

**NEPENTHE ASSOCIATION
BOARD OF DIRECTORS MEETING
September 6, 2017, 5:30 PM**

Nepenthe Clubhouse | 1131 Commons Drive | Sacramento, CA 95825

WELCOME

Thank you for attending. This is a business meeting, open to members of the Nepenthe Association and guests of the Board. The primary purpose of the meeting is to ensure that the Association is meeting its responsibility to maintain the property and to serve homeowners.

Two three-ring binders with supporting documentation for agenda items are available in the room for homeowner use. Please share them. The packets are always available in the office at least four days prior to Board meetings.

Please silence all electronic devices. These proceedings may be recorded to assist with the preparation of minutes. The Board appreciates your cooperation.

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| OPEN SESSION AGENDA |
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I. CALL TO ORDER

| Present | Arrival | Board Member | Positon | Departure |
|---------|---------|------------------|-----------------|-----------|
| | | Steve Huffman | President | |
| | | Joan Haradon | Vice President | |
| | | Linda Cook | Secretary | |
| | | Christina George | Treasurer | |
| | | Frank Loge | Member at Large | |

II. ANNOUNCEMENTS

- a. **Executive Session Disclosure:** In accordance with Civil Code Section 4935(a), the Board met in Executive Session on September 6, 2017 in order to consider matters relating to personnel matters, contract negotiations, legal matters and member discipline.
- b. **Board Announcements**
 - i. As the Board moves through the agenda, members may comment or ask questions about any agenda item during the two homeowner forums. Please address all comments or questions to the chair. The Board will be unable to accept comments or questions from the floor during its deliberations.

III. COMMITTEE REPORTS

- a. Ad Hoc Committee on Lighting**See New Business**
- b. Ad Hoc Committee on Underground Utilities
- c. Architectural Review Committee **Pages 7-9**
- d. Finance Committee **Pages 10-11**
- e. Grounds Committee **Page 12**
- f. Insurance, Legal and Safety Committee **Pages 13-14**
- g. Outreach Committee

- IV. **MANAGEMENT REPORT** **Pages 15-17**
- V. **HOMEOWNER CORRESPONDENCE**
 - a. Parking Correspondence **Pages 18-41**
 - b. General Correspondence **Pages 42-51**

VI. **HOMEOWNER FORUM**

In accordance with California Civil Code Section 4920(a), the Association must post or distribute the agenda for Regular Session Meetings no fewer than four (4) days prior to a Regular Session Meeting. During Homeowner Forum, items not included on the agenda that are raised by homeowners may be briefly responded to by the Board and/or Management; however, no action may occur with respect to that item unless it is deemed an emergency by the Board of Directors and developed after the agenda was posted and/or distributed. The Board of Directors may refer informational matters and direct administrative tasks to Management and/or contractors. Each homeowner will be given three (3) to five (5) minutes to speak in accordance with the Open Meeting Act, California Civil Code 4925(b), or a total of twenty (20) minutes will be granted for all to address the Board of Directors regarding items of interest or concern.

- a. Parking Comments
- b. General Comments

- VII. **CONSENT CALENDAR** In an effort to expedite the Board meetings, Management has placed several business items on a Consent Calendar. Please review the items prior to the meeting so that you may have your questions answered in advance. Action required: Board Resolution.
Proposed Resolution: The Board approves Consent Calendar items A to E as presented.

Begin Consent Calendar

- a. **Approval of Minutes August 2, 2017 Open Session**..... **Pages 52-55**
Proposed Resolution: The Open Session minutes dated August 2, 2017 are approved as presented.
- b. **Financial Statement: July 2017** **Pages 55-67**
Proposed Resolution: The Board accepts the July 2017 interim financial reports and bank reconciliations as presented, subject to annual review. The reports reflects a positive year to date variance of \$154,118 and reserve funding of \$1,216,650 compared to the reserve funding budget of \$1,190,2940. The reserves are funded through July 2017. The Association has \$458,402 in operating funds, which represents 1.64 months of budgeted expenses and reserve contributions. The Association has \$6,325,383 in reserve funds.
- c. **Lien Resolution** **Page 68**
Per the enclosed Resolution dated August 17, 2017, Management is requesting authorization to place liens on the following accounts should the delinquent assessments not be paid within the time period established in the Intent-to-Lien letter.

| Account Number | Past Due Amount |
|----------------|-----------------|
| 2000-01 | \$938.00 |

d. **Architectural Applications** **Pages 69-75**

The Architectural Review Committee met on August 8, 2017 to review the enclosed applications.

Proposed Resolution: The Board confirms the recommendations of the committee.

| | <i>Address</i> | <i>Application for</i> | <i>Recommendation</i> |
|----------|-----------------|------------------------|-----------------------|
| 1 | 407 Dunbarton | Window Replacements | Approval |
| 2 | 1049 Commons | Window Replacements | Approval |
| 3 | 1049 Commons | Solartubes | Approval |
| 4 | 1521 University | Window Replacements | Approval |
| 5 | 2320 Swarthmore | Window Replacements | Approval |
| 6 | 2330 Swarthmore | Window Replacements | Approval |
| 7 | 801 Dunbarton | HVAC Replacement | Emergency Approval |

e. **Charter for the Outreach Committee**.....**Page 76**

In accordance with the 2017 Board Goals, the directors will consider the adoption of the enclosed Charter.

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| <i>End Consent Calendar</i> |
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VIII. UNFINISHED BUSINESS

a. **Proposed Parking Rules** **Pages 77-78**

The Board of Directors reviewed the enclosed DRAFT Parking Rules at their July 5th Open Session. The Board will consider whether to adopt the rules or discuss other options.

Directors Loge and George have prepared the enclosed memo. This memo simply outlines four possible actions to improve the parking situation as it currently exists with the tools already available. The action plan also includes follow up reporting at the October 4th Open Session.

Action required: Possible resolution

b. **Discussion: Put the 2017 Landscape Contract to Bid?**

GP Landscape has been in contract with Nepenthe since September 2012. The contract was last put out to bid in June 2015 and GP Landscape was the choice of the Board at that time. The grounds contract is the largest monthly contract that the association manages.

The Grounds Committee was asked to provide its recommendation on whether to put the contract to bid. They discussed the matter at their June 2017 meeting and made the recommendation in their minutes to maintain the current contract. They did find some performance shortcomings, specifically in the subject of reporting. To that end, they have formed a sub-committee to investigate the shortcomings and work with GP to improve the performance.

The Finance Committee was also asked to provide a recommendation

Action required: Board discussion and resolution.

Proposed resolution: The Board hereby agrees to solicit/not solicit bids for the monthly landscape monthly maintenance contract.

IX. NEW BUSINESS

a. **Insurance Renewal Pages 79-84**

The Insurance, Legal and Safety Committee has reviewed the Farmers renewal policy including the property limits, liability limits, professional and director & officers liability limits. The Farmers renewal meets or exceeds the insurance requirements set by the committee and the association. It is the recommendation of the committee that the Board of Directors approve the renewal as presented.

Action required: Board resolution

Proposed resolution: The Board accepts the renewal offer from Farmers in the amount of \$93,670 annually to be paid in 12 monthly installments from operating funds.

b. **Proposal for Construction Management Services to Conduct Roof InspectionsPages. 85-95**

Our roofs were installed between 2004-2007. They are halfway through their useful life and the Reserve Study does call for inspections and repairs at this point. The enclosed proposal from CM Squared is to provide inspection of the roofs, the preparation of the scope of necessary repairs, oversight of the bidding process and the management of the repair process.

Action Required: Board Resolution.

Proposed Resolution: The Board approves the proposal from CM2 Construction Management in the amount of \$5,900, payable from Reserves which has a 2018

allocation of \$61,987. Management to negotiate and prepare contract for Board signature.

c. Proposals for Tree Maintenance Work Pages 96-101

Arborist Paul Dubois of The Grove Total Tree Care walked the property on July 25, 2017 accompanied by General Manager Bettsi Ledesma. The purpose of the walk was to inspect trees identified by residents, Grounds Committee members and management as potentially failing and/or hazardous and to complete an overview inspection of the trees in Zones 3-4. His report was provided to the Grounds Committee who reviewed the report and proposals at their August 10, 2017 meeting. The Grounds Committee voted to recommend Board approval of the attached proposals.

Action required: Board resolution.

Proposed resolution: The Board approves the removals and specific tree pruning as proposed by Grove Total Tree Care for the amount of \$15,675, payable from Reserves which has a remaining 2017 allocation for tree work of \$55k +/-.

d. Proposal for Drains at 1106-1136 Vanderbilt.....Pages 102-106

The enclosed proposal was received from 1st Call Plumbing & Sewer Service and is recommended for approval by management. The pricing includes all parts and labor. Photos of the area in question are included for the Board review.

Action required: Board resolution

Proposed resolution: The Board accepts the proposal from 1st Call Plumbing & Sewer Service to install approx. 160' of 3" hard pipe with approx. 10 catch basin for drainage for a fee of \$9,000 to be paid from the Grounds Reserves which has a 2017 remaining allocation of \$713,192+/-.

e. Received Report of AD HOC Lighting Committee.....Pages 107-144

The Board commissioned this committee whose task is to estimate the cost of replacing lighting in the common area, considering the condition of current lighting, safety and future electricity use possibly offset by solar power. Produce a map showing the location of fixtures, their specifications and a multi-year budget for use in the reserve study. Have the final report to the board for its September 6 meeting so that the projected costs can be integrated into the next reserve study.

Action required: Board discussion

X. HOMEOWNER FORUM

In accordance with California Civil Code Section 4920(a), the Association must post or distribute the agenda for Regular Session Meetings no fewer than four (4) days prior to a Regular Session Meeting. During Homeowner Forum, items not included on the agenda that are raised by homeowners may be briefly responded to by the Board and/or Management; however, no action

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XI. NEXT MEETING: Wednesday, September 6, 2017 at 5:30 pm in the Nepenthe clubhouse

XII. ADJOURN

NEPENTHE ARCHITECTURAL COMMITTEE MINUTES

Tuesday, August 8, 2017 at 5:30 pm in Clubhouse

Members present: Jenny Smith, chair; Cheryll Cochrane, Alan Watters, Bill Henle, Jan Summers, Diane Vanderpot, Joel Weeden.

Members absent: None.

Present: Bettisi Ledesma, Gen. Manager; Ann Rowland.

Meeting was convened at 5:34 pm.

A. Welcome and Opening Remarks. Introductions.

B.1. Homeowner requests not decided on: none.

B.2. Homeowner Requests Recommended to be Approved. (With conditions if so noted.)

1. **407 Dunbarton Circle** – Gabriella and Sam Slaughter – In this 4400 all windows and patio sliders are to be replaced: via retrofit installation five windows and two patio sliding doors using MonteVerde’s BayView vinyl-framed windows, in exterior color bronze. Contractor is Luxem. **Approval Recommended with Conditions: that the BayView windows be retrofitted within the existing metal frames (slider replacement will follow new construction installation standards) and with the conditions that border frame exposure will not exceed a width of 3.0 inches and that the horizontal frame between stacked windows will not exceed a width of 3.5 inches.**
2. **1049 Commons Drive** – Ann Wilson Rowland – Windows replacement in this 1776 model: Replace via retrofit installation five windows using Anlin’s Monte Verde BayView Optimum View vinyl-framed windows, in exterior color bronze. Contractor is to be Hawkins Exteriors, in Sacramento. Installation will be retrofit, exterior frame color will be bronze and exposure will be between 2.5 and 3.25 inches (depending on placement of existing wood trim), and tempered safety glass will be used in the stairwell window. In addition, Ann asked in writing for approval to move a second-floor bedroom window vent to the opposite end of the window (maintaining the 1/3 X 2/3 configuration). This reconfigured window is above a first-floor blank wall and would maintain the original offset appearance. **Approval Recommended with Conditions: That approval be based on the revised contract dated August 18, 2017 for retrofit replacement of all five windows (existing two sliders will remain) by Hawkins Exteriors using BayView Optimum View vinyl windows and allow for moving a second-story bedroom window vent panel to other end of window while maintaining the 1/3 X 2/3 horizontal configuration.**

3. **1049 Commons Drive** – Ann Wilson Rowland – In this 1776 model, install two 10-inch diameter Solatubes in the roof over the two second-story bathrooms. Contractor will be JMJ Natural Lighting. **Approval Recommended.**
4. **1521 University Avenue** – Jan Summers – Windows replacement in this 4400 model: Install two sliding windows via a retrofit installation using Brothers California Series (vinyl) windows to replace the living room and master bedroom window. The exterior color is “Bronze.” Contractor is Brothers Home Improvement. This is the same product and contractor that were approved in January, 2017 for earlier windows replacement. (Committee member Jan Summers abstained from voting on her own application.) **Approval Recommended.**
5. **2320 Swarthmore Drive** – Teri DeGross – Windows replacement in this 2300 model: Replace five windows and three patio sliders by Hall’s using fiberglass-framed Infinity from Marvin. There would be no change in configuration. The final exterior frame exposure will be 1.25 inches. The exterior color is “Bronze.” This product has previously been approved by Nepenthe. **Approval Recommended with Conditions: That approval be for the Hall’s retrofit replacement of all windows and sliders (maintaining the same configuration) by Hall’s using the Infinity fiberglass product on the condition that frame style and final installation appearance is the same as the 1008 Dunbarton Circle windows.**
6. **2330 Swarthmore Circle** – Martin Ward – In this 3300 all windows and patio sliders are to be replaced: via retrofit installation five windows and two patio sliding doors using MonteVerde’s BayView vinyl-framed windows, in exterior color bronze. Contractor is Luxem. **Approval Recommended with Conditions: that the BayView windows be retrofitted within the existing metal frames (slider replacement will follow new construction installation standards) and with the conditions that border frame exposure will not exceed a width of 3.0 inches and that the horizontal frame between stacked windows will not exceed a width of 3.5 inches.**

B.2.A. Homeowner Requests Already Approved:

7. **801 Dunbarton Circle** – Tom and Ruth LeBlanc – HVAC system repair, on an emergency basis, in this 2200 Model: install a Trane XR14 air conditioning compressor, along with a new coil in the attic furnace. Outdoor compressor is to be located in the original location. The existing refrigerant line set will be re-used. **Emergency Approval granted August 25, 2017.**

B.3. Homeowner Requests Not Approved: none.

C. Approval of Minutes: done via email.

D. Reviewed Non-Compliance Notices from Homeowners:

Joel is handling the matter of 1318 Commons' new window installation having new window trim installed that is 3 ¼" wide. He has called Gary Lee and has got them to agree to replace it with trim 2 ¼" wide.

F. Old Business: none.

Steve Farrar's windows application for 1009 Dunbarton was reviewed and summarized.

G. New Business:

In a brief bit of housekeeping, reviewed was the deadline for submitting agenda items. In emails, recommended subject line format is "123 Commons – windows."

- 1) Estoppel Process – Cheryl and Jenny. Brief update. Alan to edit text.
- 2) Security Camera Criteria – Bill is working on this. The Koto-Benders at 504 Elmhurst have kindly welcomed ARC member to visit and view the setup.
- 3) Alan has not yet begun to re-edit the Criteria on Exterior lighting.

H. Meeting adjourned at 6:53 pm.

I. Next meeting. Next regular meeting on Tuesday, September 12, at 5:30 pm in the Clubhouse.

Respectfully submitted, Alan Watters, A.R.C. secretary

Meeting Minutes
Nepenthe Finance Committee
August 31, 2017

The Finance Committee met in Bettsi's office at 4:00 pm on August 31, 2017. Those in attendance included:

Bettsi Ledesma, staff
Christina George, Board of Directors Liaison
Will Vizzard, Committee Member
Susan Timmer, Committee Member
John Baker, Committee Chair.

I. The Committee discussed whether to recommend to the Board to extend the current landscaping contract with GP. It was decided to recommend extending GP's contract, with the stipulation that the Grounds Committee work to reduce the annual reserve expenditure by 10-15%. It was also recommended that more transparency be applied to the landscaping work, in particular keeping Owners apprised of the status of their requested work orders.

II. The Committee then discussed the recent history of siding replacement and painting. After some discussion, it was decided to ask the Browning Reserve Group to extend the siding replacement cycle to 8 years rather than the current 6 years. The purpose of this "paper exercise" will be to determine the impact on the reserve portion of the Owner assessment. It was also decided that when the siding replacement comes due again, that the work scope include second stories rather than the past history of assuming a 25% increase in cost based on first story estimates alone. It was also discussed whether the Association should next time hire a construction manager, with the expressed purpose of controlling costs.

III. The Committee then discussed Browning's first draft Reserve Study for 2018. The Committee had a list of 15 possible adjustments to the study. The most significant possible adjustment, as mentioned above, is to change the siding replacement program to an 8-year cycle rather than 6. In addition, it was decided to include fencing replacement in the same cycle as the siding in order to benefit from the reduced mobilization costs. Other items included, but are not limited to, deleting the sauna replacement in the Dumbarton cabana, eliminating the item to replace the chain link fencing in all tennis court areas, delaying the replastering of all swimming pools by 3 to 4 years, and removing the duct work replacement from the work to replace the HVAC system in the Clubhouse. Bob Browning agreed to re-run his numbers and get back to the Association by September 5 or 6.

IV. Lastly, the Committee discussed the draft 2017-2018 Association budget. There were several questions of Bettsi which she answered. Specifically, she was asked to: confirm with PG&E her estimated natural gas rate increase; check with the Association's insurer on the projected flood insurance costs; and report back to the committee after the FirstService contract for staff salaries is finalized. The Committee did NOT take action on making a recommendation regarding the budget; reserving that for a future date after the above and other issues are resolved.

There being no further business before the committee, the meeting was adjourned at 6:15 pm.

Respectfully submitted,

John Baker
Chair

Nepenthe Grounds Committee Meeting Minutes

August 10, 2017 - 3:00PM - Dunbarton Cabana

Present: Pam Livingston, Committee Chair; General Manager, Bettsi Ledesma; GP Landscape, George Procida,; The Grove Arborist, Paul Dubois; Irrigation, Marty Henderson; Zone 1 - Diane Luttrell; Zone 2 - Elsa Morrison and Diana Mortimore; Zone 3 - Lyn Livingston, Ken Gromacki; Zone 4 - Kay Chmielewski; Zone 5 - Pam Sechrist; Zone 6 - Kathy Waugh and DianaVizzard:

Absent: Board Liasion – Linda Cook; Zone1 - Grace Long; Zone 3 – Liza Tafoya; Zone 4 – Don Landsittel; Zone 7 - Renee Mendez

Guest – Board Member – Frank Loge

The meeting was called to order by committee chair, Pam Livingston at 3:00PM.

REPORTS:

Irrigation – August 1, 2017 Report by Marty Henderson – “ [I just got word from the City to go ahead and finish up on the approved portion of Zone 6. Alek will return from vacation on the 14th. He will come out to walk the rest of Zone 6 and proceed to Zone 5 for approval. The application was for the \\$50K rebate, so hopefully we can get Zone 5 finished with this funding.](#)” (This will be the third rebate for a total of \$150K)

George Procida, GP Landscape –Jay and crew have started trimming in Zone 3. He will be here for the rest of the year. Tyler will be here in about two weeks to start the next phase of drip irrigation.

Manager, Bettsi Ledesma – Bettsi introduced a new “ Grounds Concerns Log” to record all the Grounds issues that come to her though out the week. She will forward the report to the Zone Stewards before their walks. We discussed the Grounds Reserve accounts.

Arborist, Paul Dubois of The Grove Total Tree Care discussed setting up a proactive-calendar to treat trees for fruit prevention, pests, funguses and deep root watering. It was agreed that the specific trees to treat needed to be identified before recommending action to the Board. Paul also walked the group through the July 25 Tree Walk Report.

[REQUEST FOR BOARD ACTION - July 25, 2017 Tree Walk](#)

[The Grounds Committee recommends to the Nepenthe Board of Directors the remedies recommended in the July 25, 2017 Nepenthe Tree Walk Report by Paul Dubois, Arborist, with The Grove Total Tree Care.](#)

[Motion - made by Pam S and seconded by Diana V - The motion passed unanimously.](#)

Next Tree Walk – Tuesday, August 29th – Zone 5

Next Grounds Meeting – Thursday, September 14th - 3:00 PM – Dunbarton Cabana

The meeting was adjourned at 5:15PM

MINUTES

ILSC

Aug 8, 2017, 5:00 PM
Nepenthe Library

IN ATTENDANCE:

Nancy Arndorfer, Chair
Mike Cochrane
Bill Olmsted
Steve Huffman, Bd. Liaison

ABSENT:

Jerry Dunn
Greg Beale

Nancy called the meeting to order at 5:05 PM

The minutes of the July 11th meeting were unanimously excepted as written

NEW BUSINESS:

There were no new business items brought up other than major kudos to Jerry for a job well done on the article he wrote on the HOA insurance in the last newsletter.

UNFINISHED BUSINESS:

The whole parking issue was revisited (again!!) Mike said that the legal opinion that the Board was using for justification to regulate public street parking was a 1978 New Jersey case that has never been certified in our courts and which probably would have no legal standing if litigation were to occur. Steve spoke of the Board meeting on 8/2 where there was much discussion re the whole issue (once again!!) and that the new proposed rules were not brought up for approval at that time. He said that he and VP Joan were the only two that drafted those proposed rule changes and that not all Board members are on board with them at this point. He said that hopefully that they would be presented to the Board for final approval at the Sept Board meeting. Mike again stated that the proposals as written would probably not stand up to a court challenge and that the City may not back them.

The defibrillator issue was also revisited, and it was Mike's opinion that it should be a Board decision for the HOA to think about buying and using one. He said that there was a definite element of risk v. possibly saving a life. The committee was divided on the issue, and Mike stated that there were a lot of moving parts to be considered, and that he would write up a separate statement on the subject. Mike's statement will be added as an addendum to these minutes separately.

BOARD ACTION:

Review Mike's addendum along with the package of information presented to us at our June meeting by Ron Lacombe of SafetyQuest Training Services, a copy of which Steve has.

There was no other business discussed, and the meeting was adjourned at 6:00 PM. Due to the vacation schedules of some of the committee members, it was decided to not have a meeting in September due to the possibility of a lack of a quorum.

Submitted by
Wm Olmsted

THE NEXT COMMITTEE MEETING WILL BE ON OCTOBER 10TH IN THE LIBRARY AT 5:00 PM.

THE NEXT BOARD MEETING WILL BE ON SEPTEMBER 6TH.



Nepenthe Association

Management Report – September 6, 2017

1 COMMUNICATION

1.1 THE NEPENTHE NEWS WAS LAST PUBLISHED ON AUGUST 4, 2017. THE NEXT NEWSLETTER WILL BE PUBLISHED ON SEPTEMBER 8, 2017. TOPICS TO BE COVERED ARE:

- Manager's Report
- President's Report
- Jazz at the Pool Concerts Recap
- Parking Update
- Water Conservation

1.2 WEBSITE:

- Regular updates to contact pages have been completed.
- Management had a meeting with web designer regarding website development.

2 ADMINISTRATION

2.1.1 Manager attended the Architectural Review Committee meeting on August 8, 2017.

2.1.2 Manager met with Finance Committee on August 31, 2017 to review current proposed Reserve Study and 2018 Budget.

3 FACILITIES

3.1 PHASE III SIDING AND PAINTING

Project is running on schedule. It is approximately two-thirds completed.

3.2 COMMUNITY POOLS

3.2.1 All serviced on schedule. Service occurs three to five days each week and includes all pools and spas. Pools are tested daily. Pools passed inspection by The City of Sacramento.

3.3 JANITORIAL SERVICE

3.3.1 All regular scheduled cleanings which include cleaning the clubhouse, the Dunbarton cabana restrooms and the Elmhurst cabana service restroom were five days per week.

4 GROUNDS

4.1 GROUND WALKS:

8/4/17, Zone 2. Attended by Bettsi Ledesma, General Manager; George Procida, GP Landscape, Pam Livingston, Grounds Chair, Elsa Morrison and Diana Vizzard, Zone Stewards. \$2,358 authorized in extra work.

8/11/17, Zone 3. Attended by Bettsi Ledesma, General Manager; George Procida, GP Landscape, Pam Livingston, Grounds Chair, Liza Tafoya, Lyn Livingston, and Ken Gromacki, Zone Stewards.

8/18/17, Zone 4. Attended by Bettsi Ledesma, General Manager; George Procida, GP Landscape, Pam Livingston, Grounds Chair, Don Landsittel and Kay Chmielewski Zone Stewards.

8/25/17, Zone 5. Attended by Bettsi Ledesma, General Manager, George Procida, GP Landscape, Pam Livingston, Grounds Chair and Pam Sechrist, Zone Steward.

9/1/17, Zone 6. Attended by Bettsi Ledesma, General Manager; George Procida, GP Landscape, Pam Livingston, Grounds Chair, Kathy Waugh and Diana Vizzard Zone Stewards.

4.1.1 All Zone Stewards walked their area regularly during the month of August and reported any maintenance issues to management.

4.1.2 The walk notes showing photographs of all extra work are filed in a binder in the library. Board members and homeowners interested in reviewing the walk notes are always welcome to do so.

4.2 TREE MAINTENANCE:

- 4.2.1 On August 29, 2017, Paul Dubois inspected several trees on the Nepenthe property during the monthly tree walks. The focus of the walks is to address resident/management concerns regarding mature trees on the property. The purpose of this report is to develop mitigation plans for the affected trees. Proposals for this walk will be on the October 4th Open Session Agenda.
- 4.2.2 Management, Grounds Steward Elsa Morrison and arborist Paul Dubois will continue the monthly practice of tree walks in the community. Owners with tree concerns are welcome to forward them to the office for inclusion on the walk list. The next tree walk is planned for Zone 5 on September 26th.
- 4.2.3 The Grounds Committee is currently reviewing a total tree care health package proposal that will include treatments against insects, anti-fruiting measures and deep root watering for particularly vulnerable redwood trees. Their recommendation to the Board will be on the October 4th Open Session agenda.

5 FINANCIAL

- 5.1.1 The July Financials were published on July 31, 2017. There is a current positive variance of \$154,118.
- 5.1.2 Manager has provided first draft of 2018 Budget to the Finance Committee. Particular line items are still being investigated and/or negotiated.

6 GOVERNANCE

6.1 COURTESY PATROL:

- 6.1.1 Since the last Board meeting, there were a total of 10 violation notices placed on vehicles in the community by the security patrol. There were 0 vehicle towed during this time. Reports are reviewed by management daily, recapping the rounds and interactions of the officers on duty.

6.2 PARKING RULES:

- 6.2.1 Management has received and compiled all written comments received on proposed Parking Rules as well as input from Board Members Christina George and Frank Loge. They have been assembled in the Board packet for review.

Bettsi Ledesma

From: Wendy Arinno <wendyarinno@msn.com>
Sent: Wednesday, August 30, 2017 12:17 PM
To: Bettsi Ledesma
Subject: Board Meeting September 6, 2017

Dear Bettsi,

We fully support any new parking regulations that are voted on the up coming meeting.

Sincerely,
Dale & Wendy Arinno
2306 American River Drive
Sacramento, CA 95825

September 29, 2017

Nepenthe Board:

Vehicles parked on City and private streets in Campus Commons increase the possibility for undesirable/criminal activity.

I do not want to listen to garage workshop noise. I like to be able to open my sliders so my "inside" cats and I can enjoy fresh air. The noise from a workshop in a nearby garage has made that impossible some evenings and weekends.

Campus Commons really is not suitable for people with more than two vehicles. The more vehicles allowed per condo, the more possibility for several people living in a condo – renting to college students. People purchasing here should be make aware of all the rules. I moved here in 1981 because of the rules, which were strictly enforced at that time, and the park-like setting. I do not want my "Paradise" ruined!

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Barham". The signature is written in black ink and is positioned above the printed name.

Rebecca Barham

2268 Swarthmore Drive
30 July 2017

Nepenthe Board of Governors
1311 Commons Drive
Sacramento, California

The draft parking enforcement rules are right on target. I urge the board to approve the draft rules and implement them as soon as possible

Since the parking regulations were dropped from the CC&Rs there have been far too many cars on the street that belong in the resident's garage. It was very shortsighted to omit the parking restrictions in the last revision of the CC&R. That omission (and others) is not in the best interests of the community. Parking of normal size vehicles on the street when each townhouse has a two car garage is senseless. It makes it difficult for visitors, workmen, and oversize vehicles to park.

The proposed parking regulations, when implemented and enforced, will preserve the neat and orderly community that we paid extra for when we bought town houses in Nepenthe.

Let's get the proposed parking regulations approved and implemented soon so we can start enjoying the benefits of less congested streets in our community.

Sincerely,


Franklyn B. gardner

*2611 American River Drive
Sacramento, CA 95864*

Nepenthe Association
1131 Commons Drive
Sacramento, CA 95825

Property Address: 505 Elmhurst Circle

RE: Draft Parking Enforcement Rules

I am writing to support the Board of Directors' Draft Parking Enforcement Rules. I agree with the Purpose, Authority and Goals stated in this effort. We all have to agree to preserving neighborhood character, safety and property values. The private streets are narrow, and having additional parked vehicles contributes to pedestrian hazards and potential dogging oncoming traffic during the day and evening.

The opposition states in their mailed statement to property homeowners the Board would be spending considerable time and our money. This is completely untrue. I was on the Nepenthe Board in 2006, and this issue as discussed during this period as well.

For homeowners using their garage as storage, I would recommend they find alternatives such as a Public Storage rental unit.

Regards,



John Apostolo
Homeowner
505 Elmhurst Circle

Crystle Rhine

From: Banksie <banksdebra@gmail.com>
Sent: Thursday, August 24, 2017 1:52 PM
To: CA - Nepenthe HOA
Subject: Parking rights of homeowners in Campus Commons

To Whom it may concern,

I am writing to send my strong disagreement with the draft parking plan to enforce all home owners in Nepenthe to park their cars only in their garages. For many people, that is impossible. Other items are also stored in garages. I for one have 2 cars, a motorcycle and then a bicycle of two, plus storage. The CITY enforces the roads we live on (I am on Vanderbilt Way) and I do not believe it is the RIGHT of the homeowners association to change the CITY's POLICY.

It is a better strategy for the Homeowners Association to work with the City for enforcement and ticketing of vehicles that are violating current city parking laws. I do not agree with the draft parking enforcement rules.

Please make sure my comments are included into the Board materials so that they see that there are alternative ways of tackling parking in Campus Commons.

