

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

**November 3, 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 November 3, 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), 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 (11:28 A.M. – 11:36 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 Ray Gros led the membership in the Pledge of Allegiance to the Flag.

**ACKNOWLEDGEMENT OF PRESS**

Ms. Claire Webb from the Laguna Woods Globe was present and 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 amended by removing Agenda Item 14 (a) *Entertain Motion to Implement Facilities Use Fee of \$20 Per Semester for Non-Resident Students Taking Saddleback College Emeritus Institute Courses* and place on next month's agenda after legal counsel reviews the matter.

Director Matson requested placement on the agenda the request for detailed information associated with the 2000-2007 GRF Incentive Plan. The Board agreed to place the agenda item on the next Finance Committee Meeting.

**APPROVAL OF MINUTES**

The Board reviewed and approved the Minutes of the Regular Session of October 6, 2009.

## **CHAIR'S REPORT**

President Stuller announced that the close of nominations to fill 3 vacancies on the GRF Board of Directors is on November 19, 2009.

## **OLD BUSINESS**

The President entertained a motion to postpone a motion made from the prior month to approve the revised Recreation Division Policy with respect to "Section II Use of GRF Recreation Facilities."

Due to the confusion surrounding the postponements, Mr. Johns spoke to the procedure and reasoning for the postponement of resolutions.

Director Bea McArthur made a motion to postpone the resolution to the December meeting to satisfy the 30-day notification requirements. Director Bob Hatch seconded the motion.

On behalf of the Secretary of the Corporation, Director Ruth May read the following 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 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.

Ms. Marcia Wilson, Social Services Manager, entered the meeting at 10:05 A.M. and spoke to providing welfare checks on behalf of the residents. Ms. Wilson left the meeting at 10:13 A.M.

Members Roberta Berk (933-B), Charlene Sydow (646-A), Jerry and Marilyn Gross (5577-A), Mary Wall (239-D), Pamela Grundke (2214-B), Mary Robertson (5184) expressed their comments and concerns regarding facilities fees and the proposed changes to Recreation Policy "Section IV Clubs and Organizations."

The motion to postpone the resolution to the December meeting carried unanimously.

The President entertained a motion to postpone a motion made from the prior month to approve the revised Recreation Division Policy with respect to "Section IV Clubs and Organizations."

Director May read the following proposed 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.

Members Roberta Berk (933-B), Jerry Gross (5577-A), Carol Moore (3399-A), Ralph Belitz (124-R), and Mike Curtis addressed their comments and concerns with the proposed changes.

Director Jim McNulty moved to postpone the resolution to the December meeting to satisfy the 30-day notification requirements. Director May seconded the motion and the motion carried unanimously.

The President entertained a motion to postpone a motion made from the prior month to approve the revised Recreation Division Policy with respect to "Section XIII(J) Clubhouses and Community Center Recreation Rooms."

Director May read the following proposed 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 May moved to postpone the resolution to the December meeting to satisfy the 30-day notification requirements. Director Ray Gros seconded the motion and the motion carried unanimously.

**NEW BUSINESS**

The Board recessed at 10:52 A.M. and reconvened at 11:00 A.M.

Director May read the proposed changes to the Committee Appointments resolution. Director May moved to approve the resolution. Director Ken Hammer seconded the motion.

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

**RESOLUTION 90-09-88**

**RESOLVED**, November 3, 2009, that the following persons are hereby appointed and ratified to serve on the Committees of this Corporation:

**Broadband Services Committee**

Bea McArthur, Chair (GRF)

Burns Nugent, Vice Chair (GRF)

Jim McNulty (GRF)  
**Noel Hatch (Third)**  
**Kathryn Freshley (Third)**  
John Dalis (United)  
Marty Rubin (United)  
Keith Wallace (Mutual 50)  
*Non-Voting Advisors: Eliot Brody, Bob Payne*

#### **Business Planning**

Erwin Stuller, Chair (GRF)  
Bob Miller, Vice Chair (GRF)  
Don Tibbetts (GRF)  
**Carol Moore (Third)**  
**Kathryn Freshley (Third)**  
Paul Vogel (United)  
Lloyd Foster (United)  
Keith Wallace (Mutual 50)

