

RESPONSES TO MAY 2024 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 will also be published with the monthly newsletter. As time, quantity of homeowner comments, and level of research necessary to prepare full and accurate responses permits, these responses may also be emailed mid-month after the meeting date mentioned in the heading.

HOMEOWNER FORUM

[Responses to direct questions]

1. Courtenay Delfin, homeowner: Regarding landscape remediation, what is the number of inches plants must be from the siding and fencing?

[Director Dascher responded: The CPR contract calls for 18 inches. In all cases an effort is made to do as little removal as possible. People involved in making the determination include the project manager, CPR representative, Progressive Painting representative, Carson representative, and two directors. At each location a decision is made for that specific site. If bush trimming can be done without leaving bare wood, that is the first choice when plantings are too close.]

Delfin: So, there is no hard and fast rule to count upon.

[Director Grebitus: The CPR says at least 18 inches, but it depends upon the plant and potential problems.]

Delfin: So, new plantings will be maintained to meet that space requirement? That has not been the case with alleys remediated in 2022.

[Director George: Some shrubs can be pruned back, others cannot. Old growth plants have fewer options. The goal is to achieve the full 20-year life of the new siding and control the money spent on fencing and siding. When replacement planting occurs, the irrigation is changed to drip.]

Delfin: Understands much of the damage is due to over-spraying via the overhead irrigation system which has been replaced by drip.

[Director George: Netafim is a type of drip system with emitters every 12 inches. It was installed by GP and Coast Landscaping companies. It is best suited for watering trees as most shrubs are not planted with 12-inch spacing.]

Delfin: Lots of plants that are living and currently doing well on the existing irrigation are being removed.

[Director Dascher: We are removing shrubs to prevent future damage.]

Delfin: It has to be our decision as homeowners.

[Director Dascher: It is the Board's responsibility. We listen to the professionals hired to do the work.]

Topics: Criterion for Removing Shrubs for Siding Project

Board Response: The Association CC&Rs charge the Board with the responsibility to “preserve, protect, and maintain” the community. To do that, the Board listens to homeowners, committee recommendations, and professionals with expertise in the area. After considering all the information available, we follow the Association’s governing documents, the Davis-Stirling Act, and civil codes in making our decisions. Controlling costs while maintaining our community environment and premises is always part of our decision process. As volunteers and fellow homeowners, we face the same fiscal challenges as any other homeowner.

2. Marcy Best, homeowner, Chair of Outreach Committee: Do the same rules apply for interior garden plants? What are the criteria?

[Director George: Make sure plants such as Pittosporum and Xylosama are not against fencing and siding.]

[Director Nelson: Irrigation should be managed to not spray on fences or siding.]

[Director Dascher: Patio inspections are being conducted. Those attending are usually the siding project manager, the General Manager, the Grounds liaison, and the Board President. So far there have been no instances where plants were needed to be removed. There have been needs to prune back overgrowth.]

[Director George: Tree roots can cause problems and may sometimes require a tree to be removed by the owner.]

[Director Dascher: During one inspection a downspout problem was identified.]

Topic: Criteria for Patio Clearances with Siding Project

Board response: Patio planting is the domain of the homeowner. Because all homeowners pay for damage to fences, roofs and siding (which are considered common areas to the community), each individual homeowner should ensure their choices do not damage common areas. If an individual homeowner’s plantings or irrigation system has caused problems for the common area, that homeowner is responsible for correcting the problem. With the resumption of violation walks, homeowners will be receiving notices where visible problems are identified. During the siding project, more issues may be identified than seen on a routing violation walk.

3. Ashley Tangeraas, homeowner: Do we have a general idea of the cost estimate for each unit in phase 2?

[Director Dascher: We are haggling with vendors and do not have a final price. For all costs, maybe around \$10,000.]

4. Ashley Tangeraas, homeowner: A follow-up question. There's a story that we have Carson Landscape because no other companies want to work with us. There are a lot of companies that want to work with us. The issue is owed some kind of analysis. Feels we are signing blank checks. There are no material lists, and no one bids like this. There is no disclosure. Why not explore other contractors?

