

## 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 April 21, 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, April 21, 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, Freddy Rodriguez, Travis Mooney, Mauricio Rios, Ed Presley, Tom Kenyon 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**

By unanimous consent the Board approved the agenda.

#### **SECRETARY REPORT**

Director Stephens moved to approve the March 17, 2022 Open Session Meeting Minutes as amended. Director Bennett seconded the motion. Discussion ensued. Director Carter moved to not allow additional Board Members to serve as Committee Members. Director Amado seconded. Discussion ensued. Director Bennett clarified that Board Members are Residents and therefore may attend any Committee Meeting if so desired. By a vote of 3-0-2, (Director Bennett and Stephens opposed) the motion passed. By unanimous consent the amended minutes passed.

#### **CHAIR REMARKS**

Director Rothberg reported on the following items:

- Going back to pre-covid operations
- Bats in the Towers
- Labor market potentially having an impact on the budget (salaries being over budget)

- The importance of being consistent with marketing material and information
- Labor market/minimum wage affecting performer/entertainment pricing.

### **MANAGEMENT REPORT**

Ms. Armstrong introduced the Board for all new members and gave the Management reports for March 2022, including: The Resale Report, The Leasing Report, The Staff Full-Time Equivalent Report, and the Dining Services Reports.

### **TREASURER'S REPORT**

Director Amado reported on the February 2022 Financial Statements (including budget amounts and variances).

Director Amado moved to accept the February 2022 Financial Statement. Director Carter seconded the motion. By unanimous consent the Board accepted the February 2022 Financial Statements.

### 2022 Reserve Projects Log

The Board reviewed, and commented on, the 2022 Reserve Projects Log.

### **HOMEOWNER FORUM**

The following homeowners participated in the resident forum:

- Frank Stern, unit 1406, questioned contracts.
- Rosalie Rosen, unit 661, commented on water conservation.
- Lyn Stanley, unit 1402, questions per unit budget allocation.
- Shelva Lenzkes, unit 401, commented on the Board and herself.

The Board responded to resident comments. No Board action was taken.

### **COMMITTEE REPORTS**

The Board reviewed the following committee and meeting reports:

- Activities Committee
- Marketing Committee
- Orientation Committee
- Dining Services Committee
- Landscape Committee
- Maintenance Committee
- Sales Task Force
- Laguna Woods City Council Meeting

### **OLD BUSINESS**

#### Approve Common Area Reservation Form

Director Stephens moved to approve the updated common area reservation form. Director Carter seconded the motion. By a vote of 5-0-0, the motion passed.

**NEW BUSINESS**

Approve Sale of Unit 309

**Resolution M50-22-19**  
**Approval to Sell Unit 309**

**WHEREAS**, Mutual No. Fifty owns Unit 309 in Tower 1 as a result of a foreclosure from a previous owner's unpaid Association assessments; and

**WHEREAS**, Mutual No. Fifty has been approached by Bonnie Joy Schwartz to purchase Unit 309 at a price of \$42,000; and

**WHEREAS**, Bonnie Joy Schwartz meets 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 purposes of signing documents on behalf of the Corporation;

**NOW THEREFORE BE IT RESOLVED**, April 21, 2022, that the Board of Directors of this Corporation hereby approves the sale of Unit 309 to Bonnie Joy Schwartz 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 309; 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 proposed resolution. Director Amado seconded the motion. By a vote of 5-0-0, the motion passed.

Chandelier Enhancement

Director Rothberg expressed her concern on this item being an unnecessary expense.

Director Carter moved to table chandelier enhancement proposal until a revised version is presented which only includes adding it to the EMS program. By unanimous consent the motion passed.

Computer Center for Residents

Director Carter moved to approve a \$1,500 expense for the computer resident center. Director Amado seconded the motion. Discussion ensued. By a vote of 5-0-0, the motion passed.

Landscape Committee Recommendation

Director Carter moved to approve \$1,476 in landscape enhancements. Director Stephens seconded the motion. Discussion ensued. By a vote of 5-0-0, the motion passed.

Activities Committee Recommendation – Approve July & August Events

Director Carter moved to approve the expenses for July and August events. Director Amado seconded the motion. By a vote of 4-0-1 (Director Bennett opposed), the motion passed.

Activities Committee Recommendation – 2022 Entertainment Budget

By unanimous consent, the Board authorized the committee to spend what is allocated to the Activities budget if they can do so without going over annual budgeted amount.

Deactivation of Cable Service at a Delinquent Member's Unit

**Resolution M50-22-XXX**

**Deactivation of Cable Service at a Delinquent Member's Unit**

**April 21, 2022**

**WHEREAS**, Laguna Woods Mutual No. 50 desires to strengthen delinquency collection procedures; and

**WHEREAS**, the Collection and Lien Enforcement Policy And Procedures For Assessment Delinquencies states "If full payment of the delinquent amount is not received by the close of business on the thirtieth (30th) day after the receipt of the Demand Letter, the Mutual may,... undertake to collect the delinquency by: (1) suspending a Member's right to use Mutual or GRF facilities.... or services provided by the Mutual, or both, until the delinquency is paid in full"; and

**WHEREAS**, the Golden Rain Foundation (GRF) Board previously adopted Resolution 90 15-09 which authorizes GRF, at the request of the Mutual, to take disciplinary or suspension action against a Mutual Member which includes, but is not limited to, the suspension of the Mutual Member's right to use the cable television and internet services,

**WHEREAS**, on September 5, 2017, the GRF Board adopted Resolution 90-17-91, resolving that the GRF Board of Directors and the Board of Directors for each of the Mutuels, including, Mutual No. 50, each possess the power to take disciplinary action against their respective Mutual Members, including, but not limited to, the suspension of cable television and internet services,

**NOW THEREFORE BE IT RESOLVED**, May 19, 2022, that the Mutual Board may suspend cable television and internet services provided by the GRF after providing the Mutual member with a duly noticed hearing pursuant to Civil Code Section 5855 and complying with any other requirements as set forth in the Mutual's Collection and Lien Enforcement Policy and Procedures for Assessment Delinquencies,

**IT IS HEREBY RESOLVED THAT** the Board has adopted this resolution and that it is signed by a member of the Board vested with the authority to do so.

