

Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, January 13, 2023

Call to Order: President Brenda Shears called the meeting to order at 9:00 am via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Connie Burke, Barbara Chamberlin, Jill McIntosh, Jo Beth Speyer, and Leslie Walker-Hirsch.

Others Present: Kurt Sommer (ARB Chair) and Greg Casey (Recreation Center Manager).

Approval of Minutes of Previous Board Meeting: The minutes of the Board meeting of December 9, 2022 were approved unanimously as submitted.

Reports

Treasurer's Report: Treasurer Scott Bunton indicated that as of December 31, 2022 the Association's operating checking account contained \$48,570.88 (of which \$5,050 comprises refundable ARB performance deposits) and the capital reserve savings account contained \$225,858.93.

Mr. Bunton reported that to date the owners of 107 of our 188 properties had paid their 2023 assessments. The due date for payment is January 31 but the delinquency and interest charges become applicable for payments not received by February 15. Mr. Bunton requested that Board members remind the owners in their respective neighborhoods to make payments accordingly.

Upon a motion made and duly seconded, the Board approved unanimously that Mr. Bunton be reimbursed \$38.50 for postage expenses he incurred on behalf of the EPCSA during 2022.

Architectural Review Board (ARB) Report: ARB Chair Sommer reported as follows:

- There are currently seven ARB projects in various stages of progress (see attached spreadsheet). Three are major (Appendix IV) projects and four are minor (Appendix III) projects. Mr. Sommer will soon inspect three completed projects (Levin, Rountree and Edsall/DeFazio) for final approval. He has obtained a six-month ARB construction extension for the completion of his own new home in Altamira since his first construction extension expired at the end of December 2022.
- Mr. Sommer indicated that he had spoken to Jan Streets (753 Paseo Cresta) about the various issues relating to her property (see Board meeting minutes of April 8, May 13, June 10, and

December 9, 2022). She intends to comply with the ARB's requirements regarding the landscaping of her property. She is also willing to lower the side wings of the gabion by whatever maximal amount is allowed by the city so that the gabion will still comply with the city's code requirements. Ms. Streets' consulting civil engineer had indicated that the side wings of the gabion could not be lowered by more than eighteen inches according to these requirements. The ARB at its meeting of October 24, 2022 had required that the side wings of the gabion be lowered so that they would be no higher than one foot above the front spillway. However, this would make the gabion non-compliant with the Code and the ARB therefore agrees that the side wings of the gabion be lowered by eighteen inches in height.

Mr. Sommer indicated also that he had discussed the issue of the unapproved stucco "undulations" at her home with Ms. Streets. She had indicated that she was willing as a compromise solution to consider removing the undulations as has been required by the ARB, but needs, if she pursues that option, an extension into 2024 because of financial considerations. However, Ms. Streets still wishes to pursue her written appeal to the EP Board of Directors.

Ms. Streets had indicated in her appeal communication of December 1, 2022 addressed to Ms. Shears that the ARB at its meeting of October 26, 2021 had decided that the stucco "undulations" could be removed in the future when she needed to re-stucco the entire home. Ms. Streets had then written to Mr. Sommer accepting that decision. However, at its meeting of October 24, 2022 the ARB had reversed its earlier decision and had required that the "undulations" be removed in 2023. Ms. Streets indicated that she regarded this change of decision as unfair and financially burdensome.

Mr. Sommer summarized the situation as follows:

1. The ARB accepts as a final resolution of the matter that the gabion side wings be reduced in height by no more than eighteen inches (see above).
2. The EP Board of Directors should schedule an appeal hearing to determine whether the stucco "undulations" should be removed either in 2023 or early 2024 or in the future when the home's entire stucco needs replacement.

Ms. Shears indicated that she would schedule an appeal hearing at a time when the Board members, Mr. Sommer, Ms. Streets and the two complainants in this matter (Mary Walta and Carla Skeen) were available to meet via videoconference using Zoom. Ms. Shears will confer with Gene Creely and others regarding the scope, format, and rules for the conduct of the appeal hearing.

- Errol Levine indicated that the position of Los Nidos representative on the EPCSA ARB had become vacant owing to the passing of the Los Nidos owner who had previously filled that

position. The Los Nidos Board of Directors had decided unanimously to recommend Ed Hildebrand (504 Los Nidos Drive) to fill the position and Dr. Levine had notified Ms. Shears about this. However, in accordance with the requirements of section 3.6 (b) of the Amended Declaration for EP such nominations require the approval of the EPCSA Board of Directors. A motion duly made and second that Mr. Hildebrand be appointed to the EP ARB as the Los Nidos representative was then passed unanimously. Mr. Hildebrand will serve for the unexpired term of the previous holder of the position and his appointment will therefore end in September 2024. Ms. Shears will modify rule IV.V in the Book of Resolutions accordingly.

Real Estate Report: Jill McIntosh reported that only one home in EP (650 La Viveza Court) is currently listed for sale. There are also active listings for two vacant lots at 797 Avenida Primera South and 754 Calle Altamira, respectively.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- The widths of the settling cracks that have developed on the racquetball court plaster walls and in sheet rock walls at the upper clubhouse level continue to be monitored and remain unchanged since last month in both length and width, but several minor dry wall cracks have developed elsewhere in the upper clubhouse level.
- The steam cleaning of the clubhouse was done on December 13th.
- Mr. Casey has reached an arrangement with Steve Schneider (777 Paseo Cresta) whereby Mr. Schneider will be provided with a clubhouse alarm system access code so that he can arrange for tennis players to have clubhouse bathroom access without compromising the confidentiality of the access code.
- Enrique Briano of Tierra Bonita Landscape Company has deferred the landscape regrading work at the rear of the clubhouse and will do the work in mid-February, weather permitting.
- The Board authorized Mr. Casey to purchase a new clubhouse clock.
- A light bulb in one of the low light fixtures along the north driveway entry to the recreation center has failed. Mr. Casey is searching for a compatible bulb replacement.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer reported as follows:

- MaryAnn Scanlon purchased a stone from Oscar's Tree and Landscaping of Santa Fe. The stone was delivered on December 7th and Greg Casey and Ms. Scanlon worked with Oscar's crew to place the stone near the two benches in the bed in the front of the clubhouse parking lot. This involved excavating a small area for stone placement and using a mini crane to lift the stone into place.
- At the Committee's request, Enrique Briano of Tierra Bonita Landscape Company inspected two areas on the recreation center property for vegetation management and dead shrub removal for fire hazard reduction purposes. One area is located between the tennis court and the

Saiz arroyo and the other is on the hill leading from the clubhouse rear to Los Altos Norte. The proposed work is a line item in the EPCSA's 2023 budget. Mr. Briano can start the work during the week of January 16, weather permitting. His cost estimates for the two areas are \$867.50 and \$704.85, respectively, including tax. A motion duly made and seconded to approve these two expenditures was passed unanimously after a discussion. The Board agreed that if there was an extra cost for the removal of two small cottonwood trees (see below) in the north area that this was approved also without a need for further Board approval.

- Mr. Briano's proposed maintenance contract for the Recreation Center grounds during 2023 will be available for consideration by the Board at its February meeting. The new contract will likely show a ten percent increase owing to rising costs.
- There are two young volunteer cottonwood trees on the north end of the Recreation Center property. One is behind the light post and the larger one is up the hill near the private property at 420 Avenida Primera South. The latter tree is located close to the concrete sidewalk and its roots have already caused a slight elevation of the adjacent concrete. The Grounds Committee recommends that both trees be removed by Tierra Bonita Landscape Company when they perform the cleanup of the two areas described above. The Committee will check to determine whether the tree removal can be covered by the approved costs for the two cleanup projects.

The Committee will as a courtesy notify the owners of the home at 420 Avenida Primera South about the larger tree's pending removal. Ms. Shears will also check with ARB Chair Kurt Sommer to determine whether ARB approval for removal of the two trees is required. The Board rejected the Committee's suggestion that the slightly elevated concrete sidewalk block adjacent to the larger tree be replaced when the concrete sidewalk replacement work is done at the Recreation Center. The Board noted that after the two trees are removed, the remaining roots should be treated chemically to prevent regrowth of the trees.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Sandy Farmer could not attend, and Mr. Bunton reported on his behalf. He indicated that during architect Steve Shaw's work on the design and documentation phases of the project, a city inspection revealed that the project will be significantly more complicated and therefore more costly than expected. This is primarily because the parking lot and the sidewalk between the parking lot and the recreation center have several grade variances that cause them to be in violation of the current version of Americans with Disabilities Act (ADA).

Accordingly, a topographical surveyor (Terra Land Surveys, LLC) was contracted to assist Steve Shaw so that his ultimate design would be ADA compliant. Also, at Steve Shaw's recommendation, Morey Walker, a civil engineer with Walker Engineering, was hired to further assist Steve Shaw's preparation of the project's document package. The latter will probably be completed by mid to late February. It will then be submitted to the city so that EPCSA may obtain the necessary permits including ADA and land use approval permits. After the latter have

been obtained, Steve Shaw will prepare a bid package that will be sent to construction firms that we hope will be willing to submit bids. Dr. Farmer will analyze those bids and recommend one of them to the Board after which construction can be scheduled.

The initial hope was that all the above would be completed by April 2023, and that we would therefore be ready to open the Recreation Center and pool for full use by Memorial Day. Mr. Bunton reported, however, that Sandy Farmer thinks that it is unlikely that this can be achieved and believes that the Phase 1 project (parking lot asphalt renovation and concrete sidewalk replacement) will most likely need to be delayed until after the pool closes in the fall.

Mr. Bunton reported that we are still roughly in line with the Board-approved project budget. The total amount expended to date is \$5,000 to \$6,000 but more invoices for the topographical survey, the civil engineering work and the architect's monthly invoices will result in more expenses being incurred soon. These expenses will be paid from the Capital Reserves account. Mr. Bunton indicated that since the ultimate cost of the total project is likely to be higher than originally anticipated, it is possible that Phase 2 (tile replacement at the clubhouse entry), might need to be deferred until 2024 or even until 2025 should there be a risk of the Capital Reserves Account balance falling below \$50,000 at any point.

Unfinished Business

Board Member Annual Conflict of Interest Statements: Secretary Levine reported that in accordance with Rule III.K.I. in the EP Book of Resolutions and with the requirements of the NM HOA Act of 2013 (as amended) he had at the beginning of January 2023 provided to each EPCSA Board member the EPCSA's Conflict of Interest Policy and Conflict of Interest Statement. All Board members had returned the completed statements to him duly signed and dated and the forms will be retained as EPCSA records.

ARB Appeals – Streets Residence (753 Paseo Cresta): See ARB Report above.

New Business

Unauthorized and Fraudulent Mailing regarding “Next Door” Social Media Website: Gene Creely noted that many EP residents had received via the US postal service a letter ostensibly from an EP resident on behalf of the EPCSA, suggesting they join *Nextdoor.com* and giving a link to a page with which to do so. He reported that this is not a legitimate mailing and should be ignored. It was not sent out by the EP resident shown as the letter's signatory, and it was not authorized by the EPCSA Board or any of the EP neighborhoods. Ms. Shears will therefore send out an email to all EP owners about this and will indicate that if any EP resident wishes to join that group, they should reply to her email, and she would then send them a specific invitation to join that is legitimate.

Structural Integrity of North and South EP Bridges along Avenida Primera: Barbara Chamberlin had requested that the city repair potholes on the bridges. The work was satisfactorily completed. In their report to Ms. Chamberlin, the city's Streets and Drainage Maintenance Division indicated that they would reevaluate the road in the spring of 2023 for resurfacing. They noted also that the bridges are aging and may need an evaluation as to their state of repair. Ms. Chamberlin will follow-up on this in the spring and seek to get the city to evaluate the structural integrity of the two bridges.

Homeowner Comments

There were none.

Announcements

- The next EPCSA Board meeting will be held on Friday, February 10, 2023 at 9:00 am using Zoom.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Ms. Shears adjourned it at 10:07 am.

Minutes prepared and submitted by: Errol Levine Date: 1/19/2023.

(Errol Levine - Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 2/10/2023.

(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - January 13, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	Cool	793 Avenida Primera	Mini-split AC system	November 9, 2022	\$250	No	Installation granted conditional ARB approval and is pending.
2	DeFazio/Edsall	520 Los Nidos Drive	New rooftop HVAC system/new roof notification	October 10, 2022	No deposit	No	Conditional approval granted for rooftop HVAC system. New roof installation approved as a notification project.
3	Levin	759 Paseo Cresta	Fence & gate	July 15, 2022	\$250	No	Installation complete. Owner has requested an ARB inspection and final approval.
4	Raczynski/Phillips	621 Cumbre Vista	New garage & AC mini-splits; Rooftop Solar panels; landscaping at rear of property.	7/9/2021; 10/15/2021	\$1,700	No	Garage construction is complete and has been approved by the city. Landscaping at rear of property remains incomplete. Rooftop solar panel installation has not yet started. Owners applied for and obtained an ARB extension for project completion through May 30, 2023.
5	Rountree	412 Los Altos Way	Coyote fence	July 22, 2022	\$250	No	Conditional approval granted. Installation pending.
6	Sommer	766 Calle Altamira	New home construction	January 27, 2021	\$1,500	No	Construction started 1-3-22. ARB granted Mr. Sommer an extension through 12-31-2022 for completion of his new home construction. ARB has granted a further 6-month extension for completion of the residence, driveway and landscaping ending June 30, 2023.

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - January 13, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
7	Streets	782 Paseo Cresta	New home/new wall	April 1, 2021	\$1,100	No	ARB requires modification of gabion and removal of stucco "undulations" in spring 2023 weather permitting. Metal portal roof approved. ARB requires owner to submit a landscaping plan for the property that will include vegetation that will make the gabion less conspicuous. Appeal of ARB decisions regarding stucco and gabion filed by Jan Streets with EPCSA Board of Directors on December 1, 2022. Amended appeal of ARB decisions regarding gabion and lot drainage filed with EPCSA Board by Mary Walta and Carla Skeen on December 4, 2022. EP Board will schedule a hearing in February or March, 2023.

Capital Projects Report
January 13, 2023
Sandy Farmer

This report deals only with the *EP Exterior Facilities & Grounds Renovation* project.

Status:

- An invoice dated Nov. 25, 2022 has been submitted by Shaw Architecture in the amount of \$419.64 for Schematic Design services. A check request was subsequently submitted by Scott Bunton for this amount. Total cost of architectural services up to Dec. 25, 2022 is \$2,293.45 against a Schematic Design budget of \$6000 and a contingency of \$6000.
- The contracted cost for the topo survey by Terra Land Surveys is \$2,425 + tax. The topo survey will support both Phase 1 and Phase 2 design work. The original budget estimate for survey work was \$800, but that estimate, which was formulated during the process of selecting an architect, did not anticipate both the extent and nature of what would actually be needed. Terra Land Surveys confirmed receipt of the signed contract by email on Tuesday, Dec. 13, 2022. Terra Land Surveys started on-site work as of Tuesday, Jan. 2, 2023.
- The topo survey should be available by Friday, January 13. Chris Medina of Terra Land Surveys submitted the invoice by email on Tuesday, January 10, to Sandy Farmer, who subsequently forwarded that invoice to Scott Bunton for payment. The invoiced cost was \$2,611.42 and in line with expectations.
- An initial proposal from the civil engineering consultant (Morey Walker of Walker Engineering), who works with Steve Shaw (the architect), was received on Dec. 29, 2022; and a revised proposal, on Jan. 2, 2023. The revised proposal has been forwarded to Brenda Shears and Scott Bunton.
- The scope of the civil engineering proposal, which is for Phase 1 work only, has been worked out between Steve Shaw and Morey Walker. The cost up to and including construction documents is \$4,500 + tax (= \$4,880 in total). This cost does not include site visits during construction, which cost is estimated @ \$2,250 + tax (= \$2,440 in total) and includes 5 observation / inspection visits @ \$450 per visit. Therefore, the full cost of the civil engineering proposal to completion of Phase 1 construction is estimated @ \$7,320.
- The civil engineering proposal was reviewed by Scott Bunton and Brenda Shears, and was signed by Brenda on Jan. 8, 2023. The signed proposal was emailed back to Morey Walker on Jan. 8, 2023, and Steve Shaw was copied.
- By late February, Steve Shaw expects to be able to issue 1) a construction document package to Santa Fe City for the necessary permits, and 2) a bid package for construction firms. Steve has been told by the Santa Fe City ADA representative that permit turn-around times are currently running at 3 weeks.
- Whether in a little more than 1 month we can obtain at least two construction bids, review and analyze these bids, present to and obtain a decision from the EPCSA Board, and finally schedule a Phase 1 construction start for early April 2023 is unknown; but it would seem unlikely. It seems far more likely that we will have a Phase 1 construction start date in early September.

Additional Detail on Specific Items

- **Perspective on the Civil Engineering Proposal:** The civil engineering proposal takes us through work stages #1-3 (Schematic Design, Design & Development, Construction Documents) and #5 (Construction, which is the last stage) for Phase 1. Only Bid Negotiation (stage #4) is not included, but that stage should mainly involve Steve Shaw as the overseeing architect.
- **Cost of the Civil Engineering Proposal:** The total project budget estimate, excl. contingency costs (@ \$9,000), for both architectural and supporting services to completion of construction for both Phase 1 and Phase 2 is \$26,800. The full, estimated cost of this civil engineering proposal @ \$7,320 represents 27% of that total. This does not seem unreasonable given that 1) the vast majority of non-construction work in Phase 1 involves the civil engineering proposal and the topo survey, and 2) Phase 1, when compared to Phase 2, is by far and away the more extensive phase of this overall capital maintenance project.

**Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, February 10, 2023**

Call to Order: President Brenda Shears called the meeting to order at 9:01 am via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Connie Burke, Barbara Chamberlin, Jill McIntosh, and Jo Beth Speyer.

Others Present: Greg Casey (Recreation Center Manager), Sandy Farmer (Capital Reserves Project Coordinator). and Mary Walta (769 Paseo Cresta).

Approval of Minutes of Previous Board Meeting: The minutes of the Board meeting of January 13, 2023 were approved unanimously as submitted.

Reports

Treasurer's Report: Scott Bunton indicated that as of January 31, 2023 the Association's operating checking account contained \$146,814.52 (of which \$5,050 comprises refundable ARB performance deposits) and the capital reserve savings account contained \$225,864.69.

Mr. Bunton noted that there was a small operating budget surplus at the end of 2022, and EPCSA had not expended any of its budget contingency fund during the year. In line with the Board's past practice, he made a motion that was duly seconded to transfer \$41,257.22 from EPCSA's operating checking account into the Capital Reserve savings account. That amount is comprised of (i) the budgeted 2022 contribution to the savings account minus expenditures incurred during the year for preparations for the project to replace the recreation center parking lot pavement, the sidewalk between the parking lot and the recreation center, and the exterior tile at the front of the clubhouse; (ii) the unexpended contingency fund from 2022; and (iii) the small 2022 budget operating surplus.

Mr. Bunton informed the Board that this would increase the amount in the Capital Reserve savings account to approximately \$267,120, and that the 2023 budget includes a further contribution to that savings account of \$31,023. This will produce a total in the account by the end of the year close to \$300,000 before the deduction of expenditures from the account to pay costs incurred during the year for the recreation center improvements and assuming no unexpected expenditures from the account during 2023. The motion was approved unanimously.

Mr. Bunton reported that to date the owners of seven of our 188 properties had not paid their 2023 assessments. The due date for payment is January 31 but the delinquency and interest charges become applicable for payments not received by February 15. Mr. Bunton and other Board members will contact the owners involved to remind them to submit their payments.

Architectural Review Board (ARB) Report: ARB Chair Sommer could not attend, and Secretary Errol Levine reported on his behalf as follows:

- There are currently seven ARB projects in various stages of progress (see attached spreadsheet). There are three major (Appendix IV) and four minor (Appendix III) projects. Mr. Sommer recently inspected and granted final ARB approval for two completed projects (Levin and Cool in Cresta) and the performance deposits will be refunded. Other projects have either not been started or are incomplete. Owners whose projects remain incomplete one year after conditional ARB approval has been granted need to seek a construction extension from the ARB and will be notified accordingly.
- Dr. Levine reported that the Kachina Hills HOA Board of Directors had written to Ms. Shears indicating that since Jim Hays is no longer able to fulfill his duties as the Kachina Hills representative on the EP ARB owing to illness, the Board had nominated Sandy Farmer (416 Kachina Court) to fill that role. Upon a motion duly made and seconded, the Board voted unanimously to appoint Dr. Farmer to fill the position. He will serve for the remainder of Jim Hays' term and his appointment will therefore end in September 2025. Ms. Shears will modify rule IV.5 in the Book of Resolutions accordingly.

Real Estate Report: Jill McIntosh reported that the home at 650 La Viveza Court that had been listed for sale on MLS had recently gone under contract. A home at 435 Los Nidos Drive is currently on waiver and will soon be listed for sale on MLS. There are also active listings for two vacant lots at 797 Avenida Primera South and 754 Calle Altamira, respectively.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- There was a leak from the pressure reducing valve (PRV) for the clubhouse water heater and the valve was replaced on January 25. The water heater is about sixteen years old and is working satisfactorily but will likely require replacement in the next two to three years. Mr. Casey obtained estimates for two different types of water heater from contractor Gabriel Vargas to help in future planning:
 - (i) A Bradford White conventional water heater with a 50-gallon tank (appropriate for commercial use). The cost is \$2,500 including tax.
 - (ii) A Navien NPE 240s 240,000 BTU tankless (on-demand) water heater. The cost is \$4,500 including tax.

Advantages of tankless water heaters include:

- They are more energy efficient than conventional water heaters.
- They provide hot water immediately on demand thereby saving water use and costs.
- They have a significantly longer life span than conventional heaters,

The Board noted that tankless water heaters are operated by computer motherboards that might fail and might be damaged by power surges. Mr. Bunton will check with the EPCSA's insurer to determine whether the EPCSA would be covered by our insurance policy should a unit be damaged during an electrical storm.

The Board agreed that this matter requires further investigation, but that there was no urgency to replace our current water heater. At the Board's request, Mr. Casey agreed to obtain two additional estimates/quotes for both types of water heater. He will report to the Board about this at the March meeting.

- The widths and lengths of previously noted settling cracks that have developed on the racquetball court plaster walls and in sheet rock walls at the upper clubhouse level continue to be monitored and remain unchanged since last month. However, several additional minor dry wall cracks have developed elsewhere in the upper clubhouse level.
- Enrique Briano of Tierra Bonita Landscape Company has deferred the landscape regrading work at the rear of the clubhouse owing to inclement weather and will do the work when ground and weather conditions permit.
- Ms. Shears reported that during October 2022 she and Mr. Casey had contacted David Lang, owner of D.M.L. Inc. (the company that had resurfaced the tennis court in 2021) to report an increase in the size of tennis court surface cracks. The work is guaranteed into June of 2023, and Mr. Lang expects to schedule the repair in the spring when the weather is warm enough, namely above 50 degrees. However, the warranty will be honored if there is a delay in scheduling. Ms. Shears provided the Board members with photographs showing progression of the cracks between November 2022 and now. She will also discuss with Mr. Lang the cost of doing annual crack repairs after the warranty has expired. In the past Dick Anderson (an EPCSA owner who lives at 796 Aspen Compound) has contributed his time and effort to doing the annual repairs. Ms. Shears will contact him to determine if he is willing to continue doing this work.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer reported as follows:

- Tierra Bonita Landscaping Company will undertake further fire-mitigation cleanup measures consisting of removal of dead plants, trees, and debris and pruning of chamisas from two open, un-landscaped areas on the Recreation Center property. The work will be done when ground and weather conditions permit. One area is located between the tennis court and the Saiz arroyo and the other is on the hill leading from the rear of the clubhouse to Los Altos Norte.
- After a motion was made and seconded, the Board unanimously approved a recreation center grounds maintenance contract for \$6,236.91 including tax with Tierra Bonita Landscape Company for eight months of service from March 1 to October 31, 2023. This includes general maintenance and the irrigation system start-up in April and shutdown in October.

- Chris Seidel of Koa Landscaping, LLC, will prune the three three-leaf sumac trees in the island in front of the clubhouse parking lot and other trees in the island and at the front of the clubhouse that can be pruned without the need for tree climbing and harnesses. The work will be done when MaryAnn Scanlon returns to town and can discuss the proposed work with Mr. Seidel.

- When Tierra Bonita Landscape Company does the cleanup work referred to above, they will remove a volunteer cottonwood tree on Recreation Center property close to its junction with the private property at 420 Avenida Primera South. The latter tree is located close to the concrete sidewalk and its roots have caused a slight elevation of the adjacent concrete sidewalk. The Grounds Maintenance Committee suggested that when the concrete sidewalk at the front of the clubhouse is replaced that the crew be asked to shave off the raised edge of the concrete block.

The Board discussed the proposal and concluded that further investigation is needed to determine whether shaving of the raised edge is a better way of handling this matter than replacement of the involved concrete block. It was noted also that there are other similar situations along Avenida Primera where the concrete has been elevated by tree roots although these areas are the responsibility of adjacent private property owners as indicated in the city Code. Ms. Shears and Barbara Chamberlin will determine how many such areas exist and report to the Board about it at a future meeting. The Board agreed that as an interim measure a painted yellow fluorescent stripe be used on the raised edge of the concrete block on Recreation Center property as a warning to pedestrians of a potential trip hazard. Mr. Casey will apply the stripe.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Sandy Farmer summarized the current situation and provided a written report (attached). There were no matters that required further action by the Board during the meeting. Dr. Farmer provided a financial consolidation to date for Phase 1. The Association’s total expenditures to date for architect fees and the topographic survey are about \$5,280. The Association’s total commitments and known future costs for architect fees and engineering services are about \$7,820. The currently unknown future planning and oversight costs for Phase 1 are estimated to be around \$3,000. Accordingly, the Association’s total projected planning and oversight costs for Phase 1 should be about \$16,000. Dr. Farmer indicated that the Bid Package for Phase 1 should be ready around March 1, 2023. He thought it most likely though that Phase 1 work would not start in the Spring, but rather in September 2023 after the pool closes.

Unfinished Business

ARB Appeals – Streets Residence (753 Paseo Cresta): Ms. Shears reported that she had ascertained that all nine Board members, ARB Chair Kurt Sommer, homeowner/appellant Jan Streets and complainants Mary Walta and Carla Skeen were all available to attend an appeal hearing regarding various issues on the Streets property on Saturday, April 15 and on Saturday,

April 22, 2023. She had therefore proposed to the individuals involved that the hearing be held on Saturday, April 15 at 10:30am with April 22 being reserved as a backup date to cover unexpected situations that might preclude holding the meeting on April 15. All participants had accepted these dates.

Ms. Shears further indicated that she had received a request from Mary Walta that the hearing be held in person rather than by Zoom. She noted, however, that the Board has not yet returned to in-person meetings, and she felt as do the Board officers that holding the meeting by Zoom would provide greater flexibility and allow the largest number of individuals involved to attend and participate in the hearing. Ms. Shears will also consult with the Board officers to develop a notice of hearing. This will be distributed to the Board members for review via email and then to Mr. Sommer, Ms. Streets, Ms. Walta, and Ms. Skeen by email and certified mail.

A motion duly made and seconded that the appeal hearing be held on April 15 at 10:30 am by videoconference using Zoom with Saturday, April 22 being reserved as a backup date was passed unanimously.

New Business

There was none.

Homeowner Comments

There were none. Ms. Chamberlin informed the Board that Ms. Walta had texted her indicating that she had experienced audio problems during the meeting. She further indicated, however, that she did not wish to make any comments.

Announcements

The next EPCSA Board meeting will be held on Friday, March 10, 2023 at 9:00 am using Zoom.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Ms. Shears adjourned it at 10:25 am.

Minutes prepared and submitted by: Errol Levine Date: 2/14/2023.

(Errol Levine - Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 3/10/2023.

(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - February 10, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	Cool	793 Avenida Primera	Mini-split AC system	November 9, 2022	\$250	Yes	Final approval granted - 2-5-2023.
2	DeFazio/Edsall	520 Los Nidos Drive	New rooftop HVAC system/new roof notification	October 10, 2022	No deposit	No	Conditional approval granted for rooftop HVAC system. New roof installation approved as a notification project. Owners have requested that final inspection be deferred until May when they will be back in town.
3	Levin	759 Paseo Cresta	Fence & gate	July 15, 2022	\$250	Yes	Final approval granted - 2-5-2023.
4	Raczynski/Phillips	621 Cumbre Vista	New garage & AC mini-splits; Rooftop Solar panels; landscaping at rear of property.	7/9/2021; 10/15/2021	\$1,700	No	Garage construction is complete and has been approved by the city. Landscaping at rear of property remains incomplete. Rooftop solar panel installation has not yet started. Owners obtained an ARB extension for project completion through May 30, 2023. They will need to seek a construction extension if work is not completed by May 30, 2023.
5	Rountree	412 Los Altos Way	Coyote fence	July 22, 2022	\$250	No	Conditional approval granted. Installation has not started. Owners advised about the need to seek a construction extension if the project has not been completed by July 2023.

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - February 10, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
6	Sommer	766 Calle Altamira	New home construction	January 27, 2021	\$1,500	No	Construction started 1-3-22. ARB granted Mr. Sommer an extension through 12-31-2022 for completion of his new home construction. ARB has granted a further 6-month extension for completion of the residence, driveway and landscaping ending June 30, 2023.
7	Streets	782 Paseo Cresta	New home/new wall	April 1, 2021	\$1,100	No	ARB requires modification of gabion so that the side wings will not exceed 12 inches in height above the central spillway. ARB also requires removal of stucco "undulations" in 2023 when weather permits. Metal portal roof approved. Appeal of ARB decisions regarding stucco and gabion filed by Jan Streets with EPCSA Board of Directors on December 1, 2022. Amended appeal of ARB decisions regarding gabion and lot drainage filed with EPCSA Board by Mary Walta and Carla Skeen on December 4, 2022. EP Board of Directors has scheduled a Zoom appeal hearing on April 15, 2023.

