



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, LagunaWoods, 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;

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.

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- (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