

**PHA BOARD MEETING  
OCTOBER 13, 2006  
MINUTES**

**Members Present**

Luis R. Lomba  
Jaime Morgan-Stubbe  
Salvador Ramos  
Edd Siler  
Rita Molinelli  
Walter Fournier  
Daniel Vasse  
Félix Santini  
Joseph Maqueda

**Directors Excused**

Manuel Morales Jr  
Raúl Rivera

**Other Present**

Antonio Maldonado  
Shirley Morales  
Daisy Díaz  
Luis López Lebrón

**I. CALL TO ORDER**

Mr. Luis Lomba, President, called the meeting to order at 8:00 am. Mr. Lomba welcomed Mr. Joseph Maqueda who was attending his first PHA Board meeting. Mr. Lomba also introduced Mr. Luis López Lebrón, new PHA Security Director. Mr. Lebrón is a retired Puerto Rico Police Colonel who served as Deputy Superintendent for Community Affairs and Police Area Commander in Carolina and Humacao. The PHA Board gave a warm welcome to Colonel López and wished him well in his new function as PHA Security Director.

**II. APPROVAL OF MINUTES**

Minutes of the August 11, 2006 meeting were unanimously approved as presented upon a motion by Mr. Julio Bagué seconded by Mr. Edd Siler.

**III. PRESIDENTS REPORT- MR.LUIS LOMBA**

**a. PHA Building**

The project is moving along ahead of time by two weeks and within budget. At this time it is 41% completed and in terms of disbursements, \$639,000 have been spent mainly in the heavy construction phase.

**b. Artificial Reef Project**

PHA will be convening the artificial reef committee within the next few weeks to focus on the next stages of the project. These stages include cost estimate and the permitting process plan that needs to be followed. I have been talking to companies that work on the

design of the proposed structures and according to very preliminary estimates the cost could be around \$6 million. Once we have the permitting plan and cost estimates we will begin working on the financial scheme of the project to identify its source of funding.

Mr. Luis Rodriguez indicated he is coordinating a meeting with the Department of National Resources to discuss the project and to pursue a Categorical Exclusion in compliance with the environmental reviewed process. He is hoping to have this meeting coordinated before the end of the month or early next month depending upon the Secretary's agenda. This is an extremely important meeting as it could smooth the way for what otherwise could be a difficult and costly process.

**c. Palmanova Park.**

We have been advised by Joaquin Soler that he is expecting shortly the ARPE change, designating the parcel as a park for Palmas del Mar community. Also, he has advised that a plan has been developed to deal with the drainage problem in the area and it should be ready for our review at anytime. We will share the proposal with PDMPI engineering for review. Additionally, we have asked that the parcel be surveyed and that we be provided a certified survey plan.

Mr. Edd Siler commented that the ARB has requested from the owner of Oliva's Restaurant facility drainage repairs in that area, since the paving of the road leading to the restaurant caused such drainage problems. The repairs, once accomplished, will help to further alleviate the water drainage problem in the entire area.

**d. Dialogue Committee on Beach Access.**

This committee comprised of Ms. Rita Molinelli, Walter Fournier, Raúl Rivera and Ricardo Collazo, appointed in June 2006, has been very active and has met with the Punta Candelero developer to discuss the issue of beach access in that specific area.

Mrs. Rita Molinelli reported that the committee met with Eng. Luis Muñoz to discuss the community expectations and desires and he was very receptive to the committee's position. As a result of this meeting some tentative agreements were reached for further consideration. The Agreement includes providing a beach access easement between Crescent Beach and Candelero Point wide enough to allow for golf-cart traffic and for emergency vehicles. Also, a number of parking spaces at the beginning and at the end of this easement will be provided depending on space availability. In regard to the beach access between Mr. Muniz property and the 2-acre PDMPI parcel next to the Beach Club, Mr. Muniz indicated that this item has been discussed with PDMPI and that they have agreed to provide such an easement. The proposed beach accesses will be shown in the plans to be submitted to ARPE for approval. A preliminary plan reflecting the proposed Agreement will be sent by Mr. Muñoz to the committee for review and concurrence.