Thank you,
Debra Banks

Owner, 1101 Vanderbilt Way
~~~~~

Banksie  
banksdebra@gmail.com

## Bettsi Ledesma

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**From:** andrew barrios <andrewb662002@yahoo.com>  
**Sent:** Monday, July 31, 2017 4:58 PM  
**To:** Bettsi Ledesma  
**Subject:** Re: August 2, 2017 Board Meeting Notice

dear Bettsi: we had an election and the voters voted - no parking rule changes. the board is wrong in trying to force them on us. the board should move on from defying the parking election results. they should concentrate on how best to lower our association fees.

submitted by: Ester Barrios, 2258 swarthmore dr.

-----  
On Fri, 7/28/17, <bettsi.ledesma@fsresidential.com> wrote:

Subject: August 2, 2017 Board Meeting Notice  
To: andrewb662002@yahoo.com  
Date: Friday, July 28, 2017, 3:33 PM

Nepenthe  
Association

C/O Onsite Nepenthe  
Club - 1131 Commons Dr  
Sacramento, CA 95825  
Ph: 916-929-8384  
Fax: 916-929-1773

## Crystle Rhine

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**From:** Greg Beale <gbeale1@icloud.com>  
**Sent:** Wednesday, August 23, 2017 6:13 PM  
**To:** CA - Nepenthe HOA  
**Subject:** Parking issue

Please add this editorial comment to your study of the parking issue. Greg Beale, 708 Elmhurst Circle:

We moved here about eight months ago. We moved here from a house that had a pool, a two and one half garage, with "stuff" all over the place.

We knew in advance that storage space was limited, but were prepared to downsize.

In short, we took Campus Commons for what it is, a different kind of living; not suburban, not city, a hybrid.

We also were aware of many places very close that have rental storage. This is probably because of the college, I guess, but there is lot of them.

So far we haven't used them. We also have two cars, both Priuses and made them fit in our garage. This meant the garbage cans had to go in the patio in the corner out of the way.

It took a little ingenuity but it worked.

In short, we knew what we were getting into.

In short, we bought our home knowing it had limited space in the garage.

Oh, one fable that has been used and I wonder why: the idea that cars in the 70s and 80s when Campus Commons was built were smaller than now.

What? Check out most cars then, sedans were way bigger then, so were pickups.

So cars are smaller now. And everyone knew the size of their garages before they bought their home here. I don't understand as I look at many garages that are too small (?) that are filled with "stuff"...and the cars won't fit. That is the problem. Too much stuff.

Why not rent a storage space or get rid of the stuff?

Campus Commons was an idea for a new kind of living, to offset the suburban explosion that was just beginning in the 70s and 80s. The suburbs continued exploding, sprawling out more and more; and the cost of the gas to commute back into Sacramento is staggering not only to the people who drive but is killing the environment. And gas will not be there forever.

But people want their cake and eat it too. And in my opinion there is too much Me and not enough We.

## Crystle Rhine

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**From:** Nepenthe <admin@nepenthehoa.com>  
**Sent:** Monday, July 31, 2017 12:35 PM  
**To:** Crystle Rhine  
**Subject:** Nepenthe Website Form Submission: Contact Form  
**Attachments:** ninja-forms-submission.csv

First Name: Betsy  
Last Name: Cuttle  
Email: bkcuttle@gmail.com  
PhoneNumber: (916) 514-8908  
ContactPreference: Email  
Subject: Other

Message: I am a homeowner in Nepenthe and I am writing to express my objection to the parking rules that the board is attempting to put in to place for Nepenthe. The Board seems to have lost sight of common sense in this matter in trying to restrict Nepenthe residents from parking on the public streets overnight in addition to the other excessively restrictive measures outlined in the proposed rules.

The Nepenthe residents already made their voices heard when the CCNR amendment was defeated. Stop pushing an agenda that clearly has become divisive and is draconian in scope and intent.

## Bettsi Ledesma

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**From:** Steve Huffman <steve@huffmanstrategy.com>  
**Sent:** Monday, August 28, 2017 1:29 PM  
**To:** Bettsi Ledesma  
**Cc:** Dworkin, Joan  
**Subject:** FW: parking at nepenthe

Bettsi,

Please include Joan Dworkin's message below in homeowner correspondence for the September 6 board meeting. Thanks.

Steve

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**From:** Dworkin, Joan [mailto:dworkinj@csus.edu]  
**Sent:** Monday, August 28, 2017 8:29 AM  
**To:** steve@huffmanstrategy.com  
**Subject:** parking at nepenthe

Hello Steve. I live at 1012 Dunbarton. Unfortunately I cannot attend the board meeting next week as I will be out of town that day. I would like to weigh in on the parking issue.

I think we should leave the parking rules as they are. I personally do not have a problem with people parking on the public streets. We should encourage those who can to park in their garage so those people who really need to can park on the street. I don't know that there is evidence that cars on the street diminish property values.

I do not want to live in a community where people feel oppressed by overreaching restrictions and see neighbors as scofflaws. We should have a relaxed and comfortable environment. Even though I would not personally be affected by the proposed changes, just the idea of it makes me cringe.

We should work with city parking enforcement to fully enforce the existing laws.

Joan Dworkin  
Professor Emerita  
California State University, Sacramento

## Crystle Rhine

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**From:** Bill Endicott <wendicott01@gmail.com>  
**Sent:** Saturday, August 19, 2017 6:38 PM  
**To:** CA - Nepenthe HOA  
**Subject:** Fwd: parking

This is an e-mail that I sent to the anti-parking rules people today. Please pass it along to the board. Thank you. Bill E

----- Forwarded message -----

**From:** **Bill Endicott** <[wendicott01@gmail.com](mailto:wendicott01@gmail.com)>  
**Date:** Sat, Aug 19, 2017 at 6:37 PM  
**Subject:** parking  
**To:** [nepentheparkingrights@gmail.com](mailto:nepentheparkingrights@gmail.com)

I could not disagree agree with you more. Some of our neighborhoods, such as my street, Vanderbilt Way, are starting to resemble Fulton Avenue used car lots. People know the rules when they buy in here. I also object to the fact that no one signed the letter I got in my mail box today. I hate those who hide behind anonymity. Your arguments are weak, at best. Bill Endicott

TO: Nepenethe Homeowners Association Board of Directors

FROM: Nepenethe Community Residents

WHEREAS:

The Nepenethe Association Board of Directors has proposed a set of new rules governing parking on public streets within the Nepenethe community; and

*Do not*

The proposed rules encroach on homeowners' property rights and are ~~not~~ within the Association's authority or jurisdiction; and Recent proposed changes to the CCGRs mirrored the proposed changes and failed to receive the required 295 majority vote for approval by the members of the Nepenethe Homeowners Association; and

*with the of*

The Association Board of Directors continues to pursue implementation of these rules despite lack of support ~~of~~ a clear majority of the community.

THEREFORE:

*IMPLEMINT THE PROPOSED RULES.*

We, the undersigned, hereby petition the Nepenethe Homeowners Association Board to immediately withdraw the proposal to promulgate new ~~parking rules;~~ and

To cooperate with the City of Sacramento to develop a plan for improved enforcement of current regulations.

| Name (signature)   | Name (First & Last printed) | Name (signature) | Name (First & Last printed) |
|--------------------|-----------------------------|------------------|-----------------------------|
| <i>[Signature]</i> | FRANKLIN B GARDNER          |                  |                             |
|                    | 2268 SWAINMORE DR           |                  |                             |
|                    | SAULT 95825                 |                  |                             |
|                    | FRANK GARDNER @ATT.MI       |                  |                             |
|                    | 916 565 1661                |                  |                             |
|                    | 21 August 2017              |                  |                             |

You can sign and return this petition in any of 3 ways:

1. Scan and email the document to nepentheparkingrights@gmail.com
2. Mail to Margaret Clausen, 1527 University Avenue, Sacramento, CA 95825
3. Email your address to nepentheparkingrights@gmail.com and we will arrange to pick up at your convenience.

RICHARD and DIANA HAGLE  
43146 West Oakside Place  
Davis, CA 95618

(530)902-0996  
[diana.woodward.hagle@comcast.net](mailto:diana.woodward.hagle@comcast.net)

August 23, 2017

Board of Directors  
Nepenthe Association  
1131 Commons Drive  
Sacramento, CA 95825

Re: Proposed Nepenthe "Parking Enforcement Rules"  
Board Meeting Agenda: September 6<sup>th</sup>

We oppose adoption of the Draft Parking Rules ("Draft") proposed by the Board.

Since the current "Draft Parking Enforcement Rules" mirror in important respects the Board's 2016 "Draft Parking Enforcement Policy", we are attaching the 6/22/2016 letter and proposed policy we submitted in opposition to the earlier policy.

Since the concerns discussed in detail in those documents are still relevant, this letter will simply bullet-point our comments:

- After an election in which the Board failed to persuade homeowners to vote for its proposed parking policy, it is exceedingly undemocratic for the Board to immediately come back to the membership with a policy containing the same matters already rejected. We doubt if the Board can find authority for this in the CC&R's.
- The Board simply cannot---via the CC&R's---treat residents parking on City (public) streets worse than the general public having no connection whatsoever to Nepenthe. Specifically, the Board cannot curtail residents' rights to park vehicles on City streets overnight and for whatever time frame a resident "J" Permit allows them.
- The Board cannot dictate that garages must be used for parking vehicles; this is very different from the Board legitimately prohibiting residents from using garages for certain purposes or for storing certain items (e.g., flammables, storage blocking access).
- Nepenthe staff (not the residents) should be responsible for dealing with City parking authorities; the residents must be the "eyes and ears" to report to Nepenthe staff those vehicles which have violated either City parking limits on the public streets or Nepenthe private street rules. This should be top priority for staff; if Nepenthe staff

aggressively investigated and pursued complaints about vehicle nuisances and rules violations (public and private), many of these concerns would go away.

- Adopting a bureaucratic “variance” process would be a nightmare in too many ways to describe here.

- Finally, the Board pitches this policy saying that it will reduce parking on Nepenthe streets and, they conclude, fewer vehicles on the streets enhances property values within the development. Our comments:

- Generally, fewer vehicles visible in a residential area contributes to the desirability of the area, but this is only partly true: also important is “pride of ownership” (cleanliness, upkeep) of the vehicle. A few “junkers” can pull down a neighborhood, no matter how few vehicles are visible.

- Those residents living in units with windows facing City streets will not necessarily have vehicle-free vistas under this policy. Moreover, the street view was perfectly apparent to these residents when they decided to own or rent the unit (unlike the impact of the proposed regulations, which change rights of present residents in a significant manner).

In short, we urge the Board to do the following:

Empower Nepenthe staff to work with the City of Sacramento and with residents to control parking problems (and other traffic and security concerns within Nepenthe as well) on City streets. This would include not only City parking regulations, but also any City nuisance ordinances which may apply.

Concentrate on drafting a proposed policy concerning the private streets and cul-de-sacs which the Nepenthe Association does have jurisdiction over.

Yours truly,

  
RICHARD and DIANA HAGLE

Owners: 1417 Commons Drive  
1371 Commons Drive

Encls. a/n

RICHARD AND DIANA HAGLE  
43146 WEST OAKSIDE PLACE  
DAVIS, CA 95618

(530) 902-0996  
diana.woodward.hagle@comcast.net

June 22nd, 2016

Board of Directors  
Nepenthe Association  
1131 Commons Drive  
Sacramento, CA 95825

Re: Nepenthe Parking Enforcement Policy

Thank you for your courtesy in allowing me to speak briefly at the Board meeting on June 1st.

Enclosed is a "Nepenthe Draft Parking Enforcement Policy" which I have written which not only comports with Nepenthe's CC&R's, but also with local ordinances and State law. It addresses the remarks I heard at the Board meeting, as well as concerns expressed to me informally by Nepenthe residents outside of the meeting.

I drafted this policy because the "Parking Enforcement Policy" the Board was presented with at the 6/1 meeting suffered from substantial problems, as follows:

It penalized "residents". The Association cannot bar a Nepenthe resident from parking on public streets within Nepenthe, or from obtaining a "J" Permit to do so for an extended period of time. Similarly, the Association cannot bar a resident from enjoying the same parking privileges on the Association's private streets as "guests and contractors" enjoy. Therefore, a proposed policy stating that "[s]treet parking within the development, whether private or public street, is for guests and contractors of the residents and not for the residents themselves" [emphasis added] is not only wrong, it is unenforceable.

The ticketing, hearing and fine provisions under "Enforcement", and the citation to the "Special Individual Assessment", is unsupported by the CC&R's. If the Board wishes to establish such measures, it must amend the CC&R's, not create a "policy" which is not supported by the CC&R's.

There is so much extraneous language in the draft which was before the Board; "clarification" does not mean simply repeating verbatim passages from the the CC&R's. There is no need to repeat items already in the CC&R's—my proposal simply directs the reader to the appropriate sections.

A Nepenthe resident told me at the meeting that she had complained to management staff about a parking problem she had witnessed, but that staff told her there was nothing they could do. Without deciding whether the comment is accurate or not, I feel it is incumbent on the management staff to be communicating with the City of Sacramento and the private security patrol about these issues, not the residents.

Conflating garage issues with parking issues solves neither problem. No matter how pristine a garage is kept, a resident may still elect to park a vehicle on a public street; the Association has no authority to mandate that "[r]esidents' vehicles shall be parked in their garage" nor is there any way to enforce such an edict [see section 6.5(b) of the CC&R's].

In regard to the garage issue, however, I do encourage the Board to revisit section 3.3(a) of the CC&R's which deal briefly with garage contents. Language should be added prohibiting storage of flammable materials in garages, prohibiting all activity in garages which may lead to conflagration, and requiring at least one fire extinguisher in or near the garages. (We have personal experience with this: our second home in a La Jolla condominium complex is immediately next door to two common-wall homes which were gutted by a fire started by a welder working in a garage in March 2015. The news picture is enclosed.)

Thank you for your courtesy and consideration.

Yours truly,

DIANA and RICHARD HAGLE

Owners  
1371 Commons Drive  
1472 Commons Drive

Encls. a/n

## **NEPENTHE DRAFT PARKING ENFORCEMENT POLICY**

### **Purpose**

1. The Purpose of this Policy is to clarify Section 3.3 of the CC&Rs ("Parking and Vehicle Restrictions; Use of Private Streets"). The Association has the authority to adopt policies consistent with the CC&R's [Section 6.6(a)(ii)(E)].

Maintenance of Nepenthe's character, property values and security depend, in part, on Association policies which reasonably regulate the use of streets, both public and private, within the Association. This policy aims to reduce the number of vehicles parked on streets within the Association.

### **Policies in Regard to Public Streets within the Association**

2. City of Sacramento ordinances and state laws governing parking on public streets apply to public streets within the Association. Subsections (a) and (c) of Section 3.3 of the CC&R's, as well as section 3.3 itself, state some of the parking limitations imposed by ordinances and state laws. In addition, city ordinances also state the following:

Vehicles may not remain parked in the same place on public streets for more than 72 hours;

On public streets within the Association, the daytime weekday parking limit is two (2) hours;

Residents of the Association may obtain a "J" Permit from the City of Sacramento at no charge, which entitles the permit holder to park on public streets within the Association all day during the week; and

Enforcement of city ordinances and state laws relative to vehicles and parking on public streets within the Association is exclusively within the jurisdiction of the City of Sacramento.

3. Association management shall establish a procedure whereby residents may bring to management's attention any violations of city ordinances and/or state laws relative to vehicles or parking on public streets within the Association. Complaints may be made anonymously. Within a reasonable time and upon reasonable investigation of the complaint, if determined by management to be valid, management shall report such violations to the parking enforcement division of the City of Sacramento.
4. As expressly stated in section 3.3 of the CC&R's, Association parking policies may not conflict with City of Sacramento ordinances or state laws.

**Policies in Regard to Private Streets within the Association**

5. Sections (a) through (d) of Section 3.3, inclusive, of the CC&Rs, as well as section 3.3 itself, govern parking restrictions in regard to private streets within the Association. In addition, the following policies shall be in effect on private streets within the Association:

Overnight parking by guests on private streets or in designated guest parking areas on University alleys is by Association permit only. Permits are available outside the clubhouse door at 1131 Commons Drive. The Association's portion of the permit must be deposited in the mail slot at the clubhouse. Permits are good for up to two (2) weeks and cannot be issued back to back.

Residents may apply in writing to the Board of Directors for a variance from a private street parking restriction and the Board, in its discretion, may grant or deny such application. If granted, the variance shall state with particularity conditions (e.g., length, situation) applicable to the variance and shall report the issuance of the variance in the next Association newsletter.

6. Enforcement of Association CC&Rs and policies relative to vehicles and parking on private streets within the Association is exclusively within the jurisdiction of the Association.

August 23, 2017

To the Nepenthe HOA Board of Directors;

I am completely opposed to the new Nepenthe parking regulations as presented.

From the letters included in the August Board packet, it appears I am not alone in that sentiment. Thirty-four (34) residents cared enough about the issue to respond to the Board's request for feedback. Five (5) were in favor of the proposed parking regulations. Twenty-four (24) were opposed. Five (5) were unclear as to their support or opposition of the parking proposal. From the conversations I have had with residents and postings on social media, I believe the responses you received are representative of the overall opinion in the community.

The proposed rules are impossible to enforce, problematic for residents, intrusive and (frankly) violate my right to peaceful enjoyment of my community. Also, I question the legality of the regulation - regardless of the legal opinion obtained by the Board.

Under the parking rules proposed, the "general public" can park overnight on the public streets but my guests and I cannot. What's the logic behind that? How will security know to which group the offending vehicles belong? Will we be required to "register" and "label" our cars in some way? Even then, what if residents or guests choose to not register their car? How will those be differentiated from "general public" cars?

Who will bear the cost of the additional security that will be required to enforce this? Or is the idea to simply keep staffing levels the same and have the patrols spend their time looking for misbehaving residents rather than patrolling for our safety and security? If unforeseen or urgent situations arise and the office is closed, will we expected to spend time tracking down security to get our cars "blessed" - even in the middle of the night?

I don't believe the Nepenthe Board has fully thought this through. I urge you to cease pursuing this ill-advised set of regulations. Further, I urge you to reconsider your heavy-handed approach to this issue.

Sincerely,



Kathleen Montgomery  
2276 Swarthmore Drive  
Sacramento, CA

## Crystle Rhine

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**From:** Barbara Murman <murmanb@att.net>  
**Sent:** Wednesday, August 02, 2017 6:20 PM  
**To:** Crystle Rhine  
**Subject:** Parking

July 29,2017

Nepenthe Board of Governors

The reason we moved to Campus Commons was because of its beauty and location. I am always surprised when people move to a CC&R community and then are not willing to follow the guidelines.

I like the Draft Parking Enforcement Rules and their clarification of Section 3.3 of the CC&Rs.

Please approve and implement the proposed parking regulations. If they are enforced, the aesthetic character of the neighborhood will once again be preserved.

Sent from my iPhone

Barbara Murman

## Crystle Rhine

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**From:** CrisOlson4@aol.com  
**Sent:** Sunday, July 30, 2017 9:37 AM  
**To:** CA - Nepenthe HOA  
**Subject:** Parking Rules

Hello,

I am writing to say I am OPPOSED to changing the current parking rules. I also voted against them, which I thought was counted and defeated this change? I also understand there wasn't enough residents that cared enough to vote. But does that give the board the right to try and force this issue through?

I've read all the letters that were presented in the last email and still think this rule change is not in the best interest of the majority. I purchased my home on Commons Drive 8 years ago and one of the reasons was I did NOT have any restrictions on parking in front of my home. Yes, we do get strange (not my neighbors) cars that occasionally try and leave their car parked for more than a few days, but we take it upon ourselves to put a note on their car telling them they are violating city parking rules. Almost always they move it or we call the police and they ticket them. I would rather put forth that effort myself than have to get special permission to park my car where I want to or use my garage for what I want. The worst part of the proposal is the idea that if I have a guest stay overnight I would have to get permission! Ugh! Also one of my neighbors has lived here since the 70's and parks his car in front of his house all the time. Is that fair to tell him he can't do that anymore? Should he have to move or completely change the use of his garage now after all these years?

I believe changing these rules is going to make people want to leave Nepenthe NOT increase our property values. It seems to me that most communities that have those kind of strict parking rules also have driveways where they can park at night if they chose. I feel our HOA dues are already turning people off because they are so high and trying to enforce this would just add to that cost.

I will come to the board meeting to hear more about this issue, but for now I am definitely opposed.

Thanks,  
Cris

2236 Swarthmore Drive  
Sacramento, CA 95825  
28 August 2017

Board of Directors  
Nepenthe HOA  
1131 Commons Drive  
Sacramento, CA 95825

Dear Board Members:

I am writing in support of the efforts of the Nepenthe Board and the Nepenthe office staff to address and resolve the parking problems within our community.

I am an original owner having moved into my home in 1974. Over the past 40+ years I can't remember a time when our streets were so filled with parked cars. The problem has gotten worse over the past few years as some homes transitioned from owner occupied to renter occupied with multiple unrelated individuals living in a residence each having a vehicle parked on the street. Recently an AT&T service technician complained to me he had to park his truck on Commons Drive because there were no open spaces on Swarthmore Drive.

I think we would not be having this contentious discussion if garages were used to park the vehicles of the occupants of the homes. As a Nepenthe walker I pass many garages filled with possessions not vehicles.

A point made in favor of adopting the rules proposed by the Board was that the car clutter on our streets could affect property values. I suggest those debating the proposed rules drive around our streets: Commons Drive, Adelphi, Colby, Swarthmore and Vanderbilt and then drive a short distance East to Wilhaggen and compare the look of the streets and the neighborhoods.

I hope the Board puts the proposed parking regulations into effect in order to preserve the ambience of our community and protect our property values.

Sincerely,,

  
Martin Rogers

23 August 2017

To the Nepenthe Board:

I support the proposed parking regulations. In my opinion, too many residents take advantage of overnight parking outside their garages. This crowds the narrow streets and on occasion impedes view when exiting driveways.

I am surprised – and amused – that residents are irate about a Nepenthe representative taking a quick glance in their garages to ascertain whether or not space is available for one or two vehicles. Are they running meth labs out of their garages? Could their storage mess be any worse than mine? Do they anticipate that the representative will rifle through or comment on their belongings? I agree that overnight parking waivers should be available for oversized vehicles, but if it is a choice between storing possessions or parking one or two vehicles in the garage, I do not feel that residents who choose storage should be provided with a complimentary waiver.

Respectfully yours,

A handwritten signature in blue ink, consisting of a vertical line on the left, a horizontal line across the middle, and a long horizontal stroke extending to the right.

Kristan Sarvé-Gorham

1338 Commons Dr.  
Sacramento, CA 95825

ksarveg@mac.com

## Crystle Rhine

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**From:** atwatters@aol.com  
**Sent:** Monday, July 31, 2017 9:27 AM  
**To:** Bettsi Ledesma; Crystle Rhine  
**Subject:** Letter to the Board Re Parking

To the Board of Directors

Re Draft Parking Enforcement Rules

Please do not be unduly swayed by the highly emotional statements of some association members regarding the Draft Parking Enforcement Rules. For instance, all homeowners have signed off that they have read the CC&Rs which clearly state that garages must be kept open for use for parking. Hence, no one has a right to cry out that use of their garage is private matter. (However, the document does not seem to address owners who own a third vehicle.)

Nepenthe's Board, along with Management, has been diligently and systematically working on the parking problems for more than one year, I recall, reaching out to the membership with meetings and workshops and soliciting input. You have a solid and legal procedural foundation for arriving at your proposals.

The Draft parking rules would seem implicitly to ban any homeowner's owning and keeping a third vehicle. But this is not spelled out directly (although third vehicles might be allowed if the owners receive a variance). I wonder if it is this implicit and indirect method of communicating that Nepenthe does not want households to own a third vehicle that is responsible for the highly emotional reactions of a few. Perhaps if (and if I am interpreting the Rules correctly) these Rules were to state explicitly that no third vehicle is allowed, there would be less emotional reaction.

I would agree with the real estate agents who have stated that if residents are to be limited to two automobiles, this limitation needs to be stated up front and present in Nepenthe's rules and operations, so that all real estate agents and prospective buyers are aware of this limitation. I would argue that having an only implicit ban on a third vehicle in our parking rules would create trouble in the real estate market and administrative trouble for our Association.

I know that the Board has received an opinion from its attorneys before creating these rules. But the outright effective ban on third vehicles is likely to be so contentious that I would suggest that the Board consider obtaining an opinion from another attorney to be certain that the Board and Association do have the legal power to enforce this.

Yours sincerely,

Alan T. Watters  
1149 Vanderbilt Way

## Crystle Rhine

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**From:** Weedhouse <weedhouserj@yahoo.com>  
**Sent:** Monday, August 21, 2017 4:33 PM  
**To:** CA - Nepenthe HOA  
**Subject:** Comments - Parking Rules

August 21, 2017

TO: Board of Directors  
Nepenthe Homeowners Association

FROM: Joel Weeden  
1109 Commons Drive

RE: Proposed Parking Enforcement Rules – Our Responsibilities

### Responsibility for Parking Enforcement on Public Streets

CC&R 3.3 states “Parking and Vehicle Restrictions; Use of Private Streets” applies to “anywhere within the **Development**.” California Civil Code Section 4175 states “planned development” means “common area that is owned either by an association or in common by the owners...of the common area.” CC&R 1.15 defines Development as the area(s) specified in Section R4 of the CC&R Recitals “and more particularly described in Exhibit C.” Exhibit C specifies the lots and portions of real property. Both references do not appear to cover public area owned by the City of Sacramento.

Recommendation: A copy of legal ruling documenting why the Board feels it has jurisdiction over use of public streets should first be shared in the next Nepenthe newsletter before the adoption of parking restrictions on public streets.

### Responsibility for Use of Garages

CC&R 3.3(a) that we all agreed to upon purchase within Nepenthe clearly states “Garages are to be used for parking...shall not be converted to...workshops or used for storage...which will preclude the parking of Owner’s authorized vehicles within the garage.” This cannot be seen as an encroachment of our property rights if we all (not just a majority) previously agreed to accept them. Those objecting to enforcement of any our CC&Rs should seek an amendment.

Recommendation: Board should continue to enforce all of our CC&Rs as agreed upon by all (not just a majority of) Nepenthe homeowners.

### Responsibility for Amending CC&Rs

Those objecting to enforcement of any our current CC&Rs or are no longer in agreement with the CC&Rs they accepted at point of purchase should seek an amendment.

Recommendation: If the elected HOA board does not concur the need for pursuing an amendment, those homeowner seeking the change should be provided the process for revising our CC&Rs and they can try to secure the support of a majority of all homeowners.

## Shared Responsibility to Community Values

Contrary to what some neighbors have recently expressed, I want the Nepenthe Board to be responsible for maintaining the timeless, sophisticated aesthetics by the visionary Robert Powell for this distinctive garden community. We all initially decided to live here because we value the underlying principles that support fitting into the natural setting, rather than trying to make individualistic lifestyle statements. I am grateful for the opportunity to part of the Nepenthe community and feel a responsibility towards our shared common sense of community in harmony with nature and each other.

From: Bob Benedetti, 322 Elmhurst

Re: Proposed student housing development

Requesting this or similar letter be sent to CM Guerra from Association

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

Dear Council Member:

We understand that there is investor interest in redeveloping the property at 910 University Avenue. This property abuts Campus Commons to the east and south, specifically units within Village Three and Nepenthe (see attached map). Therefore, you can understand why residents here are anxious to be part of any discussion of the future of this property.

Neighbors have begun to contact the City Planning and Building Departments to keep current on the status of such plans. However, we ask that you exercise your oversight over any proposed projects on this site so that our Homeowner's Association and the Homeowners Association in Village Three are made aware of steps being taken before permits are issued or binding decisions made. We want insure that we are part of the ongoing conversation regarding the property.

Campus Commons is a planned unit development community of 1161 homes. It was part of a coordinated effort to establish a mutually supportive environment of resident/owners, commercial offices, and apartments serving CSU Sacramento. We ask that you join us in assuring that new projects take this context seriously and do not risk collateral damage to the financial value or the quality of life of existing residents.

We look forward to working with in on this and other neighborhood issues in the future. We have appreciated your interest in our community and hope to partner with you to maintain its unique ambiance.

Attachment

Questions:

1. Will Nepenthe Board be willing to send a letter?
2. Would it be wise to seek opinion of a land use attorney on options?
3. Should the landlord be encouraged to clear site to prevent fire, etc.?

| PARKING INFORMATION |    |
|---------------------|----|
| STANDARD SPACES     | 51 |
| COMPACT SPACES      | 6  |
| HANDICAP SPACES     | 3  |
| BICYCLE PARKING     |    |
| SHORT TERM          | 4  |
| LONG TERM           | 12 |

DLL  
 RECD  
 001  
 BY:---



APN 295-0070-040  
 CAMPUS COMMONS  
 VILL CORP 3

APN 295-0080-036  
 NEPEENTHE  
 ASSOCIATION

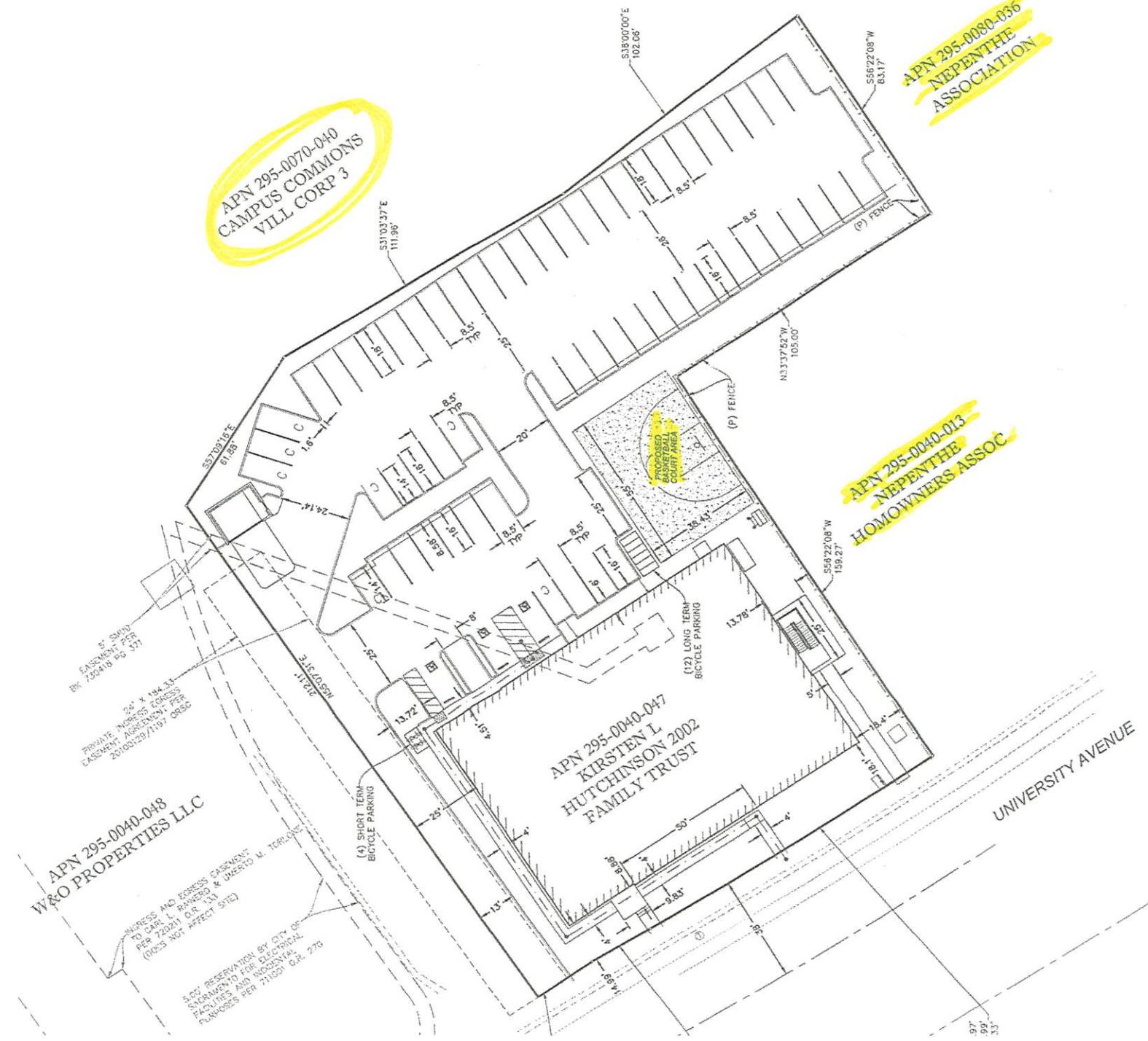
APN 295-0040-013  
 NEPEENTHE  
 HOMEOWNERS ASSOC

APN 295-0040-047  
 KIRSTEN L  
 HUTCHINSON 2002  
 FAMILY TRUST

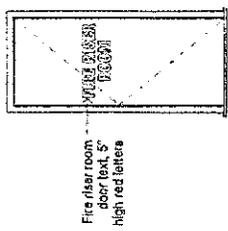
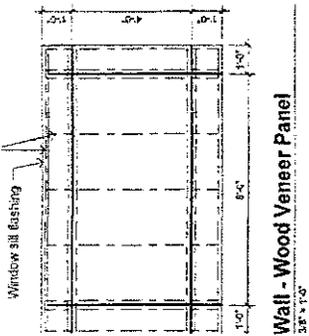
APN 295-0040-048  
 W&O PROPERTIES LLC

ADDRESS AND FOREST EASEMENT  
 AND CAREY PARKWAY  
 PER 720211 O.R. 211  
 (DUES NOT AFFECT SITE)

5.00' RESERVATION BY CITY OF  
 SMOCKWORTH FOR ELECTRICAL  
 FACILITIES AND INDUSTRIAL  
 PURPOSES PER 71100 O.R. 276

