

Gold Ridge Forest Property Owners Association

Committee on Use of Lodge Rules

Agenda and Worksheet for Committee's First Meeting on October 9, 2024

1. Background and Reason for Formation of Committee. California law authorizes homeowner associations to issue rules regarding common area facilities. Gold Ridge has a series of practices regarding use of the Lodge, but does not have a set of member-reviewed rules adopted by its board of directors.

At its August 2024 business meeting, the GRFPOA board of directors considered allowing a member to use the Lodge for a business meeting of the Dogwood Garden Club on November 4, 2024, from 9am to 1pm, which is a time the Lodge was not reserved or set to be otherwise used. A motion was made to approve such use without any fee required to be paid. The motion received two affirmative votes, two negative votes, and one abstention based on a perceived conflict of interest because the director's spouse is a member of the DGC. As such, the motion was stalemated; neither passing nor failing. Thereafter, a Facebook post generated dozens of comments about community use of the Lodge.

On September 12, 2024, a notice was issued to members advising that a regular board meeting would be held on September 25, 2024 along with the items on the agenda for the meeting. Item #4 referenced the proposed formation of a committee "to create a set of rules relating to the use of the Lodge." At the September 25, 2024 meeting, the GRFPOA board of directors approved the formation of the Committee on Use of Lodge Rules, naming director Mark Weiner as chair with membership open to all Association members.

On September 30, 2024, a notice was issued to all Association members with a subject title of "Gold Ridge Lodge Use Committee." The text of the notice provided:

“The Board of Directors has formed a committee to develop and propose a set of rules regarding member use of the lodge. All Association members in good standing are eligible to volunteer to serve on the committee, including any member household resident 14 years of age and above. The more varied the volunteers, the better the recommendations to come from the committee. Committee members will be expected to review materials, offer and defend opinions, and attend a couple of meetings. To express your interest, please e-mail grfoffice1@gmail.com, and/or attend the initial committee meeting on Wednesday October 9 at 6:00 p.m. at the lodge.”

2. Operations of Committee.

This Committee on Use of Lodge Rules is authorized by the Association’s governing documents and the board of directors action of September 25, 2024. Association members may volunteer to serve on the Committee, which will be chaired by director Mark Weiner. Initial inclination of the chair is to limit membership to five individuals, subject to circumstances and interest.

The purpose of the Committee is to develop and propose a set of rules regarding Association member use of the Lodge.

3. Projected Subjects in Developing and Proposing Use of Lodge Rules.

- a. Lodge master calendar.
- b. Consideration of Lodge operating expenses.
- c. Association member private rentals.
- d. Association member use for revenue generating activities.
- e. Consider longstanding principle that for a Lodge use fee waiver, Association members are not to be excluded.
- f. Review of California Civil Code section 4515 (see attachment)
- g. Placement and Removal of Art.

Civil Code § 4515. Assembly for Political Purposes; Flyers, Social Media.

(a) It is the intent of the Legislature to ensure that members and residents of common interest developments have the ability to exercise their rights under law to peacefully assemble and freely communicate with one another and with others with respect to common interest development living or for social, political, or educational purposes.

(b) The governing documents, including [bylaws](#) and operating rules, shall not prohibit a member or resident of a common interest development from doing any of the following:

(1) Peacefully assembling or meeting with members, residents, and their invitees or guests during reasonable hours and in a reasonable manner for purposes relating to common interest development living, association elections, legislation, election to public office, or the initiative, referendum, or recall processes.

(2) Inviting public officials, candidates for public office, or representatives of homeowner organizations to meet with members, residents, and their invitees or guests and speak on matters of public interest.

(3) Using the common area, including the community or recreation hall or clubhouse, or, with the consent of the member, the area of a separate interest, for an assembly or meeting described in paragraph (1) or (2) when that facility or separate interest is not otherwise in use.

(4) Canvassing and petitioning the members, the association board, and residents for the activities described in paragraphs (1) and (2) at reasonable hours and in a reasonable manner.

(5) Distributing or circulating, without prior permission, information about common interest development living, association elections, legislation, election to public office, or the initiative, referendum, or recall processes, or other issues of concern to members and residents at reasonable hours and in a reasonable manner.

(6) (A) Using social media or other online resources to discuss any of the following, even if the content is critical of the association or its governance:

(i) Development living.

- (ii) Association elections.
- (iii) Legislation.
- (iv) Election to public office.
- (v) The initiative, referendum, or recall processes.
- (vi) Any other issues of concern to members and residents.

(B) This paragraph does not require an association to provide social media or other online resources to members.

(C) This paragraph does not require an association to allow members to post content on the association's internet website.

(c) A member or resident of a common interest development shall not be required to pay a fee, make a deposit, obtain liability insurance, or pay the premium or deductible on the association's insurance policy, in order to use a common area for the activities described in paragraphs (1), (2), and (3) of subdivision (b).

(d) A member or resident of a common interest development who is prevented by the association or its agents from engaging in any of the activities described in this section may bring a civil or small claims court action to enjoin the enforcement of a governing document, including a bylaw and operating rule, that violates this section. The court may assess a civil penalty of not more than five hundred dollars (\$500) for each violation.

(e) An association shall not retaliate against a member or a resident for exercising any of the rights contained in this section.

(Amended by Stats. 2022, Ch. 858, Sec. 2. Effective January 1, 2023.)