

## **NOTICE OF THE ORDINARY GENERAL ASSEMBLY MEETING.**

This is the official notice to the members of the Asociaciòn de Colonos del Fraccionamiento Chula Vista de Chapala A.C. to attend the Ordinary General Assembly meeting **to be held January 23, 2021 at 10:00 a.m. at the hotel Villa Montecarlo**, located in Villa Hidalgo # 296 in Chapala, Jalisco. The meeting will be conducted according to the following agenda:

### **AGENDA**

- 1.- Call to order.
- 2.- Appointment of the Chairperson, the Secretary and Parliamentarian of the Meeting.
- 3.- Appointment of Polling Officers.
- 4.- Approval of the Minutes from the 2020 General Assembly Meeting.
- 5.- Introduction of the Board of Directors.
- 6.- Presentation of the President's Report.
- 7.- Presentation of the Treasurer's Report 2020 and the proposed 2021 Budget.
- 8.- Presentation of special assessment 2021.
- 9.- Comisario's Report.
- 10.- Amendment to Rules & Regulations
- 11.- Election of the new Board of Directors 2021.
- 12.- Election of Alternate Directors 2021.
- 13.- Granting of Powers to the 2021 Board of Directors.
- 14.- Announcement of the Officers selected by the 2021 Board of Directors.
- 15.- Designation of the delegate to formalize the Minutes of the Meeting into a Public deed before the Public Notary.
- 16.- Adjournment.

**SR. MICHAEL JOSEPH LEMMO  
PRESIDENT.**

## **PRESIDENT'S REPORT FOR 2020**

Fellow members of the Chula Vista Fraccionamiento, thank you for attending today's annual general meeting.

The purpose of the Association is to provide services to the members.

We are not in the business of imposing fines. But, we are in the business of collecting fees to cover the expenses of providing services of water, street maintenance, street lights, and garbage service. Some members habitually do not pay the fees. So, we are proposing some additional rules that are incompliance with the By-Laws and the existing Rules and Regulations. Hopefully those non-paying members will agree to pay like the rest of us. Those fines and interest charges may be reduced if the non-paying members are sincere about joining the paying members.

Security issues became a big issue early this year. There were several robberies in upper Chula Vista and one in lower Chula Vista that were reported to the office. One of the robberies in upper Chula Vista involved guns and tying of the victims. It was very traumatic for them and their neighbors. Several people from upper Chula Vista started a group to install a gate near the golf club. This is a complicated procedure partially because our association does not own the streets, Chapala does. Last October they approached the board meeting to propose putting gates on all of the access points to Chula Vista. This is even more complicated. They were requested to submit a complete financial proposal to the board by mid-November for our review and comments. They did not submit a proposal.

We have had some extreme noise problems that will be discussed in the Neighborhood Relations section.

There have been few legal problems last year. Our lawyer is doing what is necessary to protect the association from legal attacks. We pay him a very large fee and he is a very good lawyer that has worked for us for many years. He knows all of our legal history and as such is a valuable asset to association.

Our water system is in good condition and will be discussed in the water section. We are proposing special assessment for potential needs that are discussed in the water section.

There has been continued construction activity with several neighbor conflicts. This will be discussed in the construction section.

The environmental section will update you on what we have done to improve our environment.

I would like to formally appreciate our office staff, Lucy Fernandez and Jose Milan. They are the backbone of the association, are the face of the association to all the members, know so much about how the association functions and its' history, and work compassionately to provide services to all of us.

The workers, Victor Comparan, Francisco Hernandez, and Cesar Milian, work very hard also. They repair broken water pipes at all hours so that we have water as soon as possible. They maintain the streets, which in rainy season need the weeds and grass cut frequently. They cut trees and brush when they are a nuisance or need to be replaced. And they do many more tasks as necessary.

These are our employees and are appreciated very much. They also receive a good income for their efforts.

