



**BOARD OF DIRECTORS MEETING MINUTES  
GOLDEN RAIN FOUNDATION  
May 24, 2022**

**CALL TO ORDER**

President Susan Hopewell called the regular monthly meeting of the Board of Directors (BOD) of the Golden Rain Foundation (GRF) to order at 10:00 a.m., on Tuesday, May 24, 2022, in Clubhouse Four and via live stream.

**PLEDGE OF ALLEGIANCE**

Mike Jurado, from MJ Jurado Construction, led the Pledge of Allegiance.

President Hopewell presented a plaque to Mike Jurado in appreciation for his service to the LWSB Community.

**ROLL CALL**

Following the roll call, Corporate Secretary, Paula Snowden reported that Directors Perrotti, Gambol, Pratt, Snowden, Geffner, Gerber, Thompson, Hopewell, Ableser, Slutsky, Doderio, Levine, Mandeville, Damoci, Melody, Friedman, Isom and Massetti were present.

The Director of Finance Carolyn Miller, Facilities Director Mark Weaver and Recording Secretary, Tia Makakaufaki were also present.

Human Resources Director LeAnn Dillman, Mutual Administration Director Jodi Hopkin, IT Manager Marcelo Mario, and Laurie Sowa-Westwood from Burnham Gibson were present, via Zoom.

Eighteen Directors participated, with a quorum of the voting majority.

**SERVICE ANNIVERSARIES AND EMPLOYEES OF THE MONTH**

To minimize the number of required attendees at today's meeting, we are postponing the service awards and staff commendations to July.

## **SEAL BEACH COUNCIL MEMBER'S REPORT**

Seal Beach Council member Sandra Massa-Lavitt provided an update on the proceedings of the Seal Beach City council meeting.

## **SHAREHOLDER/MEMBER COMMENTS**

In accordance with Policy 5610, Participation by Foundation Members, members may enter a comment prior to the beginning of business. NOTE: Foundation members are permitted to make comments before the business of the Board begins. Requests must be registered in advance of the meeting. The Open Meeting Act allows boards of directors to establish reasonable time limits for the open forum and for speakers to address the board. Time limits, per speaker, are limited to:

- 4-minute limit per speaker, when there are no more than 15 speakers

One member offered a comment at the meeting, and two members submitted written comments prior to the meeting.

## **AD HOC REPORTS**

Reports from the Chairs of the Governing Documents Ad hoc Committee, Strategic Planning Ad hoc Committee, and Website Redesign Ad hoc Committee were presented.

The Bulk Cable Ad hoc Committee's final report was read by Chair Mr. Massetti.

Ms. Hopewell MOVED, seconded by Mr. Massetti and carried unanimously by the Directors present –

TO accept the Bulk Cable Ad hoc Committee's final report and  
formally recognize the dissolution of the Committee.

Two Directors spoke on this motion.

## **NEW BUSINESS**

### **GENERAL**

#### **Emergency Addition to Agenda**

Emergency/immediate action is requested to add to the May 24, 2022, GRF Board agenda. The action item, under General aii.401(k) Plan Eligibility. Board action is requested under provisions of Civil Code 4930(d).

**Agenda Exception.** *The statute provides an exception for emergencies. If an item needs to be added to the agenda after it was posted, it can be added as follows ([Civ. Code §4930\(d\)](#)):*

1. *Upon a determination made by a majority of the board present at the meeting that an emergency situation exists.*
2. *Upon a determination made by the board by a vote of two-thirds of the directors present at the meeting, or, if less than two-thirds of total membership of the board is present at the meeting, by a unanimous vote of the directors present, that there is a need to take immediate action and that the need for action came to the attention of the board after the agenda was distributed pursuant to subdivision (a) of [Section 4920](#).*
3. *The item appeared on an agenda that was distributed pursuant to subdivision (a) of [Section 4920](#) for a prior meeting of the board that occurred not more than 30 calendar days before the date that action is taken on the item and, at the prior meeting, action on the item was continued to the meeting at which the action is taken.*

**Emergency Defined.** *An emergency is defined as "circumstances that could not have been reasonably foreseen by the board, that require immediate attention and possible action by the board, and that, of necessity, make it impracticable to provide notice."([Civ. Code §4930\(d\)\(1\)](#).)*

The basis for the Emergency/immediate action is that on May 19, 2022, the 401(k) Investment Committee reviewed, discussed, and unanimously approved enriching the current 401(k) plan in an effort to boost employees' retirement security and improve employee retention. If approved, the completed paperwork is due by the end of this month for a July start date.

