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Homeowners Association

RESOLUTION 20-06

Amendment to Members Handbook (Operating Rules) Section 2.0

WHEREAS, the Coronado Cays Homeowners Association wishes to amend the Governing Documents (Member Handbook – Rules) concerning the Montego-Jamaica Boardwalk Gate.

NOW, THEREFORE, BE IT RESOLVED that the following amendments are adopted on March 25, 2021 by the CCHOA Board of Directors, and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the following rules amendments (specifications) are effective 15 days following adoption by the Board of Directors in Open session on March 25, 2021 and notification to members.

2.0 USE OF FACILITIES

2.7 Montego - Jamaica Boardwalk Gate – Access to the Montego-Jamaica Boardwalk Gate is restricted to CCHOA Staff and emergency responders only.

Be it further resolved that notice of the above rule change shall be given pursuant to Civil Code section 4360, subsection (c); and

Be it further resolved that the above rule shall be included in the next publication of the Member Handbook and numbered as shown above therein.

I hereby certify that I am the duly elected Secretary of the Coronado Cays Homeowners Association and that the foregoing Resolution was approved for distribution to membership at a meeting of the Board of Directors of the Association held on February 25, 2021.

Montego Village/Jamaica Village Gate Recommendations

On June 25, 2020, the CCHOA Board of Directors approved and sent out for 28-day comment, proposed Resolution 20-06, which required the waterfront walkway gate between Jamaica and Montego Villages to be locked, except for emergency personnel access. This proposed resolution was the result of discussions at several Board meetings prior to that date.

In an attempt to reach a more satisfactory resolution, the Board tabled the proposed resolution at the conclusion of the 28-day comment period and hired a mediator. Directors from both Villages, the General Manager, and Board counsel, and members of both villages attended the mediation. No resolution was reached.

The Board tabled a vote on adopting the proposed resolution for a second time January 28, 2021, and the Board President proposed appointing an ad hoc committee of three Board members to meet and make recommendations to the Board. The Directors of Bahama, Trinidad and Port Royale Villages agreed to serve on the Committee.

The Ad Hoc Committee met on February 11, 2021, together with the Board President, General Manager and Board counsel, to discuss the issue. HOA staff prepared a binder of documents, including homeowner emails and documents submitted by the respective Village Directors, to assist in the discussion of the issue.

Key points of the discussion:

1. Montego Village became a gated village in 1990 as a result of the construction of the adjacent Loews Hotel. No one can enter Montego Village unless they have the auto gate code or a key.
2. Jamaica Village was constructed in 1969, 12 years before Montego Village. At the time Jamaica Village was constructed, a gate, inlaid with tiles reading “Jamaica Village,” was built at the north end of the Village along the waterfront.
3. For many years, residents of both Villages have been given keys, upon request and with the payment of a fee, allowing them to enter and exit that gate for purposes of transit between the two villages, and allowing Jamaica Village residents access to the road leading to the Loews Hotel.
4. Access by Montego Village residents and guests to Jamaica Village amenities has become an increasing problem recently, according to the Jamaica Village Director and some Jamaica Village residents, although the extent of the problem is difficult to quantify without further documentation in the form of videos. Photos were submitted of a family from Montego using the Jamaica docks and beach during the summer of 2020, saying they had a key to enter the gate, along with a couple attempting to launch kayaks from Jamaica Beach.

5. The Jamaica Village beach was designated by the CCHOA Board as exclusively for the use of Jamaica Village residents in 2018 pursuant to Board Resolution 18-07. Similarly, the Jamaica Village Clubhouse is also for the exclusive use of Jamaica Village residents.

6. The gate between Jamaica and Montego Villages does not, in and of itself, prevent the unauthorized use of Jamaica Village common area amenities by Montego Village residents, other Cays residents or non-Cays residents. That said, the gate certainly offers convenient access by Montego Village residents to Jamaica Village common areas.

7. The additional wear and tear caused by Montego Village residents on Jamaica Village common areas is difficult to quantify at this time.

8. It appears clear that Montego Village residents strongly desire to preserve Montego Village as a gated community.

9. The gate is not a safety issue, per the Coronado Fire Department. There are several other emergency egress points from Montego Village.

In light of all of the above, the Ad Hoc Committee makes the following recommendations to the Board:

A. Lock the gate between Jamaica Village and Montego Village to all residents. This preserves Montego Village as a gated community and should help reduce the unauthorized access to Jamaica Village amenities by Montego Village residents;

B. The Ad Hoc Committee recommends that Jamaica Village consider using security cameras to monitor beach, dock and clubhouse area usage, and/or consider installing some type of fencing to address the issue of unauthorized access to JV amenities;

C. The Ad Hoc Committee recommends that the respective Villages continue to work together to reach a better solution to present to the Board, if they wish to do so; and

D. The Ad Hoc Committee recommends that the Board pass appropriate resolutions clarifying who can use Village amenities, in cases where who is allowed to use the various amenities is not clear.