



Minutes of the Regular Meeting of the Golden Rain Foundation  
Tuesday, November 7, 2017, 9:30 a.m.  
24351 El Toro Road, Laguna Woods, California.

Directors Present: John Parker, Beth Perak, Judith Troutman, JoAnn diLorenzo, Diane Phelps, John Beckett, Kathryn Freshley, Ray Gros, Joan Milliman, Richard Palmer, and Thomas Sirkel,

Directors Absent: None

Staff Present: Open Session: Brad Hudson, Lori Moss, Tim Moy, Chuck Holland, Bruce Hartley, Heather Rasmussen and Cheryl Silva

Executive Session: Brad Hudson and Lori Moss

Others Present: United Mutual: Andre Torng, Cash Archrekar,  
Mutual 50: Ryna Rothberg  
VMS: Mary Stone, Dick Rader

### **1. Call to Order**

President Parker called the meeting to order at 9:30, established a quorum, and stated that this was his last regular meeting and he was honored to serve the community. President Parker addressed the audience and asked that all cell phones be turned off and reviewed the process to speak and address the Board. He reviewed the Davis-Stirling Act with the audience and reminded them that only members could speak. Speaker cards should be completed and handed to Cheryl Silva, Assistant Corporate Secretary.

### **2. Pledge of Allegiance to the Flag**

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

### **3. Acknowledgement of Media**

A representative of the Laguna Woods Globe and the Village Television Camera Crew, by way of remote cameras, were acknowledged as present.

### **4. Approval of Agenda**

Director diLorenzo made a motion to approve the Agenda. Director Sirkel asked to move item 12(a)ii before 12(a)i regarding golf fees. Director Phelps seconded the motion and it passed unanimously.

### **5. Approval of Minutes**

Director diLorenzo made a motion to approve the minutes from the October 3, 2017, Regular Open Session. The motion was seconded by Director Perak and passed unanimously.

## **6. Report of the Chair**

Director Parker thanked the CEO and staff for their hard work and announced that this was his last meeting. The Corporate Members Annual and Organizational Meeting will be held tomorrow.

## **7. Update from VMS**

Director Kenney gave an update by reviewing the VMS meetings in the month of October. At the service award luncheon, Rafael Alcala, Heather Rasmussen, Jackie Giacomazzi and some others were recognized for their years of service. He announced the Department Awards and showed pictures from the recent Scare Fest held on Halloween.

## **8. CEO Report**

Mr. Hudson reported on the accomplishments over the past year, giving kudos to Director Beckett for suggesting the installations of AED machines which have saved lives. A new satellite was installed to improve reception. The internet speed was tripled, Village Breeze and What's up in the Village newsletters were launched, improvements were made to Clubhouse 2 and 4, dry rot and termite tenting occurred, and the Board has been open and transparent to the community. Mr. Hudson expressed that it was an honor to work with John Parker and announced that the Community Manager, Lori Moss, will be retiring in early spring. He thanked Joan Milliman who participated in the recognition of Denny Welch on Saturday.

## **9. Open Forum (Three Minutes per Speaker)**

- Betty Worden (774-Q) spoke in favor of the billiards room and asked the board to find a new location.
- Letty Owens (198-F) spoke in favor of the billiards club and the need for a new location.
- Tracey Steward (860-D) spoke in favor of the billiards club and the need for a new location.
- Chris Collins (3306-Q) gave an update from the Laguna Wood Village Foundation.
- Hillary Mandelbaum (774-N) spoke in favor of the billiards club.
- Barry James Folsom (860-C) spoke in favor of the billiards room.
- Diane Casey (188-C) spoke in favor of the billiards room and asked the Board to find a new location.
- Mary Stone (356-C) spoke about the need to renovate Clubhouse 1 in 2018.
- Barbara Burns (5214) spoke in favor of the billiards club and the need for a new location.
- Gloria Stoltzfus (240-C) spoke in favor of the billiards club and the need for a new location.
- Artie Rosenstein (2214-C) spoke about the need to keep a sense of community and against dividing the community by separating resident and non-member rights.
- Lloyd Silverman (5144) spoke about the recent increases in rates and the need for more transparency.
- Cash Achrekar (201-E) thanked the outgoing President, John Parker and Lori Moss for her service to the community. He expressed that he would like to start a new club; National Inventors Forum.

- Maxine McIntosh (68-C) thanked staff for their hard work and asked for a master plan for Clubhouse 3.
- Mary Wall (239-D) spoke in favor of John Beckett and against how the Board treated Mr. Beckett. She asked the Board to apologize to Mr. Beckett.
- Sunshine Lutey (3232-D) invited everyone to an event that her club is presenting. All donations go to the Alzheimer Foundation.
- Roberta Berk (933-B) spoke about the need to renovate Clubhouse 1.
- Andre Torng (389-Q) thanked John Beckett for his service on the Board.
- Juanita Skillman (2154-N) thanked the GRF Board and President Parker for his service.
- Mary Wilson (633-N) spoke regarding her decal for the gate pass and asked if residents must purchase a new pass when they purchase a new vehicle.

