



NEPENTHE ASSOCIATION

Open Session Nepenthe Board of Directors

January 3, 2024 6:00 PM
Nepenthe Clubhouse
1131 Commons Drive
Sacramento, CA

BOARD OF DIRECTORS MEETING - OPEN SESSION AGENDA

The following items may be addressed in Executive Session in accordance with California Civil Code 4935(a):

- *Litigation*
- *Matters relating to formation of contract with third parties*
- *Member Discipline*
- *Personnel matters*

I. CALL TO ORDER

MEETING PLACE:

1131 Commons Drive, Sacramento, CA 95825

OR

Join Zoom Meeting

<https://us02web.zoom.us/j/88272111861?pwd=bDJDaIMycUswQ0ZPSU81Y05jeVF6dz09>

Meeting ID: 882 7211 1861

Passcode: 620373

OR Dial in

+1 669 900 6833

WELCOME

Thank you for attending. This is a business meeting, open to members of the Nepenthe Association and guests of the Board. The Nepenthe Board of Directors is a policy Board, and the role of the General Manager is to oversee the day-to-day operations. The primary purpose of the meeting is to ensure that the Association is meeting its responsibility to provide oversight, maintain the value of the property and to serve homeowners.

PRESIDENT'S MESSAGE

ANNOUNCEMENTS FROM THE BOARD

The Directors will use this time to provide updates and information.

II. EXECUTIVE SESSION ACKNOWLEDGEMENT/ANNOUNCEMENT

Background

In accordance with Civil Code Section 4935(a) the Board met in Executive Session on December 6, 2023, December 12, 2023, and December 18, 2023, to consider litigation, matters relating to the formation of contracts with third parties, member discipline, personnel matters, or to meet with a member, upon the member's request, regarding the member's payment of assessments, as specified in Civil Code.

The Board took the following actions at the December 6, 2023, Executive Session:

1.) Actions were taken specific to member discipline and owner requests. 12.06.2023

Contracts: No contracts were approved in Executive Session in the month of December 2023.

No action was taken at the December 12, 2023, Executive Session. Action taken at the December 18, 2023, Executive Session was announced in the December 27, 2023, Open Board Packet.

III. REPORTS

A. CONSTRUCTION MANAGER'S REPORT

Construction Manager Paul Reeves' written report is enclosed in the materials for this meeting. Additionally, Paul Reeves will be in attendance at the January 3, 2024, Open Board Meeting to provide a verbal update on the Siding, Fencing and Painting project within Nepenthe.

Supporting Documents

 <i>Nepenthe Monthly Report December 2023.pdf</i>	5
 <i>Nepenthe Change Order Log Updated 12.21.23.pdf</i>	18

B. GENERAL MANAGER'S REPORT

General Manager Dusty Favichia has submitted the enclosed work order report and will also share general announcements and/or updates, as well as answer any questions the Board may have at this time.

Supporting Documents



 <i>December 2023_Work Order Report.pdf</i>	43
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IV. COMMITTEE UPDATES

Most Nepenthe Committees did not meet in the month of December 2023; therefore, no meeting minutes were produced. Verbal reports from each Committee are encouraged and anticipated. In lieu of an update from the Finance Committee, Board Treasurer, Bill Henle will reference the attached documents pertaining to Grounds Expenses in 2023. Additionally, Committee Liaison, Christina George will provide a verbal Grounds Committee Report.

Also attached are the Architectural Review Committee Minutes of December 14, 2023.

Supporting Documents

 <i>Architectural Committee Minutes_December 2023.pdf</i>	50
 <i>2023-12-30_Nepenthe Grounds.pdf</i>	53
 <i>2023 Grounds Expense Comparative Graph.pdf</i>	55

V. HOMEOWNER CORRESPONDENCE

Supporting Documents

 <i>Letter_Donald Person Re Landscape 12.04.23.pdf</i>	57
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VI. UNFINISHED BUSINESS

A. HOMEOWNER COMMENT AND CORRESPONDENCE FOLLOW UP

To promote good communication with homeowners, the Board has made note of the comments and correspondence from the last open sessions and prepared follow up answers and action items. Directors to discuss and determine whether further agenda items are called for.

Supporting Documents

[November Follow-Up and December 6, 2023, Responses.pdf](#) 64

[December 18, 2023 Responses.pdf](#) 90

[December 27, 2023 Responses.pdf](#) 94

VII. NEW BUSINESS

A. MINUTES APPROVAL

Proposed Resolution

The Open Session Minutes dated December 6, 2023, and December 27, 2023, are approved as presented.

Supporting Documents

[NEP 2023-12-06 Open Session Minutes.pdf](#) 99

[NEP 2023-12-27 Open Session Minutes.pdf](#) 103

B. FINANCIALS

Background

The full financial report has been delivered to the Directors under separate cover. An abbreviated report is enclosed in this packet.

Proposed Resolution

The Board accepts the Association’s income statement for November 2023 comparing actual results to budget, reserve statement, bank statements and reconciliations, check history report and general ledger as presented, subject to an annual audit. **The report reflects a year-to-date net operating income of \$(335,204.64) and year-to-date reserve funding of \$3,463,281.26 compared to the year-to-date reserve funding budget of \$2,063,831.** The actual year-to-date operating expenses were \$1,840,224.34. The budgeted year-to-date operating expenses were \$1,694,418. The association has \$136,564.15 in operating funds, which represents 0.40 months of budgeted expenses and reserve contributions. The association has \$11,089,370.93 in reserve funds.

Supporting Documents

[NEP 11-23 Financial_ABBREVIATED.pdf](#) 106

C. ARCHITECTURAL COMMITTEE: RECOMMENDATIONS

Proposed Resolution

The Board affirms the recommendations of the Architectural Review Committee as noted below:

Address	Improvement	Recommendation
201 Dunbarton Circle	Windows	Approval
1427 Commons Drive	Patio Hardscape	Approval

808 Elmhurst Circle	HVAC	Emergency Approval
801 Elmhurst Circle	HVAC	Emergency Approval
611 Dunbarton Circle	HVAC	Emergency Approval

D. APPOINT 2024 INSPECTORS OF ELECTION

Proposed Resolution

The Board of Directors appoints the following homeowners in good standing to serve as the Inspectors of Election for the 2024 Election of Directors:

1. Yvonne Del Biaggio
2. Joleen Hecht
3. _____

Supporting Documents

[Elections Committee Charter Adopted 3-1-17.pdf](#) 117

E. APPOINT 2024 NOMINATING COMMITTEE

Proposed Resolution

Pursuant to Bylaws Article IV, Section 4.6(a), the Board hereby appoints; Marcy Best, Karen Lowrey and Markus Dascher as Chair to serve as this year's Nominating Committee.

Supporting Documents

[Nominating Committee Charter Adopted 3-1-17.pdf](#) 119

[Standards and Practices Nominating Committee Adopt.pdf](#) 121

VIII. HOMEOWNER FORUM

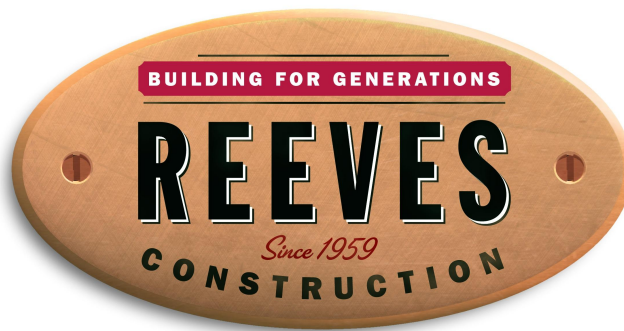
In accordance with California Civil Code 4920(a), the Association must post or distribute the agenda for Regular Session Meetings no fewer than four (4) days prior to a Regular Session Meeting. During Homeowner Forum, items not included on the agenda that are raised by homeowners may be briefly responded to by the Board/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 4920(a), or a total of twenty (20) minutes will be granted for all to address the Board of Directors regarding items of interest or concern.

IX. NEXT BOARD MEETING

The Association’s next open Board meeting will be held February 7, 2024, at 6:00 pm.

X. ADJOURN

Nepenthe Monthly Report December 2023.pdf



Dry Rot and Painting Project
Phase One 2022-2023-2024
Phase Two 2024-2025

Monthly Project Report For December 2023

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



1. Project Overview	3
2. Phase #2	4
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5. Phase #1 Invoice Control	6-11

Scope Management (Change order log) was moved to a separate attachment.

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



1. Project Overview- November 2023:

We focus on Phase #1.

An update on progress is below.

1. Dry rot repairs and painting are completed at building unit addresses-
Up to 1423 Commons Dr.
2. Dry rot repairs are completed up to 1020 Dunbarton Cir.
3. Repairs are in process at 1010 TO 1000 Dunbarton.
These will be completed in approximately TWO weeks.
4. Painters will schedule painting, weather permitting, as soon as possible.

4. Looking ahead,

We are now working in the center area of Dumbarton.

The subsequent units next on the repair list are 808 TO 812 Dumbarton, then 800 to 806 Dunbarton.

As of 12/15, 109 units are completed of the 172 in phase #1.

I have started looking at buildings that are a month from repairs to identify homes with exposed AC cooling lines. Investigating a few each week will help us know how many there are and their location. I will update the Nepenthe office on my Findings.

5. **Change order log-** Due to its size, it has been moved to its own attachment.

The total adjusted contract amount for wood repairs is at the bottom of the C/O log—\$ 1,646,358.23. % log includes the 109 units completed and the next 9 units to be done. For a total of 118 units represented.

6. Changes to Cost Management and Invoice Control for August are highlighted in yellow. Note CPR invoice #1280 had been omitted in previous reports.

2. Phase #2.

Repairs to siding, trim, and painting are now completed at 1149-1179 Vanderbilt.
And 208/210 Elmhurst.

A cost analysis of budget vs. actual for these eight units will be in a separate email.

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



We expect to start phase #2 as soon as phase #1 is complete. The phase #1 schedule has now been updated. We plan on the June 2024 start for phase #2.

3. Damage Repairs at 1149 Vanderbilt.

Sept- Upon starting repairs at 1149, it was discovered that there were discrepancies between the insurance settlement and what was originally regarding roof flashings and the amount of siding to replace, and there were no repairs to any fences. CPR and I are compiling a list of items that must be added to the insurance settlement.

Oct- Roof vents are currently not available stone coated. Many of the existing ones at Nepenthe are not coated. I have asked for board approval to paint them dark brown. Other roof flashings will be stone-coated. See photos sent to Dusty on 10/27. We did confirm that there is an allotment for fence repairs. Dry Creek Construction will credit back the insurance settlement amounts for the fence repairs and exterior painting. We will have CPR and Progressive Painting take care of those items. Homeowner had new windows installed. Dry rot and fence repairs are completed. Drywall is installed inside. Painting inside on 10/30 & 10/31. Dry Creek has given the homeowner a 12/15 date to move back in. I will update you next month.

Nov- Interior has been painted. On 11/15 Dry Creek Construction gave me a move-in timeline for the homeowners on 12/15. Dry Creek Construction has not updated us since that date.

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



4. Cost Management- Phase #1.

Total Contract Amount

Contractor Code	Scope	Budget Value (\$)	Change Orders Value (\$)	Permits Value (\$)	Invoiced Value (\$)	Value Paid (\$)	
CPR Construction	Original Contract Siding & Trim	\$669,639.49			\$1,338,716.76 Includes Change Orders Invoiced	\$1,255,831.39	
CPR Construction	Change Orders Siding & Trim		\$626,716.39				
CPR Construction	Original Contract Fencing	\$153,218.39					
CPR Construction	Change Orders Fencing		\$241,744.40				
CPR Construction	Total Retention to date	\$107,874.36					
CPR Construction	Total Retention Invoiced	\$67,440.83			Included Above	Included Above	
CPR Construction	Permits			\$8,986.24	Included Above	Included Above	
Progressive Painting	Painting Original Contract	\$306,250.00			\$175,000.00	\$168,000.00	
	TOTAL PAID TO ALL ABOVE				Invoiced Value \$1,513,716.76	Value Paid \$1,423,831.39	

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



4. Invoice Control Phase #1.

Contractor	Scope	IN #	Description	Value	Status of Work	Status of Invoice	Status of Payment
CPR Construction	Siding Repair	1176	Mobilization	\$82,285.78	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1193	Units, 101,107,109, 1371,1395 Including Change Orders Less retention	\$35,965.49	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1198	Units, 1355,1359, 1363, Including Change Orders Less retention	\$35,144.41	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1211	Units 1329, 1331, 1333, 2308, 201, 203, 205, 301, 303, 2308, Including Change	\$65,466.92	COMPLETE	APPROVED	PAID

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



Contractor	Scope	IN #	Description	Value	Status of Work	Status of Invoice	Status of Payment
CPR Construction	Siding Repair	#1214		\$43,659.02	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1238	Units 303, 401, 403, 405, 407, 2320, 2322, 2324, 2326, 2328, 1230, 2330, Including Change Orders Less retention	\$82,370.83	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1241	Units 2314, 2322 SM, 409, 411, 501, 503, 505, 507, 509, 511, Including Change Orders Less retention	\$74,333.60	COMPLETE	APPROVED	PAID

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



Contractor	Scope	IN #	Description	Value	Status of Work	Status of Invoice	Status of Payment
CPR Construction	Siding Repair	1246	Units 601,603, 605, 813, 815 Including Change Orders above and at 507, 509 Less Retention	\$60,308.06	COMPLETE	APPROVED	PENDING
CPR Construction	Siding Repair	1251	Units 601,603, 605, 607, 609,611, 613, 615, 701, 703,813, 815 Including Change Orders	Total Due Minus Retention \$69,707.27	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1262	Units 711,713,715, 717,719, Including Change Orders	Total Due Minus Retention \$109,770.15	COMPLETE	APPROVED	PAID

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



Contractor	Scope	IN#	Description	Value	Status Of Work	Status of Invoice	Status of Payment
CPR Construction	Siding Repair	1269	Units 901, 903, 903,905,907,801,803,817, 807, 811, 809, Including Change Orders	Total Due Includes Retention Invoiced \$125,390.93	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1280	See Detail on invoice.	Total Due Includes Retention Invoiced \$100,823.87	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1289	Units 1001, 1003, 1005, 1007, 1009, 1011, 1013, 1015, 1017, 1019.	Total Due Includes Retention Invoiced \$116,590.22	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1298	See Detail on invoice.	Total Due Includes Retention Invoiced \$104,600.15	COMPLETE	APPROVED	PAID

Reeves Construction, Inc.

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CPR Construction	Siding Repair	1312	See Detail on invoice	Due This invoice \$15,047.66	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1320	See Detail on invoice	Due This invoice \$104,367.03	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1321	Retention	Due This invoice \$30,000.00	COMPLETE	APPROVED	PAID
CPR Construction	Siding Repair	1332	Retention	Due This invoice \$82,885.37	COMPLETE	APPROVED	PENDING

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



Contractor	Scope	IN#	Description	Value	Status of Work	Status of Invoice	Status of Payment
Progressive Painting	Paint	54	Painting	\$14,000.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17256	Painting	\$7,000.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17293	Painting	\$28,000.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17300	Painting	\$14,000.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17326	Painting	\$10,500.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17335	Painting	\$14,000.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17361	Painting	\$17,500.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17379	Painting	\$15,750.00	COMPLETE	APPROVED	PAID

Reeves Construction, Inc.

Project: Nepenthe Dry Rot and Painting

Phase One 2022-2023-2024

Location: Sacramento, CA



Contractor	Scope	IN#	Description	Value	Status of Work	Status of Invoice	Status of Payment
Progressive Painting	Paint	17390	Painting	\$19,250.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17406	Painting	\$14,000.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17419	Painting	\$7,000.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17438	Painting	\$7,000.00	COMPLETE	APPROVED	PAID
Progressive Painting	Paint	17445	Painting	\$7,000.00	COMPLETE	APPROVED	PENDING
			TOTAL APPROVED	Invoiced Value \$1,513,716.76			
			TOTAL APPROVED, NOT PAID	\$89,885.37			
			TOTAL PENDING APPROVAL	0			
			TOTAL PAID	\$1,423,831.39			

End Report.

Nepenthe Change Order Log Updated 12.21.23.pdf



12394 Cannon Way
 Grass Valley, CA 95949
 (916) 229-2594
bill@cprecon.com

Date: December 21, 2023 Contact: Paul Reeves
 Property Name: Nepenthe Homeowner's Association Company: Reeve's Construction Inc.

CHANGE ORDER LOG

COR #	LOCATION	PENDING	DECLINED	APPROVED	NOTES
COR #01	101 DB and 1395 Commons		\$2,973.03		VOID
COR #02	107, 109 Dunbarton and 1371 Commons		\$12,203.54		VOID
COR #01 REVISE	101 DB and 1395 Commons			\$3,767.15	Additional Siding and Trim
COR #02 REVISE	107, 109 Dunbarton and 1371 Commons			\$10,747.77	Additional Siding and Trim
COR #03	107/109 Fence			3308.38	24 lf Fence Replacement
COR #04	1355 Commons			\$11,100.10	Additional Siding and Trim
COR #05	1359 Commons			\$984.59	Additional Siding and Trim
COR #06	1363 Commons			\$5,261.92	Additional Siding and Trim
COR #07	1355, 1359 and 1363 Commons Fence Repairs			\$5,191.76	Fence Repairs and replacement
COR #08	2308 Swarthmore			\$2,833.35	Additional Fence Replacement
COR #09	1329 Commons			\$472.76	Additional Siding and Trim
CREDIT COR #10	1331 Commons			-\$3,203.88	Credit Siding and Trim Not Done
CREDIT COR #11	1333 Commons			-\$243.13	Credit Siding and Trim Not Done
COR #12	2308 Swarthmore			\$7,232.85	Additional Siding and Trim
COR #13	1359 and 1363 Commons Fence Repairs			\$317.03	Fence Repairs and replacement
COR #14	Swarthmore Supplemental to COR#12			\$2,496.96	Additional Siding and Trim at 2 Gables

COR #15	1329 Commons Supplemental to #COR09		\$821.64		Additional Siding and Trim at Left Wall 2nd Story
COR #15 REVISION	1329 Commons Supplemental to #COR09			\$998.80	Additional Siding and Trim at Left Wall 2nd Story
COR #16	201 Dunbarton			\$4,003.85	Additional Siding and Trim
COR #17	203 Dunbarton			\$3,362.43	Additional Siding and Trim
COR #18	205 Dunbarton			\$1,954.55	Additional Siding and Trim
COR #19	301 Dunbarton			\$121.07	Additional Siding and Trim
COR #20	303 Dunbarton			\$304.69	Additional Siding and Trim
COR #21	1331 Commons Supplemental to #COR10			\$446.65	Additional Siding and Trim
COR #22	Additional Fence Repairs 201/205 Dunbarton Cir			\$6,593.48	Fence Repairs and replacement
COR #23	Additional Siding and Trim Unit #203			\$993.58	Additional Siding and Trim
COR #24	Additional Siding and Trim Unit #2310 SM			\$663.41	Additional Siding and Trim
COR #25	Additional Siding and Trim Unit #2312 SM			\$1,184.86	Additional Siding and Trim
COR #26	Additional Siding and Trim Unit #2314 SM			\$1,794.88	Additional Siding and Trim
COR #27	Additional Siding and Trim Unit #2318 SM			\$809.24	Additional Siding and Trim
COR #28	Additional Siding and Trim Unit #2316 SM			\$651.20	Additional Siding and Trim

COR #29	Additional Fence Repairs 2310-2318 SM			\$2,472.47	Fence Repairs and replacement
COR #30	Additional Siding and Trim Unit #203 Supplemental COR#23			\$866.70	Additional Siding and Trim
COR #31	Additional Siding and Trim Unit #305 DB			\$4,773.70	Additional Siding and Trim
COR #32	Additional Siding and Trim Unit #307 DB			\$1,139.40	Additional Siding and Trim
COR #33	Additional Siding and Trim Unit #203 Supplemental COR#30			\$835.51	Additional Siding and Trim
COR #34	Additional Siding and Trim Unit #201 Supplemental COR#16			\$1,648.02	Additional Siding and Trim
COR #35	Multiple Addresses			\$1,674.47	Permit Fees
COR #36	Additional Siding and Trim Unit #301 Supplemental COR#19			\$1,390.11	Additional Siding and Trim
COR #37	Additional Siding and Trim Unit #303 Supplemental COR#20			\$2,135.72	Additional Siding and Trim
COR #38	Additional Siding and Trim Unit #2318 Supplemental COR#27			\$773.57	Additional Siding and Trim

COR #39	Additional Siding and Trim Unit #2310 Supplemental COR#24			\$335.33	Additional Siding and Trim
COR #40	Additional Siding and Trim Unit #2312 Supplemental COR#25			\$536.82	Additional Siding and Trim
COR #41	Additional Siding and Trim Unit #401 DB			\$2,355.40	Additional Siding and Trim
COR #42	Additional Siding and Trim Unit #403 DB			\$2,177.28	Additional Siding and Trim
COR #43	Additional Siding and Trim Unit #405 DB			\$1,104.37	Additional Siding and Trim
COR #44	Additional Siding and Trim Unit #407 DB			\$1,561.76	Additional Siding and Trim
COR #45	Fence Repairs Unit #401-#405 DB			\$672.87	Fence Repairs and replacement
COR #46	Additional Siding and Trim Unit #305 DB Supplemental to COR#31			\$3,285.38	Additional Siding and Trim
COR #47	Additional Siding and Trim Unit #2320 SM			\$5,129.44	Additional Siding and Trim
COR #48	Additional Siding and Trim Unit #2322 SM			\$872.21	Additional Siding and Trim
COR #49	Additional Siding and Trim Unit #2324 SM			\$2,333.85	Additional Siding and Trim
COR #50	Additional Siding and Trim Unit #2328 SM			\$1,030.03	Additional Siding and Trim