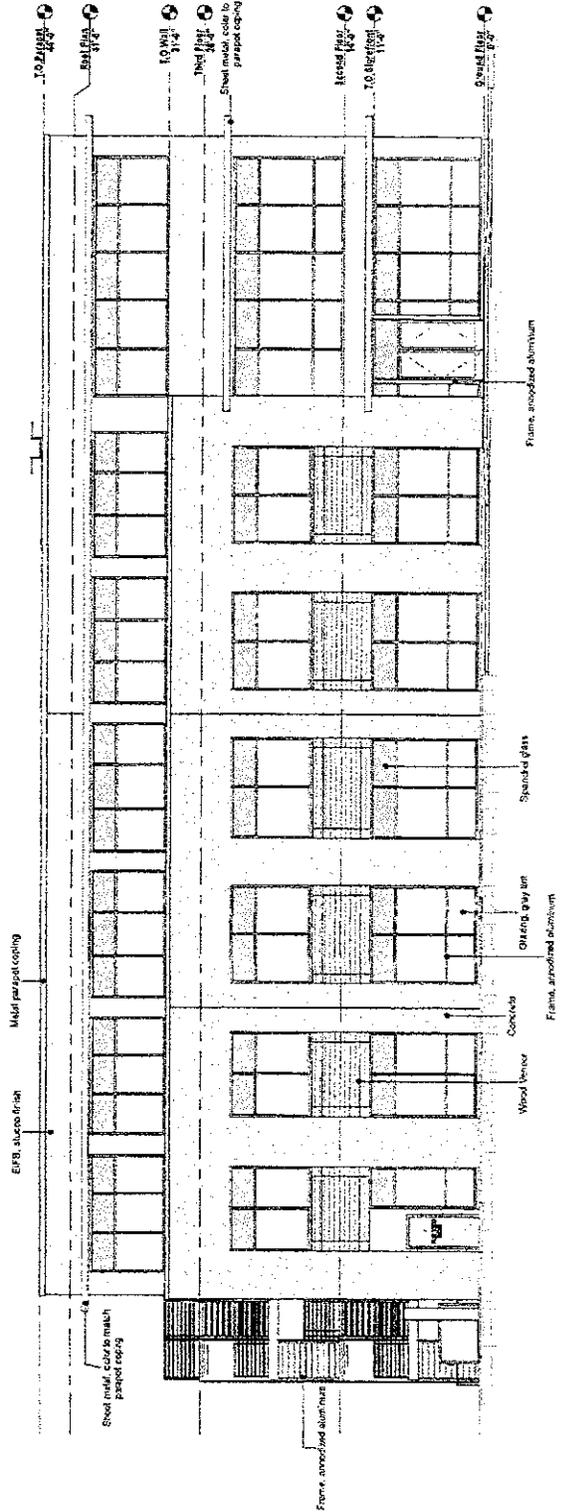
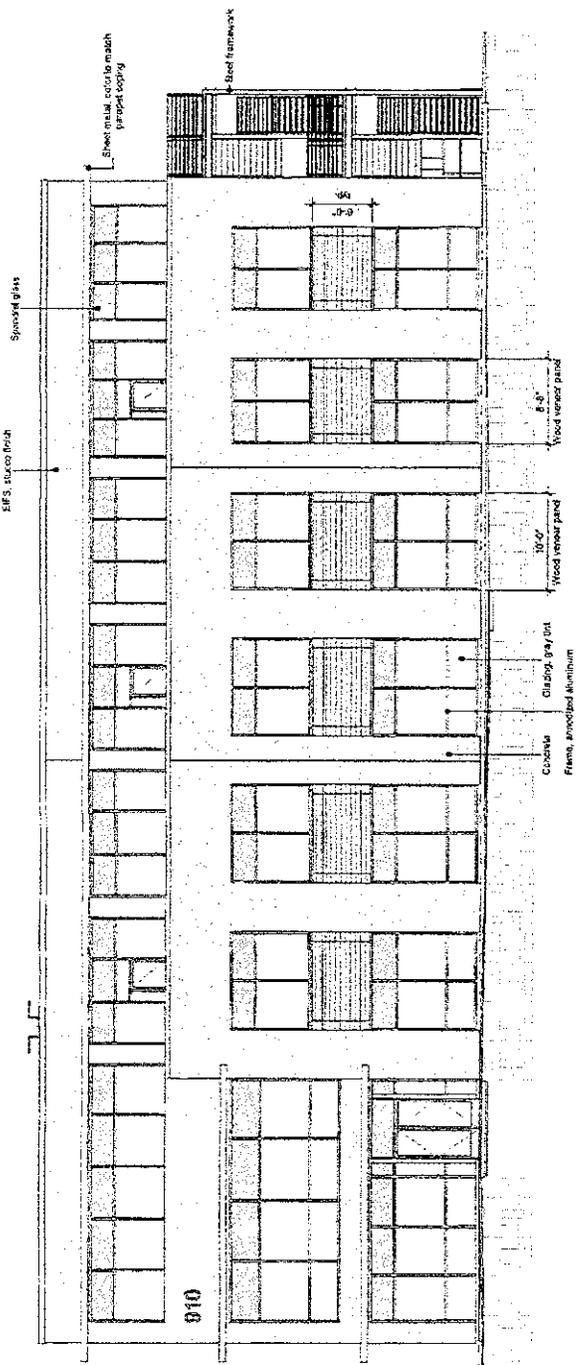


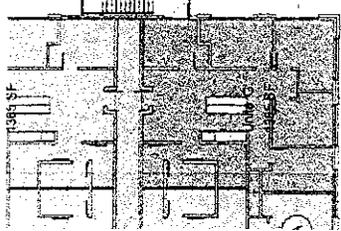
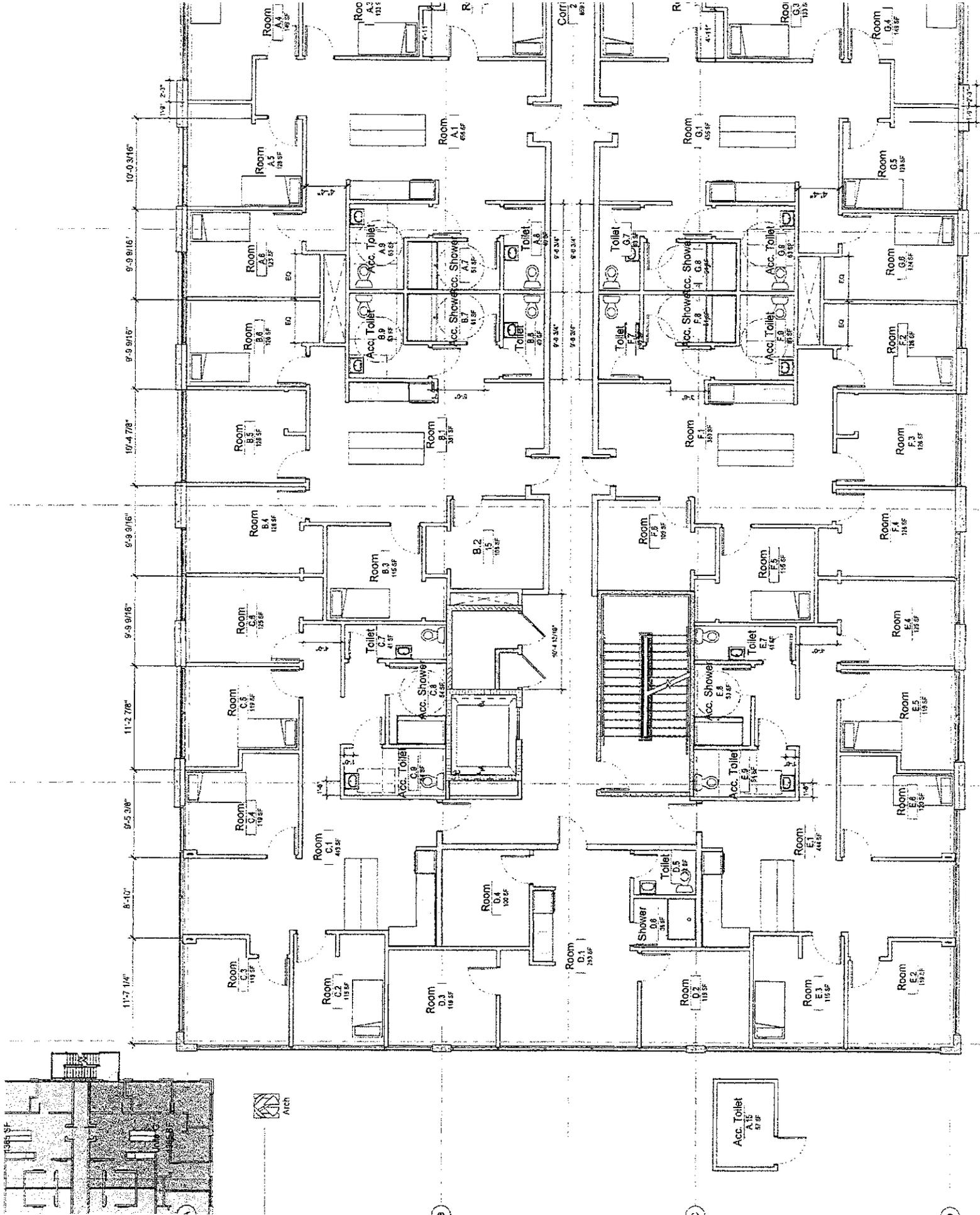




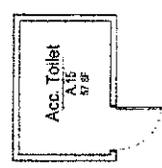
Fire Riser Room Door  
38" x 120"

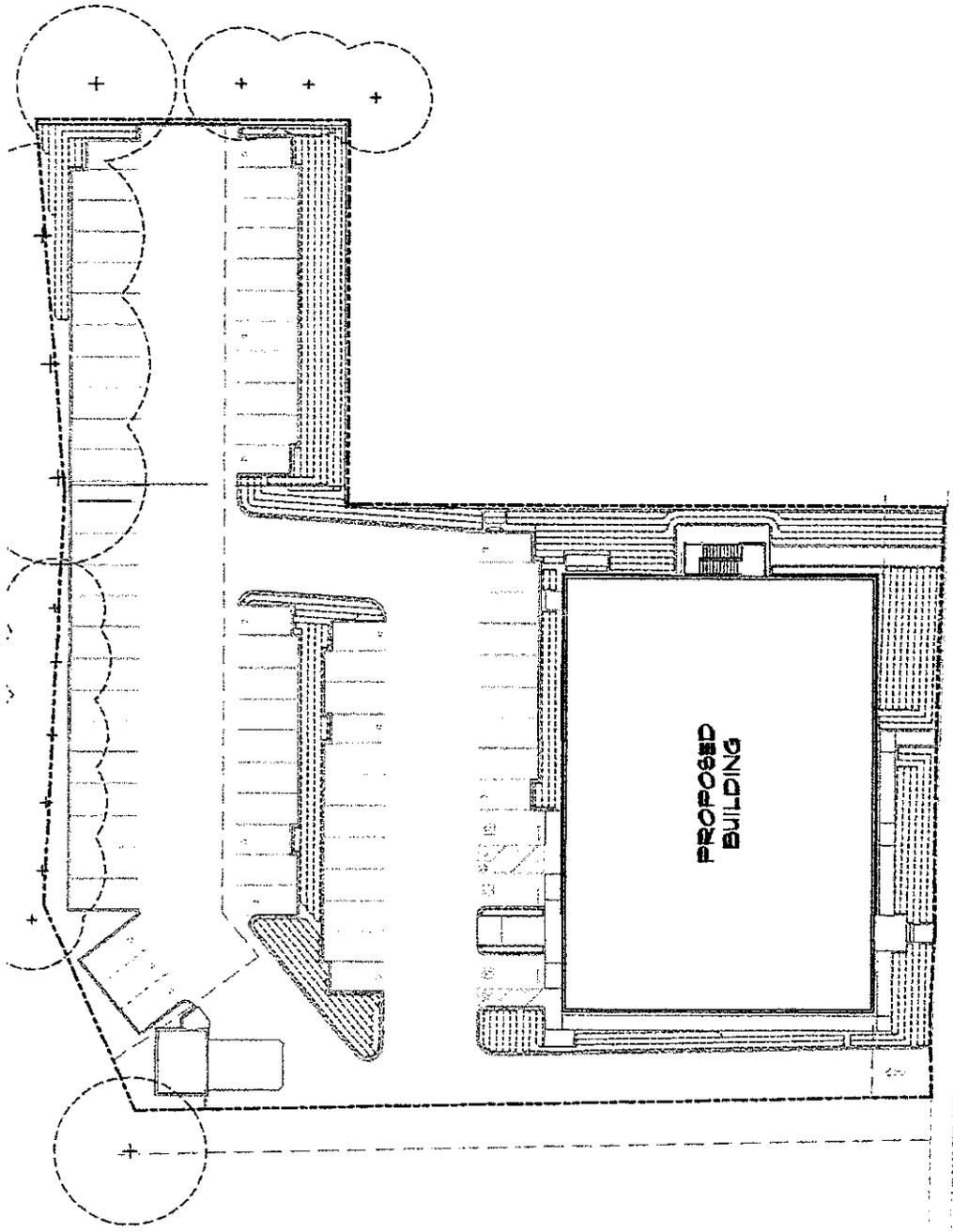
1 South Elevation  
118' x 120'





Arch





UNIVERSITY AVENUE  
 NORTH  
 0 10' 20' 50' 100'  
 5' 15' 30'

**IRRIGATION NOTI**

1. SEE DETAILS & SPECIFICATIONS FOR PROCEDURES.
2. THE SYSTEM IS DESIGNED TO OPERATE AT A MINIMUM STATIC PRESSURE OF 45 PSI AND A MAXIMUM FLOW OF 15 GPM. VERIFY FLOW RATE PRIOR TO BEGINNING IRRIGATION WORK AND IMMEDIATELY CONTACT ARCHITECT IF THE FLOW RATE IS NOT AS SPECIFIED.
3. MAINLINE IS SHOWN IN DIAGRAMMATIC SHALL BE PLACED IN PLANTER AREA WHERE POSSIBLE.
4. IRRIGATION VALVES SHALL BE PLACED IN PAVED AREAS OR OUTSIDE PROPERLY LOCATED. ALL VALVES MUST BE PROPERLY IDENTIFIED AND LABELED WITH LOCATION SHOWN ON THE PLAN IN RED.
5. RUN/EXTRA CONTROL WIRE SHALL BE PLACED IN A CONDUIT THROUGHOUT ENTIRE PERIMETER OF THE BUILDING. ALL VALVES MUST BE PROPERLY IDENTIFIED AND LABELED WITH LOCATION SHOWN ON THE PLAN IN RED.
6. DRIPLINE SHALL BE PLACED IN A CONDUIT THROUGHOUT ENTIRE PERIMETER OF THE BUILDING. ALL VALVES MUST BE PROPERLY IDENTIFIED AND LABELED WITH LOCATION SHOWN ON THE PLAN, WITH EVERY 12 INCHES ON CENTER IN ACCORD WITH THE MANUFACTURER'S RECOMMENDATIONS. DRIPLINE SHALL BE PLACED IN A CONDUIT THROUGHOUT ENTIRE PERIMETER OF THE BUILDING, WITH EVERY 12 INCHES ON CENTER IN ACCORD WITH THE MANUFACTURER'S RECOMMENDATIONS.
7. PVC LATERALS AND TALK RISERS SHALL BE SHOWN IN DIAGRAMMATIC. ALL RISERS SHALL BE LOCATED IN A PAVED AREA WHERE POSSIBLE.

**IRRIGATION LEGEND**

| SYMBOL | DESCRIPTION                               | MANUFACTURER & MODEL NUMBER                                  | RADIUS | GALLONS PER MINUTE | SPACING |
|--------|-------------------------------------------|--------------------------------------------------------------|--------|--------------------|---------|
|        | PRESSURE COMP. PIPE                       | RAMBOLD #73-CD-10                                            | 0"     | 1.02 GPM @ 100'    | 7'      |
|        | PVC LATERAL PIPE (SIZE FROM PLAN)         | IPS FLEX HOSE W/ AG PRODUCTS #700 SERIES COMPRESSION ADAPTER |        |                    |         |
|        | PVC VALVE (SIZE FROM PLAN)                | DEMAND #43V-05                                               |        |                    |         |
|        | AUTOMATIC FLUSH VALVE                     | NETAFIM TUDOMAN-1 W/ 3/4" DOPH SUNP                          |        |                    |         |
|        | MANUAL FLUSH VALVE                        | SEE DETAIL (1/2" SIZE UNLESS SPECIFIED ON PLAN)              |        |                    |         |
|        | P.C. VALVE, FILTER & REGULATOR            | IPS FLEX HOSE W/ AG PRODUCTS #700 SERIES COMPRESSION ADAPTER |        |                    |         |
|        | QUICK COUPLING VALVE                      | RAMBOLD #43QVC                                               |        |                    |         |
|        | B.F. BACKFLOW DEVICE                      | WILKING 9739L (1" SIZE)                                      |        |                    |         |
|        | SMART IRRIGATION CONTROLLER               | RAMBOLD #25ASBASIC (INCLUDES KEYPAD & KEYPAD)                |        |                    |         |
|        | 4x6x8 PVC VALVE (SIZE FROM PLAN)          |                                                              |        |                    |         |
|        | SCHEDULE 40 PVC VALVE (SIZE FROM PLAN)    |                                                              |        |                    |         |
|        | PVC ELBOW (SIZE AND QUANTITY AS REQUIRED) |                                                              |        |                    |         |



## Crystle Rhine

---

**From:** Betsi Ledesma  
**Sent:** Monday, August 28, 2017 11:22 AM  
**To:** Crystle Rhine  
**Subject:** FW: the Elmhurst Pool

Betsi Ledesma, CMCA  
General Manager  
Nepenthe Association  
1131 Commons Drive, Sacramento, CA 95825  
916.929.8380  
Email: [betsi.ledesma@fsresidential.com](mailto:betsi.ledesma@fsresidential.com)  
[www.NepentheHOA.com](http://www.NepentheHOA.com)  
2016 Management Company of the Year – CAI California North Chapter

Attention Board Members: In order to avoid any conflict with the Open Meeting Act, please ensure that your emails are directed only to me and not your fellow directors. Thank you.

-----Original Message-----

From: Humphrey, Robert [<mailto:humphreyre@csus.edu>]  
Sent: Sunday, August 20, 2017 11:52 PM  
To: Betsi Ledesma <[Betsi.Ledesma@fsresidential.com](mailto:Betsi.Ledesma@fsresidential.com)>  
Subject: the Elmhurst Pool

Betsi,

Give the changes (allowing kids to swim there) in rules, the pool at Elmhurst often has a number of loud, noisy kids. Difficult to swim laps. For the past few week I go around 5pm and hope the kids have cleared out. Other adults feel invaded by the kids.

Why not heat the Elmhurst pool?? All it would take is a cover (we had one our family pool) and a roller to roll and unroll. This would not cost that much and the water would warm sufficiently to allow me and others to swim there. It is a shame that we have this large perfectly beautiful pool that no one uses!!!  
Can you at least look into the feasibility and then bring the proposal to the board???

Thanks,

Robert Humphrey

## Bettsi Ledesma

---

**From:** atwatters@aol.com  
**Sent:** Monday, July 31, 2017 9:30 AM  
**To:** Crystle Rhine; Bettsi Ledesma  
**Subject:** Letter to the Board of Directors

I thank the Board and Management for supplying new patio furniture to the Dunbarton and Elmhurst pools.

I and my guests have been using and enjoying the new chairs and tables. They do look so much nicer.

[Alan T. Watters](#)

**NEPENTHE ASSOCIATION  
BOARD OF DIRECTORS MEETING  
August 2, 2017, 5:30 PM**

Nepenthe Clubhouse | 1131 Commons Drive | Sacramento, CA 95825

|                             |
|-----------------------------|
| <b>OPEN SESSION MINUTES</b> |
|-----------------------------|

**I. CALL TO ORDER @ 5:30pm**

| Present | Board Member     | Positon         |
|---------|------------------|-----------------|
| X       | Steve Huffman    | President       |
| X       | Joan Haradon     | Vice President  |
| X       | Linda Cook       | Secretary       |
| X       | Christina George | Treasurer       |
| X       | Frank Loge       | Member at Large |

**II. ANNOUNCEMENTS**

- a. **Executive Session Disclosure:** In accordance with Civil Code Section 4935(a), the Board met twice in Executive Session on June 7, 2017 in order to consider matters relating to the formation of contracts, personnel matters and member discipline.

**Items of discussion included:**

- Delinquencies
- Personnel Matters
- Contract Negotiations

- b. **Board Announcements-**None.

**III. SPECIAL ORDER- UNFINISHED BUSINESS**

- a. **Proposed Parking Rules-**Discussion item. No action taken
- b. **Letters from owners-** Discussion item. No action taken

**IV. COMMITTEE REPORTS**

- a. Ad Hoc Committee on Lighting-No report given.
- b. Ad Hoc Committee on Underground Utilities- Verbal report provided at meeting. Minutes provided to Board in their packet.
- c. Architectural Review Committee- Verbal report provided at meeting. Minutes provided to Board in their packet.
- d. Finance Committee- Verbal report provided at meeting. Minutes provided to Board in their packet.
- e. Grounds Committee- Verbal report provided at meeting. Minutes provided to Board in their packet.
- f. Insurance, Legal and Safety Committee- Verbal report provided at meeting. Minutes provided to Board in their packet.
- g. Outreach Committee-No report given.

**V. MANAGEMENT REPORT-**

**a. Operations Report:**

1. Phase III Siding and Painting- Project is running ahead of schedule. It is approximately two-thirds completed.
2. Pools passes inspection by The City of Sacramento.

3. Red Leaf Development has completed the concrete work as approved by the Board of Directors. Benches are soon to be installed on new pads adjacent to 500 Dunbarton and 1236 Vanderbilt.
4. Wiring for light string adjacent to 4-10 Adelphi failed necessitating trench work and replacement week of 7/24/17.
5. All Zone Stewards walked their area regularly during the month of July and reported any maintenance issues to management.
6. On June 27th, Paul Dubois inspected several trees on the Nepenthe property during the monthly tree walks. The focus of the walks is to address resident/management concerns regarding mature trees on the property. The purpose of this report is to develop mitigation plans for the affected trees. Proposals for this walk will be on the August 2nd Open Session Agenda.
7. Management, Grounds Steward Elsa Morrison and arborist Paul Dubois will continue the monthly practice of tree walks in the community. Owners with tree concerns are welcome to forward them to the office for inclusion on the walk list. The next tree walk is planned for Zone 5 on August 29th.

**VI. HOMEOWNER CORRESPONDENCE-** Reviewed by Board of Directors.

**VII. HOMEOWNER FORUM-** Comments were received on a number of topics. Management made notes of the comments for possible future Board action.

**VIII. CONSENT CALENDAR**

**Motion:** Director Linda Cook

**Second:** Director Christina George

**Vote:** All in favor

**Resolution:** The Board approved Consent Calendar items A to D as presented.

*Begin Consent Calendar*

**a. Approval of Minutes July 5, 2017 Open Session**

Resolution: The Open Session minutes dated July 5, 2017 were approved as presented.

**b. Financial Statement: June 2017**

Resolution: The Board accepted the June 2017 interim financial reports and bank reconciliations as presented, subject to annual review. The reports reflects a positive year to date variance of \$117,746.55 and reserve funding of \$1,044,996.90 compared to the reserve funding budget of \$1,020,252. The reserves are funded through June 2017. The Association has \$421,294 in operating funds, which represents 1.51 months of budgeted expenses and reserve contributions. The Association has \$5,776,214 in reserve funds.

**c. Lien Resolution**

Per the enclosed Resolution dated July 14, 2017, Management is requesting authorization to place liens on the following accounts should the delinquent assessments not be paid within the time period established in the Intent-to-Lien letter.

| Account Number | Past Due Amount |
|----------------|-----------------|
| 1973-01        | \$938.00        |
| 2422-01        | \$938.00        |

d. **Architectural Applications**

The Architectural Review Committee met on July 11, 2017 to review the enclosed applications.

Resolution: The Board confirmed the recommendations of the committee.

|   | Address              | Application for                                                 | Recommendation |
|---|----------------------|-----------------------------------------------------------------|----------------|
| 1 | 1318 Commons Drive   | Trellis/Patio Cover                                             | Approval       |
| 2 | 1009 Dunbarton Cir.  | Window replacements                                             | Approval       |
| 3 | 1575 University Ave. | Approved lighting fixture on front garage exterior.             | Approval       |
| 4 | 1575 University Ave. | Approved lighting fixture on side garage exterior over walkway. | Approval       |
| 5 | 204 Dunbarton Cir.   | Patio hardscape                                                 | Approval       |
| 6 | 1009 Dunbarton Cir.  | Gas line and meter installation                                 | Approval       |
| 7 | 328 Elmhurst Cir.    | HVAC Replacement                                                | Approval       |

|                             |
|-----------------------------|
| <i>End Consent Calendar</i> |
|-----------------------------|

**IX. NEW BUSINESS**

a. **Appoint Board Member**

**Motion:** Director Linda Cook

**Second:** Director Christina George

**Vote:** All in favor

**Resolution:** The Board hereby appointed Frank Loge to serve on the Board of Directors for the current term ending in May 2019.

b. **Request for membership names and mailing addresses**

**Motion:** Director Steve Huffman

**Second:** Director Christina George

**Vote:** All in favor

**Resolution:** The Board approved Mr. Baker's request for a copy of the membership list and mailing addresses.

c. **Consider Revised Criteria for Gas Installations**

**Motion:** Director Linda Cook

**Second:** Director Christina George

**Vote:** All in favor

**Resolution:** The Board adopted revised Criteria #14 prepared by the Architectural Review Committee and directs that it be incorporated into the existing Architectural Guidelines and Community Rules.

- d. **Put the 2017 Landscape Contract to Bid?**  
No action taken. Director Christina George motioned to table until September 6th Meeting pending suggestions from Finance and Grounds Committee.
  
- e. **Annual July or August Board Meeting Hiatus**  
**Motion:** Director Christina George motioned to move that the Board take a hiatus August 2018.  
**Second:** Director Linda Cook  
**Vote:** All in favor
  
- f. **Make the August Jazz at the Pool Event Free to Nepenthe Residents**  
**Motion:** Director Linda Cook  
**Second:** Director Frank Loge  
**Vote:** All in favor  
**Resolution:** The Board agreed to hold the August 27, 2017 Jazz at the Pool event at no cost to Nepenthe residents. All other attendees will pay the usual ticket price. The Association will pay the cost of the entertainment and décor from the operating fund GL code 18003 Community Events which will be supplemented by the ticket sales for the event.
  
- g. **Proposal for Address Sign for Nepenthe Clubhouse**  
No action taken. Board directs Community Manager to consider a wall sign and provide samples at September 6<sup>th</sup> meeting.
  
- h. **Proposals for Tree Maintenance Work**  
**Motion:** Director Linda Cook  
**Second:** Director Christina George  
**Vote:** All in favor  
**Resolution:** The Board approved the removals and specific tree pruning as proposed by Grove Total Tree Care for the amount of \$15,280, payable from Reserves which has a remaining 2017 allocation for tree work of \$70K +/-.  
  
**Motion:** Director Christina George  
**Second:** Director Frank Loge  
**Vote:** All in favor  
**Resolution:** The Board approved the proposal from TurfPro (A division of Carson Industries, also the owner of The Grove Total Tree Care) for a series of deep root Redwood watering injections for \$1,500, payable from Reserves which has a remaining 2017 allocation for tree work of \$70K +/-.

**X. HOMEOWNER FORUM-** Comments were received on a number of topics. Management made notes of the comments for possible future Board action.

**XI. NEXT MEETING:** Wednesday, September 6, 2017 at 5:30 pm in the Nepenthe clubhouse

**XII. ADJOURN @ 7:38pm**

# NEPENTHE ASSOCIATION

## CASH BASIS FINANCIAL STATEMENTS

FOR THE MONTH AND SEVEN MONTH(S) ENDED  
JULY 31, 2017

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| GENERAL RESERVE FUND BALANCE SUPPORT SCHEDULE | C  |
| INCOME STATEMENT                              | D  |
| INCOME STATEMENT FOR 12 MONTHS ENDING         | EA |
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| GENERAL LEDGER                                | F  |
| TRANSACTION REGISTER                          | G  |
| RECEIPTS STATEMENT                            | H  |
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| CHECK HISTORY REPORT                          | J  |
| BANK RECONCILIATIONS                          |    |

THE ACCOMPANYING FINANCIAL STATEMENTS ARE SUBJECT TO AUDIT  
AND ARE ONLY INTENDED FOR THE ASSOCIATION'S INTERNAL USE.

PREPARED BY:



**FirstService**  
RESIDENTIAL

**NEPENTHE ASSOCIATION**

**FINANCIAL SUMMARY**

**Fiscal Year End: December 31, 2017**

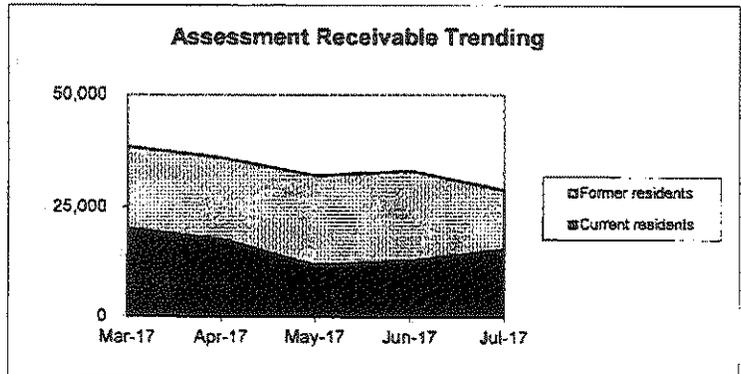
**For the Month Ended: July 31, 2017**

**CASH SUMMARY**

|                                       | <u>This month</u> | <u>Last Month</u> | <u>Change in Cash</u> |           |
|---------------------------------------|-------------------|-------------------|-----------------------|-----------|
| Operating cash                        | 458,551.61        | 421,433.84        | Increase in Cash      | 37,117.77 |
| Reserve Cash General Reserve          | 5,868,831.61      | 5,776,214.28      | Increase in Cash      | 90,617.33 |
| Adj Operating Cash (see note 1)       | 354,749.57        | 317,557.23        | Increase in Cash      | 37,192.34 |
| Average budgeted expenses / month     |                   | 278,914.00        |                       |           |
| Average # of months of available cash |                   | 1.64              |                       |           |
| Percent Funded Per 2016 Reserve Study |                   | 41%               |                       |           |

**ASSESSMENT SUMMARY**

|                                     |                  |
|-------------------------------------|------------------|
| Monthly Assessment Budget           | 276,709.00       |
| Assessment Cash Received            | 275,972.32       |
| <u>Total Assessments Receivable</u> |                  |
| 0-30 days (see note 1)              | 0.00             |
| 31-60 days late                     | 9,281.30         |
| 61-90 days late                     | 3,431.25         |
| <u>over 90 days late</u>            | <u>16,230.85</u> |
| Total Assessments Due               | 28,943.40        |
| <u>Other Receivable</u>             | 8,244.37         |
| Total Owners Receivable             | 37,187.77        |
| Past Residents Assessments Rec.     | 13,446.90        |
| Prepaid Assessments                 | 103,802.04       |



**OPERATING SUMMARY**

| Category                        | July Expenses | YTD Expenses   | YTD Budget     | YTD Variance   | Negative YTD Variances >\$2500    |
|---------------------------------|---------------|----------------|----------------|----------------|-----------------------------------|
| Utilities                       | 6,169         | 63,619         | 56,735         | (6,884)        | Gas, Water                        |
| Landscape                       | 28,567        | 202,664        | 201,439        | (1,225)        |                                   |
| Common Area                     | 6,811         | 67,239         | 77,147         | 9,908          |                                   |
| Management/On-Site Admin        | 30,871        | 275,248        | 226,709        | (48,539)       | see note 3                        |
| Insurance                       | (326)         | 46,326         | 200,074        | 153,748        |                                   |
| <b>Total Operating Expenses</b> | <b>72,113</b> | <b>655,096</b> | <b>762,104</b> | <b>107,008</b> | Spending underbudget year-to-date |

**RESERVE SUMMARY**

|                                         |              |                              |            |
|-----------------------------------------|--------------|------------------------------|------------|
| Contribution to Reserves this month:    | 170,042.00   | Rsv Disbursement this month: | 81,035.33  |
| Contribution to Rsvs Year-to-Date:      | 1,190,294.00 | Rsv Disbursement YTD:        | 902,305.51 |
| Interest on reserve funds Year-to-Date: | 26,355.56    |                              |            |

**ITEMS OF NOTE**

1. Adj Operating Cash is calculated by Operating Account Funds minus Prepaid Assessments.
2. In a month with 31 days, assessments owed for that month would be reflected under 31-60 days late.
3. Federal Tax, Franchise Tax, General Counsel, Admin Misc, On-site Staff, Payroll Taxes/Benefits

**Nepenthe's Year To Date Cash Flow**

| Sources/Uses                       | Operations     | Reserves         |
|------------------------------------|----------------|------------------|
| <b>Beginning Balance 1/01/2017</b> | <b>303,773</b> | <b>5,552,488</b> |
| Prior year Due from Management     | 52             |                  |
| Prior year Due from Vendor         | 0              |                  |
| <b>Plus</b>                        |                |                  |
| Income                             | 1,999,508.30   |                  |
| Reserve Investment Income          |                | 26,355.56        |
| Contributions to Reserves          |                | 1,190,294.00     |
| Pending Reserve Expense            | 0.00           |                  |
| Due From Vendor                    | (101.78)       |                  |
| Receivable from Mgmt               | (21.74)        |                  |
| Processing Fees                    | 732.00         |                  |
| <b>Less</b>                        |                |                  |
| Operating Expenses                 | (655,096.35)   |                  |
| Reserve Funding                    | (1,190,294.00) |                  |
| Reserve Expenses                   | (902,305.51)   |                  |
| <b>Ending Balance 7/31</b>         | <b>458,552</b> | <b>5,866,832</b> |

**Budget Report**

Actual year-to-date income of \$1,999,508.30 versus year-to-date budgeted income of \$1,952,398 produced a positive year-to-date income variance of \$73,465.86

Actual year-to-date operating expenses of \$655,096.35 versus year-to-date budgeted expenses of \$762,104 produced a positive year-to-date operating expenses variance of \$107,007.65.

The two combined variances produced a positive year-to-date variance of \$154,117.95.

**Other Information**

Unpaid assessments at July 31, 2017 were: \$ 28,943

Prepaid assessments at July 31, 2017 were: \$ 103,802

NEPENTHE ASSOCIATION  
COMPARATIVE BALANCE SHEET  
07/31/2017

08/18/2017 4:12 PM Page: A 1

c/o FirstService Residential  
15241 Laguna Canyon Rd  
Irvine CA 92618

FirstService Residential CA  
15241 Laguna Canyon Road  
Irvine CA 92618

|                                                | CURRENT<br>MONTH           | PRIOR<br>MONTH             |
|------------------------------------------------|----------------------------|----------------------------|
| <u>CASH AND INVESTMENTS</u>                    |                            |                            |
| OPERATING ACCOUNT FUNDS                        | 458,401.61                 | 421,283.84                 |
| PETTY CASH                                     | 150.00                     | 150.00                     |
| RESERVE ACCOUNT FUNDS                          | <u>5,866,831.61</u>        | <u>5,776,214.28</u>        |
| TOTAL CASH AND INVESTMENTS                     | 6,325,383.22               | 6,197,648.12               |
| <u>OTHER ASSETS</u>                            |                            |                            |
| DUE FROM VENDOR-<br>RECEIVABLE FROM MANAGEMENT | 101.78<br>21.74            | 101.78<br>36.11            |
| TOTAL OTHER ASSETS                             | <u>123.52</u>              | <u>137.89</u>              |
| TOTAL ASSETS                                   | <u><u>6,325,506.74</u></u> | <u><u>6,197,786.01</u></u> |
| <u>LIABILITIES</u>                             |                            |                            |
| PROCESSING FEES                                | <u>732.00</u>              | <u>0.00</u>                |
| TOTAL LIABILITIES                              | 732.00                     | 0.00                       |
| <u>MEMBERS EQUITY</u>                          |                            |                            |
| GENERAL RESERVE FUND BALANCE                   | 5,866,831.61               | 5,776,214.28               |
| OPERATING FUND BALANCE-BEG OF YEAR             | 303,825.18                 | 303,825.18                 |
| CURRENT YEAR INCOME/(LOSS)                     | <u>154,117.95</u>          | <u>117,746.55</u>          |
| TOTAL LIABILITIES & MEMBERS EQUITY             | <u><u>6,325,506.74</u></u> | <u><u>6,197,786.01</u></u> |



NEPENTHE ASSOCIATION  
RESERVE FUND BALANCES SUPPORT SCHEDULES  
07/31/2017

c/o FirstService Residential  
15241 Laguna Canyon Rd  
Irvine CA 92618

FirstService Residential CA  
15241 Laguna Canyon Road  
Irvine CA 92618

|                                        | PRIOR YEAR<br>BALANCE | BEG BAL<br>REALLOCATION | ADDITIONS<br>THIS YEAR | EXPENSE<br>CURRENT MONTH | PREVIOUS EXP<br>CURRENT YEAR | CURRENT<br>BALANCE  |
|----------------------------------------|-----------------------|-------------------------|------------------------|--------------------------|------------------------------|---------------------|
| <b>GENERAL RESERVES</b>                |                       |                         |                        |                          |                              |                     |
| N23277 ROOF INSPECTIONS & REPAIR       | (74.78)               | 74.78                   | 0.00                   | 0.00                     | 0.00                         | 0.00                |
| N23282 TREE REMOVAL/ANNUAL MAINTENANCE | 25,317.56             | (25,317.56)             | 0.00                   | (17,020.00)              | (131,942.50)                 | (148,962.50)        |
| N22911 UNDERGROUND UTILITY REPR RSV    | (20,825.00)           | 20,825.00               | 0.00                   | (3,150.00)               | (20,275.00)                  | (23,425.00)         |
| N23017 CLUBHOUSE INTERIOR RENOVATION   | 92,839.23             | (15,273.38)             | 24,689.00              | (25,009.15)              | 0.00                         | 77,245.70           |
| N23130 MISCELLANEOUS RSV               | 47,876.66             | (3,992.20)              | 13,328.00              | 16,511.51                | (7,551.58)                   | 66,172.39           |
| 23103 INTEREST ON RESERVE FUNDING      | 39,725.21             | (39,725.21)             | 26,365.56              | 0.00                     | 0.00                         | 26,365.56           |
| 23130 CONTINGENCY RESERVES             | 0.00                  | 0.00                    | 0.00                   | 0.00                     | (600.00)                     | (600.00)            |
| N23270 UNIT EXTERIOR RESERVE           | 4,883,894.20          | (328,850.09)            | 892,591.00             | (35,470.44)              | (436,544.84)                 | 4,975,619.83        |
| N23271 MAIN CLUBHOUSE AREA RSV         | 106,365.55            | 39,696.82               | 38,780.00              | 0.00                     | (6,595.00)                   | 178,247.37          |
| N23275 GROUNDS RESERVE                 | 375,423.92            | 352,780.77              | 219,646.00             | (16,897.25)              | (217,761.26)                 | 713,192.18          |
| N23276 ADMINISTRATIVE RESERVE          | 1,945.01              | (218.93)                | 1,260.00               | 0.00                     | 0.00                         | 2,986.08            |
| <b>TOTAL GENERAL RESERVES</b>          | <b>5,552,487.56</b>   | <b>0.00</b>             | <b>1,216,649.56</b>    | <b>(81,035.33)</b>       | <b>(821,270.18)</b>          | <b>5,866,831.61</b> |

NEPENTHE ASSOCIATION  
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| ACTUAL     | ---MONTH---<br>BUDGETED | VARIANCE   | G/L<br>NUMBER | DESCRIPTION                      | ACTUAL       | YEAR TO DATE<br>BUDGETED | VARIANCE    | ANNUAL<br>BUDGET | \$ REMAINING<br>IN BUDGET |
|------------|-------------------------|------------|---------------|----------------------------------|--------------|--------------------------|-------------|------------------|---------------------------|
| 275,972.32 | 276,709                 | (736.68)   | 14000         | REVENUE                          | 1,960,174.60 | 1,936,963                | 23,211.60   | 3,320,508        | 1,360,333.40              |
| 1,729.44   | 1,430                   | 299.44     | 14087         | HOMEOWNER ASSESSMENT REVENUE     | 8,328.18     | 10,010                   | (1,681.82)  | 17,160           | 8,831.82                  |
| 83.17      | 0                       | 83.17      | 14101         | EASEMENT AGREEMENT               | 1,295.96     | 0                        | 1,295.96    | 0                | (1,295.96)                |
| 150.00     | 75                      | 75.00      | 14110         | INTEREST ON PAST DUE ASSESSMENTS | 405.00       | 525                      | (120.00)    | 900              | 495.00                    |
| 160.00     | 700                     | (540.00)   | 14113         | KEY REVENUE                      | 2,850.00     | 4,900                    | (2,050.00)  | 8,400            | 5,550.00                  |
| 371.62     | 0                       | 371.62     | 14116         | CLUBHOUSE RENTAL                 | 900.00       | 0                        | 900.00      | 0                | (900.00)                  |
| 0.00       | 0                       | 0.00       | 14132         | CC&R VIOLATIONS/FINES            | 150.00       | 0                        | 150.00      | 0                | (150.00)                  |
| 59.40      | 0                       | 59.40      | 14162         | MISCELLANEOUS REVENUE            | 404.56       | 0                        | 404.56      | 0                | (404.56)                  |
| 1,610.66   | 0                       | 1,610.66   | 14163         | OPERATING INTEREST REVENUE       | 26,355.56    | 0                        | 26,355.56   | 0                | (26,355.56)               |
| 0.00       | 0                       | 0.00       | 14194         | RESERVE INTEREST REVENUE         | 25,000.00    | 0                        | 25,000.00   | 0                | (25,000.00)               |
| 280,136.61 | 278,914                 | 1,222.61   |               | LANDSCAPE REVENUE                | 2,025,863.86 | 1,952,398                | 73,465.86   | 3,346,968        | 1,321,104.14              |
| 170,042.00 | 170,042                 | 0.00       | 19758         | TOTAL REVENUE                    | 1,190,294.00 | 1,190,294                | 0.00        | 2,040,504        | 850,210.00                |
| 1,610.66   | 0                       | (1,610.66) | 19803         | RESERVE CONTRIBUTION             | 26,355.56    | 0                        | (26,355.56) | 0                | (26,355.56)               |
| 171,652.66 | 170,042                 | (1,610.66) |               | GENERAL RESERVES                 | 1,216,649.56 | 1,190,294                | (26,355.56) | 2,040,504        | 823,854.44                |
| 108,483.95 | 108,872                 | (388.05)   |               | GENERAL RESERVE INTEREST         | 809,214.30   | 762,104                  | 47,110.30   | 1,306,464        | 497,249.70                |
| 0.00       | 2,725                   | 2,725.00   | 15101         | TOTAL RESERVE CONTRIBUTION       | 17,130.53    | 19,075                   | 1,944.47    | 32,700           | 15,569.47                 |
| 2,574.81   | 1,200                   | (1,374.81) | 15102         | AVAILABLE OPERATING REVENUE      | 15,200.28    | 8,400                    | (6,800.28)  | 14,400           | (800.28)                  |
| 0.00       | 350                     | 350.00     | 15103         | OPERATING EXPENSES               | 1,436.32     | 2,450                    | 1,013.68    | 4,200            | 2,763.68                  |
| 294.13     | 430                     | 135.87     | 15105         | UTILITIES                        | 2,343.78     | 3,010                    | 666.22      | 5,160            | 2,816.22                  |
| 3,319.95   | 3,400                   | 80.05      | 15106         | ELECTRICITY                      | 27,507.73    | 23,800                   | (3,707.73)  | 40,800           | 13,292.27                 |
| 6,188.89   | 8,105                   | 1,916.11   |               | GAS                              | 63,618.64    | 56,735                   | (6,883.64)  | 97,260           | 33,641.36                 |
| 28,567.00  | 28,567                  | 0.00       | 15500         | LAND MAINTENANCE                 | 199,969.00   | 199,969                  | 0.00        | 342,804          | 142,835.00                |
| 0.00       | 185                     | 185.00     | 15511         | CONTRACT LANDSCAPE SERVICE       | 2,695.00     | 1,295                    | (1,400.00)  | 2,220            | (475.00)                  |
| 0.00       | 25                      | 25.00      | 15597         | BACKFLOW DEVICE TEST             | 0.00         | 175                      | 175.00      | 300              | 300.00                    |
| 28,567.00  | 28,777                  | 210.00     |               | COMMON AREA IMPROVEMENT          | 202,664.00   | 201,439                  | (1,225.00)  | 345,324          | 142,660.00                |
| 1,700.00   | 1,350                   | (350.00)   | 16020         | TOTAL LAND MAINTENANCE           | 10,020.00    | 9,450                    | (570.00)    | 16,200           | 6,180.00                  |
| 0.00       | 25                      | 25.00      | 16022         | COMMON AREA                      | 300.00       | 175                      | (125.00)    | 300              | 0.00                      |
| 0.00       | 115                     | 115.00     | 16027         | CONTRACT POOL/SPA SERVICE        | 1,808.48     | 805                      | (1,003.48)  | 1,380            | (428.48)                  |
|            |                         |            |               | POOL EQUIPMENT REPAIR            |              |                          |             |                  |                           |
|            |                         |            |               | POOL INSPECTION                  |              |                          |             |                  |                           |

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| ACTUAL          | ---MONTH---<br>BUDGETED | VARIANCE        | G/L<br>NUMBER | DESCRIPTION                  | ACTUAL           | YEAR TO DATE<br>BUDGETED | VARIANCE        | ANNUAL<br>BUDGET | \$ REMAINING<br>IN BUDGET |
|-----------------|-------------------------|-----------------|---------------|------------------------------|------------------|--------------------------|-----------------|------------------|---------------------------|
| 0.00            | 25                      | 25.00           | 18510         | ROOF MAINTENANCE             | 0.00             | 175                      | 175.00          | 300              | 300.00                    |
| 0.00            | 279                     | 279.00          | 18524         | MATERIAL SUPPLIES            | 2,711.83         | 1,953                    | (758.83)        | 3,348            | 636.17                    |
| 1,495.00        | 190                     | (1,305.00)      | 18526         | PEST CONTROL                 | 2,275.00         | 1,330                    | (945.00)        | 2,280            | 5.00                      |
| 0.00            | 1,525                   | 1,525.00        | 18531         | JANITORIAL SERVICE           | 9,150.00         | 10,675                   | 1,525.00        | 18,300           | 9,150.00                  |
| 0.00            | 247                     | 247.00          | 18532         | JANITORIAL SUPPLIES          | 932.19           | 1,729                    | 796.81          | 2,964            | 2,031.81                  |
