

## **MINUTES OF THE ORDINARY MEETING OF THE COMMUNITY OF USERS OF THE EMPURIABRAVA INLAND MARINA**

In Castelló d'Empúries, on 25 September 2021, at 11.30 a.m. the general meeting of the Community of Users of the Empuriabrava Inland Marina (CUMIE) begins in the Multipurpose Hall C/Marin 5, with the following agenda:

1. Liquidation of 2020.
2. Preview of the 2021 budget being executed.
3. Information on the new budget for 2022.
4. Future works.
5. Boundaries private ports.
6. Any other business.

List of users with accreditation (an itemised list of those attending and voting rights is attached as Annex 1).

Total, percentage of attendance of users 18.49%, with the right to vote 85.29% of those attending:

Presents: 72 users with 85.29% vote.

Represented: 96 users.

Invited: 23 people.

Complying with the envisaged attendance quorum for the second call, the Chairman Pedro Pérez Morell deems the Meeting duly constituted.

### **Opening of the Meeting by the Chairman of the CUMIE.**

Acting as Chairman of the CUMIE Pedro Pérez Morell and as secretary the entity MEGA 2019, S.L.U., represented by Just Segura Durán.

The meeting begins at 11.30 a.m. with the introduction and opening by Pedro Pérez Morell, Chairman of the CUMIE, who thanks everyone for attending, highlighting the importance of this meeting, which has been possible to hold on-site, despite current circumstances.

He gives the floor to José Manuel Arrojo Botija, Managing Director of Empuriaport, S.L., the concession holder of the Marina and single shareholder of Mega 2019, S.L.U.

Mr Arrojo thanks the attendees.

He confirms that future ordinary meetings will take place during the Easter period, as long as there are no circumstances to prevent it.

He begins by talking about the very complicated situation they have inherited, among users and the concession holder and the importance of the agreements made with the associations representing the users, which, thanks to successful regularisation processes, has reached a

collection percentage of 77%, which is already confirmed with the gradual decrease in the price per m2 of future fees, indicating that the budgetary expenses for 2020 has been met.

Before moving on to the next points on the agenda, he encourages users to set up direct debits for the payment of fees, a method of payment that can be very comfortable for the majority of users who do not live in Empuriabrava all year, as well as having the advantage of a 3% discount in the invoice.

### **1. Liquidation for 2020.**

Mr Arrojo begins by talking about a liquidation of outgoings and income with a resulting deficit of 18,000 euros, which explains why the price per m2 for 2021 has been 4.35 euros and not 4.25 announced in the previous meeting.

Envisaged income was 601,300 euros, real income has been 582,000 euros, the 18,000 euros deficit is incorporated into the 2021 budget.

Regarding budget items, he indicates that the western pier and central dock have been repaired as they were very deteriorated, and it has not been possible to reduce the costs in external services, lawyers, etc., much to the concession holder's dismay, although they are in a process of deactivation.

### **2. Preview of the 2021 budget being executed.**

In total, the costs are going to be below those budgeted, although it has still not been possible to reduce the section for costs of external services regarding lawyers' services.

The extraordinary works are being completed, having dredged the inlet last spring.

Actions have been taken in the western and perpendicular pier, as well as the lighting of the central dock.

Income of around 630,000 euros is expected, providing a surplus of 42,000 euros, which is going to be incorporated into the 2022 budget.

### **3. Information on the new 2022 budget.**

The meeting is informed that the budget will be approved by the Generalitat Government shortly, it was requested a few days ago.

The outgoings are similar to the previous two years.

The estimate of the price per m2 is going to be around 3.70 euros.

What may vary for future fees is the collection percentage, the higher the collection percentage, the lower the fee per m2 we will pay.

The target objective is 3 euros per m2, if a collection percentage of 95% is reached.

#### **4. Future works.**

Priority will be given to the repair of walls, corners and covings which are in very bad condition. We already have a report from engineers for 11.5 km of walls, with an investment of 175,000 euros per year. The works will last around 5 years.

#### **5. Boundary private ports.**

Regarding the boundary, Mr Arrojo confirms that the concession holder has a detailed legal report, drafted by a legal consultancy firm by highly qualified lawyers who have in-depth knowledge of the sector, which is available to users.

What the boundary does is reduce the scope of action of the concession of the public space, which all that entails.

There is going to be a transition, which we understand will be a long one and that is going to regulate the functioning of these private ports (PEUS), with new functioning and management laws.