Capital Projects Report
February 10, 2023
Sandy Farmer

This report deals only with the *EP Exterior Facilities & Grounds Renovation* project.

Status:

- The invoice from Terra Land Surveys for the topo survey was received on Jan. 10, 2023 in the amount of \$2,611.42 consistent with the contracted amount of \$2,425 + tax (but @ a rate of 7.6875%). The topo survey was completed on Jan. 13, 2023. Shaw confirmed the sufficiency of the topo survey on Jan. 27, 2023. The check was mailed to Terra Land Surveys on Jan. 27, 2023.
- An invoice dated Jan. 25, 2023 has been submitted by Shaw Architecture in the amount of \$373.61 for Schematic Design services rendered since Dec. 25, 2022. A check request has been submitted. Total cost of architectural services up to Jan. 25, 2023 is \$2,667.06.
- Total payments up to Feb. 10, 2023 are \$5,279. Total commitments are \$4,880 for civil engineering services related to Construction Documentation in Phase 1. Known future costs are 1) \$500 for architectural services related to Construction Documentation in Phase 1, and 2) \$2,440 for civil engineering site visits / oversight of Phase 1 construction. Total known future costs are \$2,940.
- Total payments, commitments and known future costs for Phase 1 sum to \$13,099.
- Remaining, unknown costs in Phase 1 are related to 1) completion of architectural Schematic Design services (likely by end of Feb. 2023), and 2) retention of architectural and civil engineering services to support Bid Negotiation and Contract Administration for Phase 1. The budget for Bid Negotiation and Contract Administration was originally set @ \$8,000 and included both Phase 1 and 2.
- Shaw has provided Professional Service Work Orders to cover the stages of 1) Construction Documentation and 2) Bid Negotiation and Contract Administration. These Work Orders are for Phase 1 only. The Work Order for Construction Documentation is a fixed-fee contract @ \$500 for architectural services. The Work Order for Bid Negotiation and Contract Administration is to be billed at the hourly rates previously agreed to in the Standard Billing Rates document executed on Sep. 22, 2022. Both documents were signed by President Shears on January 30, 2023.
- Walker Engineering was contacted on Jan. 23, 2023 in regard to providing civil engineering services related to Bid Negotiation and Contract Administration for Phase 1 work and in addition to the already contracted services related to site visits / oversight of Phase 1 construction. Follow-up took place on Feb. 8, 2023. Outcome is TBD.

Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, March 10, 2023

Call to Order: President Brenda Shears called the meeting to order at 9:00 am via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Connie Burke, Barbara Chamberlin, Jill McIntosh, and Jo Beth Speyer.

Others Present: Greg Casey (Recreation Center Manager), Sandy Farmer (Capital Reserves Project Coordinator). Mary Walta (769 Paseo Cresta) and Steve Hess (742 Calle Altamira).

Approval of Minutes of Previous Board Meeting: The minutes of the Board meeting of February 10, 2023 were approved unanimously as submitted.

Reports

Treasurer's Report: Scott Bunton indicated that as of February 28, 2023 the Association's operating checking account contained \$119,737.11 (of which \$4,550 comprises refundable ARB performance deposits) and the capital reserve savings account contained \$267,127.51. He noted that Connie Burke had pointed out to him that the funds in the latter account now exceeded the maximum \$250,000 amount that is FDIC insured for an individual bank account. Mr. Bunton indicated, however, that he expected that if the Recreation Center renovation project proceeded in the spring, the funds in the account would soon fall below \$250,000. If the project is delayed, however, he will invest some funds in the account in a three-month CD bought from a different bank.

Mr. Bunton reported that to date annual assessment payments have been received from 187 of 188 EP property owners. The lot owner, whose payment has not yet been received, has indicated that he had mailed his check to the EPCSA.

Mr. Bunton reported that Ms. Shears had incurred \$124.64 in postage costs in mailing assessment invoices by ordinary and certified mail to some EP owners. A motion duly made and seconded to reimburse Ms. Shears for this amount was passed unanimously.

Architectural Review Board (ARB) Report: ARB Chair Sommer could not attend, and Secretary Errol Levine reported on his behalf. There are currently five ARB projects in various stages of progress (see attached spreadsheet). There are three major (Appendix IV) and two minor (Appendix III) projects.

Real Estate Report: Jill McIntosh reported that the home sale at 650 La Viveza Court had closed. A home at 435 Los Nidos Drive is currently under contract. There is one active listing for a vacant lot at 754 Calle Altamira. The listing for a second vacant lot at 797 Avenida Primera South has expired.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- The clubhouse water heater has failed. Mr. Casey therefore obtained three bids for replacing it with either a conventional water heater with a tank or a tankless water heater. The Board agreed that a conventional water heater would be preferable because of the significantly lower cost and the fact that tankless water heaters require annual service calls. Upon a motion made and duly seconded the Board voted unanimously to accept the lowest of the three bids for a commercial fifty-gallon Bradford-White Heater at a cost of \$2,500 including tax, delivery, and installation from contractor Gabriel Vargas. Installation will occur in early April.
- The widths and lengths of previously noted settling cracks that have developed on the racquetball court plaster walls and in sheet rock walls at the upper clubhouse level continue to be monitored and remain unchanged since last month.
- Tierra Bonita Landscape Company will perform regrading work at the rear of the clubhouse in early April.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer reported as follows:

- Tierra Bonita Landscaping Company completed fire-mitigation cleanup measures on two open, un-landscaped areas on the Recreation Center at a total cost of \$1,572.35. Two volunteer cottonwood trees growing next to the sidewalk on the north side of the Recreation Center property were cut down during the cleanup project at no additional charge. Greg Casey will either remove or treat the tree stumps with chemicals to prevent the trees from regrowing. When the weather warms sufficiently, Mr. Casey will also paint blue stripes in areas of the sidewalk where the concrete has been elevated by tree roots to alert pedestrians to the slight trip hazards.
- Tierra Bonita Landscape Company performed the first routine general maintenance work on the Recreation Center property on March 3 as part of their contract with the EPCSA.
- MaryAnn Scanlon maintains a spreadsheet of Grounds Maintenance Committee-related expenses and requests that she be notified when bills have been paid.
- The Committee met with Sandy Farmer (see Capital Projects update report below) to discuss the protection of Recreation Center plantings and infrastructure (e.g., lights) during the Recreation Center renovation project. Additional expenses will be incurred for raking back and moving gravel, moving rocks, planters, the little library, and other items out of harm's way and then returning them to their original locations when the project has been completed. Additional

costs might also be incurred if any plants die or are damaged during the project and need to be replaced.

- Some items in the Grounds Maintenance budget will be addressed when the renovation project has been completed. These include completing the landscaping in the gas meter bed and landscaping for the new cottonwood tree bed.
- Ms. Speyer reported that she and MaryAnn Scanlon had concluded that the biennial cleanup of the Saiz arroyo between the parking lot and tennis court and the Los Nidos entry sign that was done as a joint EPCSA/Los Nidos HOA project was not needed in 2023. They had consulted Dr. Levine (Los Nidos HOA President) who concurred. The situation will be reviewed in 2024.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital Reserves Project Coordinator Sandy Farmer described the project's status and provided and reviewed a written report, a Site Plan (dated 2/28/2023) and an ADA and Drainage plan (dated 3/8/2023) (attached) and answered questions about them. He indicated that he would also be available at the clubhouse after the adjournment of the Board meeting to review the plans on site with the Board members.

He pointed out that Board approval of a revised Site Plan and ADA & Drainage Plan that incorporated feedback received during the meeting would not constitute a final Board decision to start construction according to these exact plans. Instead, it would represent an intermediate decision that enables the assembly of a Bid Package that will be used in part for the city permitting process and in full for soliciting construction bids from several general contractors. After that, the Board will need to take further actions including approval of the general contractor, and approval of the final construction documents after incorporating input from the general contractor and the city resulting from the permitting process.

A motion was then made and duly seconded that the Board approve both the Site Plan and the ADA and Drainage Plan to replace the sidewalk between the Clubhouse and the parking lot, all the adjacent curbing, and the parking lot surface contingent on no Board member having any major problem, concern, or objection to any feature of the project depicted on either plan. The motion provided further that if any Board member conveyed word to the President by midnight Saturday, March 11, of any problem or concern with, or objection to, either plan, this motion, and the vote on it would be null and void and would not appear in the minutes of this meeting. The motion was passed unanimously.¹

¹ No concerns or objections were received by March 11, 2023.

Unfinished Business

ARB Appeals – Streets Residence (753 Paseo Cresta): Ms. Shears reported that she had emailed the Notice of Appeal Hearing to the Board members on February 22, 2023. She had also emailed and sent copies of the Notice by certified mail to ARB Chair Kurt Sommer, Jan Streets, Carla Skeen, and Mary Walta on February 24. The Hearing as per the Notice will be held on April 15 at 10:30 am by video conference using Zoom. She referred the Board members to the dropbox link that she had set up that would permit them to access various documents related to the hearing and indicated that anyone who experienced problems accessing the documents should contact her for assistance.

New Business

- **EP Garage Sale – 2023**: Ms. Burke indicated that Ms. Shears had emailed her about holding a community garage sale in the EP parking lot during 2023. She recommended that this be deferred until the fall to avoid possible clashes with the parking lot renovation project.
- **Estate, Yard, and Garage Sales**: Ms. Shears reported that she had recently received an inquiry from an EP owner about whether it would be permissible to hold a yard sale on his property. She had replied and provided an excerpt of the Board meeting minutes of October 11, 2019 that summarized the EPCSA's attitude to estate, yard, and garage sales (see attachment).

Homeowner Comments

There were none.

Announcements

- The next EPCSA Board meeting will be held on Friday, April 14, 2023 at 9:00 am using Zoom.
- The Appeal Hearing regarding the Streets property will be held on April 15, 2023 at 10:30 am.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Ms. Shears adjourned it at 10:05 am.

Minutes prepared and submitted by: Errol Levine Date: 3/12/2023.

(Errol Levine - Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 4/14/2023.

(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - March 10, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	DeFazio/Edsall	520 Los Nidos Drive	New rooftop HVAC system/new roof notification	October 10, 2022	No deposit	NA	Conditional approval granted for rooftop HVAC system. New roof installation approved as a notification project. Owners have requested that final inspection be deferred until May when they will be back in town.
2	Raczynski/Phillips	621 Cumbre Vista	New garage & AC mini-splits; Rooftop Solar panels; landscaping at rear of property.	7/9/2021; 10/15/2021	\$1,700	No	Garage construction is complete and has been approved by the city. Landscaping at rear of property remains incomplete. Rooftop solar panel installation has not yet started. Owners obtained an ARB extension for project completion through May 30, 2023. They will need to seek a construction extension if work is not completed by May 30, 2023.
3	Rountree	412 Los Altos Way	Coyote fence	July 22, 2022	\$250	No	Conditional approval granted. Installation has not started. Owners advised about the need to seek a construction extension if the project has not been completed by July 2023.
4	Sommer	766 Calle Altamira	New home construction	January 27, 2021	\$1,500	No	Construction started 1-3-22. ARB granted Mr. Sommer an extension through 12-31-2022 for completion of his new home construction. ARB has granted a further 6-month extension for completion of the residence, driveway and landscaping ending June 30, 2023.

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - March 10, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
5	Streets	782 Paseo Cresta	New home/new wall	April 1, 2021	\$1,100	No	ARB requires modification of gabion so that the side wings will not exceed 12 inches in height above the central spillway. ARB also requires removal of stucco "undulations" in 2023 when weather permits. Metal portal roof approved. Appeal of ARB decisions regarding stucco and gabion filed by Jan Streets with EPCSA Board of Directors on December 1, 2022. Amended appeal of ARB decisions regarding gabion and lot drainage filed with EPCSA Board by Mary Walta and Carla Skeen on December 4, 2022. EP Board of Directors has scheduled a Zoom appeal hearing on April 15, 2023.

Capital Projects Report
March 10, 2023
Sandy Farmer

This report deals only with the *EP Exterior Facilities & Grounds Renovation* project.

Status:

- An invoice dated Feb. 25, 2023 has been submitted by Shaw Architecture in the amount of \$794.74 for Schematic Design services rendered since Jan. 25, 2023. The invoice was received on Mar. 3, 2023. A check request has been submitted on Mar. 4, 2023. Total cost of architectural services up to Feb. 25, 2023 is \$3,461.80.
- The Grounds Committee and the Project have agreed on roles & responsibilities regarding how to protect the landscaping (i.e., plants and hardscape) and clubhouse infrastructure (e.g., lighting) prior to start of Phase 1 construction, incl. draft language (*still to be finalized*) to be added into the Bid Package for the general contractors.
- A quote for 1) installing the two Schedule 80 pipes and stub-outs, and 2) raising the bottom of the tennis court gate and adjacent fencing will need to be obtained and approved by the Board before Phase 1 construction can start. The Grounds Committee will handle #1. The Project with assistance from the Grounds Committee can handle #2. In principle, #2 can be done at any time between now and when Phase 1 construction starts.
- A draft *Site Plan* from Shaw Architecture was received on Feb. 26, 2023 and has been reviewed by President Shears, Treasurer Bunton, the Grounds Committee, and Sandy Farmer. All questions or concerns raised to date regarding this plan have been addressed.
- A draft design of the Tennis Court entry ramp was received from Walker Engineering on Feb. 28, 2023 and has been reviewed by President Shears, Treasurer Bunton, the Grounds Committee, and Sandy Farmer. All questions or concerns raised to date regarding this draft design have been addressed.
- An updated *Site Plan* was received on Mar. 9, 2023. An electronic version of this plan was emailed to all Board Members and the Grounds Committee on Mar. 9, 2023. Large (24" x 36") printouts of this plan will be distributed to all Board Members and the Grounds Committee at the start of the Walk & Talk session following the Zoom part of the Mar. 10 EP Board Meeting.
- The *ADA & Drainage Plan* was completed on Mar. 9, 2023 by Walker Engineering. An electronic version of this plan was emailed to all Board Members and the Grounds Committee on Mar. 10, 2023 after conclusion of the Board Meeting.
- During the Walk & Talk session, the following changes were requested by the attendees: 1) Move the ADA parking space that is north of the entry peninsula to the other side (north side) of the NO PARKING space. This change removes the presence of a curb on one side of the ADA parking space to reduce loading / unloading difficulties; and it will allow the H/C parking post to be moved well away from the Estancia Primera logo on the garden wall. The existing H/C parking post will be removed. 2) Maintain the existing drive ramp in the entry peninsula for vehicular access, e.g., catering vans; and ensure the entry peninsula concrete is rated to withstand such vehicles. In addition, two questions arose for consideration by the architect and civil engineer: 1) Will the kick-stop flagstone (vertically oriented) on the bottom main-entry step have to be removed to pour the new concrete properly in that area? 2) Will we have to add a new bottom

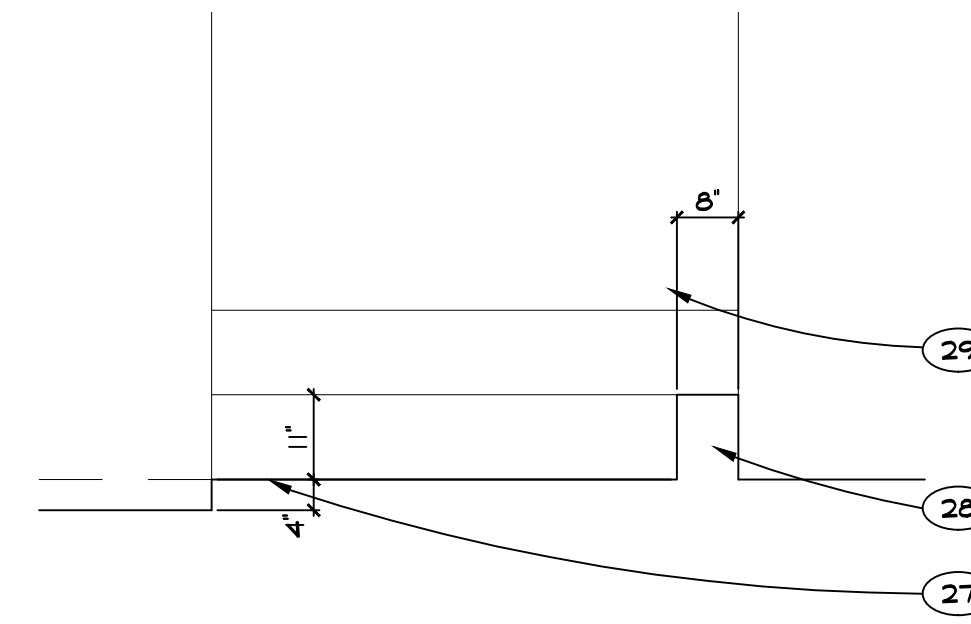
step to the outer pool ramp assembly once the side-slope in that sidewalk area has been removed?

Additional Detail on Specific Items

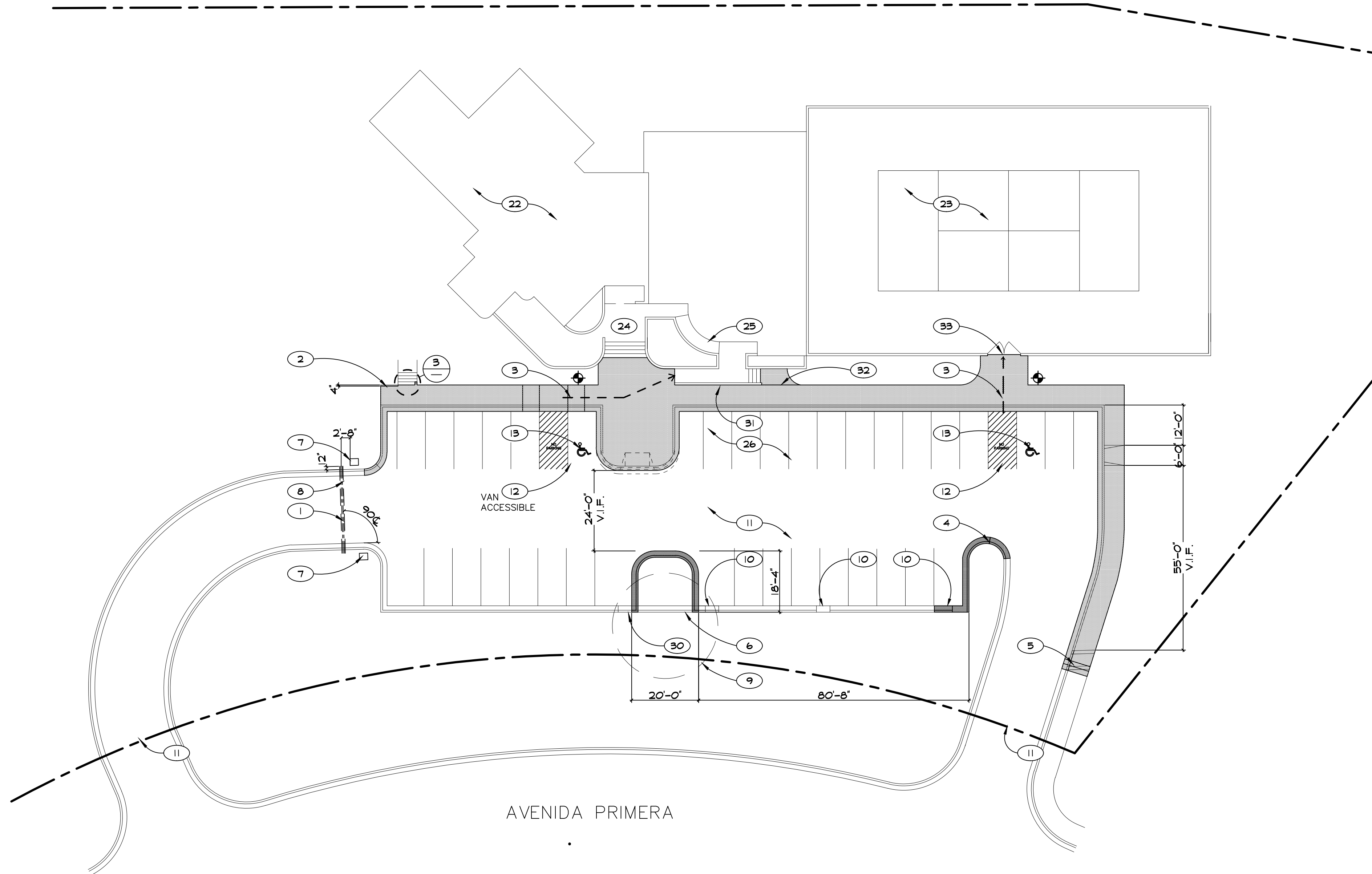
- **Review of the draft Site Plan:** Confirmed location of ADA ramps; confirmed no change required to emergency walk steps; confirmed 24' width between new landscape peninsula and entry peninsula; and updated note on trench to indicate that two 4" Schedule 80 pipes and stub-outs will be installed.
- **Regarding the trench and Schedule 80 piping:** The Project is responsible for digging the trench, back-filling the trench once the installation of the piping is complete, and re-compacting the soil prior to paving. The Grounds Committee is responsible for installing the two Schedule-80 pipes and stub-outs, incl. obtaining a quote from Tiera Bonita Landscape Management and securing Board approval for the expense.
- **Review of a draft design of the Tennis Court entry ramp:** Confirmed basic design approach; confirmed gate width and swing direction are ADA compliant; confirmed height of gate bottom (1.25" above) and adjacent fence bottom (0.5" above) relative to tennis court surface; confirmed need for trench drain across entire width of the entry ramp overlapping location of existing drain.

SHEET NOTES

- 1 (N) BELOW-GRADE IRRIGATION MAIN (BY EP LANDSCAPE MAINTENANCE - 915.995.863); N.I.C.)
- 2 REDUCE NEW SIDEWALK WIDTH BY 4" TO AVOID (E) COYOTE FENCE; PROVIDE 4" RETURN AT SIDEWALK & STAIR TREAD EXTENSION PER 3(A).0
- 3 ACCESSIBLE ROUTE (PER ADA)
- 4 PROVIDE ITEMIZED ESTIMATE TO REPLACE CURB / GUTTER SECTION; FENDING REVIEW OF CURB CRACKING AND CONSIDERATION MITIGATION BY ALTERNATIVE MEANS
- 5 REMOVE (E) RAMPS; PROVIDE (N) UNDER-WALK DRAIN (SEE GRADING & DRAINAGE PLAN)
- 6 REMOVE CURB / GUTTER AND PAVEMENT; PROVIDE (N) CURB AND GUTTER; LANDSCAPING BY OTHERS
- 7 (E) PNM TRANSFORMER
- 8 (2) 4" SCHEDULE 80 PIPES IN 12" WIDE TRENCH; CONTINUOUS, UNDER CURB EACH SIDE OF DRIVE (TO 12" BEYOND BACK FACE OF CURBS); COMPLETE REMOVAL OF EXISTING PAVEMENT AND SUB-GRADE TO 12" BELOW SUB-GRADE SURFACE; NOTE LOCATION RELATIVE TO ELECTRICAL TRANSFORMERS
- 9 (E) TREE
- 10 MAINTAIN (E) DRAINAGE OUTLET
- 11 NEW ASPHALT PAVEMENT TO RIGHT-OF-WAY (SEE GRADING & DRAINAGE PLAN); WITHIN FOOTPRINT OF EXISTING PKG. LOT (SEE 1.2(A).0)
- 12 ADA ACCESSIBLE PARKING & ACCESS AISLE (SEE 1.2(A).0)
- 13 SYMBOL TO BE PAINTED IN CENTER OF EACH DESIGNATED PARKING SPACE
- 14 SYMBOL & STRIPING (PER A5501-C6; 2015 NM PARKING, SEC. 9 NMB-C-III, SEC 1.4 - 1.43, NO PARKING @ DRIVE-END OF ACCESS)
- 15 FINISH GRADE
- 16 2" X 2" X 32" 12GA/ GALV/ STEEL POST
- 17 CONCRETE BASE
- 18 1 1/2" X 1 1/2" 12GA, GALV. STEEL POST
- 19 NOTE VAN ACCESSIBLE @ DESIGNATED SPACES
- 20 (2) 1/2" BOLTS W/ WASHERS
- 21 GREEN LETTERING, ARROW, BORDER
- 22 EXISTING COMMUNITY CENTER FACILITY
- 23 EXISTING TENNIS COURT
- 24 EXISTING PATIO & STAIRS (N.I.C.)
- 25 EXISTING ACCESSIBLE RAMP (N.I.C.)
- 26 PARKING SPACE, TYP. (8'-6" X 19'-0")
- 27 EDGE OF EXISTING CONCRETE
- 28 SIDEWALK EXTENDS ONTO STAIR TREAD
- 29 EXISTING SIDEWALK AND STAIRS (N.I.C.)
- 30 (N) DRAINAGE OUTLET, MATCH EXISTING
- 31 PATCH STUCCO AT SURFACES EXPOSED BY SIDEWALK RE-CONFIGURATION (BY OWNER, N.I.C.)
- 32 (N) LANDING; SEE GRADING & DRAINAGE PLAN
- 33 GATE MODIFICATION (BY OWNER, N.I.C.)

