

ELDORADO

at Santa Fe

1 La Hacienda Loop
Santa Fe, New Mexico 87508 Office: (505) 466-4248

ECIA Board Meeting Minutes

Tuesday, October 17, 2023

Via Zoom and In-Person in ECIA Classroom

Call to Order and Introductions. The meeting was called to order at 5:31 PM; held in-person and via Zoom. President Amelia Adair, Vice President Jonathan Turkle, Treasurer Joseph Gutierrez, Secretary James Herbert Williams, and Directors Carol Sanguinetti and Ken Howard were in attendance and quorum was met. Director Mary Bonilla arrived after quorum was announced.

HOAMCO staff present included General Manager Julie Navarro, Executive Assistant Ciara Walsh, Operations Director Mike Rogers, Director of Communications Jessica Neal, Architecture and Covenant Compliance Coordinator Mark Young and Pool Manager Logan Dutton.

Consent Agenda. The Board unanimously approved the consent agenda, thereby 1) approving the Agenda as presented; 2) ratifying the Minutes of the August Board meeting, which were previously approved unanimously via email; 3) changing the name of the Volunteer Retention and Recruitment Committee to the “Eldorado Volunteer Committee” (EVC), as recommended by that Committee; 4) adopting the proposed 2024 Board Annual Calendar (attached); and 5) adopting the revised 2024 Nomination Petition form (attached) as recommended by the Elections Committee.

Community Connections. Facilities and Grounds and Eldorado Volunteer Committee Chair Kathy Ritschel recognized Eldorado/285 Recycles and Sue Garfitt for their effort in receiving an award from Santa Fe County for the number of pounds of recycled material collected under their leadership.

President Adair recognized the Eldorado Arts & Crafts Association (EACA) for presenting a successful 2023 Studio Tour.

Open Forum. The following residents spoke:

- Joan Mitchell expressed concerns about plans to build mountain bike trails in the Greenbelts. Tom Bredenbergh, co-chair of the Conservation Committee (CC), confirmed there are no plans to build mountain bike trails on the Greenbelts.
- Craig Barbanell inquired why Camerada Road was paved. Director Sanguinetti, Board liaison to the Road Committee (RC), confirmed that all roads in Eldorado are owned, maintained and improved by Santa Fe County. The RC works with the County to recommend road maintenance, but cannot direct them.
- Drea Besch inquired about the possibility of building a sidewalk along Azul Road and gating the entrances to Eldorado. Treasurer Gutierrez reported that a hike/bike path along Azul has been a top priority of ECIA residents, but hike/bike paths are owned and constructed by the County. The project has been under consideration for many years. Again, all roads are public, owned by the County, therefore, the ECIA cannot gate entrances.

President’s Report and Announcements. President Adair reported there will be two Town Hall meetings on Oct. 24th via Zoom only. The annual F&G Town Hall will begin at 6 PM, followed by the Budget Town Hall presented by

the Finance Committee (FC) at 7 PM. F&G has requested questions and comments be submitted prior to the meeting. A New Resident Welcome event will be held at the Community Center on Nov. 4 at 9:30 AM; all residents are welcome to attend. Please RSVP Jessica Neal, jneal@hoamco.com. The Annual Volunteer Appreciation Dinner will be held on Dec. 7 which will include all ECIA volunteers beyond only committee members.

Management Reports

- GM Navarro reported she has completed recertification of her CMCA (Certified Manager of Community Associations) credential and is working toward additional certifications; she is also looking at courses available online from Community Associations Institute (CAI) for staff to further their professional development. Monthly staff meetings will be held following the Board meeting. A new Compliance Assistant has been hired to replace Niamh Walsh at the front desk: Paola Arteaga; her information is on the ECIA website, www.eldoradosf.org > Contacts > HOAMCO Staff.
- Pool Manager Dutton provided an end of season pool report. Please see the full pool report in the November issue of *Vistas*. The Board requested also requested a report of how many people used the pool in 2023, based on amenity card data.
- OM Rogers reported the construction fence is up and excavation for the new Maintenance Facility area is progressing. The Maintenance Team has made repairs to the fence at the softball field. Next week, they will be assisting the CC making repairs to the 200 trails.
- Director of Communications Neal reported her progress on revising the Facebook Policy as well as developing a Facebook Group for members. She is researching "Text My Gov", a two-way mass text interface, which would allow ECIA to send mass texts to the community regarding essential information. Vice President Turkle will assist in this research. She is also working on updating the editorial policy for ECIA-approved content for the website, eBlasts, *Vistas*, and Facebook to ensure consistency of information sent out to the community. Finally, she's working on procedures for the Caliber Portal where members can locate private information such as their ECIA financial records and Governing Documents, Meeting Minutes, Budget information.

Treasurer's/Finance Committee Report and County Liaison Update Treasurer Gutierrez reported on the status of ECIA's financials as of the end of September 2023: The cash balance is approximately \$310K higher this year than at the end of September of 2022; 62% of the budgeted expenses have been spent, indicating the Association has spent 13% less than expected at this time. Only .3% of 2023 assessments remains outstanding, a very low accounts receivable percentage. The Finance Committee has recommended a \$40 increase to annual assessments; questions and comments will be heard at the Oct. 24 Budget Town Hall.

Motions

6. Amend proposed 2024 budget for pollinator garden R&R project. Treasurer Gutierrez moved to amend the draft 2024 Budget to add the Pollinator Garden to the Replacement and Reserve budget, in an amount not to exceed \$34,250, as recommended by the FC. The motion was seconded. Following discussion that the project was not completed this year, and that change does not change the proposed operating budget or assessment amount, the motion was approved. The amended proposed 2024 budget may be viewed on the ECIA website: > Board & Committees > Governing Board.

7. HOAMCO Contract Extension. Treasurer Gutierrez moved to approve the recommendation from the Finance Committee to approve an extension of the HOAMCO management contract for an additional one-year term commencing Jan. 1, 2024, including the addition of Community Association Management Guidelines. The motion was seconded and approved. The Community Association Management Guidelines are attached.

8. Policy on Political Endorsements. President Adair moved to approve the Policy on Political Endorsements and Related Communications, version dated Oct. 3, 2023. The motion was seconded. Following discussion regarding member comments and the changes made, including to remove Community Center rental information and facility use from the Policy, and the work ongoing to create a facility use policy and new rental agreement, the motion was approved.

9. Compliance Policy. Director Howard moved to approve posting for member comment the draft, revised Compliance Policy recommended by the Covenant Compliance Task Force, version dated Oct. 6, 2023, attached. The motion was seconded. Following discussion that a town hall will be scheduled to take member comments and questions regarding the proposed Policy, the motion was approved. The proposed Compliance Policy may be reviewed, and comments may be entered into the comment form on the ECIA website: > Board & Committees > Governing Board.

10. Staff Holiday Policy. President Adair moved to approve for posting for member comment the draft Staff Holiday Policy, attached. The motion was seconded. Following discussion on the details of the Policy, which is consistent with the Board's motions over the last three years, the motion was approved. The proposed Staff Holiday Policy may be reviewed, and comments may be entered into the comment form on the ECIA website: > Board & Committees > Governing Board.

Committee Reports (Minutes of Committee meetings may be viewed on their respective page of the ECIA website: www.eldoradosf.org).