| 0.00            | 10                      | 10.00           | 18534         | FIRE EXTINGUISHER            | 0.00             | 70                       | 70.00           | 120              | 120.00                    |
| 0.00            | 25                      | 25.00           | 18544         | LIGHT REPAIRS                | 0.00             | 175                      | 175.00          | 300              | 300.00                    |
| 0.00            | 125                     | 125.00          | 18564         | SPECIAL SECURITY             | 3,352.75         | 875                      | (2,477.75)      | 1,500            | (1,852.75)                |
| 2,900.00        | 1,200                   | (1,700.00)      | 18579         | PATROL SERVICE               | 6,900.00         | 8,400                    | 1,500.00        | 14,400           | 7,500.00                  |
| 0.00            | 4,993                   | 4,993.00        | 18736         | GUTTER & DOWNSPOUT CLEANING  | 25,899.40        | 34,951                   | 9,051.60        | 59,916           | 34,016.60                 |
| 484.59          | 400                     | (84.59)         | 18767         | REPAIR & MAINTENANCE         | 2,005.60         | 2,800                    | 794.40          | 4,800            | 2,794.40                  |
| 231.81          | 172                     | (59.81)         | 18905         | KITCHEN SUPPLIES             | 1,088.64         | 1,204                    | 115.36          | 2,064            | 975.36                    |
| 0.00            | 300                     | 300.00          | 18957         | JANITORIAL EXTRA             | 225.00           | 2,100                    | 1,875.00        | 3,600            | 3,375.00                  |
| 0.00            | 40                      | 40.00           | 18986         | FITNESS CONTRACT             | 570.04           | 280                      | (290.04)        | 480              | (90.04)                   |
| <b>6,811.40</b> | <b>11,021</b>           | <b>4,209.60</b> |               | <b>TOTAL COMMON AREA</b>     | <b>67,238.93</b> | <b>77,147</b>            | <b>9,908.07</b> | <b>132,252</b>   | <b>65,013.07</b>          |
| 1,033.32        | 150                     | (883.32)        | 18001         | MANAGEMENT-ON-SITE ADMIN EXP | 3,527.98         | 1,050                    | (2,477.98)      | 1,800            | (1,727.98)                |
| (515.76)        | 75                      | 590.76          | 18003         | COMMUNITY WEBSITE            | 1,357.10         | 525                      | (832.10)        | 900              | (457.10)                  |
| 4.64            | 75                      | 70.36           | 18008         | COMMUNITY EVENTS/PROGRAMS    | 74.64            | 525                      | 450.36          | 900              | 825.36                    |
| 32.00           | 75                      | 43.00           | 18092         | VOLUNTEER RECOGNITION        | 497.91           | 525                      | 27.09           | 900              | 402.09                    |
| 7,159.31        | 6,970                   | (189.31)        | 19109         | EDUCATION/ADULT PROGRAM      | 50,115.17        | 48,790                   | (1,325.17)      | 83,640           | 33,524.83                 |
| 0.00            | 160                     | 160.00          | 19101         | CONTRACT MANAGEMENT          | 1,895.00         | 1,120                    | (775.00)        | 1,920            | 25.00                     |
| 0.00            | 650                     | 650.00          | 19104         | CPA SERVICES                 | 11,740.00        | 4,550                    | (7,190.00)      | 7,800            | (3,940.00)                |
| 0.00            | 375                     | 375.00          | 19105         | FEDERAL TAX EXPENSE          | 7,060.00         | 2,625                    | (4,435.00)      | 4,500            | (2,560.00)                |
| 0.00            | 175                     | 175.00          | 19106         | FRANCHISE TAX BOARD          | 1,088.52         | 1,225                    | 136.48          | 2,100            | 1,011.48                  |
| 0.00            | 500                     | 500.00          | 19108         | TAXES & LICENSES             | 14,139.22        | 3,500                    | (10,639.22)     | 6,000            | (8,139.22)                |
| 1,099.80        | 2,100                   | 1,000.20        | 19111         | GENERAL COUNSEL SERVICE      | 17,161.88        | 14,700                   | (2,461.88)      | 25,200           | 8,038.12                  |
| 15.68           | 50                      | 34.32           | 19112         | MANAGEMENT REIMBURSABLE      | 339.33           | 350                      | 10.67           | 600              | 260.67                    |
| 0.00            | 0                       | 0.00            | 19116         | POSTAGE, ON-SITE             | 3,500.00         | 0                        | (3,500.00)      | 0                | (3,500.00)                |
| 0.00            | 40                      | 40.00           | 19117         | ADMINISTRATIVE MISC          | 0.00             | 280                      | 280.00          | 480              | 480.00                    |
| 35.00           | 35                      | 0.00            | 19119         | DUES & PUBLICATIONS          | 245.00           | 245                      | 0.00            | 420              | 175.00                    |
| 14,011.11       | 14,000                  | (11.11)         | 19124         | BANK FEES                    | 107,004.86       | 98,000                   | (9,004.86)      | 168,000          | 60,995.14                 |
| 178.77          | 60                      | (118.77)        | 19126         | ON-SITE STAFF                | 1.31             | 420                      | 418.69          | 720              | 718.69                    |
| 290.00          | 182                     | (108.00)        | 19132         | DELINQUENCY MONITORING       | 3,540.00         | 1,274                    | (2,266.00)      | 2,184            | (1,356.00)                |
| 0.00            | 100                     | 100.00          | 19143         | OPERATING CONTINGENCY        | 2,990.82         | 700                      | (2,290.82)      | 1,200            | (1,790.82)                |
| 75.10           | 100                     | 24.90           | 19172         | LEGAL-COLLECTIONS            | 1,048.20         | 700                      | (348.20)        | 1,200            | 151.80                    |
| 1,456.00        | 135                     | (1,321.00)      | 19174         | ACCOUNTING REIMBURSABLES     | 470.22           | 945                      | 474.78          | 1,620            | 1,149.78                  |
| 265.80          | 75                      | (190.80)        | 19178         | AMS COLLECTION EXPENSE       | 265.80           | 525                      | 259.20          | 900              | 634.20                    |
| 4,848.35        | 5,300                   | 451.65          | 19247         | PROPERTY TAX                 | 41,552.02        | 37,100                   | (4,452.02)      | 63,600           | 22,047.98                 |
| 150.00          | 5                       | (145.00)        | 19281         | PAYROLL TAXES & BENEFITS     | 450.00           | 35                       | (415.00)        | 60               | (390.00)                  |
| 12.92           | 150                     | 137.08          | 19295         | WEBSITE MONTHLY FEE          | 1,406.00         | 1,050                    | (356.00)        | 1,800            | 394.00                    |
| 719.34          | 400                     | (319.34)        | 19382         | ON-SITE OFFICE SUPPLIES      | 3,681.12         | 2,800                    | (881.12)        | 4,800            | 1,118.88                  |
|                 |                         |                 |               | COPIER LEASE                 |                  |                          |                 |                  |                           |

NEPENTHE ASSOCIATION  
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| ACTUAL           | MONTH BUDGETED | VARIANCE         | G/L NUMBER | DESCRIPTION                             | ACTUAL            | YEAR TO DATE BUDGETED | VARIANCE           | ANNUAL BUDGET    | \$ REMAINING IN BUDGET |
|------------------|----------------|------------------|------------|-----------------------------------------|-------------------|-----------------------|--------------------|------------------|------------------------|
| 0.00             | 50             | 50.00            | 19442      | CLAC CONTRIBUTION                       | 0.00              | 350                   | 350.00             | 600              | 600.00                 |
| 0.00             | 400            | 400.00           | 19505      | CC&R REVISION                           | 96.36             | 2,800                 | 2,703.64           | 4,800            | 4,703.64               |
| <b>30,871.38</b> | <b>32,387</b>  | <b>1,515.62</b>  |            | <b>TOTAL MANAGEMENT/ON-SITE ADMIN E</b> | <b>275,248.46</b> | <b>226,709</b>        | <b>(48,539.46)</b> | <b>388,644</b>   | <b>113,395.54</b>      |
|                  |                |                  |            | <b>INSURANCE</b>                        |                   |                       |                    |                  |                        |
| (326.12)         | 7,801          | 8,127.12         | 19107      | INSURANCE                               | 46,970.32         | 54,607                | 7,636.68           | 93,612           | 46,641.68              |
| 0.00             | 20,781         | 20,781.00        | DC19307    | FLOOD INSURANCE                         | (644.00)          | 145,467               | 146,111.00         | 249,372          | 250,016.00             |
| <b>(326.12)</b>  | <b>28,582</b>  | <b>28,908.12</b> |            | <b>TOTAL INSURANCE</b>                  | <b>46,326.32</b>  | <b>200,074</b>        | <b>153,747.68</b>  | <b>342,984</b>   | <b>296,657.68</b>      |
| <b>72,112.55</b> | <b>108,872</b> | <b>36,759.45</b> |            | <b>TOTAL OPERATING EXPENSES</b>         | <b>655,096.35</b> | <b>762,104</b>        | <b>107,007.65</b>  | <b>1,306,464</b> | <b>651,367.65</b>      |
| 36,371.40        | 0              | 36,371.40        |            | NET INCOME/(LOSS)                       | 154,117.95        | 0                     | 154,117.95         | 0                | (154,117.95)           |

NEPENTHE ASSOCIATION  
 INCOME STATEMENT FOR 12 MONTHS ENDING  
 07/31/2017

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|                                      | Aug           | Sep           | Oct           | Nov           | Dec           | Jan           | Feb           | Mar           | Apr           | May           | Jun           | Jul           | TOTAL          |
|--------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|
| <b>REVENUE</b>                       |               |               |               |               |               |               |               |               |               |               |               |               |                |
| 14000 HOMEOWNER ASSESSMENT REVENUE   | 280916        | 278859        | 257374        | 256396        | 281848        | 278952        | 266931        | 306681        | 259767        | 292586        | 279285        | 275972        | 3315567        |
| 14087 EASEMENT AGREEMENT             | 1458          | 1836          | 1826          | 721           | 29782         | 0             | 1790          | 1816          | 379           | 1856          | 758           | 1729          | 43952          |
| 14101 INTEREST ON PAST DUE ASSESSMEN | 27            | 67            | 387           | 73            | 81            | 5             | 24            | 611           | 84            | 382           | 107           | 83            | 1931           |
| 14110 KEY REVENUE                    | 90            | 40            | 15            | 10            | 75            | 40            | -20           | 85            | 60            | -20           | 110           | 150           | 635            |
| 14113 CLUBHOUSE RENTAL               | 295           | 140           | 1060          | 435           | 1625          | 240           | 510           | 270           | 750           | 450           | 470           | 160           | 6405           |
| 14116 CC&R VIOLATIONS/FINES          | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 15            | 25            | 489           | 372           | 900            |
| 14132 MISCELLANEOUS REVENUE          | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 105           | 45            | 0             | 150            |
| 14162 OPERATING INTEREST REVENUE     | 28            | 25            | 26            | 25            | 25            | 15            | 97            | 59            | 54            | 63            | 57            | 59            | 535            |
| 14163 RESERVE INTEREST REVENUE       | 1403          | 3330          | 2174          | 1757          | 9407          | 2089          | 1733          | 3039          | 6348          | 1913          | 9623          | 1611          | 44426          |
| 14194 LANDSCAPE REVENUE              | 0             | 0             | 0             | 0             | 0             | 0             | 25000         | 0             | 0             | 0             | 0             | 0             | 25000          |
| <b>TOTAL REVENUE</b>                 | <b>284217</b> | <b>284297</b> | <b>262862</b> | <b>259417</b> | <b>322844</b> | <b>281341</b> | <b>296064</b> | <b>312561</b> | <b>267457</b> | <b>297361</b> | <b>290944</b> | <b>280137</b> | <b>3439501</b> |
| <b>RESERVE CONTRIBUTION</b>          |               |               |               |               |               |               |               |               |               |               |               |               |                |
| 19758 GENERAL RESERVES               | 163766        | 163766        | 163766        | 163766        | 163766        | 170042        | 170042        | 170042        | 170042        | 170042        | 170042        | 170042        | 2009124        |
| 19803 GENERAL RESERVE INTEREST       | 1403          | 3330          | 2174          | 1757          | 9407          | 2089          | 1733          | 3039          | 6348          | 1913          | 9623          | 1611          | 44426          |
| <b>TOTAL RESERVE CONTRIBUTION</b>    | <b>165169</b> | <b>167096</b> | <b>165940</b> | <b>165523</b> | <b>173173</b> | <b>172131</b> | <b>171775</b> | <b>173081</b> | <b>176390</b> | <b>171955</b> | <b>179665</b> | <b>171653</b> | <b>2053550</b> |
| <b>AVAILABLE OPERATING REVENUE</b>   | <b>119048</b> | <b>117202</b> | <b>96922</b>  | <b>93894</b>  | <b>149671</b> | <b>109210</b> | <b>124289</b> | <b>139480</b> | <b>91066</b>  | <b>125406</b> | <b>111279</b> | <b>108484</b> | <b>1385951</b> |
| <b>OPERATING EXPENSES</b>            |               |               |               |               |               |               |               |               |               |               |               |               |                |
| <b>UTILITIES</b>                     |               |               |               |               |               |               |               |               |               |               |               |               |                |
| 15101 ELECTRICITY                    | 0             | 5498          | 2661          | 0             | 2669          | 5848          | 0             | 6117          | 0             | 2572          | 2593          | 0             | 27958          |
| 15102 GAS                            | 1168          | 790           | 1926          | 1603          | 2688          | 1804          | 2398          | 1724          | 3377          | 2013          | 1310          | 2575          | 23376          |
| 15103 REFUSE COLLECTION              | 168           | 273           | 286           | 216           | 269           | 144           | 422           | 0             | 631           | 240           | 0             | 0             | 2648           |
| 15105 TELEPHONE EXPENSE              | 495           | 492           | 364           | 570           | 559           | 126           | 943           | 261           | 63            | 299           | 357           | 294           | 4824           |
| 15106 WATER                          | 3027          | 3658          | 4609          | 3315          | 3430          | 4137          | 3994          | 3633          | 2791          | 5457          | 4175          | 3320          | 45547          |
| <b>TOTAL UTILITIES</b>               | <b>4858</b>   | <b>10711</b>  | <b>9846</b>   | <b>5704</b>   | <b>9616</b>   | <b>12059</b>  | <b>7757</b>   | <b>11735</b>  | <b>6862</b>   | <b>10582</b>  | <b>8435</b>   | <b>6189</b>   | <b>104354</b>  |
| <b>LAND MAINTENANCE</b>              |               |               |               |               |               |               |               |               |               |               |               |               |                |
| 15500 CONTRACT LANDSCAPE SERVICE     | 26823         | 26823         | 26823         | 26823         | 26823         | 0             | 28567         | 57134         | 0             | 57134         | 28567         | 28567         | 334084         |
| 15504 TREE MAINTENANCE               | 0             | 0             | 180           | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 180            |
| 15511 BACKFLOW DEVICE TEST           | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 2695          | 0             | 2695           |
| <b>TOTAL LAND MAINTENANCE</b>        | <b>26823</b>  | <b>26823</b>  | <b>27003</b>  | <b>26823</b>  | <b>26823</b>  | <b>0</b>      | <b>28567</b>  | <b>57134</b>  | <b>0</b>      | <b>57134</b>  | <b>31262</b>  | <b>28567</b>  | <b>336959</b>  |
| <b>COMMON AREA</b>                   |               |               |               |               |               |               |               |               |               |               |               |               |                |
| 16020 CONTRACT POOL/SPA SERVICE      | 1350          | 1350          | 1350          | 1350          | 1350          | 1350          | 1350          | 1350          | 1350          | 1350          | 1570          | 1700          | 16770          |
| 16022 POOL EQUIPMENT REPAIR          | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 0             | 300           | 0             | 300            |

NEPENTHE ASSOCIATION  
INCOME STATEMENT FOR 12 MONTHS ENDING  
07/31/2017

c/o FirstService Residential  
15241 Laguna Canyon Rd  
Irvine CA 92618

FirstService Residential CA  
15241 Laguna Canyon Road  
Irvine CA 92618

|                                     | Aug         | Sep         | Oct         | Nov          | Dec          | Jan          | Feb         | Mar          | Apr         | May         | Jun         | Jul         | TOTAL         |
|-------------------------------------|-------------|-------------|-------------|--------------|--------------|--------------|-------------|--------------|-------------|-------------|-------------|-------------|---------------|
| 18027 POOL INSPECTION               | 1529        | 0           | 0           | 793          | 0            | 0            | 0           | 490          | 0           | 1243        | 75          | 0           | 4130          |
| 18457 PLUMBING REPAIR               | 0           | 0           | 0           | 0            | 200          | 0            | 0           | 0            | 0           | 0           | 0           | 0           | 200           |
| 18510 ROOF MAINTENANCE              | 0           | 0           | 0           | 520          | 0            | 0            | 0           | 0            | 0           | 0           | 0           | 0           | 520           |
| 18524 MATERIAL SUPPLIES             | 380         | 437         | 54          | 453          | 222          | 1372         | 392         | 194          | 411         | 299         | 43          | 0           | 4257          |
| 18526 PEST CONTROL                  | 0           | 0           | 0           | 0            | 1750         | 145          | 0           | 0            | 350         | 0           | 285         | 1495        | 4025          |
| 18531 JANITORIAL SERVICE            | 1573        | 1525        | 1525        | 1525         | 1525         | 1525         | 1525        | 1525         | 1525        | 1525        | 1525        | 0           | 16823         |
| 18532 JANITORIAL SUPPLIES           | 0           | 224         | 343         | 33           | 440          | 0            | 230         | 0            | 382         | 14          | 306         | 0           | 1973          |
| 18534 FIRE EXTINGUISHER             | 0           | 245         | 0           | 0            | 0            | 0            | 0           | 0            | 0           | 0           | 0           | 0           | 245           |
| 18564 SPECIAL SECURITY              | 0           | 354         | 0           | 40           | 59           | 99           | 0           | 0            | 0           | 1804        | 1450        | 0           | 3806          |
| 18579 PATROL SERVICE                | 1000        | 1000        | 1000        | 1000         | 1000         | 1000         | 1000        | 2000         | 0           | 0           | 0           | 2900        | 11900         |
| 18736 GUTTER & DOWNSPOUT CLEANING   | 149         | 0           | 289         | 12153        | 24306        | 12153        | 396         | 12153        | 178         | 1019        | 0           | 0           | 62797         |
| 18767 REPAIR & MAINTENANCE          | 1249        | 681         | 309         | 0            | 133          | 346          | 200         | 0            | 0           | 627         | 348         | 485         | 4378          |
| 18905 KITCHEN SUPPLIES              | 103         | 173         | 90          | 233          | 110          | 100          | 0           | 372          | 150         | 235         | 50          | 232         | 1798          |
| 18957 JANITORIAL EXTRA              | 0           | 140         | 0           | 0            | 0            | 0            | 0           | 120          | 0           | 55          | 50          | 0           | 365           |
| 18986 FITNESS CONTRACT              | 0           | 85          | 0           | 0            | 85           | 0            | 240         | 85           | 141         | 0           | 105         | 0           | 740           |
| <b>TOTAL COMMON AREA</b>            | <b>7332</b> | <b>6215</b> | <b>4960</b> | <b>18100</b> | <b>31181</b> | <b>18090</b> | <b>5333</b> | <b>18289</b> | <b>4487</b> | <b>8173</b> | <b>6056</b> | <b>6811</b> | <b>135026</b> |
| <b>MANAGEMENT/ON-SITE ADMIN EXP</b> |             |             |             |              |              |              |             |              |             |             |             |             |               |
| 18001 COMMUNITY WEBSITE             | 0           | -1188       | 0           | 225          | 0            | 0            | 228         | 0            | 983         | 450         | 833         | 1033        | 2565          |
| 18003 COMMUNITY EVENTS/PROGRAMS     | 111         | -2271       | -105        | 93           | 571          | 0            | 639         | 155          | 332         | 452         | 295         | -516        | -244          |
| 18008 VOLUNTEER RECOGNITION         | 0           | 0           | 0           | 0            | 0            | 0            | 0           | 0            | 0           | 70          | 0           | 5           | 75            |
| 18092 EDUCATION/ADULT PROGRAM       | 66          | 330         | 0           | 0            | 98           | 0            | 99          | 0            | 76          | 205         | 86          | 32          | 992           |
| 19109 CONTRACT MANAGEMENT           | 6818        | 6818        | 6818        | 6818         | 6818         | 7159         | 7159        | 7159         | 7159        | 7159        | 7159        | 7159        | 84207         |
| 19101 CPA SERVICES                  | 0           | 0           | 0           | 0            | 0            | 0            | 0           | 1895         | 0           | 0           | 0           | 0           | 1895          |
| 19104 FEDERAL TAX EXPENSE           | 0           | 1800        | 0           | 0            | 1800         | 0            | 0           | 0            | 9161        | 0           | 2579        | 0           | 15340         |
| 19105 FRANCHISE TAX BOARD           | 0           | 0           | 0           | 0            | 1322         | 0            | 0           | 0            | 4648        | 0           | 2412        | 0           | 8382          |
| 19106 TAXES & LICENSES              | 0           | 0           | 0           | 0            | 0            | 0            | 30          | 0            | 0           | 0           | 1059        | 0           | 1089          |
| 19108 GENERAL COUNSEL SERVICE       | 316         | 2763        | 514         | 0            | 313          | 2489         | 990         | 0            | 1006        | 9654        | 0           | 0           | 18045         |
| 19111 MANAGEMENT REIMBURSABLE       | 1060        | 963         | 1304        | 1015         | 1040         | 5245         | 1484        | 1082         | 1137        | 6864        | 250         | 1100        | 22543         |
| 19112 POSTAGE, ON-SITE              | 0           | 96          | 0           | 73           | 0            | 0            | 213         | 0            | 0           | 0           | 111         | 16          | 509           |
| 19116 ADMINISTRATIVE MISC           | 0           | 0           | 0           | 0            | 0            | 3500         | 0           | 0            | 0           | 0           | 0           | 0           | 3500          |
| 19117 DUES & PUBLICATIONS           | 0           | 0           | 440         | 0            | 590          | 0            | 0           | 0            | 0           | 0           | 0           | 0           | 1030          |
| 19119 BANK FEES                     | 35          | 35          | 35          | 35           | 35           | 35           | 35          | 35           | 35          | 35          | 35          | 35          | 420           |
| 19124 ON-SITE STAFF                 | 12769       | 12553       | 12630       | 12688        | 18859        | 15237        | 12800       | 13084        | 12865       | 12242       | 26764       | 14011       | 176504        |
| 19126 DELINQUENCY MONITORING        | 9           | 27          | -120        | 79           | 116          | 93           | 367         | -1032        | 206         | 414         | -226        | 179         | 112           |
| 19132 OPERATING CONTINGENCY         | 0           | 380         | 0           | 0            | 0            | 0            | 0           | 0            | 0           | 0           | 3250        | 290         | 3920          |
| 19143 LEGAL-COLLECTIONS             | 0           | 0           | 0           | 0            | 0            | 0            | 0           | 0            | 0           | 1034        | 1957        | 0           | 2991          |
| 19172 ACCOUNTING REIMBURSABLES      | 53          | 47          | 81          | 46           | 89           | 31           | 362         | 372          | 37          | 181         | 0           | 75          | 1364          |
| 19174 AMS COLLECTION EXPENSE        | 230         | 665         | -390        | -141         | 420          | 365          | 390         | -325         | 626         | -1796       | -245        | 1456        | 1255          |
| 19178 PROPERTY TAX                  | 0           | 0           | 949         | 0            | 0            | 0            | 0           | 0            | 0           | 0           | 0           | 266         | 1214          |
| 19247 PAYROLL TAXES & BENEFITS      | 4521        | 4987        | 5008        | 5029         | 7440         | 5565         | 5857        | 5646         | 5277        | 4990        | 9369        | 4848        | 68538         |
| 19281 WEBSITE MONTHLY FEE           | 107         | 0           | 0           | 0            | 0            | 0            | 0           | 0            | 0           | 150         | 150         | 150         | 557           |
| 19295 ON-SITE OFFICE SUPPLIES       | 123         | 76          | 152         | 213          | 192          | 98           | 44          | 551          | 54          | 546         | 101         | 13          | 2162          |

NEPENTHE ASSOCIATION  
 INCOME STATEMENT FOR 12 MONTHS ENDING  
 07/31/2017

c/o FirstService Residential  
 15241 Laguna Canyon Rd  
 Irvine CA 92618

FirstService Residential CA  
 15241 Laguna Canyon Road  
 Irvine CA 92618

|                                     | Aug          | Sep          | Oct          | Nov            | Dec           | Jan          | Feb          | Mar           | Apr          | May           | Jun           | Jul          | TOTAL          |
|-------------------------------------|--------------|--------------|--------------|----------------|---------------|--------------|--------------|---------------|--------------|---------------|---------------|--------------|----------------|
| 19382 COPIER LEASE                  | 328          | 328          | 902          | 336            | 0             | 328          | 655          | 387           | 902          | 340           | 351           | 719          | 5575           |
| 19505 CC&R REVISION                 | 0            | 0            | 0            | 0              | 0             | 0            | 0            | 0             | 0            | 96            | 0             | 0            | 96             |
| <b>TOTAL MANAGEMENT/ON-SITE ADM</b> | <b>26547</b> | <b>28410</b> | <b>28218</b> | <b>26509</b>   | <b>39702</b>  | <b>40145</b> | <b>31341</b> | <b>29009</b>  | <b>44504</b> | <b>43087</b>  | <b>56289</b>  | <b>30871</b> | <b>424635</b>  |
| <b>INSURANCE</b>                    |              |              |              |                |               |              |              |               |              |               |               |              |                |
| 19107 INSURANCE                     | 7982         | 15779        | 7797         | 0              | 7797          | 7797         | 7797         | 7797          | 7797         | 8313          | 7797          | -326         | 86325          |
| DC1930 FLOOD INSURANCE              | 173          | 0            | 0            | 298846         | 0             | 0            | 0            | 0             | 0            | 0             | -644          | 0            | 298375         |
| <b>TOTAL INSURANCE</b>              | <b>8155</b>  | <b>15779</b> | <b>7797</b>  | <b>298846</b>  | <b>7797</b>   | <b>7797</b>  | <b>7797</b>  | <b>7797</b>   | <b>7797</b>  | <b>8313</b>   | <b>7153</b>   | <b>-326</b>  | <b>384700</b>  |
| <b>TOTAL OPERATING EXPENSES</b>     | <b>73716</b> | <b>87938</b> | <b>77823</b> | <b>375983</b>  | <b>115119</b> | <b>78091</b> | <b>80795</b> | <b>123964</b> | <b>63650</b> | <b>127289</b> | <b>109196</b> | <b>72113</b> | <b>1385674</b> |
| <b>NET INCOME/(LOSS)</b>            | <b>45332</b> | <b>29264</b> | <b>19099</b> | <b>-282088</b> | <b>34552</b>  | <b>31119</b> | <b>43494</b> | <b>15516</b>  | <b>27417</b> | <b>-1883</b>  | <b>2084</b>   | <b>36371</b> | <b>277</b>     |

## NEPENTHE

August 17, 2017

**WHEREAS**, Section 5673 of the California Civil Code requires that, the decision to record a lien for delinquent assessments shall be made only by the Board of Directors of the association and may not be delegated to an agent of the association; and

**WHEREAS**, Section 5660 of the California Civil Code requires that a warning letter be sent by certified mail to the owner of record at least 30 days prior to recording a lien; and

**WHEREAS**, the Association has sent this letter and the 30 days has or will soon expire; and

**WHEREAS**, as of the date of this report payment has not been received to pay the delinquent assessment amount on the property listed below

**NOW THEREFORE BE IT RESOLVED** that the Board of Directors approves by a majority vote of the board members present at a duly called open meeting for FirstService Residential to record a lien on the separate interests/accounts listed below on behalf of the association and to mail a copy of the recorded lien to all known owners and addresses once the 30 days has elapsed from the mailing of the warning letter and no payment has been received.

| <i>Date</i> | <i>Account No.</i> | <i>Total Amt Due</i> | <i>Past Due Assessment Only</i> | <i>Approved</i> | <i>Denied</i> | <i>Comment</i> |
|-------------|--------------------|----------------------|---------------------------------|-----------------|---------------|----------------|
| 8/17/17     | 2000-01            | \$962.68             | \$938.00                        |                 |               |                |

### Deferred Items from prior meeting

| <i>Date</i> | <i>Account No.</i> | <i>Total Amt Due</i> | <i>Past Due Assessment Only</i> | <i>Approved</i> | <i>Denied</i> | <i>Comment</i> |
|-------------|--------------------|----------------------|---------------------------------|-----------------|---------------|----------------|
|             |                    |                      |                                 |                 |               |                |

Any two (2) Board members must sign:

By: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_



Nepenthe Association, 1131 Commons Drive, Sacramento, CA 95825  
 916.929.8380 / nepenthe@fsresidential.com

# HOME IMPROVEMENT APPLICATION

Date: 7/27/17 Phone: 916.303.6781  
 Name: Gabriella Slaughter Email: samslaughter@gmail.com  
 Address: 407 Dunbarton House Model: 4400

What improvement are you applying for? One improvement per application, please.

| These items can be approved in management office:        | These items require ARC & Board approval:                              |
|----------------------------------------------------------|------------------------------------------------------------------------|
| Front door per criteria                                  | Air Conditioner / Heat Pump Replacement                                |
| Screen door from approved styles                         | <input type="checkbox"/> Check if emergency approval is needed         |
| Garage exterior man door per criteria                    | <input checked="" type="checkbox"/> Window or Patio Slider Replacement |
| Garage vehicle door per criteria                         | Window – new construction                                              |
| Cable/Satellite Dish installations                       | Window – Security Features/Bars                                        |
| Mail Box from approved styles                            | Window – Sun Screens                                                   |
| Mail Slot, if replacing or approved by Postmaster        | Skylights or Solar Tubes                                               |
| Chimney Cap                                              | Solar Roof Panels (Thermal or Electric)                                |