#### **Bus Services Committee**

Ken Hammer, Chair (GRF)  
Don Tibbetts, Vice Chair (GRF)  
Ray Gros (GRF)  
**Lucy Shimon (Third)**  
**Noel Hatch (Third)**  
John Dalis (United)  
Arlene Miller (United)  
Herb Harris (Mutual 50)  
*Non-Voting Advisors: Shirley Niederkorn, Linda Wilson, Denny Welch, and Mary Stone*

#### **Community Activities**

Bob Hatch, Chair (GRF)  
Ruth May, Vice Chair (GRF)  
Bea McArthur (GRF)  
**Carol Moore (Third)**  
**Mary Robertson (Third)**  
Gail McNulty (United)  
John Dalis (United)  
Richard Wurzel (Mutual 50)  
*Non-Voting Advisor: Jim Bragg, Mark Schneider*

#### **Finance**

Bob Miller, Chair (GRF)  
Burns Nugent, Vice Chair (GRF)  
Jim McNulty (GRF)  
**Kathryn Freshley (Third)**  
**Mike Straziuso (Third)**

Paul Vogel (United)  
Marv Rosenhaft (United)  
Keith Wallace (Mutual 50)  
*Non-Voting Advisor: Allen Cohen, Jim Hart*

**Golf Building Ad Hoc Committee**

Jim Matson, Chair (GRF)  
Don Tibbetts (GRF)  
Ken Hammer (GRF)  
Bevan Strom (United)  
Lloyd Foster (United)  
**Stanley Feldstein (Third)**  
**Kathryn Freshley (Third)**  
xxxx (Mutual 50)  
*Non-Voting Advisor: Dick Sharp, David Talcott, Gaye Thompson, Joe Hathaway*

**Government & Public Relations**

Ruth May, Chair (GRF)  
Jim Matson, Vice Chair (GRF)  
Burns Nugent (GRF)  
**Kathryn Freshley (Third)**  
**Carol Skydell (Third)**  
Marty Rubin (United)  
Arlene Miller (United)  
Dick Gray (Mutual 50)  
*Non-Voting Advisor: Denise Welch*

**Laguna Canyon Foundation**

Ray Gros

**Landscape Committee**

Jim Matson, Chair (GRF)  
Bea McArthur, Vice Chair (GRF)  
Ruth May (GRF)  
**Mary Robertson (Third)**  
**Lucy Shimon (Third)**  
Linda Wilson (United)  
Maxine McIntosh (United)

**Maintenance & Construction**

Don Tibbetts, Chair (GRF)  
Ken Hammer, Vice Chair (GRF)  
Jim Matson (GRF)  
Ray Gros (GRF Alternate)  
**Don Lippert (Third)**  
**John Paulus (Third)**

Bevan Strom (United)  
Marv Rosenhaft (United)  
*Non-Voting Advisors: Bob Morton and Joseph Heller*

**Recreation Master Planning Sub-Committee**

Bob Hatch Chair (GRF)  
Ruth May , Vice Chair (GRF)  
Jim McNulty (GRF)  
Gail McNulty (United)  
John Dalis (United)  
**Carol Moore (Third)**  
**Mary Robertson (Third)**  
Richard Wurzel (Mutual 50)  
*Non-Voting Advisors: Marv Rosenhaft, Marty Rubin, Kathryn Freshley*

**Security and Community Access**

Ray Gros, Chair (GRF)  
Ken Hammer, Vice Chair (GRF)  
Jim Matson (GRF)  
**Carol Skydell (Third)**  
**Dominic Burrasca (Third)**  
Linda Wilson (United)  
Gail McNulty (United)  
Richard Wurzel (Mutual 50)  
*Non Voting Advisor: Libby Marks, John Dudley*

**Select Audit**

Erwin Stuller  
Bob Miller

**RESOLVED FURTHER**, that Resolution 90-09-41 adopted June 2, 2009 is hereby superseded and cancelled.

**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 Bob Miller made a motion to approve CCA's request to use the Board Room for the Thank You Day on Wednesday, December 16<sup>th</sup> from 10AM to 11AM. Director McNulty seconded the motion and the motion carried unanimously.

Director May made a motion to waive the fee associated with the "350 Event" sponsored by the Earthworks Club held on October 24, 2009 at the Driving Range. Director McNulty seconded the motion and discussion ensued.