Topic: Siding Costs; Landscape Contracting

Board Response: Nepenthe has an existing master contract with Carson Landscaping. The contract covers maintenance items and additional work as requested by the Board. This vendor was chosen by competitive bidding in December 2020. Our current contract locked in labor costs for three years and contains a provision for cancellation by either side with a 30-day notice. Perhaps there is confusion about the difference between a contract bid and the process for approving specific projects. The same general process is followed regardless of the contractor if the tasks include separate projects. Landscaping needs are identified either through a homeowner request for service, or a zone steward (member of the Grounds Committee) making a report, or a tree walk report from Grove, or damage to an area. From there, the issue is considered by the Grounds Committee during the monthly meeting and recommendations are made. Our contractor prepares a proposal for the recommended work and submits that proposal to the Board for consideration. A proposal is not an individual contract, it is a proposal to complete a specific task bound by the terms of the master contract. During Executive Session, the Board considers proposals and determines whether to approve or reject the proposal as presented or to request alterations to the proposal. If a majority of the Board approves a proposal, the office notifies the vendor of the approval. If the proposal is rejected or a modification request is made, the office contacts the vendor for discussion and possible adjustment or resubmission.

5. Brian Coates, homeowner: The CPR contract requires an 18-inch clearance.

[Director Dascher: Siding and paint are different contractors. Siding is 18-inches and painting is 24-inches.]

Coates: That seems unreasonable. Why no conversation with the homeowner?

Topic: Siding Clearances

Board Response: As we proceed through the siding project, decisions are made on a site-specific basis. If clearances are appropriate no shrubs are being removed.

6. Theresa McCracken, homeowner, member Grounds Committee: Some decisions seem simple, but they are not necessarily so – they can be complex. Nothing is simple

- an example is tree roots damaging slabs. Committee members and the Board work hard. There have been helpful changes and here are some suggestions for further improvement are:
- using zoom for Grounds meetings is very helpful
 - improving communication to homeowners before landscape changes would be useful and avoid surprises
 - some of these suggestions might involve legwork

Topics: Decision Making; Communication Improvements

Board response: Thank you for recognizing that there are many layers involved in making community-wide decisions. Committee members appreciate your recognition of their hard work. The office and the Board currently use the monthly newsletter and the Friday emails to notify homeowners of upcoming landscape and construction work. Siding contractors give advance notice of their work schedule. Because of potential delays and schedule conflicts, it is not possible to give exact timing on upcoming work. The office and Board will continue to communicate work projects and their timing. When work is approved by the Board, the list of affected areas will be included in the next monthly newsletter.

7. Don Landslitt, homeowner, member Finance Committee: New plants depend upon Netafim. There are different needs for clearance for siding from fencing.

[Director Dascher: Each decision is site-specific with the contractors determining what is needed. If entire side is a hedge, contractors cannot do work behind it.]

Landslitt: Is it 18 inches or 24 inches?

Topics: Siding Project Clearance; Netafim

Board response: During the siding project, in consultation with the contractors and Board representatives, decisions about shrub are and will be made on a site-specific basis. Inspection is conducted approximately 2 months in advance of the siding work and identified shrubs are marked with black paint.

8. Will Vizzard, homeowner, member Finance Committee: Sometimes work on fences only need access from one side. Siding has only one access.

Topics: Siding Clearance

Board response: That is correct and is part of the site-specific consideration.

9. Nina White, homeowner, member Finance Committee: Zone 3 did not have shrubs removed and all the work was done without problems. This inconsistency has cost the association millions of dollars in plantings.

[Director Grebitus: The current Browning Reserve Study calculates fence material life at 20 years. If irrigation and plantings do not interfere and cause damage, we should expect that result. Earlier replacement due to damage will increase our costs.]

Topics: Siding Clearance Inconsistency

Board response: During the work on zone 3, damage to fencing and siding was discovered hidden by shrubs and other landscaping which had been holding water against the siding or causing root issues. This damage resulted in large cost increases over the initial estimates. While removing the shrubs now will not reduce the current costs, they will reduce costs for our future siding projects beginning with zone 4

CORRESPONDENCE

1. Jerry Dunn, homeowner: Provides information on the alternatives for using bark as ground cover, including an attachment from sactree.org.

