SAMLARC Board of Directors
Application for Nomination Documents
2027 Election

Prior to submitting your Application for Nomination, review the following documents:

1. Ethics Policy & Code of Conduct
2. Board Member Protocols
3. Director at Large Responsibility
4. Board Meeting Calendar
5. Election Policies & Guidelines Manual
6. Application for Nomination (reference only; submit online)

Qualified applicants may submit through the link below:

www.samlarc.org/board

If you are unable to submit your application through the link, please fill out the form beginning on Page 32 and submit to the SAMLARC Business Office: info@samlarc.org or

SAMLARC
c/o Alex Kuhlmann
22342A Avenida Empresa Suite 102A
Rancho Santa Margarita, CA 92688

Applications must be received by SAMLARC by the deadline noted on the application.

Connecting the Community

SAMLARC

Rancho Santa Margarita Landscape and Recreation Corporation

Ethics Policy & Code of Conduct for Directors, Officers, Committee Members & Candidates

The Board of Directors has adopted the following Ethics Policy and Code of Conduct for its directors, officers, and committee members.

A. RESPONSIBILITIES

The general duties for directors, officers and committee members are to assure compliance with the Association's governing documents and applicable law, collect and preserve the Association's financial resources, insure the Association's assets against loss, and keep the common areas in a state of good repair. To fulfill that responsibility, directors, officers and committee members must:

- Regularly attend meetings
- Review material provided in preparation for meetings
- Make reasonable inquiry and exercise proper business judgment and due diligence before making decisions
- Act in good faith, and in the best interests of SAMLARC and its members
- Disclose all conflicts of interest
- Respect the privacy rights of individual members, residents, and guests
- Protect Association confidential information
- Maintain and protect the attorney client privilege
- Not engage in self-dealing

B. PROFESSIONAL CONDUCT

In general, directors, officers and committee members must conduct all dealings with honesty and fairness, in good faith, without conflicts of interest, and safeguard information that belongs to the association.

1. Private Gain: Self-dealing occurs when directors, officers or committee members make decisions that materially benefit themselves, business enterprise in which they have a financial interest, or their relatives at the expense of the association. "Relatives" include a person's spouse, parents, siblings, children, mothers and fathers-in-law, sons and daughters-in-law, brothers and sisters-in-law and anyone who shares the person's residence. "Benefits" include money, privileges, special benefits, gifts or other item of value. Directors, officers and committee members must disclose all personal financial interests that may be affected by decisions, acts or omissions in the discharge of their responsibilities. Accordingly, no director, officer or committee member may:

    - Solicit or receive any compensation from the Association for serving on the board, as an officer, or any committee
    - Make promises to vendors unless as authorized by the Board of Directors

- Solicit or receive, any gift, gratuity, favor, entertainment, loan, or any other thing of value for themselves or their relatives from a person or business enterprise who is seeking a business or financial relationship with the association
- Seek preferential treatment for themselves, business enterprise in which they have a financial interest, or their relatives
- Use association property, services, equipment or business for the gain or benefit of themselves, business enterprise in which they have a financial interest or their relatives, except as is provided for all members of the association

2. Confidential Information: Directors, officers and committee members are responsible for protecting the Association's confidential information. As such they may not use confidential information for the benefit of themselves, business enterprises in which they have an interest, or their relatives. Furthermore, confidential information belongs to, and is a valuable asset of the Association. Absolutely no disclosure of confidential information is permitted without approval by the Board or which is legally mandated. Except when disclosure is duly authorized or legally mandated, no director, officer or committee member may disclose confidential information. Confidential information includes, without limitation:

   - Private personal information of fellow directors and committee members,
   - Information considered, communicated or shared in Executive Session,
   - Private personnel information of the association's employees and/or management staff
   - Private information regarding members of the association, assessment collection information regarding members of the association, and legal disputes or enforcement actions in which the association is or may be involved
   - Attorney client communications: these include but are not limited to discussions and communications which may form the basis of communication with the Association's legal counsel, which may be exchanged with the Association's legal counsel, or which results from communications with the Association's legal counsel.

3. Professional Conduct: Directors, officers and committee members are to conduct themselves in a professional manner in all matters related to SAMLARC. The disparagement of SAMLARC, its rules, policies, guidelines, the Board, Directors, Officers, Management, management staff members, committees, committee members, or volunteers is strictly prohibited.

C. WHEN CONFLICTS ARISE

Situations may arise that are not expressly covered by this policy or where the proper course of action is unclear. Directors, officers and committee members should immediately bring such situations to the attention of the Board. If appropriate, the Board will seek guidance from the Association's legal counsel.
Disclosure & Recusal: Directors, officers and committee members must immediately disclose the existence of any conflict of interest, whether their own or

others. Directors, officers and committee members must withdraw from participation in decisions in which they, or business enterprises in which they have a financial interest, or their relatives have a financial interest.

D. VIOLATIONS OF POLICY

Directors, officers and committee members who violate the association's Ethics Policy and Code of Conduct are deemed to be acting outside the course and scope of their authority. Anyone in violation of this Ethics Policy and Code of Conduct may be subject to immediate disciplinary action, including, but not limited to:

- Censure
- Reprimand
- Removal from committees
- Removal as an officer
- Request for resignation from the board
- Recall by the membership
- Legal proceedings

E. ACKNOWLEDGMENT

I acknowledge that I have received and read the association's Ethics Policy and Code of Conduct. I understand my obligations as a director, officer and/or committee member under this policy and will act in accordance with my obligations. I agree to comply with this Ethics Policy and Code of Conduct and acknowledge and agree and accept that I may be subject to disciplinary action for any violations.

Signature:_____ Date:_____

Print name:_____

Position: _____
[Director, Officer, Committee Member, Candidate]

Adopted: February 2013
Revised: June 23, 2020

Connecting the Community

SAMLARC

Rancho Santa Margarita Landscape and Recreation Corporation

Board Member Protocols

This document describes a set of protocols for current and future SAMLARC Board members and officers. The purpose of these protocols is to advance the Board's goal of maximizing its efficiency and effectiveness, and to set out a reasonable code of conduct to which Board members and officers are expected to adhere.

The following protocols are based on one-on-one discussions with Board members and Management staff. The protocols were originally developed and approved by the Board in February 2005. Since that time, the Protocols have been revised as needed by the Board of Directors. The Protocols are reviewed with all new Board Members, and should be reviewed annually with the full Board of Directors.

The following protocols are consistent with the SAMLARC by-laws and should be viewed more as desirable guidelines and not adopted policies. However, given that these protocols are based on the input of the Board as a whole, both current and future Board members are expected to respect their purpose and intent, as well as the purpose and intent of those who established them.

Approved: February 2005
Revised : March 2007
Revise : October 2009
Revised : October 2012
Revised : July 2016
Revised : January 2017

Connecting the Community

SAMLARC

Rancho Santa Margarita Landscape and Recreation Corporation

Board Member Protocols

SAMLARC is a Policy Board that is committed to a working relationship wherein consensus drives planning, decision-making and the policies that are established by its members. *(Board Governance Policy Statement)*

I. General Protocols

1. The role the Board member performs as a fiduciary for the welfare of the Corporation dictates that he/she has a sincere and honest desire to serve the Corporation and membership, and be able and willing to give the time required to understand and fulfill the duties of the position.

2. Board members must be willing to act as community leaders and bring skills and business experience to the Board and the working Committees of the Board.

3. Board members are expected to be politically nonpartisan in dealing with Corporation matters. The Board should not knowingly subordinate the well being of the Corporation to any partisan principle, agenda, group interest or personal ambition.

4. Board members are expected to stay reasonably current on regulations and other issues that govern the Corporation and its activities. Members are encouraged to participate in Board related educational sessions.

5. Board members are expected to maintain and honor the confidentiality that is implicit in their Board position and responsibilities.

