

## BOARD OF DIRECTORS

Meeting Agenda  
Tuesday, November 28, 2023 - 10:00 A.M.  
Clubhouse Four

*This meeting may also be live-streamed at [www.lwsb.com](http://www.lwsb.com).*

*The tab will be active 15 minutes before the start of the meeting.*

*The live streaming uses YouTube Live and terminates at the close of the meeting.*

**1. Call to Order/Pledge of Allegiance**

**2. Roll Call/Notice of Quorum**

**3. President's Announcement**

**4. Member Comments**

**5. Consent Calendar**

- a. GRF Board of Directors Minutes, October 24, 2023
- b. Mutual Nine GRF Representative Ballot Minutes, October 2, 2023
- c. Accept Donation of Two Benches
- d. Approve Extending Library Hours
- e. Accept the Interim Financial Statements for September 2023 for Audit
- f. Accept the Reserve Funds Investment Purchase for October
- g. Accept the Capital Funds Investment Purchase for October
- h. Approve Transfers of Funds for GRF per Civil Code 5502

**6. Ad Hoc Reports**

**a. Committee Restructure Ad Hoc Committee**

**Proposed Resolution:** *To approve the GRF President's creation of an ad hoc committee to examine the effectiveness of the Foundation's four-committee and commission the ad hoc committee to present a formal report of its assessment at the Board's January 23, 2024 meeting.*

**b. 1.8 Ad Hoc Committee - Accept 1.8 Acre Ad Hoc Report**

**i. Receive Report and Disband Committee**

**Proposed Resolution:** *To accept the final report of the 1.8 Ad Hoc Committee and disband the Committee at this time.*

**ii. Approve Appropriation for the Gardens**

**Proposed Resolution:** *To award a contract to Certified Roofing Applicators, Inc. for the installation of the Mini Farms at a 1.8-acre lot as described in the request for proposal dated August 9, 2023, for \$437,150, adding a 10% contingency fee for a total cost of \$480,865 Capital Funding and authorize the President to sign the contract.*

## 7. New Business

### a. General

#### i. Approve 2022 Audit

**Proposed Resolution:** *To approve the audit of the Golden Rain Foundation and The Trust for the fiscal year ending December 31, 2022, as presented. The President and Treasurer are approved to sign all necessary paperwork for GRF. Staff is instructed to mail the audit to the membership as soon as practicable*

#### ii. Approve the 2023 Reserve Contribution Cap

**Proposed Resolution:** *To cap the 2023 Trust Property Use Fee (TPUF) contribution to the Reserve Fund at \$1,950,000 (the 2023 Reserve Study-recommended Full Funding Contribution), and designate the TPUF contribution exceeding that \$1,950,000 be added to the Capital Fund.*

### b. Capital Funding

#### i. Capital and Reserve Funds Balance Sheet – September

#### ii. Approve Operational Analysis Traffic Light: Saint Andrews and Golden Rain Road

**Proposed Resolution:** *To approve \$30,384 to develop construction plans for the pedestrian-only phase as well as the left-turn east/west split phasing at the traffic light at St. Andrews and Golden Rain, adding an additional 10% contingency for a total not to exceed \$33,422 and authorize the President to sign the contract.*

#### iii. Approve Ventilation Fans for Shuffleboard Courts **Proposed Resolution:** *To award a contract to Roofing Standards for installing eight solar ventilation fans on the shuffleboard building roof at a total cost not exceeding \$8,000 and authorize the President to sign the contract.*

### c. Operational Funding

#### i. Approve Election Services Provider

**Proposed Resolution:** *To award a one-year \$37,136 contract to HOA Elections of California to serve as the election inspector and conduct regularly scheduled GRF and Mutual Elections for the 2024 fiscal year contract and authorize the President to sign the contract.*

#### ii. Approve Fire Protection Community Facilities

**Proposed Resolution:** *To award a contract to All American Fire Services for fire protection services for trust property at a total cost of \$63,475 Operation Funding for five-year funding and authorize the President to sign the contract.*

### d. Reserve Study

#### i. Approve Amphitheater Sewer Lift Station Repair

**Proposed Resolution:** *To award a contract to Jimini Systems to replace the sewer pump station electrical panel and repair the Storm Drain Pump and float system for the cost of \$54,815, adding an additional 10% contingency for a total not to exceed \$60,297, Reserve Funds, and authorize the President to sign the*

*contract.*

ii. **Approve Paving Project Mayfield**

**Proposed Resolution:** *To approve a change order to the MJ Jurado contract to replace the failing asphalt with concrete on the east end of Mayfield at a cost not to exceed \$77,220, Reserve Funding, including the credit for the 2" grind and overlay, and authorize the President to sign the contract.*

iii. **Approve Bocce Ball Court Addition/Modification**

**Proposed Resolution:** *To award a contract to Always Green to replace the bocce court's existing playing surface with artificial turf for a cost not to exceed \$12,777, Reserve Funding and authorize the President to sign the contract and authorize Service Maintenance to repair the rails around the Bocce court.*

iv. **Approve Replacement of Ice Machine in Clubhouse Two Kitchen**

**Proposed Resolution:** *To approve funding for replacing the ice machine in the kitchen of Clubhouse 2 at a cost not exceeding \$4,448.57 Reserve Funding.*

e. **Governing Documents**

i. **Amend 20-2841-2, Graphic Design Service**

**Proposed Resolution:** *To amend policy 20-2841-2, Graphic Design Service, as presented, and renumber the document to 42-2841-2.*

ii. **Amend 30-5022-3 Community Rules Violation Panel Charter**

**Proposed Resolution:** *To amend 30-5022-3, Community Rules Violation (CRV) Panel Charter, and designate it as 13-5022-3.*

iii. **Amend 30-5093-3 Member Rules of Conduct-Enforcement**

**Proposed Resolution:** *To amend 30-5093-3, Member Rules of Conduct – Procedure for Notification of Violation and Right to Hearing and designate it as 13-5093-3.*

iv. **Rescind 40-5523-1, Accounts Receivable Collections, and 40-5523-2 Accounts Receivable Collections – Fees**

**Proposed Resolution:** *To rescind 40-5523-1, Accounts Receivable Collections and 40-5523-2, Accounts Receivable Collections – Fees.*

## 8. Next Meeting Date

Tuesday, January 23, 2024, at 10:00 a.m. – Clubhouse Four

## 9. Adjournment

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Please always be courteous and respectful to other members, board directors, and representatives from management. We ask that you do not raise your hands or interrupt the Committee or anyone else who may be speaking. **A Member not adhering to these protocols and/or who becomes unruly may be asked to leave the meeting. Failure to comply will result in a special hearing with the Board at which disciplinary action may be taken.**



## BOARD OF DIRECTORS MEETING MINUTES GOLDEN RAIN FOUNDATION

### **CALL TO ORDER**

President Marsha Gerber called the regular monthly meeting of the Board of Directors of the Golden Rain Foundation (GRF) to order at 10:06 a.m. on Tuesday, October 24, 2023, in Clubhouse Four and via live stream.

### **PLEDGE OF ALLEGIANCE**

Director Melody led the pledge.

### **EXECUTIVE SESSION DISCLOSURE**

*An Executive Session Meeting was held on October 6<sup>th</sup>, October 12<sup>th</sup> and October 19<sup>th</sup> 2023, during which the Board of Directors discussed some or all of the items related to the following: (1) litigation or potential litigation; (2) matters relating to the formation of contracts with third parties; (3) member discipline; (4) member delinquency, including payment plan requests; (5) personnel matters; and/or (6) approval of Executive Session minutes.*

### **ROLL CALL**

Following the roll call, Corporate Secretary Carol Levine reported that Directors Gambol, Weber, Jacquelin, Habel, Gerber, W. Thompson, Hopewell, Vienna, C. Thompson, Henry, Levine, Jablonski, Damoci, Melody, Hamblin, Isom, and Massetti were present.

Director Nugent was not present.

Seventeen Directors participated, representing a quorum of the voting majority.

Executive Director Jessica Sedgwick, Senior Director of Facilities Mark Weaver, Recreation Director Jesse Cripps, and Executive Coordinator Tia Makakaufaki were also present.





## **HEALTH CARE CENTERS ADVISORY BOARD UPDATE**

Director Group Operations Victoria Batistelli provided an update on the Pharmacy. The next update will be on January 23, 2024, at the GRF Board of Directors meeting.

## **SHAREHOLDER/MEMBER COMMENTS**

Per Policy 5610, Participation by Foundation Members, members may comment before the beginning of business. Requests must be registered in advance of the meeting. The Open Meeting Act allows the Board of Directors to establish reasonable time limits for the open forum and for speakers to address the board. Time limits per speaker are limited to:

- There is a 3-minute limit per speaker when there are fewer than 15 speakers.

Ten comments were made at the meeting, and the Board received four correspondences this past month.

## **CONSENT AGENDA**

The GRF Board of Directors Minutes of the GRF Board of Directors Minutes, September 26, 2023, and the acceptance of the Interim Financial Statements for August 2023 for Audit were approved as presented.

The GRF Transfer of Funds per Civil Code 5502 was not in the packet. It will be presented at the next scheduled meeting.

## **GENERAL**

### **Approve Southern California Edison Easement Request**

Motion: To approve the Southern California Edison request for a 10-foot easement of Trust Property at the alley next to Canoe Brook to install an anchor for pole #1438516E and authorize the President to sign the agreement.

First: Janet Isom

Second: Lee Melody

One Director spoke on this motion.



The motion passed with one abstention (Director Hamblin).

Approval Project Food Box

Motion: To permit Project Food Box and the Seal Beach Lions Club access to GRF facilities to distribute and sell produce boxes to individuals.

First: Susan Hopewell

Second: Camille Thompson

Seven Directors and Brenda Thomason from the Lions Club spoke on this motion.

The motion passed with two no votes (Directors Jablonski and W. Thompson).

**CAPITAL FUNDING**

Capital and Reserve Funds Balance Sheet.

The Capital and Reserve Funds balance sheets were contained in the Interim Financial Statement. Director Massetti requested that reserve contribution totals be reported at the next scheduled meeting.

Clubhouse Two, Card and Game Room Renovation

Motion: To award a \$129,800 contract to Hadi Construction for renovating the Clubhouse Two Card & Game Room, adding a 10% contingency for a total cost not to exceed \$142,780 and authorize the President to sign the contract.