COR #51	Additional Siding and Trim Unit #2330 SM			\$1,238.82	Additional Siding and Trim
COR #52	Additional Siding and Trim Unit #409 DB			\$1,988.08	Additional Siding and Trim
COR #53	Additional Siding and Trim Unit #411 DB			\$1,595.22	NO ORIGINAL SCOPE LISTED Additional Siding and Trim
COR #54	Additional Fence Repairs 411 Dunbarton			\$1,426.60	Additional Fence Repairs
COR #55	Additional Fence Repairs 403 Dunbarton			\$1,352.70	Additional Fence Repairs
COR #56	Additional Siding and Trim Unit #401 DB Supplemental to COR#41			\$374.43	Additional Siding and Trim
COR #57	Additional Fence Repairs 405 Dunbarton			\$353.87	Additional Fence Repairs
COR #58	Beam Replacement Unit #405 DB Supplemental to COR#43			\$439.96	Additional Siding and Trim
COR #59	Additional Fence Repairs 407 Dunbarton			\$5,596.46	Additional Fence Repairs
COR #60	Additional Siding and Trim Unit #407 DB Supplemental to COR#44			\$898.36	Additional Siding and Trim
COR #61	Additional Siding and Trim Unit #405 DB Supplemental to COR#58			\$299.15	Additional Siding and Trim

COR #62	Additional Siding and Trim Unit #401 DB Supplemental to COR#56			\$268.41	Additional Siding and Trim
COR #63	and Trim Unit #2320 Swarthmore Supplemental to COR#47			\$354.31	Additional Siding and Trim (HOA to invoice homeowner)
COR #64	and Trim Unit #2320 Swarthmore Supplemental to COR#63			\$647.44	Additional Siding and Trim
COR #65	Additional Fence Repairs Unit #303 Dunbarton			\$424.33	Additional Fence Repairs
COR #66	Additional Fence Repairs Unit #2320 Swarthmore			\$500.84	Additional Fence Repairs
COR #67	and Trim Unit #2322 Swarthmore Supplemental to COR#48			\$2,529.73	Additional Siding and Trim
COR #68	and Trim Unit #2324 Swarthmore Supplemental to COR#49			\$3,200.37	Additional Siding and Trim
COR #69	Additional Siding and Trim Unit #501 DB			\$9,577.20	NO ORIGINAL SCOPE Additional Siding and Trim
COR #70	Additional Siding and Trim Unit #503 DB			\$901.91	Additional Siding and Trim

COR #71	Additional Siding and Trim Unit #505 DB			\$3,939.65	NO ORIGINAL SCOPE Additional Siding and Trim
COR #72	Additional Fence Repairs Unit #501 DB			\$6,285.75	NO ORIGINAL SCOPE Fence Replacement
COR#73	Additional Fence Repairs Unit #2326 Swarthmore			\$4,012.41	Additional Fence Repairs
COR #74	Additional Siding and Trim Unit #601 DB			\$6,079.67	Additional Siding and Trim
COR #75	Additional Siding and Trim Unit #603 DB			\$4,009.44	Additional Siding and Trim
COR #76	Additional Siding and Trim Unit #605 DB			\$4,457.06	Additional Siding and Trim
COR #77	Fence Repairs Unit #601-#603			\$4,855.27	Additional Fence Repairs
COR #78	Additional Siding and Trim Unit #2326 Swarthmore			\$268.41	Additional Siding and Trim
COR #79	Additional Siding and Trim Unit #2328 Swarthmore Supplemental to COR#50			\$410.03	Additional Siding and Trim Supplemental

COR #80	Fence Repairs Unit #2328 and 2330 Swarthmore			\$3,514.53	Additional Fence Repairs
COR #81	and Trim Unit #2330 Swarthmore Supplemental to COR#51			\$1,073.63	Additional Siding and Trim
COR #82	Additional Siding and Trim Unit #507 DB			\$6,098.73	Additional Siding and Trim
COR #83	Additional Siding and Trim Unit #509 DB			\$3,365.49	Additional Siding and Trim
COR #84	Additional Siding and Trim Unit #511 DB			\$4,860.60	Additional Siding and Trim
COR #85	Fence Repairs Unit #507-#511			\$4,018.39	Additional Fence Repairs
COR #86	Additional Siding and Trim Unit #607 DB			\$2,189.80	Additional Siding and Trim
COR #87	Additional Siding and Trim Unit #609 DB			\$3,307.69	Additional Siding and Trim
COR #88	Additional Siding and Trim Unit #611 DB			\$4,985.85	Additional Siding and Trim
COR #89	Additional Siding and Trim Unit #613 DB			\$3,895.26	Additional Siding and Trim
COR #90	Additional Siding and Trim Unit #615 DB			\$6,356.02	Additional Siding and Trim
COR #91	Fence Repairs Unit #607-#615			\$8,247.43	Additional Fence Repairs

COR #92	Additional Siding and Trim Supplemental Unit #409 DB			\$1,283.13	Additional Siding and Trim
COR #93	Additional Siding and Trim Supplemental Unit #411 DB			\$1,160.40	Additional Siding and Trim
COR #94	Fence Repairs Unit #409-#411 DB			\$6,669.16	Additional Fence Repairs
COR #95	Additional Siding and Trim Supplemental Unit #501 DB COR#69			\$1,784.30	Additional Siding and Trellis Repairs
COR #96	Additional Siding and Trim Supplemental Unit #409 DB COR#92			\$269.57	Additional Trellis Repairs
COR #97	Additional Siding and Trim Supplemental Unit #2314 SM COR#26			\$1,044.72	Additional Siding and Trim Repairs (PEST REPORT)
COR #98	Additional Siding and Trim Supplemental Unit #2322 SM COR#67			\$810.90	Additional Siding and Trim Repairs (EXPOSED BY PRESSURE WASHING)
COR #99	Additional Siding and Trim Supplemental COR#69 Unit #501 DB			\$3,285.35	Additional Siding and Trim
COR #100	Additional Siding and Trim Supplemental COR#71 Unit #505 DB			\$422.06	Additional Siding and Trim
COR #101	Fence Repairs Unit #501-#505			\$6,215.69	Additional Fence Repairs

COR #102	Additional Siding and Trim Supplemental COR#93 Unit #411 DB			\$904.82	Additional Siding and Trim
COR #103	Additional Siding and Trim Unit #813 DB			\$5,736.56	Additional Siding and Trim
COR #104	Additional Siding and Trim Unit #815 DB			\$5,780.04	Additional Siding and Trim
COR #105	Fence Repairs Unit #813 DB			\$1,832.26	Additional Fence Repairs
COR #106	Additional Siding and Trim Unit #701 DB			\$1,775.43	Additional Siding and Trim
COR #107	Additional Siding and Trim Unit #703 DB			\$3,806.71	Additional Siding and Trim
COR #108	Additional Siding and Trim Unit #705 DB			\$9,693.34	Additional Siding and Trim
COR #109	Additional Siding and Trim Unit #707 DB			\$6,474.95	Additional Siding and Trim
COR #110	Additional Siding and Trim Unit #709 DB			\$2,152.87	Additional Siding and Trim
COR #111	Fence Repairs Unit #701-709 DB			\$14,077.79	Additional Fence Repairs
COR #112	Additional Siding and Trim Unit #507 DB Supplemental to COR#82			\$268.41	Additional Siding and Trim
COR #113	Additional Siding and Trim Unit #509 DB Supplemental to COR#83			\$674.05	Additional Siding and Trim

COR #114	Additional Siding and Trim Unit #813 DB Supplemental to COR#103			\$2,881.16	Additional Siding and Trim
COR #115	Additional Siding and Trim Unit #815 DB Supplemental to COR#104			\$1,102.56	Additional Siding and Trim
COR #116	Additional Gutter and Downspout Repair #806 Dunbarton COR#116			\$168.00	Additional Gutter and Downspout Repairs
COR #117	Permit Fees			\$3,913.08	Permit Fees
COR #118	Additional Siding and Trim Unit #601 DB Supplemental to COR#74			\$2,125.53	Additional Siding and Trim
COR #119	Additional Siding and Trim Unit #507 DB Supplemental to COR#112			\$357.85	Additional Siding and Trim
COR #120	Additional Siding and Trim Unit #605 DB Supplemental to COR#76			\$713.97	Additional Siding and Trim
COR #121	Additional Siding and Trim Unit #609 DB Supplemental to COR#87			\$2,494.98	Additional Siding and Trim
COR #122	Additional Siding and Trim Unit #611 DB Supplemental to COR#88			\$1,115.47	Additional Siding and Trim
COR #123	Fence Repairs Unit #813 DB			\$647.83	Additional Fence Repairs

COR #124	Additional Siding and Trim Unit #611 DB Supplemental to COR#122			\$1,832.99	Additional Siding and Trim
COR #125	Additional Siding and Trim Unit #615 DB Supplemental to COR#90			\$1,274.35	Additional Siding and Trim
COR#126	Additional Siding and Trim Unit #711 DB			\$2,718.99	Additional Siding and Trim
COR#127	Additional Siding and Trim Unit #713 DB			\$4,771.46	Additional Siding and Trim
COR#128	Additional Siding and Trim Unit #715 DB			\$6,703.39	Additional Siding and Trim
COR#129	Additional Siding and Trim Unit #717 DB			\$3,404.26	Additional Siding and Trim
COR#130	Additional Siding and Trim Unit #719 DB			\$3,631.58	Additional Siding and Trim
COR #131	Fence Repairs Unit #711-719 DB			\$8,679.31	Additional Fence Repairs
COR #132	Fence Repairs Unit #607 DB			\$2,269.27	Additional Fence Repairs
COR #133	Additional Siding and Trim Unit #701 DB Supplemental to COR#106			\$947.42	Additional Siding and Trim
COR #134	Asbestos and Lead Testing Unit #705 DB Supplemental to COR#108			\$966.00	Asbestos and Lead Testing Drywall

COR #135	Additional Siding and Trim Unit #703 DB Supplemental to COR#107			\$268.41	Additional Siding and Trim
COR #136	Additional Siding and Trim Unit #705 DB Supplemental to COR#134			\$2,299.46	Additional Siding and Trim
COR #137	Additional Siding and Trim Unit #707 DB Supplemental to COR#109			\$747.97	Additional Siding and Trim
COR #138	Additional Siding and Trim Unit #709 DB Supplemental to COR#110			\$1,022.45	Additional Siding and Trim
COR#139	Additional Siding and Trim Unit #801 DB			\$4,608.03	Additional Siding and Trim
COR#140	Additional Siding and Trim Unit #803 DB			\$1,397.42	Additional Siding and Trim
COR#141	Additional Siding and Trim Unit #805 DB			\$5,812.39	Additional Siding and Trim
COR #142	Fence Repairs Unit #801 and #805 DB			\$13,563.48	Additional Fence Repairs
COR#143	Additional Siding and Trim Unit #709 DB Supplemental to COR#138			\$626.07	Additional Siding and Trim
COR #144	Additional Siding and Trim Unit #711 DB Supplemental to COR#126			\$1,023.70	Additional Siding and Trim

COR #145	Additional Siding and Trim Unit #713 DB Supplemental to COR#127			\$2,445.99	Additional Siding and Trim
COR #146	Additional Siding and Trim Unit #711 DB Supplemental to COR#144			\$553.62	Additional Siding and Trim
COR #147	Trellis Caps Unit #713 DB Supplemental to COR#145		\$766.80		Trellis Caps
COR#148	Additional Siding and Trim Unit #807 DB			\$3,013.08	Additional Siding and Trim
COR#149	Additional Siding and Trim Unit #809 DB			\$5,601.65	Additional Siding and Trim
COR#150	Additional Siding and Trim Unit #811 DB			\$4,111.76	Additional Siding and Trim
COR #151	Fence Repairs Unit #807 through #811 DB			\$5,194.90	Additional Fence Repairs
COR#152	Additional Siding and Trim Unit #817 DB			\$6,382.79	Additional Siding and Trim
COR #153	Fence Repairs Unit #817 DB			\$3,534.75	Additional Fence Repairs
COR#154	Additional Siding and Trim Unit #901 DB			\$5,672.62	Additional Siding and Trim
COR#155	Additional Siding and Trim Unit #903 DB			\$2,059.56	Additional Siding and Trim
COR#156	Additional Siding and Trim Unit #905 DB			\$3,547.40	Additional Siding and Trim

COR#157	Additional Siding and Trim Unit #907 DB			\$678.00	Additional Siding and Trim
COR #158	Fence Repairs Unit #901 and 905 DB			\$11,462.96	Additional Fence Repairs
COR #159	Additional Siding and Trim Unit #717 DB Supplemental to COR#129			\$1,115.88	Additional Siding and Trim
COR #160	Additional Siding and Trim Unit #719 DB Supplemental to COR#130			\$439.64	Additional Siding and Trim
COR #161	Additional Siding and Trim Unit #801 DB Supplemental to COR#139			\$1,051.74	Additional Siding and Trim
COR #162	Additional Siding and Trim Unit #803 DB Supplemental to COR#140			\$310.33	Additional Siding and Trim
COR #163	Additional Siding and Trim Unit #813 DB Supplemental to COR#114			\$354.99	Additional Siding and Trim
COR#164	Additional Siding and Trim Unit 1001 DB			\$7,363.55	Additional Siding and Trim
COR#165	Additional Siding and Trim Unit #1003 DB			\$4,690.53	Additional Siding and Trim
COR#166	Additional Siding and Trim Unit #1005 DB			\$9,686.01	Additional Siding and Trim
COR#167	Additional Siding and Trim Unit #1007 DB			\$5,369.12	Additional Siding and Trim

COR #168	Additional Siding and Trim Unit #809 DB Supplemental to COR#149			\$278.59	Additional Siding and Trim
COR #169	Additional Siding and Trim Unit #613 DB Supplemental to COR#89		\$919.42		See REVISION COR#169R
COR #169R REVISED	Additional Siding and Trim Unit #613 DB Supplemental to COR#89			\$1,197.82	Additional Siding and Trim
COR #170	Additional Siding and Trim Unit #901 DB Supplemental to COR#154			\$649.17	Additional Siding and Trim
COR #171	Additional Siding and Trim Unit #903 DB Supplemental to COR#155		\$1,025.65		See REVISION COR#171R
COR #171R REVISED	Additional Siding and Trim Unit #903 DB Supplemental to COR#155			\$1,415.01	Additional Siding and Trim
COR #172	Additional Siding and Trim Unit #1009 DB			\$3,963.43	Additional Siding and Trim
COR #173	Additional Siding and Trim Unit #1101 DB Supplemental to COR#149			\$2,026.05	Additional Siding and Trim
COR #174	Fence Repairs Unit #1001 DB			\$8,566.96	Additional Fence Repairs

COR #175	Additional Siding and Trim Unit #907 DB Supplemental to COR#157			\$356.65	Additional Siding and Trim
COR #176	Additional Siding and Trim Unit #1001 DB Supplemental to COR#164			\$1,266.10	Additional Siding and Trim
COR #177	Additional Siding and Trim Unit #1003 DB Supplemental to COR#165			\$1,106.09	Additional Siding and Trim
COR #178	Additional Siding and Trim Unit #1005 DB Supplemental to COR#166			\$842.29	Additional Siding and Trim
COR #179	Additional Siding and Trim Unit #1011 DB			\$8,331.44	Additional Siding and Trim
COR #180	Additional Siding and Trim Unit #1013 DB			\$2,616.51	Additional Siding and Trim
COR #181	Additional Siding and Trim Unit #1015 DB			\$5,436.21	Additional Siding and Trim
COR #182	Additional Siding and Trim Unit #1017 DB			\$4,801.31	Additional Siding and Trim
COR #183	Additional Siding and Trim Unit #1019 DB			\$8,071.65	Additional Siding and Trim
COR #184	Fence Repairs Unit #1017 AND 1019 DB			\$8,937.75	Additional Fence Repairs
COR #185	Fence Repairs Unit #1101 DB			\$4,851.17	Additional Fence Repairs
COR #186	Additional Siding and Trim Unit #1101 DB			\$2,955.08	Additional Siding and Trim

COR #187	Additional Siding and Trim Unit #905 DB Supplemental to COR#156			\$278.59	Additional Siding and Trim
COR #188	Additional Siding and Trim Unit #1013 DB Supplemental to COR#180			\$278.59	Additional Siding and Trim
COR #189	Additional Siding and Trim Unit #1011 DB Supplemental to COR#179			\$391.18	Additional Siding and Trim
COR #190	Permit Fees Round 3			\$3,398.69	Permit Fees
COR #191	Additional Siding and Trim Unit #1009 DB Supplemental to COR#172			\$391.75	Additional Siding and Trim
COR #192	Additional Siding and Trim Unit #1103 DB			\$4,053.91	Additional Siding and Trim
COR #193	Additional Siding and Trim Unit #1105 DB			\$553.62	Additional Siding and Trim
COR #194	Additional Siding and Trim Unit #1107 DB			\$2,780.08	Additional Siding and Trim
COR #195	Additional Siding and Trim Unit #1109 DB			\$6,063.15	Additional Siding and Trim
COR #196	Additional Siding and Trim Unit #1019 DB Supplemental to COR#183			\$2,899.34	Additional Siding and Trim

COR #197	Fence Repairs Unit #1107 DB			\$3,755.64	Additional Fence Repairs
COR #198	REMEDICATION INTERIOR DRYWALL Unit #1019 DB Supplemental to COR#196			\$2,955.38	REMEDICATION INTERIOR DRYWALL
COR #199	Additional Siding and Trim Unit #1015 DB Supplemental to COR#181			\$913.83	Additional Siding and Trim
COR #200	Additional Siding and Trim Unit #1017 DB Supplemental to COR#182			\$761.24	Additional Siding and Trim
COR #201	Additional Siding and Trim Unit #1019 DB Supplemental to COR#198			\$1,198.01	Additional Siding and Trim
COR #202	Additional Siding and Trim Unit #1111 DB			\$4,852.67	Additional Siding and Trim
COR #203	Additional Siding and Trim Unit #1113 DB			\$5,817.44	Additional Siding and Trim
COR #204	Additional Siding and Trim Unit #1431 Commons			\$2,680.64	Additional Siding and Trim
COR #205	Additional Siding and Trim Unit #1433 Commons			\$2,874.73	Additional Siding and Trim
COR #206	Fence Repairs Unit #1113 DB			\$6,604.23	Additional Fence Repairs
COR #207	Additional Siding and Trim Unit #1101 DB Supplemental to COR#186			\$1,304.24	Additional Siding and Trim

COR #208	Additional Siding and Trim Unit #1103 DB Supplemental to COR#192			\$2,374.86	Additional Siding and Trim
COR #209	Fence Repairs Unit #1101 and 1103 DB			\$3,686.65	Additional Fence Repairs
COR #210	Additional Siding and Trim Unit #1112 DB			\$1,900.63	Additional Siding and Trim
COR #211	Additional Siding and Trim Unit #1423 Commons			\$9,748.57	Additional Siding and Trim
COR #212	Additional Siding and Trim Unit #1425 Commons			\$4,921.56	Additional Siding and Trim
COR #213	Additional Siding and Trim Unit #1427 Commons			\$3,741.52	Additional Siding and Trim
COR #214	Fence Repairs Unit #1423 and 1427 Commons			\$11,342.84	Additional Fence Repairs
COR #215	Fence Repairs Unit #1009 DB			\$7,218.13	Additional Fence Repairs
COR #216	Additional Siding and Trim Unit #1105 DB Supplemental to COR#193			\$422.06	Additional Siding and Trim
COR #217	Additional Siding and Trim Unit #1107 DB Supplemental to COR#194			\$589.29	Additional Siding and Trim
COR #218	Fence Repairs Unit #1105 DB			\$1,790.44	Additional Fence Repairs

COR #219	Additional Siding and Trim Unit #1431 Commons Supplemental to COR#204			\$1,055.13	Additional Siding and Trim
COR #220	Additional Siding and Trim Unit #1433 Commons Supplemental to COR#205			\$834.48	Additional Siding and Trim
COR #221	Additional Siding and Trim Unit #1108 Dunbarton			\$7,338.62	Additional Siding and Trim
COR #222	Additional Siding and Trim Unit #1106 Dunbarton			\$4,409.00	Additional Siding and Trim
COR #223	Additional Siding and Trim Unit #1417 Commons			\$5,520.91	Additional Siding and Trim
COR #224	Additional Siding and Trim Unit #1110 Dunbarton			\$7,631.01	Additional Siding and Trim
COR #225	Fence Repairs Unit #1106-1110 DB			\$11,981.14	Additional Fence Repairs
COR #226	Additional Siding and Trim Unit #1425 Commons Supplemental to COR#212			\$591.30	Additional Siding and Trim
COR #227	Additional Siding and Trim Unit #1427 Commons Supplemental to COR#213			\$598.29	Additional Siding and Trim

COR #228	Additional Siding and Trim Unit #1012 Dunbarton			\$10,886.15	Additional Siding and Trim
COR #229	Additional Siding and Trim Unit #1014 Dunbarton			\$7,476.33	Additional Siding and Trim
COR #230	Additional Siding and Trim Unit #1016 Dunbarton			\$10,583.93	Additional Siding and Trim
COR #231	Additional Siding and Trim Unit #1018 Dunbarton			\$6,874.27	Additional Siding and Trim
COR #232	Additional Siding and Trim Unit #1020 Dunbarton			\$10,145.23	Additional Siding and Trim
COR #233	Additional Siding and Trim Unit #1100 Dunbarton			\$7,346.06	Additional Siding and Trim
COR #234	Additional Siding and Trim Unit #1102 Dunbarton			\$10,998.14	Additional Siding and Trim
COR #235	Additional Siding and Trim Unit #1104 Dunbarton			\$7,816.33	Additional Siding and Trim
COR #236	Fence Repairs Unit #1100-1104 DB			\$15,821.36	Additional Fence Repairs
COR #237	Additional Siding and Trim Unit #1108 Supplemental to COR#221			\$754.89	Additional Siding and Trim

COR #238	Additional Siding and Trim Unit #1110 Supplemental to COR#224		\$1,173.63		Additional Siding and Trim
COR #239	Additional Siding and Trim Unit #1000 Dunbarton			\$10,792.91	Additional Siding and Trim
COR #240	Additional Siding and Trim Unit #1002 Dunbarton			\$6,134.75	Additional Siding and Trim
COR #241	Additional Siding and Trim Unit #1004 Dunbarton			\$6,679.67	Additional Siding and Trim
COR #242	Additional Siding and Trim Unit #1006 Dunbarton			\$8,098.77	Additional Siding and Trim
COR #243	Fence Repairs Unit #1002-1000 DB			\$12,286.15	Additional Fence Repairs
COR #244	Additional Siding and Trim Unit #1110 Supplemental to COR#238			\$310.23	Additional Siding and Trim
COR #245	Permit Fees Round 4			\$2,017.18	Permit Fees
COR #246	Additional Siding and Trim Unit #1110 Supplemental to COR#224	\$653.45			Additional Siding and Trim
COR #247	Fence Repairs Unit #1329 Commons	\$2,337.51			Additional Fence Repairs

