



## **OPEN SESSION**

### **Minutes of the Regular Meeting of the Golden Rain Foundation Tuesday, October 1, 2019, 9:30 a.m. 24351 El Toro Road, Laguna Woods, California**

Directors Present: Beth Perak, Annette Sabol Soule, Joan Milliman, Jim Matson, Diane Phelps, Richard Palmer, Ray Gros, Bert Moldow, Pat English, Don Tibbetts, and Judith Troutman

Directors Absent: None

Staff Present: Jeff Parker-CEO, Siobhan Foster-COO, Brian Gruner, Chris Spahr, Cheryl Silva and John Howse

Others Present: United Mutual: Juanita Skillman  
Mutual 50: Ryna Rothberg

#### **1. Call to Order**

President Perak called the meeting to order at 9:30 a.m.

#### **2. Pledge of Allegiance**

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

#### **3. Acknowledgment of Media**

A representative of the Laguna Woods Globe and the Village Television Camera Crew, by way of remote cameras, were acknowledged.

#### **4. Approval of Agenda**

Director Moldow made a motion to approve the agenda. The motion was seconded by Director Matson.

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

#### **5. Approval of Minutes**

5a. Regular Open Meeting on September 3, 2019.

Director Soule made a motion to approve the regular board minutes of August 3, 2019. The motion was seconded by Director Milliman and passed unanimously.

#### **6. Report of the Chair**

President Perak expressed gratitude for the Board and Staff for all their hard work on the Board and with the various Committees. She commented that staff

is working on updating the donation policy and Bahai Bench agenda item will be brought back to the Board next month. The Board and Staff are working together with the other boards to come up with the VMS agreement. A draft self-management contract is ready for review by GRF and the other boards.

#### **7. DPTF Update Report—Director Troutman**

Director Troutman gave an update from the Disaster Preparedness Task Force Meeting. She invited Thomas Soule to the podium to discuss classes and emergency items available to the residents. Building Captains are needed in the Community. Building Captain training will be held at Clubhouse 2 on October 2 from 1-3 p.m.; CPR/First Aid training will be held on October 21; Shakeout Event will be held on October 17 at 10:17 a.m.

#### **8. CEO Report**

Jeff Parker-CEO and Siobhan Foster-COO gave a report on upcoming community events and updates on current projects:

- Thanked the Board for their efforts on updating the Management Agreement;
- VMS organizational change and key performance indicators November 20 will be a Strategic Planning meeting to update goals;
- The current insurance carrier for property insurance withdrew their contract and VMS is working with a broker to find a new insurance carrier;
- Transportation system final study will be presented tomorrow at the GRF M&V Committee meeting at 2:30 p.m. in the Board Room;
- Pool 4 construction project continues. The pool will be open during construction;
- Vector control reminder to help eliminating mosquito breeding by dumping stagnant water;
- Annual Harvest Hoe-Down will be held Saturday, October 5;
- Monday night Football will take place at Clubhouse 1.

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

Members spoke on the following topics:

- A Member commented about the benefits of the Laguna Woods Foundation and thanked residents for their donations;
- A Member spoke about alternatives for Clubhouse 1 renovations;
- A Member asked about the \$20 incentive to enroll in EZ Pay.
- A Member asked about the inability to scan cell phone the gate pass from Dwelling Live;
- A Member commented about mosquitos in the Community and about the upcoming Census procedures;
- A Member spoke about pickleball and tennis club events;
- A Member commented about the El Toro Water District;
- A Member commented about the hard work of staff on the insurance carrier and asked about Civil Code 4935;

- A Member commented about open board meetings for VMS and asked for more Town Hall meetings;
- A Member commented about the new management company (PMP) for Mutual 50.

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

Several Directors responded to and provided input regarding member comments.

