

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF GOLDEN RAIN FOUNDATION OF LAGUNA WOODS  
A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION

**February 5, 2013**

The Regular Meeting of the Golden Rain Foundation of Laguna Woods Board of Directors, a California non-profit mutual benefit corporation, was held on Tuesday, February 5, 2013, at 9:30 A.M., at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Lynne Dvorak, Patrick Murphy, Marv Rosenhaft, Ray Gros, Pat Feeney, Maxine McIntosh, Ken Hammer, Linda Wilson, Heather Gerson, Larry Souza

Directors Absent: Ruth May

Others Present: Jerry Storage, Patty Kurzet  
*Executive Session:* Jerry Storage, Cris Robinson, Patty Kurzet, Luis Rosas, Bob Mulvihill

**CALL TO ORDER**

President Lynne Dvorak served as Chair of the meeting and stated that it was a regular meeting held pursuant to notice duly given and that a quorum was present. The meeting was called to order at 9:30 A.M.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Director Gros led the membership in the Pledge of Allegiance to the Flag.

**ACKNOWLEDGEMENT OF PRESS**

A representative of the Laguna Woods Globe was present, and the Channel 6 Camera Crew, by way of remote cameras, was acknowledged as present.

**APPROVAL OF AGENDA**

Without objection, the agenda was approved as amended by removing 16(b) *Entertain Motion to Establish a Short-Term Guest RV Parking Policy at Clubhouse 7 with a \$20 Permit Fee*, returning it back to the Security and Community Access Committee for further review and staff input.

**APPROVAL OF MINUTES**

The Board reviewed and approved without objection the minutes of the Regular Meeting of January 4, 2013 and the Special Meeting of January 11, 2013.

**MEMBER COMMENTS**

- Tony Dauer (96-C) spoke to ways of improving the Community.
- Charlene Sydow (646-A) commented on the pedestrian gate by San Sebastian.
- Corkey Eley (2401-2E) commented on the Budget.
- Pamela Grundke (2214-B) encouraged residents to attend Resident's Voice meetings for their edification.

The Directors briefly responded to Members' comments.

### **GENERAL MANAGER'S REPORT**

Mr. Storage updated the membership on the ongoing GRF projects within the Community.

### **CHAIR'S REPORT**

President Dvorak announced that her father is 94 today; spoke to the negotiations with the City regarding the height of the golf netting; and encouraged residents to visit the new Nineteen Restaurant and Lounge.

### **OLD BUSINESS**

The Secretary of the Corporation, Director Wilson, summarized the proposed resolution revising the GRF Trust Facilities Fee policy, which was postponed from the previous meeting to satisfy the 30-day notification requirement. Director Wilson moved to approve the resolution. Director McIntosh seconded the motion.

By a vote of 9-0-0, the motion carried and the Board of Directors adopted the following resolution:

### **RESOLUTION 90-13-09**

**WHEREAS**, as Trustee of the Golden Rain Foundation Trust, the Board of Directors of the Golden Rain Foundation is required to enhance and improve the recreational and other amenities available to all residents of Laguna Woods Village; and

**WHEREAS**, the Board of Directors finds that reinstatement of the capital contribution to the Trust originally required to be made for each manor sold will ensure the continuation of the amenities that make Laguna Woods Village unique;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013 that as Trustee of the Golden Rain Foundation Trust, a declaration of Trust recorded March 6, 1964, the Board will impose a fee, to be known as the "Trust Facilities Fee", in accordance with all terms and conditions contained in this policy statement and in California Civil Code §1368(c)(2) (as amended by Senate Bill 1128, Stats 2010 Chapter 322, §2, effective January 1, 2011), on all transactions involving the purchase of a separate interest in any of the Trustors' common interest developments (United Laguna Woods Mutual, Third Laguna Hills Mutual and Mutual Fifty, each of which is hereinafter referred to as a "Trustor") within the City of Laguna Woods, as an obligation of the purchaser(s).