6. Board members are expected to actively participate in two or more committees and serve as the principal liaison with one or more external agency representatives where necessary. Committee participation by Board members should be on a rotational basis.

7. As a fiduciary of the Corporation, Board members are expected to act in the best interest of the Corporation.

8. Board members are expected to adhere to ethical business standards and will not seek nor accept from any person or organization that does, or seeks to do, business with SAMLARC, or holds a substantial financial interest in the operations of SAMLARC, gifts, favors, entertainment or payments that could compromise their performance of duties in the interest of SAMLARC, or its members, or in any way result in detriment to the Corporation.

9. Board members will excuse themselves from voting on any issue where there is a conflict of interest between the Board member and the Corporation.

10. Confirmed Attendance at Events and Functions: Board Member(s) who have registered for an event in which there is a cost associated, should be aware of the cancellation policy in order to provide Management sufficient notice to obtain a

refund to prevent an unnecessary cost to the Association. Board Member(s) unable to attend a liaison assignment meeting should, when possible, provide adequate notice to Management to provide sufficient time for the Board President or Management to find a representative to attend that meeting.

11. Board members are to exhibit respect, professionalism, and courteous behavior to fellow Board members, owners, committee members, vendors, Management and its staff, and any other persons associated with or retained by the Corporation.

II. Board Meetings: Board Member Protocol

1. The Open Session of the Board meeting is the forum for Board members to facilitate the candid and open exchange of ideas among members and members of the Board. During Board discussions either Open or Executive Session, Board Members should be able to freely express their opinions, be given a fair opportunity to do so, and have their opinions treated with respect by others present.

2. Board Members are encouraged to exchange ideas and provide input. Members are discouraged from dominating a particular issue.

3. Executive Session, per Civil Code, provides an opportunity for Board members to speak freely and discuss issues on a "confidential" basis. Board Members are expected to honor the absolute confidentiality of matters discussed in Executive Session. According to Civil Code, the following matters are to be considered in Executive Session:

    a. Litigation
    b. Matters related to the formation of contracts with third parties
    c. Member discipline
    d. Personnel matters
    e. Requests from members to discuss member's payment of assessments

4. From time to time, an issue may come before the Board in which a Board member has a particular interest. At no time should a Board member allow his/her personal bias or agenda to supersede his/her responsibility to represent the best interests of the community as a whole.

5. The voting structure at Board meetings shall be the Board President will call for the motion and second, and repeat who made the motion and second. The Board President will follow with a call for Ayes and Nays. If no Nays or Abstentions are voiced, the vote will be unanimously Aye.

6. The minutes are to be prepared by Management staff and sent to the Board Secretary to review and comment prior to inclusion in the Board Agenda Packet.

7. Homeowner Forum Protocols: Homeowners Forum is a time set aside for Homeowners to speak to the Board of Directors. Board Members should not engage the Homeowner in dialogue. Following the Homeowner's comments, if appropriate, the Board President will refer the matter to the CEO to research and report back to the homeowner and/or Board of Directors.

III. Board Meetings: Board Member Responsibility

1. Board members are expected to attend all regular and special Board meetings, consistent with their responsibility to the Corporation and to represent the homeowners who elected them.

2. A member of the Board is in good standing for attendance so long as the Member is not absent for more than three (3) consecutive regular meetings in any twelve (12) month period and not be absent for more than 25% of meetings in a 12 month period.

3. Board members are requested to stay for the duration of each meeting. The President is responsible for starting and concluding the meeting on time.

4. Each agenda item is allotted an amount of time. Board members are to be mindful to the allotted time.

5. Board members are requested to limit their comments to two (2) to three (3) minutes per issue so that every member has an opportunity to be heard.

6. Board members are expected to read the "Board Packet" prior to each meeting. If a Member has a question about information provided, he/she should call the Community Executive Officer in advance so that a team member can, whenever possible, research the issue prior to the Board meeting.

7. Materials included in the advance "Board packet" are considered "final" and any items brought in after the agenda has been posted must be in accordance with Civil Code Section 1363.05.

8. All written materials provided to the Board should be considered "confidential" and treated as such. Members are requested to keep Board materials out of public view whether in their homes or offices.

9. Board members are expected to attend a reasonable number of community events annually as a representative of the Corporation.

IV. Board Member-to-Member Communication

1. Communication between Board members outside of the official Board meetings must be conducted according to legal requirements as set forth in the Open Meeting Act. *(Civil Code Section §4935)*

2. Outside of a Board meeting, the communication regarding agenized or current Board topics cannot be entered into when a majority of Members is present.

3. If a Board member wishes to communicate with a simple majority of the Board, he/she must route that communication through the Community Executive Officer either verbally or electronically for distribution to the full Board (any form of communication).

V. Board Member External Communication

1. The Board President is the designated media spokesperson for the Board, unless otherwise determined. Board members should refer press inquiries concerning Board issues to the Executive Director.

2. Board members are expected to respect the vote of the majority and publicly stand behind it. While Board members may take differing positions during discussion at the Board meeting, and have the right to vigorously debate their points of view, once a resolution is adopted, Board members are expected to come together and speak with one united voice on that matter.

3. Board Members are not to engage in social media correspondence or communication regarding SAMLARC matters without the express approval of the full Board of Directors. If the Board wishes to communicate through social media it is to be through the Community Executive Officer.

4. Unauthorized letters and emails sent or authored by a Board Member: Correspondence for personal use using the Board signature line, or signing as a Member of the Board of Directors requires Board of Directors prior approval.

5. The Board President shall have the authority to sign and send letters and/or emails on behalf of the Board of Directors that do not dictate policy or affect a policy change. Examples could include, but not limited to, letters/emails of congratulations, appreciation, and correspondence that denotes an action taken by the Board of Directors.

VI. Board Member Liaison – Outside Entity Communication

1. Each Board Liaison is encouraged to determine how best to interact with the designated outside entity. General guidelines are outlined in the Board Member Liaison responsibility section of the Board Governance Document.

2. While the purpose of a liaison assignment is to facilitate helpful off-line conversations with entity representatives, Board members should remember that they are always meeting in their role as a Board representative, not as a private individual.

VII. Board Member-to-Management Communication

1. The Board will be provided recommendations/proposals/suggestions and input from consultants, vendors and committees, best practices and public input in its decision-making process.

2. The Board members are expected to direct all of their requests and inquiries to the Community Executive Officer verbally or through email.

3. The primary point of contact for the Board and individual Board Members is the Community Executive Officer (CEO). All Board Member requests should be forwarded to the CEO who will determine the appropriate manner and/or Team member to address the request. It is expected that the Management team will treat Board Members in a respectful and courteous manner, and Board Members will treat Management Team Members in a respectful and courteous manner.

4. Only the Board as a whole has authority. Individual Board members should not give Management directives to act or to refrain from acting in accord with its

management contract, Board Policies and/or existing Board instructions/directions. Except, however, in those circumstances where the individual Board member has been given the authority of the Board with regard to the topic of the specific order, or as provided by Board appointment of the individual member as an officer of the Corporation.

VIII. Board Member-to-Corporate Counsel Communication

1. Corporate Counsel represents SAMLARC the Corporation and guides the Board of Directors as a body. All Board requests of Corporate Counsel should be made at a Board Meeting, or directed to the Community Executive Officer (CEO). Board Members should refrain from contacting Corporate Counsel directly.

IX. Process for Placing Items on the Board of Directors Meeting Agenda

1. Items may be placed on the Board of Directors Meeting Agenda by a Member of the Board, or by the Membership through Homeowners Forum at a Board of Directors Meeting.