First: Carole Damoci

Second: Susan Jacquelin

Twelve Directors, the Executive Director, and the Recreation Director spoke on this motion.

The motion failed with fifteen no votes (Directors Gambol, Weber, Jacquelin, Habel, Gerber, W. Thompson, Hopewell, Vienna, Henry, Levine, Jablonski, Damoci, Melody, Hamblin, and Isom).



Electric Vehicle Charging Stations Plan Check Package Service Maintenance Yard

Motion: To award a contract to Control Engineering for the Service Carts EV Charging Stations Plan Check Package at the Service Maintenance Yard for a cost not to exceed \$10,770 using Capital Funding and authorizing the President to sign the contract.

First: Lee Melody

Second: Edward Jablonski

Three Directors and Senior Director of Facilities spoke on this motion.

The motion passed with two no votes (Directors Hamblin and Vienna).

**RESERVE FUNDING**

Library Replacement of Flooring and Painting Interior and Exterior

Motion: To award contracts for the Library and Friends of Library buildings to Hutton Painting for the repainting of the interior and exteriors in the amount of \$11,900; to Cornerstone Flooring for the floor replacement at both buildings in the amount of \$44,825; and to Penn to remove and reinstall inventory in the amount of \$43,837, adding a 10% contingency of \$10,056 for a total cost not to exceed \$110,618 Reserve funds and authorize the President to sign the contract.

First: Maureen Habel

Second: Susan Hopewell

Eleven Directors, the Executive Director Jessica Sedgwick, Senior Director of Facilities Mark Weaver, and Recreation Director Jesse Cripps spoke on this motion.

The motion passed with one no vote (Director Hamblin).



#### Replace Unit Twelve in Clubhouse Two

Motion: To award a contract to Greenwood Heating and Air to replace Clubhouse Two's HVAC unit 12 at a cost not to exceed \$9,475 Reserve Funding and authorize the President to sign the contract.

First: Dan Weber  
Second: Lee Melody

No one spoke on this motion.

The motion passed.

#### Replacement of Lapidary Kilns

Motion: To approve replacing two kilns in Clubhouse Four at a cost not to exceed \$4,687.01 with a contingency of 10% with funds from Reserves.

First: Donna Gambol  
Second: Carole Damoci

Four Directors and the Senior Director of Facilities, Mark Weaver; and Recreation Director Jesse Cripps spoke on this motion.

The motion passed.

#### GOVERNING DOCUMENTS

##### Amend 30-5026-3 – GRF Election of Officers

Motion: To amend GRF Rule 30-5026-3, GRF Election of Officers, and redesignate the amended rule as 13-5026-3.

First: Carol Levine  
Second: Nick Massetti

One Director spoke on this motion.





The motion passed.

Amend 30-5020-1 – Organization of the Board

Motion: To amend GRF Rule 30-5020-1, Organization of the Board, consolidating within it information from 30-5020-1, Committee Structure; and 30-5101-3, Limitation of Term-GRF Officers, and assigning the amended rule the number 13-5020-1.

First: Susan Hopewell

Second: Carol Levine

Three Directors spoke on this motion.

The motion passed.

Rescind 30-5024-1 – Committee Structure & 30-5101-3 – Limitation of Term-GRF Officers

Motion: To rescind 30-5020-1, Committee Structure, and 30-5101-3, Limitation of Term-GRF Officers.

First: Carol Levine

Second: Janet Isom

No one spoke on this motion.

The motion passed.

Amend 60-5504-1 – Insurance Requirements

Motion: To amend 60-5504-1, Insurance Requirements – Contractors, to affirm that all independent contractors, including non-sectarian instructors who conduct professional activities on Trust property, must pay a set annual fee to verify their adherence to insurance and licensing requirements.

First: Nick Massetti

Second: Camille Thompson

After discussion, Director Hamblin proposed an amendment to the motion.

Motion: If the motion does not pass, those recreation instructors who have already paid the fee will be reimbursed.

Director Damoci seconded the motion to amend.





The amendment was adopted with three no votes (Director Weber, W. Thompson, and Nick Massetti).

Having accepted the amendment, the Board members then voted on the motion as amended.

Motion: To amend 60-5504-1, Insurance Requirements – Contractors, to affirm that all independent contractors, including non-sectarian instructors who conduct professional activities on Trust property, must pay a set annual fee to verify their adherence to insurance and licensing requirements. If the motion does not pass, those recreation instructors who have already paid the fee shall be reimbursed.

The motion failed with ten no votes (Directors Levine, Damoci, Gerber, Jablonski, Isom, Melody, Hamblin, Vienna, Hopewell, and Jacquelin) and three abstentions (Directors Gambol, Habel, and Henry).

#### Amend 40-5061-2 – Fees

Motion: To amend GRF Rule 40-5061-2, Fees, renaming it Residency and Trust Property Use Fees (TPUF) and changing its number to 14-5061-2.

First: William Thompson

Second: Donna Gambol

Eight Directors and the Executive Director spoke on this motion.

The motion passed with one abstention (Director Hamblin) and one no vote (Director Vienna).

#### Amend 13-1001-5 – Glossary of Terms

Motion: To amend GRF Rule 13-1001-5, Glossary of Terms, changing the definitions of "Amenity Fee," "Capital Improvement Fund," and "Trust Property User Fee."

First: Diane Henry

Second: Edward Jablonski

No one spoke on this motion.

The motion passed with one no vote (Director Vienna).



**FINAL VOTE: Amend 10-2000-2 – Consolidated Fee Schedule**

Motion: To ratify section 1.3. of Rule 10-2000-2, Consolidated Fee Schedule, standardizing the per-square-foot parking rental charge among all sizes of recreational vehicles.

First: William Thompson  
Second: Susan Hopewell

Eight Directors spoke on this motion.

The motion passed with four no votes (Directors Vienna, Massetti, Gerber, and Isom) and one abstention (Director Melody).

**AD HOC REPORT**

**1.8 Ad Hoc Committee**

After a discussion, Director Henry proposed tabling the motion presented in the October Board agenda packet concerning the 1.8-acre Ad Hoc Committee. The Board concurred to table the motion.

**ADJOURNMENT**

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

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Carol Levine, Corporate Secretary  
Golden Rain Foundation  
TM:10-24-23



## **BALLOT COUNTING MEETING GOLDEN RAIN FOUNDATION**

### **CALL TO ORDER**

Per Article V, Section 3, of the corporation by-laws and pursuant to due notice being delivered to the Directors and shareholders, a special meeting of the Golden Rain Foundation (GRF) Board of Directors was called to order by President Gerber at 10:00 a.m. on Monday, October 2, 2023, in Clubhouse Four.

### **ROLL CALL**

Following the roll call, Corporate Secretary Levine reported that Directors Weber, Jacquelin, Gerber, W. Thompson, C. Thompson, Levin, Damoci, Isom, and Massetti were present.

Directors Gambol, Nugent, Habel, Hopewell, Vienna, Jablonski, Melody, and Hamblin were not present.

Nine Board members were present.

Nine Directors participated, representing a quorum of the voting majority.

Election Specialist Jenna Dever, Executive Coordinator Tia Makakaufaki, and Accurate Voting Service Representative were present.

### **PLEDGE OF ALLEGIANCE**

The Mutual Nine President led the Pledge of Allegiance.

### **ANNOUNCEMENTS**

All Foundation members were welcome to observe the counting process via live stream. Once the counting process is underway, the Board will be recessed until ballot counting is completed.

### **SHAREHOLDER/MEMBER COMMENTS**



In accordance with Policy 5610, Participation by Foundation Members, members may enter a comment period prior to the beginning of business. NOTE: Foundation members are permitted to make comments before the business of the Board begins. Requests must be registered in advance of the meeting. The Open Meeting Act allows board directors to establish reasonable time limits for the open forum and for speakers to address the board. Time limits, per speaker, are limited to:

- 4-minute limit per speaker, when there are no more than 15 speakers
- 3-minute limit per speaker, 16-25 speakers
- 2-minute limit per speaker, over 26 speakers

No shareholder/member offered comments. No shareholder submitted a written comment before the meeting.

#### **COMMENCE COUNTING PROCESS**

The President stated that the purpose of the meeting was to observe the counting process, via live stream for the election of the GRF Director representing Mutual Nine.

As a quorum of the Board was present, the counting process began at 10:04 a.m.

#### **GRF BOARD MEETING RECESS**

The Board meeting was recessed at 10:04 a.m.

#### **GRF BOARD MEETING CALL TO ORDER**

At 10:41 a.m., after the ballot counting was completed, the meeting resumed.

Lynn Colclough of Accurate Voting Services (AVS), Inc., thanked the Board for engaging AVS to conduct today's election and advised how the election process was conducted today.

#### **ANNOUNCEMENT RESULTS OF ELECTION PROCESS**





Lynn Colclough reported the election results as follows:

Mutual Nine: Robert "Bob" Croft, 71; **Diane Henry, 157**; Debra Schnauffer, 42

The President thanked the Members of the Accurate Voting Service for their work. The newly elected Director joined the GRF Board on the dais and was welcomed. The final committee assignments will be ratified at the next Board of Directors meeting held on October 26, 2023.

### **ADJOURNMENT**

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

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Marsha Gerber – President  
GRF Board of Directors  
TM 10-02-23





GOLDEN RAIN FOUNDATION  
Board Action Item  
November 28, 2023

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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** MEMBER SERVICES COMMITTEE  
**BOARD ACTION:** ACCEPT GOLDEN AGE FOUNDATION DONATION OF TWO BENCHES

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### **Committee Approval:**

At its October 3, 2023, meeting, the Facilities Committee approved the donations from the Golden Age Foundation of two standard bus benches.

### **Recommendation:**

I move to accept the donation of two standard bus benches and thank the Golden Age Foundation for their generous donation.



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** BOARD OF DIRECTORS  
**FROM:** MEMBER SERVICES COMMITTEE  
**BOARD ACTION:** APPROVE EXTENDING LIBRARY HOURS

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### **Committee Approval:**

At its November 14, 2023, meeting, the Member Services Committee approved to recommend to the GRF Board approve extending the hours of operation of the Leisure World Library, Monday-Friday, 9:30am to 5:30pm, and keep the Saturday hours as they are currently.

