

ILS Committee Meeting Minutes  
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Date: January 13, 2024  
Time: 5:34 p.m.  
Attendees: Jackie Grebitus, Chair-person  
Leslie Arnal, Member  
Pam Dimaggio, Member  
Cheryl Nelson, board liaison  
Bonnie Jacobson, guest  
Susan Diedrich, guest  
Ann Pasiuk, guest  
William Newbill, guest

1. **Spas:** Cheryl Nelson reported that over the last couple of months, between the clubhouse and Dunbarton there have been 8 incidents of unauthorized spa use, believed to be homeless people. It costs \$200 every time to clean and sanitize. An owner suggested covering the spas. Another suggestion was motion sensitive lights.

The committee discussed the following options.

- A. The committee had previously explored cameras which would be continuously monitored, but the cost was prohibitive.
- B. The committee suggests the Board look into **cameras which have a broader field of view**, so that we can see how the ingresses are actually occurring.
- C. The Board could consider motion sensitive lights with verbal warnings, though these might be distributive to neighbors. If the board is interested in lights with verbal warnings, the committee can explore options. The Board might consider motion sensitive lights only.
- D. Spa covers: Belightspacovers, <https://belitespacovers.com/contact/>, 4925 Fulton Drive, Fairfield, C 94534, 707-864-8919, offers a safe and light cover that locks into the ground. Questions are whether the lock can be modified to allow use of the card and how the cover is removed. The HOA may need to replace hand hold bars so that the bars do not drop into the water. The ILS committee will look into these covers further.
- E. The HOA could close Dunbarton spa, which appears to have the most activity, during the winter.
- F. The committee previously considered installing spikes on top of all fences, but a complete renovation of all fences is expensive. As a result, the committee previously recommended an incremental approach to see what might work. It seems, anecdotally, that the main method of ingress is by grabbing the top of the gate and hoisting over the side of the gate. The committee recommends the following changes to the club house gates and Dunbarton gates and suggests that First Services obtain quotes for these jobs.

- 1) **Mesh on top of all gates.** The goal would be to eliminate any ability to grab the top of the gate by hand. The mesh would need to go over the post cap, because without the mesh over it, one could grab the post cap to gain purchase.
- 2) **On all gates, add 45° spikes as indicated in the picture attached.** One of the attached pictures is from an apartment building on the levy. The fence has spikes on top of the gate, but the committee believes using spikes will still allow for a handhold in between the spikes. Mess is preferable.
- 3) **For Dunbarton only, weld outward pointing spikes to the portions of the fence where the fence adjoins with brick and a little beyond.** See attached picture.

2. **Berm along side Howe Avenue:** The question is whether there are fire risks. Board member Nelson walked the berm with a concerned owner who happens to be a fire fighter. The owner commented that tree branches touched the ground and that there was a built up of leaf and pine debris.

The committee recalls that First Services had hired a surveyor some years back when the fire hazard along the levy had been an issue. The surveyor had staked out the property line as minimal cost. **The Board might consider asking First Services to retain the same surveyor to stake the property line along the Howe Avenue berm, so that it can be clearly established which part of the berm belongs to the Association and which part belongs to the City.**

Question: Has First Services contacted the fire department directly to have the fire department determine what represents a fire hazard? Maybe the local fire station personnel can look at it and recommend the appropriate maintenance. **If the fire department declines to inspect and/or cannot coordinate appropriate maintenance of city owned property, then the committee recommends that the HOA write a letter to Councilman Guerra.**

3. Guest: She moved here from El Dorado County where she used no trespassing signs. An officer told her that in order for the sign to have legal sufficiency, you need to post them within a certain amount of feet periodically. She recommends no trespassing signs as a way to set up possible police investigation and prosecution. If we decide to go that route, the committee needs to look into the requirements.

With regard to the spa, she has a Ring security system. Son also gets notifications. Perhaps we could have a notification system developed for the spa area. This hinges on First Services being willing to adopt the duty of receiving notifications and then calling law enforcement.

She noted the fire potential along the American river. She asked is there anything we can do anything about this? We advised the guest that there was nothing we could do about this.

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4. Guests: Three guests attended the ILS meeting to discuss Nepenthe's policy with the \$100,000 deductible. At the November board meeting, a couple of owners expressed concern about the notion that the HOA could ask homeowners who experienced loss to absorb the deductible. They were unhappy with the Board's response to this, namely with the letter that was emailed to the homeowners requesting that each homeowner obtain loss assessment coverage. They noted the \$50,000 limit for most carriers and the difficulty of switching carriers at this time to a company, such as State Farm, that does offer a \$100,000 loss assessment coverage. They opined that the loss assessment coverage was not an adequate solution to the deductible problem and wanted to know what else could be done to relieve the owners of such an onerous burden.

Committee discussion of options:

- A. Jackie had requested at the December board meeting that the Board issue a policy stating in writing that the HOA will not allocate the deductible to the homeowners experiencing the loss. This is what happened with the tree damage and with other previous claims. Therefore, there is precedent for NOT allocating the deductible to the homeowners experiencing damage.
  - B. A guest suggested that maybe the current CCRs could be interpreted to allow the deductible to be passed onto all homeowners, such that in the event of a loss, all 590 owners would pay the deductible through a loss assessment. He recommended that the Board secure an opinion from the HOA attorney about whether the CCRs can be interpreted this way. If not, the Board should propose to the community an amendment to the CCRs to allow for equal allocation of the deductible to all homeowners for any given event, at least when there is no owner negligence leading to their own loss. **The committee agreed that a CCR solution would be preferable to the written policy discussed in A) above, but that in the meantime, the Board should undertake A) above.**
  - C. Cheryl Nelson commented that the HOA could set aside \$100,000 and keep it refreshed. The issue would be how to fund the \$100,000 set aside.
  - D. **The guests requested that the \$100,000 deductible problem be a standing item on the Board's meeting agenda.** The ILS committee supports the request.
5. Guest: She wonders if there is support for cancelling the flood insurance. She is a proponent of the flood insurance. The committee advised that there does not seem to be support for cancellation on this Board or the ILS committee, though this could change as personnel change.

7:02 p.m. end of meeting. Next meeting is scheduled for February 10, 2025 at 5:30 p.m.