**RESOLVED FURTHER**, the Trust Facilities Fee will be a fixed amount, as determined from time to time by the Trustee of the Golden Rain Foundation Trust. The entirety of each such fee, when and as paid by the purchaser(s), shall be deposited into the Trust Facilities Fee Fund and shall be applicable to all such transactions, excluding the following transfers of a separate interest:

1. Where at least one of the purchasers has paid a Trust Facilities Fee to the Golden Rain Foundation Trust at any time prior to the close of escrow on the purchase of a separate interest;
2. Where ownership of a separate interest is joined between a current beneficiary of a Trustor and a non-beneficiary spouse, domestic partner or other relative of such beneficiary;
3. Where ownership of a separate interest is transferred to a non-beneficiary of a Trustor by gift or through inheritance from a beneficiary of a Trustor;
4. Where ownership of a separate interest is transferred by a beneficiary of a Trustor to the current qualifying resident (as defined in the Bylaws of each Trustor) of the separate interest, where the transferor has never been a qualifying resident and has previously paid a Trust Facilities Fee; or
5. Where ownership of a separate interest is being transferred to a trust whose settlor or principal beneficiary is the transferor, or to another trust for estate planning purposes.

**RESOLVED FURTHER**, effective with escrows opened, or purchase contracts signed, on or after January 1, 2012, the Trust Facilities Fee shall be set at \$1,500.00 until modified by the Trustee; and

**RESOLVED FURTHER**, in accordance with California Civil Code §1368(c)(2)(B)(iii), each new purchase of a separate interest in any of the Trustors' common interest developments within the City of Laguna Woods to which this Trust Facilities Fee applies (i.e., all new purchases other than a transfer qualifying for any of the exclusions set forth in subparagraphs 1-5 above), shall in compliance with California Civil Code §1368(c)(2)(B)(iii), have the option to either:

- (i) pay the fee in its entirety at the time of transfer; or
- (ii) pay the fee amount pursuant to an installment payment plan for a period of seven (7) years.

If the purchaser elects to pay the fee in installment payments under the second of the above statutorily permitted options, then the Trustee may also collect additional amounts not to exceed the actual costs for billing and financing on the amount owed (as set forth below, and in compliance with the Davis-Stirling Act, as the same may be amended from time to time), and if the purchaser sells their separate interest prior to the end of the installment payment plan period, he or she shall pay the remaining balance of the fee owed to the Trustee prior to transfer. A fee of \$10 will be imposed for any late payments.

The Golden Rain Foundation Board shall assess a one-time fee for the preparation of the promissory note. The Golden Rain Foundation Board shall also assess a handling fee of \$252.00 until later modified by the Board and interest, if applicable, at the minimum rate allowed by law. The monthly payment of the Trust Facilities Fee, the handling fee and interest, if applicable, shall be due on the 1st day of each month; and

**RESOLVED FURTHER**, Resolution 90-12-41, adopted April 3, 2012 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.

Without objection, the Board agreed to waive the reading of a proposed resolution adopting the GRF Pricing policy relative to Golf Fees, which was postponed from the previous meeting to satisfy the 30-day notification requirement. Director Feeney moved to approve the resolution. Director Gerson seconded the motion and discussion ensued.

By a vote of 8-1-0 (Director Hammer opposed), the motion carried and the Board of Directors adopted the following resolution:

#### **RESOLUTION 90-13-10**

**WHEREAS**, according to Resolution 90-12-132, which established guidelines for shared costs and fees, certain fees can be imposed upon users of various recreational facilities in order to control crowding and minimize over-usage, and to recover operating costs; and

**WHEREAS**, by way of Resolution 90-06-32, the Board of Directors adopted a Resident Division Fee Schedule which lists fees charged to residents and non-residents to use GRF shared facilities;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of the Corporation hereby adopts the GRF Pricing policy relative to Golf:

#### **Golf Pricing Policy**

##### **27-Hole Course Greens Fees – Residents and Guests**

- Greens Fees shall be charged to residents and their guests per round of golf.
- For residents, the Greens Fee shall be based on the estimated cost per 9-hole unit of golf, and **60%** shared (subsidized) by the community at large; and rounded up to the nearest dollar.

- For residents, a Twilight Rate may be charged for afternoon play by discounting the Greens Fee by **20%**.
- For guests, the Greens Fee shall be based on the estimated cost per 9-hole unit of golf rounded up to the nearest dollar, and a markup of
  - **25%** Monday through Friday
  - **100%** Weekends and Holidays BEFORE noon/1:00pm
  - **50%** Weekends and Holidays AFTER noon/1:00pm.
- The fees will be adjusted annually on the basis of changes to the operational costs, and depreciation costs; and changes to the percentage shared by the community at large (for the resident rate), or changes to the markup applied to guest rates.
- The GRF Board of Directors will periodically review the estimated cost per 9-hole unit of golf and determine what shared percentage and markup to guest rates to apply in order to maintain an equitable and reasonable division between the user and the monthly assessment (per Resolution 90-12-132, Guidelines for Shared Costs and Fees).

