



OPEN SESSION

**MINUTES OF THE REGULAR OPEN MEETING OF THE THIRD LAGUNA HILLS
MUTUAL BOARD OF
DIRECTORS A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION
Tuesday, March 16, 2021 - 9:30 a.m.
Laguna Woods Village Virtual Meeting
24351 El Toro Road
Laguna Woods, California**

Directors Present: Steve Parsons, Annie McCary, Lynn Jarrett, John Frankel, Robert Mutchnick, Craig Wayne, Donna Rane-Szostak, Cush Bhada, Debbie Dotson, Reza Karimi, Ralph Engdahl

Directors Absent: None

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

Others Present: Rosemarie diLorenzo (VMS), Wei-Ming Tao (VMS)
Sandra Gottlieb, Esq.

1. Call meeting to order / Establish Quorum – President Parsons

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

2. Pledge of Allegiance – Director Bhada

Director Bhada led the pledge of allegiance.

3. Acknowledge Media

The media was acknowledged online and through Village Television.

4. Approval of Agenda

Director McCary made a motion to approve the agenda. Director Bhada seconded the motion.

President Parsons called for the vote on the agenda and the motion passed without objection.

5. Approval of Minutes

5a. February 16, 2021 – Regular Board Meeting

Director Dotson made a motion to approve the minutes of February 16, 2021--Regular Open Meeting. Director Jarrett seconded the motion and the motion passed by unanimous consent.

6. Report of the Chair

President Parsons responded to comments made during the Third Mutual Members Meeting on January 27, 2021. He responded to questions regarding insurance requirements, premium costs, replacement costs, shared costs, and insuring individual sub-mutuals. Director Mutchnick commented that the board is actively addressing the Third Mutual insurance needs and has contracted with A.J. Gallagher for our property and liability insurance at a rate that will sufficiently cover our insurance needs.

7. Open Forum (Three Minutes per Speaker) - *At this time Members only addressed the Board of Directors regarding items not on the agenda and within the jurisdiction of this Board of Directors. The board reserved the right to limit the total amount of time allotted for the Open Forum. Members requested to speak Zoom at <https://zoom.us/j/94899806730> via email to meeting@vmsinc.org or by calling 949-268-2020 before or during the meeting. Residents were required to provide their name and unit number.*

Eileen Paulin read the member comments:

- A member spoke against the Restatement of the CC&R and Bylaw and action taken by the board in closed session.
- A member commented about the Third Board minutes of February 16, 2021, and requested that a correction be made to the minutes.
- A member commented that the revision of the CC&Rs lacked transparency and would like to see the CC&Rs revised in a more equitable manner.
- Three members spoke against the Social Media Policy.
- A member asked why residents are responsible for IT network outages and asked about the \$10,000 contingency money held in escrow.
- A member spoke against the Barbeque Grill Policy to prohibit charcoal grills.
- A member requested termite inspections be done more often.

8. Responses to Open Forum Speakers

- President Parsons responded that the board is not considering a restatement of the CC&Rs and Bylaws at this time. The board is dealing with the insurance costs in another way. Comments made in closed session are confidential and should not be discussed in social media. A task force to address member requests will be considered. Election by acclamation did not become law until 2020.
- Jeff Parker-CEO commented about that information discussed in closed session is confidential.

- President Parsons commented he sees no need to change the February 16, 2021 minutes regarding the comment made by VMS Director diLorenzo.
- Jeff Parker-CEO responded about the \$10,000 held in escrow. This money is held for any costs associated with repairs required of the unit.
- Director Jarrett commented about the Barbeque Grill Policy and the reason for restricting charcoal grills because of the fire dangers.
- Siobhan Foster-COO commented that a termite inspection will be requested for the building of the member.