### **Background:**

The opportunity to extend Library hours of operation has presented itself to the Library Manager, Taylor Greene, and the Recreation management team. We can extend the hours of operation two hours on weekdays from 3:30pm closing to 5:30pm closing. This can be accomplished without an increase in the staffing budget, meaning we do not have to hire any additional staff nor spend any additional hours on payroll.

Current library hours do not allow for residents who still work office hours to have access to this amenity. Additionally, by extending the hours, we will increase the amount of time patrons can use the computers daily from two hours to three.

Taylor reports that the number one request he has heard from patrons has been to extend the hours of operation and he has diligently worked towards meeting that demand with minimal impact on resources. We propose upon the reopening of the library, post renovation, to establish these new extended operating hours as part of the celebration and renewal of the Leisure World Library.

### **Fiscal Impact:**

No increase to staff or budgeted staff hours. It is possible there will be an insignificant increase in energy usage associated with the additional hours.

### **Recommendation:**

I move to approve to extend the hours of operation of the Leisure World Library from Monday to Friday, 9:30 a.m. to 5:30 p.m., and keep the Saturday hours as they are currently.



GOLDEN RAIN FOUNDATION  
Board Action Item  
November 28, 2023

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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** EXECUTIVE MANAGER OF MUTUAL SERVICES  
**BOARD ACTION:** ACCEPTANCE OF THE SEPTEMBER 2023 FINANCIAL STATEMENTS

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Following a review of the financial statements, in accordance with Policy 14-5115-3 and all applicable sections of the Civil Code 5500.

**Recommendation:**

To accept for audit and accept the interim financial statements for the period ending September 30, 2023, as presented by the Senior Director of Member Services, and as reviewed by the Administration Committee.



September  
Financial

August Budget Highlights	
Income	\$16,549,477.09
Expense	\$16,818,013.06
Net	-\$268,535.97

Account Balances	
Reserve	\$10,809,328.28
Capital	\$1,551,735.12
Unbudgeted Operating	\$51,879.88

**VARIANCES**

Department	GL	Mon. Variance	YTD Variance	Notes
Revenue	Cert Prep - Escrow	-\$6,000	-\$53,700	Escrow YTD less than budget
Revenue	Escrow Recovery	\$18,321	\$53,769	HomeWise Docs
Revenue	Parking Spot	\$340	-\$21,674	AR -RV rental Leases
Revenue	Other Income	\$1,991	\$18,165	Recreation Sales
Revenue	Rental Income	-\$12,666	-\$7,144	Additional rental contracts and increases. YTD July onsite sales helped deficit.
Revenue	Display Advertising	\$6,195	\$58,246	Inserts moving to Newspaper ads
Revenue	SRO Labor Recovery	-\$6,414	-\$62,508	Less billable hours.
Revenue	News Sales Discounts	-\$1,236	-\$12,051	Onsite sales discounts
HR	Wages & Benefits	-\$33,037	\$519,904	Less permanent staff than budgeted
HR	Continuing Education	-\$966	\$9,317	Less education expense than budgeted
HR	Temp Agency	-\$70,619	-\$578,369	Unanticipated temps - ODO in Security
Administration	Office Supplies	-\$6,585	-\$22,426	Home Depot, So Cal Auto/Truck, Alpha Water Systems
Administration	Legal	-\$172	\$30,473	\$30k in litigation
Member Services	Legal-Trust	-\$8,863	-\$19,525	No fee for review past initial contact
Member Services	Legal-Fair Housing	\$2,000	\$15,852	Little expense in 2023



## VARIANCES

Department	GL	Mon. Variance	YTD Variance	Notes
Facilities	Utilities	-\$15,149	-\$132,562	Q1 gas expenses, electricity
Member Services	Election Expense	-\$110	-\$78,694	Bylaw amendment & all mutuals
Facilities	Equipment Expense	-\$4,841	-\$16,423	Emergency stop button, swing top trash can, camera, room divider, microphone, umbrella
Facilities	Building Repair	-\$25,153	-\$62,015	Dryout, water pump service CH2, fascia & termite admin, security door repair
Facilities	Equipment Repair	\$1,044	\$11,101	General pump, repaired club car, disc brakes & rotors
Facilities	Janitorial	\$6,648	\$59,351	Contract lower than budget
Administration	Other Service Contracts	\$1,803	\$15,441	Reduced water filtration contract & new printer leases
IT	Computer Supplies	-\$200	-\$14,210	Stock transfer card stock, televic laptop
IT	Other Professional	\$493	-\$27,801	Billable hours - FTS (server room rebuild) Boyer (Dynamics) ELC (website)
Recreation	Community Entertainment	\$8,165	\$40,333	Negotiated costs are under budget
Newspaper Printing	Newspaper Printing	\$2,790	\$26,466	Over budgeted due to inflation and unpredicatablity





## BOARD ACTION REQUEST

**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** EXECUTIVE MANAGER MUTUAL ADMINISTRATION  
**BOARD ACTION:** RESERVE FUNDS INVESTMENT PURCHASE

### Investment Activity – October 2023

#### Investment Portfolio - All Funds

10/31/2023

Financial Institution & Type	Contingency Operating Fund	Reserve Fund	Capital Improvement Fund	General Operating Fund	Total Funds	Uninsured Funds
Morgan Stanley - Cash	-	37,661	-	-	37,661	-
Morgan Stanley - Deposits	-	2,324,454	-	-	2,324,454	-
Morgan Stanley - CDs	-	2,865,000	-	-	2,865,000	-
US Bancorp CDs	-	3,905,741	860,000	-	4,765,741	-
US Bank - Money Market	890,281	3,058,046	1,338,689	303,902	5,590,917	-
<b>Total Funds</b>	<b>890,281</b>	<b>12,190,903</b>	<b>2,198,689</b>	<b>303,902</b>	<b>15,546,113</b>	<b>-</b>

Total Liquid Funds	3,095,707	1,338,689
Maturing Investments, Nov/Dec	1,280,000	350,000
Pending Authorized Purchases	(1,180,000)	-
Commitments as of 9/30/2023	(1,552,855)	(646,954)
Cushion <sup>1</sup>	(750,000)	(1,000,000)
<b>Available for Investing</b>	<b>892,852</b>	<b>41,735</b>

<sup>1</sup>On 7/19/2021, the Finance Committee established a lower liquid threshold of \$1M to be maintained in the capital fund.

### Recommendation:

I move to authorize the purchase of brokered CDs through US Bank Corp for \$900,000 with terms ranging from three (3) to eighteen (18) months at the prevailing interest rates at the time of purchase and at the discretion of the financial advisors.

## BOARD ACTION REQUEST

**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** EXECUTIVE MANAGER MUTUAL ADMINISTRATION  
**BOARD ACTION:** CAPITAL FUNDS INVESTMENT PURCHASE

### Investment Activity – October 2023

#### Investment Portfolio - All Funds

10/31/2023

Financial Institution & Type	Contingency Operating Fund	Reserve Fund	Capital Improvement Fund	General Operating Fund	Total Funds	Uninsured Funds
Morgan Stanley - Cash	-	37,661	-	-	37,661	-
Morgan Stanley - Deposits	-	2,324,454	-	-	2,324,454	-
Morgan Stanley - CDs	-	2,865,000	-	-	2,865,000	-
US Bancorp CDs	-	3,905,741	860,000	-	4,765,741	-
US Bank - Money Market	890,281	3,058,046	1,338,689	303,902	5,590,917	-
<b>Total Funds</b>	<b>890,281</b>	<b>12,190,903</b>	<b>2,198,689</b>	<b>303,902</b>	<b>15,546,113</b>	<b>-</b>
Total Liquid Funds		3,095,707	1,338,689			
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Pending Authorized Purchases		(1,180,000)	-			
Commitments as of 9/30/2023		(1,552,855)	(646,954)			
Cushion <sup>1</sup>		(750,000)	(1,000,000)			
<b>Available for Investing</b>		<b>892,852</b>	<b>41,735</b>			

<sup>1</sup>On 7/19/2021, the Finance Committee established a lower liquid threshold of \$1M to be maintained in the capital fund.

### Recommendation:

I move to authorize the purchase of brokered CDs through US Bancorp totaling \$42,000 of capital funds, with terms ranging from six (6) to eighteen (18) months at the prevailing interest rates at the time of purchase and at the discretion of the financial advisor.



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** FINANCE  
**BOARD ACTION:** AUTHORIZE TRANSFERS OF FUNDS FOR GRF PER CIVIL CODE 5502

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### **Background:**

Civil Code Section 5502 provides, among other things:

“Notwithstanding any other law, transfers shall not be authorized from the association's reserve or operating accounts without prior written approval from the board of the association unless the amount of the transfer is less than the following:

\* \* \*

(2) The lesser of ten thousand dollars (\$10,000) or 5 percent of the estimated income in the annual operating budget, for associations with 51 or more separate interests.”

### **Recommendation:**

That the Board of Directors authorizes the following transfers of funds for the period between September 22, 2023 and November 20, 2023:

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>
11/14/23	Transfer to US Bank - Money Market - 0931	EFT	\$468,859.75
10/13/23	Transfer to US Bank - Money Market - 0931	EFT	\$341,359.75
10/17/23	Transfer to US Bank - Payroll - 1219	EFT	\$284,000.00
11/14/23	Transfer to US Bank - Payroll - 1219	EFT	\$282,300.00
10/13/23	Transfer to US Bank - Restricted MM - 0665	EFT	\$232,827.40
11/14/23	Transfer to US Bank - Restricted MM - 0665	EFT	\$221,440.75
10/10/23	City of Seal Beach - Water September-23 & Street Sweeping	3876	\$164,317.36
10/31/23	Innovative Cleaning Serv - Multiple Invoices	3989	\$140,306.15
11/9/23	City of Seal Beach - Water Oct-23 & Street Sweeping	4005	\$133,965.04