### **10. Response to Open Forum Speakers**

Director Troutman commented about the plans to move the billiard room to a better location. Clubhouse 1 needs to be renovated and it is on the project log for 2018.

Director Freshley commented that Clubhouse 1 needs to be renovated.

Director Perak stated that the Board will look into the needs for Clubhouse 1.

Director Palmer responded to the reason for the recent rate increases and the increase in labor costs.

CEO Hudson responded to resident comments on Clubhouse 1 and the need to replace the air conditioning unit. He stated that the Board allocated money for the fitness center.

Director Beckett responded to comments about the billiard room and the need for social interaction.

### **11. Consent Calendar**

11a. Entertain a Motion to Approve an Amended Release for Saddleback Emeritus Classes

Director Freshley made a motion to approve the Consent Calendar. The motion was seconded by Director Milliman and passed by a vote of 8-0-2 (Directors Phelps, Milliman absent for the vote).

### **12. Unfinished Business**

12a. Entertain a Motion to Increase User Fees for Golf Greens to support the 2018 Business Plan

Agenda item 12(a)ii was heard before 12(a)i

- ii. Introduce a Golf Green fees for 2018 Resolution; including one rate for Member and Non-Members.

Director diLorenzo read the following resolution:

**RESOLUTION 90-17-XX**  
**Golf Fees Pricing Policy**

**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**, the Board of Directors may periodically review the fees and make adjustments for reasons defined in the Shared Cost Guidelines; and

**NOW THEREFORE BE IT RESOLVED**, January 2, 2018, that the Board of Directors of the Corporation hereby introduces the following policy for golf fees and amounts set forth on the attached Schedule of Golf 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 Cart Registration Fee shall be charged for the use of a golf cart not owned by GRF.

**Club Rental Fees**

- A Club Rental Fee shall be charged to residents and their guests who wish to use a GRF-owned set of golf clubs.

**Driving Range Fees**

- A Bucket Fee shall be charged to residents and their guests for hitting a bucket of balls on the Driving Range.

**Greens Fees, 27-Hole Course**

- Greens Fees shall be charged to residents and their guests per round of golf.
- Greens Fee amount shall be set according to the attached schedule for Residents and Guests.

**Greens Fees, 9-Hole Course**

- Greens Fees shall be charged to residents and their guests per round of golf.
- Greens Fee amount shall be set according to the attached schedule for Residents and Guests.

**RESOLVED FURTHER**, that Resolution 90-13-10 adopted February 5, 2013, 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 this resolution.

**NOVEMBER Initial Reading**

Should the Board endorse the proposed revisions, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 30-days from the postponement to comply with Civil Code §4360

**SCHEDULE OF GOLF FEES**

Adopted by Resolution 90-17-XX

DESCRIPTION	2017 Fee	2018 Fee
<b>Carts &amp; Clubs</b>		
Cart Registration, Single Use	\$8.00	\$8.00
Cart Registration, Annual Pass	\$60.00	\$60.00
Cart Rental, 18 Holes	\$15.00	\$15.00
Cart Rental, 9 Holes	\$8.00	\$8.00
Cart Rental, Hand Pulled	\$1.00	\$1.00
Club Rental	\$25.00	\$25.00
Club Storage (locker), Annual Fee	\$45.00	\$45.00
Club Storage (locker) , Monthly	\$12.00	\$12.00
<b>Driving Range</b>		
Driving Range, Large Bucket	\$3.00	\$3.00
Driving Range, Small Bucket	\$2.00	\$2.00
Driving Range, Quarter Bucket	\$1.00	\$1.00
<b>Greens Fee, 27 Hole Course, 18 Holes</b>		
Residents	\$11.00	\$16.00
Guests, Weekday	\$35.00	\$35.00
Guests, Weekend	\$55.00	\$55.00
<b>Greens Fee, 27 Hole Course, 9 Holes</b>		
Residents	\$6.00	\$8.00
Guests, Weekday	\$18.00	\$18.00
Guests, Weekend	\$28.00	\$28.00
<b>Greens Fee, Par 3 Course, 18 Holes</b>		
Residents	\$8.00	\$10.00
Guests	\$16.00	\$16.00
<b>Greens Fee, Par 3 Course, 9 Holes</b>		
Residents	\$4.00	\$6.00
Guests	\$7.00	\$8.00

Director diLorenzo made a motion to introduce the Golf Pricing Policy & Fee Schedule Resolution. Director Sirkel seconded the motion.

Discussion ensued among the Directors.

