

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

October 6, 2009

The Regular Meeting of the Golden Rain Foundation of Laguna Woods Board of Directors, a California non-profit mutual benefit corporation, was held on October 6, 2009, at 9:30 A.M., at 24351 El Toro Road, Laguna Woods, California.

Directors Present: Erwin Stuller, Bob Miller, Don Tibbetts, Bea McArthur (via telephone: 10:23 A.M. – 11:29 A.M.), Bob Hatch, Burns Nugent, Ruth May, Jim McNulty, Ray Gros, Ken Hammer, Jim Matson

Directors Absent: None

Others Present: Milt Johns, Patty Kurzet, Janet Price (9:38 A.M. – 9:50 A.M.)
Executive Session: Milt Johns, Patty Kurzet, Luis Rosas, Cris Robinson

Designated Representative
from Mutual Fifty: None

CALL TO ORDER

Erwin Stuller, President, 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.

A moment of silence and reflection was held to honor our US Troops who are serving our Country, and for those who are in harm's way.

PLEDGE OF ALLEGIANCE TO THE FLAG

Director Jim McNulty led the membership in the Pledge of Allegiance to the Flag.

ACKNOWLEDGEMENT OF PRESS

Janet Whitcomb from the Laguna Woods Globe was present at the onset of the meeting; the Channel 6 Camera Crew, by way of remote cameras, was also acknowledged as present.

APPROVAL OF AGENDA

Without objection, the agenda was approved as submitted.

APPROVAL OF MINUTES

The Board reviewed and approved the Minutes of the Regular Session of September 1, 2009.

CHAIR'S REPORT

President Stuller commented on Board decorum.

OLD BUSINESS

No Old Business came before the Board.

NEW BUSINESS

No New Business came before the Board.

GENERAL MANAGER'S REPORT

No report was made.

CONSENT CALENDAR

Without objection, the Board approved the Consent Calendar as written and the Board of Directors approved following actions:

RESOLUTION 90-09-76

WHEREAS, over the years, a few benches, in a variety of styles, have been purchased by GRF or donated to GRF by individuals or organizations, and these benches can affect both the aesthetics of the Community and the landscape maintenance operations; and

WHEREAS, currently GRF has no approved policy regarding standard styles, colors or anchoring used for benches;

NOW THEREFORE BE IT RESOLVED, October 6, 2009, that the Board of Directors hereby approves the thermoplastic coated metal mesh bench in dark green as its bench standard style and color for benches, or if not available, then another similar bench which meets all criteria may be substituted; and

RESOLVED FURTHER, that the Board of Directors further approves, as an alternative, on the golf course, benches made of recycled plastic in dark green (similar to the ones used on the golf course of recent); and

RESOLVED FURTHER, that such benches shall be installed on either a concrete pad (if along sidewalk) or on concrete anchors in the grass (if the location is not along sidewalk); and

RESOLVED FURTHER, that the benches will have a seat height of 18 inches with a rolled front edge and equipped with a back and arm rest; and

RESOLVED FURTHER, in the case of donated benches, that the cost of manufacturing and installation of the bench shall be borne by the donor; and

RESOLVED FURTHER, that Resolution 90-08-76 adopted October 7, 2008 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 request from UPS to store a UPS trailer at Clubhouse One, Clubhouse Five, and the overflow parking at the Library during the holiday season to deliver packages to the residents.

Member Ron Beldener (203-C) commented on the overflow parking.

RESOLUTION 90-09-77

WHEREAS, the From the Wings Club requested the use of 5-6 GRF Buses for a "Holiday Homes Tour" Fundraiser for the Orange County Performing Arts Center on December 13, 2009 from 1:00 P.M. – 6:00 P.M.;

NOW THEREFORE BE IT RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby approves the use of 2 GRF Buses for the From the Wings Club to use for a "Holiday Homes Tour" Fundraiser for the Orange County Performing Arts Center on December 13, 2009, contingent upon bus availability; 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.

RESOLUTION 90-09-78

RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby approves the request of resident Audrey Palmquist to use Clubhouse Five on Saturday August 14, 2010 to hold her 100th year birthday party; and

RESOLVED FURTHER, that the Saturday Night Dance shall be moved to another clubhouse for that night; 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.