COR #248	Additional Siding and Trim Unit #808 Dunbarton	\$7,874.24			Additional Siding and Trim
COR #249	Additional Siding and Trim Unit #810 Dunbarton	\$8,909.00			Additional Siding and Trim
COR #250	Additional Siding and Trim Unit #812 Dunbarton	\$9,020.01			Additional Siding and Trim
COR #251	Fence Repairs Unit #810-812 Dunbarton	\$5,155.55			Additional Fence Repairs
COR #252	and Trim Unit #1016 Dunbarton Supplemental to COR#230	\$840.40			Additional Siding and Trim
COR #253	Fence Repairs Unit #1012 Dunbarton	\$4,116.91			Additional Fence Repairs
COR #254	and Trim Unit #1014 Dunbarton Supplemental to COR#229	\$612.86			Additional Siding and Trim
COR #255	and Trim Unit #1018 Dunbarton Supplemental to COR#231	\$2,475.42			Additional Siding and Trim
COR #256	Exposed Beam Repairs Unit #1020 Supplemental to COR#232	\$2,964.21			Exposed Beam Repairs at Patio
TOTALS		\$44,959.56	\$19,883.71	\$823,501.23	
TOTAL ORIGINAL CONTRACT AMOUNT				\$822,857.00	
TOTAL ADJUSTED CONTRACT AMOUNT				\$1,646,358.23	

December 2023_Work Order Report.pdf



Work Orders Nepenthe Association

WO#: 1185711	Status: Open	Progress Code: Request Sent
Unit/Common Area: 1428 Commons Dr		Category: Tree Evaluation
Date Created: 01/02/2024	Date Completed:	Vendor: *FRANK CARSON LANDSCAPE & MAINTENANCE INC.
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Grove Please review the redwood tree that is damaging the fence and provide a written recommendation. Thanks		
WO#: 1185667	Status: Open	Progress Code: Request Sent
Unit/Common Area: 604 Elmhurst Cir		Category: Roof Leak
Date Created: 01/02/2024	Date Completed:	Vendor: ADVANCED ROOF DESIGN INC
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Advanced Roof Design I have included a photo of the downspout at 604 Elmhurst that has two 90-degree angles making it difficult for leaves and debris to filter through creating clogs. Our gutter cleaning vendor cannot get to this area to clean and with the rain, we are hoping to have this cleared. We would like you to evaluate this and replace with a better alternative that creates less harsh angles and allows better flow. Thank you,		
WO#: 1185615	Status: Open	Progress Code: Request Sent
Unit/Common Area: 717 Dunbarton Cir		Category: Roof Leak
Date Created: 01/02/2024	Date Completed:	Vendor: ADVANCED ROOF DESIGN INC
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Advance Roof the water is leaking from the second story and through the vent to the microwave. Please inspect the entire roof and fix. thanks		
WO#: 1185435	Status: Open	Progress Code: Request Sent
Unit/Common Area: 1113 Vanderbilt Way		Category: Handyman
Date Created: 12/31/2023	Date Completed:	Vendor: ELITE Service Experts
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: One fence post fell down and there are tops of several others missing.		



Work Orders
Nepenthe Association



Work Orders Nepenthe Association

WO#: 1185319	Status: Open	Progress Code: Request Sent
Unit/Common Area: Clubhouse		Category: Handyman
Date Created: 12/28/2023	Date Completed:	Vendor: ELITE Service Experts
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Mike Please check the lights in front of the clubhouse. Is it just the light bulbs that are out or is it an electrical issue we need River City Electric for? Thank you,		
WO#: 1185311	Status: Open	Progress Code: Request Sent
Unit/Common Area: 1527 University Ave		Category: Hallways
Date Created: 12/28/2023	Date Completed:	Vendor: ELITE Service Experts
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Mike There is a lollipop directly by the front door that has "god" spray paint. Please replace globe with new one or if you can clean it. Thank you.		
WO#: 1185310	Status: Open	Progress Code: Request Sent
Unit/Common Area: Clubhouse		Category: Handyman
Date Created: 12/28/2023	Date Completed:	Vendor: ELITE Service Experts
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Mike Please first set out all the boxes for the Christmas decorations. We have our volunteers coming to pack everything away at 9/9:30am Once they are done the boxes will need to be put back along with trees and reindeer decor. The volunteers cannot get on a ladder anymore and may need help getting the ornaments at the top of the tree off. Thank you!		
WO#: 1185089	Status: Open	Progress Code: On hold for further verification
Unit/Common Area: 804 Elmhurst Cir		Category: Access Gates
Date Created: 12/27/2023	Date Completed:	Vendor:
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Rain water leaks into garage, I'd like to have a French drain installed or other solution that we I agree on. Thank you!		



Work Orders Nepenthe Association

WO#: 1185083	Status: Open	Progress Code: Request Sent
Unit/Common Area: 1263 Vanderbilt Way		Category: Roof Leak
Date Created: 12/27/2023	Date Completed:	Vendor: ADVANCED ROOF DESIGN INC
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Advanced Roof Design 1 story home. The leak is in the master bedroom. The hallway that leads to the shower area. IT is coming out from the closet into the hallways. There is a brown stain in both the hallway and the back wall of the closet. The homeowner will show you where. Please evaluate. Please reach out to the homeowner. Thank you,		
WO#: 1184933	Status: Open	Progress Code: Request Sent
Unit/Common Area: 600 Elmhurst Cir		Category: Mailbox
Date Created: 12/26/2023	Date Completed:	Vendor: ELITE Service Experts
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Mike Please replace the post of the mail boxes. It is damaged or broken thanks Mike Evaluated- Needs help Please do as a Time and Material Thank you,		
WO#: 1184693	Status: Open	Progress Code: Request Sent
Unit/Common Area: 505 Elmhurst Cir		Category: Window Frame
Date Created: 12/21/2023	Date Completed:	Vendor: Critical Path Reconstruction Inc
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Mike The small window on the right side of the fuse box is coming off the frame and window. Please reattach. Thank you,		
WO#: 1184690	Status: Open	Progress Code: Request Sent
Unit/Common Area: 505 Elmhurst Cir		Category: Handyman
Date Created: 12/21/2023	Date Completed:	Vendor: ELITE Service Experts
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Mike The railing leading to the front entrance patio has white paint coming off. Please repaint Thank you,		



Work Orders Nepenthe Association

WO#: 1184449	Status: Open	Progress Code: Request Sent
Unit/Common Area: 410 Elmhurst Cir		Category: Roof
Date Created: 12/20/2023	Date Completed:	Vendor: ADVANCED ROOF DESIGN INC
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Advance Roof There is a leak above the kitchen. Please check the flashing and the entire roof. Thanks		
WO#: 1184430	Status: Open	Progress Code: Request Sent
Unit/Common Area: Pool - Lap		Category: Electrical
Date Created: 12/20/2023	Date Completed:	Vendor: RIVER CITY ELECTRIC
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: River City Electric At the clubhouse, our lap pool has 2 breakers, one for each filter pump. One of the breakers is out and needs to be fixed/replaced as needed. The line is below ground in the breaker box and the one that is out is the bottom breaker labeled for the lap pool. IF you have any questions- please let the office know and we can contact our pool servicer to give more detail. Thank you!		
WO#: 1184419	Status: Open	Progress Code: Request Sent
Unit/Common Area: 505 Elmhurst Cir		Category: Window Frame
Date Created: 12/20/2023	Date Completed:	Vendor: Critical Path Reconstruction Inc
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Mike Mike, the homeowner is concerned about two of their window. One is the front window facing the street where we would like you to check the frame to see if it is the reason water is getting in. One is the patio window, please check this frame to see if it is the reason water is getting in Thank you! Original W/O created by Owner. "Tennent notified Woods Property Management of water intrusion impacting living room and primary bedroom windows facing Elmhurst due to clogged gutters during last nights (12/19) rain downpour. Concerned about mold. John Apostolo, homeowner"		
WO#: 1184357	Status: Open	Progress Code: Request Sent
Unit/Common Area: 1312 Vanderbilt Way		Category: Roof
Date Created: 12/19/2023	Date Completed:	Vendor:
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: Dry Creek Please tightly secure roof with a new tarp.		



Work Orders Nepenthe Association

WO#: 1183500	Status: Open	Progress Code: Request Sent
Unit/Common Area: 1013 Dunbarton Cir		Category: Light Pole
Date Created: 12/13/2023	Date Completed:	Vendor: RIVER CITY ELECTRIC
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: River City Electric The lights at 1013 Dunbarton down to the alleyway are out- about 3 total we were told by your team. Please fix as appropriate. Thank you!		
WO#: 1182633	Status: Open	Progress Code: Request Sent
Unit/Common Area: 1245 Vanderbilt Way		Category: Fences
Date Created: 12/07/2023	Date Completed:	Vendor: Critical Path Reconstruction Inc
Schedule Completion Date:		
Assigned To:	Phone:	Fax:
Description: CPR There is a broken gate and rotted fence at 1245 Vanderbilt. CPR to evaluate the fence and gate and see if it can wait till the phase repair. thanks		

Architectural Committee Minutes_December 2023.pdf

NEPENTHE ARCHITECTURAL REVIEW COMMITTEE MINUTES
Thursday, December 14, 2023

Our December 14, 2023, Thursday, 5:30 pm meeting was canceled, with this month's business being conducted via email only.

Members participating: Alan Watters, chairperson; Allen Davenport; Ken Luttrell; Paul Serafimidis.

Members absent: Lee Blachowicz (on leave).

Also participating: Markus Dascher, Board Liaison.

A. Introductions. None.

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

B.2. Homeowner Requests Recommended to be Approved: (With conditions if so noted.) (All votes unanimous unless otherwise noted).

1. **201 Dunbarton Circle** – Windows replacement in this 3300 model. Requested is the installation of 3 replacement Simonton Daylight Max dual-paned windows in exterior color “Bronze,” with one being the living room window and two being bedroom windows. The contractor is to be C.E.C.S. **Approval Recommended.**

2. **1427 Commons Drive** – In this 4400 model, requested is the replacement of the patio hardscape within the backyard only. The original aggregate concrete patio had previously been replaced with bricks and mortar. The contractor has provided a list of around 20 steps to be followed. The system will consist of an underlayment and fill and Basalite Artisan Smooth Premiere interlocking pavers in Torino color. There will also be some artificial turf between 10 3' x 3' pavers, as well as cobblestones in borders along the fence. Partial drainage will occur immediately with water draining downwards through the 7.5-inch system into the underlying soil; other drainage will rely on the appropriate degree of slope so that excess water will drain out toward the alley. The contractor is to be California Paver Pros. **Approval Recommended.**

B.2.A. Homeowner Requests Approved via Emergency Approvals:

1. **808 Elmhurst Circle** – Emergency replacement of the HVAC system in this 2200 model: requested is installation of a Lennox Elite ® Series model EL18XPV variable-speed split heat pump and air handler. The existing refrigerant line set is to be re-used, and no new external control wiring is required. The outdoor heat pump compressor is to remain in its original location. The contractor was to be Service Champions Heating & Air Conditioning. The installation was performed on December 8, 2023. Voting was conducted by email on December

10, with all four active members voting in favor. **Emergency Approval was Granted on December 10, 2023.**

2. **801 Elmhurst Circle** – Emergency replacement of the HVAC system in this 2200 model: requested is installation of a heat pump and air handler. The existing refrigerant line set is to be re-used, and no new external control wiring is required. The outdoor heat pump compressor is to remain in its original location. The contractor was to be J.R. Putnam Heating & Air Conditioning. The installation was performed on December 14, 2023. Voting was conducted by email on December 18, with all four active members voting in favor. **Emergency Approval was Granted on December 18, 2023.**

3. **611 Dunbarton Circle** – HVAC replacement with emergency status in this 5500A model. Installation is requested for an American Standard 16-SEER, 3.0-ton heat pump and air handler. The refrigerant line set is to be re-used, and no new wiring needs to be run on top of the siding. The condenser will be in the original location. Contractor is to be Gilmore Heating & Air. Voting was conducted by email on December 26, with all four active members voting in favor. **Emergency Approval was Granted on December 26, 2023.**

B.2.B. Homeowner Requests Not Recommended for Approval: none.

C. Old Business:

1. **Updating the ARC “Rules” and associated forms:** no progress by Alan.

D. New Business: none.

E. Estoppel Inspections: Alan has performed several.

F. Notices of Completion: Alan signed several.

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

2023-12-30_Nepenthe Grounds.pdf

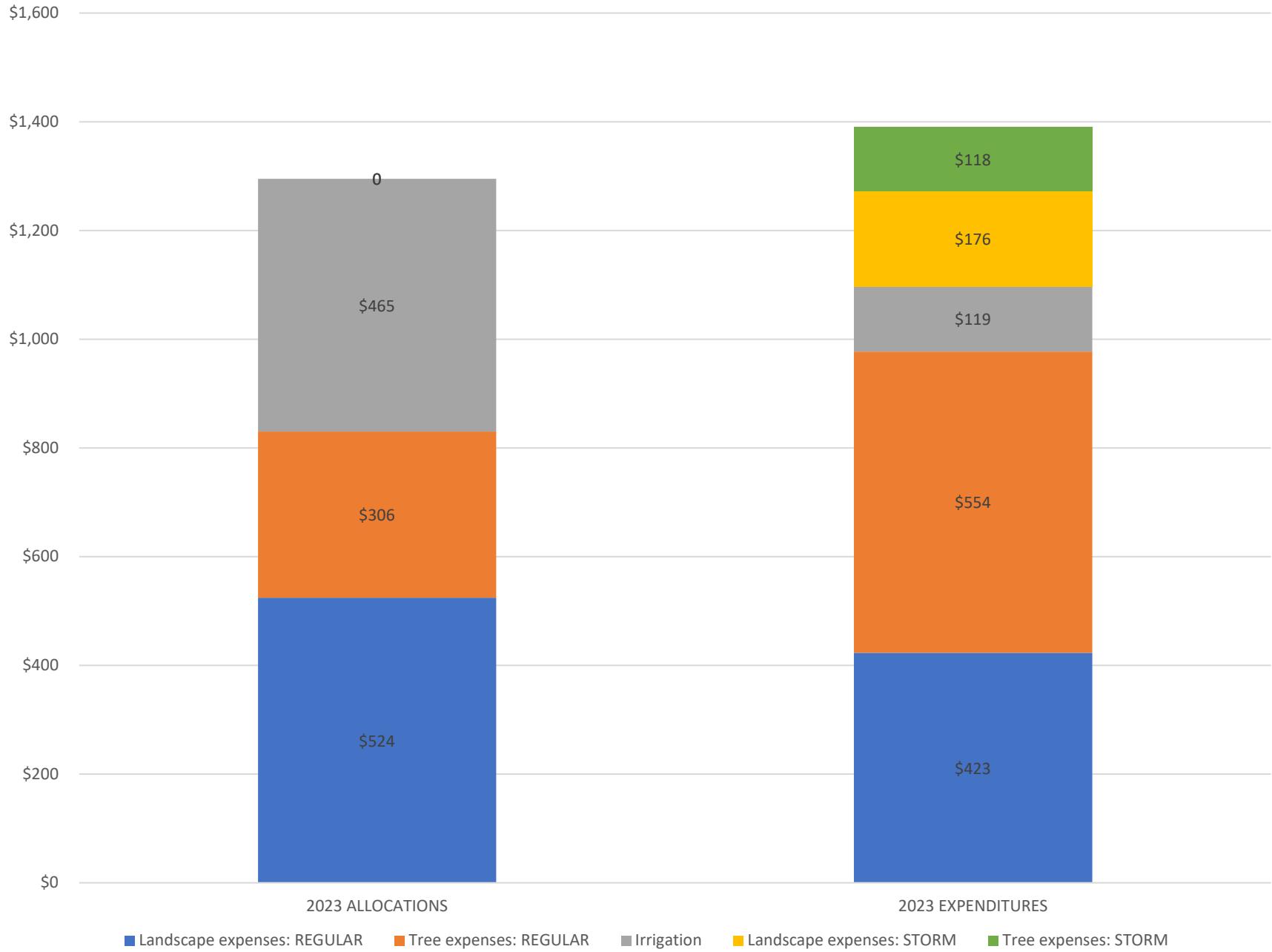
2023 GROUNDS EXPENDITURE ANALYSIS

\$ Thousands	Total Expenditures	FY 2022 Carry Over	FY 2023 Expenditures	FY 2023 Net Storm Related	FY 2023 Non Storm Related	FY 2023 Reserve Allocation	Variance FY 2023 Non Storm Related Fav/(Unfav)
LANDSCAPE	\$ 656.8	\$ 58.1	\$ 598.7	\$ 175.8	\$ 422.9	\$ 524.2	\$ 101.3
TREES	\$ 714.8	\$ 42.8	\$ 672.0	\$ 117.6	\$ 554.4	\$ 305.9	\$ (248.5)
IRRIGATION	\$ 123.1	\$ 2.3	\$ 120.8	\$ 1.6	\$ 119.2	\$ 465.1	\$ 345.9
TOTAL	\$ 1,494.7	\$ 103.2	\$ 1,391.5	\$ 295.0	\$ 1,096.5	\$ 1,295.2	\$ 198.7

2023 Grounds Expense Comparative Graph.pdf

GROUNDS: 2023 ALLOCATIONS & EXPENDITURES

\$000



Letter_Donald Person Re Landscape 12.04.23.pdf

December 4, 2023

An Open Letter to The Board of Directors of Nepenthe Association

CCs to all concerned Homeowners

My name is Donald Person. I own and reside at 116 Dunbarton Circle. The contents of this letter are not to be construed as legal or other advice to the Board members individually or collectively, to the Association, or to any homeowner. Brad Epstein, the Association attorney, can inform you of my credentials.

Bob Powell engaged the services of a prominent landscape architect to prepare the landscaping plan for Nepenthe. I have worked with that architect. Our homes are externally bland and Nepenthe either does not have or does not enforce cabling specifications. The well-designed initial landscape plan gives Nepenthe an English cottage style appearance, adds architectural complexity, helps conceal cabling, and provides privacy screening for many homes. Many if not all homeowners bought into that plan when they purchased their homes.

Over many years, relatively poor Association common area maintenance and watering, climate conditions and perhaps other causes have stressed our landscaping. None of these causes, however, provide a justification for the severe destruction of landscaping currently being carried out by you. Moreover, significant quantities and qualities of landscaping plants that you are installing do not appear to be consistent with the long-established Nepenthe landscaping plan or to give the benefits provided by that plan.

Your course of conduct and expenditure of substantial amounts of Association funds on shrubbery projects is even more troubling given other critical work you should be conducting on behalf of all homeowners. An example of this critical work is the development of a plan to ensure that Nepenthe will be in compliance with AB 1572 regarding the maintenance and watering of ornamental grass, and ensuring that there is sufficient reserve money to effectuate that plan. The deadline mandated by statute for planned unit development compliance is January 1, 2029. You should be working with an independent qualified consultant and the City of Sacramento and have a draft plan formulated with due consideration for commentary from homeowners well in advance of that deadline. Other critical items that demand your attention include the current siding replacement project which is woefully behind schedule and also likely woefully over budget.

I have spent a considerable amount of time with Rich and Mary O'Day. They live on upper Dunbarton Circle and have probably been Nepenthe residents for longer than many of you. Rich and Mary are charming folks in their nineties and are exactly the kind of people that we should all be proud to have as neighbors.

For no apparent reason, mature shrubs adjacent to a patio fence at Rich and Mary's home were destroyed several days ago. This was done without advance notice or consultation with Rich and Mary. And it caused a lot of distress to them. The remaining trunks of these shrubs are far enough away from the subject fence that it is unlikely that they interfered with construction or maintenance of the fence,

and in any event, the shrub destruction occurred after any current fencing work was completed. Prior to the ongoing siding project, responding to inquiry from Nepenthe's manager, Rich gave his approval to not use the traditional 2x2 spacers when the fence was replaced. Rich gave his approval because the shrubs provided screening. That screening was quite important to Rich and Mary. It helped keep headlights from alleyway neighbors' cars from shining into their home. That screening is now gone. Had you bothered to ask, you would have learned that the affected window was their bedroom window. You apparently don't care. How would you like that to happen at your home?

The Association manager sent an after the fact email perhaps as a knee jerk response to at least one homeowner's complaint regarding the plant destruction that included that done on Rich and Mary's alley. In that email, the manager essentially acknowledges that there was no advance notice or consultation regarding the subject plant removal, and contends that this plant destruction is part of the removal of "alleyway shrubs that can inhibit access for the necessary siding, fencing and painting work, as well as in other common areas for the purpose of reducing landscape maintenance expenses". The email goes on to state that "As siding, fencing and painting is completed, remediation of the areas will occur as appropriate." Among other omissions, no information is given as to what plant materials will be "appropriate", when "remediation" will be performed, or where additional destruction will occur.

It is quite difficult to believe that interference with fencing and siding work could have been the justification for much of the destruction of shrubs that is occurring. Evidence is being collected regarding apparently unnecessary plant destruction in many areas. There will be accountability.

In the proper discharge of your duties as Board members, I certainly hope that you have received advice from an independent and qualified landscape architect regarding this and all other planned significant landscaping work and will make all relevant supporting documentation available to all concerned homeowners. This will include, inter alia, independent advice regarding relative maintenance and watering burdens, plant selections, and privacy screening. If you have not or will not, please know that there may be legal and political consequences if you are merely exercising your own personal desires.

I trust that you have received training to serve on the Board. If so, you are aware of the business judgment rule and its applicability to your actions, but you are also aware that there are substantive and procedural guardrails on your exercise of that rule, and also that you owe fiduciary duties to the Association and therefore to all homeowners. If you have not had that training, you might wish to obtain detailed and specific advice from Brad.