10/3/23	Anthem Blue Cross - HMO Medical	3844	\$122,379.27
11/2/23	Anthem Blue Cross - HMO Medical	3996	\$112,486.64
10/5/23	Payroll Taxes Paid 10/06 - EFT - Payroll Taxes Paid 10/06	EFT	\$105,916.04
11/16/23	ADP, Inc. - EFT - P/R Taxes Paid 11-17-23	EFT	\$105,383.29
10/19/23	P/R Taxes Paid 10/20 - EFT - P/R Taxes Paid 10/20	EFT	\$101,606.16
11/2/23	ADP, Inc. - EFT - P/R Taxes Paid 11/03/23	EFT	\$99,895.42
11/9/23	California Gate and - Multiple Invoices	4021	\$39,797.46
10/10/23	Empower Trst Company,LLC - EFT - Employees' 401k Funding 10-06-23	EFT	\$34,280.05
11/14/23	Orange County Tax Collec - Secured Prop Tax 2023-2024	EFT	\$33,941.02
10/23/23	Empower Trst Company,LLC - EFT - Employees' 401k Funding 10-20-23	EFT	\$33,497.31
11/9/23	Off Duty Officers,Inc. - Multiple Invoices	4031	\$33,392.95
11/6/23	Empower Trst Company,LLC - EFT - Employees' 401k Funding	EFT	\$32,838.85
9/25/23	Empower Trst Company,LLC - EFT - Employees 401k Funding 09-22-23	EFT	\$32,684.53
10/10/23	Optimal Outsource - Multiple Invoices	3890	\$32,339.46
10/31/23	Adamen Inc. - Placement fee: David Potter	3994	\$30,600.00
11/14/23	Off Duty Officers,Inc. - Security Service Oct 16-31,2023	4064	\$28,946.56
10/3/23	Off Duty Officers,Inc. - Security Service Sept 1-15,2023	3862	\$27,195.77
10/20/23	Off Duty Officers,Inc. - Security Service Sept 16-30,2023	3934	\$26,619.46
10/20/23	Viking Staffing - Multiple Invoices	3948	\$25,001.17
10/3/23	J&J Landscaping, Inc. - Multiple Invoices	3860	\$24,700.00
11/9/23	J&J Landscaping, Inc. - Multiple Invoices	4029	\$24,700.00
9/25/23	Preferred Employers - INST 08/31/23	EFT	\$20,834.00
10/25/23	Preferred Employers - INST 09/30/23	EFT	\$20,834.00
10/20/23	SC Fuels - Gasoline	3916	\$20,621.89
10/3/23	Athens Services - Trash 08-23	EFT	\$16,050.06
11/9/23	PacketWatch - Multiple Invoices	4033	\$15,800.00
9/25/23	J C Kress Construction - Multiple Invoices	3837	\$15,295.00
11/9/23	Boyer & Associates - Multiple Invoices	4020	\$14,130.60
10/31/23	Home Pipe & Supply - Multiple Invoices	3988	\$13,048.63
10/3/23	Lowe's - LG 20 CU FT TM LT	EFT	\$12,334.97
10/3/23	CINC Systems, LLC - Multiple Invoices	3858	\$11,988.00
10/10/23	Athens Services - Trash 09-23	EFT	\$11,214.46
10/20/23	PLK Tech, Inc. - Light Pole 3"Round 6'6"Black	3914	\$11,127.08
10/31/23	CliftonLarsonAllen LLP - Progress billing Audit Dec 31, 2022	3969	\$10,237.50



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** GRF PRESIDENT  
**BOARD ACTION:** APPOINTMENT OF COMMITTEE RESTRUCTURE AD HOC

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### **Committee Approval:**

In the Administration Committee's motion recommending the Board of Directors adopt a four-committee structure, the Administration Committee recommended that a study of the new structure's effectiveness be undertaken after the first three months of operations.

### **Background:**

The planning process that formulated the committee restructure suggested the new governing structure would result in fewer hours of staff time committed to attending the 11 committee meetings that were held under the previous protocol. Before the new committee structure was implemented, Directors expressed concerns about the length of committee deliberations, each of which had to accommodate the oversight duties of multiple previous committees. Other directors expressed statements of support and concern during the first months of the term.

To study the restructure's overall impact on the organization, the GRF President nominates the following individuals to the proposed ad hoc committee: GRF Director Lee Melody, chair; GRF Directors Damoci, Habel, Jacquelin and Massetti; senior director of facilities Mark Weaver; and Emma Hurtado, assistant to the executive director.

### **Fiscal Impact:**

There is no anticipated fiscal impact from undertaking this study.

### **Recommendation:**

I move to approve the GRF President's creation of an ad hoc committee to examine the effectiveness of the Foundation's four-committee restructure, and commission the ad hoc committee present a formal report of its assessment at the Board's January 23, 2024, meeting.



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** 1.8 AD HOC COMMITTEE  
**BOARD ACTION:** 1.8 AD HOC COMMITTEE AND DISBAND THE COMMITTEE

---

At the October meeting of the 1.8 Ad Hoc Committee, the committee accepted the bids for the new Mini-Farm and voted to recommend to the GRF Board to award a contract to Certified Roofing Applicators, Inc. for installing the Mini Farms. Thus completing the work assigned to it.

I want to thank the Committee members Susan Hopewell, Susan Jacquelin, Camille Thompson, Nick Massetti, Lynn Baidack, Jeri Dolch, and Alan Dale. There was enough gardening experience in the group to help the rest of us understand the importance of the Mini-Farms. The joy of working outside, being with others who enjoyed digging in the dirt, eating food you've grown yourself, and being willing to share the produce with your neighbors.

I would also like to thank Mark Weaver, Jesse Crips, Kevin Black, and Eloy Gomez for all things bees. And last but not least, thank you, Tia Makakaufaki, for keeping us in line.

History of the Mini-Farms:

This is a history from public sources such as Leisure World Weekly and other brochures and the Leisure World Historical Society collections.

**April 3, 1975:** Call to Leisure World residents through the newspaper to discover potential community gardeners living in LW. Implicit request for vegetable gardeners.

**1975 to 1987:** Mini Farm Gardens were located at the corner of Northgate/Beverly Manor at the former 'Custom Building Enterprises' site.

**1981:** pictures of a vegetable garden with a low block fence in the background, published in a Leisure World sales brochure.

**1988:** The mini farms moved to 1.8 acres after the area was repurchased from the Caltrans sale (1970) after the State of Cal/ Freeway 405/22 did not need the land. The lot was graded and cleaned, and plots and water pipes were added to the parcel. 107 plots, then 118 plots were created. Pictures and articles in LW Weekly.

**1991:** Walk bins for recycling and resident large trash items are located at 1.8 acres.

**1997:** Mini-Farms becomes a Leisure World club.

**2021:** Mini-Farms were dismantled, and leases were terminated.

**2022:** FarmScape contract started to assess the plan and costs of restoration of Community Farms at 1.8 acres site.

Respectfully submitted,

Carole Damoci  
Chair 1.8 adHoc Committee

**Recommendation:**

I move the GRF Board to accept the final report of the 1.8 adHoc Committee and disband the Committee at this time.

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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** 1.8 AD HOC COMMITTEE  
**BOARD ACTION:** MINI FARM REDESIGN 1.8 ACRES

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### **Committee Approval:**

At its October 3, 2023, meeting, the 1.8 AD HOC Committee approved to recommend the GRF Board award a contract to Certified Roofing Applicators, Inc. for the installation of the Mini Farms at the 1.8-acre lot of \$437,150, adding a 10% contingency fee, for a total cost of \$480,865 Capital Funding and authorize the President to sign the contract.

### **Background:**

The GRF Board of Directors established the 1.8 AD HOC Committee on September 27, 2022. The BOD then approved Farmscape to develop Design and Engineering Plans for the area at a cost not to exceed \$62,500 from a recommendation by the committee. The 1.8 AD HOC Committee approved the scope of work from Farmscape and requested staff to send the project out for bid. The committee received and opened two bids out of the five RFPs. The committee requested the two bidding contractors to revise their bids, removing the options on the attached bid sheet, and costs are as follows:

MJ Jurado - \$483,000 - 120 days to complete  
CRA Inc. - \$437,150 - 95 days to complete

### **Fiscal Impact:**

Funding would come from capital.

### **Recommendation:**

I move the GRF Board award a contract to Certified Roofing Applicators, Inc. for the installation of the Mini Farms at a 1.8-acre lot as described in the request for proposal dated August 9, 2023, for \$437,150, adding a 10% contingency fee for a total cost of \$480,865 Capital Funding and authorize the President to sign the contract.





GOLDEN RAIN FOUNDATION  
Board Action Item  
November 28, 2023

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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** EXECUTIVE MANAGER, MUTUAL SERVICE  
**BOARD ACTION:** APPROVAL OF AUDIT FOR FISCAL YEAR ENDING DECEMBER 31, 2022

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### **Background:**

The California Civil Code requires an annual audit to be completed by a third party and then approved by the Board of Directors. This audit for the fiscal year ending December 31, 2022, for the Golden Rain Foundation and The Trust was prepared by the CPA firm of CliftonLarsonAllen LLP.

### **Recommendation:**

I move to approve CliftonLarsonAllen's audit of the Golden Rain Foundation and The Trust for the fiscal year ending December 31, 2022, as presented. The President and Treasurer are approved to sign all necessary paperwork for GRF. Staff is instructed to mail the audit to the membership as soon as practicable.



## BOARD ACTION REQUEST

**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** GRF TREASURER  
**BOARD ACTION:** 2023 RESERVE CONTRIBUTION CAP

### Committee Action:

At its November 16, 2023, meeting, the Administration Committee recommended the GRF Board approve the 2023 Reserve Fund contribution to cap the 2023 Trust Property Use Fee (TPUF) contribution to the Reserve Fund at \$1,950,000 (the 2023 Reserve Study-recommended Full Funding Contribution), and the TPUF contribution exceeding that \$1,950,000 be added to the Capital Fund to partially reimburse the Capital Fund for the \$500,000 whose transfer was authorized to the Reserve Fund at the September 29, 2022, Board meeting.

### Background:

The August 24, 2022, version of the 2023 Reserve Study recommended a Full Funding Contribution of \$162,500 per month for an annual total of \$1,950,000.



**Golden Rain Foundation**

Seal Beach, CA

Level of Service: **Update "No-Site-Visit"**

Report #: **26608-5**

# of Units: 6,608

**January 1, 2023 through December 31, 2023**

### **Findings & Recommendations**

**as of January 1, 2023**

Projected Starting Reserve Balance .....	\$9,113,413
Current Full Funding Reserve Balance .....	\$13,834,502
Average Reserve Deficit (Surplus) Per Unit .....	\$714
Percent Funded .....	65.9 %
Recommended 2023 "Monthly Full Funding Contributions" .....	\$162,500
Alternate minimum contributions to keep Reserve above \$0 .....	\$129,000
Most Recent Reserve Contribution Rate .....	\$41,667
Annual Deterioration Rate .....	\$2,628,634

However, the 2023 GRF Budget presented at a September 29, 2022, special meeting of the GRF Board proposed lowering the annual contribution to \$1,450,000.

