

**NEPENTHE ASSOCIATION  
BOARD OF DIRECTORS MEETING**

**June 1, 2016, 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.

Members may comment or ask questions about any agenda item during the two homeowner forums (Items VI and X). 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.

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.

**OPEN SESSION AGENDA**

**I. CALL TO ORDER**

<b>Present</b>	<b>Arrival</b>	<b>Board Member</b>	<b>Positon</b>	<b>Departure</b>
		Ivan Gennis	President	
		Steve Huffman	Vice President	
		Linda Cook	Secretary	
		Will Vizzard	Treasurer	
		Joan Haradon	Member at Large	

**II. ANNOUNCEMENTS**

- a. **Executive Session Disclosure:** In accordance with Civil Code Section 4935(a), the Board met in Executive Session on May 25, 2016 and June 1, 2016 in order to consider matters relating to personnel, member discipline, legal matters and the formation of third-party contracts.

**III. COMMITTEE REPORTS**

- a. **Architectural Review Committee**..... **Pages 6-10**
- b. **Finance Committee**
- c. **Grounds Committee**..... **Pages 11-12**
- d. **Insurance, Legal and Safety Committee**
- e. **Outreach Committee** ..... **Pages 13-14**

**IV. MANAGEMENT REPORTS**

- a. **Operations Report** ..... Pages 15-16
- b. **Master Calendar Report** .....Page 17

**V. HOMEOWNER CORRESPONDENCE..... Pages 18-20**

**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.

**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 F as presented.**

*Begin Consent Calendar*

- a. **Approval of Minutes May 4, 2016 Open Session**..... Pages 21-25  
Proposed Resolution: The Open Session minutes dated May 4, 2016 are approved as presented.
- b. **Financial Statement: April 2016**.....**Separate Packet**  
Proposed Resolution: The Board accepts the April 2016 interim financial reports and bank reconciliations as presented, subject to annual review. The report reflects a positive year to date variance of \$120,303.70 and reserve funding of \$421,358 compared to the reserve funding budget of \$431,452. The reserves are funded through April 2016. The Association has \$387,300 in operating funds, which represents 1.43 months of budgeted expenses and reserve contributions. The Association has 5,174,041 in reserve funds.
- c. **Lien Resolution** .....**Page 26**  
Per the enclosed Resolution dated May 17, 2016, 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
2039-01	\$1,024.42
2356-01	\$947.64
2479-03	\$1,172.58

**d. Appoint Committee Memberships**

Proposed Resolution: The Board appoints the members below to the indicated committees. Their applications have been received and reviewed by management and all have agreed to abide by the Conflict of Interest Policy.

<b>Architectural Committee:</b>	<b>Insurance, Legal &amp; Safety Committee:</b>
Kenneth Luttrell - Chair	William Newbill - Chair
Alan Watters	Richard Coombs
David Thomas	William Olmsted
<b>Elections Committee:</b>	Jerry Dunn
Yvonne Del Biaggio - Chair	Nancy Arndorfer
Kay Chmielewski	<b>Nominating Committee:</b>
Joleen Hecht	Karen Lowrey
<b>Finance Committee:</b>	<b>Outreach Committee:</b>
Ken Butler - Chair	Geri Gelfand - Chair
John Baker	Pam Livingston
<b>Grounds Committee:</b>	Diana Vizzard
Pamela Livingston - Chair	Joan Barrett
Kathy Waugh	William Olmsted
Diane Luttrell	Kathleen Montgomery
Elsa Morrison	MJ Lindgren
Diana Vizzard	Ken Gromacki
Pam Sechrist	Valerie Weinberg
Liza Tafoya	Paige Tiffany
Cheryl Summers	
Joan Barrett	
Diana Mortimore	
Don Landsittel	
Bob Emslie: Irrigation	
Marty Henderson: Irrigation	

**e. Annual Meeting Minutes.....Page 27**

Proposed Resolution: The Board approves the Minutes for distribution for owner approval at next year’s Annual Meeting.

**f. Architectural Applications ..... Pages 28-33**

The Architectural Review Committee met on May 9, 2016 to review the enclosed applications.

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

<i>Address</i>	<i>Application for</i>	<i>Decision</i>
1006 Vanderbilt	HVAC Installation	Approved
3 Adelphi	Emergency HVAC Installation	Approved
1149 Vanderbilt	Solatube Installation	Approved
5 Adelphi	Door Replacement	Approved
2261 Swarthmore	Patio Cover	Approved
1317 Vanderbilt	Awning	Not Approved

*End Consent Calendar*

**VIII. UNFINISHED BUSINESS**

**a. Tree Removals Proposal ..... Pages 34-36**

At the monthly tree walk on April 19, 2016, Arborist Phil Johnson of The Grove Total Tree Care recommended the following trees be removed:

- Redwood #482 at 2276 Swarthmore
- Cherry #1946 at 200 Elmhurst
- Japanese Maple #1789 at 606 Elmhurst
- Alder #1704 at 814 Elmhurst
- Locust #1191 at 206 Dunbarton
- Willow #1213 at 306 Dunbarton
- Podocarpus at 1599 University

The notes from the walk are also enclosed in the Board packet for review. The trees were posted for removal on or about April 20<sup>th</sup>.

**Action Required:** Board Resolution

**Proposed Resolution:** The Board approves the removals as proposed by The Grove in the amount of \$3,105 to be paid from reserves which has a remaining allocation of \$22,225 for tree removals in 2016.

**b. Policy for Parking on Public Streets..... Pages 37-43**

To better clarify the obligations of the Association and owners in regards to parking, management is asking the Board to consider adopting a Parking Enforcement Policy. Management has prepared a draft policy which the Board reviewed last month. The association’s general counsel has been asked to review the rights of the association as they pertain to parking on the public streets. His revisions to the policy and report are enclosed in the Board packet.

**Action required:** Board discussion and possible resolution

**Proposed Resolution:** The Board instructs management to publish the proposed Parking Enforcement Policy to the membership for a thirty-day comment period in consideration for future Board adoption.

**IX. NEW BUSINESS**

**a. Grounds Committee Request to Proceed with Irrigation Upgrades .....Page 44**

The Grounds Committee has been working to obtain funding from the City of Sacramento for the long-planned irrigation improvements in Zones 3 & 4. The rebate has been approved by the City and the Committee is requesting final approval from the Board to proceed. The project oversight will be provided by the Committee and Management with regular progress reports to the Board. Please see enclosed report for more information.

**Action required:** Board resolution

**Proposed resolution:** The Board approves the project to convert spray heads in the Zones 3 & 4 alleys to a subterranean drip system for an estimated \$75,000 with \$25,000 of the cost to be reimbursed to the association from the City of Sacramento. Association funding for the project will come from the Irrigation Distribution Upgrade Reserve allocation of \$179,375.

**a. Appoint Board Liaisons**

The Board will discuss which directors will serve as liaisons to which committees.

**Action required:** Discussion and possible resolution

**Proposed resolution:** The Board hereby appoints Committee Liaisons as designated:  
Architectural Review Committee, Director Haradon  
Finance Committee, Director Vizzard  
Grounds Committee, Director Cook  
Insurance, Legal & Risk Management Committee, Director Huffman  
Outreach Committee, Director Gennis

**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 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.

**XI. NEXT MEETING:** Wednesday, July 6, 2016 at 5:30 pm in the Nepenthe clubhouse

**XII. ADJOURN**

**NEPENTHE ARCHITECTURAL COMMITTEE MINUTES**  
**Monday, May 9, 2016 at 4:30 pm in Clubhouse**

**Members present:** Kenneth Luttrell, Chair; David Thomas, Alan Watters.

**Present:** Karen Lowrey, Lisa Stillwell

**A.** Welcome and Opening Remarks.

**B.1. Homeowner requests not voted on:** None

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

1. **13 Adelphi Circle** – Edward Feil – In this 1720 model, replace the sliding patio door in kitchen with one fixed panel and PellaWood left-hinged glass panel door. **Approval Recommended.**
2. **1149 Vanderbilt Way** – Alan Watters – In this 3000 model, install a 10”-diameter Solatube brand solar tube in master bath shower area. Placement is desired to be in line with existing Solatube parallel to edge of roof, per criteria, but there are pre-existing condition of several vents in the area. **Approval Recommended.**
3. **1006 Vanderbilt Way** – Lisa Stillwell – Replace HVAC system in this 3000 Model: Pacific Heat & Air, Inc. is to install new 3-ton Trane High-Efficiency split-system heat pump at 17 SEER, 12.5 EER with components (1) Trane Hyperion XL TAM7 air handler; and (2) Trane XL18i heat pump (Model No. 4TWX8036). Install thermostat 1/8” diam. wire on exterior, to be hidden behind a vertical splice in the exterior siding. The new condenser is to be installed in same location as the original condenser, with no alteration too the fencing. **Approval Recommended.**
4. **2261 Swarthmore** – Kathy Wiltse – In this 4000 Model, install a trellis (or patio cover) over the rear patio, of a custom design and of Ultrawood aluminum material, designed by contractor Pacific Builders. The Dupont paint coating the Ultrawood is to be “Sienna Brown,” a dark brown very close to that shade Nepenthe uses on fences. The patio cover will stretch 13 feet along the back wall, and will include a 2-foot wide section that is to be solid panel of aluminum skin over polystyrene, which will shelter the area just outside the kitchen patio door. The structure beyond the solid portion will be topped by a lattice of 2-inch wide “tubes” spaced at 2” clear. **Approval Recommended.**

The current Architectural Criteria states that aluminum “will be considered by the committee and the board provided they conform closely to the above specifications.” This design represents a moderate alteration of Nepenthe’s two designs and has been vetted by this

committee's architect and structural engineer. See the addendum on page 4 for a more thorough description of the design.

Chairperson Ken Luttrell plans to be at the BOD meeting to recommend removal of the application from the consent calendar and to facilitate the discussion of the issues involved if the application is pulled from the consent calendar.

**B.2.A. Homeowner Requests Already Approved.** None.

**B.3. Homeowner Requests Not Approved:**

5. **1317 Vanderbilt Way** – Sheldon Weissman – In this 5000F model, install a manually retractable awning affixed to the exterior wall via two bolts to blocking at each of two retracting arms of the awning. The product is a Rainier Shade 10' x 10'. The contractor is to be Goodwin-Cole. The awning will not be visible from the alley; the backyard of this home has only a narrow angle of visibility.