Sincerely,

Michael Joseph Lemmo, President

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## **2020 WATER REPORT**

We have continued to pursue a new location for well #1 because of its' damaged casing that cannot be repaired. It may fail at any time or may last for years, but sooner or later it will fail completely. Progress has been slow for personal reasons of the landowner where we want to re-locate well #1. Hopefully 2021 will give us the opportunity to purchase the land and start on some of the necessary improvements. We are proposing a special assessment of 2 million pesos to be put in a separate bank account to cover the costs to move well #1. Both wells #1 and #2 have not given any problems in 2020. The water tanks, 1,2,3&4, were cleaned and no problems were found in their structure. Our water consumption increased this year due to many members who live in Guadalajara and came to live in their homes here. We spend around 600,000 pesos per year on electricity to run the pumps that move the water from the wells to the tanks. Some cables have been replaced that were worn out. Water quality tests all came back within acceptable limits.

We have a water allocation from CONAGUA of 52,500 cubic meters per year for well #1 and 52,500 c.m/year for well #2. In 2018 we purchased 34,724 c.m from a private party that was added to the quota for well #2. Our current total allocation is 139,723 cubic meters per year. If we use over that amount, we pay a penalty. That additional allocation we bought in 2018 has cost us 403,000 pesos for the allocation and around 300,000 pesos for legal fees. We had the opportunity to purchase an additional water quota from a private party in 2020, 78,250 cubic meters of water per year. We are not sure when or if that will happen, but we filed the request to CONAGUA to allow us to purchase that allocation. That purchase would insure that we have water for any new homes and keep us from paying a penalty for over consumption. This years' special assessment includes 1 million pesos as a reserve to buy that allocation and cover legal fees. We feel it is important for the future of Chula Vista to buy the additional allocation.

When we buy a water allocation, it is an asset of the Fracc., we own it. The wells and the tanks are owned by Chula Vista. Relocating well #1 will be a large improvement of our assets and will last for many years. The old well #1 has lasted over 50 years. Its' failure is due to ground movements in that area.

We have a lawyer that handles our interface with CONAGUA. He is expensive, he does a very good job for us, and we will continue to pay him to do all that he can for us.

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## **2020 Neighborhood Relations Committee Report**

Our neighborhood continues to thrive in spite of the challenging conditions of this year.

### ***Hola Vecino/Hi Neighbor***

Our community newsletter, ***Hola Vecino/Hi Neighbor***, has provided useful and entertaining information for the community. Three issues have been printed containing information about useful and appropriate

trees, mosquito prevention, Chula Vista water, and neighborhood events and projects. The newsletter has been distributed throughout the community in a colorful digital format and also delivered in black/white hardcopy.

### **Noise**

Violations of the neighborhood noise rules were a problem during the year. Consideration and respect for neighbors as well as awareness of noise limits are necessary for all of us to enjoy living in our community.

### **Fiesta**

We held an enjoyable Community Fiesta in March. Luckily it happened before the Covid virus shutdown. It was well attended and offered a relaxing opportunity for neighbors to get together.

We all hope that our community and the entire Lakeside area will emerge from the Corona virus pandemic healthy and ready to enjoy living at Lake Chapala.

### **Christine L'Ecluse, Chair and Board Secretary**

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### **2020 Environmental Committee Report. By Werner Zuercher, Chair.**

The maintenance team attended a training session at the Municipal Ecology Department and received certificates that made them official, licensed kind of, to carry out the pruning and removal of trees.

2 damaged jacaranda trees were removed in Chula Vista street (carretera), in front of OXXO. Trees were planted to replace them.

In the small park at Paseo del golf at the top of the hill were they removed dry trees with trunks left behind, bougainvillea were planted to beautify the area.

We received 10 dwarf tabachin trees to reforest the forest to replace the trees that had to be removed.

The green areas of Av. Del Parque and the forests continue to be maintained, and the ever growing grass in our streets continues to get cut regularly.

20 signs were installed signaling to use dog leashes and not to throw dog excrements into our streets, also 5 containers were installed for disposal of your dogs excrements.

Once a week the grass of wastelands gets cut and some garbage is collected from our streets by our maintenance staff.

In general, our maintenance team is always focused on beautifying our streets and green areas!

To conclude please advise the Office for any trees or bushes that need to be removed or trimmed, that includes your sidewalk as well. If necessary the Office will get you an estimate of cost for removal of a larger tree and can get a permit from Chapala when needed.

