



**PHA DELEGATES COMMITTEE MEETING  
MARCH 13, 2007  
MINUTES**

**ATTENDANCE:**

Julio Bagué	PHA Board & Casillas de Palmas
Luis Lomba	PHA Board & Plaza Resort
José Beauchamp	Harbourlights
Reynaldo Encarnación	Palmanova Plaza
Frances Olivieri	Shell Castle Club
Ruben Chamorro	Palmas Reales
Manuel Morales	PHA Board & Southeastern Area
Ricardo Collazo	Beach Village I
Carlos García	Palmas Doradas
Victor Nieto	Fairway Courts
Rita Molinelli	PHA Board & Beach Village II, V
Agapito Cosme	Sunrise
José Colón	La Jolla
José Garcés	Seascape
Providencia Walker	Palmarina
Gordon MacDonald	San Miguel Island
Jose J. Martínez	Montecarlo
Isabel Maisonet	Harbourside
Miguel Guiot	Crescent Cove
Gladys Fornaris	Palladio
Lizann Pla	Fairlakes Village III
Joseph Barlia	Las Villas I
Pablo Quiñones	Beach Village III
Graciela Roig	Villa Franca

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Daniel Vasse  
José Pedró  
Juan Gracia  
Walter Fournier

PHA Board & Anchor's Village  
Tennis Village II  
Flamboyán Greens  
PHA Board & San Marcos (alt.)

**Delegates Absent/Excused**

Jose Andreu  
Marie Silvia Rivera  
Marcos Comas  
Néctor Robles  
Brian Babbitt  
Jaime Fernandez  
Héctor Robles  
Heriberto Silva  
Michael Shulevitz  
Ivonne Cruz  
José Bacardi  
Miguel Santiago  
Luis Muñíz

Península de San Juan  
Maralago  
Beach Village III  
Crescent Beach  
Club Villa  
Las Villas II  
Montesol  
Palmas Plantation  
Bahia del Sur  
Haciendas de Palmas  
San Marcos  
Fairlakes Village  
Plaza del Puerto

**Others Present**

Edd Siler  
Antonio Maldonado  
Luis López Lebrón  
Roberto Rizzo  
Antonio Roig  
Joseph Maqueda  
Wilfredo López  
Cándido Neris  
Jaime Morgan  
Luis Rodríguez

PHA Board  
PHA Executive Director  
PHA Security Director  
Beach Village Property Owner  
Plaza del Puerto (alt.) Delegate  
PHA Board  
ARB Executive Director  
Palmas Security & Protection Agency, Inc.  
PDMPI President & PHA Board  
PHA Board

**I. CALL TO ORDER**

Mr. Julio Bagué, Chairman, called the Delegates Committee meeting to order at 6:50 pm.

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**II. APPROVAL OF MINUTES**

Minutes of the January 16, 2007 were approved upon a motion by José Colón seconded by Walter Fournier.

**III. ARB ACTIVITIES REPORT**

Mr. Wilfredo López, ARB Executive Director, presented a detailed report summarizing the 2006 ARB activities. Report included a status report of projects under review by the ARB and the Modifications Committee. The Delegates noted that in 2006 the ARB and Modifications Committee, reviewed a total of 368 plans, requests for approval, follow up matters, and enforcement actions.

In 2006 a total of 109 violations were detected, and 72 fines totaling \$36,000 were issue to violators. Also, Mr. López's report included a breakdown of projects under construction and percentage of completions, new projects under review, final plans endorsed for major projects, a summary of legal cases resulting from ARB violations and non-compliance and the ARB Budget for 2006.

Regarding the ARB 2006 Budget, it was noted that total operations revenue equaled \$255,646 while operating expenses totaled \$348,111. This resulted in a deficit covered by PDMPI, of \$117,810. The ARB incurred \$155,034 in legal feel during the year 2006. These fees are not recovered, although the PHA Covenants provide the legal basis for recovering such expenses.

Following a series of questions and general comments, the Delegates Committee Chair thanked Mr. López for his presentation and invited him to attend all Delegates meetings to provide the forum with a similar update. Mr. Bagué reminded Mr. López that it is the ARB responsibility to develop an information program to keep the community abreast of all projects within Palmas and to receive the community inputs regarding those projects. In this regard, frequent presentations to the Delegates will satisfy in part this responsibility. Presentations regarding specific projects should be coordinated by the ARB for presentation to specific communities. For example, as pointed out at the last Delegates meeting, the Sunrise community, among others, would like to be informed about "The Views" project soon to commence in their neighborhood.

