



OPEN SESSION

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

Tuesday, October 5, 2021, 9:30 a.m.
24351 El Toro Road, Laguna Woods, California
Virtual Meeting

NOTICE OF THE AGENDA

The purpose of this meeting is to conduct the regular Golden Rain Foundation Board Meeting in accordance with *Civil Code §4930* and was hereby noticed in accordance with *Civil Code §4920*

- 1. Call Meeting to Order / Establish Quorum – President Carpenter**
- 2. Pledge of Allegiance – Director Tibbetts**
- 3. Acknowledgment of Media**
- 4. Approval of Agenda**
- 5. Approval of Minutes**
 - a. August 26, 2021 – Agenda Prep Open Meeting
 - b. September 7, 2021--Regular Open Meeting
- 6. Report of the Chair**
- 7. CEO/COO Report**

8. Open Forum (Three Minutes per Speaker)

At this time Members only may address the Board of Directors regarding items not on the agenda and within the jurisdiction of this Board of Directors. The board reserves the right to limit the total amount of time allotted for the Open Forum to thirty minutes. A member may speak only once during the forum. Speakers may not give their time to other people, no audio or video recording by attendees, and no rude or threatening comments. Members can attend the meeting by joining the Zoom link <https://zoom.us/j/98131257242> or call 1 (669) 900-6833 or email meeting@vmsinc.org to have your message read during the Open Forum.

9. Responses to Open Forum Speakers

10. Consent Calendar

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

Recommendation from the Finance Committee:

- a. 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 August 2021 by this vote ratify that such review be confirmed in this month's Board Member Open Session Meeting minutes
- b. Approve a Resolution to Update GRF Committee Appointments

11. Unfinished Business

- a. Entertain a Motion to Adopt a Resolution to Update the Harassment Policy **(SEPTEMBER Initial Notification—28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**
- b. Entertain a Motion to Adopt a Resolution for a Broadband Services Fee Increase **(SEPTEMBER Initial Notification—28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**
- c. Entertain a Motion to Adopt the Transfer Fee Resolution **(SEPTEMBER Initial Notification—28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied)**
- d. Entertain a Motion to Approve the GRF Code of Ethics Policy Modification

12. New Business

- a. Entertain a Motion to Create a Revenue Generating Objective Ad Hoc Committee (Oral Report)
- b. Entertain a Motion to Approve the Village Community Fund Pickleball Lighting Donation (will be distributed under separate cover)

13. The Board will take a 5-minute break (if needed)

14. Committee Reports

- a. Report of the Finance Committee/Financial Reports – Director Hopkins update from the committee. The committee met on August 25, 2021; next meeting October 20, 2021, at 1:30 p.m. as a virtual meeting.
 - (1) GRF Treasurer's Report – Director Hopkins
 - (2) GRF Finance Committee Report
- b. Strategic Planning Committee—Director Dotson update from the committee. The committee met on June 28, 2021; next meeting TBA.
- c. Report of the Community Activities Committee – Director Horton update from the committee. The committee met on September 9, 2021; next meeting October 14, 2021, at 1:30 p.m. as a virtual meeting.

(1) Equestrian Center Ad Hoc Committee – President Carpenter. The committee met on July 7, 2021; next meeting November 4, 2021, at 1:00 p.m. as a virtual meeting.

- d. Report of the Landscape Committee – Director Horton update from the committee. The committee met on September 8, 2021; next meeting November 10, 2021, at 1:30 p.m. as a virtual meeting.
- e. Report of the Maintenance & Construction Committee – Director Garthoffner update from the committee. The committee met on August 11, 2021 in closed session; next meeting October 13, 2021, at 9:30 a.m. as a virtual meeting.
- (1) Report of the Clubhouse Renovation Ad Hoc Committee – Director Garthoffner. The Committee met on July 9, 2021; next meeting TBA.
- f. Report of the Media and Communications Committee—Director Milliman update from the committee. The committee met on September 20, 2021; next meeting October 18, 2021, at 1:30 p.m. as a virtual meeting.
- g. Report of the Mobility & Vehicles Committee – Director Tibbetts update from the Mobility & Vehicles Committee. The Committee met on July 28, 2021; next meeting October 6, 2021, at 1:30 p.m. as a virtual meeting.
- h. Report of the Security & Community Access Committee – Director Tibbetts update from the Security & Community Access Committee. The Committee met on August 30, 2021; next meeting October 25, 2021, at 1:30 p.m. as a virtual meeting.
- (1) Report of the Laguna Woods Village Traffic Hearings – Director Horton. The Traffic Hearings were held on September 15, 2021; next hearings on October 20, 2021, at 9:00 a.m. as a virtual meeting.
- i. Report of the Disaster Preparedness Task Force – Director Blackwell. The Task Force met on September 28, 2021; next meeting November 30, 2021, at 9:30 a.m. as a virtual meeting.
- j. Information Technology Advisory Committee – Director Hopkins commented that the Information Technology Advisory Committee has been meeting in closed session. The Committee met on September 10, 2021, at 1:30 p.m.; next meeting TBA.

15. Future Agenda Items - All matters listed below are items for a future Board Meetings. No action will be taken by the Board on these agenda items at this meeting. The Board will vote on these items at a future Board Meeting.

- a. GRF Investment Policy

16. Directors' Comments

- 17. Recess** - *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

Approved the Agenda

Approved the Minutes of:

(a) August 30, 2021 – Special Closed Meeting

(b) September 7, 2021 – Regular Closed Session

Discuss and Consider Personnel Matters

Discuss and Consider Contractual Matters

Discuss Legal/Legislation Matters

Discuss Member Disciplinary Matters

18. Adjournment



OPEN MEETING

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

**Thursday, August 26, 2021 – 9:30 a.m.
Virtual Meeting**

GRF Agenda Prep Meeting

Directors Present: Bunny Carpenter, Egon Garthoffner, Yvonne Horton, Jim Hopkins, Maggie Blackwell, Joan Milliman, Debbie Dotson, Don Tibbetts, Jon Pearlstone, Gan Mukhopadhyay

Directors Absent: None

Staff Present: CEO Jeff Parker, COO Siobhan Foster, Cheryl Silva and Grant Schultz

Others Present: None

1. Call Meeting to Order and Establish Quorum

President Carpenter called the meeting to order at 9:30 a.m. and established that a quorum was present.

2. Approval of the Agenda

President Carpenter asked for approval of the agenda.

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

3. Announcements

President Carpenter made the following announcements:

- United Board is not signing invoices in a timely manner and there will be a meeting to address this problem. Will work out a process to make sure checks are approved in timely manner.
- Insurance Update by Jeff Parker-CEO. Next step for Marsh Broker is to get quotes from insurance companies.
- Staff is working on data related to recreation fees. Decisions will be made to come up with a fair recreation fee.
- Election process to elect the new delegate, in accordance with the new bylaws.
- Forensic versus financial audit.
- VMS is requiring all employees to wear masks regardless of vaccination status, this includes volunteers. The CDC reminds all individuals wear masks when

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indoors regardless of vaccination status, but this is not mandated by VMS for residents.

Discussion ensued among the directors.

4. Discuss and Consider Items to be placed on the Tuesday, September 7, 2021, Board Meeting Open & Closed Agendas

Hearing no objection, the September 7, 2021, open and closed agendas were approved by unanimous consent.

5. Director Comments--none

6. Adjournment

The meeting was adjourned at 10:45 a.m.

DocuSigned by:
Joan Milliman
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Joan Milliman, Secretary of the Board
Golden Rain Foundation



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 7, 2021, 9:30 a.m.
24351 El Toro Road, Laguna Woods, California
Board Room/Virtual Meeting

Directors Present: Bunny Carpenter, Egon Garthoffner, James Hopkins, Don Tibbetts, Gan Mukhopadhyay, Joan Milliman, Debbie Dotson, Jon Pearlstone, Yvonne Horton

Directors Absent: Maggie Blackwell

Staff Present: Jeff Parker-CEO, Siobhan Foster-COO, Eileen Paulin, Brian Gruner, Steve Hormuth, Jose Campos, Cheryl Silva, and Grant Schultz

Others Present: Third: Cush Bhada, John Frankel, Ralph Engdahl
VMS: Stephanie Brown

1. Call Meeting to Order / Establish Quorum – President Carpenter, Chair

President Carpenter called the meeting to order at 9:30 a.m. and established that a quorum was present.

2. Pledge of Allegiance

Director Pearlstone 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

President Carpenter asked if the board had any changes to the agenda.

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

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5. Approval of Minutes

- a. July 22, 2021 – Agenda Prep Open Meeting
- b. August 3, 2021 – Regular Open Meeting

Hearing no changes or objections, the minutes of July 22, 2021, Agenda Prep Open Meeting, were approved by unanimous consent.

Joan Milliman made a correction to the minutes of August 3, 2021, Regular Open Meeting. The minutes were approved as corrected by unanimous consent.

6. Report of the Chair

President Carpenter announced there are a lot of items on the agenda and that she did not have any additional comments.

7. CEO/COO Report

Jeff Parker-CEO and Siobhan Foster-COO gave a report on the following items:

- Update on COVID-19: The number of positive COVID cases continues to increase with the delta variant circulating within Orange County. VMS is following the California Department of Public Health (CDPH) and Orange County Health agency guidelines. All employees are required to wear masks when they are at work.
- VMS continues to interview for open positions.

7a. Meet the Managers Video

- CEO and COO showed a video that introduced new managers to VMS.

8. Open Forum (Three Minutes per Speaker)

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

President Carpenter asked staff for member comments:

- A member commented about the need for more EV charging stations and recommends partnering up with SCE.
- A member spoke in favor of partnering up with SCE for EV charging stations.
- A member commented about golf singles reservations.

9. Responses to Open Forum Speakers

The following are responses to the open forum speakers:

- Director Dotson responded that the board has not made any decisions regarding EV charging stations.
- Director Garthoffner responded that the board will look into SCE EV charging station program.
- Brian Gruner, Director of Recreation and Special Events, responded about reservations for golf singles.

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) shall 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 2021, and by this vote ratified that such review be confirmed in this month's board member open session meeting minutes.

President Carpenter called for the vote on the Consent Calendar.

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

11. Unfinished Business

11a. Entertain a Motion to Adopt Amended Resolutions to Approve 2022 Locker, Golf Driving Range, Caterer and Storage Fee Increases (**JULY Initial Notification—AUGUST Resolutions Amended—SEPTEMBER 28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied**)

Director Milliman, Secretary of the Board, read the following resolution:

RESOLUTION 90-21-28 **2022 Locker Fees**

WHEREAS, according to Resolution G-89-115, which established guidelines for shared costs and fees, certain fees can be imposed upon users of various recreational facilities in order to control crowding and minimize over-usage, and to recover operating costs; and

WHEREAS, by way of Resolution 90-06-32, the Board of Directors adopted a Recreation Division Fee Schedule which lists fees charged to residents and non-residents to use GRF shared facilities; and

WHEREAS, on October 15, 2020, the Community Activities Committee (CAC) directed staff to develop a comprehensive financial analysis of the Recreation and Special Events Department operating budget including current chargeable service fees, resident user versus monthly manor assessment costs and alternate revenue sources; and;

WHEREAS, at the April 15, 2021, CAC meeting, staff presented the Recreation and Special Events Department Financial Analysis to facilitate the committee's discussion of fee sharing objectives, facility utilization, revenue and operating expenses. The CAC identified locker fees that are low-to compared to market comparisons; and;

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WHEREAS, at the May 13, 2021, CAC meeting, the committee recommended the following increases, subject to Finance Committee affirmation and board approval:

Proposed 2022 Locker Fees

Description	2021 Annual Fee	2022 Proposed Fee
Lockers:		
Clubhouse 1 billiard room	\$10	\$25
PAC Billiard room	\$9	\$25
Clubhouse 4 outside lockers	\$13	\$25
Clubhouse 4 inside jewelry	\$8	\$25
Community Center table tennis	\$11	\$25

; and

WHEREAS, at the June 23, 2021, Finance Committee meeting, the committee affirmed the CAC recommendation of the fee increases for facility lockers beginning January 1, 2022; and

NOW THEREFORE BE IT RESOLVED, September 7, 2021, the Board of Directors of this Corporation hereby approves of the fee increases for facility lockers beginning January 1, 2022; and

RESOLVED FURTHER, that this resolution shall be effective January 1, 2022, and Resolution 90-12-12 is hereby superseded and canceled and fees updated according to this resolution, 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.

AUGUST Initial Notification

28-day notification for member review and comment to comply with Civil Code §4360 has been satisfied.

Director Milliman made a motion to adopt the resolutions to approve 2022 locker fee increases. Director Dotson seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion passed unanimously.

Director Milliman, Secretary of the Board, read the following resolution:

RESOLUTION 90-21-29
Golf Fees Pricing Policy

WHEREAS, according to Resolution 90-12-132, which established guidelines for shared costs and fees, certain fees can be imposed upon users of various recreational facilities in order to control crowding and minimize over-usage, and to recover operating costs; and

WHEREAS, the Board of Directors may periodically review the fees and make adjustments for reasons defined in the Shared Cost Guidelines; and

WHEREAS, on October 15, 2020, the Community Activities Committee (CAC) directed staff to develop a comprehensive financial analysis of the Recreation and Special Events Department operating budget including current chargeable service fees, resident user versus monthly manor assessment costs and alternate revenue sources; and

WHEREAS, at the April 15, 2021, CAC meeting, staff presented the Recreation and Special Events Department Financial Analysis to facilitate the committee's discussion of fee sharing objectives, facility utilization, revenue and operating expenses. The CAC identified golf driving range fees that are low compared to market comparisons:

WHEREAS, at the May 13, 2021, CAC meeting, the committee recommended the following increases, subject to Finance Committee affirmation and board approval:

Proposed 2022 Golf Driving Range Fees

Description	2021 Annual Fee	2022 Proposed Fee
Golf Driving Range:		
Quarter bucket of balls	\$1	\$2
Small bucket of balls	\$2	\$4
Large bucket of balls	\$3	\$6

; and

WHEREAS, at the June 23, 2021, Finance Committee meeting, the committee affirmed the CAC recommendation of the fee increases for golf driving range beginning January 1, 2022; and

~~**NOW THEREFORE BE IT RESOLVED**, [DATE], that the Board of Directors of the Corporation hereby approves the following policy for golf fees and amounts set forth on the attached Schedule of Golf Fees:~~

Cart Fees

- A Cart Rental Fee shall be charged to residents and their guests who wish to use a GRF-owned golf cart or pull cart; a Cart Registration Fee shall be

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charged for the use of a golf cart not owned by GRF.

Club Rental Fees

- A Club Rental Fee shall be charged to residents and their guests who wish to use a GRF-owned set of golf clubs.

Driving Range Fees

- A Bucket Fee shall be charged to residents and their guests for hitting a bucket of balls on the Driving Range.

Greens Fees, 27-Hole Course

- Greens Fees shall be charged to residents and their guests per round of golf.
- Greens Fee amount shall be set according to the attached schedule for Residents and Guests.

Greens Fees, 9-Hole Course

- Greens Fees shall be charged to residents and their guests per round of golf.
- Greens Fee amount shall be set according to the attached schedule for Residents and Guests.

NOW THEREFORE BE IT RESOLVED, September 7, 2021, the Board of Directors of this Corporation hereby approves of the fee increases for golf driving range beginning January 1, 2022; and

RESOLVED FURTHER, that this resolution shall be effective January 1, 2022, and Resolution 90-18-03 adopted January 2, 2018, is hereby superseded and canceled and fees updated according to this resolution, and

RESOLVED FURTHER; that the officers and agents of this Corporation are hereby authorized, on behalf of the Corporation, to carry out this resolution.

AUGUST Initial Notification

28-day notification for member review and comment to comply with Civil Code §4360 has been satisfied.

Director Milliman made a motion to adopt the resolution to approve Golf Fees Pricing Policy. Director Dotson seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion passed unanimously.

Director Milliman, Secretary of the Board, read the following resolution:

RESOLUTION 90-21-30
2022 Catering Fee

WHEREAS, GRF currently charges caterers servicing club/organization and resident private parties a caterers' fee of \$1.00 per plate when providing services

within GRF facilities; and

WHEREAS, resolution 90-12-132 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, on October 15, 2020, the Community Activities Committee (CAC) directed staff to develop a comprehensive financial analysis of the Recreation and Special Events Department operating budget including current chargeable service fees, resident user versus monthly manor assessment costs and alternate revenue sources; and

WHEREAS, at the April 15, 2021, CAC meeting, staff presented the Recreation and Special Events Department Financial Analysis to facilitate the committee's discussion of fee sharing objectives, facility utilization, revenue and operating expenses. The CAC identified catering fees that are low compared to market comparisons:

WHEREAS, at the May 13, 2021, CAC meeting, the committee recommended the following increases, subject to Finance Committee affirmation and board approval:

Proposed Catering Fees

Description	2021 Annual Fee	2022 Proposed Fee
Catering fee:		
Plate	\$1	\$2

; and

WHEREAS, at the June 23, 2021, Finance Committee meeting, the committee affirmed the CAC recommendation of the fee increase for caterers servicing club/organizations and resident private parties beginning January 1, 2022; and

NOW THEREFORE BE IT RESOLVED, September 7, 2021, that the Board of Directors of this Corporation hereby approves the fee increase for caterers servicing club/organizations and resident private parties beginning January 1, 2022.; and

RESOLVED FURTHER, that this resolution shall be effective January 1, 2022, and Resolution 90-16-18 is hereby superseded and canceled and fees updated according to this resolution, and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution.

AUGUST Initial Notification

28-day notification for member view and comment to comply with Civil Code §4360 has been satisfied.

Director Milliman made a motion to adopt the resolutions to approve caterer fee increase.

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Director Horton seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion passed by a vote of 9-1-0 (Director Garthoffner opposed).

Director Milliman, Secretary of the Board, read the following resolution:

RESOLUTION 90-21-31
2022 Storage Area Fees

WHEREAS, resolution 90-12-132 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, on October 15, 2020, the Community Activities Committee (CAC) directed staff to develop a comprehensive financial analysis of the Recreation and Special Events Department operating budget including current chargeable service fees, resident user versus monthly manor assessment costs and alternate revenue sources; and

WHEREAS, at the April 15, 2021, CAC meeting, staff presented the Recreation and Special Events Department Financial Analysis to facilitate the committee's discussion of fee sharing objectives, facility utilization, revenue and operating expenses. The CAC identified storage area fees that are low to compared to market comparisons:

WHEREAS, in addition, staff was directed to identify and recommend rental fees for storage areas at clubhouses currently utilized by clubs without a fee. At the June 10, 2021, CAC meeting, staff presented storage areas currently utilized by clubs without a fee. The CAC recommended the following new storage descriptions and fees, subject to affirmation by the Finance Committee and board approval:

Proposed 2022 Storage Areas Fees

Description	2021 Annual Fee	2022 Proposed Fee
Storage areas:		
Small (12" x 24" x 20" & up)	---	\$25
Medium (30" x 24" x 30" & up)	---	\$50
Large (5' x 5' & up)	---	\$100

; and

WHEREAS, at the June 23, 2021, Finance Committee meeting, the committee

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affirmed the CAC recommendation of the fee increases for club storage areas beginning January 1, 2022; and

NOW THEREFORE BE IT RESOLVED, September 7, 2021, that the Board of Directors of this Corporation hereby approves of the fee increases for club storage areas beginning January 1, 2022;

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution.

AUGUST Initial Notification

28-day notification for member review and comment to comply with Civil Code §4360 has been satisfied.

Director Milliman made a motion to adopt the resolution to approve storage fee increases. Director Horton seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion passed unanimously.