#### 9-Hole Course Greens Fees – Residents and Guests

- Greens Fees shall be charged to residents and their guests per round of golf.
- For residents, the Greens Fee shall be based on the estimated cost per 9-hole unit of golf, and **80%** shared (subsidized) by the community at large; and rounded up to the nearest dollar.
- For guests, the Greens Fee shall be based on the estimated cost per 9-hole unit of golf, and **50%** shared (subsidized) by the community at large; and rounded up to the nearest dollar.
- The fees will be adjusted annually on the basis of changes to the operational costs, and depreciation costs; and changes to the percentage shared by the community at large (for the resident rate), or changes to the markup applied to guest rates.
- The GRF Board of Directors will periodically review the estimated cost per 9-hole unit of golf and determine what shared percentage and markup to guest rates to apply in order to maintain an equitable and reasonable division between the user and the monthly assessment (per Resolution 90-12-132, Guidelines for Shared Costs and Fees).

#### Cart Fees

- A Cart Rental Fee shall be charged to residents and their guests who wish to use a GRF-owned golf cart or pull cart; a Personal Golf Cart Registration Fee shall be charged for the use of a golf cart NOT owned by GRF.
- The Cart Rental Fee shall be based on the estimated cost per use of a GRF-owned golf cart or pull cart, and **50%** to be shared (subsidized) by the community at large; and rounded up to the nearest dollar.
- The Personal Golf Cart Registration Fee shall be
  - **\$60**, annually; or

- **50%** of the 18-hole Cart Rental Fee, for single use, rounded up to the nearest dollar.
- The fees will be adjusted annually on the basis of changes to the operational costs, and depreciation costs; and changes to the percentage shared by the community at large.
- The GRF Board of Directors will periodically review the estimated cost per use of a GRF-owned golf cart and determine what shared percentage to apply in order to maintain an equitable and reasonable division between the user and the monthly assessment (per Resolution 90-12-132, Guidelines for Shared Costs and Fees).

#### Driving Range Fees

- A Bucket Fee shall be charged to residents and their guests for hitting a bucket of balls on the Driving Range.
- The Bucket Fee shall be based on the estimated cost of the Driving Range per bucket of balls, and **50%** to be shared (subsidized) by the community at large; and rounded up to the nearest dollar.
- The fee will be adjusted annually on the basis of changes to the operational costs, and depreciation costs; and changes to the percentage shared by the community at large.
- The GRF Board of Directors will periodically review the estimated cost per bucket of balls and determine what shared percentage to apply in order to maintain an equitable and reasonable division between the user and the monthly assessment (per Resolution 90-12-132, Guidelines for Shared Costs and Fees).

#### Golf Club Rental Fee

- A Golf Club Rental Fee shall be charged to residents and their guests who wish to use a GRF-owned set of golf clubs.
- The Golf Club Rental Fee shall be based on the estimated cost to provide a set of golf clubs, and **0%** to be shared (subsidized) by the community at large, and rounded up to the nearest dollar.
- The fee will be adjusted annually on the basis of changes to the estimated cost to provide a set of golf clubs, and changes to the percentage shared by the community at large.
- The GRF Board of Directors will periodically review the estimated annual cost of a set of golf clubs and determine what shared percentage to apply in order to maintain an equitable and reasonable division between the user and the monthly assessment (per Resolution 90-12-132, Guidelines for Shared Costs and Fees).

**RESOLVED FURTHER**, that Resolution 90-06-32 adopted May 2, 2006 is hereby amended (Resident Division Fee Schedule); 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 Gerson moved to dissolve the GRF Bylaw and Trust Analysis Ad Hoc Committee. Director Rosenhaft seconded the motion and the motion carried unanimously.

Without objection, the Board agreed to appoint Directors Gerson and Feeney to the Joint Committee once it is established by the Mutuals.

### **NEW BUSINESS**

Director Gerson moved to approve the request from the Nineteen Restaurant and Lounge to install signage in front of the Village Greens building and direct staff to work with the Restaurant on details of the location and size of signage. Director Wilson seconded the motion and discussion ensued.