2. Requests from a Member of the Board:
   a. Items must come through the Board President either at a Board Meeting, between Board Meetings or by the Community Executive Officer
   b. Requests between Board Meetings must be discussed with the Board President and will be placed on the Agenda at the discretion of the Board President
   c. The President reserves the right to direct the Board Member to bring the concept before the Board during Director's Reports at a Board of Directors Meeting
   d. If the Board is to take action, the item must be fully ready including a full background, justification, cost/bids, funding and timeline

3. Requests from the Membership:
   a. Requests from an individual or community group must be presented during Homeowners Forum at a Board of Directors Meeting for Board consideration and direction

Connecting the Community

SAMLARC

Rancho Santa Margarita Landscape and Recreation Corporation

Director at Large Responsibility

Purpose:

There are three positions on the SAMLARC Board for the elected Director at Large position. This is a voting member of the Board with all the rights, duties, responsibilities and limitations of the other Board officers.

Objective:

- Assists other Board members/officers in completing tasks of their assigned role
- Increases Board participation by attending community meetings and activities to Ensure Board representation
- Provides assistance to other Board members in fulfilling responsibilities and meeting deadlines of the Corporation
- Enlarges communication channel for increased resident contact

Duties:

- Aligns with another key Board Member to “shadow” in Board role
- Chairs and/or participates on committees
- Participates or acts as liaison with community partner as assigned
- Participates on nominating committee
- Assists in facilitating consensus building

**Bylaws Article VII, Section 7.06*



2027 Board Meeting Calendar

Month	Board Meeting Date	Notes
January	**01-26-2027**	Board Meeting
February	**02-17-2027**	Election: Ballot Opening (Wednesday, time TBD)
February	**02-18-2027**	Annual Meeting (Thursday, time TBD)
February	**02-23-2027**	Board Meeting
March	**03-23-2027**	Board Meeting
April	**04-27-2027**	Board Meeting
May	**05-25-2027**	Board Meeting
June	**06-22-2027**	Board Meeting
July	**07-27-2027**	Board Meeting
August	**08-10-2027**	Strategic Plan Workshop (2nd Tuesday)
August	**08-24-2027**	Board Meeting
September	**09-28-2027**	Board Meeting
October	**10-12-2027**	Budget Workshop (2nd Tuesday)
October	**10-26-2027**	Board Meeting
November	**11-09-2027**	November Board Meeting (2nd Tuesday)
December	**12-28-2027**	Board Meeting (No meeting anticipated)

All Open Session Meetings to be held at the Lago Santa Margarita Beach Club Fiesta Room at 6 PM unless otherwise noted. Open to SAMLARC Members only.
21472 Avenida De Los Fundadores | Rancho Santa Margarita, CA 92688

Board of Directors Election Policies & Guidelines Manual

Table of Contents

Foreword **3**

Definitions **4**

Chapter 1: General Overview **7**

General Overview *7*

Hierarchy of Document Authority *8*

Membership Voting Rights *8*

Membership Lists *8*

Right to Inspect Election Materials *9*

Chapter 2: Board of Directors Election **10**

Section 1- Elections to which these Rules Shall Apply *10*

Section 2–Election of Directors *10*

Section 3–Member Voting Qualifications *14*

Section 4 – Campaign Rules *14*

Section 5 – Secret Ballot and Tabulation *14*

Section 6 – Election Results *15*

Section 7 – Receipt, Retention and Destruction of Prior Election Ballots *16*

Section 8 – Delegate Information *16*

Section 9 – Absentee Casting Ballots *16*

Section 10 – Election Process *16*

Chapter 3: Delegate Voting System & Member Rights **18**

Section 1 – Authority for Adoption of Rules, Voting Forms (Proxy Forms, Registration Books, and Voting Procedures) *18*

Section 2 – Appointment and/or Election of Delegates *18*

Section 3 – Voting Power of Delegates *19*

Approved by the SAMLARC Board of Directors 3-28-17

Approved by the SAMLARC Board of Directors 9-26-17

Revised and Board Adopted January 23, 2018

Revised and Board Adopted March 27, 2018

Revised and Board Adopted September 24, 2019

Revised and Board Adopted September 22, 2020

Revised and Board Adopted October 22, 2024

Revised and Board Adopted September 23, 2025

Revised and Board Adopted September 22, 2026

Foreword

The SAMLARC Election Manual pertains to the SAMLARC Board of Directors Election only. This manual reflects the rules established by the Election Committee and adopted by the Board of Directors, as well as applicable provisions from the SAMLARC Governing Documents. Homeowner Association elections are governed by the association's governing documents, the Corporation Code, and the Civil Code. The hierarchy of authority is as follows:

- Corporations Code and Civil Code to the extent they apply
- CC&Rs
- Bylaws
- Articles of Incorporation

Definitions

Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC)

The master development plan (the "Master Plan") of Rancho Santa Margarita Joint Venture, a California General Partnership (the "Master Developer") of the master planned community known as Rancho Santa Margarita and the atypical provisions of the Articles of Incorporation, Bylaws and Declaration of Covenants, Conditions and Restrictions (the "Management Documents") for SAMLARC.

Delegate Absentee Casting Ballot

A written ballot used by a Delegate when the Delegate cannot be physically present at a meeting of Delegates to establish quorum and to cast the votes as instructed by the Members of the Delegate District. The ballot can only be used for casting the vote of the Delegate on those matters stated in the ballot.

Apartment Vote

An apartment lot Owner may delegate its vote and right of enjoyment in and to any of the recreational facilities owned and/or controlled by SAMLARC to its tenants. The allocation of voting rights and assessments shall be made in the manner prescribed in the SAMLARC Declaration. (Section 18.01 of the CC&Rs)

Association

An "association" is defined as a "nonprofit corporation or unincorporated association created for the purpose of managing a common interest development." (Civ. Code 4080.) The association is the governing body for common interest developments, whether residential, commercial, industrial, mixed-use or otherwise. A homeowner's association (HOA) can be incorporated or unincorporated. It is formed for the purpose of managing a residential development. HOAs are generally associated with developments consisting of single-family homes (SFH) on individual lots. The homes can either be detached, stand-alone structures or they can be townhomes. In the Davis-Stirling Act, it falls under the category of Planned Unit Developments**.**

Association Election Materials

"Association Election Materials" means returned ballots, signed voter envelopes, the voter list of names, parcel numbers, and voters to whom ballots were to be sent, proxies, and the candidate registration list. Signed voter envelopes may be inspected but may not be copied. [Civil Code §5200 (c)].

Covered Property

Shall mean and refer to the Initial Covered Property and, subsequent to the annexation thereof pursuant to the Article of this Declaration entitled "Annexations," any real property which shall become subject to this Declaration. (Section 1.17 of the CC&Rs)

Davis-Stirling

The Davis–Stirling Common Interest Development Act is the portion of the California Civil Code beginning with section 4000, which governs condominium**,** cooperative, and planned unit development communities in California. It

was authored by Assemblyman Lawrence W. "Larry" Stirling and enacted in 1985 by the California State Legislature. In 2012, the Act was comprehensively reorganized and re-codified by Assembly Bill 805.

Delegate

A person appointed in the manner provided in the SAMLARC Management Documents to represent all of the Members within the portion of the Covered Property comprising the Delegate District of such Delegate to represent the collective voting power of all such Members at meetings of SAMLARC. All Delegates, with the exception of the Sub Maintenance Delegate elected by the declarants, must be members of SAMLARC. Delegates may not vote by proxy (Corporations Code 7152). Any (Sub Maintenance Delegate) shall have the power to delegate to any other person and/or to committee any of the duties and power of a delegate under the SAMLARC management documents except the duty and power to vote.

All Delegates shall furnish written confirmation to the Board of their appointment or election together with the official address for the purpose of providing notice to Delegates of SAMLARC matters. SAMLARC shall not be obligated to recognize any Delegate, or any person to which such Delegate has delegated any powers and duties, or the votes or assents of members cast by any such person unless it has first received written confirmation of such appointment or election from the Delegate.

