



**PHA DELEGATES COMMITTEE MEETING
AUGUST 8, 2006
MINUTES**

ATTENDANCE:

Julio Bagué	Casillas de Palmas & PHA Board
Luis Lomba	Plaza Resort & PHA Board
Gordon MacDonald	San Miguel Island
Ricardo Collazo	Beach Village I
José Beauchamp	Harbourlights
Héctor Robles	Montesol
Miguel Santiago	Fairlakes Village
Isabel Maisonet	Harbourside
Reynaldo Encarnacion	Palmanova Plaza
Carmen Miranda	Palmarina (alt.)
Frances Olivieri	Shell Castle Club
Delfín Lorenzo	Palmas Doradas
Victor Nieto	Fairway Courts
Gladys Fornaris	Palladio
Miguel Guiot	Crescent Cove
Ruben Chamorro	Palmas Reales
Jorge Claudio	Palmas Plantation
Rita Molinelli	Beach Village II, V & PHA Board
Walter Fournier	Seascape & PHA Board
Daniel Vasse	Anchor's Village
Néctor Robles	Crescent Beach
Manuel Morales	PHA Board & Southeastern Area
Antonio Maldonado	Montecarlo (alt.) & PHA Executive Director

Others Present

Jaime Morgan	PDMPI President and PHA Board
Edd Siler	PHA Board

Joseph Maqueda
Dr. Alfredo Torruella
Antonio Roig

PHA Board
Oceanographer
Surfside Homeowner

Delegates Absent/Excused

Manuel Lebrón
Jose Andreu
Joseph Barlia
Jaime Fernandez
Felix Aviles
Marie Silvia Rivera
Marcos Comas
Agapito Cosme
Agripino Lugo
José Colón
Michael Shulevitz
Juan Walker
José Bacardí
Ivonne Cruz
Luis Muñíz

Club Villa
Península de San Juan
Las Villas I
Las Villas II
Fairlakes Village III
Maralago
Beach Village III
Sunrise
Villa Franca
La Jolla
Bahia del Sur
Palmarina Club
San Marcos
Haciendas de Palmas
Plaza del Puerto

I. CALL TO ORDER

Mr. Julio Bagué, Chairman, called the Delegates Committee meeting to order at 6:55 pm after quorum was established on the second roll call.

II. APPROVAL OF MINUTES

Minutes of the June 13, 2006 meeting were approved unanimously upon a motion by Miguel Guiot seconded by Rubén Chamorro with the following corrections:

Page 4, paragraph 1 line 8, delete segment that reads: “...and were liberated. The studies were 70-80% completed by earlier investigations” and replace with the following sentence: “As a result of these studies 80% of the land in Punta Candelero was released by the ICP”.

III. ARTIFICIAL REEF PRESENTATION – DR. ALFREDO TORRUELLA

The study and design of the Artificial Reef System proposal for Palmas del Mar is now complete. Dr. Alfredo Torruella, who has been in charge of the project study and design phases, presented a summary of the analysis, findings and recommendations included in his project report. In addition to [answering](#) several questions from the Delegates, [the](#) key points made by Dr. Torruella [were](#) as follows:

- The proposed reef is to be located approximately 400 meters off Punta Candelerero. It is approximately 895 meters long by 10 meters wide to be constructed of Core-Loc type concrete units. Its crest is to be approximately one (1) foot beneath the surface at extreme low tide.
- The proposed artificial reef will not have any negative consequences to local flora and fauna. It does not directly impact any coral or sea grass beds. It will reduce turbidity of water allowing existing sea grass beds to flourish thus enhancing sea turtles and fish habitat.
- As designed, the proposed reef enhances the existing Punta Candelerero reef's ability to deflect the Candelerero reef current away from shore. This will result in more sand being transported directly into the beach areas, will eliminate erosion hot spots north and south of Candelerero Point and will promote a more even distribution of accumulated sand throughout the area. In addition, rip currents in the beach area will be significantly weakened.

