



**OPEN SESSION**

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

**Tuesday, September 6, 2022, 9:30 a.m.  
24351 El Toro Road, Laguna Woods, California  
Board Room/Virtual Meeting**

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**Directors Present:** Bunny Carpenter, Egon Garthoffner, James Hopkins, Don Tibbetts, Gan Mukhopadhyay, Joan Milliman, Yvonne Horton, Reza Karimi, Juanita Skillman, Elsie Addington, Debbie Dotson

**Directors Absent:** None

**Staff Present:** CEO - Siobhan Foster, Makayla Schwietert, Paul Nguyen, Carlos Rojas, Eileen Paulin, Robert Carroll, Francis Gomez, Brian Gruner, Jose Campos, Ian Barnette, Eric Nunez, Steve Hormuth

**Other Directors Present:** United: Diane Casey  
Third: Ralph Engdahl, Mark Laws, Cris Prince, Donna Rane-Szostak, Nathaniel Lewis  
VMS: LeLeng Isaacs

**1. Call Meeting to Order/ Establish Quorum - President Carpenter**

President Carpenter called the meeting to order at 9:32 a.m. and established that a quorum was present.

**2. Pledge of Allegiance**

Director Milliman led the Pledge of Allegiance to the Flag.

**3. Acknowledgment of Media**

The media and the Village Television crew were present remotely by way of cameras.

**4. Approval of Agenda**

Chair Carpenter requested to move Agenda Item 14m. All Boards All Directors 2023 Business Plans to Approval of the Minutes as Agenda Item 5c.

Hearing no further changes or objections, the amended agenda was approved by unanimous consent.

## 5. Approval of Minutes

- a. August 2, 2022 – GRF Board Regular Open Meeting
- b. August 18, 2022 – GRF Board Agenda Prep Meeting
- THIS ITEM WAS ADDED DURING THE APPROVAL OF THE AGENDA**
- c. July 11, 2022 – All Boards, All Directors 2023 Business Plan Meeting

There being no objections, the minutes of August 2, 2022 – GRF Board Regular Open Meeting was approved by unanimous consent.

There being no objections, the minutes of August 18, 2022 – GRF Board Agenda Prep Meeting was approved by unanimous consent.

Director Milliman requested a revision to the minutes to change “Other’s Present” to “Other Directors Present”.

There being no objections, the minutes of July 11, 2022 – All Boards, All Directors 2023 Business Plan Meeting was approved as amended by unanimous consent.

## 6. Report of the Chair

- President Carpenter commented on Board room behavior and being respectful.

## 7. CEO Report

Siobhan Foster-CEO gave a report on the following items:

- Clubhouse 7 has now extended their hours. As of August 8<sup>th</sup>, Sundays are now from 8 a.m. to 10 p.m. and starting today, Monday through Friday will be from 8 a.m. to 5 p.m.
- Thank you to the residents for participating in the organics recycling program. The state will be reducing organic waste disposal by 75% by 2025. The city recently provided the Village with its first evaluation results and 4 of the 5 waste routes were in compliance. The non-compliant route was due to it containing 28% organic waste which exceeds 25%.
- Residents are encouraged to take advantage of the Friday yard clipping program by calling Resident Services at 949-597-4600 before noon on Thursday and the yard waste will be picked up Friday morning. Waste and clippings are to be placed on the curb by Thursday evening.
- Members are encouraged to submit keys to the key file program with resident services at the Community Center. This is to ensure that in case of emergency, authorized personnel may gain access to a unit to perform necessary maintenance repairs.

## 8. Open Forum (Three Minutes per Speaker)

*At this time members were allowed to address the Board of Directors regarding items not on the agenda.*

- Multiple members commented on the budgeting of the community.
- A member commented on recreational items.
- A member gave an update on the Foundation of Laguna Woods Village and explained how members can find assistance with financial hardships.
- A member commented on issues pertaining to Gate Access by guests.



- A member commented on vehicle charging station.
- A member commented on the difficulties on trying to sell her unit (fiduciary issue).
- A member commented on transfer fees.

## **9. Responses to Open Forum Speakers**

The following are responses to the open forum speakers:

- Multiple directors commented on contracting outside services.
- Director Hopkins commented on the budgeting process such as cost reduction and cost control.
- Multiple directors commented on vehicle charging stations.
- Multiple directors commented on renters and the responsibilities associated with it.
- Director Dotson commented on members becoming a board member and or as advisors to help better the community.
- President Carpenter commented on the member speaking at the wrong meeting.

## **10. Consent Calendar**

*All matters listed under the Consent Calendar were recommended for action by committees and were enacted by the board by one motion. In the event an item was removed from the Consent Calendar by members of the board, such item(s) would be the subject of further discussion and action by the board.*

### **Recommendation from the Finance Committee:**

**10a.** Consistent with its statutory obligations a subcommittee of the board consisting of the Treasurer and at least one other board member reviewed and approved preliminary Golden Rain Foundation financials for the month of July 2022, and by this vote ratified that such review be confirmed in this month's Board Member Open Session Meeting minutes.

Hearing no changes or objections, the Consent Calendar was approved by unanimous consent.

## **11. Unfinished Business**

**11a. Entertain a Motion to Approve Internal Dispute Resolution Policy for Nuisance Policy (JULY Initial Notification – revised August – 28 Days Notification for member review and comments to comply with Civil code §4360 has been satisfied).**

Director Milliman read the following resolution:

### **RESOLUTION 90-22-38**

#### **Internal Dispute Resolution Policy**

**WHEREAS**, the Board of Directors has recognized the need to adopt an Internal Dispute Resolution Policy; and

**WHEREAS**, the Internal Dispute Resolution (“IDR”) policy is to be followed by GRF and its Members in connection with disputes relating to the enforcement of the Governing Documents; and

**WHEREAS**, the law requires a fair, reasonable, and expeditious procedure for resolving such disputes, and further authorizes GRF to develop its own procedure for these purposes, known as “IDR” or “meet and confer”;

**NOW THEREFORE BE IT RESOLVED**, September 6, 2022, that the Board of Directors of this Corporation hereby approves the Internal Dispute Resolution Policy, as attached to the official minutes of this meeting; 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 Milliman made a motion to approve Resolution 90-22-38. Director Skillman seconded the motion.

Discussion ensued among the Directors.

Hearing no changes or objections, the motion was approved unanimously.

**11b. Inter-Board Anti-Harassment, Anti-Abuse, and Anti-Intimidation Policy and Formation of Joint Hearing Body (MAY Initial Notification – Revised August – 28 Days Notification for member review and comments to comply with Civil code §4360 has been satisfied).**

Director Milliman read the following resolution:

**RESOLUTION 90-22-39**

**Anti-Harassment, Anti-Abuse and Anti-Intimidation Policy and Charter of the Joint Hearing Body Committee**

**WHEREAS**, the Board of Directors of Golden Rain Foundation (“GRF”), United Laguna Woods Mutual (“United”), and Third Laguna Hills Mutual (“Third”) require a clear and consistent policy to address claims of harassment, abuse and intimidation by directors to staff of Village Management Services, Inc., fellow directors and residents, as well as claims involving harassment, abuse and intimidation by residents to staff of VMS, directors and other residents; and

**WHEREAS**, this Anti-Harassment, Anti-Abuse and Anti-Intimidation Policy (“Policy”) is intended to provide guidance relative to such behavior and issue a mechanism for addressing same by the Anti-Harassment, Anti-Abuse and Anti-Intimidation Joint



Hearing Body Committee; and

**WHEREAS**, this Policy is being adopted by the Board of Directors of GRF, United and Third in the exercise of their respective duties to maintain, protect and enhance the value and desirability of Laguna Woods Village and the interests of all of its members.

**NOW THEREFORE BE IT RESOLVED**, September 6, 2022, that the Board of Directors of this Corporation hereby approves the Anti-Harassment, Anti-Abuse and Anti- Intimidation Policy and Charter of the Joint Hearing Body Committee, as attached to the official minutes of this meeting; 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 Milliman made a request to make some typing corrections to the Policy.

Director Milliman made a motion to approve Resolution 90-22-39. Director Dotson seconded the motion.

Discussion ensued among the Directors.

- A member commented on a Compliance Disciplinary Matter.

Hearing no changes or objections, the motion was approved unanimously.