9. CEO Report (Jeff Parker-CEO and Siobhan Foster-COO)

- COVID-19 Update. According to the Orange County Health Care Agency (OCHCA) the numbers are declining and Orange County has fallen into a less restricted tier. As of Friday, March 12, 2021 there were 248,349 confirmed COVID-19 cases in Orange County-172 reported. The City of Laguna Woods reports 402 confirmed cases. The seven-day testing positivity rate in Orange County is 3.2%. The State of California has vaccinated 10,988,301 individuals so far.
- Now that the county has moved from the purple zone to the red zone, Resident Services and Manor Alterations will reopen for limited services by appointment only at the Community Center starting March 17, 2021. Facilities will begin to reopen once the county moves from the red zone to the orange zone. Doubles play for pickleball and paddle tennis will resume in early April.
- Update on COVID-19 vaccines. Over 9,000 residents have been vaccinated. Residents have received their second dose of the COVID-19 vaccine. Residents that did not get the first dose of the vaccine can contact the county and Rite Aid to register for the first vaccine. Laguna Woods Village is looking at another round of vaccines when the Johnson & Johnson COVID-19 vaccine is available.
- Fire extinguishers are inspected regularly, once per year.
- New Resident Orientation will be virtual to become familiar with Laguna Woods Village operating rules. Third New Resident Orientation will take place on Friday, March 19, 2021 at 9 a.m. To attend a New Resident Orientation please RSVP via email to becky.jackson@vmsinc.org.
- Golf tee time reservations can be made online through the ForeUp system.
- New boiler installation will occur at Pool 1 and resident can use Pool 6 in the meantime.
- Spring carport cleaning begins on March 23, 2021. The carport cleaning schedule is available online for 2021.
- Next free Bulky Item pickup is Saturday, March 20, 2021.
- Ernesto Munoz, Maintenance and Construction Director, introduced the new Damage Restoration Manager, Darren Kopp.

Jeff Parker and Siobhan Foster answered questions from the board.

10. Consent Calendar - *All matters listed under the Consent Calendar were recommended for action by committees and were enacted by the board by one motion. Items removed from the Consent Calendar by members of the board, were moved for further discussion and action by the board.*

10a. Finance Committee Recommendations:

Consistent with its statutory obligations the Board members individually reviewed Third Laguna Hills Mutual **preliminary** financials for the month of January, 2021 and by this vote ratify that such review be confirmed in this month's Board Member Open Session Meeting minutes per Civil Code 5501.

10b. Finance Committee Recommendation:

10b (1) Recommendation to Approve a Resolution for Recording a Lien against Member ID# 932-121-16

Resolution 03-21-13
Recording of Lien

WHEREAS, Member ID 932-121-16; is currently delinquent to Third Laguna Hills Mutual with regard to the monthly assessment; and

WHEREAS, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

NOW THEREFORE BE IT RESOLVED, March 16, 2021, that the Board of Directors hereby approves the recording of a Lien for Member ID 932-121-16 and;

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

10c. Architectural Controls and Standards Committee Recommendations:

10c (1) Recommendation to Approve Request to Retain the Removal of an Interior Bearing Wall Between the Kitchen and Living Room (3493-C, La Quinta, LH06, York/Bennett)

Resolution 03-21-14
Approve Request to Retain the
Removal of an Interior Bearing Wall at 3493-C

WHEREAS, Manor Alterations (a division of VMS, Inc. which represents the Third Laguna Hills Mutual), is obligated to process variance requests to the Third Laguna Hills ACSC Committee for review and potential approval; and

WHEREAS, the Architectural Controls and Standard Committee recommended approval of the variance request at Manor 3493-C to remove an interior load bearing wall between the kitchen and living room and retain the structural beam installation; and

WHEREAS, stamped structural drawings will be required as a Condition of Approval along with the requirement to obtain a City of Laguna Woods permit to ensure code compliance and that structural integrity requirements are met;

NOW THEREFORE, BE IT RESOLVED, on March 16, 2021, the Board of Directors of this Corporation hereby approve the variance request at 3493-C which allows the bearing wall and post between the kitchen and living room to be replaced with a structural beam.

RESOLVED FURTHER, due to the relocation of plumbing fixtures as part of the total remodel project (kitchen, sink and dishwasher), a contingency of a plumbing plan will also be required; and

RESOLVED FURTHER, that Manor Alterations will inform manor owners, as to the approval of this variance;

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

10d. Landscape Committee Recommendations:

10d (1) Recommendation to Deny Off-Schedule Trimming Request: 3076-C Via Serena S. (Serifin) – One Rusty Leaf Fig Tree

Resolution 03-21-15
Deny the Request for Off-Schedule
Trimming of One Rusty Leaf Fig Tree
3076-C Via Serena S.