- Director Tibbetts commented about the name change from Leisure World to Laguna Woods Village,
- Director Moldow commented about the problem of mosquitos and the pooling of water on the flat roofs;
- Director Milliman commented about communications;
- Director Soule commented about air rights for Clubhouse 1 and encourages residents to watch the program on the Census;
- Director Matson commented about renovations for Clubhouse 1;
- Director Phelps commented about the Alternative Cost Sharing Task Force, Dwelling Live and the 2020 Census;
- Director Gros commented about the need for more Town Hall meetings;
- Director Troutman commented about the new insurance carrier and cost sharing;
- Director English thanked Gloria Moldow for her presentation and Corporate Code 8335 access to records;
- President Perak thanked the members for their comments.

Jeff Parker-CEO responded to questions from the Board.

#### **11. Consent Calendar**

##### **Recommendation from the Community Activities Committee:**

- 11a.** Recommendation to Deny the Request for a Clubhouse 2 Literature Rack
- 11b.** Consistent with its statutory obligations a subcommittee of the Board consisting of the Treasurer and at least one other board member reviewed and approved Golden Rain Foundation financials for the month of August 2019 and by this vote ratify that such review be confirmed in this month's Board Member Open Session Meeting minutes.

By consensus the consent calendar was approved as presented.

**12. Unfinished Business**

**12a. Entertain a Motion to Adopt a Resolution for the Nuisance and Harassment Policy**

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

**RESOLUTION 90-19-47**  
**HARASSMENT AND NUISANCE POLICY**

**WHEREAS**, the Security & Community Access Committee has recognized the need to adopt a Harassment and Nuisance Policy to set forth guidelines for harassment and nuisance complaints;

**NOW THEREFORE BE IT RESOLVED**, October 1, 2019, that the Board of Directors of this Corporation hereby adopts the Harassment and Nuisance Policy, as attached to the official minutes of this meeting; and

**RESOLVE 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-days notification for Member review and comment to comply with Civil Code §4360 has been satisfied.

Director Milliman made a motion to adopt a resolution for the Nuisance and Harassment Policy. Director Phelps seconded the motion.

Discussion ensued among the Directors.

Director Milliman made an amendment to the text of the policy to include "emails, text or social media about or to residents..." on page 2 of the policy under Harassment. The motion was second by Director Troutman and passed unanimously.

Discussion ensued among the directors.

Director English made an amendment to add "maintaining bodily fluids" under Health/ Safety on page 1 of the policy. The motion was seconded by Director Milliman and the motion failed.

Discussion ensued among the directors.

Director Milliman made an amendment to approve the resolution with the condition that the policy will be sent to staff and legal counsel to review and make possible changes to the Health/Safety portion of the policy to address "bodily fluids" and report back to the Board in November. The motion was seconded by Director Gros and passed unanimously.

President Perak called for the vote on the amended motion and the motion passed unanimously.

**12b. Entertain a Motion to Adopt a Resolution to Amend the Facility Use Policy to Comply with Civil Code §4515**

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

**RESOLUTION 90-19-48**  
**GOLDEN RAIN FOUNDATION FACILITY USE POLICY – PUBLIC**  
**INTEREST EVENTS (CIVIL CODE §4515)**

**WHEREAS**, California Civil Code §4515, Assembly for Political Purposes, went into effect on January 1, 2018;

**WHEREAS**, Civil Code §4515 expresses the legislative intent to ensure that members and residents of common interest developments have the ability to exercise their rights under law to peacefully assemble and freely communicate with one another and with others with respect to common interest development living or for social, political or educational purposes;

**WHEREAS**, Civil Code §4515 precludes the governing documents of common interest developments from prohibiting members or residents from those activities prescribed in §4515 (b)(1)-(5);

**WHEREAS**, on March 6, 2018, the board approved Resolution 90-18-11 and the Facility Use Policy/Resolution (Civil Code Section 4515) to comply with the requirements of Civil Code Section §4515;

**WHEREAS**, the Recreation and Special Events Department identified the need for revisions to the Facility Use Policy/Resolution (Civil Code Section 4515);