**11c. Entertain a Motion to Approve Garden Center Operating Rules (AUGUST Initial Notification – 28 Days Notification for member review and comments to comply with Civil code §4360 has been satisfied).**

Director Milliman read the following resolution:

**RESOLUTION 90-22-XX**

**Garden Center Operating Rules**

**WHEREAS**, the Board has set polices and operating rules for usage of GRF facilities; and

**WHEREAS**, the Recreation and Special Events Department oversees the use of facilities; and

**WHEREAS**, the Department is responsible for ensuring that safety and compliance procedures are followed, protect facilities and enforce policy and operating rules; and

**WHEREAS**, the proposed amendments improve the understandability of the policies and procedures and facilitates implementation by staff; and

**WHEREAS**, on June 9, 2022, the Community Activities Committee approved the amended Garden Center operating rules; and

**WHEREAS**, that this resolution supersedes and cancels resolution 90-16-55, adopted December 6, 2016;

**NOW THEREFORE BE IT RESOLVED**, September 6, 2022, that the Board of Directors of this Corporation hereby adopts the amended Garden Center operating rules; and

**RESOLVED FURTHER**, that the officers and agents of this corporation are hereby authorized to carry out this resolution as written.

Director Milliman made a motion to approve Resolution 90-22-XX. Director Horton seconded the motion.

- A member commented on the inaccuracy of the Staff Report of this item.
- A member commented about reconsidering removing “entertaining” events from the rules.

Discussion ensued among the Directors.

Director Milliman made a motion to send it back to the Committee for clarification and fine tuning. Director Karimi seconded.

Hearing no changes or objections, the motion was approved unanimously.

**11d. Entertain a Motion to Approve Tennis Center Operating Rules (AUGUST Initial Notification – 28 Days Notification for member review and comments to comply with Civil code §4360 has been satisfied).**

Director Milliman read the following resolution:

**RESOLUTION 90-22-40**

**Tennis Center Operating Rules**

**WHEREAS**, the Board has set polices and operating rules for usage of GRF facilities; and



**WHEREAS**, the Recreation and Special Events Department oversees the use of facilities; and

**WHEREAS**, the Department is responsible for ensuring that safety and compliance procedures are followed, protect facilities and enforce policy and operating rules; and

**WHEREAS**, the proposed amendments improve the understandability of the policies and procedures and facilitates implementation by staff; and

**WHEREAS**, on May 12, 2022, the Community Activities Committee approved the amended Tennis Center operating rules;

**NOW THEREFORE BE IT RESOLVED**, September 6, 2022, that the Board of Directors of this Corporation hereby adopts the amended Tennis Center operating rules; and

**RESOLVED FURTHER**, that the officers and agents of this corporation are hereby authorized to carry out this resolution as written.

Director Milliman made a motion to approve Resolution 90-22-40. Director Horton seconded the motion.

Discussion ensued among the Directors.

- Multiple members commented about the recreation reservation system and the surveys.

Hearing no changes or objections, the motion was approved unanimously.

#### **11e. Update Committee Appointments**

Director Milliman read the following resolution:

#### **RESOLUTION 90-22-41**

#### **GRF Committee Appointments**

**RESOLVED**, September 6, 2022, that the following persons are hereby appointed and ratified to serve on the Committees of this Corporation:

#### **Strategic Planning Committee**

Debbie Dotson, Chair (GRF)

James Hopkins (GRF)

Gan Mukhopadhyay, Alternate (GRF)

Mark Laws (Third)  
Nathaniel Ira Lewis (Third)  
Anthony Liberatore, Alternate (United)  
Cash Achrekar (United)  
Diane Casey (United)  
Ryna Rothberg (Mutual 50)  
Advisor: Dick Rader

**Community Activities Committee**

Yvonne Horton, Chair (GRF)  
Elsie Addington (GRF)  
Joan Milliman, Alternate (GRF)  
Annie McCary (Third)  
Cush Bhada (Third)  
Jules Zalon, Alternate (Third)  
Maggie Blackwell (United)  
Diane Casey (United)  
Ryna Rothberg, (Mutual 50)  
Advisors: Roland Boudreau, Ajit Gidwani

**Finance Committee**

James, Hopkins, Chair (GRF)  
Elsie Addington (GRF)  
Debbie Dotson, Alternate (GRF)  
Donna Rane-Szostak (Third)  
Mark Laws (Third)  
Azar Asgari (United)  
Diane Casey, Alternate (United)  
Pat English (United)  
Al Amado (Mutual 50)  
Sue Stephens, Alternate (Mutual 50)  
Advisor: Rosemarie diLorenzo

**Information Technology Advisory Committee (ITAC)**

James Hopkins, Chair (GRF)  
Bunny Carpenter (GRF)  
Deborah Dotson (GRF)  
Diane Casey (United)  
Cash Achrekar (United)  
Mark Laws (Third)  
Advisor: Sue Margolis

**Landscape Committee**

Juanita Skillman, Chair (GRF)



Reza Karimi (GRF)  
Yvonne Horton Alternate (GRF)  
Maggie Blackwell (United)  
Diane Casey (United)  
Jules Zalon (Third)  
Nathaniel Ira Lewis (Third)  
Annie McCary, Alternate (Third)  
Vacant (Mutual 50)  
Advisor: Lynn Jarrett

**Maintenance & Construction Committee**

Egon Garthoffner, Chair (GRF)  
Gan Mukhopadhyay (GRF)  
Reza Karimi, Alternate (GRF)  
James Cook (Third)  
John Frankel, Alternate (Third)  
Ralph Engdahl (Third)  
Cash Achrekar (United)  
Lenny Ross (United)  
Sue Stephens (Mutual 50)  
Advisors: Steve Leonard, Bill Walsh, Carl Randazzo, Ajit Gidwani

**Clubhouse Renovation Ad Hoc Committee**

Egon Garthoffner, Chair (GRF)  
Gan Mukhopadhyay (GRF)  
Deborah Dotson (GRF)  
Reza Karimi (GRF)  
John Frankel (Third)  
Cush Bhada, Alternate (Third)  
Ralph Engdahl (Third)  
Diane Casey (United)  
Pat English (United)  
Advisors: Ajit Gidwani, Carl Randazzo, Bill Walsh

**Media and Communications**

Joan Milliman, Chair (GRF)  
Juanita Skillman (GRF)  
Deborah Dotson, Alternate (GRF)  
Annie McCary (Third)  
James Cook (Third)  
Cris Prince, Alternate (Third)  
Neda Ardani (United)  
Maggie Blackwell (United)  
Ryna Rothberg, (Mutual 50)  
Advisors: Carmen Pacella, Tom Nash, Lucy Parker, Theresa Frost, Lynn Jarrett

**Website Ad Hoc Committee**

Joan Milliman, Chair (GRF)  
Debbie Dotson (GRF)  
Elsie Addington, Alternate (GRF)  
Anthony Liberatore (United)  
Pearl Lee (United)  
Annie McCary (Third)  
Mark Laws, Alternate (Third)  
Advisors: Lucy Parker, Diane Phelps, Lynn Jarrett

**Broadband Ad Hoc Committee**

Joan Milliman, Chair (GRF)  
Jim Hopkins (GRF)  
Debbie Dotson (GRF)  
~~Annie McCary (Third)~~  
Cris Prince (Third)  
Diane Casey (United)  
Maggie Blackwell (United)  
Jim Cook (Third)

**Mobility & Vehicles Committee**

Don Tibbetts, Chair (GRF)  
Egon Garthoffner (GRF)  
Elsie Addington, Alternate (GRF)  
James Cook, Alternate (Third)  
Cush Bhada (Third)  
John Frankel (Third)  
Maggie Blackwell (United)  
Pearl Lee (United)  
Margaret Bennett (Mutual 50)  
Sue Stephens, Alternate (Mutual 50)  
Advisor: Vashi Williams

**Security and Community Access**

Don Tibbetts, Chair (GRF)  
Reza Karimi (GRF)  
Annie McCary (Third)  
Cris Prince (Third)  
Donna Rane-Szostak, Alternate (Third)  
Cash Achrekar (United)  
Maggie Blackwell (United)  
Sue Stephens (Mutual 50)  
Margaret Bennett, Alternate (Mutual 50)

**OTHER COMMITTEES:**



**Disaster Preparedness Task Force**

~~Carlos Rojas, Chair~~ Eric Nunez, Chair

Juanita Skillman (GRF)  
Gan Mukhapadhyay (GRF)  
James Cook (Third)  
John Frankel (Third)  
Donna Rane-Szostak, Alternate (Third)  
Anthony Liberatore (United)  
Diane Casey (United)  
Cash Achrekar, Alternate (United)  
John Carter (Mutual 50)  
Advisors: Tom Soule, Bruce Bonbright