RESOLUTION 90-09-79

WHEREAS, resident Mr. Charles Niles requested the use of four tennis courts to host a team in the Orange County Tennis Association Senior Sirs League on 10 dates between September 2009 and April 2010 any time after 10:30 AM when the courts are not considered prime-time and are not very busy;

NOW THEREFORE BE IT RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby approves use of four tennis courts on 10 dates between September 2009 and April 2010 beginning at 10:30 AM for the Orange County Tennis Association Senior Sirs League; and

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

RESOLUTION 90-09-80

WHEREAS, the Clubhouse One Fitness Center is currently open and available to all members of the Community from 1 P.M. – 9 P.M. on Monday, Wednesday, and Friday; 1 P.M. – 6 P.M. on Tuesday and Thursday; 8 A.M. – 2 P.M. on Saturday, and closed on Sunday; and

WHEREAS, the use of the Clubhouse One Fitness Center facility has grown significantly in recent years, and the Aquatics, Health, and Fitness Advisory Group has recommended that the Fitness Center opens operational hours every Sunday from 8:00 A.M. to 2:00 P.M. for a 16-week trial period effective September 1 until the end of the year, and that the utilization is reviewed at the end of the trial period;

NOW THEREFORE BE IT RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby extends the Clubhouse One Fitness Center operational hours an additional six hours a week opening up on Sunday's from 8:00 A.M. to 2:00 P.M.; and

RESOLVED FURTHER, that the cost to staff the additional hours for 16 weeks is \$2,700, resulting in an unbudgeted expenditure in 2009, and that utilization shall be reviewed at the end of the trial period; 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.

Ms. Price entered the meeting at meeting at 9:38 A.M.

COMMITTEE REPORTS

Director Bob Miller gave the Treasurer's and Finance Committee reports.

Director Bob Hatch provided a brief report on his version of a new GRF Incentive Plan to be implemented by the managing agent. He indicated that his version will be meaningful to the Community as well as the managing agent and will be discussed further at the Finance Committee.

Ms. Price left the meeting at meeting at 9:50 A.M.

Director Ruth May reported from the Government and Public Relations Committee.

On behalf of the Secretary of the Corporation, Director Ruth May, read a proposed resolution approving a request from Fifth District Supervisor Bates for use of Clubhouse Three to hold the Third Annual South County Senior Summit. Director May moved to approve the resolution. Director Miller seconded the motion.

Member Roberta Berk (933-B) commented on gate access for non-residents.

Without objection, and by a vote of 9-0-0, the Board of Directors adopted the following resolution:

RESOLUTION 90-09-81

WHEREAS, Fifth District Supervisor Bates of the Orange County Board of Supervisors requested the use of Clubhouse Three on March 5, 2010 to hold the Third Annual South County Senior Summit which offers an inspirational and informative array of speakers and subjects to enhance the quality of life of older adults and their caregivers residing in South County;

NOW THEREFORE BE IT RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby approves the request for use of Clubhouse Three on March 5, 2010 to hold the Third Annual South County Senior Summit; 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 Ken Hammer reported from the Bus Services Committee.

Director Bob Hatch reported from the Community Activities Committee.

Director May read a proposed resolution accepting the donation of \$2,000 from the Lapidary Shop for use in the Lapidary Room. Director May moved to approve the resolution. Director Hatch seconded the motion.

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

RESOLUTION 90-09-82

RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby accepts the donation of \$2,000 from the Lapidary Shop for use in the Lapidary Room to offset some costs of the diamond grinding wheels and to handle any emergency expenditures that may arise; and

RESOLVED FURTHER, that the donation to the Golden Rain Foundation shall not qualify as a tax-deductible charitable contribution; and

RESOLVED FURTHER, that the President of this Corporation is hereby authorized to advise said donor in writing and to express the thanks of the corporation.

The Board reviewed the following proposed resolutions approving the revised Recreation Division Policies with respect to "Section II Use of GRF Recreation Facilities", "Section IV Clubs and Organizations", and "Section XIII(J) Clubhouses and Community Center Recreation Rooms":

RESOLUTION 90-09-

WHEREAS, the Board of Directors of this Corporation adopted Resolution 90-07-81 which approved the new Recreation Division Policy, Section I "General Recreation" & Section II "Use of Clubhouses and Community Center Rooms"; 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, December 1, 2009, that the Board of Directors of this Corporation hereby adopts and approves the revised Recreation Division Policy with respect to "Section II Use of GRF Recreation Facilities," effective December 1, 2009; and

RESOLVED FURTHER, that Resolution 90-07-81 adopted November 6, 2007 is hereby amended; and

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

RESOLUTION 90-09-

WHEREAS, the Board of Directors of this Corporation adopted Resolution 90-07-81 which approved the new Recreation Division Policy, Section I "General Recreation" & Section II "Use of Clubhouses and Community Center Rooms"; 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, December 1, 2009, that the Board of Directors of this Corporation hereby adopts and approves the revised Recreation Division Policy with respect to "Section IV Clubs and Organizations," effective December 1, 2009; and