**WHEREAS**, the revisions are reflected in the Golden Rain Foundation Facility Use Policy – Public Interest Events (Civil Code §4515);

**NOW THEREFORE IT BE RESOLVED**, October 1, 2019, that the Golden Rain Foundation board of directors hereby adopts the revisions to the Golden Rain Foundation Facility Use Policy – Public Interest Events (Civil Code §4515); and

**RESOLVED FURTHER**, that Resolution 90-18-11 approved March 6, 2018, is superseded and cancelled; and

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

September Initial Notification

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

Director Milliman made a motion to adopt a resolution to amend the Facility Use Policy to comply with Civil Code §4515. The motion was seconded by Director Phelps.

Discussion ensued among the Directors.

President Perak called for the vote of the motion passed unanimously.

- 12c.** Entertain a Motion to Approve Increasing the Student Parking Pass Fee for Non-Resident Students who take Saddleback College Emeritus Institute, Effective with Spring Semester 2020 Enrollment

**RESOLUTION 90-19-49**

**STUDENT PARKING PASS FEE FOR NON-RESIDENT STUDENTS**

**WHEREAS**, the Saddleback College Emeritus Institute provides educational services to residents and non-residents of Laguna Woods Village; and

**WHEREAS**, a concern was raised that non-residents use the equipment and facilities during class time at no charge, while the residents pay monthly assessments to upkeep GRF property;

**NOW THEREFORE BE IT RESOLVED**, October 1, 2019, that the Board of Directors of this Corporation hereby implements a Student Parking Pass Fee of \$50 per semester (\$30 for summer semester) for non-resident students who take Saddleback College Emeritus Institute courses in Laguna Woods Village, effective with the Spring Semester 2020 enrollment; and

**RESOLVED FURTHER**, that such fees shall be used to defray the operational and administrative costs, and shall be collected during the time of student gate pass distribution; and

**RESOLVED FURTHER**, that Resolution 90-10-31 adopted May 4, 2010 is hereby superseded and cancelled; and

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

Director Milliman made a motion to approve increasing the student parking pass fee for non-resident students who take Saddleback College Emeritus Institute, effective with Spring Semester 2020 enrollment. The motion was approved by Director Moldow.

Vice President Soule called for the vote and the motion passed unanimously. (President Perak was absent for the vote).

### **13. New Business**

#### **13a. Entertain a Motion to Introduce a Resolution for Revisions to the GRF Wedding Policy**

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

#### **RESOLUTION 90-19-XX** **GRF WEDDING POLICY REVISION**

**WHEREAS** at the September 12, 2019 Community Activities Committee (CAC) meeting, staff recommended to approve amendment to the current GRF wedding policy to make the:

1. Resident rate applicable to weddings and/or wedding receptions for residents; and
2. Exception rate applicable to weddings and/or wedding receptions reserved by a resident on behalf of a non-resident; limited to only siblings, children, parents and grandchildren.

**WHEREAS** the Recreation and Special Events Department manages the reservation services with approximately 18,000 bookings per year;

**WHEREAS** in 2017 weddings were limited to residents and immediate family members yielding six bookings;

**WHEREAS** in 2018, the policy was amended to allow weddings for extended family and friends which yielded 19 bookings;

**WHEREAS** weddings and/or wedding receptions are taxing on both the facility and staff as non-residents make up the majority of attending guests

and the celebrations often end late in the evening extending past 10 p.m.;

**WHEREAS** revenue collected in 2018 for all weddings and/or receptions was \$1,500;

**WHEREAS** amending the policy allows staff to charge the exception rate for a majority of weddings increasing revenue depending on the number of weddings. For example, a six hour wedding at Clubhouse 2 in the main ball room would generate \$2,007 in revenue;

**NOW THEREFORE BE IT RESOLVED**, October 1, 2019, that the Board of Directors of this Corporation hereby introduces approval of staff recommendation to approve amendment to the current GRF wedding policy to make the:

1. Resident rate applicable to weddings and/or wedding receptions for residents; and
2. Exception rate applicable to weddings and/or wedding receptions reserved by a resident on behalf of a non-resident; limited to only siblings, children, parents and grandchildren;

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

Director Milliman made a motion to accept for discussion the resolution to adopt a GRF Wedding Policy, with the final vote postponed for 28-days pursuant to Civil Code §4360. Director Gros seconded the motion.