Director Stephens moved to approve the proposed resolution. Director Amado seconded the motion. By a vote of 5-0-0, the motion passed. This resolution will go out for a required 28-day comment period per the Davis-Stirling Common Interest Development Act.

Suspension of Food Service for Delinquent Members

**Resolution M50-22-XXX**

**Suspension of Food Service for Delinquent Members**

**April 21, 2022**

**WHEREAS**, Laguna Woods Mutual No. Fifty desires to strengthen delinquency collection procedures; and

**WHEREAS**, the Collection and Lien Enforcement Policy And Procedures For Assessment Delinquencies states "If full payment of the delinquent amount is not received by the close of business on the thirtieth (30th) day after the receipt of the Demand Letter, the Mutual may,... undertake to collect the delinquency by: (1) suspending a Member's right to use Mutual or GRF facilities.... or services provided by the Mutual, or both, until the delinquency is paid in full"; and

**WHEREAS**, dining services for Mutual Residents are provided, as a service, by way of a contract between the Mutual and Sodexo, including take-out services, room service delivery, in person dining services;

**NOW THEREFORE BE IT RESOLVED**, May 19, 2022, that the Mutual may suspend food/dining services provided by the Mutual after providing the Mutual Member with a duly noticed hearing pursuant to Civil Code Section 5855 and complying with any other requirements as set forth in the Mutual's Collection and Lien Enforcement Policy and Procedures for Assessment Delinquencies.

**IT IS HEREBY RESOLVED THAT** the Board has adopted this resolution and that it is signed by a member of the Board vested with the authority to do so.

Director Stephens moved to approve the proposed resolution. Director Amado seconded the motion. By a vote of 5-0-0, the motion passed. This resolution will go out for a required 28-day comment period per the Davis Sterling Common Interest Development Act.

Income Requirements for Membership

**RESOLUTION M50-22-20**

**Income Requirements for Membership**

**WHEREAS**, it is in the best interest of the Corporation to protect and preserve the financial integrity of the Corporation;

**NOW THEREFORE BE IT RESOLVED**, April 21, 2022, that the minimum financial requirements for membership will be as follows:

For any condominium in which only one person will be in residence, \$1,850, plus the current monthly assessment amount(s) for each manor owned, and

For any condominium in which two or more persons will be in residence, \$2,655, plus the current monthly assessment amount(s) for each manor owned; and

**RESOLVED FURTHER**, that the managing agent is hereby directed to disseminate this information to the real estate community serving Laguna Woods Village; and

**RESOLVED FURTHER**, that this policy shall be put into effect April 21, 2022; and

**RESOLVED FURTHER**, that the Managing Agent is hereby directed to return to the Board every year with recommendations for retaining or changing the requirements; and

**RESOLVED FURTHER**, that Resolution 50-06-51, adopted November 16, 2006, is hereby superseded and canceled.

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

Approve Updated 2022 Assessment and Income Requirement Bulletin

By unanimous consent the Board approved the updated 2022 assessment and income requirement bulletin as amended.

Approval to Record a Lien on APN 932-962-14

**Resolution M50-22-21**

**Approval to Record a Lien on APN: 932-962-14**

**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. 932-962-14 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 proposed resolution. Director Carter seconded the motion. By a vote of 5-0-0, the motion passed.

Approval to Record a Lien on APN 932-962-79

**Resolution M50-22-22**

**Approval to Record a Lien on APN: 932-962-79**

**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. 932-962-79 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 proposed resolution. Director Carter seconded the motion. By a vote of 5-0-0, the motion passed.

Approval to Record a Lien on APN 932-960-25

**Resolution M50-22-23**

**Approval to Record a Lien on APN: 932-960-25**

**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. 932-960-25 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 proposed resolution. Director Carter seconded the motion. By a vote of 5-0-0, the motion passed.



### **FUTURE AGENDA ITEMS**

None.

### **DIRECTOR COMMENTS**

- Director Bennett informed the membership of the GRF Mobility and Vehicles Committee and their negotiation with selling the bus system to Age Well. She volunteered to host a resident forum for Towers residents who regularly use the bus system, gather information, and relay that information to the committee.

### **SUMMARY OF BOARD DIRECTIVES**

- Arrange a Towers Meeting to address transportation/bus service

### **ADJOURNMENT**

The Meeting was adjourned at 12:00 p.m.



Sue Stephens, Secretary

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

*During the April 19, 2022, Executive Session, the Board:*

*Called the Meeting to Order at 9:57 a.m.*

*Approved the Agenda*

*Approved the Following Meeting Minutes:*

*March 15, 2022, Executive Session*

*March 22, 2022, Special Executive Session*

*March 28, 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 accounts: APN 932-962-66 and APN 932-961-71.*

*Adjourned at 1:00 p.m.*