**e. Petition from the Dioceses of Caguas**

A petition has been received from Mr. Pat Wangen on behalf of the Dioceses of Caguas requesting residents information and the approval to conduct a catholic census in Palmas del Mar. Allegedly, this is part of a major census being conducted in all municipalities under the dioceses. The census or survey is supposed to be conducted on a door to door fashion where families will be asked if they are catholic; and if so, they will be asked several questions pertaining to their religious practice and size of family, among others.

As you may recall, several years ago, the Board adopted a policy not to give list of properties or residents to unauthorized persons or entities. Also, door-to-door soliciting is not allowed in Palmas. Furthermore, a request of this nature will necessarily need the concurrence of individual residential regimes. Because this request is not official government business and because PHA lacks the authority to allow people into private residential areas; and taking into consideration PHA policies regarding lists of homeowners and no-soliciting, the Executive Committee does not endorse the request. Mr. Joseph Maqueda suggested that those persons who attend the Sunday Catholic Masses at Palmas and are residents of Palmas, perhaps could be used to assist the Dioceses on this task. These personas could contact the individual regime boards and seek approval from them to conduct such a census within their residential areas.

Mr. Jaime Morgan-Stubbe concurred with Mr. Maqueda and recommended that this action be passed to individual regimes for them to accommodate the request the best way possible.

The Board concluded to inform Mr. Wangen of door-to door soliciting restrictions and that PHA cannot give out lists of properties or grant access to private residential areas or regimes. Suggestions will be made for the request to go directly to individual regimes and also, to use the members of the catholic congregation to help coordinate the census within those individual regimes.

**f. Insurance.**

PHA has received a request from Esteban Santiago and Vidal & Rodriguez for a letter giving them exclusivity to obtain insurance quotation proposals form MAPFRE, National Insurance, Ace Insurance and Liberty Insurance.

You may recall that last year we had a similar exercise which concluded with the Executive Committee and the Board deciding not to change its broker of record. Furthermore, PHA began its budget process nearly a month ago and we were advised by our broker they already had requested proposals from ACE and Triple-S, which are currently our insurance companies, and from MAPFRE and Liberty.

This matter was discussed at the executive Committee and it was agreed that switching brokers and insurance companies, unless there is an overriding reason, it is not a good business practice. PHA has had an excellent relationship with its broker that extends for

over 15 years of outstanding service to PHA. Additionally, it is the Executive Committee belief that there is a fare market and brokers should compete without giving exclusivity to anyone. If Mr. Santiago and Vidal wish to compete they should go ahead and obtain the quotes but PHA should not shut the door of an insurance company to anyone in particular.

After considerable discussion on this matter the PHA Board concluded not to give any broker exclusivity to work with particular companies. Also, the Board concluded to allow interested brokers to obtain insurance quotations from any company and submit proposals to PHA. The Board appointed Mr. Walter Fournier, Mr. Félix Santoni and Mr. Joseph Maqueda to a Committee to oversee this process. The Committee will meet on Tuesday, October 17, 2006 to review PHA insurance requirements, pre-qualify potential interested brokers and prepare requests for proposals.

The Committee will review submitted proposals and will submit the results to the PHA Board of Directors for a final selection.

#### **IV. TREASURER’S REPORT – MR. SALVADOR RAMOS**

Mr. Salvador Ramos, PHA Treasurer, reviewed the PHA Financial Statements for the month of August. Mr. Ramos noted that PHA’s financial position remains strong. Revenues and expenses for the month of August and year to date are better than budget, with no major variations, except for legal fees. From a cash flow stand, PHA has excess funds to provide adequate working capital.

In terms of the Investment Policy approved by the PHA Board, the Investment Committee (Salvador Ramos, Julio Bagué, Félix Santoni and Tony Maldonado) need to convene to review PHA investment instruments and to make adjustments or changes as may be appropriate. The Investment Committee agreed to meet at 11:00 am on Tuesday, October 17, 2006 at the PHA offices.

The PHA Board received the Treasurer’s Report upon a motion by Mr. Walter Fournier seconded by Mr. Jaime Morgan.