Member Mike Curtis (342-A) expressed his opposition to the motion.

The motion carried unanimously.

A discussion was held relative to joining Third Mutual in establishing a Joint Long Range Planning Committee. Third Mutual Director Noel Hatch spoke on Third Mutual's request and the 2002 Long Range Planning Report.

Members Linda Wilson (816-P), Mike Curtis (342-A), and Roberta Berk (933-B) addressed the Board on the request.

By way of consensus, the Board directed Staff to augment the 2002 report and create a charter and bring it back to the Board for review and approval and to establish a Joint Long Range Planning Ad Hoc committee.

A discussion was held relative to the City's proposal to allow the construction and use of a passive recreational park on a vacant 30,056 square foot property to be used by the general public. Staff recommended that on behalf of GRF they will communicate with the City that GRF would like the City to consider the use of the site in light of the Specific Plan. Without objection, the Board directed staff to communicate such with the City.

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

Mr. Milt Johns announced the November 29, 2009 roll-out of the Plan-A-Ride demand response bus program.

#### **CONSENT CALENDAR**

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

#### **RESOLUTION 90-09-89**

**WHEREAS**, Saddleback College Emeritus Institute is allotted 100 classes per semester and would like to add two yoga classes to the schedule effective with the Spring 2010 Semester; and

**WHEREAS**, the Recreation Division Policy states that the College cannot add or change classes on the schedule without Board approval;

**NOW THEREFORE BE IT RESOLVED**, November 3, 2009, that the Board of Directors of this Corporation hereby approves the request from the Saddleback College's Emeritus Institute to add two yoga classes to the schedule, effective with the Spring 2010 Semester; 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. Janet Price entered the meeting at meeting at 11:28 A.M.



## **COMMITTEE REPORTS**

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

Ms. Price left the meeting at meeting at 11:36 A.M.

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

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 a donation of a flat screen TV for the golf building patio. Director May moved to approve the resolution. Director Gros seconded the motion and discussion ensued.

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

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

**RESOLVED**, November 3, 2009, that the Board of Directors of this Corporation hereby accepts a donation from resident Mr. Robert Off and other residents of a new 42" flat screen TV with mounting hardware to be installed on the golf patio, at an estimated value of \$800; 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 May read the following proposed resolution approving the revised Recreation Division Policy with respect to "Section XIV Aquatics:"

### **RESOLUTION 90-09**

**WHEREAS**, the Board of Directors of this Corporation adopted Resolution 90-07-82 on November 6, 2007, which approved Section III of the new Recreation Division Policy with respect to "Recreational Facilities;" 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**, January 5, 2010, that the Board of Directors of this Corporation hereby adopts and approves the revised Recreation Division Policy with respect to "Section XIV Aquatics," effective January 5, 2010; and

**RESOLVED FURTHER**, that Resolution 90-07-82 adopted November 6, 2007 is hereby amended; and Resolution 90-08-71, 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 this Corporation to carry out the purpose of this resolution.

Director May made a motion to approve the resolution and Director Miller seconded the motion.

Without objection, the resolution was postponed to the December meeting to satisfy the 30-day notification requirements.

Director Jim Matson reported from the Landscape Committee.

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 authorizing a supplemental appropriation of \$97,000 to install concrete paving of approximately 400 feet of the golf cart trail at Course 3. Director May moved to approve the resolution. Director Gros seconded the motion.

Members Mike Curtis (342-A) and Harry Rockey (263-A) addressed the Board on the resolution.

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

**RESOLUTION 90-09-91**

**WHEREAS**, the widely used golf cart trail parallel to Moulton Parkway and the 9<sup>th</sup> hole on Course 3 is unpaved and consists of a mixture of decomposed granite (gravel) and asphalt, and

**WHEREAS**, asphalt surfaces in highly irrigated areas such as golf courses will sustain water damage causing deteriorating conditions to occur at a rapid rate, thereby substantially increasing maintenance costs if not replaced with concrete; and

**WHEREAS**, in the late 1990's the golf course pathways were replaced with concrete pathways, with the exception of the pathways parallel to Moulton Parkway and the 9<sup>th</sup> hole on Course 3 and a short section behind Clubhouse 2 at the 10<sup>th</sup> tee; and