- Tom Bredenberg, co-chair of the Conservation Committee, announced work on the 200 trail of the Eldorado Preserve commencing on Oct. 24 to repair erosion damage. Parking and access to this trail will be limited during repairs.
- Architecture Committee. Covenant and Compliance Coordinator Young reported 18 violations issued in September, of which 15 have already been closed. The status of the revision of the Architectural Guidelines: the AC is reviewing comments submitted and will report back to the Board at the November Board Meeting on the projected date for a revised draft. At least one, and possibly more town halls will be scheduled in the future for additional member comments and questions.
- Facilities and Grounds Committee. F&G Chair Kathy Ritschel reported that community garden members donated 12 benches from the former garden that used to exist behind the El Dorado Community School. Notice of the proposal to place them along the hike/bike paths was made to the members via eblast; following member input and notification of the County, benches will be placed along the paths.

No Variance Requests.

Old Business

- Leadership Retreat Review and Next Steps – President Adair presented a PowerPoint summarizing the outcomes of the September annual leadership retreat, which is available for review on the ECIA website: www.eldoradosf.com > Boards & Committees > Governing Board > Sept. Board Retreat minutes. Among other outcomes, members will receive a survey regarding core values and demographic questions with annual assessment statements.
- Facility Hours, Rental Policy and Facility Attendants – In an attempt to reduce staff presence onsite during non-regular office hours, the Board asked GM Navarro to propose options at the next Board meeting. The Board discussed updating the facility rental policy and developing a facility use policy. In interim, status quo for groups utilizing the facility will remain the same.
- Greenbelt Management Policy Working Group – Vice President Turkle will schedule a meeting with vendor Jan Willem of Ecotone for himself, Joseph Gutierrez, Amelia Adair and Thom Bredenberg, to get input on planning for wildfire protection, erosion, safety, and conservation of the greenbelts. Grant money may be available for this work.

No New Business.

Adjourn. The Board meeting was adjourned at 7:37 PM. The Board moved into executive session to discuss legal and personnel matters. The next regular Board Meeting will be held in-person at the Community Center and via Zoom **Tuesday, Nov. 21 at 5:30 PM.**

Annual Calendar for ECIA Board for 2024

Meetings generally will be held the third Tuesday of the month at 5:30 pm

Most items take place during regularly scheduled Board meetings unless otherwise noted

January	<ul style="list-style-type: none"> Review of prior year financials, approve for submission to auditor, approve audit contract Review annual committee goals (Quarterly Board/Committee Chair Meeting) Call for Board nominations <p>Reminder: Annual meeting packet materials due Feb.; annual corporate report due, leadership skills training for potential Board candidates</p>
February	<ul style="list-style-type: none"> Review and approve annual audit report Appoint Bylaws Review Committee (in odd years) Committee reports and Board annual report (due Feb. 15) <p>Reminder: assessments due February 15</p>
March	<ul style="list-style-type: none"> Board candidate forum held Approve insurance renewal quotes (renewal due in April) <p>Reminder: March 1 date of record cutoff for MIGS status & Board nomination petitions; annual meeting packet due to printer in early March</p>
April	<ul style="list-style-type: none"> Strategic planning for committees' 2025 budget requests (Quarterly Board/Committee Chair Meeting)
May	<ul style="list-style-type: none"> Annual Meeting of Members (1st Monday in May) Hold organizational Board meeting to elect officers Orientation for new board members <p>Reminder: Pool opens</p>
June	<ul style="list-style-type: none"> Annual leadership retreat (2nd Saturday in June?) <p>Reminder: Committee budget requests for next year due June 15; check on County ICIP fund request deadlines</p>
July	<ul style="list-style-type: none"> Budget planning begins – review next year's capital and R&R projects <p>Reminder: July 4 Parade and Party held</p>
August	<ul style="list-style-type: none">
September	<ul style="list-style-type: none"> Review Finance Committee recommendations for budget and assessment, approve draft budget to be posted for public comment Status of annual goals (Quarterly Board/Committee Chair Meeting) <p>Reminder: Pool closes, Doggy Splash Day and Community Fun Day at the Stables</p>
October	<ul style="list-style-type: none"> Budget town hall
November	<ul style="list-style-type: none"> Approve next year's budget Approve invoice form and annual letter to ECIA members Update annual calendar for the coming year
December	<ul style="list-style-type: none"> Draft Board annual report for review Approve annual roll over of excess assessments into reserve funds <p>Reminder: Volunteer Appreciation Dinner 1st Thursday in December</p>

ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION, INC.
2024 NOMINATION PETITION FOR BOARD OF DIRECTORS FOR A TERM EXPIRING
May 3, 2027

INFORMATION AND INSTRUCTIONS

CANDIDACY REQUIREMENTS

To be a candidate for election to the ECIA Board, the ECIA Bylaws require the candidate to meet all the following criteria:

- ☐ be a Lot Owner of record who resides full-time in Eldorado; and
- ☐ have their **2024** assessments paid in full and have been received and credited to the Association's financial account as of **March 1, 2024** (Candidate responsible for confirming assessments have been properly credited); and
- ☐ be a member in good standing (rights and privileges not suspended).

SUBMITTING PETITIONS AND REQUIRED DOCUMENTS

The proposed Candidate must file a complete package at the ECIA Office as defined below, **no later than 5:00 p.m. on March 1, 2024**. The Petition shall not be mailed or placed in a drop box but must be hand delivered to the ECIA General Manager or designee.

A complete package must contain:

- ☐ Petition with **at least** 25 valid signatures as defined below (Obtaining Signatures);
- ☐ Signature of the proposed Candidate at the bottom of the last page of the Nomination Petition. No Petition will be accepted unless signed by the proposed Candidate; and
- ☐ Recent photograph of the proposed Candidate; and
- ☐ Statement with Candidate's biographical information and "goals for the community", not to exceed 400 words.

Note: Only the photograph, biographical information and goals for the community may be provided electronically to the General Manager (see website contact information).

OBTAINING SIGNATURES

The proposed Candidate must submit a Nomination Petition to the ECIA Office with **at least twenty-five (25) valid** signatures. To be valid, a signature must be of a Lot Owner whose:

- **2023** assessment(s) are paid in full and have been received and credited to the Association's financial account as of the date the lot owner signs the Petition, and whose
- rights and privileges are not suspended as of the date of signature.

It is highly recommended more than 25 signatures be obtained in case some signatures are not valid. **The Petition will be rejected if it lacks 25 valid signatures.**

Signatures may be obtained in two ways:

- (1) Lot owners may sign the Nomination Petition in person; or
- (2) Lot owners may send their support via an email to the proposed Candidate. The email must contain: Name, Eldorado mailing address, Date and a Statement of Support. An example of a Statement of Support is:

“I, Jane Doe, support the candidacy of Karen Smithy for the 2024 ECIA Board of Directors election.”

If an email is submitted in lieu of physical signature, each individual supporting email must be printed and attached to the Nomination Petition (there may be multiple sheets).

Note: Only one signature per Lot will be counted in determining whether the valid signature requirement is met. A Lot Owner may sign the Petition of more than one proposed Candidate. Owners of multiple Lots may sign a Petition equal to the number of lots they own.

VALIDATION OF NOMINATION PETITIONS

Nomination Petitions are reviewed by two members of the Election Committee at 5:00 pm on March 1. Petitions are reviewed per the ECIA Election Procedures and then securely stored in the General Manager's office.

The ECIA General Manager or designee will determine whether proposed Candidate(s) meet the Bylaws and Election Procedures requirements and if the Petition contains the required number of valid signatures.

Validation of signatures on Nomination Petitions will begin at 9:00 a.m. on **March 4, 2024**, at the Eldorado Community Center Office. Due to limited space, proposed Candidate(s) who would like to be present must inform the ECIA General Manager no later than 5:00 p.m. on March 1, 2024. The Election Committee Chairperson or designee will notify proposed Candidate(s) of the determination.

