1, 2009. Without objection, the Board agreed to honor the rate for those reservations made prior to July 1.

Member Herb Parker (308) commented on the motion.

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

### **RESOLUTION M50-09-44**

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

**WHEREAS**, due to the high demand for use of the Guest Suite and the significant amount of staff time the Guest Suite reservations require;

**NOW THEREFORE BE IT RESOLVED**, June 18, 2009, that the Board of Directors of this Corporation hereby approves a one visit rate of \$91.00 per night; and

**RESOLVED FURTHER**, that Staff shall include the City's Transient Occupancy Tax of 10% of the per night rate for a total of \$100.00 per night; and

**RESOLVED FURTHER**, that the date of the new rate will be effective on July 1, 2009; 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 M50-08-29 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.

b. **Approve Monthly Charge for Live-In, In-Home Assistance**

Director Mervis read a proposed resolution approving a monthly fee to residents who have live-in or 24-hour, in-home assistance. Director Mervis moved to approve the resolution. Director Wurzel seconded the motion and discussion ensued.

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

**RESOLUTION M50-09-45**

**WHEREAS**, Mutual Fifty Board of Directors has not levied a fee for expenses incurred by the Mutual due to care-givers—whether they serve the member as a live-in or they serve collectively as live-in care providers; and

**WHEREAS**, the Governing Documents Article III(g) states in part that if the Mutual has incurred any liability, paid any cost or expense or rendered any service, to or for the benefit of an individual Owner, a guest of any Owner, or any person occupying the Unit of an Owner the amount of which is not included in the Carrying Charge, the Mutual may levy a special assessment against such Owner; and

**WHEREAS** similarly, the Board of Directors charges a fee for second occupants residing in the Towers. This second occupant fee includes food service, utilities, and housekeeping for the additional occupant; the fee associated with live-in (or collective equivalents) will cover the costs associated with housekeeping and utilities;

**NOW THEREFORE BE IT RESOLVED**, June 18, 2009, that the Board of Directors of this Corporation hereby approves a \$90 per unit per month fee for only those members with a live-in caregiver (or equivalent); and

**RESOLVED FURTHER**, that this fee will cover the cost of maintenance and utilities and does not cover the costs associated with food services; and

**RESOLVED FURTHER**, that the date of the new rate will be effective on July 1, 2009; 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. Discussion Items**

President Gray commented on investigating the cost of computer internet access throughout the Towers.

President Gray commented on a statement outlining a Director's duty to the Board and Residents.

President Gray commented on the status of "Greening" the Building and the Board's desire to continue to run the Building as efficiently as possible.

President Gray commented that staff is drafting a report on handicapped parking which will be presented in July.

President Gray reported on Quinn/Tweedie's work on marketing the Towers, by way of the website and recommending a Realtor to represent Mutual Fifty properties for resale and/or leasing the Units.

President Gray announced that the Key Club refurbishment is complete and thanked staff with their assistance in decorating the room.

President Gray commented on making more room on the patio for entertainment.

## **8. Members' Comments**

- Jack Hammen (662) commented on monitoring the thermostats

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

Director Wallace reported on the Financial and Budget Report.

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

- Activities Committee:** Lorna Ingram reported on behalf of the Activities Committee.
- Business Planning Committee:** No one reported on behalf of the Business Planning Committee.
- Information and Orientation Committee:** Freda Sullivan reported on behalf of the Information and Orientation Committee.
- Architectural Control Committee:** No one reported on behalf of the Architectural Control Committee.
- Marketing Ad Hoc Advisory Committee:** No one reported on behalf of the Marketing Ad Hoc Advisory Committee.

## **11. GRF Committees:**

- Community Activities Committee:** No report was given.
- Broadband Services Committee:** Director Wallace reported on behalf of the Broadband Service Committee.
- Government and Public Relations Committee:** President Gray reported on behalf of the Government and Public Relations Committee.
- Bus Services Committee:** Director Harris reported on behalf of the Bus Services Committee.

Member Herb Parker (308) commented on transportation to the Computer Club.

- e. **Select Audit Committee:** No report was given.
- f. **Finance:** No report was given.
- g. **Security Committee:** No report was given.

## **12. Golden Rain Foundation**

Mr. Milt Johns reported on the June 2, 2009 Golden Rain Foundation Board Meeting.

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

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

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

Ms. Judie Zoerhof commented on the continuance of the use of paper napkins in the dining room, encouraged residents to conserve water due to the water shortage, commented on the committee formed to reconstruct the Key Club and how the Club can be used, and reminded the residents to attend the budget meeting on June 25, 2009.

## **15. Directors' Forum**

- No comments were made.

## **Recess**

The meeting recessed at 3:19 P.M. and reconvened into Executive Session at 3:25 P.M.

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

During its May 21, 2009 Regular Executive Session Board Meeting, the Board approved the Minutes from the April 16, 2009 Regular Executive Session; considered setting foreclosure sale dates; and approved the recording of a Notice of Default for Member ID 932-961-27; and discussed other delinquency matters.

There being no further business to come before the Board, the meeting was adjourned at 4:00 P.M.

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Ruth Mervis, Secretary



- o 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.