



**AMERICAN LEGION NEWPORT HARBOR POST 291
EXECUTIVE COMMITTEE MINUTES
THURSDAY, 04 NOV 2021**

CALL TO ORDER: Appx. 1830 hrs.

INVOCATION: Ken Wilson

PLEDGE OF ALLEGIANCE: Commander, Evin Planto

ROLL CALL:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Evin Planto, Commander | <input checked="" type="checkbox"/> Ed Infante, Judge Advocate | <input checked="" type="checkbox"/> Kevin Van Otterloo, M.a.L. |
| <input checked="" type="checkbox"/> Brian Fleming Jr., 1 st Vice | <input checked="" type="checkbox"/> Bob Wine, Finance Officer | <input checked="" type="checkbox"/> Eric Schroeder, M.a.L. |
| <input checked="" type="checkbox"/> Anthony Morales, 2 nd Vice | <input checked="" type="checkbox"/> Bob Grundmeyer, Sgt-at-Arms | <input checked="" type="checkbox"/> Nick Giordano, M.a.L. |
| <input checked="" type="checkbox"/> Cindy Baker, 3 rd Vice | <input checked="" type="checkbox"/> Cory Vigil, Service Officer | <input checked="" type="checkbox"/> Wayne Zippi, M.a.L. |
| <input checked="" type="checkbox"/> Jon Reynolds, Jr. Past Comm | <input checked="" type="checkbox"/> Ken Wilson, Chaplain | <input checked="" type="checkbox"/> Mike Schubert, M.a.L. |
| <input checked="" type="checkbox"/> David Zamudio, Adjutant | <input checked="" type="checkbox"/> Rich Frauentzimmer, Historian | <input type="checkbox"/> Dennis DeRosia, M.a.L. |

Excused: Dennis DeRosia

MEETING HAS QUORUM

INTRODUCTION OF GUESTS & GUEST COMMENTS:

D Nye- No Comments, Manny Martinez- spoke about Vet initiative.

Affiliates and Programs Reports:

- Auxiliary Unit 291 – 2nd Vice, Dana Jonston
 - Troop Shipping- 11/13
 - Raffle Envelope Stuffing- 11/8
 - 11/18- Holiday Boutique
 - Kids Xmas Toy Donations- 12/11
- SAL Squadron 291 – Tim Sullivan, Commander
 - Renewal over 1600
 - New Chaplain- Randy McDougal
 - Good number of sales for Boat Parade.
- ALYC – Commodore Bruce Batcheller
 - Membership- 894
 - Board approved increase to dues for next year
 - Spoke about upcoming events
- Honor Guard – Commander Brian Fleming Jr.
 - 63 Events completed
 - 6 pending this month
 - 26 active members (4 new recruits)
 - Team participation is low

Minutes Approval

- All Committee members received copies of the Executive Committee Minutes:
 - Minutes for 07 Oct 21 Regular E Committee Meeting
- The Commander asked for a motion to approve the 07 Oct 21 E Committee Minutes
 - **M/S/C:** The motion approved unanimously.

Correspondence

- Adjutant David Zamudio – None to report

Committee Reports

- House Committee – Mike Mailman
 - Spoke about upcoming projects, Marina, Bar Sales, Kitchen, and staff
 - Spoke about the 1st phase of the A/C for the hall.
- Finance Committee – Bob Wine
 - Committee met on 10/20 and reviewed post financials.
- Entertainment Committee- Commander Evin Planto
 - Stated still working on creating the committee
- Lease Committee- Commander Evin Planto
 - Stated still working on creating committee.
- Audit Committee- Bob Wine
 - Currently working
- Donations Committee – Cory Vigil
 - Will report during Officer Report

OFFICERS' REPORTS

COMMANDER'S COMMENTS/REPORT -Evin Planto

- Spoke about Vet Coffee talk success.
- Veteran's Day will have 1975 Prices
- Planning New Years event and deciding on pricing and band
- Looking at creating a committee for our 100-year celebration.

OFFICERS' REPORTS - continued

ADJUTANT – David Zamudio

- Spoke about new Bylaws




Adjutant, David Zamudio
Temporarily Enforceable Bylaws

- **Have been submitted to Department Constitution & Bylaws**
 - **Chair- Mark Rice**
 - **Vice Chair- Ken Kramlich**
 - **Mr. Rice has confirmed receipt and shared with commission for review and signature.**

Section 22. All amendments to post constitution and/or bylaws hereafter adopted shall be submitted to the Department Constitution and Bylaws Commission. An original constitution and/or bylaws amendment packet shall be in final form and effect until approved by the Department Constitution and Bylaws Commission, but shall be temporarily enforceable pending action thereon if amendments are consistent with the National Constitution and/or Bylaws of The American Legion or the Constitution and/or Bylaws of The American Legion, Department of California.