- Reed Archambault (1351) spoke against raising the golf fees.
- Jeffrey Wu (5519-2B) spoke about golf fees related to guests.
- Martin Rhodes (5369-2A) spoke against the increase in golf fees.
- Lloyd Silverman (5144) spoke against the new golf fees.
- Sunshine Lutey (3232-D) spoke against the increase in golf fee and does not understand the reason for the increase.
- Mike Wilson (876-N) spoke in favor of a 10 percent increase in golf fees, but against doubling the fees for non-residents.

CEO Hudson responded to resident comments on the cost to run the golf course.

Director Phelps addressed the difference between the two resolutions.

Director Freshley addressed the history of the golf fees and the need for shared cost.

Director Sirkel responded to resident comments on the need to have a member ID to play golf or to purchase a bucket of balls.

President Parker called for a vote and the motion passed unanimously.

12(a)i. Adopt a Resolution for a two-tiered golf rate for Members and Non-members.

**RESOLUTION 90-17-XX**  
**Golf Fees Pricing Policy**

**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;

**WHEREAS**, the Board of Directors may periodically review the fees and make adjustments for reasons defined in the Shared Cost Guidelines; and

**WHEREAS**, golf course costs have increased dramatically over the last several years without a concurrent increase in greens fees; and

**WHEREAS**, a primary priority of GRF is to keep rates low for members; and

**WHEREAS**, non-member residents and guest users are more likely to be unfamiliar with the golf course and course rules thereby increasing costs to manage their play; and,

**WHEREAS**, non-member residents and guest users have no financial interest in the course and its facilities and are less likely to exert efforts to insure ongoing suitability for play.

**NOW THEREFORE BE IT RESOLVED**, November 7, 2017, that the Board of Directors of the Corporation hereby adopts the following policy for golf fees and amounts set forth on the attached Schedule of Golf 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 Cart Registration Fee shall be charged for the use of a golf cart not owned by GRF.

Club Rental Fees

- A Club Rental Fee shall be charged to residents and their guests who wish to use a GRF-owned set of golf clubs.

Driving Range Fees

- A Bucket Fee shall be charged to residents and their guests for hitting a bucket of balls on the Driving Range.

Greens Fees, 27-Hole Course

- Greens Fees shall be charged to residents and their guests per round of golf.
- Greens Fees amount shall be set according to the attached schedule for Members, Non Member Residents, and Guests.

Greens Fees, 9-Hole Course

- Greens Fees shall be charged to residents and their guests per round of golf.
- Greens Fee amount shall be set according to the attached schedule for Members, Non Member Residents, and Guests.

**RESOLVED FURTHER**, that Resolution 90-13-10 adopted February 5, 2013, is hereby superseded and canceled; to the extent that it differs,

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

**OCTOBER Initial Notification**

**30-day notification to comply with Civil Code §4360 has been satisfied.**

President Parker called for a vote to eliminate this Resolution since the 12(a)ii regarding Golf Fees passed.

Director Sirkel made a motion to eliminate the Resolution for Golf Fees Pricing Policy, a two-tiered golf rate for Members and Non-members Residents. The motion was seconded by Director diLorenzo and passed unanimously.

12b. Adopt a Resolution Increasing User Fees for Room Rentals to support the 2018 Business Plan

Director diLorenzo read the following resolution:

**RESOLUTION 90-17-36**  
**Room Reservation Rate Pricing Policy**

**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**, the Board of Directors desires to follow a pricing policy to prescribe the cost basis for determining room rental fees; and

**NOW THEREFORE BE IT RESOLVED**, November 7, 2017, that the Board of Directors of this Corporation hereby adopts the following policy:

**Resident Room Reservation Fee**

- I. An equal hourly rate will be applied for private party, club and church/religious reservations.
- II. A Resident Room Reservation Fee shall be charged for the amount of time required for the use of a reservable room, beginning with a two-hour minimum and increasing in hourly increments thereafter, with large ballrooms and main lounges requiring a four-hour minimum.
- III. A Setup Fee shall be charged for the time blocked out prior to and/or after each reservation necessary to prepare/cleanup the room, during which the room is not available to other users.
- IV. The reservation and setup fees shall be based on the estimated hourly cost of each reservable room, rounded up to the nearest dollar, and will be adjusted annually on the basis of annual operational costs, capital costs, reservable hours, and a percentage to be shared by the Community at large.
- V. The percentage to be shared by the Community at large to maintain an equitable and reasonable division between the user and the monthly assessment shall be 82 percent for all rooms.
- VI. The charge for Performing Arts Center Auditorium Event with Admission shall be a flat fee of \$395 per day.

**Reservation Exception Rates**

A rate that is different from the resident rate shall apply to all room reservations that meet the criteria for the "Exception Rate" as defined in the GRF Recreation Division Policy. This rate shall be applied as follows:

- I. An exception rate room reservation fee shall be charged for the amount of time required for the use of a reservable room, beginning with a two-hour minimum and increasing in hourly increments thereafter.
- II. In the case of the Performing Arts Center Auditorium, the exception rate room reservation fee shall be charged on a daily basis.