Ms. Hopewell MOVED, seconded by Ms. Snowden and carried unanimously by the Directors present –

To add the Emergency Item – 401(k) Plan Eligibility to the Board  
agenda.

Two Directors spoke on this motion.

## **Approve Vacation Policy**

As our community and the world is emerging from the pandemic and after two years of disruption, the Foundation is experiencing higher staff turnover and has recognized the importance of retaining and attracting talented employees in this fiercely competitive market. The Board has identified this unique opportunity and is reviewing salaries, pay grades, and employee benefits as demonstrated by the recent 5% economic adjustment, current salary reviews, and the enhancement of the healthcare benefits offered.

At its Executive Session, the GRF Administration Committee on May 5, 2022 is the existing vacation accrual. The Committee identified the ability to improve this time off policy. Per the current 2020 Employee Handbook, Section VII, Item D, GRF has two (2) existing vacation policies. The current vacation accrual schedules listed below has been reviewed and evaluated.

**Full-time employees hired on or after January 1, 2013,** are eligible to accrue vacation benefits in accordance with the following schedule:

<b>Years of Service</b>	<b>Bi-Weekly Accrual</b>	<b>Annual Accrual</b>	<b>Maximum Accrual Balance</b>
0 to 6.99 Years	3.08	80 Hours per Year	120 Hours
7 to 14.99 Years	4.62	120 Hours per Year	180 Hours
15+ Years	6.16	160 Hour per Year	240 Hours

**Full-time employees hired before January 1, 2013,** are eligible to accrue vacation benefits in accordance with the following schedule:

<b>Years of Service</b>	<b>Bi-Weekly Accrual</b>	<b>Annual Accrual</b>	<b>Maximum Accrual Balance</b>
0 to 4.99 Years	3.08	80 Hours per Year	120 Hours
5 to 9.99 Years	4.62	120 Hours per Year	180 Hours
10+ Years	6.16	160 Hours per Year	240 Hours

Based upon the discussion, the Committee concluded that the vacation accrual benefit required revision to remain competitive.

The proposed revision to the vacation accrual schedule would establish one (1) policy and would adjust the rates of accrual. These changes are reflected below.



**Full-time, benefit eligible employees**, are eligible to accrue vacation benefits in accordance with the following schedule:

<b>Years of Service</b>	<b>Bi-Weekly Accrual</b>	<b>Annual Accrual</b>	<b>Maximum Accrual Balance</b>
0 to 3.99 years	3.08 hours	80 Hours per year	120 hours
4 to 7.99 years	4.62 hours	120 Hours per year	180 hours
8 to 9.99 years	6.16 hours	160 Hours per year	240 hours
10+ years	7.69 hours	200 hours per year	300 hours

Additionally, the Committee recommends that employees who are at their maximum accrual balance, be allowed to request cash out a maximum of two (2) weeks' pay (80 hours) by November 30<sup>th</sup> of each year. In order to cash out, employees must leave a minimum of half (½) unused and accrued balance.

Mrs. Damoci MOVED, seconded by Ms. Hopewell present –

TO amend the action request to require the GRF Administration  
Committee to review in July the mandatory vacation policy.

Four Directors and Human Resources Director spoke on the motion.

The motion passed with six no votes (Directors Pratt, Geffner, Gerber, Levine, Friedman and Massetti.)

Ms. Snowden MOVED, seconded by Mr. Mandeville present –

TO approve the adoption of the proposed employee vacation accrual benefit, Section VII, Item D, of the current 2020 Employee Handbook as stated above and include the additional cash-out opportunity also defined above and require the GRF Committee to review in July the mandatory vacation policy.

The motion passed with two no votes (Directors Geffner and Melody).

### **Emergency Item – 401(k) Plan Eligibility**

At its meeting on May 19, 2022, the 401(k) Investment Committee reviewed, discussed, and unanimously approved enriching the current 401(k) plan in an effort to boost employees' retirement security and improve employee retention.