Member Charlene Sydow (646-A) commented on the motion.

The motion carried unanimously.

Director Wilson read a proposed resolution establishing a policy disallowing items to be returned to the Board for reconsideration within one year after having been denied by the Board. Director Gerson moved to approve the resolution. Director Rosenhaft seconded the motion and discussion ensued.

Member Franklin Smith (5369-3D) spoke to his appeal.

Director Wilson amended the motion to include a statement stating that an issue can be reviewed on a case-by-case basis when necessary. Director Gros seconded the motion.

Staff reminded the Board that it always has the option to make exceptions.

By a vote of 2-7-0 (Directors Gros and Wilson voted in favor), the amendment failed.

By a vote of 7-2-0 (Directors Gros and Wilson opposed), the original motion carried and the Board of Directors adopted the following resolution:

### **RESOLUTION 90-13-11**

**WHEREAS**, by way of the committee structure, GRF committees discuss various issues affecting GRF property and forward recommendations regarding the issues to the GRF Board for consideration; and

**WHEREAS**, from time to time, when an issue is denied by the GRF Board, the same issue is reconsidered by the committee with another recommendation sent to the Board, thereby utilizing extra staff hours to revisit the same issue;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby establishes a policy disallowing items to be returned to the Board for reconsideration within one year after having been denied by the Board; and

**RESOLVED FURTHER**, that appeal requests from Resident Members to make aesthetic and/or functional changes to GRF property by way of Resolution 90-08-69 are not affected by this policy; 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.

### **CONSENT CALENDAR**

Without objection the Consent Calendar was approved, and the Board approved the following action:

#### **RESOLUTION 90-13-12**

**WHEREAS**, the Historical Society seeks to partner with GRF in hosting the Inaugural Laguna Woods Village Anniversary Golf Tournament and Dinner following at Clubhouse Two or Seven (if Two is unavailable) benefiting the Laguna Woods Village 50<sup>th</sup> Anniversary Celebration on Thursday, September 12<sup>th</sup>, and to be repeated on the first Thursday after Labor Day in 2014; and

**WHEREAS**, the event is intended to raise money to subsidize the 50<sup>th</sup> anniversary books, celebration gala and related events so they can be offered to residents at an affordable price;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby approves the request of the Historical Society to partner with GRF in hosting the Laguna Woods Village Anniversary Golf Tournament and Dinner following at Clubhouse Two or Seven (if Two is unavailable) benefiting the Laguna Woods Village 50<sup>th</sup> Anniversary Celebration on Thursday, September 12<sup>th</sup>, and to be repeated on the first Thursday after Labor Day in 2014; and

**RESOLVED FURTHER**, that GRF as a co-host of this event with the Historical Society agrees to waive all GRF fees associated with facility usage for the tournament; and

**RESOLVED FURTHER**, that Resolution 90-12-77, adopted June 20, 2012 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.

- Approve renewal of CAI Membership for one year in the amount of \$705
- Approve renewal of ECHO Membership for one year in the amount of \$495
- Approve request from Friendly Visitor Program to use bus transportation for luncheon on February 14, 2013

**RESOLUTION 90-13-13**

GOLDEN RAIN FOUNDATION OF LAGUNA WOODS  
MEDIA AND COMMUNICATIONS COMMITTEE CHARTER

**WHEREAS**, the Media and Communications Committee (formerly the Broadband Committee) has been established pursuant to Article 7, Section 7.1.1 of the Bylaws of the Corporation, and

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby assigns the duties and responsibilities of this Media and Communications Committee, as follows:

1. Perform the duties imposed upon all standing committees as set forth in the resolution entitled, "General Duties of Standing Committees."
2. Serve as liaison between the GRF Board, Broadband Services and Community Relations Division personnel.
3. Promote communication through the community's website and other electronic based media.
4. Make recommendations to other GRF committees and to the GRF Board of Directors on matters related to areas of responsibility in this Charter.
5. Review the capital requirements, service levels, and projected revenue related to the GRF Broadband Services Division, other activities referenced in this Charter, and make recommendations to the GRF Business Planning Committee.
6. Review all unbudgeted requests for equipment, or programs, etc. originated by the GRF Broadband Services Division and other activities referenced in this Charter, and recommend appropriate action to the Finance Committee.
7. Ensure that the Headend and TV-6 facilities, equipment and operations owned or managed by this corporation are maintained as necessary to sustain a consistent level of performance to meet the requirements of the community, City of Laguna Woods franchise agreement, and FCC regulations.