- III. A setup fee shall be charged for the time blocked out prior to and/or after each reservation necessary to prepare/clean-up the room, during which the room is not available to other users.
- IV. The exception rate room reservation fee and setup fee shall be based on the lowest hourly rental fee charged for similar facilities outside of the Village, but in the local area, discounted by 50 percent; and rounded up to the nearest dollar.
- V. For Performing Arts Center Auditorium, the exception rate shall be based on the lowest daily per-seat rental fee charged for similar facilities outside of the Village, but in the local area, discounted by 50 percent; and rounded up to the nearest dollar.
- VI. The exception rate room reservation fees will be adjusted periodically on the basis of changes in the external rental fees and the percentage discount; then reflected on the fee schedule.

**RESOLVED FURTHER**, that this resolution shall be effective January 1, 2018, at which time Resolution 90-10-70 adopted September 7, 2010, and Resolution 90-10-94 adopted November 2, 2010, and Resolution 90-13-44 adopted May 7, 2013, are hereby superseded and canceled.

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

**OCTOBER Initial Notification**

**30-day notification to comply with Civil Code §4360 has been satisfied.**

Director diLorenzo made a motion to adopt the resolution increasing user fees for room rentals to support the 2018 Business Plan. The motion was seconded by Director Milliman.

Director discussion ensued among the Directors.

- Lillian Taylor (642-A) spoke in favor of an increase not to exceed 3%.
- Sunshine Lutey (3232-D) spoke against the room rate increase which has doubled.
- Diane Casey (188-C) spoke against the room rate increase which has resulted in the cancellation of some classes because of the increase.
- Lloyd Silverman (5144) spoke against the room rate increase and the confusion of the percentage in the resolution.
- Carol Bowler (5512-A) spoke against the room rate increase.
- Andre Torng (389-Q) spoke in favor of the room rate increase and asked about the need for a set-up fee in the resolution. Would like to see future increases based on a long range plan.
- Mary Stone (356-C) made a commented that churches/religion are considered clubs and do not pay a separate fee.

Director Phelps responded to resident comments about the reason for the increase. Fees have not been increased since 2000 even though operating costs have increased.

Director diLorenzo responded to resident comments and commented that room rates have not been increased in a long time and it has become difficult to fund expenses associated with room rentals.

Director Freshley spoke in favor of the room rental increase and commented that the new shared cost is fair for the residents.

Director Perak responded to resident comments and clarified that residents are only being asked to pay 18 percent of the cost and the community will pay 82 percent of the cost.

Director Milliman responded to resident comments and the need to consider fundraisers outside the village to help offset the increase in room rates.

Director Beckett spoke against the room rate increase.

CEO Hudson responded to resident comments; staff looked into a fair shared cost between the residents and the community. Room rate increases are not about balancing the budget but about making rooms available for residents.

Director diLorenzo made an amendment to the motion to remove church/religious from item number 1 in the resolution. The motion was seconded by Director Beckett and failed by a vote of 5-6-0 (Directors Parker, Phelps, Freshley, Perak, Gros and Palmer opposed).

President Parked called for a vote on the original motion, that passed by a vote of 8-2-0 (Directors Troutman and diLorenzo opposed)

12c. Introduce a Resolution Amending the "Members First" Policy

Director diLorenzo read the following resolution:

**RESOLUTION 90-17-XX**  
**Members First**

**WHEREAS**, a primary purpose of GRF is to provide, maintain and manage operations for members;

**WHEREAS**, many of the GRF amenities are limited to such a degree that not all members are allowed to participate in various activates;

**WHEREAS**, non-member occupants often utilize these limited amenities to the exclusion of members;

**NOW THEREFORE BE IT RESOLVED**, January 2, 2018, that RV Lot(s), the Equestrian Facility stalls, and Garden Center(s) plots and ~~other limited amenities such as~~ Clubhouse 4 and Golf Club lockers shall first be offered to members prior to any other category of resident when the space becomes available; and,

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

**NOVEMBER Initial Notification**

**Should the Board endorse the proposed revisions, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 30-days from the postponement to comply with Civil Code §4360.**

Director diLorenzo made a motion to approve the Members First Policy Resolution. The motion was seconded by Director Milliman.

Discussion ensued among Directors.

- Reed Archambault (1351) spoke against creating two classes of residents.
- Martin Rhodes (5369-2A) spoke against giving priority to members; members give their membership rights to the lessee. He asked why a Town Hall was not held on this issue.
- Carol (3399-A) spoke against the members first policy and feels reservations should be “first come first serve” and asked the Board to rescind this motion.
- Maxine McIntosh (68-C) spoke against this policy and feels members give up their rights to the lessee.
- Keith Belya (5394-C) spoke against this policy and feels there should be one membership right.
- Mary Stone (356-C) asked counsel about the trust agreement that calls for a 2/3 vote before any non-member can use GRF facilities.
- Diane Casey (188-C) spoke in favor of this policy.
- Dick Rader (270-D) asked legal counsel about this policy.