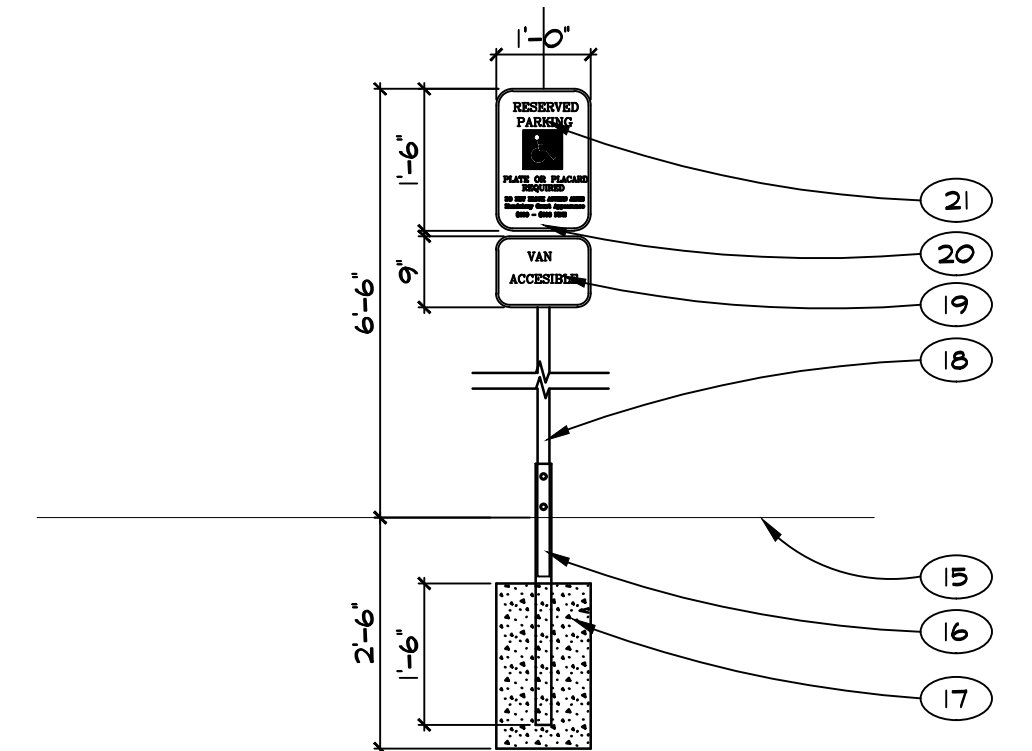


3 SIDEWALK DETAIL
1/2" = 1'-0"

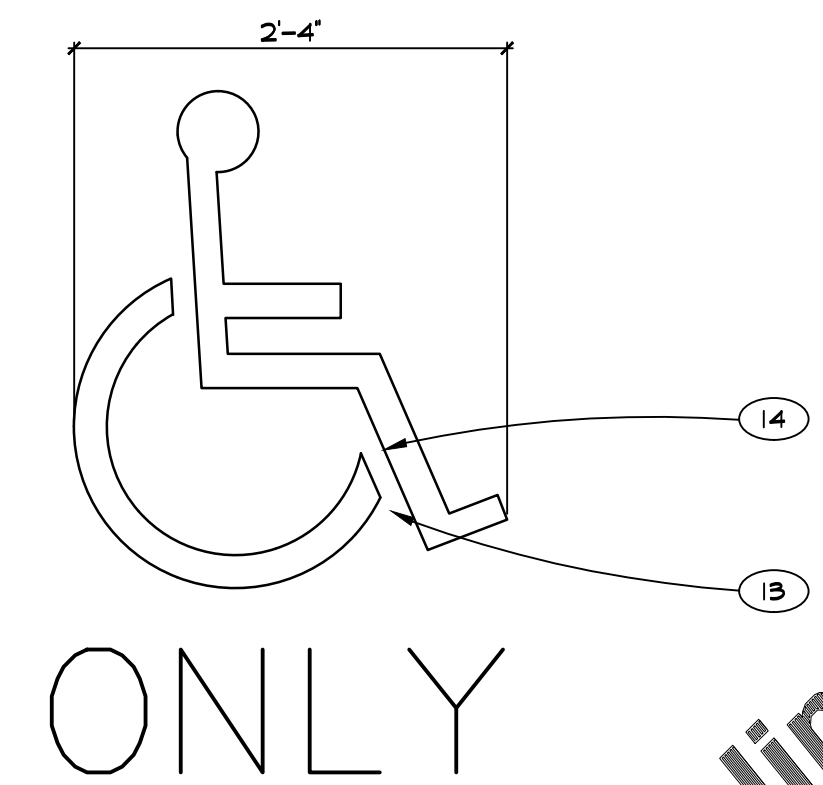


NEW CONCRETE SIDEWALK & CURB (SEE GRADING AND DRAINAGE PLAN); COLOR: HARVEST GOLDEN ROD

1 SITE PLAN
1" = 20'-0"



2 ADA PARKING SIGNAGE
1/2" = 1'-0"



3 ADA PARKING SYMBOL
1" = 1'-0"

shaw architectre

ESTANCIA PRIMERA COMMUNITY CENTER
SITE PLAN

SURFACE REHABILITATION

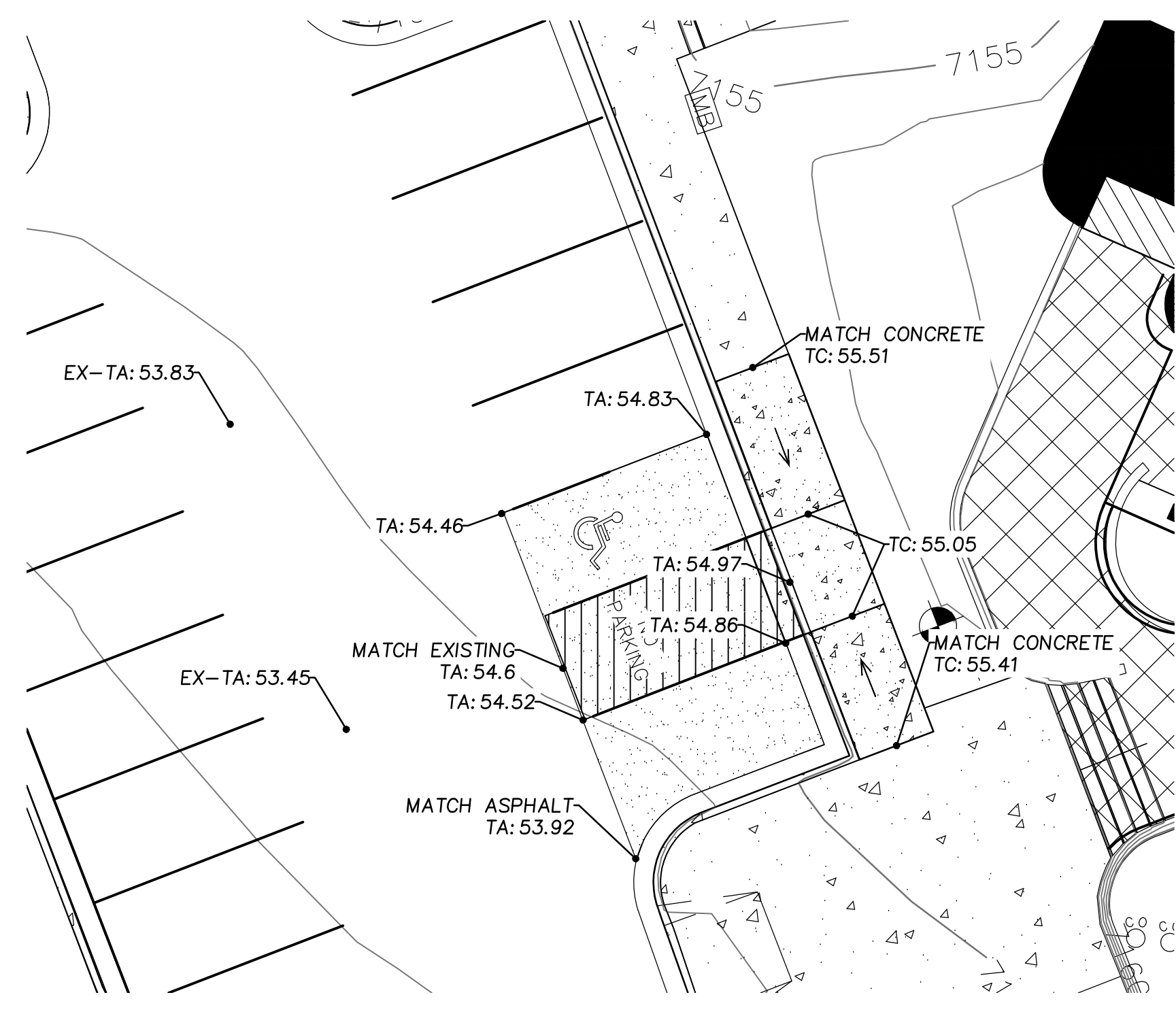
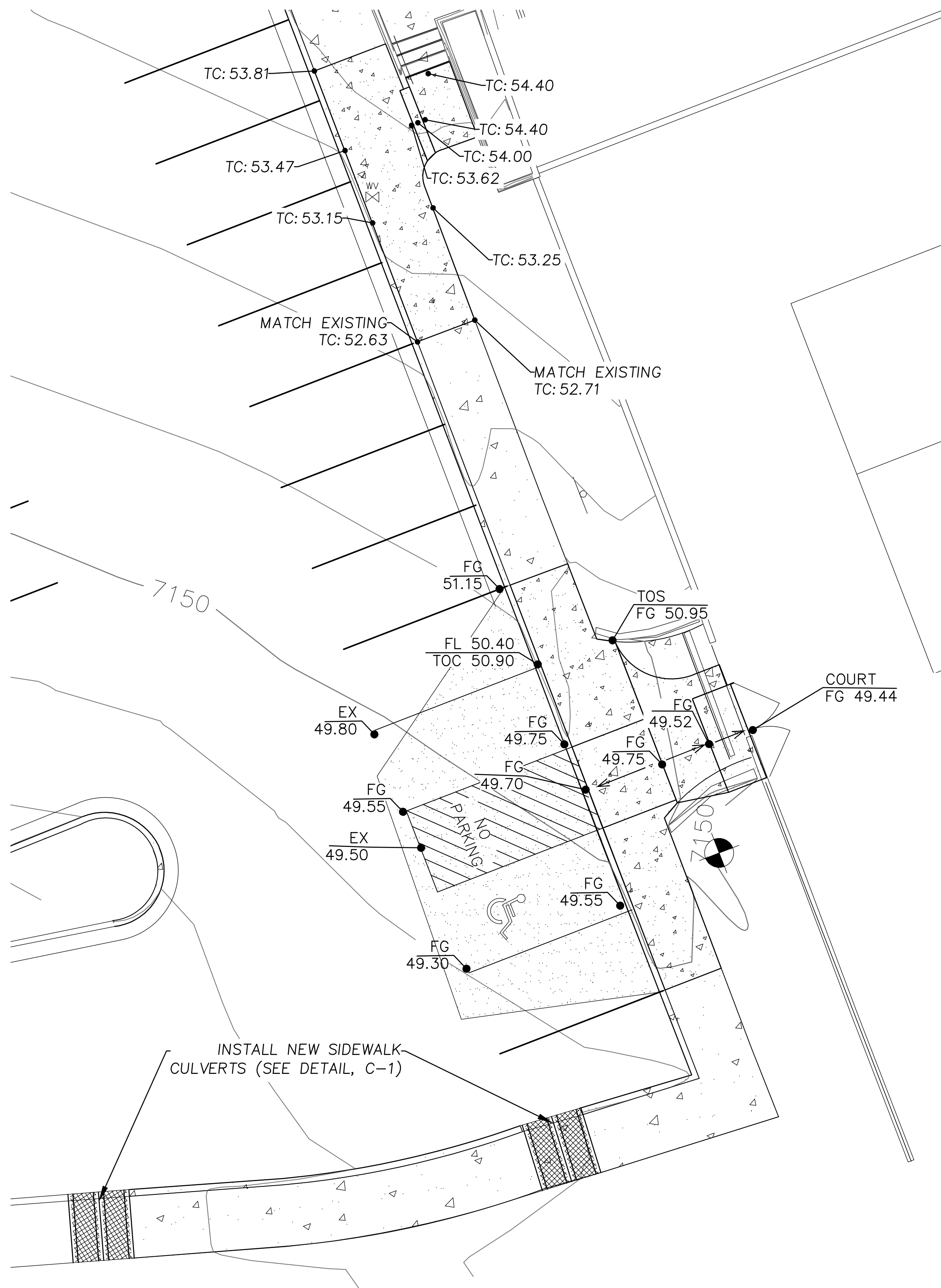
A1.0

Revisions 2.26.23
Date
Checked By SS
Drawn By
Project 27298

P.O. Box #216
Santa Fe, NM 87504
505.989.4324 tel

450 Avenida Primera South
SANTA FE, NEW MEXICO

preliminary



LEGEND

	EXISTING CONTOURS
	DESIGN CONTOURS
	PARCEL LINES
	TOP OF CONCRETE ELEVATION
	FINISH GRADE ELEVATION
	WALLS
	DIRECTIONAL FLOW ARROWS
	EXISTING BUILDING
	CATCH BASIN (12"x12")

NOT ALL SYMBOLS WILL NECESSARILY APPLY TO THIS PROJECT

TOPOGRAPHY NOTE

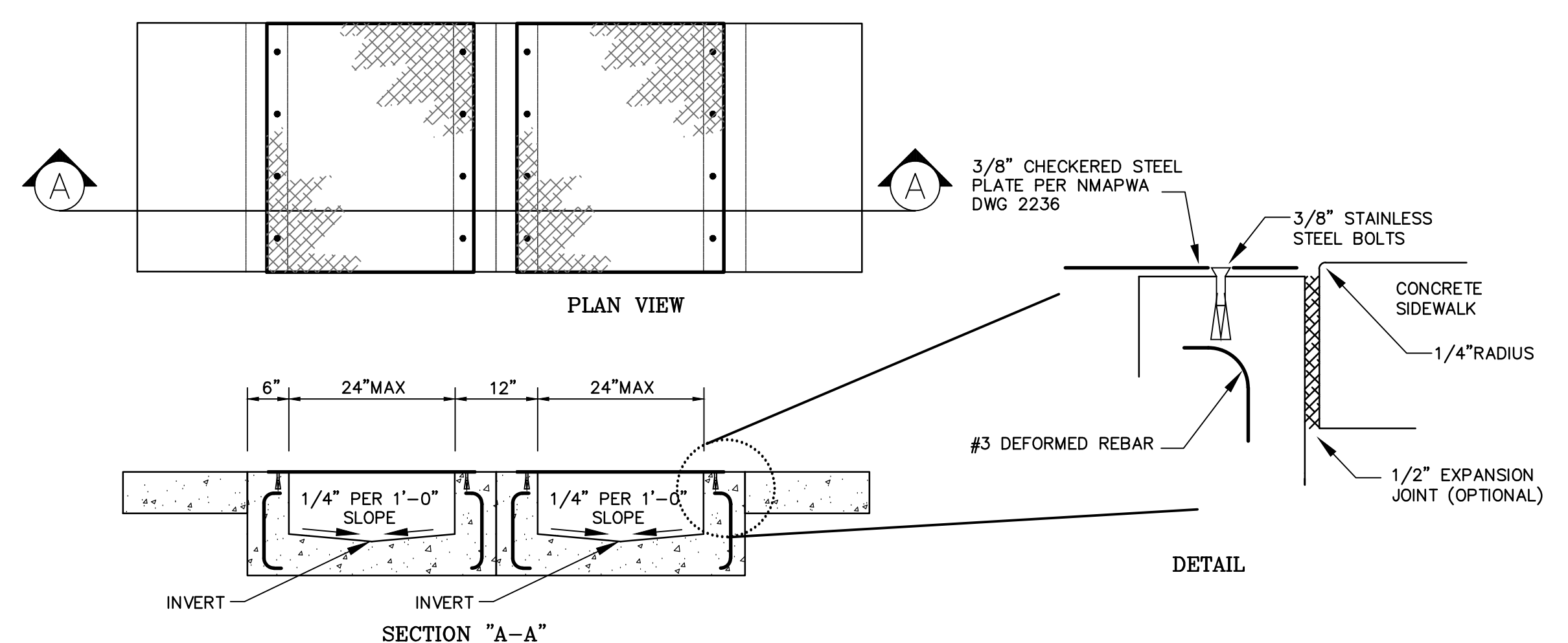
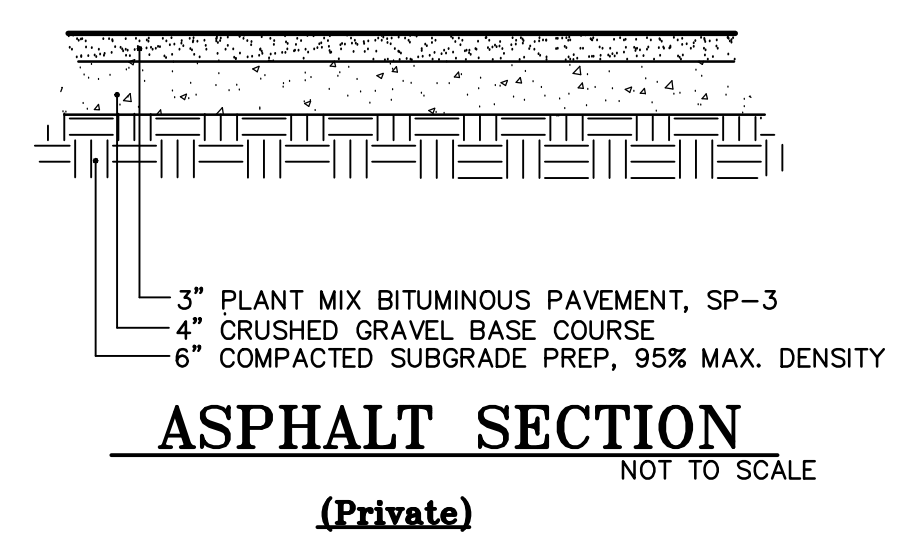
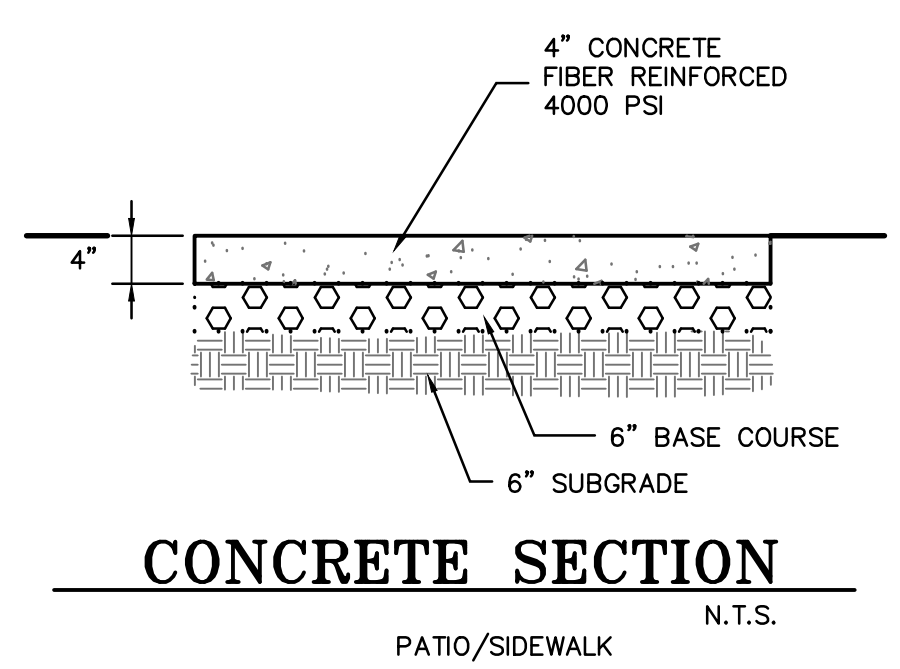
ALL EXISTING TOPOGRAPHIC SURVEY DATA SHOWN ON THESE PLANS HAS BEEN OBTAINED AND CERTIFIED BY OTHERS. WALKER ENGINEERING HAS UNDERTAKEN NO FIELD VERIFICATION OF THIS TOPOGRAPHY INFORMATION, AND MAKES NO REPRESENTATION PERTAINING THERETO, AND ASSUMES NO RESPONSIBILITY OR LIABILITY THEREFOR OF THIS TOPOGRAPHY. WALKER ENGINEERING RESPONSIBILITY IS LIMITED TO THE ENGINEERING ANALYSIS THAT UTILIZES THE TOPOGRAPHY SURVEY.

STAKING NOTE

INFORMATION SHOWN IS FOR GRADING AND DRAINAGE ONLY AND IS NOT TO BE USED FOR STAKING PURPOSES. SEE SITE PLAN FOR ACTUAL LOCATION OF IMPROVEMENTS.

IMPROVEMENTS NOTE

NEW ASPHALT=1,059± SQUARE FEET
 NEW SIDEWALK=629± SQUARE FEET
 NEW STRIPING=401± SQUARE FEET



W·E Walker Engineering
 905 Camino Sierra Vista, Santa Fe, NM 87505
 505-890-7990
 FAX 505-820-9839
 E-MAIL: civil@walkerengineering.net

No.	REVISION	BY	APP.	DATE

PROJECT: 23-126 DESIGNED BY: J.R.D.
 FILE: 23-126 GRADING DRAWN BY: J.R.D.
 DATE: 03/08/2023 CHECKED BY: M.E.W.
 SCALE: AS NOTED



PRELIMINARY

PRELIMINARY
 PROJECT: 450 AVENIDA PRIMERA
 PARKING IMPROVEMENTS
 SHEET TITLE: ADA & DRAINAGE
 DESIGN

COUNTY REVIEW		DATE
DEPARTMENT	SIGN-OFF	
LAND USE PLANNER		
PUBLIC WORKS DIRECTOR		
S.F. WATER COMPANY		

COUNTY USE ONLY

SHEET NO.
C-1

RE Estate Sales

EPCSA Board Meeting Minutes Friday, June 8, 2018

“President Shears reported that she had received inquiries regarding whether Board approval is required for estate sales and garage sales that are sometimes held when homes have been sold. Ms. Shears suggested that it would be useful to have a policy to share with homeowners and will pull together any existing information from Association records to present to the Board as a basis for developing such a policy.”

EPCSA Board Meeting Minutes Friday, October 11, 2019

Estate Sales: The Board noted that a request had been received from the son of a deceased owner for approval to hold a weekend Estate Sale on the property. The Board noted the following in this regard:

- There are no provisions in the Amended Declaration for the EPCSA or in the EPCSA rules that deal with Estate Sales. Accordingly, the EPCSA has no authority to approve or disapprove of Estate Sales, and owners or their families have no obligation to inform the EPCSA if they wish to hold Estate Sales;
- There has been a longstanding informal recognition in the EPCSA that each property is entitled to hold an Estate Sale when an owner is moving out of the neighborhood. However, repetitive Estate Sales at a single residence would constitute a business and would therefore be prohibited by Article 6.11 of the Declaration that prohibits use of the property for nonresidential or business purposes;
- Estate Sales are really an issue that needs to be addressed by neighborhood subdivision Homeowner Associations that might have their own rules regarding them;
- The Board is aware that Estate Sales might cause parking problems on streets in neighborhood subdivisions in EP. In neighborhoods with private streets (Altamira, La Viveza, Aspen Compound, Cresta and Cumbre Vista) an owner wishing to hold an Estate Sale might need to arrange with the local Board of Directors where potential buyers will be allowed to park. However, in neighborhoods with City Streets (Los Nidos, Kachina Hills, Los Altos and Los Altos Norte) the local HOA lacks authority to prohibit or limit parking on the street. In such situations the Board recommends that cooperation between the owner and the HOA should be established to mitigate parking problems;
- Owners holding Estate Sales need to ensure that buyers do not obstruct private driveways.

**Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, April 14, 2023**

Call to Order: President Brenda Shears called the meeting to order at 9:00 am via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Jill McIntosh, Jo Beth Speyer, and Leslie Walker-Hirsch.

Others Present: Kurt Sommer (ARB Chair) and Greg Casey (Recreation Center Manager).

Authorization to Act on New Business: Upon a motion duly made, seconded, and passed unanimously the Board waived the requirement in paragraph III.B.5 of the EPCSA's Book of Resolutions that no action may be taken regarding new business items not included in the published meeting agenda and agreed to consider and act on two matters not on the agenda, namely the holding of a community-wide garage sale and a proposed Memorial Day pool party (see below).

Approval of Minutes of Previous Board Meeting: The minutes of the Board meeting of March 10, 2023, were approved unanimously as submitted.

Reports

Treasurer's Report: Scott Bunton indicated that as of March 31, 2023, the Association's operating checking account at Century Bank contained \$115,356.91 (of which \$4,550 comprises refundable ARB performance deposits) and the capital reserve savings account contained \$267,134.32. He noted that the EPCSA therefore has more in its bank account at Century Bank than the amount the FDIC insures at one financial institution. Since it is unlikely that the Recreation Center renovation project can be completed before the fall, Mr. Bunton recommended that the Board should move \$200,000 from the Capital Reserves Saving account into a 3-month CD at another financial institution so all EPCSA funds will be entirely insured -- and so that the \$200,000 will earn more interest than if it stays in the savings account at Century Bank.

Mr. Bunton indicated that Enterprise Bank and Trust is easily accessible and is a strong institution and recommended that the Association purchase a CD there. When the three-month term ends, the funds can be placed in a regular savings account at Enterprise Bank and Trust so that they can be moved easily to the EPCSA Operating Account at Century Bank when it is time to make large payments to a contractor for the Recreation Center project work.

Based on the above considerations, Mr. Bunton made the following motion that was duly seconded and then passed unanimously after a discussion:

“I move that, when it becomes clear it will not be possible for the work to be done this spring on the project to replace the sidewalk, curbing, and pavement at the Recreation Center, the Treasurer be authorized and instructed to make the necessary arrangements to withdraw \$200,000 from EPCSA's Capital Reserve Savings Account at Century Bank and purchase a \$200,000 three-month Certificate of Deposit from Enterprise Bank and Trust in EPCSA's name; that the President and Treasurer be authorized and instructed to execute any documents Enterprise Bank and Trust requires in connection with this transaction; that any Resolution of the Board authorizing the purchase of said Certificate of Deposit that may be required by Enterprise Bank and Trust to effect this transaction be deemed to have been approved by the Board at its meeting on April 14, 2023; and that when the initial term of the Certificate of Deposit ends, the Treasurer be instructed to move the funds including accrued interest into a regular savings or money market account at Enterprise Bank and Trust until such time as the funds are needed to pay the costs of the project -- Provided that if a contractor is selected for this project before May 15, 2023 and it is determined that the project work or a significant portion of it will be done before June 30, 2023, the provisions of this motion shall be null and void.”

Architectural Review Board (ARB) Report: ARB Chair Sommer reported that there are currently six ARB projects in various stages of progress (see attached spreadsheet). There are three major (Appendix IV) and three minor (Appendix III) projects.

- Regarding the project at 753 Paseo Cresta, Mr. Sommer reported that Mary Walta (769 Paseo Cresta) had recently filed a lawsuit against Jan Streets (the property owner) for an alleged breach of the EPCSA Restrictive Covenants.¹ He indicated that the ARB decisions in this matter relating to a gabion on the property, stucco undulations and a metal roof on the rear portal of the home remained in effect (see EPCSA Board meeting minutes, January 13, 2023), but would be subjects for an appeal to the EPCSA Board of Directors scheduled for April 15, 2023.
- Mr. Sommer reported that he had recently received a complaint about a mini-split air conditioning and heating system that had been installed on the property at 545 Los Nidos Drive without an ARB application being submitted or ARB approval being obtained before work on the project started. The installation had been reviewed by the Los Nidos Architectural Committee (the “AC”) that had determined that various exposed façade and parapet ducts and a ground-based compressor constituted violations of paragraph 9 of Appendix II of the EPCSA’s Architectural Guidelines. The AC had contacted the owner who had agreed to correct the violations by placing the façade and parapet ducts in wall cavities and by moving the compressor to the home’s rooftop

¹ No. D-101-CV-2023-00485, *Mary E. Walta v. Janice Streets*, in the District Court for the First Judicial District of New Mexico.

among other changes. The owner had then at the request of the AC submitted an Appendix III ARB application to the AC that contained a remediation plan for the installation. The AC had then submitted the application and remediation plan to the ARB with a recommendation that it be approved with one variance for a façade and parapet electrical duct that would be difficult to relocate with the stipulation that the duct be painted to match the color of the adjoining stucco. The matter is currently under review by the ARB.

Mr. Sommer further indicated that he expects a spate of applications for mini-split and other types of air conditioning systems in the spring. He is fearful that homeowners despite being advised of the need to submit ARB applications before performing such work would continue to do so without prior ARB approval thereby causing significant neighborhood problems and problems for themselves if the ARB requires that a completed installation be revised at the sole expense of the homeowner should the installation not comply with the provisions of the EPCSA's Architectural Guidelines. The Board agreed that Ms. Shears should include a reference to this topic in her newsletter that accompanies the May Board meeting agenda sent to all EP owners.

Real Estate Report: Jill McIntosh reported that a home sale at 545 Los Nidos Drive had closed in March. A private sale of a home at 420 Avenida Primera South had also closed recently.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- The clubhouse water heater was replaced on April 8 and is working satisfactorily.
- Cracks in the racquetball court plaster walls and in sheet rock walls at the upper clubhouse level continue to be monitored and remain unchanged since last month.
- Tierra Bonita Landscape Company is currently performing regrading work at the rear of the clubhouse. Mr. Casey will contact the engineer who designed the project to determine whether it is necessary for him to inspect the project after it has been completed and to determine what his consultation fee would be for a site visit and inspection.
- Mr. Casey has begun painting white warning stripes where there are concrete elevations and potential trip hazards in the sidewalk on EPCSA common property outside the Recreation Center along Avenida Primera South.
- Mr. Casey has contacted Carver Busch of Kokopelli Pool and Spa of Santa Fe to set up dates for the annual pool inspection and for opening the pool for the 2023 season.
- One pool umbrella is damaged and needs to be replaced. Mr. Casey will discuss this with Connie Burke since the umbrella might still be under warranty.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer reported as follows:

- Arborist Chris Seidel of Koa Landscaping inspected and pruned the Recreation Center property trees on April 2. His fee was \$396.43. He also met with MaryAnn Scanlon to discuss

further work that needs to be done. He recommended the application of mulch, compost, and fertilizer for the trees. Mr. Casey has purchased these items at a cost of \$85.78 and will apply them to the trees in the coming week.

- Tierra Bonita Landscaping has done a good job of cleaning up the grounds and will soon turn on the irrigation system for the season.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital Reserves Project Coordinator Sandy Farmer could not attend, and Mr. Bunton presented his report (attached). Morey Walker of Walker Engineering had been unavailable and another civil engineer at Walker Engineering has been assigned to finish the ADA and Drainage Plan. This engineer has started finalizing that plan with special emphasis on the area around the tennis court entrance. When EPCSA architect Steve Shaw receives the completed engineering plan he will submit it to Dr. Farmer, Ms. Shears and Mr. Bunton for approval before bids are sought from potential contractors.

Unfinished Business

- Recreation Center Regrading Project: (see above)
- Board Appeal Hearing (see above). Ms. Shears will distribute the agenda for the Appeal Hearing regarding the Streets' property to the Board members and other participants.

New Business

- **EP Garage Sale – 2023:** The Board approved holding an EPCSA community-wide garage sale at the Recreation Center on Saturday, May 13. This is subject to cancelation if the parking lot repaving is in progress or if there are fewer than ten potential participants.
- **Memorial Day Pool Opening Party – 2023:** Upon a motion being made, duly seconded, and approved unanimously, the Board approved holding a pool opening party and approved the allocation of the budgeted amount of \$500 for the purchase of barbecued meat and chicken as a main course and paper products for the party.

Homeowner Comments

There were none.

Announcements

- The next EPCSA Board meeting will be held on Friday, May 12, 2023, at 9:00 am using Zoom.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Ms. Shears adjourned it at 9:40 am.

Minutes prepared and submitted by: Errol Levine Date: 4/21/2023.

(Errol Levine - Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 5/12/2023.

(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - April 14, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	Bowen, Sumner (Reunion Partners)	548 Los Nidos Drive	Remediation of rooftop mini-split air-conditioning and heating system problems.	Application submitted - 4-13-2023 -- approval pending	NA	NA	ARB application awaiting conditional ARB approval. Application forwarded to ARB by Los Nidos Architectural Committee on 4-13-2023 with recommendation in favor of conditional approval and a single variance.
2	DeFazio/Edsall	520 Los Nidos Drive	New rooftop HVAC system/new roof notification	October 10, 2022	No deposit	NA	Conditional approval granted for rooftop HVAC system. New roof installation approved as a notification project. Owners have requested that final inspection be deferred until May when they will be back in town.
3	Raczynski/Phillips	621 Cumbre Vista	New garage & AC mini-splits; Rooftop Solar panels; landscaping at rear of property.	7/9/2021; 10/15/2021	\$1,700	No	Garage construction is complete and has been approved by the city. Landscaping at rear of property remains incomplete. Rooftop solar panel installation has not yet started. Owners obtained an ARB extension for project completion through May 30, 2023. They will need to seek a construction extension if work is not completed by May 30, 2023.
4	Rountree	412 Los Altos Way	Coyote fence	July 22, 2022	\$250	No	Conditional approval granted. Installation has not started. Owners advised about the need to seek a construction extension if the project has not been completed by July 2023.