#### **V. EXECUTIVE DIRECTOR’S REPORT – MR. ANTONIO MALDONADO**

##### **A. PHA Projects**

1. **923 Entrance** – The project is moving along on schedule, without change orders or major problems. The project should be completed by the end of

November 2006. Installation of the new Access Control System at this gate should start the first week of November.

2. **AVI Upgrade** – The new Access Control System has been installed at the main entrance to Palmas del Mar. The new system consists of special security cameras, monitoring and recording systems and a new automatic vehicle identification system (AVI). The new AVI system has been installed and is undergoing “debugging” and program adjustments. A software problem was encountered that has kept the system working intermittently. The problem is being worked by the supplier. Homeowners have been notified in writing to stop by PHA to exchange the old cards for the new ones. Both old and new systems will remain operational until the end of December to allow for a transition period to the new system.
3. **Beach Restoration Project** – The clean up of the Surfside and Shell Castle beach areas is complete. The Habitat Conservation Plan and the Incidental Take Permit has been voluntarily extended to these areas. Dr. Antonio Vázquez has added these areas to his inspection routine to insure compliance with the Take Permit stipulations. Signs restricting golf carts and outlining beach use restrictions have been posted. Also turtle nesting warning signs have been installed.

A small pedestrian bridge remains to be installed over the drainage discharge coming out of the Fox property. This walkway will ease the access to people visiting the beach who now have to walk through a very muddy area to reach the beach. The bridge will be installed upon receipt of concurrence from PDMPI as the owner of the open space area where the bridge will be located. A construction permit from ARPE, as well as a permit from the Department of Natural Resources, has been issued for the installation of this pedestrian bridge.

4. **Evening of Jazz - PHA** has planned for an Evening of Jazz for the community. This event is scheduled from 6 to 10 pm and features continuous music with the famous Don Baaska Quartet and the Roy Pérez Latin Jazz group. The evening includes a dinner buffet and the ticket price for the entire affair is \$35. Tickets will be available in advance and at the door. This event is a collaborative effort between PHA, the Four Points Sheraton Hotel and the Palmas Academy. The proceeds will go to the Palmas Academy to the school expansion project.

### **C. PUBLIC NUISANCE (ESTORBO PÚBLICO) AT HARBOUR LIGHTS**

On August 16, 2006 the Municipal Legislative Committee on Security and Safety visited Palmas del Mar for an inspection of Harbourlights 47 property. This property has been in a complete state of abandonment since year 2000 becoming a potential hideout for criminals, a safety hazard for anyone who may enter the property and an eyesore for the community. PHA had requested that this property, in accordance with a new Municipal Ordinance, be declared a public nuisance (Estorbo Público). Following their visit, the municipality wrote a letter to the owner of record advising him that proceedings had been initiated to declare the property a public nuisance and giving him 30 days to reply. The property has now been posted with a sign prohibiting the entrance and advising the general public it is being declared a public nuisance.

### **D. ELECTRICAL AND TRAFFIC STUDIES**

A meeting was held last week with the PREPA Regional Director to discuss the Electrical Study and present him with a copy of the study. It was well received and work has commenced in Beach Village identified in the study as the area in need of most attention.

The Traffic Study is under consideration by the Infrastructure Committee. Following its initial review the Committee concluded it needed a more detailed discussion and presentation before reaching any conclusions. Also subsequent to the initial presentation PDMPI has offered additional information to make the study more accurate and to clarify certain assumptions made in the study.

Both studies were presented in a very brief form to the Delegates Committee for informational purposes and suggestions.

Mr. Jaime Morgan suggested that studies of this nature should first go to the Committee working the matter and then to the Executive Committee and the Board before presenting them to the Delegates. In this manner what is presented to the Delegates is a more final product and with a course of action to be followed. It is just a matter of methodology.

Mr. Julio Bagué replied that the Delegates Committee is another forum where studies presented can elicit valid recommendations that could improve the study itself. These studies are presented for informational purposes to keep the community abreast of what's going on and to give the Delegates a sense of participation in the desition making process. Furthermore, Mr. Bagué remind the Board that most of these initiatives are being made usually as a result of recommendations arising from the Delegates Committee.