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### **Zoning and Construction Committee Report 2020**

From January through 31 December 2020, there were **3** construction permits issued in Chula Vista:

3 Remodeling

0 New Construction

Please note: Owners who want to build a new house or an addition, or undertake remodeling, are required to submit architectural (and, where needed, engineering) plans to the Chula Vista office for review by the Zoning and Construction Committee.

Once plans are approved, stamped and signed by Chula Vista, they must be submitted for municipal approval to the Chapala Building Department at City Hall. There are fees that must be paid to both Chula Vista and Chapala.

**Stanley Rawson, Building Inspector**

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#### **TREASURER'S REPORT 2020**

The projected inflation rate for 2021 is 3.5%. This may change when the final numbers are available next year but we must make the budget in November. Most numbers in the 2021 forecast have been rounded for simplicity's sake. We have taken into account the projected income and expenses from 2020 to adjust the budget for 2021 from the 3.5% inflation rate.

SIMAPA's price increase for 2021 is 0%. We cannot charge more than what they charge, so we have no increase in water rates for 2021. We have included 1 million pesos income for relocating well #1 and 500 thousand pesos for the new water allotment. The budget number for 2021 income from water is in line with the past few years.

Maintenance fees reflect the 3.5% inflation percentage as do most of the income and expense amounts, which some of them were adjusted to take into account 2020 amounts. Garbage fees have increased greatly over the past few years, 2021 is no exception. The dump fees are a large part of the increases, our contractor has no control over those charges

Total net income budgeted for 2021 is \$862,680. This is similar to past years.

#### **The proposed rates for 2021 are as follows:**

##### **MAINTENANCE FEE**

\$ 5.63      *Rate per square meter for empty lots*

\$ 4.46      *Charge per square meter of total property*

\$3,055.32    *Charge per house (base rate)*

*Businesses pay double rate (authorized area)*

#### **WATER RATES**

Per house		Other usages	
0 - 10 m3	\$97.20	0 - 12 m3	\$143.22
11 - 20 m3	\$12.78	13 - 20 m3	\$14.52
21 - 30 m3	\$13.17	21 - 30 m3	\$15.24
31 - 50 m3	\$13.57	31 - 50 m3	\$16.00
51 - 70 m3	\$13.99	51 - 70 m3	\$16.80
71 - 100 m3	\$17.31	71 - 100 m3	\$17.31
101 - 150 m3	\$18.18	101 - 150 m3	\$18.18
151 m3 & >	\$20.86	151 m3 & >	\$20.86

**Plus a 4% additional for infrastructure**

	BUDGET	ACTUAL	BUDGET	FORECAST	BUDGET
	2019	2019	2020	2020	2021
<b><u>WATER INCOME and EXPENSE</u></b>					
<b>WATER INCOME</b>					
Water actual year ( 4, 1,2,3 quarters )	1,696,844	1,800,000	1,944,000	1,600,000	\$2,000,000
collection for water system maintenance		3,400	4,000	0	\$4,000
collection for system connections fees		34,000	35,000	15,400	\$35,000
Interest earned in current year	20,000	21,000	20,000	260,000	\$21,000
Collections on water past due accounts	70,000	75,000	50,000	38,000	\$40,000
Interest earned past due accounts	20,000	7,800	10,000	4,000	\$10,000
special assessment well#1(1/2 2021)	0	0	0	700	\$1,000,000
special assessment add quota(1/2 2021)	0	0	0		\$500,000
Miscellaneous income	3,000	1,000	1,500		\$1,500
Prepaid water fees in 2019 for 2020		0	0		\$0
<b>TOTAL WATER INCOME</b>	<b>1,809,844</b>	<b>1,942,200</b>	<b>2,064,500</b>	<b>1,930,600</b>	<b>\$3,611,500</b>
<b>WATER EXPENSES</b>					
<b>Salaries -</b>					
Jose A. Milian	154,229	150,000	156,000	155,000	\$160,000
Victor Manuel Comparan	145,272	115,000	119,600	140,000	\$140,000
<b>Vacation pay</b>					
Jose A. Milian	7,689	8,000	8,320	6,000	\$8,000
Victor Manuel Comparan	5,663	6,000	6,240	6,000	\$6,000
<b>Aguinaldos</b>					
Jose A. Milian	9,389	9,400	9,776	10,000	\$10,000
Victor Manuel Comparan	7,474	7,500	7,800	8,000	\$8,000
<b>IMSS/Infonavit/Payroll taxes</b>					
Jose A. Milian	62,531	62,531	65,032	70,000	\$70,000