Discussion ensued among the Directors.  
Staff answered questions from the Board.

Director Milliman moved to amend the resolution by adding "in 2018" to paragraph 7. Director Soule seconded it and the amendment passed unanimously.

Vice President Soule called for the vote on the motion as amended and the motion passed unanimously (President Perak was absent for the vote).

**13b.** Entertain a Motion to Introduce a Resolution for Clubhouse 2 Open Space

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



**RESOLUTION 90-19-xx**  
**CLUBHOUSE 2 OPEN SPACE**

**WHEREAS** at the September 12, 2019 Community Activities Committee (CAC) meeting, staff recommended to authorize the Recreation and Special Events Department addition of the open space area adjacent to Clubhouse 2 to the rental agreement for the Clubhouse;

**WHEREAS** on July 11, 2019, the CAC approved making the open space area adjacent to Clubhouse 2 a rentable space and requested that the GRF Finance Committee establish rental pricing for the space;

**WHEREAS** on August 22, 2019, the GRF Finance Committee reviewed and discussed the CAC's recommendation;

**WHEREAS** the Finance Committee authorized making the space rentable under the following two conditions:

1. Additional review by staff be conducted to ensure no liabilities will be associated with allowing reservations at this location; and
2. That the potential increase in facility usage does not conflict with current City of Laguna Woods parking ordinances;

**WHEREAS** staff researched and analyzed the two items and determined that the potential increase in facility usage may not meet City parking requirements since the parcel is zoned Open Space – Recreation (OS-R) and as such could potentially require a parking study to be conducted and/or the provision of additional parking to support the proposed rental of the open space area;

**WHEREAS** usage of the open space area is increasing as residents become aware of its location and usability;

**WHEREAS** including the park in the Clubhouse 2 rental agreement would enable the Recreation and Special Events Department to manage the open space's use and minimize conflict that may arise from two parties wanting to use the space at the same time;

**WHEREAS** in addition, it would make Clubhouse 2 more marketable and desirable for residents;

**WHEREAS** during the 2021 budget preparations, the rental fee for Clubhouse 2 would be re-calculated and adjusted to include the open

space area, potentially increasing per reservation revenue

**NOW THEREFORE BE IT RESOLVED**, October 1, 2019, that the Board of Directors of this Corporation hereby introduces approval of staff recommendation to authorize the Recreation and Special Events Department addition of the open space area adjacent to Clubhouse 2 to the rental agreement for the Clubhouse;

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

Director Milliman made a motion to accept for discussion the resolution to approve Clubhouse 2 Open Space, postponing the final vote for 28-days pursuant to Civil Code §4360. Director Troutman seconded the motion.

Discussed ensued among the Directors.  
Staff answered questions from the Board.

Director Troutman called for the questions and it passed unanimously

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

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

**14a.** Report of the Finance Committee/Financial Reports – Director Phelps gave a presentation on the Treasurer's Report. The Committee met on August 21, 2019; next meeting October 23, 2019, at 1:30 p.m. in the Board Room.

- Alternative Revenue and Cost Sharing Task Force – Director Phelps
- Investment Fund Task Force – Director Phelps

**14b.** Report of the Community Activity Committee – Director Soule gave an update of upcoming events and clubhouse maintenance. The Committee met on September 12 2019; next meeting November 14, 2019, at 1:30 p.m. in the Board Room.