Delegate District

Those portions of the Covered Property governed by Subordinate Maintenance Corporations, and those portions of the Covered Property not governed by a Subordinate Maintenance which were designated as a separate Delegate District at the time of annexation into SAMLARC.

Election Committee

An Election Committee shall be appointed annually by the Board to make rules for and supervise nominations, voting procedures, voting requirements and the orderly and fair election of directors. The Election Committee shall consist of a Chairman, who shall be a member of the Board (whose position is not slated for election), and two (2) other persons who shall be Members. The Election Committee shall make as many nominations for election to the Board as it shall in its discretion determine, but not less than the number of vacancies that are to be filled.

Inspectors of Election

A. The association shall select an independent third party or parties as an inspector of elections.
B. For the purposes of this section, an independent third party includes, but is not limited to, a volunteer poll worker with the county registrar of voters, a licensee of the California Board of Accountancy, or a notary public. An independent third party may be a member but may not be a director or a candidate for director or be related to a director or to a candidate for director. by the Board). An independent third party may not be a person, business entity, or subdivision of a business entity who is currently employed or under contract to the association for any compensable services other than serving as an inspector of elections.
C. The inspector or inspectors of elections shall perform all of the following:
    1) Determine the number of memberships entitled to vote and the voting power of each.
    2) Receive ballots.

3) Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote.
4) Count and tabulate all votes.
5) Determine when the polls shall close, consistent with the governing documents.
6) Determine the tabulated results of the election.

D. Perform any acts as may be proper to conduct the election with fairness to all members in accordance with this article, the Corporations Code, and all applicable rules of the association regarding the conduct of the election that are not in conflict with this article.

E. An inspector of elections shall perform all duties impartially, in good faith, to the best of the inspector of election's ability, as expeditiously as is practical, and in a manner that protects the interest of all members of the association. If there are three inspectors of elections, the decision or act of a majority shall be effective in all respects.

Member

Every Owner including the Apartment Lot Owner and any Declarant as long as Declarant continues to be an Owner by virtue of holding title to a Residence shall be a Member. The terms and provisions set forth in this Declaration, which are binding upon all Owners, are not exclusive, as owners shall, in addition, be subject to the terms and provisions of the Articles, Bylaws and SAMLARC Rules to the extent the provisions thereof are not in conflict with this Declaration. Membership of Owners shall be appurtenant to and may not be separated from the interest of such Owner in any Residence. Ownership of a Residence shall be the sole qualification for membership; provided, however, a Member's rights or privileges may be regulated or suspended for failure to comply with the SAMLARC Management Documents after notice and hearing as provided in the Section entitled “Notice and Hearing; Correction of Violation" of the Article entitled "Discipline of Members" of the Bylaws. [CC&Rs Section 4.01]

Members of the Delegate District

Owners of Record and on Title within that Delegate District.

Non-Subordinate Maintenance Corporation Delegate District

Property covered by the SAMLARC Management Documents not governed by a Subordinate Maintenance Corporation and which were designated as a Delegate District in recorded documents as part of the annexation of property into SAMLARC.

Sub Maintenance Corporation

Shall mean and refer to any nonprofit mutual benefit corporation which is formed among other things to facilitate the maintenance and operation of any portion of the Covered Property which is either owned in common by the Owners who are members of such nonprofit mutual benefit corporation, or which owned by such nonprofit mutual benefit Corporation for the benefit of the Owners who are its members.

Chapter 1: General Overview

General Overview

Every home within SAMLARC is represented by a Delegate and falls within a Delegate District. SAMLARC is divided into 87 Delegate Districts. Delegate District is defined as either a Subordinate Maintenance Corporation within SAMLARC; a defined neighborhood not governed by a Subordinate Maintenance Corporation; or an apartment community. Within SAMLARC, there are 54 Delegate Districts represented by a Subordinate Maintenance Corporation; 24 Delegate Districts comprised of neighborhoods that are not represented by a Subordinate Maintenance Corporation; 8 apartment communities; and 1 self-storage property with a residence. Knowing whether a Delegate District is designated as a Subordinate Maintenance Corporation is important as different procedures for selecting the Delegate apply to Districts designated as Subordinate Maintenance Corporations than those which apply to Districts not so designated.

All meetings of SAMLARC shall be attended by Delegates representing and casting the votes of the members of their respective Delegate Districts. [Bylaws: Section 3.09] A Delegate may "attend" by submitting an Absentee Ballot.

The law, rules and procedures for conducting SAMLARC elections differ from those that apply to Delegate District elections.

Chapter 4, Article 2 of the Davis-Stirling Act of California *Civil Code §*Civil Code §5105(a) describes the procedures and rules governing elections of common interest developments generally. However, Civil Codes §5105, 5110, 5115, 5120, 5125, 5130, 5145 do not apply to votes cast by Delegates as Civil Code §5100(d) provides:

"The procedures set forth in this section shall apply to votes cast directly by the membership, but do not apply to votes cast by delegates or other elected representatives."

Except for sections 5105, 5110, 5115, 5120, 5125, 5130 and 5145, all other provisions of the Davis-Stirling Act, and in particular those pertaining to campaign funding provided in Civil Code §5135 apply to votes cast by Delegates.

Elections of Delegate Districts are subject to Civil Code §5105(a).

SAMLARC's Management Documents include the Amended and Restated Declaration of Covenants, Conditions and Restrictions Rancho Santa Margarita [hereinafter sometimes referred to as the "CC&Rs" (recorded April 24, 1986, as Document No. 86-16298 of the Official Records of Orange County)], the Bylaws, the Articles and all duly adopted and published Rules, Policies and Guidelines and any amendments to the foregoing. [CC&Rs: Section 1.34]

SAMLARC's Bylaws describe general procedures to be followed when conducting SAMLARC elections. [Bylaws: See generally Article III Sections 3.08 through 3.17 and Article IV Sections 4.01 through 4.07]

Under the Management Documents, the rules and procedures governing the election of Directors of SAMLARC are promulgated by the Election Committee.

SAMLARC's Management Documents further provide that the Board of Directors may adopt rules and procedures, and forms to be used in all Delegate District elections. Rules, procedures, and forms for conducting Delegate District elections must conform to and may not conflict with applicable provisions of the Davis-Stirling Act, and in particular

Civil Code §5105(a) and Civil Code §5135). Furthermore, the Davis-Stirling Act controls when there is any conflict between SAMLARC's Management Documents and applicable law relating to conducting elections.

Hierarchy of Document Authority

Civil Code §4205 states:

A. To the extent of any conflict between the governing documents and the law, the law shall prevail.
B. To the extent of any conflict between the articles of incorporation and the declaration, the declaration shall prevail.
C. To the extent of any conflict between the bylaws and the articles of incorporation or declaration, the articles of incorporation or declaration shall prevail.
D. To the extent of any conflict between the operating rules and the bylaws, articles of incorporation, or declaration, the bylaws, articles of incorporation, or declaration shall prevail.

Membership Voting Rights

Written notice of any action requiring the vote of the membership shall be submitted to the members not less than thirty-five (35) days or more than ninety (90) days prior to the date of the SAMLARC meeting at which such actions are to be considered. Within such period of time, each of the Delegates shall provide an opportunity for each such Member to execute proxies, cast written ballots or approve or disapprove any actions in accordance with the procedures for voting adopted by the Board. [Bylaws: Section 3.13].

Certain holders of Mortgages have the right to receive notices. Please refer to the SAMLARC Management Documents for more information.

Membership Lists

A membership list is defined to include a member's name, property address, and mailing address**.** [Civil Code §5200(a)(9)]

Members are entitled to inspect and copy the membership list as provided in Chapter 6, Article 5 of the Davis-Stirling Act.