As administrator of the concession, while this long and complex transition process takes place, it is going to continue acting in the same way, regarding services, surveillance, cleaning, repairs, until these private ports have their own regulations.

Despite this, the users of inland ports are going to continue being members of the Community of Users of the Marina, as they move around communal areas, so the Regulations on Exploitation and Policing of the Marina remains in place at the moment, until there is a firm decision. Services will continue to be provided just as they are today.

#### **6. Any other business.**

- I. Within this section, the floor is given to Mr Miquel Arpa, who comments on the planned marine wind farm project in the Empordà area.

Mr Arpa encourages everyone to join the association "Stop Parc Eolic Tramuntana", to fight against the installation of harmful wind turbines in the area. He informs them that they can find all the information and contact details on our website, considering the project to be madness that could affect the whole coast, particularly the Gulf of Roses.

- II. Mr Poch, a lawyer representing one of the associations, congratulates the community and current concession holder for its transparency, requesting a little time for the association members to regain the trust they lost in the previous concession holder.

He asks that the lawsuits in the courts be sped up, he mentions actions that despite having finished, continue to be recorded as open in the courts, and the slowness of the processes; Mr Arrojo replies that the concession holder agrees with wanting to end the lawsuits as soon as possible and that it is putting all necessary measures in place to do so, confirming that the agreements for regularisation are going to be extended extraordinarily until 31.12.21 to be able to stop with the unnecessary costs for lawyers as soon as possible, insisting that users who are being taken to court are given the opportunity to settle their accounts, to end these lawsuits, as well as users who to date have still not registered their moorings, to avoid these unnecessary costs for the community.

Regarding the private ports, Mr Poch is in favour of the concession holder dealing with the services; Mr Arrojo confirms that, while there is no definitive ruling regarding the boundary, the cleaning, works and security continue to be the responsibility of the concession holder.

- III. Mrs Parés, a user in Illa Cartago, also thanks the positive actions of the current concession holder and the works that are being done, suggesting that photos of these works be uploaded to the website, so that users can see the progress.
- IV. Mr Narcís Ferrer asks what “walls” means and, if these belong to the concession holder, why the costs for certain wall and docks, which only conduct economic activities, are also being charged to the community.

The reply is that they all affect the community and priority is given to the works on walls and docks that are most deteriorated.

- V. Mr Antonio Duñach asks who is responsible for the walls, to which Mr. Arrojo answers that at the moment the same criteria will be followed until, presumably, the Regulations for Exploitation and Policing are modified.
- VI. Mr Genovès also applauds the agreements and actions being taken by the current concession holder. He talks about the administrations, PEUS, and of the importance of the estate agents joining forces for the private ports.
- VII. Mrs Ferrusola asks why some moorings appear on the deed and others do not, in this case Susanne Hoffmann (from the Hoffmann estate agency) answers her. Regarding the transfer of use, when the mooring is not in a private port and, according to the Coastal Law, no one can remove the right of use over it, upon selling the property, the mooring right linked to the property may be recorded in the deed, as a right of use.

And there being no further business, and after thanking users for attending, they say goodbye, hoping to be able to see each other at the next meeting which will take place in April 2022.

The meeting is deemed closed at 1.30 p.m..