**Laguna Woods Village Traffic Hearings**

(Chair will alternate between Boards)  
Elsie Addington (GRF)  
Deborah Dotson, Alternate (GRF)  
John Frankel (Third)  
Mark Laws, Alternate (Third)  
Neda Ardani (United)  
Anthony Liberatore, Alternate (United)  
Board Members by Rotation (Mutual 50)

**Purchasing Ad Hoc Committee**

Bunny Carpenter, Chair (GRF)  
Jim Hopkins (GRF)  
Mark Laws (Third)  
Donna Rane-Szostak (Third) Ralph Engdahl, (Third)  
Diane Casey (United)  
Neda Ardani (United)  
Advisor: Carl Randazzo, Robert Mutchnick

**Select Audit Task Force**

James Hopkins (GRF)  
Diane Phelps (VMS)  
Cynthia Rupert (United)  
Peggy Moore (Third)

**Insurance Ad Hoc Committee**

Bunny Carpenter, Chair (GRF)  
Anthony Liberatore (United)  
Lenny Ross (United)  
Cash Achrekar (United)  
Cris Prince (Third)

Mark Laws (Third)  
Jim Cook (Third)  
Yvonne Horton (GRF)  
Reza Karimi (GRF)  
Juanita Skillman (GRF)  
Advisors: Leleng Isaacs, Kathryn Freshley, Bob Laux

**Compliance Ad Hoc Committee**

Maggie Blackwell (United)  
Pearl Lee (United)  
Mark Laws (Third)  
Annie McCary (Third)  
Bunny Carpenter (GRF)  
Joan Milliman (GRF)  
Juanita Skillman (GRF)  
Reza Karimi (GRF)

**RESOLVED FURTHER**, that Resolution 90-22-34 adopted August 2, 2022, 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 this resolution.

Director Milliman made a motion to approve Resolution 90-22-41. Director Horton seconded the motion.

Discussion ensued among the Directors.

Hearing no changes or objections, the motion was approved, as amended, unanimously.

**12. New Business**

**12a. Entertain a Motion to Approve Vehicle Replacement Policy (SEPTEMBER initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)**

Director Milliman read the following resolution:

**RESOLUTION 90-22-XX**

**Vehicle Replacement Policy**

**WHEREAS**, on November 21, 2005, by way of direction from the Maintenance and Construction Committee, a policy was set forth to purchase new vehicles for the Golden Rain Foundation vehicle fleet; and

**WHEREAS**, the Board recognizes there may be situations where purchasing used



vehicles or leasing vehicles may result in long term cost savings; and

**WHEREAS**, revising the policy will allow the Vehicle Maintenance Division to evaluate each class of vehicles to determine if purchasing used vehicles or leasing vehicles will produce long term cost savings; and

**WHEREAS**, the Board recognizes the need to establish guidance related to how vehicles are scheduled to be replaced, criteria for purchasing vs. leasing, criteria for purchasing used vehicles, and criteria for purchasing hybrid and electric vehicles;

**NOW THEREFORE BE IT RESOLVED**; October 4, 2022, that the Board of Directors of this Corporation hereby approves the Vehicle Replacement Policy, as attached to the official minutes of this meeting; and

**RESOLVED FURTHER**, that Resolution 90-11-55, adopted June 7, 2011, 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 the purpose of this resolution.

Robert Carroll, General Services Director presented Vehicle Replacement Policy.

Director Milliman made a motion to approve the Resolution for discussion purposes and to postpone the final vote for 28-days per Civil Code §4360. Director Skillman seconded the motion.

Discussion ensued among the board.

There being no objections, the motion was approved unanimously. **(SEPTEMBER Initial Notification - postpone 28-days for Member review and comment to comply with Civil Code §4360).**

**THE BOARD RECESSED at 11:27 A.M. AND RECONVENED AT 11:40 A.M.**

**12b. Entertain a Motion to Approve Golf Fee Pricing (SEPTEMBER initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)**

**Steve Hormuth, presented Golf Fee Pricing.**

Director Milliman read the following resolution:

**RESOLUTION 90-22-XX**

**Golf Fee Pricing**

**WHEREAS**, resolutions 90-12-132, 90-18-03, 90-12-12 and 90-16-18 established guidelines for shared costs and fees; certain fees can be imposed upon users of various recreational facilities to control crowding, mitigate over-usage, and recover operating costs; and

**WHEREAS**, the golf fees administered by the Golden Rain Foundation of Laguna Woods Board of Directors adhere to the Shared Cost Guidelines established in Resolution 90-12-132, whereby certain fees can be imposed upon users of various recreation facilities in order to control crowding and minimize over-usage, and to recover operating costs; and

**WHEREAS**, every two years (even numbered years), staff will compare golf revenues earned through fees to expenses incurred. Staff will then propose fee changes (increase/decrease) to ensure the shared costs stay within a set percentage; and

**WHEREAS**, Staff recommends the percent of golf expenses to be funded by fees shall equal approximately 70% - 75% while the percentage of costs to be shared by all residents shall equal approximately 25% - 30%; and

**WHEREAS**, the proposed 2023 revenues \$2,771M include Golf Green Fee increases listed in the table below:

Green Fees	DESCRIPTION	2022 Fee	2023 Fee Proposed	Change
27 Hole Course	Members	\$16.00	\$20.00	\$4.00
18 Holes	Guests, Weekday	\$35.00	\$40.00	\$5.00
	Guests, Weekend	\$55.00	\$60.00	\$5.00
27 Hole Course	Members	\$8.00	\$10.00	\$2.00
9 Holes	Guests, Weekday	\$18.00	\$20.00	\$2.00
	Guests, Weekend	\$28.00	\$30.00	\$2.00
Par 3 Course	Members	\$10.00	\$10.00	\$0.00
18 Holes	Guests	\$16.00	\$20.00	\$4.00
Par 3 Course	Members	\$6.00	\$6.00	\$0.00
9 Holes	Guests	\$8.00	\$10.00	\$2.00

; and

**WHEREAS**, at the August 11, 2022, CAC meeting, the committee recommended the proposed Schedule of Golf Fees, inclusive of changes to green fees for members and guests, with an effective date of January 1, 2023; and



**WHEREAS**, at the August 17, 2022, Finance Committee meeting, the committee affirmed the CAC recommendation of the proposed Schedule of Golf Fees, inclusive of changes to green fees for members and guests, with an effective date of January 1, 2023;

**NOW THEREFORE BE IT RESOLVED**, October 4, 2022, that the Board of Directors of this Corporation hereby adopts the proposed Schedule of Golf Fees, inclusive of changes to green fees for members and guests, with an effective date of January 1, 2023; and

**RESOLVED FURTHER**, that the officers and agents of this corporation are hereby authorized to carry out this resolution as written.

Director Milliman made a motion to approve the Resolution for discussion purposes and to postpone the final vote for 28-days per Civil Code §4360. Director Dotson seconded the motion.

Discussion ensued among the board.

- Multiple members commented on their dissatisfaction with the potential raise in golf course fees.

There being no objections, the motion was approved by a 9-1-1 vote. Director Mukhopadhyay voted against. Director Addington abstained. (SEPTEMBER Initial Notification - postpone 28-days for Member review and comment to comply with Civil Code §4360).

#### **12c. 2023 Business Plan**

- **Entertain a Motion to Approve the 2023 GRF Business Plan**
- **Entertain a Motion to Approve the 2023 GRF Reserves Funding Plan**

Director Milliman read the following resolution:

#### **RESOLUTION 90-22-42**

#### **2023 Business Plan Resolution**

**RESOLVED**, September 6, 2022, that the Business Plan of this Corporation for the year 2023 is hereby adopted and approved; and

**RESOLVED FURTHER**, that pursuant to said Business Plan, the Board of Directors of this Corporation hereby estimates that the sum of \$43,110,285 will be required by the Corporation to meet its annual expenses of operation for the year 2023. Additionally, \$2,598,144 is planned for reserve contributions and contingency fund contributions



have been eliminated. After deducting \$1,528,320 derived from prior years' surplus and the sum of \$10,356,706 expected to be received from various sources as revenue during 2023, the Board of Directors hereby estimates that the net sum of \$33,823,403 will be required to be paid by the Corporation members in accordance with the terms of that certain Trust Agreement dated March 2, 1964, as amended, and the bylaws of the Corporation; and

**RESOLVED FURTHER**, that this Corporation shall charge each member the sum of \$221.31 per month per membership of said Corporation, for its share of the aforesaid net expenses and reserve contributions for the year 2023; 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 Milliman made a motion to approve the 2023 Business Plan Resolution 90-22-42. Director Skillman seconded the motion.