Failure to follow the above instructions when completing and filing the Nomination Petition will result in the Petition being deemed invalid. Proposed Candidate(s) should call the General Manager if there are questions about the Petition.

GENERAL INFORMATION

Signage: Campaign signs may not be larger than 2 feet by 3 feet and may not be installed or posted earlier than March 11, 2024. A candidate cannot place campaign signs on any of The Common Properties of Eldorado. A candidate may place only one (1) sign on each Lot Candidate owns and one (1) sign on any other Lot only with the permission of that Lot Owner. Campaign signs must be removed no later than 5:00 p.m. on **May 6, 2024**.

Note: Section 18.20.5.15 of the New Mexico Administrative Code prohibits political posters on highway right-of-ways and it is the policy of the Santa Fe County Public Works Department to remove signs from county right-of-ways.

Campaign Literature: A candidate may disseminate campaign literature door-to-door, via the U.S. Postal Service, and if available, by use of the white tube attached to the mailbox post; however, no literature is to be disseminated in any manner that will litter Eldorado.

Candidate Forums: Candidate Forums are tentatively scheduled for March 20, 2024 and for April 11, 2024.

Candidate(s) are not required to attend either of the ECIA Candidate(s) Forums but are strongly encouraged to do so.

BALLOT COUNTING:

Ballot counting will be held May 3, 2024, beginning at 9:00 a.m. in the ECIA Conference Room or alternative location as circumstances warrant. Candidates will receive an invitation for themselves or a designee to observe the counting process. The candidate or designee must read and sign the Observers Rules document and return same to the ECIA General Manager no later than 5 p.m. on **April 29, 2024**.

POST ELECTION REQUIREMENT:

Candidates successfully elected to the ECIA Board of Directors are required to sign the Agreement to Serve document as required by the ECIA Bylaws.

Eldorado Community Improvement Association, Inc.

Pursuant to the Bylaws of the Association, each ECIA Lot Owner whose signature appears on the attached list does hereby nominate _____ for election to the Board of Directors for a term ending **May 3, 2027**.

AN ILLEGIBLY PRINTED NAME AND ADDRESS WILL INVALIDATE THE SIGNATURE

(Each signer's **2023** assessments must be paid in full and have been received and credited to the Associations financial account, and rights and privileges not suspended, as of the signature date.)

#	DATE	LEGIBLY PRINTED NAME	SIGNATURE	LEGIBLY PRINTED ELDORADO ADDRESS
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

Nomination Petition for _____

AN ILLEGIBLY PRINTED NAME AND ADDRESS WILL INVALIDATE THE SIGNATURE

(Each signer's 2023 assessments must be paid in full and have been received and credited to the Association's financial account, and rights and privileges not suspended, as of the signature date.)

#	DATE	LEGIBLY PRINTED NAME	SIGNATURE	LEGIBLY PRINTED ELDORADO ADDRESS
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				

I hereby certify that I am a Member in Good Standing, reside full-time in Eldorado, and will be a Member Eligible to Vote with the ECIA in the **May 6, 2024** election. I do accept the above and any attached email nomination(s) to serve on the Board of Directors of the Eldorado Community Improvement Association, Inc. for a term ending on **May 3, 2027**. **I have read the Information and Instructions section of this Petition and agree to abide by said instructions. Signature required below to validate this petition.**

Signature

Date

Phone Number

Street Address

Email

NOTE: Nomination Petitions for the Board, with a minimum of 25 valid signatures, must be received no later than **5:00 p.m. on March 1, 2024**.

APPENDIX C

ECIA Community Association Management Service Guidelines

The following Guidelines describe ECIA's desired minimum performance standards for Community Association Management.

The ECIA Board's goal is to improve the service and professionalism of our community association management, by ensuring the community is managed efficiently, according to appropriate operating procedures and standards. The professional performance and assistance of the Management Company and Community Association Managers (CAMs) is necessary to achieve this goal.

Ideally, both the Board and the CAMs must understand and agree on their respective roles and responsibilities in all areas of community management, including financial management, architectural review, common area and amenity maintenance and oversight, meeting procedures, covenant, rule and policy enforcement, and other management company functions. Therefore, ECIA has developed these Guidelines to clarify roles and responsibilities and its expectations for CAM performance.

The Board acknowledges that some of these Guidelines are not currently being met, but the Board and the Management Company agree that they will work towards the objective of achieving and consistently maintaining these Guidelines before the end of the contract term. Accordingly, failure to achieve the requirements in the Guidelines, without more, will not constitute a breach of the contract. The Guidelines should encourage the Board, the Management Company and CAMs to make sustained progress toward achievement of these Guidelines over the term of the contract.

Key:

- **Yellow highlight** indicates standards not currently being met as of the date these Guidelines are approved.
- **Green highlight** indicates standards met intermittently as of this date
- No highlights indicates standards mostly being met as of this date

A. Open and Timely Communication with the Board, Committees, and Professional Meeting Management

1. **Phone Calls and E-mail Response.** All phone calls and e-mails should be responded to the same day whenever possible and no later than the end of the next business day after the call or e-mail was received. **If a CAM will not be available to return phone calls or e-mails according to this standard, out-of-office messages must be placed on voicemail and e-mail advising everyone of an alternative contact who can meet this standard.** The Board President is the authorized representative of the Board. However, calls, emails and letters from other Board members, homeowners and vendors also must be responded to according to this standard.
2. **Personnel Changes - Website Updates.** The Board must be notified, and the website updated with accurate information, about any changes in onsite CAM staff within one week of the changes.
3. **Meeting Agendas, Zoom links.**
 - a. **CAMs must send E-blasts with Zoom links at least 24 hours before all Association meetings, including Board meetings, committee meetings, town halls, annual meetings and other events.**
 - b. **The Board must finalize Board meeting agendas at least four (4) business days prior to Board meetings for website posting and E-blasts distribution. Committee chairs are encouraged but not required to meet this same standard.**

- c. CAMs must post approved agendas on the website and send them out via E-blasts within 24 business hours of receiving them.
 - d. CAMs are responsible for tracking deadlines and communicating with the Board president and committee chairs to achieve the above deadlines. CAMs must ensure all directors and committee chairs are informed of who is responsible for these functions, including but not limited to during staff vacations or when staff changes or roles change.
4. **Board Meeting Packets.** Final Board meeting packets must be received by, or made available to, all Board members no later than three (3) business days prior to meeting dates to allow the Board time to read and understand all items being voted on. CAMs shall prepare the Board packet, including motions, in collaboration with the Board president, according to an agreed-upon schedule.
 5. **Minutes, Policies.** The Board is responsible for completing and approving the contents of all Board meeting minutes, but the CAMs will provide draft meeting minutes including approved policies and resolutions within five (5) business days after a meeting. The Board may request this service for committee meetings, on the understanding that CAM staffing levels may need to be adjusted to accommodate this service. Minutes, policies, rules and resolutions must be posted on the website within 24 hours of approval by the Board or committees.
 6. **Board and Committee Meeting Staffing.** CAMs will provide room scheduling, set up and technical support for all meetings. Designated CAMs must attend Board meetings, Board retreats and trainings, annual meetings, town halls and committee meetings. Board directors and committee chairs will chair the meetings. In addition to administrative and technical support – i.e. hosting the Zoom meeting and taking minutes if required – every committee will have a senior staff member designated to attend its meetings at least every other month. That staff member will be responsible for overseeing completion of action items and communicating with other CAMs about committee activities.
 7. **Enforcement and Community Status Reporting.** Accurate reports of violations, corrections, maintenance issues will be made monthly to the Board as part of the monthly Board packet. The Board will be notified immediately of any serious or urgent issues.
 8. **Board Updates.** CAMs must keep the Board informed of any issues they become aware of regarding homeowners or issues affecting the community which may impact the Board or require a response by the Board. At least monthly, as part of the Board packet, CAMs will provide either a summary of or collection of homeowner feedback about policies or community issues.
 9. **Homeowner Communication.** CAMs are the central point of contact for homeowners with the Association, and they maintain and document records for the Association. Therefore, CAMs are responsible for most communications with homeowners. Board directors and committee chairs generally should not answer homeowner questions except at meetings where CAMs are present, but should instead refer homeowners to CAMs to respond. In situations agreed to between CAMs and the Board, certain types of homeowner questions may be referred directly to committees or volunteers, for example, concerning events, or issues specific to a committee like Bylaws Review.

