

Portofino Homeowners Association

C/O C & C Property Management

May 30th, 2025

Association Parking Policy Changes 28 Day Comment Period

To The Membership of Portofino HOA:

Enclosed is an amended version of the Association's Parking and Vehicle Policy, which the Board of Directors intends to adopt at the upcoming Board meeting on August 6th, 2025.

This revision aims to create a fairer and more enforceable set of rules to ensure parking availability for residents and their guests. While most Portofino residents already follow the existing CC&Rs and Rules & Regulations, the Board has also received requests for stricter enforcement, especially in the courts off of Brunello and Portofino Ave. These amendments are designed to support the Board in maintaining a balanced and effective parking policy. The full text of the proposed changes is included in the attached documents.

This policy update will be discussed at the Board meeting on Wednesday, June 4th, 2025, at 6:00 PM at the Three Oaks Community Center at 1100 Alamo Drive Vacaville CA 95688. We welcome your feedback—please feel free to share any questions or comments by emailing the manager at rich@ccpropmgmt.com or attending the meeting.

Thank you for your time and engagement in our community!

Yours Truly,

Rich Cardosi
C & C Property Management
For the Portofino Board of Directors

Portofino Homeowners Association Parking Regulations

To ensure safety, organization, and fairness within the Portofino community, the following parking rules have been established by the Homeowners Association. The Board of Directors asks that all members please review and observe these guidelines:

1. General Garage Parking Rules

- **Use of Garages:** Residents must park their vehicles in their garages whenever possible. Garages must be used to park the maximum number of vehicles they were designed to hold.
- **Prohibited Uses:** Garages cannot be used for storage, living spaces, or recreational activities.
- **Garage Doors:** Garage doors must remain closed except when vehicles are entering or exiting.

2. Visitor and Resident Parking Rules

- **Visitor Parking:** Allowed only in designated guest parking spaces or along City streets.
- **Street Parking:** Parking on certain areas of the city streets (Brunello Dr and Portofino Ave.) is prohibited on garbage pickup days as marked on the signage. Violations may result in citations or towing from the Vacaville Police Dept.
- **Time Limit:** No vehicle may be parked outside a garage for more than 72 consecutive hours.
- **Courtyard Parking:**
 - Reserved for Owners of abutting Courtyard Lots and their guests on a first-come, first-served basis.
 - Vehicles must not block access to backyard gates of adjacent homes.
 - Owners may obtain a Parking Pass to park one vehicle in a Courtyard space if their garage is fully occupied by the maximum number of vehicles it was designed to hold.
- **Parking Passes (Private Street courts):**
 - A color-coded, numbered pass system identifies authorized vehicles for specific Courtyards.
 - Each home is issued one pass, which must be displayed while parked. Replacement passes cost \$25, and old passes will be deactivated upon issuance.
- **Violations:** Non-compliance with the rules inside the courts may result in towing at the owner's expense and other enforcement actions.

3. Fire Lane and Sidewalk Restrictions

- Parking in marked fire lanes or in front of garage doors, driveways, or sidewalks is strictly prohibited.
- No vehicles, motorcycles, mopeds, motorized scooters, bicycles or E-bikes may be parked on sidewalks within the community.

Portofino Homeowners Association Parking Regulations

4. Vehicle Maintenance

- **Prohibited Activities:** Repairs, restorations, or maintenance of any motorized vehicle, boat, trailer, or equipment are not allowed within the community, except for minor or emergency repairs.
- **Operability Requirement:** All vehicles, motorcycles, mopeds, and bicycles must be operable and have current registration and licenses.

5. Noise Restrictions

- Activities that create unnecessary noise, such as racing engines, honking horns, or excessive idling, are not allowed.
- All motor vehicles must have functional mufflers and exhaust systems.

6. Prohibited Vehicles

- The following vehicles are not permitted to park anywhere in the community:
 - Trailers, motor homes, campers, and recreational vehicles.
 - Boats and large commercial trucks.
 - Dilapidated, smoky, leaky, or non-operational vehicles.