“The ARC does not recommend approval of the first choice of the applicants for fabric color, the striped sample on the page attached. The applicants intend to appeal that decision because their awning will not be visible to the public. If the BOD rejects the appeal, the applicants will install the second choice solid color (sample attached), which the ARC recommends approval of.”

The applicants desire to install a rather muted striped cover material (they will submit samples of that pattern and an alternate solid color). When advised that the A.R.C. had adopted a criterion that solid colors only would be allowed, they responded that the canopy would not be visible to anyone, anywhere on the ground outside their patio. They further responded that the retractable canopy on the clubhouse is striped – contrary to the Architectural criteria, with this argument obviously carrying weight.

The ARC voted to recommend that the BOD not approve the striped color pattern and advised the applicants that they could appeal that recommendation at the BOD meeting. Should they do so in writing before the BOD meeting?

The applicants further indicated that they would immediately request that the BOD approve the alternate solid color that they have chosen if the BOD does not approve the striped color option that prefer. The ARC agreed that the alternate solid color would be acceptable.

Chairperson Ken Luttrell plans to be at the BOD meeting to recommend removal of the application from the consent calendar and to facilitate the discussion of the several issues involved if the application is pulled from the consent calendar.

**C. Approval of Minutes:** done via email.

**D. Reviewed Non-Compliance Notices from Homeowners.** None.

**F. Old Business:** none.

**G. New Business:**

At the request of the Board, composite siding materials are to be explored and vetted by the A.R.C., acting as an ad hoc body.

Member David Thomas, a retired architect, again voiced his concern about the esthetics of trellises or patio covers made of aluminum, stating that he had designed many covers of various materials but that aluminum was quite unattractive. He urges this committee to push for rescinding the Criteria's acceptance of this material.

**H. Next meeting.** Monday, June 13, 2016, 4:30 P.M. in the Clubhouse. The committee agreed to move the hour of the meeting. The next A.R.C. preparation meeting, if necessary, is scheduled for Monday, June 6, 2016, 4:30 P.M. in the Clubhouse. The June 13<sup>th</sup> meeting will be the first ARC meeting at which the committee will be operating under their new **"Applicant attendance recommended"** policy.

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



## Request for an Exception to the Architectural Criteria for a Trellis/ Patio cover

From Kathleen Wiltse, 2261 Swarthmore Drive.

I am applying for a trellis (or patio cover, as it is called in the industry). I am asking for an exception to the Architectural Criteria for trellises because I have contracted with a respected firm to draw up a custom design. (Refer to five illustrations printed in application. Do note that the white color on the uppermost members is a “mistake” and that they will be in an approved color.)

**Structure and Design:** The design is effectively a slightly altered version of Nepenthe’s approved Large Trellis Standard Design, Exhibit A (labeled 4A) contained in the Architectural Criteria (attached). The major difference is that there is a third support post to support its perhaps wider than usual width. There is nothing, however, in the Criteria that limits the width. Also, there is to be, between the trellis and the house, a cover panel covering the kitchen patio door area.

The trellis or patio cover would be 24’ wide and span the full breadth of the backyard façade of my house, and it would contain 12 - 2” x 6.5” rafters or cross beams with an open “lattice” cover of 2”x 2” square “tube” members placed perpendicularly to the cross beams and an equal distance apart. It would *not* be attached at the sides to the fences or to the siding of any neighboring house.

What is different is its varying projection (“depth”): the trellis is to be contoured so that the left side is 9’ deep and the right side 12’ deep. It is the right side that angles out toward the yard by adding 10 more tube members sequentially reducing in size. If you could look down from above, the patio cover’s shape is more like a quadrilateral with one angled side rather than rectilinear.

In addition, to cover what would otherwise be an uncovered area where the kitchen façade is recessed, another custom element would be the installation of an added 13’ wide by 2’ deep solid insulated panel fitted horizontally over the kitchen window and patio door, to protect against rain. It would be caulked to seal out and prevent any water intrusion between it and the siding.

**Materials:** All components are to be of Pacific Builders’ UltraWood (see flyer). The Ultrawood product is made of aluminum, a material which has been approved since 2009 under Nepenthe’s Criteria for trellises. It has a wood grain surface and would come coated in a brown color (“Siennawood”), also as specified by current Criteria. From a distance, it greatly resembles wood but is not subject to water damage.

**Visibility by Neighbors:** First, it should be remembered that trellises have been permitted for years and whether or not they are greatly visible or hardly visible over fence tops is not usually a consideration in approving them, as the visibility from a common area judgment is usually reserved for unique installations or infrastructure.

My backyard area has a small angle from which it is visible (see photo): only over the fence gate and one section of fence, in total a seven-foot span. It is only 2251 Swarthmore that would have much of a view from its rear second-story window. No other neighbors' windows could see it. From the alley across from my garage, only the topmost part of the trellis would be visible, and it may appear very similar to the standard Large Trellis. Visibility from the common area, like the alley, then is almost negligible. My immediate neighbor to the south at 2263 Swarthmore has a standard trellis. If you were to look from the alley at my requested trellis or patio cover, you'd be looking at two levels of horizontal components on end and if you didn't already know mine was an altered design, you probably wouldn't notice a difference.

In conclusion, the design of the trellis I am requesting is only moderately different. Yet it offers a sophisticated and more contemporary trellis variation that does not rely on being absolutely rectilinear, relying on right angles, in every respect. It would certainly improve the value of my home, and by extension, enhance the values of other homes and add to our community.

**NEPENTHE ASSOCIATION  
GROUNDS COMMITTEE MEETING  
May 12, 2016 3:00 PM**

Dunbarton Cabana | 150 Dunbarton Circle | Sacramento, CA 95825

<b>MINUTES</b>
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Attendees:

Pam Livingston (Chair), Bettsi Ledesma (General Manager), Elsa Morrison, Diana Vizzard, Ivan Gennis (Board President), Grace Long, Kathy Waugh, Pam Sechrist, George Procida (GP Landscape), Marty Henderson, Diane Mortimore, Cheryl Summers, Liza Tafoya

Absent: Bob Emslie, Don Landsittel, Steve Harris, Diane Luttrell, Pam Zanze (Board Liaison),

Guests: Pierre "Pete" Kieffer, Inga Holmquist.

Handouts:

- Nepenthe Landscape Schedule 2016
- Draft of "Zone Steward Activities" prepared by Diana Vizzard
- Nepenthe grounds "Vision Statement"

I. Meeting called to order at 3:04 pm by Chair Pam Livingston

II. Home Owners Requests

- a. Pierre "Pete Kieffer, 610 Elmhurst Circle – Pete provided follow up report to group concerning his visit at the last meeting. George also provided some follow up notes. Area will receive full review at next Zone 6 Walk on May 27<sup>th</sup>.

III. Irrigation Report: Application to City of Sacramento for Rebate for irrigation conversion – Marty Henderson and George Procida

- a. Currently pricing all elements for submittal for reimbursement.
- b. Current project is for Zones 3 & 4, in compliance with plan approved by the Board in May 2015
- c. Conversion will cover majority of shrub beds in alleys and some lawns and shrub beds in fronts of units where they are on same valve.
- d. City's fiscal year ends in June- we will have 120 day beyond that point to submit for rebates.
- e. Project will continue into the next fiscal year for as long as the program is available.
- f. George stated that he will have a dedicated crew for this project.

IV. Grounds Report – George Procida

- a. No additional hard pruning at this time. Normal pruning is almost caught up and then schedule will begin.
- b. There was discussion on the pros and cons of a regular schedule versus "as needed". It was agreed that the schedule would provide a benefit to the committee and

management in communicating with homeowners. It will allow us to manage homeowner expectations.

- c. George informed the group that if a schedule is implemented, it will need to be adjusted regularly due to growth patterns and man hours required for other projects.
- d. Irrigation audits are ongoing.
- e. Turf spraying for clover will be occurring in next few weeks.

V. General Manager Bettsi Ledesma Report

- a. A report on the state of the Reserves in regards to landscape activities was provided to the committee. There is an adequate Reserve allocation to allow for the work outlined each week during the zone walks.
- b. At the monthly tree walk on April 19, 2016, Arborist Phil Johnson of The Grove Total Tree Care recommended the following trees be removed:
  - Redwood #482 at 2276 Swarthmore
  - Cherry #1946 at 200 Elmhurst
  - Japanese Maple #1789 at 606 Elmhurst
  - Alder #1704 at 814 Elmhurst
  - Locust #1191 at 206 Dunbarton
  - Willow #1213 at 306 Dunbarton
  - Podocarpus at 1599 UniversityThe Board is expected to approve these removals at the June 1<sup>st</sup> meeting.
- c. Concrete, siding and painting work is continuing.

VI. Other Discussions:

- a. Grounds Vision Statements were distributed and all Grounds Committee members are requested to re-read the Statement.
- b. Proposed "Zone Steward Activities" prepared by Diana Vizzard was presented and discussed.

VII. Motions

Marty Henderson moved to request Board approval for implementation of irrigation upgrades in Zones 3 & 4. Liza Tafoya seconded the motion. The motion passed unanimously.

VIII. Requests for the Board of Directors – See item under VII. Motions above.

IX. Meeting adjourned ~ 4:55PM

Next Grounds Committee meeting scheduled for June 9, 2016 at 3:00PM at Dunbarton Cabana.

Bettsi Ledesma  
5/27/16

Nepenthe Outreach Committee Meeting  
May 11, 2016  
Nepenthe Clubhouse

Attendees:

Gerry Gelfand, Chair  
Ivan Gennis Board Liaison  
Linda Cook, Social Committee  
M.J. Lindgren

Pam Livingston  
Kathleen Montgomery  
Bill Olmsted

Meeting called to order at 6:00 PM  
April 20th minutes approved as written

OLD BUSINESS

Website - Ivan said we are waiting on ILS committee to prepare a termination letter for the woman who had contracted to do the job but has failed to complete her contractual obligations re the website. He has also talked to Bettsi about the overall maintenance of the website, and she is monitoring it and trying to keep the calendar up to date.  
Weekend staff/office person, Roshuna, will help doing weekly updates.  
Messages on left side of home page are too old and need refreshing more often.

Cinco de Mayo - All agreed that it was very successful and kudos to Linda for a job well done (again!). The number of tickets sold was 95 and after expenses we have Funds tucked away in our social fund for future events. We agreed that we should have a monthly treasury report as these funds are used. There will be a report in next month's minutes.