Right to Inspect

Except for telephone numbers, members generally have the right to inspect and copy the association's membership list. [Civil Code §5205(a), and (b)]

Copy Costs

Associations can bill the requesting member for the direct and actual cost of copying the membership list. Associations must first inform the member of the costs before copying the requested documents. [Civil Code §5205(g)]

Deadline for Producing

The membership list shall be made available on or before the later of ten business days after the demand is received or after the date specified therein as the date as of which the list is to be compiled. [Civil Code §5210(b) and Corporations Code §8330]

Purpose for Request

The member requesting to inspect and copy the membership list shall state the purpose for the request, which purpose shall be reasonably related to the requester's interest as a member. If the board reasonably believes that the information in the list will be used for another purpose, it may deny the member access to the list. If the request is denied, in any subsequent action brought by the member the association will have the burden to prove that the member would have used the information for purposes unrelated to his interest as a member. [Civil Code §5225].

Corporate Asset

A membership list is a corporate asset [Corp. Code §8338(a)]. Without the consent of the board a membership list may not be:

- Used to solicit money or property unless such money or property will be used solely to solicit the vote of the members in an election to be held by their corporation.
- Used for any purpose which the user does not reasonably and in good faith believe will benefit the corporation.
- Used for any commercial purpose or purpose in competition with the corporation.
- Provided to non-members.

Penalty for Misuse

Any person who misuses a membership list is liable for any damage caused by the misuse, including punitive damages for a fraudulent or malicious misuse. Corp. Code §8338(b). Petition to Set Aside Request. If an association believes that a membership list will be used for a purpose not reasonably related to the interests of members, it can petition the Orange County superior court for an order setting aside the request. [Corp. Code §8331].

Membership List Opt-Out

A member of the association may opt out of the sharing of his or her name, property address, and mailing address by notifying the association in writing that he or she prefers to be contacted via the alternative process described in subdivision (c) of Section 8330 of the Corporations Code. This opt-out shall remain in effect until changed by the member. [Civ. Code §5220].

Right to Inspect Election Materials

Members may inspect SAMLARC's election materials as set forth in Civil Code §5205, and Civil Code §5210.

Association Election Materials

"Association Election Materials" means returned ballots, signed voter envelopes, the voter list of names, parcel numbers, and voters to whom ballots were to be sent, proxies, and the candidate registration list. Signed voter envelopes may be inspected but may not be copied. [Civil Code §5200 (c)].

Chapter 2: Board of Directors Election

Section 1- Elections to which these Rules Shall Apply

Section 1.1

shall apply only to the SAMLARC Board of Directors Elections.

Section 2–Election of Directors

Section 2.1 – Inspector of Elections

The association shall select an independent third party or parties as an inspector of elections.

Section 2.2 – Election Committee

The Association's Board of Directors shall annually appoint an Election Committee (generally in the month of February) each year to make rules for and supervise nominations, voting procedures, voting requirements and the orderly and fair election of directors. The Election Committee shall consist of a Committee Chair, who shall be a member of the Board, and (2) other persons who shall be Members. The Election Committee shall make as many nominations for election to the Board as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. [Bylaws: Article IV, Section 4.03].

Candidates for appointment to the Election Committee must sign a Code of Conduct stating that they will implement the rules adopted by the Board.

The Board can, at any time, remove any Election Committee Member who fails to follow the rules adopted by the Board and replace them with a member who will follow the rules. Election Policies & Guidelines will be reviewed and approved by the Board of Directors by the September Board of Directors Meeting of each year if there are changes to the document.

While SAMLARC is not required to follow 5100(d), there is no prohibition against SAMLARC adopting election procedures described in the Civil Code which do not violate SAMLARC governing documents or applicable law. An election rule must be aligned with a lawful business or stated purpose of the Association – refer to Civ. Code §5105(a).

The Election Committee shall use these rules and the Corporations Code, shall consider the advice of the Association's corporate counsel, and shall attempt, in so far as possible, with fairness to all, to allow the vote of each Member, and be consistent in the discharge of his/her responsibilities.

Each Election Committee Member is required to be responsible for:

1) Review of Candidate Application Packet information
2) Review of and familiarity with Election Policies & Guidelines Manual
3) Review of and familiarity with Bylaws, CC&Rs, Davis Stirling Act, and Corporations Code as it pertains to elections of Directors.
4) Committee Chair or Board Liaison to provide report of each Election Committee Meeting at all Board of Directors Meetings

SECTION 2.2(A) – ELECTION COMMITTEE RULES FOR NOMINATING CANDIDATES FOR ELECTION TO THE BOARD OF DIRECTORS

1) Applications for Nomination to run for the Board of Directors shall be deemed final as submitted, at the close of the candidacy application deadline.
2) Notification to all applicants as to their nomination status shall be made by the Election Committee Chair or designee on behalf of the Election Committee within 10 business days after close of nominations.
3) Applicants must be a member and demonstrate that they have a clear understanding of the obligations, operations and financial workings of SAMLARC and have the ability to clearly communicate that understanding.
4) It is at the discretion of the Election Committee to conduct interviews of applicants and/or to conduct orientation meetings for the purpose of providing information.
5) The deadline to file an Application for Nomination to run for the Board of Directors shall be no less than 130 days prior to the election date, which may be extended up to 30 days by the Election Committee if sufficient applications are not received. The additional 30 days between 100 and 130 days allows the Election Committee to review the applications, interview nominees and secure additional nominees if necessary. Nominations cannot be made earlier than 120 days prior to the Election. Corporations code 7522(a).
6) Nominations for the Board are made through application to the Election Committee or by petition as set forth in SAMLARC's Bylaws, Section 4.03, and shall be closed 100 days before the date directors are to be elected. No nominations for the Board can be made after that date.
7) When all of the petition requirements are satisfied, the person(s) named in the petition will receive an automatic nomination.
8) Corporate Transparency Act: Effective January 1, 2025, Boards of non-exempt reporting companies are required to identify all individuals who exercise substantial control over the association. A person exercises substantial control over the association if they meet any of four general criteria: (1) the individual is a senior officer; (2) the individual with the authority to appoint or remove certain officers or a majority of directors of the reporting company; (3) the person is an important decision-maker; or (4) the person with any substantial control over the association. The board as a whole meets the requirements of a Beneficial Owner. Therefore, all board members of non-exempt reporting companies will be subject to filing Beneficial Owner Information and are subject to filing information online with the Financial Crimes Enforcement Network (FinCEN).
    a. On March 21, 2025, FinCEN issued an interim final rule, removing the requirement for United States companies; therefore exempting SAMLARC.

Section 2.3–Qualifications to be Nominated for Election to the Board of Directors by Application

SECTION 2.3(A)

Any person who is qualified to be elected to the Board may also be nominated by petition delivered to an officer of SAMLARC [Bylaws: Section 4.03]. At a minimum, any petition signature must be an Owner of Record (SAMLARC Member); with only one Owner's signature per residence allowed. Signature must be legible, followed by the printed version of the name, and the address of the signor.

SECTION 2.3(B)

SAMLARC shall disqualify a person from a nomination as a candidate for not being a member of the association at the time of the nomination. If title to a separate interest parcel is held by a legal entity that is not a natural person, the governing authority of that legal entity shall have the power to appoint a natural person to be a member for purposes of this article. (Civil Code §5105 (b))

SAMLARC may disqualify a person from nomination as a candidate pursuant to any of the following (Civil Code §5105(c)):

1) Subject to paragraph (2) of subdivision (d) of Civil Code §5105, a nominee for a board seat, and a director during their board tenure, must be current in the payment of regular and special assessments, which are consumer debts subject to validation.
2) SAMLARC shall disqualify a person from nomination as a candidate if the person, if elected, would be serving on the board at the same time as another person who holds a joint ownership interest in the same separate interest parcel as the person and the other person is either properly nominated for the current election or an incumbent director.
3) (3) SAMLARC shall disqualify a nominee if that person has been a Member of SAMLARC for less than 1 year.
4) (4) SAMLARC shall disqualify a nominee if that person discloses, or if SAMLARC is aware or becomes aware of, a past criminal conviction that would, if the person was elected, either prevent SAMLARC from purchasing the fidelity bond coverage required by Civil Code §5806 or terminate SAMLARC's existing fidelity bond coverage.