WHEREAS, September 20, 2011, that the Board of Directors adopted Resolution 03-11-149 tree removal guidelines:

- Unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents' personal preferences concerning shape, color, size, or fragrance.
- Trees should not be removed because of view obstruction if the obstruction is at a considerable distance from the complaining manor and therefore causes only a partial obstruction.

- Trees on slopes should not be removed if the removal will contribute to the destabilization of that slope.
- Trees which are damaging or will damage a structure, pose a hazard, in failing health or interfering with neighboring trees, will be considered for removal.

WHEREAS, on March 4, 2021, the Landscape Committee reviewed the request for the off-schedule trimming of one Rusty Leaf Fig tree. The request was received from the Member at 3076-C who cited the reason as overgrown;

WHEREAS, the Committee determined that the tree does not meet the guidelines set forth in Resolution 03-11-149 and recommends denying the request for the off-schedule trimming of one Rusty Leaf Fig tree located at 3076-C Via Serena S.

NOW THEREFORE BE IT RESOLVED, March 16, 2021, the Board of Directors denies the request for the off-schedule trimming of one Rusty Leaf Fig tree located at 3076-C;

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

10d (2) Recommendation to Approve Landscape Revision Request: 5589-A Avenida Sosiega (Pullman)

Resolution 03-21-16
Approve the Request to Install Artificial Turf
5589-A Avenida Sosiega

WHEREAS, on March 4, 2021, the Landscape Committee reviewed the request for installing artificial turf adjacent to the sidewalk on the rear and side of the manor, at the Member's expense. The request was received from the Member at 5589-A who cited the reason as the existing landscape is difficult to maintain due to limited access;

WHEREAS, the Committee recommends approving the request for installing artificial turf adjacent to the sidewalk on the rear and side of the manor, at the Member's expense, located at 5589-A Avenida Sosiega with the following conditions:

1. All costs for design, construction, and maintenance of the improvement are the responsibility of the Property's Member Owner at 5589-A.

2. All materials and installation methods shall be approved by the Landscape Department prior to start of work.
3. The requesting Members understand that the area will remain Common Area subject to the use and passage of all members of Third Mutual.

NOW THEREFORE BE IT RESOLVED, March 16, 2021, the Board of Directors approves the request for installing artificial turf adjacent to the sidewalk on the rear and side of the manor, at the Member's expense, located at 5589-A;

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

10d (3) Recommendation to Approve Staff Request to Remove Two Carrotwood Trees at Building 5358

Resolution 03-21-17
Approve the Request by Staff to Remove
Two Carrotwood Trees at the Side of B5358

WHEREAS, September 20, 2011, that the Board of Directors adopted Resolution 03-11-149 tree removal guidelines:

- Unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents' personal preferences concerning shape, color, size, or fragrance.
- Trees should not be removed because of view obstruction if the obstruction is at a considerable distance from the complaining manor and therefore causes only a partial obstruction.
- Trees on slopes should not be removed if the removal will contribute to the destabilization of that slope.
- Trees which are damaging or will damage a structure, pose a hazard, in failing health or interfering with neighboring trees, will be considered for removal.

WHEREAS, on March 4, 2021, the Landscape Committee reviewed the staff request for the removal of two Carrotwood trees. The request was received from staff who cited the reason as the proximity of the trees to the building's roof is causing the need for annual off-schedule trimming in lieu of the current two-year cycle;

WHEREAS, the Committee determined that the tree meets the guidelines set forth in Resolution 03-11-149 and recommends approving the request for the removal of two Carrotwood trees located at the side of B5358.

NOW THEREFORE BE IT RESOLVED, March 16, 2021, the Board of Directors approves request for the removal of two Carrotwood trees located at the side of B5358;

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

President Parsons asked for a motion to approve the consent calendar.

Director Mutchnick made a motion, seconded by Director Karimi, to approve the consent calendar as presented.

President Parsons called for the vote and the motion passed without objection.