Legal Counsel responded regarding the review of governing documents and past litigation that applies to this resolution.

Director Milliman made an amendment to remove the words “other limited amenities such as” from the resolution. The motion was seconded by Director Phelps and it passed unanimously.

President Parker called for a vote on the original motion, that passed by a vote of 9-0-1 (Director diLorenzo abstained)

The Board Recess for Lunch at 12:51 p.m.

The Board Reconvened at 1:43 p.m.

12d. Adopt a Resolution Approving an Increase to the User Fee for RV Lots for 2018

Director diLorenzo read the following Resolution:

**RESOLUTION 90-17-37**  
**User Fee for RV Lots for 2018**

**WHEREAS**, Golden Rain Foundation of Laguna Woods has administration control of Recreational Vehicles (RV) Lot A & B and these spaces have been rented to residents; and

**WHEREAS**, the current rate was last increased on January 1, 2007;

**NOW THEREFORE BE IT RESOLVED**, November 7, 2017, that the Board of Directors of this Corporation hereby increases the RV lot fee from \$160 per space to \$320.00 per space per year, effective January 1, 2018; and

**RESOLVED FURTHER**, that the single flat fee shall be charged to users of all recreational vehicles, trailers, boats, and trailer combinations or units regardless of overall length, and that the fee be included in the Monetary Fee Schedule; and

**RESOLVED FURTHER**, that Resolution 90-06-95, adopted November 7, 2006 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.

**SEPTEMBER Initial Notification**

**30-Day notification to comply with Civil Code §4360 has been satisfied.**

Director diLorenzo made a motion to approve the User Fee for RV Lots for 2018 Resolution. Director Gros seconded the motion.

Discussion ensued among the Directors.

- Diane Casey (188-C) spoke against the fee increase.

President Parker called for a vote and the motion passed unanimously.

12e. Adopt a Resolution to Suspend Cable/Internet in the Event of Disciplinary Action.

Director diLorenzo read the following Resolution:

**RESOLUTION 90-17-38**  
**Suspend Cable/Internet in the Event of Disciplinary Action**

**WHEREAS**, the Golden Rain Foundation Corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act (Articles of Incorporation, Article XI);

**WHEREAS**, the purpose of the Golden Rain Foundation Corporation is to develop and maintain facilities and services (Bylaw 2.1.1), operate community facilities (Bylaw 2.1.2) and operate as a Common Interest Development in accordance with the Davis-Stirling Common Interest Development Act, in providing community facilities (Bylaw 2.1.3); and

**WHEREAS**, the Golden Rain Foundation Corporation has the power to adopt rules and regulations, including disciplinary procedures with regard to its Mutual Members and permitted and approved Qualifying Residents, Co-occupants, Tenants and their guests (Bylaw 2.2.3), and the authority to establish policy (Bylaw 2.3); and

**WHEREAS**, Cable/Internet services for the Mutual Members, Qualifying Residents, Co-occupants, Tenants and their guests are provided by way of a contract between the Golden Rain Foundation Corporation and a Cable/Internet provider ("Master Contract"), and then a bulk service contract between the Golden Rain Foundation Corporation and the Housing Mutuals, which consists of Laguna Woods Mutual No. Fifty, Third Laguna Hills Mutual and United Laguna Woods Mutual; and

**WHEREAS**, each of the Housing Mutuals Bylaws empowers their respective Boards to manage and govern property, facilities and services, including the adoption of policies and rules (Laguna Woods Mutual No. Fifty Bylaws 2.1, 2.2 and 2.3; Third Laguna Hills Mutual Bylaws 2.1.3, 2.2.3 and 2.3; United Laguna Woods Mutual Bylaws 2.1, 2.2 and 2.3);

**WHEREFORE**, the Board of Directors acknowledges that Cable/Internet is a jointly administered amenity, of both the Housing Mutuals and the Golden Rain Foundation Corporation;

**NOW THEREFORE, BE IT RESOLVED**, November 7, 2017, that the Board of Directors of the Golden Rain Foundation Corporation, and the Board of Directors for each of the Housing Mutuals, each possess the power to take disciplinary action against their respective Mutual Members, including, but not limited to, the suspension of Cable/Internet and internet services;

**RESOLVED FURTHER**, that it is within the sole authority of the Golden Rain Foundation to negotiate the terms of the Master Contract, including, but not limited to, pricing and programming;

**RESOLVED FURTHER**, that it is the sole obligation of the Golden Rain Foundation to develop, maintain, operate, and/or repair the facilities necessary to provide Cable/Internet for the Mutual Members, Qualifying Residents, Co-occupants, Tenants and their guests;

**RESOLVED FURTHER**, that this resolution cancels and supersedes Resolution 90-06- 110; to the extent that it differs; and

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

**SEPTEMBER Initial Notification**  
**30-days notification to comply with Civil Code §4360 has been satisfied.**

Director diLorenzo made a motion to adopt the Suspend Cable/Internet in the Event of Disciplinary Action Resolution. Director Perak seconded the motion.

