

## 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

Thursday February 17, 2022

The Board of Directors of Laguna Woods Mutual No. Fifty, a California non-profit mutual benefit corporation, met at 10:00 a.m. on Thursday, February 17, 2022, at 24055 Paseo Del Lago West, Laguna Woods, California.

**Directors Present:** Ryna Rothberg-Chair, John Carter, Sue Stephens, Margaret Bennett, and Al Amado

**Directors Absent:** None.

**Staff Present:** Lisa Armstrong, Ariana Rodriguez, Roger Crumrine, Mauricio Rios, Ed Presley, Freddy Rodriguez, Taylor Fox, and German Cuenca

**Others Present:** None

#### **CALL TO ORDER**

Director Rothberg called the meeting to order at 10:00 a.m. and established that a quorum was present.

#### **APPROVAL OF AGENDA**

The Board added Sodexo Discussion to the agenda and removed Approve Foreclosure on APN 932-962-09. By unanimous consent the Board approved the agenda.

#### **SECRETARY REPORT**

By unanimous consent, the Board approved the January 20, 2021 Open Session Meeting Minutes.

#### **CHAIR REMARKS**

Director Rothberg reported on the following items

- Reminded membership to fill out Seder event survey
- Informed membership of the possibility of donations for the Orange County Public Library in Laguna Woods.

#### **MANAGEMENT REPORT**

Ms. Armstrong gave the management reports for December 2021, including: The Resale Report, The Leasing Report, The Full-Time Equivalent (FTE) Report, and the Dining Services Reports.

The Board directed staff to include FTE totals on the FTE Report.

The Board questioned the Brunch advertisement. Staff informed the Board that they are working on a proposed brunch menu and pricing which will be included in the March Board Packet.

The Board directed staff to send out a notice regarding dining changes and to also post this information in the elevators.

The Board directed staff to include in a Friday Memo that delinquent assessments must be paid by Residents, or certain services may be discontinued.

### **TREASURER'S REPORT**

Director Amado reported on the December 2021 Financial Statements (including budget amounts and variances).

Director Amado moved to accept the December 2021 Financial Statement. Director Carter seconded the motion. Discussion ensued. Director Bennett moved to amend the motion under the condition that it is notated in the Meeting Report that "the Assessment Receivables are grossly overstated and mostly uncollectable and will be written off as bad debt when directed to do so by Mutual Fifty's CPA." By unanimous consent the Board accepted the December Financial Statements.

### 2022 Reserve Projects Log

The Board reviewed the 2022 Reserve Projects Log.

The Board directed Mr. Presley to provide an estimate of the anticipated Sliding Glass Door and Window Seals Upgrades based on obtaining the material from ADEC and performing the work in-house, and explore other cost-saving options with the contractor.

Director Carter moved to approve eliminating Item #1 Common Area Paint in the amount of \$35,000 from the project list and re-evaluation of Item #5 pending a report from Mr. Presley. Director Stephens seconded the motion. By a vote of 5-0-0 the motion passed.

### **HOMEOWNER FORUM**

Resident Chase Kendro, Unit 102, recommended that the charge for room service be collected before the service is performed.

No Board action was taken.

## COMMITTEE REPORTS

### RESOLUTION M50-22-12

#### **Mutual Fifty Committee Appointments**

**RESOLVED**, February 17, 2022, the Board of Directors of this Corporation is hereby authorized on behalf of the Corporation to establish and appoint Board Liaisons to the following Laguna Woods Mutual No. Fifty committees:

**Activities Committee:** (Meets the 1<sup>st</sup> Monday at 11AM)  
Ryan Rothberg

**Finance Committee:** (Meets the 1<sup>st</sup> Thursday at 10AM)  
Committee of the whole (ALL BOARD)

**Marketing Committee:** (Meets the 3<sup>rd</sup> Wednesday at 2PM)  
Margaret Bennett

**Orientation Committee:** (Meets the last Monday at 3PM)  
Ryna Rothberg

**Dining Services Committee:** (Meets the 4<sup>th</sup> Monday at 1PM)  
John Carter

**Landscape Committee:** (Meets the second Wednesday at 1PM)  
John Carter

**Maintenance Committee:** (Meets the 3<sup>rd</sup> Monday at 1PM)  
Sue Stephens

**Energy Efficiency Task Force** (MEETING DATE AND TIME TBA)  
Sue Stephens

**AD HOC Document Review** (MEETING DATE AND TIME TBA)  
Committee of the whole (ALL BOARD)

**Unit Sales Task Force**  
Margaret Bennett

**RESOLVED FURTHER**, that Resolution M50-20-05, adopted August 19, 2021, 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.

