

# PDM Arcos BoD's Zoom Meeting

## 2026-05-02 09:50(GMT-7:00)

### Key Outcomes

The meeting focused on comprehensive bylaw updates for Arcos HOA to address structural governance issues and implement proper condominium regime enforcement. Arturo presented a legal framework to transition from a weak civil association model to enforceable condo regimes, enabling collection of unpaid HOA fees through property liens and establishing proper oversight of administrator powers. [1](#) [2](#) [3](#)

### Critical Structural Changes

#### Condominium Regime Implementation

- **Master condominium structure:** Arcos consists of multiple small condo regimes (Encasa, Zacatecas, Oaxaca, San Miguel, Vallarta, individual houses) that will form a master condominium sharing common areas like the palapa, pool, and pathways [4](#) [5](#) [6](#)
- **Legal enforcement mechanism:** Condo regime structure allows property liens after 2-3 months of unpaid fees, unlike current civil association which cannot enforce collections through courts [7](#) [8](#)
- **Automatic membership:** Property purchase automatically includes condo regime membership with binding obligations—no voluntary opt-in required [7](#)
- **Vigilance committees:** Each condo regime appoints a vigilance committee (4-5 members) to oversee the civil association acting as administrator [9](#) [10](#)

#### Governance Power Rebalancing

- **President authority elimination:** Current bylaws grant president sole power to hire/fire employees, set HOA fees individually per unit, change bylaws without assembly approval, and include/exclude members—all powers now transferred to General Assembly [1](#) [2](#) [3](#)

- **Financial oversight:** Administrator must report to General Assembly with proper financial documentation, not just year-end summary [3](#)
- **Hiring/firing protocol:** General Assembly decides on employee changes; administrator only signs contracts after assembly approval [11](#) [12](#) [13](#)

## Decisions Made

- **Bylaw revision scope:** Complete overhaul to address power concentration, financial transparency, enforcement mechanisms, and condo regime integration [1](#) [14](#)
- **Dog policy:** No breed or size restrictions; all dogs must be leashed; owners legally responsible for damages; existing dogs grandfathered [15](#) [16](#) [17](#)
- **Airbnb regulation:** Require registration with administrator (guest count, days, cars, ID copies); enforce through condo regime assemblies; consider minimum 6-month rental terms [18](#) [19](#) [20](#)
- **Lot specification:** Bylaws will explicitly state Arcos is Block 9, lots 1-69, to prevent future separation attempts [21](#) [22](#)
- **Wastewater agreement:** Club section wastewater treatment plant agreement will be documented in bylaws as ongoing community responsibility [22](#) [23](#)

## Pending Property Issues

### Land Ownership Transfers

- **Palapa/pool lots:** Enrique Colinas previously agreed to transfer 4 lots; back taxes partially paid but transfer incomplete due to Colinas family disputes [24](#) [25](#) [26](#)
- **Entry gate lot:** Owned by CESPE (utility), not Colinas family—separate negotiation required [25](#) [26](#)
- **Legal strategy:** Can initiate civil court transfer process with surveyor (\$2,000) without immediate public registry costs; continue paying property taxes during transition [27](#) [28](#)
- **Next step:** Doris will contact Enrique Colinas directly this summer to request donation similar to Club section arrangement [28](#) [29](#)

## Encasa Club Section Dispute

- **Usage rights vs ownership:** Encasa residents pay \$60/month (50% of their HOA fees) for clubhouse/tennis court access but have no voting rights—Club section owns facilities 30 31
- **Developer promise conflict:** Encasa sales staff promised ownership rights, but Colinas family deed only granted usage rights with fees 30 32
- **Potential litigation:** Eduardo may pursue lawsuit as condo regime vs Club section, not individual action 33

## Technology & Operations Updates

### Electronic Voting System

- **Development status:** Arturo's team building cell phone QR code voting system to verify eligibility, record attendance, and enable remote participation 34 35
- **Features planned:** Automatic voting rights verification, digital document access (legal reports, financials), anonymous message posting for non-English speakers 34 35
- **Timeline:** Prototype expected by May 16 General Assembly; may use traditional voting as backup 34 36
- **Remote participation:** Bylaws must be updated to legally authorize Zoom attendance and voting 36

### Security Improvements

- **Camera recommendation:** Esteban recommended Eufy camera system with person-tracking, no monthly fees, mobile alerts, and app sharing capability for guards 37 38 39
- **Existing system:** Gate security system installed by Arman is operational and monitored by Jose Luis 40
- **Legal value:** Video evidence critical for Mexican civil/criminal cases to prove property damage ownership 40

## Website Resources

- **Community portal:** Fernando offered Arcos website (commercial-free, donated hosting) for posting videos, PowerPoint presentations, newsletters, and bylaws 41 42
- **Communication strategy:** Website can serve as central hub similar to US HOA management practices 42

## Financial Status

- **Current balance:** Approximately 91,000 pesos in bank account 1
- **Expense coverage:** Sufficient for employee salaries, accountant (Gloria Samaripa), and legal services 1
- **Bank transition:** Still dependent on Maria Lozoya's account; Abraham working with Gloria to transfer SAT registration and banking authority to his name 43 44

## Action Items

- **Arturo:** Review Article 27 vs Article 30 conflict on administrator hiring/firing powers; clarify General Assembly authority in Spanish version 11 12 13
- **Arturo:** Add ocean terrace (terrazza) to communal goods section if missing from Spanish bylaws 13
- **Arturo:** Investigate legal options for gate property ownership and damage liability enforcement 45 46 47
- **Arturo:** Send PowerPoint presentation and video to current meeting attendees for review before community-wide distribution 48 49
- **Abraham:** Email PowerPoint presentation and condo regime explainer video to attendees by mid-next week 49
- **Abraham:** Schedule summer meeting focused exclusively on civil association vs condo regime differences and wastewater plant agreement with Club section 50
- **Doris:** Contact Enrique Colinas this summer to negotiate lot transfer for palapa/pool areas 28 29
- **Esteban:** Send Eufy camera system information to Abraham and Doris for security evaluation 38 40

- **Fernando:** Provide website access details to Arturo and Abraham for document hosting 41
- **Fernando:** Deliver polo shirts and caps for guards and maintenance staff to Abraham for distribution 37 42

## May 16 General Assembly Preparation

- **Primary goal:** Approve updated bylaws without article-by-article reading (would take full day) 51 52
- **Advance distribution:** Bylaws sent in Spanish and English for pre-meeting review and questions 52
- **Q&A focus:** Address specific concerns about pets, painting regulations, position responsibilities rather than full bylaw reading 52
- **Separate condo regime meeting:** Complex condo regime implementation will be covered in dedicated summer session to avoid overwhelming new residents 50