B. Sound financial oversight and management

1. **Financial Report Delivery.** Accurate, timely financial record keeping and reporting is critical. Coding of expenses must be accurate. Financial statements and accounts receivable reports must be prepared and forwarded to the Finance Committee (FC) the Friday before the FC's meeting, and to the Board not later than date the Board packet is due. Financial reports must also be posted on the Association's Caliber portal for member access before the Board meeting.

2. **Financial Management Experience.** CAMs shall have experience in budget preparation, reserve study review, insurance requirements, financial statement analysis, and an understanding of the financial performance of the community.
3. **HOA Records, Invoices, Payment Plans.** Association financial records must be maintained in a comprehensive and accessible manner so any questions or disputes can be resolved. Reconstructing billing history on all lots should be easily achieved. Payment plans should be documented. Invoices are reviewed and errors/overages addressed and corrected in a timely manner.
4. **Board Questions.** CAMs should be prepared to address any questions regarding financial status of the Association at every FC and Board meeting and answer questions regarding financial reports at the request of the Board. The Board shall submit questions in advance of the meeting in order to allow CAM access to the records for research, or in the event the questions arise at the Board meeting which the CAM cannot answer, the CAM must provide answers to the Board within two business days.
5. **Key Deadline Reporting.** The FC and Board must be kept informed of important financial dates, e.g. C.D. roll-over dates, insurance anniversaries, audits, tax reporting, budget approval, annual corporate reports, etc.
6. **Budget Preparation.** CAMs must prepare draft budgets for FC and Board review, according to the Board annual calendar, consistent with the Board's strategic plan and in consultation with the Treasurer and committee chairs.
7. **Reserve and Replacement Planning and Studies.** CAMs will maintain a comprehensive, accurate and up-to-date inventory of reserve components and ensure an accurate, professionally conducted reserve study is completed or updated not less than once every three years. New amenities and replaced amenities will be added to the inventory and reserve and replacement projections, so financial analysis and budgeting will be as accurate as possible.
8. **Bid Standards, Procurement Policy and Vendor Oversight.** CAMs will follow the Association's Procurement Policy and seek competitive bids where appropriate. All bids for work must be clear, complete and concise, with a well-defined scope of work, before forwarding to the FC then Board for review and approval. Vendors must meet standards for quality, licensing and insurance. Vendor invoices will be paid promptly provided the work was done to contractual and community standards. CAMs will maintain close supervision of vendors such as janitors, landscapers and contractors. Inspection of work by vendors should be frequent and thorough.

C. Consistent, professional communication with and service to homeowners

1. **Orienting New Homeowners.** New homeowners should be welcomed with timely, relevant information to help them understand their new community, including services available at the community center, architectural guidelines, and what other entities are responsible for services in the community in addition to the ECIA. CAMs will mail initial welcome letters as soon as possible post-close, or not less than nine (9) business days after closing information is received from escrow. CAMs will prepare new resident welcome packets and cooperate with volunteers to deliver or mail them within 45 days post-close. The GM or other senior staff will support and attend new resident welcome events, held not more than quarterly, to introduce themselves to new residents.
2. **Newsletters and Websites.** ECIA values clear, respectful and timely communication with all members. CAMs will provide content for annual reports, newsletter articles and website updates containing key information about the Association to the Board. Newsletters will be sent out monthly to all residents, either via mail or email. E-blasts will be sent out promptly when necessary according to editorial standards. Marquees will be updated regularly. Webpages will be updated as soon as new information is available. Content will be fresh, relevant and easy for homeowners to find.
3. **Community Center Staffing, Hours, Maintenance.** The community center is a popular and convenient amenity for our members, many of whom prefer to seek answers to questions in person from CAMs. Therefore, CAMs knowledgeable about the ECIA and

able to answer common member questions will staff the community center front desk during business hours, currently 8:30 am to 5:00 pm Monday through Friday, except for federal holidays and other holidays approved by the Board. The community center will also be open and the front desk staffed Saturdays while the pool is open, with hours to be approved by the Board. Senior CAMs are expected to be available in person or by phone to promptly resolve issues, answer more complex questions and guide and supervise junior staff, during business hours. The community center will be maintained in a clean, organized and professional manner. Damaged furniture, equipment and structural components will be repaired or replaced promptly, as approved by the Board.

4. **Events and Facility Attendants.** If authorized by the Board, the community center may be reserved for resident events outside of regular business hours. CAMs will manage scheduling events according to the ECIA's facility use policy, ensure reserving groups carry adequate insurance, make required deposits, and follow the rules to leave the facility clean and neat. The Board may require facility attendants be hired to monitor events outside of business hours, but those attendants may not take the place of CAMs during business hours. ECIA-sponsored membership events (such as the 4th of July, new resident welcome, volunteer appreciation, Community Day, Doggy Splash Day) may require staff planning and support, as directed by the Board. Not more than two (2) ECIA-sponsored events need be staffed in any one quarter.
5. **Professional Management Knowledge.** All CAMs must understand the policies, operations and general nature of the HOA, to accurate resources for members seeking information. Senior CAMs, particularly the GM, must be well-versed in state and federal HOA laws, parliamentary procedures, meeting organization, and be thoroughly familiar with the ECIA's governing documents including policies, rules and resolutions adopted by the Board.

D. Consistent and courteous resolution of homeowner issues, enforcement of covenants and rules; management action items resolved promptly

1. **Action Item Completion.** Prompt follow up will be made on all action items including Board requests and directions. This means that action items must be completed within one month, or if they cannot be completed within one month, the Board will be advised of the schedule for completion.
2. **Emergency Response.** Management Company maintains a 24 hour emergency answering service to protect association property and safety of residents.
3. **Courtesy to Homeowners.** All phone, email and written correspondence to homeowners such as violation warning letters must be polite and respectful in tone.
4. **Written Requests.** Requests to homeowners should be in writing or e-mail. If an emergency, calls should be followed up in writing to document the issue.
5. **Inspection of Common Areas.** To ensure standards of maintenance and use regulations are being met, CAMs are required to walk the common areas and conduct regular inspections of all active amenities at the Community Center monthly. All Open Space amenities will be inspected at least annually, and more often if necessary due to use, weather, vandalism or other complaints. Regular inspection reports will be made to the F&G Committee and the Board.
6. **Enforcement Resolution, Documentation.** Violations of the governing documents including the covenants, rules, policies and safety hazards shall be noted and promptly enforced according to the Association's compliance policy. Monthly Board reports must document progress toward resolution of violations.
7. **Community Maintenance.** CAMs must recommend, manage, and schedule appropriate community repairs, preventative maintenance and maintenance contractors. CAMs will prepare, distribute to the maintenance crew and/or vendors, and monitor compliance with a maintenance schedule for all common areas. CAMs must ensure that vendors perform to standard, landscape and amenities are properly maintained according to the maintenance schedule and community standards at all times, and that repairs are

promptly made, or recommend to the Board changes that will allow the Association to achieve those standards.

