

## 3/7/20 SC Board Meeting (1<sup>st</sup> Qtr 2020)

**SC Attendees:** Ron Lilischkies, Dave Foley, Tina Elliot, Mike Sheffield, Howard Tolchinsky, Karen Matson, Phil Wehrli, Steve Suhre & Steve Schwab

**SC Absent:** None

**AC & HOA Mgmt Attendees:** Jerry McKinney, Kristian Osuna & Fabian Urrea

### MEETING AGENDA:

1. Review Sea CC&R's: Ch #11-Surveillance Committee; Articles 66-70 (pay particular attention to Article #68-Duties & Obligations of the SC)
2. Review Sea CC&R's: Ch #4-Remodeling Guidelines; Articles 18-21
3. Discussion on creating a Sonoran Sea Architectural Policy & Procedure Document (Define the Details of the Remodeling Guidelines discussed in Chapter #4. For example: appropriate wall paint colors, door colors, outside patio wall hangings, etc.)
  - See additional discussion below on this topic from Kristian Osuna
4. Discussion on existing & future patio additions (bars, sinks, cabinets, etc.)
5. Discussion on existing & future patio wall painting
6. Discussion then vote on Tina Elliot's remodel application

The following are the highlights of the discussion on each of the 6 agenda items shown above. If appropriate, Action Items (AI's) will be defined and delegated to the appropriate parties with a due date.

1. **Review CC&R's Chapter #11-Surveillance Committee**
  - a. SC members had read and understood all of the sections (Articles #66-70) of Ch. #11 and all agreed that these are the duties & obligations of the Sea SC board to adhere to and to enforce
  - b. As part of the SC duties, Karen mentioned that the Sea should have an owner complaint mechanism/process in place. Whereby owners who feel they don't get an answer they deem appropriate from the Sea Manager staff or the AC board, can appeal to the SC board for final resolution.
    - **AI:** Kristian/Fabian; to define/create a complaint process & form for AC & SC review
    - **Due Date:** before next GOM mtg for review by owners
2. **Review CC&R's Chapter #4-Remodeling Guidelines**

- a. SC members had read and understood all of the sections (Articles #18-21) of Ch. 4 and all agreed that these are the duties & obligations of the Sea SC board to adhere to and to enforce as it relates to the remodeling guidelines

### 3. Sonoran Sea Architectural Policy & Procedure Document

- a. Discussions by SC members around belief that the contents of Chapter #4 of the CC&R's do not have enough detail to define what the actual remodeling requirements are in practice. For example, what are the allowed colors to paint on the exterior walls of the patios or the front door, if even allowed? What are considered appropriate wall hangings on the exterior patio walls, etc? Also discussed were items from #4-patio additions, these also need to be defined in more detail.
- b. All SC members agreed it was a good idea for the Sea resort to come up with a Architectural Policy & Procedure Document that would define these details so that the rules were explicitly stated and consistent for all owners and adheres to the requirements of Ch #4 of the CC&R's
- c. Kristian had suggested and was reviewed and discussed with the SC members that this kind of document that was implemented at the Pinacate resort could be used as a template for implementing something at the Sonoran Sea Resort. A high level outline or framework would be created then vetted by the AC/SC board members to take to the next GOM for owner volunteers on the Architectural committee to create the details of this document. Then at the next GOM owners will vote on whether or not to approve this new document to control the Sea remodeling process
  - **AI:** Kristian/Fabian/Ron; to define/create a high level outline of an Architectural Policy and Procedure Document & form (could start from what we currently have) for AC & SC review from what was done at the Pinacate
  - **Due Date:** before next GOM mtg for review by owners and call for volunteers for the Architectural committee (**RON'S NOTE: Due to current COVID19 crisis and cancelling of the APRIL GOM, maybe we should come up with the framework now, then have Leslie send out in the Qtrly Newsletter a call out for Architectural committee volunteers to speed up the process since our next scheduled GOM is in Nov?**)

### 4. Discussion on existing & future patio additions and wall painting (Agenda items #4 & #5)

- a. Discussion revolved around what to do with existing patio additions and wall paintings. For recently new wall paintings the owners will need to paint their walls back to the appropriate color it was before, HOA to provide paint. For existing wall paintings and patio additions (bars, sinks, etc.) that have existed for many, many years, it was suggested by Steve Schwab that those owners should get written approval from the HOA after the fact their wall paintings/patio additions are allowed, otherwise they leave themselves open to another board's interpretation and decision of the CC&R's. This "after-the-fact" approval process could possibly come out of the work the architectural committee will be doing in the future with the Architectural Policy and Procedure Document but would need GOM approval before it could be implemented.
- b. For future patio wall paintings, hangings, patio additions, etc. the board will take upmost care in reviewing and approving or denying remodel applications in the spirit of what's currently existing at the Sea resort and also following Ch #4 of the CC&R's to the letter, until the Sea's Architectural Policy & Procedure document has been completed and approved at a GOM, which will then define this process.

## **5. Discussion then vote on Tina Elliot's (E907) remodel application**

- a. Tina presented her remodel application for E907 and a few of the SC members (Dave, Howard & Ron) and Kristian had visited her condo in person to see the proposed changes before this SC meeting. Also present was a structural engineer that Tina had brought along and Rodrigo, our maintenance supervisor, was also present. Nobody really had any objection to the remodel of the elements farther back on her patio, as it appears the remodel preliminarily meets all the objectives of Ch. #4 of the CC&R's with regards to structural, electrical, plumbing, etc and satisfies the stability, safety and sanitation requirements of the resort.
- b. Although the front facade change that Tina proposed was a portion of the remodel project that the SC members objected to, due to the visibility of that change from the ground level pool area would affect the visual aesthetics of the resort in general. Tina said she could hold off on that portion of the remodel until a later date if she could come up with a better solution or maybe do something in conjunction with Karen Matson who owns the opposite condo in the West building W907.
- c. Then it was up to the SC members to vote on whether or not to allow Tina's remodel project. Tina abstained from voting and left the meeting before the vote was held, due to her conflict of issue. But before the vote, Ron had presented from Ch. #4, Article #20 of the CC&R's the following sentence which specifically prohibited the Sea SC board (states we do not have the authority) from voting on this issue, only a simple majority of owners at a GOM could give Tina approval.

- “OWNERS shall not be entitled to make any other modification or remodeling on outdoor walls of their EXCLUSIVE PROPERTIES without the prior authorization at a General OWNERS’ MEETING.”
- d. Therefore with concurrence of all remaining SC members, the SC vote was changed from SC approval for her remodel project TO, SC voting on if Tina needs to request approval from the owners at the GOM.
  - Vote Results: YES-5; NO-0
  - Based on the vote, Tina needs to present her final remodel application to the owners at the next scheduled GOM for approval
- e. There was an additional conflict of issue brought up by Ron regarding Karen Matson since she owned the exact same unit in the West building and she shouldn't be voting on Tina's remodel project as that could possibly affect what she could do with her condo. Karen had strongly disagreed with that position but politely abstained from voting and let the West Building Alternate, Steve Suhre vote on her behalf. In further discussions it was decided that we need to have our Mexican attorney determine/define what a conflict of interest is and if any owners that own extended patios and might want to remodel and expand their living area and are on the SC board, will they be able to vote on these issues or not?
  - **AI:** Kristian/Fabian/Mexican Attorney; to define conflict of interest and determine whether or not SC members who own extended patios can vote on other owners extended patios remodel issues
  - **Due Date:** as soon as possible