



Asociación de regularización de
vecinos de la cholla
 P. O. Box 620 • Lukeville • AZ • 85341
[www. Chollabayhoa.net](http://www.Chollabayhoa.net)

MAY 2019

2019 Elections Results

The 29th annual meeting of the Cholla Bay HOA was held on Saturday, April 27, 2019. The meeting is scheduled each year in order to elect officers and board members, approve the annual budget and formally accept new members. The incumbent President, Mike Dugan, was reelected. Gabi Camargo was elected as the Mexican representative to the Board. No one came forward to run for the single 3 year Board member at large position, so there were three members nominated from the floor at the meeting. All three, Dave Heath, Monica Gorman and Gretchen Ellinger, were present and accepted their nomination. Gretchen Ellinger won the write-in election and joined the Vecinos Board at the first meeting held the following Sunday morning. The HOA dues remain at the same level, \$150 annually. Enclosed with this newsletter is the annual request for dues. Please remember the July 1 due date; dues paid after September 1 will be assessed \$5/month retroactively to July 1.

Emailing List



Your membership chairman, Helen Dahlstrom, has compiled a bulk email list of all current members of the HOA. Because of the size of this list, she uses a service called Firedrum for dissemination of Cholla news. Your email server may dump any emails from the Vecinos de la Cholla into your junk or spam folder. This is due to the your email server recognizing the Firedrum bulk email service. To prevent your HOA emails from being labeled “junk”, you must go into your email server settings and mark vecinosdelacholla@gmail.com as a trusted sender.

*Helen will send a “test email” on
 Wednesday, June 5.*

After checking your junk and/or spam inboxes, you still cannot find this test email, please contact Helen at vecinosdelacholla@gmail.com to get the correct email on our list.



The various levels of Mexican government love their acronyms as much as American government! OOMISLIM is one of their many acronyms. It stands for *Organismo Operador para el Manejo Integral del Servicio de Limpieza Municipal*. This translates to clean city management organization, which is basically garbage service. Every municipality in Mexico has a department with this name. In theory, it is a quasi-governmental agency which runs independently of the city; however, the city president (mayor) appoints the director. In 2015, Puerto Peñasco decided that Oomislim would be charged with providing garbage service to Cholla Bay. The HOA was not involved in making this decision, we were informed that Oomislim was in and our existing private, HOA managed service was out. Going on 4 years later, the service charge for 2016, 2017 and 2018 was \$1,350MXN annually. For 2019, they raised the annual charge to \$2,050.00. This price hike was primarily due to the fact that only 40% of Vecinos have paid for their garbage service. It’s very disappointing to realize that 40% of Cholla homeowners pay for the other 60%. With even 90% participation, the service fees could be cut in half. Just a little food for thought, if you throw your garbage in your neighbor’s barrel. Your HOA encourages all Vecinos to pay their fair share! Please remain current on your property taxes, bank trust fees, HOA dues as well as Oomisilm garbage service fees.

Federal Zone

Semarnat is the Mexican governmental agency in charge of *Zofemat*. Yikes!, more acronyms! Zofemat is the acronym for the Mexican federal zone. It is a very simple part of the Ley General de Bienes Nacionales (general law of national goods). This law establishes a strip of land (Zona Federal Maritimo Terrestre or Zofemat) around the coast of the entire country reserved for the use of the Mexican government. It originally was intended to preserve the sea shore, facilitate military defense and facilitate maritime navigation. The Zofemat (federal zone) measures 20 meters wide from the mean high tide back to the property lines. No one, Mexican citizen or foreigner can “own” the Zofemat. Recently in Mexican courts have upheld



SEMARNAT
 SECRETARÍA DE MEDIO AMBIENTE Y
 RECURSOS NATURALES

the fact that there are NO private beaches in Mexico and owners of the adjacent private property cannot block access to the Zofemat. Property owners who attempt to prevent beach access can be assessed hefty fines. However, the courts have upheld laws that prohibit vehicles on the beach. Semarnat (Secretaria de Medio Ambiente y Recursos Naturales) is the agency in charge of environment (medio ambiente) and natural resources (recursos naturales) has intervened in Cholla Bay to enforce these laws at the boat launch area. They have posted signs informing the public of their enforcement policies. The signs states *"In response to complaints filed with this department for invasion and temporary abandonment of vehicles and trailers and pollution generated by dumping garbage and debris in the area of beaches and federal maritime land area (in Playa la Choya), this direction notifies those responsible, based on Chapter 2, article 7 and 8 of the regulations for the use and benefit of the territorial sea, waterways, beaches, the federal maritime land area and land gained from the sea, as well as the article point 1 of the regulation for the responsible use of the beaches and the land and contiguous federal maritime zone of the municipality of Puerto Peñasco, they are made aware that any vehicle and/or trailer that is left in a state of temporary or permanent abandonment in the area of beach and federal land maritime zone, it will be placed in the possession of the corresponding authorities; also any person who has thrown any kind of garbage or waste will be turned over to the authorities, so it warns them to avoid the sanctions applicable in the Articles mentioned above."* Fortunately, Semarnat has granted a concession to a dedicated area for our Cholla boat launchers to park trailers near the CBSC fish scales. As with recent changes on Tucson Beach, it has become apparent that Semarnet is flexing their muscles in regard to the Zofemat in Cholla Bay. They want to ensure there aren't unattended vehicles and trailers, as well as trash and garbage left all over the beach and launch area. This increased enforcement should keep our beaches cleaner and more orderly in the future. Your Vecinos board and officers want to make it clear that Semarnat is calling the shots on this new enforcement and is expecting Cholla homeowners to comply as well as the general public.



¡YOUR REPRESENTATIVES!

EXECUTIVE BOARD

President - Mike Dugan (2019-2022)

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NON-BOARD POSITION:

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If you have any questions about Cholla Bay, your representatives are committed to helping you find the answers. Feel free to contact any officer and Board member