| If you have an improvement not listed, describe it here: | Gas Line and Meter                                                     |
|                                                          | Shade Structure – Trellis, Awnings, Sails, Etc.                        |
|                                                          | Trellis – Floral Support / Garden Feature                              |
|                                                          | Patio Hardscape / Planter Boxes                                        |
|                                                          | Patio Pool / Spa and Equipment                                         |
|                                                          | Attic Fans                                                             |
|                                                          | Vents – Installations and/or Relocations                               |
|                                                          | Security Camera and/or Lighting                                        |
|                                                          | Hand Rail                                                              |
|                                                          | Fence Relocation                                                       |
|                                                          | Outbuilding / Shed                                                     |

**Attach the following items to your application:**

1. Floor Plan (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) of your model showing the location of the proposed improvement.
2. Brochure and/or Specifications for proposed items.
3. Your contractor's proposal (prices may be blacked out).

**Please read and sign below:**

I have read the Architectural Guidelines (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) and understand that the approval timeline can take up to 90 days.

\_\_\_\_\_  
 Signature Date: 7/28/17

**The Architectural Review Committee recommends:**

Approval  Approval with Conditions  Disapproval

Chair: [Signature] Date: 8/30/17

The Board of Directors will review for final approval at their next open session on \_\_\_\_\_.



Nepenthe Association, 1131 Commons Drive, Sacramento, CA 95825  
 916.929.8380 / [nepenthe@fsresidential.com](mailto:nepenthe@fsresidential.com)

# HOME IMPROVEMENT APPLICATION

Date: 8.3.17 Phone: 530.401.6052  
 Name: ANA WILSON ROWLAND Email: yyes@att.net  
 Address: 1049 COMMONS OR. House Model: 1776

What improvement are you applying for? **One improvement per application, please.**

These items can be approved in management office:

These items require ARC & Board approval:

|                                                          |                                                                        |
|----------------------------------------------------------|------------------------------------------------------------------------|
| Front door per criteria                                  | Air Conditioner / Heat Pump Replacement                                |
| Screen door from approved styles                         | <input type="checkbox"/> Check if emergency approval is needed         |
| Garage exterior man door per criteria                    | <input checked="" type="checkbox"/> Window or Patio Slider Replacement |
| Garage vehicle door per criteria                         | Window – new construction                                              |
| Cable/Satellite Dish installations                       | Window – Security Features/Bars                                        |
| Mail Box from approved styles                            | Window – Sun Screens                                                   |
| Mail Slot, if replacing or approved by Postmaster        | Skylights or Solar Tubes                                               |
| Chimney Cap                                              | Solar Roof Panels (Thermal or Electric)                                |
| If you have an improvement not listed, describe it here: | Gas Line and Meter                                                     |
|                                                          | Shade Structure – Trellis, Awnings, Sails, Etc.                        |
|                                                          | Trellis – Floral Support / Garden Feature                              |
|                                                          | Patio Hardscape / Planter Boxes                                        |
|                                                          | Patio Pool / Spa and Equipment                                         |
|                                                          | Attic Fans                                                             |
|                                                          | Vents – Installations and/or Relocations                               |
|                                                          | Security Camera and/or Lighting                                        |
| Hand Rail                                                |                                                                        |
|                                                          | Fence Relocation                                                       |
|                                                          | Outbuilding / Shed                                                     |

Attach the following items to your application:

1. Floor Plan (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) of your model showing the location of the proposed improvement.
2. Brochure and/or Specifications for proposed items.
3. Your contractor's proposal (prices may be blacked out).

Please read and sign below:

I have read the Architectural Guidelines (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) and understand that the approval timeline can take up to 90 days.\*

[Signature] 8.3.17  
 Signature Date

The Architectural Review Committee recommends:

Approval  Approval with Conditions  Disapproval

Chair: [Signature] Date: 8/30/17

The Board of Directors will review for final approval at their next open session on \_\_\_\_\_



Nepenthe Association, 1131 Commons Drive, Sacramento, CA 95825  
 916.929.8380 / [nepenthe@fsresidential.com](mailto:nepenthe@fsresidential.com)

### HOME IMPROVEMENT APPLICATION

Date: 8.3.17 Phone: 530.401.5052  
 Name: ANN WILSON ROWLAND Email: yves@att.net  
 Address: 1049 COMMONS DR. House Model: 177b

What improvement are you applying for? One improvement per application, please.

| These items can be approved in management office:        | These items require ARC & Board approval:       |
|----------------------------------------------------------|-------------------------------------------------|
| Front door per criteria                                  | Air Conditioner / Heat Pump Replacement         |
| Screen door from approved styles                         | ___ Check if emergency approval is needed       |
| Garage exterior man door per criteria                    | Window or Patio Slider Replacement              |
| Garage vehicle door per criteria                         | Window – new construction                       |
| Antenna/Cable/Satellite Dish installations               | Window – Security Features/Bars                 |
| Mail Box from approved styles                            | Window – Sun Screens                            |
| Mail Slot, if replacing or approved by Postmaster        | ✓ Skylights or Solar Tubes                      |
| Chimney Cap                                              | Solar Roof Panels (Thermal or Electric)         |
| If you have an improvement not listed, describe it here: | Gas Line and Meter                              |
|                                                          | Shade Structure – Trellis, Awnings, Sails, Etc. |
|                                                          | Trellis – Floral Support / Garden Feature       |
|                                                          | Patio Hardscape / Planter Boxes                 |
|                                                          | Patio Pool / Spa and Equipment                  |
|                                                          | Attic Fans                                      |
|                                                          | Vents – Installations and/or Relocations        |
|                                                          | Security Camera and/or Lighting                 |
|                                                          | Hand Rail                                       |
|                                                          | Fence Relocation                                |
|                                                          | Outbuilding / Shed                              |

**Attach the following items to your application:**

1. Floor Plan (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) of your model showing the location of the proposed improvement.
2. Brochure and/or Specifications for proposed items.
3. Your contractor's proposal (prices may be blacked out).

**Please read and sign below:**

I have read the Architectural Guidelines (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) and understand that the approval timeline can take up to 90 days.

[Signature] 8.3.17  
 Signature Date

**The Architectural Review Committee recommends:**

Approval     Approval with Conditions     Disapproval

Chair: [Signature] Date: 8/8/17

The Board of Directors will review for final approval at their next open session on \_\_\_\_\_.



Nepenthe Association, 1131 Commons Drive, Sacramento, CA 95825  
 916.929.8380 / [nepenthe@fsresidential.com](mailto:nepenthe@fsresidential.com)

# HOME IMPROVEMENT APPLICATION

Date: 8/1/17

Phone: 916-927-5570

Name: JAN SUMMERS

Email: SUMMERSJ10@yahoo.com

Address: 1521 UNIVERSITY AVE

House Model: 400

What improvement are you applying for? One improvement per application, please.

These items can be approved in management office:

These items require ARC & Board approval:

|                                                                                                                                                                    |                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| Front door per criteria                                                                                                                                            | Air Conditioner / Heat Pump Replacement         |
| Screen door from approved styles                                                                                                                                   | ___ Check if emergency approval is needed       |
| Garage exterior man door per criteria                                                                                                                              | <u>Window</u> or Patio Slider Replacement       |
| Garage vehicle door per criteria                                                                                                                                   | Window - <del>new construction</del> RETRO FIT  |
| Cable/Satellite Dish installations                                                                                                                                 | Window - Security Features/Bars                 |
| Mail Box from approved styles                                                                                                                                      | Window - Sun Screens                            |
| Mail Slot, if replacing or approved by Postmaster                                                                                                                  | Skylights or Solar Tubes                        |
| Chimney Cap                                                                                                                                                        | Solar Roof Panels (Thermal or Electric)         |
| <p><b>If you have an improvement not listed, describe it here:</b><br/> <i>There are same windows currently on rear patio.<br/>           Same contractor.</i></p> | Gas Line and Meter                              |
|                                                                                                                                                                    | Shade Structure - Trellis, Awnings, Sails, Etc. |
|                                                                                                                                                                    | Trellis - Floral Support / Garden Feature       |
|                                                                                                                                                                    | Patio Hardscape / Planter Boxes                 |
|                                                                                                                                                                    | Patio Pool / Spa and Equipment                  |
|                                                                                                                                                                    | Attic Fans                                      |
|                                                                                                                                                                    | Vents - Installations and/or Relocations        |
|                                                                                                                                                                    | Security Camera and/or Lighting                 |
|                                                                                                                                                                    | Hand Rail                                       |
|                                                                                                                                                                    | Fence Relocation                                |
| Outbuilding / Shed                                                                                                                                                 |                                                 |

Attach the following items to your application:

1. Floor Plan (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) of your model showing the location of the proposed improvement.
2. Brochure and/or Specifications for proposed items.
3. Your contractor's proposal (prices may be blacked out).

Please read and sign below:

I have read the Architectural Guidelines (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) and understand that the approval timeline can take up to 90 days.

Jan Summers

Signature

8/1/2017

Date

The Architectural Review Committee recommends:

Approval      \_\_\_ Approval with Conditions      \_\_\_ Disapproval

Chair: Jan M. Luda

Date: 8/9/17

The Board of Directors will review for final approval at their next open session on \_\_\_\_\_.



Nepenthe Association, 1131 Commons Drive, Sacramento, CA 95825  
 916.929.8380 / [nepenthe@fsresidential.com](mailto:nepenthe@fsresidential.com)

RECEIVED AUG 15 2017

# HOME IMPROVEMENT APPLICATION

Date: 8-15-17 Phone: 805-945-7537  
 Name: Ken DeGross Email: teridegross@gmail.com  
 Address: 2320 Swarthmore Dr House Model: 2300

What improvement are you applying for? One improvement per application, please.

These items can be approved in management office:

These items require ARC & Board approval:

|                                                          |                                                                        |
|----------------------------------------------------------|------------------------------------------------------------------------|
| Front door per criteria                                  | Air Conditioner / Heat Pump Replacement                                |
| Screen door from approved styles                         | <input type="checkbox"/> Check if emergency approval is needed         |
| Garage exterior man door per criteria                    | <input checked="" type="checkbox"/> Window or Patio Slider Replacement |
| Garage vehicle door per criteria                         | Window – new construction                                              |
| Cable/Satellite Dish installations                       | Window – Security Features/Bars                                        |
| Mail Box from approved styles                            | Window – Sun Screens                                                   |
| Mail Slot, if replacing or approved by Postmaster        | Skylights or Solar Tubes                                               |
| Chimney Cap                                              | Solar Roof Panels (Thermal or Electric)                                |
| If you have an improvement not listed, describe it here: | Gas Line and Meter                                                     |
|                                                          | Shade Structure – Trellis, Awnings, Sails, Etc.                        |
|                                                          | Trellis – Floral Support / Garden Feature                              |
|                                                          | Patio Hardscape / Planter Boxes                                        |
|                                                          | Patio Pool / Spa and Equipment                                         |
|                                                          | Attic Fans                                                             |
|                                                          | Vents – Installations and/or Relocations                               |
|                                                          | Security Camera and/or Lighting                                        |
|                                                          | Hand Rail                                                              |
|                                                          | Fence Relocation                                                       |
|                                                          | Outbuilding / Shed                                                     |

Attach the following items to your application:

1. Floor Plan (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) of your model showing the location of the proposed improvement.
2. Brochure and/or Specifications for proposed items.
3. Your contractor's proposal (prices may be blacked out).

Please read and sign below:

I have read the Architectural Guidelines (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) and understand that the approval timeline can take up to 90 days.

Ken DeGross  
 Signature

8-15-17  
 Date

The Architectural Review Committee recommends:

Approval  Approval with Conditions  Disapproval

Chair: [Signature] Date: 8/30/17

The Board of Directors will review for final approval at their next open session on \_\_\_\_\_.



Nepenthe Association, 1131 Commons Drive, Sacramento, CA 95825  
 916.929.8380 / [nepenthe@fsresidential.com](mailto:nepenthe@fsresidential.com)

RECEIVED AUG 24 2017

# HOME IMPROVEMENT APPLICATION

Date: AUG. 9, 2017 Phone: 916. 927. 4913  
 Name: MARTIN WARD Email: MWWARD1981@COMCAST.NET  
 Address: 2330 SWARTHMORE DR. House Model: 3300

What improvement are you applying for? One improvement per application, please.

**These items can be approved in management office:**

**These items require ARC & Board approval:**

|                                                          |                                                                        |
|----------------------------------------------------------|------------------------------------------------------------------------|
| Front door per criteria                                  | Air Conditioner / Heat Pump Replacement                                |
| Screen door from approved styles                         | ___ Check if emergency approval is needed                              |
| Garage exterior man door per criteria                    | <input checked="" type="checkbox"/> Window or Patio Slider Replacement |
| Garage vehicle door per criteria                         | Window – new construction                                              |
| Cable/Satellite Dish installations                       | Window – Security Features/Bars                                        |
| Mail Box from approved styles                            | Window – Sun Screens                                                   |
| Mail Slot, if replacing or approved by Postmaster        | Skylights or Solar Tubes                                               |
| Chimney Cap                                              | Solar Roof Panels (Thermal or Electric)                                |
| If you have an improvement not listed, describe it here: | Gas Line and Meter                                                     |
|                                                          | Shade Structure – Trellis, Awnings, Sails, Etc.                        |
|                                                          | Trellis – Floral Support / Garden Feature                              |
|                                                          | Patio Hardscape / Planter Boxes                                        |
|                                                          | Patio Pool / Spa and Equipment                                         |
|                                                          | Attic Fans                                                             |
|                                                          | Vents – Installations and/or Relocations                               |
|                                                          | Security Camera and/or Lighting                                        |
|                                                          | Hand Rail                                                              |
|                                                          | Fence Relocation                                                       |
| Outbuilding / Shed                                       |                                                                        |

**Attach the following items to your application:**

1. Floor Plan (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) of your model showing the location of the proposed improvement.
2. Brochure and/or Specifications for proposed items.
3. Your contractor's proposal (prices may be blacked out).

**Please read and sign below:**

I have read the Architectural Guidelines (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) and understand that the approval timeline can take up to 90 days.

Martin J Ward Aug. 9, 2017  
 Signature Date

**The Architectural Review Committee recommends:**

Approval  Approval with Conditions  Disapproval

Chair: [Signature] Date: 8/30/17

The Board of Directors will review for final approval at their next open session on \_\_\_\_\_.



Nepenthe Association, 1131 Commons Drive, Sacramento, CA 95825  
 916.929.8380 / [nepenthe@fsresidential.com](mailto:nepenthe@fsresidential.com)

RECEIVED AUG 23 2017

# HOME IMPROVEMENT APPLICATION

Date: 8.21.2017

Phone: 916.549.2613

Name: Tom + Ruth LeBlanc

Email: taleblanc@outlook.com

Address: 801 Dunbarton Circle

House Model:

What improvement are you applying for? **One improvement per application, please.**

These items can be approved in management office:

These items require ARC & Board approval:

|                                                          |                                                                             |
|----------------------------------------------------------|-----------------------------------------------------------------------------|
| Front door per criteria                                  | <input checked="" type="checkbox"/> Air Conditioner / Heat Pump Replacement |
| Screen door from approved styles                         | <input checked="" type="checkbox"/> Check if emergency approval is needed   |
| Garage exterior man door per criteria                    | Window or Patio Slider Replacement                                          |
| Garage vehicle door per criteria                         | Window - new construction                                                   |
| Cable/Satellite Dish installations                       | Window - Security Features/Bars                                             |
| Mail Box from approved styles                            | Window - Sun Screens                                                        |
| Mail Slot, if replacing or approved by Postmaster        | Skylights or Solar Tubes                                                    |
| Chimney Cap                                              | Solar Roof Panels (Thermal or Electric)                                     |
| If you have an improvement not listed, describe it here: | Gas Line and Meter                                                          |
|                                                          | Shade Structure - Trellis, Awnings, Sails, Etc.                             |
|                                                          | Trellis - Floral Support / Garden Feature                                   |
|                                                          | Patio Hardscape / Planter Boxes                                             |
|                                                          | Patio Pool / Spa and Equipment                                              |
|                                                          | Attic Fans                                                                  |
|                                                          | Vents - Installations and/or Relocations                                    |
|                                                          | Security Camera and/or Lighting                                             |
| Hand Rail                                                |                                                                             |
| Fence Relocation                                         |                                                                             |
| Outbuilding / Shed                                       |                                                                             |

Attach the following items to your application:

1. Floor Plan (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) of your model showing the location of the proposed improvement.
2. Brochure and/or Specifications for proposed items.
3. Your contractor's proposal (prices may be blacked out).

Please read and sign below:

I have read the Architectural Guidelines (available at clubhouse or [www.NepentheHOA.com](http://www.NepentheHOA.com)) and understand that the approval timeline can take up to 90 days.

[Signature] \_\_\_\_\_ 8.21.2017  
 Signature Date

The Architectural Review Committee recommends:

Approval  Approval with Conditions  Disapproval

Chair: [Signature] Date: 8/30/17

The Board of Directors will review for final approval at their next open session on \_\_\_\_\_.



## **OUTREACH COMMITTEE CHARTER**

The Board of Directors hereby adopts this charter for the conduct of the Outreach Committee, effective \_\_\_\_\_, 2017.

### **PURPOSE OF COMMITTEE:**

To promote a sense of community by engaging residents in a variety of educational and social activities and events throughout the year.

### **MEMBERSHIP:**

The membership should consist of as many residents, but no less than three, as is required to promote and facilitate activities throughout the year.

### **KEY RESPONSIBILITIES:**

- Develop a comprehensive welcome packet introducing new residents to Nepenthe and the opportunities available for getting involved and meeting their neighbors.
- Plan, organize and calendar periodic homeowner forums to inform residents of the activities of the various committees and volunteer opportunities that support decisions related to common area landscaping, architectural improvement projects, insurance, safety and association finances.
- Coordinate and calendar 2-3 themed social events each year.
- Regularly provide updates of “what’s new” through the association’s various communication tools such as the website, newsletters, announcements, flyers, etc.

## NEPENTHE ASSOCIATION

Board Meeting: 9.6.2017

Issued By: Christina George; Frank Loge

Subject: Garage and Street Parking Enforcement

Over the past year, Nepenthe has had numerous parking forums, special committee reviews, and much discussion regarding parking which resulted in the proposal the Board has been reviewing and was the basis of the additional community input at the August 2<sup>nd</sup> meeting of the Board. There has been lots of work done by dedicated residents in reaching the recommendations before the Board. A vote of gratitude is in order.

The recent discussion at our August 2<sup>nd</sup> Board meeting, suggests that there is strong support for providing reasonable parking controls by the Association. However, there are very real concerns over the current Board approach. In some resident's opinion, it is an overreach to what makes sense. The Board did agree to take another look at this issue and consider individual measures the Board might implement as opposed to approving a comprehensive all-encompassing policy as presented at the August 2<sup>nd</sup> meeting.

In this spirit, we would like to offer the following Board Action for consideration.

1. The Board leaves the current private street parking program intact. It is true that the private street homeowners benefit from more stringent parking limits than those homeowners living on city streets. There are no sidewalks on our private streets (pointed out in one of our residence's correspondence). Also, we eventually need to address other private street issues such as parking in front of walkways leading to street side units. More on this later in this document.
2. The Board should instruct management to increase the enforcement of requiring garages for parking cars. This rule has always been part of our governing documents. The Board has the responsibility to enforce this rule as all others in the CC&R's. We see this as enforcing the rules as spelled out in the CC&R's rather than a parking issue.  
Action: The Board instruct management to immediately begin strict enforcement of the CC&R use of garage rules. For non-compliance,

penalties and fines shall apply in accordance with Governing Document Enforcement Policy revised March 2, 2016, pursuant to the CC&Rs Article XVI, Section 16.6(b).

3. Action: The Board appoints Christina George to represent the Board to meet with management to assess red curb or parking signage enhancements on our private streets and provide the Board with recommendations at the October, 2017 Board meeting.
4. Action: The Board appoints Frank Loge to represent the Board to meet with management and the City of Sacramento to develop actions the City is willing to take to improve parking control on Nepenthe public streets. Items to consider are, but not limited to: red curb enhancements, City no parking signage, increased parking patrols, or any other appropriate measures. Provide the Board with recommendations at the October, 2017 Board meeting

#### Summary

There are other important parking issues to review and act upon such as: rental parking; and homeowners with more than two cars. We are proposing that these matters and any other parking issues be acted upon once we as a Board can assess the impact of the above actions.

Respectfully Submitted:  
Christina George  
Frank Loge



## **AN INSURANCE RENEWAL SUMMARY**

### **Prepared For:**

NEPENTHE ASSOCIATION  
C/O FirstService Residential  
15241 Laguna Canyon Road, Irvine, CA 92618

### **Presented By:**

Ryan DeShong  
3400 Bradshaw Road, Suite C  
Sacramento, CA. 95827  
(Phone) 916-636-0115

License #: 0E44888

August 28<sup>th</sup>, 2017

**DISCLAIMER** - This is only a summary of insurance, and is not an insurance policy, or part of or incorporated into an insurance policy. It only provides an estimate of premium, not the final premium amount. The coverages summarized in this quote proposal and any estimate of premium are based on information received through the prospective insured and may not include all available coverages. Coverage descriptions are abbreviated and do not indicate in force coverage. The need for any additional or optional coverages should be discussed with your insurance agent. The issuance of an insurance policy contract with the actual premium amount is contingent upon the application of underwriting criteria and is subject to rates approved or mandated by the appropriate state regulatory authority. Only the insurance policy would provide coverage and its terms and conditions supersede this proposal. In the event of any conflict between this proposal and the policy language, the policy language would prevail.



## Habitational BOP Renewal Summary

### Farmers Insurance Exchange Premier Coverage Package

|                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>POLICY NUMBER</b>     | <b>605044453 &amp; 605044513</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>EFFECTIVE DATE</b>    | <b>Oct 1, 2017</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>EXPIRATION DATE</b>   | <b>Oct 1, 2018</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>COMPANY PLACEMENT</b> | <b>Farmers Insurance Exchange</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>INSURED LOCATIONS</b> | <p><b><u>2300-2320 American River Drive, Sacramento, CA. 95825</u></b></p> <p><b><u>1-37 Adelphi Court, Sacramento, CA. 95825</u></b></p> <p><b><u>1-21 Colby Court, Sacramento, CA. 95825</u></b></p> <p><b><u>1033-1433 Commons Drive, Sacramento, CA. 95825</u></b></p> <p><b><u>100-1113 Dunbarton Circle, Sacramento, CA. 95825</u></b></p> <p><b><u>100-903 Elmhurst Circle, Sacramento, CA. 95825</u></b></p> <p><b><u>2232-2330 Swarthmore Drive, Sacramento, CA. 95825</u></b></p> <p><b><u>1425-1653 University Avenue, Sacramento, CA. 95825</u></b></p> <p><b><u>1005-1342 Vanderbilt Way, Sacramento, CA. 95825</u></b></p> <p><b><u>*Includes all Club House's &amp; Pool House's</u></b></p> |



| <b>PREMIER COVERAGE PACKAGE - PROPERTY</b>                |                     |                                                                           |
|-----------------------------------------------------------|---------------------|---------------------------------------------------------------------------|
| <b>COVERAGE NAME</b>                                      | <b>DEDUCTIBLE</b>   | <b>LIMIT</b>                                                              |
| Accounts Receivable                                       | Property Deductible | \$250,000.00 *                                                            |
| Association Fee & Extra Expense                           | None                | \$100,000.00                                                              |