Discussion ensued among the Directors.

Hearing no changes or objections, the motion was approved unanimously.

Director Milliman read the following resolution:

### **RESOLUTION 90-22-43**

#### **2023 Reserves Funding Plan Resolution**

**WHEREAS**, Civil Code § 5570 requires specific reserve funding disclosure statements for associations; and

**WHEREAS**, planned assessments or other contributions to replacement reserves must be projected to ensure balances will be sufficient at the end of each year to meet the association's obligations for repair and/or replacement of major components during the next 30 years;

**NOW THEREFORE BE IT RESOLVED**, September 6, 2022, that pursuant to Civil Code § 5570 the Board hereby adopts the 30-Year Reserve Funding Plans (attached) prepared by Association Reserves™ for fiscal year 2023; 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 Milliman made a motion to approve the 2023 Reserves Funding Plan Resolution 90-22-43. Director Karimi seconded the motion.

Discussion ensued among the Directors.

Hearing no changes or objections, the motion was approved unanimously.

**12d. Entertain a Motion to Approve the 2023 Capital Plan**

Director Milliman read the following resolution:

**RESOLUTION 90-22-44**

**2023 Capital Plan Resolution**

**RESOLVED**, September 6, 2022, that the Capital Reserve Expenditures Plan of this Corporation for the year 2023 is hereby adopted and approved; and

**RESOLVED FURTHER**, that pursuant to said Business Plan, the sum of \$8,159,245 is hereby authorized to be expended in 2023 for the purposes provided therein, of which \$5,831,685 is designated from the Equipment Fund and \$2,327,560 from the Facilities Fund; 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 Milliman made a motion to approve the 2023 Capital Plan Resolution 90-22-44. Director Dotson seconded the motion.

Discussion ensued among the Directors.

Hearing no changes or objections, the motion was approved unanimously.

**12e. Entertain a Motion to Approve Transfer of 2023 Operating Fund Surplus to Contingency Fund (SEPTEMBER initial notification – 28-day notification for member review and comments to comply with Civil Code §4360)**

Steve Hormuth, Director of Financial Services presented Transfer of 2023 Operating Fund Surplus to Contingency Fund.

Director Milliman read the following resolution:

**RESOLUTION 90-22-XX**

**Transfer of 2023 Operating Fund Surplus to Contingency Fund**

**WHEREAS**, in accordance with California Civil Code, a Common Interest Development



shall not retain significant operating surplus (funds that are not needed to defray current operating costs); and

**WHEREAS**, The Golden Rain Foundation Balance Sheet as of December 31, 2021, reflected an operating surplus from prior year in the amount of \$964,180 (net of depreciation) and the Board desires to return this amount to the members by way of a transfer to the Contingency Fund;

**NOW THEREFORE BE IT RESOLVED**, October 4, 2022, that the Board of Directors of this corporation hereby authorizes the transfer of \$964,180 from accumulated operating surplus to the Contingency Fund; 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 Milliman made a motion to approve the Transfer of 2023 Operating Fund Surplus to Contingency Fund Resolution for discussion purposes and to postpone the final vote for 28-days per Civil Code §4360. Director Addington seconded the motion.

Discussion ensued among the board.

- A member commented on this item.

There being no objections, the motion was approved unanimously. (SEPTEMBER Initial Notification - postpone 28-days for Member review and comment to comply with Civil Code §4360).

**THE BOARD RECESSED FOR 5 MINUTES PRIOR TO DISCUSSION OF ITEM 12B**  
**13. The Board took a 5-minute break – None**

Director Skillman made a motion to accept the written reports for Items 14b to 14l in the Agenda packet. Director Karimi seconded.

There being no objections, the motion was approved unanimously.

Director Hopkins discussed item 14a.

**14. Committee Reports**

- a. Report of the Finance Committee/Financial Reports – Director Hopkins. The committee met on August 17, 2022; next meeting October 19, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
  - (1) GRF Treasurer's Report – Director Hopkins
  - (2) GRF Finance Committee Report



- b. Strategic Planning Committee—Director Dotson. The committee met on May 2, 2022; next meeting October 3, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- c. Report of the Community Activities Committee – Director Horton. The committee met on August 11, 2022; next meeting September 8, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- d. Report of the Landscape Committee – Director Skillman. The committee met on June 8, 2022; next meeting September 14, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
- e. Report of the Maintenance & Construction Committee – Director Garthoffner. The committee met on August 10, 2022; next meeting October 12, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.
  - (1) Report of the Clubhouse Renovation Ad Hoc Committee – Director Garthoffner. The Committee met on June 24, 2022; next meeting TBA.
- f. Report of the Media and Communications Committee—Director Milliman. The committee met on July 18, 2022; next meeting September 19, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
  - (1) Website Ad-Hoc Committee – Director Milliman. The committee met on August 10, 2022; Next meeting, September 14, 2022, at 3:00 p.m. in the Sycamore Room.
- g. Report of the Mobility & Vehicles Committee – Director Tibbetts. The Committee met on August 3, 2022; next meeting October 5, 2022, at 1:30 p.m. in the Board Room.
- h. Report of the Security & Community Access Committee – Director Tibbetts. The Committee met on August 29, 2022; next meeting October 31, 2022, at 1:30 p.m. in the Board Room and as a virtual meeting.
  - (1) Report of the Laguna Woods Village Traffic Hearings – Director Addington. The Traffic Hearings were held on August 17, 2022; next hearings on September 21, 2022, at 9:00 a.m. as a virtual meeting.
- i. Report of the Disaster Preparedness Task Force – Director Skillman. The Task Force met on July 26, 2022; next meeting September 27, 2022, at 9:30 a.m. in the Board Room and as a virtual meeting.
- j. Information Technology Advisory Committee – Director Hopkins. The Committee met on August 26, 2022; next meeting September 30, 2022, as a virtual meeting.
- k. Insurance Ad-Hoc Committee – Director Carpenter. The Committee met on July 25, 2022; next meeting TBA.
- l. Purchasing Ad-Hoc Committee – Director Carpenter. The Committee last met on April 7, 2022; next meeting TBA.

**15. Future Agenda Items** - *All matters listed under Future Agenda Items are Resolutions on 28-day public review or items for a future Board Meetings. No action will be taken by the Board on*

*these agenda items at this meeting. The Board will take action on these items at a future Board Meeting.*

- Vehicle Replacement Policy
- Golf Fees
- Transfer of 2021 Operating Fund Surplus to Contingency Fund
- Compliance Ad Hoc Committee

**16. Director's Comments – None**

**17. Recess 1:30 p.m.** - *At this time, the Meeting recessed for lunch and reconvened to Executive Session to discuss the following matters per California Civil Code §4935: Member Disciplinary Matters; Personnel Matters; Contractual Matters; and Litigation Matters.*

**Closed Session Agenda**

*VMS Board Update*

*Approve the Agenda*

*Approve the Minutes of:*

*(a) August 2, 2022 – Regular Closed Session*

*Discuss and Consider Personnel Matters*

*Discuss and Consider Contractual Matters*

*Discuss Legal/Legislation Matters*

*Discuss Member Disciplinary Matters*

**18. Adjournment**

The meeting was adjourned at 4:55 p.m.

  
Joan Milliman, Secretary of the Board  
Golden Rain Foundation



### **Internal Dispute Resolution Policy**

Resolution 90-22-38; Adopted September 6, 2022

In accordance with Civil Code Sections 5900 et seq., the Board of Directors of the Golden Rain Foundation ("GRF") has adopted the following Internal Dispute Resolution ("IDR") policy and procedure to be followed by GRF and its Members in connection with disputes relating to the enforcement of the governing documents, following the Davis-Stirling Common Interest Development Act, and following the Nonprofit Mutual Benefit Corporation Law. The law requires a fair, reasonable, and expeditious procedure for resolving disputes, and further authorizes GRF to develop its own procedure for these purposes, known as "IDR" or "meet and confer." This IDR policy supplements and does not replace alternative dispute resolution ("ADR") under Civil Code Sections 5925 et seq.