The proposed revision to the 401(k) eligibility would include two (2) amendments to the plan design of eligibility and entry. Currently, to be eligible to enroll in the 401(k) plan, employees must meet a minimum service of one (1) year and 1,000 hours of service. The Committee voted and unanimously approved to change the eligibility to align with the eligibility of the health benefits, which is thirty (30) days. The plan entry would be the first of the month following the date of initial eligibility.

Furthermore, the Committee voted and unanimously approved the change of contribution and company matching. Currently, GRF matches 50% for each 1% contribution up to 8% (4% maximum match). The approved change would amend the contribution to 50% for every 1% contribution up to 10% (5% maximum match). According to our current plan advisor, by changing the company contribution maximum to 5%, GRF would offer an "exceptional" 401(k) plan.

The estimated budget impact based on the current participation with an additional 1% increase is approximately \$70,000. Currently, there are 75 employees actively participating in the plan and we anticipate a potential increase in the participation of 30 more employees.

To integrate these changes to the plan, Empower would assess a one-time fee of \$375 to process the above listed amendments.

Ms. Hopewell MOVED, seconded by Mr. Melody and carried unanimously by the Directors present –

TO approve the adoption of the proposed 401(k) plan eligibility and entry dates of the first of the month following thirty (30) days of employment and increase the company maximum contribution to 5% to be effective as soon as administratively feasible and authorize GRF Human Resource Director to sign the required amendments and approve the amendment fees of \$375.

## **GRF ADMINISTRATION COMMITTEE**

### **FINAL VOTE: Amend 30-5093-1, Authorized Resident Rules Of Conduct**

At the March 21, 2022, meeting of the Recreation Committee, the Committee moved to recommend the GRF Board of Directors amend 30-5093-1, Authorized Resident Rules of Conduct.

At the March 22, 2022, meeting of the GRF Board of Directors, the Board voted to tentatively amend 30-5093-1, Authorized Resident Rules of Conduct, pending a 28-day notice period to Foundation members. The document draft was published in the March 31<sup>st</sup> edition of the *LW Weekly*. Members were welcomed to submit their comments or questions to the Board Office on this matter. This process is recommended in accordance with Civil Code **§4360**.

Ms. Gerber MOVED, seconded by Mr. Friedman and carried unanimously by the Directors present –

TO amend 30-5093-1, Authorized Resident Rules of Conduct as  
presented.

Two Directors spoke on the motion.

## **FINANCE COMMITTEE**

### **GRF Electrical Vehicles – Change in Funding Source**

At the April 26, 2022, Golden Rain Foundation Board meeting, the Board approved the purchase of three (3) 2022 model-year Club Card Carryall 510 LSV electric utility vehicles using \$65,000, Capital Funding. Because this purchase is to replace existing electric vehicles, the Finance Committee suggested changing the funding source from Capital Funding to Reserve Funding.

At the May 16, 2022, meeting of the Finance Committee, the Committee passed a motion to request the Board to change the funding source from Capital Funding to Reserve Funding for this purchase.

Ms. Isom MOVED, seconded by Mr. Dodero present –

TO approve the change in funding source from Capital Funding to Reserve Funding of \$65,000 for the purchase of three (3), 2022 model-year Club Card Carryall 510 LSV electric utility vehicles that will be replacing three (3) existing electric vehicles, originally approved by the GRF Board of Directors on April 26, 2022.

The motion passed with one no vote (Director Perrotti).

Three Directors and Facilities Director spoke on the motion.

#### **FINAL VOTE: Amend 40-5061-2, Fees**

At the March 21, 2022, meeting of the Recreation Committee, the Committee moved to recommend the GRF Board of Directors to amend 40-5061-2, Fees.

At the March 22, 2022, meeting of the GRF Board of Directors, the Board voted to tentatively amend 40-5061-2, Fees, pending a 28-day notice period to Foundation members. The document draft was published in the March 31<sup>st</sup> edition of the *LW Weekly*. Members were welcomed to submit their comments or questions to the Board Office on this matter. This process is recommended in accordance with Civil Code **§4360**.

No correspondence was received during the 28-day notification to the membership period.

Mrs. Ableser MOVED, seconded by Mr. Slutsky and carried unanimously by the Directors present –

TO amend 40-5061-2, Fees as presented.

Three Directors spoke on the motion.