SAMLARC shall disqualify a person from nomination for nonpayment of regular and special assessments but may not disqualify a nominee for nonpayment of fines, fines renamed as assessments, collection charges, late charges, or costs levied by a third party. The person shall not be disqualified for failure to be current in payment of regular and special assessments if either of the following circumstances is true:

A. The person has paid the regular or special assessment under protest pursuant to Civil Code §5658.
B. The person has entered into a payment plan pursuant to Civil Code §5665.

SAMLARC shall not disqualify a person from nomination if the person has not been provided the opportunity to engage in internal dispute resolution pursuant to Article 2 (commencing with Civil Code §5900) of Chapter 10 of the Davis-Stirling Act.

SECTION 2.3(C)

Candidate rescission of nomination and candidacy

- In the event a Candidate gives written notice of their rescission of Candidacy after nomination, that Candidate shall be deemed to have stated their intention not to serve if elected and that statement will be interpreted as a resignation if that candidate is elected.
- Nominees who have become incapacitated, deceased, unqualified or deemed unqualified to be nominated shall be deemed to have resigned, if elected; thereby creating a vacancy which may be considered for appointment by the Board.

SECTION 2.4 – TERMS OF OFFICE

All successor directors shall be elected for (2) year terms at alternate annual meetings of SAMLARC, but if any such annual meeting is not held, or if the directors are not elected thereat, the directors may be elected for (2) year terms at any special meeting of SAMLARC held for that purpose. [Bylaws: Section 4.02]. All directors shall hold office until their respective successors are elected. [Bylaws: Section 4.02]

At any time that it has been determined by the Election Committee that there are fewer nominations than seats available in the election, the Election Committee shall notify the Board of Directors. It is the responsibility of the Board of Directors to contact the current Directors whose terms end with the election and have not applied to run again, to determine their interest in continuing to serve as a "holdover" Director. If there are more Directors expressing interest in serving as a "holdover" Director" than seats available, the Board of Directors shall determine and appoint the successful "holdover" Director(s). If no Director expresses interest in serving as a "holdover" Director, the uninterested Director(s) shall be requested to resign in writing effective on the date of the Election, thereby, creating a vacancy on the Board for consideration of appointment by the Board of Directors.

SECTION 2.5–BY SECRET WRITTEN BALLOT

Election of directors shall be by secret written ballot. [Bylaws: Section 4.02]

Write in candidates are not allowed.

SECTION 2.6–CUMULATIVE VOTING

All members shall have the right to cumulate votes. Prior to the voting, the names of all candidates nominated by petition or by the Election Committee as aforesaid shall be placed in nomination and notice of the intention to cumulate votes shall be given. [Bylaws: Section 4.04]

SECTION 2.7–REMOVAL OF DIRECTORS

At any meeting of SAMLARC of which notice has been properly given as provided in the Bylaws, the entire Board or any individual may be removed from office. The entire Board or any individual director may be removed from office without cause by a majority of the votes cast in the voting on any motion or resolution for removal; however, that if SAMLARC has a voting power of less than fifty (50) votes, then such removal must be approved by an affirmative vote of a majority of all the votes entitles to be cast. However, unless the entire Board is removed, an individual director shall not be removed prior to the expiration of his term of office when the votes cast against removal, or not consenting in writing to such removal, would be sufficient to elect such director if voted cumulatively at an election at which the same total number of votes were cast and the entire number of directors authorized at the time of the most recent election of directors were then being elected. [Bylaws: Section 4.06]

SECTION 2.8 – VACANCIES

A vacancy or vacancies shall be deemed to exist on the Board in case of the death, resignation, or removal of any director. If the authorized number of directors has been increased at any meeting of SAMLARC, or at an adjournment thereof, without an election of directors required to fill such positions, or if the Delegates, with the voting power of their members fail to at any time elect the full number of the authorized directors, a vacancy or vacancies shall be deemed to exist. Vacancies on the Board, except for a vacancy created by the removal of a director, may be filled by a vote of a majority of the remaining directors, through less than a quorum, or by a sole remaining director, and each director so elected shall hold office until his successor is elected at an annual meeting

of SAMLARC, or at a special meeting called for that purpose. The Board shall be prohibited from filling a vacancy created by the removal of a director or directors except with the vote or written assent of the voting power prescribed under the section entitled "general limitations and restrictions on the powers of the board". If any director tenders his resignation to the Board, the Board shall have power to elect a successor to take office at such time as the resignation shall become effective. No reduction of the number of directors shall have the effect of removing any director prior to the expiration of his term of office. [Bylaws: Section 4.07]

Section 3–Member Voting Qualifications

Section 3.1–Qualifications for Membership Voting

Only Owners of record, as defined in the Association's CC&Rs, are qualified to be a Member of the Association (CC&Rs: Article I, Section 1.28). A Member shall be entitled to one (1) vote for each Lot or Unit owned. Apartment Owners shall have one (1) vote for each apartment Unit owned (CC&Rs Article V, Section 5.02(b)). When more than one person holds an interest in any Lot or Unit, all such persons shall be Members. The vote for such Lot or Unit shall be exercised as they among themselves determine, but in no event shall more than one (1) vote be cast with respect to any Apartment Lot or Unit.

Section 4 – Campaign Rules

Section 4.1 – Content

With regard to SAMLARC materials both written and electronic, the Association shall not edit or redact any content from Candidate messages, but may include a statement specifying that the Candidate, and not the Association, is responsible for the content of any published statement. Candidate statements shall be limited to 250 words. Statements exceeding 250 words shall be cut at 250 words.

Where the election is not for election of a Director and is "for" or "against" an issue or ballot measure, then the Association shall not edit or redact any content from a Member statement, but may include a statement specifying that the Member, and not the Association, is responsible for the content of any published statement.

In compliance Civil Code §5135, names, biographies, and photos of incumbent Board Member candidates shall be removed from all publications a minimum 30 days prior to the Election.

Section 4.2 – Access

All Candidates will be provided the same opportunities for publication in SAMLARC media. SAMLARC may restrict the availability of any SAMLARC no-cost publication by limiting the number of opportunities for print space made available and/or the number of words that will be included from each Candidate or member in SAMLARC's no-cost publication.

Candidates will be offered the opportunity to be part of a Candidate Forum.

Section 5 – Secret Ballot and Tabulation

Any count or tabulation of ballots shall be conducted at an open meeting of the Membership. Any Candidate or Member may observe the count but shall stand at least 20 feet away from the Inspector(s) of Election.

SAMLARC is prohibited from denial of a ballot to a member for any reason other than not being a member at the time when ballots are distributed.

SAMLARC is prohibited from denial of a ballot to a person with general power of attorney for a member.

SAMLARC requires the ballot of a person with general power of attorney for a member to be counted if returned in a timely manner.

SAMLARC shall require the Inspector or Inspectors of Elections to deliver, or cause to be delivered, at least 30 days before an election, to each Member both of the following documents:

1) The ballot or ballots.
2) A copy of the election operating rules. Delivery of the election operating rules may be accomplished by either of the following methods:
    A. Posting the election operating rules to an internet website and including the corresponding internet website address on the ballot together with the phrase, in at least 12-point font: "The rules governing this election may be found here:"
    B. Individual delivery.