A complete copy of Dr. Torruella's report [will be made](#) available at the PHA office for review.

IV. CHAIR/EXECUTIVE DIRECTORS REPORT

A. Beach Access

As a result of the presentation by Eng. Luis Muñiz to the PHA Delegates at the last meeting on his proposed Candelerero Point project and the discussions that followed his presentation which included a motion by Michael Shulevitz asking the PHA Board "to take all possible actions to guarantee best and most convenient beach access for the community within the parameters established by the law", the PHA Board of Directors addressed this matter at a meeting on June 16, 2006.

The PHA Board appointed a special committee (Comité de Diálogo) consisting of Rita Molinelli, Walter Fournier, Ricardo Collazo and Raúl Rivera to study this matter and work with Mr. Muñiz to solve or come to terms on any issues regarding beach access in Punta Candelerero in the best interest of the community and of the developer. A letter was sent by Mr. Lomba to Mr. Muñiz advising him of the dialogue committee and suggesting a meeting between the committee and Mr. Muñiz.

The Committee has met a couple of times to study and review beach access requirements as contemplated in the law and in the regulations of the regulatory agencies with the aim of establishing a community position to present to the developer of Punta Candeleró. Also, a letter was sent by Mr. Lomba, on behalf of PHA, to the ARB asking the ARB to include in their review process beach access requirements for all beach front projects to insure compliance with the law and the regulatory requirements. Copies of the applicable regulations were sent to the ARB.

Ms. Rita Molinelli reported that the Committee has met twice to review the various dispositions contemplated in the law and the applicable regulations regarding beach easements and parking requirements for beach front projects. No final conclusions have been reached. A letter will be sent to Mr. Muñiz asking for a meeting with him and his architect to discuss the project beach access proposal to assess if what is being proposed meets with the community expectations and the regulatory requirements. Ms. Molinelli added that the Committee's position is one of dialogue oriented toward securing a reasonable beach access. The committee will report back to the Delegates once a definitive option has been reached.

Mr. Néctor Robles expressed his desire to be a member of the Dialogue Committee appointed by the PHA Board.

Mr. Miguel Guiot inquired into the current status of easements in the Candeleró Point area. He had understood that an easement will be provided in the Candeleró Point parcel close to Crescent Beach and another was going to be provided on the side closest to the Beach Club. According to Mr. Guiot the easement closest to Crescent Beach is there but there is no easement on the side of the Beach Club.

Mr. Maldonado indicated that PDMPI had promised an access to the beach through their parcel located between the Candeleró Point parcel owned by Mr. Muñiz and the Beach Club. However, he understood that such an access was closed due to the archaeological investigations that were being conducted in that specific area.

Mr. Morgan clarified for the record that the access being referred to is not an access to the beach but was a temporary easement made available as a construction staging area for the Maralago and the Marbella projects.

Mr. Joseph Maqueda inquired about the projects in Palmas that do not comply with the beach access requirements called for in the law or in the prevailing regulations. Also, he asked that those requirements need to be clearly defined so that the community interests be protected.

Mr. Maldonado indicated that it is very difficult to assess whether past projects are in compliance with such regulations. This is a function of the regulatory agencies. In Palmas some projects were built before beach zoning regulations were established. Also, as pointed out by Mr. Néctor Robles, the maritime zone is evaluated by the Department

of Natural Resources (DNR) for every project and it may vary from project to project or even from year to year. As an example Mr. Robles cited that the Maritime Zone established by DNR for the new Candelerero Point project is different from that established for the Crescent Beach project when originally built ten (10) years ago. What must be taken into account are the dispositions prevailing at the time the project is being built.

Mrs. Molinelli pointed out that one of the main objectives of the Dialog Committee established by the PHA Board is to insure that whatever is being done now meets the applicable regulations. That is also what has been requested from the ARB.

Mr. Jaime Morgan clarified that there is a process that DNR follows in recertifying the maritime zone for every project in beach front areas.