| Backup Sewer & Drain                                      | Property Deductible | \$50,000.00                                                               |
| Building Amount (Agreed Amount Valuation)                 | Property Deductible | \$88,000,000.00                                                           |
| Building Contents                                         | Property Deductible | \$100,000.00                                                              |
| * Building Ordinance                                      | Property Deductible | Coverage 1 Included<br>Coverage 2 \$ 2,000,000<br>Coverage 3 \$ 2,000,000 |
| Claim Expense Coverage                                    | None                | Included                                                                  |
| Debris Removal                                            | Property Deductible | Included                                                                  |
| Electronic Data Processing                                | Property Deductible | \$10,000.00 *                                                             |
| Employee Dishonesty                                       | \$100.00            | \$1,000,000.00 *                                                          |
| Exterior Building Glass                                   | Property Deductible | Included in Property Limit                                                |
| Extra Expense                                             | None                | 18 months of Actual Loss Sustained                                        |
| Fire Department Service Charge                            | None                | \$1,000.00                                                                |
| Fire Extinguisher Recharge                                | None                | \$2,500.00                                                                |
| Forgery and Alteration                                    | Property Deductible | \$2,500.00                                                                |
| Water Damage                                              | Property Deductible | Included                                                                  |
| Limited Collapse                                          | Property Deductible | Included                                                                  |
| Limited Coverage for Fungi, Wet Rot, Dry Rot and Bacteria | Property Deductible | \$15,000.00                                                               |
| Lock Replacement Coverage                                 | None                | \$10,000.00                                                               |
| Mechanical Breakdown                                      | Property Deductible | Included                                                                  |
| Money & Security                                          | \$100.00            | \$25,000.00                                                               |
| Money Orders and Counterfeit Paper Currency               | Property Deductible | \$1,000.00                                                                |
| Newly Acquired or Constructed Building                    | Property Deductible | \$250,000.00                                                              |
| Newly Acquired Personal Property                          | Property Deductible | \$100,000.00                                                              |
| Outdoor Property                                          | Property Deductible | \$200,000.00 *                                                            |
| Outdoor Signs                                             | Property Deductible | \$50,000.00 *                                                             |
| Personal Effects                                          | Property Deductible | \$2,500.00                                                                |
| Pollutant Cleanup & Removal                               | Property Deductible | \$10,000.00                                                               |
| Premise Boundary Definition                               | N/A                 | 100 feet                                                                  |
| Preservation of Property                                  | Property Deductible | 60 days                                                                   |
| Property Deductible                                       | \$10,000.00         |                                                                           |
| Specified Property                                        | Property Deductible | \$500,000.00 *                                                            |
| Valuable Paper                                            | Property Deductible | \$250,000.00 *                                                            |



| <b>PREMIER COVERAGE PACKAGE - LIABILITY</b>      |                 |
|--------------------------------------------------|-----------------|
| <b>COVERAGE NAME</b>                             | <b>LIMIT</b>    |
| Aggregate Limits - All Other Occurrences         | \$2,000,000.00  |
| Aggregate Limits - Products/Completed Operations | \$1,000,000.00  |
| Contractual Liability                            | Included        |
| Employees as an Insured                          | Included        |
| Fire/Tenants Liability                           | \$75,000.00 *   |
| Independent Contractor You Hire                  | Included        |
| Liability for Newly Acquired Locations           | Included        |
| Liability Limit Per Occurrence                   | \$1,000,000.00  |
| Limited World-Wide Liability                     | Included        |
| Medical Payments                                 | \$5,000.00      |
| Non-Owned Watercraft                             | Included        |
| Owners Protective Liability                      | Included        |
| Parking Area Liability                           | Included        |
| Personal and Advertising Injury Liability        | Included        |
| Premises and Operations                          | Included        |
| Products and Completed Operations                | Included        |
| Spouse or Partners as Insured's                  | Included        |
| Supplemental Payments                            | \$250/day limit |

\*Higher coverage limits available.

| <b>EMPLOYMENT PRACTICES LIABILITY INSURANCE</b> |                |
|-------------------------------------------------|----------------|
| *Liability Limit                                | \$1,000,000.00 |
| Self-Insured Retention                          | \$10,000.00    |

| <b>PREMIER COVERAGE PACKAGE - DIRECTORS &amp; OFFICERS E&amp;O</b>    |                   |                |
|-----------------------------------------------------------------------|-------------------|----------------|
| <b>COVERAGE NAME</b>                                                  | <b>DEDUCTIBLE</b> | <b>LIMIT</b>   |
| Directors & Officers Broad Named Insured                              |                   | Included       |
| ***Directors & Officers Defense Costs in addition to policy limits*** |                   | Included       |
| Directors & Officers Duty to Defend                                   |                   | Included       |
| Directors & Officers Non-Monetary Damages                             |                   | Included       |
| Directors and Officers - Discrimination                               |                   | Included       |
| Directors and Officers - Prop Manager                                 |                   | Included       |
| * Directors Officers - Errors & Omissions                             | \$1,000.00        | \$2,000,000.00 |



| COMMERCIAL AUTO LIABILITY                               |                |
|---------------------------------------------------------|----------------|
| Combined Single Limit (Bodily Injury & Property Damage) | \$1,000,000.00 |
| Employers Non-Owned Auto Liability                      | Included       |
| Hired Auto Liability                                    | Included       |

| COMMERCIAL EXCESS LIABILITY (UMBRELLA) |              |
|----------------------------------------|--------------|
| COVERAGE DESCRIPTION                   | LIMITS       |
| EACH OCCURRENCE                        | \$10,000,000 |
| ANNUAL AGGREGATE                       | \$10,000,000 |
| SELF INSURED RETENTION                 | \$10,000     |

\*\*\*Coverage is provided in excess over the underlying policy's aggregate liability limits including the General Liability, Directors & Officers Liability and Commercial Auto Liability.\*\*\*

## Renewal Summary

|                                                                                                                  |                     |
|------------------------------------------------------------------------------------------------------------------|---------------------|
| BUSINESS OWNER'S PACKAGE POLICY COVERAGE                                                                         | \$ 86,121.00        |
| COMMERCIAL EXCESS LIABILITY                                                                                      | \$ 7,549.00         |
| MEMBERSHIP FEES                                                                                                  | \$ 0.00             |
|                                                                                                                  |                     |
| <b>TOTAL</b>                                                                                                     | <b>\$ 93,670.00</b> |
| Ryan DeShong<br>3400 Bradshaw Road, Suite C<br>Sacramento, CA. 95827<br>916-636-0115<br>LICENSE NUMBER # 0E44888 |                     |



## Annual Premium Summary

| COVERAGE NAME            | 2014-2015    | 2015-2016    | 2016-2017    | 2016-2017    |
|--------------------------|--------------|--------------|--------------|--------------|
| Building Coverage        | \$ 77,474.00 | \$ 77,350.00 | \$ 75,265.00 | \$ 75,265.00 |
| Contents                 | \$ 223.00    | \$ 216.00    | \$ 206.00    | \$ 206.00    |
| Outdoor Signs            | \$ Included  | Included     | \$ Included  | \$ Included  |
| EPLI Preferred           | \$ 2090.00   | \$ 1835.00   | \$ 1963.00   | \$ 1963.00   |
| Accounts Receivable      | \$ 137.00    | \$ 132.00    | \$ 126.00    | \$ 126.00    |
| Valuable Papers          | \$ 655.00    | \$ 631.00    | \$ 601.00    | \$ 601.00    |
| BUILDING ORDINANCE       | \$ 2514.00   | \$ 2534.00   | \$ 2394.00   | \$ 2503.00   |
| EMPLOYEE DISHONESTY      | \$ 591.00    | \$ 569.00    | \$ 542.00    | \$ 542.00    |
| Fire/Tenants Liability   | Included     | Included     | Included     | Included     |
| Glass Deductible Buyback | \$ 79.00     | \$ 75.00     | \$ 71.00     | \$ 71.00     |
| Money & Securities       | \$ 95.00     | \$ 92.00     | \$ 87.00     | \$ 87.00     |
| Backup of Sewer & Drain  | \$ 43.00     | \$ 41.00     | \$ 39.00     | \$ 39.00     |
| Mechanical Breakdown     | Included     | Included     | Included     | Included     |
| Specified Property       | \$ 746.00    | \$ 742.00    | \$ 707.00    | \$ 707.00    |
| Pools Liability          | \$ 328.00    | \$ 313.00    | \$ 298.00    | \$ 298.00    |
| Association Fee          | Included     | Included     | Included     | Included     |
| Directors Liability      | \$ 2265.00   | \$ 2265.00   | \$ 2265.00   | \$ 2265.00   |
| D&O - Discrimination     | \$ 227.00    | \$ 227.00    | \$ 227.00    | \$ 227.00    |
| D&O - Property Managers  | \$ Included  | Included     | \$ Included  | \$ Included  |
| Hired Auto               | \$ 66.00     | \$ 66.00     | \$ 66.00     | \$ 66.00     |
| Non-Owned Auto           | \$ 66.00     | \$ 66.00     | \$ 66.00     | \$ 66.00     |
| Outdoor Property         | \$ 318.00    | \$ 309.00    | \$ 294.00    | \$ 294.00    |
| Premier Package          | \$ 795.00    | \$ 795.00    | \$ 795.00    | \$ 795.00    |
| Umbrella                 | \$ 7549.00   | \$ 7549.00   | \$ 7549.00   | \$ 7549.00   |
| Membership Fees          | \$ 0.00      | \$ 0.00      | \$ 0.00      | \$ 0.00      |
| Annual Totals            | \$ 96,261.00 | \$ 95,786.00 | \$ 93,561.00 | \$ 93,670.00 |

# PROJECT MANAGEMENT Proposal



CM Squared, Inc., hereinafter referred to as “CM<sup>2</sup>” proposes to perform Construction Project Management Services for **Nepenthe Association**, hereinafter referred to as “Client” (also referred to as “Association”).

CM<sup>2</sup> shall perform the following Preconstruction and Construction Management Services for the **Roofing Inspections + Repairs** project at the **Nepenthe** community in **Sacramento** as described herein this Agreement.

## PROJECT OVERVIEW

### Project Name:

**NEPENTHE – Roofing Inspections + Repairs**

### Address to locate Community:

**1131 Commons Drive, Sacramento, California**

### Community Management:

- FirstService Residential
- Community Manager: Bettsi Ledesma, CMCA

### Community Overview:

- 590 Units
- Built in 1972
- Roofs were last replaced in Years 2004-2007
- Community Website: [NepentheHOA.com](http://NepentheHOA.com)

*Reference Materials provided by Community Management:*

*9/6/2016 Reserve Study – 2016 Update #2 (without Site Visit Review) by Browning Reserve Group*

CLIENT  
initials

CM<sup>2</sup>  
initials

NEPENTHE Sacramento – Roofing Inspections + Repairs  
Project Management Proposal  
7/28/2017 - Page I



## I. SCOPE OF WORK

### Phase I PRECONSTRUCTION

Develop scope, prepare specifications, bid documents, manage bid process and contract negotiations.

#### SITE INSPECTION + VISUAL RECONNAISSANCE:

- I.1 Perform a Visual Site Inspection of the existing site conditions to determine the needed repairs + prioritization of repairs
- I.2 Photo document existing conditions
- I.3 Prepare CM<sup>2</sup> Preliminary Findings Report. This initial Site Inspection Report will reference photos as documented from site, summarized observations & recommendations by representative location(s).
- I.4 Prepare a Repair Matrix to identify repairs by Project Area.

#### CM<sup>2</sup> PRESENTATION AT BOARD OF DIRECTORS MEETING:

- I.5 CM<sup>2</sup> Preliminary Findings Report + Photos
- I.6 CM<sup>2</sup> Repair Matrix
- I.7 Recommendations
- I.8 Project + Repair Options
- I.9 Work prioritization based on assessment of existing conditions
- I.10 Determine Work Phasing Plan + Schedule

#### SCOPE DEVELOPMENT:

- I.11 Develop scope of work
- I.12 Prepare CM<sup>2</sup> Project Manual for approval by Board of Directors

#### CONSTRUCTION BID PACKAGE:

- I.13 Finalize CM<sup>2</sup> Project Manual
- I.14 Prepare Construction Contractor Bid Package including component replacement system(s), industry standard details, contractor qualification requirements, administrative conditions, material specifications, project budget, control tools and associated project details.
- I.15 Pre-qualify up to three (3) licensed and insured contractors (i.e.: insurance, license, etc.)

CLIENT  
initials

CM<sup>2</sup>  
initials

NEPENTHE Sacramento – Roofing Inspections + Repairs  
Project Management Proposal  
7/28/2017 - Page 2



## BID PROCESS + CONTRACT NEGOTIATIONS:

- 1.16 Solicit bids from pre-qualified contractors
- 1.17 Conduct Bid Package review with pre-qualified contractors
- 1.18 Review and respond to contractors' Bid Package questions and concerns
- 1.19 Evaluate proposed contractors' Preliminary Schedules
- 1.20 Prepare and present a Bid Analysis Summary to Board of Directors
- 1.21 Assist with contract negotiations as needed
- 1.22 Facilitate execution of Contract Agreement between Client and Contractor
- 1.23 Finalize Contract Documents with Client and awarded Contractor ("Contractor")

## PROJECT PRE-MOBILIZATION:

- 1.24 Interface with the Community Manager with regards to communications to Homeowners/Residents
- 1.25 Prepare for Product Submittals: compile list of required submittals pursuant to Construction Documents
- 1.26 Review and authorize all notification samples provided by the awarded Contractor
- 1.27 Conduct Contractor Preconstruction Meeting with awarded Contractor to review and establish project administration requirements, project logistics, schedule, project Certificates of Insurance, product submittals, milestones, etc. and all other required Contractor deliverables.

## Phase 2 CONSTRUCTION MANAGEMENT

Provide project management services during construction (including field reviews and reporting, change order validation, applications for payments, etc.)

## PROJECT MOBILIZATION:

- 2.1 Set up CM<sup>2</sup> Construction Project Management documentation system
- 2.2 Prepare Schedule of Values
- 2.3 Prepare Application for Payments system and protocols
- 2.4 Meet with Contractor to establish project logistics, schedule and milestones and report to board
- 2.5 Coordinate with Contractor in the building permit application process
- 2.6 Prepare a Project Timeline

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## PROGRESS MANAGEMENT + QUALITY CONTROL:

- 2.7 Manage overall construction process
- 2.8 Provide monthly CM<sup>2</sup> Board Package Project Status reporting during the course of construction
- 2.9 Project Manager and/or other CM<sup>2</sup> personnel will be available to Board & Community Manager by email or phone at regular business hours during the course of the project
- 2.10 Act as a liaison between Client, Community Manager & Contractor
- 2.11 Perform weekly site observations during the course of construction
- 2.12 Manage project deliverables
- 2.13 Review project for specified materials and construction details and that all work is being installed as specified
- 2.14 Construction progress reports with documented photos will be distributed to the Community Manager biweekly during the course of construction
- 2.15 Inspect any claims for damages and document and report to Client
- 2.16 In the event of any project-related emergency work during the course of construction, CM<sup>2</sup> Project Manager will be available to the Client & Community Manager by email or phone

## COMMUNICATIONS:

- 2.17 Facilitate project communications
- 2.18 Interface with the Community Manager, Client and Contractor with regard to communications procedures and protocol with Homeowners/Residents
- 2.19 Provide regularly updated schedules to Community Manager + post changes
- 2.20 Attend Board of Directors meetings monthly during course of construction

## PROJECT FINANCIALS:

- 2.21 Review all Contractor's Applications for Payment prior to Client submission
- 2.22 Secure and maintain lien releases throughout the project
- 2.23 Review, evaluate and approve Contractor's change orders and additional work order requests and submit to the Client for payment

## PROJECT CLOSE-OUT:

- 2.24 Prepare Punch List when the Contractor has reached substantial completion
- 2.25 Review Warranty compliance and manage final inspections as needed with product manufacturers
- 2.26 Process Project Notice of Substantial Completion
- 2.27 Prepare and post "Punch List Notification" at affected units during reconstruction phase

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- 2.28 Conduct final punch walk at site with Community Manager, Association Board of Directors (or designated Construction Committee) and Contractor
- 2.29 Perform Project Close Out. This includes completion of all punch list inspections, obtaining warranty documentation from the Contractor and manufacturers, obtaining finalized building permits, securing material and labor lien releases, completion and verification of homeowners' issues related to the project.
- 2.30 Review Contractor's Project Close Out binder and submit to Client upon final acceptance
- 2.31 Provide a CM<sup>2</sup> Project Close Out binder upon completion of the project

## 2. PROJECT DURATION

Our Scope of Work as enumerated in Section I is based on a project duration schedule of an estimated:

**To Be Determined** (during Preconstruction)

## 3. CONTRACT SUM

### Phase I PRECONSTRUCTION

The Client shall pay CM<sup>2</sup> a total of **\$5,900** for **Phase I Preconstruction Management Services**.

### Phase 2 CONSTRUCTION MANAGEMENT

Upon completion of Phase I for Preconstruction, the Client shall pay CM<sup>2</sup> **5%** of the total cost of construction (to be determined) for the **Phase 2 Construction Management Services**.

## 4. ADDITIONAL SERVICES

- I. Additional services not included in the aforementioned Scope of Work (including requested additional inspections, attendance at additional Board meetings, resident

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meetings and presentations) shall be billed at the rates included in this Agreement with the understanding that no such additional services, costs, fees and expenses shall be incurred without the prior written approval of the Client.

2. The value of those services shall be calculated for billing purposes based on the following rates:

|                                                                                    |                       |
|------------------------------------------------------------------------------------|-----------------------|
| Project Executive                                                                  | \$350.00/hour         |
| Project Architect/Engineer                                                         | \$325.00/hour         |
| Cost Estimator                                                                     | \$175.00/hour         |
| Senior Project Manager                                                             | \$200.00/hour         |
| Project Manager                                                                    | \$150.00/hour         |
| Project Technician                                                                 | \$95.00/hour          |
| Project Administrator                                                              | \$75.00/hour          |
| Clerical                                                                           | \$65.00/hour          |
| Travel Time (One Way)                                                              | \$95.00/Hour          |
| Reimbursable Expenses<br>(parking, film, photocopies, discs, plans, postage, etc.) | Cost plus 10% Mark Up |

3. Reimbursable expenses are expenses incurred by CM<sup>2</sup> in the interest of this Project. No reimbursable expenses shall be incurred without the prior written consent of the Client. Items deemed reimbursable shall include, but are not limited to, the following:
- Blueprints
  - Photocopy charges
  - Postage
4. Professional Services such as Architects, Structural Engineers, etc. shall be billed at their cost/invoiced amount plus CM<sup>2</sup>'s construction administrative management percentage of 10%. This will be done with the understanding that no such additional services, costs, fees or expenses shall be incurred without prior written approval by the Board of Directors.
5. All parties understand that, during a construction project, it may be necessary to make changes to the original contracted dollar amount or time-to-completion depending on certain changes such as site conditions, scope or unforeseen circumstances. CM<sup>2</sup> and Client, at any time, may make changes in this Agreement to include additional work or additional phases of work requested by the Client during the course of construction extending the project, whether classified as "Change Orders" (or property/community "Work Orders") to any of the Design Professionals, Contractors, Subcontractors or other vendors on the project. If any such changes in work causes an increase in the value of the work to be performed by the Contractor or other contractors under this Agreement and/or an adjustment to the completion date is extended, CM<sup>2</sup> shall be afforded additional monthly fees for the duration of the project as described in CM<sup>2</sup>'s Change Order to Client. Unless otherwise agreed to by both CM<sup>2</sup> and Client in writing,

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CM<sup>2</sup>'s Change Orders will be the Construction Management percentage of **5%**. CM<sup>2</sup> will carry out the additional work and invoice for work concurrently with the progress payment invoicing.

## 5. LIMITATIONS TO SCOPE OF WORK

1. CM<sup>2</sup>'s Scope of Work excludes any Architectural Design and/or Engineering Services.
2. If the Client wishes to increase the Scope of contracted Work, the Contract Sum may be subject to changes if additional costs are incurred by CM<sup>2</sup> to complete the project.

## 6. LABORATORY TESTING

Any additional laboratory testing deemed necessary by CM<sup>2</sup> in connection with its work hereunder not specifically included above shall be billed for as an additional service.

## 7. DESTRUCTIVE TESTING

The costs for destructive testing deemed necessary by CM<sup>2</sup> in connection with its work hereunder is specifically not included in this proposal and will be billed for as an additional service.

## 8. PAYMENTS

1. An initial payment of \$3,000 shall be made to CM<sup>2</sup> by Client and credited to the account upon acceptance of this agreement. No services will commence until CM<sup>2</sup> receives both initial payment and this agreement signed.
2. Final payment from the Client to CM<sup>2</sup> shall be due within 30 days after receipt by Client of the invoice, unless otherwise agreed upon by the parties and in writing.
3. A five percent (5%) late charge will be applied to any outstanding balance not paid within 30 days of delivery of the invoice. Any disputes as to amounts must be brought within 30 days of receipt of invoice. After 30 days, all amounts will be deemed accurate. Finance charges will be assessed on all unpaid balances which continue to be unpaid for more than 30 days after the delivery of an invoice, at the rate of 1.25% per month, or the maximum allowed by law, whichever is less; and additional finance charges will accrue monthly on all unpaid balances including late fees and previous finance charges.
4. Payments will be applied first to late charges, then accrued finance charges, and then to the principal unpaid balance, the oldest balances first. Client is primarily responsible for payment.

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5. Work shall be scheduled to commence upon receipt of signed proposal.
6. Work relating to a delinquent account or lack of required deposit will be removed from the schedule unless clear communications is made with Accounting regarding the status. CM<sup>2</sup> reserves the right to stop all work on the case if timely payments are not received.

## 9. LIABILITY

1. CM<sup>2</sup> is not responsible for any claims, demands, or damages arising out of the discovery of any biological contamination, asbestos-containing or any hazardous substances or materials at the complex. The Client, by accepting this Agreement, agrees to release CM<sup>2</sup> from any such claims, demands or damages.
2. To the fullest extent allowed by law, Client shall defend, protect, indemnify and hold harmless CM<sup>2</sup> including CM<sup>2</sup>'s directors, officers, shareholders, agents and employees, harmless from any and all claims, liens, taxes, demands, causes of actions, damages (including incidental and consequential), costs, expenses, attorneys' fees, consultant fees, costs of investigation, expert fees, losses or liability, in law or in equity, of any kind and nature whatsoever ("Claims") arising out of or connected with the work of improvement, including but not limited to: (a) any and all personal injuries and/or property damage (real or personal) caused or alleged to be caused, in whole or in part by any act or omission, willful misconduct or negligent conduct, whether active or passive, of the Client, Contractor(s), Contractor(s)' subcontractors or anyone directly or indirectly employed by the Contractor(s), Contractor(s)' subcontractors, or Client or anyone for whose acts Client, Contractor(s) or Contractor(s)' subcontractors may be liable; (b) penalties imposed for the violation or infringement of patent or other intellectual property rights concerning materials or equipment; and (c) penalties imposed for the violation or infraction of Laws, caused by the action or inaction of Client, Contractor(s), Contractor(s)' subcontractors; (d) any alleged violation or infringement of patent or other intellectual property rights concerning materials or equipment; and (e) any and all damages caused by defective workmanship or materials, to the fullest extent allowed by any applicable laws relating to construction defects, whether patent or latent, for such time as provided by the longest applicable statute of limitations, including any tolling thereof. This indemnification shall extend to Claims occurring after this Agreement expires or terminates, as well as while it is in force. Client, however, shall not be obligated to indemnify the Indemnitees for Claims arising from the active negligence or willful misconduct of CM<sup>2</sup> in their role as construction manager.

## 10. MODIFICATION

This Agreement and its Exhibits represent the entire and integrated Agreement between the Client and CM<sup>2</sup> and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both parties.

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## 11. INSURANCE

CM<sup>2</sup> shall obtain and maintain, at its expense, the following insurance coverage:

1. **Worker's Compensation and Employer's Liability:** Worker's Compensation, including Employer's Liability Insurance with a limit of not less than \$1,000,000 per accident or occurrence.
2. **General Public Liability:** General Public Liability Insurance with a combined limit for both bodily injury and property damage of not less than \$1,000,000 per accident or occurrence will be for both ongoing operations and completed operations.
3. **Certificate of Insurance:** CM<sup>2</sup> shall name Client as an additional insured under the General Liability policy. CM<sup>2</sup> shall provide certificates of insurance to Client prior to the commencement of any work. The certificates of insurance shall provide that there will be no cancellation or reduction of coverage without thirty (30) days prior written notice to Client.
4. **Automobile Liability:** Automobile Liability Insurance with a combined limit for both bodily injury and property damage of not less than \$1,000,000 per accident or occurrence.
5. **Errors and Omissions:** Errors and Omissions Insurance with a limit of \$2,000,000 per claim.

## 12. GOVERNING LAWS

This Agreement shall be governed by and construed in accordance with the laws of the State of California. CM<sup>2</sup>'s obligations under this Agreement supplement and do not supersede the obligations imposed on construction managers by the laws of the State of California.

## 13. DISPUTES

Any and all disputes between the parties to this Agreement shall be resolved first through mediation and then if that is unsuccessful, arbitration. The parties hereby agree that both sides shall participate in at least a half (1/2) day mediation session prior to initiating arbitration with ADR Services. The parties may stipulate to additional mediation sessions beyond the initial half (1/2) day required. The parties shall attempt to mutually agree on a mediator, and if the parties cannot agree, then Client may select the mediator. The parties shall split the costs of the mediation

Should mediation prove unsuccessful, then the parties agree to binding arbitration through ADR Services, Inc. The parties agree that one arbitrator shall adjudicate the dispute and that each party must bear their own attorneys' fees, expert fees and costs. The fees imposed by ADR Services are to be paid jointly/equally by the parties. If ADR Services is unable or unwilling to perform the arbitration the parties shall agree on a substitute arbitration service

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provider. If the parties are unable to agree, then either party may petition the court to appoint an arbitrator.

## 14. TERMINATION

Client reserves the right to terminate CM<sup>2</sup> at any time for any reason subject to ten (10) day notice. Should CM<sup>2</sup> be terminated by Client then CM<sup>2</sup> shall recover only the actual cost of work completed to the date of termination, in approved units of work or percentage of completion.

## 15. EXTENT OF AGREEMENT

Nothing contained herein shall be deemed to create any contractual relationship between the Construction Manager and the Design Professional or any of the Contractors, Subcontractors or material suppliers on the project, nor shall anything contained in this Agreement be deemed to give any third party any claim or right of action against the Client or the Construction Manager which does not otherwise exist without regard to this Agreement.

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**CM<sup>2</sup> will initiate this project upon receipt of your:**

- (1) Written authorization to proceed. If this Agreement is acceptable, please sign and return one (1) complete copy of this Agreement by email to: [Info@GoCM2.com](mailto:Info@GoCM2.com) or US Mail to: 1101 Marina Village Parkway #201, Alameda, CA 94501.
- (2) Initial Payment of \$3,000 made out to "CM Squared, Inc."

**Thank you very much for this opportunity  
for CM Squared to be of SERVICE to YOU.**

**ACCEPTANCE**

The Association's Board of Directors has given due consideration to a number of options on this anticipated project and has decided to retain the services of CM Squared and enter into a contract upon agreement of all terms and conditions stated herein.

This Proposal and all its terms and pricing shall be null and void if not accepted and entered into a contract on or before October 9, 2017.

**NEPENTHE  
ASSOCIATION  
Roofing Inspections + Repairs**

**CLIENT**

**CM SQUARED, INC.**

**X**

\_\_\_\_\_  
Authorized Signature

**X**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# Tree Work Proposal



9530 Elder Creek Road, Sacramento, CA 95829 P.916.231.8733

**DATE: 08/09/2017**

**RE:** Tree Work Proposal – from Arborist Report 8/2/17  
Nepenthe Association  
Sacramento

This Proposal is to provide labor and material as stated below. All tree work is in accordance with ANSI A300 standards and the scope of work referenced in Addendum #1.

| Tree Species          | Location                                         | Qty | Service Description                                      | Price              | Initial for Approval |
|-----------------------|--------------------------------------------------|-----|----------------------------------------------------------|--------------------|----------------------|
| Locust                | Zone 3 #906<br>1359 Commons                      | 1   | Prune to provide weight reduction                        | \$680.00           |                      |
| Ash                   | Zone 4 #1127<br>1106 Dunbarton                   | 1   | Prune to remove deadwood to encourage proper development | \$1,800.00         |                      |
| Tulip Tree            | Zone 4 #1152 & 1276<br>714 Dunbarton             | 2   | Full canopy pruning to encourage proper development      | \$1,800.00         |                      |
| Locust                | Zone 4 #1264<br>700 Dunbarton                    | 1   | Tree removal                                             | \$720.00           |                      |
