



**OPEN SESSION**

Minutes of the Regular Meeting of the Golden Rain  
Foundation Tuesday, July 3, 2018, 9:30 a.m.  
24351 El Toro Road, Laguna Woods, California.

Directors Present: Thomas Sirkel, Beth Perak, Joan Milliman,  
Jim Matson, Richard Palmer, Annette Sabol Soule, Judith  
Troutman, Bert Moldow, Ray Gros, Diane Phelps, and Jim Juhan

Directors Absent: None

Staff Present: Siobhan Foster, Eileen Paulin, Brian Gruner and  
Whitney Thornton

Others Present:

United Mutual: Juanita Skillman, Pat English, and Cash  
Achrekar

Third Mutual: Jim Frankel

VMS: Lisa Bender, Dick Rader and Mary Stone

50 Mutual: Ryna Rothberg

**1. Call to Order**

President Sirkel called the meeting to order at 9:30 a.m., and acknowledged that a quorum was present.

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

Director Matson led the meeting in the Pledge of Allegiance to the Flag.

**3. Acknowledgment 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 Moldow made a motion to approve the Agenda as presented. Director Phelps seconded the motion and it passed by unanimous consent.

**5. Approval of Minutes**

Director Matson made a motion to approve the minutes of June, 2018. The motion was seconded by Director Milliman and it passed by unanimous consent.

**6. Report of the Chair**

President Sirkel led a moment of silence for Long Beach Fire Captain David Rosa, re-

enacted the check presentation from the Men's Club Memorial Golf Tournament to the Foundation of Laguna Woods Village with John Soule, David Schmedley, Brian Gruner, and Director Perak.

### **7. Update from VMS**

Director Bender gave an update of the VMS meetings in the month of June:

- Overview of VMS Strategic Plan Goals
- Provide exemplary customer service
- Data analysis on service calls for landscaping issues
- Facilitate efficient operations
- Continuing to provide a safe community
- Provide transparent communications
- Become employer of choice
- Conducted interview with Eileen Paulin
- Encouraged residents to seek out Board and Committee positions

### **8. CEO Report**

Siobhan Foster, COO, gave a report in the absence of Brad Hudson, CEO, on upcoming community events and updates on current renovation and construction projects:

- Upcoming 4<sup>th</sup> of July events
- Launch of electronic contact system
- Stingray music platform by Broadband
- Removal of next series of analog television channels
- Dates for annual seal/coat program
- Renovations of Gatehouses 4, 10, 11, 12 update
- Pickle ball/ Paddle tennis project update
- Golf cart registration

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

Members spoke on the following topics: Realtor signage, home inspections, Performing Arts Center Committee, Grant writers, CPR training available to the community, specifications of grocery carts allowed on buses, traffic from Fire Captain David Rosa's visitation, voter turnout in The Village, library electronic notification system, Monday movie interruption, possible use of long range acoustic device (LRAD) in The Village, opposition to seat reduction at the Performing Arts Center, and opposition to raising ticket prices for events held in the Performing Arts Center.

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

Several Directors responded to and provided input regarding member comments.

**11. Consent Calendar – None**

**12. Unfinished Business – None**

**13. New Business**

- (a) Entertain a Motion to Introduce a Resolution to Amend the GRF Electronic Payment Policy

The Secretary of the Board read the following resolution:

**RESOLUTION 90-18-XX**  
**ELECTRONIC PAYMENT POLICY**

**WHEREAS**, Golden Rain Foundation of Laguna Woods Village (GRF) has adopted several electronic payment methods over the years; and

**WHEREAS**, credit card payments are accepted at several point-of-sale locations, such as those used at the Village Greens (Resolution 90-11-102), Broadband Services (Resolution 90-12-130), and the Performing Arts Center (90-14-01), with the associated merchant processing fees absorbed into operations at these revenue-generating operations; and

**WHEREAS**, GRF offers an electronic payment method for monthly assessments called EZPay and 70 percent of Laguna Woods Village members take advantage of this free auto-debit service to automatically deduct assessments from their bank account while other members use their own online banking service to generate electronic payments: both of these low-cost services continue without user fees; and

**WHEREAS**, GRF desires to increase electronic payment options for assessments and introduce options for chargeable services; and