Topics: Ground Cover Alternatives; Bark

Board Response: Thank you for your interest and research. This letter and attachment are being sent to the Grounds Committee for their consideration when they discuss ground cover topics.

2. Kelly Cole, homeowner: Feels the process for discussing issues and getting information is unclear and unproductive. What is the process to follow and how should homeowners engage in discussion on issues? Requests posting of the Standards and Practices for Committees. Requests a written definition of a homeowner's rights to have a meaningful dialog on issues.

Topics: Homeowner Comments and Discussion; Role of Committees; Answers to Questions

Board response: We respond to questions through many avenues: the office may be able to immediately respond, especially to policy or procedure questions; our website and newsletters (archives are available on line) contain a wealth of information; appropriate Committees can quickly inform or begin a process toward resolution; letters to the Board are published and the Board responds through either direct contact to the homeowner and/or response in this forum; and, homeowner comments at Open Board Meeting are also replied to in this forum no later than the following Board meeting. The Charters and Standards and Practices for committees are posted on the Nepenthe website - the links are listed below. Charters are specific to each Committee. Except for the Finance and Grounds Committees, the Standards and Practice statement applies to all committees. All three Standards and Practices documents are included as attachments to this response. Also, our website currently lists documents, minutes, and recordings by Committee; with the revision of the website currently being undertaken, that alignment might change. Chairs of committees prepare agendas that allow time for homeowner comments. As with the Open Board Meeting, a time limit is set to ensure that all interested homeowners have an opportunity to be heard. If an issue is complicated and/or needs detailed explanation to be best understood, the better submission would be in writing to the Board containing the background and supporting information. From that submission, the Board can respond. As needed, the Board sponsors Forums on topics of interest to homeowners such as the 2023 forum on flood

insurance. Annually there is a Homeowner's Forum where questions may be asked of the committees.

Links to committee charters:

Finance Committee

<https://nepenthehoa.com/wp-content/uploads/2018/01/Finance-Committee-Charter-Adopted-4-5-17.pdf>

Grounds Committee

https://nepenthehoa.com/wp-content/uploads/2020/04/Grounds-Charter-CLEAN_1.pdf

Insurance, Legal and Safety Committee

https://nepenthehoa.com/wp-content/uploads/2020/04/Grounds-Charter-CLEAN_1.pdf

Outreach Committee

<https://nepenthehoa.com/wp-content/uploads/2021/01/Outreach-Charter-Adopted-9-6-17.pdf>

3. Kelly Cole, homeowner: Disagrees with the removal of shrubbery in advance of the siding and painting project where drip systems have been installed. If irrigation watering and debris buildup are causing problems, it would be less expensive to have Carson do better cleanup and more monitoring of the irrigation. We have already paid to have drip systems installed. We need to face reality that in this uncertain time we may need to make unpopular choices. Letting go of problem shrubs and not replacing them may be a good place to start.

Topics: Shrub Removal and Replacement

Board Response: Drip irrigation systems have not been universally installed. As landscaping work is performed, the irrigation system is changed if it is appropriate. Drip systems are not suitable for turf and some other installations. The decisions to remove shrubs in advance of siding and painting are done on a site-specific basis and include consideration of the existing irrigation, the option of pruning, and the age of and maintenance required for the existing plants. Further information has been provided in the Board packets and newsletters since January.

4. Alan T. Watters, homeowner, Chair Architectural Review Committee:

Commends staff member Julienna "Jay" Michel for her cooperative, cheerful, and friendly manner.

Topics: Commend Staff Julienna Michel

Board Response: Thank you for recognizing and supporting Jay. Our staff are well-trained and available to answer questions and guide homeowners who seek assistance.

5.Marty & Sue Henderson, homeowners: Why were they not notified that shrubs were being removed? Is saving time and money now going to compensate for replacing these plants? The area around the fencing needs reparation before the fence is replaced.

