



**REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL
RESIDENT POLICY AND COMPLIANCE COMMITTEE**

Wednesday, February 3, 2021 – 9:30 A.M.

VIRTUAL MEETING

**Laguna Woods Village Community Center
24351 El Toro Road**

AGENDA

- | | |
|---------------------------------------------------|--------------|
| 1. Call to Order | Lynn Jarrett |
| 2. Acknowledgment of Media | Lynn Jarrett |
| 3. Approval of the Agenda | Lynn Jarrett |
| 4. Approval of Meeting Report for January 6, 2021 | Lynn Jarrett |
| 5. Chair's Remarks | Lynn Jarrett |
| 6. Member Comments (Items Not on the Agenda) | Lynn Jarrett |

Laguna Woods Village owner/residents are welcome to participate in committee meetings and submit comments or questions regarding virtual committee meetings using one of two options:

- a. Via email to meeting@vmsinc.org any time before the meeting is scheduled to begin or during the meeting. Please use the name of the committee in the subject line of the email. Name and manor number must be included.
- b. By calling (949) 268-2020 beginning one half hour before the meeting begins and throughout the remainder of the meeting. You must provide your name and manor number.

Reports:

None

Items for Discussion and Consideration:

- | | |
|-----------------------------------------------------------------------------------|-------------------------------------|
| 7. BBQ Rules & Regulations
(Implementation) | Blessilda Wright
Pamela Bashline |
| 8. Multi-Unit Owner Qualification
(Members between new and current residences) | Pamela Bashline |
| 9. Social Media Use Policy | Lynn Jarrett |

Items for Future Agendas:

None

Concluding Business:

10. Committee Member Comments
11. Date of Next Meeting – To Be Determined
12. Adjournment

Lynn Jarrett, Chair
Blessilda Wright, Staff Officer
Telephone: 597-4254



OPEN MEETING

**REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL
RESIDENT POLICY AND COMPLIANCE COMMITTEE**

Wednesday, January 6, 2021 – 9:30 a.m.

VIRTUAL MEETING

Laguna Woods Village Community Center, Board Room – 24351 El Toro Road

MEMBERS PRESENT: Lynn Jarrett, Chair, Steve Parsons, Cush Bhada, Reza Karimi and Robert Mutchnick

MEMBERS ABSENT: None

ADVISORS PRESENT: Stuart Hack

ADVISORS ABSENT: None

STAFF PRESENT: Tom Siviglia, Blessilda Wright, Pamela Bashline, and Paul Nguyen.

CALL TO ORDER

Lynn Jarrett, Chair, called the meeting to order at 9:30 a.m.

ACKNOWLEDGEMENT OF MEDIA

The Media was not present.

APPROVAL OF AGENDA

Director Bhada made a motion to approve the agenda as presented. Director Mutchnick seconded the motion.

By unanimous vote, the motion carried.

APPROVAL OF MEETING REPORTS

Director Parsons made a motion to approve the December 2, 2020 meeting report as presented. Director Mutchnick seconded the motion.

By unanimous vote, the motion carried.

CHAIRMAN'S REMARKS

Lynn Jarrett, Chair, stated the committee will review the Multi-Unit Owner Qualification, BBQ Rules and Regulations, Smoking Rules, and Social Media.

MEMBER COMMENTS ON NON-AGENDA ITEMS

None

REPORTS

None

ITEMS FOR DISCUSSION AND CONSIDERATION

Barbeque Rules & Regulations

Lynn Jarrett, Chair, discussed BBQ Rules & Regulations. The Committee commented and asked questions. Staff advised the Resale Packet in sections the Important Things to Know and Enjoying Life in Third can include information regarding Barbeque Rules & Regulations in Third.

By consensus, the Committee tabled the matter.

Multi-Unit Owner Qualification

Pamela Bashline, Community Services Manager presented Multi-Unit Owner Qualification. The Committee commented and asked questions.

By consensus, the Committee directed Staff to send the questions/changes discussed to Legal and to bring back to the next meeting.

Smoking Rules

Tom Siviglia, presented Smoking Rules. The Committee commented and asked questions.

By consensus, the Committee determined the current Non-Smoking Policies does not require updates. Instead, building captain will be provided copies of the Non-Smoking Policy to advise residents of their building of the smoking rules.

Tom Siviglia left meeting at 10:50 AM

Social Media

Lynn Jarrett, Chair, presented Social Media. The Committee commented and asked questions.