In most circumstances, homeowners do not have the ultimate authority to decide what should be done in the common area. You, operating properly as a Board, have that authority. But our governing documents give every homeowner the right to use and enjoy the common area, and your authority is not without limits. Solicitation and proper consideration of input from homeowners should be part of the due diligence required of you to satisfy the business judgment rule, and contemporaneous supporting documentation will be required in Court if your actions are challenged.

The money you squandered by not consulting with the most closely affected homeowners and performing two separate versions of the Vanderbilt cul de sac authentic remediation project, should be informative to you. Those are the consequences of not receiving valuable input from homeowners.

Over many years, I have worked in the background for the betterment of our community. The primary reason for my involvement has always been to help the elderly and others who might not be able to help themselves. I will continue to do so.

Working with Otis Turner, Jeanie Reeves and other dedicated folks, I have spent countless hours helping to improve our management structure and our roof replacement program. More recently, I have volunteered to interface with the City to try to improve our organic garbage can problems and minimize or eliminate the proliferation of cans of all types being left in the alleys. I emailed the Board last year and spoke with the Association manager's supervisor this year. My offers to help appear to have fallen on deaf ears.

Given your apparent penchant to retreat to executive session, you surely will be expected to do so with regard to this letter and its contents. But trust that all of your actions will be reviewed for procedural propriety as well as substantive content.

I would like to believe that you consider the best interests of all homeowners to be paramount, and not just what appear to be personal pet projects. I sincerely hope that you will be able to demonstrate that to your constituency in an appropriate manner.

Please do not waste Association funds by having Brad Epstein respond to this letter. As he will likely advise you, I am not in need of edification on Davis-Stirling and the proper functioning of a homeowners' association.

Donald Person

Letter_Kelly Cole Re Landscape.pdf

December 4, 2023

TO: Nepenthe Board of Directors and Grounds Committee

CC: Dusty Favichia, First Service Residential

FROM: Kelly Cole, 700 Elmhurst Circle

RE: Landscape Remediation Project

I am writing today to express my disapproval of the current landscape remediation project currently in progress. While there is no disputing that many shrubs in our community need to be replaced, I find the practice of stripping away complete alleyways and pathways of shrubs is wrong, excessive and fiscally irresponsible. Additionally, I find the reason (excuse?) for this excessive removal so that our siding project employees may have easier access to our homes, to be completely ridiculous. As the daughter and granddaughter of gardening hobbyists, and someone who took a part-time job (for 3 years) at a local nursery so I could care for my aging parents, I know we can do better.

We also have recently learned that we may not have access to the water needed to sustain our beautiful, urban forest in the not-too-distant future. Why are we continuing to plant when we may not have the resources to care for these plants? Should we not be considering more drought tolerant options? (The plantings seem to include an excessive amount of Loropetalum and Nandina, both drought tolerant, but there are SO many more options!)

Another reason to make more discerning choices in our plantings is that we are massively over budget in our siding project. Shouldn't the priority be the care and conservation of our homes instead of ripping out perfectly viable plants?

Please, I urge you to reconsider this current plan and spend some time and effort looking at the long term, big picture.

From a frustrated and concerned resident.

Kelly Cole

November Follow-Up and December 6, 2023, Responses.pdf

RESPONSES TO NOVEMBER AND DECEMBER 2023 OPEN MEETING COMMENTS and CORRESPONDENCE

Please note these responses will always be attached to packets for Open Board meetings following the meeting where the comment was made and the monthly newsletter. As time, quantity of homeowner comments, and level of research necessary to prepare full and accurate responses, these responses may also be emailed mid-month after the meeting date mentioned in the heading.

Follow up to November Homeowner Comment Period

At the December meeting, the Board requested Ashley Tangeraas provide proof or her allegations regarding Markus Dascher. As no response had been received, Ashley was sent (email and postal) the following letter.

At the November Open Board meeting you alleged that you had proof that Markus Dascher had received preferential landscaping attention on homes where he is the listing sales agent. At the December Board meeting the Responses to Homeowner Comments requested you supply your evidence. To this date, neither this office nor any Director has received a response from you.

The Board takes seriously these allegations and requests your evidence so we can investigate. If you do not provide your documentation by January 2, 2024, then we will determine that no documentation exists to support your allegation.

Thank you,

Dusty Favichia
General Manager, Nepenthe Association

December Homeowner Comment Period

1. Mary Gray, Homeowner: Mary had two comments. First, she reports that while walking she observed a city tree at 709 Dunbarton being removed by Grove. She called the City and was told the City had funds to remove trees and that Nepenthe chose to pay to have this tree removed. Second, she did not receive the mailed financial disclosures that are required by HOA rules. Dusty, the GM, assisted her and she appreciates that. She suggests that we inquire as to how some homeowners might not have received that mailing.

Board response:

On Mary's first issue - In the interest of time for those who only wish to read of the outcome, it is confirmed the birch tree in question was on Nepenthe property and a responsibility of Nepenthe. The cedar tree being removed at the same time was deemed a Nepenthe responsibility, even though not actually on Nepenthe land, as

December 28, 2023

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Nepenthe's interest in removing the tree to avoid potential damage to Nepenthe residents was higher than the City's concern about damage to Howe Avenue.

BACKGROUND (email quotes are as written):

To ensure that Nepenthe's monies are properly being spent, the Board took these actions: 1.) Asked The Grove's arborist for information on the tree removal mentioned and their understanding of responsibility. 2.) Management asked Mary Gray for details on the City Department called, and if known, the name and position of the person who gave her the information. Both Mary Gray and Paul DuBois responded. Paul sent an initial email and a follow-up after being provided Mary's email response.

Mary's email reply was: "I called 311 and asked if the tree was in the city right of way and who paid to take it out I was told it was in the city right of way and a return call from urban forestry confirmed that we paid for the removal even with the knowledge that the city has the resources to remove it"

The Grove arborist, Paul DuBois' first response: "I'm not sure where these people are getting this information, but it is not accurate. The City only manages their assets, trees that are in City owned right of way and along city streets. They do not provide services to private owned trees. Take for instance the cedar tree we recently removed just above that birch tree that was closer to Howe Ave in the right of way. That was a City owned tree. They agreed with my assessment the tree should be removed, however it was made clear that they would not be removing the tree and that the condition of the permit would be them giving us the permission to remove it at nepenthe expense. I've petitioned the city for a couple years to prune the trees along Howe ave. that they consider city trees in the right of way and they said they will do that work when it comes up in their cycle. The city is on a 7-year pruning cycle on management of their trees. The work provided is bare minimum on what they even do and most all of the time it is only specific hazards or portions of tree canopy that would impact public safety. For instance, trees overhang the road they will prune but if a portion of the canopy on that same tree is over a private home it is the homeowner responsibility to permit the work and do the job. Also, regarding that specific birch. I stood there with the city arborist while looking at the cedar along Howe and told her we were removing the birch tree as well and she said nothing to me about the city willing to step in and remove it. Hopefully this is useful information."

Paul's second response: "Thank you for the clarification, In addition that birch tree was not in the city right of way. We did look into that a year or two ago when we proposed a cleanup of that berm area. The City's right of way is only about 3'-4' from the curb on Howe Ave along the berm. So only a small amount of the trees along there are the City's. Now when we permitted the one Cedar there that they claimed was a city tree, Ericka the arborist for the city said specifically that they acknowledged that the trees condition warranted a removal however the city was prepared to leave it because it would not pose a risk to Howe Ave, and that if the tree s defect was to fail the tree would fall into nepenthe therefore if we wanted to take on the removal it would be at the

HOA cost. So that's the route we took with that tree. But the birch tree was like 3' from the back of that house nowhere near the ROW." [ROW=right of way]

Regarding Mary's second comment about not receiving her financial report, First Service uses a 3rd-party mailing service which uses Nepenthe's mailing list to address mailings. Once mailed, delivery is the responsibility of the USPS.

Mary's issue seems to have been resolved. If any homeowner has questions about receipt of Nepenthe materials, we encourage you to contact the office to receive copies.

2. Kathy Mathews, Homeowner: She has observed gardeners working on the weekends and wishes to know who pays for it. She wishes to know who pays for tree removals from homeowner patios. She requests information on how to have a topic added to the agenda; when she moved in her chimney was blocked. She feels this is a safety hazard and chimney and heating vent inspections should be an HOA-paid function.

Board response:

Carson is not paid extra for weekend or holiday work. For example, they worked Thanksgiving Thursday in trade for that Friday off. Nepenthe does pay for any call-out emergency irrigation repair on weekends or evenings.

Chimneys and fireplaces are not items included in the CC&Rs that guide the Board's maintenance efforts. To add that service the CC&Rs would need to be modified and there would be additions to the monthly dues. At this time, the Board does not anticipate modifying the CC&Rs to add this service. Homeowners are cautioned that certain things are still their responsibility to maintain and repair.

3. Brian Coates, Homeowner: Why is there not a budget for reserves? He did a spreadsheet and things did not add up. As to siding damage issues, are we planning for future plantings to be away from fences and siding?

Board response:

A **reserve account** is an account dedicated to unanticipated and deferred expenditures, particularly large ones. The association allocates money toward its reserve account over time so that when a costly repair or comparable outlay becomes necessary, cash reserves are available to handle the expense without sacrificing day-to-day functions. More simply stated, the purpose of a reserve account is to ensure Nepenthe has sufficient funds to cover unexpected or out-of-the-ordinary expenses such as repairing a clubhouse roof, replastering a swimming pool ahead of its planned maintenance or making extensive repairs following, for example, a severe weather event.

Nepenthe utilizes a **reserve study** as a long-term, 30-year, financial planning tool that identifies the common elements belonging to the Association, and recommends a funding plan over time to maintain, repair or replace these common elements over a specified time period. The reserve study also functions as a maintenance planning tool for the association.

Each of the identified common elements is assigned a remaining useful life and replacement cost. Using the current status of the reserve fund as a starting point, the

reserve study projects the necessary contributions to the reserve fund in order to maintain an adequate, but not excessive, reserve contribution over the specified period of the study to properly fund capital projects relating to the common elements. Nepenthe's reserve Threshold Funding Goal is to maintain a Reserve balance above \$5,000,000.

Effectively, the reserve study serves as a continuous forecast for the future. It conveys our community's capital planning needs to current and future boards and supports the Board's fiduciary responsibility for the maintenance and operation of the community. Following the reserve study recommendations plus observing the Threshold Funding Goal minimizes the risk of additional assessments or bank loans and ensures capital projects can occur in a timely manner. A properly maintained community increases curb appeal and enhances property values, ultimately making the association a more desirable one.

All current and future landscape remediations are planted back from the siding and fencing to prevent moisture buildup which will extend the life of the siding and fencing.

4. Don Landslittel, Homeowner and member Finance Committee: The transcription of his November comments indicate he asked a question about not spending all the reserve allocations. That was a comment, not a question. What amount would we not need to spend to be 65% funded in our reserves? He wants Board members to know that figure and report that information at the next Board meeting. We cannot afford to do all the shrubbery at one time, it needs to be done slowly. The large number of homeowner requests for landscaping might be due to people seeing so much money being spent and concern that homeowners feel they must 'get mine' before monies run out. He'd like Alan Watters to confirm that, while we are accepting as accurate siding people saying plantings should have a 2-foot allowance to fences and siding, building codes say 18 inches.

Board response:

In answer to Don's question about raising our percent funded to 65%, a quick answer is this: The amount required to increase the Percent Funded from 48.5% at fiscal yearend 2024 to 65.0% is \$3,474,580.

Any deeper discussion is most appropriately handled within the Finance Committee. As a member, Don is free to bring the topic to the Committee Chair for inclusion in the agenda.

However, to make sure all homeowners have the same information, the Board again wishes to clarify the issues. A percent funded amount has no relationship to the fiscal soundness of our Reserve Fund nor does it reflect the ability of the organization to pay its obligations. The percent funded is a point in time measure obtained by dividing the **current reserve fund balance by the fully funded balance**. The percent funded simply reflects the cash on hand to cover future expenses. The Nepenthe Board uses a Threshold Funding goal with a 30-year budget to always keep the reserve balance

above \$5,000,000, which ensures that we always have enough cash on hand to meet our needs.

From this description, you can see that a few important things are left out.

- First, the percent funded metric doesn't take into account that we make a contribution to the reserve fund every month.
- Second, the percent funded metric doesn't take into account that we have savings and expenses every month because reserve components don't always wear out at the rate we expect.

Each year the Percent-Funded metric changes. Why?

- Some years we have lots of expenses and some years we have fewer expenses.
- The years when our expenses are high- like when we have to replace siding, not only do we have less cash, but our Fully Funded Balance is high, so our percent funded goes down.
- After we finish the siding project, the percent funded will start to go up again.

If we think of our own checking accounts, there times when (perhaps just after income is deposited) where our % funded amount is quite high. Once we begin spending that money, the percent funded drops. That percent has nothing to do with one's ability to pay for expenses and obligations.

Some homeowners are concerned that potential buyers might be concerned with our percent funded statements. A realtor or finance officer can assure buyers that the percent funded value has little impact upon the viability of the HOA to meet its needs.

Alan Watters responded to Don's request for confirmation on building codes for plant setback in this way: "I have no idea what the City or state building codes say about the setback distance from siding or fence for plants. I do know that the current Architectural Guidelines state, in one spot, 18 inches, on the top of p. 22. Maybe the ARC rules got that figure from building codes, but I don't know. But extending the buffer zone to a full 2-foot distance would only help, I would think."

5. Ricardo Pineda, Homeowner and member Insurance, Legal & Safety

Committee: Ricardo would like to be invited to the Wood Rodgers meeting December 12. He would like a review of the camera criteria used by the Architectural Review Committee. He has been told he must paint his exterior cameras to match the building paint but the clubhouse swim area has cameras that are white. He'd like permission to keep his cameras white.

Board response:

The cameras at the clubhouse and cabanas are scheduled to be painted to match the buildings during the siding and painting project. The Dunbarton Cabana will be the first common facility on that schedule.

At a future meeting, the Board will be reviewing camera installation policies in conjunction with the Architectural Review Committee.

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6. Jerry Dunn, Homeowner and member Insurance, Legal & Safety Committee:

The 2024 dues increase is unnecessary. How are we accounting for interest earnings? Why are we only putting 3.5% into reserves? We have always contributed more than that. There seems to be no accounting for the \$2.5 million spent from Reserves. Jerry wishes to commend the Board for being on top of the needed tree work and notes that a tree at the back of 106 Elmhurst looks like it may fall in a storm.

Board response:

The Browning study has consistently suggested an annual 3.5% increase to the reserve fund. And, to quote Will Vizzard at the December Open meeting, "For the last several years, Boards have been hedging a little bit on funding the full reserve projections and every time you hedge, the next year it gets worse." All monies disbursed are accounted for in our accounting records. Each Reserve line item has a GL (general ledger) code assigned and all charges to that code are trackable. Throughout the year the Board uses the Reserve funds to take care of the highest priority maintenance and repair needs in the common grounds and buildings. Just as in a home budget, monies may be moved from one planned use to another if a greater need arises. Income from interest earned is added to the reserve account.

The Grove arborist reviews our trees at least twice a year. 106 Elmhurst is in Zone 6 and was last reviewed in September. When homeowners see a tree that possibly needs review, call the office and request the tree be checked. Taking action that way will help support our forest.

7. Amy Mickel, Homeowner: She has written several times to the Board about landscaping at the clubhouse tennis courts. She would like a response. She feels she is being disrespected. Her questions are: 1) what is the plan for landscaping outside the courts? 2) Why was the Ad Hoc Sports Court Report not discussed at an Open meeting? 3) Who were the professional consultants to that report? 4) Why was the removal done prior to the June meeting?

Board response:

The following is a letter sent (email and USPS) responding to Amy's concerns. A copy of the Ad Hoc Sports Court Report is attached to the end of this document.

The Board is responding to your concerns about the removal of trees along the clubhouse tennis courts and plans for landscaping in that area. Please note that, upon legal advice, all Board consideration and approval of proposals is conducted in Executive session.

First, the Board assures you all proper steps were taken during the time the issue of the trees along the tennis courts was reviewed and determined. The timeline for the tree removal review and decision is:

- The 2022 proposal for remediation in the Adelphi area and removal of the juniper trees along the tennis courts, recommended by the Grounds Committee and the Grove arborist, was rejected by the Board as too costly.

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- The original landscape proposal was split into 2 segments with the residential remediation, again covering work recommended by the Grounds Committee, approved by the Board in January 2023.
- Our 2023 Browning reserve study forecast large expenditures for the sports courts. In April the Board named an ad hoc committee to study the courts and advise on the maintenance needs and condition of the courts.
- The resulting report (attached) was presented to the Board for consideration at its May 3, 2023, Executive session. The report included the recommendations of Bruce Sheldon and Dan Sivley of Tennis Courts Specialists. Specific to the clubhouse courts, the report cited the trees as being planted within inches of the fence with the roots lifting the courts and leaving visible cracks. This court lifting prevented water from draining off the court. The Board's decision to remove the trees (and other sports court recommendations of the committee) was based upon this report.
- At the May 3, 2023, Open Meeting, the report was presented to the community.
- The May newsletter announced the Board approval of the report and the proposal to remove the juniper trees.
- Work on the tree removal began in June 2023.

Second, at this time there are no landscaping changes planned for the area along the clubhouse tennis courts; planting dense shrubs along the fence leads to the same damage issues the removal of the junipers corrected. Given the new State law regarding irrigation of turf, there may be changes coming. These cannot be projected until regulations and protocols are developed by the State Water Resources Control Board. It can be assumed that, if the turf along the tennis courts cannot be retained, drought-tolerant and low-maintenance plantings that can be irrigated by drip systems will be installed.

Thank you,

Dusty Favichia
General Manager, Nepenthe Association

8. Ashley Tangeraas, Homeowner: Lots of homeowners have not seen a positive change within the Board. She is submitting a recall petition for Christina George as she feels Christina has not fulfilled the promises she made when she ran for the position. A petition was given to the Board and General Manager.

Board response:

A special Open Board Meeting was scheduled for December 18, 2023, in conformance with the regulations regarding recalls. A letter will be mailed to all homeowners detailing the timing of the events involved. Recall elections follow the format for annual officer elections. Each home will receive a mailed ballot package where the owner can vote for or against the recall. A quorum is ½ plus 1 of the 590 residences in Nepenthe. If the quorum is not achieved, the recall fails. If there is a quorum of voters, the election committee will count votes and declare the outcome at another special Open Board

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meeting on May 3, 2024. The mailed ballot package will include the charges made to justify the recall, the Director's rebuttal, and further instructions on how and when to return completed ballots.

9. Ricardo Pineda, Homeowner: At the end of the alley at 1007 Dunbarton, the tree has a sign indicating removal. There has been vegetation removed or damaged, but homeowners received no communication and do not know why the vegetation was removed and when remediation will occur. When he called the HOA office, he was advised the work was part of the Zone 4 package. Feels the homeowners should be advised when so much work is to be done. **[Board President advised that the signs paid for by Nepenthe indicating work was in progress were stolen. Such signs are again on order.]**

Board response:

Proposed tree work is discussed in detail at Grounds meetings where all homeowners are welcome. Additionally, proposals contain addresses where tree work is to be performed. The office notifies the community at large when community-wide events are to occur (i.e. when cranes will be in the area and might interrupt garage access.) The removal of a very large cedar tree and its root system at 1009 Dunbarton necessitated the removal of surrounding vegetation, thus the need to remediate the area. Grounds does not specify to the contractor specific plantings on any work proposals. Carson Landscaping selects plants from the Vision Statement and our approved plant list to best suit the conditions (shade or sun and type of irrigation) of the area. When mature plantings are removed or age out, it will take time for new plants to reach their full size and density. Remediation here was scheduled to begin 12/18 but has been delayed by the weather. Work is performed within the contractor's schedule and details on remediation, especially this time of the year, are weather and supply dependent.

10. Carol Duke, Homeowner: Suggests the association notify via email rather than spend money on signs.

Board response:

The office regularly sends some notifications to the community via email. Information pertinent to only small segments of the residences is not sent to the entire community.

Correspondence to the Board

1. Bill White, Homeowner: Bill is frustrated that homeowners on his alley have not successfully changed the Board's decision about not permitting Bill to pay for a larger replacement tree, yet the Board approved a re-working of the remediation on Vanderbilt Circle. He feels the Board has not treated the two issues fairly.

Board response:

There appears to be a misunderstanding of the sequence of events involving the change in the landscaping on Vanderbilt. Frank Carson, the owner of Carson Landscaping, came to the site after hearing from his employees that some residents were unhappy with the design. Frank decided that his company would alter the design and reuse materials in another place. The change was done at no cost to Nepenthe and

there was no Board decision involved. Markus Dascher was there when Frank looked at the site, but Markus did not influence Frank's decision.

The Board takes seriously the issue of work authorization, community notification, and correct payment for services we receive. This is perhaps a good time and venue to review for the community how Board financial decisions are made. The Board is elected to make decisions in conformance with the CC&Rs and by-laws. Any contracts or proposals for work are decided at Executive meetings. Approval requires at least 3 Director votes in favor. Any approvals are reported to the community at the following month's Open meeting, and in the newsletter after that meeting. Approved proposals are reviewed, as a general practice by the Board liaison officer and signed if the documents conform to what the Board approved. That signed document supports writing a work order to the vendor authorizing work. When invoices involving reserve fund items is received, the invoice initiates a payment authorization (REA) which is again reviewed and signed, again as a usual practice, by the Board liaison to ensure the work corresponds to the authorization, and always by a second Director who also reviews the documents for accuracy.

The Board will continue to deny homeowner requests for direct involvement in grounds and landscaping decisions.

2. Amy Mickel, Homeowner: Amy spoke about the issues presented in her letters and documentation she has submitted (part of prior and the December Board packets).

Board Response:

See page 6 above.

NEPENTHE ASSOCIATION
SPORTS COURTS AD HOC COMMITTEE APRIL 2023
Submitted by: Christina George, Susan Timmer, Peter Klein

ASSESSMENT AND REVIEW OF NEPENTHE SPORTS COURTS

There are three sites in Nepenthe HOA that contain tennis courts: the Nepenthe Clubhouse, Commons Drive, and Elmhurst Circle (adjacent to University Drive). Additionally, the Clubhouse site has 4 pickleball courts. This assessment and review describe the current state of these tennis/pickle ball courts and recommendations for future repairs and maintenance to preserve our investment in these assets.