Discussion ensued among the Directors.

- Keith Belya (5394-C) spoke against this policy and feels that internet service is necessary to call 911 for some residents that do not have a land line.
- Diane Casey (188-C) asked the Board if the cable service could be turned off but not the internet service.
- Maxine McIntosh (68-C) spoke in favor of this resolution because it only applies to residents that have been delinquent for several days and not responded to warnings.

President Parker called for a vote and the motion passed unanimously.

12f Adopt a Resolution to Increase the Trust Facility Fee from \$2,500 to \$5,000.

Director diLorenzo read the following Resolution:

**RESOLUTION 90-17-35**

**Trust Facilities Fee from \$2,500 to \$5,000**

**WHEREAS**, as Trustee of the Golden Rain Foundation Trust, the Board of Directors of the Golden Rain Foundation is required to maintain 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; and

**NOW THEREFORE BE IT RESOLVED**, November 7, 2017, 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 4580 (as amended by Senate Bill 1128, stats 2010 Chapter 322, 2, effective January 1, 2011), on all transactions involving the purchases 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); ***effective January 1, 2018, and closing on or***

**before March 31, 2018, are deemed transactions occurring prior to the Effective Date:** and

**RESOLVED FURTHER**, the Trust Facilities Fee will be a fixed amount, as provided herein and 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 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;
2. 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;
3. 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
4. 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, 2018, **the Trust Facilities Fee shall be set at \$5,000 for units with a sales price of \$75,000 or higher and \$2,500 for units that sell below \$75,000**, until modified by the Trustee; and

**RESOLVED FURTHER**, in accordance with California Civil Code §4580 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 1-4 above) shall, in compliance with California Civil Code §4580, 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 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 90-16-54, adopted December 6, 2016, is hereby superseded and cancelled ***to the extent that it differs, effective January 1, 2018;*** and

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

**SEPTEMBER Initial Notification**  
**30-days notification to comply with Civil Code §4360 has been satisfied.**

Director diLorenzo made a motion to adopt the Trust Facilities Fee Resolution. Director Phelps seconded the motion.

Discussion ensued among the Directors.

- Reed Archambault (1351) spoke against the agenda item.
- Mary Stone (356-C) corrected the comment made by Director Beckett and commented that the records were published in October, 2017 which shows the amounts in the different funds.

President Parker called for a vote and the motion passed by a vote of 9-1-0 (Director Beckett opposed).

12g. Introduce a Resolution Amending Recreation Policies and Operating Rules.

**RESOLUTION 90-17-XX**  
**Recreation Policy and Operating Rules**

**WHEREAS**, the Board has set Policies and Operating Rules for usage of GRF facilities; and

**WHEREAS**, the Recreation and Special Events Department oversee the use of facilities; and

**WHEREAS**, the Department is responsible for booking room reservations, selling tickets, conducting classes, set-up and take down of rental rooms, ensure that safety and compliance procedures are followed, protect facilities, and enforce



policy and operating procedures; and

**WHEREAS**, the amendments improve the understandability of the policies and procedures and facilitate implementation by staff; and

**NOW THEREFORE, BE IT RESOLVED**, January 2, 2018, that the Board of Directors of the Corporation hereby adopts amended policies and operating rules; and

**RESOLVED FURTHER**, new operating rules are included for the Archery Room, Card/Game Room, Performing Arts Center, Drop In-Lounge, Lockers, Bar Services and Clubhouses; and

**RESOLVED FURTHER**, a 50/50 exception rate policy is added for coordinated events hosted by residents at main lounges when 50 percent of non-residents are in attendance; and

**RESOLVED FURTHER**, flyers are not permitted to be distributed for reservations made by individuals; and

**RESOLVED FURTHER**, reservations for weddings, birthdays, and anniversaries for immediate family members pay the resident rate, and reservations for others pay the exception rate; and

**RESOLVED FURTHER**, lottery cards for clubs and individuals have been reduced from six cards to four cards per year; and

**RESOLVED FURTHER**, that this resolution supersedes 90-16-56; and

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

**Should the Board endorse the proposed revisions, Staff recommends that a motion be made and seconded to accept the resolution and allow discussion to ensure that the resolution reads to the satisfaction of the Board. Staff then recommends that a Board Member postpones the resolution to the next available Board Meeting no less than 30-days from the postponement of comply with Civil Code No. 4360.**

Director diLorenzo made a motion to introduce a Resolution amending Recreation Policies and Operating Rules. Director Sirkel seconded the motion.