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - April 14, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
5	Sommer	766 Calle Altamira	New home construction	January 27, 2021	\$1,500	No	Construction started 1-3-22. ARB granted Mr. Sommer an extension through 12-31-2022 for completion of his new home construction. ARB has granted a further 6-month extension for completion of the residence, driveway and landscaping ending June 30, 2023.
6	Streets	753 Paseo Cresta	New home/new wall	April 1, 2021	\$1,100	No	ARB requires modification of gabion so that the side wings will not exceed 12 inches in height above the central spillway. ARB also requires removal of stucco "undulations" in 2023 when weather permits. Metal portal roof approved. Appeal of ARB decisions regarding stucco and gabion filed by Jan Streets with EPCSA Board of Directors on December 1, 2022. Amended appeal of ARB decisions regarding gabion and lot drainage filed with EPCSA Board by Mary Walta and Carla Skeen on December 4, 2022. EP Board of Directors has scheduled a Zoom appeal hearing on April 15, 2023.

Capital Projects Report
April 14, 2023
Sandy Farmer

This report deals only with the *EP Exterior Facilities & Grounds Renovation* project.

Status:

- An invoice dated Mar. 25, 2023 has been submitted by Shaw Architecture in the amount of \$545.62 for Schematic Design services rendered since Feb. 25, 2023. The invoice was received on Mar. 29, 2023. The check was mailed to Shaw Architecture on Apr. 11, 2023. Total cost of architectural services up to Mar. 25, 2023 is \$4,007.42.
- After the *Walk & Talk* session at the recreation center immediately following the Board meeting on Mar. 10, 2023, the ensuing change requests to and questions on the Mar. 10 *Site Plan* and *ADA & Drainage Plan* were submitted to Shaw Architecture later on Mar. 10, 2023, which has committed to follow-up with Walker Engineering, and then subsequently confirmed by phone with Steve Shaw on Mar. 17, 2023.
- On Apr. 4, 2023, Walker Engineering submitted an invoice in the amount of \$4,874.06 (=\$4500 + tax) with a Due Date of May 4, 2023. On Apr. 7, 2023, I confirmed by email with Steve Shaw that Walker Engineering had not yet provided the updated and final *ADA & Drainage Plan* (which is still the case as of Apr. 13). Steve wrote in his response that EP should wait on payment to Walker Engineering, which is the approach I have taken.
- Finalized language regarding protection of landscaping and property during Phase 1 construction was submitted to Shaw Architecture on Mar. 14, 2023 for his consideration on how best to include in the Bid Package (RFP). Shaw Architecture responded on Mar. 22, 2023 in a memo describing how best to accommodate our request, and this memo, along with its implications, were shared with and acknowledged by the EP Grounds Committee on Apr. 7, 2023. **Note:** Per my email response to Greg Casey on Apr. 12, 2023, my take on the email from MaryAnn Scanlon dated Mar. 3, 2023 is that it was always the intention of the Grounds Committee to execute any protection work through a company expert in such things, but that this Committee would like to do so with the input of the contractor on where protection was most needed, or not. The pre-construction meeting that Shaw alludes to in his memo dated Mar. 22, 2023 should allow for that exchange of information.
- In consultation with President Shears, Greg Casey has been engaged to raise the bottom of the tennis court gate and adjacent fencing. The tentative plan is to cut the gate, raise the bottom bar by 1.5", and then re-weld the modified gate back on. Mr. Casey has been in contact with Hart Welding. When this project has reached a sufficient point, Mr. Hart will provide a bid for the work to the tennis gate and adjacent fencing as described herein. Furthermore, to be in line with previous quotes solicited for other such small projects, Mr. Casey will provide an aggregate cost estimate for materials and a separate, aggregate cost estimate for labor, including a 15% contingency addition to both estimates, for Board approval. Ideally, this work on the gate and adjacent fencing would commence right after we receive a Bid Proposal from a general contractor that is consistent with the Project work being done in Spring 2023 and at a cost EP can afford.

Additional Detail on Specific Items

- **Change Requests to and Questions on the *Site Plan* and *ADA & Drainage Plan*:** The change requests and questions submitted to Shaw Architecture on Mar. 10, 2023 are as follows:
 - Move the ADA parking space that is north of the entry peninsula to the other side (north side) of the NO PARKING space.
 - Maintain the existing drive ramp in the entry peninsula for vehicular access, e.g., catering vans; and ensure the entry peninsula concrete is rated to withstand such vehicles.
 - Ensure that there is a sufficiently capable and more aesthetic trench drain across the entire tennis court entry ramp so that water does not drain onto the tennis court since the surface of the entry ramp will now be flush with the tennis court surface. **NOTE:** The *ADA & Drainage Plan* dated Mar. 10, 2023 was still missing the final design for this trench drain (per Shaw).
 - **Regarding the potential need for an additional bottom step to the outer pool ramp assembly once the side-slope in that sidewalk area has been removed:** This additional step will not be needed, and there will also be no need for any re-stuccoing of the pool-area retaining wall at the back. The slope will be managed by inserting a step-down ramp right at the front wall of the outer pool ramp assembly to interface between a step landing area and the sidewalk area, both of which will have no side-sloping component. The step-down ramp is permissible because this side of the outer pool ramp assembly does not have to be an ADA accessible route.
 - **Regarding the potential need to remove the kick-stop flagstone (vertically oriented) on the bottom main-entry step:** This question will be posed to the selected contractor prior to the start of construction. **Note:** Per Greg Casey, the stone on the lower step can be removed. It is only mortared to the lower step with thin set. If the contractor takes care, he should be able to remove it without breakage so that the stone can be saved for some future use. The bigger question is whether the pour of the steps and the sidewalk was done at the same time. The current thinking on this is No.

ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION, INC. (EPCSA)

Minutes of Executive Session of Board of Directors held on April 18, 2023

An Executive Session was convened at 2:30 p.m. on April 18, 2023. The Executive Session was attended by Board members Brenda Shears, Gene Creely, Scott Bunton, Errol Levine, Jill McIntosh, Jo Beth Speyer, and Leslie-Walker-Hirsch. Board members Connie Burke and Barbara Chamberlain did not attend the Executive Session.

The attending Board members participated in a hearing on certain appeals/complaints concerning the Estancia Primera Architectural Review Board's (the "ARB") decisions on certain construction-related issues at the property owned by Jan Streets at 753 Paseo Cresta that was conducted on April 15, 2023. The purpose of this Executive Session was to conduct a formal vote on the proposed written Decision on the appeals/complaints that were heard at that time. The proposed written Decision was circulated in advance of this Executive Session to the participating Board members for their review.

The attending Board members voted on the proposed written Decision as follows:

For: Brenda Shears, Gene Creely, Scott Bunton, Errol Levine, Jill McIntosh, Jo Beth Speyer, and Leslie-Walker-Hirsch

Against: None

Board members Connie Burke and Barbara Chamberlain did not participate in the hearing or this decision, nor did they participate in post-hearing deliberations or vote on the Decision, due to their prior involvement with the underlying ARB proceedings.

A copy of the written Decision is attached to these minutes of the Executive Session.

Minutes prepared and submitted by: Errol Levine Date: 4/19/2023.

(Errol Levine - Secretary)

Signed on behalf of Board by: Brenda L. Shears Date: 4/19/2023.

(Brenda Shears - President)

ESTANCIA PRIMERA COMMUNITY SERVICES ASSOCIATION, INC. (EPCSA)

**EPCSA Board’s Decision on Appeals/Complaints Concerning Construction-Related Issues
at 753 Paseo Cresta in the Cresta Neighborhood of Estancia Primera**

On April 15, 2023, the EPCSA Board of Directors conducted a hearing on issues raised by (1) appeals filed by Cresta property owner Jan Streets (the “Homeowner”) on February 9, 2022, and December 1, 2022; and (2) complaints filed by other Cresta homeowners Carla Skeen and Mary Walta (the “Complainants”), on December 7, 2021, as amended on December 20, 2021, and on December 4, 2022, about certain decisions and deliberations of the Estancia Primera Architectural Review Board (the “ARB”) on October 26, 2021, July 11, 2022 and October 24, 2022, concerning the Homeowner’s property located at 753 Paseo Cresta (the “Property”).

The hearing was conducted via Zoom conference. The hearing was attended by Jan Streets, Carla Skeen,¹ Kurt Sommer (the “ARB Chair”) and Board members Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Jo Beth Speyer, Jill McIntosh, and Leslie Walker-Hirsch.² The Board’s Vice President, Gene Creely, presided over the hearing.

Prior to the hearing, the Board made available documents, architectural plans and correspondence received from the ARB and the Cresta Architectural Review Committee (the “ARC”) in connection with the appeals/complaints for review by the parties. Also, the Board allowed the parties to submit written presentations, and Jan Streets and Carla Skeen submitted written presentations. During the hearing, Jan Streets, Carla Skeen, and Kurt Sommer made oral presentations.

After considering the appeals and complaints, the available documents and correspondence and the written and oral presentations, and in accordance with the vote of its members noted below, the Board decides as follows relating to the outstanding issues raised in the appeals and complaints.

The Gabion³

a) Background relating to the appeals/complaints regarding the gabion.

The Homeowner desired to build a home on her then-vacant lot at 753 Paseo Cresta. This lot is a steeply inclined lot adjacent to Paseo Cresta (an unpaved private street in the Cresta neighborhood). Under Estancia Primera’s Amended Declaration of Covenants and Restrictions (2006) (the “Amended Declaration”) and the Architectural Guidelines, the Homeowner was required to submit her construction plans first to the ARC and then to the ARB for review and approval before starting construction.

¹ Complainant Mary Walta elected not to participate in the hearing since she has filed a lawsuit against Jan Streets on March 3, 2023. However, Mary Walta has not formally withdrawn her appeal (as jointly filed with Complainant Carla Skeen).

² Board members Connie Burke and Barbara Chamberlin did not participate in the hearing or this decision due to their involvement in the underlying ARB proceedings relative to this matter.

³ Since Complainant Mary Walta has not formally withdrawn her appeal, the Board addresses the issues relating to the gabion as to both Complainants (Carla Skeen and Mary Walta), as well as to the Homeowner (Jan Streets).

Early in the review and approval process, individual Cresta homeowners and the ARC expressed concern about how stormwater runoff from the Property might erode and damage Paseo Cresta.⁴ Under the circumstances, the Homeowner was required to submit a drainage control/grading plan to manage surface water run-off on the Property, and she hired a civil engineer, Morey Walker of Morey Walker and Associates Engineering, Inc., to prepare the drainage control/grading plan. The Homeowner then submitted the plan, dated February 28, 2019, which included a gabion⁵ to the ARC and then to the ARB for review and approval as required by the Amended Declaration and the Architectural Guidelines before construction begins.

Richard Czoski (the “ARC Chair”) conducted a meeting for Cresta residents to review and comment on the construction plans. After the meeting, the ARC Chair made the construction plans (including the drainage control/grading plan) available at his home for inspection by Cresta residents for a period of time. In the absence of objections to the construction plans and the drainage control/grading plan and the gabion depicted thereon or of any proposed alternative form of drainage control, the ARC Chair later advised the ARB that the ARC supported approval of the construction plans (including the drainage control/grading plan). The drainage control/grading control plan was included in the set of construction plans recommended by the ARC to the ARB for its review and approval.

At that point, the ARB undertook its review of the construction plans (including the drainage control/grading plan). Per its customary practice, the ARB then submitted the construction plans (including the drainage control/grading plan) to EPCSA’s consulting architect, Miguel da Silva of da Silva Architecture, Inc., for review and approval. After his review, the architect indicated his approval of the plans (subject to minor revisions unrelated to the drainage control/grading plan and the gabion depicted thereon) by initialing the plans, and he communicated his approval to the ARB.

On May 15, 2019, the ARB met and voted to approve the construction plans (including the drainage control/grading plan) with minor revisions unrelated to the gabion or drainage control/grading plan. Then, the ARB Chair wrote to the Homeowner granting conditional approval of the submitted plans and indicating that she could proceed with construction of the home and related improvements. The ARB Chair did not refer to the gabion depicted on the approved drainage control/grading plan in his letter to the Homeowner.

The Homeowner was also required to submit the construction plans (including the drainage control/grading plan) to the City of Santa Fe to obtain a construction permit. After obtaining the construction permit, the Homeowner constructed the home and related improvements, including the gabion, on the Property in reliance upon the ARB’s approval of the construction plans (including the drainage control/grading plan and the gabion depicted thereon).

⁴ The homeowners who live along Paseo Cresta are collectively responsible for its maintenance and repair.

⁵ The location, outline and relative size of the gabion were depicted on the plan. However, the gabion’s specific dimensions were not indicated on the plan except for the notation “3’x 4’ rip rap” in front of the outline of its footprint. Although the gabion’s width and depth can be deduced from the plan’s scale, the height of the gabion cannot be determined from the plan. Also, the plan did not specify the materials, such as rock, to be used for the gabion. However, the materials actually used in the gabion, including the rock used, were similar to those used to construct other gabions, riprap and retaining walls in other locations in the subdivision.

After the gabion was constructed, the Complainants objected to the gabion's appearance and obtrusiveness and alleged that the gabion did not properly control stormwater runoff from the Property with resultant erosion of the adjacent unpaved street. At its meeting held on October 21, 2021, the ARB considered the Complainant's objections to the gabion. The Homeowner countered that the gabion was essential to control stormwater runoff from the Property and that she had relied on ARB approval in constructing the gabion. At that time, the ARB decided that the gabion should be removed entirely since the ARB members found it to be unsightly, to detract from the neighborhood and not to have been constructed as shown in the submitted plans.

At a follow-up meeting held on October 24, 2022, the ARB reversed its earlier decision; and, in order to make the gabion less obtrusive while maintaining its intended drainage control function, the ARB required that the Homeowner lower the height of the gabion's side wings to twelve inches (12") above the central spillway section of the gabion. The ARB further decided to require that the Homeowner submit a landscaping plan for the Property that would include vegetation to be installed in front of the gabion to obscure it.

The Homeowner appealed the ARB's second decision about the gabion to the Board. However, on the advice of her engineer, the Homeowner advised that she is willing to lower the height of the gabion's side wings to eighteen inches (18") above the central spillway section of the gabion. The Complainants, on the other hand, want the gabion removed and a new drainage plan developed for the Property. They suggested that one option would be to construct a retention pond instead of the gabion. However, they have not proposed a specific retention pond design nor proposed specific pond dimensions, and the Homeowner's civil engineer believes that a retention pond would be problematic. Also, at the hearing, Complainant Carla Skeen further suggested that terraces, swales and cisterns might be considered as an alternative form of drainage control. However, the Complainants did not propose these alternative forms of drainage control to the ARB, they have not proposed specific designs or dimensions for such drainage control devices, nor have these alternative forms for drainage control been supported by any civil engineer who has been involved in this case.⁶

b) *The Board's decisions relating to the gabion.*

• *The Board finds that the ARB acted reasonably and within its authority in approving the drainage control/grading plan and the gabion depicted thereon prior to construction and that all steps were followed for obtaining and granting ARB approval as stated in the Amended Declaration and the Architectural Guidelines.*

As noted above, the construction plans, including the drainage control/grading plan prepared by the Homeowner's civil engineer, were first submitted to the ARC, the ARC held a meeting for Cresta residents to comment on the plans, the plans remained available for review at the ARC Chair's home, and apparently there were no objections to the drainage control/grading

⁶ The Complainants employed a civil engineer, Douglas Sayre of Sayre Engineering, Inc., to review the gabion installation. As reported by the Complainants, the civil engineer complained about the lack of specific dimensions and other details for the gabion on the approved drainage control/grading plan, and he also believed that the gabion need not have been as large as it was constructed. The civil engineer did not dispute the need for drainage control on the Property or that the gabion provided drainage control to protect against erosion of the adjacent unpaved street, nor did he propose any specific alternative drainage control method.

plan or the gabion depicted thereon. Thereafter, the ARC advised the ARB that it supported the proposed construction plans (including the drainage control/grading plan). Then, the ARB submitted the construction plans (including the drainage control/grading plan) to EPCSA's architect, who reviewed and approved the plans, and the ARB reviewed and approved the plans. Subsequently, the Homeowner submitted these plans to the City Engineer's office in order to obtain a construction permit, and the City Engineer approved the permit.

Under the circumstances, the Board finds that the ARB acted reasonably and within its authority in approving the drainage control/grading plan and the gabion depicted thereon prior to construction because all steps for obtaining and granting ARB approval as stated in the Amended Declaration and the Architectural Guidelines were followed.

- *The Board finds that the ARB acted reasonably and within its authority in requiring that the gabion be modified instead of being removed after receiving the Complainants' objections.*

As noted above, the ARB initially decided that the gabion should be removed entirely because it was unsightly and detracted from the neighborhood. However, the ARB later set aside its initial decision; and, in order to maintain its intended drainage control function while making it less obtrusive, the ARB ordered that the height of the gabion's side wings be lowered so that they would not exceed twelve inches (12") above the central spillway section of the gabion.⁷ The ARB also required that the Homeowner install additional landscaping (to be approved by the ARB) to cause the gabion to be less obtrusive.

The Complainants seek (1) to reverse the ARB's later decision requiring the lowering of the side wings of the gabion and (2) to reinstate the ARB's initial decision requiring the removal of the gabion. As noted above, they have generally suggested alternative forms of drainage control. However, they did not present these alternative forms to the ARB, nor have they proffered any specific alternative drainage control plan or design for any specific alternative drainage control method. In addition, the Homeowner's civil engineer has stated that he believes a retention pond (one option suggested by the Complainants) would be problematic.

In connection with these assertions, the Complainants assert that the gabion violates the Amended Declaration and the Architectural Guidelines because of its unsightly, detracting, and nonconforming appearance. The Board notes that the ARB had also opined that the gabion is unsightly. Although the Board acknowledges these opinions and does not encourage, as a general rule, the placement of gabions in conspicuous locations on private properties in Estancia Primera, the Board finds that the ARB erred in making its initial decision requiring the complete removal of the gabion for various reasons, including:

- (1) The ARB's initial decision appears to overlook that a property owner should be able to rely on the ARB's written approval of construction plans after the property owner has gone through the construction plan review/approval process as occurred in this case.
- (2) The ARB appears to have based its initial decision primarily on aesthetic considerations and did not sufficiently consider the gabion's drainage control function. The Board

⁷ The central spillway section of the gabion is about two feet (2') in height, and the ARB's requirement would therefore reduce each side wing to about three feet (3') in height (for a total height reduction of about two feet (2')).

believes that some form of drainage control is required on the steeply inclined lot, and the drainage control/grading plan and the gabion depicted thereon were designed by the Homeowner's civil engineer to provide appropriate and adequate stormwater run-off control on the Property.⁸

- (3) The City of Santa Fe Land Use Codes appear to have required the Homeowner to submit a "Grading and Drainage Plan" as a part of "Terrain Management Requirements" during the construction permit process. The Complainants seem to dispute whether the Land Use Codes required the drainage control/grading plan or the gabion for the Property. On the other hand, the Homeowner's civil engineer confirmed that (1) the gabion was designed to meet the terrain management/drainage control requirements of the Land Use Codes, (2) the drainage control/grading plan, including the gabion depicted thereon, was submitted to City Engineer's office for review and approval during the construction permit process and (3) the design was reviewed and approved by the City in that process. Any decision ordering the removal of the gabion could (1) usurp the City's regulatory authority and (2) cause the Homeowner to be out of compliance with the City's Land Use Codes.

The Board also finds that the ARB acted reasonably and within its authority in its subsequent decision ordering the lowering of the height of the gabion's side wings to make the gabion less obtrusive, with the expectation that the gabion would continue to provide appropriate and adequate stormwater run-off control on the Property. The lowering of the gabion is supported by the Homeowner's civil engineer, as well as statements purportedly made by the City Engineer's staff.⁹ The Board accepts the civil engineer's assessment that lowering the height of the gabion's side wings to eighteen inches (18") above the central spillway section of the gabion would be optimal since further lowering could potentially compromise the gabion's intended drainage control function.

Accordingly, the Board affirms the portion of the ARB's second decision that requires the gabion to be retained, but alters that decision by requiring the homeowner, instead of lowering the

⁸ Incidentally, the Board notes that there is no specific prohibition of gabions in the Amended Declaration or the Architectural Guidelines. Also, there are several gabions, as well as numerous riprap and retaining walls having similar construction, scattered throughout Estancia Primera. However, these drainage control methods are mostly located in arroyos where they provide drainage control and limit erosion and have low visibility. As noted above, the Board, as a general rule, does not encourage the placement of gabions in conspicuous locations on private properties in Estancia Primera.

⁹ After filing their complaints, the Complainants met with members of the City Engineer's staff and reported that those staff members indicated that (1) the complete removal of the gabion would require a replacement structure/method and (2) the City would be required to review the proposed replacement structure/method for adequate capacity as a part of the construction permit process. Also, the City Engineer's staff advised that (1) "when residential property is involved, the City does not dictate to the property owner what kind of structure or method is used for managing stormwater runoff on the property" and "[t]hat decision is left to the property owners and their civil engineer, if there is one," and (2) in any event, the City "does not engineer how stormwater management structures are built" and that the type and configuration of the structure and the materials used are "left to property owners and their civil engineer" to decide. Moreover, the City Engineer's staff confirmed that the gabion provides appropriate and adequate drainage control on the Property. Specifically, the City Engineer's staff purportedly stated that (1) the retention pond behind the gabion is supposed to contain stormwater for up to 24 hours and to allow it to slowly drain out through the gabion within that time period and (2), even if the gabion side wings are lowered, the gabion would be adequate because "there is a retention pond area of adequate capacity lying behind it."

height of the gabion's side wings to twelve inches (12") above the central spillway section of the gabion, to lower the side wings to eighteen inches (18") above the central spillway section of the gabion. The Board further orders that this modification of the gabion be completed no later than **September 30, 2023**.

Also, the Board affirms the portion of the ARB's second decision that requires the Homeowner to provide a detailed proposed landscaping plan that identifies additional landscaping that will be installed to obscure the modified gabion. The Board requires that (1) the proposed landscaping plan be prepared by a landscape architect or a landscape contractor contracted by the Homeowner, (2) the proposed landscaping plan be submitted to the ARB for its review and approval no later than **May 31, 2023**, (3) the ARB complete its review of the proposed landscaping plan, and approve it with or without modifications, no later than **June 30, 2023**, and (4) the Homeowner complete the installation of the approved landscaping plan no later than **September 30, 2023**. The Homeowner should direct the landscape architect/contractor to design the plan with the primary aim of obscuring the gabion during all seasons to the maximum extent possible by including several *evergreen* plants or trees of sufficient size and appropriate shape and dimensions that, if planted in front of and at the sides of the gabion, will obscure it from view from the adjacent unpaved street and neighboring properties.

The Board expects these requirements will be completed on a timely basis. If these requirements are not timely completed, the EPCSA will file a Notice of Non-Compliance with the Santa Fe County Clerk and will consider imposing such other penalties against the homeowner as provided in the Amended Declaration for violations of the Architectural Guidelines.

The Stucco "Undulations"¹⁰

a) Background relating to the appeals/complaints regarding the stucco undulations.

The construction plans submitted by the Homeowner and approved by the ARC and ARB showed straight edges for all parts of the stucco installation. However, during construction, the stucco was installed with meandering edges (the "stucco undulations") on the parapets and corners and around the windows and doors. These undulations were not reflected on the approved plans. This change was made without prior consultation with or approval by the ARB. This action violated the requirement contained in the ARB application submitted and signed by the Homeowner's contractor on her behalf that all construction plan revisions made after initial ARB approval must be reviewed and approved by the ARB before construction commences.

At its meeting of October 26, 2021, the ARB found that the stucco undulations did not conform to the approved construction plans and voted to require that the undulations be removed at an unspecified future time when either the Homeowner or a successor owner needed to re-stucco

¹⁰ At the appeal hearing, the Homeowner indicated her willingness to remedy the stucco undulations as soon as possible, subject to contractor availability and weather permitting. In response, Complainant Carla Skeen expressed her appreciation for the Homeowner's expressed willingness to undertake this action in order to resolve the pending issue regarding the undulations. The Board also appreciates this gesture. However, since Complainant Mary Walta has not formally withdrawn her appeal, the issue regarding the undulations technically remains pending. The Board therefore is required to address this pending issue and to render its decision regarding the matter. The Board's decision also will provide the Homeowner guidance regarding the expected timetable for the completion of the required remedial work as discussed below.

the home. The ARB also decided that a Certificate of Non-Compliance should be filed in the Real Property records of Santa Fe County to enforce the ARB's decision.

Subsequently, at its meeting held on October 24, 2022, the ARB reconsidered its initial decision. Because the stucco undulations had never been approved by the ARB and because the Homeowner's contractor had stated at an ARB meeting held on July 11, 2022, that removal of the undulations would be an "easy fix," the ARB voted to require removal of the undulations within ninety days of the meeting, weather permitting.

In her appeal, dated December 1, 2022, the Homeowner objected to the ARB's modification of its original decision. She indicated that her contractor had mischaracterized the removal of the stucco undulations as an "easy fix" without researching the actual cost for the work. She further indicated that she had since obtained a bid for the work that was for more than \$5,000.¹¹ On the other hand, the Complainants seek the immediate removal of the undulations.

b) The Board's decision relating to the stucco undulations.

- *The Board finds that the ARB acted reasonably and within its authority in requiring that the Homeowner remove the stucco undulations.*

The Board finds that the Homeowner violated the Amended Declaration and the Architectural Guidelines by failing to seek ARB approval before installing the stucco undulations and that the undulations constitute a departure from community standards. The Board is not aware of any other homes with such undulations in Estancia Primera.

The Homeowner has complained about the ARB's reversal of its prior decision that required the removal of the stucco undulations when new stucco is installed at an unspecified time in the future (presumably in 10 to 20 years), and she seeks to reinstate the initial decision. The Board recognizes that, generally, the ARB's authority to take action connotes the ARB's authority to reverse any action taken. Also, the Board finds that the Homeowner did not suffer any detrimental reliance on the ARB's initial decision. Under the circumstances, the Board concludes that the ARB did not err in reversing its initial decision and requiring the removal of the undulations in the stucco treatment on a timely basis.

Accordingly, the Board affirms the ARB's later decision that requires the Homeowner to remove **all** stucco undulations including but not limited to those on parapets, around doorways and windows and at corners of the home. The Board requires that the undulations be removed no later than **September 30, 2023**.

The Board expects this requirement will be completed on a timely basis. If this requirement is not timely completed, the EPCSA will file a Notice of Non-Compliance in the Real Property records of Santa Fe County to enforce the ARB's decision and will consider imposing such other penalties against the homeowner as provided in the Amended Declaration for violations of the Architectural Guidelines.

¹¹ The Homeowner has not provided copies of bids in connection with her appeal.

The metal roof on the rear portal¹²

a) The background of the complaints regarding the metal roof on the rear portal.

The original construction plans called for Spanish style clay tiles on the inclined roof of the portal on the rear exterior of the home. However, the ARB considered Spanish style clay tiles to be out of character with the neighborhood. As a result, the Homeowner's contractor submitted revised plans that specified a brown metal roof on the rear portal, and he provided a color sample to the ARC and the ARB. Informally, the ARC and ARB considered the substitution of the brown metal roof to be acceptable. In reliance of this informal approval, the brown metal roof was installed on the rear portal.

After the home construction was completed, the Complainants objected to the installation of the metal portal roof, claiming that it was visible from the street and that it constituted a direct violation of the Amended Declaration and the Architectural Guidelines. They noted that Paragraph 5 of Appendix II of the Architectural Guidelines for Estancia Primera states that "No metal of any type will be approved as a roof surface after 8/1/2002." They did not suggest what alternative form of roof would be suitable on the rear portal.

Subsequently, the ARB met on October 24, 2022; and, after considering the color and location of the roof, the ARB approved it "as constructed."

b) The Board's decision relating to the metal roof on the rear portal.

- *The Board finds that the ARB acted reasonably and within its authority in granting retroactive approval of and/or a variance for the metal roof on the rear portal.*

The Board finds that the ARB acted reasonably and within its authority in retroactively approving and/or granting a variance for the metal roof on the inclined portal. The Architectural Guidelines prohibit metal roofs in EP, but the prohibition does not specify whether it pertains only to the roofs of the main structures of homes or also pertains to the roofs of attached portals. If, indeed, a metal roof on the rear portal is prohibited, the Board notes that the metal roof on the rear portal has a low neighborhood visibility, and its color conforms to other colors of materials on the exterior of EP homes. Moreover, there are similar metal portal and entry roofs on other homes in Estancia Primera. Accordingly, the Board finds that the ARB did not err in allowing the metal roof (in lieu of Spanish tiles) on the rear portal after considering "color and location" of the metal roof on the portal, and the Board affirms that decision of the ARB.

The Board denies all other relief requested in the appeals/complaints.

These decisions by the Board are final and binding per Section 3.7(e) of the Amended Declaration of Covenants and Restrictions for the Estancia Primera Community (2006).

¹² At the appeal hearing, Complainant Carla Skeen stated that she was no longer pursuing claims regarding the brown metal roof that was installed on the portal on the rear exterior of the home. The Board appreciates this concession. However, since Complainant Mary Walta has not formally withdrawn her appeal, the pending issue regarding the brown metal portal roof technically remains pending. The Board therefore is required to address this pending issue and to render a decision regarding the matter.

Date: April 18, 2023

EPCSA Board

A handwritten signature in black ink, appearing to read "Gene Creely" with a stylized flourish at the end.

By: Gene Creely

Vice President/Presiding Hearing Officer

cc: Kurt Sommer (via email and certified mail)
Jan Streets (via email and certified mail)
Carla Skeen (via email and certified mail)
Mary Walta (via email and certified mail)

Vote of Participating Board Members

The participating Board members voted on this decision as follows:

For: Brenda Shears, Gene Creely, Scott Bunton, Errol Levine, Jill McIntosh, Jo Beth Speyer and Leslie-Walker-Hirsch

Against: None

As noted above, Board members Connie Burke and Barbara Chamberlain did not participate in the hearing or this decision.