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**III. CHAIRS REPORT**

**A. PHA Board Election Results**

The Chair informed that Mr. Victor Nieto from Fairway Courts was elected as a Director representing District Three (3) at the PHA Board of Directors. Mr. Nieto will replace Mr. Joseph Maqueda who was serving interim for Alfonso Lozada who resigned in August 2006.

Mr. Servando Díaz from Palmas Plantation was selected as a Director representing District 4. Mr. Díaz will replace Mr. Luis Lomba who is finishing his second full term at the PHA Board.

Also, Ms. Rita Molinelli was elected for an initial full term as Director representing District 8. Ms. Molinelli has been serving interim at the PHA Board for Ms. Lilliam Morales who resigned from the Board due to her move out of this voting District.

Mr. Julio Bagué congratulated the new Directors and welcomed them with high hopes of positive contributions to the PHA Board and to the Delegates Committee.

**B. Artificial Reef**

As a follow-up to this important subject to the community, Mr. Bagué informed that a meeting was held in February with the Secretary of the Department of Natural Resources to present him the project as well as a summary of the studies supporting the Artificial Reef design. He was requested to support the project by becoming the proponent agency and by providing DNR's endorsement to a Categorical Exclusion for the project. The granting of the Categorical Exclusion will avoid the painful and extended process of having to submit an Environmental Impact Statement.

The meeting with the secretary went extremely well as he was very receptive of the project and gave his assurances that DNR will support the project. Subsequent to the meeting, a formal written request was submitted to DNR asking for the Categorical Exclusion and formally submitting the supporting studies and design criteria.

The Chair requested Mr. Lomba to report on his efforts to obtain a cost estimate for consideration by the Artificial Reef Committee. Mr. Lomba reported that, a meeting was held with two construction companies who are assisting PHA with developing construction costs estimates. Three construction options are being considered; that is,

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core locks, rocks, and a combination of core locks and rocks. All options are based on using the Yabucoa Port and barge transportation from the port to the proposed reef site.

Cost estimates for these proposals are expected to be received by April 20, 2007. Once construction costs are received, the Artificial Reef Committee will begin to develop the financial scheme needed to bring the project to fruition.

**C. Beach Access**

The Chair requested Ms. Molinelli to report on the Beach Access Dialogue Committee coordinating efforts with the Candeleró Point developer. Ms. Molinelli informed that the aspects of beach access in that area continues satisfactorily. An agreement was reached in terms of the access itself and the developer has already begun the construction of the easement. The idea is to have the access completed by Holy Week. The easement will be six meters wide with appropriate landscaping, parking for 33 golf-carts and a turn around loop at the end closest to the beach. A draft document containing the terms of the agreement is under review by the Committee.

**D. Traffic Study**

The Chair reported that a meeting was held this past Friday between PHA consultant and PDMPI consultant to incorporate additional information and to clarify any misunderstandings and answer questions. It was a constructive meeting. PHA consultant will use the information to be provided by PDMPI representatives to review the study. Thereafter, the revised study report will be forwarded to the Board for appropriate action.

Mr. Jaime Morgan added that the meeting was a meaningful exchange of information. There were some areas of agreement and some others needed further clarification that should help to further define the report recommendations. He also pointed out that there were not that many items where differences existed. Therefore it should not take too long to make the appropriate corrections and produce a final report.

**E. ARB**

Mr. Bagué informed that following the discussions and motions made at the last Delegates meeting regarding the Architectural Review Board, the PHA Board performed a comprehensive review and discussion of the issues presented and concluded the following:

-Regarding the Beach Access regulatory requirements, the PHA Board passed a resolution directing the ARB to incorporate in its design guidelines and review

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procedures specific beach access requirements for projects located in front or near the maritime zone as required by the appropriate regulations as outlined in previous requests made by the PHA President to the ARB Chairman.

-Regarding the ARB Special Committee report and the recommendations contained therein, which the ARB had failed to implement to date, the PHA Board passed a resolution ratifying the committee recommendations and directing the ARB to implement such recommendations immediately.