Victor Manuel Comparan	56,944	56,944	59,222	60,000	\$60,000
<b>Total</b>	<b>449,191</b>	<b>415,375</b>	<b>431,990</b>	<b>455,000</b>	<b>\$462,000</b>
<b>Well Repairs</b>					
Pipe replacement	24,000	170,000	20,000	38,000	\$25,000
Cleaning	60,000	33,000	10,000	0	\$12,000
Casing	100,000	45,000	0		\$0
	<b>184,000</b>	<b>248,000</b>	<b>30,000</b>	<b>38,000</b>	<b>\$37,000</b>
<b>Tank Infrastructure Refurbishment</b>	-				
Electrical Upgrades	65,000	65,000	0	0	\$30,000
Pump/Motor Replacement	70,000	70,000	0	0	\$25,000
<b>Total</b>	135,000	<b>135,000</b>	<b>0</b>	<b>0</b>	<b>\$55,000</b>
<b>Electricity for water pumps</b>	516,556	500,000	600,000	500,000	\$600,000
Equipment and repairs	126,904	90,000	35,000	65,000	\$60,000
Federal water use taxes	60,000	22,000	30,000	24,000	\$31,050
Lic. E. Carvajal - Conagua license	34,800	23,200	50,000	45,000	\$51,750
Water Testing	25,873	5,300	20,000	5,000	\$10,000
Legal fees	98,000	150,000	170,000	40,000	\$50,000
Consulting fees	-	0	10,000	10,000	\$10,350
land purchase for well #1		250,000	0	0	\$250,000
improvements for well #1				0	\$750,000
purchase of additional water allotment				0	\$500,000
Reserve water repairs and improvements	100,000	95,000	300,000	65,000	\$300,000
Miscellaneous expenses	8,506	8,500	10,000	5,000	\$10,350
<b>Total</b>	<b>970,639</b>	1,144,000	1,225,000	759,000	<b>\$2,623,500</b>
<b>TOTAL WATER EXPENSES</b>	<b>\$1,603,830</b>	<b>1,942,375</b>	<b>1,686,990</b>	<b>1,252,000</b>	<b>\$3,177,500</b>
<b>NET INCOME (loss) WATER SERVICES</b>	\$206,014	<b>-175</b>	<b>377,510</b>	<b>678,600</b>	<b>\$434,000</b>
	<b>BUDGET</b>	<b>FORECAST</b>	<b>BUDGET</b>	<b>FORECAST</b>	<b>BUDGET</b>
<b>MAINTENANCE SERVICES</b>	<b>2019</b>	<b>2019</b>	<b>2020</b>	<b>2020</b>	<b>2021</b>
<b>INCOME</b>					
Maintenance fees	2,043,471	2,200,000	2,288,000	2,000,000	\$2,368,080
Interest maintenance fees	39,426	45,000	35,000	15,000	\$20,000
Prepaid maintenance fees	44,549	30,000	20,000	0	\$10,000
Collections on past due accounts	142,038	55,000	50,000	70,000	\$60,000
Interest earned in past due accounts	24,469	6,000	10,000	40,000	\$20,000
Non-refundable Construction fees	37,100	30,000	15,000	19,000	\$15,000
Construction Permit	5.300	5.000	3.000	1.500	\$3,000