Appendix

Photo of the home



Photos of the gabion



Approach from Paseo Cresta



Front View

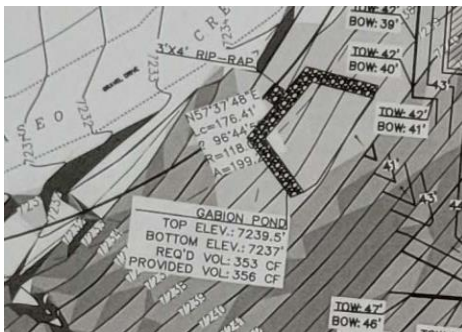


Left Wing



Right Wing

Depiction of the gabion on the drainage control/grading plan



Overhead view of the property



Photos of stucco undulations



Photo of the metal roof on portal on rear exterior of home



Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, May 12, 2023

Call to Order: President Brenda Shears called the meeting to order at 9:00 am via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Connie Burke, Barbara Chamberlin, Jill McIntosh, Jo Beth Speyer, and Leslie Walker-Hirsch.

Others Present: Sandy Farmer (Capital Reserves Project Coordinator) and Greg Casey (Recreation Center Manager).

Approval of Minutes of Previous Board Meetings:

- The Board unanimously approved the minutes of the prior meeting of April 14, 2023, as submitted.
- The Board held an Executive Session on April 18, 2023, to conduct a formal vote on the proposed written decision on the appeals/complaints heard on April 15 in the various disputes about the Streets property at 753 Paseo Cresta. The Board unanimously approved the minutes of the April 18 Executive Session via email and those minutes are available on the EPCSA web site.

Reports

Treasurer's Report: Scott Bunton indicated that as of April 30, 2023, the Association's operating checking account at Century Bank contained \$110,264.80 (of which \$4,550 comprises refundable ARB performance deposits) and the capital reserve savings account contained \$267,140.91. He noted that as approved at the April Board meeting, during the first week of May he transferred \$200,000 from the capital reserve savings account to a three-month Certificate of Deposit at Enterprise Bank and Trust of Santa Fe, thereby ensuring that EPCSA's funds in any one bank are within the \$250,000 FDIC insurance limit.

Architectural Review Board (ARB) Report: ARB Chair Sommer could not attend, and Board Secretary Errol Levine presented the report (attached). There are currently nine ARB projects in various stages of progress. There are three major (Appendix IV) and six minor (Appendix III) projects. The following project details were drawn to the Board's attention:

- Jan Streets (753 Paseo Cresta) commenced remediation projects that the Board required in its decision of April 18, 2023, issued after the appeal hearing of April 15. She obtained ARB approval to lower the side wings of the gabion on her property by eighteen inches and to remove the stucco "undulations."

- Remediation work has almost been completed on an unauthorized mini-split air conditioning and heating system installed on a property at 545 Los Nidos Drive (Sumner Bowen residence). Five exposed façade and parapet ducts were relocated to wall cavities and stucco repairs are almost complete. The ground-based compressor was transferred to the rooftop as was required by the ARB. Mr. Sommer will inspect the property after he receives a review of the remediation work from the Los Nidos Architectural Committee.
- Projects at 621 Cumbre Vista Drive (Raczynski/Phillips residence) consisting of a new garage construction and installation of a mini-split air conditioning system, rooftop solar panels and new landscaping at the rear of the property were granted an ARB extension through May 30, 2023. The owners have apparently completed these projects but have not sought final ARB approval for any of them. However, they have requested a further ARB extension through May 30, 2024 to avoid forfeiture of their performance deposit and their application is currently under ARB consideration. The owners have informed the Cumbre Vista HOA that they had problems with the city regarding their property survey although the nature of the problems and their connection with the projects not yet approved by the ARB is unknown. Dr. Levine will write to the Cumbre Vista HOA asking that they obtain further information about these outstanding issues.

The Board has received some concerns about the timeliness of application acknowledgments and decision responses from the EP ARB. Ms. Shears has asked ARB Chair Kurt Sommer about the feasibility of having an ARB member serve in a coordinating role to assist him in the processing of applications and to facilitate communication among the involved parties. She also asked Sandy Farmer and Connie Burke, who are both ARB members, to raise these concerns within the ARB.

Real Estate Report: Jill McIntosh reported that there are no current property listings in Estancia Primera. The listings for two vacant lots (754 Calle Altamira and 797 Avenida Primera South) had expired.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- He continues to monitor cracks in the racquetball court plaster walls and in sheet rock walls at the upper clubhouse level and these remain unchanged since last month.
- A deep cleaning will be performed at the clubhouse on May 22.
- He completed painting white warning stripes where there are concrete elevations and potential trip hazards in the sidewalk on EPCSA common property outside the Recreation Center along Avenida Primera South.
- Kokopelli Pool and Spa of Santa Fe has scheduled a pool inspection on May 15 in preparation for the pool opening on May 26.
- Several black pop-up sprinkler heads in Recreation Center beds fail to retract after each irrigation cycle. This exposes those that are close to the sidewalk to potential damage if stepped

on accidentally at night when they are difficult to see. Mr. Casey will arrange for Tierra Bonita Landscaping Company to correct this problem.

- David Laing of D.M.L. Inc. inspected cracks in the tennis court surface. He indicated that it would take about three days to perform the needed repairs, weather permitting. The work has been planned provisionally for June 14 through June 16 and will be covered by the warranty on the resurfacing work D.M.L. performed last year.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer reported as follows:

- Tierra Bonita Landscaping Company did a good job of cleaning up the grounds and pruning plants. They turned on the irrigation system for the coming season.
- Greg Casey performed composting, mulching and fertilization of all new trees on the Recreation Center grounds. He also repaired a broken sprinkler head near the tennis court.
- Greg Casey and MaryAnn Scanlon installed new plants in the large container at the clubhouse entry.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital Reserves Project Coordinator Sandy Farmer presented his report (attached). He noted that when EPCSA's consulting architect sent bid packages to three contractors, only one responded, and he was not able to begin construction during May. The package will therefore be re-sent to contractors in June in the hope that several contractors will submit bids and a contract can be awarded in July for construction to begin in September. The exterior tile replacement and associated drainage modification work at the front of the clubhouse will be done as a second phase, in the spring of 2024. The preparatory work done to date is within the project budget the Board approved last fall.

Unfinished Business

- **Recreation Center Drainage Improvement Project:** Scott Bunton and Sandy Farmer reported that Tierra Bonita Landscaping performed most of the drainage improvement project work at the back of the clubhouse building recommended by consultant engineer Jim Hands and previously approved by the Board (see attached report). However, after a review of the work completed to date, they recommended further drainage work to ensure reliable diversion of water away from the clubhouse building and foundation. After a discussion, the Board approved and authorized the additional work in the amount of \$1,172 based on an estimate provided by Tierra Bonita Landscaping Company. Additional drainage work and expenditures may be required after that depending on observations made during the upcoming monsoon season, in particular regarding the main drainage swale running south along the back of the pool area and tennis court.

Mr. Bunton felt that there would be no benefit at this stage to re-consulting Jim Hands regarding the extent to which his recommended solutions to the drainage problems have been effective. If needed, however, EPCSA may consult Mr. Hands again after the monsoon season when there will

be an opportunity to determine if the completed project has succeeded in reliably diverting water from the clubhouse building and foundation or whether further work is needed.

Board Appeal Hearing: Gene Creely reported that the Board held an appeal hearing regarding the various appeals/complaints about the Streets property at 753 Paseo Cresta on April 15, 2023. The Board then issued a written decision regarding the appeals and complaints on April 18 and provided copies to the parties involved. The decision is also available on the EPCSA website. The Board noted Ms. Streets had not yet addressed a requirement in the decision that she must provide the ARB no later than May 31, 2023 with a landscaping plan drafted by a landscape architect or contractor for vegetation that would obscure the gabion. Moreover, as the decision provided, the ARB needs to approve or modify the submitted plan no later than June 30 so that the landscaping installation can be completed no later than September 30, 2023. The Board requested that Secretary Errol Levine write to ARB Chair Kurt Sommer and ARB member Rita Meek requesting that they contact Ms. Streets to remind her about these deadlines.

New Business

There was none.

Homeowner Comments

There were none.

Announcements

- The next EPCSA Board meeting will be held on Friday, June 9, 2023, at 9:00 am using Zoom.
- The community garage sale will be held at the Recreation Center on Saturday, May 13.
- The annual Memorial Day Pool Opening Party will be held on Monday, May 29.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Ms. Shears adjourned it at 10:22 am.

Minutes prepared and submitted by: Errol Levine Date: 5/20/2023.

(Errol Levine - Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 6/9/2023.

(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - May 12, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	Bowen, Sumner (Reunion Partners)	548 Los Nidos Drive	Remediation of unauthorized rooftop mini-split air-conditioning and heating system problems.	Application submitted - 4-13-2023 - conditional approval granted - 4-21-2023.	NA	NA	Application granted conditional ARB approval. The Los Nidos Architectural Committee will inspect the completed project and forward its recommendations to the ARB.
2	Cross, Michael & Paulette	613 Cumbre Vista Drive	Rooftop Air-Conditioner Condenser with rooftop ducts.	Application is under consideration by ARB.	\$250	No	Revised application submitted May 12, 2023 with performance deposit.
3	DeFazio/Edsall	520 Los Nidos Drive	New rooftop HVAC system/new roof notification	October 10, 2022	No deposit	NA	Conditional approval granted for rooftop HVAC system. New roof installation approved as a notification project. Owners requested that final inspection be deferred until May when they will be back in town. Reminder sent to them to do this on 5-12-2023.
4	DeNigro, Anthony and Lilian	425 Calle Kokopelli	Landscape addition of a medium-sized sandstone rock with the house number affixed.	Application submitted to ARB by Kachina Hills ARC on 4-26-2023	NA	NA	Conditional ARB approval pending.

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - May 12, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
5	Raczynski/Phillips	621 Cumbre Vista	New garage and AC mini-splits; Rooftop Solar panels; landscaping at rear of property.	7/9/2021; 10/15/2021	\$1,700	No	Garage construction is complete and has been approved by the city. Landscaping at rear of property remains incomplete. Rooftop solar panel installation apparently complete. Owners obtained an ARB extension for project completion through May 30, 2023. They have applied for a further ARB extension through May 30, 2024 and the application is under ARB consideration. Cumbre Vista HOA will determine the status of the various projects on the property.
6	Rountree	412 Los Altos Way	Coyote fence	July 22, 2022	\$250	No	Conditional approval granted. Installation has not started. Owners advised about the need to seek a construction extension if the project has not been completed by July 2023.
7	Sommer	766 Calle Altamira	New home construction	January 27, 2021	\$1,500	No	Construction started 1-3-22. ARB granted Mr. Sommer an extension through 12-31-2022 for completion of his new home construction. ARB has granted a further 6-month extension for completion of the residence, driveway and landscaping ending June 30, 2023.

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - May 12, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
8	Streets	753 Paseo Cresta	New home/new wall	April 1, 2021	\$1,100	No	Owner has sought and obtained ARB approval to remove stucco "undulations" and to lower the height of the gabion's side wings by 18 inches. The EP Board of Directors requires that she submit a landscaping plan to obscure the gabion to the ARB no later than May 31, 2023 in accordance with the Board decision of April 18, 2023.

Recreation Center Drainage Improvement Project

(Report Compiled by Scott Bunton and Sandy Farmer – May 12, 2023)

Tierra Bonita Landscaping Company completed most of the drainage improvement project work at the rear of the clubhouse that consultant engineer Jim Hands recommended and that the Board previously approved. This consisted of constructing drainage swales behind the clubhouse to prevent rain run-off from structurally damaging the building walls and undermining the foundation around the racquetball court and locker room area. After reviewing the work completed to date, we recommend the following additional work to ensure the reliable diversion of all draining water from the building:

- Placement of waterproof fabric against the east exterior wall of the racquetball court.
- Transferal of large stones from an adjacent spur swale to cover the fabric and to line the east exterior wall to ensure that water coming down the hill is properly routed away by the east-wall swale and does not pool along the east exterior wall or erode the soil.
- Replacement of large stones taken from the spur swale with smaller stones.
- Building up the ground height beneath two canales from the roof over the clubhouse locker rooms and a canale from the roof of the pool equipment house to ensure the slope of the area beneath each canale and of the drainage swale from each of these locations will result in all water draining away from the buildings.
- Placement of waterproof fabric between the built-up soil and the building wall below the canales.
- Placement of stones in the built-up area under the canales to prevent canale drainage from eroding the soil.

There are two potential issues that might require additional investment, depending on observations made during the upcoming monsoon season:

- Tierra Bonita Landscaping Company could not excavate the long drainage swale running south behind and past the pool area and tennis court with hand-tools to achieve a consistent downwards slope because of a rock shelf just past the pool area. If this causes too much water pooling and errant draining of that pooled water, the last part of that main drainage swale may require re-digging with excavation equipment.
- The drainage swale running along the east locker room wall, as well as the wall itself, may need to be covered with waterproof fabric and then be lined with stones as was done on the north and east walls of the racquetball court.

Capital Projects Report
May 12, 2023
Sandy Farmer

This report deals only with the *EP Exterior Facilities & Grounds Renovation* project.

Status:

- Phase 1 construction will not start until Fall 2023. We are targeting a Sep. 4 or 11 start date for construction. This would necessitate the selection of a contractor by the Board at its July 10th meeting.
- An invoice dated Apr. 25, 2023 has been submitted by Shaw Architecture in the amount of \$694.86 for Schematic Design services rendered since Mar. 25. The invoice was received on May 1. A check request was submitted on May 3. Total cost of architectural services up to Apr. 25 is \$4,702.28.
- Completed *Site Plan – Repavement* and *Site Plan - ADA* drawings were received from Walker Engineering on Apr. 19, 2023. Payment of the Walker Engineering invoice dated Apr. 4 and in the amount of \$4,874.06 is planned for 30 days from receipt of final plans plus 1-week review / response time, which would be on or about May 25.
- The RFP package was emailed by Shaw on Apr. 24, 2023 to three construction companies previously determined to be suitable, interested and generally available. These three construction companies are: R.L. Leeder (Santa Fe), Star Paving (Albuquerque), and GM Emulsion (Santa Fe). All are Paving or Asphalt contractors. Shaw added EMCO (Santa Fe) to the contractor list on May 5, 2023. EMCO specializes in paving and concrete work.
- The current drainage and electrical setup under and supporting the existing trench drain across the tennis court entrance was documented based on input from Greg Casey, and then provided to Shaw on May 1, 2023. Decision was made to incorporate during construction.
- The current opinion from Shaw is that all parking spaces in the parking lot will have to be marked per Santa Fe city ordinance 14-8.6(b)(1)(g). This opinion will be confirmed as part of the permitting process that the selected contractor will be responsible for.
- An initial bid proposal was received from R.L. Leeder on May 2, 2023. The scope of the concrete work was incorrect; the proposal was unclear on other specific design requirements; and the proposal was missing other generally desirable elements. Therefore, Shaw issued a memo on May 3 to all bidding contractors in order to address these deficiencies in future bid proposals.
- Follow-up discussions between Shaw and RL Leeder reveal continued interest in a Fall 2023 start date; a desire for a concrete specialty contractor (e.g., CAI) to serve as general contractor, with RL Leeder being the paving sub-contractor; a typical 6-week time between contract signing and start of construction; and an estimated construction time of 2-3 weeks.

Additional Detail on Specific Items

- **Completed *Site Plan – Repavement and Site Plan – ADA*:** These two plans incorporated the feedback from the Mar. 10 EP Board Meeting where Shaw's *Site Plan* and a draft *Grading & Drainage Plan* from Walker Engineering were discussed. The draft *Grading & Drainage Plan* was a pre-cursor to the two separate plans that have now been completed. President Shears and

Treasurer Bunton reviewed the *Site Plan – Repavement* and *Site Plan – ADA* documents. The three questions / comments that arose from this review have now been satisfactorily addressed by Walker Engineering.

- **Completed *Site Plan – Repavement and Site Plan – ADA*:** Walker Engineering provided a revised set of *Site Plan – Repavement* and *Site Plan - ADA* drawings on Apr. 25, 2023 to remove the additional under-walk culvert, located where the east-side spurious ramp currently resides in the south sidewalk, and replace it with a straight-through section of sidewalk.
- **RFP Package:** On Apr. 25, Shaw issued a memo to these 3 companies on scope modification and clarification regarding the paving detail and sidewalk + curb/gutter replacement. Two 24" x 36" b/w, bound copies were made of the RFP drawings (package). One copy was placed in the clubhouse on Apr. 28 to update the Mar. 10 copy of just the architectural *Site Plan*.
- **Current Drainage Setup for Existing Trench Drain:** Shaw recommended that this change in the drainage setup from that shown in the Apr. 25 plans from Walker Engineering be handled in the field with the selected contractor. Shaw did not want to further complicate the bidding process, and did not see the need in this case for Walker Engineering to formally update its plans.

Target Timeline

- **June 12:** Send out RFP package again to 3 contractors, emphasizing companies that do both paving and concrete work (e.g., EMCO). The RFP would include a proposed date of July 24 for contract signing, and a proposed date of Sep. 4 / 11 for start of Phase 1 construction.
- **June 26:** Date for receipt of contractor bid proposals
- **July 8:** Submission of summary, recommendation, bid proposals, and other supporting documents to the Board prior to the July 10th meeting
- **July 10:** Selection of contractor by EP Board @ its regularly scheduled meeting
- **July 21:** Updated pricing from selected contractor after all contract details are worked out
- **July 24:** Contract signing

Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, June 9, 2023

Call to Order: President Brenda Shears could not attend, and Vice President Gene Creely called the meeting to order at 9:00 am via videoconference using Zoom.

Directors in Attendance: Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Barbara Chamberlin, Jill McIntosh, Jo Beth Speyer, and Leslie Walker-Hirsch.

Others Present: Greg Casey (Recreation Center Manager), Martha Phillips (621 Cumbre Vista Drive), Merritt Ayad (738 Calle Altamira) and Jason Baker and Mary Donohue (545 Los Nidos Drive).

Approval of Minutes of Previous Board Meetings: The Board unanimously approved the minutes of the prior meeting of May 12, 2023, as submitted.

Reports

Treasurer's Report: Scott Bunton indicated that as of May 31, 2023, the Association's operating account at Century Bank contained \$98,757.53 (of which \$5,050 comprises refundable ARB performance deposits) and the capital reserve savings account at Century Bank contained \$67,144.26. Additionally, the Association holds a CD valued at \$200,000 at Enterprise Bank and Trust of Santa Fe. Connie Burke submitted a request for reimbursement for \$549.75 for expenses she incurred in organizing the Memorial Day Pool party. Upon a motion made and duly seconded, the Board voted unanimously to reimburse Ms. Burke for this amount.

Architectural Review Board (ARB) Report: ARB Chair Sommer could not attend, and Board Secretary Errol Levine presented the report (attached). There are currently ten ARB projects in various stages of progress. There are three major (Appendix IV) and seven minor (Appendix III) projects. The following project details were drawn to the Board's attention:

- Jan Streets (753 Paseo Cresta) submitted a landscaping plan for obscuring the gabion on her property as was required by the Board in its decision of April 18, 2023, issued after the appeal hearing of April 15. However, the plan did not adequately describe the size and nature of the proposed new plantings and the ARB has requested that Ms. Streets provide further information. The home's stucco "undulations" have been corrected although the remediation has not yet received final ARB approval. The gabion's side wings have been lowered as required in the Board's decision of April 18. However, Ms. Streets' landscaping contractor has spread gray rock removed from the gabion's side wings over the slope above the gabion. This was done without ARB consultation or approval and the gray rock is considered inappropriate. It has also drawn a

complaint from an immediate neighbor (Carla Skeen, 787 Paseo Cresta). The ARB has contacted Ms. Streets about this matter.

- Projects at 621 Cumbre Vista Drive (Raczynski/Phillips residence) consisting of a new garage construction, installation of a mini-split air conditioning system, rooftop solar panels and new landscaping at the rear of the property were granted an ARB extension through May 30, 2023. However, the owners have since applied for final ARB approval of these projects. Mr. Sommer and ARB member Sandy Farmer inspected the home, and the ARB has granted final ARB approval for the projects. However, the ARB did not evaluate possible setback issues for the new garage construction. These will need to be sorted out between the owners and the city.
- A landscaping project at 425 Los Altos Way (Margaret Miller residence) has been evaluated by the Los Altos ARC and they forwarded a recommendation to Mr. Sommer that the project be approved. However, Dr. Miller's performance deposit check has not been received and conditional ARB approval has been withheld until the check is received.

Real Estate Report: Jill McIntosh reported that there are no current property listings in Estancia Primera. The listings for two vacant lots (754 Calle Altamira and 797 Avenida Primera South) have expired.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- He continues to monitor cracks in the racquetball court plaster walls and in sheet rock walls at the upper clubhouse level and these remain unchanged since last month.
- A deep cleaning was performed at the clubhouse on May 23.
- The pool was opened for the season on May 26.
- David Laing of D.M.L. Inc. will repair the cracks in the tennis court surface starting June 26. He indicated that it would take about three days to perform the needed repairs, weather permitting. Ms. Shears has notified the tennis players about this.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer reported as follows:

- Tierra Bonita landscaping will weed the grounds and mow the grass in the bed in front of the parking lot.
- The new redbud tree is blooming more in the middle of the tree than at the crown. Greg Casey will monitor the tree and consult Oscar's Tree Service from whom he bought the tree should the problem persist.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital Reserves Project Coordinator Sandy Farmer could not attend, and Mr. Bunton presented his report (attached). He noted that a revised Request for Proposal (RFP) for the concrete

replacement and parking lot repaving projects will be sent out to four contractors on Monday, June 12.

Unfinished Business

Recreation Center Drainage Improvement Project: Enrique Briano of Tierra Bonita Landscaping has reviewed the additional drainage work required by Mr. Bunton and Dr. Farmer at the rear of the Recreation Center property to determine if the additional work would be covered by his original bid. Dr. Farmer, Mr. Casey and Mr. Briano will meet on June 14 to review this matter. Mr. Casey reported that he had evaluated the drainage at the rear of the Recreation Center property during two recent rainfalls. The drainage seems to be satisfactory.

New Business

Annual meeting planning: Secretary Errol Levine reported that the meeting will be held by Zoom on Wednesday August 16, 2023, at 7:00 pm. Ms. Shears will send the meeting announcement to all EP owners on or about July 4. The meeting agenda, the 2023 Year-To-Date Financial documents, and the provisional EP Budget for 2024 will be sent to EP owners about seven days prior to the meeting date. Details regarding how to join the meeting will be provided to the owners on request to Ms. Shears. The Board positions for the Altamira, Aspen Compound, Cresta, Kachina Hills, La Viveza, Los Altos and Los Altos Norte neighborhood subdivisions will become vacant in August 2023. Current Board members from those neighborhoods who wish to seek re-election should submit a Petition of Candidacy to Secretary Levine no later than Monday, July 17. Blank Petitions of Candidacy and Nomination Forms are available at https://estanciaprimer.org/wp-content/uploads/2019/01/BOD-nomination-form-20_.pdf.

Each Petition should be signed by five EP lot owners (individuals whose names appear on EP property deeds) who may be from any of our nine neighborhoods. Additionally, as will be outlined in Ms. Shear's meeting announcement sent to EP owners, any owner in the above-listed neighborhoods may run for election to a vacant position by submitting a Petition of Candidacy. If the elections are uncontested, Ms. Shears will entertain a motion at the meeting that those running be elected by acclamation. If there is a contested election, the board will arrange for the use of written ballots. The election to fill the upcoming Board vacancies will be based on an "at large by neighborhood" voting method.

Owners who cannot attend the meeting may assign their proxies to any EP owner of their choosing who plans to attend the meeting. Blank proxy forms can be found at <https://estanciaprimer.org/wp-content/uploads/2019/01/EPCSA-proxy-form-blank.pdf>.

The forms may either be emailed or mailed to Secretary Levine ensuring that they are received prior to the onset of the meeting. The Draft Minutes for the August 17, 2022, Annual Meeting

will be approved at this year's annual meeting. Ms. Shears will provide a link to them in her annual meeting announcement.

Homeowner Comments

There were none.

Announcements

- The next EPCSA Board meeting will be held on Friday, July 14, 2023, at 9:00 am using Zoom.
- The EPCSA Annual Members' meeting will be held on Wednesday, August 16, 2023, at 7:00 pm.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Mr. Creely adjourned it at 9:50 am.

Minutes prepared and submitted by: Errol Levine Date: 6/10/2023.

(Errol Levine - Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 7/14/2023.

(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - June 9, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	Bowen, Sumner (Reunion Partners)	548 Los Nidos Drive	Remediation of unauthorized rooftop mini-split air-conditioning and heating system problems.	Application submitted - 4-13-2023 - conditional approval granted - 4-21-2023.	NA	NA	Final approval granted 5-18-2023.
2	Cross, Michael & Paulette	613 Cumbre Vista Drive	Rooftop Air-Conditioner Condenser with rooftop ducts.	Conditional approval granted.	\$250	No	Revised application submitted May 12, 2023 with performance deposit. Conditional approval granted 5-18-2023.
3	DeNigro, Anthony and Lilian	425 Calle Kokopelli	Landscape addition of a medium-sized sandstone rock with the house number affixed.	Conditional approval granted.	NA	NA	Conditional ARB approval granted 5-18-2023.
4	Miller, Margaret	425 Los Altos Way	Additional lot landscaping	Conditional approval pending.	No	No	Project is under consideration by the Los Altos ARC. Application not yet submitted to ARB because performance deposit has not been received.
5	Raczynski/Phillips	621 Cumbre Vista	New garage and AC mini-splits; Rooftop Solar panels; landscaping at rear of property.	7/9/2021; 10/15/2021	\$1,700	No	ARB has granted final approval for all projects. A refund of the performance deposit is pending.
6	Rountree	412 Los Altos Way	Coyote fence	July 22, 2022	\$250	No	Conditional approval granted. Installation has not started. Owners advised about the need to seek a construction extension if the project has not been completed by July 2023.

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - June 9, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
7	Sommer	766 Calle Altamira	New home construction	January 27, 2021	\$1,500	No	Construction is approaching completion. Owner will ask for a 60-day extension beyond the approved extension date of June 30, 2023 to complete the driveway and outside walls. New pinon trees were planted on the slope to replace trees that were destroyed when a cement truck rolled over and the spilled cement was removed.
8	Streets	753 Paseo Cresta	New home/new wall	April 1, 2021	\$1,100	No	Owner has implemented Board Appeal requirement that the stucco "undulations" be removed and that the height of the gabion's side wings be lowered by 18 inches. These remediation projects are being evaluated by the ARB for final approval. She has submitted a landscaping plan to obscure the gabion. The plan lacks detail and the ARB has requested further information. Gray rock removed from the gabion has been spread over the slope above the gabion and is regarded as unacceptable by the ARB. They have contacted the owner about this.

Capital Projects Report
June 9, 2023
Sandy Farmer

This report deals only with the *EP Exterior Facilities & Grounds Renovation* project.

Status:

- Walker Engineering has been sold to Jeff Romanowski, with whom I have been in face-to-face, phone and email contact over the past two weeks. This occurrence has complicated our ability to get a final and timely update to both civil engineering plans so that these plans correctly reflect the scope and detail of concrete and C&G work involving the east-side and south-side sidewalks, main entry peninsula, and tennis court entrance.
- The check to Walker Engineering for \$4,874.06 was handed directly to Jeff Romanowski on May 30. Jeff is following up with Morey to have Morey send an updated invoice indicating payment made.
- For reasons of simplicity, focus and cost, we are no longer removing and replacing the candy-cane shaped sections of just C&G at the southwest and northeast corners of the parking lot.
- Final plans were received from Walker Engineering on June 9, 2023. The issues with the May-24 plans have been corrected. I am awaiting final confirmation from Shaw in this regard.
- A revised RFP package will be sent out to several contractors by Shaw on June 12, 2023. The list of contractors is as before: R.L. Leeder (w/ CAI construction), EMCO, GM Emulsion, and Star Paving. EMCO, GM Emulsion, Star Paving and R.L. Leeder (w/ CAI Construction) have all indicated that they would like to receive the RFP.

Target Timeline

- **June 12:** Send out RFP package again to 3 contractors, emphasizing companies that do both paving and concrete work (e.g., EMCO). The RFP would include a proposed date of July 24 for contract signing, and a proposed date of Sep. 4 / 11 for start of Phase 1 construction.
- **June 26:** Date for receipt of contractor bid proposals
- **July 8:** Submission of summary, recommendation, bid proposals, and other supporting documents to the Board prior to the July 10th meeting
- **July 10:** Selection of contractor by EP Board @ its regularly scheduled meeting
- **July 21:** Updated pricing from selected contractor after all contract details are worked out
- **July 24:** Contract signing

Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, July 14, 2023

Call to Order: President Brenda Shears called the meeting to order at 9:01 am via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Constance Burke, Jill McIntosh, and Jo Beth Speyer.

Others Present: Kurt Sommer (ARB Chair), Sandy Farmer (Capital Reserves Project Coordinator), Greg Casey (Recreation Center Manager), and Jason Baker and Mary Donohue (545 Los Nidos Drive).

Approval of Minutes of Previous Board Meeting: The Board unanimously approved the minutes of the prior meeting of June 9, 2023, as submitted.

Reports

Treasurer's Report: Scott Bunton indicated that as of June 30, 2023, the Association's operating account at Century Bank contained \$92,757.98 (of which \$3,600 comprises refundable ARB performance deposits) and the capital reserve savings account at Century Bank contained \$67,145.92. Additionally, the Association holds a CD valued at \$200,000 at Enterprise Bank and Trust of Santa Fe.