CLUBHOUSE COURTS

Courts were resurfaced in June 2021 by Tennis Court Specialists at a cost of \$48,000.

Issues:

- Eight Juniper trees and one Liquidambar tree are planted within inches of the fence
- The tree roots are lifting the courts and cracks are visible
- The lifting of the courts prevents water from draining off them
- There is limited seating on the pickleball courts for players. To remedy this problem, players are carrying chairs from the poolside down to the courts. The chairs have metal casters and are damaging the court surface.
- Courts have never been washed since being resurfaced in 2021

Recommendation:

To stop the progress of the current damage and to get the full useful life of the 2021 resurfacing, we recommend the following:

- Remove the 8 juniper trees, liquidambar tree and plantings
- Cap the irrigation next to the fence
- Ensure the surrounding landscape is lower than the court surface. This will allow for water to run off the courts and not puddle up on the courts after a rain.
- Purchase 4 – 5 plastic benches for pickleball courts. Permanent wooden benches with awnings, as we have now, is not an option since the courts will be damaged by drilling into the asphalt to install the metal posts
- Postpone installation of wind screening until completion of the tree removals
- TBD- Chain link fence might have to be replaced since the trees have grown into the fence.
- Prune tree branches hanging over the courts
- Wash the courts 2-3 times a year

COMMONS DRIVE COURTS

Courts were resurfaced in 2016 by NorCal Asphalt. Tennis Court Specialists inspected and submitted a proposal for resurfacing the courts and repairing approximately 250ft of cracks for \$17,000

Issues:

Cracks on both courts

Courts have never been washed since being resurfaced in 2016

Recommendation:

- **Postpone resurfacing until 2024**
- Wash the courts 2–3 times a year
- Prune tree branches hanging over the courts

ELMHURST/UNIVERSITY AVENUE COURTS

Courts were resurfaced in 2016 by Norcal Asphalt.

Issues:

Tennis Court Specialists will not resurface these courts due to the incorrect slope of the courts and the water ponding issues. To correct the slope, the courts would have to be dug up and the slab reinstalled. This would be cost prohibitive.

Tennis Court Specialists recommend that the courts be cleaned and maintained regularly. This is the most economical way to move forward.

Suggestions of converting one of the tennis courts to a bocce ball court would mean cutting the asphalt and digging up the court before a bocce ball court can be installed. An expensive proposition.

Any other non-sports use of the courts would be a Board decision.

Recommendation:

- **Postpone resurfacing indefinitely**
- Wash the courts 2-3 times a year or as needed
- Prune tree branches hanging over the courts

CAPITAL EXPENDITURES EQUIPMENT FOR COURT WASHING

- Purchase Water Broom Deluxe 9-Jet \$262.00 from DH Distribution, Tel: 650 563 9600, email: www.dhtennis.net



The water broom hooks up to a standard hose. Removes dirt and debris from the courts and windscreens. Its 9-jet feature cleans a 4 foot path allowing courts to be cleaned twice as fast. It also uses 90% less water than with a hose and conventional nozzle.

BENCHES FOR PICKLEBALL COURTS

- Purchase 5' Bench available in white or green - \$256.00 from DH Distribution, Tel: 650-563-9600, email: 222.dhtennis.net
- Benches are made of Polyurethane, UV and fade resistant for increased durability. Weighs 35 lbs which makes it portable for added usefulness. 60"L x 29-3/4"H x 21-3/4"D
- 2nd option: Purchase Home Depot stackable plastic chairs \$14.98 each



COURT MAINTENANCE

Historical Court Maintenance Practices: Up until 2016, courts were resurfaced approximately every 21 years. According to Browning, resurfacing involved using an overlay (Petromat fabric overlay), new asphalt, color coat, sealer, and painting striping/lines. Resealing was scheduled on a 7 year cycle, repairing cracks, resealing, and restriping.

Current Court Maintenance Practices: Courts are usually resurfaced every 5–8 years. Tennis/pickleball courts require little care but they do require some maintenance to help extend the life of the court. Blowing off debris and regular washing are recommended to keep courts safe (preventing slips and falls) and well-maintained. When Carson acquired the landscape contract, their staff began blowing debris off the courts daily. However, none of the courts have ever been washed. At tennis/pickle ball clubs, which get heavy use, courts are washed monthly or bimonthly. In Nepenthe, the courts are not heavily used but they are surrounded by trees and plants. Problems with irrigation and drainage caused mud, etc. to build up at the edges of the courts. Recently Carson fixed this problem, adjusting the sprinklers surrounding the courts to ensure that water from the sprinklers do not hit the court. We are therefore recommending that courts should be washed 2-3 times a year. The Elmhurst/University Avenue courts might need extra attention because of the water ponding issues. Although we recognize that it is the Board responsibility to decide who will wash the courts, we believe that either our full-time facilities technician or an outside contractor are able to perform these duties.

RESERVE STUDY ALLOCATIONS FOR TENNIS COURTS

- The current allocations in the Reserve Study for tennis court maintenance are consistent with the way courts were maintained in the past: resealing tennis courts every 7 years, resurfacing courts every 21 years. There are also allocations repair/maintenance/replacement of awnings and benches at each site. (The history and current status of tennis court repairs can be found in Appendix 1.)
- Table 1 below shows the current reserve allocations for tennis courts. For the current year, \$86,486 is allocated for maintaining the Commons Drive courts (\$68,874) and the Elmhurst Circle courts (\$17,610).

Table 1: Current Reserve Study Allocations: Tennis courts and related items

	2021	2023	2024	2029	2030	2033	2037	2039	2040	2044	2050	2051	Total allocated (future only)
Clubhouse courts	Past/ expended												
104-Resealing					\$60,823				\$77,858		\$99,665		\$238,346
308-Misc. (bench, awning)		\$2,825							\$4,193				\$7,018
502-Resurfacing	[\$48,000]								\$166,260				\$166,260
132-Chainlink fence					\$42,931								\$42,931
Commons Dr courts													
104-Resealing		\$13,773			\$16,371		\$19,460			\$23,132		\$27,497	\$100,233
308-Misc. (bench, awning)			\$2,825						\$4,193				\$7,018
502-Resurfacing		\$55,102								\$92,548			\$147,650
132-Chainlink fence						\$28,219							
Elmhurst courts													
104-Resealing		\$13,773			\$16,371		\$19,460			\$23,132		\$27,497	\$100,233
308-Misc. (bench, awning)		\$3,838						\$5,697					\$9,535
502-Resurfacing				\$25,892					\$83,884				\$109,776
132-Chainlink fence						\$28,219							\$28,219
Year totals	[\$48,000]	\$89,311	\$2,825	\$25,892	\$136,496	\$56,438	\$38,920	\$5,697	\$336,388	\$138,812	\$99,665	\$54,994	\$957,219

TENNIS & PICKLEBALL GUEST RULES ADOPTED BY THE BOARD, APRIL 8, 2020

Guests must adhere to all rules applicable to Owners and Residents plus the following rules that pertain specifically to them:

- No more than four (4) guests per household in any of the pool areas or sports courts at once
- Guests must be accompanied by resident when using the amenities
- Long term guests, such as house sitters, may use the amenities independently if the resident provides a note to management in advance

**Respectfully submitted by Christina George, Susan Timmer, Peter Klein
April 15, 2023**

Attachments:

- Charge to Sports Court Ad Hoc Committee
- Grove Report
- Tennis Court Specialists Report
- Tennis Court Specialists Proposal
- Carson Proposal dated 1/6/23. Carson has confirmed that proposal is still valid
- Tennis Courts - Reserve Study Comments

CHARGE TO SPORTS COURTS AD HOC COMMITTEE 2023

Members - Christina George (Chair), Peter Klein, Susan Timmer

The formal appointment of the ad hoc committee will occur at April open meeting

Purpose: To advise the Board in its duty to maintain the amenities of the Association.

Charge - Inspect three sports courts (Main Clubhouse, Common Drive, Elmhurst Circle) and prepare a written report for the Board.

Report to include information, options and recommendations on:

- Condition of each court
 - what are current needs
 - what does current Reserve Study say
 - what are anticipated needs, within a foreseeable future
 - suggest maintenance plans and schedule
 - for Elmhurst, are there minimums that would suffice
 - consider the proposal to remove juniper trees at clubhouse court
 - if they are removed, does green screening need to be provided
 - improvements needed
 - alternate uses for Elmhurst location
- Seating needs at all courts
- Signage needs (i.e., do not move pool chairs onto court, guests, etc.)

Contact information:

Christina George, cjadot@me.com

Susan Timmer, stimmer@ucdavis.edu

Peter Klein, notes4pk@yahoo.com



October 19, 2022

October 19, 2022, I conducted a limited basic visual inspection of Cypress (*Cupressocyparis leylandii*) at the tennis courts of the Nepenthe HOA Clubhouse at 1131 Commons Dr. Per request of the property owner. The cause of the inspection was to address the health and safety of the tree as it relates to the property.

- DBH ~12" Health Fair
- Trees are growing into the fence along the tennis courts
- Signs of lifting from the tree roots along tennis court

I reviewed the trees planted along the fence of the tennis courts at the main clubhouse. The trees are planted within inches of the fence line around the court and over the years have grown in, through and around the fencing. Due to the proximity of the trees to the court the root flair of the trees has started to alter the surface court even causing cracks in the court. Maintenance of these trees is difficult because of how the trees have grown into the fencing that pruning them away from court to create space is not possible. Due to the current condition, there are no mitigation options possible to correct these defects. I recommend removal of the trees and replacing them with new plants installing them further away from the court to prevent this issue from reoccurring while maintaining the privacy.

Sincerely,

Paul Dubois
The Grove Total Tree Care
ISA Board Certified Master Arborist WE-9034BUM
Qualified Tree Risk Assessor

9530 Elder Creek Road, Sacramento CA 95829
OFFICE: 916-231-8733 FAX: 916-856-5410

CONTRACTOR'S LICENSE 1104968

A DIVISION OF CARSON LANDSCAPE INDUSTRIES

Betsi Ledesma

From: bruce sheldon <tenniscourtspecialists@gmail.com>
Sent: Monday, February 6, 2023 10:06 AM
To: Betsi Ledesma
Subject: tennis courts
Attachments: Nepenthe Association 2023.doc

Hi Betsi,
Here is our contract for the tennis courts on Commons Drive. Regarding the two tennis courts off of Elmhurst Circle: Due to the slope of the courts, and the water ponding issues, I recommend that they be cleaned and maintained rather than color coated at this time.
Let me know if you have any questions.
Thank you.
Bruce

Tennis Court Specialists
Bruce Sheldon / Dan Sivley
871 Ridgeview Drive / Woodland, CA 95695
State License #808636
Phone 530 681-0772

Proposal

February 6, 2023

Bettsi Ledesma
Nepenthe Association
1131 Commons Drive
Sacramento, CA 95825
916 929-8380

CONTRACTOR AND OWNER AGREE AS FOLLOWS:

Contractor shall furnish as per submitted specifications and cost, all materials, labor, equipment, transportation and perform all work necessary for the complete resurfacing of two tennis courts on Commons Drive. Owner shall provide access to the property, water and electricity to the site and allow trash to be placed in the dumpster. Owner shall grant free access to workmen and vehicles, and shall allow areas for storage of materials and rubbish. Owner agrees to keep driveways clear and available for movement and parking of vehicles. Owner agrees to be responsible for any required fees, permits, or licenses.

Clean and prepare surface by water broom and/or blower
Repair approximately 250 feet of cracks using RiteWay crack repair system
Apply two coats of Laykold Nusurf acrylic resurfacer over RiteWay repaired areas
Apply two coats of Laykold color surface system over entire surface
Tape and hand paint lines in accordance with the USTA specification

We propose to perform and complete the above specification for the sum of:

Seventeen thousand dollars (\$17,000.00)

Please note: There will be an increased cost if more cracks appear or cracks grow before work commences.

All material and ratios are guaranteed to be as specified. All work to be completed in a workman like manner according to standard practices. We cannot and do not warrant against cracks or checks reappearing. Payment due upon completion.

Authorized Signature _____ Bruce Sheldon

ACCEPTANCE OF PROPOSAL:

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified.

Authorized Signature _____ Date of Acceptance / / 2023

Landscape Improvements

Project Address: Commons Dr. - 1131
 Project Name: Nepenthe Association
 On-Site Location: Zone 1 East Side by Tennis Court (See attached Map and Photos)



Carson Landscape Industries agrees to provide labor and materials to perform the following services.

Work Description

- Remove (8) Juniper Trees and Nandinas (small section of ivy) by the tennis court fence at the east side.
- Grind stumps as best possible – Remove stump grinds and hand remove sections by fence and tennis court concrete.
- Repair irrigation as needed if filling areas with top soil blend.

Note: It is possible that some of the wood will stock on the fence, we will try our best to remove it, but not 100% or we will damage the fence.

Labor & Equipment

Service	Crew Size	Days	Total Hours	Labor Rate	Total Price
Landscape Improvement	1	1	8	\$115.00	\$920.00
Landscape Improvement	3	1	24	\$105.00	\$2,520.00
Tree Removal	3	.5	12	\$125.00	\$1,500.00
Stump Grinding	1	.5	4	\$180.00	\$720.00
Total Labor & Equipment					\$5,660.00

Materials

Qty	Size	Item	Unit Price	Total Price
5	Cu Yd	Topsoil Blend	\$45.00	\$225.00
		Misc. Irrigation Parts and Hardware		\$395.00
		Waste Fee		\$360.00
		Total Materials		\$980.00

Total Labor and Materials \$6,640.00

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. Our workers are fully covered by workers compensation and our firm is covered by liability insurance. This proposal may be withdrawn by us if not accepted within 30 days.

Carson Landscape Industries

Contractor's License No. 470283
 9530 Elder Creek Rd.
 Sacramento, CA 95829-9306
 Tel: 916-856-5400 • Fax: 916-856-5410
 Email: olopez@carson1975.com

Nepenthe Association
 1131 Commons Drive
 Sacramento, CA 95825
 Tel: 916-929-8384
 Email: bettsi.ledesma@fsresidential.com

By: Oscar Lopez (by EFB) By: _____
 Name: Oscar Lopez Name: Bettsi Ledesma
 Title: Account Manager Title: _____
 Date: 1/6/2023 Date: _____

Appendix 1: Tennis Courts- Reserve Study Comments

00020 - Main Clubhouse Areas
17000 - Tennis Court

306 - Miscellaneous
 Tennis Court Awning & Bench

Useful Life	16	Remaining Life	2
Quantity	1	Unit of Measure	Lump Sum
Cost /LS	\$2,688	Total Cost/Study	\$2,688
% Included	100.00%	Future Cost	\$2,825
Replacement Year	2024		

Summary

This is to replace the green canvas awning and bench.

Note- the 4x4 composite bench seat is replaceable.

2018- \$3,340 was expended.

GL

500 - Resurface
 4 Main Clubhouse

Useful Life	21	Remaining Life	18
Quantity	4	Unit of Measure	Items
Cost /Itm	\$26,650	Total Cost/Study	\$106,600
% Included	100.00%	Future Cost	\$166,260
Replacement Year	2040		

Summary

This is to resurface the tennis courts utilizing an overlay. Resurfacing includes a Petromat fabric overlay, new asphalt, sealer, color coat and striping.

2021- Remaining life extended per client to 2040. Moderate linear cracking throughout was observed. Remaining life reduced from 40 to 21 per client.

2020- Major work was done on the tennis courts in 2020 which caused this remaining life to be extended, pending confirmation of work, and the next reserve inspection. According to the vendor, Tennis Court Specialists, in 2020, this major remediation will never need to be done. So BRG has extended the useful and remaining lifes by large amounts. Although these may last a long time, they may not last "forever."

2019- \$921 was expended.

2015- There are moderate linear cracking.

GL N23271

17000 - Tennis Court

100 - Reseal

4 Main Clubhouse

Useful Life 10 Remaining Life 8
Quantity 4 Unit of Measure Items
Cost /Itm \$12,480
% Included 100.00% Total Cost/Study \$49,920
Replacement Year 2030 Future Cost \$60,823

Summary

This is to reseal and restripe the tennis courts, after repairs are made.

2021- The \$48,000 proposal work was not completed in 2020. Per client, actual expenditure is anticipated in May or June 2021. This work is only including repairs, crack fill, resurface and striping. Moderate linear cracking throughout was observed. Remaining life set to 2030 to line up with the next resurface.

2020- \$48,000 was expended for seal, strip and crackfill in 2020. Based on information from the association's vendor, Tennis Court Specialties, this cost has been increased based on 2020 work. BRG has minimally extended the useful life based on this work, and made major changes to the long term replacement or overlay. See related component.

2016- \$17,244 was expended.

2015- There are moderate linear cracking. This surface should be evaluated by the proper experts and re-sealed as needed.

2008- Last sealed.

Costing provided by Tennis Court Specialists

GL N23271

00040 - Elmhurst Cabana Areas

17000 - Tennis Court

310 - Miscellaneous

3 Tennis Court Awning & Benches

Useful Life 16 Remaining Life 1
Quantity 3 Unit of Measure Items
Cost /Itm \$1,248
% Included 100.00% Total Cost/Study \$3,744
Replacement Year 2023 Future Cost \$3,838

Summary

This is to replace the green canvas awning and benches.

2- benches

1- awning w/structure

2017- Remaining life reduced one year to sync with sealing.

2012- Remaining life reset to mid life pending direction from client. This area looks in good general condition. The 2008 study indicated this was done but appears it was not. According to management, once these tennis courts are resurfaced in 2009, this project may have a higher priority.

2010- Deferred from 2010 to 2011.

2009- Awning is showing signs of stress but is in fair condition.

GL

504 - Resurface

2 Elmhurst

Useful Life 21 Remaining Life 18
Quantity 2 Unit of Measure Items
Cost /Itm \$26,879
% Included 100.00% Total Cost/Study \$53,758
Replacement Year 2040 Future Cost \$83,844

Summary

This is to resurface the tennis courts utilizing an overlay.

2021- Remaining life extended per client to 2040.

2017- Remaining life extended for 2 cycles after 2016 sealing.

2015- The 2024 remaining life may extend as no major cracking or failure was observed.

2012- Life extended as the courts look in good condition.

GL N23273

17000 - Tennis Court

106 - Reseal

2 Elmhurst

Useful Life 7 Remaining Life 1
Quantity 2 Unit of Measure Items
Cost /Itm \$6,718
% Included 100.00% Total Cost/Study \$13,437
Replacement Year 2023 Future Cost \$13,773

Summary

This is to reseal and restripe the tennis courts. This is the Tennis Court near Elmhurst & Hartnell (Village Ten).

2017- \$11,650 was expended. Later, client advised expended in 2016, not 2017.

GL N23273

00045 - Commons Tennis Ct Area
 17000 - Tennis Court
 104 - Reseal
 2 Commons

Useful Life 7 Remaining Life 1
 Quantity 2 Unit of Measure Items
 Cost /lrm \$6,718
 % Included 100.00% Total Cost/Study \$13,437
 Replacement Year 2023 Future Cost \$13,773

Summary

This is to reseal and restripe the tennis courts.

2015- Moderate court cracking was observed.
 2016- \$9,684 was expended.
 2012- Extended life to 2016. Minor chipping noted at north end.
 2008- Courts were sealed.

GL N23274

308 - Miscellaneous
 Tennis Court Awning & Bench

Useful Life 16 Remaining Life 2
 Quantity 1 Unit of Measure Lump Sum
 Cost /LS \$2,688
 % Included 100.00% Total Cost/Study \$2,688
 Replacement Year 2024 Future Cost \$2,825

Summary

This is to replace the green canvas awning and bench.

Note- the 4x4 composite bench seat is replaceable

2008- This was installed by Fred Wilton.

GL N23274

502 - Resurface
 2 Commons

Useful Life 21 Remaining Life 1
 Quantity 2 Unit of Measure Items
 Cost /lrm \$26,879
 % Included 100.00% Total Cost/Study \$53,758
 Replacement Year 2023 Future Cost \$55,102

Summary

This is to resurface the tennis courts utilizing an overlay. There is a problem with water infiltration on the south side of the court.

2012- Extended one year and one seal cycle as the condition looks good except for some light cracking between the courts and the pod.

GL N23274

Bettsi Ledesma

From: bruce sheldon <tenniscourtspecialists@gmail.com>
Sent: Saturday, February 11, 2023 8:02 AM
To: Bettsi Ledesma
Subject: Re: tennis courts

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Bettsi,
The juniper trees are damaging the courts due to being planted too close. The roots are upheaving the courts and not allowing the water to drain off them. The fences are also starting to be affected. We recommend taking them out to prevent further damage. All the trees surrounding all of the courts should be trimmed back, including the redwoods on Common Place.
Bruce

On Tue, Feb 7, 2023 at 3:34 PM Bettsi Ledesma <Bettsi.Ledesma@fsresidential.com> wrote:

Bruce,

Thank you for your proposal. Could you please give me your professional opinion about the juniper trees harming the clubhouse courts?

Kind regards,



BETTSI LEDESMA, CMCA, AMS
General Manager
Direct 916-929-8380



From: bruce sheldon <tenniscourtspecialists@gmail.com>
Sent: Monday, February 6, 2023 10:06 AM

December 18, 2023 Responses.pdf

RESPONSES TO DECEMBER 18, 2023, SPECIAL OPEN MEETING COMMENTS

Bradley J. Epstein, Attorney for Nepenthe HOA, providing background:

One petition sheet does not charge the same offenses as the others, however all but one signatory on that single form has been disqualified so the remaining pages of the petition still meet the minimum number of signatories to qualify. Any Director cannot act alone, decisions about contracts, proposals, policies and authorizing contracts is done by the entire Board at scheduled meetings, not by any one Director acting alone. The Member at Large position exists as the Board is to comprise of 5 members and there are only 4 job titles (President, Vice President, Treasurer, and Secretary). All Directors have equal votes and the same power and authority. Nepenthe has strong committees and the liaison to those committees come from all 5 Board Directors. There is no charge in the petition that is criminal – no fraud, no embezzlement, no crime.

About 99.9% of associations presented with a recall petition accept the petition without challenge and move to a recall election process.