Section 24. Every post in the Department shall, upon request of the Department Constitution and Bylaws Commission within ninety (90) days after the National Commission has advised, submit to the Department Constitution and Bylaws Commission its Constitution and/or Bylaws, as the case may be, and make such revisions required by the National Constitution and/or Bylaws of The American Legion or the Constitution and/or Bylaws of The American Legion, Department of California.

Page 4 Department of California Article of Incorporation & By-Laws (Date 2019)



Adjutant, David Zamudio
Post 291- Constitution & Bylaws (revisions)

- **We are now officially the "Executive Committee".**

Revisions Made:

- Added purpose to **Article 2, §1**
- Updated membership eligibility per LEGION Act 2019
- Changed all Executive Board to Executive Committee- entire document
- Include reference to CA Corp Code (**Article 5, §2.3**)
- Added specific corporate responsibilities (**Article 5, §5**)
- Added detail to campaign rules and election voting process rules (**Article 5, §7.2**)
- Added detail to election rules and Election Committee Authority (**Article 5, §7.3.2**)
- Increased number of petition signers from 25 to 5% of member [25 signers are only 0.6% of Post 291] **Article 5 §8.2 & Article 14 §4.1.**
- Added Judicial Committee review to amendments procedure (**Article 14, §5**)
- Added Audit as a Standing Committee (**Article 7, §2.5**)

1ST VICE COMMANDER – Brian Fleming Jr. – Membership



1st Vice Cmdr.- Brian Fleming Jr.

- **Current Membership Numbers: 4085**
 - **2021-2022 Goal: 4151**
 - **160 Over last years' goal (3991)**
- **Current 2022 numbers at National: 2298 (60%)**
- **Good thru 2021 = 1596**
- **Renewed for 2022 = 2058**
- **33 more new members this month**

2ND VICE COMMANDER – Anthony Morales - Speaking about upcoming events and bands.

- No Report.

OFFICERS' REPORTS – continued

3RD VICE COMMANDER – Cindy Baker - Speaking about Boys State and Americanism.

- Presented 10 slides for GMM presentation



JR. PAST COMMANDER – Jon Reynolds

- Spoke about Cory Vigil receiving volunteer of the year.

FINANCE OFFICER – Bob Wine

- Profit and Loss / Cash Flow Projection

Finance Officer- Bob Wine

AL 291 BUSINESS P&L BY CLASS											
11/1/2021											
YTD 2021	ADMIN	BAR	RESTAUR	BANQUET	TOT REST	HALL	CUSTODIAL	MARINA	TOTAL	PYC	DIFF
TOT INC	3,600	357,078	996,913	205,829	1,202,742	63,260		296,063	1,922,743	1,440,578	482,165
COGS		271,571	973,127	188,408	1,161,535				1,433,106	1,183,827	249,279
GP	3,600	85,507	23,786	17,421	41,207	63,260		296,063	489,637	256,751	232,886
GP %		24%	2%	8%	3%						
EXPENSES	102,863	111,954	131,264	5,540	136,803	64,587	137,061	159,437	712,705	667,578	45,128
NET ORD INCOME	-99,263	-26,447	-107,477	11,881	-95,596	-1,327	-137,061	136,626	-223,068	-410,827	187,759
OTHER INC	11,070		723		723			11,793	25,554	-13,761	
FAC FEE	285,458							285,548	304,923	-19,375	
PPP	254,100							254,100			
ERTC	114,666							114,666		114,666	
NET INCOME/LOSS	566,030	-26,447	-106,755	11,881	-94,873	-1,327	-137,061	136,626	443,039	0	80,350
BANK BALANCES:											
		PYC									
WELLS FARGO	392,065.18	207,993.03									
UNION	237,665.91	191,547.95									
COMERICA	246,783.93	246,615.75									
CHASE	249,023.39	241,979.30									
CO'S	1.00	104,305.36									
B OF A	250,027.00	250,000.00									
FARMERS	250,184.60	250,013.77									
CITY	250,000.00										
TOTALS	1,875,751.01	1,492,459.16									