Coffees Gerry said that these continue to be extremely successful, and the recent candidate forum for the two HOA Board positions was informative and well received by the members, but the turn out could have been better. On Saturdays 5/14 and 5/28 mayoral hopefuls Darrell Steinberg and Angelique Ashby respectively will be at the coffees to meet and greet and press the flesh. Kudos to Kathleen for arranging these meetings. Kathleen and Pam will arrange for extra goodies for those days.

Happy Hour - The master calendar has no conflicts, so effective Thurs June 9th, these events will permanently be moved to the second Thursday of each month.

NEW BUSINESS

Jazz Concerts - nothing new on this front. The last Sunday of June, July and August are calendared for these events, and more will be discussed as the time draws closer.

Annual Meeting - this is slated for Weds eve May 25th when the election results will be announced. Bettsi had mentioned that the committees should each have a table to tell members about their business and recruit more membership activity for the committees, but no expectations had been offered as to what the tables should have to show and tell. Bill will contact Bettsi for further clarification.

June 4th rental - Gerry reported that there is a private rental slated for that afternoon with the renters wanting to come in by 11 AM for set up, which will interrupt our normal Saturday coffee time. We decided that we will just try to coexist and try to stay out of their way, but that it will possibly cause folks to leave the coffee early. We discussed how the master calendar occasionally overbooks the facility, and we decided to formally request the Board as follows:

It was moved by Bill and seconded by Pam that our committee ask the Board to make it official with Staff that going forward all pre-planned and calendared Nepenthe sponsored events/activities take precedence over any rental activities either for residents or outside renters. This is to include Saturday coffees be calendared until 12 noon. All committee events are to accurately be included on the master calendar. The motion was passed unanimously.

Rental Checklist - Gerry will speak to Bettsi about the rental checklist we previously prepared and get it presented to the Board.

CAI Information Module - Ivan and Linda attended a luncheon recently by the Community Association Institute, an umbrella group for HOAs, re a program available for purchase that would go beyond the reach of this committee and/or the ILS Committee that will be presented to the Board for future consideration but has been tabled until Linda is serving on the Board.

The next committee meeting will be back on the regular third Wednesday, June 15th.

The meeting was adjourned at 7:26 PM

Respectfully submitted,

Bill Olmsted

# Nepenthe Association

## Management Report – June 1, 2016

### 1 COMMUNICATION

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The Nepenthe News was last published on May 6, 2016. The next newsletter will be published on June 3, 2016. Topics to be covered are:

- Election Results and Annual Meeting Recap
- Architectural Requirements and Process
- Insurance Coverage Recommendations

### 2 FACILITIES

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The following are status updates on various facilities projects:

- Phase II Siding and Painting is approximately 85% completed.
- Concrete replacements will be completed by June 15<sup>th</sup>.
- Seal Coat notices have been provided to all owners via email and regular mail. Notices will also be affixed to garage doors the day before that alley's seal coat. Work is scheduled to begin June 6<sup>th</sup> and be completed by June 10<sup>th</sup>.
- Capital Spa Service has been to the property to inspect the non-functioning sauna at the Dunbarton Cabana. He is preparing an estimate for the repairs which will be available for Board review at the July 6, 2016 Board meeting.
- The pools were serviced on schedule. Service occurs three to five days each week and includes all pools and spas.
- The janitorial service performed all regular scheduled cleanings which include cleaning the clubhouse, the Dunbarton cabana restrooms and sauna and the Elmhurst cabana service restroom five days per week.

### 3 GROUNDS

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Since the last Board meeting on May 4, 2016 management has conducted landscape walks on the following dates:

- 5/6/16, Zone 3, Attended by Bettsi Ledesma, General Manager; George Procida, GP Landscape; Liza Tafoya, Zone Steward; and Pam Livingston Grounds Chair. \$4,883
- 5/13/16, Zone 4, Bettsi Ledesma, General Manager; George Procida, GP Landscape; Don Landsittel, Zone Stewards; and Pam Livingston, Grounds Chair. \$5,293
- 5/20/16, Zone 5, Attended by Bettsi Ledesma, General Manager; George Procida, GP Landscape; Pam Sechrist and Joan Barrett, Zone Stewards; and Pam Livingston, Grounds Chair.
- 5/27/16, Zone 6, Attended by George Procida, GP Landscape; Kathy Waugh, Zone Steward and Pam Livingston, Grounds Chair.

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

**Pending Tree Removals:**

At the monthly tree walk on April 19, 2016, Arborist Phil Johnson of The Grove Total Tree Care recommended the following trees be removed:

- Redwood #482 at 2276 Swarthmore
- Cherry #1946 at 200 Elmhurst
- Japanese Maple #1789 at 606 Elmhurst
- Alder #1704 at 814 Elmhurst
- Locust #1191 at 206 Dunbarton
- Willow #1213 at 306 Dunbarton
- Podocarpus at 1599 University

The trees were posted for removal on or about April 20<sup>th</sup>.

**New Trees:**

The following trees have been received from the Sacramento Tree Foundation at no cost and planted by GP Landscape:

1. Japanese Maple, 602 Elmhurst
2. Japanese Maple, 604 Elmhurst

The following trees have been ordered from the Sacramento Tree Foundation and are on back order:

1. Gingko, 1101 Commons
2. Gingko, 1045 Commons
3. Gingko, 1043 Commons
4. Zelkova, 1066 Vanderbilt

## 4 FINANCIAL

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The April Financials were published May 25<sup>th</sup>. There is a current positive variance of \$130,398. This will continue to accumulate until it is time to purchase next year’s flood policy at the end of the year.

## 5 GOVERNANCE

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- **Courtesy Patrol:** Since the last Board meeting, there were a total of 4 violation notices placed on vehicles in the community by the security patrol. There were no vehicles towed during this time. Reports are reviewed by management daily, recapping the rounds and interactions of the officers on duty.



## Master Calendar Report

5/6	Nepenthe News published- VOTE reminder first page, sign up for committee service	5/6
5/9	Phase III work begins	
5/9	ARC meeting 4:30 PM	5/9
5/12	Grounds Committee meeting 3:00 PM	5/12
5/18	Outreach committee meeting 6:00 PM	5/18
5/20	Deadline for committee applications	
5/20	Eblast: Vote plus Notice of Annual Meeting	5/20
5/23	Committee Minutes due in management office	
5/23	Lock in agendas for Board meetings - 1) Board Liaisons 2) Committee Appointments 3) Minutes from Annual Meeting are approved for distribution 4) ILS to make recommendation to Board on whether to put insurance to bid	5/27
5/24	Finance Committee meeting 3:00 PM	
5/25	Ballots due 5:00 PM	5/25
5/25	Annual Meeting of the members 5:00 PM	5/25
5/26	Post election results via E-blast and on outside bulletin board and websites	5/26
5/27	Manager posts agenda and distributes Board packets	5/27
5/30	Minimal Staffing in Office for Memorial Day	5/30
5/31	Deadline for newsletter submissions	
6/1	Summer weekend hours begin (12-4)	
6/1	Board Meetings: Closed 4:00 PM, Open 5:30 PM	
6/3	Nepenthe News published - election results	
6/7	Contract for Reserve Study update	
6/9	Grounds Committee meeting 3:00 PM	
6/11	ARC meeting 9:00 AM	
6/15	Outreach committee meeting 6:00 PM	
6/27	Committee minutes due to management office	
6/27	Lock in agendas for Board meetings - 1) draft reserve study	
6/28	Finance Committee meeting 3:00 PM	
6/29	Board Training Noon	
7/1	Manager posts agenda and distributes Board packets	
7/4	Office Closed for Independence Day	
7/6	Board Meetings: Closed 3:30 PM, Open 5:30 PM	

## Bettsi Ledesma

---

**From:** Christina George <cjadot@icloud.com>  
**Sent:** Friday, May 13, 2016 1:49 PM  
**To:** Ivan Gennis; Will Vizzard; Bettsi Ledesma  
**Cc:** steve@huffmanstrategy.com  
**Subject:** Re: Visitor Parking Passes

To: Ivan Gennis (Board President), Will Vizzard & Bettsi Ledesma

This is a follow-up to my previous e-mail about parking issues and my conversation with Bettsi about the issue of the jacked-up Diesel Ford truck (loud, dirty, and equipped with oversize tires and spotlights) that has been parked in front of my house for over three weeks --two weeks illegally and now with a visitor's pass that is due to expire Wednesday May 18.

The truck belongs to the son of the homeowner at 503 Elmhurst. If the son continues to live at 503, I trust that the Association/Board will not consider any possible request of the resident at 503 to have a special dispensation for her son to park on the street rather than clean out her garage so her son can park his truck in her garage where it belongs. The Association must play its appropriate and legal role by enforcing the rules we have.

Most residents who live here are glad to follow the rules that make this a pleasant place to live, a place where property values are protected, where the streets are pleasantly clear of cars, and where neighbors do not fight with each other because we have all agreed to abide by the rules of the Association and *the Association, not the homeowner, enforces the rules when an occasional few do not follow them.* I do not pay the (really very high) association dues each month to live in a place where the rules of the association, that we all agreed to when we moved here, are not enforced.

Perhaps we need a rule that specifies a limited number of times in a year that a resident may get a permit for a specific car. If someone is getting multiple permits sequentially or with only a short break in between, the 'visitor' is not a visitor, but a resident who is occasionally traveling. The whole point of the parking rules is to ensure that residents do not park on the street but rather in their garages. We need to ensure that the few residents who are determined to work around the principle behind our rules will not succeed.

Finally, please, please honor the spirit, intention and principle behind our parking rules and do not issue some kind of special parking dispensation to residents to allow their 'visitors' to park longer than 2 weeks. On May 18, the pick-up truck outside my house will have been parked there for 4 weeks. I expect it to be gone on May 19.

Thank you,

Christina Jadot, 328 Elmhurst Circle

On May 5, 2016, at 9:43 AM, Christina George <[cjadot@icloud.com](mailto:cjadot@icloud.com)> wrote:

Hi Bettsi

Thank you for your response to the parking issue. I hope that you and the Board will be able to plug this loophole in the visitor parking pass. The Board puts so much work into making our community a pleasure to live in. However, it only takes a few residents to make a mockery out of the rules that the Board and you have spent so much time working on.