By unanimous consent the Board approved the Mutual Fifty Committee Appointments.

**NEW BUSINESS**

Approve Sale of HOA-Owned Unit 957

Director Stephens read the proposed resolution:

**Resolution M50-22-08**  
**Approval to Sell Unit 957**

**WHEREAS**, Mutual No. Fifty owns Unit 957 in Tower 2 as a result of a foreclosure from a previous owner's unpaid Association assessments; and

**WHEREAS**, Mutual No. Fifty has been approached by Ferry Yo to purchase Unit 957 at a price of \$5,000; and

**WHEREAS**, Ferry Yo meets Mutual No. Fifty's income requirements to purchase an A Unit in The Towers; and

**WHEREAS**, Mutual No. Fifty's Board of Directors has named its General Manager, Lisa Armstrong, as one of its corporate officers for the purposes of signing documents on behalf of the Corporation;

**NOW THEREFORE BE IT RESOLVED**, February 17, 2022, that the Board of Directors of this Corporation hereby approves the sale of Unit 957 to Ferry Yo and

**RESOLVED FURTHER**, that the Board authorizes Lisa Armstrong, General Manager, to sign any and all real estate documents pertaining to the sale of Unit 957; 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 Stephens moved to approve the resolution. Director Amado seconded the motion. By a vote of 5-0-0, the motion passed.

Approve Sale of HOA Owned Unit 853

Director Stephens read the proposed resolution:

**Resolution M50-22-09**  
**Approval to Sell Unit 853**

**WHEREAS**, Mutual No. Fifty owns Unit 853 in Tower 2 as a result of a foreclosure from a previous owner's unpaid Association assessments; and

**WHEREAS**, Mutual No. Fifty has been approached by Ferry Yo and Linda Yo to purchase Unit 853 at a price of \$32,000; and

**WHEREAS**, Ferry Yo and Linda Yo meet Mutual No. Fifty's income requirements to purchase an B Unit in The Towers; and

**WHEREAS**, Mutual No. Fifty's Board of Directors has named its General Manager, Lisa Armstrong, as one of its corporate officers for the purpose of signing documents on behalf of the Corporation;

**NOW THEREFORE BE IT RESOLVED**, February 17, 2022, that the Board of Directors of this Corporation hereby approves the sale of Unit 853 to Ferry Yo and Linda and

**RESOLVED FURTHER**, that the Board authorizes Lisa Armstrong, General Manager, to sign any and all real estate documents pertaining to the sale of Unit 853; 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 Stephens moved to approve the resolution. Director Carter seconded the motion. By a vote of 5-0-0, the motion passed.

Approve Lien on APN 932-962-66

Director Stephens read the proposed resolution:

**Resolution M50-22-10**  
**Approval to Record a Lien on APN: 932-962-66**

**WHEREAS**, Civil Code section 5673 requires the Board of Directors ("Board") of Laguna Woods Mutual No. Fifty ("Association") to authorize, in an open meeting, the recording of liens against the separate interests of owners with delinquent assessments;

**WHEREAS**, the Owner(s) of, Assessor's Parcel No.: 932-962-66 remain delinquent in the payment of his/her assessments, exclusive of late fees, interest charges, and other collection-related amounts;

**WHEREAS**, the Board hereby certifies that the following has occurred in compliance with California Civil Code section 5673:

1. The Board of Directors individually voted on this Resolution and did not delegate approval to any third party or agent of the Association.
2. The vote occurred in an open meeting of the Board at which a quorum was present, and thereafter the vote was recorded in the minutes of that meeting of the Board that was open to all members.
3. A majority those Board members present constituting a quorum has voted in favor of recording a lien for delinquent assessments, late fees, collection fees, and attorney's fees and costs, on the property described above.
4. A copy of this resolution must be attached and made part of the Board's meeting minutes. And the vote to file a Lien against the property listed above has been recorded in the Board meeting minutes.

**IT IS HEREBY RESOLVED THAT**; the Board has adopted this Resolution to place a lien on this property for the delinquent amounts and any late fees, interest charges, and other collection-related amounts, and that it is signed by a member of the Board vested with the authority to do so. This Resolution was adopted by the Board at an open meeting.