8. **Standard Operating Procedures and Checklists.** CAMs will write and regularly update standard operating procedures and checklists as reasonably necessary to implement the standards, policies and resolutions approved by the Board. New staff will be trained on these documents, which will be available for the Board to review upon request. If standards are unclear, CAMs will recommend and request the Board adopt or update policies to create or clarify standards.
9. **Architectural Review.** CAMs will support and attend Architecture Committee (AC) meetings, regularly scheduled for twice per month. CAMs are responsible for reviewing all architectural plan submission forms, resident communications, documentation of AC decisions, and inspecting to ensure compliance with approved plans. AC reports will be provided as part of the Board packet before every Board meeting.
10. **Pool, Courts and other Active Amenities at the Community Center.** The ECIA has exceptional recreational facilities that must be maintained and managed appropriately. The pool will be open, with adequate numbers of lifeguards, during the hours established by the Board each year, except when weather or health and safety issues require a closure. The pool manager will follow all federal, state and local regulations relating to the pool, and follow any requirements established by ECIA's insurance carriers and pool rules approved by the Board or the Facilities and Grounds (F&G) Committee. The pool manager will oversee lifeguards who likewise must comply with all such regulations. The pool rules will be enforced promptly, consistently and courteously. Likewise, CAMs will maintain and manage all other active amenities such as the sport courts, dog park, play grounds, etc. CAMs will provide reasonable, consistent and courteous enforcement of the Board's rules regarding facility use. One or more CAMs will be designated as responsible for meeting this standard.
11. **Open Spaces: Greenbelts, Preserve, Hike/Bike and Approved Trails, Community Stable.** CAMs are responsible for maintaining the primary recreational trails in the ECIA approved for maintenance by the Board, including the Hike/Bike trails on County property, approved trails in the Greenbelts, the Preserve and the Community Stable. Historically ECIA has used volunteers to help plan and execute maintenance projects in ECIA Open Spaces, and CAMs may be asked to support teams of volunteers as the Board may direct. Amenities in the Open Spaces, for example trailheads, parking areas, roads, signs, fences, gates, dog potty stations, and arenas at the Stables, will all be maintained according to the reasonable standards approved by the Board. ECIA does not require CAMs to conduct active oversight of uses in the Open Spaces as it does for the active amenities at the Community Center, but CAMs will conduct investigations into, and recommend action if necessary to resolve, complaints of serious issues, damage or violations of the Board's Open Space rules and policies.

E. General Operations

1. **Community Knowledge.** CAMs shall familiarize themselves with the physical aspects of the ECIA and demonstrate awareness of outstanding issues, rules and regulations. Even junior CAMs will be expected to become familiar with the operation of the community.
2. **Professionalism.** CAMs shall maintain a professional appearance and demeanor at all times. Attire should be suitable for each CAM's individual responsibilities, which may include inspecting and handling issues in common areas around the Community Center. The ECIA supports and expects appropriate, meaningful training and professional development goals for senior and client-facing CAMs.
3. **CAM vs. Board Roles.** CAMs must maintain their role as knowledgeable resource and action agents. They must not attempt to set policy or assume a decision-making role except as authorized by the Board, but they may make specific, informed recommendations to the Board.

**POLICY ON POLITICAL ENDORSEMENTS AND RELATED COMMUNICATIONS
OF THE ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION**

The following policy regarding how the Board will evaluate requests for political endorsements and related communications was adopted by the Board of Directors of the Eldorado Community Association, a New Mexico Non-profit Homeowners Association ("Association"), at a regular meeting of the Board of Directors. This policy will become effective on [date]: _____.

The purpose of this Policy is to:

- guide the Board when requested to make political endorsements or engage in political activities,
- prevent the ECIA's facilities and communication tools from being considered public forums,
- ensure assessments paid by members are not used to support political activity,
- educate Directors, committees and members about their roles and
- protect the best interests of the Association

The BOARD hereby adopts the following Policy on political endorsements and related communications:

A. POLICY.

1. **Non-endorsement.** ECIA will not endorse candidates for office of local governmental agencies including local metropolitan districts. It may propose residents to serve on resident advisory panels for these local governmental agencies, in an advisory capacity only.
2. **Communications not a public forum.** ECIA will not allow its newsletter, e-blasts, marquees, social media accounts or other methods of communication to be used for endorsement of political candidates or activities. The ECIA does not intend for any of these methods of communication to be open to the members or to the general public as a public forum.
3. **Announcements.** ECIA will allow neutral, informational announcements of non-commercial public meetings held on or near its property, which announcements may be limited in number or frequency. For example, the ECIA may restrict announcements of a political rally planned to be held in the Community Center to one announcement in the *Vistas* newsletter, and one eblast before the event. Daily or even weekly advance announcements via eblasts would not be allowed.
4. **Political advocacy.** On most political issues arising outside of the subdivision plat of Eldorado at Santa Fe, particularly where the Board reasonably believes ECIA members may have differences of opinion, the Board will not advocate or speak on behalf of the Association's members to other local government agencies or metro districts. Management staff also may not speak on behalf of the Association advocating for actions and policies not directly involved with the common property and the actions of the Association directly.

For example, the Board and staff may discuss and advocate for approval of a building permit to allow the Association to construct a recreational asset on the common areas like a playground

at the Community Center, but would not advocate for denial of a building permit for a commercial building proposed to be built off of the subdivision plat.

5. **Individual advocacy and action.** Board members and ECIA volunteers including but not limited to committee chairs have the right to engage in personal political activity so long as they make clear they are not speaking on behalf of the Board or the ECIA. Association members are encouraged to engage in individual political advocacy or to form voluntary associations for that purpose.

B. FINDINGS and BASIS FOR POLICY: The Board adopts this Policy based on the following findings:

1. **ECIA is an HOA, not a voluntary non-profit.** The Eldorado Community Improvement Association (ECIA) is a non-profit corporation, specifically a homeowners association as defined by the New Mexico HOA Act, Section 47-16-2(N), “an incorporated or unincorporated entity upon which maintenance and operational responsibilities are imposed and to which authority is granted in the declaration.” ECIA was created by Declarations recorded on all property in the Association. It is not a voluntary, charitable or social welfare association. Assessments are mandatory and must be paid by all property owners.
2. **Purpose of ECIA Assessments.** Assessments are calculated based on the budgeted annual cost of operating the community including funding for reserve and replacement items. Article V, Section 2 of the Declaration of Covenants for the ECIA defines the purpose of the mandatory assessments levied by the ECIA as “exclusively for the purpose of promoting the recreation, health, safety, and welfare of the residents and owners in The Properties and in particular for the improvement and maintenance of properties, services and facilities devoted to this purpose and related to the use and enjoyment of the Common Properties and of the homes situated upon The Properties and to provide reasonable and necessary public services...”
3. **ECIA is not a local government or quasi-government agency.** When ECIA was originally formed in 1972, its developer built and owned the roads and the local water system. As the years passed, before transition to homeowner control of the Board, the roads in the subdivision of Eldorado at Santa Fe were deeded to Santa Fe County. Later on, the water system was taken over by the Eldorado Area Water and Sanitation Department, which is not affiliated with the ECIA. Santa Fe County is the local government with sole responsibility for zoning, building permits, crime, fire and life safety, waste management, public roads, and regulating utilities such as water, power, phones, and so on. None of these functions are the responsibility of, nor are they within the power of, the ECIA to regulate or control.
4. **Purpose of ECIA.** ECIA’s Articles of Incorporation state that “The purpose of the Eldorado Community Improvement Association, Inc...is to provide for the administration, maintenance, preservation, architectural control and improvement of the Lots and Common Properties...the Association will promote the health, safety, and welfare of the residents within the above-described property.” The ECIA is not a political, social welfare or other advocacy group which people join voluntarily for the purpose of influencing governmental policy or taking political action.