#### **MUTUAL ADMINISTRATION COMMITTEE**

##### **Amend 50-6101-5 Planning Ahead for my Family**

At the May 9, 2022, meeting of the Mutual Administration Committee, the Committee moved to recommend the GRD Board to amend 50-6101-5 Planning Ahead for My Family.



Mr. Mandeville MOVED, seconded by Ms. Levine and carried unanimously by the Directors present –

TO amend 50-6101-5 Planning Ahead for My Family, updating document language throughout, as presented.

Five Directors spoke on the motion.

## **PHYSICAL PROPERTY COMMITTEE**

### **Cancel HVAC Contract Clubhouse Six**

At the December 21, 2021, meeting of the Board resolved:

*TO award a contract to County Heating and Air Inc, to replace the HVAC systems at Clubhouse Six upstairs per the recommended specifications by SPEC Engineering for a cost of \$229,321 and adding a 10% contingency \$22,932 for permits and any unseen extras, total cost not to exceed \$252,253. Funding from Reserves and authorize the President sign the contract.*

Design and engineering concerns presented cost issues with the continuation of this project. Staff requested County Heating and Air Inc, to reevaluate the existing system. The contractor made recommendations to keep the existing system with minor modifications.

At the May 4, 2022 meeting of the Physical Property Committee, the Committee moved and approved to recommend to the GRF Board to cancel the contract with County Heating and Air for the replacement HVAC system in Clubhouse Six second floor.

Mr. Friedman MOVED, seconded by Mr. Melody and carried unanimously by the Directors present –

TO cancel the contract with County Heating and Air Inc, to replace the HVAC systems at Clubhouse Six second floor for the cost of \$229,321.

The Facilities Director spoke on the motion.

### **Reserve Funding Request - Clubhouse Six-HVAC**

At the May 4, 2022 meeting of the Physical Property Committee, the Committee moved and approved to recommend to the GRF Board of Directors to award a contract to County Heating & Air Conditioning Inc., to make the needed repairs and upgrades to the existing

HVAC system Clubhouse Six second floor, in the amount not to exceed \$10,000, Reserve Funding.

At the May 16, 2022, meeting of the Finance Committee, the Committee determined that sufficient funds are available for service and repair of Clubhouse Six second floor heat pumps, amount not to exceed \$10,000.00, Reserve Funding.

Mr. Friedman MOVED, seconded by Mr. Melody and carried unanimously by the Directors present –

TO award a contract to County Heating and Air conditioning for service of Clubhouse Six second floor heat pumps, at a cost not to exceed \$10,000, Reserve Funding, and authorize the President to sign the contract.

Two Directors spoke on the motion.

#### **Reserve Funding Request - Trust Street Repairs**

Funding in the amount of \$2,169,000 was allocated in the 2022 Reserve Study for Asphalt Resurfacing and Slurry work. (see exhibit A) Streets included in the project are Annandale, Brookline, Burning Tree, Del Monte, El Dorado, Homewood, Mc Kinney, Nassau, North Fairfield, Northwood, Oak Hills, Prestwick, Twin Hills, Scioto, Sunningdale, Shawnee, St John and Tam O' Shanter.

The Physical Property Department sent out a Request for Proposal (RFP) to four different contractors for the Resurfacing and Slurry work (see work scope exhibit B). A mandatory bidders conference was conducted April 14, 2022, MJ Jurado were representatives attended. Sealed bids were opened at the regular scheduled meeting of the Physical Property Committee (PPC) on April 6, 2022. The list of bidders and their bids are as follows:

MJ Jurado	\$2,640,303
Griffith Company	Bidding prevailing wage jobs only at this time
R.J. Noble	Not able to bid- too much work
Sully-Miller Contracting	Did not respond to voice and email requests

The Committee discussed the single bid, reasons contractors were not bidding and removing some streets from the project to keep the cost below the allocated amount, however with the cost of materials and labor increasing the Committee concurred to follow through with the scheduled work, recommending the GRF Board award a contract to MJ

Jurado for a cost not to exceed \$2,640,303 and seek Finance Committee (FC) review for the additional \$471,303 of Reserve Funding.

MJ Jurado has also agreed to spread the asphalt grinding as needed at the RV Lot at no additional charge.