Director Stephens moved to approve the resolution. Director Amado seconded the motion. By a vote of 5-0-0, the motion passed.

Approve Lien on APN 932-961-71

Director Stephens read the proposed resolution:

**Resolution M50-22-11**  
**Approval to Record a Lien on APN: 932-961-71**

**WHEREAS**, Civil Code section 5673 requires the Board of Directors ("Board") of Laguna Woods Mutual No. Fifty ("Association") to authorize, in an open meeting, the recording of liens against the separate interests of owners with delinquent assessments;

**WHEREAS**, the Owner(s) of, Assessor's Parcel No.: 932-961-71 remain delinquent in the payment of his/her assessments, exclusive of late fees, interest charges, and other collection-related amounts;

**WHEREAS**, the Board hereby certifies that the following has occurred in compliance with California Civil Code section 5673:

1. The Board of Directors individually voted on this Resolution and did not delegate approval to any third party or agent of the Association.
2. The vote occurred in an open meeting of the Board at which a quorum was present, and thereafter the vote was recorded in the minutes of that meeting of the Board that was open to all members.

3. A majority those Board members present constituting a quorum has voted in favor of recording a lien for delinquent assessments, late fees, collection fees, and attorney's fees and costs, on the property described above.
4. A copy of this resolution must be attached and made part of the Board's meeting minutes. And the vote to file a Lien against the property listed above has been recorded in the Board meeting minutes.

**IT IS HEREBY RESOLVED THAT;** the Board has adopted this Resolution to place a lien on this property for the delinquent amounts and any late fees, interest charges, and other collection-related amounts, and that it is signed by a member of the Board vested with the authority to do so. This Resolution was adopted by the Board at an open meeting.

Director Stephens moved to approve the resolution. Director Amado seconded the motion. By a vote of 5-0-0, the motion passed.

#### Room Reservation Agreement

The Board directed Ms. Fox to revise the Common Space Reservation Agreement based on Board feedback.

#### 2022 Business Plan

Director Bennett requested to meet with Ms. Armstrong to discuss the 2022 Business Plan.

*Director Bennett left the meeting at 11:55 AM.*

#### Activities Department Proposed Expenditures

Staff presented proposed Activities Expenditures through June 2022. Director Carter moved to approve the proposed Expenditures through June 2022 totaling \$4,300. Director Amado seconded the motion. By a vote of 3-0-1 (Director Stephens opposed) the motion passed.

#### **FUTURE AGENDA ITEMS**

None.

#### **DIRECTOR COMMENTS**

Director Stephens informed the Board of an issue of the Laguna Woods Village "Historian" that summarizes the early history of The Towers and asked that copies be shared with Residents.

#### **SUMMARY OF BOARD DIRECTIVES**

- The Board directed staff to include FTE totals on the FTE Report.
- The Board directed staff to send out a notice regarding dining changes and to have this information posted in the elevators.

- The Board directed staff to include in a Friday Memo that delinquent assessments must be paid, or services may be discontinued for delinquent residents.
- The Board directed Mr. Presley to discuss cost-saving alternatives for the Sliding Glass Door and Window Seals Upgrades with the contractor.
- The Board directed Ms. Fox to revise the Common Space Reservation Agreement to incorporate Board comments.
- Director Bennett to meet with Ms. Armstrong to discuss the 2022 Business Plan.
- Director Stephens asked staff to duplicate and share an issue of "The Historian".

#### **ADJOURNMENT**

The Meeting was adjourned at 1:05 p.m.



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Sue Stephens, Secretary

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

*During the February 15, 2022 Executive Session, the Board:*

*Called the Meeting to Order at 10:03 a.m.*

*Approved the Agenda*

*Approved the Following Meeting Minutes:*

*January 11, 2022 Special Executive Session*

*January 18, 2022 Regular Executive Session*

*January 31, 2022 Special Executive Session*

*Discussed and Considered Third Party Contracts/Proposals*

*Discussed and Considered Personnel Matters*

*Discussed and Considered Litigation and Legal Matters, including:*

*Approval, in accordance with California Civil Code Section 5705(c), to initiate foreclosure proceedings against the following account: APN 932-961-09.*

*Adjourned at 2:13 p.m.*