The Ford pick up truck that has been illegally parked outside my house for the past 2 weeks is still parked outside my house but now with a legal visitor parking pass. This new pass started last night. The truck will, in effect, be continuously parked on the street for 4 weeks. And possibly more if they have figured out how to manipulate the system. I assume that they figured out this tactic of serial passes and passes without dates from observing their neighbors who have been doing this for a year.

Kind regards,

Christina George Jadot  
328 Elmhurst Circle

On May 4, 2016, at 2:19 PM, Bettsi Ledesma <[Bettsi.Ledesma@fsresidential.com](mailto:Bettsi.Ledesma@fsresidential.com)> wrote:

Hi Christina,

I appreciate your input. I am looking into the parking logs to see if those vehicles have been cited. Generally, after the three citations, they are put on the Tow List and security is instructed to have the vehicle towed.

I'll certainly discuss this matter with the Board of Directors. We want every process at Nepenthe to provide value to the community. If the current system does not do that, then, of course, it should be looked at and revised.

Best regards,

<image001.png>

**Bettsi Ledesma, CMCA**

**General Manager**

**Nepenthe Association**

1131 Commons Drive, Sacramento, CA 95825

916.929.8380

Email: [bettsi.ledesma@fsresidential.com](mailto:bettsi.ledesma@fsresidential.com)

[www.NepentheHOA.com](http://www.NepentheHOA.com)

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**From:** Christina George [<mailto:cjadot@icloud.com>]

**Sent:** Wednesday, May 04, 2016 10:31 AM

**To:** Bettsi Ledesma <[Bettsi.Ledesma@fsresidential.com](mailto:Bettsi.Ledesma@fsresidential.com)>

**Cc:** Ivan Gennis <[ivan.gennis@gmail.com](mailto:ivan.gennis@gmail.com)>; Will Vizzard <[vizzardw@gmail.com](mailto:vizzardw@gmail.com)>; [steve@huffmanstrategy.com](mailto:steve@huffmanstrategy.com)

**Subject:** Visitor Parking Passes

Hi Bettsi

There is a problem with the system of the self-issue visitor parking passes. A white pickup truck with oversized tires has been parked outside my house (328 Elmhurst Circle) for the past 10-14 days. The driver of the truck is visiting/residing at 503 Elmhurst Circle. A visitor parking pass is hanging on the rear view mirror. I noticed a few days ago that the expiration date had been left blank. I called Lyons security and asked them to check on the validity of the pass.

Security called back last night to say that there was no record of a pass having been issued and said the vehicle was unlawfully parked. They issued a parking citation. Last night and this morning at 10:00 the truck is still parked there though the citation has been removed.

There is a Subaru SUV that belongs to 501 Elmhurst, next door neighbor of 503 Elmhurst, that also has a visitor pass hanging from their rear view mirror that also does not have an expiration date. This Subaru has been parked on Elmhurst, usually in front of 201 Elmhurst for the past year. Residents have come to realize that, if they do not write in the expiration date, and do not submit the half that should be given to security, no one will notice and no one will be keeping track. The system of self-issue needs to be abandoned. We must go back to the old system where someone in the office issues the permits and keeps a record. The design of the visitor passes need to be changed so that the date of issue and expiration is large enough to be seen by security driving by.

Kind regards,

Christina George Jadot  
328 Elmhurst Circle

Copy: Pam Zanze, Member-at-Large

<image001.png>

**NEPENTHE ASSOCIATION**

**BOARD OF DIRECTORS MEETING**

**May 4, 2016, STAR WARS DAY, 5:30 PM**

Nepenthe Clubhouse | 1131 Commons Drive | Sacramento, CA 95825

**OPEN SESSION MINUTES**

**I. CALL TO ORDER**

<b>Present</b>	<b>Board Member</b>	<b>Positon</b>
<b>X</b>	Ivan Gennis	President
	Steve Huffman	Vice President
<b>X</b>	Marcia Britton-Gray	Secretary
<b>X</b>	Will Vizzard	Treasurer
<b>X</b>	Pamela Zanze	Member at Large

**II. ANNOUNCEMENTS**

- a. **Executive Session Disclosure:** In accordance with Civil Code Section 4935(a), the Board met in Executive Session on May 4, 2016 in order to consider matters relating to personnel, member discipline, legal matters and the formation of third-party contracts.

**III. COMMITTEE REPORTS**

- a. **Architectural Review Committee** -Verbal report provided at meeting. Minutes provided to Board in their packet.
- b. **Election Committee**- Verbal report provided at meeting.
- c. **Finance Committee**- Verbal report provided at meeting. Minutes provided to Board in their packet.
- d. **Grounds Committee**- Verbal report provided at meeting.
- e. **Insurance, Legal and Safety Committee**- Verbal report provided at meeting.
- f. **Nominating Committee**- Verbal report provided at meeting.
- g. **Outreach Committee**- Verbal report provided at meeting.

**IV. MANAGEMENT REPORTS**

- a. **Operations Report**- Manager provided report in writing to the Board. Items of note include:
  - i. Phase II Siding and Fencing Repair and Painting is in process. President Gennis has approved 3 change orders since last Board Meeting. All change orders are first inspected and recommended for approval by Facility Coordinator, Roger Work. The total amount of change orders to date is \$71,665.31.
  - ii. Management prepared contract for seal coating with Nor-Cal Asphalt. ILS reviewed and approved the contract for Board signature. Work is scheduled to begin June 6th.
  - iii. 37 work orders were generated for Roger Work since the last meeting. 30 work orders were closed during the same period.

- iv. GP has been issued 18 work orders since the last report. 14 work orders have been completed and closed during that time period.
- v. **Violations:** There were 10 violations of the governing documents cited since the last Board meeting.
  - 1 Trim Patio Trees
  - 1 Common Area Encroachment
  - 1 Pets Not On Leash
  - 7 Improper Garage Use
- vi. **Courtesy Patrol:** Since the last Board meeting, there were a total of 4 violation notices placed on vehicles in the community by the security patrol. There were no vehicles towed during this time. Reports have been provided to management daily, recapping the rounds and interactions of the officers on duty.

b. **Master Calendar Report** Manager Bettsi Ledesma reviewed the calendar with the Board.

V. **HOMEOWNER CORRESPONDENCE-** Board reviewed correspondence received:  
 a. Homeowners expressed views on discussion regarding placement of Pickleball Courts.

VI. **HOMEOWNER FORUM-** There were no comments from the Homeowners.

VII. **CONSENT CALENDAR**

**Motion:** Director Will Vizzard

**Second:** Director Marcia Britton-Gray

**Vote:** All in favor

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

*Begin Consent Calendar*

a. **Approval of Minutes April 6, 2016 Open Session**  
**Resolution:** The Open Session minutes dated April 6, 2016 were approved as presented.

b. **Financial Statement: March 2016**  
**Resolution:** The Board accepted the March 2016 interim financial reports and bank reconciliations as presented, subject to annual review. The report reflects a positive year to date variance of \$49,090.26 and reserve funding of \$329,926 compared to the reserve funding budget of \$327,532. The reserves are funded through March 2016. The Association has \$326,463 in operating funds, which represents 1.2 months of budgeted expenses and reserve contributions. The Association has 5,042,916 in reserve funds.

c. **Architectural Applications**  
 The Architectural Review Committee met on March 14, 2016 to review the enclosed applications.  
**Resolution:** The Board confirmed the decisions of the committee.

<i>Address</i>	<i>Application for</i>	<i>Decision</i>
----------------	------------------------	-----------------

1006 Vanderbilt	New Window Installation	Approved
31 Adelphi	Window Replacement	Approved
13 Adelphi	Window Replacement	Approved
2232 Swarthmore	Window Replacement	Approved

*End Consent Calendar*

**VIII. UNFINISHED BUSINESS**

**a. Pickleball Courts**

**Motion:** Director Will Vizzard

**Second:** Director Marcia Britton-Gray

**Vote:** All in favor

**Resolution:** The Board accepted the recommendation of the ad hoc committee for two permanent Pickleball courts over the southwest tennis court at the clubhouse and to keep the southeast court as a multi-use court. Two north courts remain tennis and Committee is to seek input on colors of lines. The Board directs management to obtain pricing for the re-surfacing of the sports courts at the clubhouse and on Commons Drive.

**b. Tree Removals Proposal**

Management has obtained a bid for the removal of eight trees in the community;

- Privet Tree #314 at 1045 Commons
- Alder Tree #405 at 2261 Swarthmore
- Plum Tree #411 at 2265 Swarthmore
- Redwood Tree #694 at 1109 Dunbarton
- Birch Tree #889 at 1329 Commons
- Acacia Tree #1071 at 1431 Commons
- Willow Tree #1735 at 722 Elmhurst
- Liquidambar Tree #622 at 1182 Vanderbilt
- Birch Tree #898 at 1331 Commons
- Tulip Tree # at 1653 University

These trees were noted to be in declining health. The arborist was consulted and recommended removal. The trees were posted for removal on or about March 17th.

The list has been posted in the newsletter – there has been no correspondence received from homeowners regarding these trees.

**Motion:** Director Will Vizzard

**Second:** Marcia Britton-Gray

**Vote:** All in favor

**Resolution:** The Board approved the removals as proposed by The Grove in the amount of \$5,930 to be paid from reserves which has a remaining allocation of \$27,725 for tree removals in 2016.

## IX. NEW BUSINESS

**a. Create Ad Hoc Committee for Purpose of Investigating Siding and Fencing Materials**

The Board directed the Architectural Committee to evaluate siding and fencing material options.

**b. Policy for Parking on Public Streets**

Tabled: the Board decided to forward the matter to the ILs Committee for review and recommendation at the next meeting.

**c. Decommission Sauna at Dunbarton Cabana**

**Action:** Tabled until June 1, 2016 Board Meeting.

**d. Review bid for purchase of a second recumbent bike for clubhouse gym**

**Motion:** Director Will Vizzard

**Second:** Director Marcia Britton-Gray

**Vote:** All in favor

**Resolution:** Board approved the proposal of \$2,553.88 from Opti-fit for the purchase of one recumbent bicycle for the gym payable from the miscellaneous reserve which has a remaining 2016 allocation of \$5,500 +/-.

**e. Liquidambar Priority Plan**

No action taken at this time.