Topics: Notification of Plant Removal; Fencing Preparation

Board Response: The Board recognizes that the changes occurring can seem drastic. As mentioned in our Board packets and newsletters, this work is proceeding in preparation for siding and painting access. A chart of the progress of the project is printed in each newsletter. Remediation of areas will include root (grinds) removal, leveling where necessary, irrigation correction or change and suitable planting.

Attachments to these responses:

Standards and Practices – all Committees other than Grounds and Finance

Standards and Practices – Finance

Standards and Practices – Grounds



Standards and Practices for Committees

Adopted by the Board of Directors on January 2, 2019

The purpose of this document is to codify standards and practices of The Nepenthe Association so that all parties have a clear understanding of their roles and to ensure continuity of operations through turnover in the Board, committees and staff.

A. Role of committees

The role of committees is to advise the Board of Directors and to help the Board make sound decisions for the Association.

B. Relations with the Board

1. The Board will provide clear direction to all committees and will respond promptly to the committees' recommendations and requests for information or guidance.
2. Committees will abide by the governing documents and will follow Board policy.

C. Qualifications

1. Committee members occupy a position of public trust. They are expected to demonstrate the same qualities expected of Board members. Among these are honesty, civility, discipline, frugality, foresight and decisiveness.
2. Individuals will be evaluated based upon: years of ownership in Nepenthe; being of good standing within the Association; character and experience attributes that would enhance the committee's responsibilities; lifetime experiences that bring value to the committee's activities; no conflicts of interest, perceived or real, related to the committee's duties; a sincere interest in supporting the current Board's vision and direction, providing sound recommendations and support.
3. If disputed payments, fines or non-compliance are being appealed to the Board, the Board will be the sole judge as to whether the member may be appointed or continue serving on a committee.
4. Committee members are expected to be familiar with the following documents as they pertain to the committee's rights and responsibilities: the Nepenthe CC&Rs, the Bylaws, the Standards and Practices, and the Master Calendar. Copies of these

documents are on file in the office. Copies will be provided to any committee member upon request.

D. Application

1. Homeowners desiring to serve on established committees shall complete a Nepenthe Committee Application attached to this Standards and Practices. It must be completed and submitted by May 1st for consideration. The Board President and Board liaison to each committee shall review all applications and may wish to interview applicants to determine which applicants shall be nominated for approval to the Board at the June Board meeting.
2. No one will be appointed to a committee without first submitting a written application. This applies to sitting committee members, including chairs, who wish to be reappointed.
3. In the March and April newsletter the Board will notify all homeowners, including current committee members, of the opportunity to apply or re-apply for committee membership.
4. Homeowners interested in serving on a committee are encouraged to attend at least two meetings of the committee before submitting an application.

E. Appointment

1. Most attorneys specializing in Common Interest Developments recommend that committee membership be between three and five members. The Board can have larger committees if it feels the interests of the Association are better served.
2. Preference shall be given to individuals who exhibit a positive attitude, who wish to further the best interests of the Association and serve as a courteous and respectful member of the leadership team.
3. All committee appointments require an affirmative vote by a majority of the Board in attendance when a quorum is present, and meeting in public session, duly recorded in the minutes.
4. Following the Board elections, at the June Board Open Session, the directors will appoint all committees and name the chairs. Board liaisons to each committee will also be named.
5. The Board may appoint a new member to a committee at any time during the year upon receiving the application referenced above and after conferring with the committee chair.

F. Terms

Committee members serve one-year terms, commencing within 15 days of the Annual Homeowners Meeting and ending at the next year's Annual Homeowners Meeting.

G. Removal and discipline

1. Committee members serve at the Board's pleasure and may be removed by the Board at any time for any reason.
2. The Board is not required to explain the appointment or removal of any committee member, including chairs.
3. Removal requires an affirmative vote by a majority of the Board members attending an executive session when a quorum is present, and recorded in the minutes.
4. If the chair or a majority of the committee want the Board to remove or discipline a committee member, the matter will be taken up first with the committee's Board liaison and, if necessary, with the Board.