Collection of Fines	-	5,000	5,000	0	\$5,000
Miscellaneous income	13,393	8,000	10,000	26,000	\$25,000
<b>TOTAL MAINTENANCE INCOME</b>	<b>2,860,613</b>	<b>2,384,000</b>	<b>2,436,000</b>	<b>2,171,500</b>	<b>\$2,526,080</b>
<b>EXPENSES</b>					
<b>Employees</b>					
Salaries (Francisco Hernandez)	141,493	140,000	145,600	145,000	\$150,000
Salaries (Cesar Milian)	123,060	130,000	135,200	120,000	\$140,000
<b>Vacation</b>					
Francisco Hernandez	5,794	8,900	9,256	6,500	\$10,000
Cesar Milian	2,544	0	3,120	4,200	\$4,000
<b>Aguinaldos</b>					
Francisco Hernandez	7,768	7,800	8,112	8,000	\$8,500
Cesar Milian	6,509	6,500	6,760	6,500	\$7,000
<b>IMSS/Infonavit/Payroll taxes</b>					
Francisco Hernandez	58,305	55,000	57,200	65,000	\$65,000
Cesar Milian	52,875	48,000	49,920	55,000	\$55,000
<b>TOTAL</b>	<b>398,348</b>	<b>396,200</b>	<b>\$415,168</b>	<b>410,200</b>	<b>\$439,500</b>
<b>VEHICLE</b>					
Pickup gasoline, maintenance, license, insurance	45,241	50,000	60,000	50,000	\$60,000
Equipment and repairs	8,328	5,000	6,000	11,000	\$10,000
Materials	1,907	4,000	4,500	0	\$4,500
Reserve for new truck		0	50,000	50,000	\$50,000
Contracted services	369	4,500	5,000	1,000	\$2,000
<b>TOTAL</b>	<b>55,845</b>	<b>63,500</b>	<b>125,500</b>	<b>112,000</b>	<b>\$126,500</b>
<b><i>Garbage Collection</i></b>					
Contracted services					
<b>TOTAL</b>	<b>656,307</b>	<b>670,000</b>	<b>700,000</b>	<b>750,000</b>	<b>\$850,000</b>
<b><i>Street Lighting</i></b>					
Electricity	338,810	360,000	400,000	350,000	\$400,000
Equipment and repairs	48,000	45,000	60,000	28,000	\$45,000
Contracted services	25,000	30,000	35,000	30,000	\$35,000
<b>TOTAL</b>	<b>411,810</b>	<b>435,000</b>	<b>495,000</b>	<b>408,000</b>	<b>\$480,000</b>
<b><i>Street and Drainage Repairs</i></b>					
Materiales	58,155	50,000	55,000	80,000	\$90,000
Environmental maintenance	19,937	12,000	20,000	40,000	\$30,000
Contracted services	25,000	16,000	25,000	46,000	\$30,000

<b>TOTAL</b>	<b>103,092</b>	<b>78,000</b>	<b>100,000</b>	<b>166,000</b>	<b>\$150,000</b>
<b><u>Office Operations</u></b>					
Salaries (Lucy Fernandez)	180,457	190,000	197,600	220,000	\$225,000
Vacation pay	25,020	12,000	30,000	14,000	\$30,000
Aguinaldos	13,850	0	15,000	20,000	\$15,000
IMSS/ Infonavit/ payroll taxes	125,226	115,000	119,600	120,000	\$125,000
<b>TOTAL</b>	<b>344,553</b>	<b>317,000</b>	<b>362,200</b>	<b>374,000</b>	<b>\$395,000</b>
Electricity	10,405	11,000	14,000	7,500	\$10,000
Equipment and repairs	3,526	10,000	10,000	6,000	\$10,000
Supplies	25,263	25,000	20,000	22,000	\$25,000
Telephones	16,939	15,000	17,000	14,000	\$18,000
Contracted services – computers	1,592	700	0	0	\$0
Contracted services –cleaning	19,875	17,000	19,000	23,000	\$25,000
Miscellaneous	26,079	45,000	40,000	40,000	\$41,400
<b>TOTAL</b>	<b>103,679</b>	<b>123,700</b>	<b>120,000</b>	<b>112,500</b>	<b>\$129,400</b>
<b><u>OTHER EXPENSES</u></b>					
Accountant fees	48,622	53,000	58,000	55,000	\$60,000
Legal fees	98,000	125,000	135,000	75,000	\$100,000
Annual general assembly meeting	37,532	15,000	25,000	28,000	\$30,000
Monthly board meetings	-	0	0	3,500	\$6,000
Municipal Taxes	5,612	6,700	10,000	9,000	\$11,000
Bank Charges	-	0	0	9,000	\$5,000
Renovation of Municipal Concession	60,000	0	0	0	\$50,000
Internet Infrastructure	-	0	0	0	\$0
Reserve Replenishment/Contingency	100,000	0	100,000	100,000	\$100,000
Miscellaneous expenses	4,218	4,400	5,000	16,000	\$15,000
<b>TOTAL</b>	<b>353,984</b>	<b>204,100</b>	<b>333,000</b>	<b>295,500</b>	<b>\$377,000</b>
<b>TOTAL MAINTENANCE EXPENSES</b>	<b>1,771,311</b>	<b>1,617,500</b>	<b>1,950,868</b>	<b>1,878,200</b>	<b>\$2,097,400</b>
<b>NET INCOME (loss) MAINTENANCE</b>	<b>1,089,302</b>	<b>766,500</b>	<b>485,132</b>	<b>293,300</b>	<b>\$428,680</b>
<b>NET INCOME (loss) WATER PLUS MAINTENANCE</b>	<b>1,295,316</b>	<b>766,325</b>	<b>862,642</b>	<b>971,900</b>	<b>\$862,680</b>