**f. Tree removals identified during tree walk**

At the monthly tree walk on April 19, 2016, Arborist Phil Johnson of The Grove Total Tree Care recommended the following trees be removed:

- Redwood #482 at 2276 Swarthmore
- Cherry #1946 at 200 Elmhurst
- Japanese Maple #1789 at 606 Elmhurst
- Alder #1704 at 814 Elmhurst
- Locust #1191 at 206 Dunbarton
- Willow #1213 at 306 Dunbarton
- Podocarpus at 1599 University

The notes from the walk are also enclosed in the Board packet for review. The trees were posted for removal on or about April 20<sup>th</sup>.

**Action:** Board will consider removal at the next meeting on June 1, 2016.

**g. Proposal to paint light poles and handrails in community**

The enclosed proposal was received from Progressive Painting and is recommended for approval by management. The pricing reflects the fact that the company is already working on the property and does not include a mobilization cost.



**Action:** Director Will Vizzard motioned to table this discussion item until the June 1, 2016 Board Meeting.

**h. Rain Barrel Installations**

**Motion:** Director Will Vizzard

**Second:** Director Marcia Britton-Gray

**Vote:** All in favor

**Action:** The Board directs Management and ARC Committee to modify existing documents to include rainwater catchment systems to list of items for criteria.

**i. New Rule for Architectural Applications**

The Architectural Review Committee (ARC) has come to the conclusion that the most effective way to review architectural applications by owners is to require owner attendance at the monthly ARC meeting. See page 4 of the ARC Committee Minutes for a complete discussion.

Action required: None. This is an advisement only from the committee with the power to adopt this change in the architectural review process.

**j. Director Zanze moved to remove parking permits from outside of building.**

**Second:** Director Marcia Britton-Gray

**Vote:**

**Against:** Director Will Vizzard

**Against:** Director Ivan Gennis

**For:** Director Pam Zanze

**For:** Director Marcia Britton-Gray

**Due to tie vote, motion did not pass.**

**X. HOMEOWNER FORUM-** There were no comments from the Homeowners.

**XI. NEXT MEETING:** Wednesday, June 1, 2016 at 5:30 pm in the Nepenthe clubhouse

**XII. ADJOURN@ 7:30pm**

## NEPENTHE

May 17, 2016

**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>
5/16/16	2039-01	\$1,024.42	\$914.00			
5/16/16	2356-01	\$947.64	\$914.00			
5/16/16	2479-03	\$1,172.58	\$914.00			

### 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

## ANNUAL MEMBERS MEETING

### INSPECTORS OF ELECTION:

Yvonne Del Biaggio, Kay Chmielewski, Joleen Hecht

May 25, 2016, 5:00 PM

Nepenthe Clubhouse | 1131 Commons Drive | Sacramento, CA 95825

## MINUTES

- I. **REGISTRATION**
- II. **DETERMINATION OF QUORUM / CLOSE POLLS – Inspectors of Election**
- III. **CALL TO ORDER – President Gennis 5:08 PM**
- IV. **INTRODUCTIONS – General Manager Bettsi Ledesma**
- V. **ANNUAL BOARD REPORTS**
  - a. **Community Status Report – President Gennis**
  - b. **Financial Status Report – Treasurer Vizzard**
- VI. **ANNUAL COMMITTEE REPORTS**
  - a. **Architectural Review Committee – Chair Ken Luttrell**
  - b. **Election Committee – Chair Yvonne del Biaggio**
  - c. **Finance Committee – Chair Ken Butler**
  - d. **Grounds Committee – Chair Pam Livingston**
  - e. **Insurance, Legal and Safety Committee – Chairs Bill Newbill and Richard Coombs**
  - f. **Nominating Committee – Karen Lowrey**
  - g. **Outreach Committee – Chair Gerry Gelfand**
- VII. **OPEN FORUM**

Councilmember Guerra spoke briefly and answered questions from members. Two homeowners spoke to the assembly and Board on various topics.
- VIII. **ELECTION RESULTS as read by Inspector Del Biaggio**

**Directors Election:**  
Linda Cook (285 votes) and Joan Haradon (237 votes) are both elected to the Board for a two-year term.

**Bylaw Amendment:**  
The proposed amendment to the Bylaws received 286 votes for approval and 17 votes against approval.

**2015 Annual Meeting Minutes:**  
The minutes were approved: 227 For, 0 Against, 39 Abstentions

**IRS Revenue Ruling 70-604:**  
The vote to apply any excess funds to the next year’s assessments pursuant to IRS Revenue Ruling 70-604 was approved: 259 For, 4 Against and 18 Abstentions.
- IX. **EXTEND VOTING PERIOD**

The members at the meeting voted unanimously to extend the voting period by another thirty days to obtain nine more affirmative votes on the Bylaw amendment.
- X. **PRIZE DRAWINGS: \$50 Visa Card- Marcia Britton-Gray, \$25 restaurant certificate-Mary Hoever**
- XI. **ADJOURN 6:30 pm**

received  
4/11/15

Architectural Review Committee

HOME IMPROVEMENT APPLICATION

SCANNED

Nepenthe Association  
C/O Merit Property Management, Inc.  
1131 Commons Dr., Sacramento, CA 95825

Phone: 916-929-8380; Fax: 916-929-1773

House Model Number:

NAME EDWARD FEIL SIGNATURE Edward Feil  
ADDRESS 5 ADELPHI CT DATE \_\_\_\_\_  
PHONE: 916-879-8565 ALT. PHONE \_\_\_\_\_

**SUBMITTAL CHECK LIST:** (Please attach the following to this Home Improvement Application if applicable)

- Facing, Adjacent and Impacted Neighbor Statement when the change is visible from the exterior
- 1 Set of Drawings - Should include details of dimensions, height, distance from fencing, size, design, color and materials.  
Location of drains must be included on drawings. Please fold plans to 8 1/2" x 11".

**PROJECTS BEING SUBMITTED:** Please review Nepenthe Architectural Criteria.

**DOORS**

- Front Door (only approved doors)
- Screen Door (only approved doors)
- Rear Patio (if visible from common areas) *not visible*
- Garage (only approved garage doors) \*

**POOL**

- Patio Pool & Equipment

**PATIO STRUCTURES**

- Trellis (Floral/Overhead) (size, type, color) \*\*
- Shed/Outbuilding

**ROOF**

- Chimney Caps
- Gutter/Downspouts
- Satellite Dishes \*
- Skylight (\*\*attach inspection fee)
- Solar Energy Roof Panels (\*\*attach inspection fee)
- Solar Tubes (\*\*attach inspection fee)

**UTILITIES**

- Air Conditioner/Heat Pump (placement & size)
- Gas Line and Meter (\*\*attach inspection fee)

**WINDOWS**

- Garden
- Exterior -- sun screen
- Exterior window -- security
- Replacement --Frames and Glass (only approved windows, frame size, and color)
- Interior Coverings

**SMALL EXTERIOR INSTALLATION**

- Burglar Alarm
- Hand Rail (type and placement)
- Mail box insert (type and placement)
- Mail Slot (type and placement)
- Wire & Pipe installations
- Vent Relocations (placement) (\*\*attach inspection fee)
- Signs (Nepenthe provides house numbers. Call the office. No exceptions)

**OTHER** Please describe in detail REPLACE 65" KITCHEN SLIDING PATIO DOOR WITH A LEFT SWING SINGLE DOOR, FULL LIGHT INSULATED GLASS DOOR, BRONZE EXTERIOR FINISH, REPLACE SIDING, FRAMING, INSULATION TO MATCH CURRENT CONSTRUCTION/COLOR  
 \*automatic approval from office if following Nepenthe criteria  
 \*\*attach completion inspection fee - certain changes require post installation inspection by Nepenthe agent. Fee is \$40.  
 Check must be attached.

**DO NOT WRITE BELOW THIS LINE (For Committee Use Only)**

The Architectural Review Committee has determined that the above submittal is:

- Approved
- Approved With Conditions
- Disapproved as Submitted

ARC Chair Ken Smith Date 5-9-16

- See notes on plans.
- Resubmit patio cover with additional dimensions and elevation.
- See comments below and/or on reverse
- Submit originally reviewed plans with revised drawings.
- Resubmit with more details for \_\_\_\_\_

COMMENTS:

Final Inspection Required: Yes  No

HOME IMPROVEMENT APPLICATION

Nepenthe Association  
10 Merit Property Management, Inc.  
131 Commons Dr., Sacramento, CA 95825

Phone: 916-929-8380; Fax: 916-929-1773

House Model Number: 3000

NAME: Alan Watters SIGNATURE: Alan T. Watters  
ADDRESS: 1149 Vanderbilt Way DATE: 5-6-2016  
PHONE: 929-6804 ALT. PHONE: 612-0570

SUBMITTAL CHECK LIST: (Please attach the following to this Home Improvement Application if applicable)

- Facing, Adjacent and Impacted Neighbor Statement when the change is visible from the exterior
1 Set of Drawings - Should include details of dimensions, height, distance from fencing, size, design, color and materials. Location of drains must be included on drawings. Please fold plans to 8 1/2" x 11".

PROJECTS BEING SUBMITTED: Please review Nepenthe Architectural Criteria.

DOORS

- Front Door (only approved doors)
Screen Door (only approved doors)
Rear Patio (if visible from common areas)
Garage (only approved garage doors)

POOL

- Patio Pool & Equipment

PATIO STRUCTURES

- Trellis (Floral/Overhead) (size, type, color)
Shed/Outbuilding

ROOF

- Chimney Caps
Gutter/Downspouts
Satellite Dishes
Skylight (\*\*attach inspection fee)
Solar Energy Roof Panels (\*\*attach inspection fee)
Solar Tubes (\*\*attach inspection fee)

UTILITIES

- Air Conditioner/Heat Pump (placement & size)
Gas Line and Meter (\*\*attach inspection fee)

WINDOWS

- Garden
Exterior - sun screen
Exterior window - security
Replacement - Frames and Glass (only approved windows, frame size, and color)
Interior Coverings

SMALL EXTERIOR INSTALLATION

- Burglar Alarm
Hand Rail (type and placement)
Mail box insert (type and placement)
Mail Slot (type and placement)
Wire & Pipe installations
Vent Relocations (placement) (\*\*attach inspection fee)
Signs (Nepenthe provides house numbers. Call the office. No exceptions)

OTHER Please describe in detail

Install a solatube (10" diameter) over master bath shower.

\*automatic approval from office if following Nepenthe criteria

\*\*attach completion inspection fee - certain changes require post installation inspection by Nepenthe agent. Fee is \$40. Check must be attached.