11. Unfinished Business

11a. Entertain a Motion to Adopt a Resolution for Barbeque Rules and Regulations

Director Jarrett read the following resolution:

RESOLUTION 03-21-18 **Barbeque Grill Rules & Regulations**

WHEREAS, the Resident Compliance & Policy Committee has recognized the need to adopt a Barbeque Grill Rules & Regulations to set forth guidelines for the use of barbeque grills;

NOW THEREFORE BE IT RESOLVED, on March 16, 2021, the Board of Directors of this Corporation hereby adopts the Barbeque Grill Rules & Regulations, as attached to the official minutes of this meeting; and

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

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

Director McCary made a motion to adopt a resolution for Barbeque Grill Rules & Regulations. The motion was seconded by Director Dotson.

Discussion ensued among the directors.

President Parsons called for the vote and the motion passed by a vote of 10-1-0 (Director Bhada opposed).

11b. Entertain a Motion to Adopt a Resolution for a Social Media Use Policy

Director Jarrett read the following resolution:

RESOLUTION 03-21-19
Social Media Use Policy

WHEREAS, the Resident Policy & Compliance Committee has recognized the need to adopt a Social Media Use Policy to set forth guidelines for individuals serving in a representative capacity for the Mutual; and

WHEREAS, Mutual representatives includes Directors, Committee members, advisors and/or volunteers who may wish to communicate with other residents and members outside of official meetings about Mutual business via social media platforms; and

WHEREAS, these communications may inadvertently give the impression to others that they (the representative) are speaking in an official capacity as a representative of the Mutual; and

WHEREAS, the requirements of the Davis-Stirling Common Interest Development Act that official Mutual business only be conducted at officially-noticed meetings; and

NOW THEREFORE BE IT RESOLVED, on March 16, 2021, the Board of Directors of this Corporation hereby adopts the Social Media Use Policy, as attached to the official minutes of this meeting; and

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

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

Director Jarrett made a motion to adopt the resolution for Social Media Use Policy. Director McCary seconded the motion.

Discussion ensued among the directors.

President Parsons called for the vote and the motion passed by a vote of 10-1-0 (Director Bhada opposed).

11c. Director Mutchnick gave an update on Insurance Broker Services.

12. New Business

12a. Discuss and Consider Replacement of Two Intake Trash Chute Doors at Building 3486

Director Mutchnick commented that the Third Mutual M&C Committee recommends that the board authorize the replacement of the two trash intake doors at Building 3486, at a not to exceed cost of \$19,000.

Director Mutchnick made a motion to authorize the replacement of the two trash intake doors at Building 3486, at a not to exceed cost of \$19,000. Director Dotson seconded the motion.

Discussion ensued among the directors.

President Parsons called for the vote and the motion passed without objection.

13. Committee Reports

13a. Report of the Finance Committee / Financial Report – Director Mutchnick gave the Treasurer's Report. The committee met on March 2, 2021; next meeting April 6, 2021, at 1:30 p.m. as a virtual meeting.

- (1) Treasurer's Report
- (2) Third Finance Committee Report
- (3) Resale/Leasing Reports

13b. Report of the Architectural Controls and Standards Committee – President Parsons. The committee met on February 22, 2021; next meeting March 23, 2021 at 10:30 a.m. as a virtual meeting.

13c. Report of the Communications Committee – Director McCary. The committee met on January 13, 2021; next meeting will be held on April 14, 2021.

13d. Report of the Maintenance and Construction Committee – Director Mutchnick. The committee met on March 1, 2021; next meeting May 3, 2021, at 1:30 p.m. as a virtual meeting.

- (1) Report of the Parking and Golf Cart Task Force – Director Dotson. The task force met on March 12, 2021; next meeting May 14, 2021 at 10 a.m. as a virtual meeting.

- (2) Garden Villa Rec. Room Subcommittee – Director Jarrett. The Garden Villas Rec. Room Subcommittee was held on February 23, 2021; next meeting will be held on June 30, 2021, at 1:30 p.m. as a virtual meeting.

13e. Report of the Landscape Committee – Director Jarrett. The committee met on March 4, 2021; next meeting April 1, 2021, at 9:30 a.m. as a virtual meeting.

13f. Report of the Water Committee – Director Rane-Szostak. The committee met on January 20, 2021; next meeting will be held on April 14, 2021 as a virtual meeting.