ACCOUNT DESCRIPTION	2022 BUDGET	2023 BUDGET	2022 ACTUAL	2023 BUDGET	2022 BUDGET	2023 BUDGET	2022 ACTUAL	2023 BUDGET
<b>Community Facilities</b>								
574 Service Maintenance	\$ 2,686,239	\$ 128,033	\$ 2,814,272	\$ 1,441,937	\$ 1,372,335	\$ 17.31	12.33	\$ 4.98
575 Trust Property	425,498	2,570	428,068	-	428,068	5.40	4.71	0.69
670 Physical Property Management	1,363,478	41,662	1,405,140	165,600	1,239,540	15.63	15.34	0.29
679 Community Facilities	-	616,696	616,696	900	615,796	7.77	7.37	0.40
Total Property	\$ 4,475,215	\$ 788,961	\$ 5,264,176	\$ 1,608,437	\$ 3,655,739	\$ 46.10	\$ 39.75	\$ 6.36
<b>Reserve Contributions</b>	-	1,450,000	1,450,000	-	1,450,000	18.29	15.76	2.53
<b>Amenities Fees</b>	-	-	-	800,000	(800,000)	(10.08)	(9.45)	(0.63)
<b>Total Trust Administration Cost</b>	\$ 12,778,968	\$ 8,106,892	\$ 20,885,860	\$ 5,063,643	\$ 15,822,217	\$ 199.53	\$ 172.03	\$ 27.50

At that same Special meeting, the GRF Board approved a one-time transfer during the 2023 budget year of \$500,000 from the Capital Fund to the Reserve Fund, thereby reducing the budgeted annual contribution gathered through assessments to the Reserve Fund to \$950,000. The exact motion was:

*"TO transfer \$500,000 from Capital Funds to the Reserve Funds, reducing by \$500,000 the need to contribute to the Reserves in 2023 from Shareholder Funds (Allocated Trust Costs). This lowers the 2023 PAPM increase by \$6.31. Further, after the 2022 Excess Income has been determined, the first \$500,000 will be transferred to the Capital Fund. If less than \$500,000 is Excess, then the total will be transferred to Capital Fund."*

It was clear in the motion and in the attendant discussion that the Board intended the \$500,000 to be returned to the Capital Fund at some point. Subsequently, at its February 28, 2023, meeting, the GRF Board acted to further support the 2023 Reserve Fund by amending Rule 40-5061-2 Fees as follows:

*"To approve amended language that starting January 1, 2023, 100 percent of amenities fees collected will be apportioned to the Foundation's Reserve Fund and requiring the Finance Committee's review of the distribution of the Amenities Fee during the annual budgeting process".*

A GRF Income Statement dated 8/31/2023 indicated that as of that date, \$1,640,789 had been contributed to the Reserve fund during 2023.

<b>RESERVE CONTRIBUTION</b>							
8161000-000 Replacement Rsv Contributions	232,827.40	79,167.00	(153,660.40)	1,640,789.83	633,332.00	(1,007,457.83)	950,000.00
<b>Total RESERVE CONTRIBUTION</b>	<b>\$232,827.40</b>	<b>\$79,167.00</b>	<b>(\$153,660.40)</b>	<b>\$1,640,789.83</b>	<b>\$633,332.00</b>	<b>(\$1,007,457.83)</b>	<b>\$950,000.00</b>
<b>Total OPERATING EXPENSE</b>	<b>\$2,286,286.02</b>	<b>\$1,769,229.00</b>	<b>(\$517,057.02)</b>	<b>\$16,646,917.76</b>	<b>\$13,715,388.00</b>	<b>(\$2,931,529.76)</b>	<b>\$20,385,861.00</b>

At the demonstrated revenue level, those Reserve Fund contributions may exceed the 2023 Reserve study recommended Full Funding Contribution of \$1,950,000 during October 2023.

At its October 24, 2023, meeting, the GRF Board approved further updates to Rule 40-5061-2, Residency and Trust Property Use Fee. These included allocating to the Capital Fund the collected amenities fees that exceeded the annual allocation to the Reserve Fund:

unit is required.

**1.6. The TPUF is allocated as follows:**

- 1.6.1.** Divided monthly on a percentage basis between the Reserve and Capital Funds according to the current budget year document.
- 1.6.2.** All amounts in excess of the allocation to the reserve Fund specified in the current budget year document are allocated to the Capital Fund.

This motion proposes that the Administration Committee recommend the GRF Board cap the 2023 Reserve Fund contribution at \$1,950,000, which the 2023 Reserve Study recommended as the Full Funding Contribution. Subject to any requirements for the upcoming fiscal year's opening Reserve balance, any additional contributions to the Reserve Fund from all sources exceeding that \$1,950,000 will be added to the Capital Fund to partially reimburse the Capital Fund for the \$500,000 transferred from it to the Reserve Fund in 2023.

**Fiscal Impact:**

The actions suggested in this motion will fully finance the 2023 Reserve Funding recommendation while permitting Trust Property Use Fees exceeding that amount to buttress the Foundation's Capital Fund and provide greater flexibility to pay for authorized Capital projects through the end of the 2024 fiscal year.



**Recommendation:**

I move to cap the 2023 Trust Property Use Fee (TPUF) contribution to the Reserve Fund at \$1,950,000 (the 2023 Reserve Study-recommended Full Funding Contribution) and designate the TPUF contribution exceeding that \$1,950,000 be added to the Capital Fund.

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**Capital Funds  
September 2023**

Balance	\$1,551,735.12	
Monthly Funding Budgeted	\$66,667.00	*Implied
Monthly Funding Actual	\$0.00	

**Proposed Capital Expenditures**

Traffic Light Study St Andrews/GR	\$33,422.00
Shuffleboard Cooling Turbine	\$8,000.00
1.8 Refurbish	\$480,865.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00

<b>Total Balance Remaining</b>	<b>\$1,029,448.12</b>
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**Stock Transfer Transactions**

January	16	30
February	24	29
March	24	41
April	38	48
May	30	51
June	32	46
July	37	41
August	41	40
September	27	34
October	44	32
November		32
December		28

2023      2022

**Reserve Funds  
September 2023**

Balance	\$10,600,387.53
Monthly Funding Budgeted (Amenity)	\$66,667.00
Monthly Funding Budgeted (Assmnt)	\$12,500.00
Monthly Funding Actual	\$208,940.75
Funds YTD	\$1,749,730.58

**Proposed Reserve Expenditures**

Amp. Sewer Lift Repair	\$60,297.00
Mayfield Paving Change Order	\$77,220.00
Bocce Ball Court Add/Mod	\$12,777.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00
ITEM	\$0.00

<b>Total Balance Remaining</b>	<b>\$10,659,034.28</b>
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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** FACILITIES COMMITTEE  
**BOARD ACTION:** CAPITAL FUNDING REQUEST: OPERATIONAL ANALYSIS TRAFFIC LIGHT  
SAINT ANDREWS AND GOLDEN RAIN ROAD

---

### **Committee Approval:**

At its November 7, 2023, meeting, the Facilities Committee recommended the GRF Board award a \$30,384 contract with an additional 10% contingency from Capital Funding to Stantec Consulting to develop the construction plans for a pedestrian-only phase and a left-turn east/west split phasing of Saint. Andrews/Golden Rain traffic light and authorize the President to sign the contract.

### **Background:**

The Board awarded a contract to Stantec Consulting to conduct an operational analysis to eliminate left-turn conflicts at the St. Andrews/Golden Rain Road intersection. The committee reviewed Stantec's work and requested a pedestrian-only segment be added in the final analysis. Stantec Consulting has completed its analysis and recommends the pedestrian-only phase and left turn east/west split phasing. Stantec estimates developing construction plans for this approach will cost \$30,384.

### **Fiscal Impact:**

Funding from Capital. The current Capital Fund strategic plan includes an appropriation for this project.

### **Recommendation:**

I move to approve \$30,384 to develop construction plans for the pedestrian-only phase as well as the left-turn east/west split phasing at the traffic light at St. Andrews and Golden Rain, adding an additional 10% contingency for a total not to exceed \$33,422 and authorize the President to sign the contract.



GOLDEN RAIN FOUNDATION  
Action Item  
November 28, 2023

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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** MEMBER SERVICES COMMITTEE  
**ACTION:** CAPITAL FUNDING REQUEST: VENTILATION FANS FOR SHUFFLEBOARD COURTS

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### **Committee Approval**

At its November 14, 2023, meeting, the Member Services Committee recommended the GRF Board of Directors award a contract to Roofing Standards to install eight solar ventilation fans on the shuffleboard building's roof at a total cost not exceeding \$8,000 and authorize the President to sign the contract.

### **Background:**

At its September 2023 meeting, the Facilities Committee reviewed correspondence that requested adding shuffleboard building roof vents to cool the playing area during hot weather. The Facilities Committee tasked staff with obtaining the cost for eight solar vents. Roofing Standards submitted a bid totaling \$8,000. The attached proposal was then forwarded to the designated oversight committee, Member Services, for the project's evaluation and the committee's recommendation.

The most recent funding for shuffleboard activities was \$10,950 appropriated in May 2023 to rehabilitate and paint the courts, and a September 2023 expenditure for Clubhouse 1 renovations that included painting the shuffleboard building's interior and exterior. No funding for temperature control for the shuffleboard building was included in either of those measures.

### **Fiscal Impact:**

Funding from the Capital account. This expenditure is not currently included in the Capital Fund's strategic plan.

### **Recommendation:**

I move to award a contract to Roofing Standards to install eight solar ventilation fans to the shuffleboard building's roof at a total cost not exceeding \$8,000, Capital funding, and authorize the President to sign the contract.





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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** EXECUTIVE DIRECTOR  
**BOARD ACTION:** APPROVE ELECTION SERVICES PROVIDER

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### **Committee Approval:**

At its November 9, 2023, meeting, the Administration Committee recommended the Board of Directors award a \$37,136 contract to HOA Elections of California to serve as the election inspector and conduct regularly scheduled GRF and Mutual elections for the 2024 fiscal year.

### **Background:**

California Civil Code 5100 requires common interest associations to select an independent inspector of elections. GRF's previous election inspection contract with Accurate Voting Services has expired, and the staff was asked to solicit bids for future services.

