

Bellamar

Punta Mita Living



Fighting the Tides of Time



Tip: Have a concern about a neighbor or their guests that you want addressed? [Please use this form](#). Betty and the VC will be instantly notified so they can take appropriate action as needed.

The rainy season is upon us, but the work never ends!

The garden beds in the lobby got fairly well sealed up, though we still have to decide on new plantings. So if you show up and it looks a bit barren right now, don't lose hope - it won't stay that way!

Work continues on improved drainage in the lobby area to take as much water as possible and reroute it out to the street. Thanks to Paloma, we discovered another part of the drainage system that we needed to connect to the street drains to divert even more water out to the street rather than draining it down to the pool level.

For those of you around in May, you know that we had to switch over to the emergency water storage due to contamination of the main water system from the sewage system overflowing from the street. We have the main water tanks now cleaned out and re-tested for water quality, and things are looking good. Irving is cleaning out the secondary tanks again to ensure they too are sparkling clean.

Work continues on pergola replacement, and on getting the common area tiles treated with the anti-skid treatment.

Irving Insider Info

This gargoyle might look scary.



But the one that's actually scary looks like this.



Why scary? Because it's a solid chunk of cement that fell off the building. Two have fallen - one last year and one this year. Irving replaced them with PVC which can be inserted further into the building drain holes and hence stand a better chance of not falling to begin with. And if one were to fall out, it wouldn't hurt someone.



Restaurant Review HECTOR'S KITCHEN

Hector's Kitchen is one of the finest restaurants in town. Their beef short rib over risotto is fabulous and big enough for two. Hector was a chef at the 4 seasons and has brought that level of exacting food service to this side of the gate.

They opened three years ago, but with the pandemic, we still have owners at Bellamar that haven't tried them out. Pam's drink tasted as pretty as it looked.

Hectors is located at the far end of the strip, past El Corral. They don't have the beach view, but they have nice ambiance with eclectic artwork on the walls. Reservations can be made on their website:

<https://www.hectorskitchen.mx/reservaciones>



MYTHBUSTERS

New rules can be voted on at the annual meeting, right?

Reviewed by
Mauricio Casillas
Bellamar Attorney



There seems to be a common belief that while the By Laws require an extraordinary meeting to modify, the “one-pager” rule sheet can be updated through a vote at a regular annual meeting. As a result, over the years the rule sheet diverged further and further from what was in the By Laws. Ultimately resulting in a set of rules that were conflict with the By Laws.

In reality, the rules and the By Laws are really one and the same thing. There are only two ways to legally create new rules or modify existing rules:

1. Vote on the By Laws at an extraordinary meeting
2. The VC has VERY limited authority to create new rules.

The VC’s authority to issue a new rule is strictly limited to things that operationalize an existing By Law. For example, the VC has the authority to change pool hours. And they could issue a new rule that says “everyone needs to submit complaints in XYZ manner” because the VC already has the authority to handle complaints and issues. Hence a new rule detailing how those complaints will be handled is solely to operationalize that existing authority.

However, the VC does not have the authority to issue a rule as seemingly benign as “no floaties in the pool”, even if they were to make the argument that it supports the “quiet enjoyment for all” By Laws. That type of new rule can only be created through a By Law modification which as we know, requires a special meeting.

I suspect that a mistaken interpretation of the VC’s rule making authority is how it eventually came about that the rules would be voted on at the annual meeting. A smart VC would want to ensure the new rules they put in place were acceptable to all, so they would bring them to the annual meeting for a vote. When in reality they didn’t have the authority to do that.

With luck, this By Law cleanup exercise that we are doing will get the process back on track and we can stay clean from here. Because if we ever do end up (God forbid!) in front of a judge, our one pager rule sheet would get tossed out like old newspapers as having no relevance to what is enforceable in court. Moreover, a rule sheet inconsistent with our By Laws could be used to show that Bellamar has a history of violating their own By Laws which would in turn call into question our reputation as a well-run organization.