1. The Internal Dispute Resolution ("IDR") process provides GRF as well as all Members an alternative to costly, formal Alternative Dispute Resolution ("ADR") (such as mediation, arbitration or other non-judicial process involving a neutral third party decision maker) and prior to the filing of any litigation related to a dispute involving their respective rights, duties or liabilities under GRF's governing documents, the Davis-Stirling Common Interest Development Act, and the Nonprofit Mutual Benefit Corporation Law.
2. Either party (GRF or a Member(s)) to a dispute may invoke the following procedure:
  - a. The party may request the other party to meet and confer, in an effort to resolve the dispute. The request shall be in writing and shall include a brief description of the dispute between the parties.
  - b. A Member may refuse a request to meet and confer. GRF may not refuse a Member's request to meet and confer.
  - c. In response to a dispute involving GRF, the Board will designate at least two Directors ("GRF Designees") to represent GRF and meet and confer with the Member. The GRF Designees shall also have the right to request the Chairperson of any applicable Committee interested in the dispute to assist GRF and attend the meet and confer session with the Member.
  - d. GRF shall respond to a Member or Members' request for IDR within thirty (30) days of receipt of the written request to meet and confer.



Although Members are not required to participate in IDR, in the event the Member does not respond to GRF's request to participate in IDR within thirty (30) days of the written request, or any other time period specified in the request, the same will be deemed rejected.

- e. IDR meetings will be held at a mutually agreeable date, time and location. To the extent conference rooms are available, and if the requesting Members provide GRF a minimum of ten (10) business days' advance notice, GRF will make its best efforts to provide a conference room in the Community Center for the IDR meeting.
  - f. IDR meetings will be scheduled for up to one hour in length, unless extended by prior written agreement of the parties. By requesting or agreeing to participate in IDR, the parties agree to commit up to one hour to the IDR meeting.
3. A Member participating in IDR may be assisted by an attorney or another person in explaining their position at the Member's sole cost; GRF may also be assisted by legal counsel or another person at GRF's cost. Although a Member is permitted to bring an attorney or other representative to the IDR meeting, GRF encourages direct discussions between GRF Designees and the Member, without legal counsel, to further the goal of resolution through an amicable, no cost, and expeditious process.
4. If Member desires to bring their attorney to the IDR meeting, the Member shall give no less than ten (10) business days' advance written notice to the other parties, including GRF, so that the other parties may make arrangements to have their respective legal counsel attend. If the other parties' legal counsel is not available on the originally scheduled IDR meeting date/time, the meeting must be rescheduled to a mutually convenient date, time and location. Failure of Member to timely advise if they are bringing legal counsel shall result in postponement of the IDR meeting to a date at which GRF's counsel or the counsel of any other party is able to participate. If Member appears at the IDR meeting with unannounced counsel, the IDR will not proceed at the scheduled date and time but will be rescheduled.
5. At the IDR meeting, the parties will explain their positions to each other and confer in good faith in an effort to resolve the dispute. The IDR will be cancelled after 15 minutes if not all parties are present and there is no notification of late arrival.
6. Any resolution of the dispute agreed to by the parties shall be memorialized in writing and signed by all participating parties, including, the GRF Designees.

7. An agreement reached by the Member(s) and the GRF Designees will bind the parties and be judicially enforceable if the following conditions are satisfied.
  - a. The agreement is in writing and signed by all parties participating in the IDR;
  - b. The agreement is not in conflict with law or GRF's Governing Documents; and
  - c. The agreement is consistent with the authority granted in advance to the GRF Designees by the Board or is ratified by the Board of Directors within thirty (30) days of the date that the agreement is executed by the Member and the GRF Designees.
8. The Member participating in the IDR shall not be charged a fee to participate in the IDR.
9. All parties participating in the IDR should note that the goal of the meeting is not to determine who is right or who is wrong, nor does IDR determine a "winner." The purpose of the IDR meeting is to try to find a compromise between the disputing parties, and thereby enhance neighborliness and harmony. Therefore, parties participating should come to the IDR meeting with an open mind and prepared to be flexible in dealing with other parties to the IDR in good faith.



**Golden Rain Foundation, United Laguna Woods Mutual and Third Laguna Hills Mutual  
Joint Hearing Body Committee  
Anti-Harassment, Anti-Abuse and Anti-Intimidation Policy  
Resolution 90-22-39; Adopted September 6, 2022**

**I. Purpose**

Harassment, abuse and intimidation is strictly prohibited in the community. The boards of directors of Golden Rain Foundation ("GRF"), Third Laguna Hills Mutual ("Third"), United Laguna Woods Mutual ("United") and Village Management Services ("VMS") require a clear and consistent policy to address claims of harassment, abuse and intimidation. This Anti-Harassment, Anti-Abuse and Anti-Intimidation Policy ("Policy") provides guidance relative to such behavior and guidelines for addressing same by the Anti-Harassment, Anti-Abuse and Anti-Intimidation Joint Hearing Body Committee.

This policy applies to:

- a. Members;
- b. Residents;
- c. GRF, United, Third and VMS board directors and advisors; and
- d. Member or resident guests.

The claims of harassment, abuse and/or intimidation may be against:

- a. Members;
- b. Residents;
- c. GRF, Third, United and VMS board of directors and advisors;
- d. Member or resident guests; and
- e. VMS employees.

VMS investigates incidents of harassment, abuse and/or intimidation from an employer's standpoint pursuant to the VMS Anti-Harassment Policy, and by necessary implication, there will be overlap when an employee is harassed by any of the foregoing and vice-versa.

This Policy has been adopted by the boards of directors of GRF, Third and United in the exercise of their respective duties to maintain, protect and enhance the value and desirability of Laguna Woods Village and the interests of all of its members.

**II. Definitions**

- a. Abuse - See details under Conditions for Abuse.
- b. Anti-Harassment, Anti-Abuse and Anti-Intimidation Joint Hearing Body Committee ("Committee") - A hearing body formed via charter by the boards of directors of GRF, Third and United to address claims of harassment, abuse and intimidation by



- members; residents; GRF, Third, United and VMS boards of directors and advisors; and member or resident guests. Claims may involve members; residents; GRF, Third, United and VMS boards of directors and advisors; member or resident guests; and VMS employees.
- c. Community - Laguna Woods Village, including, but not limited to, the community center, gate houses, clubhouses and amenities.
  - d. Claimant - Member, resident, board member, advisor, member or resident guest who submits a claim of alleged harassment, abuse and/or intimidation (“claim”) involving member, resident, board member, advisor, member or resident guest, and/or employee.
  - e. Director - A board member from GRF, Third, United or VMS boards of directors.
  - f. Governing documents - All of the following, collectively: articles of incorporation, bylaws, CC&Rs, rules and regulations, and resolutions or policies duly adopted by boards of directors of United (including occupancy agreement), GRF and Third; all as may be lawfully amended or modified from time to time.
  - g. Harassment - See details under Conditions for Harassment.
  - h. Intimidation - See details under Conditions for Intimidation.
  - i. Member - Any person who is an owner of a unit in Third’s or United’s development who has been approved for membership in Third or United in accordance with the governing documents.
  - j. Resident - An approved occupant of a residence in Laguna Woods Village.
  - k. Respondent - Member, resident, board member, advisor, member or resident guest, or employee who is the subject of harassment, abuse and/or intimidation claim.
  - l. Staff - Employees of VMS authorized to act on behalf of GRF, Third and United.

### **III. Conditions for Harassment**

Below are various definitions and descriptions of harassment under both federal and California law:

- a. Federal law: Under federal law, “harassment” is defined to mean “a serious act or a course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose” (18 U.S.C.A. §1514[d][1][B]).
- b. California law: California Law: California defines “harassment” as unlawful violence, a credible threat of violence or a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys or harasses that person, and that serves no legitimate purpose (Code of Civil Procedure §527.6[b][3]).
- c. Department of Housing and Urban Development (HUD) “Final Rule”: Recent federal regulations/guidelines enacted by the Department of Housing and Urban Development (HUD) impose certain obligations on GRF, United and Third with regard to the investigation and treatment of reported harassment. The new guidelines, adopted in August 2016, were enacted in an effort to further define and address housing discrimination in the form of harassment. In that regard, HUD’s new guidelines now deem any form of harassment in housing or within housing developments a form of illegal discrimination. Based on HUD’s guidelines, homeowners’ associations, including GRF, United and Third, are considered housing

providers, and as such are required to evaluate alleged harassment to investigate whether a resident is being subjected to harassment to the extent that it may amount to illegal housing discrimination. Pursuant to the guidelines, GRF, United and Third are required to investigate all reported claims of potential harassment of residents and, as appropriate, take all action permitted under the governing documents to address such harassing behavior (24 CFR 100.600).