-In addition, the PHA Board passed a motion that should the ARB refuse to comply with these resolutions, the PHA Board should then readdress the transfer of the ARB functions back to PHA.

To date no reaction has been received from the ARB regarding the implementation of these directives and the matter will again be addressed at the PHA Board this Friday.

Mr. Jaime Morgan commented that it is his understanding that an answer has been drafted by the ARB Chairman. Therefore an answer to PHA will be received soon.

**F. Electrical Energy Alternate Sources**

At the last Delegates meeting, Walter Fournier introduced the idea for Palmas to begin looking for alternate sources of energy. This topic was also addressed by the PHA Board which welcomed the initiative and passed a motion to have an adhoc committee study the viability of pursuing an alternate source of energy for Palmas del Mar. A special committee composed by Walter Fournier, Joseph Maqueda, Julio Bague, Raul Rivera and Carlos Garcia was appointed for this task. Walter will chair the committee.

Mr. Fournier added that he wants an effective committee that takes the high ground on this issue and looks for effective alternate solutions to the energy problems. Also, Mr Fournier appointed Mr. José Bacardi and Dr. Albith Colón as members of the Committee. Both individuals have experience working with alternate energy sources.

**G. Youth Committee**

Mr. Rubén Chamorro reported that the Youth Committee has been meeting and working on a proposal to present to the PHA Board. The idea is to hire an activities coordinator to assist the Committee in developing short and long term ideas and implementing certain programs ideally before the summer. Ideas such as a sailing school are among the projects being considered.

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Mr. Chamorro added that four students representing grades 9 through 12 were appointed to the Committee. The idea is to obtain their inputs and reaction to the proposed programs. They are also working on a questionnaire to perform a youth activity survey among the Palmas Academy student body.

Mr. Victor Nieto suggested that a major activity such as the regatta sponsored by the Centro Internacional de Vela be considered for Palmas. This is a high visibility event that may generate a lot of enthusiasm among the community's youth and Palmas in general. Mr. Julio Bagué suggested that this idea should be explored with the Slip Owners Association and the new Palmas Yatch Club.

**H. Annual Meeting**

Mr. Bague reminded the Delegates that we are into the final stretch in the planning for the Homeowners Week activities. As in years past, we will have social and sports activities open to the entire PHA membership. The Notice of meeting detailing the activities was mailed to all homeowners. The Annual Meeting will be held on Saturday, April 14, 2007 at 8:30 am in the Four Points Sheraton Hotel. The presence of all Delegates at the Annual Meeting is critical as, in accordance with the PHA By-Laws and Restrictive Covenants, quorum at this meeting is determined by the attendance of the Delegates.

**IV. PHA PROJECTS UPDATE – ANTONIO MALDONADO**

**A. PHA Building**

Mr. Maldonado informed that the construction is progressing on schedule and within budget. The building is 70% complete and installation of roof clay tiles and internal subdivisions is underway. Completion is programmed to take place on or before August 2007.

**B. 923 Entrance & Access Control Update**

The New Service Entrance to Palmas del Mar is now complete. All lanes have been equipped with the new AVI system which is working well. Security cameras were installed at all lanes. Minor landscaping upgrade is in progress.

**C. Solar Illumination**

Repairs to all solar luminaries are completed. PHA is already working on the design for the installation of solar luminaries along the cart-path. Phase I of the Cart Path

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illumination will center in the cart-path segment that runs along Candelero Drive from Palmas Drive to Casillas de Palmas. This project phase is included in the 2007 Budget. Subsequent phases will be addressed in future budgets.

**D. Palmanova Park Project**

PHA continues to work with the Palmanova Village developer to have a 1.3 acre parcel located behind the Tennis Center transferred to PHA. The objective is to acquire this parcel and develop a small children's park at this location. PHA expects to receive final word from the developer within the next 45 days.

**V. SECURITY REPORT**

A comprehensive report detailing delinquent activity within Palmas del Mar was distributed to all Delegates. The report covers year to date statistics and a detail-specific summary of incidents registered in February 2007. It reflects zero homicides, rapes, or car thefts. Three burglaries and two illegal appropriations in residential areas were reported in February 2007. A robbery was also reported where a domestic employee in the Ridge Top area claims that an individual stole her purse and ran away in a bike. The purse only contained the keys to the house where she works. In addition, fifteen individuals were intervened and one was arrested and turned over to the State Police. The arrested individual was linked to one of the burglaries reported.