13g. Report of the Resident Policy and Compliance Committee – Director Jarrett. The committee met on February 3, 2021; next meeting May 5, 2021, at 9:30 a.m. as a virtual meeting.

14. GRF Committee Highlights

14a. Community Activities Committee – Directors Karimi. The committee met on March 11, 2021; next meeting April 8, 2021, at 1:30 p.m. as a virtual meeting.

(1) Equestrian Center Ad Hoc Committee – Director McCary the committee met on March 4, 2021; next meeting TBA.

14b. GRF Finance Committee – Director Mutchnick. The committee met on February 17, 2021; next meeting April 21, 2021, at 1:30 p.m. as a virtual meeting.

14c. GRF Landscape Committee – Director Karimi. The committee met on March 10, 2021; next meeting May 12, 2021 at 1:30 p.m. as a virtual meeting.

14d. GRF Maintenance & Construction Committee – Director Frankel – The committee met February 10, 2021; next meeting April 14, 2021, at 9:30 a.m. as a virtual meeting.

(1) Clubhouse 1 Renovation Ad Hoc Committee – Director Engdahl. The committee met on September 2, 2020; next meeting TBA.

14e. Media and Communications Committee – Director McCary. The committee met on February 22, 2021, as a virtual meeting; next meeting April 19, 2021, at 11:30 a.m. as a virtual meeting.

14f. Mobility and Vehicles Committee – Director Karimi – The committee met on February 3, 2021; next meeting April 7, 2021, at 1:30 p.m. as a virtual meeting.

14g. Security and Community Access Committee – Director Bhada. The committee met on February 22, 2021; next meeting April 26, 2021 at 1:30 p.m. as a virtual meeting.

(1) Disaster Preparedness Task Force – Director McCary. The task force met on January 26, 2021; next meeting March 30, 2021, 9:30 a.m. as a virtual meeting.

14h. Report of the Laguna Woods Village Traffic Hearings – Director Dotson. The traffic hearings were on February 17, 2021; next meeting is March 17, 2021 at 9 a.m. and 1 p.m. as a virtual meeting.

14i. Report of the GRF Strategic Planning Ad Hoc Committee – Director Mutchnick. The committee met on December 30, 2020; next meeting March 17, 2021 at 1:30 p.m. as a virtual meeting.

14j. Budget Ad Hoc Committee – Director Mutchnick. The next meetings March 22 – 31, 2021.

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

- a. Parking Report
- b. Resident Suggestion Program
- c. Alterations Review
- d. Property and Casualty Insurance
- e. Presentation from El Toro Water District
- f. Authorization of Additional Employees for the Manor Alteration Division

16. Director's Comment

- Director Dotson recognized Eileen Paulin and the team that made the vaccines possible for our residents. She would like to see VMS clean up any items lingering from the network outage including the removal of the \$10,000 deposit in escrow.
- Director Rane-Szostak echoed the work done by Eileen Paulin and the team on the vaccinations.
- Director Jarrett echoed the comments made about Eileen Paulin and the team on the vaccines and thanked Director Rane-Szostak for administering some of the vaccines.
- Director Frankel commented only two violations were reported to the Traffic Hearings. Traffic violations are down in Laguna Woods Village.
- Director Mutchnick thanked Director Rane-Szostak and Eileen Paulin for help with the vaccines. He appreciates VMS moving to the Zoom platform.
- Director Bhada thanked Eileen Paulin for her leadership with the vaccine clinics. He thanked all the directors that volunteered their time and helped out at the vaccine clinics. He commented we need to work harder to get escrows closed and asked that the \$10,000 not be held in escrow. He liked the GoToMeeting better than Zoom.
- Director Karimi recognized all the members that participated in this meeting. Their participation is important.
- Director Engdahl expressed his appreciation for the COVID-19 vaccines.
- Director Wayne thanked Director Rane-Szostak for her participation in the vaccines and appreciates that members can now attend the meeting by Zoom.
- Siobhan Foster thanked everyone for their team work with the vaccine clinics.
- Eileen Paulin thanked everyone for their kind comments. The goal is to vaccinate as many residents as possible.