| Locust                | Zone 4 #1229<br>500 Dunbarton                    | 1   | Prune to remove limb over house                          | \$680.00           |                      |
| Tulip Tree            | Zone 4 #1194<br>304 Dunbarton                    | 1   | Tree removal                                             | \$1,200.00         |                      |
| Deodar Cedar          | Zone 4 #1242<br>506 Dunbarton                    | 1   | Prune canopy to encourage proper development             | \$960.00           |                      |
| Tulip Tree            | Zone 4 #1197<br>302 Dunbarton                    | 1   | Prune canopy to encourage proper development             | \$720.00           |                      |
| Ash                   | Zone 4 #1198-#1204<br>202, 208, 214<br>Dunbarton | 7   | Prune to remove deadwood from canopy                     | \$680.00           |                      |
| Pear                  | Zone 4 #No Tag<br>1112 Dunbarton                 | 1   | Structural prune to encourage proper development         | \$75.00            |                      |
| Trident Maple         | Zone 4 #1015<br>1100 Dunbarton                   | 1   | Full prune of tree canopy; structural pruning            | \$720.00           |                      |
| Sweetgum              | Zone 4 #1301<br>1000 Dunbarton                   | 1   | Full prune of tree canopy                                | \$960.00           |                      |
| Canary Island Pine    | Zone 4 #1299<br>1000 Dunbarton                   | 1   | Tree removal                                             | \$1,200.00         |                      |
| Locust                | Zone 5 #906<br>1215 Vanderbilt                   | 1   | Prune for weight reduction                               | \$680.00           |                      |
| <b>CONTRACT PRICE</b> |                                                  |     |                                                          | <b>\$12,875.00</b> |                      |

Client/Owner: \_\_\_\_\_



| Tree Species         | Location                      | Qty | Service Description                                            | Price             | Initial for Approval |
|----------------------|-------------------------------|-----|----------------------------------------------------------------|-------------------|----------------------|
| Redwood              | Zone 4 #1175<br>150 Dunbarton | 1   | TBD upon inspection for safety of pruning or possible removal. | \$2,800.00        |                      |
| <b>Not to Exceed</b> |                               |     |                                                                | <b>\$2,800.00</b> |                      |

**NOTES**

1. Upon Approval Addendum #1 is incorporated and an enforceable part of this proposal.
2. This proposal may be withdrawn by us if not accepted within 30 days.
3. The Grove is not responsible for damage done to sprinklers, water pipes, electrical or any other underground service connections. All repair issues will be immediately relayed to the client/owner. Any repairs deemed necessary can be contracted separately and will be billed on a time and materials basis.

**TERMS AND CONDITIONS:**

Net due upon 30 days. A finance charge of 1.5% per month will be added to the unpaid balance after 30 days. In the event legal action is taken to collect on a past due account, the debtor agrees to pay all collection costs including interest, attorney’s fees and court costs. Any alteration or deviation from the above involving extra cost of material or labor will only be executed upon written orders for same, and will become an extra charge over the sum mentioned in this contract. All agreements must be in writing. The Grove Total Tree Care is not to be held liable for damage to irrigation when grinding stumps. Our workers are fully covered by Worker’s Compensation and our firm covered by liability insurance.

**CONTRACTOR:**

Vendor:

The Grove  
 A division of Carson Landscape Industries  
 9530 Elder Creek Road, Sacramento, CA 95829  
 Contractor’s License #470283  
 Ph: (916) 231-8733 \* Fax: (916) 856-5410  
 Email: pdubois@thegrovetotaltreecare.com

**CLIENT/OWNER:**

Client:

The Nepenthe Association  
 Bettsi Ledesma  
 1131 Commons Dr.  
 Sacramento, CA 95825  
 Phone: (916) 929-8380  
 Email: Bettsi.Ledesma@fsresidential.com

|                                        |              |
|----------------------------------------|--------------|
| By: <u>Paul Dubois by MV</u>           | By: _____    |
| Name: <u>Paul Dubois</u>               | Name: _____  |
| Title: <u>Account Manager/Arborist</u> | Title: _____ |
| Date: <u>08/09/2017</u>                | Date: _____  |

**Addendum 1**

**General Terms and Conditions**

**Scope of Work:** All contracted services performed by The Grove are in accordance with the “Practical Specifications for Contract Tree Management,” through the American National Standards Institute and all pruning conforms to ANSI A300 guidelines. The Grove conducts all work in compliance with ISA ANSI Z133 Standards, OSHA and all state and local regulations. Contracted tree care work includes removal of all resultant debris and job site cleanup.

Client/Owner: \_\_\_\_\_



**Payment & Invoicing:** Work will be invoiced in full upon completion. Payment is due 10 days from date of invoice. A finance charge of 1.5% per month will be added to the unpaid balance after 30 days. In the event legal action is taken to collect on a past due account, the debtor agrees to pay all collection costs including interest, attorney's fees, and court costs.

**Change Orders & Additional Work:** Any alteration or deviation to this proposal involving extra cost of material and/or labor will only be executed upon written and signed orders for same, and will become an extra charge over the sum mentioned in this contract. The order must describe the scope encompassed by the change order, the amount to be added or subtracted from the contract and the effect the order will have on the schedule of progress payments, if applicable. Failure to obtain a signed Change Order does not preclude the recovery by Contractor of compensation for work performed based upon quasi contract, quantum merit, restitution or other similar legal or equitable remedies.

**Tree & Stump Removal/Grinding:** Trees removed will be cut as close to the ground as possible based on conditions near to or next to the bottom of the tree trunk. Additional charges will be levied for unseen hazards such as, but not limited to, concrete or brick filled trunks, metal rods, etc. If requested, mechanical grinding of visible tree stump is completed 8-12 inches below surface grade at an additional charge to the Client/Owner.

**Scheduling of Work:** This proposal is null and void if the jobsite conditions materially change from the time of approval of this proposal to the time work starts, such that the job costs are adversely changed. Scheduling of work is dependent on weather conditions and workloads.

**Permits, Fees & Assessments:** Unless otherwise agreed to in writing by both parties, the owner assumes full responsibility to obtain and pay for all necessary permits, fees, property taxes, and assessments.

**Disclaimer:** This proposal for tree care services was estimated and priced based upon a site visit and visual inspection from ground level using ordinary means, at or about the time this proposal was prepared. Visual inspection is reflected solely in bid provided. The price quoted in this proposal for the work described, is the result of that ground level visual inspection and therefore our company will not be liable for any additional costs or damages for additional work not described herein, or liable for any incidents/accidents resulting from conditions, that were not ascertainable by said ground level visual inspection by ordinary means at the time said inspection was performed. The work performed by The Grove is intended to reduce the chances of tree failure and any corresponding property liabilities, in addition to enhancing aesthetic value but is not a guarantee. We cannot be held responsible for unknown or otherwise hidden defects of your trees, which may fail in the future. The corrective work proposed herein cannot guarantee exact results.

**Liability:** The Grove is not responsible for damage done to sprinklers or underground utilities such as, but not limited to, cable, water, gas and electrical. Client/Owner shall be responsible for contacting Underground Service Alert to locate underground utility lines prior to start of work. The Grove will repair damaged irrigation lines at the Client/Owner's expense and approval. Any illegal trespass claims and/or damages resulting from work requested that is not on property owned by Client/Owner or not under Client/Owner management and control shall be the sole responsibility of the Client/Owner.

**Waiver of Liability:** Requests for crown thinning in excess of twenty-five percent (25%), or work not in accordance with ISA (International Society of Arboricultural) standards will require a signed waiver of liability.

**Commercial General Liability Insurance:** Contractor carries commercial general liability insurance written by Golden Eagle Insurance. You may call John O. Bronson Company at 916-480-4150 to verify our coverage.

**Worker's Compensation Insurance:** Contractor carries worker's compensation insurance for all employees.

**Attorney's Fees:** In the event that litigation is commenced to interpret or enforce any of the rights or obligations under this Agreement, the prevailing party shall be entitled to recover his attorney's fees and litigation expenses incurred as a result of the litigation. Said attorney's fees and expenses shall be fixed by the court or arbitrator.

**Cancellation:** Notice of cancellation of work must be received in writing before the crew is dispatched to their location or Client/Owner will be liable for a minimum travel charge of \$150.00 and billed to Client/Owner.

Client/Owner: \_\_\_\_\_

**Merit Insecticide Injections**

Project Address:

Project Name: **Nepenthe Association**

**Merit Tree Injection – Jan/Feb**

- Application made in January or February to prevent infestations of sucking insects such as Aphids, Scale, Whitefly, Mealybugs and Lacebugs. One annual application will control these pests for one season. These pests not only damage plants, their feeding causes dripping of sticky honeydew on sidewalks, cars and structures.
- Systemic insecticide is injected into the root zone of target trees, shrubs and ground cover.
- Application cost based on tree diameter or shrub size.
- Applications must be made before pest problems develop.

| <b><u>Tree Species:</u></b> | <b><u>2018</u></b> |
|-----------------------------|--------------------|
| Crepe Myrtle – (502”)       | \$2,100.00         |
| Elm – (500”)                | \$2,100.00         |
| Hachberry – (125”)          | \$ 600.00          |
| Tulip – (375”)              | \$1,650.00         |
| Zelkova – (75”)             | \$ 225.00          |
| Japanese Maple – (275”)     | \$2,100.00         |
| Robinia – (50”)             | \$ 150.00          |
| Red Oak – (75”)             | \$ 225.00          |
| Plum – (225”)               | \$ 800.00          |
| <b>Total All</b>            | <b>\$9,950.00</b>  |

| <b><u>Low Priority</u></b> |                   |
|----------------------------|-------------------|
| Mayten – (65”)             | \$ 195.00         |
| Pines – (450”)             | \$1,600.00        |
| Dogwood – 210”)            | \$ 975.00         |
| <b>Total All</b>           | <b>\$2,770.00</b> |

**Insect/Fungus Program (I/F)**

- Applications of fungicides and/or insecticides to control specified insect or disease outbreaks. Treatments can be made either to prevent or cure infestations through foliar or soil drench applications.
- Target diseases include leaf spot, leaf blight, powdery mildew and root rots.
- January thru April applications utilize preventative dormant oil applications.
- Prevention or cure of some pests requires repeat applications.

| <u>I/F Treatment</u>      | <u>Jan/April</u>    |
|---------------------------|---------------------|
| Pear/Crepe Myrtle -       | \$ 900.00 per month |
| <b>Total for 4 months</b> | <b>\$3,600.00</b>   |

**Deep Root Feeding – Fall**

- Soil injection of a slow release liquid fertilizer and root stimulant solution to provide trees with beneficial nutrients directly into the root zone.
- It is recommended that treatments are performed in the fall.
- Cost is based on size and number of trees.

| <u>Tree Species</u> | <u>Oct/Nov</u>   |
|---------------------|------------------|
| Mature Oaks – (18)  | \$ 900.00        |
| <b>Total All</b>    | <b>\$ 900.00</b> |

**Deep Root Watering – Summer**

Deep Root Watering is an application of Yucca extract and water injected into the soil around the tree’s drip line. Yucca extract helps to retain moisture in the soil and clings to the roots, helping them to retain water in areas within the landscape that receive minimal water. (ie: Reduced water in turf, fields and outlying areas of landscape).

Applications are made during **May, June, July**

- Before trees are in stress to help reduce stress
- While trees are in stress to help trees withstand periods of reduced water and to help with recovery

**Note: It is best to do three applications 30 days apart during periods of stress.**

| <u>Tree Species</u>           | <u>May, June, July</u>    |
|-------------------------------|---------------------------|
| Redwoods – \$450 per 10 trees | \$12,750.00 per month all |

**Fruit/Seed Prevention – March**

- Application of a growth regulator during flowering to prevent the formation of messy fruit or seedpods of specified trees. Eighty-percent (80%) control of fruit formation is expected.
- Liquidambar: one application late March to early April.

| <u>Tree Species</u> | <u>March</u> |
|---------------------|--------------|
| Liquidambar - (84)  | \$ 5,800.00  |

**TurfPro**

*A division of Carson Landscape Industries*  
 9530 Elder Creek Road, Sacramento, CA 95829  
 Contractor’s License #470283  
 Ph: (916) 431-8873 \* Fax: (916) 856-5410  
 Email: pdubois@thegrovetotaltreecare.com

**The Nepenthe Association**

Bettsi Ledesma  
 1131 Commons Dr.  
 Sacramento, CA 95825  
 Phone: (916) 929-8380  
 Email: Bettsi.Ledesma@fsresidential.com

By: Paul Dubois by JO  
 Name: Paul Dubois  
 Title: Account Manager  
 Date: August 9, 2017

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**TERMS:** Net Due 30 Days. A finance charge of 1.5% per month will be added to the unpaid balance after 30 days. In the event legal action is taken to collect on a past due account, the debtor agrees to pay all collection costs including interest, attorney’s fees and court costs. Any alteration or deviation from the above involving extra cost of material or labor will only be executed upon written orders for same, and will become an extra charge over the sum mentioned in this contract. All agreements must be in writing. Our workers are fully covered by Worker’s Compensation and our firm covered by liability insurance. **NOTE: This proposal may be withdrawn by us if not accepted within 30 days.**



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CALL FOR A FREE ESTIMATE

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4512 Dunnbury Way, Sacramento, CA 95842  
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## Estimate for Vanderbuilt 1106 - 1136

### **Diagnosis:**

Water not draining off sidewalk in a few locations in the greenbelt area

### **Recommendation:**

Estimate to install approx. 160' of 3" hard pipe (ABS), with approx. 10 catch basin for drainage.

### **Scope of Work:**

- 1) Trench approx. 160' in greenbelt
- 2) Install approx. 10 catch basin in appropriate areas
- 3) Saw, cut, demo, remove, and reinstall concrete where necessary
- 4) Backfill and clean up

**Estimate: \$9,000**

\*\*\* To include all parts and labor

\*\*\* 10 year warranty on back ups

Looking towards Vanderbilt Way from 1118 Vanderbilt



Standing at 1046 Vanderbilt looking across at 1112 Vanderbilt



Looking towards Vanderbilt Way from 1118 Vanderbilt



Standing at 1046 Vanderbilt looking across at 1112 Vanderbilt



## **Ad-Hoc Committee – Lighting**

### **Final Report**

#### **Common Area Free-Standing Lights – “Lollipops”**

**August 29, 2017**

### **1. Overview**

The charge to the Ad-Hoc Committee – Lighting includes the following item under **Scope**:

Stand-alone lighting to replace the current “lollipop” fixtures. Final report due to the office August 30.

**Important considerations** related to this item include:

- Compatibility of fixture design with our architecture and landscape
- Safety of residents and guests
- Energy costs

The **final report** should include the following:

- Regarding stand-alone lighting:
  - A map showing new locations
  - The specifications for recommended new fixtures with a photo
  - Power sources to be utilized (solar?)
  - Power consumption new fixtures, compared to what the current fixtures consume
  - Estimated savings in electricity
  - Estimated investment to replace all the current fixtures

## 2. Statement of Findings

Regarding the free-standing lights, the committee researched four replacement options, the use of one alternative energy source and the addition of new fixture locations.

- 1) Replacement of all fixture components including wiring, poles and luminaries;
- 2) Replacement of the luminary component;
- 3) Incorporate “dark sky” and other safety characteristics into the existing globe luminaries including: fully shielding the light source/bulb preventing unsafe/disabling glare and ensuring light beam faces downward perpendicular to the ground to avoid light pollution above the head of the luminaire;
- 4) Updating all current fixtures to meet previously recommended standards for type of fixture (translucent/frosted white vs. transparent/clear), all necessary hardware and energy efficient bulbs in the recommended lumens and kelvins.
- 5) Determine if electricity costs could be reduced by the use of solar energy.
- 6) Research feasibility of adding light fixtures in identified dark areas in the community.

**See below for results regarding each option:**

### 1) Replacement of all fixture components including wiring, poles and luminaries.

Preliminary assumptions included potential energy and cost savings to be realized by updating the free-standing pole light fixtures in total. In an analysis performed by SMUD, it was determined we are already operating at near maximum efficiency; as such, we are not eligible for any rebates or incentives. It was also determined the cost to replace all components would be incredibly expensive – resulting in a decades long return on the investment, not to mention the lights would have to meet current California Title 24 requirements. One significant result of meeting Title 24 involves the loss of our current “dusk-to-dawn” feature – in favor of a six-hour maximum illumination. (See Attachment 1.A & 1.B)

2) Replacement of the luminary component.

Initial research focused on California Title 24 requirements and whether we are bound by this code if total or partial replacement of the fixtures is pursued. Connie Samla, SMUD Lighting Specialist, assisted the committee in determining our legal obligations regarding Title 24. We also gained clarification from the California Energy Commission regarding available exceptions for the community and from the City of Sacramento regarding zoning classification. The result being we ARE bound by Title 24 requirements. There was one *possible* exception, however it was rendered moot by the next point. (See Attachment 2.A, 2.B & 2.C)

Utilizing the previously developed list of criteria as a guide, the committee conducted an extensive internet search to identify appropriate light fixtures; those meeting standards of the newly developed criteria and Title 24. Options meeting all criteria are few with virtually none that fit the style of the community or the height of the current fixtures. Committee members viewed fixture options installed locally. (See Attachment 2.D & 2.E)

3) Incorporate “dark sky” characteristics into the existing globe luminaries.

Attempts to locate appropriate fixture elements that could “convert” the existing globes to meet “dark sky” requirements proved unsuccessful. The technology does not currently exist. (See Attachment 3.A & 3.B)

4) Updating all current fixtures to meet previously approved standards for type of fixture (translucent/frosted white vs. transparent/clear), all necessary hardware and energy efficient bulbs in the recommended lumens and kelvins.

A cost comparison was performed and quotes obtained for purchasing the various fixture elements including: the globe and light bulbs. (See Attachment 4.A, 4.B, 4.C & 4.D)

5) Determine if electricity costs could be reduced by the use of solar energy.

Working with a local solar contractor, the committee requested a proposal for utilizing solar energy for the Association building and Dunbarton Cabana. The result shows it is not feasible to move any of our current facilities over to solar due to a variety of factors including: lack of sun on rooftops from trees at the Dunbarton location, non-profit status eliminates incentives, high cost to install at \$60k for Association building and 20 year return on investment. (See Attachment 5.A & 5.B)

6) Research feasibility of adding light fixtures in identified dark areas in the community.

The result of our research shows it is not feasible to enhance Nepenthe common area light coverage by adding new light fixtures or relocating existing ones due to both State Title 24 energy efficiency regulations and City “dark sky” requirements. Any augmentation and alteration of existing lighting systems must comply with the same State rules for new outdoor lighting systems; e.g. maximum wattage level assessments, multilevel occupancy controls (brightness goes up/down depending on movement), and possible automatic shut-off after a period of continued illumination not to exceed six hours. The application of any Title 24 exceptions to automated occupancy controls would initially require a Nepenthe-wide photometric analysis to determine acceptable placements for added post lights. In addition, the City considers the Nepenthe common areas to be zoned non-residential – requiring new light posts comply with up-light (dark sky) and glare (shielded light source) restrictions. (See Attachment 6.A)

**3. Recommendations**

- We propose the Board consider implementation of option 4 above to include updating all existing fixtures to meet previously approved standards for type of fixture (translucent/frosted white vs. transparent/clear), all necessary hardware and energy efficient bulbs in the recommended lumens and kelvins.
- We recommend contacting Edith Aiken Company (edee.com) to obtain a current quote to purchase and ship 640 12” White Smooth Acrylic (not Polycarbonate) Sphere’s.
- We recommend ordering 640 bulbs in the approved lumens and kelvins, however subsequent to our recommendations being submitted to the Grounds Committee, new information has come to light regarding use of LED bulbs in the existing enclosed globe fixtures that warrants a change to the following: CFL 75W (1250 lumens) Soft White (2700 Kelvins) spiral light bulb.
- We recommend the modified specifications for replacement light bulbs be included in the Grounds Committee/Nepenthe HOA maintenance and supply records - CFL 75W (1250 lumens) Soft White (2700 Kelvins) spiral light bulb.
- We suggest continued pruning of landscape around existing light fixtures to maximize visibility in alleys, etc.
- We recommend a subsequent Ad Hoc Committee be convened at specified intervals in the future to research current California regulations and availability of

light fixture options that meet those regulations. Quite simply – the marketplace and available technology has not caught up with California’s Title 24 requirements!

## ATTACHMENT 1.A

Stephen Oliver <Stephen.Oliver@smud.org>

Reply

Thu 3/23, 7:45 AM

Lighting Ad Hoc Cmt

Typically landscaping lighting is "high-intensity discharge" (HID) type fixtures. If they were less-efficient HID fixtures, the energy savings after retrofit would be much greater and could potentially realize rebates that would exceed the program limit. Knowing the number of fixtures would allow us to estimate the overall rebate, and determine which of SMUD's programs to use for the project.

Steve

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Thursday, March 23, 2017 7:30 AM

To: Stephen Oliver

Subject: Re: Campus Commons

Steve - why was it necessary to know the total number of fixtures we currently have in place to calculate this cost? (I don't see the number in your formula below.) Thanks, Renee

From: Stephen Oliver <Stephen.Oliver@smud.org>

Sent: Thursday, March 23, 2017 7:11 AM

To: JR M

Cc: Connie Samla

Subject: RE: Campus Commons

In round numbers...

$23W \times 4300 \text{ Hours} = 98,900 \text{ Watt Hours}$ , which is equivalent to 99 kWh. Off peak energy costs about \$0.10/kWh. So each lamp is costing about \$10.00 per year in electricity.

To calculate the new cost, just take the lamp wattage of the new fixture divided by 23 and multiply the result by \$10.00

Steve

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Wednesday, March 22, 2017 4:25 PM

To: Stephen Oliver

Cc: Connie Samla

Subject: Re: Campus Commons

Well, I guess that's somewhat good news.

Who would be able to tell us what each of these fixtures currently cost us? (Even though they are pretty efficient, we will still need to provide the comparison for the current fixture vs. the recommended updated one.)

Thanks for the info - Renee

From: Stephen Oliver <Stephen.Oliver@smud.org>

Sent: Wednesday, March 22, 2017 3:38 PM

To: JR M

Cc: Connie Samla

Subject: RE: Campus Commons

Hello Renee,

Those sound like compact fluorescent medium-base screw in lamps (Pear shaped, or mini-twist). Unfortunately, those are already pretty efficient and do not leave much room for improvement. The energy savings, and therefore the incentive would be very small, even for 630 fixtures.

Sorry for the bad news, but it sounds like your existing fixtures – even though they are old, are pretty efficient.

Steve

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Wednesday, March 22, 2017 10:05 AM

To: Stephen Oliver

Subject: Re: Campus Commons

Our maintenance man says most are marked 23 watt = 100watt on the package. We are not using any LED bulbs...

From: Stephen Oliver <Stephen.Oliver@smud.org>

Sent: Tuesday, March 21, 2017 12:12 PM

To: JR M

Cc: Connie Samla

Subject: RE: Campus Commons

Hello Renee

I will try to drive by at some point in the next few days to see what type of lamp is in the fixtures (unless you know already). If you happen to know the wattage of the existing bulbs, that would work too.

Steve

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Tuesday, March 21, 2017 10:38 AM

To: Stephen Oliver

Cc: Connie Samla

Subject: Re: Campus Commons

Hello,

I don't have any specs for the existing fixtures other than they are interchangeable bulbs and 40+ years old. We do have the total number of fixtures and the costs to operate them from our SMUD invoices. Do you need any other info to determine how much each of these fixtures is costing currently?

We don't have a fixture selected yet and won't have for a couple months. We are working on two other new/additional lighting fixture options currently.

Thanks for the cost/benefit analysis of the photometric study.

We'll get back with you when we've moved on to the "lollipop" fixture selection or options. Prior to that, please let us know what the fixtures are currently costing?

Thanks for your help.

Renee

From: Stephen Oliver <Stephen.Oliver@smud.org>

Sent: Monday, March 20, 2017 7:47 AM

To: JR M

Cc: Connie Samla

Subject: RE: Campus Commons

Good Morning Renee,

Do you have a specification for the existing and proposed fixtures? I will not be able to estimate savings (energy or cost) until we know the existing and proposed fixture wattages.

Regarding the photometrics – SMUD does not generate the photometric study. There is an incentive enhancement if an engineer or certified lighting designer submits a photometric study that demonstrates that good lighting practices are followed, including confirmation that areas are not over or under lit. I am not sure this is the best route for you (the effort to create the study may not be offset by any increased incentives).

Once I see the proposed fixture, I will let you know the best path to take to achieve the largest incentive or rebate.

Sincerely,

Steve Oliver, P.E.

Principal Mechanical Engineer

Customer Programs and Services

Sacramento Municipal Utility District

6301 S Street, Mailstop A102, Sacramento, CA 95817

w.916-732-6359 | solive1@smud.org

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Friday, March 17, 2017 5:31 PM

To: Stephen Oliver

Subject: Re: Campus Commons

Hi Steve,

We have determined the total number of current free-standing light fixtures (lollipops) is 632. You mentioned being able to help us in calculating our current cost per fixture and what savings we might realize upon updating.

Our committee charge specifically asks us to provide the following:

- power consumption of the current fixtures to compare to the selected new fixtures
- estimated savings in electricity

- estimated savings in cost

- available rebates (Connie mentioned getting a photometric report when we're at that stage, so please include info on that rebate estimate as well.)

If there is other information you can provide that you think will help us with this project, please include it as well.

Thank you! We had a great meeting with Connie yesterday. SMUD is a valuable resource.

Renee

From: Stephen Oliver <Stephen.Oliver@smud.org>

Sent: Thursday, February 23, 2017 3:25 PM

To: jrm0825@hotmail.com

Subject: FW: Campus Commons

Good afternoon Renee,

Connie Samla mentioned a couple of other people in the Campus Commons area that are also working on exterior lighting. Do either of them happen to be involved in your subdivision?

Steve

From: Connie Samla

Sent: Thursday, February 23, 2017 2:05 PM

To: Stephen Oliver

Subject: RE: Campus Commons

Hi Steve,

It seems many of the Campus Commons subdivisions are wanting to change out their lights. I am currently working with Steve Huffman and Bill Olmsted (Campus Commons) on the same issue. I wonder if she knows them and can glean from what we will be doing with them?

Thanks,

Connie

From: Stephen Oliver

Sent: Wednesday, February 22, 2017 12:34 PM

To: Connie Samla

Subject: Campus Commons

Hello Connie,

I had an inquiry from a woman Renee Mendez at Campus Commons (1525 University). Their entire subdivision needs to replace a bunch of globe (lollipops) landscaping fixtures.

Do you have bandwidth to assist in fixture selection?

She said she had met you regarding the security aspect, but had never discussed the aesthetics.

Sincerely,

Steve Oliver, P.E.

Principal Mechanical Engineer

Customer Programs and Services

Sacramento Municipal Utility District

6301 S Street, Mailstop A102, Sacramento, CA 95817

w.916-732-6359 | solive1@smud.org

## ATTACHMENT 1.B

### Inventory of Exterior Pole Lights - "Lollipops"

|        | ZONE STEWARD    | CURRENT # | PROPOSED |
|--------|-----------------|-----------|----------|
| ZONE 1 | Diane Luttrell  | 37        | 0        |
| ZONE 1 | Grace Long      | 45        | 3        |
| TOTAL  |                 | 82        | 3        |
| ZONE 2 | Elsa Morrison   | 44        | 16       |
| ZONE 2 | Diana Vizzard   | 64        | 5        |
| TOTAL  |                 | 108       | 21       |
| ZONE 3 | Liza Tafoya     | 0         | 0        |
| ZONE 3 | Lyn Livingston  | 90        | 30       |
| TOTAL  |                 | 90        | 30       |
| ZONE 4 | Don Landsittel  | 79        | 5        |
| ZONE 5 | Pam Sechrist    | 0         | 0        |
| ZONE 5 | Joan Barrett    | 108       | 3        |
| TOTAL  |                 | 108       | 3        |
| ZONE 6 | Kathy Waugh     | 46        | 44       |
| ZONE 6 | Diana Mortimore | 59        | 0        |
| TOTAL  |                 | 105       | 44       |
| ZONE 7 | Renee Mendez    | 60        | 19       |
| TOTAL  |                 | 632       | 125      |

## ATTACHMENT 2.A

RE: Question about Free-Standing Light Fixture Update

Connie Samla <Connie.Samla@smud.org>

Reply

You forwarded this message on 5/18/2017 11:22 AM

Hello Renee,

The light fixture would need to be 13.8W or less (60% of 23W). There are several styles that have a 13W LED with 900 lumens (a little brighter than a 60W light bulb but, depending on how old the 23W CFL is, it could be dimmer than the current bulbs). However, a new LED fixture may have better light distribution than the current fixtures and may provide better lighting even at 13W.

Take care,

Connie

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Thursday, May 18, 2017 10:29 AM

To: Connie Samla

Subject: Re: Question about Free-Standing Light Fixture Update

Our maintenance man says most are marked 23 watt = 100watt on the package. We are not using any LED bulbs... Is there any room for us to qualify under the green highlighted text below?

If so, what would we need to look for in a fixture - wattage wise?

From: Connie Samla <Connie.Samla@smud.org>

Sent: Thursday, May 18, 2017 8:16 AM

To: JR M

Subject: RE: Question about Free-Standing Light Fixture Update

Good morning Renee,

The sections you refer to may be found on this link: <http://www.energy.ca.gov/2015publications/CEC-400-2015-037/CEC-400-2015-037-CMF.pdf>

2016 Building Energy Efficiency Standards for Residential ...

www.energy.ca.gov

building energy efficiency standards for residential and nonresidential buildings for the 2016 building energy efficiency standards title 24, part 6, and associated

Section 140.7 (chart) begins on page 213

Section 130.2(c)1 & 2 begins on page 161

In order to fall into the green area below, we need to replace the fixture heads with very efficient LEDs that consume at least 40% less than original. If the original lamps are 13W, that may be difficult. If the original lamps are higher wattage, that is possible.

Have a super day,

Connie

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Wednesday, May 17, 2017 3:47 PM

To: Connie Samla

Subject: Re: Question about Free-Standing Light Fixture Update

Thanks for the info. Wow - that really hinders the thought of changing out the fixture heads for sure! Do you, by chance, have access to the info for sections referenced below: Section 140.7 and Section 130.2(c)1 and Section 130.2(c)2?

Could we fall under the green highlighted area below?

From: Connie Samla <Connie.Samla@smud.org>

Sent: Wednesday, May 17, 2017 2:58 PM

To: JR M

Subject: RE: Question about Free-Standing Light Fixture Update

Hello Renee,

It sure is a beautiful spring and summer is coming real fast.

Great to hear you submitted the final report last week.

For the outdoor fixtures, Title 24 is required, please see yellow and green highlighted areas:

Alterations to existing outdoor lighting systems in a lighting application listed in TABLE 140.7-A or 140.7-B shall meet the applicable requirements of Sections 130.0, 130.2(a), 130.2(b), and 130.4, and:

i. In alterations that increase the connected lighting load, the added or altered luminaires shall meet the applicable requirements of Section 130.2(c) and the requirements of Section 140.7 for general hardscape lighting or for the specific lighting applications containing the alterations; and