#### **IV. Conditions for Abuse**

Below are various definitions and descriptions of abuse under both federal and California law:

- a. Federal law: Under federal law, “abuse” is defined to mean “the knowing infliction of physical or psychological harm or the knowing deprivation of goods or services that are necessary to meet essential needs or to avoid physical or psychological harm” (42 USC §1397[j]).
- b. California law: Under California law, “abuse” includes, but is not limited to, intentionally or recklessly causing or attempting to cause bodily injury, sexual assault and placing a person in reasonable apprehension of imminent serious bodily injury to that person or to another. Abuse is not limited to the actual infliction of physical injury or assault (Family Code §6203). For purposes of this Policy, “abuse” also includes conduct that creates a hostile work environment as defined under California law.

#### **V. Conditions for Intimidation**

Below are various definitions and descriptions of intimidation under both federal and California law:

- a. Federal law: Under Federal law, “intimidation” is defined to mean “a serious act or course of conduct directed at a specific person that (i) causes fear or apprehension in such person; and (ii) serves no legitimate purpose” (18 USC §1514[d][1]).
- b. California law: Under California law, the definition of “intimidation” was noted “to make timid or fearful; to inspire or affect with fear; to make fearful; to frighten ... to deter, as by threats. ...” (In re Bell, 19 Cal. 2d 488, 122 P.2d 22 [1942][dissent]).

#### **VI. Examples of Harassment, Abuse and/or Intimidation**

Examples of harassment, abuse and/or intimidation in community, subject to review and interpretation by committee, may include:

- a. Physical intimidation;
- b. Threatening bodily harm or to harm one’s property;
- c. Discriminatory shouting and yelling;
- d. Stalking, such as following someone around to intimidate or “make a point”;
- e. Disrupting organized activities in progress, including board and committee meetings;
- f. Entering the second floor of the community center without escort or pass with intent to disrupt operations;
- g. Interfering, instructing or otherwise disrupting the work of vendors or staff;
- h. Unreasonable, hostile and/or telephone calls and/or emails without a legitimate purpose to a resident, vendor or staff;

- i. Disparaging someone;
- j. Humiliating someone; and/or
- k. Other behavior that the ordinary person would find unreasonable and/or threatening.

## **VII. Reporting Harassment, Abuse and/or Intimidation Claims**

To report a claim, members; residents; GRF, United, Third and VMS board directors and advisors; member and resident guests; and/or VMS employees may contact:

- a. Security Department
  - i. By telephone: 949-580-1400
- b. Compliance Division
  - i. By telephone: 949-268-2255; or
  - ii. Via email: [compliance@vmsinc.org](mailto:compliance@vmsinc.org)

Staff ~~will~~may inform the claimant to call the Security Department for documentation of the reported harassment, abuse and/or intimidation. Staff may also inform the claimant to call the Orange County Sheriff's Department ("OCSD") if harassment, abuse and/or intimidation occur.

## **VIII. Assessment of Harassment, Abuse, and/or Intimidation Claims**

Upon receipt of claim by Security Department or Compliance Division, the following steps will occur:

- a. Security Director informs CEO/General Manager ("CEO") and Human Resources ("HR") Director of claim.
- b. CEO confers with Security Director and HR Director to determine if claim may involve harassment, abuse and/or intimidation and requires further action;
  - i. If claim does not meet definition of harassment, abuse and/or intimidation, ~~Compliance Division reviews claim for other possible governing document violations and initiates enforcement action, if needed~~no further action is taken.
  - ii. If claim meets definition of harassment, abuse and/or intimidation, claim will be investigated by third party or internally by Security Director or designee.
- c. CEO may implement interim administrative actions to prevent employee harassment, abuse and/or intimidation during investigation depending on facts/governing documents. Actions must not interfere with resident's rights.

## **IX. Investigation of Harassment, Abuse and/or Intimidation Claims**

- a. If claim involves member, resident, board member, advisor, member or resident guest, investigator at direction of Security Director gathers sufficient evidence to determine whether prohibited conduct occurred (harassment, abuse and/or intimidation);
- b. If claim involves employee, investigator at direction of HR Director gathers sufficient evidence to determine whether prohibited conduct occurred (harassment, abuse and/or intimidation). VMS investigates claims from an employer's standpoint pursuant to federal and state laws regarding employees and the VMS Anti-Harassment Policy and confirmed cases of harassment, abuse and intimidation by necessary implication, there will be overlap when an employee is harassed by a



member, board member and/or advisor. VMS will investigate harassment to determine what action must be taken to protect employee while investigation results will be shared with the committee to determine what action to take against the member, board member or advisor. VMS and the committee must be able to share information and the sharing of such information is therefore expressly authorized for this purpose.

- c. Legal counsel reviews investigative report to confirm findings meet legal definition(s) of harassment, abuse and/or intimidation. If claim does not meet the definition(s), ~~Compliance Division reviews claim for other possible governing document violations and initiates enforcement action, if needed~~ no further action is taken.

**X. If Harassment, Abuse and/or Harassment Claim Substantiated by Investigation – Member, Resident, Board Member, Advisor, Member or Resident Guest**

- a. Pursuant to Civil Code §5855 and applicable governing documents, Compliance Division issues notice of hearing with committee to respondent, including summary of evidence;
  - i. When respondent is board member or advisor, ~~two~~ any committee members from defendant's board do not participate in hearing. Four committee members from other boards hear and render decision on case.
- b. During disciplinary hearing, respondent has right to meet before committee in executive session.
- c. If committee finds respondent in violation of policy, committee may impose fine, suspend member privileges and/or consider legal action.
- d. Any respondent found to have violated policy may be removed as officer of their board, if serving as such, or from any committee they serve by their respective board (e.g., GRF, Third, United and VMS).

**XI. Appeal of Committee Decision - Member, Resident, Board Member, Advisor, Member or Resident Guest**

- a. Committee disciplinary decisions against respondent are subject to appeal to their respective corporation's board. If VMS board member is respondent, appeal would be to mutual board in which respondent resides.
  - i. When defendant is board member or advisor, ~~two~~ any committee members from board who did not participate in committee hearing would participate in appeal hearing with full board.

**XII. If Harassment, Abuse and/or Harassment Claim Substantiated by Investigation – Employee**

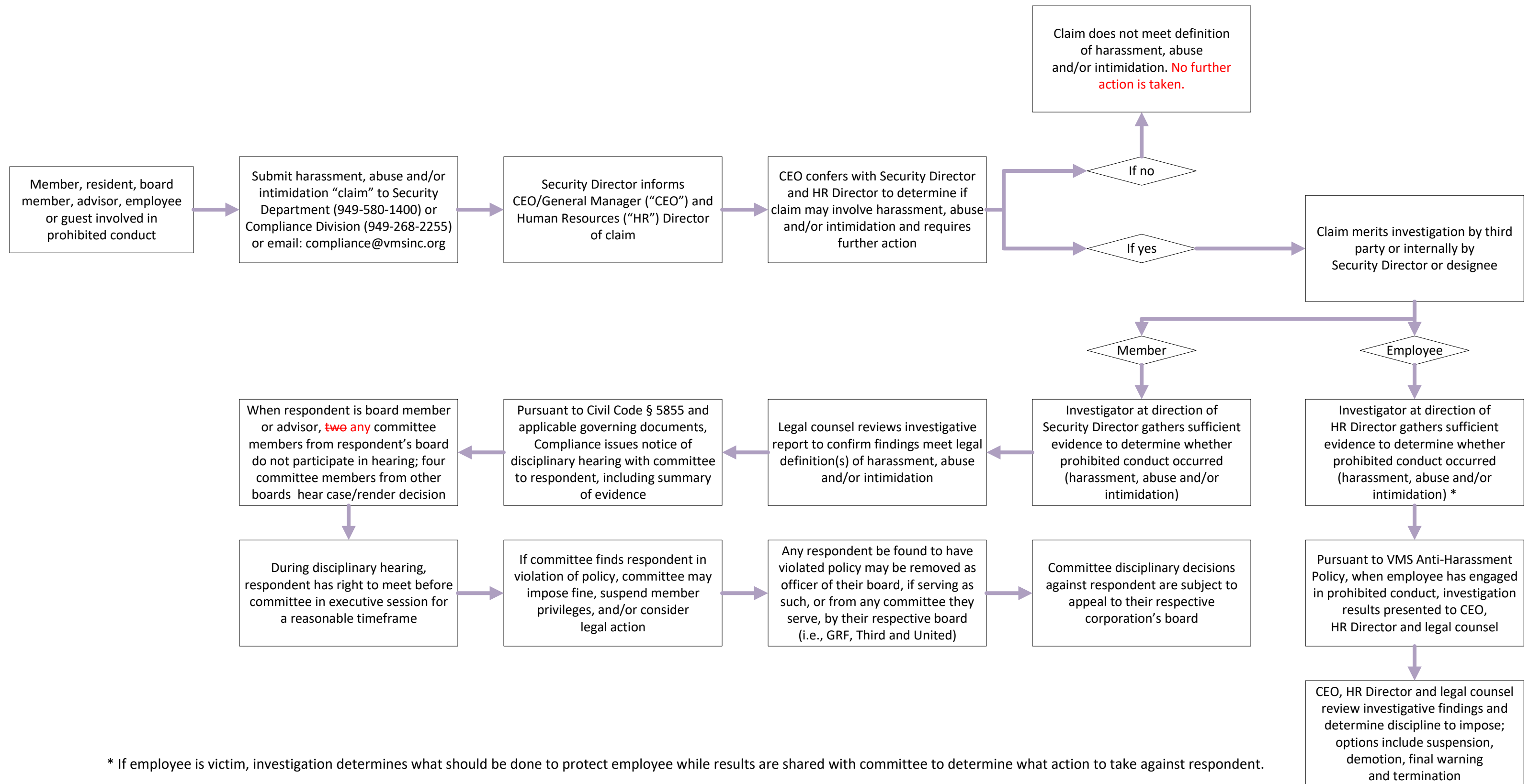
- a. Pursuant to VMS Anti-Harassment Policy, when employee has engaged in prohibited conduct (harassment, abuse and/or intimidation), investigation results presented to CEO, and HR Director and legal counsel.
- b. CEO, HR Director and legal counsel review investigative findings and determine discipline to impose including suspension, demotion final warning and/or termination.