Based on recommendations contained in the recent security survey performed by outside consultants, Palmas security guards contracted by PHA were retrained, particularly, in becoming proactive and courteous with the community. The guards have been provided with additional equipment such as generators for pumping flat tires, fire extinguishers, emergency triangles, safety and first-aid kits and tools to break vehicle windows under emergency conditions.

Meetings with the Police Area Commander and the head of the Police Criminal Investigation Corps (CIC) are being held on a weekly basis to discuss crime activity within Palmas, to follow-up on specific cases and to coordinate crime prevention/detection activities. Special efforts are being coordinated with the appropriate government authorities to enforce the Public Order Code and to force early closing of bars attracting undesirable characters to Palmas late at night. Two operatives have already been conducted by the authorities which resulted in the closing of Sugar Cube Bar and Caracoles Restaurant for lack of required permits and licenses. Close coordination and cooperation is being effected with the Palmanova Plaza Regime to

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implement added security and control measures in that area. PHA is providing additional security resources for a special watch in this sector.

There has been a significant change in the trend of illegal appropriations and burglaries experienced in the Sunrise area during January 2007. This change is the result of additional PHA security and State Police resources assigned to that area and specific crime preventive measures undertaken by the Sunrise Regime. Following the arrest of a particular person in that area, burglary activity subsided.

In regard to problems with violations of the Municipal Code and the closing of certain businesses in Palmas, Mr. Daniel Vasse commented that there are no undesirable businesses in Palmas. There are, however, poor business administrators who think they can get away with operating business beyond what the state law and municipal ordinance code allows.

Mr. Vasse emphasize that the problem is not necessarily who enters Palmas, but how business are being administered.

Mr. Agapito Cosme pointed out that he patronizes several businesses in Palmas and several of them are being operated responsibly. There are proposals for the businesses to operate uniformly and these ideas are being considered by the Business Association and the Palmanova Regime.

Mr. Joseph Maqueda indicated that Palmanova presents a peculiar situation. Problems arising in that area must be considered from the Palmanova general community perspective which are the ones being mostly affected by some of the on-going activities at this location. Every effort should be made to control undesirable characters and situations in this area. Mr. Maldonado replied that it is PHA policy not to endorse businesses that may create an undesirable situation for the community. In this regard the issue of endorsement for obtaining use permits for bar/pub operations in residential areas will be the subject of close scrutiny.

Mr. José Beauchamp expressed his concern with PHA's strict policy on undesirable business. Mr. Maldonado replied that this has been a standing PHA policy approved by the PHA Board more than five years ago upon recommendations of the PHA Legal Committee and close coordination with the Business Association. It seems that no one objects to a bar/pub or an undesirable establishment until it opens next to your house or affects you directly. Proactive action must be taken before establishments become a problem.

Ms. Frances Olivieri indicated that allowing bars/pubs in residential areas is just asking for problems. Regimes must oppose endorsing such business. Also, the code of order must be strictly enforced to insure that operating businesses fully comply with the law.

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**VI. OTHER BUSINESS/REGIME ISSUES**

Mr. Bagué pointed out that clean up of the canal areas between Casillas and the forest area was partially completed. Speaking on behalf of Mr. John Orta, Mr Bagué emphasized the need to complete the clean-up job as the vegetation on the canal creates retention of debris flowing from the regimes north of Palmas drive and west of Candelero Drive. Mr. Jaime Morgan indicated he will follow up and advise Mr.Bagué accordingly.

Mr. Victor Nieto inquired about the status of the water fountain at the Palmas Drive traffic circle. Mr. Morgan replied that nothing acceptable has been received in terms of proposals. He is now working with artist Jaime Suarez to develop a concept that may be acceptable.

Mr. Morgan also informed the Delegates that the equipment to the electrical substation is now in place. A meeting has been requested with the PREPA Executive Director to review the project operational schedule and testing phase and ascertain when will the substation be on line.

**VII. ADJOURN**

The Delegates Committee adjourned at 9:10 pm upon a motion by Walter Fournier seconded by Ricardo Collazo.