HOMEOWNER COMMENTS:

Steven Jacobs, Homeowner: Homeowners have a right to speak and express their views. Asks Attorney Epstein if the Board could change its mind and if Epstein sees any allegation of fraud or a crime alleged in the petition. He is opposed to the recall.

Board Response: See Epstein responses in the background above. **The Board did decide to reconsider accepting the petition and discussed the implications and ramifications at a subsequent Special Open Meeting on December 27, 2023.**

Nancy Arndorfer, Homeowner, and ILS Committee Chair: She has lived here 44 years. It is unnecessary to recall a Director; a recall will be expensive. Asks how many who signed the petition have attended any committee or Board meetings:

Board Response: The Board appreciates the support.

Linda Cook, Homeowner, and past Board member: She is opposed to a recall. Has lived her 15 years and worked with Christina on Grounds Committee and the Board. She has the utmost respect for her – she has rigor, professionalism, and is caring about this community. She spends hours and hours on work for the community. She is saddened by this effort and urges everyone to vote NO. It is going to cost lots of money.

Board Response: The Board appreciates the support.

Greg Beale, Homeowner, and past Board member: Served on the Board. He feels people in this room lied to get him off the Board. HOA policy is the same as Public Administration. In Nepenthe, the issue is trees, not plants. Remember that last year's storm damaged 20 houses.

Board Response: The Board appreciates the support.

Susan Timmer, Homeowner, and Finance Committee Chair: Has lived here since 1996. She realized the Board had to vote to accept the recall to avoid the appearance of protecting another Director. Christina is hardworking and it's a crazy move to try to recall her; it's appalling. The petitioners are using a strategy to divide the community. Why cannot we work to accomplish more benefits. The Board members live here and work hard for the community. The recall is a charade. There would be a real loss if Christina was voted off the Board.

Board Response: The Board appreciates the support.

Joan Barrett, Homeowner: How much money will this cost? These people are saying they want to save money but now they want to cost us money. She is opposed to the recall.

Board Response: The Board appreciates the support. The General Manager is investigating the costs of a recall election.

Joan Trotta, Homeowner, and past Board member: This is ludicrous. Our Board is exceptional with members with broad professional experiences. We should be working together. The Board is not self-serving; they work for the community and this organization – they work for us. She has twice served on the Board and is proud of the Board. Our Grounds are excellent. She is sure all will come to the same conclusion to not recall.

Board Response: The Board appreciates the support.

Mary Gray, Homeowner, and past Board member: She has a procedural question on the recall. When will ballots be mailed?

Board response: There is a legal timeline that must be followed. Once the Special Meeting date is set, our Attorney will determine the mailing date.

Ashley Tangeraas, Homeowner, and past Board member: She's sponsoring the recall. The Board has never delegated the authority to the Member at Large to sign. A breach of duty is serious, and the Director is liable. Money has been overspent. She saw a small issue result in a large overspending. We are \$200,000 over budget. We are over \$944,000 over allocations. No one is tracking the monies spent. We need better accounting.

Board Response: The Member at Large position does not have a specific duty within the Board. Instead, this position serves a variety of roles as assigned by the President. A Member at Large is a full, voting member of the Board.

The Board disputes the charges of overspending; the homeowner can submit to the Board the proofs of this allegation and they will be reviewed and investigated. Regardless, all spending is authorized by Board vote and no one Director can authorize HOA expenditures.

John Trotta, Homeowner: There is no basis for this recall and the Board should rescind its vote. The Board should ask the signers to pay for the courts to order a recall.

Board Response: The Board appreciates the support.

Will Vizzard, Homeowner, and past Board member: He has served 8 years with Christina in various Nepenthe roles. She was not a valedictorian at charm school. She is abrupt. But no one has worked harder for Nepenthe. As a procedural question, can we integrate a recall election with the upcoming election of 2 Board positions? [Markus responded that the elections must be separate.]

Board Response: The Board appreciates the support. As Markus replied, the law does not permit comingling of the two elections.

John Baker, Homeowner, and past Board member: Wishes to comment to the Board and the others in the room. Everyone is concerned about this effort. There is no sense in paying for 2 elections. The allegations made in the petition are not true. Our last and very experienced General Manager lost her will to work here due to the efforts of the cabal pushing this recall.

Board Response: The Board appreciates the support.

Don Landslittel, Homeowner: This recall is a result of finances. We need to get a better handle on monies and slow down our expenditures. Our reserved percent funded is falling. This will lead to insolvency. He's been told he knows nothing about accounting, but he knows he knows management. Something is going on and putting the recall off until May with the other election is part of it.

Board Response: The setting of the recall election date is proscribed by law and based upon the date the petition was presented to the Board. Our financial situation is sound.

Diane Schaal, Homeowner: It seems like it's a political trend to go forward and spend money to no end. The Board had to go forward. There is no intent or legal problem presented in the petition.

Board Response: The Board appreciates the support.

Pam DiMaggio, Homeowner: She thanks the Board and is very saddened by the recall effort. Has lived her 10 years and has felt embraced by the community – it's home and family. Now it's a divorce and this is a bitter way to handle a situation. Christina looks for ways to make things better.

Board Response: The Board appreciates the support.

Ricardo Pineda, Homeowner: He appreciates the Board and our committees. He doesn't support the recall, but it is in the rules. Costs are rising and we need more transparency and better communication. We need to be efficient in face of rising prices and the outcome of AB1572 that is coming. He opposes the recall effort.

Board Response: The Board appreciates the support.

Gerry Gelfand, Homeowner: Would like to advocate for keeping things civil. Our attorney says there is no legal violations. So, let's not do a recall and save that money. There is no good reason to do a recall.

Board Response: The Board appreciates the support.

December 27, 2023 Responses.pdf

RESPONSES TO DECEMBER 27, 2023, SPECIAL OPEN MEETING COMMENTS

1. Greg Beale, Homeowner, past Board member: The trees are the thing. Workers are thinning the trees as best they can. The recall for Christina is spending money. Last year's storm damaged 20 houses and many cars. When Nepenthe was built in the 70s the builder put in many redwood trees and Sacramento is a tree city. It takes an act of God to remove a tree. Trees can kill us. Trees can ruin this place and instead we are focusing on a Director recall. Global warming means we will have more floods and more tree loss. Christina has nothing to do with it. Money is in trees.

Board Response: Thank you for your comments.

2. Paula Connors, Homeowner: It feels like a gladiator thing is going on. She watched the videos but is unclear about today's purpose. On the 18th the Board received a valid request for a recall that had valid signatures and should accept that request. She thought the attorney had advised the Board to accept. It seems we are here to debate. Believes there is a valid request to follow and let the chips fall. A statement made 12/18 that most signatories had not attended committee or Board meetings is not true in her case. She feels attending the Grounds Committee meeting did not get a response; she was referred to Christina George. She believes Grounds is not a functioning entity.

Board Response: Thank you for your comments. Our attorney stated that 98.8% of Boards accept recall petitions and move forward. Given the vocal opposition to the recall at the 12/18 meeting, the Board explored the options available. The result was this December 27, 2023 meeting to discuss the allegations in the petition and the best way for the Board to be fiscally responsible to the community.

3. Gerry Gelfand, Homeowner: I said things at the last meeting (12/18/23) and I stand by those statements. The attorney said the allegations contained nothing that was illegal. There are Forums and meetings for information and bringing up issues. It is true that some residents feel Grounds does not always respond. The petition has a small number of signatures for 590 homes and the cost of doing a recall is unnecessary.

Board Response: Thank you for your comments.

4. Mary Gray, Homeowner: There is a reason for this recall. A Member at Large does not have authority to sign. That's a violation of the Bylaws. The number of signatories is not the issue. The petition is legal. Violations did occur.

Board Response: Thank you for your comments. The ByLaws permit delegation of authority. There is evidence that Members at Large, and all other Directors, have signed documents since at least 2010.

5. Nina White, Homeowner, past Board member: The petition is valid and we should follow the rules.

Board Response: Thank you for your comments.

6. John Apostolo, Homeowner: The delegation of authority information should come from Brad (Nepenthe attorney). Proper documentation to the homeowners should have been given as to the authorization to all Directors.

Board Response: Thank you for your comments. The ByLaws do not call for a public announcement of delegation of authority. There is evidence that Members at Large, as well as all other Directors, have signed documents since at least 2010.

7. Trish Meraz, Homeowner: We should be following the rules. Cost is cost. It's clear there is a violation. People at large (community) can vote. Christina should be removed.

Board Response: Thank you for your comments. The Nepenthe attorney finds no violation of ByLaws or any criminal act in the charges made in the petition. There is evidence that Members at Large, as well as all other Directors, have signed documents since at least 2010. Other allegations in the petition refer to Board decisions of which Christina George was only one of five Directors responsible for making decisions. In fact, some of the cited decisions were made when Christina George was not a Director.

8. Don Landslittel, Homeowner: What I am going to say may not seem to bear on subject of the meeting but bear with me. John Baker had strong words at the last meeting (12/18) and I take objection to them. John, as President of the Board, gave the General Manager authorization to spend \$2500 for landscape needs. The Board was allowed to lapse in June 2021 and the Manager used that authorization excessively, going to \$2800 and combining areas to create a project. Extensive work was done in zones 6 and 7. The GM admitted using the authorization to create projects. That money added up. Supervision of the GM by the Board has been lacking. As past Chair of Grounds, I saw it happen. Baker sent an email about a cabal. {Notified by Dascher that his time had expired}. I will continue to speak – you have not held to 3 minutes in recent meetings. [General Manager stated that the notice is to bring comments to a quick conclusion]. I support the recall.

Board Response: Thank you for your comments. The incidents mentioned do not address the recall.

9. Courtney Delfin, Homeowner: I want to piggyback on Don's statements. I believe some costs on landscaping can be controlled. We should control them where we can. Completely eradicating shrubs around green belts when they are healthy is not necessary. We should not be spending on landscaping during the siding project.

Board Response: Thank you for your comments.

10. Peter Klein, Homeowner: I want to share my perspective as a non-attorney and non-accountant. No one wanted a dues increase. The Reserve study covers a projection of where we are going to go over the next 30 years. Check its projections out 4 or 5 years and it has nothing to do with signing contracts. It has to do with the aging of the plant, including landscaping. No one is perfect we ask our Boards to make decisions and they make them in their best judgement – they must be made. This bitterness is not reasonable. Judgement is what is important. The decisions are made by the full Board, not one person. In these issues, no one was killed, and it is not worth the money to be

spend and will not gain anything. Whatever the reasons, it can wait until the next Board election.

Board Response: Thank you for your comments. The next election for 2 Board positions will occur in May, 2023. The exact date of the election and dates leading to that election will be announced in January 2024.

11. Nancy Cooper, Homeowner: I don't normally attend any meetings. I am appalled by what is going on here. I have gotten unknown numbers of emails about this issue. I am not in favor of a recall. Am horrified of the crucifying. The plants have been here since the houses were built and they need work; this work has to happen. I thank all the volunteers for putting up with all the criticism and applaud the Board. If the Board wishes to rescind, they should do so. We need to work as a group to solve problems. Keep this up and see a decrease in property values. Who wants to live in a dysfunctional community?

Board Response: Thank you for your comments.

12. Barbara Beddow, Homeowner: I want to make one statement to Mary and Trish – Brad Epstein (attorney for Nepenthe) says nothing illegal occurred. The Board can follow legal advice and make decisions. At a Finance Committee meeting the CPA said they cannot provide more information as we already have it all. Now you want to recall. I understand things very differently from your statements today.

Board Response: Thank you for your comments. Our Finance Committee and Treasurer carefully follow the accounts and balances of Nepenthe funds to ensure that monies are properly accounted.

13. Ashley Tangeraas, Homeowner and past Board member: This is a revolt of many people. Landscaping spending goes on. Proposals are no longer in detail (shows some paper from past saying it used to list plants, etc.). A current proposal for \$200,000 shows no detail. No one was asked. We have one homeowner deciding to spend when in closed sessions. There is always a reason to spend more despite homeowner complaints. There is no discussion and the community cannot see who voted. Bring the proposals out into open session. We need to hire a professional landscape architect. That's the only way things are going to change.

Board Response: Thank you for your comments. It was not possible to see the documents you showed. Please give us the date and proposal information you mentioned, as well as a copy of the \$200,000 proposal you mentioned. Our contract with Carson Landscaping requires them to follow the Vision Statement and approved Plant list. Decisions on which available plants are best suited to an area are made by Carson, again by Board decision. All negotiations, contracts, and approval of contractor proposals are conducted in Executive session upon legal advice. All contracts and proposals are discussed by Directors prior to voting. A favorable vote by a majority of the Directors is required for approval. Once a proposal is approved by the Board, a Director signs the document to certify that the Board has approved. That document then forms the basis for writing a work order to the contractor.

14. Maureen White, Homeowner: I understand what we are all going through. This is a wonderful place with great people. When shopping here, my husband saw the pool in our patio and decided to buy here. It is all about the grounds. The grounds are part of her home. She saw manicured shrubs that reminded her of an English countryside. Nepenthe is an oasis in Sacramento. Problems started about 5 or 6 years ago when the Board became autocratical about the grounds. The relandscaping is all new to us and is changing the exterior of our homes. The grounds become personal. Dunbarton was a bridge too far. People were befuddled and yelling on cell phones. It made me want to cry. I questioned if I really want to live here anymore. Three years ago, there was a Vision Document prepared about how grounds should look to be sustainable. Was the community called in about this? Was there a study? Was there an effort for buy-in? It was approved by the Board and turned over to Grounds. Same with the pilot project that changed the outside but has never gone on.

Board Response: Thank you for your comments. The Vision Document is dated December 3, 2014 and has been the standard used in Nepenthe landscaping since. In 2013 the Board of Directors formed the ad hoc Grounds Vision Committee to produce a long term vision for the Grounds, and to recommend standards and practices for grounds activities. As the report (https://nepenthehoa.com/wp-content/uploads/2015/10/Grounds_Vision_Document.pdf) states: *“Two homeowner brainstorming sessions and a Master Grounds Vision Forum were held to learn what homeowners saw as our highest priorities for the future. The top four priorities identified were: 1. Enhance landscape beauty; 2. Reduce water use; 3. Reduce maintenance and replacement costs, and; 4. Improve safety.*

Much of the landscape is in need of repair or replacement, and reserves may not be adequate. Now is the time to take a long view.”

While English countryside landscaping is beautiful it is not practical to the current, let alone changing, Sacramento climate. Controlling maintenance costs, water costs and meeting regulations about water and landscaping mean we must adjust to lower-maintenance and water tolerant plantings. We have learned (the hard way) that shrubs planted too close to siding and fencing cause rot and increase the expense of repairing the siding and fences. The newer plants and groupings are not English, but they maintain the HOA as charged in the CC7&Rs, ByLaws and Vision Document.

NEP 2023-12-06 Open Session Minutes.pdf

NEPENTHE ASSOCIATION

Open Session Nepenthe Board of Directors

December 6, 2023 6:00 PM
Nepenthe Clubhouse
1131 Commons Drive
Sacramento, CA

MINUTES

Directors Present

MARKUS DASCHER TTEE - President
CHERYL NELSON - Vice President
JACQUELYN GREBITUS - Secretary
WILLIAM HENLE TRUSTEE - Treasurer
CHRISTINA GEORGE - Member at Large

Directors Absent

None

Additional Attendees

Dusty Favichia, General Manager, FirstService Residential Management, Inc.
Julienna Michel, Administrative Assistant, FirstService Residential Management, Inc.

I. CALL TO ORDER

II. EXECUTIVE SESSION ACKNOWLEDGEMENT/ANNOUNCEMENT

III. REPORTS

A. CONSTRUCTION MANAGER'S REPORT

The Board accepted the monthly report for Phase 1 from Construction Manager, Paul Reeves. Will Vizzard also provided a brief report on the siding project. Additionally, Markus Dascher and Bill Henle announced that Paul Reeves will be in attendance at the January 3, 2024, Board Meeting to provide an update on the siding, fencing and painting project.

B. GENERAL MANAGER'S REPORT

The Board accepted the work order report provided by General Manager, Dusty Favichia. Additionally, Dusty Favichia provided an update on Russo Insurance, and announced that the Board will be meeting with Wood Rodgers, a Civil Engineering Company, on December 12, 2023, to discuss efforts pertaining to the water meters and the City of Sacramento's meter project implementation within Nepenthe. The General Manager also responded to Board inquiries regarding the work order process for fencing repairs, as well as inquires relating to roof evaluation costs.

IV. COMMITTEE UPDATES

Each Committee Chair or representative provided a verbal report in addition to any meeting minutes provided previously. Member at Large Christina George provided a detailed report on behalf of the Grounds Committee which included discussion, and a power point presentation on recent shrub removals within the community in conjunction with the siding project work. Assembly Bill 1572 was also briefly discussed.

V. HOMEOWNER CORRESPONDENCE

The Board acknowledged receipt of all correspondence received and will respond accordingly.

VI. UNFINISHED BUSINESS

A. HOMEOWNER COMMENT AND CORRESPONDENCE FOLLOW UP

The Board stated that written follow up answers for the November 2023 Open Forum can be found in the published Board Packet for this meeting, December 6, 2023, on the Nepenthe Website.

VII. NEW BUSINESS

A. MINUTES APPROVAL

Resolved

The Open Session Minutes dated November 1, 2023, were approved as presented.

Motion: CHERYL NELSON

Second: WILLIAM HENLE TRUSTEE

AYEs: JACQUELYN GREBITUS, CHRISTINA GEORGE, CHERYL NELSON, WILLIAM HENLE TRUSTEE, MARKUS DASCHER TTEE

NAYs: None

► **Resolved**
The motion passed

B. FINANCIALS

Resolved

The Board accepts the Association's income statement for October 2023 comparing actual results to budget, reserve statement, bank statements and reconciliations, check history report and general ledger as presented, subject to an annual audit. Additionally, Bill Henle provided a brief Treasurer's Report.

C. ARCHITECTURAL COMMITTEE: RECOMMENDATIONS

Resolved

The Board affirms the recommendations of the Architectural Review Committee as noted below:

Address	Improvement	Recommendation
1041 Commons Drive	Security Camera	Approval w/ Conditions.
*712 Dunbarton Circle	HVAC	Denial

*As clarified in the December 2023 Newsletter the correct address for this Architectural Application is: 712 Elmhurst Circle.

Motion: CHERYL NELSON

Second: JACQUELYN GREBITUS

AYEs: JACQUELYN GREBITUS, CHRISTINA GEORGE, CHERYL NELSON, WILLIAM HENLE TRUSTEE, MARKUS DASCHER TTEE

NAYs: None

► **Resolved**
The motion passed

D. 11.14.2023 LIEN RESOLUTION

Resolved

The Board authorizes the placement of a lien on the following account should the delinquent assessments not be paid within the time period established in the Intent-to-Lien letter as described in the signed Resolution.

Account No.	Past Due Assessments	Total Amount Due
2310-01	\$2,380.55	\$2,784.40

Motion: WILLIAM HENLE TRUSTEE

Second: CHERYL NELSON

AYEs: JACQUELYN GREBITUS, CHRISTINA GEORGE, CHERYL NELSON, WILLIAM HENLE TRUSTEE, MARKUS DASCHER TTEE

NAYs: None

▶ **Resolved**
The motion passed

VIII. HOMEOWNER FORUM

The Board Vice President made note of all homeowner comments, questions and statements and will determine if future Board action is warranted.

IX. NEXT BOARD MEETING

The Association's next open Board meeting will be held January 3, 2024, at 6:00 pm.

X. ADJOURN

The meeting adjourned at 7:36 pm.

APPROVED

DATE

NEP 2023-12-27 Open Session Minutes.pdf

NEPENTHE ASSOCIATION

Open Session Nepenthe Board of Directors

December 27, 2023 5:30 PM
Nepenthe Clubhouse
1131 Commons Drive
Sacramento, CA

MINUTES

Directors Present

MARKUS DASCHER TTEE - President
CHERYL NELSON - Vice President
JACQUELYN GREBITUS - Secretary
WILLIAM HENLE TRUSTEE - Treasurer
CHRISTINA GEORGE - Member at Large

Directors Absent

None

Additional Attendees

Dusty Favichia, General Manager, FirstService Residential Management, Inc.
Julienna Michel, Administrative Assistant, FirstService Residential Management, Inc.
Bradley J. Epstein, Partner, Grime Law. Present via Zoom

I. CALL TO ORDER

Board President Markus Dascher announced that following the December 18, 2023, Special Open Board Meeting, the Board has learned of alternative options pertaining to the recently received Recall Petition, that they had not been aware of previously.

II. HOMEOWNER FORUM

The Board Vice President made note of all homeowner comments, questions and statements and will determine if future board action is warranted.

III. EXECUTIVE SESSION ACKNOWLEDGEMENT/ANNOUNCEMENT

IV. NEW BUSINESS

A. 12.18.2023 MINUTES (CORRECTED)

Resolved

The Open Session Minutes dated December 18, 2023, are approved as **corrected**.

Motion: JACQUELYN GREBITUS

Second: MARKUS DASCHER TTEE

AYEs: JACQUELYN GREBITUS, CHERYL NELSON, WILLIAM HENLE TRUSTEE, MARKUS DASCHER TTEE

NAYs: None

Recused: CHRISTINA GEORGE

▶ **Resolved**
The motion passed

B. RECALL PETITION

Resolved

The Board of Directors revisited issues related to the Board Member Recall Election Petition. The Recall Petition was discussed, and the following motion was made:

A motion was made to **rescind** the Board of Director's December 18, 2023, vote to proceed with voting procedures pursuant to the Recall Petition received on December 6, 2023. The motion includes rescinding the vote to approve the date of May 3, 2024, for an open meeting for the purpose of receiving, and if a quorum was established, opening and tabulating the votes for the Recall Petition. This motion confirms the Board's decision to **rescind** their December 18, 2023, approval of the recall petition, and this matter is hereby put back to the petitioners.

Motion: CHERYL NELSON

Second: JACQUELYN GREBITUS

AYEs: JACQUELYN GREBITUS, CHERYL NELSON, WILLIAM HENLE TRUSTEE, MARKUS DASCHER TTEE

NAYs: None

Recused: CHRISTINA GEORGE

▶ **Resolved**
The motion passed

C. OTHER PROPOSED ACTIONS

No other actions were proposed or taken pertaining to the Recall Petition.