8. Maintain effective communications and relationships with external jurisdictions; monitor federal, state, county and local government jurisdictions regarding the impact that proposals/actions may have on the GRF Broadband Services cable system (FCC Rules and Regulations, U.S. Government, California State Government, City of Laguna Woods, neighboring cities, planned communities, etc.) and make recommendations to the GRF Board regarding said impacts.
9. Direct the managing agent to prepare specifications and contracts used for procurement of programming, services, and commercial advertisements. Review and modify criteria as appropriate.
10. Direct the managing agent to implement capital plan projects per Board approved scope of work.
11. Work to promote the optimum and most efficient use of Headend and TV-6 facilities and services.
12. Serve as a liaison between the GRF Board and the managing agent to ensure that broadband services and any associated equipment are appropriate for the intended services.
13. Consider all issues pertaining to the maintenance and operation of the GRF Broadband Services cable system, and make recommendations to all Boards as necessary.
14. Promote good relations, customer service and communication between the residents of Laguna Woods Village, the Golden Rain Foundation, the mutual housing corporations and the relevant service providers; including marketing of broadband services and customer support services.
15. Communicate with and monitor actions of external governmental bodies and other organizations whose policies and actions may have an impact on Laguna Woods Village.
16. Promulgate appropriate public relations programs and policies in order to promote a positive image and good relations among Laguna Woods Village residents, GRF and the housing corporations and surrounding communities as well as the public at large.
17. Perform such other duties as may be assigned by the GRF President or Board.

**RESOLVED FURTHER**, that Resolution 90-12-21, adopted February 7, 2012, is hereby superseded and canceled; 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.

#### **COMMITTEE REPORTS**

Director Heather Gerson gave the Treasurer's and Finance Committee reports.

Member Rae Tso (3256-A) commented on the Finance Report.

Director Marv Rosenhaft reported from the Mobility & Vehicles Committee.

Director Lynne Dvorak reported from the Community Activities Committee.

Director Wilson read the following proposed resolution approving the revised Recreation Division Policy with respect to "Section III (G) – Garden Centers":

**RESOLUTION 90-13**

**WHEREAS**, by way of Resolution 90-12-133, GRF adopted its new Recreation Division Policy; and

**WHEREAS**, a recommendation has been made by the Community Activities Committee to make additional changes to further accommodate the needs of the residents;

**NOW THEREFORE BE IT RESOLVED**, April 2, 2013, that the Board of Directors of this Corporation hereby approves the revised Recreation Division Policy with respect to "Section III (G) – Garden Centers", effective January 1, 2014, to read as follows:

2. Gardeners are limited to a maximum of 400 square feet per manor, except in the few cases where an individual plot is larger than 400 square feet; in addition, there is a limit of one tree plot (citrus or fruit) per manor (any resident with more than one tree plot will be "grandfathered" until the permit is terminated)

**RESOLVED FURTHER**, that Resolution 90-12-133, adopted November 6, 2012 is hereby amended; 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 Wilson moved to approve the resolution. Director Gerson seconded the motion and discussion ensued.

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

Director Linda Wilson reported from the Security and Community Access Committee.

Director Wilson read a proposed resolution authorizing a supplemental appropriation to install CCTV Cameras at Aliso Creek property lines. Director Wilson moved to approve the resolution. Director Gerson seconded the motion and discussion ensued.

Members Doug Rook (30-F), Tony Dauer (96-C), Franklin Smith (5369-3D), and Charlene Sydow (646-A) commented on the motion.

By a vote of 7-2-0 (Directors Hammer and Murphy opposed), the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 90-13-14**

**WHEREAS**, the Security and Community Access Committee requested an investigation of the security features and needs at the Aliso Creek upper and lower property lines; and a security consultant assessed the areas and provided potential intrusion prevention and detection improvement recommendations; and

**WHEREAS**, by way of Resolution 90-12-126, GRF appropriated monies to install Shepherd's Crook fencing, add cactus type planting and signage at the upper and lower Aliso Creek property lines; but the installation of CCTV Cameras was excluded from the appropriation;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors hereby authorizes a supplemental appropriation in the amount of \$89,100 from the Facilities Fund to install two (2) CCTV Cameras at the upper and lower Aliso Creek property lines as originally proposed in 2012; 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 Ray Gros reported from the Traffic Committee.