- 14c.** Report of the Landscape Committee – Director Moldow gave an update on the surveyor for the Aliso Creek area. The Committee met on August 14 2019; next meeting November 13, 2019, at 1:30 p.m. in the Board Room.
- 14d.** Report of the Maintenance & Construction Committee – Director Matson gave an update from the last Maintenance & Construction Committee and commented on current projects at the Clubhouses, Community Center and Gates. The Committee met on August 14, 2019; next meeting October 9, 2019, at 9:30 a.m. in the Board Room.
- Report of the Performing Arts Center (PAC) Renovation Ad Hoc Committee - Director Perak. The Committee met on August 15, 2019; next meeting October 17, 2019, at 2:00 p.m. in the Board Room.
  - Report of Village Energy Task Force – Director Moldow gave an update from the last meeting. The Task Force met on September 4, 2019; next meeting November 6, 2019, at 1:30 p.m. in the Board Room.
- 14e.** Report of the Media & Communications Committee – Director Milliman gave an update from the Media & Communications Committee. The Committee is working on improving communication with the Members. The Committee met on September 16, 2019; next meeting October 21, 2019, at 1:30 p.m. in the Board Room.
- Thrive Report – Directors Perak. The Task Force met on September 25, 2019. The Task Force is working on the Kindness Project. The next meeting will be held on October 23, 2019, at 9:00 a.m. in the Willow Room.
- 14f.** Report of the Mobility & Vehicles Committee – Director Gros. The Committee met on August 7, 2019; next meeting October 2, 2019, at 2:30 p.m. in the Board Room.
- Laguna Canyon Foundation – Director Gros updated the Board on information on walks in the wilderness areas surrounding the Community.
- 14g.** Report of the Security & Community Access Committee – Director Tibbetts. The Committee met on August 26, 2019; next meeting October 28, 2019, at 1:30 p.m. in the Board Room.
- Report of the Traffic Hearings – Director Gros gave an update on the Traffic violations. The Traffic Hearings were held on September 18, 2019; next meeting October 16, 2019, 9:00 a.m. in the Board Room and 1:00 p.m. in the Sycamore Room.
- 15. Future Agenda Items** - *All matters listed under Future Agenda Items are Resolutions on 30-day public review or items for a future Board Meeting. No*

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

- a. Discuss Director Access to Records According to Corporate Code §8334
- b. Donation by Baha'I Club of a Bench for Aliso Creek and Two Plumeria Trees at Clubhouse 6

**16. Directors' Comments**

- Director Soule commented about the upcoming Census;
- Director Palmer requested a written report
- President Perak thanked the Board for a good meeting.

- 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.*

The meeting was recessed at 12:50 p.m.

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

*During the September 3, 2019, Regular Executive Session, the Board:*

*Approved the Agenda*

*Approved the Minutes of:*

*(a) August 6, 2019– Regular Executive Session*

*Discussed and Consider Member Matters*

*Discussed Personnel Matters*

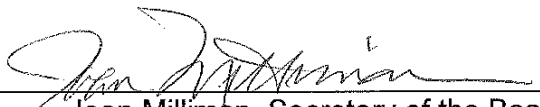
*Discussed Contractual Matters*

*Discussed and Considered Litigation Matters*

*Discussed Litigation Report Summary*

**Adjournment**

The meeting was adjourned at 4:30 p.m.

  
\_\_\_\_\_  
Joan Milliman, Secretary of the Board  
Golden Rain Foundation



## **Harassment and Nuisance Policy**

### **Resolution 90-19-47; Adopted October 1, 2019**

#### **I. Purpose**

This policy sets forth guidelines regarding harassment and nuisance complaints and to sanction behavior making residents, Village Management Service ("VMS") staff or vendor personnel reasonably feel harassed, threatened or otherwise unsafe, as well as behavior disturbing the quiet enjoyment of residents using common facilities within Laguna Woods Village.