**WHEREAS**, GRF has initiated a service agreement to process electronic payments via the Community's resident portal and in person at the Community Center, which will be activated once the technology infrastructure is in place;

**NOW THEREFORE BE IT RESOLVED**, on July 3, 2018, that GRF introduces the acceptance of electronic payments for assessments, fines, fees, and chargeable services; and

**RESOLVED FURTHER**, for assessments, the payer will be charged a convenience fee equal to an amount necessary to offset all

processing fees contracted with the merchant provider, currently 2.95% per credit card transaction; and

**RESOLVED FURTHER**, fees will be updated as needed based on contractual agreements and passed on to the payer without further resolution updates; and

**RESOLVED FURTHER**, that Resolution 90-18-21 adopted May 1, 2018, 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.

**(JULY initial notification – must postpone 30-days (August) to comply with Civil Code §4360)**

Director Milliman made a motion to introduce a Resolution to approve an Electronic Payment Policy. Director Perak seconded the motion and the motion passed by unanimous consent.

- (b) Entertain a Motion to Introduce a Resolution for the Non-Return of ID Cards

The Secretary of the Board read the following resolution:

**RESOLUTION 90-18-XX**  
**Non-Return Fee of Identification Card Fee (ID)**

**WHEREAS**, the Golden Rain Foundation requires that all individuals approved to reside in the Village register and carry an ID card with them at all times; and

**WHEREAS**, the Resident Services Department issues ID cards and vehicle decals when a resident is approved to reside in the unit; and

**WHEREAS**, there has been an average of sixty (60) Residents per month not returning their I.D. cards upon ending their lease or selling their unit

**NOW THEREFORE BE IT RESOLVED**, July 3, 2018, that the Board of Directors of this Corporation hereby introduces a fee of \$125 for non-return of ID cards; and

**RESOLVED FURTHER**, that the Board of Directors of this Corporation reaffirms its non-return fee of \$125 for vehicle decals; 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.  
**(JULY initial notification – must postpone 30-days (August) to comply with Civil Code §4360)**

Director Milliman made a motion to introduce a Resolution to approve a Non-Return Fee of Identification Card Fee. Director Troutman seconded the motion and discussion ensued among the Directors.

President Sirkel called for a vote and the motion passed by unanimous consent.

- (c) Discuss and Consider Approving the Proposed Amendment to Trust Agreement to Extend its Term

The Secretary of the Board read the following from the Staff report:

#### **DISCUSSION**

Either the passage of 60 years from March 2, 1964, or 21 years after the death of the last of above persons will trigger termination of the Trust. Preliminary research indicates that one or more of the above persons are alive. March 2, 2024 is 60 years from March 2, 1964, and since this is less than 21 years from the present, the Trust will terminate on March 2, 2024. Therefore, the immediate purpose of the proposed amendment is to ensure the Trust does not terminate on March 2, 2024. Secondly, by amending the Trust to remove the contingency for termination based on the date of the last to die of the above individuals, the possibility of the Trust unknowingly terminating is eliminated. The proposed amendment provides certainty and manageability.

#### **AMENDMENT**

Section VI of the Trust Agreement is deleted in its entirety and replaced with the following:

“This Trust is and shall be irrevocable by and shall not be subject to alteration, modification or amendment by TRUSTEE, except as provided in paragraph C of Section VII hereof. The Trust may at any time or from time to time be altered, modified or amended by written instrument executed by TRUSTEE and by all the Cooperatives which have at such time become, and then remain Beneficiaries of the Trust. The Trust may at any time be terminated by the written election, delivered to TRUSTEE, of all the Cooperatives which have at such time become, and then remain, beneficiaries of the Trust. If any Beneficiary shall have assigned its beneficial interest hereunder, consent of the assignee shall also be required for any such alteration, modification, amendment or termination.

The Trust shall in all events terminate, if it has not earlier been terminated or further extended, by amendment, consistent with the Act and the rule against perpetuities, twenty (20) years from March 2, 2024.

Promptly following termination of this Trust, the TRUSTEE shall render an accounting to each of the Beneficiaries and shall distribute all of the Trust Estate, subject to any debts of or charges against the Trust Estate (including but not limited to obligations, if any, of the Trust Estate to the TRUSTEE), to the Beneficiaries, in the form of undivided interests proportional to their respective Truited Sums.”