5. **Newsletter not an open forum.** Courts in other jurisdictions have held that, unless homeowners associations invite the general public to use their newsletters and other communication methods, those newsletters and other communications are not a forum for free speech. Therefore, homeowners associations may limit public speech in their newsletters and other communications without regard to content.

C. CONCLUSIONS: Based on the above findings, the Board makes the following conclusions, which are the basis for adoption of this Policy.

1. **Reason for adopting this Policy.** The Board finds it advisable to adopt a policy clarifying the limits of Board's political advocacy, endorsements, and the use of its newsletter and other communication methods, to provide guidance to the Board, management and members about how the ECIA may take action on activities not related to governing the Association, maintaining and operating the common areas and providing for architectural control and covenant compliance. The Board especially wishes to educate its members about the limits on ECIA's actions and activity regarding issues outside of the subdivision plat of Eldorado at Santa Fe.
2. **Best interest of the Association.** The Board believes it would not be in the best interest of the Association to take political positions on which members may have differing opinions, or to have residents lobbying it for various political actions. The Board further believes it would be detrimental to the effective governance of the Association for members to choose to run for election to the Board on a political platform to engage in advocacy.
3. **Protecting effectiveness of communication methods.** The Board concludes it would detract from the purpose of communicating with residents about ECIA's actions to open up to anyone as a public forum its newsletter and other communication methods.

D. GENERAL

1. This policy shall replace and supersede all previous policies, rules, and regulations regarding the subject matter of this policy. The governing documents of the Association control if they conflict with any provision of this policy.
2. The Board may amend this policy in the same way it makes any other policy. It may also vote to temporarily suspend any provisions of this Policy if necessary for the best interest of the Association.
3. In the event that a court of competent jurisdiction finds any portion of this policy void or otherwise unenforceable, the other provisions shall remain in full force and effect.

The undersigned hereby certifies that the foregoing policy was adopted and made a part of the minutes of the meeting of the Board of Directors of the Association conducted on the _____ day of _____, 20____.

BOARD OF DIRECTORS OF THE
ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION

By: _____
Amelia Adair, President

**ELDORADO COMMUNITY IMPROVEMENT ASSOCIATION, INC.
(ECIA)**

COMPLIANCE POLICY

The following Compliance Policy was adopted by the Board of Directors (“Board”) of the Eldorado Community Improvement Association (“Association” or “ECIA”) pursuant to the New Mexico Homeowners Association Act, §47-16-1, et seq., NMSA 1978 (the “HOA Act”), at a regular meeting of the Board of Directors. The Policy is effective as of _____.

The Board wishes to adopt this Compliance Policy to encourage compliance with the community’s Governing Documents (defined and listed below). The Board values working cooperatively with owners to ensure the community standards are preserved. Therefore, the Board will continue to promote communication about the community standards specified in the Governing Documents; educate owners who may not realize they are out of compliance with those standards; and then - after giving owners a fair opportunity to participate in the process of covenant and rule enforcement - authorize staff to enforce those standards. To achieve this goal, the Board makes the following findings and adopts the following policy.

WHEREAS, the ECIA is charged with the responsibility for ensuring Member compliance with the Governing Documents, which include the Declaration Of Covenants for the Association dated July 10, 1972, (the “1972 Declaration”), the Amended and Restated Protective Covenants and Building Restrictions For Eldorado At Santa Fe, recorded April 24, 1996 (the “Restated Declaration”), and the rules, regulations, policies and guidelines approved by the ECIA Board, including but not limited to the Architectural Guidelines, Stable Amenity Rules, Pool Rules and all other amenity use rules adopted by the Board under the authority of the Declarations; and

WHEREAS Article III Section 1 of the Restated Declaration states that the “Board of Directors...is empowered to adopt and enforce written rules, regulations and guidelines for the interpretation, implementation and enforcement of this Restated Declaration;” and

WHEREAS Article III Section 2 of the Restated Declaration states that the “Board of Directors has the power to levy fines against violators of this Restated Declaration”; Article III Section 3 states that the Board may “recover a reasonable attorney fee” plus costs from violators, if judicial action is taken; Article IV, Section 3(c) of the 1972 Declaration states that the Board has the power to suspend Members rights to use and enjoy the common areas and amenities for up to 30 days for “any infraction of the published rules and regulations,” and

WHEREAS, §47-16-18 (b) of the HOA Act gives the Association the power to enforce the Governing Documents, by providing that “the association may, after providing written notice and an opportunity to dispute an alleged violation...:(1) levy reasonable fines for violations of or failure to comply with any provision of the community documents; and (2) suspend, for a reasonable period of time, the right of a lot owner or the lot owner's tenant, guest or invitee to use common areas and facilities of the association,” and

WHEREAS the Board promotes compliance with the Association’s governing documents to maintain, preserve, enhance, and protect the lot owner property values, and assets of the Association consistent with the authority granted in the Governing Documents; and

WHEREAS the Board does not intend for the Association’s enforcement powers be used to initiate or inflame neighbor-to-neighbor disputes; and

WHEREAS the Board finds it to be in the best interest of the Association to adopt a uniform and systematic process for restoring Member compliance with the Governing Documents, as they may be amended from time to time; and

WHEREAS the Board, management staff, and ECIA member volunteers want to foster a participatory and cooperative environment that encourages all members to be fully informed about the Governing Documents which they are subject to, when they purchased property in Eldorado; and

WHEREAS the Board desires to resolve violations in as timely a manner as possible;

NOW, THEREFORE, IT IS RESOLVED, that the following procedures and practices are established for the purpose of restoring compliance with the Governing Documents; and providing an escalating mechanism of enforcement when violations of the Governing Documents:

The Board adopts the following Compliance Policy:

A. Procedure for Handling Routine Violations.

[See Section D below for specific processes for expedited, urgent, or repeat violations]

1. **Courtesy Communication.** When, via an inspection or upon investigation of a complaint, the ECIA's General Manager or other designated management staff (collectively any community management staff person including but not limited to the General Manager, are referred to in this Policy as the "General Manager") determines that a violation of the Association's Governing Documents appears to exist, the General Manager may, in their discretion, send one or more courtesy reminders to an Owner describing the violation and requesting the violation be cured within a reasonable time as specified in the Courtesy Communication. The Courtesy Communication may be sent via email or regular US mail.
2. **First Notice.** If after the period specified in the Courtesy Communication, the violation is determined to exist -- or in the case of an expedited, urgent or repeat violation, without a Courtesy Communication -- the General Manager will send the Owner a First Notice by regular first class mail, and by email, if available.
 - 2.1. **Discretion to continue communicating.** Before or after sending the above-described First Notice, the General Manager may, in their discretion, send one or more reminders to the Owner encouraging the Owner to come into compliance. However, no fines or other formal enforcement action may be taken until after this First Notice of has been sent and the deadline specified in the First Notice has passed.
 - 2.2 **Contents of the First Notice.** The First Notice must contain:
 - 2.2.1 a statement in reasonable detail describing the circumstances of the violation as known by the General Manager;
 - 2.2.2 an explanation that the Owner has the opportunity to make a written statement refuting the complaint or request a hearing before an arbitration panel to refute the complaint, before fines are imposed or other enforcement action is taken;
 - 2.2.3 a description of the potential enforcement actions;
 - 2.2.4 the deadline (see Section 2.3 below for details) by which the Owner must either: cure the violation, submit a written statement refuting the complaint, or request a hearing;
 - 2.2.5 an explanation that the Owner must make any request for a hearing or a statement refuting the complaint in writing, addressed to the ECIA office address, or via email to the address specified in First Notice. A request via voicemail, in person or over the phone is not sufficient notice to the General Manager; and
 - 2.2.6 a statement that if the Owner fails to cure the violation, submit a written statement, or request a hearing by the date specified, then fines may be imposed as specified in the Fine Schedule below, or other enforcement action may be taken, without a hearing.
 - 2.3 **Deadline to Cure Routine Violations.** The minimum deadline by which routine violations must be cured is 14 calendar days from the date of the First Notice, unless the matter is an expedited, urgent, or repeat