Architectural Review Board (ARB) Report: ARB Chair Sommer presented the report (attached). Mr. Sommer indicated that Jan Streets (753 Paseo Cresta) has removed the home's stucco "undulations," has lowered the gabion's side wings by eighteen inches in height, removed superfluous rock from the property, and has installed new landscaping with an irrigation system in front of the gabion. Accordingly, the ARB regards all projects as complete. Upon a motion duly made, seconded, and approved unanimously, the Board authorized Mr. Bunton to refund Ms. Streets' \$1,100 performance deposit.

Real Estate Report: Jill McIntosh reported that since the last Board meeting three properties were listed for sale and all three are currently under contract. The homes are located at 652 La Viveza Court, 757 Aspen Compound, and 792 Calle Altamira.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- The automatic chlorinator for the pool clogged on July 3 and Kokopelli Pool and Spa, LLC repaired it.
- D.M.L. Inc. recently sealed cracks in the tennis court surface. The court surface will need crack sealing again in two to three years from now, but the EPCSA must pay for future repairs.
- Sandy Farmer and Mr. Casey met with Tierra Bonita Landscaping Company and obtained a revised estimate of \$1,063 including tax for the proposed additional drainage revisions behind the clubhouse building and tennis court. Upon a motion duly made, and seconded, the Board voted unanimously to approve this expenditure and to proceed with the work.
- Mr. Casey will arrange for alfalfa weeds to be removed from EPCSA property north of the Recreation Center and will investigate the possible re-growth of a cottonwood tree in that location that was previously removed because it had caused elevation of the adjacent sidewalk.
- The large culvert under the south Avenida Primera bridge is partially obstructed by silt and plant debris. Mr. Casey will investigate whether it needs clearing.
- Two irrigation system emitters in the bed in front of the clubhouse parking lot are located so that they douse the two benches and the rock and mulch in the bed and do not direct water to any vegetated area. These will be redirected or shut off.
- Mr. Casey will make temporary repairs of two significant concrete sidewalk cracks in front of the clubhouse entry.

Clubhouse Reservations and Use: Connie Burke reported as follows:

- During functions at the clubhouse people sometimes drink alcoholic beverages and eat around the pool. Ms. Burke recommended that to help prevent this the EPCSA should install a new sign reading “*No food, alcoholic beverages or glass in the pool area.*” This change will permit pool users to drink water from plastic bottles or from cans in the pool area. Upon a motion duly made and seconded, the Board unanimously approved the posting of a new sign containing this language.
- Ms. Burke indicated that pool overcrowding on holidays due to the holding of clubhouse functions sometimes prevents EP owners from using the pool. She recommended that the Board adopt a policy that would make the clubhouse unavailable for rental on summer holidays. Upon a motion duly made, seconded, and approved unanimously, the Board agreed to this change of policy.
- Ms. Burke recommended that the upper deck area should be made more inviting as an eating area by installing two umbrellas with bases and eight seat cushions for the two existing tables and chairs and by providing a trash can in the area. Upon a motion duly made, seconded, and approved unanimously, the Board agreed to the expenditure of an amount not to exceed \$500 for additional items required for the area.

Ms. Shears will revise the Book of Resolutions to incorporate these various policy changes where applicable.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer reported as follows:

- Oscar's Tree Service will replace the redbud tree in the fall with a tree species recommended by MaryAnn Scanlon at a cost of \$300.
- Mr. Casey will arrange for the replacement of two to three sprinkler heads that tend to get stuck in the "up" position because of dirt accumulation. These will be of a different type to the current heads in that they will have a spring that permits automatic retraction at the end of each irrigation cycle. If they work satisfactorily, other sprinkler heads that fail in the future will be replaced with this type of sprinkler head.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital Reserves Project Coordinator Sandy Farmer provided a progress report (see attachment). He indicated that he had received a bid response for the concrete sidewalk replacement and the repaving of the parking lot from a contractor on July 11. He expects a bid response from a second contractor on July 14 later in the day. Two other contractors declined to bid owing to lack of capacity in the fall. A Special Board Meeting will be needed, before the end of July, to review the two bid responses and to select a contractor. For reasons of aesthetics, function and cost, the Board on a motion duly made and seconded, unanimously approved Dr. Farmer's proposal to remove the proposed concrete "apron" in front of the clubhouse entry steps and to instead designate that area by striping as a loading/unloading zone for delivery vans and for vehicles dropping off people.

Unfinished Business

Annual meeting planning: Secretary Errol Levine reported that he had not received any further Nominating Petitions for upcoming Board position vacancies. Ms. Shears will send proxy forms to all Board members with the request that each Board member obtain at least two proxies to help ensure that we obtain a quorum for the Annual Meeting. The quorum for annual members' meetings is ten percent of owners or nineteen owners.

New Business

- **Application to Post Signs – 545 Los Nidos Drive:** There is a pathway near the mailbox cluster in the Los Nidos neighborhood that joins the east and west sides of the neighborhood. Los Nidos homeowners with east-side properties adjoining the Los Nidos cul-de-sac use the pathway as a short cut to the west-side mailboxes and other EP owners sometimes use the pathway during walks. About half of the pathway (a rock footbridge over an arroyo) is located on private

property at 545 Los Nidos Drive and the other half (a gravel path) is located on private property belonging to 553 Los Nidos Drive. The Los Nidos developer installed the pathway in or about 1994 and it has been used uneventfully as a public pathway for almost 30 years without objection by three prior owners of the property at 545 Los Nidos Drive. There is no recorded pedestrian easement for the pathway.

Mary Donohue and Jason Baker recently purchased the property at 545 Los Nidos Drive. They then indicated to the Los Nidos owners and the Los Nidos HOA Board of Directors that they intended to close their part of the pathway to public access because of liability concerns. The Los Nidos HOA Board of Directors on reviewing the matter decided that under the Los Nidos governing documents it lacked jurisdiction over the pathway because it is located on private property. The Los Nidos Declaration of Covenants, Conditions and Restrictions limits the Board's responsibilities to common areas and common property in Los Nidos. Dr. Levine (Los Nidos HOA President) reported that although many Los Nidos owners object to the pathway closure, they accept that since it is located on private property the owners are legally entitled to close it.

Ms. Donohue and Mr. Baker informed the Board that the rock footbridge part of the pathway on their property is uneven and not suitable for pedestrian use. They are concerned that if someone were injured because of a fall on the pathway they might be sued and might not be covered by their homeowners' and umbrella insurance policies for such a lawsuit because they could be considered negligent for not maintaining a pathway free of potential trip hazards. They subsequently applied to the Los Nidos Board of Directors for permission to post two small signs (see attachment) at two locations on the pathway that would state "*Private Property. No Entry. Thank you.*" Article 1, Paragraph 15 of the Los Nidos Declaration prohibits signs of this type. However, the Los Nidos Board of Directors surveyed the Los Nidos owners who mostly preferred signs to the alternative of installing a fence on the pathway. The Board accordingly agreed to grant a variance for the proposed signs subject to various conditions and referred the application to Ms. Shears.

Several EP Board members noted the following:

- They consider the proposed pathway closure to be unneighborly and inconsistent with the open, friendly, and interactive nature of the EP neighborhood. They are concerned also that since there are many similar situations elsewhere in EP, Ms. Donohue's and Mr. Baker's action might create an unfortunate precedent resulting in other pathway closures and a proliferation of unwelcoming "No trespassing" signs. However, it was noted that the pathway crosses private property and the EPCSA cannot compel the owners to permit others to traverse their property. Because of this Board members concluded that the least objectionable way for the EPCSA Board to act in the current situation would be to conditionally approve the request for the two proposed signs *for a limited period*. Board members noted that Article 6, Section 6.6 of the Amended

Declaration of Covenants and Restrictions for the Estancia Primera Community prohibits the use of signs of this type without prior Board approval.

- A motion was then made and seconded that a variance from Section 6.6 of the Amended Declaration be granted that will permit the owners of 545 Los Nidos Drive to place two signs as depicted in their application dated July 7, 2023, containing the wording "*Private Property. No Entry. Thank you.*", on the pathway at the two points specified in that application -- provided that this variance shall be limited to a period of one year starting July 14, 2023, since the purpose of the signs is to achieve a change in the long-standing behavior of EP residents who have been accustomed to using the pathway. The motion was passed by a vote of five in favor (Shears, Creely, Bunton, Levine, McIntosh) and two opposed (Burke and Speyer).
- The Board concluded that if after one year the use of the pathway had declined to the owners' satisfaction, nothing further would be needed, and the signs should be removed. If, on the other hand, the signs prove ineffective, the owners should remove the signs and consider placing physical barriers such as a small fence or landscaping on the pathway subject to the proviso that any such barriers would require prior approval by the Los Nidos Architectural Committee and by the Estancia Primera ARB.

Labor Day Party: Ms. Burke proposed holding a community party on September 4 between 5:00 and 7:00 pm. It would consist of a taco buffet, catered by Fusion Tacos, for which each attendee would be required to contribute \$10. The Board agreed with this suggestion and on a motion duly made and second, voted unanimously to allocate \$100 from the Contingency Fund to cover miscellaneous party costs.

Homeowner Comments

There were none.

Announcements

- The next EPCSA Board meeting will be held on Friday, September 8, 2023, at 9:00 am using Zoom.
- The EPCSA Annual Members' meeting will be held on Wednesday, August 16, 2023, at 7:00 pm.
- The Food Depot's annual Neighbor-to-Neighbor fundraising drive is in progress. Ms. Shears provided details about how to contribute in her July e-newsletter to owners. Mr. Bunton emphasized the importance of the drive in dealing with hunger relief in Northern New Mexico.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Ms. Shears adjourned it at 10:50 am.

Minutes prepared and submitted by: Errol Levine Date: 7/22/2023.

(Errol Levine - Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 7/26/2023.

(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - July 14, 2023							
	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	Carothers/Marin	778 Calle Altamira	Pergola construction	Conditional approval pending.	\$250	No	Conditional approval pending. Application submitted 7-10-2023.
2	Chamberlin, Barbara	787 Avenida Primera South	Deck construction	Conditional approval pending.	\$250	No	Conditional approval pending. Application submitted 6-30-2023. ARB is awaiting owner response to questions about project from June 30 and July 6.
3	Cross, Michael & Paulette	613 Cumbre Vista Drive	Rooftop Air-Conditioner Condenser with rooftop ducts.	Conditional approval granted 5-18-2023.	\$250	Yes	Final approval granted 6-14-2023.
4	DeNigro, Anthony and Lilian	425 Calle Kokopelli	Landscape addition of a medium-sized sandstone rock with the house number affixed.	Conditional approval granted - 5-18-2023.	NA	NA	Conditional ARB approval granted 5-18-2023.
5	McIntosh, Jill	660 La Viveza Court	Rooftop condenser for refrigerated AC system.	Conditional ARB granted on 7-10-2023.	\$250	No	Installation has been completed and final approval is pending.
6	Miller, Margaret	425 Los Altos Way	Additional lot landscaping	Conditional approval granted.	\$250	Yes	Final approval granted on 7-11-2023.
7	Raczynski/Phillips	621 Cumbre Vista	New garage and AC mini-splits; Rooftop Solar panels; landscaping at rear of property.	7/9/2021; 10/15/2021.	\$1,700	Yes	ARB granted final approval for all projects on 5-14-2023.
8	Rountree	412 Los Altos Way	Coyote fence	7/22/2022.	\$250	Yes	Installation has been completed. Final approval granted on 7-11-2023.

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - July 14, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
9	Sommer	766 Calle Altamira	New home construction	January 27, 2021	\$1,500	No	Construction is approaching completion. New pinon trees were planted on the slope to replace trees that were destroyed when a cement truck rolled over and the spilled cement was removed. ARB granted an extension for completion of construction of the driveway and outside walls through August 31, 2023.
10	Streets	753 Paseo Cresta	New home/new wall	April 1, 2021	\$1,100	Yes	Owner has implemented Board Appeal requirements that the stucco "undulations" be removed, that the height of the gabion's side wings be lowered by 18 inches and that landscaping with an irrigation system be installed in front of the gabion to obscure it. These changes have been approved by the ARB. Owner has also certified in writing that she will maintain the new plantings and will replace them should they die, all on an ongoing basis.

Capital Projects Report
July 14, 2023
Sandy Farmer

This report deals only with the *EP Exterior Facilities & Grounds Renovation* project.

Status:

- An invoice dated June 25, 2023 has been submitted by Shaw Architecture in the amount of \$1,178.32 for Schematic Design services rendered since Apr. 25, incl. reimbursable expenses related to large print-outs of the RFP documents. The invoice was received on June 28. A check request was submitted on June 29. Total cost of architectural services up to June 25, incl. reimbursable expenses, is \$5,881. **Total project expense up to June 25 is \$13,453.**
- The RFP package was sent out by Shaw on June 19 to four contractors: RL Leeder (with CAI Construction), GM Emulsion, EMCO, and Star Paving. The first 3 contractors are based in Santa Fe; the last (Star Paving), in Albuquerque.
- On June 19, 2023, the RFP package documents were emailed to Brenda Shears and Scott Bunton as the directly responsible Board members; and were also shared as an FYI with Kurt Sommer, Chair of the EP ARB Committee.
- EMCO communicated on June 23, 2023 that they would not be bidding on our RFP because they had just been awarded a large paving contract for the city of Santa Fe and would not have capacity for our project until early December 2023. GM Emulsion communicated on July 12, 2023 that they would not be bidding on our project because they no longer have capacity.
- RL Leeder with CAI Construction (concrete sub-contractor) submitted a bid response on July 11, 2023 whose total cost is \$226K excl. GRT. **With GRT, this comes to \$246K.** Further negotiations with RL Leeder next week will focus on reducing its proposed construction cost by at least \$35K (see *Further Detail*). Note that there will be **additional costs (\$12-15K)** over the construction costs (see *Further Detail*).
- Star Paving finally responded this morning with questions about our construction project and RFP. Answers have been provided to those questions. Key responses are: No wage scale required; bond required; schedule required; concrete color to be confirmed at first pre-construction meeting; parking lot to be closed during the entire construction time. We now have a strong reason to expect a bid response from this contractor.
- **Question for the Board:** *Should we remove the concrete "apron" in front of the main entry steps for cost, aesthetics and/or traffic flow given the addition of the new curbed-off landscape area? [Instead, the sidewalk plus curb would continue straight across.]*

Further Detail:

- Additional corrections had to be made to the Walker Engineering documents during the week of June 12. This prevented the RFP package from being sent out to contractors on June 12. Final documents were provided by Walker Engineering on June 15, and were subsequently deemed correct and satisfactory by Shaw and Farmer.

- Two 24" X 36" bound hard-copies of the June-19 RFP Package documents were prepared for EP. Farmer will retain one of them; and the other will be placed in the clubhouse, replacing the Apr-19 version.
- Approaches to reducing construction costs with RL Leeder (and other bidders) are:
 - Explore cost benefit of removing the concrete "apron" in front of the main entry steps.
 - Find out if there is one or only a few key cost drivers in the concrete work quote that we could mitigate in some way.
 - Clarify that the 4" PVC drainpipe running from the trench drain, which lies in front of the tennis court entrance, all the way to the backside of the far drainage cut (in the south sidewalk near Avenida Primera) is not actually needed. The intent would be to ensure that no extra, hidden costs have been built into the bid.
 - Tell contractors that the total construction cost before GRT needs to be no more than \$200K, incl. signage, full clean-up, striping and pavement marking, etc.
- Sources of additional costs above the quoted construction costs are: *(est. @ \$12-15K)*
 - Cutting the tennis court gate and adjacent fencing
 - Installing the two 4" Schedule-80 conduits for future use
 - Installing landscaping (of some sort) in the new curbed-off area
 - Adapting portions of the existing gravel landscape beds along the tennis court fencing due to sidewalk and tennis-court entrance changes
 - Repairing the stucco on the wall fronting the entry ramp / landing structure
 - Architectural and civil engineering contract administration and construction review fees
 - Other (not yet identified)

Target / Actual Timeline

- **June 12 / June 19:** Emailed RFP package to 4 contractors
- **June 30 / July 10:** Receipt of **one contractor bid proposal**; one more remaining
- **July 11 / TBD:** Submission of summary, recommendation, bid proposals, and other supporting documents to the EP Board prior to the July 14th meeting
- **July 14 / TBD:** Selection of contractor by EP Board @ its regularly scheduled meeting
- **July 21 / TBD:** Updated pricing from selected contractor after contract details are worked out
- **July 24 / TBD:** Contract signing

Map of 545 Los Nidos Dr. with proposed general locations of two security signs indicated by red circles and examples of signs including dimensions (please note these are examples, see below for language on signs proposed for 545 Los Nidos Dr.).

Proposed language on signs: Private Property, No Entry, Thank you!



Estancia Primera Community Services Association (EPCSA)
Minutes of the Special Meeting of the Board of Directors
Friday, July 26, 2023

Call to Order: President Brenda Shears called the meeting to order at 12:30 pm via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Barbara Chamberlin, Jill McIntosh, Jo Beth Speyer. and Leslie Walker-Hirsch.¹

Others Present: Sandy Farmer (Capital Reserves Project Coordinator) and Greg Casey (Recreation Center Manager).

Approval of Minutes of Previous Board Meeting: The Board approved the minutes of the prior meeting of July 14, 2023, as submitted with one abstention.

Report

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital Reserves Project Coordinator Sandy Farmer provided a progress report (see attachment). He presented a bid proposal comparison and cost analysis for the two bids received for the following projects:

- Repaving of the Recreation Center parking lot.
- Replacing the concrete sidewalk, curb, and gutter between the parking lot and the clubhouse building and tennis court.
- Replacing the sidewalk, curb, and gutter between the southern end of the parking lot and the Saiz arroyo.

He indicated that we had received two competitive bids, one from a Santa Fe company and the other from an Albuquerque company. Two other companies recently expressed interest but did not submit bids because they are oversubscribed for the period when we need the project done. Dr. Farmer recommended that the EPCSA Board accept the lower of the two bids from the Santa Fe company. This will come to about \$229,017. He found this company to be very responsive and attentive to detail, and they are highly recommended by our architect. The total comparative bid from the higher bidder is about 10 per cent more than that from the lower bidder. Dr. Farmer indicated that if the lower bid is accepted by the Board, the EPCSA will need to incur additional

¹ Board member Connie Burke could not attend. However, she contacted Ms. Shears to provide comments and indicate her support for the project.

costs of about \$11,400 for miscellaneous items associated with the project but not included in the two bids. These include remaining architect fees, remaining costs for our engineering company, and costs for installation of two conduits, cutting down of the tennis court gate and raising the adjoining court fence, stucco repairs, landscape and hardscape preparation and restoration and installation of new landscaping.

Treasurer Scott Bunton reported on the impact of the proposed project on the EPCSA's finances for the period 2023 to 2025. He noted that most of the total estimated \$240,400 project cost will need to be paid in the October/November 2023 period if the work is done in September and October, as planned. The Board has always planned to pay for the project's costs from our capital reserve savings and not from the EPCSA's operating account. Therefore, our ability to pay our annual operating expenditures will not be affected in any way if the project proceeds. As of June 30, 2023, EPCSA had \$267,145.92 in two capital reserve savings accounts (one a CD in the amount of \$200,000 and the other a passbook savings account holding the remainder of the total amount).

Mr. Bunton noted further that if the Board approves the proposed \$240,400 expenditure, that will leave the EPCSA with about \$41,000 in capital reserve savings for a brief period until we can transfer the 2024 budgeted contribution to capital expenditures from the operating account into a capital reserve savings account. He indicated that he expects we will be able to leave our annual assessment amount for one home for 2024 at \$656 and afford a 2024 operating budget that is similar to the 2023 budget, including a budgeted contribution to capital reserves of about \$30,000.

Mr. Bunton therefore further expects that barring unexpected capital asset replacements or major repairs that would be paid with capital reserve savings, we should have about \$71,000 in capital reserve savings by early February 2024. Since this amount is less than the minimum \$100,000 amount that the Board had decided some years ago should be maintained in capital reserve savings, Mr. Bunton concurred with Dr. Farmer's recommendation (see report) that the proposed tile replacement and drainage revisions at the clubhouse entry be deferred until 2025.

The Board noted that the quote from the lower bidder is good for thirty days. As such, the EPCSA will get updated pricing just before we sign the contract proposal. The contract allows for increases due to changes in asphalt and concrete pricing, but this is unlikely to change much based on current indicators. The Board considered whether it was necessary to do the asphalt and concrete work at the same time. Dr. Farmer indicated that a) doing the asphalt and at least key portions of the concrete work at the same time is required to address ADA requirements related to parking and subsequent access onto the sidewalk both near the main entry steps and at the tennis court entrance, b) redoing the curbs at the same time as the paving makes economic sense. In addition, doing the projects together allows us to reconfigure the parking area to remove the concrete "apron" in front of the main clubhouse entry steps and then pave that area as a no-

parking loading and unloading zone, and to curb-off a landscape peninsula to protect the roots of the large cottonwood tree, an iconic element of the Recreation Center grounds.

The Board seriously considered restricting the concrete-replacement part of the project to the areas that must be rebuilt to address code violations and/or ADA access requirements and to repair additional areas that show clear deterioration. It was noted though that this approach has two downsides namely a significant likelihood of a non-uniform color and quality appearance, and the fact that the retained sidewalk and curbing may already be at or beyond their lifetime expectancy and may therefore have to be replaced within the next five years anyway. Moreover, the savings from this approach would be low at about \$14,000. The Board agreed that total concrete replacement would result in a uniform and fresh sidewalk and curb appearance along the full east and south sides of the Recreation Center property.

A motion was then duly made and seconded that the Board accept the lower bid to repave the Recreation Center parking lot and replace adjacent sidewalks, curbs, and gutters, and, once preconstruction and value-engineering work and consequent adjustments have been agreed to with the contractor, if all terms and conditions comport with those specified in the Request for Proposals and subsequent communications between EPCSA and the contractor, and its total amount does not exceed \$250,000, that the President be authorized to execute a final contract with the lower bidder providing for the work to be performed in the fall of 2023 and to begin as soon as possible after the swimming pool has been closed for the year. After further discussion, the motion was passed unanimously.

The Board agreed that contingent on further progress being made as described in the motion, Dr. Farmer and Mr. Bunton should update the EP owners regarding the project at the August 16, 2023 annual members' meeting and that Ms. Shears should report on the progress in this matter in one of her newsletters to the EP membership. The project will likely require five weeks from start to completion.

Announcements

- The next EPCSA Board meeting will be held on Friday, September 8, 2023, at 9:00 am using Zoom.
- The EPCSA Annual Members' meeting will be held on Wednesday, August 16, 2023, at 7:00 pm using Zoom.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Ms. Shears adjourned it at 1:30 pm.

Minutes prepared and submitted by: Errol Levine Date: 7/31/2023.

(Errol Levine - Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 9/8/2023.

(Brenda Shears - President)

Summary of Project Presentation
July 26, 2023
Sandy Farmer

Two competitive bid proposals were received in response to our June 19th request for proposals: One from a contractor in Santa Fe; and the other from a contractor in Albuquerque. Both bid proposals have been reviewed against the equivalent scope of work. The Final Construction Cost for the low-bid proposal is estimated to be about \$229,000 once the value-engineering review has been completed on the current construction documents. This cost estimate includes gross receipts tax and a bid bond. The low-bid proposal is more than 10% lower in cost than the other one. After payment of the above Final Construction Cost and of all projected, future EP expenses related to work supporting this construction project and estimated at this Board meeting to be about \$11,400, the Board Treasurer anticipates that the EP capital reserve account will contain between \$70,000 and \$80,000 by the end of February 2024. As such, the follow-on capital project to replace the tile on the outside entry and patio areas and to address drainage issues on the patio area will be deferred until 2025 to allow Estancia Primera enough time to rebuild its capital reserve account.

No Board Meeting in August 2023
Annual Members Meeting - August 16, 2023

**Draft Minutes of the Annual Meeting of the Members of the
Estancia Primera Community Services Association (EPCSA)
Wednesday, August 16, 2023**

(For approval at the August 2024 annual members' meeting)

Board Members Present: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), Contance Burke, Barbara Chamberlin, and Jill McIntosh.

Call to Order: President Brenda Shears called the meeting to order at 7:01 pm. The owners of 38 Estancia Primera (EP) lots were present in person or via proxy and a quorum was accordingly deemed to be present.

Approval of Minutes of Previous Annual Meeting: A motion duly made and seconded to approve without changes the minutes of the August 17, 2022 EPCSA Annual Members' Meeting was passed unanimously.

Election of Board Members: Ms. Shears reported that the terms of the members of the EP Board of Directors representing Altamira, Aspen Compound, Cresta, Kachina Hills, La Viveza, Los Altos and Los Altos Norte ended on August 16, 2023. The current Board members for these neighborhood subdivisions, Jo Beth Speyer (Altamira), Gene Creely (Aspen Compound), Barbara Chamberlin (Cresta), Brenda Shears (Kachina Hills), Jill McIntosh (La Viveza), Scott Bunton (Los Altos), and Leslie Walker-Hirsch (Los Altos Norte) are running for re-election, and each had, as required by Article VI, Section 4 of the Amended Bylaws, submitted a Petition of Candidacy in good order signed by five EP Members in good standing by the due date of July 17, 2023. Ms. Shears indicated that since none of the seven positions was contested, it would be permissible, in accordance with past procedure, for the owners in attendance to re-elect the seven candidates by acclamation. A motion duly made and seconded that all seven candidates be re-elected by acclamation was then passed unanimously.

Reports

President's Report: President Shears indicated that the 2022-2023 Board was comprised of herself, Gene Creely (Vice President), Scott Bunton (Treasurer), Errol Levine (Secretary), and Directors Connie Burke, Barbara Chamberlain, Jill McIntosh, Jo Beth Speyer, and Leslie Walker-Hirsch. Kurt Sommer continued to chair the EP Architectural Review Board (ARB), Jo Beth Speyer was the Grounds Maintenance Committee Chair, and Connie Burke chaired the Social and Events committee. Greg Casey continued in his role as Recreation Center Manager. Sandy Farmer took on the role of shepherding the current capital projects for the paving and concrete work at the Recreation Center. Ms. Shears extended her thanks to all these individuals for their continued service. She also acknowledged the many EP residents who contribute to the business and betterment of the EP community each year through service to the EPCSA and neighborhood HOA boards and committees. At least sixty-one owners, representing fifty-five

different properties, work on Estancia Primera's behalf all year long – some serving in two or more positions (see attached list).

Details of EPCSA activities and issues are available from the monthly board meeting minutes prepared by Board Secretary Errol Levine and posted on the EPCSA website (<https://estanciaprimer.org/board-of-directors/>). Ms. Shears indicated that a brief overview of activities since the last annual meeting included the following items:

- EPCSA continues to be on a sound financial footing, thanks to the continued work of Treasurer Scott Bunton. Importantly, significant reserves exist to fund much-needed improvements to the Recreation Center parking lot and sidewalks.
- The EPCSA Architectural Review Board, under the leadership of Kurt Sommer with representatives from each of nine EP neighborhoods, continues to be active throughout the year evaluating applications for a wide variety of exterior projects. During 2023, the EPCSA Board conducted an appeal hearing of ARB decisions about a property, for which a decision was rendered and for which the requirements have been completed.
- Real estate transactions are tracked by Jill McIntosh, keeping the Board informed of listings and closings. Sales continue to be strong, with houses going to contract quite rapidly.
- The Recreation Center pool has been a source of pleasure during the hot summer and has had enthusiastic use by EP residents and their guests. Greg Casey keeps the clubhouse and pool in good order and continues to support the Grounds Maintenance Committee and capital projects. Cracks in the tennis court surface were repaired under warranty in June, and Ms. Shears has had good feedback about its condition from EP's cadre of dedicated tennis players.
- Connie Burke has organized a series of successful EP-wide events with the return of the Community Garage Sale in May, a Memorial Day gathering, and an upcoming Labor Day get-together.
- The board has been planning over the past 18 months to re-pave the Recreation Center parking lot and replace adjacent sidewalks, curbs, and gutters. These items have been on the EPCSA Capital Reserve Fund Expenditures list for many years, and the Capital Reserve Fund has been built up accordingly. Sandy Farmer has played a significant volunteer role in the coordination of the development of specifications, bids, and contractor selection for these critical improvements.
- The Grounds Maintenance Committee led by Jo Beth Speyer continues to be active overseeing the appropriate maintenance and care of the grounds including an emphasis on tree health and pruning and pursuing strategies to reduce fire hazards. Ms. Shears extended special thanks to MaryAnn Scanlon for her professional expertise in developing a vision for the grounds and guiding the strategy for its upkeep.
- The redirection of drainage along the side and back exterior walls of the racquetball court is in the final stage of completion. This work resulted from an engineering assessment of cracks that have appeared over the last few years on the racquetball court plaster walls and in sheet rock walls at the upper clubhouse level. A monitoring system for the cracks is in place.
- In follow-up to last year's presentation on wildfire awareness and mitigation many of our homeowners and neighborhoods have made serious efforts to clear out dead vegetation in yards and

common property to further mitigate the possibility of wildfire. It is gratifying to see significant progress to that end being made within our community.

- Last fall, Estancia Primera residents again made a substantial contribution to the Food Depot's Annual Neighbor to Neighbor Fund Drive, which was coordinated within EP by Barbara Chamberlin. The current drive continues through September 23, and Ms. Shears encouraged owners to participate in 2023 if they had not already done so.

Treasurer's Report: Treasurer Scott Bunton reported that in accordance with the requirements of Article VII, Section 8 (d) of the Amended Bylaws and of Rule III.C.2. of the Book of Resolutions, he had compiled the following documents and Ms. Shears had provided a dropbox link to the documents in an August 9 email to all EP owners:

- *A Report on Financial Matters to the EPCSA Membership.*
- *The Profit and Loss Budget vs. Actual Statement for the EPCSA as of July 31, 2023.*
- *Projected Capital Reserve Fund Expenditures between 2024 and 2026.*
- *A Notional/Draft 2024 Budget.*

Mr. Bunton reviewed the most significant aspects of each of these documents.