17. Recess - *At this time, the meeting will recess for lunch and reconvene to Executive Session to discuss the following matters per California Civil Code §4935.*

The meeting was recessed at 12:10 p.m.

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

During the February 16, 2020, Regular Closed Session, the board:

Approval of Agenda

VMS Board Update

CEO Report (Personnel Matters)

Approval of the Following Meeting Minutes.

(a) January 6, 2021—Special Closed Meeting

(b) January 19, 2021 – Regular Closed Session

Discussed and Considered Legal/Litigation Matters

Discussed Contractual Matters

Discussed Member Disciplinary Matters

18. Adjournment

The meeting was adjourned at 4:00 p.m.



Lynn Jarrett, Secretary of the Board
Third Mutual Laguna Hills



Barbeque Rules & Regulations

Resolution 03-21-18; Adopted March 16, 2021

I. Purpose

The purpose of this document is to define the policies of Third Laguna Hills Mutual ("Third") regarding the use of Barbeque Grills.

II. Definitions

For the purposes of this policy:

- a. Barbeque Grills are devices that cook food by applying heat from below. There are three categories of grills common for residential use:
 - Gas-fueled grills typically use LPG (propane or butane) or natural gas as a fuel source and are known as an "open flame" source.
 - Charcoal grills are prohibited.
 - Electric grills typically use an electric element to supply a constant heat source with no open flames.
- b. Common Area means the area which is available for use by more than one person.
- c. Community Rules are defined as the Articles of Incorporation, Bylaws, the recorded Covenants, Conditions, and Restrictions (CC&Rs); and any rules and regulations adopted by Third.
- d. Any reference to the "Governing Documents" shall, for purposes of this Policy, be deemed a reference to the Community Rules set forth in this definition.
- e. Enclosed Area is defined as an area closed in by roof and contiguous walls or windows, connecting floor to ceiling with appropriate opening for ingress and egress.
- f. Member is defined as any person entitled to membership in Third.
- g. Multi Story-Unit Residential Facility means a building or portion thereof that contains more than one story of dwelling units.
- h. Private residence is defined as that portion of any Condominium which is not owned in common with other owners.
- i. Combustible material includes materials made of or surfaced with wood, plastic compressed paper or other material that will ignite and burn. These materials shall be considered as combustible even though flameproofed, fire-retardant treated.

III. General Rules for all Barbeque

- a. Hot Barbeque units may be left in place where used until cool.
- b. Barbeque units must be used and stored so as not to block walkways.
- c. Barbeque procedures must not cause excessive smoke or offensive odor or be a nuisance to neighboring residents.
- d. Open flame grills are prohibited in multi-story buildings. Only electric grills are permitted in multi-storied buildings.

- e. Members with open fire barbeques will be allowed to retain their barbeques however, at time of replacement the new grill must adhere to the rules.

IV. Rules specific to “open flame” Barbeque units (gas, LPG, propane)

- a. Active open flame units (gas, LPG, propane) must be located at least 10 feet from combustible material as defined above.
- b. Active open flame units must not be located under roof eaves, combustible patio covers or similar overhead coverings.
- c. Active open flame units (gas, LPG, propane) may not be used in an Enclosed Area.
- d. Any cooking device tanks shall contain no more than 15 pounds net weight of propane.

V. Safety Tips

- a. Follow the manufacture instructions.
- b. Fasten the propane, or LPG, tank securely to the grill assembly.
- c. Place your grill on a solid and level surface to prevent accidental overturn.
- d. Ignite gas grills with the top open.
- e. If ignition of a gas grill does not occur immediately, or the flame goes out, turn the gas off and wait at least 5 minutes before attempting ignition. This includes safety tip v.
- f. Supervise the grill when in use and keep everyone away, including pets.
- g. Use long-handled tools especially made for cooking on the grill
- h. Do not wear a loose apron or loose clothing while grilling,
- i. Thoroughly clean grill after each use to help avoid grease fires.
- j. Keep a fire extinguisher nearby.
- k. Always use and store cylinders outdoors in an upright (vertical) position unless the Bar-B-Que manufacturer has designed the system otherwise.
- l. Leak test all gas connections with soap solution at least once each year and the tank connection every time a cylinder is replaced.
- m. Close the gas tank valve when finished Bar-B-Queuing if so equipped.
- n. Be sure any extension cords used with an electric grill are rated for the power (current) stated by the Bar-B-Que manufacturer and rated for outdoor use.
- o. Be sure to locate power cords so as not to be a trip hazard.