violation. If the matter is an expedited, urgent, or repeat violation, then the General Manager will establish the deadline by which the Owner has to take one of the actions specified in Section 2.2 above. Attached Exhibit A provides examples of deadlines for common types of violations and their deadlines to cure. The deadline to cure can be extended as the General Manager in their discretion deems appropriate.

3. Notice of Enforcement Action. If after the deadline specified in the First Notice, and any subsequent communications, the violation still exists and the Owner has not requested a hearing, or in the case of an expedited, urgent, or repeat violation as discussed in Section D, then General Manager must send a “Notice of Enforcement Action” at the time the enforcement action is taken.

3.1 Contents of Notice of Enforcement Action. This “Notice of Enforcement Action” must:

- 3.1.1 specify the violation;
- 3.1.2 the amount of the fine being imposed (see Exhibit B for the Fine Schedule) or other enforcement action being taken;
- 3.1.3 the process to make an appeal or request an extended deadline to come into compliance, which must be made by the Owner in writing;
- 3.1.4 the date the fine will be assessed or other action will be taken (14 days from the date of the letter, unless another date is specified); and
- 3.1.5 a statement that if the violation is not cured by the final deadline of a specific number of calendar days from the date of the letter, then the Owner may be subject to additional enforcement actions, including additional fines or legal action.

3.2 Discretion to Continue Communicating. The General Manager has the discretion to send additional communications following this Notice of Enforcement Action before an Attorney Referral Notice is sent.

4. Notice of Referral to Attorney. If after the most recent deadline has passed, the violation still exists and the Owner has not requested a hearing, a Notice of Referral to Attorney will be sent by, U.S.P.S. certified mail.

4.1 Contents of the Notice of Referral to Attorney. The Notice of Referral to Attorney must contain:

- 4.1.1 the details of the violation;
- 4.1.2 the amount of the fine or other enforcement action imposed thus far;
- 4.1.3 the fact that the Owner’s Member in Good Standing (MIGS), status as defined in the ECIA Bylaws, has been revoked; and
- 4.1.4 a statement informing the Owner that the matter is being referred to legal counsel for filing a lawsuit.

B. Alternative Dispute Options

- 1. Arbitration panel.** If an Owner requests a hearing before an arbitration panel, the panel will be selected via the process required by Article III Section 2(c) of the Restated Declaration. Both the Association and the Owner must cooperate with the arbitration process in good faith, which includes providing the names of proposed arbitrators to the other party within a reasonable period of time, promptly paying the arbitrator they select and splitting the cost of the third, neutral arbitrator, and appearing at the hearing scheduled by the arbitration panel. If the Owner fails to comply with the process in good faith, then the Owner will be in default and the Association may proceed with enforcement as if no hearing was requested.
- 2. Agreement to participate in mediation or other forms of alternative dispute resolution.** If the parties agree, then they may voluntarily enter into an agreement to participate in alternative forms of dispute resolution to resolve the complaint, such as, but not limited to, mediation. Such an agreement should include deadlines for holding the mediation or other form of alternative dispute resolution, the name of the mediator,

and the way the mediator's fees will be paid. Failure of the Owner to participate in the alternative dispute resolution process as agreed upon will result in the Owner being in default. In that case, the Association may proceed with enforcement as if no alternative dispute resolution process had been requested.

3. **Additional courtesy communications, deadlines, and compliance agreements.** At the General Manager's discretion, at any time during the compliance process the General Manager may send additional courtesy communications. Additionally, the parties may enter into a written compliance agreement at any time to give the Owner an extension of the deadline to cure or agree to other resolutions to come into compliance, during which time fines or other enforcement action may be waived or suspended. Failure of the Owner to comply with such a compliance agreement will result in the Owner being in default. In that case, the Association may proceed with enforcement as if no compliance agreement had been entered into.
4. **Enforcement continues after arbitration or mediation.** If the Owner fails to respond and request an arbitration or mediation, or if the Owner fails to reasonably comply with the arbitration or mediation process, or after resolution of an arbitration proceeding, the General Manager may continue enforcing the provisions of the Governing Documents as provided for in this Policy.

C. **Schedule of Fines and other Enforcement Action.** The General Manager may take any or all of the following actions if appropriate to assist them in restoring compliance:

1. require the Owner to cease and desist the activity,
2. impose fines according to the Fine Schedule in Exhibit B,
3. suspending the Owner's (and all the Owner's guests and tenants, if any) privileges to use some or all of the common areas for a period not to exceed 30 days per violation,
4. for urgent architectural violations, withdraw architectural approval of the project,
5. take action to remove a structure, personal property, or restore damage done to or in any common area owned by the ECIA,
6. remove the Member in Good Standing (MIGS) status, as defined in the ECIA Bylaws.

D. **Procedure for Handling Expedited, Urgent, or Repeat Violations.**

1. **Definitions.**

- 1.1 An "**Expedited or Urgent Violation**" is any violation of a rule that occurs in the common areas, or that may be expensive for the Association or the owner to remedy, or may cause damage or injury to the Association, its members, other persons or property. Examples include, but are not limited to, bringing glass into the pool, propping open amenity gates, or beginning construction of an unauthorized structure on a lot.
- 1.2 "**Repeat Violation**" is any violation that is cured, but occurs again within six (6) months of the original violation. Examples include, but are not limited to: uncovered RVs, excessive weeds, unshielded lights, barking dogs, etc.). Failure to cure a violation after deadline has passed or after breach of a compliance agreement may be considered a repeat violation.

2. **Process.** In the case of Expedited, Urgent or Repeat Violations, depending on the severity of the circumstances, the compliance process may start with the Owner being sent a First Notice, and the deadline by which to come into compliance and requesting an arbitration hearing may be shortened. However, the General Manager must send a notice which contains all the requirements of the Notice of Action in Section A 3.1 above. The General Manager or the Board may vary from the procedures in this Policy if deemed necessary to restore compliance promptly.

E. **Other Remedies.** Notwithstanding anything in this Policy to the contrary, the Board has the right, at any time and without proceeding through the steps outlined in this Policy and without regard to the fine schedule, to bring an action at law or in equity to compel compliance with the terms of the Association's governing documents. Before

invoking any such remedy, the Board must give the Owner notice as provided in the Covenants or by law. Nothing in this paragraph constitutes an election of remedies nor precludes the Board from levying fines as described above while at the same time seeking injunctive relief for serious violations of a continuing nature or violations that affect the health, safety, or welfare of the residents or the community.