H. Limits on powers

1. Neither committees nor committee chairs have authority to elect or appoint co-chairs. That is a power reserved to the Board. A vice-chair may be appointed by the chair or elected by the committee.
2. Committees are appointed solely to advise the Board and to assist it in the performance of its duties. They have no authority over the manager, homeowners, vendors, other persons or other entities.

I. Committee chairs

1. Committee chairs are responsible for:
 - a. Preparing their committees for successful meetings and for the orderly conduct of the meetings.
 - b. Obtaining from the board and management such information and materials required for the performance of committees' duties.
 - c. Communicating with the Board through the Board liaisons and by speaking at Board meetings.
 - d. Seeing that minutes and requests for Board action are submitted on time and in the formats requested by the Board.
2. The names of committee chairs and their contact information will be published monthly in the newsletter so that homeowners may readily reach them.

J. Secretary and minutes

1. Each committee's secretary will be appointed by the chair or elected by the committee. The chair may serve as the secretary.
2. Minutes will be recorded of every committee meeting and will be kept on file in the office, where they will be made accessible to every homeowner upon request.
3. Minutes will be submitted in a standard format approved by the Board. To assist the Board in the performance of its duties, entries will be made in the following order:
 - a. The date, time and location of the meeting
 - b. The names of committee members present and absent
 - c. The names of others attending the meeting, for purposes of follow-up if necessary
 - d. Recommended action for the Board
 - e. Information requested from the Board
 - f. Information from the committee to the Board
 - g. Such other information as the committee may deem necessary to record. Minutes will only include items of discussion or action related to the charge of the committee.
 - h. The date, time and place of the next meeting.
4. Minutes will be signed by the committee secretary or the committee chair.
5. Minutes will be submitted in digital format seven days prior to the scheduled Board meeting.

K. Board liaisons

1. The Board will name one of its members to serve as liaison to each committee. Given the responsibilities of the President, the Board may decide not to appoint the President as a liaison.
2. Liaisons help committees understand the Board's policies and decisions and help the Board understand the committees' needs, concerns and recommendations.
3. Board liaisons are expected to attend committee meetings but are not required to do so.
4. The Board liaison will be included in all communications between the chair and the committee.
5. If a Board liaison is unable to attend a committee meeting, the chair will immediately inform the liaison of what transpired at the meeting.

6. Liaisons may not vote on any matter considered by committees.
7. At the outset of each committee meeting, the Board liaison will briefly update the committee on recent Board activity.

L. Non-interference

Liaisons and other Board members attending committee meetings will not interfere with committee deliberations and will speak only if recognized by the chair.

M. Committee meetings

1. Each committee will set the date and time of its own meetings, giving consideration to the convenience of committee members, homeowners having business with the committee, and the Board liaison.
2. Except in emergencies, notice of any committee meeting will be posted at least 48 hours in advance of the meeting. The meeting date, time, place and agenda will be included in the notice.
3. If an emergency requires a committee to meet with less than 48 hours public notice, the notice will be posted immediately and the chair will notify the board liaison.
4. Homeowners attending committee meetings, even if only to observe, will be acknowledged by the chair as a matter of courtesy.
5. Every committee will schedule a homeowner comment period at the outset of every meeting.
6. With one exception, Board members and homeowners may attend any committee meeting without explaining, or being asked to explain, the reason for their attendance. Advance notice of attendance is not required but is advised as a matter of courtesy. The exception is any Nominating Committee meeting to discuss the qualifications of potential Board candidates. Such meetings may be closed at the discretion of the committee.
7. The manager and staff usually do not have time to attend committee meetings. Any request that they attend a committee meeting must be approved in advance by the Board or by the Board President acting on behalf of the Board. The President's response to any such request will be communicated immediately to all Board members.

N. Disagreement with the Board

When a committee disagrees with Board policies or decisions, it will notify the Board in writing, either in committee reports or in a separate communication. The committee will not interfere with implementation of Board policies and directives.

