



A.V.V. Camping Villas Caravaning La Manga

Minutes of the Ordinary General Meeting of the Villas Caravaning La Manga Camping Residents' Association

The Assembly is held on August 2, 2024, in the space designated on the community esplanade of the campground in front of the chapel, and begins at 7:30 PM in the second convocation, with the attendance of members and representatives of the following plots:

A-013, A-052, A-064, A-086, B-003, B-017, B-058, B-092, B-098, B-124, B-149, C-007, C-015, C-057, C-098, D-019, D-046, D-048, D-050, D-077, D-080, D-089, D-107, E-016, E-042, E-043, E-067, E-070, E-084, E-100, E-110, F-010, F-038, F-051, F-064, F-090, F-105, GH-014, GH-015, GH-101, GH-110, GH-157, M-057, N-031, O-003, O-065, O-111, PQ-081...

We also have the presence of many representatives of unregistered or non-associated plots.

The assembly begins with the attendance of the Board of Directors members, Juan García García, José Luis Cano Pérez, José Manuel Zamora Perea, Rosa María Hernández López, José Ochando Saura, Juan De Dios Hernández Fenollar, Pedro José Caja Méndez, and Juan Clemente Bastida. We also have the presence of our lawyer, Mr. Pedro Antonio Martínez.

Next, the agenda is addressed:

One. Reading and approval, if applicable, of the minutes of the assembly on August 4, 2023.

Secretary José Manuel Zamora reads the minutes of the ordinary assembly of the previous year, 2023. Once the reading is concluded, the attendees are asked for their agreement or objections, and it is approved unanimously.

Two. Information on the actions taken.

Our president, Juan García, then took the floor to report on the actions taken in the last year, detailed as follows:

Elimination of the reeds on the beach:

Efforts were made with the Coastal Directorate and Coastal Demarcation for the definitive removal of the reeds on our beach. In an on-site interview, with the participation of José Luis Cano and Juan García on our part, and Begoña and Ventura, we were informed that the intervention will take place starting September 1, due to environmental restrictions (from March 15 to September 1, no intervention is allowed). Attempts were made to contact Gonzalo from the Environmental Department, without success.

Change of Statutes in the Federation:

A change in the Federation's Statutes was made to allow the coexistence of more than one association in the same neighborhood or town, a decision we opposed.

City Council and festivities:

Efforts were made with representatives of the City Council, specifically the Festivities Department, to ensure we were not excluded from subsidies. They first asked us to provide the Evacuation Plan if we had one (it was already submitted two years ago to the Fire Department and Urban Planning), and with that, they would include us with full rights. However, in the meeting we had scheduled with Councilor Paqui, she did not show up, and the City Council's lawyer, Carmelo, informed us that as long as we did not have an operating license, the City Council could not include us for subsidies or anything else, and that the Association's funds should be used to cover the festivities. Ultimately, we were included in the subsidy list.

Contentious Procedure:

We are still awaiting the trial. The Community attempted to separate us from the procedure, but our legal services filed an appeal, and the judge ruled that we remain fully involved in the process.

PGOU:

We attended the PGOU presentation to associations and requested a meeting with Councilor Diego Ortega to find a solution for the Camping. Although a date for the meeting was promised, it has not yet occurred.

Management with Engineer Antonio and Legalization Proposal:

Engineer Antonio suggested demolition as the only alternative to legalization in his reports. After noticing that the reports did not reflect the reality, we ceased to request them. We understand that we need to propose a solution to negotiate with the City Council, but not in the direction Antonio proposes, as it would involve demolishing many structures. We know that metal roofs are rejected by the City Council, so alternatives would need to be found. If we obtain the license, the problems could be resolved gradually.

Security:

The previous security company abandoned the service due to non-payment. We proposed Indunión, a non-profit organization from the ONCE Group, which agreed to work with a seven-month payment deferral. However, negotiations did not progress. Finally, a company from Lorca with no experience or knowledge of the Camping was chosen. As a result, security has been poor, with minimal access control and general surveillance. We proposed implementing checkpoints for the security guards, but they were not put in place. The access barrier has been a costly and ineffective investment.

Fire Protection System:

The installation of the new fire protection system has been completed, including hoses and extinguishers in all cross streets, as well as a fire truck provided by Capfún. Workers were also trained in its use. The possibility of training individuals in each sector to complement security was discussed. We currently believe that it is possible to reach any point in the Camping in case of a fire. Two hydrants were also installed for the rapid filling of tanks, and it was proposed that each owner purchase an extinguisher, which would be updated annually by the Community.