F. **General Provisions.**

1. **Impact of Enforcement Fine.** Imposition of a fine does not relieve the Owner of responsibility to correct the violation.
2. **Other Remedies.** At any time, the Board may decide to pursue any other remedy available under law or at equity that is allowed under the Governing Documents.
3. **Time Frames.** The Board reserves the right to extend any deadline based on individual circumstances.
4. **Notification.** Notices will be mailed to the property address, and, if there is another mailing address for the property owner, to the second address in addition to the property address. If the Association has an email address for the Owner, the Association may provide notification to the Owner via email. If the Owner replies to the Association's email, that reply constitutes acceptance of notice via email for all purposes under this Policy.
5. **No Waiver.** The failure of anyone to report, or the Association to become aware of, an alleged violation of any Governing Documents within a given period of time does not constitute a waiver of the Association's right to seek compliance under this Policy.
6. **Collection of Fines.** All fines may be collected in the same manner as any other assessment or monetary penalty as provided for by the Association's Assessment Collection Policy.
7. **Attorney Fees.** The substantially prevailing party to any action under this Policy is entitled to recover costs, expenses and reasonable attorneys' fees.
8. **Effect of this Policy.** This Policy replaces and supersedes all previous policies, rules, and regulations regarding the subject matter of this Policy.
9. **Full force and effect.** In the event that a court finds any portion of this Policy void or otherwise unenforceable, the other provisions will remain in full force and effect.

This Compliance Policy will go into effect on **ENTER DATE**.

Approved by Board of Directors,

President: _____ Date: _____

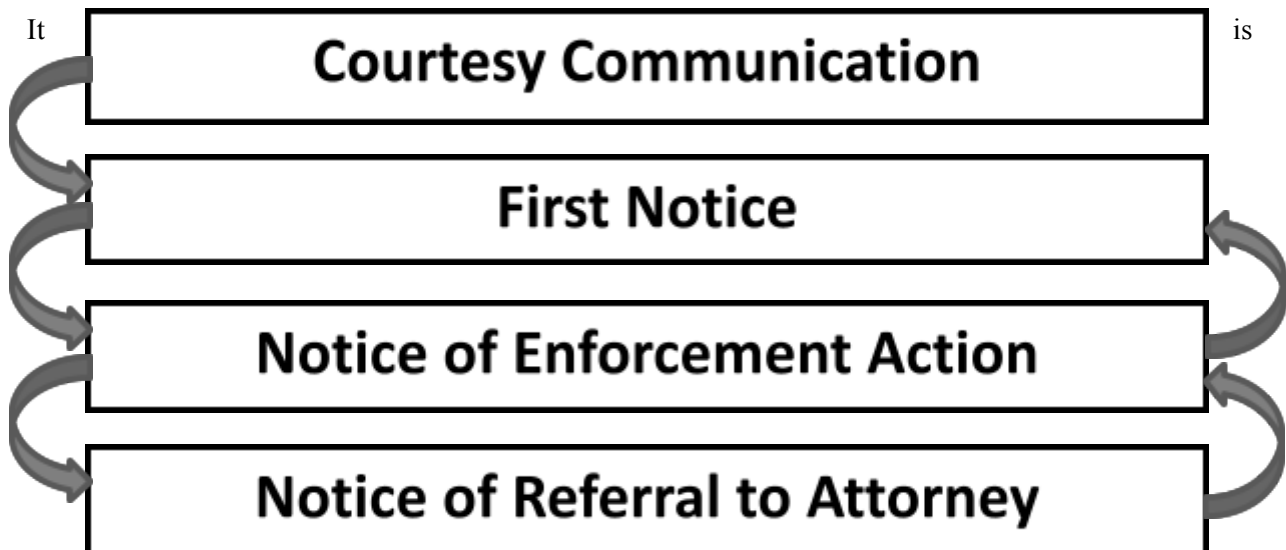
Secretary: _____ Date: _____

EXHIBIT A TO COMPLIANCE POLICY
DRAFT Chart of Types of Violations and Grace Periods
 Updated 10/6/23

Violations that are expedited, urgent or repeat will not use ECIA's standard, 14 day deadline to cure. Specifically, see below for examples of common violations and their deadlines to cure. This chart is not exhaustive and does not address all possible violations of the ECIA's governing documents:

Example of Violation	Deadline to Cure	Type of Violation
Pool rules	2 days	Expedited or Urgent
Dog park rules	2 days	Expedited or Urgent
Sport court rules	2 days	Expedited or Urgent
Barking or roaming dogs	7 days	Expedited or Urgent
Excessive noise or glare	7 days	Expedited or Urgent
Unscreened RVs or trailers	7 days	Expedited or Urgent
Stable Rules	14 days	Routine
No approval for any structure	14 days	Routine
Re-stucco without approval	14 days	Routine
Installation of new windows or doors without approval	14 days	Routine
Non-compliant fences or other structures	14 days	Routine
Excessive weeds	14 days	Routine

Stages of The Compliance Process



possible to return to a previous stage by demonstrating a good faith effort to remediate the violation. Also, the General Manager may continue communicating with the Owner before moving to the next stage.

EXHIBIT B TO COMPLIANCE POLICY

DRAFT Schedule of Enforcement Fines

Updated 10/3/23

MILESTONE	FINE	NUMBER OF VIOLATIONS
Courtesy Communication	None	For the first violation
First Notice	None	For the first violation
Notice of Enforcement Action	\$50/violation	For the first violation
Notice of Referral to Attorney	Add \$100	For the first violation
Repeat Violations:		For the 2 nd or subsequent violation of same type within 6 months
First Notice	\$50	
Notice of Enforcement Action	\$100/violation	
Notice of Referral to Attorney	Add \$100	

Fines will be tracked in the ECIA's Caliber database, and will be considered due as of the date indicated on the Notice of Action. Fines will be billed monthly, and may be collected in the same manner as any other debt owed by a member to the ECIA, according to the ECIA's collection policy.

ELDORADO

at Santa Fe

1 La Hacienda Loop
Santa Fe, New Mexico 87508
Office: (505) 466-4248

Eldorado Community Improvement Association, Inc. Staff Paid Holidays Policy

Pursuant to the Restrictions, as supplemented by resolutions adopted from time to time by the Board of Directors, (the "Declaration"), the following resolution is hereby adopted by the undersigned, all being directors of the Eldorado Community Improvement Association, Inc. (the "Association").

SUBJECT: Adoption of a Staff Paid Holidays Policy.

PURPOSE: To establish a policy to be followed which sets standards and expectations with respect to approved paid time off for holidays.

AUTHORITY: The Declaration, Bylaws, and Articles of Incorporation of the Association and New Mexico Law.

EFFECTIVE DATE: _____

WHEREAS, the Board of Directors for the Association has determined the Association and contracted management staff may benefit from a standardized calendar for paid holiday time off; dates not considered federal holidays.

NOW, THEREFORE, the Board of Directors of Eldorado Community Improvement Association, Inc. adopts the following Staff Paid Holiday Policy:

Non-Federal Paid Holiday Dates

The Friday following Thanksgiving Day;
Christmas Eve and New Years Eve; and
Three additional working days between Christmas Eve and New Years Day to total seven days of paid time off for the end of the year holiday season.

Federal Paid Holiday Dates

Memorial Day
4th of July
Labor Day

Amendment

This Staff Paid Holidays Policy may be amended, supplemented, or repealed from time to time by the Board of Directors.

ELDORADO

at Santa Fe

1 La Hacienda Loop
Santa Fe, New Mexico 87508
Office: (505) 466-4248

PRESIDENT'S CERTIFICATION:

The undersigned, being the President of the Association, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association on _____
(Insert Date) and in witness thereof, the undersigned has subscribed his/her name.

By: _____
President

Print Name: _____