While SAMLARC is not required to apply Civil Code §5120 to elections conducted by Delegates, there is no prohibition against SAMLARC choosing to follow that section. SAMLARC shall follow the procedures of Civ. Code §5120(a):

All votes shall be counted and tabulated by the inspector or inspectors of elections, or the designee of the inspector of elections, at a properly noticed open meeting of the board or members. Any candidate or other member of the association may witness the counting and tabulation of the votes. No person, including a member of the association or an employee of the management company, shall open or otherwise review any ballot prior to the time and place at which the ballots are counted and tabulated. The inspector of elections, or the designee of the inspector of elections, may verify the member's information and signature on the outer envelope prior to the meeting at which ballots are tabulated. Once a secret ballot is received by the inspector of elections, it shall be irrevocable.

Any person violating this Section may be asked by the Inspector of Elections to leave the meeting to prevent further disruption.

The authenticity, validity and effect of each Delegate Casting Ballot shall be determined by the Inspector(s) of the Election on the night of any election. The polls for any vote of the Membership shall open on the date the Secret Ballot is mailed and shall close two days prior to the election at 5:00 p.m.

Section 6 – Election Results

Section 6.1 – Election Results

The results of the election shall be promptly reported to the SAMLARC Board of Directors within 15 days of the election, using the "Certificate of Inspectors of Election – Election of Directors" form; recorded in the Minutes of the next meeting of the Board of Directors; and be available for review by Members of SAMLARC. The results shall also be published online at SAMLARC.org within 15 days of the election.

The above reporting aligns with Civil Code § 5120(b): The tabulated results of the election shall be promptly reported to the board and shall be recorded in the minutes of the next meeting of the board and shall be available

for review by members of the association. Within 15 days of the election, the board shall give general notice pursuant to Section 4045 of the tabulated results of the election.

Once the results of the election are determined and announced at the Annual Meeting, all ballots and the outer envelopes will be made available for inspection by any Candidate or Member during regular business hours under the supervision of the Inspector of the Election at the SAMLARC Business Office or designated facility, within the one-year retention period.

Section 6.2 – Election Audit

An Election audit and report must be conducted and presented by the Election Auditor (Corporate Counsel) at the March Board of Directors Meeting following an election and the final Certification of the Election Form to be signed by the Election Auditor (Corporate Counsel) the night of the Election prior to being announced.

Section 7 – Receipt, Retention and Destruction of Prior Election Ballots

Once the polls open, all ballots are received and retained at either the SAMLARC Business Office or the facility belonging to the designated inspector(s) of the election. Once the election has concluded, the ballots are retained and archived at the SAMLARC Business Office or the facility belonging to the designated inspector(s) of the election. Materials will be removed and destroyed after one year.

Section 8 – Delegate Information

Candidates and/or Members requesting Delegate contact information reflecting Delegate name, Property Management Company address and Property Management Company telephone number shall be provided the information at Candidate's/Member's written request. Candidate or Member may also be directed to SAMLARC.org.

Section 9 – Absentee Casting Ballots

Absentee Delegate Ballots shall be allowed for all delegate districts, which include sub-maintenance districts, non-sub-maintenance districts, and apartment delegate districts.

Section 10 – Election Process

Section 10.1 – Tabulation Process (day prior to the Election)

SECTION 10.1(A) TABULATION LOCATION

Tabulation of ballots shall take place in a facility large enough to accommodate the counting process. Such facility shall be secure, indoors, and located within the City of Rancho Santa Margarita or at the designated inspector of election's place of business.

SECTION 10.1(B) – DELEGATE CASTING BALLOT

Tabulation shall occur by hatch marks || 𝍸 next to the corresponding Candidate's name.

SECTION 10.1(C) – DELEGATE CASTING BALLOT PACKET

Delegate Casting Ballot Packet shall include Member ballots for that Delegate District and the Delegate Casting Ballot. These documents shall stay together at all times.

Section 10.2 – Election Night Process

Process shall be as follows:

a) Each Delegate shall provide an official signature to receive their Delegate Casting Ballot packet.
b) Delegates are directed to the Tabulation Room where they will count hatch marks, enter totals, sign the Delegate Casting Form and submit the packet to the Inspectors of Election.
c) If there is a discrepancy, where the hatch marks do not match the ballots, the Delegate will notify the Inspectors of the Election who will review, correct and officially verify results with initials or signature.

SECTION 10.3 –RECORD OF DELEGATE ATTENDANCE

The record of Delegates who attended the Election, used the Delegate Absentee Casting Ballot, and those who did not attend the Election will be kept on file for one year following the Election in the SAMLARC Business Office.

Chapter 3: Delegate Voting System & Member Rights

Section 1 – Authority for Adoption of Rules, Voting Forms (Proxy Forms, Registration Books, and Voting Procedures)

The Board may adopt, amend and repeal from time to time such rules and regulations as it deems reasonable and appropriate to establish uniform voting forms, including without limitation, proxy forms, registration books and voting procedures to be utilized by the Delegate Districts. [Bylaws: Section 3.09]

Section 2 – Appointment and/or Election of Delegates

Section 2.1 – Subordinate Maintenance Corporation:

Each president of a Subordinate Maintenance Corporation shall be the Delegate of the Delegate District comprised of the property covered by the Subordinate Declaration of such Subordinate Maintenance District. The Vice President shall perform all of the duties of the Delegate in the absence or disability of the President pursuant to the provisions of the bylaws of such Subordinate Maintenance Corporation. The appointee to fill any vacancy in the office of President of any such Subordinate Maintenance Corporation shall automatically become the appointed Delegate of such Delegate District. [Bylaws: Section 3.10 (a) and see also Chapter 3 Section2.2 below.]

If the President or Vice President of the Subordinate Maintenance Corporation is unable to attend the Election on behalf of their Delegate District, the Subordinate Maintenance Corporation Board of Directors may appoint a member from the Subordinate Maintenance Corporation to act on behalf of the Delegate District.

Section 2.2.-Non-Subordinate Maintenance Corporation

The membership of each Delegate District that is comprised of property that is not encumbered by a Subordinate Declaration of a Subordinate Maintenance Corporation shall have the right to elect a Delegate to represent such Delegate District and to fill any vacancy that may have been created by the death, resignation, disqualification or removal of any Delegate. Any such Delegate shall be elected at a meeting of the Delegate District duly called for such purpose in accordance with the requirements of the Section [of the By-laws] entitled “Delegate District Meetings.” The Board shall have the right to appoint a Delegate to represent the membership of any such Delegate District in the absence of any such election or to serve until any such Delegate is duly elected. [Bylaws: Section 3.10]

Section 2.3 – Qualifications of Delegates

All Delegates must be Members of SAMLARC. [Bylaws: Section 3.10]

Delegates who fail to cast the ballots for the Election of the Delegate District shall be considered for removal and replacement in accordance with Bylaw Section 3.12 Removal of Delegates.