Pedro Pérez Morell  
Chairman

Just Segura Duran  
Secretary

## ANEXO 1

Nom	perc	representant
EMPURIAPORT S.L.	14,019	Just Segura Duran
PORT NAUTIC CASTELLÓ S.L.	0,425	Just Segura Duran
CEGRA 2019 S.L.	0,0517	Miquel Arpa Vilallonga
WIND ROSE BROKERAGE SLU	0,0584	Pedro Pérez Morell
MERINO FERNANDEZ, FERNANDO	0,0126	
VALLMAJO RIBAS, MERCEDES	0,0125	
VIATGES INTER-VOL, SA	0,0098	Antoni Duñach i Soler
MESIE BUA S.L.	0,0391	Joan Bosch Miquel
FAS 35 SL	0,1565	Joan Bosch Miquel
AGUSTI MORERA, JOSEP	0,0164	
TORRENT SELLARES, JORDI	0,0210	
PARES SOLIVA, MARINA	0,0052	
CAIRO PUIGDEVALL, F.XAVIER	0,0355	
SABADI COLOM, JOAN	0,0360	
CARRE, GEORGES RENE	0,0124	
SANDOZ, PASCAL	0,0196	
VIDOSA TORRAS, MARIA MERCEDES	0,0086	
COUTURIER, SANDRA	0,0258	
BOSCH COMAS, PEDRO	0,0188	
HOSS, GUIDO HANS	0,0424	
SHARPLES, DEREK	0,0340	Rosa Martinez
ANQUETIL-HEINE, BRIGITTE	0,0462	
SALCINES GARCIA, ROBERTO	0,0196	Teresa Ferrusola Bosch
AVARO, CHRISTIAN	0,0183	
MOÑINO COMPTE, LUIS	0,0329	
UNICONTROL TECNIC S.L.	0,0167	M.Antònia Moner Trilla
LIMA DOS SANTOS, JOSE CARLOS	0,0203	Miquel Malagelada Prat
KONKUYT, CHRISTIAN	0,0176	
COMPAGNIE JC ET V	0,0139	M.Jean-Claude Brest
HOFFMANN, SUSANNE HEIDI	0,0556	
VYSATA, ZDENEK ROBERT	0,0167	Hoffmann, Susanne
DUPRAT, ALAIN RENE PAUL	0,0243	
BOURGOIS, JEAN JACQUES	0,0282	
MARTERER, MICHAEL HANS WALTER	0,0243	Hoffmann, Susanne Heidi
FRIEDERICI-CARABIN, PAUL	0,0235	Hoffmann, Susanne Heidi
BEERMANN, BORIS	0,0344	Hoffmann, Susanne Heidi
JAEGER, UWE	0,0188	Hoffmann, Susanne Heidi
DETTMANN, RENATE	0,0308	Hoffmann, Susanne Heidi
SCHULTE, ANETTE	0,0203	Hoffmann, Susanne Heidi
MÜLLER, JÜRGEN	0,0348	Hoffmann, Susanne Heidi
BIBO, WERNER	0,0746	Hoffmann, Susanne Heidi
HORNER, DR. GERT ULRICH	0,0188	Hoffmann, Susanne Heidi
BERNARTZ, WOLFGANG PETER	0,0243	Hoffmann, Susanne Heidi
FREI, KLARA ANNA PAULINE	0,0211	Hoffmann, Susanne Heidi
FERRER PUIG, NARCIS	0,0227	
DEFORT, RENE	0,0235	Hoffmann, Susanne Heidi
SÜCHTING, KLAUS	0,0228	Hoffmann, Susanne Heidi
KESSLING, DR. ERHARD	0,0188	Hoffmann, Susanne Heidi
WÖSKE-HABL, BEATE	0,0196	Hoffmann, Susanne Heidi
GRILLO, REINER	0,0188	Hoffmann, Susanne Heidi
HECKE, HEIDRUN	0,0196	Hoffmann, Susanne Heidi
CAMAIL, JEAN PIERRE	0,0235	Hoffmann, Susanne Heidi
METAUT, ANNIE	0,0411	
WEHMANN, MARTIN HEINRICH	0,0196	Hoffmann, Susanne Heidi
VAN DER KLEYN, GERRIT	0,025	Hoffmann, Susanne Heidi