Mr. Ricardo Collazo added that the definition of the maritime zone and access to beach areas is clearly defined in the government regulations and in the law. However, in terms of the maritime zone it varies according to existing conditions created by sea actions at a time of a specific project. Mr. Collazo pointed out that the law and the existing regulations allow for certain concessions and create certain obligations depending on what is being proposed in a specific project. This is precisely what the committee created by the PHA Board wants to do with the Punta Candelerero project. According to Mr. Collazo, there is no other project as sensitive to the community as the Punta Candelerero one, since this is the beach that the community mainly utilizes and the one residents prefer for a number of reasons, but principally, safety. The interests of the community and of the developer must merge on this project to the satisfaction of both parties.

B. PHA Projects

1. 923 Entrance

The expansion of the service entrance to Palmas is underway. This joint PDMPI/PHA project is scheduled for completion in November 2006. Once complete it will give Palmas a service entrance with a new guardhouse, five lanes and an updated access control system.

2. PHA Building

The construction is proceeding on schedule and on budget. Floor slabs and first floor walls are complete. Construction of second floor walls is in progress.

3. Access Control System Upgrade

Installation of an upgraded access control system is complete. New cameras and monitoring systems are installed. The new AVI system is installed and the new cards will begin to be issued by August 21, 2006. The old cards should continue to work for another four months. Issue of new cards will go first to those residents who do not have working AVI cards. Holders of old AVI cards will be advised when to stop by PHA to

| pick-up their new cards. Cost of replacement cards for AVI old card holders is \$15 per new card.

4. Studies

| The traffic study and the electric study update are now complete. The PHA Infrastructure Committee will be reviewing these projects and making appropriate recommendations to the PHA Board. The Infrastructure Committee is scheduled to meet on August 24, 2006. | Presentation of these studies will be made to the PHA Delegates at the October 10, 2006 meeting.

5. Beach Restoration Projects

| Major cleanup effort of the Surfside and Shell Castle Beach areas is now complete. PHA is now in the process of restoring access to those areas and installing comfort items such as gazebos and trash cans. Residents are invited to see these areas and enjoy what they have to offer.

6. Palmanova Park Initiative

Following approval by more than two thirds of the PHA Delegates representing the PHA membership, the PHA Board passed a resolution authorizing PHA to go forward with the acquisition process of the parcel for the park. This parcel is a 1.3 acre lot located between the Tennis Center and Olivas Restaurant. Once the due diligence is complete, to include correction of drainage problems by Joaquin Soler, title search, ARPE segregations approval, land survey and PHA Board approval, PHA will proceed to close the deal. PHA contemplates using professional designers to develop adequate community recreational facilities at this site.

7. Cart Path

Improvements have been made to the cart path at the corner of Palmas Drive and Palmas Inn Drive. This corrects a safety problem at this spot. Carts can now drive behind the large tree at this corner avoiding the hazard of driving too close to the road.

8. Illumination of Cart Paths

Proposals to install solar illumination along the cart paths were received and will be considered by the PHA Board at the next meeting. The Board will review the proposals for possible inclusion in the 2007 budget. The project contemplates installing solar illumination along Candeler Drive and other critical dark areas in Palmas del Mar. The project will be done by phases. The initial phase may cost as much as \$91,000.

V. SECURITY

Palmas continues to do well in terms of major crime activity. There have been zero homicides, sexual aggressions, armed robberies or cart thefts so far in 2006. During the month of July there were four (4) burglaries two of which took place in residential areas. Also, twelve (12) illegal appropriations were reported during the month of July. Four (4) of these illegal appropriations took place in residential areas, five (5) in parking areas, two (2) in the Sheraton Hotel and one (1) at a construction site. Seven (7) individuals were detained and five of them were turned over to the police.

Although a busy summer no major problems were experienced at Palmas del Mar over the holidays. An average of 35,000 visitors per month came into Palmas during the summer months. Copies of the crime statistics were distributed to the PHA Delegates.