Finance Officer- Bob Wine

Newport Harbor Post 291
Cash Flow Projection for the Period 11/02/21 - 1/31/2022

	11/2 - 11/30	12/1 - 12/31	1/1 - 1/31
Cash: Beginning*	\$ 1,788,926.21	\$ 1,724,209.10	\$ 1,592,452.02
Add: Cash Inflows			
Membership Fees	15,000.00	26,900.00	26,500.00
Marina Rentals	22,875.00	26,000.00	26,000.00
Restaurant Sales @ \$5000/day	345,000.00	355,000.00	355,000.00
Hall Rentals	2,175.00	5,905.00	710.00
Banquet Food	18,404.00	26,860.00	2,250.00
Facility Fees	-	-	55,640.00
Total Cash Inflows	203,254.00	240,265.00	266,100.00
Deduct: Cash Outflows			
Food & Beverage Cost @ 45%	73,531.80	81,837.00	70,762.50
Entertainment	8,500.00	9,500.00	8,500.00
Payroll**	100,000.00	160,000.00	105,000.00
Health Insurance	7,000.00	6,200.00	6,200.00
Liability Insurance		8,350.00	
Marina Insurance	1,829.00	1,829.00	1,829.00
D&O Insurance		2,232.00	
Covid 19 Cleaning	14,000.00	14,000.00	14,000.00
Repairs & Maintenance	1,000.00	1,000.00	1,000.00
Telephone	450.00	450.00	450.00
Utilities	5,600.00	5,600.00	5,600.00
Rent		11,500.00	11,500.00
Credit Card	2,500.00	2,500.00	2,500.00
Credit Card Fees	3,763.31	4,224.06	3,535.00
Misc	1,400.00	1,400.00	1,400.00
Mileage	1,400.00	1,400.00	1,400.00
Capital Outlays	27,000.00	60,000.00	15,000.00
Total Cash Outflows	247,974.11	372,022.08	248,676.50
Cash: Ending	\$ 1,724,209.10	\$ 1,592,452.02	\$ 1,609,875.52
Monthly Increase /Decrease	\$ (44,717.11)	\$ (131,757.08)	\$ 17,423.50

* Doesn't include VEAF fund
** Includes P&R taxes & WC

OFFICERS' REPORTS – continued

HISTORIAN – Richard Frauenzimmer

- ☐ Spoke about and supported the Toys for Tots on the 12th.

SERGEANT AT ARMS – Bob Grundmeyer

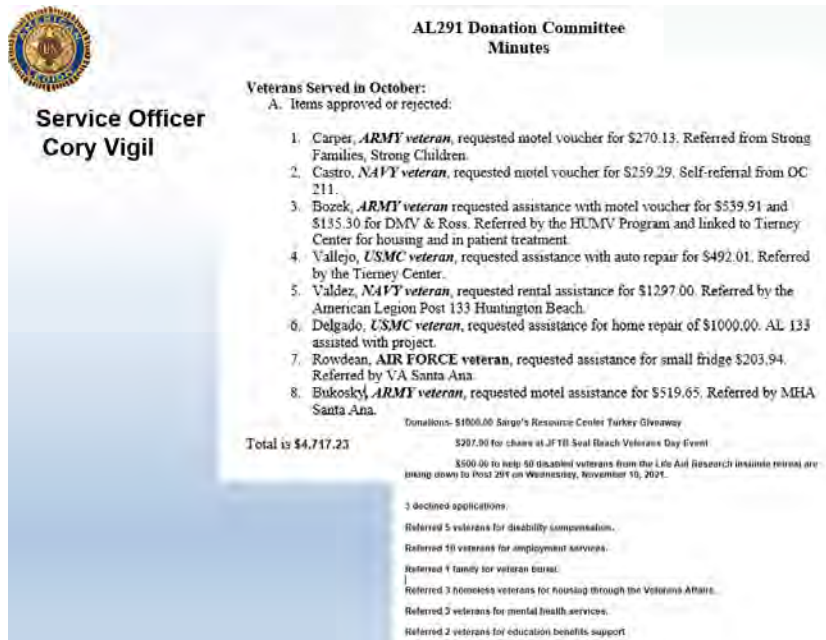
- ☐ Spoke about Officer on Duty Schedule

CHAPLAIN – Ken Wilson

- ☐ Reinstated the Buddy Calls
 - Focusing on Korean War Veterans
- ☐ Three Memorial services scheduled for November.
- ☐ Condolence Cards on hold until we can access the names

SERVICE OFFICER – Cory Vigil

- ☐ Gave Monthly Update



The image shows a document titled "AL291 Donation Committee Minutes". On the left side, there is a circular seal of the American Legion and the text "Service Officer Cory Vigil". The main body of the document lists "Veterans Served in October:" followed by a list of 8 items (A. Items approved or rejected). Each item includes a number, a name, a service branch, and a description of the assistance requested and referred to. At the bottom, there is a "Total is \$4,717.23" and a list of "Donations" and "declined applications".