11b. Entertain a Motion to Approve the 2022 GRF Business Plan and Reserves Funding Plan

Director Milliman, Secretary of the Board, read the following resolution:

RESOLUTION 90-21-32
2022 GRF BUSINESS PLAN

RESOLVED, September 7, 2021, that the Business Plan of this Corporation for the year 2022 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 \$41,271,680 will be required by the Corporation to meet its annual expenses of operation for the year 2022. Additionally, \$2,598,144 is planned for reserve contributions and \$764,160 is planned for Contingency fund contribution. After deducting \$1,222,656 derived from prior years' surplus and the sum of \$10,168,650 expected to be received from various sources as revenue during 2022, the Board of Directors hereby estimates that the net sum of \$33,242,678 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 \$217.50 per month per membership of said Corporation, for its share of the aforesaid net expenses and reserve contributions for the year 2022; 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.

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Director Milliman made a motion to approve the 2022 GRF Business Plan. Director Hopkins seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion passed by a vote of 7-1-1 (Director Pearlstone opposed, Director Garthoffner abstained)

Director Milliman, Secretary of the Board, read the following resolution:

RESOLUTION 90-21-33
2022 GRF RESERVES FUNDING PLAN

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 7, 2021, that the Board has developed and hereby adopts the Replacement Reserves 30-Year Funding Plan (attached) with the objective of maintaining replacement reserve balances at or above a threshold of \$7,500,000 while meeting its obligations to repair and/or replace major components; 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 2022 GRF Reserve Funding Plan. Director Hopkins seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion passed by a vote of 8-1-0 (Director Pearlstone opposed).

11c. Entertain a Motion to Approve the 2022 Capital Plan

Director Milliman, Secretary of the Board, read the following resolution:

RESOLUTION 90-21-34
2022 GRF CAPITAL PLAN

RESOLVED, September 7, 2021, that the Capital Reserve Expenditures Plan of this Corporation for the year 2022 is hereby adopted and approved; and

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RESOLVED FURTHER, that pursuant to said Business Plan, the sum of \$7,274,363 is hereby authorized to be expended in 2022 for the purposes provided therein, of which \$4,426,000 is designated from the Equipment Fund and \$2,848,363 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 2022 GRF Capital Plan. Director Hopkins seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion passed by a vote of 8-1-0 (Director Pearlstone opposed).

12. New Business

12a. GRF Strategic Planning Committee Presentation and Reschedule Next Meeting (Oral Report)

Director Pearlstone introduced the GRF Strategic Planning Committee Presentation. Brian Gruner, Director of Recreation and Special Events, showed the presentation:

- Customer Services Experience
- Facilities - Clubhouses
- Future Development
- Committee Direction
- Participation Enhancement
- Anticipated Savings
- Look Ahead-Transition to Online Systems

By consensus, the GRF Board will review the GRF Strategic Planning Committee goals before moving forward.

12b. Entertain a Motion to Introduce a Resolution to Update the Harassment Policy

Director Milliman read the following resolution:

RESOLUTION 90-21-XX **HARASSMENT AND NUISANCE POLICY**

WHEREAS, on October 7, 2019, the board adopted the Harassment and Nuisance Policy to set forth guidelines for harassment and nuisance complaints; and

WHEREAS, the board recognizes the need to update the policy to reflect changes in state law, introduce concepts of proper decorum and harassment based on protected classes, and outline the processes for investigation of allegations and board member or committee member discipline; and

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NOW THEREFORE BE IT RESOLVED, October 5, 2021, the Board of Directors of this Corporation hereby revises the Harassment and Nuisance policy, as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that Resolution 90-19-47 adopted October 1, 2019, 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.

SEPTEMBER Initial Notification Should the board endorse the proposed revisions, 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 postpones the resolution to the next available board meeting no less than 28-days from the postponement to comply with Civil Code §4360.

Director Milliman made a motion to introduce the Harassment and Nuisance Policy for 28-day review. Director Dotson seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the resolution on the Harassment and Nuisance Policy was introduced for 28-day review.

12c. Entertain a Motion to Approve Restaurant 19 MBT Restaurant Ventures, Inc. Bar Furniture Donation

Brain Gruner, Director of Recreation and Special Events, commented about the restaurant furniture donation. Staff recommends the board review and approve the proposed restaurant furniture donation agreement between the Golden Rain Foundation and MBT Restaurant Ventures, Inc.

Director Milliman made a motion to approve the restaurant furniture donations agreement between GRF and MBT Restaurant Ventures, Inc. Director Dotson seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion passed unanimously.

12d. Entertain a Motion to Approve Broadband Services Fee Increase

Director Milliman, Secretary of the Board, read the following resolution:

RESOLUTION 90-21-XX

DIGITAL CABLE SERVICES FEE STRUCTURE AND TIER SYSTEM

WHEREAS, the Media and Communications Committee has recommended adjustments in the fee schedule to address higher costs for digital access and programming fees,

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WHEREAS, the Finance Committee has reviewed and endorsed the adjustments in the fee schedule that are included in the staff report and have recommended that the GRF board place this item into 28-day notice for review and comments by the community at large,

NOW THEREFORE BE IT RESOLVED, on [DATE], 2021, the Board of Directors of this Corporation hereby adopts the proposed Digital Pay Tier System Fee Schedule 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 this Corporation, to carry out this resolution.

September Initial Notification

Should the Board endorse the proposed revisions, 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 postpones the resolution to the next available Board Meeting no less than 28 days from the postponement to comply with Civil Code §4360.

Staff recommends the board approve the Broadband Services fee to be increased by 5% for 2022.

Director Milliman made a motion to introduce the resolution for the Broadband Services 5% fee increase for 2022 for 28-day review. Director Dotson seconded the motion.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion passed unanimously.

Director Milliman, Secretary of the Board, read the following resolution:

12e. Entertain a Motion to Approve the GRF Trust Facilities Fee Increase

RESOLUTION 90-21-XX
Trust Facilities Fee from \$5,000 to \$7,500

WHEREAS, as Trustee of the Golden Rain Foundation Trust, the Board of Directors of the Golden Rain Foundation is required to maintain and improve the recreational and other amenities available to all residents of Laguna Woods Village; and

WHEREAS, The Board of Directors finds that reinstatement of the capital contribution to the Trust originally required to be made for each manor sold will ensure the continuation of the amenities that make Laguna Woods Village unique; and

NOW THEREFORE BE IT RESOLVED, [DATE], 2021, that as Trustee of the Golden Rain Foundation Trust, a declaration of Trust recorded March 6, 1964, the Board will impose a fee, to be known as the "Trust Facilities Fee", in accordance with all terms and conditions contained in this policy statement and in California

Civil §4580 (as amended by Senate Bill 1128, Stats 2010 Chapter 322, §2, effective January 1, 2011) on all transactions involving the purchases of a separate interest in any of the Trustors' common interest developments (United Laguna Woods Mutual, Third Laguna Hills mutual and Mutual Fifty, each of which is hereinafter referred to as a "Trustor") within the City of Laguna Woods, as an obligation of the Purchaser(s); ***effective January 1, 2022. For purposes of determining Effective Date, purchase contracts entered prior to January 1, 2022, in which escrow opens before January 1, 2022, and closes on or before March 31, 2022, are deemed transactions occurring prior to the Effective Date:*** and

RESOLVED FURTHER, the Trust Facilities Fee will be a fixed amount, as provided herein and as determined from time to time by the Trustee of the Golden Rain Foundation Trust. The entirety of each such fee, when and as paid by the purchaser(s) shall be deposited into the Trust Facilities Fee Fund and shall be applicable to all such transactions, excluding the following transfers of a separate interest:

1. Where ownership of a separate interest is joined between a current beneficiary of a Trustor and a non-beneficiary spouse, domestic partner or other relative of such beneficiary;
2. Where ownership of a separate interest is transferred to a non-beneficiary of a Trustor by gift or through inheritance from a beneficiary of a Trustor;
3. Where ownership of a separate interest is transferred by a beneficiary of a Trustor to the current qualifying resident (as defined in the Bylaws of each Trustor) of the separate interest, where the transferor has never been a qualifying resident and has previously paid a Trust Facilities Fee;
4. Where ownership of a separate interest is being transferred to a trust whose settler or principal beneficiary is the transferor, or to another trust for estate planning purposes;
5. **Where ownership of a separate interest is purchased by a current owner, who has held interest in their current interest for at least two years.**

RESOLVED FURTHER, effective with escrows opened, or purchase contracts signed, on or after January 1, 2022, the Trust Facilities Fee shall be set at ~~\$5,000~~**\$7,500** for units with a sales price of ~~\$75,000~~**\$150,000** or higher and ~~\$2,500~~**\$3,000** for units that sell below ~~\$75,000~~**\$150,000** until modified by the Trustee; and

RESOLVED FURTHER, in accordance with California Civil Code §4580 each new purchase of a separate interest in any of the Trustors' common interest developments within the City of Laguna Woods to which this Trust Facilities Fee applies (i.e., all new purchases other than a transfer qualifying for any of the exclusions set forth in subparagraphs 1-5 above) shall, in compliance with California Civil Code §4580, have the option to either:

- (i) pay the fee in its entirety at the time of transfer; or
- (ii) pay the fee amount pursuant to an installment payment plan for a period of seven years.

If the purchaser elects to pay the fee in installment payments under the second of the above statutorily permitted options, then the Trustee may also collect additional amounts not to exceed the actual costs for billing and financing on the amount owed (as set forth below, and in compliance with the Davis-Stirling Act, as the same may be amended from time to time), and if the purchaser sells their separate interest prior to the end of the installment payment plan period, he or she shall pay the remaining balance of the fee owed to the Trustee prior to transfer. A fee of \$10 will be imposed for any late payments. The Golden Rain Foundation Board shall assess a one-time fee for the preparation of the promissory note. The Golden Rain Foundation Board shall also assess a handling fee of \$252.00 until later modified by the Board and interest, if applicable, at the minimum rate allowed by law. The monthly payment of the Trust Facilities Fee, the handling fee and interest, if applicable, shall be due on the 1st day of each month; and

RESOLVED FURTHER, **that** Resolution 90-18-48, adopted November 6, 2018, is hereby superseded and cancelled ***to the extent that it differs, effective January 1, 2022***; and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on, behalf of the Corporation, to carry out this resolution.

September Initial Notification

Should the board endorse the proposed revisions, 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 postpones the resolution to the next available board meeting no less than 28-days from the postponement to comply with Civil Code §4360.

Director Milliman made a motion to introduce the resolution for a Trust Facilities Fee Increase from \$5,000 to \$7,500 for 28-day review. Director Dotson seconded the motion.

Director Milliman made an amendment to change item 5 in the resolution to read “two” years. Director Dotson seconded the motion and the motion passed unanimously.

Discussion ensued among the directors.

President Carpenter called for the vote and the motion, as amended, passed unanimously.

13. The Board took a 10-minute break at 1:00 p.m.

14. Committee Reports

14a. Report of the Finance Committee/Financial Reports – Director Hopkins gave an update from the committee and showed a presentation on the GRF Treasurer’s Report. At the last committee meeting, the committee discussed investments and GRF financials. The committee met on August 25, 2021; next meeting October 20, 2021, at 1:30 p.m. as a virtual meeting.

Golden Rain Foundation Regular Session
September 7, 2021
Page **16** of **22**

- (1) GRF Treasurer's Report – Director Hopkins
- (2) GRF Finance Committee Report

Director Dotson made a motion to suspend the remainder of the committee reports and recess to closed session for the disciplinary hearings. Director Hopkins seconded the motion and the motion passed unanimously.

The meeting was recessed at 1:25 p.m.

15. Future Agenda Items - *All matters listed below are items for a future board meeting. No action will be taken by the board on these agenda items at this meeting.*

- 15a.** GRF Investment Policy (**Referred to GRF Finance Committee**)
- 15b.** GRF Code of Ethics Policy Modification

16. Directors' Comments

There were no director comments.

17. Recess - *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.*

Summary of Previous Closed Session Meetings per Civil Code §4935.

During the August 3, 2021, Closed Session, the board:

Heard VMS Board Update

Approved the Agenda

Approved the Minutes of:

(a) July 6, 2021 – Regular Closed Meeting

CEO Report

Discussed and Considered Personnel Matters

Discussed and Considered Contractual Matters

Discussed Legal/Legislation Matters

18. Adjournment

The meeting was adjourned at 4:41 p.m.

DocuSigned by:

Joan Milliman

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Joan Milliman, Secretary of the Board
Golden Rain Foundation

**Harassment and Nuisance Policy Resolution 90-19-47;
 Adopted October 1, 2019, Resolution 90-21-xx;
 Amended [Date], 2021**

This policy is an Operating Rule as defined in the Davis-Stirling Common Interest Development Act and, to the extent it may conflict with any previous Operating Rules, supersedes and prevails over such previous rules. All Operating Rules, whether characterized as rules, policies, procedures or otherwise are subject to the provisions of the Bylaws ("Bylaws") currently in effect for Golden Rain Foundation of Laguna Hills ("GRF"). Unless otherwise specified, all the capitalized terms in this Harassment and Nuisance Policy ("Policy") have the same meaning as set forth in the Bylaws.

I. PURPOSE

This policy sets forth guidelines regarding harassment and nuisance complaints and to sanction behavior that makes Residents, Directors, Village Management Service Inc. ("VMS") Staff or Vendor personnel reasonably feel harassed, threatened or otherwise unsafe. The policy is also intended to address any behavior disturbing the quiet enjoyment of Residents using common facilities within Laguna Woods Village.

1. Prohibition against harassment. GRF does not condone, endorse, or otherwise tolerate Harassment against GRF Members, Residents, Directors, VMS Staff or Vendors.

2. Protected speech and purpose. This Policy is not intended to limit lawful free speech. However, speech intended to coerce, intimidate or threaten violence is not protected. The purpose of the Policy is to provide GRF Members and Residents a procedure to address any disputes regarding alleged Harassment.

II. DEFINITIONS

Committee - Any committee that has been approved by the Board.

Community - Laguna Woods Village; including, but not limited to, all amenities.

Board - GRF's Board of Directors.

Directors - Persons who are elected or appointed to serve on the Board. Directors are volunteer officials who are responsible for the oversight of GRF's operations and ensuring that GRF's Governing Documents are followed and enforced.

Employee(s) - Employees of VMS.

Governing documents - GRF's governing documents, which include the Articles of Incorporation, the GRF Trust Agreement, the Bylaws, the Rules and Regulations and any Resolutions or Policies of the Board, all of which may be lawfully amended or modified from time to time.

GRF Member - Owners within all Housing Mutuals who have paid dues to GRF.

Harassment - Coercion, intimidation, threats or other unwelcome conduct (whether communicated in writing, verbally or otherwise), which is severe enough to interfere with a GRF Member's or Resident's ability to enjoy any privileges, services or facilities operated by GRF.

Housing Mutual - Third Laguna Hills Mutual, The Towers Mutual No. Fifty and United Laguna Woods Mutual.

Neighbor-to-Neighbor Dispute - A dispute or complaint(s) by one GRF Member or Resident against another GRF Member or Resident, which involves a violation of GRF's Governing Documents or impacts GRF at large or its Common Areas.

Protected Classes - Includes race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, age, medical condition, genetic information, citizenship, primary language, immigration status, arbitrary characteristics as protected by the Unruh Civil Rights Act and all other classes of individuals protected from discrimination under federal or state fair housing laws, individuals perceived to be a member of any of the preceding classes or any individual or person associated with any of the preceding classes as provided in the California Code of Regulations §12005(y) or any successor statute.

Resident - An approved occupant who lives in Laguna Woods Village, including nonowners approved for occupancy.

Staff - Employees of VMS authorized to act on behalf of United Laguna Woods Mutual, Third Laguna Hills Mutual and GRF.

Third Party - Includes (1) all GRF Members and Residents, and any of their tenants, family members, guests or invitees; (2) vendors including their employees, agents, and sub-contractors; and (3) directors.

Vendors - Persons working for a service provider serving VMS, GRF or any of the Housing Mutuals.

VMS - The self-owned professional management company for Laguna Woods Village. It is a mutual-benefit corporation that was established to provide professional management services to the Community.

All other terms use the definitions as found in the Governing Documents, including the Bylaws.

III. CONDITIONS

A. Proper decorum. No Residents, GRF Members, Directors, Committee Members or Employees are permitted to:

1. Engage in personal attacks, insults or belittling of any individual (whether a Resident, GRF Member, Director, Committee Member, Employee, Vendor, guest or invitee) by name or otherwise, or make any statement that can reasonably be construed as insulting, offensive, belittling or abusing by any means, including, but not limited to, making annoying telephone calls as described in Penal Code §653m, sending correspondence including, but not limited to, the use of public or private mail, facsimile, electronic mail, social media and/or other electronic posting;
2. Destroy personal property of any other Resident, GRF Member, Director, Committee Member, Employee, Vendor, guest or invitee;
3. Use threatening or abusive language or gestures;
4. Bully, harass, intimidate or otherwise interfere with a Director, Committee Member, Employee or Vendor in the performance of their job/duties;
5. Engage in unwelcome conduct toward Residents, GRF Members, Directors, Committee Members, Employees or Vendors including, without limitation in unlawfully harassing, intimidating, molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, abusing and telephoning, including, but not limited to, making annoying telephone calls as described in Penal Code §653m, sending correspondence by any means, including, but not limited to, the

use of public or private mail, facsimile, electronic mail, social media and/or other electronic posting, and destroying personal property.

B. Noise and Nuisance

1. GRF Directors and Committee Members are not permitted to do anything that will unreasonably embarrass, disturb or annoy others, including, without limitation, Residents, GRF Members, Directors, Committee Members, Employees and Vendors.
2. No GRF Member or Resident is permitted to engage in any abusive or harassing behavior or any form of intimidation or aggression, whether verbal or physical, against any Resident, GRF Member, Vendor, guest and invitee, Director, Committee Member or Employee. If the Board elects not to act on a nuisance complaint by a GRF Member, or if the complaining party believes GRF's action is not sufficient, the GRF Member is permitted to pursue additional legal rights under governing documents and/or the law.
3. GRF Members and Residents are advised they do not have a right to live in a noise- and odor-free environment. Normal levels of noise and environmental pollutants are to be expected. This Policy is designed to prohibit only unreasonable activities.
4. The interests and rights of all Residents regarding loud and disturbing noise must be considered. Such consideration precludes, without limitation, unreasonably noisy activities, excessively loud outdoor entertainment and/or frequent music, radios, stereos, televisions, parties, barking dogs and power tools, and noise from cars, motorcycles and other vehicles.
5. No nuisance, illegal, hazardous or noxious activities, including without limitation, the unreasonable accumulation of waste or litter is permitted within the community. Rubbish and debris shall be placed in the designated and proper receptacles.
6. Odors emanating from any other portion of the development that create an unreasonably offensive or unsanitary condition, or that constitute a nuisance are prohibited.
7. Because what constitutes a nuisance is largely subjective, the Board is not obligated to become involved in disputes unless the "nuisance" causes substantial interference rather than mere inconvenience and impacts the community at large.

IV. HARASSMENT

A. Policy

1. GRF does not condone, endorse, or otherwise tolerate Harassment against its GRF Members, Residents, Directors, Committee Members, Employees or Vendors. Harassment of a GRF Member, Resident, Director, Committee Member, Employee or Vendor based on his or her membership as part of a Protected Class by a Third Party is prohibited.
2. This Policy is not intended to limit lawful free speech. However, speech intended to coerce, intimidate or threaten violence is not protected. The purpose of the Policy is to provide GRF, GRF Members, Residents, Directors, Committee

Members, Employees or Vendors a procedure to address any disputes regarding alleged Harassment.

3. GRF is not empowered to act on all actual, alleged or potential Harassment, or related disputes and controversies. It is limited by the authority provided in its Governing Documents and the law. Equally important, GRF Members and Residents have their own rights under the law that they can exercise. GRF Members and Residents should seek their own legal counsel about their rights.