O. Minority reports

Any committee member who disagrees with a committee position may attach a written minority report to the committee minutes so long as the attachment is shared with all members of the committee.

P. Attendance requirements

Any committee member who misses two meetings consecutively or three meetings cumulatively during the term of appointment will forfeit membership on the committee. Chairs will notify the Board in writing when a committee member has forfeited membership.

Q. Communication with homeowners

1. Any written committee communication with individual homeowners will be consistent with the governing documents and with Board policy, and will be copied to the Board liaison, who may, at their discretion, share the communication with the Board.
2. Mass communication to homeowners must be approved in advance by the Board liaison, who will see that copies are delivered in advance to the other Board members.
3. The chair will see that copies of all written communication are kept on file in the office.

Nepenthe Committee and Volunteer Application Form



Contact Information

Date	
Name	
Address	
Committee applying for	
Phone Number	
E-Mail Address	

Contributions

How would you like to contribute to this committee?

If you have experience within the realm of this committee's charter, please outline those experiences here:

Other Committees

If there is no room on the committee of your choice, would you be willing to serve on another committee? _____ If so which one?

Volunteer

_____ I would like to be contacted to help with one-time events or short-term projects, as needed.

Other ways I would like to volunteer are:

Please complete this form, and mail or deliver it to the Nepenthe Office at 1131 Commons Dr., Sacramento, CA 95825.



**Nepenthe Finance Committee
Standards and Practices
Approved by the Board of Directors April 5, 2017**

Purpose

The purpose of this document is to set minimum requirements, standards and practices for the Nepenthe Finance Committee. It will also help ensure continuity of operations through turnover.

A. Role of the Finance Committee

The Finance Committee assists and advises the Board of Directors in their financial decision-making duties by:

1. Recommending and monitoring financial policies and goals that support the mission, values, and strategic goals of the Nepenthe Association.
2. Reviewing the budget, reserve study and other financial reports and statements and presenting recommendations to the board for fiscal revisions.
3. Recommending corrective actions to ensure that the association remains in compliance with current law and monitoring management and association compliance with bookkeeping procedures.
4. Recommending investments and monitoring the financial health of all investments against the association's goals and annual budget objectives as requested by the Board.
5. Upon request, reviewing vendors' contracts, invoices, and work orders to ensure that Nepenthe receives contracted services that are completed in a contractually compliant and timely manner and at a fair and reasonable cost.

B. Limits on Powers

1. Only the board is authorized to elect or appoint co-chairpersons of committees. The committee may elect, or a committee chairperson may appoint, a vice-chairperson.
2. The Finance Committee is appointed solely to advise the board and to assist it in the performance of its duties. Committees have no authority over managers, home- owners, vendors, other persons or other entities.
3. All members of the Finance Committee will abide by the governing documents and will follow board policy.

C. Qualifications

1. The board appoints Finance Committee members. General appointment criteria includes, but is not limited to, willingness to serve, availability to serve, ability to get along with others, fairness, firmness and ability to function within a team.
2. Individuals with specific experience in the following fields may be given preference for appointment to the Committee:
 - a. Finance
 - b. Budgets
 - c. Accounting and/or financial report analysis



- d. Investments
 - e. Writing and editing
3. Committee members occupy a position of public trust and as such are expected to maintain the same qualities of behavior as board members: honesty, civility, discipline, frugality, foresight and decisiveness.
 4. Committee members shall be Nepenthe homeowners that are in good standing with the association, meaning they are current in the payment of assessments and/or fines and are in compliance with the rules of the association. If disputed payments, fines or non-compliance are being appealed to the board, the member may continue serving on the committee until the board renders a decision. If such cases are in litigation, arbitration or mediation, the board will be the sole judge as to whether the member may continue serving on the committee.
 5. Each member of the committee must be unencumbered by any conflict of interest and also attest that they have never been convicted and, to the best of their knowledge, are not presently under investigation for any felony.
 6. Committee members are expected to familiarize themselves with the following documents as they pertain to the committee's rights and responsibilities: The CC&Rs, the Bylaws, Finance Committee Standards and Practices, the Investment Policy Statement (IPS) and the Master Calendar. Copies of these documents are on file in the office and will be provided to any committee member upon request.
 7. Committee members are expected to familiarize themselves with the association's investment goals and how these goals support the association's mission.