Forecast of Adherence to the Current Year's Operating Budget: Based on expenditures to date in 2023, every indication is that EPCSA will end the current operating year (calendar 2023) with operating expenditures within the 2023 budget approved by the Board in December 2022 (on which the 2023 assessment level was based). Mr. Bunton will recommend that any unexpended funds from the 2023 budget be transferred to the Capital Reserve Fund once 2024 assessments have been received.

Forecast of the Amounts and Timing of Expenditures to Be Made from the Capital Reserve Fund: The Board has approved in principle a contract with the lower of two bidding contractors in the approximate amount of \$230,000 for repaving the parking lot and replacing contiguous concrete sidewalks, curbs, and gutters. Work is expected to begin in late September 2023 and to be completed by the end of November. The actual cost will be determined when value engineering and preconstruction conversations with the contractor are complete. It is anticipated that there will be additional project-associated costs not included in the contract of about \$14,000. All these costs will be paid for from the Capital Reserves Fund. The Board anticipates that Phase II of the project, replacing the Clubhouse's exterior tile and improving drainage in the front patio and adjoining planter will be done in the spring of 2025. The Board does not anticipate any Capital Reserve expenditures in 2024.

Investments of and Anticipated Income from the EP Capital Reserve Fund: The July 31, 2023 Balance Sheet shows \$267,148 in the Capital Reserve Fund, divided into two accounts – \$67,148 in a business high performance money market savings account at Century Bank earning interest of .03 percent and \$200,000 in a Certificate of Deposit with Enterprise Bank and Trust earning interest of .25 percent. The CD matured on August 9, 2023, and the principal and earned interest were transferred into a passbook

savings account to allow for payment of invoices for the repaving and concrete replacement projects when the work is done in the fall. Mr. Bunton expects to seek Board approval to place in one or more CDs most of or all the Capital Reserve Funds remaining after all invoices have been received and paid for the repaving and concrete replacement projects. At that time, an additional \$12,600 will be added. This is the unexpended balance of the budgeted 2023 contribution to the Fund that currently remains in the operating account. Mr. Bunton expects that the Capital Reserve account will contain \$70,000 to \$75,000 for the last ten months of 2024 after the 2024 annual assessments have been received and the transfer of unexpended funds from the operating account from 2023 has occurred.

Notional/Draft 2024 Budget: Mr. Bunton reported that Article 5.6 (a) of the Amended Declaration charges the EP Board of Directors with approving each year's budget, and the Board does this for the next calendar year every November or December with the benefit of knowing the expenditures for nearly the entire current year rather than just over half the year that has elapsed to date. The Notional 2024 budget that he had distributed to the owners could therefore change between August and December because of changing circumstances. He reported, however, that based on our experience year-to-date, he did not anticipate increases for 2024 over 2023 budgeted amounts that in aggregate would require increasing the annual assessment amounts above the current \$656 for developed lots and \$66 for unbuilt lots.

Architectural Review Board (ARB) Report: ARB Chair Kurt Sommer could not attend the meeting and ARB member Connie Burke gave the report on his behalf as follows:

- Margaret Miller's home construction (425 Los Altos Way) has been completed and the lot has been landscaped. Final ARB approval was granted.
- The EPCSA Board of Directors held an appeal hearing regarding various issues and complaints about the Jan Streets property (753 Paseo Cresta). Ms. Streets complied with the various decisions about the property reached by the Board and the ARB has granted final approval for the home construction and landscaping.
- Mr. Sommer's residence at 766 Calle Altamira is near completion and he hopes to receive a certificate of occupancy within a month. Exterior construction will be completed by the end of August 2023.
- Many owners wish to install mini-split air-conditioning systems. The ARB generally approves those installations after approval by the neighborhood Architectural Review Committee (ARC) and consultations with adjacent neighbors. The ARB requests that before beginning these installations owners desiring to install mini-split air-conditioning systems discuss the proposed locations of the compressors and related ducts with nearby neighbors. The Architectural Guidelines require that compressors be placed on rooftops, but variances for ground-based units may be granted under certain circumstances. The Architectural Guidelines require that conduits related to air-conditioning systems be placed within wall cavities, but variances for conduits that pass over facades but *not* over parapets may be granted under certain circumstances. Applications for such installations should first be submitted to the neighborhood ARC.
- Lot landscaping requires ARB approval before installation following the procedures set out in the Appendix III application form. Replacement and repairs of existing landscaping do not generally require ARB approval.

- Re-stucco projects that will not substantially change the existing stucco color are regarded as maintenance projects. As such, they do not require submission of a formal ARB application or EP ARB permission before commencement of the project. However, such projects require the submission of a notification, at least one week prior to the start of the work, both to the neighborhood subdivision ARC and to the EP ARB chairs signed by the submitting owner indicating that the new stucco color will be substantially similar to the existing stucco color. If an owner wishes to change the stucco color of the home, a formal Appendix III ARB application with the submission of a color sample is required and the project may not proceed without formal written approval by the EP ARB Chair.

- Roof Replacement Projects:

- a. Routine Maintenance: Routine maintenance of an existing roof does not require submission of an ARB notice/checklist unless the maintenance will entail partial “replacement” of a roof and not merely repair or upkeep.

- b. Basic Roof Replacements: All roof replacements, whether partial or complete, that involve ONLY replacement of a roof with one that has a color substantially similar to the existing roof require submission, at least two weeks prior to the start of any work, of a formal notice and checklist to both the neighborhood subdivision ARC and to the EP ARB chairs signed by the submitting owner and the project contractor indicating that:

- The roof color shall be substantially similar to the existing roof as shown on an included color sample (note that white roofs are strictly prohibited).
- No changes other than a roof replacement will be done; and
- The owner shall inform adjacent neighbors of the intention to replace the roof and the owner shall take necessary precautions to protect adjacent properties from damage of any kind.

- c. Roof replacements with color changes and other roof changes: Roof replacements that include additional roof-related changes which alter the property’s appearance or the existing roof drainage in any way require submission by the owner of a formal Appendix III ARB application. No work may begin before ARB approval is obtained. For details, see paragraph 10 of Appendix II of the EP Architectural Guidelines.

Real Estate Report: Jill McIntosh reported that she continues to present a report to the Board at its monthly meetings regarding all real estate activity in EP. This is necessary so that the EPCSA can keep track of changes of home/lot ownership in EP so that the EP address list can be kept updated and so that owners can be billed properly for their annual assessments. Also, the HOA Act of 2013 requires that the EPCSA and all neighborhood subdivisions within it provide Disclosure Certificates for all home sales when homes go under contract. Board Secretary Errol Levine prepares all EPCSA disclosure documents for home sales in EP. Ms. McIntosh indicated that since August 2022 seven EP homes have been sold, ranging in price from \$849,000 to \$ 1,225,000.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- The pool and clubhouse were opened for the season in late May starting off with a Memorial Day party. There has been a significant increase in use during the last year. Seating capacity has been increased at the upper level by the provision of umbrellas and seat cushions for the two existing tables and chairs and this area is intended as an eating area. Problems were experienced during 2023 with the pool automatic chlorine distributor, a water heater, and a sand filter, but these were corrected.
- Cracks in the tennis court surface were sealed under the warranty in June 2023.
- The racquet ball court is used regularly by six players. Cracks appeared in the plaster walls of the court, and these were assessed by a structural engineer. They are believed to be due to settling. The engineer recommended grading changes on the exterior to divert water away from the clubhouse building and the necessary work is now almost complete.
- A new hot water heater was installed for the clubhouse.

Grounds Committee Report: Committee Chair Jo Beth Speyer could not attend, and Gene Creely gave the report on her behalf. The Committee has completed the plan for the Recreation Center grounds, including plantings and tree pruning, and the provision of a stone table and two benches in the bed between the parking lot and the sidewalk. The maintenance contract with Tierra Bonita Landscaping Company was renewed, so that the regular maintenance continues. A limited cleanup of the grounds was done along the Recreation Center edge of Saiz Arroyo, including the removal of dead trees and branches. Dead chamisas were removed from along the sidewalk between the Recreation Center and the junction with the Los Altos Norte subdivision. Greg Casey has been working with Sandy Farmer on the parking lot repaving and concrete replacement projects, and he and the Committee have identified the elements necessary for the preparation of the grounds for the project to proceed.

Exterior Facilities and Grounds Renovation Project Report: Capital Reserves Project Coordinator Sandy Farmer reported that pre-construction work on repaving the Recreation Center parking lot and replacing the adjacent sidewalk, curbs and gutters began about 18 months ago in March 2022. In early April 2023, multiple contractors were contacted to gauge interest in this project. Three contractors initially expressed interest, and a fourth was identified in May 2023. However, only two competitive bid proposals were received in response to our June 19th RFP. In late May 2023, two additional contractors had confirmed their interest in bidding on this project, but then declined to bid in the end because they had become oversubscribed for this Fall. The low-bid proposal was more than 10% lower in cost than the other one. The Final Construction Cost for the low-bid proposal is estimated to be about \$230,000 and includes GRT. Future EP expenses related to work supporting this construction project are estimated to be about \$14,000. Construction is anticipated to start in late September 2023, and to last approximately 2 months. During this time, the parking lot, pool, tennis court and clubhouse will be closed. For planning purposes, groups that use the parking lot on a recurring basis will be notified in the next few weeks that the parking lot will be closed as of September 15, 2023, until further notice.

Social and Events Report: Social and Events Coordinator Connie Burke reported as follows:

- The Annual Memorial Day Pool Opening Party was held on May 29. The event was well attended, with many new residents participating. EPCSA provided the main dishes, catered by Cowgirl Cafe. Side-dishes and desserts were contributed by the homeowners.
- The spring Community Garage Sale was held this year on May 13 from 8:00-1:00 in the clubhouse parking lot. Many residents participated.
- Due to the success of the Memorial Day event, an End of the Season Fiesta party is planned for Labor Day, Monday September 4 at 5:30 pm. Fusion Tacos will provide the food. There will be a \$10 participation charge per person and the EPCSA will provide non-alcoholic beverages.

Unfinished Business

Owners thanked Barbara Chamberlin for her efforts in trying to keep the concrete sidewalk along Avenida Primera South free of overgrown vegetation that impedes pedestrians. It was noted that a City Ordinance assigns responsibility for maintenance of the area on each side of the sidewalk to the adjacent property owner whether it be an individual homeowner or an HOA. Owners were invited to contact Ms. Chamberlin about problematic areas that require attention.

New Business

An owner inquired about pedestrian use of EP pathways that traverse private property. It was noted that where a pathway crosses private property and no recorded pedestrian easement exists, owners may restrict access to the pathway, although there is a strong preference in EP to maintain the open nature of the neighborhood. In cases where a pathway traverses private property and a recorded easement for the pathway exists, owners may not close off the pathway to pedestrians or limit the use of the pathway in any way.

Additional Homeowner Comments: There were none.

Announcements:

Next Board meeting: Friday, September 8, 2023, at 9:00 am.

Food Depot's Neighbor to Neighbor Food Drive: This will extend through September 23, 2023.

Adjournment: A motion was made and seconded to adjourn the meeting, and President Shears adjourned it at 7:57 pm.

Minutes prepared and submitted by: Errol Levine Date: 8/19/2023.
Errol Levine (Secretary)

Signed on behalf of Board by: _____ Date: 8/14/2024.
Brenda Shears (Board President)

2023 EP Volunteers*

Bud Averett	Los Altos Board
Ron Bauer	La Viveza Appeals Comm
Dona Bolding	Cresta Board
Holly Bradshaw-Eakes	Aspen Compound Board
Sandra Brinck	Kachina Hills Board
Scott Bunton	EPCSA Board
Rick Burdine	Aspen Compound Board
Connie Burke	EPCSA Board & ARB & Grounds Comm, Cumbre Vista Board & ARC
Reagan Burkholder	Altamira Board & ARC
Barbara Chamberlin	EPCSA Board, Cresta Board & ARC, Food Depot N2N Fund Drive
Jim Clay	Los Altos ARC
Ralph Craviso	Los Altos Norte Board
Gene Creely	EPCSA Board, Aspen Compound Board
Michael Cross	Cumbre Vista Board, ARC & Road Comm
Kathy Crowell	La Viveza Drainage/Road Comm
Linda DeWolf	La Viveza Board
Cynthia Dean	Altamira Board
Sandy Farmer	Kachina Hills Board & ARC, EP Capital Projects
Sarah Fassett	Los Nidos ARC
John Ferris	EPCSA ARB, Aspen Compound ARC
Ralph Fuller	La Viveza Appeals Comm
Anna Hargreaves	La Viveza Board
James Hays	EPCSA ARB, Kachina Hills Board & ARC
Ed Hildebrand	EPCSA ARB
Judy Hildebrand	Los Nidos ARC
Bennett Hirsch	Los Altos Norte Board & ARC
Mickey Hunt	Kachina Hills ARC
Steve Irsik	Los Nidos Board & ARC
Mike Kelley	Aspen Compound Board
Keith Kintigh	Kachina Hills Board
Sean Krispinsky	EPCSA ARB, Los Altos ARC
Kerry Lee	Altamira Board
William Leeman	Cumbre Vista Road Comm
Errol Levine	EPCSA Board, Los Nidos Board
Carolyn McCollum	EPCSA ARB-Los Altos Norte
Virgil McCollum	Los Altos Norte Board
Jill McIntosh	EPCSA Board, La Viveza ARC
Peter Meek	La Viveza Appeals, Snow Removal & Drainage/Road Comm
Rita Meek	EPCSA ARB-La Viveza
Mickey Melton	Los Altos Board
Jerry Odom	Cresta Board
Martha Phillips	Cumbre Vista Board
Jim Raczynski	Cumbre Vista Road Comm
Robert Reifel	Cumbre Vista Road Comm
Maryann Scanlon	EPCSA Grounds Comm
Rebecca Shaw	La Viveza Board

Brenda Shears	EPCSA Board-Kachina Hills
Kurt Sommer	EPCSA ARB, Altamira Board & ARC
Michael Spencer	La Viveza Board & ARC
Jo Beth Speyer	EPCSA Board & Grounds Comm
David Sproat	Los Altos Board & ARC
Susanne Stauffer	Kachina Hills Board & ARC
Jay Stein	Los Nidos Board
Drew Stewart	La Viveza ARC
Lauri Stock	Food Depot N2N Fund Drive
Robert Trout	La Viveza Board
Ida Vorum	Cumbre Vista ARC
Leslie Walker-Hirsch	EPCSA Board, Los Altos Norte Board
Rebecca Welch	Cresta Board & ARC
William White	Kachina Hills Board & ARC
Kate Woods	Cumbre Vista Board

*Thanks to the 61 people, representing about 55 properties, that currently serve EPCSA - and to the many more who have contributed in prior years. Appreciation is also extended to others who contribute to their own neighborhood's wellbeing in various ways, often without recognition.

Capital Projects Report
2023 Annual Meeting on August 16, 2023
Sandy Farmer

This report deals only with repaving the parking lot and replacing the sidewalk and adjacent curb and gutter at the EP recreation center.

The Board selected an architect, Steve Shaw of Shaw Architecture, LLC, for this capital project on September 9, 2022. EPCSA has also contracted with a civil engineering company, Walker Engineering, and a topographical survey company, Terra Land Surveys, on the project. The total cost of services provided by these three companies, including our own internal expenses, is \$14,061 up through July 25, 2023. Remaining future costs for these collective services are estimated to be approximately \$5,000 for a total cost of about \$19,000.

In early April 2023, multiple contractors were contacted to gauge interest in this project. Three contractors initially expressed interest, and a fourth was identified in May. However, only two competitive bid proposals were received in response to our June 19th RFP: One from a contractor in Santa Fe; and the other from a contractor in Albuquerque. Note that in late May 2023, two additional contractors had confirmed their interest in bidding on the project, but then declined to bid in the end because they had become oversubscribed for this Fall. Both bid proposals that EPCSA received were reviewed against the equivalent scope of work. The low-bid proposal was more than 10% lower in cost than the other one. The Final Construction Cost for the low-bid proposal is estimated to be about \$230,000 based on the finalized outcome of the value-engineering review. This cost estimate includes GRT. Future EP expenses related to work supporting this construction project, including architectural and civil engineering fees (*see previous paragraph*), are estimated to be about \$14,000.

Construction is anticipated to start in late September, and to last approximately 2 months. During this time, the parking lot, tennis court, pool and clubhouse will be closed. A set of final construction documents is available in the clubhouse. I am also happy to arrange a time to go over these construction documents with anyone who is interested.

Scope of Work:

- The entire parking lot will be repaved, including the north and south entry driveways.
- The entire east sidewalk and adjacent curb & gutter (C&G) will be replaced, and in several locations, rebuilt to address ADA or other code requirements.
- The south sidewalk and adjacent C&G, up to and including the drainage cut near Avenida Primera, will be replaced, and in two locations, rebuilt to address code requirements.
- The existing concrete peninsula, which lies in front of the main entry steps and juts out into the parking lot, will be removed, and replaced with a loading zone area.
- A new, curbed landscape peninsula will be constructed in front of the large cottonwood tree to protect its root system from future distress.

Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, September 8, 2023

Call to Order: President Brenda Shears called the meeting to order at 9:00 am via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Constance Burke, Barbara Chamberlin, Errol Levine, Jill McIntosh, Jo Beth Speyer, and Leslie Walker-Hirsch.

Others Present: Kurt Sommer (ARB Chair), Greg Casey (Recreation Center Manager), Nick Generous and Alexandra Heywood (774 Calle Altamira), Julia Wirick (Architect, Suby Bowden and Associates), Rita Meek (684 La Viveza Court), Scott Burt (780 Aspen Compound) and Merritt Ayad (738 Calle Altamira).

Nomination and Election of Officers for New Board Year Ending September 2024: Upon a motion duly made and seconded the following officers were elected unanimously: Brenda Shears (President), Gene Creely (Vice President) and Scott Bunton (Treasurer). The position of Secretary will remain vacant until someone can be found to fill the position.

Approval of Minutes of Previous Board Meetings:

- The Board unanimously approved the minutes of the July 14, 2023 meeting as submitted by email and the minutes were signed on July 26, 2023.
- The minutes of the Special Board meeting held on July 26, 2023 were approved unanimously as submitted.
- The minutes of the Annual EPCSA Members' meeting were certified as accurate and approved for posting in draft form on the EPCSA web site pending approval at the 2024 Annual Members' Meeting.

EPCSA Architectural Review Board (ARB) Appointments: The positions of the ARB representatives from Altamira, Aspen Compound and Cresta became vacant on September 8. However, only the Aspen Compound HOA Board of Directors responded to a request from Ms. Shears to submit a nomination to fill the vacancy for each neighborhood. They nominated John Ferris (797 Aspen Compound). Upon a motion duly made and seconded, the Board voted unanimously to re-appoint Mr. Ferris to the ARB for a three-year term ending in September 2026.

Designation of Board Member Responsible for Duties Pertaining to Estancia Primera (EP) Home Sales: Upon a motion duly made and seconded, the Board voted unanimously to appoint Jill McIntosh for a one-year term ending in September 2024 as the individual responsible for performing duties pertaining to EP home sales as specified in Section III.G.1 of the Book of Resolutions.

Reports

Treasurer's Report: Scott Bunton indicated that as of August 31, 2023, the Association's operating account at Century Bank contained \$61,347.75 (of which \$2,250 comprises refundable ARB performance deposits) and the capital reserve savings account at Century Bank contained \$67,149.34. Additionally, the Association's account at Enterprise Bank and Trust of Santa Fe contains \$200,132.94 after maturation of a CD. Mr. Bunton noted also that the Board had voted unanimously via email to approve the payment to Cincinnati Insurance Company of the annual premiums for EPCSA's two insurance policies -- (1) property and liability insurance; and (2) directors and officers liability insurance in the respective amounts of \$11,333.00 and \$2,430, these payments having become due no later than August 31, 2023.

Architectural Review Board (ARB) Report: ARB Chair Kurt Sommer indicated that the ARB met recently. They considered among other items a request from Nick Generous and Alexandra Heywood (774 Calle Altamira) for variances from the EP Master Development Plan that would permit these owners to enlarge their home (see New Business below). The ARB concluded that consideration of such a request that was not part of a formal application for major construction was not within its purview and referred the matter to the EP Board of Directors.

During August and September, the ARB granted final approval for three Appendix III projects and the performance deposits for the projects were refunded. Mr. Sommer's new home and grounds construction are now complete, and the ARB members inspected the new construction and approved it. The \$1,500 performance deposit will be refunded. Four other Appendix III projects are in varying stages of completion. Mr. Sommer agreed to update the ARB spreadsheet showing projects in progress each month from now on and to provide it to the Board for its monthly meetings.

Real Estate Report: Jill McIntosh reported that since the Board meeting of July 14 the sales of three properties located at 652 La Viveza Court, 757 Aspen Compound, and 792 Calle Altamira respectively have closed. A home at 742 Calle Altamira is currently under contract.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- During August, an irrigation system pipe broke and was repaired by Tierra Bonita Landscaping Company.
- The widths of the settling cracks that have developed on the racquetball court plaster walls and in sheet rock walls at the upper clubhouse level continue to be monitored and remain unchanged since the July Board meeting.
- On August 26, Tierra Bonita Landscaping Company satisfactorily completed work on three swales behind the clubhouse building and tennis court, as part of the Recreation Center Drainage project.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer reported that the Committee continues to monitor the maintenance of the Recreation Center grounds done by Tierra Bonita Landscaping Company. They also work with the EPCSA’s arborist, Chris Seidel, on tree pruning.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital Reserves Project Coordinator Sandy Farmer could not attend but provided a written report (attached). Mr. Bunton gave the report as follows:

- An attorney was hired to scrutinize the contract for the Recreation Center renovation project and to ensure that important safety provisions for EPCSA are included.
- All plans were updated to reflect removal of the concrete apron in front of the clubhouse steps.
- An updated contract still has not been received from the winning bidder or his attorney.
- The Board agreed that Connie Burke should not make any clubhouse reservations for the entirety of the project although the expected start and completion dates will only be known when Sandy Farmer receives the contract.
- Ms. Shears will send out a notice about the closing of *all* Recreation Center facilities to EP owners after she has reviewed the contract.
- Ms. Shears and Mr. Casey will schedule the pool closing by Kokopelli Spa and Pools, LLC., so that it precedes the expected project start date by several days.

Unfinished Business

There was none.

New Business

Policy Regarding Requests for Amendments to or Variances from EP Master Development Plan and City Ordinance 1981-3.

Nature of Issue: Ms. Shears indicated that Julia Wirick, an architect with Suby Bowden & Associates in Santa Fe, contacted her via email on August 23 on behalf of EP property owners Nick Generous and Alexandra Heywood (774 Calle Altamira). Ms. Wirick is assisting these property owners in the design of proposed home additions.¹ Ms. Wirick recommended to them that they seek *preliminary* approvals for Schematic Design from the EP ARB and the City of Santa Fe before proceeding with Design Development and Construction Documents because new survey data shows that the existing building already exceeds maximum lot coverage and maximum roof height as specified in Ordinance 1981-3 (the “Ordinance”) and in the EP Master Development Plan (the “MDP”). The plans for the proposed building

¹ Ms. Shears distributed the following items to the Board members via email prior to the meeting: Email from Ms. Wirick (8-23-2023), City of Santa Fe Ordinance 1981-3, Altamira Subdivision Development Plans, Altamira HOA resolution made at their Annual Meeting (8-20-2023), Letter from Altamira HOA to City of Santa Fe (8-21-2023), three schematic design drawings for the proposed home additions submitted by Ms. Wirick, and the EPCSA Board Officers’ proposed general policy for dealing with variance requests.

additions require further variances.² Ms. Wirick met with the City Planning Office to discuss these variances. However, the Planning Office is reluctant to deviate from approved development plans for the Altamira neighborhood because of their concerns about potential future accusations by HOA members of “Spot Zoning” by the City. Mr. Sommer indicated to Ms. Wirick that this matter is not under the ARB’s purview and recommended that she contact the EPCSA Board of Directors to request review and preliminary approval for the proposed variances.

Board Officers’ Review and Recommendations: The EPCSA Board officers discussed Ms. Wirick’s request and determined, in agreement with what Mr. Sommer stated, that the requested review and preliminary approval were not within the purview of the EP ARB, since the request was not part of a formal Appendix IV ARB application. Additionally, neither the EP ARB nor the EPCSA Board have authority to approve unilaterally amendments to or variances from construction restrictions in the Ordinance or MDP. However, the officers believe that that, under the terms of EPCSA’s Governing Documents, (1) the ARB has the authority to consider variance requests that would be required by construction plans as it determines whether to approve or disapprove a formal application³ and (2) the Board has authority to consider such variance requests only if there is an appeal to the Board of an adverse ARB decision regarding that application.

Ms. Shears reported that, during their discussions, she and the other officers decided further that, since the EPCSA Board does not currently have a policy or a mechanism to respond to requests such as the one from Ms. Wirick, the EP Board should create a *general* policy pertaining to variance requests when a City construction permit is sought. Accordingly, the Board officers drafted a proposed policy (see attachment) that would, if approved by the Board, allow the following possible responses:

- The EPCSA Board would formally support or commit to not oppose variances from the Master Development Plan only in cases where, in the considered judgment of the Board, the proposed variances or amendments will significantly benefit a majority of EP properties and their owners (and not just avoid adversely affecting those properties and their owners).
- The EPCSA Board may oppose any proposed variance from or amendment to either the Ordinance or the Master Development Plan that the Board determines is inimical to the interest of EPCSA or a significant number of EP properties and their owners.

A motion was then duly made and seconded to approve the policy contained in the attached document (*Proposed Amendments to or Variances from Construction Restrictions in City of Santa Fe Ordinance 1981-3 and EP Master Development Plan*) and to record the policy in the EP Book of Resolutions. The Board noted that the policy, if approved, would preclude the EPCSA Board of Directors from supporting or committing to not oppose the effort to secure the proposed variances or amendments relating to the Generous/Heywood request since the proposed deviations do not provide significant benefit to EP

² The proposed lower-level addition plan will increase the total maximum lot coverage to 491 square feet over the maximum specified in the City-approved Development Plans. The proposed upper-level addition will result in the home exceeding by about one to four inches a maximum building height from existing grade at the foundation to the parapets of twenty feet as specified in Ordinance 1981-3, Section 3c.

³ Section 3.7 (d) Standards for Review. EPCSA Amended Declaration.

property owners other than these property owners. However, the Board also noted that the proposed policy, if approved, would not prejudice in any way the ARB's consideration of any complete ARB Appendix IV application these owners may decide to submit in the future or constrain the ARB's consideration or action on that application.

During the discussion, Mr. Generous, Ms. Heywood, and Ms. Wirick addressed the Board. Mr. Generous indicated that he and his family wish to remain in the Altamira neighborhood. However, they have two young daughters and the space available in their home is insufficient for their needs. The City Planning Department is unlikely to approve the variances needed to allow for their proposed home additions and they have appealed to the City's Planning Commission to have their application reviewed on a hardship basis. They were told that the Planning Commission might be more favorably disposed to granting the proposed variances if the EPCSA supports their approval. Ms. Wirick noted that if the Planning Commission deals with the appeal, the proposed variances might require amendment of the Ordinance.

The Board in addressing the request noted it could not accede to the request for preliminary approval for the following reasons:

- Sections 3.6 and 3.7 of the EPCSA Amended Declaration place the responsibility for dealing with architectural matters in EP on the ARB and the Board cannot usurp the ARB's functions. The Board's role in such matters is restricted to considering appeals of ARB decisions.
- The normal Appendix IV application process in EP involves scrutiny of submitted architectural plans by the Association's consultant architect as a first step. He evaluates all plans for compliance with the requirements of the EP MDP and the EP Architectural Guidelines. Ms. Wirick's request to the Board on behalf of the owners would require the bypass of this important step. Since the EP Board members are not architects, they cannot assess the submitted schematic design drawings without the input of the EPCSA's consultant architect.
- Since the EP Master Development Plan involves the welfare of all EP owners and protects them from uncontrolled construction near them, the Board is reluctant to consider any amendments of the EP MDP. Such amendments might create unfortunate precedents for the neighborhood, and they require approval by both the EPCSA and the City.⁴ Amendments might therefore require further consultation with the entire EPCSA membership and hiring of an attorney to deal with the matter.

After completion of the discussion, the Board approved the policy contained in the attached draft document without changes by a vote of seven in favor (Shears, Creely, Bunton, Chamberlin, Levine, McIntosh, and Hirsch) and two opposed (Burke and Speyer). Ms. Shears will include the policy in an updated version of the Book of Resolutions.

⁴ Section 2.5 (b) of the EPCSA Declaration states: "Amendments. To the extent there are further amendments to the Master Development Plan, they shall be effected only after: (1) giving Notice of the proposed changes to EPCSA and any affected Lot Owners; and (2) securing the approval of the governing body of the City of Santa Fe."

Homeowner Comments

There were none other than the above.

Announcements

- The next EPCSA Board meeting will be held on Friday, October 13, 2023, at 9:00 am using Zoom.
- The Neighbor-to-Neighbor Food Depot Fund Drive is in progress with a closing date of September 23. Ms. Shears provided details about the Drive in her September e-newsletter to all EP owners.

Adjournment: A motion was made, seconded, and approved unanimously to adjourn the meeting, and Mr. Shears adjourned it at 10:47 am.

Minutes prepared and submitted by: Errol Levine Date: 9/12/2023.

(Errol Levine)

Signed on behalf of Board by: Brenda L Shears Date: 10/13/2023.