Discussion ensued among the Directors.

- Maxine McIntosh (68-C) asked about the use of lottery cards in the policy.

Director Milliman asked staff to add the words “conduct and/or promote a business” to the policy for the second reading.

Director diLorenzo asked staff about the Village Greens policy.

Director Troutman commented that many members cannot reserve rooms because of the rollovers.

Jennifer Murphy, Senior Recreation Supervisor, answered questions from the Directors and members.

President Parker called for a vote and the motion passed unanimously.

12h. Entertain a Motion to Award a Contract for Pickleball Court Construction to General Contractor – B. Foster

Mr. Hudson, CEO gave a brief summary of the pickleball court contract and recommended that the contract be awarded to B. Foster.

Director Sirkel made a motion to Award a Contract for Pickleball Court Construction to General Contractor – B. Foster. Director Phelps seconded the motion.

Discussion ensued among the Directors.

Director Troutman stated for the record that she is not in favor of awarding the contract to B. Foster.

- Mary Stone (356-C) spoke against the contract and feels pickleball is an amenity, just like tennis and lawn bowling.
- Maxine McIntosh (68-C) asked the Board about the Design Plan for the pickleball courts.
- Reed Archambault (1351) asked if this contract needs to be passed today and if pickleball is an amenity.
- Dick Rader (270-D) spoke against the contract.

Mr. Whitney, legal counsel, answered the questions and stated that pickleball courts are an amenity.

Director Beckett moved to continue the motion to the next meeting. Director diLorenzo seconded the motion and it failed 3-7-0 (Directors Perak, Troutman, Phelps, Freshley, Gros, Milliman and Sirkel opposed)

Ernesto Munoz, Director of Maintenance, answered questions from the Directors about the contract and lack of contingency.

President Parker called for a vote and the motion passed by a vote of 6-4 (Directors Beckett, Freshley, diLorenzo, Palmer opposed).

### **13. New Business**

13a. Introduce a Resolution for a Contract Work Pass and Related Fee Resolution.

Director diLorenzo read the following Resolution:

**RESOLUTION 90-17-XXX**  
**Construction Contractor Work Pass Policy**

**WHEREAS**, staff has experienced several issues with manor alterations including illegal dumping in Village dumpsters, excessive noise and smoking by contractors, parking in resident spaces by contractors, damage to mutual property during construction, and working after hours;

**WHEREAS**, Third Laguna Hills Mutual (TLHM) and United Laguna Woods Mutual (ULWM) both support requiring contractors to obtain a Gate Access Permit to perform work in the Village when implemented;

**WHEREAS**, the TLHM and ULWM approved a program for the collection of a refundable Conformance Deposit for Standard Mutual Consent and Variance Requests;

**NOW THEREFORE BE IT RESOLVED**, on January 2, 2018 that the Board of Directors of this Corporation adopts a Construction Contractor Work Pass Policy and Forms, as attached to the official minutes of this meeting; and

**RESOLVE FURTHER**, that the fees be included in the Monetary Fees Schedule; and

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

**NOVEMBER initial notification**

**30-day notification to comply with Civil Code §4360 has been satisfied.**

Director diLorenzo made a motion to introduce the Construction Contractor Work Pass Policy Resolution. Director Milliman seconded the motion.

Discussion ensued among the Directors.

President Parker called for a vote and the motion passed unanimously.

13b. Entertain a Motion for Early Release of 2018 Capital Plan

Director diLorenzo read the following Resolution:

**RESOLUTION 90-17-33**  
**2018 CAPITAL PLAN – EARLY RELEASE OF FUNDS**

**WHEREAS**, Resolution 90-17-30 adopted and approved the Capital Reserve Expenditures Plan of this Corporation for the year 2018; and

**WHEREAS**, the following 2018 Capital Plan items will be accelerated for purchase in 2017: Clubhouse 4 Gas Kilns, Microsoft AX Licenses, Buses (2); and

**WHEREAS**, work on the following 2018 Capital Plan projects is anticipated to begin in 2017: Clubhouse 1 Renovation Assessment, Clubhouse 7 Modifications, Engineering Design of Renovation of Gates 1-4, 7-9 and 14; and

**NOW THEREFORE BE IT RESOLVED**, November 7, 2017, the Board of Directors of this Corporation hereby authorizes an early expenditure of \$430,000 from the approved 2018 Capital Reserve Expenditure Plan for the purchase of Clubhouse 4 Kilns, Microsoft AX Licenses and Buses to be funded from the Equipment Fund; and

**RESOLVED FURTHER**, the Board of Directors of this Corporation hereby authorizes an early expenditure of \$1,090,000 from the approved 2018 Capital Reserve Expenditure Plan for Clubhouse 1 Renovation Assessment, Clubhouse 7 Kitchen Modifications, Gates 1, 2, 3 and 4 – United Mutual Renovation and Gates 7, 8, 9 and 14 – Third Mutual Renovation to be funded from the Facilities Fund; and

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

Director Sirkel made a motion to approve the 2018 Capital Plan – Early release of funds Resolution. Director Phelps seconded the motion.