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## **SPECIAL ASSESSMENT**

This year we are proposing a Special Assessment that we feel is necessary for the continued excellent water service in Chula Vista.

As discussed in the Water section, we need two million pesos for the relocation of well #1 and one million pesos to purchase an additional water quota from a private party. The special assessment for the two million pesos for the relocation of well #1 will be divided equally between all of the properties, \$5,634 pesos per property.

The one million pesos for the purchase of the additional water quota will be divided by the members' water usage during the four quarters previous to the fourth quarter 2020, which is \$10 pesos per cubic meter of consumption in the past year. The members who will benefit the most of the additional water quota are those who use the most. Properties without water service will have an assessment equal to the average of the quota of the other properties that will be payable when they want a connection to our water system.

We take this action very seriously, it is essential for the future of Chula Vista.

Payment options will be available at the office.

In case in any quarter a review has had to be done (meter failure, mis-reading or meter change) the consumption of the quarter of the same period of the previous year will apply. Annual water consumption will be 4 quarters 2019 and 1, 2, and 3 quarters of water 2020.

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## **COMISARIO'S REPORT 2020**

This year has been very difficult year for the Board as they have been coping with infrastructure and legal problems throughout the year.

In my opinion they have performed responsibly and to the best of their abilities to maintain the services we as members expect.

**Charles Allan Flaa**

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## **Proposed Revision of Rules & Regulations for AGM 2021**

### **Existing Regulation**

## Section II - Construction

4. PROPERTY ACCESS: Property Owners must provide access to Chula Vista representatives during the plan approval process and throughout the construction period. **No plans will be approved if access is denied.** Failure to provide access during construction will result in a cease work order and/or the assessment of penalties as provided in Section VIII.

## Proposed Revised Regulation

### Section II - Construction

4. PROPERTY ACCESS: Property Owners must provide access to Chula Vista representatives during the plan approval process and throughout the construction period. Failure to provide access during construction will result in a cease work order and/or the assessment of penalties as provided in Section VIII.

Delete this sentence: **No plans will be approved if access is denied.**

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## Existing Regulation

### Section II - Construction

#### 7. Deposits and Fees Required

- c. Water Connection Fee: An initial water connection to a property shall be in accordance with Ley de Ingresos del Municipio de Chapala, Jalisco, Sección Décimo Segunda del Agua Potable, Artículo 88. The fee for a reconnection shall be \$5,000.00 (five thousand) pesos.

## Proposed Revised Regulation

### Section II - Construction

#### 7. Deposits and Fees Required

- c. Water Connection Fee: The fee for an initial water connection to a property shall be in accordance with Ley de Ingresos del Municipio de Chapala, Jalisco, Sección Décimo Segunda del Agua Potable, Artículo 88. The fee for a **reconnection** shall be \$5,000.00 (five thousand) pesos.

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## Existing Regulation

### Section III – Maintenance of Property

10. Any non-conforming building or structure that is damaged or incomplete to the extent of 50% or more of its original or completed stage, as determined by the Board of Directors, shall be removed

and not restored unless restoration or completion is done in compliance with these Regulations and a permit has been obtained

### **Proposed Revised Regulation**

Delete this complete paragraph #10.