Staff received three bids. The totals below include the price for custom envelopes, which was the only significant difference in standard services the three firms offered:

- Accurate Voting Services \$34,481 Inspector cost after 120 min: \$150/hr
- Advanced Election Services \$52,070 Inspector cost after 120 min.: \$120/hr
- HOA Elections of California \$37,136 Inspector cost after 90 min.: \$90/hr

The Administration Committee received an assessment of GRF's current inspector, Accurate Voting Services. The committee noted that only the HOA Elections of California bid included an electronic vote tabulation feature at no additional charge. The committee included this in its evaluation, considering the seven hours required to hand-count the votes on June 6, 2023.

### **Fiscal Impact:**

The Board's 2024 budget allocated \$65,000 in operating expenses toward election costs.

**Recommendation:**

I move that the Board of Directors award a \$37,136 contract to HOA Elections of California to serve as the election inspector, conduct regularly scheduled GRF and Mutual elections for the 2024 fiscal year, and authorize the President to sign the contract.

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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** GRF PRESIDENT  
**BOARD ACTION:** OPERATIONAL FUNDING REQUEST: COMMUNITY FACILITIES FIRE PROTECTION SERVICES

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### Committee Approval:

At its November 7, 2023, meeting, the Facilities Committee recommended the GRF Board award a \$23,538 three-year contract to ASI Fire Protection as the low bidder for the Trust Property's fire protection services.

### Background:

The Physical Property Department issued a Request for Proposals to seven contractors. It received the following three bids.

Contractor	Year 1	Year 2	Year 3	3 year term	Notes	5year term
All American Fire Systems	\$ 12,695	\$ 12,695	\$ 12,695	\$ 38,085	option for 5 year term	\$ 63,475
ASI Fire Protection	\$ 7,096	\$ 9,346	\$ 7,069	\$ 23,511	no service to alarm systems	
Control Fire & Security	\$ 112,000	\$ 112,000	\$ 112,000	\$ 336,000		

After the meeting, staff found the ASI offer did not include service for fire alarms and fire hoses. On November 8, 2023, GRF's Senior Director of Facilities recommended that the Board not act upon the Facilities Committee motion but instead renew GRF's agreement with its present provider, All American Fire Protection, to maintain continuous coverage for all vital components through the present contract's December 31 expiration.

The motion introduced by the GRF President will authorize a contract to pay All American Fire Systems \$12,695 per year for a three-year term. Staff recommend taking advantage of company's option of an additional two years coverage at the same annual cost.

**Fiscal Impact:**

All American provided fire protection services in 2023 for \$8,064, the amount allocated in the 2024 operations budget for fire protection services. The renewed contract represents a 57% increase above the 2023 cost for these services.

**Recommendation:**

I move to award a contract to All American Fire Services for fire protection services for trust property at a total cost of \$63,475 for five-year operation funding and authorize the president to sign the contract.

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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** BOARD OF DIRECTORS  
**FROM:** FACILITIES COMMITTEE  
**BOARD ACTION:** RESERVE FUNDING REQUEST: AMPITHEATER SEWER LIFT STATION REPAIR

---

### **Committee Approval:**

At its November 7, 2023, meeting, the Facilities Committee voted to recommend the GRF Board award a contract to Jimini Systems for replacing the sewer pump station electrical panel and repairing the storm drain pump and float system at the Amphitheater for \$54,815, adding an additional 10% contingency for a total not to exceed \$60,297 and authorize the President to sign the contract.

### **Background**

The Amphitheater's sewer lift station electrical panel has failed and parts, including the storm drain pump motor and float system, are no longer available. The Physical Properties Department contacted two vendors for proposals for this replacement and repair. Costs are as follows :

- Pumpman - \$63,777
- Jimini Systems- \$54,815

### **Fiscal Impact:**

Funding from allocated Reserve Funds

### **Recommendation:**

I move to award a contract to Jimini Systems to replace the sewer pump station electrical panel and repair the Storm Drain Pump and float system for the cost of \$54,815, adding an additional 10% contingency for a total not to exceed \$60,297, Reserve Funds, and authorize the President to sign the contract.



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** BOARD OF DIRECTORS  
**FROM:** FACILITIES COMMITTEE  
**BOARD ACTION:** RESERVE FUNDING REQUEST: PAVING PROJECT MAYFIELD

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### **Committee Approval:**

At its November 7, 2023, meeting, the Facilities Committee recommended that the GRF Board approve a change order to MJ Jurado to replace failing asphalt on the east end of Mayfield Road. The change order specifies substituting concrete for the asphalt at a cost not to exceed \$77,220 Reserve Funding, including the credit for the 2" grind and overlay included in the initial contract.

### **Background:**

The GRF Board of Directors approved the Paving Project for 2023 at its July 2023 meeting. A 2" grind and overlay was specified for Mayfield Road. When the asphalt was removed from the street's eastern area, the asphalt was found to be too thin, and the base was failing. The asphalt must be removed and the base replaced to prevent another failure. At that point, concrete or asphalt installation will be needed. The committee employed concrete to lessen future maintenance on the staff's recommendation.

The committee also requested that staff investigate the use of concrete to pave all of Mayfield Road. However, asphalt paving of the west section of Mayfield Road was completed on the day of the committee's request.

### **Fiscal Impact:**

Jurado's bid for concrete paving is 49% more than its bid for asphalt paving. However, industry sources indicate that concrete paving's lifespan is 110% longer than asphalt before significant reconstruction becomes necessary. Funding from un-budgeted reserves.

### **Recommendation:**

I move to approve a change order to the MJ Jurado contract to replace the failing asphalt with concrete on the east end of Mayfield at a cost not to exceed \$77,220, Reserve Funding, including the credit for the 2" grind and overlay, and authorize the President to sign the contract.



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** MEMBER SERVICES COMMITTEE  
**ACTION:** RESERVE FUNDING REQUEST: BOCCE BALL COURT  
ADDITION/MODIFICATION

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### **Committee Approval:**

At its November 14, 2023, meeting, the Member Services Committee recommended the GRF Board of Directors award a \$12,777 contract to Always Green to replace the playing surface of the existing bocce ball court with artificial turf using Reserve Funds, authorize the President to sign the contract, and instruct Service Maintenance to repair the rails around the court.

### **Background:**

At its July 3, 2023, meeting, the Facilities Committee requested costs for modifying the bocce court area. The modifications requested:

- 1) Change the playing surface to artificial grass;
- 2) Re-establish the drains;
- 3) Add a second court;
- 4) Modify the fence; and
- 5) Move the pergola to accommodate the second court.

The Physical Property Department received two bid proposals for these modifications:

### **SUBBASE / SYNTHETIC GRASS**

- J and J Landscaping - \$15,500 x2 = \$31,000
- Always Green - \$11,614.50 x2 = \$23,229

At its September 3, 2023, meeting, the Facilities Committee submitted this cost information to the Member Services Committee for consideration.

**Fiscal Impact:**

Construction funding for a new court and additional facilities would be expended from GRF's Capital account. The Foundation's reserves can fund repairs and rehabilitation of the existing court. After deliberating, the Member Services Committee limited its recommendation to rehabilitating the existing bocce ball court and enhancing player safety with repaired rails around the court.

**Recommendation**

I move to award a contract to Always Green to replace the bocce court's existing playing surface with artificial turf for a cost not to exceed \$12,777, Reserve Funding and authorize the President to sign the contract and authorize Service Maintenance to repair the rails around the Bocce court.

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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** MEMBER SERVICES COMMITTEE  
**BOARD ACTION:** REPLACEMENT OF ICE MACHINE CLUBHOUSE TWO KITCHEN

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### **Committee Approval:**

At its November 14, 2023 meeting, the Member Services Committee approved recommending to the GRF Board the replacement of the Ice-O-Matic commercial ice machine in Clubhouse 2 for a cost not to exceed \$4,448.57.

### **Background:**

The Ice-O-Matic commercial ice machine located in the kitchen of Clubhouse 2 has experienced a failure. GRF contacted the GRF-approved refrigeration repair contractor (Norm's Refrigeration & Ice Equipment), who determined the evaporator coil had failed. The cost to replace and repair the evaporator coil exceeded that of a replacement machine of the same model.

### **Fiscal Impact:**

Replacement of commercial ice machine not to exceed \$4,448.57 with funds to be expended from the Reserve Account.

### **Recommendation:**

I move to approve funding for replacing the ice machine in the kitchen of Clubhouse 2 at a cost not exceeding \$4,448.57 Reserve Funding.



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** OPERATIONS COMMITTEE  
**BOARD ACTION:** AMEND 20-2841-2, GRAPHIC DESIGN SERVICE

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### **Committee Approval:**

On November 9, 2023, the Operations Committee recommended the Board of Directors amend 20-2841-2, Graphic Design Service.

### **Background:**

As part of its biennial review of all the governing documents overseen by the committee, the Operations Committee reviewed this rule written by the former Communications Committee. In a workstudy session, members of the Operations Committee members updated the previous rule to include design services for electronic media as well as printed publications. The Committee also aligned fees for the GRF designer with the Foundation's standard fee schedule.

### **Fiscal Impact:**

The amended fee schedule is anticipated to produce minimal gains in revenue. .

### **Recommendation:**

I move to amend policy 20-2841-2, Graphic Design Service, as presented, and renumber the document as 42-2841-2.



## COMMUNICATIONS

### Graphic Design Services - Fees

Graphic Design Services are available if individuals or organizations ~~if~~ do not have artwork that meets the requirements of the Leisure World Weekly newsmedia.

1. The fee for graphic design services will be the prevailing hourly service rate of Golden Rain Foundation ~~is \$40 per hour; one hour~~ one-hour minimum payment is billed ~~required~~. Additional fees may apply for ~~the~~ purchasing ~~of~~ stock images if requested.
2. The estimated design time will be provided at the start of the service.
3. Express Design (1-2 hours)
  - ~~3.1.~~ Simple layout, and typesetting, and editing-
  - ~~3.2.~~ Vector-based/high resolution graphics
4. Custom Design (3-4 hours)
  - ~~4.1.~~ Layout, and typesetting, and editing
  - ~~4.1.4.2.~~ Logo design
  - ~~4.2.4.3.~~ Simple photo editing (including cropping and color adjusting)
5. Custom Design (5-7 hours)
  - ~~5.1.~~ Layout, and typesetting, and editing
  - ~~5.1.5.2.~~ Logo design
  - ~~5.2.5.3.~~ Photo editing (including cropping, color adjusting and cloning)
  - ~~5.3.5.4.~~ Creating vector elements

#### Document History

Adopted:	28 May 19	Amended:	23 Jul 19	Reviewed:	12 Dec 19
GDC	26 Feb 20				

**Keywords:** Communication      Graphic      Design      Fee



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** ADMINISTRATION COMMITTEE  
**BOARD ACTION:** AMEND 30-5022-3, COMMUNITY RULES VIOLATION PANEL CHARTER

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### **Committee Approval:**

At its November 16, 2023, meeting, the Administration Committee recommended the Board of Directors amend 30-5022-3, Community Rules Violation (CRV) Panel Charter.