Director Larry Souza reported from the Maintenance and Construction Committee.

Director Wilson read a proposed resolution authorizing a supplemental appropriation to hire an outside consultant to develop construction plans for repairs to the slope east of the driving range. Director Wilson moved to approve the resolution. Director Gerson seconded the motion and discussion ensued.

Member Doug Rook (30-F) commented on the motion.

By a vote of 9-0-0, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 90-13-15**

**WHEREAS**, during frequent rain events, a portion of the slope east of the driving range sustains damage from excessive storm runoff;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby authorizes a supplemental appropriation in the amount of \$6,050 from the Contingency Fund to hire an outside consultant to develop construction plans for repairs to the slope east of the driving range; 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 Wilson read a proposed resolution authorizing a supplemental appropriation to repair the slope above the RV Lot A near Hole 5. Director Wilson moved to approve the resolution. Director Gerson seconded the motion.

By a vote of 9-0-0, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 90-13-16**

**WHEREAS**, during the December 2010 and January 2011 rain events, the slope above the RV Lot A near Hole 5 sustained a surficial slope failure;

**WHEREAS**, the services of a geotechnical consultant were enlisted to evaluate the slope and provide recommendations for mitigation of the slope failure;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby authorizes a supplemental appropriation in the amount of \$39,050 from the Contingency Fund to repair the slope above the RV Lot A near Hole 5 based on the Geotechnical Engineer's recommendations; and

**WHEREAS**, a Civil Engineer will assess the hydrology of the subject area and will provide a redesign as needed; 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 Wilson read a proposed resolution authorizing a supplemental appropriation to construct a new Gatehouse and renovate the landscaping at Gate 7. Director Wilson moved to approve the resolution. Director Gerson seconded the motion and discussion ensued.

By a vote of 8-1-0 (Director Hammer opposed), the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 90-13-17**

**WHEREAS**, by way of resolution 90-12-86, GRF approved to remove the planter from Gatehouse 7 to mitigate water intrusion into the building; and upon removal, extensive dry rot and termite damage was discovered and more repairs than anticipated were found to be required for the project;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby authorizes a supplemental appropriation in the amount of \$422,400 from the Facilities Fund to construct a new Gatehouse and renovate the landscaping at Gate 7 with the gatehouse building constructed on-site; and

**WHEREAS**, the Board of Directors of this Corporation hereby authorizes Gate 7 to be closed during construction; 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 Wilson read a proposed resolution authorizing monies to proceed with the Gate 1 Renovation Project. Director Wilson moved to approve the resolution. Director Gerson seconded the motion and discussion ensued.

Members Doug Rook (30-F), Charlene Sydow (646-A), and Tony Dauer (96-C) commented on the motion.

By a vote of 7-1-1 (Director Hammer opposed and Director Feeney abstained), the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 90-13-18**

**WHEREAS**, by way of Capital Plan item P08015, GRF appropriated \$750,000 to modernize and improve entry gate function, aesthetics, safety and security; and

**WHEREAS**, the lowest competitive bid to construct the Gate 1 Renovation, as designed, including the storm drain improvements is \$988,000;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby authorizes use of \$750,000 from Capital Plan P08015 and approves a supplemental appropriation of \$24,400 to be funded from the Facilities Fund to proceed with the Gate 1 Renovation

Project, as designed with the gatehouse building constructed on-site, excluding \$200,200 estimated for storm drain improvements and excluding \$13,400 estimated for temporary access measures; and

**RESOLVED FURTHER**, the Board of Directors of this Corporation hereby authorizes Gate 1 to be closed during construction; 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 Larry Souza reported from the Clubhouse Two Renovation Ad Hoc Committee.

Director Pat Feeney reported from the Media & Communications Committee.

Director Wilson read a proposed resolution authorizing a supplemental appropriation to purchase equipment necessary to transition to an all-digital cable system. Director Wilson moved to approve the resolution. Director Gerson seconded the motion and discussion ensued.

Mr. Russ Ridgeway entered the meeting at 11:39 A.M. and made himself available to answer questions.