VI. Enforcement

Third is authorized to take disciplinary action against a Member found to be in violation of these Barbeques Rules and Regulations. When a violation occurs, the Board is obligated to evaluate and impose certain appropriate, member-discipline as set forth in the governing documents. The Board of Directors has the authority to impose monetary fines, suspend Member privileges, and/or bring forth legal action.

The Member is entirely responsible for ensuring that the rules, regulations, and policies are followed by anyone they allow into the community. This includes any Co-occupant, lessee, guest, care provider, vendor, invitee or contractor.

A complaint may be registered with the Compliance Department by calling 949-268-CALL or compliance@vmsinc.org or by calling the Security Department at 949-580-1400.



Social Media Use Policy

Resolution 03-21-19; Adopted March 16, 2021

I. Purpose

The Board of Directors (the “Board”) of Third Laguna Hills Mutual (the “Association and/or Mutual”) has adopted the following Social Media Use Policy (the “Policy”) to provide guidance and expectations regarding the use of social media relating to issues involving the Mutual by members of the Board, any Mutual committee member, volunteers, or other persons otherwise currently acting or serving in some representative capacity for the Mutual, or serving in such role in the past.

II. Background

While the widespread adoption of social media, and its use by members and residents of the Mutual allows for members and residents to communicate regarding Mutual-related matters and to share information quickly and easily with other Mutual members and residents, it also presents unique challenges to the Mutual’s representatives on the Board and various committees who are also residents.

As representatives of the Mutual, Board members and committee members, as well as other volunteers, when communicating with other residents and members outside of official meetings about Mutual business, may inadvertently give the impression to others that they speak in an official capacity as a representative of the Mutual and thus speak for the Mutual. Even if such representatives state that they are communicating in an “unofficial capacity”, by virtue of their position, they inherently convey that they speak with authority and/or from knowledge that may not be publicly known, and their statements and opinions may thus carry more weight than those of other residents due to their position on the Board or a committee. In other words—a representative of the Mutual serving on the Board or on a committee cannot simply change hats when it suits them, and during the entire term of their position as a representative of the Mutual, their actions reflect on the Mutual itself. As such, all representatives of the Mutual are expected to conduct themselves in a manner appropriate to such position and which will not reflect poorly on the Mutual or expose the Association to undue risk or potential liability.

With regard to social media in particular—which includes, without limitation, such platforms as Nextdoor, Facebook, Twitter, Youtube, Instagram, Gab, Parler, Reddit, and TikTok among others—representatives of the Mutual may wish to communicate with other members and residents regarding certain Mutual-related information, or to respond to and/or clarify information being circulated that may be incorrect or reflect poorly on such individual, the Board or a particular committee, or the Mutual and its staff. However, in doing so, such person may convey non-public/confidential information and/or

communicate in such a way that implies that person speaks as a representative of the Mutual with the authority of the Mutual, which could have potentially significant legal consequences for the Mutual.

III. Guidelines for Social Media Use by Mutual Representatives

Given the potential risk of legal liability for the Mutual, the potential for representatives to tarnish the Mutual's reputation through inappropriate actions, words, and/or behavior, and the requirements of the Davis-Stirling Common Interest Development Act that official Mutual business only be conducted at officially-noticed meetings, the following guidelines shall be applicable to all persons serving in a representative capacity for the Mutual, including without limitation, members of the Board, members of any committee, and official volunteers, such as, without limitation, advisors, and other such persons who have access to nonpublic knowledge relating to the Mutual's business.