D. Size of Finance Committee

The board will determine the size of the committee after conferring with the chairperson. A minimum of three (3) members is recommended to maintain a functioning committee with a simple majority constituting a quorum to do business.

E. Finance Committee Meeting Topics and Tasks

Many committee topics and tasks are driven by the board calendar. Board members and residents may attend any Finance Committee meeting without explaining or being asked to explain the reason for their attendance. Advance notice of attendance is not required but is advised as a matter of courtesy.

1. Monthly

- a. Introduction of any homeowners and public comment period. Each speaker will be given three to five minutes to speak.
- b. Update by the Board Liaison.
- c. Review, revise and approve the minutes from the prior meeting.
- d. Review the board calendar to ensure that the committee has addressed all relevant topics for the month.
- e. Review the monthly financial report as prepared by management.
- f. Discuss topics for the newsletter and determine if an article would be beneficial to the community.



2. Annual Finance Committee Calendar

Annual tasks are driven by the requirements of the governing documents and the investments. Finance-related tasks are included on the board calendar to ensure required deadlines are not missed.

- a. January
 - i. Manager presents the preliminary year-end report. The CPA will submit the final report to the board in March.
 - ii. Management presents the books for the previous fiscal year to the CPA for review or audit, as determined by the board.
- b. February
 - i. Finance Committee reviews the success of the investment manager(s) and/or investment funds for the Portfolio and recommends retaining or replacing the investment manager(s).
 - ii. The insurance agent files a risk management survey. The Finance Committee should be made aware if there are additional risks identified that will significantly raise the insurance rate.
- c. March
 - i. Manager mails out hearing notices to delinquent homeowners.
 - ii. Board president signs tax returns; manager mails them.
 - iii. CPA submits review or audit of the annual books and tax returns. Copies are shared with board members and the Finance Committee.
- d. April
 - i. Manager mails a notice to all committee members that they must apply for reappointment. If they do not apply, they will not be reappointed. In committee meetings, chairpersons remind their members of this requirement.
- e. May
 - i. Deadline for committee applications.
 - ii. Chairpersons and liaisons.
 - iii. Manager notifies committee applicants of their appointments.
- f. June
 - i. Finance Committee reviews the backgrounds of committee members to ensure no conflicts of interest exist.
 - ii. Insurance Committee meets to review liability policies (expiring October 1) and discuss any changes in coverage or premiums. The Finance Committee should be made aware if premiums will rise significantly.
- g. July
 - i. Manager gives mid-year financial report, stating whether the association is likely to meet its financial goals for the year.
 - ii. Manager recommends and the board determines whether to put out to bid any vendor contracts for the following fiscal year.
 - iii. If the board decided to put any vendor contracts out for bid, the manager prepares and mails RFPs to qualified vendors.
 - iv. Board begins negotiations on management contract. Contract negotiations will be finalized during September.



- h. August
 - i. Manager provides all necessary data to the Reserve consultant for updating the Reserve Study.
 - ii. The Reserve consultant, the Board, Management and the Finance Committee work together to determine the amount of contributions necessary for adequate portfolio growth and how possible annual assessment increases will impact the monthly assessment rate.
 - iii. The Reserve consultant attends the board meeting, explains the updated Reserve Study and answers questions.
 - iv. Insurance Committee meets to review the flood policy (expiring December 14) and discuss any changes in coverage or premiums. The Finance Committee should be made aware if premiums will rise significantly.
 - v. The Board awards vendor contracts for the following fiscal year.
- i. September
 - i. Manager proposes the budget for the following fiscal year and provides a copy to the Finance Committee.
 - ii. Finance Committee presents findings of the committee to be considered for possible budget revisions.
 - iii. Treasurer, Finance Committee and Manager recommend whether to audit or review the books for the current fiscal year.
 - iv. Board approves management contract (executive session).
 - v. Board approves insurance policy renewals (except for flood).
 - vi. Board approves updated Reserve Study.
 - vii. Manager asks the board and committees for suggestions to improve the Master Calendar.
 - viii. Board asks manager, committees and homeowners to suggest goals for the coming year.
- j. October
 - i. Board adopts a budget for the following fiscal year.
 - ii. Board decides whether to audit or review the books for the current fiscal year.
 - iii. Insurance Committee or insurance agent report on flood insurance premiums renewing December 14th.
- k. November
 - i. Board sets goals for the following year.
 - ii. Board acts on flood insurance policies renewing December 14th.