B. Harassment Based on Protected Classes

1. Notwithstanding the foregoing and the fact that GRF has no obligation to enforce the law, recent federal and California regulations/guidelines impose certain obligations on GRF with regard to the investigation and treatment of any reported Harassment on the basis of a Protected Class.
2. The guidelines were enacted to further define and address housing discrimination in the form of Harassment on the basis of a Protected Class.
3. Any form of Harassment on the basis of a Protected Class in housing or within housing developments is a form of illegal discrimination. GRF is considered a "housing provider."
4. As such, the Board is required to evaluate alleged Harassment from the perspective of a housing provider, and to investigate when a GRF Member or Resident has reported being subjected to Harassment to the extent that it may amount to illegal housing discrimination.
5. GRF is required to investigate all reported claims of potential Harassment of GRF Members and Residents and, as appropriate, take all action permitted to address such harassing behavior (24 C.F.R. 100.600).
6. Failure of GRF to fulfill its duty under the above may potentially subject GRF to direct liability for:
 - a. GRF's own conduct that results in a discriminatory housing practice;
 - b. failing to take prompt action to correct and end a discriminatory housing practice where GRF knew or should have known of the discriminatory conduct; and
 - c. failing to fulfill a duty to take prompt action to correct and end a discriminatory housing practice by a Third Party where GRF knew or should have known of the discriminatory conduct. The duty to take prompt action may derive from an obligation to the aggrieved person created by contract or lease, including GRF's Governing Documents (80 Fed. Reg. at 63730).
7. For purposes of determining liability for failure to take prompt action to correct or end a discriminatory housing practice, the prompt action may not include any action that penalizes or harms the aggrieved person, such as eviction of the aggrieved person (80 Fed. Reg. at 63730).

8. The direct and vicarious liability provisions apply to all types of discriminatory housing practices, not just those based on quid pro quo or hostile environment harassment. Failure to comply with these provisions may result in deference by the courts and may be used to interpret the California Fair Employment and Housing Act (FEHA) (Gov. Code § 12900 et seq).

V. INVESTIGATION OF ALLEGATIONS

When an alleged Harassment report is submitted, the Board will review the matter at an executive Board meeting and make a reasonable business judgment decision based on the information in the report, whether the allegations, if true, constitute a Neighbor-to-Neighbor Dispute, Harassment, another violation of the Governing Documents or otherwise. The Board may request further documents or evidence of the dispute or complaint, call one or more complaining parties to a Board meeting, and confer with other Residents, GRF Members, Staff, Vendors or legal counsel as part of its investigation of the matter.

The Board reserves the right to take any action necessary or to not take any action if, in its discretion, it concludes the allegations do not violate the Governing Documents or relevant law. Investigations may include an investigation by a third-party investigator. GRF will take reasonable steps to mitigate and/or eliminate any continuing abusive or hostile work environment.

VI. REPORTING AND ENFORCEMENT

A. General

1. GRF is authorized to take disciplinary action against a GRF Member if they or their Resident, co-occupant, tenant, guest or invitee violates the Governing Documents. GRF may take any lawful action against anyone it determines has committed Harassment within the Community and while using the amenities.
2. The Board has the discretion to determine which actions are violations of this Policy and which actions do not require further action by GRF.
3. This Policy does not apply to activities within the areas governed by the Housing Mutuals and GRF will not pursue such issues within those areas.
4. The Board may, after a hearing, impose monetary fines, suspend the GRF Member(s) privileges and/or initiate legal action. GRF Member(s) are entirely responsible for ensuring that the Governing Documents are followed by anyone they allow into the community. This includes any co-occupant, tenant, guest or other invitee.

B. Board Member or Committee Member Discipline

1. The Board may take disciplinary actions against a GRF Director or Committee member who violates this Policy. Prior to taking any disciplinary action, the Board's officers and legal counsel shall review the evidence and investigate the alleged violation.
2. If it is determined that this Policy has been violated, legal counsel will notify the Director or Committee member in writing and copy the Compliance Division of the violation and instruct the Compliance Division to provide a 10-day Notice of Hearing to the Director or Committee member. Following the hearing by the Board,

the Director or Committee Member will be notified of the Board's decision regarding any disciplinary action.

3. Such disciplinary action may include removal of the Director or Committee Member from all Committees. If the disciplined Committee Member was appointed to the Committee(s) by a Housing Mutual pursuant to Section 7.3 of the Bylaws, the Board may request that the President of the Housing Mutual immediately remove the Committee Member from all Committees. Failure of the President of the Housing Mutual to remove the Committee Member upon request may result in a demand to the Housing Mutual's board of directors that such Committee Member be removed from all Committees.
4. If the conduct of the Director or Committee Member also violates GRF's Code of Ethics Policy, additional disciplinary action may be taken against that Director or Committee Member in accordance with the Code of Ethics Policy.

C. Neighbor-to-Neighbor Dispute

1. Resolution 90-04-72, adopted October 5, 2004, by the Board established a member discipline process for the purpose of holding disciplinary hearings in a timely manner and ensuring progressive discipline. The Board is obligated to evaluate and impose if appropriate, member discipline under its Bylaws and §5855 of the Davis-Stirling Act.
2. The GRF Member disciplinary process is coordinated by the Compliance Division. A complaint may be registered by calling the Security Department at 949-580-1400 or the Compliance Division at 949-268-CALL or compliance@vmsinc.org.

D. Third-Party Dispute

1. By way of the initial investigation, should Staff identify objective evidence of a violation by a GRF Member or their Resident or guests, Staff will send a letter to the offending party describing the allegation(s) and the disciplinary action that may ensue if not corrected.

VII. VMS HARASSMENT BY BOARD MEMBER, COMMITTEE MEMBER OR ADVISOR

VMS has a legal obligation to provide its Employees with a workplace free from any type of inappropriate conduct by Directors, Committee Members and/or advisors. Complaints of a violation of this policy toward Employees may be submitted in writing to VMS' Director of Human Resources and the Board President. If the situation is an emergency requiring intervention, call the Security Department.

Staff will report the violation to the Board President and the Compliance Division for further action.

RESOLUTION 90-21-xx
GRF Committee Appointments

RESOLVED October 5, 2021, that the following persons are hereby appointed and ratified to serve on the Committees of this Corporation:

Strategic Planning Committee

Debbie Dotson, Chair (GRF)
~~Jon Pearlstone, Chair (GRF)~~
James Hopkins (GRF)
Gan Mukhapadhyay, Alternate (GRF)
Robert Mutchnick (Third)
Cush Bhada (Third)
Steve Parsons, Alternate (Third)
~~Sue Margolis (United)~~
Andre Torng (United)
Cash Achrekar (United)
Ryna Rothberg (Mutual 50)
Advisor: Dick Rader

Customer Experience Subcommittee

~~Jon Pearlstone (GRF)~~
~~Cush Bhada (Third)~~
~~Robert Mutchnick (Third)~~
~~Andre Torng (United)~~

Facilities Subcommittee

~~Gan Mukhopadhyay (GRF)~~
~~Cush Bhada (Third)~~
~~Carl Randazzo (United)~~

Future Strategic Planning Items Subcommittee

~~Jim Hopkins (GRF)~~

Community Activities Committee

Yvonne Horton, Chair (GRF)
Deborah Dotson, Alternate (GRF)
Bunny Carpenter, Alternate (GRF)
~~Jon Pearlstone, Chair (GRF)~~
Reza Karimi (Third)
Annie McCary, Alternate (Third)
~~Elsie Addington (United)~~
Andre Torng (United)
Cash Achrekar, Alternate (United)
Ryna Rothberg, (Mutual 50)
Advisor: Roland Boudreau, Juanita Skillman

Equestrian Center Ad Hoc Committee

Bunny Carpenter, Chair (GRF)

Yvonne Horton (GRF)

Cush Bhada (Third)

Annie McCary, (Third)

Advisors: Gary Empfield, Stefanie Brown, Bunny Lipinski, Susan Hemberg

Finance Committee

James Hopkins, Chair (GRF) Deborah

Gan Mukhapadhyay, ~~Alternate~~ (GRF)

Dotson, Alternate, ~~Alternate~~ (GRF)

Steve Parsons (Third)

Robert Mutchnick (Third)

Craig Wayne, Alternate (Third)

Azar Asgari (United)

~~Carl Randazzo (United)~~

Diane Casey, Alternate (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)

~~Sue Margolis (United)~~

Diane Casey (United)

~~Andre Torng (United)~~

Lynn Jarrett (Third)

Reza Karimi (Third)

Landscape Committee

Yvonne Horton, Chair (GRF)

Maggie Blackwell (GRF)

Lynn Jarrett, (Third)

Reza Karimi, (Third)

Donna Rane-Szostak, Alternate (Third)

Manuel Armendariz, (United)

~~Andre Torng (United)~~

Azar Asgari, Alternate (United)

Vacant (Mutual 50)

Maintenance & Construction Committee

Egon Garthoffner, Chair (GRF)

Gan Mukhapadhyay (GRF)

Deborah Dotson, Alternate (GRF)

John Frankel (Third)

Ralph Engdahl (Third)
~~Reza Karimi, Alternate (Third)~~
~~Carl Randazzo, (United)~~
~~Brian Gilmore (United)~~
Reza Bastani, ~~Alternate~~ (United)
Sue Stephens (Mutual 50)
~~John Carter (Mutual 50)~~

Advisor: Richard Palmer, Steve Leonard, Bill Walsh, ~~Carl Randazzo~~

Clubhouse Renovation Ad Hoc Committee

Egon Garthoffner, Chair (GRF)
Gan Mukhapadhyay (GRF)
Deborah Dotson (GRF)
John Frankel (Third)
Cush Bhada (Third)
Ralph Engdahl, Alternate (Third)
Manuel Armendariz (United)
~~Carl Randazzo (United)~~
~~Sue Margolis, Alternate (United)~~
Advisors: Steve Leonard, Bill Walsh, Cathy Garris

Media and Communications

Joan Milliman, Chair (GRF)
Maggie Blackwell (GRF)
Deborah Dotson, Alternate (GRF)
Annie McCary (Third)
Lynn Jarrett (Third)
Donna Rane-Szostak, Alternate (Third)
Neda Ardani (United)
~~Elsie Addington, (United)~~
Ryna Rothberg, (Mutual 50)
Advisors: Carmen Pacella, Tom Nash, Juanita Skillman, Lucy Parker
Theresa Frost

Broadband Ad Hoc Committee

Joan Milliman, Chair (GRF)
Jim Hopkins (GRF)
Jon Pearlstone (GRF)
Debbie Dotson (GRF)
Annie McCary (Third)
Lynn Jarrett (Third)
~~Elise Addington (United)~~

Mobility & Vehicles Committee

Don Tibbetts, Chair (GRF)
Egon Garthoffner (GRF)
Joan Milliman, Alternate (GRF)
Craig Wayne (Third)
Reza Karimi (Third)
Cush Bhada, Alternate (Third)
Elsie Addington, (United)
Reza Bastani (United)
Neda Ardani, Alternate (United)
Margaret Bennett (Mutual 50)
Sue Stephens, Alternate (Mutual 50)
Advisor: Vashi Williams

Security and Community Access

Don Tibbetts, Chair (GRF)
Maggie Blackwell (GRF)
Cush Bhada (Third)
Craig Wayne (Third)
Donna Rane-Szostak, Alternate (Third)
Manuel Armendariz (United)
Reza Bastani (United)
Andre Torng, Alternate (United)
Sue Stephens (Mutual 50)
Margaret Bennett, **Alternate (Mutual 50)**

OTHER COMMITTEES:**Disaster Preparedness Task Force**

Carlos Rojas, Chair
Maggie Blackwell (GRF)
Annie McCary, (Third)
John Frankel, (Third)
Donna Rane-Szostak, Alternate (Third)
Diane Casey (United)
Cash Achrekar, (United)
Reza Bastani, Alternate (United)
John Carter (Mutual 50)
Advisors: Tom Soule, Bruce Bonbright

Laguna Woods Village Traffic Hearings

(Chair will alternate between Boards)
Yvonne Horton (GRF)
Deborah Dotson (GRF)

John Frankel (Third)
Cush Bhada (Third)
Neda Ardani (United)
~~Elsie Addington, Alternate (United)~~
Board Members by Rotation (Mutual 50)

Insurance Ad Hoc Committee Dissolve Committee

~~Sue Margolis, Chair (United)~~
~~Cash Achrekar, Co-Chair (United)~~
~~Bunny Carpenter (GRF)~~
~~James Hopkins (GRF)~~
~~Rosemarie DiLorenzo (VMS)~~
~~Wei-Ming Tao (VMS)~~
~~Robert Mutchnick (Third)~~
~~Reza Karimi (Third)~~
~~Advisor: Diane Fortner, Jon Pearlstone~~

Purchasing Ad Hoc Committee

Bunny Carpenter, Chair (GRF)
Yvonne Horton (GRF)
Steve Parsons (Third)
Donna Rane-Szostak (Third)
Ralph Engdahl, Alternate (Third)
~~Carl Randazzo (United)~~
Cash Achrekar (United)
Diane Casey (United)

Select Audit Task Force

James Hopkins (GRF)
Diane Phelps (VMS)
Elizabeth Roper (United)
Peggy Moore (Third)

RESOLVED FURTHER, that Resolution 90-21-27 adopted August 3, 2021, is hereby superseded and cancelled; and

RESOLVE FURTHER; that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution.

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STAFF REPORT

DATE: October 5, 2021
FOR: Board of Directors
SUBJECT: Harassment and Nuisance Policy

RECOMMENDATION

The board adopt the updated Harassment and Nuisance Policy.

BACKGROUND

On October 1, 2019, the board adopted a Harassment and Nuisance Policy (Resolution 90-19-47) to set forth guidelines to address alleged violations of harassment and/or nuisance that occurs in GRF facilities. Previously, language for nuisance violations was included with the Recreation and Special Events Department policies.

DISCUSSION

The updated policy sets forth guidelines regarding harassment and nuisance complaints and to sanction behavior that makes residents, directors, Village Management Service Inc. ("VMS") staff or vendor personnel reasonably feel harassed, threatened or otherwise unsafe. The policy is also intended to address any behavior disturbing the quiet enjoyment of residents using common facilities within Laguna Woods Village.

In addition to reflecting changes in state law, the updated policy enhances current policy by introducing the concepts of proper decorum and harassment based on protected classes, as well as outlining the processes for investigation of allegations and board member or committee member discipline.

FINANCIAL ANALYSIS

None.

Prepared By: Siobhan Foster, COO

Reviewed By: Francis Gomez, Operations Manager

ATTACHMENT(S)

ATT 1: Harassment and Nuisance Policy

ATT 2: Harassment and Nuisance Resolution

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Harassment and Nuisance Policy
Resolution 90-19-47; Adopted October 1, 2019
Resolution 90-21-xx; Amended [Date], 2021

This policy is an Operating Rule as defined in the Davis-Stirling Common Interest Development Act and, to the extent it may conflict with any previous Operating Rules, supersedes and prevails over such previous rules. All Operating Rules, whether characterized as rules, policies, procedures or otherwise are subject to the provisions of the Bylaws ("Bylaws") currently in effect for Golden Rain Foundation of Laguna Hills ("GRF"). Unless otherwise specified, all the capitalized terms in this Harassment and Nuisance Policy ("Policy") have the same meaning as set forth in the Bylaws.

I. PURPOSE

This policy sets forth guidelines regarding harassment and nuisance complaints and to sanction behavior that makes Residents, Directors, Village Management Service Inc. ("VMS") Staff or Vendor personnel reasonably feel harassed, threatened or otherwise unsafe. The policy is also intended to address any behavior disturbing the quiet enjoyment of Residents using common facilities within Laguna Woods Village.

- 1. Prohibition against harassment.** GRF does not condone, endorse, or otherwise tolerate Harassment against GRF Members, Residents, Directors, VMS Staff or Vendors.
- 2. Protected speech and purpose.** This Policy is not intended to limit lawful free speech. However, speech intended to coerce, intimidate or threaten violence is not protected. The purpose of the Policy is to provide GRF Members and Residents a procedure to address any disputes regarding alleged Harassment.

II. DEFINITIONS

Committee - Any committee that has been approved by the Board.

Community - Laguna Woods Village; including, but not limited to, all amenities.

Board - GRF's Board of Directors.

Directors - Persons who are elected or appointed to serve on the Board. Directors are volunteer officials who are responsible for the oversight of GRF's operations and ensuring that GRF's Governing Documents are followed and enforced.

Employee(s) - Employees of VMS.

Governing documents - GRF's governing documents, which include the Articles of Incorporation, the GRF Trust Agreement, the Bylaws, the Rules and Regulations and any Resolutions or Policies of the Board, all of which may be lawfully amended or modified from time to time.

GRF Member - Owners within all Housing Mutuals who have paid dues to GRF.

Harassment - Coercion, intimidation, threats or other unwelcome conduct (whether communicated in writing, verbally or otherwise), which is severe enough to interfere with a GRF Member's or Resident's ability to enjoy any privileges, services or facilities operated by GRF.

Housing Mutual - Third Laguna Hills Mutual, The Towers Mutual No. Fifty and United Laguna Woods Mutual.

Neighbor-to-Neighbor Dispute - A dispute or complaint(s) by one GRF Member or Resident against another GRF Member or Resident, which involves a violation of GRF's Governing Documents or impacts GRF at large or its Common Areas.

Protected Classes - Includes race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, age, medical condition, genetic information, citizenship, primary language, immigration status, arbitrary characteristics as protected by the Unruh Civil Rights Act and all other classes of individuals protected from discrimination under federal or state fair housing laws, individuals perceived to be a member of any of the preceding classes or any individual or person associated with any of the preceding classes as provided in the California Code of Regulations §12005(y) or any successor statute.

Resident - An approved occupant who lives in Laguna Woods Village, including nonowners approved for occupancy.

Staff - Employees of VMS authorized to act on behalf of United Laguna Woods Mutual, Third Laguna Hills Mutual and GRF.

Third Party - Includes (1) all GRF Members and Residents, and any of their tenants, family members, guests or invitees; (2) vendors including their employees, agents, and sub-contractors; and (3) directors.

Vendors - Persons working for a service provider serving VMS, GRF or any of the Housing Mutuals.

VMS - The self-owned professional management company for Laguna Woods Village. It is a mutual-benefit corporation that was established to provide professional management services to the Community.

All other terms use the definitions as found in the Governing Documents, including the Bylaws.

III. CONDITIONS

A. Proper decorum. No Residents, GRF Members, Directors, Committee Members or Employees are permitted to:

1. Engage in personal attacks, insults or belittling of any individual (whether a Resident, GRF Member, Director, Committee Member, Employee, Vendor, guest or invitee) by name or otherwise, or make any statement that can reasonably be construed as insulting, offensive, belittling or abusing by any means, including, but not limited to, making annoying telephone calls as described in Penal Code §653m, sending correspondence including, but not

limited to, the use of public or private mail, facsimile, electronic mail, social media and/or other electronic posting;

2. Destroy personal property of any other Resident, GRF Member, Director, Committee Member, Employee, Vendor, guest or invitee;
3. Use threatening or abusive language or gestures;
4. Bully, harass, intimidate or otherwise interfere with a Director, Committee Member, Employee or Vendor in the performance of their job/duties;
5. Engage in unwelcome conduct toward Residents, GRF Members, Directors, Committee Members, Employees or Vendors including, without limitation, unlawfully harassing, intimidating, molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, abusing and telephoning, including, but not limited to, making annoying telephone calls as described in Penal Code §653m, sending correspondence by any means, including, but not limited to, the use of public or private mail, facsimile, electronic mail, social media and/or other electronic posting, and destroying personal property.

B. Noise and Nuisance

1. GRF Directors and Committee Members are not permitted to do anything that will unreasonably embarrass, disturb or annoy others, including, without limitation, Residents, GRF Members, Directors, Committee Members, Employees and Vendors.
2. No GRF Member or Resident is permitted to engage in any abusive or harassing behavior or any form of intimidation or aggression, whether verbal or physical, against any Resident, GRF Member, Vendor, guest and invitee, Director, Committee Member or Employee. If the Board elects not to act on a nuisance complaint by a GRF Member, or if the complaining party believes GRF's action is not sufficient, the GRF Member is permitted to pursue additional legal rights under governing documents and/or the law.
3. GRF Members and Residents are advised they do not have a right to live in a noise- and odor-free environment. Normal levels of noise and environmental pollutants are to be expected. This Policy is designed to prohibit only unreasonable activities.
4. The interests and rights of all Residents regarding loud and disturbing noise must be considered. Such consideration precludes, without limitation, unreasonably noisy activities, excessively loud outdoor entertainment and/or frequent music, radios, stereos, televisions, parties, barking dogs and power tools, and noise from cars, motorcycles and other vehicles.