**WHEREAS**, the pathway parallel to Moulton Parkway and the 9<sup>th</sup> hole on Course 3 was not replaced with concrete due to concern for impact on the pending widening of Moulton Parkway; and

**WHEREAS**, the portion of the golf cart pathway near the 9<sup>th</sup> hole on Course 3 will not be impacted by Moulton Parkway widening;

**NOW THEREFORE BE IT RESOLVED**, November 3, 2009, that the Board of Directors hereby authorizes a supplemental appropriation in the amount of \$97,000 to be funded by the Facilities Fund to install concrete paving of approximately 400 feet of the golf cart trail beginning at the area of the 9<sup>th</sup> tee on Course 3; 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 May read a proposed resolution authorizing a supplemental appropriation of \$27,500 to remove and replace deteriorated wood post support brackets and beam patio cover components for the Clubhouse 2 bowling greens activities building. Director May moved to approve the resolution and Director Tibbetts seconded the motion.

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

**RESOLUTION 90-09-92**

**WHEREAS**, the patio cover of the Clubhouse 2 bowling greens activities building has extensive deterioration to the wood post support brackets and beam components, and if left untreated would compromise the structural integrity of the patio cover; and

**WHEREAS**, the activities building and patio cover are scheduled to be painted in 2009;

**NOW THEREFORE BE IT RESOLVED**, November 3, 2009, that the Board of Directors hereby authorizes a supplemental appropriation in the amount of \$27,500 to be funded from the Facilities Fund to remove and replace the deteriorated wood post support brackets and beam patio cover components prior to painting of the patio cover; 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 May read a proposed resolution authorizing a supplemental appropriation of \$11,700 to purchase updated cleaning equipment for hard surfaces and carpets. Director May moved to approve the resolution. Director Tibbetts seconded the motion.

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

**RESOLUTION 90-09-93**

**WHEREAS**, approximately 3,030 hours are spent per year on breezeway cleaning using the current cleaning equipment and existing procedures; and

**WHEREAS**, based on efficiencies observed during a cleaning test of updated surface cleaners, the amount of time needed to clean breezeways and common area would be reduced by 30%, resulting in a labor savings of \$32,000 per year;

**NOW THEREFORE BE IT RESOLVED**, November 3, 2009, that the Board of Directors hereby authorizes a supplemental appropriation in the amount of \$11,700, to be funded from the Equipment Fund to purchase updated cleaning equipment for hard surfaces and carpets; 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 Burns Nugent reported from the Broadband Committee.

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

**MEMBER COMMENTS ON COMMITTEE REPORTS AND NON-AGENDA ITEMS**

- Paula Page (4008-2E) announced an award given to the Disaster Task Force from the Red Cross and announced the upcoming the Disaster Task Force workshop
- Mike Curtis (342-A) commented on the City's request to construct a park, announced a meeting with the State Controller on November 19, and commented on a director's right to obtain corporate documents
- Mark Stein (4006-1H) commented on the hearing impaired residents and the need for GRF to install closed captioning capabilities on TV 6
- Ralph Belitz (124-R) commented on the construction of the new golf building
- Harry Rockey (263-A) commented on the gate renovation and golf building projects

- Mechelina De Munck (556-B) commented on chargeable services performed at her manor
- Bud Nesvig (2392-3H) commented on a Disciplinary Hearing held for Mr. Robert Zuzak

#### **DIRECTORS RESPONSES TO MEMBER COMMENTS**

- No comments were made.

#### **MEETING RECESS**

The regular meeting recessed at 12:29 P.M. and reconvened into Executive Session at 1:04 P.M.

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

During its Regular Executive Session Meeting of October 6, 2009, the Board reviewed and approved the Minutes of the Regular Executive Session Meeting of September 1, 2009; heard four (4) Disciplinary Hearings; and discussed contractual matters, potential litigation, and other member disciplinary matters.

During its Special Executive Session Meeting of October 21, 2009, the Board discussed contractual issues.

During its Special Executive Session Meeting of October 26, 2009, the Board discussed member disciplinary matters.

#### **ADJOURNMENT**

There being no further business to come before the Board of Directors, the meeting adjourned at 3:20 P.M.

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Bea McArthur, Secretary