7. Towing Policy

- **Towing Conditions:** Vehicles blocking traffic, causing a nuisance, creating a safety hazard, or violating these rules may be towed at the owner's expense.
- **Contact Information:** Vehicle owners should contact the Property Management Company for assistance. Signs are posted at each entry with the most current Tow Company information.
- **Notice:** The Association is not required to provide prior notice (e.g., a mailed letter or vehicle notice) before towing from fire lanes.

8. Speed Limits

- Drivers must adhere to a maximum speed of 15 mph and maintain safe driving practices within the community.

9. Oil Leaks

- Vehicles causing excessive oil leaks or stains on Association property may result in fines or cleanup costs. Preventative maintenance should be performed off-site to prevent damage.

Compliance with these rules is mandatory. Violations will be enforced under the Association's Governing Documents. For questions or further clarification, please contact the Property Management Company:

C&C Property Management
707-447-6088 rich@ccpropmgmt.com

Portofino Homeowners Association Hearings and Fines Policy

The Board of Directors is authorized to impose monetary penalties and to temporarily suspend certain membership privileges and impose other appropriate discipline for failure to comply with the Declaration, Bylaws, Rules and Regulations or Architectural Guidelines. Enforcement of the Governing Documents depends on the participation and cooperation of all Owners, lessees and guests of the Owners.

1. Reporting of Violations.

- (a) Violations may come to the attention of the Association through written complaints by Owners or through visual observations by one or more Board members or by the Property Management Company.
- (b) All complaints must be submitted in writing to the Board of Directors in care of the Property Management Company, with the complainant's name, address and telephone number, in order for action to be taken regarding an alleged violation.
- (c) Each complaint must cite the name, date, time and nature of the violation and provide a factual statement supporting the charges of the alleged violation.
- (d) Complaints will be held in confidence to the extent permissible by law, however, is requested by the Board, it is the responsibility of the person filing the complaint to appear before the Board of Directors to be heard regarding the alleged violation.

2. Violation Notification.

- (a) First Notice. Upon observation of a violation or receipt of a written complaint, the Board may direct the Property Management Company to send a violation letter. The Property Management Company will send a written "friendly reminder" (the "First Notice") to the offending Owner of record at the Owner's last known address and, if the Residence is rented, to the tenant. The First Notice will describe the general nature of the alleged violation and request correction of the violation by a stated date. Additionally, the offending owner will be notified that if a second letter is required regarding the violation, the Board of Directors may authorize management to charge a fee for the second letter.
- (b) Second Notice. If the violation is not corrected by the date set forth in the First Notice, the Property Management Company will send a second formal written notice of violation (the "Second Notice") to the offending Owner of record at the Owner's last known address and, if the Residence is rented, to the tenant. The Second Notice will again describe the nature of the alleged violation and request correction of the violation by a stated date. The Second Notice will also advise that, if the violation is not corrected, the Board will schedule a hearing for the Owner to address the Board regarding the alleged violation at which monetary fines and penalties may be imposed, including the suspension of membership rights.
- (c) Third Notice - The Notice of Hearing. If the violation is not corrected by the date set forth in the Second Notice, the Property Management Company will send a formal written notice of hearing to the Owner scheduling a Board hearing on the violation and advising the Owner that monetary fines and penalties may be imposed (the "Third Notice" or "Notice of Hearing"). The Notice of Hearing shall be delivered personally or mailed by first class mail, certified or registered mail, return receipt requested, to the offending Owner at the last known address listed with the Property Management Company, and to the tenant at the tenant's address within the Community, at least fifteen (15) days before the proposed date of hearing on the alleged violation. The notice shall contain the following:
 - 1. an explanation in clear and concise terms of the nature of the alleged violation;
 - 2. a reference to the provision(s) of the Governing Documents which the Member is alleged to have violated; and
 - 3. the date, time and place of the hearing.
 - 4. The Notice of Hearing may also include the amount of any monetary penalties which may be imposed at the hearing if the violation is not corrected, and the amount of any additional monetary penalties which may be imposed at the hearing for the continuation and/or repetition of the violation and shall include a description of other penalties which may be imposed, including, without limitation, the membership rights which may be suspended by Board decision at the hearing.