- A. All Mutual representatives are expected to exercise personal responsibility whenever they use social media in any capacity, even in a personal capacity not related to the Mutual.
- B. Mutual representatives shall not post any content on any social media platform relating to official Mutual business, actions taken by the Mutual, or otherwise relating to Mutual issues under the purview of the Mutual's corporate powers and duties.
- C. Mutual representatives shall not post any content on any social media platform relating to Mutual staff and the performance of any staff member's duties on behalf of the Mutual, or to the performance of other representatives of the Mutual including Board members, committee members, or volunteers. Mutual representatives are expected to address any concerns with staff or other representatives through official channels of communication and in a constructive manner keeping in mind their obligation to act in the best interests of the Mutual.
- D. Mutual members shall not respond to any posting on social media by *other* persons relating to official Mutual business, actions taken by the Mutual, or otherwise relating to Mutual issues under the purview of the Mutual's corporate powers and duties, including both written comments or statements, sharing or re-posting, "liking," or otherwise reacting to such content. This includes responding to content specifically targeting or referring to such representative and the performance of their duties as a representative of the Mutual.
- E. Postings on any social media platforms that a representative believes in good faith warrants a response by the Mutual due to such posting being defamatory, containing objectively false information, or otherwise, should be brought to the attention of the Board as soon as practicable so that the Board or an executive committee thereof may determine whether an official response is warranted and to prepare an official response on behalf of the Mutual with the assistance of legal

counsel, as may be appropriate. In the alternative, the Board or executive committee may approve a response for the individual representative to post that protects the Mutual and such representative.

- F. Any posting or response to any posting on any social media platform by the Mutual or a representative of the Mutual responding in their official capacity with the prior written approval of the Board shall clearly indicate that the posting is a communication approved by the Board and that any issues or concerns with the Mutual or its representatives should be sent directly to the Board or staff for the Board to address in an official meeting.

IV. Guidelines for Social Media Use by Former Mutual Representatives

While persons who have previously served as representatives of the Mutual, but who no longer serve in such capacity, shall not be subject to the same guidelines as those currently serving in a representative capacity for the Mutual, such persons and their actions do still, in some respects, reflect on the Mutual. Further, such former representatives, including without limitation, prior members of the Board, members of any committee, and official volunteers, may have had, through such position, access to nonpublic knowledge relating to the Mutual's business. Given the foregoing, the following guidelines and expectations for such former representatives shall apply.

- A. Former Mutual representatives shall not post any content on any social media platform relating to official Mutual business, actions taken by the Mutual, or otherwise relating to Mutual issues under the purview of the Mutual's corporate powers and duties that involves nonpublic and/or confidential information that such former representative had access to by means of their prior position, as the duty to maintain confidentiality extends beyond the term of any position or representative relationship of such person on behalf of the Mutual.
- B. Former Mutual representatives shall not hold themselves out on any social media platform as currently representing the Mutual in any capacity.
- C. Former Mutual representatives are still expected to exercise personal responsibility whenever they use social media in any capacity, due to their prior affiliation with the Mutual, and to not engage in behaviors on social media directed toward current Mutual representatives, including without limitation, the Board or Mutual staff, that may constitute a nuisance.

V. Violations of Policy

Mutual representatives, including members of the Board, members of any committee, and official volunteers, who violate the guidelines in this Policy are deemed to be acting outside the course and scope of their authority as representatives of the Mutual. Any representative in violation of this Policy may be subject to immediate disciplinary action, including, but not limited to: (i) censure, (ii) removal from committees, (iii) removal as an

officer of the Board, (iv) request for resignation from the Board or committee, as may be applicable, and (v) removal from any volunteer position or capacity and suspension from acting in any future volunteer capacity. Depending on the circumstances of the violation, a representative in violation of this Policy may also be subject to disciplinary action in accordance with the Mutual's governing documents.

Prior to taking any of the actions described above, the Board shall review the evidence of violation, endeavor to meet with the representative member who allegedly is in violation, and confer with the Mutual's legal counsel. The Board shall meet with the director/committee member in executive session prior to imposing disciplinary action against that person; provided, however, that such person may be suspended from an officer, committee, or volunteer position pending the outcome of a hearing. Notwithstanding the foregoing, in cases of extreme or egregious violations, the Board may remove a person from an officer, committee, or volunteer position without a hearing in accordance with its authority pursuant to the Mutual's governing documents.

Former Mutual representatives found to be in violation of this Policy, depending on the circumstances of the violation, may also be subject to disciplinary or enforcement action in accordance with the Mutual's governing documents