### **Background:**

At its May 23, 2023, meeting, the GRF Board of Directors adopted 30-5022-3, Community Rules Violation Panel Charter, which re-established a functioning disciplinary system that had been inoperative due to Covid restrictions on personal interaction. The new adjudication system was intended to simplify the previous Parking Rules Violation panel, which required a quorum of all 18 GRF Directors to deliberate on Member's parking offenses.

The CRV structure adopted by the Board authorized a three-director panel, moderated by a non-voting Moderator, to adjudicate violations of GRF rules and designated Directors who were not in leadership positions to sit on the panel.

In subsequent panel sessions, the panel members introduced interpretations of legal procedures that were not in accord with HOA disciplinary approaches codified in the Davis-Stirling provisions of the California Civil Code or the GRF training provided to incoming panel members.

The GRF president, in accordance with the CRV's incumbent moderator, has requested that the CRV panel include a broader cross-section of the Board of Directors' senior leadership, a panel with more members to dampen minority control of the panel's operating procedures, and a stronger leadership role for the panel's moderator.



**Fiscal Impact:**

Indeterminate. The incumbent panel's consistency in dismissing fines for rules violations did saddle GRF with costs associated with patrol employees issuing citations, the Foundation's third-party processing firm in providing legal notice of the citation and the Member's right to contest the violation, and GRF staff members requirement to create and transmit mail notifying Members of the panel's determination. A more procedurally defensible disciplinary system may more equitably balance enforcement costs with compensating cost recovery.

**Recommendation:**

I move to amend 30-5022-3, Community Rules Violation (CRV) Panel Charter, and designate it as 13-5022-3.

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## ADMINISTRATION

### Community Rules Violation Panel Charter

Pursuant to state statute (Corp. Code §7210; Corp. Code §7212(c)) and Article VIII of the Bylaws of the Golden Rain Foundation (GRF), the Board of Directors (BOD) hereby establishes the Community Rules Violation Panel and grants to the Panel authority specifically stated within the GRF governing documents. In accordance with Article VII, Section I, of the Bylaws, the Panel's Chair and the Panel's members shall be appointed by the GRF President and approved by action of the BOD.

#### 1. PURPOSE:

As a committee of the board, the Community Rules Violation Panel will administer the dispute resolution and enforcement procedures established by the Golden Rain Foundation, and have full powers to assess, judge and determine fines or sanctions for violations of rules established within the GRF's governing documents.

#### 2. COMPOSITION:

- 2.1. Each Community Rules Violation Panel session shall consist of a Chair/Moderator appointed by the GRF President, and four Panel members. All panelists, including the Chair/Moderator, will participate in the panel's hearings and deliberations, except when excused by the Panel's Chair/Moderator over concerns about a specific panelist's conflict of interest.
- 2.2. The Panel members will be drawn in an alternating fashion from among Directors who are not currently serving as a member of the Administration Committee. A different panel of members will be named for each meeting of the panel.
- 2.3. The Chair/Moderator will serve for the length of the annual term, but the GRF President at any time can appoint a new Moderator to serve temporarily.

#### 3. DUTIES:

- 3.1. Schedule and conduct regular sessions during which Members who have been charged with a violation of the community's rules are offered the opportunity to contest the alleged violation.
- 3.2. Follow procedures for fair and equitable procedures as outlined in Davis-Stirling sections 5850 and 5855, and in GRF rule 33-5093-3.
- 3.3. Make findings based only on information offered by GRF staff, other GRF members, and the Member charged with the violation, and determine a judgment of guilt or innocence based on those findings.
  - 3.3.1. If the panel's majority judgment is that the charged Member is guilty of a rule infraction, the panel shall assess a punishment codified in GRF Rules 33-5093-2, 38-1937-2, 27-1487-2 and in such other GRF Rules that establish Member discipline sanctions.

- 3.3.2. If the panel's majority judgment is that the charged Member is innocent of a rule infraction, the panel shall waive any penalty.
- 3.4. After determining their judgment and establishing any penalty, the Panel shall report the Panel's findings to the GRF President and within the timeline established in Davis-Stirling Section 5855(c) to each Member charged with a violation.
- 3.5. Assess the panel's adjudication procedures and suggest revisions in the Foundation's administration and review of the process.
- 3.6. Assist the GRF Executive Director and staff in maintaining all records of the Panel's actions.
- 3.7. Assist the GRF President in coordinating the conduct of secondary appeals to the GRF Board of Directors of any judgments rendered by the Panel.

#### 4. LIMITATIONS:

- 4.1. This Panel may operate as a separate entity but has a duty to work cooperatively with Standing Committees when projects and responsibilities overlap.
- 4.2. It is to be recognized that regulatory or supervisory activities affecting employed personnel are functions of Management and not to be encroached upon by the Panel's Moderator or any member, either individually or collectively.
- 4.3. The Panel does not have the authority to enter into written contracts or oral agreements with any third parties on behalf of the GRF BOD. Authority to authorize contracts and/or expenses rests solely with the BOD.

#### Document History

Keywords: Charter

Internal Dispute Resolution

Community Rules Violation

Member Conduct Rules

Parking

ADMINISTRATION

Community Rules Violation Panel Charter ~~(xx) GOLDEN RAIN FOUNDATION Seal Beach, California~~ Page 1 of 2

Pursuant to state statute (Corp. Code §7210; Corp. Code §7212(c)) and Article VIII of the Bylaws of the Golden Rain Foundation (GRF), the Board of Directors (BOD) hereby establishes the Community Rules Violation Panel and grants to the Panel authority specifically stated within the GRF governing documents. In accordance with Article VII, Section I, of the Bylaws, the Panel's Chair and the Panel's members shall be appointed by the GRF President and approved by action of the BOD, ~~and its members selected by a process approved by the BOD.~~

1.        PURPOSE:

As a committee of the board, the Community Rules Violation Panel will administer the dispute resolution and enforcement procedures established by the Golden Rain Foundation, and have full powers to assess, judge and determine fines or sanctions for violations of rules established within the GRF's governing documents.

2.        COMPOSITION:

2.1. ~~Each~~ The Community Rules Violation Panel session shall consist of ~~comprise~~ a Chair/Moderator appointed by the GRF President, and ~~three~~ four ~~adjudicating~~ ~~P~~ panel members. All panelists, including the Chair/Moderator, will participate in the panel's hearings and deliberations, except when excused by the Panel's Chair/Moderator over concerns about a specific panelist's conflict of interest.

2.2. The Panel members will be drawn in an alternating fashion from among ~~directors appointed to the panel by the President.~~ Directors who are not currently serving as a member of the ~~GRF~~ Administration Committee. A different panel of ~~adjudicating~~ members will be named for each meeting of the panel.

2.3. The Chair/Moderator will serve for the length of the annual term, but the GRF President at any time can appoint a new Moderator to serve temporarily.

3.        DUTIES:

~~3.1. This Panel may operate as a separate entity but has a duty to work cooperatively with Standing Committees when projects and responsibilities overlap.~~ 3.12. Schedule and conduct a regular monthly session during which Members who have been charged with a violation of the community's rules are offered the opportunity to contest the alleged violation.

~~3.3. Oversee proper procedures for noticing and communicating each notice of findings.~~ 3.24. Follow procedures for fair and equitable procedures as outlined in Davis-Stirling sections 5850 and 5855, and in GRF rule 3330-5093-3.



3.35. Make findings based only on information offered by GRF staff, other GRF members, and the Member charged with the violation, and determine a judgment of guilt or innocence based on those findings.

3.3.1. If the panel's majority judgment is that the charged Member is guilty of a rule infraction, the panel shall ~~, and either vacate the violation charge, or~~ assess a punishment codified in GRF Rules 330-5093-2, 380-1937-2, 270-1487-2 and in such other GRF Rules that establish Member discipline sanctions.

3.3.2. If the panel's majority judgment is that the charged Member is innocent of a rule infraction, the panel shall waive any penalty. ~~30-5022-3 GRF ADMINISTRATION Community Rules Violation Panel Charter (xx) GOLDEN RAIN FOUNDATION Seal Beach, California Page 2 of 2~~

3.64. After determining their judgment and establishing any penalty, the Panel shall ~~r~~Report the Panel's findings to the GRF President and within the timeline established in Davis-Stirling Section 5855(c) to each the Member charged with the a violation. ~~within the timeline established in Davis-Stirling Section 5855(c).~~

3.75. Assess the panel's adjudication procedures and suggest revisions in the Foundation's administration and review of the process.

3.86. Assist the GRF Executive Director and staff in maintaining all records of the Panel's actions.

3.79. Assist the GRF President in coordinating the conduct of secondary appeals to the GRF Board of Directors of any judgments rendered by the Panel.

#### 4. LIMITATIONS:

~~4.3.1.~~ This Panel may operate as a separate entity but has a duty to work cooperatively with Standing Committees when projects and responsibilities overlap.

4.2. It is to be recognized that regulatory or supervisory activities affecting employed personnel are functions of Management and not to be encroached upon by the Panel's Moderator or any member, either individually or collectively.

4.3. The Panel does not have the authority to enter into written contracts or oral agreements with any third parties on behalf of the GRF BOD. Authority to authorize contracts and/or expenses rests solely with the BOD.

#### Document History

Keywords: Charter        Internal Dispute Resolution        Community Rules Violation

Member Conduct Rules        Parking



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** ADMINISTRATION COMMITTEE  
**BOARD ACTION:** AMEND 30-5093-3, MEMBER RULES OF CONDUCT – PROCEDURE

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### **Committee Approval:**

At its November 16, 2023, meeting, the Administration Committee recommended the Board of Directors amend 30-5093-3, Member Rules of Conduct – Procedure for Notification of Violation and Right to Hearing.