AL291 Donation Committee Minutes

Veterans Served in October:

A. Items approved or rejected:

1. Carper, **ARMY** veteran, requested motel voucher for \$270.13. Referred from Strong Families, Strong Children.
2. Castro, **NAVY** veteran, requested motel voucher for \$259.29. Self-referral from OC 211.
3. Bozek, **ARMY** veteran requested assistance with motel voucher for \$339.91 and \$135.30 for DMV & Ross. Referred by the HUMV Program and linked to Tierney Center for housing and in patient treatment.
4. Valjejo, **USMC** veteran, requested assistance with auto repair for \$492.01. Referred by the Tierney Center.
5. Valdez, **NAVY** veteran, requested rental assistance for \$1297.00. Referred by the American Legion Post 133 Huntington Beach.
6. Delgado, **USMC** veteran, requested assistance for home repair of \$1000.00. AL 133 assisted with project.
7. Rowdean, **AIR FORCE** veteran, requested assistance for small fridge \$203.94. Referred by VA Santa Ana.
8. Bukosky, **ARMY** veteran, requested motel assistance for \$519.65. Referred by MHA Santa Ana.

Total is \$4,717.23

Donations- \$1906.00 Sarge's Resource Center Turkey Giveaway
\$207.90 for chairs at JFTH Seal Beach Veterans Day Event
\$500.00 to help 60 disabled veterans from the Life Aid Research Institute remain on track down to Post 201 on Wednesday, November 10, 2021.

3 declined applications:
Referred 5 veterans for disability compensation.
Referred 10 veterans for employment services.
Referred 1 family for veteran burial.
Referred 3 homeless veterans for housing through the Veterans Affairs.
Referred 3 veterans for mental health services.
Referred 2 veterans for education benefits support.

JUDGE ADVOCATE – Ed Infante

- ☐ Spoke about City Audit concerns

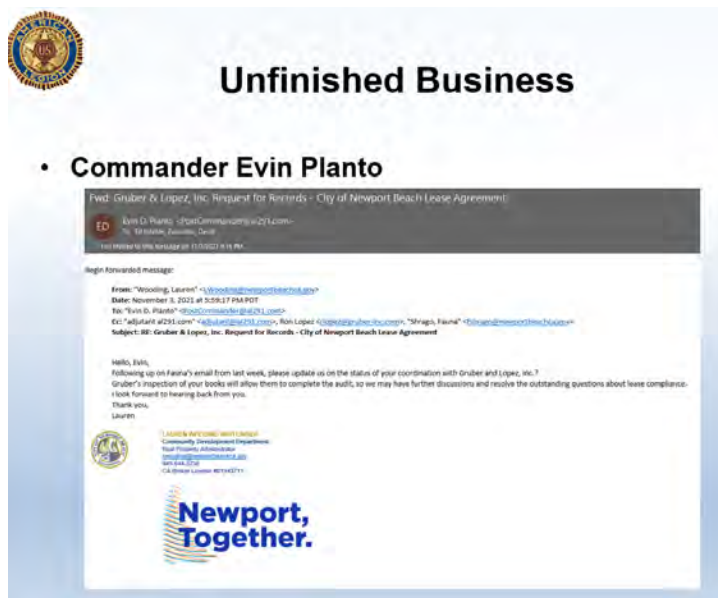
OFFICERS' REPORTS – continued

MEMBERS AT LARGE

- Mike Shubert
 - Spoke about TVs and concerns and will bring this to House Committee.
 - 12/7 Swift Boats will be at the post.

UNFINISHED BUSINESS

- Commander Evin Planto
 - Speaks about City Audit



NEW BUSINESS

- 3rd Vice Commander, Cindy Baker
 - Presents motion to approve the Boy Scout presentation at the General Membership Meeting.
 - M/S/C: Motion Carried Unanimously
- Service Officer, Cory Vigil
 - Presents motion to donate \$1000 to WingMan's Finemens Grooming in support of free haircuts offered to veterans in observance of Veteran's Day.
 - M/S/D/C: Motion carried unanimously.
- 1st Vice Commander, Brian Fleming, Jr.
 - Presents motion to authorize \$1000 to Auxiliary for troop shipping
 - M/S/C: Motion Carried Unanimously

GOOD OF THE LEGION

- Commander, Evin Planto
 - Discussion concerning Field of Valor
 - Discussion concerning 6 vets to be honored on Assembly Woman's website

Closed Session

- Finance Officer, Bob Wine
 - Discussion on findings from CPA Audit on post financials
 - Discussed deficiencies found in Audit

- Commander Evin Planto
 - Discussion on free meals given to officers and possible abuse.
 - Heated discussion among the committee.
 - M.a.L., Kevin Van Otterloo presents motion- "Under no circumstances will there be any meal or beverage given outside the TOAST system and no board member, past or present, or any post member will be comped [free of charge] a meal or beverage."
 - M/S/C/D: Motion to vote
 - Sergeant- at-Arms, Bob Grundmeyer counts the votes
 - Aye- 10
 - Nay- 3
 - M/S/C/V: Motion carries by vote of 10 to 3.

- Judge Advocate, Ed Infante
 - Discussion on City Audit Request, and presents legal analysis.
 - Motion presented to cooperate with 3rd City Audit request.
 - M/S/D/C: Motion carried unanimously

ADJOURNED: 2147 hours.