5. No nuisance, illegal, hazardous or noxious activities, including without limitation, the unreasonable accumulation of waste or litter is permitted within the community. Rubbish and debris shall be placed in the designated and proper receptacles.
6. Odors emanating from any other portion of the development that create an unreasonably offensive or unsanitary condition, or that constitute a nuisance, are prohibited.
7. Because what constitutes a nuisance is largely subjective, the Board is not obligated to become involved in disputes unless the “nuisance” causes substantial interference rather than mere inconvenience and impacts the community at large.

IV. HARASSMENT

A. Policy

1. GRF does not condone, endorse, or otherwise tolerate Harassment against its GRF Members, Residents, Directors, Committee Members, Employees or Vendors. Harassment of a GRF Member, Resident, Director, Committee Member, Employee or Vendor based on his or her membership as part of a Protected Class by a Third Party is prohibited.
2. This Policy is not intended to limit lawful free speech. However, speech intended to coerce, intimidate or threaten violence is not protected. The purpose of the Policy is to provide GRF, GRF Members, Residents, Directors, Committee Members, Employees or Vendors a procedure to address any disputes regarding alleged Harassment.
3. GRF is not empowered to act on all actual, alleged or potential Harassment, or related disputes and controversies. It is limited by the authority provided in its Governing Documents and the law. Equally important, GRF Members and Residents have their own rights under the law that they can exercise. GRF Members and Residents should seek their own legal counsel about their rights.

B. Harassment Based on Protected Classes

1. Notwithstanding the foregoing and the fact that GRF has no obligation to enforce the law, recent federal and California regulations/guidelines impose certain obligations on GRF with regard to the investigation and treatment of any reported Harassment on the basis of a Protected Class.
2. The guidelines were enacted to further define and address housing discrimination in the form of Harassment on the basis of a Protected Class.
3. Any form of Harassment on the basis of a Protected Class in housing or within housing developments is a form of illegal discrimination. GRF is considered a “housing provider.”

4. As such, the Board is required to evaluate alleged Harassment from the perspective of a housing provider, and to investigate when a GRF Member or Resident has reported being subjected to Harassment to the extent that it may amount to illegal housing discrimination.
5. GRF is required to investigate all reported claims of potential Harassment of GRF Members and Residents and, as appropriate, take all action permitted to address such harassing behavior (24 C.F.R. 100.600).
6. Failure of GRF to fulfill its duty under the above may potentially subject GRF to direct liability for:
 - a. GRF's own conduct that results in a discriminatory housing practice;
 - b. failing to take prompt action to correct and end a discriminatory housing practice where GRF knew or should have known of the discriminatory conduct; and
 - c. failing to fulfill a duty to take prompt action to correct and end a discriminatory housing practice by a Third Party where GRF knew or should have known of the discriminatory conduct. The duty to take prompt action may derive from an obligation to the aggrieved person created by contract or lease, including GRF's Governing Documents (80 Fed. Reg. at 63730).
7. For purposes of determining liability for failure to take prompt action to correct or end a discriminatory housing practice, the prompt action may not include any action that penalizes or harms the aggrieved person, such as eviction of the aggrieved person (80 Fed. Reg. at 63730).
8. The direct and vicarious liability provisions apply to all types of discriminatory housing practices, not just those based on quid pro quo or hostile environment harassment. Failure to comply with these provisions may result in deference by the courts and may be used to interpret the California Fair Employment and Housing Act (FEHA) (Gov. Code § 12900 et seq).

V. INVESTIGATION OF ALLEGATIONS

When an alleged Harassment report is submitted, the Board will review the matter at an executive Board meeting and make a reasonable business judgment decision based on the information in the report, whether the allegations, if true, constitute a Neighbor-to-Neighbor Dispute, Harassment, another violation of the Governing Documents or otherwise. The Board may request further documents or evidence of the dispute or complaint, call one or more complaining parties to a Board meeting, and confer with other Residents, GRF Members, Staff, Vendors or legal counsel as part of its investigation of the matter.

The Board reserves the right to take any action necessary or to not take any action if, in its discretion, it concludes the allegations do not violate the Governing Documents or relevant law. Investigations may include an investigation by a third-party investigator. GRF will take reasonable steps to mitigate and/or eliminate any continuing abusive or hostile work environment.

VI. REPORTING AND ENFORCEMENT

A. General

1. GRF is authorized to take disciplinary action against a GRF Member if they or their Resident, co-occupant, tenant, guest or invitee violates the Governing Documents. GRF may take any lawful action against anyone it determines has committed Harassment within the Community and while using the amenities.
2. The Board has the discretion to determine which actions are violations of this Policy and which actions do not require further action by GRF.
3. This Policy does not apply to activities within the areas governed by the Housing Mutuals and GRF will not pursue such issues within those areas.
4. The Board may, after a hearing, impose monetary fines, suspend the GRF Member(s) privileges and/or initiate legal action. GRF Member(s) are entirely responsible for ensuring that the Governing Documents are followed by anyone they allow into the community. This includes any co-occupant, tenant, guest or other invitee.

B. Board Member or Committee Member Discipline

1. The Board may take disciplinary actions against a GRF Director or Committee member who violates this Policy. Prior to taking any disciplinary action, the Board's officers and legal counsel shall review the evidence and investigate the alleged violation.
2. If it is determined that this Policy has been violated, legal counsel will notify the Director or Committee member in writing and copy the Compliance Division of the violation and instruct the Compliance Division to provide a 10-day Notice of Hearing to the Director or Committee member. Following the hearing by the Board, the Director or Committee Member will be notified of the Board's decision regarding any disciplinary action.
3. Such disciplinary action may include removal of the Director or Committee Member from all Committees. If the disciplined Committee Member was appointed to the Committee(s) by a Housing Mutual pursuant to Section 7.3 of the Bylaws, the Board may request that the President of the Housing Mutual immediately remove the Committee Member from all Committees. Failure of the President of the Housing Mutual to remove the Committee Member upon request may result in a demand to the Housing Mutual's board of directors that such Committee Member be removed from all Committees.

4. If the conduct of the Director or Committee Member also violates GRF's Code of Ethics Policy, additional disciplinary action may be taken against that Director or Committee Member in accordance with the Code of Ethics Policy.

C. Neighbor-to-Neighbor Dispute

1. Resolution 90-04-72, adopted October 5, 2004, by the Board established a member discipline process for the purpose of holding disciplinary hearings in a timely manner and ensuring progressive discipline. The Board is obligated to evaluate and impose if appropriate, member discipline under its Bylaws and § 5855 of the Davis-Stirling Act.
2. The GRF Member disciplinary process is coordinated by the Compliance Division. A complaint may be registered by calling the Security Department at 949-580-1400 or the Compliance Division at 949-268-CALL or compliance@vmsinc.org.

D. Third-Party Dispute

1. By way of the initial investigation, should Staff identify objective evidence of a violation by a GRF Member or their Resident or guests, Staff will send a letter to the offending party describing the allegation(s) and the disciplinary action that may ensue if not corrected.

VII. VMS HARASSMENT BY BOARD MEMBER, COMMITTEE MEMBER OR ADVISOR

VMS has a legal obligation to provide its Employees with a workplace free from any type of inappropriate conduct by Directors, Committee Members and/or advisors. Complaints of a violation of this policy toward Employees may be submitted in writing to VMS' Director of Human Resources and the Board President. If the situation is an emergency requiring intervention, call the Security Department.

Staff will report the violation to the Board President and the Compliance Division for further action.

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RESOLUTION 90-21-XX**Harassment and Nuisance Policy**

WHEREAS, on October 7, 2019, the board adopted the Harassment and Nuisance Policy to set forth guidelines for harassment and nuisance complaints; and

WHEREAS, the board recognizes the need to update the policy to reflect changes in state law, introduce concepts of proper decorum and harassment based on protected classes, and outline the processes for investigation of allegations and board member or committee member discipline; and

NOW THEREFORE BE IT RESOLVED, October 5, 2021 the Board of Directors of this Corporation hereby revises the Harassment and Nuisance policy, as attached to the official minutes of this meeting; and

RESOLVE FURTHER, that Resolution 90-19-47 adopted October 1, 2019, 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.

SEPTEMBER Initial Notification—

28-day notification for member review and comments to comply with Civil Code §4360 has been satisfied

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STAFF REPORT

DATE: October 5, 2021
FOR: GRF Board of Directors
SUBJECT: Media & Communications Committee Recommendation for Broadband Services fee increase

RECOMMENDATION

The Media and Communications Committee (MACC) recommends that Broadband Services fee be increased by 5% for 2022 and the Finance Committee endorsed this recommendation prior to consideration by the Board of Directors.

BACKGROUND

In January 2006, GRF authorized the implementation of enhanced digital services. On February 5, 2013, the Board of Directors adopted Resolution 90-13-20 to offset the expense of providing digital cable services based on subscriber choices. The Broadband Services Committee found it necessary to revise the fee structure and digital tier system to facilitate the community's analog to digital transition. The Board of Directors authorized staff to charge subscribers for digital services based on the fee structure established by the Broadband Services Division. That new fee structure became effective on May 1, 2013.

Since that time, the number of digital subscribers has nearly doubled, set box technology and associated costs have increased as well as digital transport costs.

At the July 19, 2021, GRF MACC meeting, the Broadband Services Division reported that fees have not increased since 2013.

DISCUSSION

The MACC recommends a 5% increase in fees for premium programming services and broadband digital services beginning in 2022 to offset increasing premium programming and digital equipment costs. After discussion as to which committee should propose this to GRF, the MACC passed a motion by unanimous vote to send the recommendation for fee increases to the Finance Committee for its endorsement and recommendation to the GRF Board of Directors.

This 5% fee increase will offset subscriber equipment costs, annual premium programming fee increases, and increasing material costs to provided digital programming services.

FINANCIAL ANALYSIS

The Broadband Services fee increase will be reflected as a nominal increase in Premium Channel and Cable Service call revenue reflected in the 2022 budget.

The GRF MACC recommends the following increases related to providing Broadband digital services based on the fee structure contained in Table 1 below:

Table 1: Proposed Broadband Services Fees

Description	2020 Fee	2021 Fee	Proposed Adjustment	Proposed 2022 Fee
Service Call Fees				
TV Installation Fee	\$40	\$40	5%	\$42
Additional TV Installation Fee	\$20	\$20	5%	\$21
OTT Smart TV Set Up Fee (1 st device)	--	--	new service	\$60
OTT Smart TV Set Up Fee (2 nd device)	--	--	new service	\$40
Service Call	\$30	\$30	5%	\$31.50
Cable Outlet Standard Extension Fee	\$50	\$50	5%	\$52.50
Cable Outlet Major Extension Starting Fee plus	\$100	\$100	5%	\$105
Tivo Single Device Installation	\$50	\$50	5%	\$52.50
Tivo Whole Home Installation	\$100	\$100	5%	\$105
STB/Cable Card Fees				
Cable Card	\$95	\$95	(45%)	\$52.25
Cable Card Programming Access Fee (monthly)	\$4.95	\$4.95	5%	\$5.20
HD Converter Fee 1 st device (monthly)	\$7.95	\$7.95	5%	\$8.35
HD Converter Fee 2 nd device (monthly)	\$2.95	\$2.95	5%	\$3.10
Digital HD Set Top Box (monthly)	\$13.25	\$13.25	5%	\$13.91
Digital HD Set Top Box 2 Tuner (1 st STB) monthly	\$19.25	\$19.25	5%	\$20.21
Digital HD Set Top Box 2 Tuner DVR (2 nd STB) monthly	\$13.25	\$13.25	5%	\$13.91
Tivo Whole Home STB 6 Tuner DVR (monthly)	\$24.95	\$24.95	5%	\$26.20
Tivo Whole Home Qi3 STB (monthly)	\$7.95	\$7.95	5%	\$8.35
Tivo Bridge Adapter for Whole Home Service	\$50	\$50	5%	\$52.50
Pay TV Subscriber Fees				
Cinemax Package (monthly)	\$14.25	\$14.25	5%	\$14.96
HBO Package (monthly)	\$17.25	\$17.25	5%	\$18.11
Showtime Package (monthly)	\$14.25	\$14.25	10%	\$15.68
Starz/Encore Package (monthly)	\$14.25	\$14.25	5%	\$14.96
Foreign Language Channels (various monthly fees)	\$10-\$15	\$10-\$15	5%	\$11-\$16
Playboy Channel (monthly)	\$15	\$15	5%	\$15.75
Broadband Equipment Fees				
Polaris Remote Control	\$12	\$12	0%	\$12
Tivo Remote Control	\$15	\$15	0%	\$15
Power Cords	\$15	\$15	0%	\$15
No Return Equipment Fees				
HD Converter Recovery Fee (lost/stolen)	\$60	\$60	0%	\$60
Digital HD Set Top Box (lost/stolen)	\$100	\$100	0%	\$100

Please note:

Pricing for Broadband Equipment Fees and No Return Equipment Fees do not increase because there is no increased expense related to these fees, Demand for Cable Cards has decreased and GRF has a large inventory, therefore it is recommended that the cost for these be decreased.

Prepared By: Paul Ortiz, Broadband Services General Manager

Reviewed By: Eileen Paulin, Director Media and Communications
Steve Hormuth, Financial Services Interim Director

ATTACHMENT:

ATT 1: Resolution 90-21-XX Digital Cable Services Fee Structure and Tier System

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ENDORSEMENT (to board)

Broadband Services Fees

Eileen Paulin, Director of Media and Communication, presented a staff report recommending changes to the current Broadband Services fees as outlined in the staff report.

A motion was made and carried unanimously to recommend the board approve increases to the Broadband Services fees at next open session board meeting.

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RESOLUTION 90-21-XX

Digital Cable Services Fee Structure and Tier System

WHEREAS, the Media and Communications Committee has recommended adjustments in the fee schedule to address higher costs for digital access and programming fees,

WHEREAS, the Finance Committee has reviewed and endorsed the adjustments in the fee schedule that are included in the staff report and have recommended that the GRF board place this item into 28-day notice for review and comments by the community in large,

NOW THEREFORE BE IT RESOLVED, on October 5, 2021, the Board of Directors of this Corporation hereby adopts the proposed Digital Pay Tier System Fee Schedule 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 this Corporation, to carry out this resolution.

September Initial Notification

28-day notification for Member review and comment to comply with Civil Code §4360 has been satisfied.

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STAFF REPORT

DATE: October 5, 2021
FOR: Board of Directors
SUBJECT: Trust Facilities Fee Increase

RECOMMENDATION

Staff recommends that the Board approve a resolution to increase the GRF Trust Facilities Fee from \$5,000 to \$7,500; units with a sales price less than or equal to \$150,000 shall pay a Trust Facilities Fee of \$3,000. New rates are to be effective January 1, 2022.

BACKGROUND

GRF has a policy to charge a capital contribution on all resale transactions, in accordance with Civil Code §4580. A Trust Facilities Fee of \$1,500 was approved by Resolution 90-11-87 and charged on escrows opening after January 1, 2012. The policy wording has changed slightly over the years and a fee increase to \$5,000 has been in place since January 1, 2018.

On August 30, 2021 the GRF Board reviewed the adequacy of fees and increasing non-assessment revenue assumptions for the 2022 Business Plan. At that meeting, a motion was made and carried by a vote of 9-1 (Director Pearlstone opposed) to increase the GRF Trust Facilities Fee from \$5,000 to \$7,500. Another motion was made and approved unanimously to waive the fee if the unit is sold to a current owner of a unit inside the Village. A third motion was made and approved to raise the sales price exception threshold from \$75,000 to \$150,000 and raise the exception fee from \$2,500 to \$3,000.

DISCUSSION

The Trust Facilities Fee, a key source of revenue for reserves planning and improvements, helps keep monthly assessment costs down as a result of buyers contributing to reserves at the time of purchase through the resale process.

FINANCIAL ANALYSIS

GRF is collecting approximately \$3.7 Million a year through the current Trust Facilities Fee. To reflect a fee increase to \$7,500 per transfer, the 30-year reserves plan includes a projected revenue stream of just over \$5.4 Million annually. Through this additional revenue, the GRF Board was able to avoid additional reserve contributions and instead reduced the projected reserve contributions from \$19 to \$17 per manor per month in 2022.

Prepared By: Jose Campos, Finance Manager

Reviewed By: Steve Hormuth, Interim Finance Director

ATTACHMENT(S)

ATT 1: Policy Resolution

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RESOLUTION 90-21-XX

Trust Facilities Fee from \$5,000 to \$7,500

WHEREAS, as Trustee of the Golden Rain Foundation Trust, the Board of Directors of the Golden Rain Foundation is required to maintain and improve the recreational and other amenities available to all residents of Laguna Woods Village; and

WHEREAS, The Board of Directors finds that reinstatement of the capital contribution to the Trust originally required to be made for each manor sold will ensure the continuation of the amenities that make Laguna Woods Village unique; and

NOW THEREFORE BE IT RESOLVED, **October 5, 2021**, that as Trustee of the Golden Rain Foundation Trust, a declaration of Trust recorded March 6, 1964, the Board will impose a fee, to be known as the "Trust Facilities Fee", in accordance with all terms and conditions contained in this policy statement and in California Civil §4580 (as amended by Senate Bill 1128, Stats 2010 Chapter 322, §2, effective January 1, 2011) on all transactions involving the purchases of a separate interest in any of the Trustors' common interest developments (United Laguna Woods Mutual, Third Laguna Hills mutual and Mutual Fifty, each of which is hereinafter referred to as a "Trustor") within the City of Laguna Woods, as an obligation of the Purchaser(s); **effective January 1, 2022. For purposes of determining Effective Date, purchase contracts entered prior to January 1, 2022, in which escrow opens before January 1, 2022, and closes on or before March 31, 2022, are deemed transactions occurring prior to the Effective Date:** and

RESOLVED FURTHER, the Trust Facilities Fee will be a fixed amount, as provided herein and as determined from time to time by the Trustee of the Golden Rain Foundation Trust. The entirety of each such fee, when and as paid by the purchaser(s) shall be deposited into the Trust Facilities Fee Fund and shall be applicable to all such transactions, excluding the following transfers of a separate interest:

1. Where ownership of a separate interest is joined between a current beneficiary of a Trustor and a non-beneficiary spouse, domestic partner or other relative of such beneficiary;
2. Where ownership of a separate interest is transferred to a nonbeneficiary of a Trustor by gift or through inheritance from a beneficiary of a Trustor;
3. Where ownership of a separate interest is transferred by a beneficiary of a Trustor to the current qualifying resident (as defined in the Bylaws of each Trustor) of the separate interest, where the transferor has never been a qualifying resident and has previously paid a Trust Facilities Fee;

4. Where ownership of a separate interest is being transferred to a trust whose settler or principal beneficiary is the transferor, or to another trust for estate planning purposes;
5. Where ownership of a separate interest is purchased by a current owner, who has held interest in their current interest for at least one year.

RESOLVED FURTHER, effective with escrows opened, or purchase contracts signed, on or after January 1, 2022, the Trust Facilities Fee shall be set at ~~\$5,000~~7,500 for units with a sales price of ~~\$75~~150,000 or higher and ~~\$2,500~~3,000 for units that sell below ~~\$75~~150,000, until modified by the Trustee; and

RESOLVED FURTHER, in accordance with California Civil Code §4580 each new purchase of a separate interest in any of the Trustors' common interest developments within the City of Laguna Woods to which this Trust Facilities Fee applies (i.e., all new purchases other than a transfer qualifying for any of the exclusions set forth in subparagraphs 1-~~4~~5 above) shall, in compliance with California Civil Code §4580, have the option to either:

- (i) pay the fee in its entirety at the time of transfer; or
- (ii) pay the fee amount pursuant to an installment payment plan for a period of seven years.