V. NEXT BOARD MEETING

The Association's next open Board meeting will be held January 3, 2024, at 6:00 pm.

VI. ADJOURN

The meeting adjourned at 6:32 pm.

APPROVED

DATE

NEP 11-23 Financial_ABBREVIATED.pdf

NEPENTHE ASSOCIATION
Financial Summary



Fiscal Year End: **December 31, 2023**
For the Month Ended: **November 30, 2023**

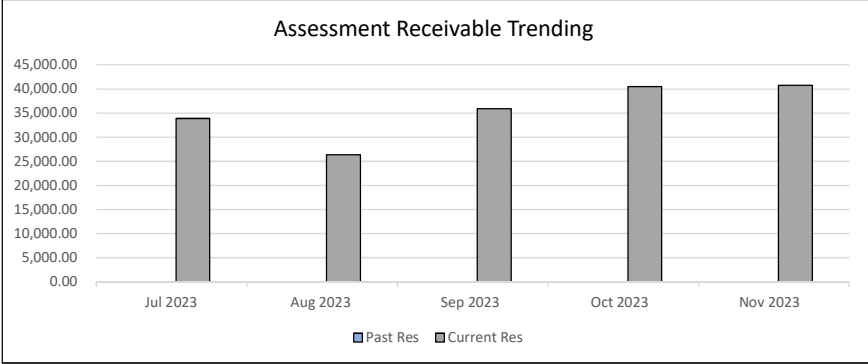
CASH SUMMARY

	This month	Last Month	Change in Cash	
Operating cash	136,564.15	223,585.92	Decrease in Cash	(87,021.77)
Reserve cash	11,089,370.93	11,253,607.07	Decrease in Cash	(164,236.14)
Adj Operating Cash (see note 1)	83,370.93	159,438.14	Decrease in Cash	(76,067.21)
Average budgeted expenses / month	341,659.00			
Average # of months of available cash	0.40			
Percent Funded Per 2018 Reserve Study	186.0%			

ASSESSMENT SUMMARY

Prepaid Utilities	
Monthly Assessment Budget	337,480.00
Assessment Cash Received	332,938.89

<u>Total Assessments Receivable</u>	
0-30 days late (see note 2)	11,877.52
31-60 days late	0.00
61-90 days late	5,983.10
over 90 days late	22,908.50
Total Assessments Due	40,769.12
<u>Other Receivable</u>	45,040.48
Total Owners Receivable	85,809.60
Past Residents Assessments Rec.	0.00
Prepaid Assessments	53,193.22



OPERATING SUMMARY

Category	November Expenses	YTD Expenses	YTD Budget	YTD Variance	Negative YTD Variances > \$2000
Utilities	13,286	129,486	102,817	(26,669)	
Landscape	45,100	516,704	501,908	(14,796)	
Common Area	19,475	164,976	150,150	(14,826)	NSPOUT
Management/On-Site Admin	54,420	551,956	468,743	(83,213)	
Insurance	39,026	477,102	470,800	(6,302)	
Total Operating Expenses	171,306	1,840,224	1,694,418	(145,806)	Spending overbudget year-to-date
YTD Profit/(Loss)		(335,205)			

RESERVE SUMMARY

Contribution to Reserves this month:	281,431.50	Reserve Disbursements this month:	518,398.58
Contribution to Reserves Year-to-Date:	2,982,606.63	Reserve Disbursements Year-to-Date:	3,488,066.27
Interest on reserve funds Year-to-Date:	480,674.63		

ITEMS OF NOTE

1. Adj Operating Cash is calculated by Operating Account Funds minus Prepaid Assessments.
2. In a month with 31 days, assessments owed for that month would be reflected under 31-60 days late.
3. Insurance Claim of \$202,707.63 added directly to reserves, will not reflect on income statement, nor will it offset the budget.

Nepenthe's Year To Date Cash Flow

Source		Operations	Reserves
Beginning Balance	1/1/2022	125,828	11,113,960
Plus	Income	4,487,585	
	Reserve Investment Income		480,675
	Contributions to Reserves		2,982,607
	Pending Reserve Expense		196
	Percent Funded Per 2020 Reserve Study		
	Accounts Payable	373,137	
	Processing Fees		
	Due from Vendor		
	Due from Reserve		
Less	Operating Expenses	(1,840,183)	
	Reserve Funding	(2,982,607)	
	Reserve Expenses		(3,488,066)
	Pending Reserve Transfer		
	Due from Vendor		
	Due to Operating	(15,500)	
	Prepaid Insurance		
	Processing Fees		
	Receivable from Management	(900)	
Ending Balance	11/30/2023	136,564	11,089,371

Budget Report

Actual Income - Year-to-date	\$ 4,968,300.96
Budgeted Income - Year-to-date	\$ 3,758,249.00
Produced a positive Year-to-date income variance of	\$ 1,210,051.96
Actual Expenses and Reserve Contribution - Year-to-date	\$ 5,303,505.60
Budgeted Expenses and Reserve Contribution - Year-to-date	\$ 3,758,249.00
Produced a negative Year-to-date operating expenses variance of	\$ (1,545,256.60)
The two combined variances produced a negative Year-to-date variance of	\$ (335,204.64)

Other Information

Unpaid assessments at	11/30/2023	were:	\$ 40,769.12
Prepaid assessments at	11/30/2023	were:	\$ 53,193.22

NEPENTHE ASSOCIATION COMPARATIVE BALANCE SHEET 11/30/2023

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

FirstService Residential CA
 15241 Laguna Canyon Road
 Irvine CA 92618

	CURRENT MONTH	PRIOR MONTH

CASH AND INVESTMENTS		
OPERATING ACCOUNT FUNDS	136,564.15	223,585.92
PETTY CASH	150.00	150.00
RESERVE ACCOUNT FUNDS	11,089,370.93	11,253,607.07
	-----	-----
TOTAL CASH AND INVESTMENTS	11,226,085.08	11,477,342.99
OTHER ASSETS		
DUE TO OPERATING	(15,499.74)	(15,499.74)
DUE FROM RESERVES	15,499.74	15,499.74
UNFUNDED RESERVES	0.00	93,810.50
RECEIVABLE FROM MANAGEMENT	900.00	900.00
	-----	-----
TOTAL OTHER ASSETS	900.00	94,710.50
TOTAL ASSETS	<u>11,226,985.08</u>	<u>11,572,053.49</u>
LIABILITIES		

ACCOUNTS PAYABLE	373,137.00	341,670.00
UNFUNDED RESERVES	0.00	93,810.50
	-----	-----
TOTAL LIABILITIES	373,137.00	435,480.50
MEMBERS EQUITY		

GENERAL RESERVE FUND BALANCE	11,073,871.19	11,238,107.33
OPERATING FUND BALANCE-BEG OF YEAR	115,181.53	115,181.53
CURRENT YEAR INCOME/(LOSS)	(335,204.64)	(216,715.87)
	-----	-----
TOTAL LIABILITIES & MEMBERS EQUITY	<u>11,226,985.08</u>	<u>11,572,053.49</u>

NEPENTHE ASSOCIATION
RESERVE FUND BALANCES SUPPORT SCHEDULES
11/30/2023

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

FirstService Residential CA
15241 Laguna Canyon Road
Irvine CA 92618

	PRIOR YEAR BALANCE	BEG BAL REALLOCATION	ADDITIONS THIS YEAR	EXPENSE CURRENT MONTH	PREVIOUS EXP CURRENT YEAR	CURRENT BALANCE
GENERAL RESERVES						
23103 INTEREST ON RESERVE FUNDING	127,480.22	(127,480.22)	480,674.63	0.00	0.00	480,674.63
22872 GYM/WORKOUT FACILITY	28,096.81	393.62	3,025.00	0.00	0.00	31,515.43
22960 PAINTING-INTERIOR RESERVES	19,004.86	262.50	2,024.00	0.00	0.00	21,291.36
23014 CONCRETE REPAIRED RESERVES	105,325.77	5,854.83	45,067.00	0.00	0.00	156,247.60
23058 GENERAL RESERVES	(8,850.00)	8,850.00	0.00	0.00	0.00	0.00
23120 ROOF RESERVES	5,741,296.50	100,787.94	775,731.00	0.00	(29,224.00)	6,588,591.44
23122 POOL/SPA RESERVES	170,224.32	3,932.20	30,261.00	0.00	(63,601.50)	140,816.02
23127 FENCING RESERVES	272,159.66	7,053.45	54,285.00	(57,308.18)	(398,776.01)	(122,586.08)
23130 CONTIGENCY RESERVES	(32,204.00)	32,204.00	0.00	0.00	0.00	0.00
23133 IRRIGATION RESERVES	296,810.89	14,973.82	115,247.00	0.00	(97,685.00)	329,346.71
23135 WROUGHT IRON RESERVE	0.00	0.00	0.00	35,000.00	(35,000.00)	0.00
23136 SHINGLE RESERVES	0.00	0.00	0.00	237,245.17	(237,245.17)	0.00
23146 SIGNS RESERVES	41,889.57	529.04	4,070.00	0.00	0.00	46,488.61
23178 PAVING RESERVES	656,448.79	16,618.10	127,908.00	0.00	(99,897.00)	701,077.89
23199 RESERVE STUDY RESERVES	3,586.01	237.48	1,826.00	0.00	0.00	5,649.49
23201 PRIOR YEAR FUNDING	181,720.00	(181,720.00)	187,620.00	0.00	0.00	187,620.00
L23133 OUTDOOR EQUIPMENT RSRV	(604.42)	6.43	55.00	0.00	0.00	(542.99)
L23135 PAINT EXTERIOR RSRV	1,090,119.16	19,288.33	148,456.00	(81,400.00)	(91,315.86)	1,085,147.63
L23136 STRUCTURAL REPAIRS RSRV	2,015,024.79	58,600.66	979,703.63	(299,365.57)	(861,013.82)	1,892,949.69
N22911 UNDERGROUND UTILITY RSRV	(49,426.06)	1,993.25	15,895.00	(3,000.00)	(30,430.00)	(64,967.81)
N23017 CLUBHOUSE RENOVATION RSRV	377,760.70	4,288.43	33,011.00	0.00	(802.09)	414,258.04
N23130 MISCELLANEOUS RSRV	78,393.79	620.39	4,774.00	0.00	0.00	83,788.18
N23274 TENNIS COURT RSRV	100,193.56	1,874.99	14,432.00	0.00	0.00	116,500.55
N23275 GROUNDS RESERVE	(260,674.11)	14,973.82	330,494.00	(18,940.00)	(587,311.00)	(521,457.29)
N23282 TREE REMOVAL ANNUAL MAINT RSRV	154,538.39	14,973.82	100,000.00	(328,885.00)	(413,150.50)	(472,523.29)
N22991 POLE LIGHT REPAIRS RSRV	(9,659.00)	883.12	8,722.00	(1,745.00)	(24,020.00)	(25,818.88)
Z29000 PENDING RESERVE EXPENSE	0.00	0.00	0.00	0.00	(195.74)	(195.74)
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TOTAL GENERAL RESERVES	11,098,656.20	0.00	3,463,281.26	(518,398.58)	(2,969,667.69)	11,073,871.19

NEPENTHE ASSOCIATION
INCOME STATEMENT
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c/o FirstService Residential
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----- ACTUAL	---MONTH--- BUDGETED	----- VARIANCE	G/L NUMBER	DESCRIPTION	----- ACTUAL	YEAR TO DATE BUDGETED	----- VARIANCE	ANNUAL BUDGET	\$ REMAINING IN BUDGET
REVENUE									
332,938.89	337,480	(4,541.11)	14000	HOMEOWNER ASSESSMENT REVENUE	3,703,083.23	3,712,280	(9,196.77)	4,049,760	346,676.77
0.00	2,000	(2,000.00)	14087	EASEMENT AGREEMENT	22,836.12	22,000	836.12	24,000	1,163.88
69.60	150	(80.40)	14101	INTEREST ON PAST DUE ASSESSMENTS	2,900.31	1,650	1,250.31	1,800	(1,100.31)
95.00	130	(35.00)	14110	KEY REVENUE	710.00	1,430	(720.00)	1,560	850.00
890.00	499	391.00	14113	CLUBHOUSE RENTAL	5,675.00	5,489	186.00	5,988	313.00
0.00	1,400	(1,400.00)	14122	INSURANCE REIMBURSEMENT	18,015.15	15,400	2,615.15	16,800	(1,215.15)
0.00	0	0.00	14132	MISCELLANEOUS REVENUE	454.45	0	454.45	0	(454.45)
255.55	0	255.55	14162	OPERATING INTEREST REVENUE	2,605.44	0	2,605.44	0	(2,605.44)
72,730.94	0	72,730.94	14163	RESERVE INTEREST REVENUE	480,674.63	0	480,674.63	0	(480,674.63)
0.00	0	0.00	14221	FACILITY RENTAL FEE	(600.00)	0	(600.00)	0	600.00
0.00	0	0.00	14229	RENTAL FEES	750.00	0	750.00	0	(750.00)
0.00	0	0.00	14357	RESERVE CONTRIBUTION	731,155.63	0	731,155.63	0	(731,155.63)
406,979.98	341,659	65,320.98		TOTAL REVENUE	4,968,259.96	3,758,249	1,210,010.96	4,099,908	(868,351.96)
RESERVE CONTRIBUTION									
412.50	275	(137.50)	19572	GYM/WORKOUT FACILITIES RESERVES	3,025.00	3,025	0.00	3,300	275.00
276.00	184	(92.00)	19660	PAINTING-INTERIOR RES	2,024.00	2,024	0.00	2,208	184.00
6,145.50	4,097	(2,048.50)	19714	CONCRETE REPAIR RESERVE	45,067.00	45,067	0.00	49,164	4,097.00
72,730.94	0	(72,730.94)	19803	GENERAL RESERVE INTEREST	480,674.63	0	(480,674.63)	0	(480,674.63)
105,781.50	70,521	(35,260.50)	19820	ROOF RESERVE	775,731.00	775,731	0.00	846,252	70,521.00
4,126.50	2,751	(1,375.50)	19822	POOL/SPA RESERVE	30,261.00	30,261	0.00	33,012	2,751.00
7,402.50	4,935	(2,467.50)	19827	FENCING RESERVE	54,285.00	54,285	0.00	59,220	4,935.00
15,715.50	10,477	(5,238.50)	19833	IRRIGATION RESERVE	115,247.00	115,247	0.00	125,724	10,477.00
555.00	370	(185.00)	19846	SIGN RESERVE	4,070.00	4,070	0.00	4,440	370.00
17,442.00	11,628	(5,814.00)	19878	PAVING RESERVE	127,908.00	127,908	0.00	139,536	11,628.00
249.00	166	(83.00)	19899	RESERVE STUDY	1,826.00	1,826	0.00	1,992	166.00
0.00	0	0.00	19901	PRIOR YR FUNDING	187,620.00	0	(187,620.00)	0	(187,620.00)
7.50	5	(2.50)	L19833	OUTDOOR EQUIPMENT RSRV	55.00	55	0.00	60	5.00
20,244.00	13,496	(6,748.00)	L19835	PAINTING EXTERIOR RESERVE	148,456.00	148,456	0.00	161,952	13,496.00
61,503.00	41,002	(20,501.00)	L19836	STRUCTURAL REPAIRS RSRV	979,703.63	451,022	(528,681.63)	492,024	(487,679.63)
2,092.50	1,395	(697.50)	N19611	UNDERGROUND UTILITY REPR RSV	15,895.00	15,345	(550.00)	16,740	845.00
927.00	618	(309.00)	N19691	POLE LIGHT REPR RSV	8,722.00	6,798	(1,924.00)	7,416	(1,306.00)
4,501.50	3,001	(1,500.50)	N19717	CLBHOUSE REMODEL INTERIOR RENOVATI	33,011.00	33,011	0.00	36,012	3,001.00
651.00	434	(217.00)	N19830	MISCELLANEOUS RSV	4,774.00	4,774	0.00	5,208	434.00
1,968.00	1,312	(656.00)	N19974	COMMON TENNIS CRT RSV	14,432.00	14,432	0.00	15,744	1,312.00
15,715.50	10,477	(5,238.50)	N19975	GROUNDS RSV	215,247.00	115,247	(100,000.00)	125,724	(89,523.00)
15,715.50	10,477	(5,238.50)	N19982	TREE REM/ ANNL MAINT RSV	215,247.00	115,247	(100,000.00)	125,724	(89,523.00)
354,162.44	187,621	(166,541.44)		TOTAL RESERVE CONTRIBUTION	3,463,281.26	2,063,831	(1,399,450.26)	2,251,452	(1,211,829.26)
52,817.54	154,038	(101,220.46)		AVAILABLE OPERATING REVENUE	1,504,978.70	1,694,418	(189,439.30)	1,848,456	343,477.30

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----- ACTUAL	---MONTH--- BUDGETED	----- VARIANCE	G/L NUMBER	DESCRIPTION	----- ACTUAL	YEAR TO DATE BUDGETED	----- VARIANCE	ANNUAL BUDGET	\$ REMAINING IN BUDGET
OPERATING EXPENSES									
UTILITIES									
4,034.45	2,700	(1,334.45)	15101	ELECTRICITY	37,894.17	29,700	(8,194.17)	32,400	(5,494.17)
2,940.95	1,000	(1,940.95)	15102	GAS	21,311.43	11,000	(10,311.43)	12,000	(9,311.43)
95.40	900	804.60	15103	REFUSE COLLECTION	7,740.42	9,900	2,159.58	10,800	3,059.58
164.24	220	55.76	15105	TELEPHONE EXPENSE	2,097.60	2,420	322.40	2,640	542.40
5,424.01	4,027	(1,397.01)	15106	WATER	53,838.44	44,297	(9,541.44)	48,324	(5,514.44)
626.81	500	(126.81)	15155	INTERNET EXPENSE	6,604.09	5,500	(1,104.09)	6,000	(604.09)
13,285.86	9,347	(3,938.86)		TOTAL UTILITIES	129,486.15	102,817	(26,669.15)	112,164	(17,322.15)
LAND MAINTENANCE									
45,100.00	45,100	0.00	15500	CONTRACT LANDSCAPE SERVICE	506,300.00	496,100	(10,200.00)	541,200	34,900.00
0.00	0	0.00	15505	SPRINKLER REPAIR	2,880.00	0	(2,880.00)	0	(2,880.00)
0.00	528	528.00	15511	BACKFLOW DEVICE TEST	7,524.00	5,808	(1,716.00)	6,336	(1,188.00)
45,100.00	45,628	528.00		TOTAL LAND MAINTENANCE	516,704.00	501,908	(14,796.00)	547,536	30,832.00
COMMON AREA									
3,525.00	2,500	(1,025.00)	16020	CONTRACT POOL/SPA SERVICE	37,725.00	27,500	(10,225.00)	30,000	(7,725.00)
0.00	0	0.00	16022	POOL EQUIPMENT REPAIR	1,060.00	0	(1,060.00)	0	(1,060.00)
0.00	250	250.00	16027	POOL INSPECTION	3,024.72	2,750	(274.72)	3,000	(24.72)
625.00	0	(625.00)	18457	PLUMBING REPAIR	2,715.00	0	(2,715.00)	0	(2,715.00)
0.00	0	0.00	18501	EXPENSES TO BE REIMBURSED	(354.31)	0	354.31	0	354.31
2,230.65	1,300	(930.65)	18524	MATERIAL SUPPLIES	10,824.47	14,300	3,475.53	15,600	4,775.53
150.00	50	(100.00)	18526	PEST CONTROL	4,956.75	550	(4,406.75)	600	(4,356.75)
6,041.29	1,800	(4,241.29)	18531	JANITORIAL SERVICE	29,419.95	19,800	(9,619.95)	21,600	(7,819.95)
0.00	150	150.00	18532	JANITORIAL SUPPLIES	1,371.90	1,650	278.10	1,800	428.10
0.00	0	0.00	18534	FIRE EXTINGUISHER	178.71	0	(178.71)	0	(178.71)
0.00	0	0.00	18564	SPECIAL SECURITY	(136.00)	0	136.00	0	136.00
467.25	500	32.75	18579	PATROL SERVICE	4,848.87	5,500	651.13	6,000	1,151.13
0.00	6,250	6,250.00	18736	GUTTER & DOWNSPOUT CLEANING	45,466.00	68,750	23,284.00	75,000	29,534.00
6,435.51	625	(5,810.51)	18767	REPAIR & MAINTENANCE	22,303.20	6,875	(15,428.20)	7,500	(14,803.20)
0.00	140	140.00	18905	KITCHEN SUPPLIES	912.75	1,540	627.25	1,680	767.25
0.00	85	85.00	18986	FITNESS CONTRACT	659.25	935	275.75	1,020	360.75
19,474.70	13,650	(5,824.70)		TOTAL COMMON AREA	164,976.26	150,150	(14,826.26)	163,800	(1,176.26)
MANAGEMENT/ON-SITE ADMIN EXP									
150.00	150	0.00	18001	COMMUNITY WEBSITE	1,788.00	1,650	(138.00)	1,800	12.00
0.00	100	100.00	18003	COMMUNITY EVENTS/PROGRAMS	(521.17)	1,100	1,621.17	1,200	1,721.17
7,800.00	8,190	390.00	19109	CONTRACT MANAGEMENT	85,800.00	90,090	4,290.00	98,280	12,480.00
(425.58)	0	425.58	19010	PENDING P-CARD EXPENSE 7	0.00	0	0.00	0	0.00