(Brenda Shears - President)

Capital Projects Report
September 8, 2023
Sandy Farmer

This report deals only with the *EP Exterior Facilities & Grounds Renovation* project.

Status:

- An invoice dated July 25, 2023 has been submitted by Shaw Architecture in the amount of \$607.90 for Schematic Design services rendered since June 25. The invoice was received on July 24. A check request was submitted on July 26. Total cost of architectural services up to July 25, incl. reimbursable expenses, is \$6,489.
- Additional engineering costs of \$1,909.16 to update and then finalize the two engineering drawings (*see below*) were invoiced by Walker Engineering on August 25. A check request was submitted the week of Sep. 4. Total cost of engineering services up to August 25 is \$6,783.
- Legal services were retained to review and advise on the final contract proposal from the selected contractor. A retainer of \$1,000 was paid out on August 17.
- Additional miscellaneous project costs of \$110.87 were incurred both to print out several hard-copies of draft engineering plans and two bound, hard-copies @ 24"x36" of the finalized construction documents (*see below*) and to purchase 8 small sample tiles from Davis Colors to help in selecting the concrete color. A check request has been submitted. Total miscellaneous project costs up to August 25 are \$217.
- Total project expenses invoiced to date are \$17,100.
- A contractor for this capital project was selected at a Special Board Meeting held on July 26. The selection was based on an analysis of two competitive bid proposals. The lower bid proposal was chosen. The estimated Final Construction Cost was approx. \$230,000, incl. GRT and the cost of a bond. In addition, an estimated future cost of \$12,400 remains for related EP expenses to fully complete the project. Related EP expenses include the costs of architectural, engineering, legal, landscape and other miscellaneous, non-construction services.
- An updated contract proposal was received from Walker Engineering on August 2. It was reviewed by Farmer, President Shears, and Treasurer Bunton. President Shears signed this contract proposal on August 2. Once construction starts, Walker Engineering estimates about \$3,000 in costs for site visits and construction consultation. These additional costs have been captured in the estimated future cost for related EP expenses (*see previous bullet point*).
- As an outcome of the value-engineering exercise, a finalized architectural site plan was received from Shaw on Aug. 2 and reviewed by Farmer, Treasurer Bunton, and President Shears. The finalized site plan was then submitted to Walker Engineering. Finalized engineering drawings were received from Walker Engineering on August 10 and reviewed by Shaw and Farmer. A complete package of finalized construction documents was provided to the selected contractor by Shaw on August 14. The corresponding engineering CAD files were provided in electronic format to the selected contractor by Walker Engineering on August 14.
- Based on the finalized construction documents and CAD files, a final contract proposal was solicited from the selected contractor, incl. updated pricing. On August 21, the selected

contractor indicated in a telephone conversation that it could not specify when the final contract proposal would be provided to EPCSA.

Target / Actual Timeline

- **June 12 / June 19:** Emailed RFP package to 4 contractors
- **June 30 / July 14:** Receipt of two contractor bid proposals
- **July 11 / July 25:** Submission of summary, recommendation, bid proposals, and other supporting documents to the EP Board prior to the July 14th meeting
- **July 14 / July 26:** Approval of expense and selection of contractor by EP Board
- **July 21 / TBD:** Updated pricing from selected contractor after contract proposal is finalized
- **July 24 / TBD:** Contract signing

DRAFT

PROPOSED ADDITION TO THE BOOK OF RESOLUTIONS REGARDING REQUESTS THAT EPCSA SUPPORT, OR AGREE NOT TO OPPOSE, EFFORTS TO SECURE CITY OF SANTA FE APPROVAL FOR AMENDMENTS TO OR VARIANCES FROM ORDINANCE 1981-3 AND/OR THE EP MASTER DEVELOPMENT PLAN.

AMENDMENTS TO OR VARIANCES FROM CONSTRUCTION RESTRICTIONS IN CITY OF SANTA FE ORDINANCE 1981-3 AND ESTANCIA PRIMERA MASTER DEVELOPMENT PLAN

City of Santa Fe Ordinance 1981-3 and the Estancia Primera (EP) Master Development Plan provide critical specifications, dimensions, and other requirements for the construction of structures and improvements to structures on EP properties. These standards provide vital protections for the interests of all EP property owners, relating, *inter alia*, to the property owners' privacy, views, aesthetic values, and property values.

The Estancia Primera Community Services Association (EPCSA) serves the interests of EP owners in all neighborhoods throughout the Estancia Primera subdivision. EPCSA's Board of Directors (the EPCSA Board) attaches great value and importance to these protections, believes their preservation is a cardinal responsibility of the EPCSA Board, and further believes that amendments of the Ordinance or the Master Development Plan or any deviations from them should be undertaken only with extreme care and skepticism, and with the interests of the wider EP community as the preeminent consideration.

Consequently, when there is an effort to secure City of Santa Fe approval for any variance from or amendment to either the Ordinance or the Master Development Plan in the construction of an individual property, the EPCSA Board will formally support or commit to not oppose the effort to secure the proposed variance or amendment only in a case where, in the considered judgment of its Board of Directors, the proposed variance from or amendment to the Ordinance or the Master Development Plan will significantly benefit a majority of EP properties and their owners (and not just avoid adversely affecting those properties and their owners).

The EPCSA Board will oppose any proposed variance from or amendment to either the Ordinance or the Master Development Plan that its Board of Directors determines is inimical to the interest of EPCSA or a significant number of EP properties and their owners.

**Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, October 13, 2023**

Call to Order: President Brenda Shears called the meeting to order at 9:04 am via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creely (Vice President), Scott Bunton (Treasurer), Constance Burke, Jill McIntosh, and Jo Beth Speyer.

Directors not in Attendance: Barbara Chamberlin, Errol Levine, Leslie Walker-Hirsch.

Others Present: Linda Averett (Secretary), Greg Casey (Recreation Center Manager), and homeowners Laurel Levin (Cresta), Carla Skeen (Cresta), Mary Walta (Cresta).

Nomination and Election of Secretary for the Board Year Ending September 2024: Upon a motion duly made by Constance Burke and seconded by Jo Beth Speyer, Linda Averett was elected Secretary unanimously.

Approval of Minutes of Previous Board Meeting: The minutes of the Board meeting of September 8, 2023, were approved unanimously as submitted.

EPCSA Architectural Review Board (ARB) Appointments: The Board received nominations for the ARB representatives from Altamira and Cresta that became vacant on September 8. Altamira has nominated Kurt Sommer and Cresta has nominated Laurel Levin. Upon a motion duly made by Gene Creeley and seconded by Constance Burke, the Board voted unanimously to re-appoint Mr. Sommer and appoint Ms. Levin to the ARB for a three-year term ending in September 2026.

Committee Member Appointments: Upon a motion duly made by Constance Burke and seconded by Jo Beth Speyer, the Board voted unanimously to add Barbara Chamberlin to the Grounds Maintenance Committee. Upon a motion duly made by Jill McIntosh and seconded by Gene Creely, the Board voted unanimously to create a Recreation Center Committee with initial members as Greg Casey, Connie Burke, Bud Averett, and Brenda Shears.

Reports

Treasurer's Report: Scott Bunton submitted that as of September 30, 2023, the Association's operating account at Century Bank contained \$55,145.72 (of which \$1,250 comprises refundable ARB performance deposits) and the capital reserve savings account at Century Bank contained \$67,151. Additionally, the Association's account at Enterprise Bank and Trust of Santa Fe contains \$200,146.10.

Architectural Review Board (ARB) Report:

Brenda Shears presented the report for Kurt Sommer, in his absence. The attached table presents the ARB projects in process in Estancia Primera. Of the five projects listed, none are under construction or

installation. The Carothers/Marin project is approved but not underway as of today. The Chamberlin project has approval, but Ms. Chamberlin is awaiting approval of her permit. Stewart/Hargreaves have approval for renovation of their atrium, which should start soon. Gustafson has requested to install a white roof and mini-splits. While Ms. Gustafson has submitted a request for approval, the ARC for Los Nidos has not approved this project. Hence, the ARB for EPCSA has not addressed the request. Mr. Sommer has advised Ms. Gustafson that white roofs are not allowed as of today. Mr. Sommer plans to submit a formal request to modify the white roof policy on behalf of the ARB at the November EPCSA Board meeting.

In addition, Ms. Shears reported that Mr. Sommer sent the following personal remarks to the Board members: "I want to take the time to let the Board of EPCSA know that I know that the Generous/Haywood discussion and matter was a difficult decision to make. I personally want them as neighbors, but the process and the discussion were well-thought out and I was so impressed by the thoughtful presentation. We are very fortunate to have you all on the Board. You are considerate and extremely diligent and thoughtful. I know of no other neighborhoods with such thoughtful people. Congratulations and I understand your decision."

Real Estate Report: Jill McIntosh reported that the sale of 742 Calle Altamira closed yesterday, and a new listing is expected soon for 768 Calle Altamira.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows:

- The pool was closed for the season on September 24. Pool usage was strong over the summer with sign-ins indicating at least 1510 individual visits.
- During September, two leaks were detected in the irrigation system; both were repaired by Tierra Bonita Landscaping Company.
- The widths of the settling cracks that have developed on the racquetball court plaster walls and in sheet rock walls at the upper clubhouse level continue to be monitored and remain unchanged since the July Board meeting.
- A seam in the middle of the tennis court has lifted; the contractor David Laing of DML will be contacted to determine how best to repair it.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer reported that the maintenance for this year has nearly been completed, as we come to the end of the contract period for 2023. The maintenance of the grounds ends at the end of October, and the last payment to Tierra Bonita for the year is for the turn-off of the irrigation system.

The Committee members expect to replace the failing redbud tree early next year.

The Committee continues to monitor expenditures against their budget.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital Reserves Project Coordinator Sandy Farmer could not attend. Mr. Bunton gave the report as follows:

- The concrete sub-contractor (CAI) is significantly behind schedule with other jobs as of the beginning of October. It appears increasingly likely that it will not be possible for construction to begin on the

EP project early enough to be sure the concrete work will be completed before the weather becomes problematic for high-quality and long-lasting concrete work.

- We are awaiting a definitive indication from the general contractor as to whether the work will commence this fall. If we have not received such word by the end of the week of October 16, EPCSA will contact the contractor to say that we believe the prudent course is to reschedule the work for spring of 2024 as early as the concrete subcontractor is confident there is no weather threat to the new concrete, with the proviso that the work must be completed by May 24, 2024.

Unfinished Business. There was none.

New Business. There was none.

Homeowner Comments. There were none.

Announcements

- The next EPCSA Board meeting will be held on Friday, November 10, 2023, at 9:00 am using Zoom.

Adjournment: A motion was made by Constance Burke, seconded by Gene Creeley, and approved unanimously to adjourn the meeting, and Mrs. Shears adjourned it at 9:30 am.

Minutes prepared and submitted by: Linda Averett Date: 11/10/2023.

(Linda Averett, Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 11/10/2023.

(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - October 13, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	Carothers/Marin	778 Calle Altamira	Pergola construction	Conditional approval pending.	\$250	No	Conditional approval pending. Application submitted 6-25-2023. Work has not commenced.
2	Chamberlin, Barbara	787 Avenida Primera South	Deck construction	Conditional approval pending.	\$250	No	Conditional approval pending. Application submitted 6-30-2023. There are issues to address with the City of Santa Fe. Work is on hold.
3	Sommer	766 Calle Altamira	Waiting to submit landscaping plan to ARB for Altamira and then EPCSA		\$250		
4	Gustafson	512 Los Nidos	Installation of white or tan roof and mini-split	Tan approved by Los Nidos; hence, EPCSA ARB to address request	\$250		
5	Stewart/Hargreaves	670 La Viveza	Restoration of Atrium	Approval granted	\$250		In Process

**Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, November 10, 2023**

Call to Order: Vice President Gene Creeley, in the absence of President Brenda Shears, called the meeting to order at 9:00 am via videoconference using Zoom.

Directors in Attendance: Gene Creely (Vice President), Connie Burke, Jill McIntosh, Errol Levine, Barbara Chamberlin and Leslie Walker-Hirsch

Directors absent: Scott Bunton (Treasurer), Brenda Shears (President), Jo Beth Speyer

Others Present: Linda Averett (Secretary), Kurt Sommer (EPARB Chair), Greg Casey (Recreation Center Manager), Sandy Farmer (Capital Projects Coordinator), Merritt Ayad (Altamira homeowner), Scott Burt (Aspen Compound homeowner)

Approval of Minutes of Previous Board Meeting: The minutes of the Board meeting of October 14, 2023, were approved unanimously as submitted.

Reports

Treasurer's Report: In the absence of Treasurer Scott Bunton, Gene Creely presented Scott's Treasurer's report. As of October 31, EPCSA's operating account at Century Bank contained \$44,156.52 (\$1,750.00 of which is refundable Architectural Review Board performance deposits). The capital reserve savings account at Century Bank contained \$67,152.71, and the capital reserve savings account at Enterprise Bank and Trust contained \$200,159.70. Both the purposes and amounts of expenditures during the month were in line with the budget, except that, as of the last two payments made in October to Kokopelli Pools for pool maintenance during 2023, the total paid rose to 20 percent above that budget line item. While Kokopelli notified EPCSA that prices were going to be increased, the anticipation was that the increase would be between 5 and 10 percent – \$500 to \$1,000 – rather than \$2,100. Gene indicated that Scott requested that Greg be asked to (1) look at the 2023 invoices and then send an email to Brenda and Scott providing his thoughts on what one or more factors appear to have been responsible for the cost overrun; and (2) contact Kokopelli Pools owner Carver and obtain an estimate from him of what he believes it is reasonable to think Kokopelli's 2024 charges to EPCSA will be (not counting unanticipated major equipment failure/replacement, just regular maintenance costs). Gene made those requests of Greg.

Gene also, at Scott's request, reminded the Board that once the financial reports for November are provided to him by the bookkeeper the first week of December – so expenditure totals and the amount of cash on hand reflect 11 full months of the year – he will prepare a proposed 2024 EPCSA budget built on the notional budget distributed to all owners in advance of the EPCSA annual meeting in August, and will send it to all Board members so they can review it and be prepared to discuss it, modify it if modifications are desired, and vote to approve a 2024 budget at the December monthly meeting on Friday, December 8. Gene relayed Scott's appreciation to Jo Beth, MaryAnn, and Greg of the Grounds Maintenance Committee for having prepared and submitted a proposed grounds maintenance budget and noted that if any other Board members want to make recommendations regarding budget components, they should email those to Scott at their earliest convenience or call him next week (November 5-11). Greg Casey explained that extra expenses were incurred by Kokopelli Pools due to the pool chlorinator needing repair

several times and the manifold had been replaced. Greg will submit the cost of the new manifold to treasurer Scott Bunton.

Architectural Review Board (ARB) Report: ARB chair Kurt Sommer reported that Margaret Miller's request to replace trees has been approved by Los Altos ARC and EPCSA ARB with conditions that trees receive appropriate irrigation. Breckinridge and Sproat request to install a mini split in their home was approved by EPCSA ARB; receipt of deposit needs to be confirmed. Barbara Chamberlin's request has been approved and she is waiting to resolve issues with the city. Kurt Sommer has not submitted landscape plans, and his deposit is on hand. (See attached ARB Projects in Progress).

Real Estate Report: Real estate chair, Jill McIntosh, reported two listings: 768 Calle Altamira and 774 Calle Altamira. Disclosure statements will be sent out for both.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows: Clubhouse reservations have slowed for the month of November but are picking up in December. Racquetball activity remains the same. One new clubhouse access card was issued in October. There has been no change for several months in the Clubhouse cracks that are being monitored. Mr. Casey was notified that more seams have lifted on the surface of the tennis court; he will notify David Laing of D.M.L. Inc. to see what can be done to fix them in the spring.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer was unable to attend the meeting but provided the following written report: Tierra Bonita did the final clean-up of the season and shut off the irrigation system for the season as well. The Redbud tree located in the island that is failing to flourish, despite attempts to revive it, will be transplanted to the north side of the clubhouse. With MaryAnn Scanlon's help, they plan to select another variety of tree for that spot in the island, to be planted in the Spring. The Committee's 2024 budget has been prepared and submitted.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital Reserves Project Coordinator Sandy Farmer provided a progress report (see attachment). He reported that our architect has confirmed that construction work has been scheduled for the Spring of 2024, to be completed prior to May 24, 2024. There are ongoing discussions about the potential need for a city permit; more information is expected by the end of November and in time for the December Board meeting. We await a draft contract for review.

Dr. Farmer reviewed an alternate proposal provided to him via Greg Casey at the end of October 2023 aimed at reducing the cost of the current asphalt work and at reducing future costs of asphalt maintenance (detailed in the attached report). Dr. Farmer analyzed the pros and cons of this alternate proposal and provided his recommendation to President Shears and Treasurer Bunton; together they subsequently decided to continue with the current construction proposal. More detail is available to Board members upon request.

The Food Depot Neighbor 2 Neighbor Fund Drive: Committee chairman Barbara Chamberlain reported that EPCSA increased 2022 results by 65 percent! We raised \$16,424.00 in donations this year. She extended her thanks to all who participated and asked that residents please consider participating next year.

Unfinished Business

There was none.

New Business

There was none.

Homeowner Comments

There were none.

Announcements

The next EPCSA Board meeting will be held on Friday, December 8, 2023, at 9:00 am using Zoom.

Adjournment:

A motion was made, seconded, and approved unanimously to adjourn the meeting, and Vice President Greeley adjourned it at 9:30 am.

Minutes prepared and submitted by: Linda Averett Date: 11/10/2023.
(Linda Averett, Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 11/10/2023.
(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - Updated through November 27, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	Carothers/Marin	778 Calle Altamira	Pergola construction	Conditional approval pending.	\$250	No	Requested and updated application for additional work, and construction has commenced.
2	Chamberlin, Barbara	787 Avenida Primera South	Deck construction	Conditional approval pending.	\$250	No	Conditional approval pending. Application submitted 6-30-2023. There are issues to address with the City of Santa Fe. Work is on hold.
3	Sommer	766 Calle Altamira	Landscaping plan		\$250		Submitted request for approval to ARB.
4	Gustafson	512 Los Nidos	Installation of white or tan roof and mini-split	Los Nidos approved tan but denied white; EPCSA ARB to address	\$250		In Process
5	Stewart/Hargreaves	670 La Viveza	Restoration of Atrium	Approval granted	\$250		In Process
6	Breckenridge/Sproat	509 Camino Los Altos	Installation of mini-split	Approved by EPCSA ARB	Confirm receipt of deposit		In Process
7	Miller	425 Los Altos Way	Tree replacement	Approved by Los Altos and EP conditional on appropriate irrigation			
8	Groce	765 Paseo Crest	Mini-split request	Pending approval by ARB			

Capital Projects Report
November 10, 2023
Sandy Farmer

This report deals only with the *EP Exterior Facilities & Grounds Renovation* project.

Status:

- Shaw informed EP on Oct. 17, 2023 by email that Steve Peterson of CAI (the concrete sub-contractor) had spoken with Roddy Leeder of RL Leeder Company (the general and asphalt contractor) regarding the EP construction project; that they had scheduled the construction work for the Spring of 2024; and that they were aware of and comfortable with the May 24, 2024 date for pool opening, with the implication that construction must be finished by that time.
- The question of whether this project requires a city permit was raised by Leeder back on Sep. 19. Leeder's opinion was that no permit should be required because all of the material construction work is "Remove and Replace" and the amount of re-grading is both minimal and within what is allowed without a permit. However, Leeder itself is solely an asphalt contractor, and its expert opinion hereon may be mostly influenced by the nature of the asphalt work. Therefore, Shaw asked Steve Peterson of CAI (concrete sub-contractor) on Oct. 20, 2023 whether, based on his experience, he thought the concrete work on this project would require a city permit. Peterson's opinion echoed Leeder's in that a city permit is typically not required for a "Repair and Replace" project. With that said, Peterson indicated to Shaw that he would discuss the EP project with a couple of city inspectors that he [Peterson] knew well and with whom he was currently working on a couple of other projects. A follow-up response from Peterson is expected by the end of November and in time for the December Board meeting.
- EP has not yet asked for the retainer fee, paid back on Aug. 17, 2023 for legal services on behalf of EP related to this project, to be returned as we believe that contract negotiation with Leeder will commence in the near future once the weather has turned and construction work in Santa Fe slows down.
- An alternate proposal aimed at reducing the cost of the current asphalt work and at reducing future costs of asphalt maintenance was reviewed at the end of October 2023. The proposal was communicated to Dr. Farmer by Mr. Casey. The main elements of the proposal were: 1) install a 20-ft wide concrete pad, flush with the asphalt, that would run from the front of the new, curbed landscape peninsula to the edge of the sidewalk on the other side, thereby separating the parking lot asphalt into two sections that could then be maintained independently; and 2) repair and restore the current asphalt by sealing and chip painting at a significantly lower cost than EP is incurring to have the old asphalt removed and then new asphalt put down. Dr. Farmer analyzed the Pros and Cons of this alternate proposal and recommended to President Shears and Treasurer Bunton that EP should proceed with the current construction proposal. President Shears and Treasurer Bunton accepted this recommendation and subsequently decided to continue with the current construction proposal. More detail hereon is available to Board members upon request.

Estancia Primera Community Services Association (EPCSA)
Minutes of the Meeting of the Board of Directors
Friday, December 8, 2023

Call to Order: Vice President Gene Creeley called the meeting to order at 9:02 am via videoconference using Zoom.

Directors in Attendance: Brenda Shears (President), Gene Creeley (Vice President), Scott Bunton (Treasurer), Barbara Chamberlin, Errol Levine, Jill McIntosh, Jo Beth Speyer, and Leslie Walker-Hirsch

Directors absent: Connie Burke

Others Present: Linda Averett (Secretary), Kurt Sommer (EPARB Chair), Greg Casey (Recreation Center Manager), Sandy Farmer (Capital Projects Coordinator)

Approval of Minutes of Previous Board Meeting: The minutes of the Board meeting of November 13, 2023, were approved unanimously as submitted.

Reports

Treasurer's Report:

As of November 30

- the operating checking account contained \$43,166.43, of which \$2,250 was the total of Architectural Review Board project deposits being held by EPCSA.
- the capital reserve savings account at Century Bank contained \$67,154.36, and the capital reserve savings account at Enterprise Bank and Trust contained \$200,172.86, for total capital reserve savings of \$267,327.22.
- \$9,589 of the 2023 scheduled/budgeted \$31,023 contribution to capital reserve savings remains in the operating checking account, after deduction of the expenditures made this year on the parking lot and sidewalk replacement project preparations, a new hot water heater for the Clubhouse, and the regrading of the ground behind the Clubhouse. Since additional expenditures are not anticipated this month, that amount (or whatever amount remains if there were to be additional expenditures this year) will be moved to capital reserve savings as of December 31, yielding a total of approximately \$278,000.
- If there is an operating surplus at the end of the year, a proposal will be made to the Board at its February meeting that it approve moving that surplus amount into a capital reserve savings account.

Approval was requested to use the \$200,172.86 in the Enterprise Bank and Trust capital reserve savings account to purchase a 3-month Certificate of Deposit from Enterprise in order to obtain a higher interest rate. A longer-term CD with a yet higher rate isn't feasible because access to these funds may be needed before a 6-month CD would mature, so payment is available for the costs of the parking lot. Motion was made by Errol Levine, seconded by Jo Beth Speyer and approved by unanimous vote to transfer the reserve savings to a 3-month CD at approximately 1% interest rate.

A draft budget for 2024 (attached) had been circulated to the board members for review prior to the meeting. Treasurer Bunton went through the line items of the budget noting in particular the pool

expenses for 2023 exceeded the amount budgeted by 23%. In follow-up to a request for additional information, Greg Casey had been asked to contact Carver Busch of Kokopelli Pools to provide an analysis of the expenses. Greg did contact Carver regarding the repairs last summer to the pool. Carver sent a breakdown and Greg and Carver went through the different categories of expenditures. In summary, \$11,854.50 was spent during the 2023 season: \$3667.50 for chemicals of which about \$1000 for additional chlorine; \$1075 for service calls; and \$1072 for repair parts, which was about 80% related to the chlorine problem. That would make the total about \$2600 for that issue. Regular maintenance was about \$6000 in 2023; Carver does not expect that to increase for 2024.

Treasurer Bunton made a motion to approve the 2024 budget, amended by Errol Levine to indicate that the 2024 budget includes that the annual assessments for 2024 will remain at \$656 for a home and \$66 undeveloped lots. The motion, seconded by Errol Levine, was passed unanimously. The budget will be distributed with 30 days to EPCSA members via email.

A request from Connie Burke was presented by Scott Bunton to purchase wreaths for the clubhouse entrance doors. A motion was made by Treasurer Bunton and seconded by Errol Levine to approve the purchase of 2 wreaths up to \$200. The motion passed unanimously. President Shears noted that it is likely that the cost of the wreaths will be well under that amount.

President Shears referred to a Recreation Center related purchase from August that had exceeded a previous authorization of the board for items to refurbish the patio cushions and umbrellas and purchase new signs regarding the policy for eating and drinking in the vicinity of the pool. A motion was made by Brenda Shears to reimburse Connie Burke for the additional \$274 to cover the cost of the signs and frames for the pool deck. The motion was seconded by Barbara Chamberlin and passed unanimously.

Architectural Review Board (ARB) Report: ARB chair Kurt Sommer was unable to attend the meeting; his report was read by Vice President Creely:

“My summary report of pending matters for December 2023 is attached. There are some new projects underway. Cynthia and John Dean at 745 Calle Altamira desire to replace windows and in the process desire to remove their passive solar windows as well. Drs. Carothers at 778 Calle Altamira discovered when installing their pergola that the wood on their windows was rotted out. They have pending a new application to approve removal and new windows. I have not been asked to review any new projects. I have submitted for 766 Calle Altamira a landscaping plan, which is pending approval by the ARB. I will not start the work until spring. That is all for December 2023. I wish you all a very Happy Holiday Season.” (See attached ARB Projects in Progress).

Real Estate Report: Real estate chair, Jill McIntosh, reported that 503 Los Nidos is a new listing; 768 Calle Altamira remains on the market; 774 Calle Altamira is under a new contract and due to close January 24, 2024 – a new disclosure statement will be issued.

Recreation Center Report: Recreation Center Manager Greg Casey reported as follows: Clubhouse reservations have picked up for December. Racquetball activity remains the same. One additional crack has appeared in the Clubhouse. Mr. Casey has reached out to David Laing of D.M.L. Inc. to determine what will be required to maintain the uplifting tapes on the tennis court surface. Brenda Shears mentioned that annual costs for that maintenance may be required; Treasurer Bunton responded that the 2024 budget includes \$500 for tennis court maintenance.

Grounds Maintenance Committee Report: Committee Chair Jo Beth Speyer that there has been no activity regarding Grounds Maintenance since the irrigation has been turned off for the winter.

Recreation Center Exterior Facilities and Grounds Renovation Project Update: Capital

Reserves Project Coordinator Sandy Farmer reported the following status:

- The EP architect, Steve Shaw, informed Farmer on Dec. 4, 2023 that Steve Peterson (of CAI, the concrete sub-contractor) went to the Santa Fe City building department and was told only a 'special permit' would be required: No paperwork, 2-3 day turnaround, and only a few hundred dollars. Peterson will deal with this in the Spring.
- Farmer emailed Leeder Construction on Dec. 4, 2023 asking when Leeder thought its attorney would be able to draft whatever contract language there would be so that EP could have it reviewed well in advance of any potential start date for construction in the Spring. There has been no response to date.

Unfinished Business

There was none.

New Business

There was none.

Homeowner Comments

There were none.

Announcements

The next EPCSA Board meeting will be held on Friday, January 12, 2023, at 9:00 am using Zoom.

Adjournment:

A motion was made, seconded, and approved unanimously to adjourn the meeting, and Vice President Greeley adjourned it at 9:54 am.

Minutes prepared and submitted by: Linda Averett Date: 1/12/2024.
(Linda Averett, Secretary)

Signed on behalf of Board by: Brenda L Shears Date: 1/12/2024.
(Brenda Shears - President)

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - December 8, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
1	Carothers/Marin	778 Calle Altamira	Pergola construction	Conditional approval pending.	\$250	No	Resquested and updated application for additional work, and construction has commenced.
2	Chamberlin, Barbara	787 Avenida Primera South	Deck construction	Conditional approval pending.	\$250	No	Conditional approval pending. Application submitted 6-30-2023. There are issues to address with the City of Santa Fe. Work is on hold.
3	Sommer	766 Calle Altamira	Landscaping plan		\$250		Submitted request for approval to ARB.
4	Gustafson	512 Los Nidos	Installation of white or tan roof and mini-split	Approval denied by Los Nidos approved tan; denied white; EPCSA ARB to address	\$250		In Process
5	Stewart/Hargreaves	670 La Viveza	Restoration of Atrium	Approval granted	\$250		In Process
6	Breckenridge/Sproat	509 Camino Los Altos	Installation of mini-split	Approved by EPCSA ARB	Confirm receipt of deposit		In Process
7	Miller	425 Los Altos Way	Tree replacement	Approved by Los Altos and EP conditional on appropriate irrigation	Confirm receipt of deposit		In Process

ESTANCIA PRIMERA ARB - PROJECTS IN PROGRESS - December 8, 2023

	<u>Owner Name</u>	<u>Address</u>	<u>Project</u>	<u>ARB Conditional Approval Date</u>	<u>Deposit</u>	<u>Deposit Refunded</u>	<u>Current Status and Final Approval</u>
8	Groce	765 Paseo Crest	Mini-split request	Pending approval by ARB	Confirm receipt of deposit		In Process
9	Cynthia Dean	745 Calle Altamira	Window renovation	Approved by Altamira	Confirm receipt of deposit		Pending approval of EPCSA
10							