Discussion ensued among the Directors.

President Parker called for a vote and the motion passed by a vote of 9-1-0 (Director Beckett opposed).

13c. Entertain a Motion to Approve Supplemental Project Funding for 2017

Director diLorenzo read the following Resolution:

**RESOLUTION 90-17-34**  
**SUPPLEMENTAL FUNDING FOR 2017**

**WHEREAS**, planned expenditures were reviewed at the end of Q3 and a projection was made to identify projects that may require new or additional funding prior to year-end; and

**NOW THEREFORE BE IT RESOLVED**, November 7, 2017, the Board of Directors of this Corporation hereby approves funding for the following items, with a supplemental appropriation of \$185,200 to be paid from the Contingency Fund; and

		Existing Funds	New Funds
Legal Fees	90-16-17	\$299,500	100,200
Tub Grinder			85,000

**RESOLVED FURTHER**, the Board of Directors of this Corporation hereby approves funding for the following items, with a supplemental appropriation of \$124,000 from the Equipment Fund; and

		Existing Funds	New Funds
Branding and Website Development	S16023E013	70,000	76,000
Human Resource Information System	P17130	100,000	30,000
Fleet Management Software Updates			18,000

**RESOLVED FURTHER**, the Board of Directors of this Corporation hereby approves funding for the following items, with a supplemental appropriation of \$262,000 from the Facilities Fund; and

		Existing Funds	New Funds
Maintenance Center Storm Drain Repair			200,000
Miscellaneous Projects	P17390	250,000	50,000
Golf Fuel Tank Compliance			12,000

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

Director diLorenzo made a motion to approve the Supplemental Funding for 2017 Resolution. Director Phelps seconded the motion.

Discussion ensued among the Directors.

President Parker called for a vote and the motion passed by a vote of 9-1-0 (Director Beckett opposed).

**14. Committee Reports**

**(a) Report of the Community Activities Committee**

Director Perak reported that the next Community Activities Committee meeting will be held on November 9, 2017, at 9:30 a.m. in the Board Room.

**(b) Report of the Finance Committee/Financial Reports**

Director Phelps reported on the Finance Committee and the Financial Report. She

showed a presentation on the GRF Treasurer Report as of September 30, 2017. The next meeting will be on December 20, 2017, at 1:30 p.m. in the Board Room.

**(c) Report of the Landscape Committee**

Director Parker reported on the Landscape Committee. The next Landscape Committee meeting will be held on November 16, 2017, at 9:00 a.m. in the Board Room.

**(d) Report of the Maintenance & Construction Committee**

Director Troutman reported on the Maintenance & Construction projects and the Performing Arts Center (PAC) Renovation Ad Hoc Committee. PAC updates will be available on the website. The next M&C Committee meeting will be held on November 15, 2017, at 1:00 p.m. in the Board Room.

**(e) Report of the Media & Communications Committee**

Director diLorenzo reported on the Media & Communications Committee. The next meeting will be held on December 18, 2017, at 1:30 p.m. in the Board Room.

**(f) Report of the Mobility & Vehicles Committee**

Director Perak reported from the Mobility & Vehicles Committee. The next Mobility & Vehicles Committee will meet on December 4, 2017, at 1:30 p.m. in the Board Room.

**(g) Report of the Security & Community Access Committee**

Director Sirkel reported from the Security & Community Access Committee. The next Security & Community Access Committee meeting will be held on December 21, 2017, at 1:30 p.m. in the Board Room. Director Gros reported on the Traffic Hearings and recognized Rafael Alcala for saving the life of a member. Director Troutman reported on the Disaster Preparedness Task Force and the need for more Good Neighbor Captains.

**15. Future Agenda Items**

15a. Entertain a Motion to Approve Committee Assignments

**16. Director's Comments**

Director Phelps read a poem prepared for President Parker.

**17. Recess** - *At this time the Meeting recessed for lunch to reconvene to Executive Session to discuss the following matters per California Civil Code §4935.*

## **Closed Executive Session Agenda**

*Approval of Agenda*

*Approval of Minutes*

*(a) October 3, 2017 – Regular Executive Session*

*Discuss and Consider Member Disciplinary Matters*

*Discuss and Consider Personnel Matters*

*Discuss and Consider MOU with the City of Laguna Woods (Dog Park)*

*Discuss and Consider Contractual Matters*

*Discuss and Consider Litigation Matters*

*Discuss Litigation Report Summary*

*Adjournment*

## **Adjourn**

The Board Recessed at 5:45 p.m.