



**NEPENTHE ASSOCIATION
BOARD OF DIRECTORS MEETING**

April 8, 2020, 5:30 PM

Nepenthe Clubhouse | 1131 Commons Drive | Sacramento, CA 95825

**OPEN SESSION MINUTES
(MEETING HELD VIA TELECONFERENCE DUE TO COVID-19 PUBLIC HEALTH ORDER)**

I. CALL TO ORDER 5:30 PM

Present	Board Member	Position
X	Christina George	President
X	Linda Cook	Vice President
X	Will Vizzard	Treasurer
X	Jan Summers	Secretary
X	Greg Beale	Member at Large

II. ANNOUNCEMENTS

- a. **Executive Session Disclosure:** In accordance with Civil Code Section 4935(a), the Board met in Executive Session on April 8, 2020 in order to consider matters relating to personnel, contract negotiations, legal matters and member discipline.
- b. **Contracts Disclosure:**
 - i. Zone 1 Tree Work, \$6,137, The Grove Total Tree Care
 - ii. Traffic Island Enhancements, \$20,166, Coast Landscape
 - iii. Howe Turf Removal, \$5,450, Coast Landscape
 - iv. Fence Replacement, \$2,620.06, James Williams and Son, 814 Elmhurst Circle
 - v. Siding Repair, \$1,844.06, James Williams and Son, 2250 Swarthmore Drive
 - vi. Siding Repair, \$907.22, James Williams and Son, 305 Dunbarton Circle

III. COMMITTEE REPORTS

- a. Architectural Review Committee, no report beyond submitted minutes
- b. Finance Committee (no report)
- c. Grounds Committee, no report beyond submitted minutes
- d. Insurance, Legal and Safety Committee, no report beyond submitted minutes
- e. Outreach Committee (no report)

IV. MANAGEMENT REPORT – The following reports were provided to the Board in their advance materials:

- a. Management actions since the last Board meeting
- b. Manager’s Financial Report - Reserve Tracker
- c. March Nepenthe News
- d. 2020 Master Calendar

e. Landscape Status Meeting Minutes

V. **HOMEOWNER CORRESPONDENCE** - The Board reviewed letters from homeowners on various issues related to the community.

VI. **HOMEOWNER COMMENTS** – A few homeowners provided commentary on the agenda and the state of the community overall.

VII. **CONSENT CALENDAR**

Resolution: The Board approves Consent Calendar Items A to D as presented.

Motion: Director Cook

Second: Director Beale

Vote: All in favor

Begin Consent Calendar

- a. The Open Session minutes dated March 4, 2020 are approved as presented.
- b. The Board accepts the February 2020 interim financial reports and bank reconciliations as presented, subject to annual review.
The reports reflect a negative year to date variance of \$88,256.37 and reserve funding of \$440,946 compared to the reserve funding budget of \$181,623. The association was delayed in funding the reserves as budgeted in December and January in order to pay the annual Flood Insurance renewal. The negative variance reflects the payment of the balance of December 2019’s reserve contribution.
The Association has \$281,632 in operating funds, which represents slightly less than one month of budgeted expenses and reserve contributions. The Association has \$8,812,790 in reserve funds. Please see the Management report for more information.
- c. **Lien Resolution** The directors authorized the placement of liens on the following account should the delinquent assessments not be paid within the time period established in the Intent-to-Lien letter.

Account Number	Past Due Amount
2389-02	\$1,557

d. **Architectural Applications**

The Board confirms the recommendations of the committee; therefore, the following application is approved.

	Address	Application for	Recommendation
1	2249 Swarthmore	Window Replacements	Approval

End Consent Calendar

VIII. UNFINISHED BUSINESS

A. Accessory Dwelling Unit Criteria

The Accessory Dwelling Units policy was distributed to the membership for the state-mandated 28-day comment period. Once adopted, management will update the Community Rules and Architectural Guidelines and post them to the website.

Resolution: The Board adopts the new criteria governing the installation of Accessory Dwelling Units and Junior Accessory Dwelling Units within the association.

Motion: Director Beale

Second: Director Cook

Vote: All in favor

B. Repeal of the 2014 Resolution 138 Which Allows Homeowners to Pay for Plantings in the Common Area

The notice concerning the repeal of Resolution 138 has been distributed to the membership for the state-mandated 28-day comment period.

Upon repeal, governance regarding planting in the Common Area reverts to the CC&Rs Article V, Section 5.1(a) which states "Only the Association may remove any vegetation from or plant any vegetation on the Common Area." The Board has instructed management to write up the process by which homeowner landscape requests will be evaluated and acted upon. The proposed process has been enclosed in the directors' advance materials for their review.

Resolution: The Board repeals Resolution 138 which allowed homeowners to pay for plantings in the Nepenthe Association's Common Area and confirms the governance of the Common Area as stated in the Third Amended and Restated CC&Rs of Covenants, Conditions & Restrictions of Nepenthe Association.

Motion: Director Cook

Second: Director Beale

Vote: All in favor

C. Pickleball Guests

At the February Open Session, the Board discussed the number of guests to be allowed for Pickleball, as well as Tennis. The current rules allow for 4 guests per resident in the pool, but do not speak to the courts. Rule was sent to the community for the required 28-day notice period.

Resolution: Board to allow 4 guests per resident for the Sports Courts to match the rule for the pool area. Specific rule changes are below.

Rule to be added as follows:

3.4.7 Guests

Nepenthe residents must accompany their guests in and around the sports courts.

Residents are limited to four (4) guests per residence in the sports courts at one time.

Rule to be modified as follows:

4.5 Guests

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

- 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.
- No more than four (4) guests per household in any of the pool areas or sports courts at once.

Motion: Director Vizzard

Second: Director Summers

Vote: All in favor

IX. NEW BUSINESS

A. Confirm the Board President's March 20, 2020 directive to close the amenities.

Resolution: The directors confirm the decision of the Board President to close the facilities of the association to comply with the current California Executive Order N-33-20 issued by Governor Newsom on March 19, 2020 and resolves to keep the facilities closed until the order is lifted.

Motion: Director Vizzard

Second: Director Beale

Vote: All in favor

B. Consider opening the Tennis Courts on Commons Drive and Elmhurst Circle.

The Board agreed to place this item on the agenda and was open to considering homeowner requests to open the tennis courts, but in light of the issuance of the revised Public Health Order on April 7, 2020 which specifically prohibits play on tennis courts, no action was taken on this item.

C. Adopt new charter for Grounds Committee

Proposed resolution: The Board adopts the Grounds Committee Charter dated April 8, 2020.

Motion: Director Cook

Second: Director Beale

Vote: All in favor

IX. HOMEOWNER COMMENTS

X. NEXT MEETING: Wednesday, May 6, 2020 at 5:30 pm in the Nepenthe Clubhouse

XI. ADJOURN 6:01 PM