At the May 16, 2022, meeting the Finance Committee, the Committee has determined that sufficient funding in the amount of \$2,640,303, Reserve Funding are available. The Committee placed a temporary hold on these funds pending a Board action to release the funds for this project)

Mrs. Damoci MOVED, seconded by Mr. Dodero and carried unanimously by the Directors present –

TO award a contract to MJ Jurado for the Asphalt Resurfacing and  
Slurry work as called out in exhibit B, not to exceed \$2,640,303,  
Reserve Funding and authorize the President to sign the contract.

One Director and the Facilities Director spoke on the motion.

#### **Capital Funding Request – Pit Stop Facility – Electrical Outlets**

At the May 4, 2022, meeting of the Physical Property Committee, the Committee moved and approved to recommend the GRF Board of Directors award a contract to Ogan Construction, for adding three 110v electrical outlets to the Pit Stop Facility at 1.8, in the amount of \$6,380.00, to include a 10% contingency for a cost to exceed \$7,018, Capital Funding.

At the May 16, 2022 meeting of the Finance Committee, the Committee determined that sufficient funds are available for cost of this project, not to exceed \$7,018.00, Capital Funding.

Mr. Melody MOVED, seconded by Mr. Friedman present –

TO award a contract to Ogan Construction, to add three, 110v  
electrical outlets to the Pit Stop Facility at 1.8 acre, in an amount  
not to exceed \$7,018, Capital Funding, and to authorize the  
President to sign the contract.

Eleven Directors and the Facilities Director spoke on the motion.

The motion passed with seven no votes.

### **Reserve Funding Request - Clubhouse One Pool Room Replacements**

At the May 4, 2022, meeting of the Physical Property Committee, the Committee moved and approved to recommend to the GRF Board of Directors to approve Clubhouse One Pool Room upgrades with the replacement of Windows, Exterior Doors, and Interior Painting, in the amount not to exceed \$26,523, Reserve Funding.

At the May 16, 2022, meeting of the Finance Committee, the Committee determined that sufficient funding is available in the amount not to exceed \$26,523 for this project.

Mr. Dodero MOVED, seconded by Mr. Melody and carried unanimously by the Directors present –

TO award the following contracts for Clubhouse One upgrades to Custom Glass for doors and windows, \$20,275.00; Axxess Door for ADA access for one (1) storefront door, \$3,420.82, Service Maintenance, a work order in the amount of \$800 for material to repaint Clubhouse One Pool Room. The total project cost for the Clubhouse One Pool Room upgrade is not to exceed \$26,523.50, Reserve Funding and authorize the President to sign the needed contracts.

Three Directors and Facilities Director spoke on the motion.

### **Reserve Funding Request- Plotter Printer/Scanner**

At the May 4, 2022 meeting the Physical Property, the Committee moved and recommended to the GRF Board of Directors approve the purchase of one (1) new HP DesignJet T830 Large Format Multifunction Wireless Plotter Printer, with the optional spindle, in the amount of \$2,845, Reserve Funding.

At the May 16, 2022, meeting, the Finance Committee determined that sufficient funds are available for the purchase of the plot plan printer in the amount of \$2,845.

Mr. Pratt MOVED, seconded by Ms. Snowden and carried unanimously by the Directors present –



TO approve the purchase and replace the current printer with one  
(1) new HP DesignJet T830 Large, Format Multifunction Wireless  
Plotter Printer, with the optional spindle, in the amount of  
\$2,845.00, Reserve Funding.

Three Directors spoke on the motion.

### **Approve Waste and Recycling Services Contract**

The Waste and Recycling Service contract expires on July 31, 2022. The Physical Property Department sent out a Request for Proposal (RFP) to six different contractors for the Waste and Recycling Services for a five-year period (see specifications exhibit A). A mandatory bidders conference was conducted on April 11, 2022. In attendance were representatives from Athens Services (formally Cal-Met), Universal Waste Systems, CR&R Inc., and Republic Services.

Sealed bids were opened at the regularly scheduled meeting of the Physical Property Committee on May 4, 2022.