- I. December
 - i. Manager presents next year's Master Calendar to the board for review and comment.
 - ii. Management contract expires unless renewed by mutual agreement.
 - iii. Fiscal year ends December 31.

F. Relations with Management

If management is requested to attend a committee meeting to answer questions, the committee shall provide the list of questions prior to the meeting so that ample research time is allowed for response. Also, from time to time members of the committee might need the assistance of office staff. Any requests for assistance from office staff will first be discussed in committee or, if urgent, with the Finance Committee chairperson.



Standards and Practices for Management of Landscape

Adopted by the Board of Directors: January 6, 2021

The purpose of this document is to codify standards and practices of the Nepenthe Association so that all parties have a clear understanding of the processes in place to manage the landscape and to ensure continuity of operations between the Board, committees, management and contractors.

A. Significance

The landscape is one of Nepenthe's greatest assets. The value it imparts to the community is impossible to quantify. The Association has a responsibility to manage the landscape in a thoughtful and strategic manner.

B. Basic principle

To achieve the goals adopted in the Grounds Vision Document, processes must be established and followed. As management is the administrative arm of the Association, the processes to achieve the goals must be sustainable at that level.

C. Management shall:

1) Provide oversight to landscape contractors

- a) Make regular inspections of the common area to ensure that contractors are performing in compliance with executed contracts.
- b) Communicate with contractors regularly for updates, concerns and the preparation of proposals for extra work.
- c) Address specific concerns as appropriate:
 - i. Issuance of work order
 - ii. Discussion with Field Supervisor
 - iii. Written communication with Landscape Manager
 - iv. Escalation to Board level of serious or ongoing, unresolved concerns.

2) Process service requests from owners (Refer to Process for Homeowner Landscape Requests):

- a) Receive and evaluate requests.
- b) Inspect reported conditions and formulate plan for remediation.
- c) Inspect completed work.

3) Report to the Board of Directors relevant information:

- a) Landscape contractors' performance.
- b) Status of approved landscape projects.
- c) Reserve allocations status throughout the year.
- d) CC&R violations by homeowners in regard to the common area.

4) Assist, as appropriate, the Grounds Committee in the discharge of their Board-assigned tasks:

- a) Provide copies of landscape contractors' proposals in advance of monthly committee meeting.
- b) Attend Grounds Committee meeting monthly and provide report of work orders in process.

- c) As requested by Board, make documents available, provide administrative support and schedule meetings.

5) Facilitate communication between all parties: Board of Directors, landscape contractors, Grounds Committee and homeowners. Refer to Standards and Practices for Communication, Board and Committees for more information about these specific processes.

D. The Grounds Committee shall discharge their duties in compliance with their Board assigned charter.

- a) Review Nepenthe landscape on a regular basis. Identify any issues needing management or Board action.
- b) Assist, as requested by the Board, in evaluating the current landscape management contract performance. Participate as needed in the selection process for a new Nepenthe landscape contractor.
- c) Identify any issues with the Nepenthe irrigation systems. Notify management of recommended actions for mitigation.
- d) Make recommendations to the Board regarding planting projects and other enhancements to the common areas.
- e) Assist and support management in identifying landscape projects for the upcoming year.
- f) All members of the committee must be thoroughly familiar with governing documents as they pertain to the grounds and trees.

E. The Board of Directors shall provide clear direction to the General Manager and Grounds Committee and respond to recommendations and requests for information or guidance.