Installation of Electricity and Water Meters:

According to the law and the City Council's decision, it is necessary to install individual electricity meters. Several budgets were considered, all proposed by us, so that the Community continues to distribute electricity and water, and each owner pays for their consumption. This is a controversial issue, but once the meters are installed, each owner will be responsible for their own electricity and water consumption. We also requested an external company to check the electrical outlets for fraud detection.

Cleaning and Vandalism:

Street cleaning has been nonexistent, and cleaning of the restrooms has significantly decreased. Multiple cases of vandalism have been reported, leaving a disastrous image of the Camping. Despite complaints filed with the Civil Guard, no results have been obtained. We had a small fire at plot B-034, with no major consequences. We continue to monitor the readings of the CC electricity meters, with some detected as broken, which should have already been replaced.

Invoicing from Hidrogea and Endesa:

It was proposed that invoices from Hidrogea be issued in the name of the Homeowners' Association, just as was done with Endesa, to avoid the issues we have with the Administrator regarding the VAT rate applied (21%). However, due to outstanding debts from several unpaid invoices, this change has not been implemented. Additionally, the electrical supply line was changed from La Unión to La Manga, which is safer.

Demolitions and Legal Situation:

We were informed that all demolition files pertain to structures less than 4 years old. According to the Land Law, constructions older than 4 years cannot be demolished, but the Urban Planning Law suspends activity if there is no license.

Lawsuit for Change of President of the Community:

We are informed that a group of owners has filed a lawsuit demanding the change of the Community President. Although achieving this would be beneficial, we believe it is currently impossible given our experience with this type of legal claim.

Proposal for Public Address System:

A proposal for a public address system valued at €70,000 was presented. We attempted to prepare an alternative proposal, but this has not yet been possible.

Lighting:

Some improvements were made to the lighting. Two towers with 8 lights were installed in the playground, and old street lamps have been replaced with solar-powered ones in some streets.

Bus Service:

The reinstatement of the bus service, particularly requested by elderly people, has been proposed. The cost for the two summer months would be €12,000, which would amount to €6 per plot per year.

Stormwater Management:

The diversion of stormwater from both sides of the campsite is still pending. The lowering of streets, which are becoming higher due to gravel accumulation, and resolving the serious parking problem along with the lack of access control are also pending.

Water Leaks:

Despite alleged inspections with detection machines, water leaks continue to occur in the campsite.

The President reported that there is currently a significant debt of €560,000 owed by the owners to the community. He highlighted that this figure represents a considerable increase compared to previous years, where the debt was around €300,000 - €350,000. He emphasized that, unfortunately, no debt was claimed last year because the Community Assembly registered a majority vote against initiating legal action to recover these debts, preventing the administrator David from filing the corresponding lawsuits.

Debts of Defaulters:

Our President expressed the opinion, shared by the Board of Directors, that legal action could have been pursued despite the opposition of a certain number of votes at last year's General Assembly of the Community. However, he reported that this year legal action has been approved and, although it has not yet been filed, it will be carried out soon.

Finally, the President expressed his concern about the current situation of the Association, noting that as long as there is not a sufficient number of members representing the majority of owners, who are up-to-date with their payments and delegate their votes to the Association for the Assemblies, the future development of the Association is compromised. He explained that many members have left the Association for various reasons, leaving it in a minority position compared to other groups of owners in the Assembly, which constitutes a serious problem. Although he acknowledged his health issues, he emphasized that the greatest concern is the lack of necessary vote delegations to defend the interests of the owners in the community.

Next, our lawyer Pedro Antonio Martínez spoke, who summarized by thanking the Association of Owners for their trust in his office, highlighting that his team has provided free advice throughout the year. He reported on the ongoing legal procedure against the closure of the campsite ordered by the Cartagena City Council. This closure was based on the lack of legal permits for some of the campsite's facilities, which affects the constitutional rights of the owners regarding their homes.

Pedro Antonio emphasized that the Association has filed appeals and objections to defend the owners' rights, as the procedure has been carried out without offering them an adequate opportunity for defense. He also highlighted the importance of complying with current legality and mentioned that the General Urban Development Plan (PGOU) of Cartagena, currently on public display, offers an opportunity to regularize the constructions and ensure they meet the regulations.

Finally, he informed that the deadline for submitting objections to the PGOU has been extended until October, and emphasized the need to take advantage of this opportunity to work with experts in preparing a report that allows the regularization of the campsite's situation.

There was then a chance to clarify any doubts the attendees might have about what was discussed, and a resident shared his experience of going to the City Council to pay a fine. According to him, when he tried to pay it, he was informed not to worry because no one was paying the fines for the campsite at that moment, so he decided not to make the payment and left. Juan García replied that this happened a long time ago. Now, the City Council is handling these matters judicially. The court contacts the owners directly, gives them a deadline, and in some cases has indicated that they must demolish the unauthorized structures. If they do not, the City Council might carry out the demolition and charge them about 30,000 euros for it. Given this situation, some owners have preferred to remove a piece of wall on their own rather than face the 30,000-euro cost that would involve the City Council's intervention.