DO NOT WRITE BELOW THIS LINE (For Committee Use Only)

The Architectural Review Committee has determined that the above submittal is:

- Approved
Approved With Conditions
Disapproved as Submitted

ARC Chair: [Signature] Date: 5-9-16

- See notes on plans.
Resubmit patio cover with additional dimensions and elevation.
See comments below and/or on reverse.
Submit originally reviewed plans with revised drawings.
Resubmit with more details for

COMMENTS:

Roof penetration flashing.

Final Inspection Required: Yes [checked] No

Architectural Review Committee

HOME IMPROVEMENT APPLICATION

Nepenthe Association
C/O Merit Property Management, Inc.
1131 Commons Dr., Sacramento, CA 95825

Phone: 916-929-8380; Fax: 916-929-1773

House Model Number:

NAME: Lisa Stillwell
ADDRESS: 1006 Vanderbilt Way
PHONE: (760) 214-2385
SIGNATURE: [Handwritten Signature]
DATE: 5-20-16
ALT. PHONE: [Blank]

SUBMITTAL CHECK LIST: (Please attach the following to this Home Improvement Application if applicable)

- Facing, Adjacent and Impacted Neighbor Statement when the change is visible from the exterior
1 Set of Drawings - Should include details of dimensions, height, distance from fencing, size, design, color and materials. Location of drains must be included on drawings. Please fold plans to 8 1/2" x 11".

PROJECTS BEING SUBMITTED: Please review Nepenthe Architectural Criteria.

DOORS

- Front Door (only approved doors)
Screen Door (only approved doors)
Rear Patio (if visible from common areas)
Garage (only approved garage doors) \*

POOL

- Patio Pool & Equipment

PATIO STRUCTURES

- Trellis (Floral/Overhead) (size, type, color) \*\*
Shed/Outbuilding

ROOF

- Chimney Caps
Gutter/Downspouts
Satellite Dishes \*
Skylight (\*\*attach inspection fee)
Solar Energy Roof Panels (\*\*attach inspection fee)
Solar Tubes (\*\*attach inspection fee)

UTILITIES

- Air Conditioner/Heat Pump (placement & size)
Gas Line and Meter (\*\*attach inspection fee)

WINDOWS

- Garden
Exterior - sun screen
Exterior window - security
Replacement - Frames and Glass (only approved windows, frame size, and color)
Interior Coverings

SMALL EXTERIOR INSTALLATION

- Burglar Alarm
Hand Rail (type and placement)
Mail box insert (type and placement)
Mail Slot (type and placement)
Wire & Pipe installations
Vent Relocations (placement) (\*\*attach inspection fee)
Signs (Nepenthe provides house numbers. Call the office. No exceptions)

OTHER Please describe in detail

EMERGENCY REQUEST

\*automatic approval from office if following Nepenthe criteria

\*\*attach completion inspection fee - certain changes require post installation inspection by Nepenthe agent. Fee is \$40. Check must be attached.

DO NOT WRITE BELOW THIS LINE (For Committee Use Only)

The Architectural Review Committee has determined that the above submittal is:

- Approved
Approved With Conditions
Disapproved as Submitted

ARC Chair [Signature] Date 5-23-16

- See notes on plans.
Resubmit patio cover with additional dimensions and elevation.
See comments below and/or on reverse.
Submit originally reviewed plans with revised drawings.
Resubmit with more details for

COMMENTS: ARC requests that the 1/8" wire be hidden behind a siding seam

Final Inspection Required: Yes [checked] No

Architectural Review Committee  
**HOME IMPROVEMENT APPLICATION**

Nepenthe Association  
 C/O Merit Property Management, Inc.  
 1131 Commons Dr., Sacramento, CA 95825

Phone: 916-929-8380; Fax: 916-929-1773

House Model Number:

NAME: Kathleen Wiltsko SIGNATURE: [Signature]  
 ADDRESS: 221st Smart Lane Dr DATE: 2/24/16  
 PHONE: 916-548-6323 ALT. PHONE: \_\_\_\_\_

**SUBMITTAL CHECK LIST:** (Please attach the following to this Home Improvement Application if applicable)

- Facing, Adjacent and Impacted Neighbor Statement when the change is visible from the exterior
- 1 Set of Drawings - Should include details of dimensions, height, distance from fencing, size, design, color and materials. Location of drains must be included on drawings. Please fold plans to 8 1/2" x 11".

**PROJECTS BEING SUBMITTED:** Please review Nepenthe Architectural Criteria.

**DOORS**

- Front Door (only approved doors)
- Screen Door (only approved doors)
- Rear Patio (if visible from common areas)
- Garage (only approved garage doors) \*

**POOL**

- Patio Pool & Equipment

**PATIO STRUCTURES**

- Trellis (Floral/Overhead) (size, type, color) \*\*
- Shed/Outbuilding

**ROOF**

- Chimney Caps
- Gutter/Downspouts
- Satellite Dishes \*
- Skylight (\*\*attach inspection fee)
- Solar Energy Roof Panels (\*\*attach inspection fee)
- Solar Tubes (\*\*attach inspection fee)

**UTILITIES**

- Air Co
- Gas L

**WINDOWS**

- Garde
- Exteri
- Exteri
- Repla
- windo
- Interic

**SMALL EX**

- Burgl
- Hand
- Mail
- Mail Slot (type and placement)
- Wire & Pipe installations
- Vent Relocations (placement) (\*\*attach inspection fee)
- Signs (Nepenthe provides house numbers. Call the office. No exceptions)

*No vote by the ARC at their 2-27-16 Mtg.  
 \* One member will oppose if the trellis components are not wood or wood-replicating composite material.  
 \* She or contractor should attend our 3-14-16 meeting. Ken Furbush*

OTHER Please describe in detail

Wooden Patio Cover

\*automatic approval from office if following Nepenthe criteria  
 \*\*attach completion inspection fee - certain changes require post installation inspection by Nepenthe agent. Fee is \$40.  
 Check must be attached.

**DO NOT WRITE BELOW THIS LINE (For Committee Use Only)**

The Architectural Review Committee has determined that the above submittal is:

- Approved  Approved With Conditions  Disapproved as Submitted

Ken Furbush Date 3-14-16  
 ARC Chair

- See notes on plans.
- See comments below and/or on reverse
- Resubmit with more details for \_\_\_\_\_
- Resubmit patio cover with additional dimensions and elevation.
- Submit originally reviewed plans with revised drawings.

COMMENTS: *The ARC will only approve trellises with wood on manufactured wood members. Colors to match the color on the building siding or trim, (dark).*

Final Inspection Required: Yes  No

Architectural Review Committee

HOME IMPROVEMENT APPLICATION

Nepenthe Association  
C/O Merit Property Management, Inc.  
1131 Commons Dr., Sacramento, CA 95825

Phone: 916-929-8380; Fax: 916-929-1773

House Model Number:

1612 3 Adelphi Court

NAME CYA Property for McDowell SIGNATURE Doug  
 ADDRESS 4444 Manzanita Ave #1 DATE 4/27/16  
 PHONE: (916) 537-2403 ALT. PHONE (916) 537-2407

**SUBMITTAL CHECK LIST:** (Please attach the following to this Home Improvement Application if applicable)

- Facing, Adjacent and Impacted Neighbor Statement when the change is visible from the exterior
- 1 Set of Drawings - Should include details of dimensions, height, distance from fencing, size, design, color and materials. Location of drains must be included on drawings. Please fold plans to 8 1/2" x 11".

**PROJECTS BEING SUBMITTED:** Please review Nepenthe Architectural Criteria.

**DOORS**

- Front Door (only approved doors)
- Screen Door (only approved doors)
- Rear Patio (if visible from common areas)
- Garage (only approved garage doors) \*

**POOL**

- Patio Pool & Equipment

**PATIO STRUCTURES**

- Trellis (Floral/Overhead) (size, type, color) \*\*
- Shed/Outbuilding

**ROOF**

- Chimney Caps
- Gutter/Downspouts
- Satellite Dishes \*
- Skylight (\*\*attach inspection fee)
- Solar Energy Roof Panels (\*\*attach inspection fee)
- Solar Tubes (\*\*attach inspection fee)

**UTILITIES**

- Air Conditioner/Heat Pump (placement & size)
- Gas Line and Meter (\*\*attach inspection fee)

**WINDOWS**

- Garden
- Exterior - sun screen
- Exterior window - security
- Replacement -Frames and Glass (only approved windows, frame size, and color)
- Interior Coverings

**SMALL EXTERIOR INSTALLATION**

- Burglar Alarm
- Hand Rail (type and placement)
- Mail box insert (type and placement)
- Mail Slot (type and placement)
- Wire & Pipe Installations
- Vent Relocations (placement) (\*\*attach inspection fee)
- Signs (Nepenthe provides house numbers. Call the office. No exceptions)

OTHER Please describe in detail  
 Emergency Application: 3 Adelphi Court heater is dead. Needs replacement.

\*automatic approval from office if following Nepenthe criteria

\*\*attach completion inspection fee - certain changes require post installation inspection by Nepenthe agent. Fee is \$40. Check must be attached.

**DO NOT WRITE BELOW THIS LINE (For Committee Use Only)**

The Architectural Review Committee has determined that the above submittal is:

- Approved
- Approved With Conditions
- Disapproved as Submitted

ARC Chair Ken Probst Date 4-30-16

- See notes on plans.
- See comments below and/or on reverse
- Resubmit with more details for \_\_\_\_\_
- Resubmit patio cover with additional dimensions and elevation.
- Submit originally reviewed plans with revised drawings.

COMMENTS: Emergency approval granted by the ARC.

received 4/28/16

Final Inspection Required: Yes  No  To confirm no exterior lines installed on building.



received  
4-27-16

HOME IMPROVEMENT APPLICATION

Nepenthe Association  
C/O Merit Property Management, Inc.  
1131 Commons Dr., Sacramento, CA 95825

Phone: 916-929-8380; Fax: 916-929-1773

House Model Number:

NAME SHEL WEISSMAN SIGNATURE [Signature]  
ADDRESS 1317 Vanderbut Wy DATE April 27, 2016  
PHONE: 916-923-9355 ALT. PHONE N/A

**SUBMITTAL CHECK LIST:** (Please attach the following to this Home Improvement Application if applicable)  
 Facing, Adjacent and Impacted Neighbor Statement when the change is visible from the exterior. *not applicable*  
 1 Set of Drawings - Should include details of dimensions, height, distance from fencing, size, design, color and materials.  
Location of drains must be included on drawings. Please fold plans to 8 1/2" x 11".

