

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

**August 18, 2011**

The Board of Directors of Laguna Woods Mutual Fifty, a California non-profit mutual benefit corporation, met at 2:00 P.M. on Thursday, August 18, 2011 at 24055 Paseo del Lago West, Laguna Woods, California.

**Directors Present:** Ryna Rothberg, Chair; Herb Harris; Marilyn Ruekberg; and Darrell Haskell

**Directors Absent:** Keith Wallace

**Others Present:** Judie Zoerhof, Patty Kurzet, Janet Price, Betty Parker

**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 Ruekberg led the membership in the Pledge of Allegiance to the Flag.

**PRESENTATION OF PROPOSED 2012 BUSINESS PLAN – VERSION 3**

Ms. Janet Price presented Version 3 of the proposed 2012 Business Plan.

Members Julia Ross (562), Olive Guggenmos (455), Eva Garnet (153), Richard Wurzel (961), Lee Gitter (610), Anne Gilbert (1403), Mary Wayman (860), Vicky Kasselheim (1056), Ellie Wagner (851), Pat Casey (501), and Annette Bialik (906) commented on the budget.

Ms. Price and Ms. Parker left the meeting at 2:55 P.M.

**3. Approval of the Minutes**

The Board reviewed and approved without objection the minutes of the Regular Meeting of July 21, 2011.

**4. President's Comments**

President Rothberg reported on the recent fire that occurred at the Towers and commented on the Orange County Fire Authority's quick response to the event.

Ms. Zoerhof commented on the OCFA's interest in touring the Towers to further educate themselves with the Towers.

President Rothberg also thanked Staff for their quick actions and attention to assist the residents.

**5. Members' Comments**

- Olive Guggenmos (455) inquired on the cause of the recent fire.
- Mary Wayman (860) commented on the food service.
- Ellie Wagner (851) commented on the sound system.
- Eva Garnet (153) commented on the food service.
- Richard Wurzel (961) commented on the quality of the food served and creating an area for people to sit outside.
- Lee Gitter (610) commented on fire safety and installing automatic doors.

**6. Consent Calendar**

No items fell under the Consent Calendar.

**7. Old Business**

No old business came before the Board.

**8. New Business**

**a. Approve Ballot Package**

Director Harris read a proposed resolution approving the ballot package for the 2011 director election. Director Harris moved to approve the resolution. Director Ruekberg seconded the motion.

Member Richard Wurzel (961) commented on the cost of counting the ballots.

By a vote of 2-1-0 (Director Haskell opposed), the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION M50-11-50**

**RESOLVED**, August 18, 2011, that the ballot package for the 2011 Election of Directors of this Corporation, as prepared by the managing agent, with consultation from the Inspectors of Election is hereby approved; 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 Inspector of Election**

Director Harris read a proposed resolution approving the Inspectors of Election. Director Harris moved to approve the resolution. Director Ruekberg seconded the motion.

Member Richard Wurzel (961) commented on the cost of the Inspectors of Election.

By a vote of 2-1-0 (Director Haskell opposed), the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION M50-11-51**

**WHEREAS**, the Duties of the Inspectors of Election of Homeowner Associations have been significantly expanded by law; and

**WHEREAS**, the Laguna Woods Mutual No. Fifty Board of Directors has as its criteria conducting an efficient and accurate election;

**NOW THEREFORE BE IT RESOLVED** August 18, 2011 that the Board of Directors of this Corporation hereby appoints the following Accounting Firm as Inspectors of Election for the counting of ballots for the 2011 Election of Directors of this Corporation to be held on Thursday, December 1, 2011 at 2:00 P.M.

Schonwit & Associates

**c. Approve Installation of a HAM Radio Antenna**

Director Harris read a summary of a proposed resolution approving a variance request to install a HAM radio Antenna on the roof of the Towers. Director Harris moved to approve the resolution. Director Haskell seconded the motion.