Portofino Homeowners Association Hearings and Fines Policy

3. Hearing Procedures.

- (a) If the violation is not corrected before the scheduled hearing, the Board will hold a hearing on the date and at the time and place set forth in the Third Notice (the "Hearing"). The Hearing will be held regardless of whether the Owner and/or tenant attends the Hearing, and an appropriate monetary fine and other penalties may be imposed, including, without limitation, the suspension of membership rights in accordance with the Governing Documents. Any determination made by the Board is binding notwithstanding the absence of the Owner and/or tenant.
- (b) At the Hearing, the Owner will be given an opportunity to present facts and/or arguments disputing the alleged violation and/or against the imposition of any penalty or disciplinary action. At the Hearing, the Owner will be given an opportunity to present extenuating or mitigating facts or arguments. If an accused Owner fails to take the opportunity to be heard, the Board will decide the case on the facts presented in the written complaint(s) or on other pertinent oral or written evidence presented to the Board.
- (c) The Board will make a determination as to whether a violation was committed. If the Board determines that a violation was committed, the Board can impose reasonable monetary penalties and/or discipline against the Owner as provided for in the Declaration.
- (d) If the Owner has corrected the violation, the Board will not impose any monetary fines or penalties and will close the complaint or violation procedure. If the Owner continues to be in violation, the Board will determine what sanctions are appropriate.
- (e) If the Board imposes discipline, the Board shall provide the Owner a written notification and explanation of the suspension, fine or conditions of the disciplinary action either in person, or by delivery of first-class mail, within fifteen (15) days following the action.
 1. Suspension of Privileges and Monetary Penalties. Should the Board find an Owner (and/or his or her guests, residents, or tenants) in violation of the Governing Documents, after reviewing the evidence presented at a hearing, pursuant to the guidelines set forth in the Association's Declaration and Bylaws, the Board may in its discretion levy any or all of the following penalties and sanctions:
 2. Monetary fines; Suspension of an Owner's (and/or his or her guests, residents or tenants) right to use the recreational facilities;
 3. Suspension of an Owner's (and/or his or her guests, residents or tenants) membership rights and privileges;
 4. Suspension of an Owner's right to vote on all Association business;
 5. Removal of any non-conforming structure or improvement; and
 6. Special Assessment against an Owner for any costs incurred by the Association, including attorney's fees and costs, with respect to the violation.

4. Fine Schedule.

The Board may impose monetary penalties in accordance with the adopted (graduated) fine schedule stated below, be automatically imposed for each month or for each portion of a month that the violation continues without the need for further hearings on the violation.

1. First Fine: \$100.00
2. Second Fine: \$200.00
3. Third Fine: \$300.00
4. Fourth Fine \$500.00
5. Fifth Fine \$1000.00
6. Subsequent Fines/Legal Action: Per Decision of the Board

All fines, including Special Assessments representing the attorneys' fees and costs incurred by the Association in enforcing the Governing Documents, shall be a charge against the Owner of the Residence. Any and all fines shall be billed to the Owner's account for the Association. The Association reserves the right to use any avenue of the legal system to enforce the Governing Documents against an Owner, including the collection of any fines imposed against an Owner for violating the Governing Documents.

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4. Appeal Procedure.

Any decision of the Board with regard to these Rules and Regulations shall be made in good faith and may not be unreasonable, arbitrary or capricious. Such decisions shall be in writing and shall be consistent with any governing provision of law, including but not limited to California Civil Code Section 5975, 5900, and 5925. and any successor statute or law.

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