By consensus, the Committee directed Staff include language of social media use to Resolution 03-16-114 the Conduct Guidelines for Directors. Then forward to Third's Legal Counsel for review and bring back to the committee for review.

ITEMS FOR FUTURE AGENDAS

None

CONCLUDING BUSINESS

Committee Member Comments

Committee made a comment that this was a good meeting.

Date of Next Meeting

The next meeting is February 3, 2021 at 9:30 a.m.

Adjournment

With no further business before the Committee, the Chair adjourned the meeting at 11:11 a.m.

Lynn Jarrett

Lynn Jarrett (Jan 11, 2021 15:32 PST)

Lynn Jarrett, Chair
Third Laguna Hills Mutual



STAFF REPORT

DATE: February 3, 2021
FOR: Resident Policy & Compliance Committee
SUBJECT: Barbeque Grill Rules & Regulations

RECOMMENDATION

Adopt Barbeque Grill Rules & Regulations.

BACKGROUND

Third Laguna Hills Mutual's ("Third") members are currently directed to follow the guidelines for barbeque grill use and safety provided by the Orange County Fire Authority ("OCFA") and the City of Laguna Woods.

The guidelines include the following:

What is allowed in the Village?

- Electric Grills
- Propane grills with a container capacity no more than 2.5 pounds
- Grills that are stored in a safe manner and do not obstruct walkways

What is *not* allowed?

- Use of grills on balconies and decks
- Use of grills within 10 feet of buildings or combustible material
- Propane grills with a container larger than 2.5 pounds*
- Use of a grill that creates a nuisance (excessive smoke or odor) to neighboring units.

* an adapter can be purchased to convert to the smaller tank.

In addition to the above items, please follow the safety tips below when operating a BBQ grill:

- Follow the manufacturer instructions
- Fasten the propane tank securely to the grill
- Place your grill on a level surface so it will not topple over
- Light your grill with the top open
- Supervise the grill when in use and keep everyone away, including pets
- Use long-handled tools especially made for cooking on the grill
- Do not wear a loose apron or loose clothing while grilling, and always wear shoes
- Thoroughly clean grill after each use
- Keep a fire extinguisher nearby
- Always use or store cylinders outdoors in an upright (vertical) position

In the last five years there have been four fires started by barbeque grills; since May 2020 there have been two fires. Only one of the incidents required Third's insurance company to be involved. Since 2011, the Compliance Division has mailed seven disciplinary letters regarding nuisance violations caused by the use of barbeque grills.

On December 3, 2020, the Resident Policy and Compliance Committee discussed and

Barbeque Grill Rules & Regulations

January 6, 2021

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considered Barbeque Grill Rules and Regulations. By a vote of 4-1-0, the motion carried.

DISCUSSION

The purpose to adopt Barbeques Grill Rules & Regulations is to provide guidelines on the use of barbeque grills. It would require members in multi-story units to use grills on common area. This can be a liability for Third if the member leaves the grill unattended during use while in common area.

The implementation of the proposed Barbeques Grills Rules & Regulations includes an article in the Laguna Woods Village Breeze advising Third members of the new rules and regulations coming into effect. 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. Additionally, new owners will be advised of the Barbeque Rules & Regulations in the resale packet 'Enjoying Your Life in Third Laguna Hills Mutual'.

Prepared By: Blessilda Wright, Compliance Supervisor

Reviewed By: Francis Gomez, Operations Manager
Dan Yost, Risk Manager

ATTACHMENT(S)

Attachment 1: Resolution 03-21-XX, Barbeque Grill Rules & Regulations

Attachment 2: Barbeque Grill Rules & Regulations

Attachment 3: Enjoying Your Life in Third Laguna Hills Mutual



RESOLUTION 03-21-XX

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 XXX, XX, 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.



Barbeque Rules & Regulations
Resolution 03-20-XX; Adopted February XX, 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 Bar-B-Ques

- 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.

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. Gas Barbeque 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.



Enjoying Your Life in Third Laguna Hills Mutual A Condominium in Laguna Woods Village

Before closing escrow the following addresses some points about which Third Mutual wanted to make certain you are aware. Please read and initial each of the points below and feel free to ask further questions of your realtor.

Initial(s)

☐☐

I understand this is a common interest development with rules and regulations regarding residency and alterations to my unit.

☐☐

I am aware that assisted living is not provided and should I require help, I will need to hire my own caregiver and register that person with the mutual.