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

**RESOLUTION M50-11-52**

**WHEREAS**, the Architectural Control Committee met as a Committee of the Whole and reviewed the request of a resident member for a Variance from Standard to install a HAM radio antenna on the roof of the Towers;

**WHEREAS**, the Committee approved the installation with conditions;

**NOW THEREFORE BE IT RESOLVED**, August 18, 2011 that the Board of Directors of this Corporation on behalf of the Corporation hereby approves the installation of a HAM radio antenna on the roof of the Towers providing the following conditions are met;

1. The installation will use existing brackets and no additional brackets or equipment will pierce the skin of the building;
2. The antenna is used for the betterment of the Towers residents during a disaster;
3. The antenna is not installed in a traffic area, in the way of emergency personnel, or in the way of exterior painting or work crews;
4. The installation, care, maintenance, and insurance are the responsibility of the installer;

5. The transmission or reception is not to interfere with any existing or future resident or commercial equipment or electronic device, nor is there to be any interference with Staff hand-held radio equipment;
6. Should there be any unforeseen occurrence necessitating a reconsideration of the antenna installation, the installation shall be at the pleasure of the Board of Directors of Laguna Woods Mutual No. Fifty;
7. Should the installing member's membership at the Towers terminate for any reason, the equipment shall be removed within a 90 day period at the expense of the installer.

**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.

**d. Approve Revised Motorized Wheelchair Policy**

Director Harris read the following proposed resolution approving the revised motorized wheelchair policy:

**RESOLUTION M50-11-**

**POLICY FOR MOTORIZED VEHICLE USE IN THE TOWERS**

Residents who require the use of motorized vehicles in the Common Area must abide by the following policy. Documentation of a doctor's prescription and Certification of Insurance must be presented to the Administration Office for approval.

**WHEREAS**, the Board of Directors of Laguna Woods Mutual No. Fifty ("The Towers") has the responsibility to uphold the Americans With Disabilities Act of 1990 as well as applicable state laws to accommodate the needs of disabled individuals who require the use of motorized vehicles to assist with mobility; and

**WHEREAS**, the Board Directors has been concerned with the potential for accidents within the Towers due to the use of motorized vehicles within the interior common area; and

**WHEREAS**, the Towers was not built for motorized, wheeled scooters;

**NOW THEREFORE BE IT RESOLVED**, that on October 20, 2011, the Board of Directors of this corporation hereby states its policy on behalf of the corporation to allow Motorized Vehicles within the Towers only when

prescribed by a doctor to assist such resident because he or she is disabled within the meaning of the Disabilities Laws; and

**RESOLVED FURTHER**, said residents must provide to the Towers managing agent in addition to the doctor's prescription a Certificate of Insurance which provides homeowners' insurance coverage for the Resident's use of the Motorized Vehicle within the Towers with minimum coverage of \$250,000 per occurrence; and

**RESOLVED FURTHER**, that all motorized vehicles operating on the Common Area of Laguna Woods Village shall be operated at level 1 or the lowest speed in crowds and not faster than pedestrians in the same area while in transit; 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 Harris moved to approve the resolution. Director Ruekberg seconded the motion and discussion ensued.

Members Ellie Wagner (851), Eva Garnet (153), and Richard Wurzel (961) commented on the proposed resolution.

Without objection, the Board agreed to add language regarding the maximum speed limit in which the vehicle should operate.

Member Lee Gitter (610) commented on electricity usage for using wheelchairs.

Without objection, the Board postponed the resolution to the September meeting to conform to the 30-day notification requirement.

**e. Approve Revised Dress Code Policy**

Director Harris read a summary of the following proposed resolution approving the revised dining room dress code policy:

**RESOLUTION M50-11-**

**DINING ROOM DRESS CODE POLICY**

**WHEREAS**, Mutual Fifty has maintained a dress code for each dining room since the inception of the Towers; and

**WHEREAS**, good grooming (clothing, hair, face and hands) is expected at all times in the dining rooms and common areas; the following dress codes for the Towers dining rooms apply to both residents and their guests (for whom residents are responsible); and

**NOW THEREFORE BE IT RESOLVED**, October 20, 2011, that the Board of Directors of this Corporation on behalf of the Corporation hereby states the Mutual Fifty Dress Code Policy as follows;