ii. In alterations that do not increase the connected lighting load, where the greater of 5 luminaires or 10 percent of the existing luminaires are replaced in a general hardscape or a specific lighting application, the alterations shall meet the following requirements: a. In parking lots and outdoor sales lots where the bottom of the luminaire is mounted 24 feet or less above the ground, the replacement luminaires shall comply with Section 130.2(c)1 AND Section 130.2(c)3; b. For all other lighting applications and where the bottom of the luminaire is mounted greater than 24 feet above the ground, the replacement luminaires shall comply with Section 130.2(c)1 AND EITHER comply with Section 130.2(c)2 or be controlled by lighting control systems, including motion sensors, that automatically reduces lighting power by at least 40 percent in response to the area being vacated of occupants; and

iii. In alterations that do not increase the connected lighting load, where the greater of 5 luminaires or 50 percent of the existing luminaires are replaced in general hardscape or a specific application, the replacement luminaires shall meet the requirements of subsection ii above and the requirements of Section 140.7 for general hardscape lighting or specific lighting applications containing the alterations.

EXCEPTION to Section 141.0(b)2Liii. Alterations where the replacement luminaires have at least 40 percent lower power consumption compared to the original luminaires are not required to comply with the lighting power allowances of Section 140.7.

EXCEPTION to Section 141.0(b)2L. Acceptance testing requirements of Section 130.4 are not required for alterations where controls are added to 20 or fewer luminaires

This language may be found here: <http://www.energy.ca.gov/2015publications/CEC-400-2015-037/CEC-400-2015-037-CMF.pdf> on page 228

2016 Building Energy Efficiency Standards for Residential ...

[www.energy.ca.gov](http://www.energy.ca.gov)

building energy efficiency standards for residential and nonresidential buildings for the 2016 building energy efficiency standards title 24, part 6, and associated

Take care,

Connie

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Thursday, May 11, 2017 1:39 PM

To: Connie Samla

Subject: Question about Free-Standing Light Fixture Update

Hi Connie,

I hope you are having a beautiful Spring!

We submitted our final report on two out of our three charges last week. We are now focusing on the third and last part of our assignment - recommendations for replacement or updating of the free-standing light poles affectionately referred to as "lollipop" lights.

One option is to simply replace the top/head of the fixture; leaving the pole/footing and all wiring in place. If we were to do that for all 632 fixtures, would we be required to meet Title 24? (We would not be adding new fixtures.)

Any assistance on this question would be appreciated.

Thank you,

Renee Mendez

916.240.0192

## ATTACHMENT 2.B

RE: Question about HOA category zoning

David Phillips <DSPhillips@cityofsacramento.org>

Reply

Tue 6/20, 7:06 AM

Renee,

This would be considered outdoor commercial lighting.

Thank You,

David Phillips

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Monday, June 19, 2017 8:43 PM

To: David Phillips <DSPhillips@cityofsacramento.org>

Subject: Re: Question about HOA category zoning

So David, the light fixtures are not attached or located to an individual living unit....rather they are all located on common area property. Where do these lights fall in the categories?

This is confusing as there are light fixtures both around the individual living units AND the clubhouses, etc...They are all the same fixture and are all located on common area property.

Thank you!

Renee

From: David Phillips <DSPhillips@cityofsacramento.org>

Sent: Monday, June 19, 2017 4:23 PM

To: JRM0825@hotmail.com

Subject: RE: Question about HOA category zoning

Renee,

The individual living units would be considered residential for title 24 purposes R-2 occupancies (But would be issued as a commercial permit). The Club house, leasing office etc. Would be considered commercial occupancies.

Thank You,  
David Phillips

From: EZPermit  
Sent: Monday, June 19, 2017 2:59 PM  
To: David Phillips <DSPhillips@cityofsacramento.org>  
Subject: FW: Question about HOA category zoning

Hello,

Might you assist this customer with their title 24 building code? It's appreciated.

Thanks, Renee

From: Stacia Cosgrove  
Sent: Monday, June 19, 2017 2:57 PM  
To: JR M <JRM0825@hotmail.com>  
Cc: EZPermit <EZPermit@cityofsacramento.org>  
Subject: RE: Question about HOA category zoning

Hi Renee- Thanks for your message. You'll want to speak with someone in our Building Division regarding T24 requirements (I'm with Planning, so I'm versed in zoning but not with the CA Building Code).

I'm going to cc' the Building helpdesk (ezpermit@cityofsacramento.org) on this email to connect you with Building staff to see if they can help answer your question or point you in the right direction.

Thank you!

Stacia

---

Stacia Cosgrove

Principal Planner

Community Development Department

300 Richards Blvd., 3rd Floor | Sacramento, CA 95811

916.808.7110 phone

scosgrove@cityofsacramento.org

From: JR M [mailto:JRM0825@hotmail.com]

Sent: Monday, June 19, 2017 2:41 PM

To: Stacia Cosgrove <SCosgrove@cityofsacramento.org>

Subject: Question about HOA category zoning

Hello Stacia,

I've been referred to you in hopes you can answer a question about how our homeowner association and townhomes are categorized in regards to Title 24.

We live in the Campus Commons - Nepenthe Homeowners Association community. We are a group of 500 townhomes. My home is located at 1575 University Ave and the clubhouse is located at 1131 Commons Dr. - both are Sacramento 95825.

We are in the process of updating our light fixtures located in the common areas, walkways and alleys. We're working with the CA Energy Commission and SMUD to help us negotiate our requirements regarding Title 24. We received the following email last week. Please take a look and let us know if you can tell us our occupancy group or point us to the person who can.

Thank you for your assistance - Renee Mendez

FYI - Connie Samla is with SMUD...

From: Energy - Title24 [mailto:Title24@energy.ca.gov]

Sent: Wednesday, June 14, 2017 2:18 PM

To: Connie Samla

Subject: RE: Campus commons/Title 24

Good morning Connie,

You are correct in the fact that whether your building is classified as a residential occupancy or a nonresidential occupancy, your outdoor lighting will be complying with the outdoor lighting requirements. With that being said, it is still important to find out from your local building department what occupancy group Campus Commons falls under to know if your alteration begins in the residential section or the nonresidential section. If it falls under an R occupancy, most likely under R-2, then it will follow the residential requirements. If it falls under any other occupancy, then it will follow the nonresidential requirements.

I can point you in the direction of the code section you will need to comply with if you let me know what type of luminaire alterations you are doing as well as the occupancy group of Campus Commons.

Please let me know if you have any further questions.

Thank you,

Elizabeth Ferris

Energy Standards Hotline Staff

California Energy Commission

1516 Ninth Street

Sacramento, CA 95814

1.800.772.3300

[Title24@energy.ca.gov](mailto:Title24@energy.ca.gov)

## ATTACHMENT 2.C

**From:** Connie Samla <[Connie.Samla@smud.org](mailto:Connie.Samla@smud.org)>

**Sent:** Thursday, March 16, 2017 4:41 PM

**To:** [jrm0825@hotmail.com](mailto:jrm0825@hotmail.com)

**Subject:** CA Title 24

Good afternoon Renee,

Please find the link to the official California Energy Code Title 24 residential outdoor lighting requirements here <http://www.energy.ca.gov/2015publications/CEC-400-2015-037/CEC-400-2015-037-CMF.pdf> (specifically page 238 #3A). Title 24 is an energy code and is basically stating they don't want the lighting on more than it has to be – it is solely to save energy.

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[2016 Building Energy Efficiency Standards for Residential ...](#)

[www.energy.ca.gov](http://www.energy.ca.gov)

building energy efficiency standards for residential and nonresidential buildings for the 2016 building energy efficiency standards title 24, part 6, and associated

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This is another link that helps explain the code in everyday language

[http://cltc.ucdavis.edu/sites/default/files/files/publication/2016\\_T24\\_Res\\_Changes\\_Jun2016\\_Update.pdf](http://cltc.ucdavis.edu/sites/default/files/files/publication/2016_T24_Res_Changes_Jun2016_Update.pdf) the outdoor portion is on page 4.

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[What's New in the 2016 Code? Residential Lighting \(PDF\)](#)

[cltc.ucdavis.edu](http://cltc.ucdavis.edu)

This guide is not intended to be used in lieu of California's Building Energy Efficiency Standards, and it is not a substitute for the code itself.

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There is a hotline one can call to see if there are any exceptions (for retrofitting lights/adding one or two lights/safety/security concerns), I've tried all day with no luck in getting through: 916-654-5106. I will pursue with an email but that may take several days to receive an answer.

I'll let you know as soon as I hear something.

Take care,

Connie Samla, PE, LC

Lighting Specialist

Energy Education & Technology Center

Sacramento Municipal Utility District

6301 S Street, Mailstop A226, Sacramento, CA 95817

P.O. Box 15830, Sacramento, CA 95852-0830

w.916-732-6404 | f.916-732-6229 | [connie.samla@smud.org](mailto:connie.samla@smud.org)

## ATTACHMENT 2.D

### Recommendation for Exterior Lighting on Garage Walls Outside Patio Fence Line

Report from the Nepenthe Lighting Ad Hoc Committee – 10 May 2017

Add following new section to ARC Home Improvement Guidelines and Criteria:

#### 5.5 Exterior Lighting on Garage Walls Outside Fence Line

See approved light fixture at Nepenthe office. Light source/bulb must be fully shielded. Angle of light beam shall face downward perpendicular to the ground. Fixture lighting brightness shall be approximately 800 lumens (60w equivalent) when controlled by a manual ON and OFF switch; and approximately 450 lumens (40w equivalent) when automatically reactivated by a motion sensor; not to exceed six hours of total night operation. Lighting color shall be warm white (not to exceed 3000K = kelvins). Light fixture installation shall be hardwired; wiring and/or conduit concealed within structure. Fixture placement shall be centered above the garage house number plaque; the bottom of the fixture installed 66 inches above the bottom edge of the building siding. There should be at least 3 inches, but no more than 4 inches, between the top of the address number plaque and the bottom of the light fixture. (In some instances, this may require relocation of the house number plaque to accommodate the light fixture and meet this criteria.)

#### Justification for Above Criteria:

*Fully shielding the light source/bulb prevents unsafe/disabling glare*

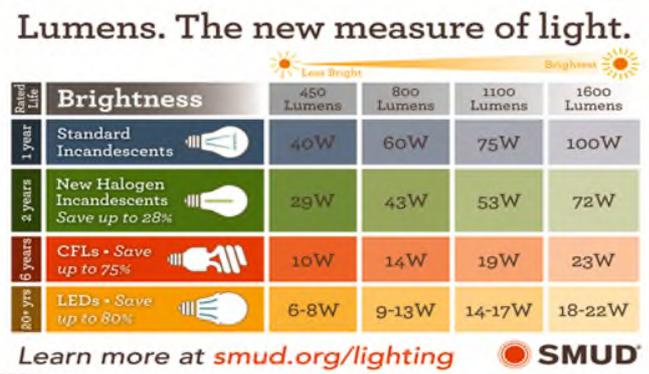
- Established ARC requirement
- CPTED (Crime Prevention Through Environmental Design): Glare obstructs natural surveillance and response to personal threat
- Dark sky compliant

*Light beam facing downward perpendicularly to the ground prevents light trespassing into neighbor enclosed areas*

- Established ARC requirement to avoid shining onto other properties, alleys, streets, or into the eyes of motorists or pedestrians.
- Dark sky compliant

*Lighting brightness (Lumens)*

- CPTED: Excessive lighting brightness can diminish safety by causing a sharp contrast between lit areas, resulting in increased shadows and darker spaces that can create entrapment areas.
- Illuminating Engineering Society and SMUD recommendations
- Dark sky compliant



*Lighting color (Kelvins “K” Color temperature scale)*

- AMA (American Medical Association) 2016: Lighting color exposure above 3000K (bluish/day color) at night can cause sleep disruption
- American Lighting Association: Exterior lighting above 3000K can make surroundings appear sickly or unnatural, imparting a sense of uneasiness and being on the edge, thereby discouraging pedestrian movement and reducing natural surveillance



*Lighting automation and nighttime maximum normal operation requirements*

- CA Title 24 Energy Compliance (January 2017)
  - Dusk-to-Dawn automated “new” lighting no longer allowed
  - May use astronomical light switch for automatic on at dusk or later (up to 6 hours)
  - May use photocell/motion sensor option (lighting not to exceed 6 hours)
  - No limit on lighting time for lights controlled by manual ON and Off switch

*Fixture installation and placement*

- Established ARC requirement: the fixture must be hardwired.
- Placement criteria to provide uniform appearance within commons area.



## ATTACHMENT 2.E

### HEAD (GLOBE) REPLACEMENT

#### Considerations:

- Energy Savings
- Shielded Light Source to Prevent Disabling Glare
- Efficient Even Light to Prevent Unsafe Shadows and Increased Dark Areas
- Dark Sky Friendly Compliance
- Nepeenthe Design Compatibility
- Suitable for existing 6-foot tall post with 4-inch diameter
- Commercial (rather than residential) grade – limited or no glass / integrated lighting unit

#### Resources:

- Nicole Graeber, development engineer for UCD California Lighting Technology Center
- Pete Strasser, technical director for International Dark-Sky Association (IDA)
- Lighting designers for Associated Lighting, CJS Lighting, Landscape Forms & Lighting Systems
- Product websites for sixty-three commercial lighting manufacturers certified by IDA

#### Design Options

Rejected: carriage (colonial), lantern (traditional street light), gooseneck and barnyard styles



Preference: simple wedge and round disc styles



Finding: The wedge and round disc styles were viewed locally during the day and night at the Safeway and former Guzzetta Howe Avenue parking lots, and the styles were found unacceptable. As confirmed by local lighting manufacturer representatives, these dark sky compliant area light fixtures are designed for higher post lamination (20 feet and up). The fixtures are too large and the lighting spread would be

too small for low six-foot posts. These fixtures cost \$400-1100 and would require taller posts, making them fiscally unfeasible at this time. No dark sky compliant recommendations.

#### DARK SKY “FRIENDLY” COMPLETE LIGHT FIXTURE REPLACEMENT

Finding: Years ago Campus Commons Village Three installed similar fixtures. They prevent light trespass into upper windows and provide even ground lighting. However, the Village Three plastic has yellowed over time. Primelite Manufacturing Corp. now makes a LED 40 watt (too bright at 4560 lumens), in warm white 3000 kelvins for a 3-inch post. Any manufacturing changes would increase the \$253 cost. Other barn shade or modern-styles designs were not compatible.



Not recommended for consideration.

#### METAL TOP LIGHT FIXTURE GLOBE COVER ONLY

Finding: There is one dark-sky friendly, compatible design option for our existing post lights. A metal top necked globe is available in black or white on a 12” polyethylene plastic globe with 4-inch neck (Primelite Manufacturing Corp). Lighting vendor Love-IT Light did not recommend the white-on-white globe because of a significant white variation. Also, polyethylene plastic will degrade (yellow/crack) under UV/sunlight exposure. Bulk cost estimated at \$110/globe cover.



Not recommended for consideration.

#### DARK SKY FRIENDLY LIGHT BULBS

Finding: Silver-top or half-chrome light bulbs help to redirect light downwards, but are available only in frost incandescent higher wattage or very low wattage LED for decorative installations. Reminder: when using LED bulbs, they must be specified for use within enclosed fixtures (our globe post lights). CFL bulbs may generally be used in enclosed fixtures as long as the enclosed fixture is not recessed.



SEARCH FOR DARK SKY COMPLIANT GLOBES

BILL OLMSTED

JUNE 20, 2017

The task here was to attempt to locate or determine if available a type of globe like those installed in Nepenthe that had some reflective material in the top of the inside of the globe that would reflect light down and out thus keeping it from going up into the atmosphere.

I had noticed a few weeks ago on the UC Davis campus that they had path lights like our "lollipops", so I went back and contacted someone in their Facilities Management office who referred me to their Utilities Division on another part of the campus. I was told that Joseph Carbahal was their Superintendent for Power & Lights, however he was not in the office. I placed several calls to him, and we finally connected. He said that the whole subject of "dark sky" especially in re their lollipops was a subject they have not figured out. He has searched the market and does not believe that anything exists on the market yet that would be a lined globe that would keep light from shining upward. He furnished the name of the company in the east that furnishes their globes and has a lot of the market share for this type of outdoor lighting.

I placed a call to the Edith Aiken Company in Media, PA (edee@edee.com) and spoke with Fred, who I believe to be Edee's husband. He is very knowledgeable but does not know of anything that exactly fits the bill of what we have in mind. He understands the concept and can see the need, but they have not started to manufacture anything like that and doesn't know of any competitors who do. That is, not for the lollipop type globes like we have, but they do manufacture something similar but strictly for street lights, not path lights like ours.

We went through some of their on-line inventory while on the phone, and they really have a wide variety of exterior lighting for numerous different applications, but nothing that would work for our use. They have either bronze or smoke globes like ours as well as the clear and opaque, but still nothing to block the light from going upward. There are numerous types of lights that have a variety of types of shades, hats or other fixtures that could be mounted over the light to keep it from going up, but not all of them would apply to the lollipop globes.

Bottom line is that there does not seem to be anything currently on the market that would work for us to adapt to our existing globes to comply with the dark sky requirements. Our thinking is ahead of it's time.

## ATTACHMENT 3.B

Your request (1801) has been updated. To add additional comments, reply to this email.

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**Pete Strasser** (International Dark-Sky Association)

Jun 16, 08:45 MST

Hello Joel, Pete here. You certainly have done your due diligence and more. It appears that the utilization of the existing pole (and height) is the barrier. We are in uncharted territory now. Given this, I see the only remaining option to be to somehow modify the existing post tops to become better than they are now. Unless you are mandated to change by some California law, of which there are many, This could make what you have better, but not perfect. In the dark sky world we look for improvement, and somehow altering the existing units to become better is a worthy goal. To achieve this means getting creative; anything is on the table to help reduce upward directed light. The methods I have seen undertaken usually mean putting something on the interior of the globes that reduces or blocks the upward emission but is not ugly when seen during the day. Paint, duct tape, mylar coating--you name it. Then you go about modifying them. Try by testing and get opinions as to what looks and works best. If this sounds unusual, it is, but this kind of measure needs to be taken to make some change and not drop a million dollars on new lighting.

I wish it were simpler, but you have already covered the bases and sought professional assistance to no avail. Can you send an image of the post top units in question? I can show it around the office and see if we can brainstorm a best solution.

I hope this helps. I'll be out of the office the rest of the day and will return on Monday.

Best, Pete

---

Pete Strasser

International Dark-Sky Association  
3223 N. 1st Ave  
Tucson AZ 85719 USA

[pete@darksky.org](mailto:pete@darksky.org)



**Weedhouserj**

Jun 15, 16:38 MST

Hello Pete,

We have appreciated your guidance in the past regarding our exploration of dark sky lighting alternatives/adaptations for our home owner association wall fixtures and 700 globe-top post lights, which provide 99% of our grounds lighting since our community relies on pathways rather than streets. There were numerous wall fixture options and our board was pleased with the final selection. Post lighting has been challenge.

We are attempting to replace residential townhouse commons area exterior luminaries mounted on six-foot (4" diameter) poles with new simple contemporary fixtures with a maximum rated wattage under of 25 watts generated via integrated or replaceable LED or CFL. The few big box residential lantern options lack durability and attach on top of 3-inch poles. We looked at all of the contemporary (wedge, disc, etc) options offered by your website list of vendors and were told by the manufacturers that the fixtures were either too big for our poles, needed to be at least twice the height of our poles, and/or were not available in lumens and kelvins appropriate for a residential community setting. We sought the assistance of local lighting design specialists and were given the same answer.

We then decided to to see if we could change our current LED (100 watt equivalent) bulbs to a silver-top/half-chrome bulb in order to be more dark sky friendly. These bulbs come only in lower wattage and are meant to be used for decorative effect around mirrors.

Finally, the CA Energy Commission and its Title 24 regulations have not been helpful in identifying exceptions that will allow us to be more dark sky compliant with our existing 700 post lights without having to start over. We have been left with two options: install a new commons area lighting system at almost one million dollars (over \$2,000 one-time assessment that would have to be paid by our elderly homeowners) and will have to go totally dark after 6 hours (hence no grounds lighting after 11 PM in winter) or leave as is. Our community is located right along the edge of the American River Parkway, which would have benefited by a more dark sky friendly neighbor. But it appears we will not be able to overcome the current all-or-nothing regulatory approach and lack of commercial products for residential scale dark sky lighting.

Are we too soon?

Joel Weeden, memberAd Hoc Lighting CommitteeNepenthe Home Owners Association - Sacramento



## **ATTACHMENT 4.A**

Grounds Committee Agenda Item

April 13, 2017

The Ad Hoc Committee - Lighting requests the Grounds Committee consider the following supply specifications be approved and moved to the Board for final approval.

Regarding the free-standing pole light fixtures, the following light bulb specifications shall be purchased and utilized going forward.

### **Opaque Globe =**

**CFL: 2700 Kelvin (warm white light) + 550 Lumens (9 watts/40 watt equivalent)**

**or**

**LED: 2700 Kelvin + 350-450 Lumens (5.5-6 watts/40W equivalent)**

### **Clear Globe =**

**CFL: 2700 Kelvin + 250 Lumens (5 watts/25 watt equivalent)**

**LED: 2700 Kelvin + 200 Lumens (4 watts/25 watt equivalent)**

In addition, there's no good solution to avoid glare when using the current clear globes. We'd also like to recommend:

**-- All future replacement globes be opaque rather than clear, and**

**-- Allow owners to replace those clear globes currently in use at their own expense.** (The white acrylic globes currently cost approximately \$15.)

## **ATTACHMENT 4.B**

### **Lollipop light fixture supply costs:**

#### **Current:**

Light Bulbs Plus – Auburn Blvd – 916-635-1127

Roger orders items for delivery.

Globe: 12" White with neck - \$26.00

Pole Fitter: medium base socket w/ 4" neck - \$22.00

Bulb: - 23 watt spiral CFL - \$2.99

#### **Bulk Purchase:**

Edees.com – Edee Aiken – Edith Aiken Company

305 New Darlington Rd, Media, PA 19063

610-459-7836/610-494-7408

Globe: \$14.60 ea

Pole Fitter: \$9.50

Bulb: not available through edee.com

Shipping: bulk skids/pallets in truck from St. Louis. \$1375.00

#### **Globe Cost Comparison:**

Current  $\$26 \times 640 = \$16,640 + \text{tax } 8.75\% = \$1456.00 = \$18,096$

Edee.com  $\$14.60 \times 640 = \$9344 + \text{s/h } \$1375 = \$10,719$

**ATTACHMENT 4.C**



305 New Darlington Rd, Media, PA 19063, USA  
Tel: 610-494-7408  
www.edee.com edee@edee.com

**Quotation**

**603**

Date: 06/19/2017  
FOB: Factory  
Terms: Cash in Advance

**NOT A VALID QUOTE UNTIL FINALIZED**

**QUOTE NOT FINALIZED**

**Nepenthe Homeowners Association Office and Clubhouse**  
1131 Commons Drive  
Sacramento, CA 95825

| #   | Item        | Description                                                               | Unit Price | Qty                 | Net Price          |
|-----|-------------|---------------------------------------------------------------------------|------------|---------------------|--------------------|
| 1.1 | 20012-WH-4T | 12" White Smooth Acrylic Sphere (Globe) 3.94" O.D. Twist neck, 3.50" I.D. | 14.60      | 640                 | \$9,344.00         |
| 1.2 | note        | *20012-WH-4F is the same price for 640 pieces                             | 0.00       | 1                   | \$0.00             |
| 1.3 | Freight     | Freight quotes only good for 7 days                                       | 1,375.00   | 1                   | \$1,375.00         |
| 1.4 | Payment     | Payment is due when order is placed.                                      | 0.00       | 1                   | \$0.00             |
|     |             |                                                                           |            | <b>Final Total:</b> | <b>\$10,719.00</b> |

Printed: 06/19/2017 06:21 PM

Quote: 603

1 of 1

## **ATTACHMENT 4.D**

### **Switch Light Bulb Recommendation from LED back to CFL**

Since becoming aware LEDs for enclosed fixtures are much more expensive, we recommend returning to the old CFLs and purchase 75W Equivalent (1250 lumens) Soft White (2700 Kelvins) spiral light bulbs. A Philips 4-Pack is \$9.94 at Home Depot. The opaque white globes will hid the ugly spiral look.

### **Acrylic vs. Polycarbonate Plastic Globes**

#### *Advantages and Disadvantages of Acrylic Light Globes*

Light globes made from acrylic are durable, but they are not the most durable light globe option available. In fact, if dropped, acrylic light globes are susceptible to breaking. Compared to light globes made from polycarbonate, acrylic light globes are also more likely to chip and have less impact resistance.

The best quality of acrylic light globes is that they do not yellow overtime. Also, they provide the best light clarity and if ever diminished the optical clarity can be restored with polishing. When appearances matter, acrylic light globes are suggested.

#### *Advantages and Disadvantages of Polycarbonate Light Globes*

Polycarbonate light globes have poorer clarity than acrylic light globes, which makes them diffuse light. They also tend to yellow over time, especially when exposed to ultraviolet light. The reason polycarbonate light globes are used is because they are extremely durable, which is why they are more likely to be used for industrial applications. Polycarbonate light globes can endure more abuse than acrylic light globes and if dropped they will not break.

Source: SuperiorLighting.com



## ATTACHMENT 5.A

SOLAR OPTION FOR CLUBHOUSES – ANALYSIS BY SIERRA PACIFIC ENERGY

Re: Quote for Solar - Nepenthe HOA - Sacramento CA

kirk bassler <kbgolfdude@yahoo.com>

Reply

Today, 2:23 PM

Renee, I reviewed the Google Earth shots and compared that against usage. 150 Dunbarton building was not viewable (trees). Not a good sign. 1131 Commons appeared to have enough room to produce approx 25,000 kWh/yr against the 81,000 used. I have attached a calc sheet. Your average cost per kWh is only \$.10.....thus saving \$2500/yr. Cost would be approx \$60K to install. Without incentives...payback is pretty long...over 20 years. Do not see how it is feasible. Only possible avenue for feasibility is involving a 3rd party investor who can use the tax incentives. They pay for the system....take the ITC credits and depreciation...you pay them at a discounted rate. Good luck. Kirk

-----  
On Wed, 6/14/17, JR M <JRM0825@hotmail.com> wrote:

Subject: Quote for Solar - Nepenthe HOA - Sacramento CA

To: "kbgolfdude@yahoo.com" <kbgolfdude@yahoo.com>

Date: Wednesday, June 14, 2017, 4:01 PM

Hello,

We spoke on the phone on May 30th regarding a quote for changing over to solar energy at two of the homeowner association buildings. I have the information you requested and have listed it below. Please send a quote for the cost of the equipment including installation along with the proposed energy cost savings on an annual basis.

- 1) Determine tax status. We are non-profit
- 2.) Determine utility company and rates charged. We are with SMUD
- 3) Need to know how many meters will be effected. We have two total meters - one for each building
- 4) Need 12 mos. Bills showing kilowatt usage and rate charged to determine size of system needed.

See attached scanned documents for each building.

## ATTACHMENT 5.B

|              |      | USAGE       |                 |                 | COST        |                 |                 |                |
|--------------|------|-------------|-----------------|-----------------|-------------|-----------------|-----------------|----------------|
|              |      | Summer Peak | Summer Off Peak | Winter Off Peak | Summer Peak | Summer Off Peak | Winter Off Peak | Updated Total  |
| Usage        |      |             |                 |                 |             |                 |                 |                |
| Jan          | 6695 | 0           | 0               | 6695            | \$0         | \$0             | \$644           | \$644          |
| Feb          | 5426 | 0           | 0               | 5426            | \$0         | \$0             | \$522           | \$522          |
| Mar          | 5393 | 0           | 0               | 5393            | \$0         | \$0             | \$519           | \$519          |
| Apr          | 5824 | 0           | 0               | 5824            | \$0         | \$0             | \$739           | \$739          |
| May          | 7680 |             |                 | 7680            |             |                 |                 | \$832          |
| Jun          | 7921 | 980         | 6941            | 0               | \$241       | \$591           | \$0             | \$873          |
| Jul          | 8182 | 1100        | 7082            | 0               | \$270       | \$603           | \$0             | \$824          |
| Aug          | 7842 | 974         | 6868            | 0               | \$239       | \$585           | \$0             | \$733          |
| Sep          | 6965 | 869         | 6096            | 0               | \$213       | \$519           | \$0             | \$586          |
| Oct          | 6090 | 0           | 0               | 6090            | \$0         | \$0             | \$586           | \$637          |
| Nov          | 6623 | 0           | 0               | 6623            | \$0         | \$0             | \$637           | \$626          |
| Dec          | 6504 | 0           | 0               | 6504            | \$0         | \$0             | \$626           |                |
| <b>81145</b> |      |             |                 |                 |             |                 |                 | <b>\$8,095</b> |

SOLAR

| SURCHARGE |                     |
|-----------|---------------------|
| \$10      |                     |
| \$8       |                     |
| \$8       |                     |
| \$9       |                     |
| \$12      | Monthly Service Fee |
| \$12      | \$23.10             |
| \$12      | \$277.20            |
| \$12      |                     |
| \$10      |                     |
| \$9       |                     |
| \$10      | Average Demand      |
| \$10      | 27                  |
| \$122     | \$2,430             |

yr yr

25000    30.8%    \$0.10

Solar  
Reduction

Avg Cost / kWh

Electric Costs only

**\$10,802**

Total  
Energy, Fees, Demand

|     | After Solar |                 |                 |                |
|-----|-------------|-----------------|-----------------|----------------|
|     | Summer Peak | Summer Off Peak | Winter Off Peak | Total          |
| Jan | \$0         | \$0             | \$541           | \$541          |
| Feb | \$0         | \$0             | \$382           | \$382          |
| Mar | \$0         | \$0             | \$324           | \$324          |
| Apr | \$0         | \$0             | \$325           | \$325          |
| May | \$0         | \$0             | \$467           | \$467          |
| Jun | \$142       | \$383           | \$0             | \$525          |
| Jul | \$168       | \$387           | \$0             | \$555          |
| Aug | \$144       | \$384           | \$0             | \$528          |
| Sep | \$131       | \$346           | \$0             | \$477          |
| Oct | \$0         | \$0             | \$398           | \$398          |
| Nov | \$0         | \$0             | \$512           | \$512          |
| Dec | \$0         | \$0             | \$529           | \$529          |
|     |             |                 |                 | <b>\$5,563</b> |

Yearly  
Energy  
Savings

| Peak<br>Off-Peak |                    |
|------------------|--------------------|
| Existing         | Usage              |
| Summer<br>Peak   | Summer<br>Off Peak |
| 13%              | 87%                |

**\$2,532** 31.3%

| Winter   | Summer   |
|----------|----------|
| n/a      | \$0.2455 |
| \$0.0962 | \$0.0852 |

Demand

\$7.50

rate

## ATTACHMENT 6.A

### Inventory of Exterior Pole Lights - "Lollipops"

|        | ZONE STEWARD    | CURRENT # | PROPOSED |
|--------|-----------------|-----------|----------|
| ZONE 1 | Diane Luttrell  | 37        | 0        |
| ZONE 1 | Grace Long      | 45        | 3        |
| TOTAL  |                 | 82        | 3        |
| ZONE 2 | Elsa Morrison   | 44        | 16       |
| ZONE 2 | Diana Vizzard   | 64        | 5        |
| TOTAL  |                 | 108       | 21       |
| ZONE 3 | Liza Tafoya     | 0         | 0        |
| ZONE 3 | Lyn Livingston  | 90        | 30       |
| TOTAL  |                 | 90        | 30       |
| ZONE 4 | Don Landsittel  | 79        | 5        |
| ZONE 5 | Pam Sechrist    | 0         | 0        |
| ZONE 5 | Joan Barrett    | 108       | 3        |
| TOTAL  |                 | 108       | 3        |
| ZONE 6 | Kathy Waugh     | 46        | 44       |
| ZONE 6 | Diana Mortimore | 59        | 0        |
| TOTAL  |                 | 105       | 44       |
| ZONE 7 | Renee Mendez    | 60        | 19       |
| TOTAL  |                 | 632       | 125      |