☐☐

I am aware of the rules regarding maximum number of occupants, that guests may stay for no more than 60 days in any 12-month period and that guests may not stay in a resident's home if the resident is absent.

☐☐

I am aware I may need to obtain city and community permits before starting any alterations to my unit, and I will be financially responsible for the maintenance of any alterations to my manor, even when the mutual performs the work.

☐☐

I am aware the mutual insures only the exterior walls of my unit, and I am aware I will need to seek advice from my own insurance agent regarding condominium insurance for my personal possessions, all things inside the manor and any exterior upgrades or alterations that exist in my home.

☐☐

I am aware that I will be billed for my real estate taxes from the Orange County Tax Assessor and that my monthly assessments may increase annually.

☐☐

I understand that the mutual endeavors to maintain affordability, but the cost of living in Southern California is continually changing. These costs are reviewed each year and monthly assessments are adjusted accordingly to maintain and enhance the community.

☐☐

I understand that no large BBQ grills are permitted. Open flame grills are prohibited in multi-story buildings, but electric grills may be used in these buildings. Open flame grills (gas, LPG, propane) must be located at least 10 feet from combustible material and may not be used in an enclosed area. If an open flame BBQ grill is replaced in a multi-story building, it must be with an electric grill.

☐☐

I have read and I understand the Last-Minute Reminders on the following page.

1 Name (Print) *	Signature	Date
2 Name (Print)	Signature	Date



STAFF REPORT

DATE: February 3, 2021
FOR: Resident Policy and Compliance Committee
SUBJECT: Multiple Unit Owner Qualification

RECOMMENDATION

Revise the multiple unit owner qualification in instances when an existing member desires to relocate to another unit and agrees to sell the unit in which they currently resides.

BACKGROUND

By way of Resolution 03-18-131, the Board adopted Guidelines for Financial Qualifications on August 21, 2018 and subsequently revised Guarantor income requirements via Resolution 03-20-71 on September 15, 2020.

In 2020, the Board was requested to waive multiple unit owner requirements several times when existing residents found it necessary to relocate to another unit. These members had no interest in owning more than one unit, but needed a place to live until a new replacement unit was purchased. The Board avoided granting such exceptions to the policy which could have ultimately resulted in creating unintended precedents.

DISCUSSION

To lessen the financial burden on existing members who desire to replace their current residence within Third Laguna Hills Mutual, and who do not want to own more than one unit, the Board could adopt language in the Financial Guidelines that requires such members to obligate themselves to sell their existing unit within a reasonable period of time, such as six months. The Board may place other restrictions such as at no time may original and replacement unit be occupied concurrently and the original unit may not be leased under any circumstances.

These proposed restrictions may require opinion of legal counsel as to reasonableness and enforceability.

FINANCIAL ANALYSIS

None.

Prepared By: Pamela Bashline, Community Services Manager

Reviewed By: Blessilda Wright, Compliance Supervisor



STAFF REPORT

DATE: February 3, 2021
FOR: Resident Policy & Compliance Committee
SUBJECT: Social Media Use Policy

RECOMMENDATION

Adopt the Social Media Policy.

BACKGROUND

The Board created a Resident Policy and Compliance Committee to review policies and processes for consistency. The committee and staff have identified areas of improvement including, but not limited to, the need to adopt a Social Media Use Policy. On March 6, 2013, the Board amended the Conduct Guidelines for Directors to advise directors of approved behavior within the Davis-Stirling Act (Resolution 03-13-18). This policy is specific to Board members only. On November 15, 2016, the Board amended the Conduct Guidelines for Directors to include clarifying language (Resolution 03-16-114).

On January 6, 2021, the Resident Policy and Compliance Committee discussed and considered the adoption of a Social Media Policy.

DISCUSSION

The purpose for the Social Media Use Policy is to provide guidelines and expectations for Directors, Committee members and volunteers who are acting in a representative capacity for Third Laguna Hills Mutual on a social media platform.

Prepared By: Blessilda Wright, Compliance Supervisor

Reviewed By: Francis Gomez, Operations Manager

ATTACHMENT(S)

Attachment 1: Resolution 03-21-XX, Social Media Policy

Attachment 2: Social Media Policy



RESOLUTION 03-21-XX

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 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 XXX, XX, 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.



Social Media Use Policy

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, and Reddit, 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 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.**
- D. 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.
- E. 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. 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, including, without limitation, the imposition of fines and/or the levy of a reimbursement assessment.

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 or removed from an officer, committee, or volunteer position without the need for a hearing, when deemed appropriate by the Board.