In order to maintain the high standards of the Towers at Laguna Woods Village, the Board of Directors requests residents to read and adhere to the following Dress Code Policy:

Collarless tee shirts, tee shirts with printed offensive language, or tee shirts with logos are not allowed at any time; foot wear such as flip-flops, or thong sandals are not allowed in either dining room;

### **CRYSTAL DINING ROOM**

Men are required to wear business suits, dress slacks, sport coats, dressy professional attire, which includes a suit coat or sports coat, collared shirts or turtleneck shirts with jackets as appropriate for gentlemen;

Ladies are required to wear dressy pant suits, dresses, or other dressy separates;

No caps or visors are to be worn in the Crystal dining room at any time;

### **CALIFORNIA DINING ROOM**

Men are required to wear dressy casual slacks and collared shirts or sweaters, men are not allowed to wear shorts or shirts without collars;

Women are required to wear dressy casual or resort wear separates, denim or jeans are allowed in the California Room only; shorts are not allowed at any time.

**RESOLVED FURTHER**, that in an instance where a possible violation of the Dress Code is observed, two members of the Board must agree that there is a violation; at that time the information regarding the violation will be communicated to the Administration Office Staff who will advise the resident by a polite, positive letter acknowledging the possibility of the alleged specific offense; and

**RESOLVED FURTHER**, that no sleep attire, bathrobes, bed clothing, or spa attire is allowed in the common area at any time; and

**RESOLVED FURTHER**, that Resolution M50-10-58 dated August 19, 2010 is hereby canceled and superseded; 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 Harris moved to approve the resolution. Director Ruekberg seconded the motion and discussion ensued.

Without objection, the Board postponed the resolution to the September meeting to conform to the 30-day notification requirement.

**f. Approve Revised Pet Policy**

Director Harris read the following proposed resolution approving the revised pet policy:

**RESOLUTION M50-11**

**WHEREAS**, Mutual Fifty has an existing Pet Policy with regard to pets permitted in the Towers; and

**WHEREAS**, the Board has recently considered requests from individuals who wish to be allowed two small pets;

**NOW THEREFORE BE IT RESOLVED**, October 20, 2011, that the Board of Directors of this Corporation hereby approves the following Pet Policy:

**Policy Statement**

A pet must be licensed, with current inoculation records, and spayed or neutered. A copy of the license and a veterinarian's certificate verifying the aforementioned must be presented when applying for a permit.

All dogs, cats or other household pets authorized to be kept within a dwelling unit are required to have a permit issued by the Mutual.

The pet owner is required to appoint a pet guardian who will be responsible for the care of the pet in case of an emergency or when the owner is not available. If the guardian is not available within 24 hours of the emergency, or owner's absence, the animal shelter will be notified.

An identity collar must be on the animal at all times, identifying the owner, manor, and pet's name.

The pet owner must submit a current Certificate of Insurance with their application, which provides homeowner's insurance coverage for any damage done by the pet to persons or Mutual property with a minimum coverage of \$250,000 per occurrence.

**Rules for two dogs or two cats – The Pet Policy shall apply to those requesting to purchase or move-in with two pets.**

**Rules and Regulations**

The ability of a resident to keep a pet is, as set forth above, subject to the following rules and regulations which are founded on health and safety considerations of all Mutual residents, visitors and guests.

1. No pet shall be permitted within the common area outside and/or inside the buildings unless restrained by a leash, **not to exceed six (6) feet**, and in the charge of a person competent to restrain and control the pet. Owners with two pets shall use the elevator to the tunnel exit exclusively and avoid the common area lounges. This request is made so that the control of multiple dogs on a leash does not cause a trip hazard.
2. Pets are only permitted in interior common areas when leaving their residence to the elevator and from the elevator to the nearest exit and must be on a leash at all times.
3. No pet shall be permitted to urinate or defecate within the common area except within the grass areas north of Tower I and west of Tower II. Fecal waste shall be removed forthwith and placed in a sealed double plastic bag by the owner or person in charge of the pet before placing in the trash chute.
4. Pet owners shall not allow their pets to obstruct or interfere with the right of other residents, guests or visitors, or annoy them by unreasonable noises at any time.
5. Small dogs must be carried while in the elevators to avoid leash tangles or accidents with the automatic doors.
6. Pets must be kept free of fleas at all times.
7. The Mutual's staff is not responsible for the cleanup or disposal of pet refuse.
8. During housekeeping services, the pet must be restrained or out of the manor.
9. Pet litter is never to be disposed of in toilets. Pet owners will receive a service charge if toilets become clogged because of the above.
10. There will be a \$25 cleanup charge to the owner of the pet who soils the common area.