RESOLVED FURTHER, that Resolution 90-07-81 adopted November 6, 2007 is hereby amended; and

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

RESOLUTION 90-09-

WHEREAS, the Board of Directors of this Corporation adopted Resolution 90-07-81 which approved the new Recreation Division Policy, Section I "General Recreation" & Section II "Use of Clubhouses and Community Center Rooms"; 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, December 1, 2009, that the Board of Directors of this Corporation hereby adopts and approves the revised Recreation Division Policy with respect to "Section XIII(J) Clubhouses and Community Center Recreation Rooms," effective December 1, 2009; and

RESOLVED FURTHER, that Resolution 90-07-81 adopted November 6, 2007 is hereby amended; and

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

Director Hatch made a motion to approve the resolutions and the motion was seconded.

Without objection the resolutions were postponed to the November meeting to satisfy the 30-day notification requirements.

Without objection, the Board approved Earthwork's request for GRF to close the Driving Range to take an aerial picture on October 24th from 9:00 A.M. to 11:00 A.M. in support the Three Fifty International Day of Climate Action event.

Member Shari Horne (2354-3C) commented on her request for use of the Driving Range for the event.

Director May read a proposed resolution approving an exception to its policy to allow the Theatre Guild to display a poster at each clubhouse to advertise its upcoming production. Director May moved to approve the resolution. Director Miller seconded the motion.

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

RESOLUTION 90-09-83

WHEREAS, the Board of Directors of this Corporation adopted Resolution 90-07-81 which approved the new Recreation Division Policy, Section II Use of Clubhouses and Community Center Rooms; and

WHEREAS, Section XIII(j) *Clubhouse Bulletin Boards, Posting Flyers, Announcements, etc*, only allows posters advertising events at Clubhouse Three; and

WHEREAS, the Theatre Guild of Laguna Woods Village requested an exception to the Policy to display a poster at each clubhouse advertising its production of "Gumshoe Revue";

NOW THEREFORE BE IT RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby makes an exception to its Policy and approves the request of the Theatre Guild to display a poster at each clubhouse advertising its production of "Gumshoe Revue" on October 17th and October 18th; 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 Jim Matson reported from the Landscape Committee.

Director May read a proposed resolution accepting a donation of two potted Sago palms. Director May moved to approve the resolution and the motion was seconded.

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

RESOLUTION 90-09-84

RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby accepts the donation of two potted Sago palms by United Mutual

Member Mr. Don McIntosh of 68-C Calle Aragon for use within the Community; and

RESOLVED FURTHER, that the donation to the Golden Rain Foundation shall not qualify as a tax-deductible charitable contribution; and

RESOLVED FURTHER, that the President of this Corporation is hereby authorized to advise said donor in writing and to express the thanks of the corporation.

Director Jim Matson reported from the Golf Building Ad Hoc Committee.

Director Don Tibbetts reported from the Maintenance and Construction Committee.

Director May read a proposed resolution approving a water conservation pilot program. Director May moved to approve the resolution. Director Miller seconded the motion.

Member Barbara Copley (410-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 90-09-85

WHEREAS, California is in its third year of drought and legislated reductions in water availability resulted in unprecedented water supply restrictions; and

WHEREAS, the El Toro Water District (ETWD) passed a "Water Conservation and Water Supply Shortage Ordinance" in order to manage the District's potable water supply both in the short and long term, and in an effort to minimize and or avoid the effects of drought and water shortage within the ETWD service area; and

WHEREAS, by way of Resolution 09-90-40, GRF committed itself to working with ETWD on water conservation efforts as well as adhering to the ETWD ordinance; and

WHEREAS, GRF may take additional steps to conserve water as identified in a recent report to the board;

NOW THEREFORE BE IT RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby approves the replacement of approximately 25 aerators with low-flow aerators, approximately 25 showerheads with low-flow showerheads, and approximately 25 bathroom faucets with low-flow bathroom faucets at selected GRF facility locations, at an estimated cost of \$4,300 to be funded from the Contingency Fund; and

RESOLVED FURTHER, that Staff is hereby authorized to determine which GRF facilities shall be a part of this pilot program; 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 Bea McArthur entered the meeting at 10:23 A.M.

Director Tibbetts made motion to rescind Resolution 90-09-61 which authorizes the expenditure of \$550,000 for the renovation of Gate One. Director Hammer seconded the motion and discussion ensued.

Members Maxine McIntosh (68-C), Marv Rosenhaft (823-A), Roberta Berk (933-B), Barbara Copley (410-D), Larry Souza (5077), Ron Beldner (203-C), Pat Murphy (777-P) spoke in favor or against the motion.