The list of bidders and their bids are as follows:

Vendor	Per Apt Per Month	Total Cost per Month	Roll off per dump & return	Reason for not bidding
Athens (formally Cal-Met)	\$10.79	\$71,300.32	\$651.13	
Universal Waste Systems	no bid			no response
CR&R Inc	no bid			too challenging to order and supply bins
Republic Services	no bid			timeline too challenging to supply custom bins, and operational logistics issues
EDCO	no bid			no response
Waste Management	no bid			no response

The current cost for these services is:

Per Apt Per Month	Total Cost per Month	Roll off per dump & return
\$9.79	\$64,690	\$630.90

The Physical Properties Committee discussed reasons for contractors not bidding: The unique bins used in the community and past service performance. The Committee unanimously recommends the GRF Board award a contract to Athens Service's to provide all services, called out in exhibit A, for the pickup and disposal of waste and recycling materials in the community at a cost not to exceed \$71,300.32 per month for all apartments and trust property along with a cost of \$651.13 per dump and return of the 40-yard roll off containers at 1.8, funding from Operations for a five-year term.

Note: Pricing shall be adjusted once a year based on the Consumer Price Index of the Bureau of Labor Statistics.

Ms. Gerber MOVED, seconded by Mr. Melody and carried unanimously by the Directors present –

TO award a contract to Athens Service is to provide all services, called out in exhibit A, for the pickup and disposal of waste and recycling materials in the community at a cost not to exceed \$71,300.32 per month for all apartments and trust property along with a cost of \$651.13 per dump and return of the 40-yard roll-off containers at 1.8-acres, funding from Operational Funding and authorize the President to sign the five-year contract.

Eleven Directors and the Facilities Director spoke on this motion.

## **RECREATION COMMITTEE**

### **FINAL VOTE: Amend 70-2504-2, Library Fees**

At the March 7, 2022, meeting of the Recreation Committee, the Committee moved to recommend the GRF Board of Directors to amend 70-2504-2, The Library Fees.

At the March 22, 2022, meeting of the GRF Board of Directors, the Board voted to tentatively amend 70-2504-2, Library Fees, pending a 28-day notice period to Foundation members. The document draft was published in the March 31<sup>st</sup> edition of the *LW Weekly*. Members were welcomed to submit their comments or questions to the Board Office on this matter. This process is recommended in accordance with Civil Code **§4360**.

No correspondence was received from the membership during the 28-day notification to the membership period.

Mrs. Perrotti MOVED, seconded by Ms. Snowden and carried unanimously by the Directors present –

TO amend 70-2504-2, Library Fees, as presented.

Two Directors spoke on the motion.

## **SECURITY BUS AND TRAFFIC COMMITTEE**

### **Approve Donation – Wheelchair Lifts – Golden Age Foundation**

At the May 11, 2022 meeting of the Security, Bus and Traffic Committee, the Committee moved to recommend to the GRF Board to accept a donation from the Golden Age Foundation in an amount of \$19,968.44. This donation will be used to offset the cost of ADA wheelchair lift equipment to be installed on two new GRF minibuses.

Mr. Massetti MOVED, seconded by Mr. Pratt and carried unanimously by the Directors present –

TO approve accepting a donation, in an amount of \$19,968.44  
from the Golden Age Foundation, to sponsor the cost of two (2)  
wheelchair lifts and associated equipment on two new Golden  
Rain Foundation Minibus Shuttles.

Four Directors and the Fleet Manager spoke on the motion.

### **FINAL VOTE: Amend 80-1937-1, Parking Rules**

At the March 9, 2022, meeting of the Recreation Committee, the Committee moved to recommend the GRF Board of Directors amend 80-1937-1, Parking Rules.

At the March 22, 2022, meeting of the GRF Board of Directors, the Board voted to tentatively amend 80-1937-1, Parking Rules, pending a 28-day notice period to Foundation members. The document draft was published in the March 31<sup>st</sup> edition of the *LW Weekly*. Members were welcomed to submit their comments or questions to the Board Office on this matter. This process is recommended in accordance with Civil Code **§4360**.

No correspondence was received from the membership during the 28-day notification to the membership period.

Ms. Gambol MOVED, seconded by Mr. Massetti present –

TO amend 80-1937-1, Parking Rules, as presented.

Eight Directors spoke on the motion

The motion passed with three no votes

### **BOARD MEMBER COMMENTS**

Four Directors offered a comment.

### **ADJOURNMENT**

The meeting was adjourned at 12:45 P.M.



Carol Levine, Corporate Secretary  
Golden Rain Foundation  
TM 4-26-22