### **Existing Regulation**

#### Section III – Maintenance of Property

11. The amount of noise being made on any property shall not be of a nature to disturb or annoy other residents of Chula Vista. In the event of parties or music for home enjoyment, the noise level shall be limited to **85** decibels. The noise must not occur between 12:00 midnight and 8:00 a.m. When a complaint is made to the police or governing official, the Property Owner or his representative shall reduce the noise to the satisfaction of the enforcer. Repetitive failure to comply with the noise limit may result in the assessment of penalties as provided in Section VIII.

### **Proposed Revised Regulation**

#### Section III – Maintenance of Property

11. The amount of noise being made on any property shall not be of a nature to disturb or annoy other residents of Chula Vista. In the event of parties or music for home enjoyment, the noise level shall be limited to **100** decibels. The noise must not occur between 12:00 midnight and 8:00 a.m. When a complaint is made to the police or governing official, the Property Owner or his representative shall reduce the noise to the satisfaction of the enforcer. Repetitive failure to comply with the noise limit may result in the assessment of penalties as provided in Section VIII.

#### Section VIII – Remedies & Penalties

##### **Existing Regulations**

<b>INFRACTION</b>	<b>1<sup>ST</sup> OFFENCE</b>	<b>2<sup>ND</sup> OFFENCE/NOTICE</b>	<b>3<sup>RD</sup> OFFENCE/NOTICE</b>
Failure to acquire proper building permit	Cease Work Order	-----	-----
Failure to obtain annual permit renewal	Notice	Cease Work Order	-----
Failure to provide access during construction	Cease Work Order	-----	-----

Failure to comply with Cease Work Order	\$10,000	\$25,000	\$50,000
Failure to comply with Rules for maintenance of property	Notice	\$5,000	\$10,000
Failure to comply with rules against excessive noise	Notice	\$10,000	\$25,000
Failure to comply with water and sanitation rules	Notice	\$10,000	\$25,000
Failure to comply with pet rules	Notice	\$5,000	\$10,000
<b>Proposed Additional Regulation</b> (proposed additional regulations in <b>bold</b> letters)			
Failure to pay assessments, fees, deposits, levies, fines or penalties of more than 90 days in arrears. <i>(Fines to be applied only on the principal, not interest.)</i>	10% of outstanding balance	20% of outstanding balance (180 days in arrears)	30% of outstanding balance (270 days in arrears)
Failure to comply with a written Agreement between the debtor and the Association to pay the above fines	20% of the outstanding balance	30% of the outstanding balance	Discretion of the Board of Directors
Failure to comply with any other Regulations	Amount to be determined at the discretion of the Board		

## **NOMINATIONS FOR THE 2021 BOARD OF DIRECTORS**

### **ELECTION OF THE NEW BOARD OF DIRECTORS - NOMINATIONS FOR THE 2021 BOARD OF DIRECTORS**

**Billy R. Brown**  
**Maria Leticia Gutierrez Shelly**

**Were elected for two-year terms at the 2020 General Assembly and will complete their terms this year**

**The Nominating Committee has recommended the candidates listed below for an additional ( 2 ) two-year term as Director:**

#### **Laurence Park**

I am Lawrence Park, a little over 70 years old, and happy to be living in Jardines, Chula Vista, first house on the right.

I came to live in the Chapala / Ajijic area 4 years ago, after having retired to Los Cabos BCS, in 2008. Previously I lived and worked in England, Argentina, Venezuela and Mexico City, where I started a small company which provided claims handling services to Insurance and Reinsurance companies.

Having moved about a bit, during the later years of my life , I have been able to appreciate the different ways in which HOA's , both large and small, are managed, and hope I can make a worthwhile contribution to this one at Chula Vista.

#### **Joe Alex de Leon**

Joe has been working hard for many years-- as the Chula Vista board member charged with the daunting task of managing our water system, as well as other aspects of the overall infrastructure of the fraccionamiento. Brought up in Texas by Mexican parents, Joe has the advantage of being fully bilingual. As a Chief of Staff of Cardiology, he has extensive experience not only as a surgeon, but as the manager of a large department. He has been a member of many company boards and, at one time, held the position of President here in Chula Vista.