#### **II. Definitions**

- a. Community – Laguna Woods Village including, but not limited to, the Community Center, Gate Houses and Clubhouses.
- b. Resident - an approved occupant of a residence in Laguna Woods Village.
- c. Staff - Employees of Village Management Services, Inc. authorized to act on behalf of United Laguna Woods Mutual, Third Laguna Hills Mutual and GRF.
- d. Vendors - persons working for a service provider serving VMS, GRF or any of the housing Mutuals.
- e. All other terms use the definitions as found in the Bylaws and GRF governing documents.

#### **III. Conditions**

**Nuisance:** No resident or guest of a resident shall unreasonably disturb or annoy other residents and their guests using common recreational or other facilities within the Community and create a circumstance which discourages, prevents or otherwise inhibits the peaceable use of such facility by residents and their guests. A nuisance can take many forms, and no single list can describe all possible nuisances.

Below are some examples of activities that fall into a nuisance category:

1. **Noise:** things that interfere with quiet enjoyment such as, residents playing their stereo or cellphones too loud, barking dogs, etc.
2. **Odors:** this includes second-hand smoke (cigarettes, cigars marijuana and vaping), etc.
3. **Visual:** storing inoperable vehicles in parking spaces.
4. **Health/Safety:** Residents who fail to pick up dog feces from common area, display aggressive behavior toward other Residents and/or Staff.
5. **Violation of Laws:** a violation of federal or state laws or local ordinances. An example would be driving under the influence, vandalism or a resident who physically assaults another.

**Harassment:**

Residents and their guests may not harass other residents or guests, Staff or Vendors. "Harassment" means unreasonable behavior which the normal person would find unacceptable, disturbing, threatening and serious. No single list of all forms of harassing behavior is possible, but such prohibited behavior includes:

Physical intimidation

Undesired physical contact

Threatening bodily harm or to harm one's property

Shouting

Stalking, following someone around to intimidate or "make a point"

Disrupting organized activities in progress

Entering the second floor of the Community Center without escort or pass.

Interfering, instructing or otherwise disrupting the work of Vendors or Staff

Unreasonable, hostile and excessive telephone calls to a resident, staff or vendor

Other behavior which the ordinary person would find unreasonable and/or threatening.

Harassing behavior may arise from a course of repeated conduct of incidents which, by themselves, might not seem unreasonable, or may arise from even a single severe unreasonable action.

**IV. Enforcement**

GRF is authorized to take disciplinary action against a Member(s) if they or their co-occupant, tenant, guest, or invitee violate these rules.

The Board has the discretion to determine which actions are violations of these rules and which actions do not require further action by GRF.

These rules do not apply to activities within the areas governed by the Housing Mutuals and GRF will not pursue such issues within those areas.

The Board may after a hearing impose monetary fines, suspend Member(s) privileges, and/or initiate legal action. The 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, Lessee, Guest, or other invitee.

A complaint may be registered by calling the Security Department at 949-580-1400 or the Compliance Division by calling 949-268-CALL or sending e-mail to [compliance@vmsinc.org](mailto:compliance@vmsinc.org).

Investigating Nuisance: to determine if a nuisance is taking place, Staff evaluates the behavior and determines if the behavior is deemed reasonable or unreasonable to an average reasonable person. Staff will inform the reporting parties to call the Security Department for documentation.

-end-

## Attachment 2

## Historical Annual Revenue

Year	Fee	Total Revenue
2013	Spring/Fall \$20, Summer \$10	\$32,710
2014	Spring/Fall \$20, Summer \$10	\$30,970
2015	Spring/Fall \$20, Summer \$10	\$30,460
2016	Spring/Fall \$20, Summer \$10	\$33,590
2017	Spring/Fall \$30, Summer \$20	\$48,070
2018	Spring/Fall \$30, Summer \$20	\$43,355

## Estimated Semester Revenue

Semester	Anticipated Parking Passes	Anticipated Revenue
Spring	700	\$35,000
Summer	333	\$10,000
Fall	700	\$35,000
		\$80,000 Total