Next, the president of the other association, Miguel Ángel Aguilarte Plaza, appeared spontaneously, accompanied by several of his supporters. This group began to criticize, through inquisitive gestures, the fact that our Association is listed among those receiving 500 euros from the City Council for celebrations, while in our celebration programs we express our regret for not receiving any help. In response to these accusations, Juan García replied clearly, explaining that indeed the City Council used to help us with the stage for celebrations, spotlights, the music band for the procession, among other supports. However, he clarified that the mentioned 500-euro financial aid from the president of the other association has not yet been received and seems to be the result of our complaints. Despite the explanation, the interlocutor did not accept the response and urged his followers to raise the tone of the conversation, demonstrating that his main intention in attending our Assembly was to disrupt its normal development. This was evident when one of our members, who currently belongs to our Association despite having been a promoter of the WhatsApp group that originated the other association two years ago, harshly criticized certain behaviors towards the mentioned Miguel Ángel.

As Secretary, I decide not to continue with the narration of the events beyond what has been presented, as I consider it to be of no interest for the purposes of this minutes.

Reconvened, the Assembly heard from Pedro José Caja, who provided an update on the task assigned to him by the association, which involved checking the consumption meters for various areas of the campsite. During his report, he noted that many of these control devices remain malfunctioning, preventing the acquisition of reliable consumption data. For instance, he mentioned that the meter at the pool restaurant recorded more consumption in two months than the beach restaurant did in the entire year, which seems inconsistent. Despite requesting specific amperage checks, these data are not sufficient to deduce a continuous and reliable consumption over time.

One member raised the issue of when individual water and electricity meters will finally be implemented so that each owner pays for their own consumption. Juan García responded that, although the law and the City Council require this measure, there seems to be little willingness from the Administrator to advance this issue. The Administrator argues that, due to the lack of a permit, they cannot authorize the necessary works. It was mentioned that the multinational operating at the campsite has indeed installed meters on its plots, justifying it as renovations rather than new works, which reflects a double standard in the application of this control service. This is a clear example of the disadvantages we face by not being united with a common objective at the General Assembly of the Community.

Three. - Balance of Income and Expenses 2023 and Budget 2024

Attendees were reminded that the assembly notice included documents reflecting the balance of income and expenses for 2023, as well as the budget for 2024. Juan García presented it publicly. It was highlighted that the membership fee for the next year, 2024, will remain at €20.

This point was unanimously approved by the attendees.

Four - Questions and Comments

A member of the assembly proposed that only members should be allowed to attend future meetings. However, this proposal was met with disagreement from our president. The importance of keeping the assembly open to all owners, whether they are members or not, was emphasized. It was argued that this openness is key to hearing diverse opinions and fostering association among owners.

On another note, it was recalled that, although some owners have filed legal claims to impose a new president of the Community, the association's stance should be inclusive and constructive. It was also mentioned that such legal claims can be costly, and losing a case could imply a significant expense, estimated at a minimum of €6,000. It is worth recalling the lawsuit we filed against the Administrator for alleged fraud of approximately €1,800,000, which was not adequately justified, and which we lost at first instance and subsequently on appeal. The success of that lawsuit would have been the key to challenging the unfair clause in our deeds in favor of a lifetime management to be appointed by the current direction of the campsite. Despite the legal difficulties and conflicts with the administrator, the need to maintain an open and collaborative attitude to achieve the community's goals was reiterated.

Another member complained that the signage in the campsite is inadequate, suggesting that both vertical and horizontal signage should be improved, particularly for the few, in their view, disabled parking spaces.

Another resident questioned the insufficient lighting in parking areas and also raised complaints about neighbors showing little consideration when parking their vehicles on access roads to plots, restrooms, etc., thereby obstructing traffic. There were also requests for dog parks to reduce the amount of dog waste on the roads and squares of the campsite, as well as to require pet owners to clean up after their animals.

Another resident raised concerns about the insufficient lighting in the parking areas. Additionally, there were complaints about neighbors showing little consideration when parking their vehicles on the access roads to plots, restrooms, etc., which obstructed traffic. There were also requests for dog parks to reduce the number of dog waste on the paths and small squares within the camping site, as well as a call for educating pet owners to clean up after their pets.

Complaints were made about the lack of security and nighttime surveillance, with vehicles running at late hours, among other issues.

With no further business to address, the Assembly concluded at 20:55 hours on the date mentioned in the heading.

Signed: Juan García, President.

Signed: José Manuel Zamora Perea, Secretary

