

**SPECIAL SOL y LOMAS HOMEOWNER MEETING**  
**Via ZOOM**  
**AUGUST 2, 2023**

**PARTICIPANTS**

**TRUSTEES:** Lucia Deichmann, President; Jackie Dulle, Secretary; Jeff Atwell, Kristin and Kathy Slater-Huff

**HOMEOWNERS:** Bob Josephs and Donna Peth, Jerry and Donna Jacobi, Jack Huberman and Nina Dougherty, Chris Worland and Steve Clark

**CALL TO ORDER**

Lucia called the Zoom meeting to order at 6:02 p.m.

**INTRODUCTIONS**

President Lucia Deichmann introduced Trustees: Jackie Dulle, Secretary, Jeff Atwell and Kristin Slater-Huff. Later Kathy Slater-Huff joined the meeting and was introduced.

Participating homeowners, as listed above, introduced themselves.

**MOTION made by Lucia Deichmann**

**I move that the Sol y Lomas HOA be included with other individuals and organizations as a party to an appeal of the Planning Commission's decision to grant final plat approval for the proposed 2200 Old Pecos Trail subdivision to the City's Governing Body. The appeal is being prepared pro bono (without charge) by Bruce Throne, acting as an individual and retired attorney, in order to prevent the developer of that proposed subdivision from recording a final plat until the pending appeal of the City's rezoning of that Property (R-1 to R-3) is finally resolved and to address legal and procedural issues regarding that Planning Commission decision. This motion is subject to the understanding that (i) the HOA and other named appellants in this appeal will authorize Mr. Throne to act as their agent to prepare, file and present this appeal to the Governing Body, (ii) the City's \$200 fee for filing this appeal will be paid from the existing OPT Scenic Corridor Appeal fund and not by the HOA or its Board, (iii) the HOA will not be required to engage legal counsel to join or present this appeal to the Governing Body, and (iv) joining this appeal to the Governing Body therefore will not subject the HOA or any HOA member to any attorney's fees or costs associated with this appeal.**

Jackie Dulle seconded the motion.

### **DISCUSSION ON THE MOTION**

Jack Huberman asked for clarification on what happened to the first appeal regarding the rezoning of the 2200 Old Pecos Trail Development from R-1 to R-3. Lucia reported the appeal is on-going with no final resolution. There are varying opinions on why that is happening. Nina Dougherty suggested that one reason is there had been no filing for a stay on the development. Lucia suggested filing this second appeal would provide evidence that impacted parties are not in favor of the subdivision plat approval, should that question arise in the future.

Lucia stated the City's Planning Commission will hold a meeting on Thursday, August 3, 2023 to approve the findings/conclusions on the final Subdivision Plat. The meeting will begin at 6 p.m. The approval of the findings and conclusions will be the 30 day trigger for filing this appeal, which Bruce Throne will do shortly after the meeting.

### **FUNDRAISING**

Lucia reported that fundraising to oppose the Old Pecos Trail Development is on-going. A small group has put together a letter and short summary and a link to a GoFundMe account and plan to reach outside the immediate area for donations. Bob Josephs asked for a copy of the letter and information.

### **VOTE ON THE MOTION**

Many of the attendees at this meeting had previously voted via email. However, there were four additional votes cast – three by Chat and one by voice. Jackie reported she had received 38 email votes prior to the meeting bringing the total number of votes cast to 42. Of those, 41 were FOR the motion and 1 was AGAINST.

### **ADJOURNMENT**

Lucia thanked everyone who had joined the meeting and adjourned the meeting at 6:29 p.m.

Submitted by Jackie Dulle, Secretary