**Attachments (for reference only):**

~~ATT 1: Member Disciplinary Process (with footnote that it is subject to change and if it changes, the policy will reflect the updated disciplinary process)~~

~~ATT 2: Schedule of Monetary Penalties (with footnote that it is subject to change and if it changes, the schedule will reflect the updated penalties)~~

# Inter-Board Anti-Harassment, Anti-Abuse and Anti-Intimidation Policy (“policy”) – Flow Chart







**Golden Rain Foundation, United Laguna Woods Mutual and Third Laguna Hills Mutual  
Anti-Harassment, Anti-Abuse and Anti-Intimidation Policy  
Charter of Joint Hearing Body Committee**

**I. Introduction**

This Charter of the Anti-Harassment, Anti-Abuse and Anti-Intimidation Policy (“Charter”) serves to create the Joint Hearing Body Committee (“committee”) for the Golden Rain Foundation (“GRF”), Third Laguna Hills Mutual (“Third”) and United Laguna Woods Mutual (“United”) pursuant to:

- a. Article VIII of the Amended and Restated Bylaws (“Bylaws”) of GRF and California Corporations Code Section 7212, the board of directors of GRF is entitled to create committees to assist it in the execution of their powers and duties;
- b. Article VII, Section 1 of the Amended and Restated Bylaws (“Bylaws”) of Third and California Corporations Code Section 7212, the board of directors of Third is entitled to create committees to assist it in the execution of their powers and duties; and
- c. Article VIII, Section 1 of the Amended and Restated Bylaws (“Bylaws”) of United and California Corporations Code Section 7212, the board of directors of United is entitled to create committees to assist it in the execution of their powers and duties.

**II. Purpose**

The committee (as defined in Article III) will serve as a hearing body to address claims of harassment, abuse and intimidation (“claims”) by:

- a. Members;
- b. Residents;
- c. GRF, Third, United and Village Management Services (VMS) boards of directors and advisors; and
- d. Member or resident guests.

Claims of harassment, abuse and intimidation may be against:

- a. Members;
- b. Residents;
- c. GRF, Third, United and VMS boards of directors and advisors;
- d. Member or resident guests; and
- e. VMS employees.

The committee will interface with the GRF, Third, United and VMS boards of directors, as well as VMS, legal counsel and other relevant individuals, and impose discipline and/or recommendations, as appropriate.

**III. Committee**

- a. Composition:
  - i. Committee shall be comprised of six members including two directors from each of GRF, Third and United boards of directors. VMS board is not represented on committee, as VMS board members are appointed by GRF, Third and United.
  - ii. When respondent is a board director or advisor to GRF, Third or United, ~~the~~ two any members of the committee from the respondent's board will not participate in the hearing. The four committee members from the other boards will hear and render a decision on the case, preserving ~~the two~~ any committee members' ability to hear a possible appeal that would be heard by the full board.
- b. Eligibility: Committee members must be in "good standing" at all times, defined as the following and the respective policies of each board, Resolution 90-xx-xx, 03-xx-xx, and 01-xx-xx:
  - i. Current in the payment of assessments and all other financial obligations to their respective organization, i.e., GRF, United and Third;
  - ii. No outstanding violations of the governing documents of their respective organization, as determined by their respective board;
  - iii. No active dispute, including pending claims, dispute resolution, litigation or the like between the committee member and their respective organization or board or VMS; and
  - iv. Committee members must attend committee meetings regularly and not have missed three consecutive board meetings.
- c. Term:
  - i. Committee membership shall be concurrent with each member's term on their respective board of directors to which they have been elected or appointed.
  - ii. Committee members serve at pleasure of their respective board to which they have been elected or appointed to serve on committee and may be removed with or without cause, at any time, in sole discretion of their respective board.

**IV. Scope of Authority – Powers of Committee**

- a. Mission: Committee is formed to serve as hearing body to address claims submitted by members, residents, board members and advisors, and member or resident guests. Claims may involve members, residents, board members and advisors, member or resident guests, and VMS employees.
- b. Review: Committee has the power and authority to review claims, investigative reports and interface with the boards of directors of GRF, United and Third, as well as VMS, legal counsel and other relevant individuals.
- c. Impose discipline: Committee shall have authority to impose discipline against the respondent, subject to notice and hearing procedures, pursuant to rules, regulations and fine and enforcement policy duly adopted by the boards of GRF, United and Third.

**V. Scope of Authority – Committee Member Compensation and Conduct**

No committee member shall receive compensation of any kind for participation on the committee.

**VI. Scope of Authority – Meetings**

- a. Meetings: Committee shall meet as necessary and as required to perform its duties privately in executive session to maintain confidentiality.
- b. Meeting minutes: Minutes of all meetings shall be prepared and maintained.
- c. Tie votes: In the event of a tie vote, the motion would fail pursuant to Robert's Rules of Order.

**VII. Scope of Authority – Effect of Decisions by Committee**

- a. Appeal: Decisions by the committee to impose disciplinary action against respondent shall be subject to a conditional right of appeal, whereas the right to appeal only applies to the appeal of a decision that can be addressed by the board hearing the appeal.
  - i. Fines: If the committee imposes a fine, the respondent can appeal to their respective board and that board can affirm or overturn that decision, given the board can levy fines.
  - ii. Access to amenities: If the committee bans the respondent from accessing the administrative building or the clubhouse/amenities, a mutual board cannot hear any appeal regarding same as GRF has the authority to impose that discipline, and therefore the respondent would need to appeal to GRF, not a mutual board.

**VIII. Scope of Authority – Insurance/Defense/Indemnity**


- a. D&O insurance: GRF, United and Third shall at all times maintain a directors' and officers' liability insurance policy, as required by law and their respective governing documents (i.e., bylaws), which shall cover volunteer committee members, among others, for actions and/or omissions done in the official capacity of a member's service on the committee, and as authorized by the boards of GRF, United and Third.
- b. Defense/indemnity: GRF, United and Third will defend and indemnify committee members for claims, costs, defense fees, etc., incurred as a result of their official service on the committee, including any self-insured retention costs, and shared by GRF, United and Third.

**IX. Scope of Authority – Confidentiality**

- a. Confidentiality: Committee members are obligated to maintain strict confidentiality of information obtained while on the committee, beyond the term of service on the committee, and such information shall only be used for its purpose as provided herein.
- b. Executive session: The Open Meeting Act authorizes boards to meet in executive session to consider litigation, matters relating to the formation of contracts, member discipline and personnel matters. (Civil Code Section 4935.) The underlying principle of the Open Meeting Act is transparency. While focusing primarily on the interests of transparency by way of Civil Code Section 4935, the California legislature has underscored the importance of individual and corporate privacy. If boards were required to discuss such sensitive matters in a public forum, individuals would be irreparably damaged. It is paramount that committee members similarly acknowledge and respect the privacy interests of GRF, Third and United and its members, exercising constant vigilance in the handling of confidential information.