By a vote of 5-5-0 (Directors, Tibbetts, Matson, Hammer, McNulty, Nugent voted in favor, and Directors McArthur, May, Miller, Gros, Hatch opposed, President Stuller did not vote), the motion failed.

Director Hammer made a motion to assign the gate renovation project to the M&C Committee and dissolve the Gate Renovation Ad Hoc Committee. The motion was seconded and discussion ensued. By a vote of 9-1-0 (Director McArthur opposed), the motion carried.

Director Bea McArthur stated there was nothing to report from the Gate Renovation Ad Hoc Committee.

Director Bea McArthur reported from the Broadband Committee.

Director May read a proposed resolution approving the revised Broadband fee structure. Director May move to approve the resolution. Director Hammer seconded the motion.

Member Roberta Berk (933-B) commented on the increase.

By a vote of 10-0-0, the motion carried and the Board of Directors adopted the following resolution:

RESOLUTION 90-09-86

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

WHEREAS, the Broadband Services Committee found it necessary to revise the fee structure;

NOW THEREFORE BE IT RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby authorizes staff to charge subscribers for Digital Services based on the following fee structure:

Installation (one-time fee):	\$30.00
Equipment (monthly fee):	
Digital Set Top Box /TV	5.00
Digital Set Top Box/TV/HD	10.00
Digital Set Top Box/TV/DVR	10.00
Digital Video Recorder Subscription	5.00
Programming:	
Digital Basic	4.00
Premium Movie Packages	
HBO	14.00
Cinemax	11.00
Showtime	11.00
Starz/Encore	11.00
Pay Per View – First Run Movie	4.00
Pay Per View – Per Event – Adult	9.00
Playboy	15.00

RESOLVED FURTHER, that such fees shall be effective January 1, 2010; and

RESOLVED FURTHER, that Resolution 90-08-39 adopted July 1, 2008 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.

Director Ray Gros reported from the Security and Community Access Committee.

Director May read a proposed resolution authorizing a supplemental appropriation in the amount of \$2,500 to re-stripe the traffic lanes at Gate 14. Director May move to approve the resolution. Director Miller seconded the motion.

Members Pat Murphy (777-P) and Isabel Muennichow (5285) commented on the motion.

By a vote of 10-0-0, the motion carried and the Board of Directors adopted the following resolution:

RESOLUTION 90-09-87

WHEREAS, the results of a 24-hour speed survey, conducted on Calle Sonora near Gate 14, indicated that the downhill northbound speed is generally greater than the uphill southbound speed; and

WHEREAS, one of the traffic control measures to reduce vehicle speed is to reduce the width of the street;

NOW THEREFORE BE IT RESOLVED, October 6, 2009, that the Board of Directors of this Corporation hereby authorizes a supplemental appropriation in the amount of \$2,500 funded from the Contingency Fund to restripe the traffic lanes with paint to a width of 14 feet on Calle Sonora between Calle Sonora Oeste and Gate 14 in order to reduce the downhill/northbound lane; and

RESOLVED FURTHER, that such control measure shall be on a trial basis for 90-days and shall be re-evaluated at the end of the trial period; 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.

MEMBER COMMENTS ON COMMITTEE REPORTS AND NON-AGENDA ITEMS

- Harry Rockey (263-A) commented on the gate renovation and golf building projects
- Pat Feeney (2399-1E) commented on Homeland Security grants
- Ralph Belitz (124-R) commented on the Incentive Plan, need for smaller buses, the gate renovation project, and better security at the gates
- Karel Brouwer (3189-C) commented on the Incentive Plan
- Gail McNulty (2140-D) commented on the proposed Incentive Plan
- Barbara Copley (410-D) commented on the Treasurer's Report and the mediation regarding GRF's CC&Rs
- Rhoda Lindner (2013-C) commented on the UPS holiday delivery
- Larry Souza (5077) commented on the Incentive Plan and commented on the phone system
- Karel Brouwer (3189-C) commented on discussing confidential issues in closed session

DIRECTORS RESPONSES TO MEMBER COMMENTS

- Director Miller addressed Ms. Copley's comments regarding the mediation
- Director May indicated that the Secretaries that read the resolutions deserve a medal

MEETING RECESS

The regular meeting recessed at 11:29 A.M. and reconvened into Executive Session at 11:44 A.M.

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

During its Regular Executive Session Meeting of September 1, 2009, the Board reviewed and approved the Minutes of the Regular Executive Session Meeting of August 4, 2009; heard three (3) Disciplinary Hearings; and discussed contractual, potential litigation, and other member disciplinary matters.

During its Special Executive Session Meeting of September 29, 2009, the Board discussed contractual issues.

ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting adjourned at 2:58 P.M.

Erwin Stuller, President