### **Background:**

Modifying 30-5022-3, Community Rules Violation (CRV) Panel charter, necessitates minor changes to 30-5093-3, Member Rules of Conduct - Procedure for Notification of Violation and Right to Hearing, to coordinate the two rules.

### **Fiscal Impact:**

Indeterminate. Anticipated changes to the CRV Panel's operations may more equitably balance enforcement costs with compensating cost recovery.

### **Recommendation:**

I move to amend 30-5093-3, Member Rules of Conduct – Procedure for Notification of Violation and Right to Hearing, and designate it as 13-5093-3.



**Community Rules Violation Panel and Appeal Procedure**

**3.1.2** or issued to those who enter the community through the authorization of the R/L, or visitor associated with the MEMBER or QPR's residential unit.

**3.2** An initial appeals hearing will be scheduled for the next CRV PANEL meeting consistent with proper notification procedures. The appealing MEMBER or QPR may choose to attend the hearing in person or may submit a written statement concerning the rule violation notice to the CRV PANEL.

**3.3** The MEMBER or QPR appealing the citation will be presented with a written notice at least ten (10) days prior to the hearing.

**4. NOTICE OF HEARING**

The written COMMUNITY RULES VIOLATION NOTICE (citation or letter) serves as written notice of the violation and hearing (Civ. Code §5855). The following items will be set forth in the written notice:

**4.1** Description of violation, including time and location of violation and possible sanctions or monetary penalties;

**4.2** The date, time, and place of the hearing;

**4.3** A statement that the individual cited for a violation has a right to attend the hearing and present evidence. (Civ. Code §5855(b).); and

**4.4** Notification that a "Failure to Respond" will result in the CRV PANEL assessing the alleged violation using only the evidence the panel holds at the time of the hearing.

**5. THE COMMUNITY RULES VIOLATION PANEL**

~~**5.1** A Community Rules Violation panel will regularly meet to Three serving members of the GRF BOARD who currently do not sit as a~~  
~~**5.1** chair of a GRF STANDING COMMITTEE will~~ assess and rule on the merits of the violation complaint.

~~**5.2** Each CRV panel will consist of five serving directors of the GRF Board chosen from a pool of panelists appointed by the GRF president and approved by the GRF Board of Directors.~~

~~**5.25.3** The three-member panel will be moderated by a GRF Director appointed by the GRF President, who shall participate in the deliberations and vote on the panel's judgement. In the moderator's or in that director's absence, the GRF President may designate another GRF Director to temporarily fill the moderator's position. designated by the GRF President.~~



**Community Rules Violation Panel and Appeal Procedure**



~~5.3—With the approval of the panel's moderator, a serving panelist who perceives a conflict of interest may recuse themselves from individual judgments. A majority of votes from the panelists deliberating on decision is needed to issue a judgement against against a Member. The CRV PANEL moderator will not vote on the judgment except to break a tie caused by a panelist recusing himself or herself because of a CONFLICT OF INTEREST, or who otherwise declines to vote on the judgment. A minimum of two votes affirming a decision are needed to issue judgment against a MEMBER~~

**6. CRV PANEL HEARING DEFENSE**

**6.1** A MEMBER or QPR cited for a violation has the right to examine any evidence relating to their citation prior to the scheduled date of their hearing before the CRV PANEL.

**6.2** MEMBER or QPR appealing a CRV violation has the right to submit their defense in writing rather than, or in addition to, appearing before the CRV PANEL. (Corp. Code 95 §7341(c)(3).)

**6.3** Representation/Observers

**6.3.1** The CRV PANEL Session is a closed meeting. The MEMBER or QPR may request an open hearing.

**6.3.2** Lawyers

Under the provisions of Civil Code Section 5910(f), the MEMBER or QPR can request in writing to be assisted by a lawyer, hired at their own expense. The hearing for the person requesting a lawyer's assistance may be delayed for a month in order to schedule the GRF lawyer's appearance

**6.3.3** Interpreters

Upon written request at least ten (10) business days prior to the hearing, a MEMBER or QPR appealing a CRV violation notice may be accompanied by an interpreter. The request should specify the language required.

**6.3.4** Observers

A MEMBER or QPR appealing a CRV violation notice can be accompanied by a single observer who cannot participate in the appellant's defense beyond their stated role as observer or interpreter.



**Community Rules Violation Panel and Appeal Procedure**

**3.1.2** or issued to those who enter the community through the authorization of the R/L, or visitor associated with the MEMBER or QPR's residential unit.

**3.2** An initial appeals hearing will be scheduled for the next CRV PANEL meeting consistent with proper notification procedures. The appealing MEMBER or QPR may choose to attend the hearing in person or may submit a written statement concerning the rule violation notice to the CRV PANEL.

**3.3** The MEMBER or QPR appealing the citation will be presented with a written notice at least ten (10) days prior to the hearing.

**4. NOTICE OF HEARING**

The written COMMUNITY RULES VIOLATION NOTICE (citation or letter) serves as written notice of the violation and hearing (Civ. Code §5855). The following items will be set forth in the written notice:

**4.1** Description of violation, including time and location of violation and possible sanctions or monetary penalties;

**4.2** The date, time, and place of the hearing;

**4.3** A statement that the individual cited for a violation has a right to attend the hearing and present evidence. (Civ. Code §5855(b).); and

**4.4** Notification that a "Failure to Respond" will result in the CRV PANEL assessing the alleged violation using only the evidence the panel holds at the time of the hearing.

**5. THE COMMUNITY RULES VIOLATION PANEL**

**5.1** A Community Rules Violation panel will regularly meet to assess and rule on the merits of the violation complaint.

**5.2** Each CRV panel will consist of five serving directors of the GRF Board chosen from a pool of panelists appointed by the GRF president and approved by the GRF Board of Directors.

**5.3** The panel will be moderated by a GRF Director appointed by the GRF President, who shall participate in the deliberations and vote on the panel's judgment. In the moderator's absence, the GRF President may designate another GRF Director to temporarily fill the moderator's position.

**5.4** With the approval of the panel's moderator, a serving panelist who perceives a conflict of interest may recuse themselves from individual judgments. A majority



**Community Rules Violation Panel and Appeal Procedure**

of votes from the panelists deliberating on a decision is needed to issue a judgment against a Member. With the approval of the panel's moderator, a serving panelist who perceives a conflict of interest may recuse themselves from individual judgments. A majority of votes from the panelists deliberating on decision is needed to issue a judgement against a Member.

**6. CRV PANEL HEARING DEFENSE**

**6.1** A MEMBER or QPR cited for a violation has the right to examine any evidence relating to their citation prior to the scheduled date of their hearing before the CRV PANEL.

**6.2** MEMBER or QPR appealing a CRV violation has the right to submit their defense in writing rather than, or in addition to, appearing before the CRV PANEL. (Corp. Code 95 §7341(c)(3).)

**6.3** Representation/Observers

**6.3.1** The CRV PANEL Session is a closed meeting. The MEMBER or QPR may request an open hearing.

**6.3.2** Lawyers

Under the provisions of Civil Code Section 5910(f), the MEMBER or QPR can request in writing to be assisted by a lawyer, hired at their own expense. The hearing for the person requesting a lawyer's assistance may be delayed for a month in order to schedule the GRF lawyer's appearance

**6.3.3** Interpreters

Upon written request at least ten (10) business days prior to the hearing, a MEMBER or QPR appealing a CRV violation notice may be accompanied by an interpreter. The request should specify the language required.

**6.3.4** Observers

A MEMBER or QPR appealing a CRV violation notice can be accompanied by a single observer who cannot participate in the appellant's defense beyond their stated role as observer or interpreter.

**6.3.5** A MEMBER or QPR appealing a CRV violation notice can be accompanied and assisted during the hearing process by the MEMBER's agent or attorney-in-fact whom the MEMBER or QPR has designated to serve as their representative in such disciplinary matters.



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## BOARD ACTION REQUEST

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**DATE:** NOVEMBER 28, 2023  
**TO:** GRF BOARD OF DIRECTORS  
**FROM:** ADMINISTRATION COMMITTEE  
**BOARD ACTION:** RESCIND 40-5523-1, ACCOUNTS RECEIVABLE COLLECTIONS; AND 40-5523-2, ACCOUNTS RECEIVABLE COLLECTIONS - FEES.

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### **Committee Approval:**

On November 16, 2023, the Administration Committee recommended the Board of Directors rescind two policies: 40-5523-1, Accounts Receivable Collections; and 40-5523-2, Accounts Receivable Collections - Fees.

### **Background:**

In its required biennial review of rules under its oversight, the Administration Committee examined these two related rules.

Committee members concluded that 40-5523-1, Accounts Receivable Collections, had been superseded by the GRF committee restructuring and changes in California's Civil Code. Any revision of this rule would merely repeat provisions already stated in Civil Code section 5500.f. Relying on the Civil Code provisions automatically reflects changes made by the California Assembly.

The information in the one-line rule, 40-5523-2, Accounts Receivable Collections – Fees, has already been codified in 10-2000-2, Consolidated Fee Schedule.

### **Fiscal Impact:**

There is no anticipated change in revenue or expenses as a result of adopting this rule.

### **Suggested Motion:**

I move to rescind two policies: 40-5523-1, Accounts Receivable Collections; and 40-5523-2, Accounts Receivable Collections - Fees.





## **FINANCE**

### **Accounts Receivable Collections**

1. All accounts receivable over thirty days past due will be reported quarterly and reported by the Director of Finance to the Finance Committee.
2. Copies of the LW Weekly advertising accounts receivable will be furnished to the Communications/IT and Finance Committees.
3. Collection recommendations that need Board of Directors or Committee action will be presented by the Director of Finance.
4. A fee will be levied on checks that are returned unpaid by the bank. See 40-5523-2.

#### **Document History**

Adopted:	20 Jul 71	Amended:	18 Feb 75	Amended:	18 Jun 85
Amended:	24 Oct 17	Reviewed:	19 Mar 18	Amended:	23 Jul 19
GDC	05 Feb 20	Amended:	27 Oct 20		

**Keywords:** Finance      Receivable      Collection      Fees



**FINANCE****Accounts Receivable Collections – Fees**

1 The fee for checks returned unpaid by the bank is \$25.

2

3

**Document History**

Adopted: 27 Oct 20

**Keywords:** Finance

Fees

Accounts  
Receivable

Collections

4