If the purchaser elects to pay the fee in installment payments under the second of the above statutorily permitted options, then the Trustee may also collect additional amounts not to exceed the actual costs for billing and financing on the amount owed (as set forth below, and in compliance with the Davis-Stirling Act, as the same may be amended from time to time), and if the purchaser sells their separate interest prior to the end of the installment payment plan period, he or she shall pay the remaining balance of the fee owed to the Trustee prior to transfer. A fee of \$10 will be imposed for any late payments.

The Golden Rain Foundation Board shall assess a one-time fee for the preparation of the promissory note. The Golden Rain Foundation Board shall also assess a handling fee of \$252.00 until later modified by the Board and interest, if applicable, at the minimum rate allowed by law. The monthly payment of the Trust Facilities Fee, the handling fee and interest, if applicable, shall be due on the 1st day of each month; and

RESOLVED FURTHER, Resolution 90-18-48, adopted November 6, 2018, is hereby superseded and cancelled ***to the extent that it differs, effective January 1, 2022;*** and

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on, behalf of the Corporation, to carry out this resolution.



September Initial Notification

28-day notification for Member review and comment to comply with Civil Code §4360 has been satisfied.

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STAFF REPORT

DATE: October 5, 2021
FOR: Board of Directors
SUBJECT: Code of Ethics Policy for GRF Directors

RECOMMENDATION

Adopt of the updated Code of Ethics Policy for GRF Directors.

BACKGROUND

On July 6, 2021, the board of directors adopted Resolution 90-21-24 updating the Code of Ethics Policy for GRF Directors.

DISCUSSION

Following adoption of the policy, the board discussed potential enhancements to the policy including changing “Board” to “Directors” in section A of the policy and adding “to serve impartially” to third bullet point under section B, subsection 5.

FINANCIAL ANALYSIS

None.

Prepared By: Siobhan Foster, COO

Reviewed By: Grant Schultz, Assistant Corporate Secretary

ATTACHMENT(S)

ATT 1: Resolution 90-21-XX

ATT 2: Code of Ethics Policy for GRF Directors (clean)

ATT 3: Code of Ethics Policy for GRF Directors (redline)

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RESOLUTION 90-21-XX

Code of Ethics Policy for GRF Directors

WHEREAS, the Board of Directors of the Golden Rain Foundation (GRF) has recognized the need to amend the Code of Ethics Policy for GRF Directors; and

NOW THEREFORE BE IT RESOLVED, [DATE], 2021 the Board of Directors of this Corporation hereby adopts the Code of Ethics Policy for GRF Directors; as attached to the official minutes of this meeting; and;

RESOLVED FURTHER, that Resolution 90-21-24 is hereby suspended and cancelled; and

RESOLVED FURTHER, that a copy of this resolution shall be given to every candidate for the GRF board of directors; 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.

OCTOBER Initial Notification

Should the Board endorse the proposed revisions, 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 postpones the resolution to the next available Board Meeting no less than 28-days from the postponement to comply with Civil Code §4360.

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CODE OF ETHICS POLICY FOR GRF DIRECTORS

The Board of Directors has adopted the following code of ethics policy for its board and committee members. This policy is intended to provide guidance with ethical issues and a mechanism for addressing unethical conduct.

A. DIRECTORS RESPONSIBILITIES

The general duties for directors are to enforce the association's governing documents, collect and preserve the association's financial resources, ensure the association's assets against loss, and keep the common areas in a state of good repair. To fulfill that responsibility, directors must:

- attend board meetings, regularly
- review material provided in preparation for board meetings, review the association's financial reports,
- make reasonable inquiry before making decisions, and
- be familiar with the GRF governing documents.

B. PROFESSIONAL CONDUCT

In general, directors and committee members must conduct all dealings with vendors and employees with honesty and fairness, and safeguard information that belongs to the association.

1. **Self-Dealing.** Self-dealing occurs when directors or committee members make decisions that materially benefit themselves or their relatives at the expense of the association. "Relatives" include a person's spouse, parents, siblings, children, mothers and fathers-in-law, sons and daughters-in-law, brothers and sisters-in-law and anyone who shares the person's residence. Benefits include money, privileges, special benefits, gifts or other items of value. Accordingly, no director or committee member may:
 - solicit or receive any compensation from the association for serving on the board or any committee,
 - make promises to vendors unless with prior approval from the board,
 - solicit or receive, any gift, gratuity, favor, entertainment, loan, or any other thing of value for themselves or their relatives from a person or company who is seeking a business or financial relationship with the association,
 - seek preferential treatment for themselves or their relatives,
 - use association property, services, equipment or business for the gain or benefit of themselves or their relatives, except as is provided for all members of the association.

2. **Confidential Information.** Directors and committee members are responsible for protecting the association's confidential information. As such, they may not use confidential information for the benefit of themselves or their relatives. Except when disclosure is duly authorized or legally mandated, no director or committee member may disclose confidential information, even after they are retired from the board or committee. Confidential information includes, without limitation:
 - private personal information of fellow directors and committee members,
 - private personnel information of the association's employees, disciplinary actions against members of the association,
 - assessment collection information against members of the association, and
 - legal disputes in which the association is or may be involved--directors may not discuss such matters with persons not on the board without the prior approval of the association's legal counsel. Failure to follow these restrictions could constitute a breach of the attorney- client privilege and loss of confidential information.
3. **Misrepresentation.** Directors and committee members may not knowingly misrepresent facts. All association data, records and reports must be accurate and truthful and prepared in a proper manner.
4. **Interaction with Employees.** To ensure efficient management operations, avoid conflicting instructions from the board to management and avoid potential liability, committee members and directors shall observe the following guidelines:
 - The president of the board shall serve as liaison between the board and management and provide direction on day to day matters.
 - Except for the president, committee chair and/or designee, other committee members and directors may not give direction to management, employees or vendors.
 - Directors may not contact management after hours unless there is an emergency representing a threat of harm to persons or property.
 - If directors or committee members are contacted by employees with complaints, the employees shall be instructed to contact management or the board as a whole.
 - No director may threaten or retaliate against an employee who brings information to the board regarding improper actions of a director or committee member.
 - Directors and committee members are prohibited from harassing or threatening employees, vendors, directors, committee members, and owners, whether verbally, physically or otherwise.

5. **Proper Decorum**. Directors and committee members are obligated to act with proper decorum. Although they may disagree with the opinions of others on the board or committee, they must act with respect and dignity and observe the following guidelines:

- never make personal attacks on colleagues, staff or residents.
- refrain from behavior that could possibly create a hostile work environment.
- to serve impartially the GRF Corporation as well as the Housing Mutuals' corporations, as represented by the Corporate Members.
- never engage in any writing, publishing, or speech making that defames any member of a board, resident or staff.
- refrain from any statements, discussions and deliberations of any outside political affiliations.
- refrain from posting or responding to any content on any social media platform relating to official GRF business, actions taken by GRF or otherwise relating to GRF's corporate powers and duties and staff's performance and duties.

Directors and committee members must focus on issues, not personalities, and conduct themselves with courtesy toward each other and toward employees, managing agents, vendors and members of the association. Directors and committee members shall act in accordance with board decisions and shall not act unilaterally or contrary to the board's decisions.

C. WHEN CONFLICTS OF INTEREST ARISE

Situations may arise that are not expressly covered by this policy or where the proper course of action is unclear. Directors and committee members should immediately raise such situations with the board. If appropriate, the board may seek guidance from the GRF Counsel.

1. **Disclosure & Recusal**. Directors and committee members must immediately disclose the existence of any conflict of interest, whether their own or others. Directors and committee members must withdraw from participation in decisions in which they have a material interest.
2. **Violations of Policy**. Directors and committee members who violate the GRF's Code of Ethics policy and governing documents are deemed to be acting outside the course and scope of their authority. Anyone in violation of this policy may be subject to disciplinary action, including, but not limited to:
 - censure,
 - removal from committees,
 - removal as an officer of the board,

- request for resignation from the board,
- recall by the membership, and
- legal proceedings.

The following procedure will be adhered to whenever a director has violated this policy.

- officers and legal counsel will meet and determine whether or not the policy has been violated.
- legal counsel will notify the director in writing of the violation(s) and copy the Compliance Department,
- the Compliance Department will provide a 10-day Notice of Hearing to the director who has the right to respond before judgment, and
- following the hearing, the director will be notified of judgment and any disciplinary action.
- Action taken against a director, including censure, may be disclosed to the owners within GRF.

Directors should consider resigning from the board if they find they can longer adhere to this Code of Ethics policy.

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- the Compliance Department will provide a 10-day Notice of Hearing to the director who has the right to respond before judgment, and
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Directors should consider resigning from the board if they find they can longer adhere to this Code of Ethics policy.

STAFF REPORT

DATE: October 5, 2021
FOR: Board of Directors
SUBJECT: Revenue Resources Ad Hoc Committee

RECOMMENDATION

Approve the formation of the Revenue Resources Ad Hoc Committee in accordance with the Golden Rain Foundation (GRF) of Laguna Woods Amended Bylaws.

BACKGROUND

Section 7.1.2 of the GRF Amended Bylaws states:

The Board of Directors or Standing Committees may establish ad hoc advisory or other Committees to perform special functions. The Membership, duties and powers shall be appropriate to the special function to be performed, but the authority of each Committee is limited to advising the Board or Standing Committee as appropriate and all action is subject to the specific approval of the Board (or Mutual Boards, if a joint Committee).

Section 7.5 of the GRF Amended Bylaws states:

All GRF Standing Committees will have a written charter that was voted on by the Board. All other types of Committees should have a written mission statement that the participants develop.

On September 9, 2021, the Community Activities Committee (CAC) reviewed various revenue generating ideas. Chair Horton recommended the formation of the Revenue Resources Ad Hoc Committee as an appropriate venue to research, identify and discuss new revenue resources for review by the CAC and approval by the board of directors.

DISCUSSION

Attachment 1 to this report details the mission statement, duties and responsibilities of the proposed Revenue Resources Ad Hoc Committee.

FINANCIAL ANALYSIS

None.

Prepared By: Siobhan Foster

Reviewed By: Brian Gruner, Recreation and Special Events Director
Grant Schultz, Assistant Corporate Secretary

ATTACHMENT

ATT 1: Resolution 90-21-XX



RESOLUTION 90-21-XX

Revenue Resources Ad Hoc Committee Mission Statement

WHEREAS, a Revenue Resources Ad Hoc Committee has been formed pursuant to Article 7, Section 7.1.2 and Section 7.5, of the bylaws of this corporation;

WHEREAS, the primary mission of the Revenue Resources Ad Hoc Committee shall be to research and identify new revenue sources in the community and make recommendations to the Community Activities Committee (CAC) and board of directors for approval;

WHEREAS, this Revenue Resources Ad Hoc Committee will not take the place of the Strategic Planning Committee for long-range planning;

WHEREAS, the duties and responsibilities of the Revenue Resources Ad Hoc Committee are to:

1. Research and identify new revenue resources utilizing the community in general with minimum investment. Revenue resources that will enhance the community and not take away from the amenities;
2. Research ideas from committee members must provide estimated financial analysis and implementation suggestions; and
3. Make progress reports to the CAC and the board of directors.

NOW THEREFORE BE IT RESOLVED, October 5, 2021, the Board of Directors of this Corporation hereby adopts the mission statement, duties and responsibilities of the Revenue Resources Ad Hoc Committee; 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.

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OPEN MEETING

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

**Tuesday, October 5, 2021 - 9:30 AM
Laguna Woods Village Community Center Board Room 24351 El Toro Road**

ADDENDUM TO THE AGENDA

This agenda item was available after the agenda packet was distributed. Please refer to the attached updates.

12b. Entertain a Motion to Approve the Village Community Fund Pickleball Lighting Donation

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STAFF REPORT

DATE: October 5, 2021
FOR: Board of Directors
SUBJECT: Village Community Fund Donation Resolution- Pickleball and Paddle Tennis

RECOMMENDATION

Staff recommends the board of directors establish and adopt a resolution to accept donated funds in the amount of \$25,000 from the Village Community Fund (VCF) to contract and install the existing style of court lights on the remaining three unlit courts at the Laguna Woods Village Pickleball and Paddle Tennis facility.

BACKGROUND

VCF, a California Public Benefit Corporation formed in December 2017, was organized by residents of Laguna Woods Village for the purpose of providing support for programs, services, and facilities that enrich the lives of older adults. One intent of VCF fundraising is to support projects within the Laguna Woods Village; however, this organization is not affiliated with any governing board or committee of GRF, United Mutual, and/or Third Mutual.

Pickleball is one of the fastest growing sports in the United States with approximately three million registered players. The Laguna Woods Village pickleball and paddle tennis courts were reconstructed in Spring 2019. The reconstruction included a new concrete slab, fencing and access gates, court layout reconfiguration, a shade structure, countertops, sinks, storage bins and lighting on four of seven courts pickleball/paddle tennis courts for night play. The unlit courts are constructed with conduits making additional light installations of the same type efficient and cost effective.

Due to the 2020 COVID-19 pandemic, the State of California and California Department of Health prohibited all indoor activities due to the high risk of spreading the Covid-19 virus. Outdoor activities were allowed with modified accommodations such as sanitizing equipment, limiting the number of users and practicing social distancing at all times. The approved amenities such as pickleball experienced an increase in participation limiting court time availability to residents. The pickleball demand is expected to continue even after the pandemic.

At the March 2, 2021, open GRF meeting, the board of directors accepted VCF's application to start fundraising for the purchase and installation of the existing type of lights on the three, unlit pickleball/paddle tennis courts to facilitate night play and ensure consistent playing conditions throughout the Village Pickleball and Paddle Tennis facility.

DISCUSSION

Since March 2021, VCF generated \$25,000 in fundraised monies to be donated to GRF for the purpose of contracting the installation of court lights over the three remaining unlit courts at the Pickleball and Paddle Tennis facility.

Ferandell Tennis Courts Inc. was the original sub-contracted lighting installer when the facility was renovated in 2019 (Attachment 1). The scope of work to install the remaining lights are:

- Remove two (2) existing light fixtures and arms between the two (2) west courts, then furnish and install two (2) double arms onto existing poles.
- Re-install two existing fixtures, then furnish and install two (2) new 594-watt LED light fixtures onto new double arms.
- Furnish and install four (4) 4" light posts outside fence, on west side of courts, and four (4) 594-watt LED lights (fixtures, arms, lens, bulbs) 20' above court surface. This includes running ½" conduit from pole to pole and pulling 20-amp/240-volt circuit to each pole
- Furnish and install one (1) lighting contractor relay next to court electrical panel, and one (1) light switch next or close to existing switches.

The project is estimated to take approximately two-three (2-3) weeks to order materials and one (1) week for installation; construction will require some court closures restricting court availability to players.

FINANCIAL ANALYSIS

GRF will accept a donation from VCF in the amount of \$25,000 to contract and install lights on the three unlit courts. The estimated installation costs not including any permitting costs, foundation inspections and contingency for unforeseen work is \$20,400. Once completed, any remaining donated funds will be redistributed to VCF.

Prepared By: Brian Gruner, Recreation and Special Events Director

Reviewed By: Siobhan Foster, COO
Steve Hormuth, Interim Finance Director
Manuel Gomez, Maintenance and Construction Director

ATTACHMENT(S)

ATT 1: Ferandell Tennis Courts Inc. Lighting Cost Estimate

ATT 2: Resolution 90-21-XX Village Community Fund Donation Resolution- Pickleball and Paddle Tennis

Attachment 1



FERANDELL
TENNIS COURTS INC.

(800) 900-1344

Contractor's License #603945 (A&B)
DIR Registration #100004786

Corporate: 3216 Gray Hawk Ct., Carlsbad CA 92010 • Ph: (858) 350-3444 • Fx: (858) 350-3488
Los Angeles: 25358 Avenida Ronada, Valencia CA 91355 • Ph: (818) 383-1793 • Fx: (858) 350-3488

PROPOSAL/CONTRACT # tm3462

This contract is entered into this 28th day of September 2021 by and between FERANDELL TENNIS COURTS, INC. (hereinafter FTC) and LAGUNA WOODS VILLAGE, c/o Village Mgt Svcs, 24351 El Toro Rd., Laguna Woods CA 92637 (hereinafter CLIENT).

Attn: **Rodger Richter** (proj mgr)

Phone: 949.268.2591

Fax:

Cell: 949.468.6427

Email: rodger.richter@vmsinc.org

Gate Code:

FTC AND CLIENT AGREE AS FOLLOWS:

FTC shall furnish the following submitted specifications and costs, all material, labor, equipment, transportation and perform all work necessary for the following at LAGUNA WOOD VILLAGE, 24112 Moulton Pkwy (Gate 12), Laguna Woods CA 92673.

1) LIGHTING – 2 PICKLEBALL COURTS

- a) FTC to remove two (2) existing light fixtures and arms between the two (2) west courts, then furnish and install two (2) double arms onto existing poles.
- b) FTC to re-install two existing fixtures, then furnish and install two (2) new 594watt LED light fixtures onto new double arms.
- c) FTC to furnish and install four (4) 4" light posts outside fence, on west side of courts, and four (4) 594watt LED lights (fixtures, arms, lens, bulbs) 20' above court surface. Includes running 1/2" conduit from pole to pole and pulling 20amp / 240 volt circuit to each pole.
- d) FTC to furnish and install one (1) lighting contactor relay next to court electrical panel, and one (1) light switch next or close to existing switches.

EXCLUSIONS: Permits.

****LIGHTING \$ 20,400. ****

initial

The provisions set forth upon the second page hereof and any other attached pages hereto are hereby incorporated in and made a part of this **CONTRACT**.

Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the registrar of the board whose address is:

Contractor's State License Board, 1020 N. Street, Sacramento, CA 95814.

IN WITNESS WHEREOF, the parties hereto have executed this **CONTRACT** the day and year set forth below.