11. Visitors with pets must comply with all rules pertaining to pets in Common Area.

12. Pet owners must comply with all pet related requirements of Laguna Woods Mutual Fifty and the City of Laguna Woods.

**Disciplinary Procedures:**

All pet related complaints will be investigated. After due notice of hearing, and opportunity for the resident to present his or her case, the matter will be considered by the Mutual's Board of Directors. The Board may take all disciplinary action authorized by the Mutual's bylaws including, but not limited to, 1) a fine; 2) payment of the corporation's attorney fees incurred in enforcing the pet regulations; 3) removal of the pet; or 4) termination of the occupancy of the resident in Mutual Fifty.

***All Guide Dogs and personal assistance animals are exempt.***

**RESOLVED FURTHER**, that Resolution M50-08-54 dated October 16, 2008 is hereby superseded and canceled; and

**RESOLVED FURTHER**, that the officers and agents of this corporation on behalf of the corporation are hereby authorized to carry out the purpose of this resolution.

Director Harris moved to approve the resolution. Director Ruekberg seconded the motion and discussion ensued.

Members Eva Garnet (153), Vicky Kasselheim (1056), Morton Bender (207), and Olive Guggenmos (455) commented on the resolution.

Without objection, the Board postponed the resolution to the September meeting to conform to the 30-day notification requirement.

**9. Discussion Items**

Ms. Zoerhof reported on the success of the Towers' Marketing Plan. As a result of the recent Open House, 15 of the 22 Mutual-Owned manors are leased.

Ms. Zoerhof updated the Board on the bathroom restoration project stating that all of the new tile, fixtures, and lighting have been ordered.

Ms. Zoerhof reported on the Resident Satisfaction Survey Card.

**10. Financial and Budget Report – Herb Harris**

Director Harris gave the financial and budget reports.

**11. Standing Committee Reports:**

- **Resident Entertainment Committee:** JoAnn Cramer reported on behalf of the Resident Entertainment Committee.
- **Business Planning Committee:** Director Harris reported on behalf of the Business Planning Committee.
- **Orientation Committee:** Director Ruekberg reported on behalf of the Orientation Committee.
- **Architectural Control Committee:** No report was given.

**12. GRF Committees:**

- **Community Activities Committee:** No report was given.
- **Broadband Services Committee:** No report was given.
- **Government and Public Relations Committee:** No report was given.
- **Bus Services Committee:** Director Harris reported on behalf of the Bus Services Committee.
- **Finance:** Director Harris reported on behalf of the Finance Services Committee.
- **Security Committee:** No report was given.
- **Land Use Committee:** Director Harris reported on behalf of the Land Use Committee.

**13. Golden Rain Foundation**

A report of the August 2, 2011 Golden Rain Foundation Board Meeting was not given.

**14. Resale and Leasing Reports**

Ms. Zoerhof reported on the resale and leasing activity at the Towers.

**15. Administrator's Report**

President Rothberg encouraged residents to dress appropriately while attending dinner.

**16. Directors' Forum**

No comments were made.

**Recess**

The meeting recessed at 4:02 P.M. and reconvened into Executive Session at 4:07 P.M.

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

During its Regular Executive Session meeting of July 21, 2011, the Board reviewed and approved the minutes from the June 16, 2011 Regular Executive Session meeting and the minutes from the July 11, 2010 Special Executive Session meeting; authorized a Notice of Default for Member ID 932-962-73; and authorized two delinquency write-offs.

There being no further business to come before the Board, the meeting was adjourned at 4:35 P.M.

---

Ryna Rothberg, President