- c. Information sharing: VMS investigates incidents of harassment from an employer's standpoint, and by necessary implication there will be overlap when an employee is harassed by a director or advisor. For example, VMS will investigate the harassment to determine what action must be taken to protect the employee, while the committee will also investigate and determine what action to take against the director or advisor. Accordingly, VMS and the committee must be able to share information, and the sharing of such information is therefore expressly authorized for this purpose.

<p style="text-align: center;"><b>TENNIS</b></p> <p style="text-align: center;"><b>OPERATING RULES</b></p> <p>Resolution 90-22-40; Adopted September 6, 2022</p>	
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**A. General Rules:**

1. The Tennis Complex is open every day from 7 a.m. to 10 p.m.
2. Lighted courts are available on courts 1/2/5/6/7 – bring quarters for coin-operation.
3. All residents and guests must sign in upon entering the facility.
4. Proper tennis attire (shirts required) for players and “non-marking shoes” for on-court play.
5. “Prime-time” for tennis play is during the hours of 7 a.m. to noon every day.
6. Club tournaments, leagues, and other events must be scheduled and posted one week in advance.
7. Scheduled club/group/organization tournaments and activities at the tennis facility take priority and must be scheduled and posted one week in advance:
  - a. Prime time events and tournaments must be reviewed and approved by the Recreation and Special Events Department
  - b. At least 50% of the event players are Laguna Woods residents
  - c. No other events are already scheduled at the same time/day
  - d. The event reservation notice will be posted on the appropriate courts
8. Guests - must have resident present and may use one court only; One guest per resident in prime-time and up to three guests for other times; no guests under the age of 6 are permitted.
9. No pets other than service animals are allowed at the tennis facility.
10. No unauthorized music is to be played on any device at the tennis facility.
11. Entry gates require Laguna Woods Village resident ID card (swipe or tap) for access – Do not prop open the gates!
12. Only teaching professionals approved by GRF can host lessons Monday through Saturday, noon to close and Sunday all day on courts 3 and 4.

**B. All Court Rules: (See tables on Page 3 for a summary of court rules)**

1. Play time limits/reservation availability/walk-on usage varies by court number and time of day.
2. All players must be present to claim an open court.
3. Courts 1 through 7 have a “whiteboard” for sign-up and **must** be used properly for all walk-on usage.
  - a. All players must post their start and stop time on the board and may not be changed (not to exceed the set court time limits during prime-time hours-see chart on page 3).
  - b. Do not change start/end times on the whiteboard (once recorded) after claiming a walk-on or reserved court.
4. Reservations may be made up to three days in advance via Court Reserve for Courts 8 through 10 all day and courts 6 and 7 during the evening.
  - a. Players with Court Reserve reservations may start early if their reserved court is available.
  - b. Players with advance Court Reserve reservations must claim their assigned court within 10 minutes of their start time or the reservation will be deemed canceled and the court will then be available for walk-on play until the next reservation time.
5. When time expires play may continue until a new group arrives and there are no other courts of equivalent time limit available, i.e. one or 1.5 hour courts.

6. Arriving players **must** take any open court, and not ask others playing beyond their time limit to move, unless the available courts are for lesser time limits, i.e. only one-hour courts available.
  7. Doubles play does **not** have priority over singles play at any time.
  8. During “prime-time” an individual may practice by themselves until a group arrives to play, but an individual player may not hold a court if all players are not present and ready to start play.
  9. During non-prime-time an individual may occupy any walk-on court to practice by themselves.
  10. Back-to-back reservations by the same group are not allowed and players should cancel Court Reserve reservations that will not be used as soon as possible. Likewise, the same group may not change their times and sign up back-to-back on walk-on courts.
- C. **Court 1: Walk-on Challenge Court** (sign-up board on Clubhouse wall near the court)
1. Used for two doubles teams to play one set in prime- time (maximum time is one hour).
  2. Winners stay for another round and play the next waiting team. If they win again both teams leave.
  3. The next two teams take the court and the losers may sign up on the challenge board again.
  4. If no one is playing on the court, up to four people may play but they could be challenged by another twosome that comes and signs up on the board. On-court “score tubes” must be used.
  5. After noon (non-prime-time) court 1 reverts to a walk-on court for singles or doubles play with on-court time limited to 1.5 hours when others are waiting.
- D. **Courts 2-4: Walk-on – one-hour** (sign-up board near the clubhouse main entrance)
1. During prime-time, play is for singles or doubles and on-court time is limited to one hour when others are waiting.
  2. After noon (non-prime-time) on-court time is limited to 1.5 hours when others are waiting.
  3. If no players are waiting, play may continue but the group must sign in again on the white board to show the new start time.
- E. **Court 5: Walk-on - 1.5 hour** (sign-up board near entrance to Court 5)
1. Play is for singles or doubles and on-court time is limited to 1.5 hours when others are waiting.
- F. **Courts 6-7: Walk-on Day & Night Reserved - 1.5 hour** (sign-up board near entrance to Court 5)
1. Play is for singles or doubles and on-court time is limited to 1.5 hours when others are waiting.
  2. These courts may be reserved via Court Reserve for lighted night play with set reservation times of: (4:30-6), (6-7:30) or (7:30-9)
- G. **Courts 8-10: Reserved Courts – 1.5 hour** (sign-in board near entrance to Court 5)
1. May be reserved via Court Reserve for singles/doubles play in prime-time with set reservation times of: (7:30-9), (9-10:30), (10:30-noon).
  2. May be reserved via Court Reserve **AFTER** prime-time for singles/doubles play (Court 8), ball machine (Courts 9 & 10) or backboard (Court 9) play with set reservation times of:  
 Winter Hours: (noon-1:30), (1:30-3) or (3-4:30)  
 Summer Hours: (noon-1:30), (1:30-3), (3-4:30), (4:30-6), (6-7:30)

**Note: The Recreation Department reserves the right to review and adjust these Tennis Operating Rules to accommodate the needs of the community.**



## Tennis Court Rules for Prime-Time Hours

7 a.m. to noon

**Court 1** – Challenge Court for doubles teams to play one set (maximum one hour); winners stay for next round; if that team wins again both teams leave; if no one is playing on the court, up to four may start play but may be challenged after one set.

Highlights of Court Play Priorities for Courts 2-10	PRIME-TIME 7 a.m. to noon			
	COURTS			
	1-4	5	6/7	8/9/10
Set reservation times available	NO	NO	NO	YES*
On-court time limit	1 hour	1.5 hours	1.5 hours	1.5 hours
Walk-on if no show/no reservation	N/A	N/A	N/A	YES
Individual player uses by themselves	YES#	YES#	YES#	NO
Doubles have priority over singles	NO	NO	NO	NO
Note: If another court is available, you must take the open court and not ask others to move from a court they occupy.				
* Set reservations times are (7:30-9), (9-10:30), (10:30-noon)				
# During prime time an individual may practice by themselves but can be bumped by a group that arrives to play				
Reservations may be made via Court Reserve for courts 8 through 10.				

## Tennis Court Rules for Non-Prime-Time Hours

Noon to Close

Highlights of Court Play Priorities for Courts 1-10	NON-PRIME TIME (After noon)			
	COURTS			
	1-4	5	6/7	8/9/10
Set reservation times available	NO	NO	YES*	YES+
On-court time limit	1.5 hours	1.5 hours	1.5 hours	1.5 hours
Walk-on if no show/no reservation	N/A	N/A	YES	YES
Individual player uses by themselves	YES	YES	YES	YES
Doubles have priority over singles	NO	NO	NO	NO
An individual may practice by themselves on any walk-on court during non-prime time hours				
Note: If another court is available, you must take the open court and not ask others to move from a court they occupy.				
* Set reservations times are (4:30-6), (6-7:30), (7:30-9)				
+ Set reservation times for play (Court 8), ball machine (Court 9 & 10) or backboard (Court 9) are (noon-1:30), (1:30-3), (3-4:30), (4:30-6), (6-7:30)				
Reservations may be made via Court Reserve for courts 6 through 10.				

Instruction provided by VMS approved teaching professional have court priority on courts 3 and 4 all day on Sunday and after noon other days. The teaching professionals will post the lessons time 24 hours in advance.