CLIENT

FTC

Dated: _____

Dated: 9/28/2021

By: _____

By: **Ferandell Tennis Courts, Inc.**

By: _____

By: 

Paul Ferandell, Vice President

TERMS & CONDITIONS

1. **EXPIRATION:** Unless otherwise noted, bid price(s) valid for 3 months from bid date for acceptance and start of work.
2. **PAYMENT SCHEDULE:** Due upon 100% completion.
3. **PREVAILING WAGE:** Excluded, unless otherwise noted above.
4. **PERMITS:** CLIENT is responsible for securing, including all related costs for permits, variances, soils reports and property lines.
5. **INSURANCE:** Insurance requirements outside of FTC's existing coverage, endorsements and standard wording will be an additional cost.
6. **NORMAL DETERIORATION OF GAME COURT SURFACE:** FTC shall supply and install a surface on the game court slabs as specified. Said surface material is durable, but not permanent, and will fade, erode and otherwise deteriorate over time and with use. CLIENT agrees and understands that said surface shall require replacement or refurbishment in the future dependent upon the CLIENT's preference, and that this contract does not unless otherwise specified, include such replacement or refurbishment. Surfacing material will not keep cracks from appearing or reappearing.
7. **CRACKS:** Unless otherwise specified, FTC cannot guarantee against slab cracks appearing/re-appearing, due to contraction, expansion and other existing conditions.
8. **RESURFACING LIMITATION:** In the resurfacing over previously coated courts, FTC shall not be responsible for delamination caused by previous coatings nor delaminations or discolorations of the surfacing caused by the leaching of impurities from within the slab or sub grade.
9. **BOUNDARIES:** CLIENT shall indicate to FTC the boundaries of the property and CLIENT shall assume all responsibility for accuracy of said description and boundaries.
10. **UNKNOWN UNDERGROUND IMPROVEMENTS:** Unless specifically indicated, agreed price does not include rerouting or responsibility of damage to vents, pipes, ducts, water or sewage disposal systems or wiring conduits that may be discovered in performance of work. Costs related to loosely compacted dirt or excessive rock are also excluded.
11. **CLIENT TO PROVIDE ACCESS-DAMAGE WAIVER:** Shall grant free access to work areas for workmen and vehicles, and shall allow areas for storage of materials and rubbish. CLIENT agrees to keep driveways clear and available for movement and parking of trucks during normal work hours. FTC shall not be held responsible for damage to driveways, walks, lawns or shrubs by movement of trucks.
12. **EXTRA WORK REQUIRED BY PUBLIC BODY:** Any changes, alterations or extras from the drawings or specifications which may be required by any public body, utility or inspector shall constitute an extra and shall be paid for the same as any other extra.
13. **UNFORESEEN DELAYS:** FTC agrees to diligently pursue work through to completion, but shall not be responsible for delays for any of the following reasons: acts of neglect or omissions of CLIENT or CLIENT's employees or CLIENT's agents, stormy or inclement weather, strikes, lockouts, boycotts, or other labor union activities, extra work ordered by CLIENT, inability to secure materials through regular recognized channels, failure of CLIENT to make payments when due.
14. **WARRANTY:** All materials and labor provided by FTC are guaranteed for one (1) year from the date FTC's work is completed. However, FTC cannot guarantee and specifically disclaims any warranty against normal cracking of concrete within industry standards or against concrete cracking due to causes beyond FTC's control including, but not limited to, Acts of God, soil subsidence/movement, inherent characteristics of the soil, expansive soil, hydrostatic pressure, drainage problems, and reactive aggregate or contaminants in the concrete. FTC does not warrant against shrinkage cracks and/or spalls which appear in the concrete, and CLIENT understands and acknowledges that cracks and/or spalls do occur, and that they may affect the court's appearance. THIS WARRANTY IS IN LIEU OF ANY AND ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND CONSTITUTES THE SOLE WARRANTY OF FTC TO CLIENT. THERE ARE NO EXPRESS OR IMPLIED WARRANTIES OF FITNESS, MERCHANTABILITY, QUALITY, AND WORKMANSHIP OR OF MATERIALS EXCEPT AS SPECIFICALLY HEREIN SET FORTH. No warranty work will be performed until the contract amount is paid in full.
15. **RIGHT TO STOP WORK DUE TO NON-PAYMENT:** FTC shall have the right to stop work and to keep the job idle if payments are not made to him when due. If the CLIENT delays in making any progress payment, FTC may stop work until the CLIENT delivers to FTC, at the CLIENT's expense, a payment bond executed by a corporate surety covering the cost of the balance of the work to be performed under this contract.
16. **LATE CHARGES:** CLIENT agrees to pay FTC invoices in accordance with the terms thereon. CLIENT further agrees to pay late charges of 1½% per month on any amounts not paid within 30 days from date of statement, any collection expenses and attorney fees incurred in collection of this account on any amounts not paid within 60 days from date of statement.
17. **ATTORNEYS FEES:** Should litigation be necessary to enforce any term or provision of this contract, or to collect any portion of the amount payable under this contract, then all litigation and collection expenses, witness fees and court costs and attorney's fees shall be paid to the prevailing party. "Prevailing Party" shall be defined not necessarily as the party obtaining a favorable judgment, but as the party which succeeds in obtaining a judgment equal to, or in excess of the last written offer made by that party to the other. The paragraph's purpose is to encourage the parties to resolve any disputes by settlement by the exchange written offers thereof prior to judgment, and shall be interpreted so as to reasonably carry out that purpose.

Attachment 2



RESOLUTION 90-20-XX

Village Community Fund Donation Resolution- Pickleball and Paddle Tennis

WHEREAS, on March 2, 2021 the GRF Board accepted VCF's application to start fundraising for the purpose of contracting the installation of the existing style of court lights over the three remaining unlit courts at the Pickleball and Paddle Tennis facility to facilitate night time play and ensure consistent playing conditions throughout the facility; and;

WHEREAS, since March 2021, VCF generated \$25,000 in fundraised monies to be donated to GRF for the purpose of contracting the installation of court lights over the three remaining unlit courts at the Pickleball and Paddle Tennis facility; and;

WHEREAS, any remaining donated funds will be redistributed to VCF; and;

NOW THEREFORE BE IT RESOLVED, October 5, 2021 the Board of Directors of this Corporation hereby adopts the donation of \$25,000 from Village Community Fund for the installation of court lights over the three remaining unlit courts at the Pickleball and Paddle Tennis facility; 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.

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GRF Financial Report

As of August 31, 2021



INCOME STATEMENT (in thousands)	ACTUAL
Assessment Revenue	\$20,948
Non-Assessment Revenue	\$8,454
Total Revenue	\$29,402
Total Expense	\$26,969
Net Revenue/(Expense)	\$2,434

GRF Financial Report

As of August 31, 2021



OPERATING ONLY INCOME STATEMENT (in thousands)	ACTUAL
Assessment Revenue	\$19,012
Non-Assessment Revenue	\$5,490
Total Revenue	\$24,502
Total Expense ¹	\$23,621
Operating Surplus	\$881

1) excludes depreciation

GRF Financial Report

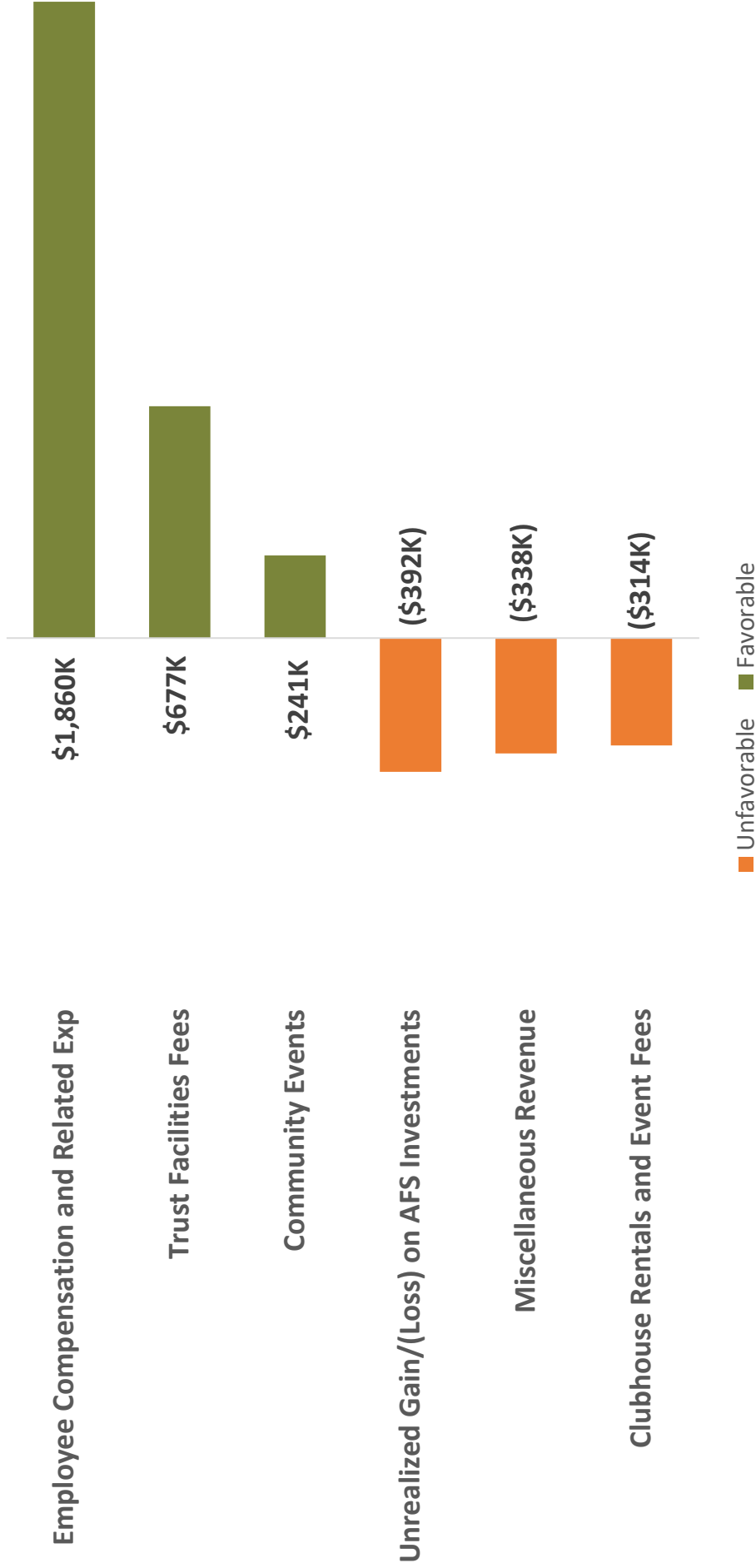
As of August 31, 2021



INCOME STATEMENT (in Thousands)	ACTUAL	BUDGET	VARIANCE B/(W)
Assessment Revenue	\$20,948	\$20,948	\$0
Non-Assessment Revenue	\$8,454	\$8,830	(\$376)
Total Revenue	\$29,402	\$29,778	(\$376)
Total Expense	\$26,969	\$29,212	\$2,244
Net Revenue/(Expense)	\$2,434	\$566	\$1,868