**PROJECTS BEING SUBMITTED:** Please review Nepenthe Architectural Criteria.

**DOORS**

- Front Door (only approved doors)
- Screen Door (only approved doors)
- Rear Patio (if visible from common areas)
- Garage (only approved garage doors) \*

**POOL**

- Patio Pool & Equipment

**PATIO STRUCTURES**

- Trellis (Floral/Overhead) (size, type, color) \*\*
- Shed/Outbuilding

**ROOF**

- Chimney Caps
- Gutter/Downspouts
- Satellite Dishes \*
- Skylight (\*\*attach inspection fee)
- Solar Energy Roof Panels (\*\*attach inspection fee)
- Solar Tubes (\*\*attach inspection fee)

**UTILITIES**

- Air Conditioner/Heat Pump (placement & size)
- Gas Line and Meter (\*\*attach inspection fee)

**WINDOWS**

- Garden
- Exterior - sun screen
- Exterior window - security
- Replacement - Frames and Glass (only approved windows, frame size, and color)
- Interior Coverings

**SMALL EXTERIOR INSTALLATION**

- Burglar Alarm
- Hand Rail (type and placement)
- Mail box insert (type and placement)
- Mail Slot (type and placement)
- Wire & Pipe installations
- Vent Relocations (placement) (\*\*attach inspection fee)
- Signs (Nepenthe provides house numbers. Call the office. No exceptions)

**OTHER** Please describe in detail  
*Retractable manual awning w patio*

\*automatic approval from office if following Nepenthe criteria  
\*\*attach completion inspection fee - certain changes require post installation inspection by Nepenthe agent. Fee is \$40.  
Check must be attached.

**DO NOT WRITE BELOW THIS LINE (For Committee Use Only)**

The Architectural Review Committee has determined that the above submittal is:  
 Approved  Approved With Conditions  Disapproved as Submitted  
ARC Chair Ken Luttrell Date 5-9-16

- See notes on plans.
- See comments below and/or on reverse
- Resubmit with more details for \_\_\_\_\_
- Resubmit patio cover with additional dimensions and elevation.
- Submit originally reviewed plans with revised drawings. *awning.*

**COMMENTS:** *The ARC does not recommend approval of the first choice of the applicants for fabric color, the attached striped sample. The applicants intend to appeal that decision because their will not be visible to the public. If the BOD rejects the appeal, the applicants will install the second choice solid color, (sample attached), which the ARC recommends approval of.*

**Final Inspection Required:** Yes  No   
Nepenthe ARC Guidelines - Approved by BOD 8/31/09  
*Attachment to wall*  
Page 33 of 45

Walk Date	Tree #	Tree Species	Location	Resident Name	Phone #	Notes	Arborist Comments:
4/5/16	482	Redwood	2276 swarthmore	reported by- Diana Vizzard			<b>Dying, Remove</b>
4/8/16	1946	Cherry	200 Elmhurst			Outside of patio	<b>Remove</b>
4/8/16	1789	Japanese Maple	606 Elmhurst			failing?	<b>Remove</b> Verticilium Wilt- site not recommended for another japanese maple
3/18/16	1704	Alder	814 Elmhurst			failing?	<b>Dead Remove</b>
3/25/16	1191	Locust	206 Dunbarton			aging out?	<b>Remove-Dying</b>
4/15/16		Podocarpus	1599 University			remove/o vergrown	<b>Remove</b>

April 27, 2016



The Nepenthe Association  
Bettsi McComb  
1131 Commons Dr.  
Sacramento, CA 95825  
Phone: (916) 929-8380  
Email: [bettsi.mccomb@fsresidential.com](mailto:bettsi.mccomb@fsresidential.com)

**Re: Tree Work Contract**

This commercial bid 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.

**Work Description**

Tree Species	Qty	Service Description	Location	Cost
Redwood	1	Remove & Stump Grind	2276 Swathmore, #482	\$1,200.00
Cherry	1	Remove & Stump Grind	200 Elmhurst, #1946	\$300.00
Japanese Maple	1	Remove & Stump Grind	606 Elmhurst, #1789	\$105.00
Alder	1	Remove & Stump Grind	814 Elmhurst, #1704	\$600.00
Locust	1	Remove & Stump Grind	206 Dumbarton, #1191	\$600.00
Willow	1	Remove & Stump Grind	306 Dumbarton, #1213	\$150.00
Podocarpus	1	Remove & Stump Grind	1599 University	\$150.00
<b>TOTAL CONTRACT PRICE</b>				<b>\$3,105.00</b>

**Notes:** 1. Addendum #1 is incorporated and an enforceable part of this contract. 2. This proposal may be withdrawn by us if not accepted within 30 days.

**Terms:** Payment in full is due upon completion of the work. 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. Tree pruning shall include removal of all trimmings and cleanup. Our workers are fully covered by Worker's Compensation and our firm covered by liability insurance

**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: [rperham@carson1975.com](mailto:rperham@carson1975.com)

**Client:**  
The Nepenthe Association  
Bettsi McComb  
1131 Commons Dr.  
Sacramento, CA 95825  
Phone: (916) 929-8380  
Email: [bettsi.mccomb@fsresidential.com](mailto:bettsi.mccomb@fsresidential.com)

By: Phil Johnson (C. Strohbusch)  
Name: Phil Johnson  
Title: ISA Arborist/ Account Manager  
Date: April 27, 2016

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
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.

**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: \_\_\_\_\_





# NEPENTHE ASSOCIATION

1131 Commons Drive, Sacramento, CA 95825  
916.929.8380 FAX: 916.929.1773  
nepenthe@fsresidential.com

## PARKING ENFORCEMENT POLICY

### (1) Purpose

This Policy seeks to further clarify Sections 3.3 (a-d) of the CC&Rs. The purpose of this Policy is to control parking in Nepenthe which can have a direct and detrimental effect on the character of the neighborhood. As such, the Nepenthe Board of Directors finds that, in order to accommodate the parking needs of residents while protecting the interests of the homeowners- specifically, parking availability for guests and enhanced property values, regulations are desirable and necessary for parking in the community.

### (2) Authority

Nepenthe's CC&Rs Section 6.5.ii.E provide the Board with the authority to adopt rules consistent with the CC&Rs relating to the conduct of owners and their families, tenants, guests and invitees within the Development.

### (3) Goals

Goals in adopting this ordinance include the following:

- a. Preserving neighborhood character, public health, safety and welfare and property values.
- b. Allowing all residents a reasonable use of and opportunity to enjoy their property.
- c. Minimizing the nuisances and the adverse effects of off-street vehicle parking.
- d. Provide clarity around parking for all parties concerned.

### (4) Parking Standards

- a. Street parking within the development, whether private street or public street, is for guests and contractors of the residents and not the residents themselves.
- b. Residents' vehicle(s) shall be parked in their garage.
- c. Garages are not to be used in any way that will preclude two cars from parking within.
- d. Residents who wish to obtain a variance from the street parking restrictions may apply to the Board of Directors in writing. Any such variance granted will apply only as long as the situation exists or the resident moves out of the development, whichever occurs first.
- e. Overnight parking of guests on the private street or in the 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 is to be deposited in the mail slot at clubhouse. Permits are good for up to two weeks and cannot be issued back to back.
- f. Overnight guest parking on public streets does not require a permit.



## NEPENTHE ASSOCIATION

1131 Commons Drive, Sacramento, CA 95825

916.929.8380 FAX: 916.929.1773

nepenthe@fsresidential.com

- g. Daytime parking on Commons and Vanderbilt is monitored by the City of Sacramento. To park for more than two hours, a J-Permit must be obtained through the City. The J-Permit can be provided to guests that will be visiting for longer than two hours.
- h. There are no time limits for guest parking on American River Drive, Colby Court, Adelphi Court and Swarthmore Drive.
- i. Parking in alleys is never permitted.

### **(5) Enforcement**

- a. Management will monitor parking with assistance from the contracted security patrol.
- b. Vehicles parked in violation of the standards will be ticketed. The ticket will inform the owner of the vehicle of the specific nature of the violation and will provide contact information for management.
- c. Upon the issuance of three valid tickets for the same offense, the owner of the unit to whom the vehicle is attached will be called to a hearing with the Board of Directors to discuss their non-compliance.
- d. The Board may elect to assess a Special Individual Assessment against the unit owner to whom the vehicle is attached.
- e. Violations of the City ordinances will be reported to the parking enforcement division of the City of Sacramento.
- f. Where the owner of the vehicle is not known to the Association and tickets have had no positive effect, the Association may invoke its right to tow.

**(a) Parking Restrictions**

Except within areas designated by the Association, there shall be no parking, keeping and/or storage outside of garages within the Development or streets, of trailers of any kind, vehicles and trucks larger than a medium duty, Class 4 truck as defined by the Department of Transportation Federal Highway Administration, mobile homes, non-operational vehicles, golf carts and/or recreational vehicles, including motorhomes, trailers, campers, boats or similar vehicles. No vehicle shall be parked or left in the alleyways or on the common driveways behind the Residences, except for the active and immediate loading and unloading of the vehicle. Service contractors may not leave or park their service vehicle(s) in the common driveways or alleyways without the express written consent of the Board or its authorized property manager.

Garages are to be used for the parking of standard passenger vehicles and trucks not to exceed Class 4 trucks as defined by the Department of Transportation Federal Highway Administration and shall not be converted to living quarters or workshops or used for the storage of boats, campers, or recreational vehicles which will preclude the parking of Owner's authorized vehicles within the garage. Personal property other than authorized vehicles shall not be stored in garages, if such storage will result in the parking of vehicles on streets within the Development without a parking permit issued by the City of Sacramento or by the Association.

**(b) Guest parking**

Designated guest parking areas within the Common Areas are to remain open for use by guests only and are not to be used by Owners or other residents, either permanently or temporarily, for the parking of any vehicles, boats, or trailers.

**(c) Non-operational vehicles**

All vehicles parked within the Development shall have a license plate and exterior evidence of valid California vehicle registration. No emission of unreasonable levels of exhaust fumes and/or noise and/or the parking, keeping and/or storage of dilapidated, non-operational and/or disabled vehicles shall be permitted within the Development.