By a vote of 9-0-0, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 90-13-19**

**WHEREAS**, in January 2006, GRF authorized the implementation of enhanced digital services; and

**WHEREAS**, in order to continue the implementation of digital services and expanding programming to the Community, additional bandwidth is required; and

**WHEREAS**, the first step for an all-digital cable system is to duplicate the existing 74 analog channels in digital format, known as digital simulcast, which will lay the foundation for eliminating the analog channels creating enough space on the network to add additional programming;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby authorizes a supplemental appropriation in the amount of \$315,000 from the Equipment Fund to purchase equipment necessary to transition to an all-digital cable system; and

**RESOLVED FURTHER**, that the purchase of future DTA (digital to analog) converter boxes will be included in future capital plans; 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 Wilson read a proposed resolution updating the Broadband Services fee structure. Director Wilson moved to approve the resolution. Director Gerson seconded the motion and discussion ensued.

Members Marc Bayer (2402-1C) and Tony Dauer (96-D) commented on the motion.

By a vote of 9-0-0, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 90-13-20**

**WHEREAS**, in order to offset the expense of providing digital cable services based on subscriber choices the GRF Broadband Services Division established a fee structure; and

**WHEREAS**, the Broadband Services Committee found it necessary to revise the fee structure and digital tier system in an effort to facilitate the Community's analog to digital transition;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby authorizes staff to charge subscribers for Digital Services based on the following fee structure:

Installation/Service Call (one-time fee):	\$30.00
Cable Line/New Outlet (one-time fee):	\$50.00 - \$100.00
Equipment (monthly fee):	
Digital Set Top Box /TV	\$6.25
Digital Set Top Box/TV/HD	\$12.25
Digital Set Top Box/DVR/HD	\$18.25 (first box)
	\$12.25 (additional box)
Programming (monthly fee):	
Digital Basic	\$7.25
Digital Experience	\$9.95
Cinemax Pak	\$14.25
HBO Pak	\$17.25
Showtime Pak	\$14.25
Starz/Encore Pak	\$14.25
Foreign Language Channels	\$10.00 - \$15.00
Adult Playboy Channel	\$15.00
Adult Pay-Per-View, Per Event	\$9.00



**RESOLVED FURTHER**, that such fees shall be effective May 1, 2013; and

**RESOLVED FURTHER**, that Resolution 90-08-86 adopted November 4, 2008 and Resolution 90-09-86 adopted October 6, 2009 are 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.

Director Wilson read a proposed resolution authorizing a supplemental appropriation to purchase 430 additional set-top boxes. Director Wilson moved to approve the resolution. Director McIntosh seconded the motion and discussion ensued.

By a vote of 9-0-0, the motion carried and the Board of Directors adopted the following resolution:

**RESOLUTION 90-13-21**

**WHEREAS**, currently, there is a greater demand in the new digital services than anticipated and based on current subscriber trends, the number of digital subscribers is expected to rise to over 5,100 by year end; and

**WHEREAS**, in order to accommodate the increased demand, additional set-top boxes are needed;

**NOW THEREFORE BE IT RESOLVED**, February 5, 2013, that the Board of Directors of this Corporation hereby authorizes a supplemental appropriation in the amount of \$175,000 from the Equipment Fund to purchase 430 additional set-top boxes; 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.

Mr. Ridgeway left the meeting at 11:53 A.M.

Director McIntosh moved to rescind Resolution 90-09-05 (including DVD in marketing packet). Director Murphy seconded the motion and the motion carried by a vote of 8-1-0 (Director Rosenhaft opposed).

Director Maxine McIntosh reported from the Landscape Committee.

Director Linda Wilson reported on the City Council meetings.

Director Ray Gros reported on the Laguna Canyon Foundation.

No future board agenda items were discussed.

**DIRECTORS' COMMENTS**

Directors made their final comments.

**MEETING RECESS**

The regular open meeting recessed at 12:03 P.M. and reconvened into Executive Session at 1:00 P.M.

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

During its Regular Executive Session Meeting of January 4, 2013, the Board reviewed and approved without objection the minutes of the June 1, 2012 Special Executive Session and the minutes of the December 4, 2012 Regular Executive Session. The Board heard two disciplinary hearings; authorized a supplemental appropriation for additional GRF Trust research; and discussed contractual issues regarding Moulton Parkway Phase II Improvements, legal counsel, the management agreement, and royalty fees.

**ADJOURNMENT**

There being no further business to come before the Board of Directors, the meeting adjourned at 4:25 P.M.

---

Linda Wilson, Secretary