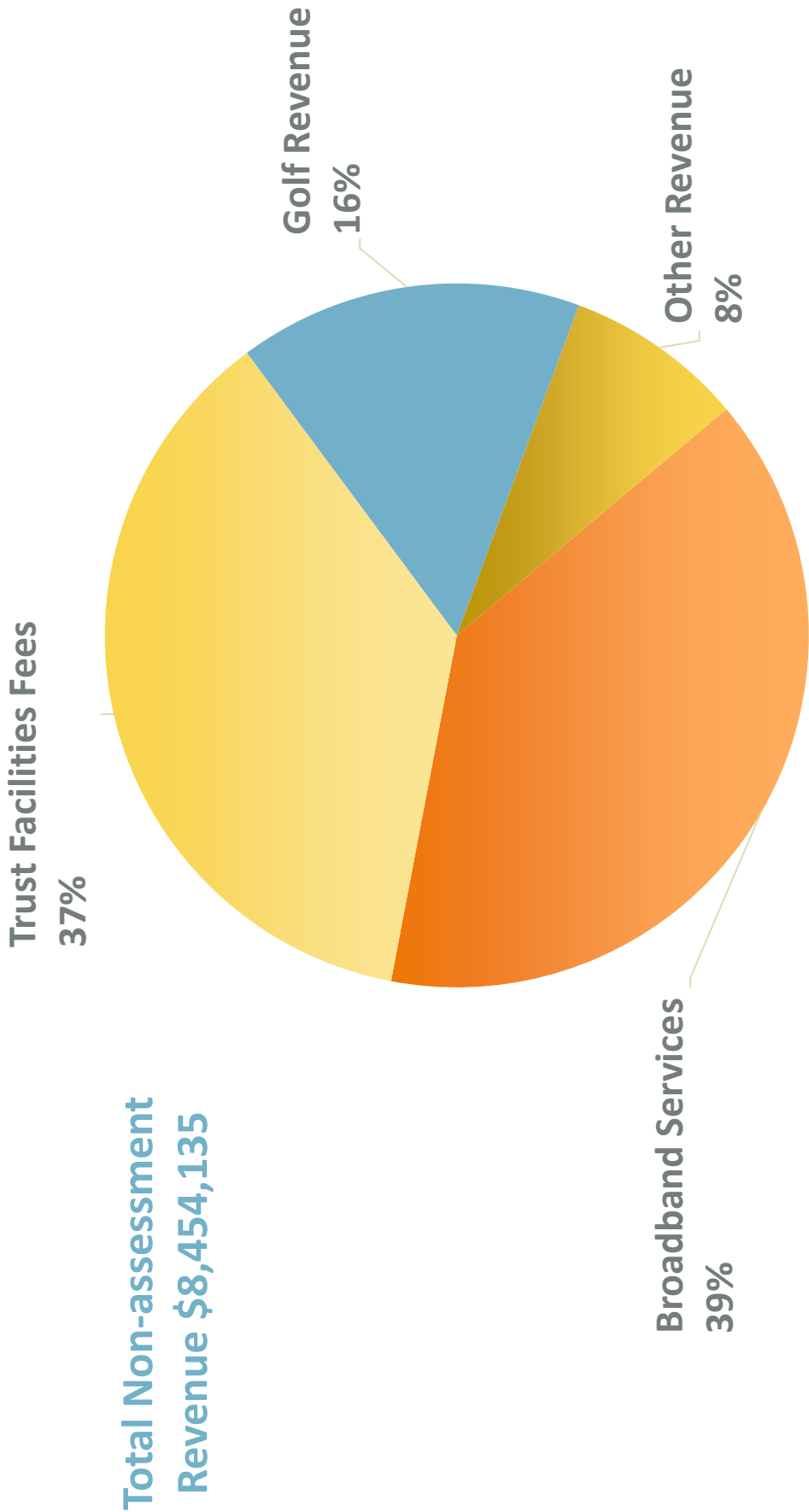
GRF Financial Report

As of August 31, 2021



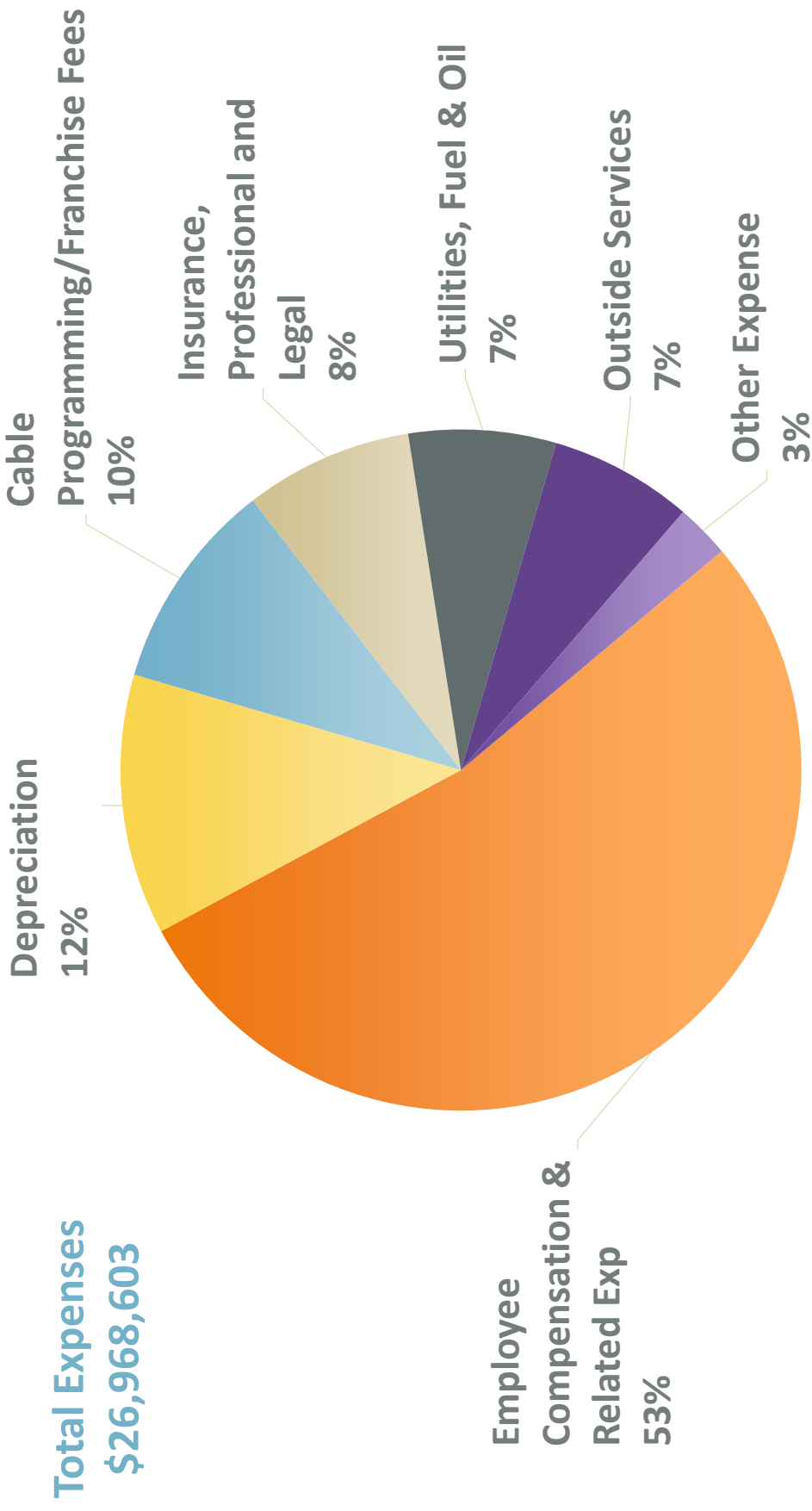
GRF Financial Report

As of August 31, 2021



GRF Financial Report

As of August 31, 2021

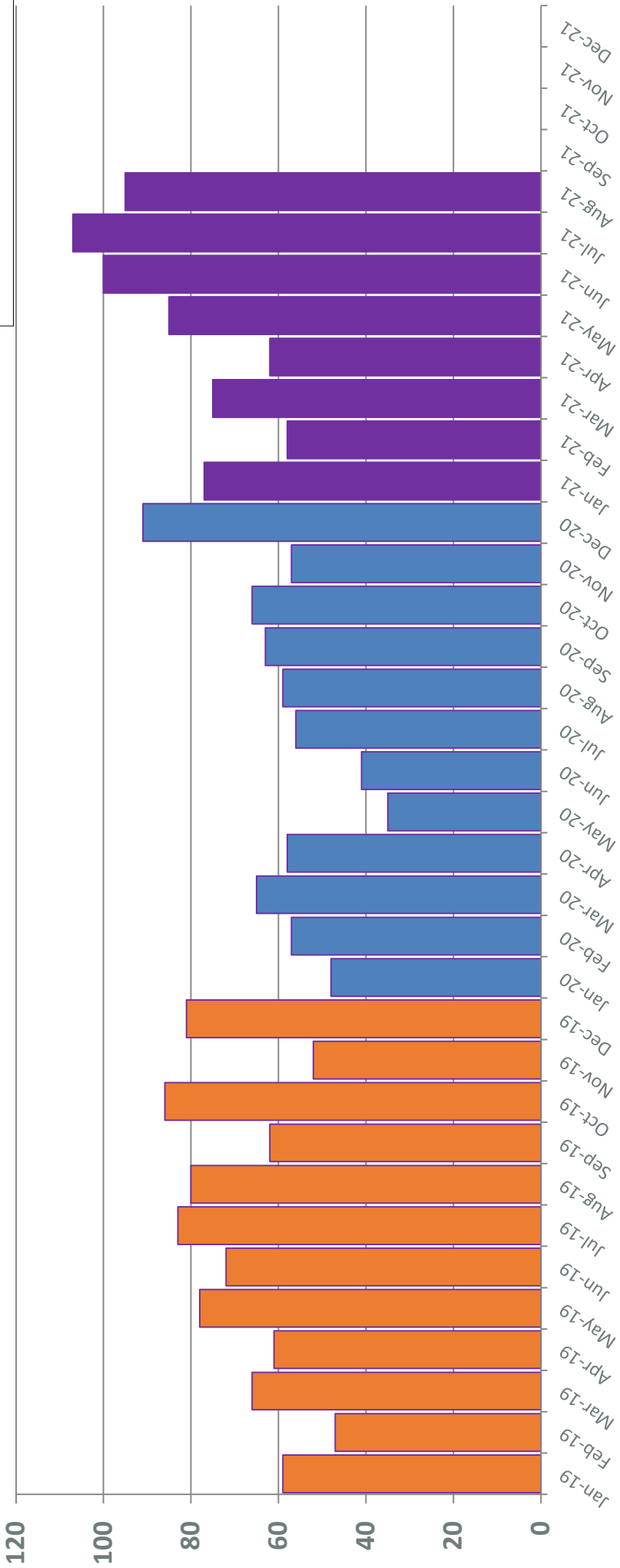


GRF Financial Report

As of August 31, 2021

Resale History — Consolidated

	NO. OF RESALES	AVG. RESALE PRICE
YTD 2019	546	\$327,575
YTD 2020	419	\$364,784
YTD 2021	659	\$352,291



GRF Financial Report

As of August 31, 2021

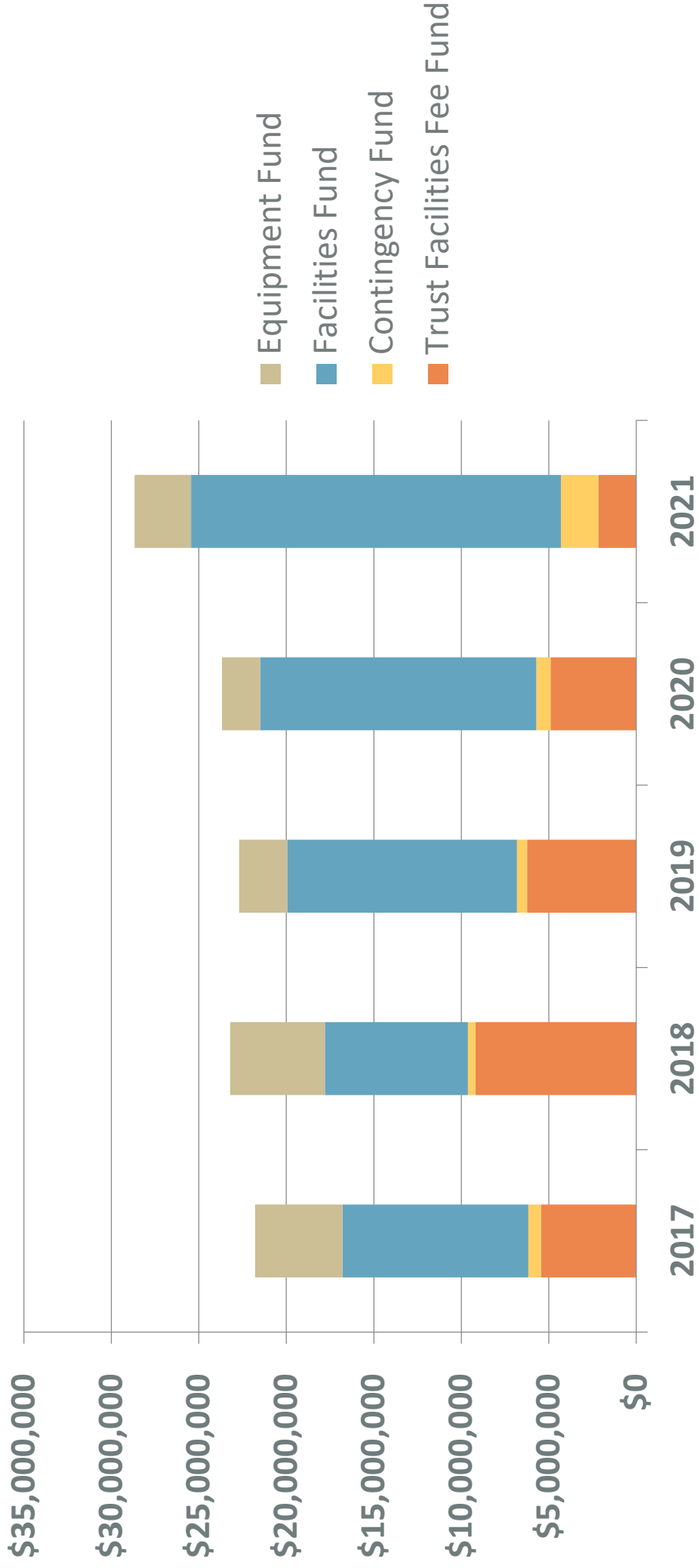


FUND BALANCES (in thousands)	ENDING BALANCE	WORK IN PROGRESS	ADJUSTED BALANCES
Equipment	\$4,972	\$1,747	\$3,225
Facilities	24,778	3,627	21,151
Contingency	2,469	334	2,135
Trust Facilities Fees	2,168	0	2,168
TOTAL	\$34,387	\$5,708	\$28,679

GRF Financial Report

As of August 31, 2021

Adjusted Fund Balances



GRF Financial Report

As of August 31, 2021



Adjusted Fund Balances

FUND ENCUMBRANCES (in thousands)		
	Total Appropriations	Remaining Encumbrance
Aquatics & Fitness	\$352	\$56
Broadband Services	728	487
Clubhouses	3,247	1,085
Computers	1,098	608
Community Center	619	143
Energy Projects	850	240
Golf Facilities	687	629
Landscaping	502	390
Other Equipment	300	235
Other GRF Facilities	1,831	1,098
Paving	879	683
Security	399	280
Vehicles	1,965	1,015
TOTAL	\$13,457	\$6,949

Golden Rain Foundation of Laguna Woods
Statement of Revenues & Expenses - Preliminary
8/31/2021
(\$ IN THOUSANDS)

	ACTUAL	CURRENT MONTH BUDGET	VARIANCE	ACTUAL	YEAR TO DATE BUDGET	VARIANCE	PRIOR YEAR ACTUAL	TOTAL BUDGET
Revenues:								
Assessments:								
1 Operating	\$2,377	\$2,376		\$19,012	\$19,012		\$18,503	\$28,518
2 Additions to restricted funds	242	242		1,936	1,936		2,445	2,904
3 Total assessments	2,619	2,618		20,948	20,948		20,948	31,422
Non-assessment revenues:								
4 Trust facilities fees	523	305	218	3,114	2,437	677	2,048	3,656
5 Golf green fees	152	126	26	1,115	1,010	105	775	1,515
6 Golf operations	29	21	8	221	169	52	164	252
7 Merchandise sales	58	38	20	341	292	49	165	444
8 Clubhouse rentals and event fees	7	58	(50)	35	349	(314)	147	593
9 Rentals	12	12		94	104	(10)	96	152
10 Broadband services	408	421	(14)	3,306	3,451	(145)	3,312	5,216
11 Investment income	18	24	(6)	133	195	(62)	243	293
12 Unrealized gain/(loss) on AFS investments	(57)	14	(71)	(284)	108	(392)	602	162
13 Miscellaneous	61	93	(32)	377	715	(338)	472	1,110
14 Total non-assessment revenue	1,210	1,112	98	8,454	8,830	(376)	8,023	13,394
15 Total revenue	3,829	3,730	98	29,402	29,778	(376)	28,971	44,815
Expenses:								
16 Employee compensation and related	1,787	2,076	289	14,364	16,224	1,860	14,498	24,411
17 Materials and supplies	135	141	6	1,111	1,205	95	1,062	1,781
18 Cost of goods sold	46	27	(19)	254	223	(31)	112	338
19 Rental unit and guest suite direct costs	1		(1)	1		(1)	1	
20 Community Events	1	31	31	16	257	241	121	395
21 Utilities and telephone	309	261	(48)	1,574	1,560	(13)	1,418	2,394
22 Fuel and oil	41	45	4	313	357	45	252	536
23 Legal fees	3	29	26	107	232	125	201	348
24 Professional fees	41	63	22	307	504	196	429	671
25 Equipment rental	20	17	(3)	184	144	(40)	150	218
26 Outside services	253	202	(51)	1,836	1,593	(243)	1,112	2,372
27 Repairs and maintenance	70	66	(4)	599	615	16	436	887
28 Other Operating Expense	45	68	23	392	586	194	293	890
29 Income taxes					1	1	1	2
30 Property and sales tax	5	2	(3)	22	15	(7)	95	23
31 Insurance	250	202	(48)	1,739	1,618	(120)	1,245	2,428
32 Cable Programming/Copyright/Franchise	336	317	(19)	2,701	2,693	(8)	2,521	4,039
33 Investment expense	3		(3)	10	7	(3)	6	14
34 Net Allocation to Mutuals	(233)	(243)	(11)	(1,831)	(1,950)	(119)	(1,956)	(2,910)
35 Uncollectible Accounts		1	1	7	10	3		15
36 (Gain)/loss on sale or trade	(25)	(2)	23	(71)	(17)	55	35	(25)
37 Depreciation and amortization	411	411		3,335	3,335		3,318	3,335
38 Total expenses	3,500	3,714	215	26,969	29,212	2,244	25,351	42,162
39 Excess of revenues over expenses	\$329	\$16	\$313	\$2,434	\$566	\$1,868	\$3,619	\$2,653

Statement of Revenue & Expense Variance Report - Preliminary as of August 31, 2021

SUMMARY

For the year-to-date period ending August 31, 2021, GRF operations were better than budget by \$1,868K. Explanations for categories with significant variances are provided below.

- **Trust facilities fees Line 4** – \$677K Favorable due to more manors sold. Year-to-date revenue generated from the \$5,000 per manor transfer fee is 28% higher than anticipated. The Community had 659 resales versus a budget of 496; compared to 419 in 2020 for the same period.
- **Golf Green Fees Line 5** – \$105K Favorable due to operating at full capacity; higher revenue associated with guest players has driven further increases; guests were allowed to play beginning June 15.
- **Golf Operations Line 6** – \$52K Favorable due to operating at full capacity.
- **Merchandise Sales Line 7** – \$49K Favorable due to higher Pro Shop Sales and to a lesser degree Fuel Sales, partially offset by limited Bar sales due to facilities closures before June 15 and lower sales in Broadband and Warehouse.
- **Clubhouse rentals and event fees Line 8** – (\$314K) Unfavorable due to facility closure during the pandemic; the budget assumed facilities would reopen in March. All facilities opened June 15 based on state guidelines; room reservations are available for Clubhouses 1, 2 and 5 and the Village Greens. An offset can be found in Line 20, below.
- **Broadband Services Line 10** – (\$145K) Unfavorable due to less ad insertion as a result of ongoing COVID-19 pandemic causing advertisers to spend less. The variance was partially offset by Village Breeze Advertising revenue.
- **Investment Income Line 11** – (\$62K) Unfavorable variance due to less revenue being generated from Discretionary investment dividends as opposed to interest bearing Discretionary investment bonds. The interest generated from bond holdings within the current index funds is reinvested by the index fund manager growing the value of the investment, with the growth reflected in Line 12.
- **Unrealized Gain/Loss on AFS Investments Line 12** – (\$392K) Unfavorable due to adverse conditions for bond investments during the reporting period. An entry is made monthly to reflect investment market conditions, which fluctuate.
- **Miscellaneous Revenue Line 13** – (\$338K) Unfavorable due to less fees collected during facility closures, including class fees, traffic violation fees, photo copy fees, auto decal fees, and Bridge room fees. Classes now ongoing with 16 instructors currently and another 10 to return soon.

EXPENSE

- **Employee Compensation and Related Line 16** – \$1,860K Savings was primarily due to open positions in Security and Information Services; recruitment is in progress. Also, certain Janitorial and Recreation positions remained unfilled while clubhouses were closed and fewer hours than budgeted in Transportation due to the temporary consolidation of the commercial Routes.

Statement of Revenue & Expense Variance Report - Preliminary
as of August 31, 2021

- **Materials and Supplies Line 17** – \$95K Favorable due to fewer expenditures in Streets & Sidewalks, Carpentry, and Paint departments than anticipated. Although GRF streets are typically addressed in Q4, staff anticipates ending the year with a favorable variance.
- **Cost of Goods Sold Line 18** – (\$31K) Unfavorable due to increased Pro Shop Sales and to a lesser degree, Fuel sales to Age Well.
- **Community Events Line 20** – \$241K Favorable due to facility closure during the pandemic; the budget assumed facilities would reopen in March, recently opened on June 15th based on State guidelines. An offset can be found on Line 8, above.
- **Fuel and Oil Line 22** – \$45K Favorable due to less consumption than anticipated, in part due to the temporary consolidation of bus routes.
- **Legal Fees Line 23** – \$125K Favorable due to timing of expenses, which are anticipated to increase as the year progresses due to pending legal actions.
- **Professional Fees Line 24** – \$196K Favorable due to movement of budgeted IT fees to the Outside Services category (see line 26); additionally, unused contingency budgets in Office of the CEO and Project Management.
- **Equipment Rental Line 25** – (\$40K) Unfavorable due to lease costs for copiers in Community Center and General Services fleet equipment rental costs higher than forecast.
- **Outside Services Line 26** – (\$243K) Unfavorable due to movement of budgeted IT fees from the Professional Fees category (see line 24). The variance was furthered by increased software licensing costs required by a shift to the cloud.
- **Other Operating Expense Line 28** – \$194K Favorable variance due to previous closure of facilities due to the COVID-19 pandemic; primarily attributable to staff support, training, recruiting, safety, pest control, uniforms and board relations.
- **Insurance Line 31** – (\$120K) Unfavorable variance due to higher premiums for property and casualty insurance. Significant changes in market conditions, catastrophic losses including wildfires in California, and a non-renewal situation required a new layered program structure to achieve the existing limits in a tight market.
- **Net Allocation Line 34** – (\$119K) Unfavorable due to fewer inter-departmental allocations.
- **(Gain)/Loss on Sale or Trade Line 36** – \$55K Favorable due to gain on sale of investments executed by the index fund manager.

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OPEN MEETING

REPORT OF THE REGULAR MEETING OF THE GOLDEN RAIN FOUNDATION COMMUNITY ACTIVITIES COMMITTEE

Thursday, September 9, 2021 – 1:30 p.m.
Virtual Zoom Webinar

MEMBERS PRESENT: Yvonne Horton, Chair, Andre Torng, Elsie Addington, Debbie Dotson, Reza Karimi, Juanita Skillman, Dennis Boudreau, Ajit Gidwani

MEMBERS ABSENT: Ryna Rothberg

OTHERS PRESENT: Bunny Carpenter, Jim Hopkins, Joan Milliman, Egon Garthoffner, Stefanie Brown, Cash Achrekar

STAFF PRESENT: Brian Gruner, Jennifer Murphy, Laura Cobarruviaz, Jackie Kupfert

Call to Order

Chair Horton called the meeting to order at 1:33 p.m.

Acknowledgement of Media

There was no press present.

Approval of Agenda

A motion was made to amend the agenda as follows: remove item #13 Customer Service Education Program, add Kourts Discussion to Items for Discussion and Consideration, add Pool 5 Early Opening to Reports, and add Review of Garden Center Operating Rules to Items for Future Agendas.

Motion passed unanimously.

Approval of Committee Report for July 8, 2021

A motion was made, and by consensus, the report was approved.

Chair's Remarks

Chair Horton stated the use of Kourts remains divided and this will be discussed under Items for Discussion and Consideration.

Report of the Recreation and Special Events Director

Mr. Gruner stated clubs have requested moving events outdoors due to rising COVID numbers, but space remains limited. He stated the Pool 1 boiler is installed but will not allow the temperature to be set higher than 81 degrees. The optimal temperature would be 84 degrees. The Garden Center 2 gate is awaiting a part to allow for proper operation. The Garden Centers will undergo tree trimming in October. Paddle tennis and pickleball hours have been extended to 10 p.m. The new Aqua Zumba class will be held at pool 2 beginning in September. The Dallas and Doll free outdoor concert will be hosted on September 23 at Clubhouse 2, 4 p.m. to 6 p.m. Pour and Paint event will be on September 20 at Clubhouse 1 at 6 p.m. The Village Bazaar will be hosted October 2, 10 a.m. to 2 p.m. at Clubhouse 5. On November 6 and 7, the Arts & Crafts Bonanza will be at Clubhouse 4 starting at 8 a.m. Recreation will reinstate the Thanksgiving and Christmas holiday dinners with more information coming. The Performing Arts Center and Clubhouse 5 will be hosting New Year's Eve events.

Chair Horton inquired as to hosting a golf cart parade for Halloween. Mr. Gruner stated the parade has not been planned due to lack of staffing for that type of event, but can be discussed.

Director Dotson inquired as to adding another date for the Village Bazaar. Staff was directed to review dates to add another Village Bazaar.

Member Comments (Items Not on the Agenda)

Residents were called to speak on the following items: drop-in lounge additional tables request; Garden Center waiting list; importance of amenities within the community.

Advisor Gidwani stated fundraising has started for the pickleball lights which has raised nearly \$15,000 to date with a goal of \$25,000. He inquired as to the process to begin the planning of light installation. Director Carpenter stated once fundraising is complete, the project will be presented to the GRF board for review. If approved, Maintenance & Construction will be directed to proceed.

Chair Horton stated the GRF board is dedicated to maintaining our amenities.

CONSENT

A motion was made to approve the consent calendar.

Motion passed unanimously.

REPORTS

Bridge Room Request - Ms. Murphy stated Duplicate bridge club request.

Discussion ensued.

Staff was directed to obtain internal quotes and present this item as a staff report to CAC in October.

Golf Cart Safety - Mr. Gruner stated we currently have signs for golf safety and additional signs will be added.

Discussion ensued.

Staff was directed to install five to six additional signs in accordance with current signage.

Outdoor Events Locations - Mr. Gruner presented the following proposed outdoor event locations: Clubhouse 2 open space; Equestrian Center arena; Clubhouse 4 (near Golf Course); behind the Community Center.

After discussion of all the proposed outdoor event locations, the committee concurred that the Equestrian Center arena may best meet the needs of the community.

Director Carpenter stated the Equestrian arena has seating available, but lighting may need to be updated. Director Addington inquired as to if events could interrupt the Equestrian Center operations. Director Torng stated his concern for available event parking.

Ms. Cobarruviaz stated in order to maintain the footing, no trash or sharps will be allowed and the staging must not be too heavy. Lighting would need to be addressed for evening events. Mr. Gruner stated the employee parking lot may be utilized if the event is on a weekend. Director Carpenter stated the Community Center parking lot can be utilized for overflow parking.

Advisor Skillman stated we must adhere to city and community planning policies. Parking at Community Center is limited as we do not own the entire lot which may require a parking study. A roadway may need to be created from the employee lot to the Equestrian Center as a shuttle is the only option at this time.

Advisor Gidwani inquired as to an event spooking the horses. Ms. Cobarruviaz stated the arena is far enough removed and any normal level of noise would be acceptable. Resident boarders would be informed of any events and the upper arena area would be closed for use during the event.

Staff was directed to create a rental fee for the use of the Equestrian Center arena only and to create general rules of event utilization of the Clubhouse 2 open space to include, but not limited to, event coordinator must contact the Clubhouse 2 supervisor to ensure no encroachment of other scheduled activities, no sitting in landscaped areas and capacity limits and to bring this recommendation to the next CAC meeting.

Revenue Generating Objective - Mr. Gruner presented the revenue generating chart and highlighted three items that could be implemented soon: Golf tee box sponsors, coupon booklet and fee-based classes.

Director Dotson inquired as to who would implement these programs. Mr. Gruner stated this still needs to be identified, but possibly golf staff, Recreation staff working closely with PR/Marketing Department and Recreation staff coordination with contract instructors dependent upon space limitations.

Director Milliman stated coupon books could be available in Recreation office or at the Community Center front desk. Director Carpenter stated the creation of a bistro would be a simple project as a location is already available by the golf driving range in the existing room not being used. She will research and bring to CAC next month to discuss. Chair Horton stated an ad hoc committee will be created and directed those on the committee interested are to email Ms. Kupfert for inclusion.

Dick Rader stated posthumous donations are listed and inquired as to resident donations. Director Carpenter stated the Village Community Fund is available for resident donations.

ITEMS FOR DISCUSSION AND CONSIDERATION

Equestrian Pricing Policy - Ms. Murphy stated the staff recommendation to review and approve the GRF-Equestrian Ad Hoc Committee's recommended equestrian service fee amendments to the current Equestrian Pricing Policy Resolution 90-20-20 to be effective FY 2022.