Discussion ensued among the Directors.

Director Milliman moved to recommend the Proposed Trust Amendment for approval. Director Sabol Soule seconded the motion and it passed by unanimous consent.

- (d) Entertain a Motion to Approve a Resolution Proclaiming July as National Parks and Recreation Month (Recreation Makes Life Better)

The Secretary of the Board read the following:

**RESOLUTION 90-18-29**

**Designation of July as Parks and Recreation Month**

**WHEREAS** parks and recreation programs are an integral part of communities throughout this country, including Laguna Woods Village; and,

**WHEREAS** our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and,

**WHEREAS** parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and,

**WHEREAS** parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and,

**WHEREAS** parks and recreation areas are fundamental to the environmental well-being of our community; and,

**WHEREAS** parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and,

**WHEREAS** our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and,

**WHEREAS** the U.S. House of Representatives has designated July as Parks and Recreation Month; and,

**WHEREAS** Laguna Woods Village recognizes the benefits derived from parks and recreation resources.

**NOW THEREFORE, BE IT RESOLVED**, July 3, 2018, that the Board of Directors of this Corporation hereby designates July 2018 as National Park and Recreation Month in Laguna Woods Village; 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 Milliman made a motion to accept the Resolution designating July as Parks and Recreation Month and Director Matson seconded the motion.

Discussion ensued among the Directors.

President Sirkel called for a vote and the motion passed by a vote of 8-3-0 (Director Palmer, Director Moldow, and Director Phelps opposed).

#### **14. Committee Reports**

- (a) Report of the Finance Committee/Financial Reports – Director Phelps. Next meeting August 22, 2018, at 1:30 p.m. in the Board Room.
- (b) Report of the Community Activities Committee – Director Perak. Next meeting July 19, 2018, at 1:00 p.m. in the Board Room.

- (c) Report of the Maintenance & Construction Committee – Director Matson. Next meeting August 8, 2018, at 9:30 a.m. in the Board Room.
  - Report of the Performing Arts Center (PAC) Renovation Ad Hoc Committee - Director Perak. Next meeting TBA
- (d) Report of the Media & Communications Committee – Director Milliman. Next meeting July 16, 2018, at 1:30 p.m. in the Board Room.
- (e) Report of the Mobility & Vehicles Committee – Director Troutman. Next meeting August 1, 2018, at 1:30 p.m. in the Board Room.
- (f) Report of the Security & Community Access Committee – Director Sabol Soule. Next meeting August 23, 2018, at 1:30 p.m. in the Board Room
  - Report of the Traffic Hearings – Director Gros. Next meeting July 18, 2018, 9:00 a.m. in the Board Room & 1:00 p.m. in the Cypress Room.
  - Report of the Disaster Preparedness Task Force- Director Troutman. Next meeting July 31, 2018, 9:30 a.m. in the Cypress Room.

**15. Future Agenda Items**

- (a) Approve the Design and Creation of a Decorative Art Wall at Clubhouse 4
- (b) Discuss and Consider Golf Cart Safety Training

**16. Director's Comments**

- Director Troutman, Director Sabol Soule, Director Milliman, and Director Palmer wished everyone a happy 4<sup>th</sup> of July;
- Director Juhan, Director Matson, and Director Sabol Soule commented that it was a good meeting;
- Director Gros commented that Laguna Canyon Foundation paperwork had not been received, but should be available soon (949-497- 8324);
- Director Perak encouraged residents to enjoy the 4<sup>th</sup> of July holiday and to attend Clubhouse 2 festivities;
- Director Moldow wished everyone well;
- President Sirkel thanked everyone for their contributions and encouraged all to keep up the good work.

- 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.*

The Board recessed to Closed Session at 11:48 a.m.



**Closed Executive Session Agenda**

*Approval of Agenda*

*Approval of Minutes*

*(a) June 5, 2018 – Closed Executive Session*

*Discuss and Consider Member Disciplinary Matters*

*Discuss and Consider Personnel Matters*

*Discuss and Consider Contractual Matters*


*Discuss and Consider Litigation Matters*

*Discuss Litigation Report Summary*

*Adjournment*

**Adjourn**

The meeting was adjourned at 2:10 p.m.

  
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Joan Milliman, Secretary of the Board  
Golden Rain Foundation