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11/30/2023

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----- ACTUAL	---MONTH--- BUDGETED	----- VARIANCE	G/L NUMBER	DESCRIPTION	----- ACTUAL	YEAR TO DATE BUDGETED	----- VARIANCE	ANNUAL BUDGET	\$ REMAINING IN BUDGET
0.00	158	158.00	19101	CPA SERVICES	2,245.00	1,738	(507.00)	1,896	(349.00)
0.00	0	0.00	19104	FEDERAL TAX EXPENSE	44,079.00	0	(44,079.00)	0	(44,079.00)
0.00	0	0.00	19105	FRANCHISE TAX BOARD	17,679.00	0	(17,679.00)	0	(17,679.00)
1,260.00	50	(1,210.00)	19106	TAXES & LICENSES	1,862.00	550	(1,312.00)	600	(1,262.00)
2,981.08	1,000	(1,981.08)	19108	GENERAL COUNSEL SERVICE	28,260.11	11,000	(17,260.11)	12,000	(16,260.11)
6,294.00	3,000	(3,294.00)	19111	MANAGEMENT REIMBURSABLE	40,543.74	33,000	(7,543.74)	36,000	(4,543.74)
39.50	20	(19.50)	19112	POSTAGE, ON-SITE	213.85	220	6.15	240	26.15
0.00	60	60.00	19117	DUES & PUBLICATIONS	1,498.88	660	(838.88)	720	(778.88)
35.00	35	0.00	19119	BANK FEES	385.00	385	0.00	420	35.00
21,826.63	20,025	(1,801.63)	19124	ON-SITE STAFF	210,308.92	220,275	9,966.08	240,300	29,991.08
520.00	750	230.00	17209	PAYROLL PROCESSING FEES	6,240.00	8,250	2,010.00	9,000	2,760.00
(974.23)	0	974.23	19126	DELINQUENCY MONITORING	(13,180.52)	0	13,180.52	0	13,180.52
0.00	100	100.00	19132	OPERATING CONTINGENCY	2,545.45	1,100	(1,445.45)	1,200	(1,345.45)
(511.80)	0	511.80	19143	LEGAL-COLLECTIONS	3,507.07	0	(3,507.07)	0	(3,507.07)
670.50	300	(370.50)	19172	ACCOUNTING REIMBURSABLES	4,281.35	3,300	(981.35)	3,600	(681.35)
493.36	0	(493.36)	19174	AMS COLLECTION EXPENSE	1,140.44	0	(1,140.44)	0	(1,140.44)
784.52	70	(714.52)	19178	PROPERTY TAX	898.69	770	(128.69)	840	(58.69)
10,361.22	8,000	(2,361.22)	19247	PAYROLL TAXES & BENEFITS	102,636.73	88,000	(14,636.73)	96,000	(6,636.73)
605.00	120	(485.00)	19295	ON-SITE OFFICE SUPPLIES	3,057.70	1,320	(1,737.70)	1,440	(1,617.70)
2,510.55	435	(2,075.55)	19382	COPIER LEASE	6,686.63	4,785	(1,901.63)	5,220	(1,466.63)
0.00	50	50.00	19442	CLAC CONTRIBUTION	0.00	550	550.00	600	600.00
54,419.75	42,613	(11,806.75)		TOTAL MANAGEMENT/ON-SITE ADMIN E	551,955.87	468,743	(83,212.87)	511,356	(40,599.87)
				INSURANCE					
7,559.00	11,333	3,774.00	19107	INSURANCE	130,965.06	124,663	(6,302.06)	135,996	5,030.94
31,467.00	31,467	0.00	DC19307	FLOOD INSURANCE	346,137.00	346,137	0.00	377,604	31,467.00
39,026.00	42,800	3,774.00		TOTAL INSURANCE	477,102.06	470,800	(6,302.06)	513,600	36,497.94
171,306.31	154,038	(17,268.31)		TOTAL OPERATING EXPENSES	1,840,224.34	1,694,418	(145,806.34)	1,848,456	8,231.66
(118,488.77)	0	(118,488.77)		NET INCOME/(LOSS)	(335,204.64)	0	(335,204.64)	0	335,204.64

NEPENTHE ASSOCIATION
INCOME STATEMENT FOR 12 MONTHS ENDING
11/30/2023

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15241 Laguna Canyon Road
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	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	TOTAL
REVENUE													
14000 HOMEOWNER ASSESSMENT REVENUE	327494	364641	317190	341554	324699	353293	343085	322812	366647	312932	323292	332939	4030577
14087 EASEMENT AGREEMENT	0	5477	0	5653	0	5829	0	0	7347	0	-1469	0	22836
14101 INTEREST ON PAST DUE ASSESMEN	660	294	185	109	64	594	329	156	804	18	277	70	3561
14110 KEY REVENUE	20	0	60	70	40	10	135	105	125	10	60	95	730
14113 CLUBHOUSE RENTAL	495	1335	505	825	0	475	0	985	660	0	0	890	6170
14122 INSURANCE REIMBURSEMENT	450	0	0	0	0	14536	1309	1046	450	225	450	0	18465
14132 MISCELLANEOUS REVENUE	0	0	65	0	0	705	-451	0	-455	1162	-572	0	454
14162 OPERATING INTEREST REVENUE	182	207	193	218	213	258	0	484	261	245	271	256	2787
14163 RESERVE INTEREST REVENUE	28759	37845	121257	51846	22838	37749	37186	41353	25685	18485	13701	72731	509434
14221 FACILITY RENTAL FEE	0	0	0	0	0	-600	0	0	0	0	0	0	-600
14229 RENTAL FEES	0	0	0	0	0	750	0	0	0	0	0	0	750
14357 RESERVE CONTRIBUTION	0	202708	0	0	0	0	528448	0	0	0	0	0	731156
14372 PAST OWNERS REVENUE	607	0	0	0	0	0	0	0	0	0	0	0	607
TOTAL REVENUE	358667	612507	439455	400274	347853	413598	910040	366941	401524	333077	336010	406980	5326927
RESERVE CONTRIBUTION													
19572 GYM/WORKOUT FACILITIES RESERVE	285	0	275	275	275	275	275	275	0	550	413	413	3310
19660 PAINTING-INTERIOR RES	192	0	184	184	184	184	184	184	0	368	276	276	2216
19714 CONCRETE REPAIR RESERVE	4123	0	4097	4097	4097	4097	4097	4097	0	8194	6146	6146	49190
19803 GENERAL RESERVE INTEREST	28759	37845	121257	51846	22838	37749	37186	41353	25685	18485	13701	72731	509434
19820 ROOF RESERVE	74371	0	70521	70521	70521	70521	70521	70521	0	141042	105782	105782	850102
19822 POOL/SPA RESERVE	2859	0	2751	2751	2751	2751	2751	2751	0	5502	4127	4127	33120
19827 FENCING RESERVE	5038	0	4935	4935	4935	4935	4935	4935	0	9870	7403	7403	59323
19833 IRRIGATION RESERVE	9452	0	10477	10477	10477	10477	10477	10477	0	20954	15716	15716	124699
19846 SIGN RESERVE	391	0	370	370	370	370	370	370	0	740	555	555	4461
19878 PAVING RESERVE	10974	0	11628	11628	11628	11628	11628	11628	0	23256	17442	17442	138882
19899 RESERVE STUDY	145	0	166	166	166	166	166	166	0	332	249	249	1971
19901 PRIOR YR FUNDING	0	187620	0	0	0	0	0	0	0	0	0	0	187620
L19833 OUTDOOR EQUIPMENT RSRV	5	0	5	5	5	5	5	5	0	10	8	8	60
L19835 PAINTING EXTERIOR RESERVE	14356	0	13496	13496	13496	13496	13496	13496	0	26992	20244	20244	162812
L19836 STRUCTURAL REPAIRS RSRV	37753	1894	41002	41002	41002	41002	567790	41002	0	82004	61503	61503	1017457
N19611 UNDERGROUND UTILITY REPR RSV	991	550	1395	1395	1395	1395	1395	1395	0	2790	2093	2093	16886
N19691 POLE LIGHT REPR RSV	0	264	618	618	618	618	2278	618	0	1236	927	927	8722
N19717 CLBHOUSE REMODEL INTERIOR RENO	3151	0	3001	3001	3001	3001	3001	3001	0	6002	4502	4502	36162
N19830 MISCELLANEOUS RSV	3248	0	434	434	434	434	434	434	0	868	651	651	8022
N19974 COMMON TENNIS CRT RSV	1384	0	1312	1312	1312	1312	1312	1312	0	2624	1968	1968	15816
N19975 GROUNDS RSV	9452	100000	10477	10477	10477	10477	10477	10477	0	20954	15716	15716	224699
N19982 TREE REM/ ANNL MAINT RSV	9452	100000	10477	10477	10477	10477	10477	10477	0	20954	15716	15716	224699
TOTAL RESERVE CONTRIBUTION	216381	428172	308878	239467	210459	225370	753255	228974	25685	393727	295133	354162	3679662
AVAILABLE OPERATING REVENUE	142286	184334	130577	160807₉	137394	188228	156785	137967	375840	-60650	40878	52818	1647265

NEPENTHE ASSOCIATION
INCOME STATEMENT FOR 12 MONTHS ENDING
11/30/2023

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

FirstService Residential CA
15241 Laguna Canyon Road
Irvine CA 92618

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	TOTAL	
OPERATING EXPENSES														
UTILITIES														
15101	ELECTRICITY	0	3238	3867	3243	3241	2814	2815	3254	3790	6309	1289	4034	37894
15102	GAS	2787	2890	3368	3770	2262	1016	1332	1209	335	509	1679	2941	24098
15103	REFUSE COLLECTION	805	902	913	912	893	951	2724	111	64	85	90	95	8545
15105	TELEPHONE EXPENSE	265	264	260	260	164	164	164	164	164	164	164	164	2362
15106	WATER	4886	5271	4281	5262	4260	5398	5267	4291	5382	965	8038	5424	58724
15155	INTERNET EXPENSE	566	566	577	582	582	596	596	626	627	599	627	627	7170
	TOTAL UTILITIES	9308	13132	13265	14028	11403	10940	12898	9655	10361	8632	11886	13286	138794
LAND MAINTENANCE														
15500	CONTRACT LANDSCAPE SERVICE	84000	45100	45100	45100	45100	45100	55300	45100	45100	45100	45100	45100	590300
15505	SPRINKLER REPAIR	0	2880	0	0	0	0	0	0	0	0	0	0	2880
15511	BACKFLOW DEVICE TEST	0	0	0	0	0	0	0	0	0	0	7524	0	7524
	TOTAL LAND MAINTENANCE	84000	47980	45100	45100	45100	45100	55300	45100	45100	45100	52624	45100	600704
COMMON AREA														
16020	CONTRACT POOL/SPA SERVICE	3225	2475	3375	3375	3825	3525	3375	3375	3525	3675	3675	3525	40950
16022	POOL EQUIPMENT REPAIR	-2360	0	825	0	0	0	235	0	0	0	0	0	-1300
16027	POOL INSPECTION	0	1350	0	0	0	1675	0	0	0	0	0	0	3025
18457	PLUMBING REPAIR	0	2090	0	0	0	0	0	0	0	0	0	625	2715
18501	EXPENSES TO BE REIMBURSED	0	0	0	-354	0	0	0	0	0	0	0	0	-354
18524	MATERIAL SUPPLIES	508	385	583	1528	1101	533	972	1552	677	1263	0	2231	11332
18526	PEST CONTROL	0	1250	950	0	0	0	600	150	350	0	1507	150	4957
18531	JANITORIAL SERVICE	2190	2190	2490	2490	0	4980	2490	2490	3290	0	2959	6041	31610
18532	JANITORIAL SUPPLIES	117	343	606	0	0	423	0	0	0	0	0	0	1489
18534	FIRE EXTINGUISHER	0	0	0	0	0	0	0	0	179	0	0	0	179
18564	SPECIAL SECURITY	0	0	0	0	0	-136	0	0	0	0	0	0	-136
18579	PATROL SERVICE	1168	459	484	477	363	381	498	551	0	623	545	467	6017
18736	GUTTER & DOWNSPOUT CLEANING	32456	0	4185	4050	1215	185	2430	945	0	0	32456	0	77922
18767	REPAIR & MAINTENANCE	-3344	515	-1630	2643	582	1141	6104	0	325	1791	4397	6436	18959
18905	KITCHEN SUPPLIES	257	21	71	148	160	0	109	234	0	169	0	0	1170
18986	FITNESS CONTRACT	0	0	95	95	0	0	180	0	0	289	0	0	659
	TOTAL COMMON AREA	34217	11079	12035	14451	7247	12706	16993	9297	8346	7810	45539	19475	199193
MANAGEMENT/ON-SITE ADMIN EXP														
18001	COMMUNITY WEBSITE	300	0	300	150	150	438	0	150	150	150	150	150	2088
18003	COMMUNITY EVENTS/PROGRAMS	430	0	427	-1404	106	-320	507	0	72	0	91	0	-92

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	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	TOTAL
19109 CONTRACT MANAGEMENT	7800	7800	7800	7800	7800	7800	7800	7800	7800	7800	7800	7800	93600
19010 PENDING P-CARD EXPENSE	0	0	0	0	0	393	0	-393	0	0	426	-426	0
19101 CPA SERVICES	0	0	0	0	2005	240	0	0	0	0	0	0	2245
19104 FEDERAL TAX EXPENSE	-25284	0	0	0	0	0	0	44079	0	0	0	0	18795
19105 FRANCHISE TAX BOARD	-6920	0	0	0	0	0	0	17679	0	0	0	0	10759
19106 TAXES & LICENSES	0	0	0	0	602	0	0	0	0	0	0	1260	1862
19108 GENERAL COUNSEL SERVICE	2948	0	6518	1806	0	0	0	0	14796	1665	495	2981	31208
19111 MANAGEMENT REIMBURSABLE	3320	4070	3960	3620	925	6312	3610	3610	3610	925	3610	6294	43864
19112 POSTAGE, ON-SITE	0	0	50	0	39	0	0	0	0	86	0	40	214
19117 DUES & PUBLICATIONS	0	0	1179	0	320	0	0	0	0	0	0	0	1499
19119 BANK FEES	35	35	35	35	35	35	35	35	35	35	35	35	420
19124 ON-SITE STAFF	12743	20394	17006	22830	25504	17384	8179	17237	26663	26017	7269	21827	223052
17209 PAYROLL PROCESSING FEES	520	520	520	520	520	520	520	520	520	520	1040	520	6760
19126 DELINQUENCY MONITORING	-1625	-1710	-883	-1185	-541	-2138	-1584	-1129	-1651	-346	-1041	-974	-14805
19132 OPERATING CONTINGENCY	0	0	0	0	0	0	2545	0	0	0	0	0	2545
19143 LEGAL-COLLECTIONS	0	0	0	0	0	0	0	-321	197	4142	0	-512	3507
19172 ACCOUNTING REIMBURSABLES	593	659	428	411	0	713	375	359	326	0	340	671	4874
19174 AMS COLLECTION EXPENSE	-84	925	-232	1398	295	172	-735	170	-923	0	-423	493	1056
19178 PROPERTY TAX	0	0	0	0	0	0	0	0	114	0	0	785	899
19247 PAYROLL TAXES & BENEFITS	6354	10604	8372	10736	11475	8667	4444	8926	13508	11684	3859	10361	108991
19295 ON-SITE OFFICE SUPPLIES	203	141	116	31	1	255	886	607	26	262	127	605	3261
19382 COPIER LEASE	443	920	955	477	0	0	0	278	482	1064	0	2511	7129
TOTAL MANAGEMENT/ON-SITE ADM	1776	44359	46548	47224	49236	40472	26582	99609	65725	54004	23777	54420	553732
INSURANCE													
19107 INSURANCE	17408	11370	11370	11370	11370	11370	11370	11370	11370	0	32443	7559	148373
DC1930 FLOOD INSURANCE	26047	26906	27000	27000	27000	49429	31467	31467	31467	31467	31467	31467	372184
TOTAL INSURANCE	43455	38276	38370	38370	38370	60799	42837	42837	42837	31467	63910	39026	520557
TOTAL OPERATING EXPENSES	172755	154825	155318	159175	151356	170017	154611	206498	172369	147013	197735	171306	2012979
<i>NET INCOME/(LOSS)</i>	<i>-30469</i>	<i>29509</i>	<i>-24741</i>	<i>1633</i>	<i>-13962</i>	<i>18211</i>	<i>2216</i>	<i>-68531</i>	<i>203470</i>	<i>-207663</i>	<i>-156858</i>	<i>-118489</i>	-365673

Elections Committee Charter Adopted 3-1-17.pdf

ELECTIONS COMMITTEE CHARTER

The Board of Directors hereby adopts this charter for the conduct of the Elections Committee, effective March 1, 2017.

1. For all ballot measures before the association, the Directors shall appoint one or three Inspector(s) of Election. The Inspector(s) of Election shall be independent third party/parties, and shall not be a member of the Board, or a person, business entity or subdivision of a business entity that is currently employed or under contract to the association. In the case of an election of directors, the Inspector(s) of Election also may not be a candidate or related to a candidate for election.
2. All ballot measures, including, without limitation, election, or removal of directors, elections regarding assessments, legally requiring a vote of the members, amendments to the governing documents, or grant of exclusive use of common area property, shall be held by secret ballot.
3. The Inspector(s) of Election shall do all of the following:
 - a. Determine the number of memberships entitled to vote and voting power of each;
 - b. Determine the authenticity, validity and effect of proxies, if any;
 - c. Receive ballots or designate a location for the receipt of ballots;
 - d. Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote;
 - e. Count and tabulate all votes pursuant to the Election Rules and prevailing statutes;
 - f. Determine when the polls shall close, consistent with the governing documents;
 - g. Determine the tabulated results of the election;
 - h. Retain custody of the ballots or designate a location for the retention of the ballots following tabulation and until the time allowed by the California Corporations Code for challenging the election has expired;
 - i. Perform any acts as may be proper to conduct the election with fairness to all members in accordance with the Civil Code, the Corporations Code, and all applicable rules of the association regarding the conduct of the election that are not in conflict with the law.
 - j. In addition to the above, the Inspector(s) of Election may also appoint volunteers to assist with the counting and tabulation of ballots/votes, which volunteers must also be independent parties as specified herein.
4. Proxies may be requested by members who desire to give to another member the power to vote on behalf of that member.
5. Votes shall be counted and tabulated by the Inspector(s) of Election, together with volunteers as may be appointed by the Inspector(s) of Election for this purpose, in public at a properly noticed open meeting of the Board of Directors or members. Candidates and other members of the association may witness the counting and tabulation of the votes. No person, including a member of the association or an employee of the management company, shall open or otherwise review any ballot prior to the time and place at which the ballots are counted and tabulated. After the transfer of the ballots to the association in a secure place for no less than one year after the date of the election.

Nominating Committee Charter Adopted 3-1-17.pdf



NOMINATING COMMITTEE CHARTER

The Board of Directors hereby adopts this charter for the conduct of the Nominating Committee, effective March 1, 2017.

PURPOSE OF COMMITTEE:

This committee is responsible for recruiting members to be elected to the Board of Directors. The Nominating Committee prepares the slate of new prospective Board members for the annual election. Any Nepenthe homeowner in good standing may declare candidacy for the Board.

Responsibilities are delineated in the Bylaws, Section 4.6.(a)

MEMBERSHIP:

The committee's membership is composed of at least three members, one of whom is a Board member.

The Board of Directors appoints the Chairperson and members of the committee by December 31 of each year. Members serve until the election is concluded and the duly elected Directors have been seated.

KEY RESPONSIBILITIES:

1. Coordinate recruitment of potential Board members for nomination.
2. Interview volunteers.
3. Prepare slate of candidates for Board service.
4. Prepare written report to the Board of Directors for the special Nominating Meeting at least 60 days before the election date.

MEMBER QUALIFICATIONS

Prefer owners who have participated in committees or Nepenthe activities. Must be willing to become familiar with the CC&Rs and Bylaws of Nepenthe, as they pertain to nominating activities.

This committee is assisted by Nepenthe office staff upon request.

This committee's purpose is to assist the Board in carrying out its legal and fiduciary responsibilities. This committee does not make decisions for the Board, nor does it dictate how the Board should function.

Standards and Practices Nominating Committee Adopt.pdf



Nepenthe Association
Standards and Practices for the Nominating Committee

Adopted by the Board of Directors in open session on April 5, 2017
Revised to agree with applicable Civil Codes 2020

This policy defines the responsibilities of the Nominating Committee to encourage and solicit members of Nepenthe to become nominees in the election of the Board of Directors.

Purpose - To establish policies and guidelines for use by the Nominating Committee.

Process - The Nominating Committee shall be appointed every January by the Board of Directors and shall serve until the conclusion of the Annual Membership Meeting and until the directors to be elected have been duly elected. The Nominating Committee will solicit potential candidates and maintain a list of names in preparation for the next vacancy to the Board of Directors. The Committee shall consist of three members.

- A chairperson, who must be a Board member.
- Two resident homeowners.

The Nominating Committee shall meet not more than 90 days after appointment to the Committee in order to review all procedures and finalize dates for follow-through.

Deadline Dates

January - Insert notice in Nepenthe Newsletter asking resident homeowners to become candidates for the Board of Directors election. Interested members will be contacted the nominating committee.

February - Contact potential candidates to encourage them to run for Board positions.

March - Present the slate of candidates at a regular monthly Board of Directors meeting or a special meeting of the Directors called for this purpose.

April - Candidates' statements and photographs are included in the monthly newsletter.

April - Candidates Forum is held at the Nepenthe Clubhouse. The Chair of the Nominating Committee facilitates this meeting. Candidates make a short presentation to homeowners. Questions from homeowners follow after each candidate's presentation.

May - Annual homeowners meeting and election.

The Nominating Committee accepts suggestions throughout the year for prospective nominees. Any interested, qualified person may be a potential candidate. The General Manager must ensure that the candidate is in good standing with the association and is current in the payment of his or her assessments and dues in order to be eligible as a candidate.

Within 30 days of receiving a suggestion, the Nominating Committee will ensure that the candidate is willing and eligible to accept a position on the Board before adding his or her name to the list. The committee will do



this through a series of personal contacts and by providing as much information is needed by the potential candidate in order for them to make a decision as to whether they will serve. The committee will also provide the standards for preparing a Candidate's Statement to all interested parties.

Self-Nomination

Any Member meeting the qualifications set forth in the Election Rules may nominate himself or herself by fully completing and executing the application contained in the request for nominations. All such Members who return an application on or before the deadline stated in the request for nominations shall be included on the ballot for election of Directors. (Civ. Code, § 5105(b).)

Candidate petitions must be filed with the manager no less than thirty-five (35) calendar days prior to the scheduled annual election date.

The Nominating Committee presents a slate of candidates to the Board of Directors in March at the regular monthly board meeting. It also presents a list of candidates to the Board of Directors when a vacancy occurs.