Discussion ensued.

A motion was made to review and approve the GRF-Equestrian Ad Hoc Committee's recommended equestrian service fee amendments to the current Equestrian Pricing Policy Resolution 90-20-20 to be effective FY 2022.

Motion passed unanimously.

Chair Horton stated she is very proud of what has been completed through the Equestrian Ad Hoc Committee. Director Carpenter thanked all on the Equestrian Ad Hoc Committee and Director Hopkins for assisting with the analysis.

Kourts Discussion - Ms. Murphy read the member comments submitted via email that stated either for or against the use of Kourts for reservations.

Discussion ensued.

Director Dotson inquired as to separating the Kourts system by sport and as to the ease of adjustments. Mr. Gruner stated the system can be adjusted and it is independent per sport currently.

Director Dotson inquired as to Kourts usage for pickleball and the pools. Mr. Gruner stated the Recreation Department worked in conjunction with the clubs using Kourts and is only being used at Pool 2, 6 to 11 a.m. as it is intended as a lap swim pool.

Advisor Boudreau stated amenities are for all residents and clubs cannot dictate use of amenities. Director Dotson suggested using the eblast to link to the survey form. Chair Horton stated she spoke to tennis staff and all courts were busy with many standing around for their turn which notes that the use of either system at tennis may not be efficient.

Staff was directed to create a survey for the community and present to the next CAC meeting for approval.

Kourts to remain in place at this time.

Pool 5 Early Opening - Mr. Gruner stated resident request to open Pool 5 at 6 a.m.

Discussion ensued.

Staff was directed to advise the petitioner that one pool is always open at 6 a.m. and there will be no change at this time.

ITEMS FOR FUTURE AGENDAS

Greens Committee Report and Recommendations - Staff was directed to keep this item under Items for Future Agendas.

Saddleback Emeritus Institute Contract Update – Staff was directed to keep this under Future Agendas.

Club Insurance – Staff was directed to keep this item under Future Agendas.

Garden Center Operating Rules – Staff was directed to include this item under Future Agendas.

CONCLUDING BUSINESS

Committee Member Comments

Director Addington stated good meeting and thank you.

Director Dotson stated thank you.

Chair Horton stated to email Ms. Kupfert if interested in joining the Revenue Generating Objective Ad Hoc Committee
Director Carpenter thanked the committee and stated Chair Horton did a great job.

Date of Next Meeting

The next regular meeting of the GRF Community Activities Committee will be held at 1:30 p.m. via the Zoom Webinar platform on Thursday, October 14, 2021.

Adjournment

There being no further business, the Chair adjourned the meeting at 4:55 p.m.

___ *Yvonne Horton* ___

Yvonne Horton, Chair



**REGULAR MEETING OF THE
GOLDEN RAIN FOUNDATION
MEDIA AND COMMUNICATIONS COMMITTEE**

**Monday, September 20, 2021 – 1:30 p.m.
Virtual Meeting**

REPORT

Members Present: Chair Joan Milliman; Directors Neda Ardani, Maggie Blackwell, Lynn Jarrett, Annie McCary and Ryna Rothberg; Advisors Theresa Frost, Tom Nash, Carmen Pacella, Lucy Parker and Juanita Skillman; Alternates Bunny Carpenter and Deborah Dotson

Members Absent: Elsie Addington

Others Present: Richard Rader, Egon Garthoffner

Staff Present: Eileen Paulin, Paul Ortiz, Ellyce Rothrock, Susan Logan-McCracken

1. Call to Order

Meeting was called to order at 1:30 p.m. and a quorum was established by Chair Milliman.

2. Acknowledgement of Media

None present.

3. Approval of Agenda

Approved by unanimous consent.

4. Approval of Report for August 16, 2021

Approved by unanimous consent.

5. Chair's Remarks

Chair Milliman discussed the upcoming year-in-review presentations on the following dates: October 7 for Third Mutual, October 12 for United Mutual and November 10 for GRF.

She mentioned educational efforts to teach residents how to use the digital platforms to sign up for recreational activities and events, request maintenance work, pay bills online and issue guest passes.

She cautioned everyone to watch out for year-end scams.

She mentioned the availability of information in the Village Breeze, weekly e-newsletter and on the Laguna Woods Village website. She thanked staff and members of the committee who have

worked on all of these tools for disseminating information and to keep reaffirming the community that all this information is available.

6. Member Comments

No emailed comments.

No one present in the boardroom to make member comments.

Items for Discussion

7. Media and Communications Report - Eileen Paulin

With the 2022 GRF budget approved, Ms. Paulin highlighted upcoming plans for the department:

- Focus groups for the website
- Community surveys
- A signed contract with The Broadband Group and work scheduled to begin soon

In addition, she highlighted current department projects:

- Meet the Candidates forums
- Regular publications of the Village Breeze, employee newsletter, "What's Up in the Village" weekly e-newsletter and manor alterations bi-weekly newsletter
- Employee Recognition of Excellence Award videos
- Meet the Managers and new employee videos
- Recruitment video
- Year-end Board of Directors meetings
- A new Board of Directors handbook

She mentioned social networking's reach, a topic addressed in Director Dotson's Village Television program "Let's Talk Tech," and a discussion ensued.

Advisor Pacella suggested an idea to educate members on the Village mutuals and a discussion ensued.

8. Broadband Services Report - Paul Ortiz

Mr. Ortiz presented a Broadband Services report that included:

- 2021 year-to-date cable operations
- 2021 year-to-date Broadband Services operations
- Expiring programming contracts
- Broadband subscriber counts
- Programming contracts forecast
- Internet subscriptions

He announced that effective Tuesday, September 21, in Broadband's effort to remove analog and duplicate channels from the channel lineup, the movie channels that were located in the 800s will be moved to their corresponding channels in the 500s.

He commended the cable technicians, Village Television staff and Media Services 55 staff for doing an excellent job. He then welcomed questions.

GRF First Vice President Egon Garthoffner who attended the meeting asked what non-assessment revenues include. Mr. Ortiz answered that non-assessment revenue includes premium channels, cable service calls, cable commission and equipment rental including set-top boxes; and that the revenue goes to GRF.

Director Dotson mentioned questions from residents about showing older movies. Mr. Ortiz answered that these movie releases come from a movie distribution company, adding that COVID caused delays and fewer movies to be released.

Richard Rader asked whether advertising revenue fits in the non-assessment category. Mr. Ortiz answered that it does, adding that Village Television non-assessment revenue sources include video production, commercials, message boards and advertising.

Items for Future Agendas

- Focus groups for website
- Review and revise the Village website usage policy
- Community survey

Concluding Business

Committee Member Comments

Ms. Paulin addressed new resident orientations and docent tours. We are on hiatus for docent tours until the end of October due to COVID numbers. She and Director Jarrett gave the last Third new resident orientation in the board room. These will likely continue in a hybrid format.

Mr. Ortiz thanked everyone for the meeting.

Director Dotson suggested including educating the Village about governance as a future agenda item.

Advisor Parker commended the meeting and announced that CEO Jeff Parker gave an informative presentation to the Video Club, which will be available on YouTube.

Advisor Pacella commended the meeting and Mr. Ortiz' presentation. He stated that he would like to be part of website focus group.

Advisor Nash mentioned that he is part of the Village Thrive Group along with Advisor Parker and Chair Milliman and that they are working on an educational segment about Village governance.

Director Jarrett commended the meeting and information provided.

Advisor Skillman echoed that it was a good meeting and added that she always gets so much information from this committee meeting.

Director Carpenter commended the meeting and thanked Mr. Ortiz and Ms. Paulin for their presentations.

Ms. Rothrock thanked everyone for the meeting and invited the committee to send suggestions for the Village Breeze by phone or email any time.

Director Rothberg echoed Juanita's comments that this is a very informative meeting. She reminded the committee that when disseminating information about the other two mutuals, to include the Towers.

Director Blackwell commended the efforts of Media and Communications to educate residents over the past one to two years ago. She stated that she receives many more positive than negative comments.

Advisor Frost commended the meeting.

Director Ardani thanked everyone and commended the meeting.

Chair Milliman commended the meeting and thanked present staff.

Date of Next Meeting – Monday, October 18, 2021

Adjournment

Chair Milliman adjourned the meeting at 2:45 p.m.

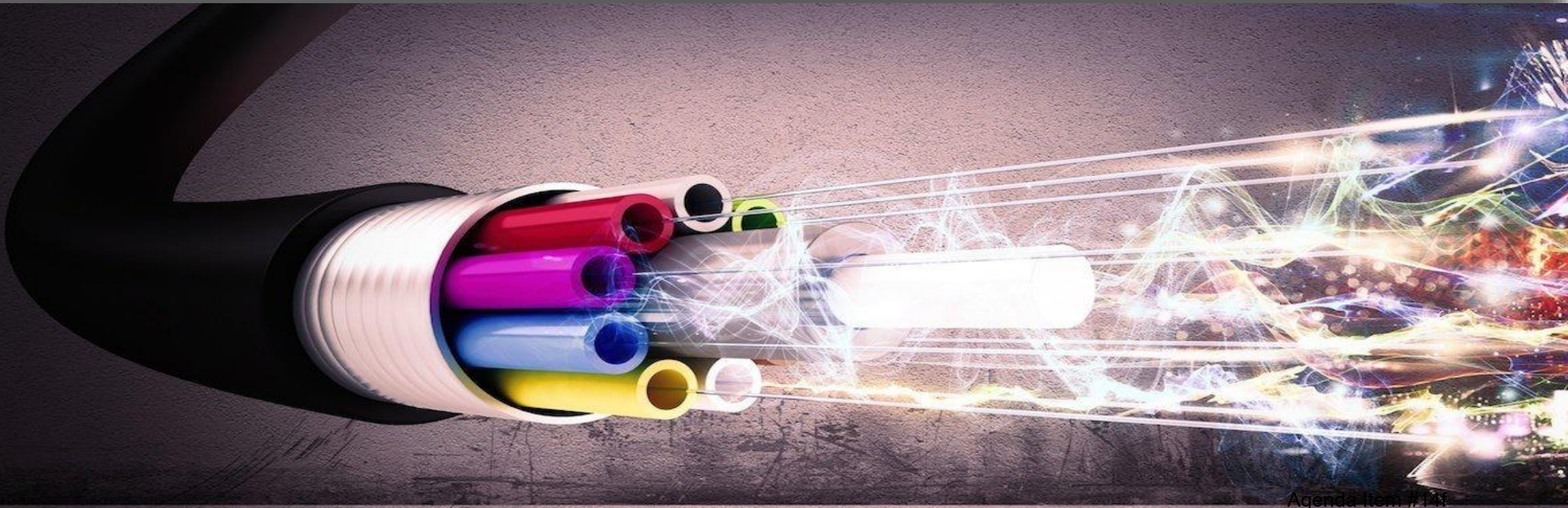

Joan Milliman, Chair
Media and Communications Committee

Media & Communications Committee Meeting

 GOLDEN RAIN FOUNDATION
of LAGUNA WOODS

September 20, 2021

Broadband Services: “Literally working at the speed of light”



2021 Cable Operation Report

WC 20

	Actuals	Budget
Operating costs	(\$3,686,457.00)	3.76% better
Non-assessment revenue	\$1,586,282.00	5.82% worse
Programming costs	(\$2,469,292.00)	1.28% better
Franchise fees	(\$137,729.00)	13.92% better
Net revenue/(Expense)	(\$2,100,174.00)	2.14% better

- First eight months of 2021: **Cable operation cost each resident \$20.62 (PMPM)**
- The Cable TV Network operation budget for 2021 is \$21.17 PMPM
- National average for cable television is approximately \$110 per month*

*Leichtman Research Group

2021 Broadband Services Operation Report

Work Center	Net Revenue/(Expense)	PMPM
Internet	\$1,183,720.35	\$11.62
Cable Operation	(\$2,100,174.00)	(\$20.62)
Village Television	(\$304,750.00)	(\$2.99)
Media Services	(\$20,248.00)	(\$.20)

- **As of AUGUST 30, 2021: The Media operation cost each resident *\$12.19 PMPM****
- Broadband Services accounts for 42% of the GRF's Non-Assessment Revenue

Expiring Programming Contracts Report

NBCU Networks

Expiration Date: December 31, 2021

KNBC	NBCSN	MSNBC	Bravo
Oxygen	SYFY	E!	CNBC
Golf Channel	USA	Olympics	KVEA

- Community pays approximately \$500K per year for NBCU
- 8 - 10% historic increases

Expectations

- 10% - 15% increase expected
- DTC offer similar to the other networks
- NBC Sports Network will terminate signal on December 31, 2021

 peacock

EFFECTIVE TUESDAY SEPTEMBER 21

In Broadband's continuing effort to remove analog and **DUPLICATE** channels from the channel lineup, the **MOVIE channels** located in the 800's will no longer be available and can be viewed with their corresponding channels in the 500's.

500 HBO HD West	800	520 Showtime HD West	820	558 Starz HD West	858
501 HBO HD East	801	521 Showtime Showcase HD East	821	560 Starz Kids & Family HD East	860
503 HBO Family HD East	803	522 Showtime Extreme HD East	822	561 Starz Cinema HD East	861
504 HBO2 HD West	804	523 Showtime Next HD East	823	562 Starz Comedy HD East	862
505 HBO Signature HD East	805	525 Showtime Women HD East	825	563 Starz HD East	863
506 HBO Comedy HD East	806	527 Movie Channel Extra HD West	827	564 Starz Encore Action HD East	864
507 HBO Zone HD East	807	528 Showtime HD East	828	566 Starz Edge HD East	866
510 Cinemax HD West	810	529 The Movie Channel HD East	829		
511 Cinemax HD East	811	531 Showtime Too HD East	831		
513 MoreMax HD East	813	554 Starz in Black HD East	854		
514 ActionMax HD East	814	555 Starz Encore Black HD East	855		
515 ThrillerMax HD East	815	558 Starz HD West	858		

Questions?

Call Broadband Services at 837-2670
or Email programming@vmsinc.org

Broadband Subscriber Count Report

Subscriber Counts	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	YOY
DIGITAL	7,169	7,148	7,123	7,138	7,126	7,110	7,107	7,082	7,002	6,981	6,964	6,948	6,944	-3.24%
Set-Top Boxes														
DVR's	5,740	5,736	5,718	5,715	5,683	5,661	5,661	5,618	5,593	5,590	5,551	5,490	5,467	-4.99%
HD Standard	2,037	2,027	2,026	2,024	2,011	2,001	2,001	2,001	1,988	1,941	1,941	1,898	1,946	-4.68%
TiVo MG2	468	476	487	506	520	524	524	548	551	546	552	574	589	20.54%
TiVo Qi3	476	481	494	510	525	533	533	533	548	544	545	573	592	19.59%
HD DTA's	2,026	1,955	1,965	2,001	2,008	2,002	2,002	2,050	2,037	1,981	1,941	1,934	1,885	-7.48%
PAY TV														
HBO	847	842	839	842	833	815	803	800	785	776	763	749	742	-14.15%
Cinemax	116	117	112	110	110	111	112	111	114	110	111	110	108	-7.41%
Showtime	414	411	417	411	417	411	405	403	394	386	379	368	364	-13.74%
Starz/Encore	278	277	280	280	277	273	271	273	269	266	258	254	246	-13.01%
Playboy	17	17	18	17	15	18	18	17	17	15	16	15	16	-6.25%
International														
TV Asia	1	1	1	1	1	1	1	2	2	2	2	2	2	50.00%
CTI-Zhong Tian	15	15	14	14	14	14	14	14	14	14	14	14	13	-15.38%
Fillipino Channel	35	34	33	31	31	30	30	30	28	27	27	27	27	-29.63%
CCTV4	8	8	8	8	8	8	8	8	8	8	8	8	8	0.00%
Channel One Russia	10	10	9	11	9	9	9	9	9	9	9	9	9	-11.11%
TVKorea	12	11	11	11	11	10	10	10	9	9	9	9	9	-33.33%
TV5 Monde	26	25	25	25	25	25	25	25	25	23	22	22	22	-18.18%
RAI Italia	9	9	9	9	10	11	11	10	10	11	11	11	11	18.18%
TV Japan	54	55	55	55	55	56	57	58	60	59	58	59	60	10.00%
Total International	170	168	165	165	164	164	165	166	165	162	160	161	161	-5.59%
High Speed Internet														
15Mbps/3Mbps						4503	4495	4464	4,389	4389	4387	4361	4336	-3.85%
30Mbps/3Mbps						2611	2657	2648	2,602	2663	2679	2690	2700	3.30%
50Mbps/5Mbps						1782	1792	1829	1,839	1836	1838	1852	1857	4.04%
100Mbps/10Mbps						1550	1547	1569	1,559	1578	1619	1628	1663	6.79%
Internet Total	10,303	10,350	10,364	10,401	10,463	10,446	10,491	10,510	10,389	10,466	10,523	10,531	10,556	2.40%

Programming Contracts Forecast Report

2021	2022	2023	2024	2025
\$3,752,088	\$4,049,363	\$4,241,713	\$4,444,935	\$4,626,505
\$24.55 _{PMPM}	\$26.49 _{PMPM}	\$27.75 _{PMPM}	\$29.03 _{PMPM}	\$30.27 _{PMPM}
	7.3% INCREASE	4.5% INCREASE	4.5% INCREASE	4% INCREASE

PMPM IS FOR PROGRAMMING FEES ONLY AND DOES NOT INCLUDE OPERATIONAL COSTS

DIRECTV
stream

Start Free Trial

\$69.99

sling

Start Free Trial

\$35.00
and Up

hulu

Start Free Trial

\$64.99
and Up

fubo^{TV}

Start Free Trial

\$64.99

 **YouTubeTV**

Start Free Trial

\$64.99

Internet

10,556 internet subscribers AUGUST 2021

10,523 internet subscribers JULY 2021

4,336 internet subscribers 15/3 Mbps	\$23.50/month
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2,700 internet subscribers 30/3 Mbps	\$28.50/month
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1,857 internet subscribers 50/5 Mbps	\$38.50/month
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1,663 internet subscribers 100/10 Mbps	\$48.75/month
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No price increase since 2014

- 67% of subscribers utilize 30/3 Mbps or less
- GRF shares revenue with West Coast Internet
- Non-assessment revenue YTD \$1,183,720.35

REPORT OF THE LAGUNA WOODS VILLAGE
TRAFFIC HEARINGS COMMITTEE

September 15, 2021

The Regular Meeting of the Laguna Woods Village Traffic Hearings Committee was held on Wednesday September 15, 2021 at 9:00 A.M., Virtual

MEMBERS PRESENT: Chair: John Frankel, Neda Ardani, Debbie Dotson, Cush Bhada, Yvonne Horton, Alfred Amado.

STAFF PRESENT: Jayanna Hendley, Vanessa Ayala, Eulalio Diaz, Roger Cowdrey, Gary Hughes, Andrew Pooley

Call to Order

John Frankel, Chair, called the meeting to order at 9:00 A.M.

Approval of Agenda

Chair Frankel made a motion to approve agenda as presented.
By unanimous consent, the motion passed.

Approval of Meeting Reports

Chair Frankel made a motion to approve the meeting report from August 18, 2021. By unanimous consent, the motion passed.

Traffic Hearings

- a. 9:15 a.m. Traffic Violation # 2113661 (Failure to Obey Stop Sign) – No Show, Guilty
- b. 9:30 a.m. Traffic Violation # 2113089 (Failure to Obey Stop Sign) – Guilty, \$50.00 Fine
- c. 9:45 a.m. Traffic Violation # 2111612 (Failure to Obey Stop Sign) – No Show, Paid \$50.00 fine prior to hearing.

Date of Next Meeting

The next meeting is scheduled for Wednesday October 20, 2021, at 9:00 A.M., via virtual meeting.

Adjournment

With no further business before the Committee, the meeting was adjourned at 9:48 A.M.

John Frankel

John Frankel (Sep 15, 2021 15:09 PDT)

John Frankel, Chair

Sep 15, 2021

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