11/23/20: SC Board Meeting (4th Qtr 2020) - via telecon

SC Attendees: Ron Lilischkies, Dave Foley, Tina Elliot, Howard Tolchinsky, Karen Matson, Paul Sala, Steve Suhre, Mike Sheffield, Steve Schwab
SC Absent: None
AC & HOA Mgmt Attendees: Jerry McKinney, Kristian Osuna

Meeting Agenda:

1. **CC&R Remodel Guidelines Review** (Chapter IV-doc attached)
2. **Architectural Guidelines Review Form** & Updates (Karen & Tina's work; doc attached)
    - Also required for interior work due to CC&R's Article 18
3. **E109/110 proposed patio tiles** (E109 Arch review form & 2 jpeg images attached)
    - Does it adhere to CC&R's?
    - Who pays for outside patio tile now when damaged, HOA? (Need Kristian input)
4. **Investigate whether or not the HOA should be paying for all ground floor condos outside patios tile replacement** in one shot (add to reserve study as a periodic expense)
    - promotes conformity of product and aesthetic look and adheres to CC&R's
    - promotes goodwill to ground floor condo owners due to their non-use of elevators and non-existent patio railings
        - ground floor condo owners will be paying for the resort wide railing replacements when it comes due (approx $400k cost) and they have paid for the elevator refurbishment project
    - Need a cost estimate & could Sea staff do the install? (Need Kristian input)

The following are the highlights of the discussion on each of the 4 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 of CC&R Chapter #IV-Remodeling Guidelines**
    - Much discussion around the SC's current interpretation and meaning of Article 18 of the CC&R's. It was determined before coming up with a definitive SC interpretation, that Kristian would consult with the Sea's Mexico Attorney Rogelio and verify that the English version of the CC&R's are indeed the correct translation and convey the Spanish language's intent of this article 18 and all of Chapter IV making sure nothing was lost in translation. AI: Kristian & Rogelio; DUE: ASAP

1. Once the SC has the opinion of the Mexican attorney Rogelio on Chapter IV, we will hold another SC telecom to discuss, in conjunction with item #4 AI below.

2. **Architectural Guidelines Review Form**
   - SC review required for all interior remodels as per CC&R Article 20 to determine if any work is being done on the interior walls. This is not to make the process burdensome or lengthy for the owner but to make sure an owner does not do any structural, electrical, plumbing or mechanical modifications or alterations that could impact other owners and to get the owners statement on record that they are not engaging in those types of modifications either.
   - Ron to get with Karen & Tina to provide appropriate questions on Architectural Review Form for interior remodel requests that will then be presented to the SC members for review and approval. AI: Ron/Tina/Karen to update Arch. Review Form; DUE: ASAP
3. **E109/110 proposed patio tiles**
   - SC members reviewed and discussed the arch form and pictures the owner submitted for E109 remodel request. The following were the SC decisions made:
     1. SC member's unanimous consensus (9-0) was to not allow tile on the side of the patio fascia due to visual aesthetic issue and also a safety issue if upper floors install, could loosen and fall down and possibly hurt someone.
     2. SC member's unanimous consensus (9-0) was to not approve E109 Arch review form in its current form due to our current interpretation of Article 18 pending the Mexican lawyer's opinion, see discussion of item #1 above. Also provide an explanation to E109 owners that the SC is actively working towards a solution that adheres to the intention of Article 18 of the CC&R's with the understanding that tiles will have to be replaced to some other product as the existing tiles are not manufactured anymore.
     3. Due to the discussion surrounding item #2 above for E109, the SC discussed further the owners request for E110 patio tiles that was initially approved by the SC but not sent to the owners yet, that in the context of the discussion with E109 patio tiles, the SC members rescinded their prior approval for E110 patio tile remodel request by unanimous consensus (9-0) for the same reasons as denying the remodel request for E109 patio tiles. As stated previously the SC is actively working towards a solution that will satisfy the CC&R's and encourage the owner to re-submit their outdoor patio tile arch form once the SC can provide them with detailed guidance.

- Kristian mentioned that in the past the HOA paid to install broken tiles on owner's patio but for the last 2 years or so the HOA has not paid, the owners have.

4. Investigate if HOA should pay for outdoor Patio tiles

- Lots of discussion around this topic if the HOA should pay for patio tiles on the ground floor and also on the premium patios since they are essentially a part of the roof structure for the condos below them, reference what happened with the Duke's condo tiles and the owner below them had a ceiling water leak.
    1. Before making a decision, SC members requested that Kristian provide a cost estimate for replacing all the tiles on the ground floor and premium patios, reported as separate line items. AI: Kristian with Rodrigo's help to come up with a tile replacement cost estimate; DUE: ASAP
    2. Promotes good will among owners (ground floor owners pay for patio railing & elevators and don't have or need either) and conformity of product thus adhering to current interpretation of Article 18 regarding visual aesthetics
    3. Jerry recommended that we don't use out Sonoran Sea maintenance staff to do a major tile install job like this; therefore the cost estimate that Kristian will get will be from third party tile installers.