Mr. Delfin Lorenzo from Palmas Doradas requested that PHA provides him with a list of things that PHA Security does for the regimes and also assist the regimes with a list of requirements they should be asking their security service providers. Palmas Doradas no longer uses the same service company that PHA uses. Mr. Maldonado indicated he will provide Palmas Doradas and other regimes with guidance on this area; particularly, the performance standards and requirements they should expect from their service providers.

Some Delegates also expressed concern with the lack of coordination that seems to exist between the security service that provides services to PHA and other companies providing services to individual regimes. It was suggested that individual regimes Board of Directors meet with PHA representatives to clarify any differences that may exist or to clarify what to expect from PHA Security in terms of services to those areas. Also, regime representatives should be invited to meet with the PHA Security Committee to address any concerns they may have in this area.

Mr. Jorge Claudio expressed his high degree of satisfaction with Las Piedras Security Services. Since using those services, the number of criminal events have been significantly reduced in Palmas Plantation. Mr. Victor Nieto suggested that access procedures through the middle lane at the Main Gate should be tightened to allow strict access to people with AVI cards only. Mr. Maldonado concurred with Mr. Nieto and informed that those measures and instruction have already been issued as a result of an earlier suggestion by Mr. Nieto.

VI. NEW BUSINESS/REGIME ISSUES

José Beauchamp inquired into the actions being taken by PHA regarding an abandoned house at the south end of Harbourlights. Mr. Maldonado replied that letters have gone to the municipality requesting the house be declared a public nuisance (estorbo público) under a new law recently approved by the Municipal Legislature. Under this new law notices will be given to owners and if no action is taken by said owner, eventually the municipality will demolish and remove the structure placing a lien on the lot for the cost of the demolition. The municipality has already taken action with similar structures in

Humacao. Copies of letters sent to the municipality were sent to the President of the Harbourlights regime and to the Harbourlights PHA Delegate.

Mr. Beauchamp also inquired into PHA plans for a cultural event in the fall of 2006 similar to the very successful one held last year (Ciompi Quartet). Mr. Maldonado informed that the event lined up for this fall had fallen through after cancellation by the group that had been initially retained. An alternative is being sought; possibly a jazz ensemble or a presentation by the Puerto Rico Philharmonic Orchestra. Mr. Beauchamp supported Mr. Maldonado's initiative and volunteered to head such an effort to bring it to fruition. Mr. Beauchamp feels that such an annual cultural event should be institutionalized.

Mr. Daniel Vasse suggested that the Palmas community continues to grow along with an increase in the population of teenagers. He believes it is time to create a committee to meet with these youngsters to find out their desires and what they wish to see in our community. It was pointed out that previous efforts, such as focus groups created at the Palmas Academy to achieve this objective, did not yield any results. However, it is time to re-engage these efforts again. Palmas has very little to offer specifically for their young age group. Mr. Joseph Maqueda concurred with Mr. Vasse that it is time to renew the efforts in this area. Mr. Antonio Roig underscored Mr. Vasse and Mr. Maqueda's comments asking that the new PHA facilities incorporate space for the type of activities needed by these youngsters.

Mr. Maldonado indicated that although the new PHA Building contemplates space for a youth center within its facilities, previous focus groups have been clear in stating that what is needed are facilities that are solely dedicated to the youth. Such facilities should not be inside of the Academy or the PHA Building but in a separate youth pavilion that serves only that age group. Such facility should be staffed in a way that serves to organize youth activities and team spots for young community residents. PHA has endorsed this concept and once the PHA Building is finished it will focus on the creation of such additional community facilities.

Mr. Maqueda suggested that the committee be re-established to revitalize these efforts. Joseph Maqueda, José Beauchamp, Antonio Roig, Ruben Chamorro and Victor Nieto volunteered and were appointed to this committee.

VII. ADJOURN

The Delegates Committee adjourned at 9:30 pm upon a motion by Miguel Guiot seconded by Miguel Santiago.