Mr. Morgan then presented a motion that as, a procedural matter, studies or consultant work charged by the Board, such as the Electrical Study and the Traffic Study, should go to the Board before it is presented to the Delegates, once the appropriate working committee analyzes them and makes the corresponding recommendation to the Board.

Mr. Bagué and Mr. Walter Fournier disagreed with the motion indicating that the Delegates should be given the opportunity to give their inputs during the review process before the studies go to the Board; particularly, when the studies are the result of a concern or a recommendation of the Delegates Committee. There is nothing wrong with this process. Mr. Fournier further indicated that if such a procedure is going to be followed it should also apply to studies made by PDMPI that affect the community. Mr. Morgan replied that what he is arguing is a procedure issue for matters commissioned by the PHA Board.

Mr. Morgan's motion was finally submitted to a vote. The motion passed with six Directors in favor and five against.

Subsequently Mr. Morgan reaffirmed his willingness to provide additional information that may be needed to correct any flaws or assumptions in the Traffic Study. Mr. Maldonado indicated that ideally this information should be given to Eng. José Parejo prior to the next Infrastructure Committee meeting so he may make the pertinent adjustments. Mr. Maldonado will ask Eng. Parejo to contact Eng. Danny Torrellas from PDMPI about the new information.

## **E. Security Report**

1. **Security Survey** – At the August Board meeting, instructions were issued for PHA management to conduct a broad security survey and operations audit to include all aspects of security within Palmas del Mar. Accordingly, PHA contracted a special security firm out of California that specializes in this type of surveys and security assessments. The Security Survey Study was conducted in early September. A preliminary draft report was received and following an initial review by the PHA Executive Director and the new Security Director it is now being finalized for presentation at the November Board meeting.
2. **Graffiti & Vandalism** – Through information tips received from the community, PHA Security has identified a group of youngsters in Palmas that have proclaimed themselves as the Palmas del Mar Gang (PDMG). This group is responsible for the wave of vandalism and graffiti seen throughout Palmas this past year including vandalizing Villa Franca Community Center, destroying private property, stealing golf-carts and damaging government property. Discussions are being held with the Academy and with parents in an attempt to bring these youngsters under control. However, if arrested for committing an act of vandalism they will be prosecuted to the maximum extent of the law. Since discussions with the Academy the acts of vandalism and graffiti painting have subsided. Nevertheless, security has set up a special watch to detect any acts and the State Police has promised swift action if an apprehension takes place. Signature tags are easily recognizable and parents and the school can help identify those involved.

3. **Incidents-** No homicides, sexual aggressions, robberies or car thefts have been registered this year. There was one burglary in the month of September reported in Beach Village. Twelve illegal appropriations were reported to PHA Security in September. Seven (7) of these appropriations took place in residential areas. There was a domestic aggression registered in Sunrise. Three (3) individuals associated with illegal appropriations reported above were detained and turned over to the police. A total of 32,235 vehicles received visitor's passes to enter Palmas during September.

## **VI. NEW BUSINESS**

Mr. Julio Bagué reported that the PHA Delegates are showing genuine interest in community problems and initiatives and participating in formulating the solutions. This is reflected in the excellent attendance being observed at the Delegates meetings.

A committee chaired by Dr. Ruben Chamorro will work with the youth of the community through Palmas Academy focus groups. This committee was formed under a recommendation by Mr. Daniel Vasse to address Ms. Rita Molinelli's concern that ways must be found to channel the rebelliousness and creative energy of these youngsters.

Mr. Bagué also reported that Mr. Victor Nieto, PHA Delegate from Fairway Courts, was selected to replace Michael Shulevitz in the PHA Budget Committee working the 2007 Budget.

Mr. Walter Fournier informed the Board that the Slipowners Association has signed a contract and set a date for the dredging of the inner marina. Work should begin in November. The Marina will have to be completely closed to boat traffic as work will begin in the Bahía del Sur area and move outward. Before dredging starts, work has to be done in the Circulation Channel. The project may take two to three months to complete.

## **VII. ADJOURN**

The PHA Board adjourned at 10:30 am upon a motion by Mr. Julio Bagué seconded by Mr. Jaime Morgan