



PROPOSED POLICY FOR THE DISTRIBUTION OF PRINTED MATERIALS

DATE: September 8, 2006

FOR: United Laguna Hills Mutual
Board of Directors

SUMMARY / RECOMMENDATION

It is the desire of the United Laguna Hills Mutual Board of Directors to establish policy for the distribution of printed material to its Members that is consistent with existing policies within the Laguna Woods Village community. *Staff recommends adoption of the proposed policy for the distribution of printed materials.*

BACKGROUND INFORMATION

There are presently three (3) Golden Rain Foundation policies that regulate the distribution of printed materials within the Laguna Woods Village community.

Resolution G-98-55 was adopted on July 7, 1998 after the Orange County Superior Court ordered the Golden Rain Foundation to allow all First Amendment publications to distribute their products on an equal basis.

Resolution G-01-65, adopted on August 7, 2001, prohibits the display or distribution of election signs, placards, or printed literature at the Community Center, except upon prior written approval of the Golden Rain Foundation Board of Directors.

Resolution 90-03-58, adopted on June 3, 2003, modifies the Recreation Standard Procedure Index (SPI's) pertaining to the distribution of signs, placards, printed material and literature on Golden Rain Foundation property:

SPI 600.024 provides policy for distributing flyers and posting signs at clubhouses and recreation facilities;

SPI 600.018 provides policy for gathering signatures on petitions and/or initiatives on Golden Rain Foundation property.

ANALYSIS

Article II, Section 1(c) of the United Laguna Hills Mutual Bylaws authorizes the Corporation to "adopt, amend, or repeal necessary or desirable rules and regulations through its Board of Directors". It is the desire of the Board of Directors to adopt policy for the distribution of publications, advertisement, announcements, campaign material, petitions and printed literature on property owned and managed by the Corporation that is consistent with policies already governing the Members of the Golden Rain Foundation.

Staff recommends adoption of the proposed *Distribution of Printed Material* policy attached as Exhibit A.

Prepared By: Trudy Bigelow, Community Services Manager

Reviewed By: Milt Johns, General Manager

RESOLUTION 01-06-

RESOLVED, November 14, 2006 that the Board of Directors of this Corporation hereby establishes the following policy for the distribution of publications, advertisement, announcements, campaign material, petitions and printed literature on property owned and managed by the Corporation (hereinafter "Material"):

Any individual or entity wishing to distribute Materials to Members of United Laguna Hills Mutual shall comply with all distribution rules by completing an Application which provides the following information:

1. The name of the individual or entity intending to distribute Material to Members of United Laguna Hills Mutual;
2. The address, phone number, fax number, e-mail address and other pertinent identifying information as to permit contact with the Applicant;
3. If applicable, any name or names of contact persons representing the Applicant;
4. If applicable, the name or names of the particular employees or agents who will be distributing the Material on behalf of the Applicant;
5. A sample or samples of the Material to be distributed;
6. A brief statement as to the date and times and frequency with which the Applicant intends to deliver its Material;
7. A statement to be executed by the Applicant pursuant to which the Applicant acknowledges that he, she, or it will be responsible for all acts of any person(s) distributing Material on its behalf;
8. An Acknowledgement by the Applicant that it shall only be entitled to distribute Material following receipt of an approved Application by United Laguna Hills Mutual, its agents, or designees (i.e. the Golden Rain Foundation);
9. The Applicant shall be required to produce a copy of the completed Application form to the community's managing agent or other representative, upon request.

RESOLVED FURTHER, that the basic rules for which all of the Applicants shall be required to follow shall be as follows:

1. While on property owned and managed by the Corporation, knocking on doors, business solicitation, or other behavior which intrudes on the privacy of United Mutual residents is prohibited.
2. Door-to-door distribution of Material shall be permitted, as long as residents are not disturbed.
3. Material may only be left at the thresholds of front doors.
4. Material shall not be distributed in community facilities, on vehicles, door knobs, mail boxes, trees, benches, walkways, laundry facilities, street light poles, gates/fences or any other surfaces owned and managed by the Corporation.
 - a. Laundry room bulletin board postings are limited to flyers/announcements for an event or trip sponsored by an approved Laguna Woods Village club or organization.

- i. Only one flyer per organization is allowed at any one time, limited to a size of 8.5" x 11".
 - ii. Each flyer must positively identify the Club name and the telephone number of a club representative.
 - iii. Permitted flyer
 - iv. Permitted flyers /announcements shall not be placed on laundry room bulletin boards for more than thirty (30) days.
5. Any distribution of Material must be made during normal business hours, Monday through Friday; 8:00 A.M. – 5:00 P.M. Distribution on State and National holidays is prohibited.
6. All Material must comply with State and Federal laws.
7. Members who desire to gather signatures on petitions and/or initiatives shall only do so in accordance with the Golden Rain Foundation (GRF) SPI 600.018, which states:
 - a. The petition must remain in the possession of the signature gatherer (there can be no unattended petitions).
 - b. Signatures may be gathered only outside of the GRF facilities. For example, the signature gatherer at a Clubhouse would be permitted outside of the building, but would not be permitted to gather signatures in the clubhouse lobby.
 - c. The collection of signatures must not create any disturbance in the collection area or interfere with access to and from the GRF facility.
 - d. The collection of signatures must not disturb or interrupt any program or activity taking place at any GRF facility.
 - e. Only the signature gatherer(s) is permitted. No tables and/or chairs or other furniture or equipment can be set up for the purpose unless approval is received from the GRF Board of Directors or the issue is determined to be a community endorsed and/or supported endeavor.

RESOLVED FURTHER, that the adoption of such policy will be contingent on corporate counsel's review of the policy; and

RESOLVED FURTHER, that the Officers and Agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purposes of this resolution.

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 table the resolution to the next available Board Meeting to comply with Civil Code §1357.130.