Section 2.4 – Power to Delegate

Any Delegate shall have the power to delegate to any other person and/or to committees any of the duties and powers of a Delegate under the SAMARC Management Documents [Bylaws: Section 3.10]

Section 3 – Voting Power of Delegates

Section 3.1 – Certifications

All Delegates shall furnish written confirmation to the Board of their appointment or election together with the official address to be used for the purpose of providing notice to Delegates of SAMLARC matters. SAMLARC shall not be obligated to recognize any Delegate, or any person to which such Delegate has delegated any powers and duties, or the votes or assents of Members cast by any such person unless it has first received written confirmation of such appointment or election from the Delegate. [Bylaws: Section 3.11]

If required by the Board, each Delegate shall provide written certification as to the voting power of the Members within his Delegate District. [Bylaws: Section 3.14]

Section 3.2 – Authority

Any Delegates casting votes on behalf of the Members will be deemed to have acted with the consent and authority of all such Members. [Bylaws: Section 3.14]

Section 3.3 – Casting Votes for Quorum

The Delegate representing a Delegate District shall be entitled to cast the total voting power of the Delegate District at any meeting of SAMLARC for the purpose of establishing a quorum. [Bylaws: Section 3.14]

Section 3.4 – Casting Votes of Members

All meetings of SAMLARC shall be attended by Delegates representing and casting the votes of the Members of their respective Delegate Districts. [Bylaws: Section 3.09]

However, on actions requiring votes “for” and “against” any actions, each such Delegate shall cast the actual number of votes as the Members in the Delegate District voted “for” or “against” such actions. [Bylaws: Section 3.14]

Volunteer Board Director Application for Nomination - 2027 Election

Fill out the form below to submit your Application for Nomination of Candidacy. The application does not guarantee nomination for candidacy in the 2027 SAMLARC Election. Each application will be reviewed by the 2027 Election Committee, who will determine applicants' eligibility for nomination.

Paper forms are available at the SAMLARC Business Office, located at 22342A Avenida Empresa Suite 102A, Rancho Santa Margarita, CA 92688.

Before submitting an application, review the full Board Director Application Packet for important information on:

1. Ethics Policy & Code of Conduct
2. Board Member Protocols
3. Director at Large Responsibility
4. Board Meeting Calendar
5. Election Policies & Guidelines Manual
6. Application for Nomination (reference only; submit online)

If nominated, candidates agree to adhere to the provisions of the documents.

Applications must be received by 5:00 p.m. on October 9, 2026. If applicable, please email your resume to info@samlarc.org. By submitting the form, the applying Member certifies and attests, under penalty of perjury, that the information provided on this form is true, correct, and complete to the best of the Member's knowledge.

* Indicates required question

1. Email *

Background Information

2. Full Name *

3. Home Address *

4. City *

5. Phone *

6. Email *

7. How long have you been an Owner of Record on Title to the property in SAMLARC? *

8. Is your SAMLARC address your year-round place of residence? If you do not reside at the property, please provide address of residency:

Director Qualifications & Responsibilities

9. Please accept all qualification requirements. *

Check all that apply.

- [ ] Must be an Owner of Record On Title to property within SAMLARC.
- [ ] Must be a SAMLARC Member for at least 1 year.
- [ ] Must be current in the payment of regular and special assessments.
- [ ] Must NOT serve on the board at the same time as another person who holds joint ownership interest in the same parcel.
- [ ] Must NOT have a past criminal conviction that would prevent SAMLARC from purchasing fidelity bond coverage or terminate SAMLARC's existing fidelity bond coverage.
- [ ] Applicants who serve on a Subordinate Maintenance Corporation cannot serve as an Officer of SAMLARC, but may serve as a Director At Large.
- [ ] Applicants who serve as elected officials are ineligible for service on the Board of Directors.

10. Please accept all responsibilities requirements. *

Check all that apply.

- [ ] The Board of Directors meeting schedule includes a minimum of 12 Board of Directors meetings per year (4th Tuesday of each month, beginning at 5:00 p.m.*) and I agree to be present for 9 of said meetings in a calendar year. Each meeting averages 2 ½ to 3 hours per meeting. (*subject to change)
- [ ] Directors are expected to be ready for each Board meeting and that advance preparation includes thorough review of the Board Meeting packet, which is anticipated to average approximately 2-3 hours per meeting.
- [ ] I understand that I am expected to serve on a minimum of two (2) Board appointed Committees and/or as a Board Liaison to a special project, which is anticipated to average approximately 3 hours per month.
- [ ] I understand that I am expected to attend miscellaneous activities and meetings as needed, including but not limited to goal setting session and meetings with the Community Executive Officer, which is anticipated to average approximately 12 hours annually.
- [ ] The time commitment for a Board Director averages 16-20 hours per month.

Disclosures

11. Are you currently a Director or Officer of a SAMLARC Subordinate Maintenance Corporation? *

Mark only one oval.

- Yes
- No

12. If yes, include the name of Subordinate Maintenance Corporation and position. *

_____

13. Do you owe SAMLARC an undisputed debt for assessments, penalties, costs, interest, late charges, and/or any judgment or fine which is more than 90 days old? *

Mark only one oval.

- Yes
- No

14. Have you ever been convicted of a felony? *

Mark only one oval.

- Yes
- No

15. Are you married to, or related by blood, or share a common household with any other Member of the Board of Directors or an employee of the management company? *

Mark only one oval.

- Yes
- No

16. Are you currently engaged in or have you previously been in any litigation with SAMLARC? *

Mark only one oval.

- Yes, currently engaged
- Yes, previously engaged
- No

17. Do you have any financial interest in matters relating to SAMLARC or companies that conduct business with SAMLARC? *

Mark only one oval.

- Yes
- No

18. Are you a Rancho Santa Margarita City Council Member or Planning Commissioner? *

Mark only one oval.

- Yes
- No

Education & Occupation

Do not cross-reference with "see resume."

19. Professional Experience: Please list your present and past professional experience (you may send a bio/resume to info@samlarc.org) *

20. Highest Level of Education *

Mark only one oval.

- High School
- College Graduate
- Postgraduate

Board or Committee Experience

21. Have you been involved in SAMLARC (e.g., committee member, delegate, sub-committee, etc.)? If so, describe your experience (including positions held and dates of service). *

22. Do you currently or have you previously served on any other Maintenance Corporation or Homeowners Association Board of Directors? *

Mark only one oval.

- Yes *Skip to question 23*
- No *Skip to question 28*

Non-SAMLARC Maintenance Corporation/HOA Experience

23. Name and type of Association *

24. Is this Association part of SAMLARC? *

Mark only one oval.

- Yes
- No
- Unsure

25. City *

26. Dates of Service *

27. Are you a current Officer (President, Vice President, Secretary, or Treasurer/Chief Financial Officer) of any Board of Directors within SAMLARC (i.e., a Subordinate Maintenance Corporation)? If so, please include the ending date of your current term. *

Please note: If you serve on a Subordinate Maintenance Corporation, you will be ineligible to serve as a SAMLARC President, Vice President, Chief Financial Officer, or Secretary for the duration of your service on a Subordinate Maintenance Corporation Board.

Community Service

28. Have you been involved in any volunteer community service organizations? If so, what kinds of organizations? Select "None" if not applicable *

Check all that apply.

- [ ] City/Local Government
- [ ] Professional Organizations
- [ ] Nonprofit Organizations
- [ ] Schools
- [ ] Church
- [ ] None
- [ ] Other: _____

29. Please describe your experiences with each organization, including any date(s) and office(s) held. Insert "NA" if not applicable. *

Knowledge of SAMLARC

30. What is your understanding of the scope of SAMLARC's responsibilities? *

31. What do you hope to achieve if you are selected to serve as a member of the Board? *

32. What aspects of serving on the Board of Directors most interest you? *

Skills Inventory

33. Describe your experience with working within a team and/or building consensus. Please provide examples. *

34. Service Skills *

Mark only one oval per row.

	Beginner Experience	Intermediate Experience	Advanced Experience
Landscape/Architecture			
Finance			
Administration			
Information Systems/Technology			
Legal/Contracts			
Management			
Human Resources			
Operations/Projects			
Marketing/Public Relations			
Recreation/Special Events			
Negotiations			

35. All Board Directors also serve on Committees. Rate your interest in each Committee. *

Mark only one oval per row.

	High	Medium	Low
Architectural Review			
Budget & Cash Flow			
Communications			
Community Lifestyle			
Covenant (Violations)			
Insurance Review			
Landscape & Facilities Enhancement			
Youth Sports Council Committee			

36. Describe any additional skills or experience you feel is pertinent to service on the Board of Directors. *

This content is neither created nor endorsed by Google.

Google Forms