#### **Werner Zuercher**

- I was born and growing up in BASEL, Switzerland • Started of work in the airlines industry, speaking english gave me a big advantage • Later a 2 year stay in Morocco working at the reception desks of two 5-star hotels in Tangiers and later in Marrakech • A 5 year stay in Australia (Sydney) operating a restaurant at the Manly resort town made for a great time to explore this great country and its people • In 1968 off to Canada for a new life working at ICAO for 24 years starting of in the statistics department and moving on later as the head of Document Control in the organization topped of my career before retiring part time to Rio de Janeiro and later to Chula Vista • During my stay in Canada I took advantage of opportunities in Real Estate in Montreal which allowed for early part time retirement • After years of being a snowbird I finally settled as a full time resident in 2014 in my home in Chula Vista.

#### **Louise Andree Morel**

Louise sat as an alternate director in 2016. In the past she has been active in different capacities with the Chula Vista board including chairing the Nominations Committee for a number of years and acting as Parliamentarian for the past three General Assemblies. Her varied professional experience ranges from economic research, marketing research, publishing and association management, in both Canada and the United States.

**Any eligible members may apply for the position of Director by registering at the office no less than three days prior to the AGM. Their names will then be listed on the ballots distributed at the AGM. A member may also be nominated from the floor of the General Assembly.**

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**The Nominating Committee has recommended the candidates listed below for the one-year term as Alternate Director:**

**Michael Joseph Lemmo**

Michael has a bachelor's degree in Forest Management and a Masters degree in Business Administration. His experience includes contract management in the forest products industry and in commercial construction. He served as a translator/ interpreter in the US Army. He has served in the Peace Corps in Ecuador.

**Michael Joseph Kavanaugh**

Michael has served as president of the Chula Vista board. He has a PhD in Administration and Educational Leadership from the University of Alabama. He is the owner and president of a local real estate firm.

**Christine Anne L'eCluse**

Elected as Secretary last 2 years, Chris's experience includes administrative posts in transportation companies, 17 years as a university ESL teacher and eight years as an editor of a community newsletter. She has been on the Boards of a regional symphony orchestra and a community council. From her experience working with volunteers as a community leader for a wildlife habitat project and as the chief writer/editor for a community website and history brochure, Chris knows the power of willing and dedicated volunteers who care about their community and strive to improve it.

**Any eligible members may apply for a position as Alternate Director by registering at the office no less than three days prior to the AGM. Their names will then be listed on the ballots distributed at the AGM. Members may also be nominated from the floor of the AGM.**

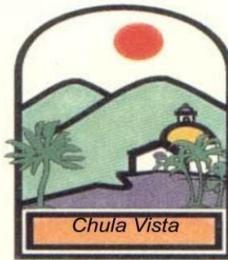
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**Charles Allan Flaa was elected at the 2020 AGM for a two year term as Comisario and will complete his term this year.**

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# **Asociación de Colonos del Fraccionamiento Chula Vista de Chapala, A.C.**

Calle Jardines # 95 Fraccionamiento Chula Vista, Chapala Jalisco. c.p 45907.  
Tels. 376 766 2633 y 376 766 2667 whats app 33 26 04 52 74  
colonoschulavista1@hotmail.com [www.chulavista-lakeside.com](http://www.chulavista-lakeside.com)



## **POWER OF ATTORNEY**

### **ANNUAL GENERAL ASSEMBLY MEETING - 23 DE ENERO DE 2021.**

I, \_\_\_\_\_  
*(owner and member of the Association)*

Address: \_\_\_\_\_

#### **I HEREBY APPOINT:**

( First ) \_\_\_\_\_ ( Middle ) \_\_\_\_\_ ( Last ) \_\_\_\_\_

*(printed name of the person who will be your representative)*

To represent me in this **ANNUAL MEETING OF THE GENERAL ASSEMBLY**, to vote on issues presented according to the agenda with discretionary authority, or as directed by me below.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**\*\*\* ATTACH COPY OF THE OFFICIAL PHOTO ID WITH SIGNATURE \*\*\***

WITNESS: \_\_\_\_\_  
Nombre y firma

WITNESS: \_\_\_\_\_  
Nombre y firma

If you plan to vote at the annual meeting but cannot attend in person, please complete and sign this Power of Attorney form.

**Powers of attorney may be submitted, scanned and mailed to:  
[colonoschulavista1@hotmail.com](mailto:colonoschulavista1@hotmail.com), or by dropping them off at the office. Or you may give it directly to your representative.**