**(d) Towing**

The Association shall have the authority to tow, at the Owner's expense, any vehicle parked or stored in violation of this Section. The Association shall post such notices or signs within the Common Area as may be required by law to effectuate this towing provision.

## Bettsi Ledesma

---

**From:** Bradley Epstein <bepstein@angius-terry.com>  
**Sent:** Friday, May 27, 2016 5:32 PM  
**To:** Bettsi Ledesma  
**Subject:** RE: Nepenthe Association; FW: Proposed Parking Policy -5/26/16 UPDATE

I did see that. The Association cannot tow from public streets, so I interpreted that provision to be limited to the private streets and alleys.



**Brad Epstein | Attorney at Law**  
[ANGIUS & TERRY LLP](#)

CONFIDENTIALITY NOTICE. This communication contains information which (a) may be legally privileged, proprietary in nature, or otherwise protected by law from disclosure, and (b) is intended only for the use of the addressee/s named. If you are not the addressee, or the person responsible for delivering this to the addressee/s, you are hereby notified that reading, copying, or distributing this communication is prohibited. If you have received this communication in error, please notify the sender immediately by calling (800) 680-4001. Thank you.

---

**From:** Bettsi Ledesma [mailto:Bettsi.Ledesma@fsresidential.com]  
**Sent:** Friday, May 27, 2016 5:30 PM  
**To:** Bradley Epstein <bepstein@angius-terry.com>  
**Subject:** RE: Nepenthe Association; FW: Proposed Parking Policy -5/26/16 UPDATE

Brad,  
Did you happen to see this bit at the very end of the draft Policy:

- a. Where the owner of the vehicle is not known to the Association and tickets have had no positive effect, the Association may invoke its right to tow.

Does the association have any right to tow on public streets?



**Bettsi Ledesma, CMCA**  
**General Manager**  
**Nepenthe Association**  
1131 Commons Drive, Sacramento, CA 95825  
916.929.8380  
Email: [bettsi.ledesma@fsresidential.com](mailto:bettsi.ledesma@fsresidential.com)  
[www.NepentheHOA.com](http://www.NepentheHOA.com)

---

**From:** Bradley Epstein [mailto:bepstein@angius-terry.com]  
**Sent:** Friday, May 27, 2016 5:27 PM  
**To:** Bettsi Ledesma <[Bettsi.Ledesma@fsresidential.com](mailto:Bettsi.Ledesma@fsresidential.com)>  
**Subject:** Nepenthe Association; FW: Proposed Parking Policy -5/26/16 UPDATE

Hi Bettsi:

Please find attached the proposed parking policy with our recommended modifications redlined.



As the policy provides at 5(d), an effective enforcement tool is to hold board hearings and impose special individual assessments against the violating owners for the attorney's fees that the association incurs (writing hearing letters, attendance at hearings, and sending post-hearing letters). (CC&Rs, Section 8.4) The Association can record and foreclose on liens based on such special individual assessments. (CC&Rs, Section 8.9) It is rare for an association to need to record such liens because owners typically comply when they realize that the association has the power to record and foreclose on such liens.

Thanks.



**Brad Epstein | Attorney at Law**

**[ANGIUS & TERRY LLP](#)**

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---

**From:** Bettsi Ledesma [<mailto:Bettsi.Ledesma@fsresidential.com>]  
**Sent:** Tuesday, May 24, 2016 10:18 AM  
**To:** Bradley Epstein <[bepstein@angius-terry.com](mailto:bepstein@angius-terry.com)>  
**Cc:** [rec1146@aol.com](mailto:rec1146@aol.com); Ivan Gennis <[ivan.gennis@gmail.com](mailto:ivan.gennis@gmail.com)>; Steve Huffman <[steve@huffmanstrategy.com](mailto:steve@huffmanstrategy.com)>  
**Subject:** Proposed Parking Policy

Hi Brad,

This item was under new business at the May 4<sup>th</sup> Board meeting. The Insurance, Legal and Safety Committee then reviewed it and they have recommended having you weigh in.

I've attached the proposed policy and the portion of the CC&R's having to do with parking. The problem we are facing is that many residents are parking on public streets rather than in their garage. The question becomes, how do we enforce the CC&R requirement that they park in their garage.

The next Board meeting is June 1<sup>st</sup>, so you may not have a lot of time to review this matter in time for that meeting. How long do you think you need to review the item and provide a written recommendation to the Board?

Thank you for your consideration.

Kind regards,



**Bettsi Ledesma, CMCA**

**General Manager**

**Nepenthe Association**

1131 Commons Drive, Sacramento, CA 95825

916.929.8380

Email: [bettsi.ledesma@fsresidential.com](mailto:bettsi.ledesma@fsresidential.com)

[www.NepentheHOA.com](http://www.NepentheHOA.com)



# NEPENTHE ASSOCIATION

1131 Commons Drive, Sacramento, CA 95825  
916.929.8380 FAX: 916.929.1773  
nepenthe@fsresidential.com

## PARKING ENFORCEMENT POLICY

### (1) Purpose

This ~~Policy~~ seeks to further clarify Sections 3.3 (a-d) of the CC&Rs. The purpose of this ~~Policy~~ is to control parking in Nepenthe which can have a direct and detrimental effect on the character of the neighborhood. As such, the Nepenthe Board of Directors finds that, in order to accommodate the parking needs of residents while protecting the interests of the homeowners—specifically, parking availability for guests and enhanced property values), ~~policies regulations~~ are desirable and necessary for parking in the community.

### (2) Authority

Nepenthe's CC&Rs Section ~~6.5.ii.E~~ 6.6(a)(ii)(E) provide the Board with the authority to adopt ~~policies rules~~ consistent with the CC&Rs relating to the conduct of owners and their families, tenants, guests and invitees within the Development.

### (3) Goals

Goals in adopting this ordinance include the following:

- a. Preserving neighborhood character, public health, safety and welfare and property values.
- b. Allowing all residents a reasonable use of and opportunity to enjoy their property.
- c. Minimizing the nuisances and the adverse effects of off-street vehicle parking.
- d. Provide clarity around parking for all parties concerned.

### (4) Parking Standards

~~a.~~ Street parking within the development, whether private street or public street, is for guests and contractors of the residents and not the residents themselves.

~~a.b.~~ No vehicle shall be parked or left in the alleyways or on the common driveways behind the Residences, except for the active and immediate loading and unloading of the vehicle. Service contractors may not leave or park their vehicles in the common driveways or alleyways without the express written consent of the Board or its authorized property manager.

~~b.c.~~ Residents' vehicle(s) shall be parked in their garage.

~~d.~~ Garages are not to be used in any way that will preclude a resident from parking their authorized vehicle(s) ~~two cars from parking~~ within the garage. ~~Garages shall not be converted to living quarters or workshops.~~

~~e.e.~~ Except in areas designated by the Association or with the express written consent of the Board or its authorized property manager, there shall be no parking, keeping and/or storage within the Development or its streets (other than in garages as allowed in (4):d above) of trailers of any kind, vehicles and trucks larger than a medium duty Class 4 truck as defined by the Department of Transportation Federal Highway Administration, mobile homes, non-operating vehicles, golf carts and/or recreational vehicles, including motorhomes, campers, boats, ATVs or similar vehicles.

~~f.~~ Residents who wish to obtain a ~~variance~~ from the street parking ~~policies restrictions~~



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—may apply to the Board of Directors in writing. Any such variance granted will apply only as long as the situation exists or until the resident moves out of the development, whichever occurs first.

g.

e.

f.—Overnight parking of guests on the private street or in the 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 is to be deposited in the mail slot at clubhouse. Permits are good for up to two weeks and cannot be issued back to back.

f.—Overnight guest parking on public streets does not require a permit.



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h.

g.i. Daytime parking on Commons and Vanderbilt is monitored by the City of Sacramento. To park for more than two hours, a J-Permit must be obtained through the City. The J-Permit can be provided to guests that will be visiting for longer than two hours.

h.j. There are no time limits for guest parking on American River Drive, Colby Court, Adelphi Court and Swarthmore Drive.

i.k. ~~Parking in alleys is never permitted.~~ All vehicles parked within the Development shall have a license plate and exterior evidence of valid California vehicle registration. No emission of unreasonable levels of exhaust fumes and/or noise and/or the parking, keeping and/or storage of dilapidated, non-operational and/or disabled vehicles shall be permitted within the Development.

## (5) Enforcement

- a. Management will monitor parking with assistance from the contracted security patrol.
- b. Vehicles parked in violation of the ~~se policies standards~~ will be ticketed. The ticket will inform the owner of the vehicle of the specific nature of the violation and will provide contact information for management.
- c. Upon the issuance of three valid tickets for the same offense, the owner of the unit to whom the vehicle is attached will be called to a hearing with the Board of Directors to discuss their non-compliance.
- d. The Board may elect to assess a Special Individual Assessment against the unit owner to whom the vehicle is attached for the costs that the Association incurs in compelling the owner to comply, and a minimum \$100.00 fine per ticketed violation.
- e. Violations of the City ordinances will be reported to the parking enforcement division of the City of Sacramento.
- f. Where the owner of the vehicle is not known to the Association and tickets have had no positive effect, the Association may invoke its right to tow.

# REQUEST FOR ACTION

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**To: Nepenthe Board of Directors**

**From: Grounds Committee**

**For: Irrigation Upgrade**

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*Action Date:* **June 1, 2016 Board Meeting**

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## Request

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The Grounds Committee request the Board to approve the Irrigation Upgrade project for Zone 3 & 4. The total cost of the project is estimated to be \$75,000. The upgrade will include the alleyways in these Zones to be converted from spray head to subterranean drip irrigation. The City of Sacramento Department of Utilities has agreed to reimburse Nepenthe up to \$25,000 for the materials used in this upgrade project.

GP Landscape has been selected to provide the material and labor for this upgrade project. They will assign a separate work crew to perform the service. They estimate it will take 120 days to complete the project.

The City of Sacramento requires the work to be completed by June 30, 2016, which is their current Fiscal Year End. We've been informed that they will grant a 120-day extension upon request. We will confirm this extension prior to moving forward with the project.

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## Committee Recommendation

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The Committee recommends that the Board approves this request at the June 1, 2016 Board Meeting. The planning for this irrigation upgrade has been refined over a period of several months. The City of Sacramento recently approved the detailed implementation plan for this project and has agreed to streamline future conversion projections utilizing City Rebate funds.

Respectively Submitted

Marty Henderson

Grounds Committee, Irrigation Projects