KRAUS, URSULA	0,0391	Hoffmann, Susanne Heidi
LOHDE, HARALD	0,0196	Hoffmann, Susanne Heidi
REITBAUER, HARALD	0,0611	Hoffmann, Susanne Heidi
HUBELER, CAROL	0,0223	Hoffmann, Ingeborg
LANCKMANS, VINCENT	0,0098	Hoffmann, Susanne Heidi
KROHN, GUNNAR JOHANNES	0,0172	Hoffmann, Susanne Heidi
LOIDL, GÜNTER	0,0149	Hoffmann, Susanne Heidi
BRINER-VERENA, GERTRUD DORA	0,023	Hoffmann, Susanne Heidi
SCHÄFER, RUBEN RAY	0,0196	Hoffmann, Susanne Heidi
VILLEGA-ARINO, ALAIN	0,018	Höreth, Regina
SOLER OLIVERAS, JOAN	0,0261	
MARBACH, BERNHARD	0,0266	Julia Genovès
GUIGNES-GREZEL, ROSETTE	0,0194	Hoffmann, Susanne Heidi
LEON, ROBERT	0,0188	
RALTSCHITSCH, VERENA	0,0329	
HARDING, GEOFFREY ANTHONY	0,0292	Hoffmann, Susanne Heidi
CASTEEL, CATRIN NICOLE	0,0196	Hoffmann, Susanne Heidi
HAAS, HELMUT	0,0292	Hoffmann, Susanne Heidi
ORANGE, GRANVILLE PAUL	0,0211	Hoffmann, Susanne Heidi
FIGUERAS MESEGUER, CRISTINA	0,0181	
DOS PORTS SL-Ramon Falgàs Carol	0,0417	Petra Falgàs
KIRCHHOFF, H. NORBERT	0,0172	Hoffmann, Susanne Heidi
SCI SALINAS BENHAMOU, ANDRE	0,0368	Hoffmann, Susanne Heidi
SCHNECK, ANDREAS	0,0196	Hoffmann, Susanne Heidi
SCHILTZ, GILBERT	0,0274	Hoffmann, Susanne Heidi
RENZ, EWALD	0,0157	Hoffmann, Susanne Heidi
JBMADI INVESTISSEMENTS SL GAILLARD, CHRISTIAN	0,0329	Hoffmann, Susanne Heidi
HOGENMUELLER, WERNER	0,0373	Hoffmann, Susanne Heidi
INGELBEEN, JAN ALBERT	0,0329	Hoffmann, Susanne Heidi
SANDMANN-FINKELDEI, SYLVIA	0,0164	Hoffmann, Susanne Heidi
BOTT, LIERMANN MARIANNE LUISE	0,0203	Hoffmann, Susanne Heidi
TROENDLE, SIGRID	0,0391	Hoffmann, Susanne Heidi
ROBERT, PHILIPPE	0,011	Luis Carrasco
ASSENHEIMER, DIRK	0,0383	Luis Carrasco
GEISLER, OLAF	0,0219	Luis Carrasco
BINDER, ELKE	0,0235	Luis Carrasco
HERMANN, DR. KLAUS	0,0329	Luis Carrasco
BADEN-POWELL, ROGER	0,0391	Luis Carrasco
ANINE SA	0,1195	Wegener, Nicolas
SUTER, MARTIN	0,0141	Luis Carrasco
HOFFMANN, ASTRID BRIGITTE GERTRAUD	0,0424	Hoffmann, Ingeborg
FERNANDEZ FERNANDEZ, SUSANA	0,0227	Hoffmann, Susanne Heidi
SWISS AMERICAN AUDITING&HOLDING INC.	0,0204	Hoffmann, Susanne Heidi
KÄSER ANTON	0,0102	Hoffmann, Susanne Heidi
DOLL, MARKUS MICHAEL	0,0188	
JALIBERT, JEAN PIERRE	0,0438	
BAILLET, MARC	0,0223	
DUCHEMIN, YVES	0,0157	
CARRASCO BUENDIA, MARIA ANGELES	0,0078	Agusti Ayats
CARRASCO GIMENO, ANGEL LUIS	0,082	
CARRASCO BUENDIA, JOSE LUIS	0,0164	Agusti Ayats
LUETZOW, REGINA	0,0196	
COMPAÑIA SANPO SL-ENRIQUE SANCHEZ CASADEVALL	0,0813	Luis Carrasco
INDUSTRIAS SMART SA-ENRIQUE SANCHEZ CASADEVALL	0,0355	Luis Carrasco
SMART SA-ENRIQUE SANCHEZ CASADEVALL	0,023	Luis Carrasco
SAMAR'T INDUSTRIAS SA-ENRIQUE SANCHEZ CASADEVALL	0,1291	Luis Carrasco
SANCHEZ CASADEVALL, ENRIQUE	0,0688	Luis Carrasco
GRÜNWALD, STEFANIE	0,0339	Hoffmann, Susanne Heidi
ROSS, NORBERT	0,0078	Hoffmann, Susanne Heidi

SCHNEIDER, HEINZ FRITZ	0,0102	Luis Carrasco
COUTURIER, SANDRA	0,0258	
BONONCINI-AMOSER, JOHANNA	0,0274	Hoffmann, Susanne Heidi
KOCH, SEBASTIAN	0,0235	Regina Lützow
VALLS, THIERRY	0,0203	
SOMIRLAND EUROPA SL	0,0266	Marc Grolleau
AQÜICULTURA MEDITERRANIA, S.L.-Coret Cassà Andreu	0,191	Josep Lluís Poch Paltré
PONCELET, JEAN MICHEL	0,0235	
BEAUFRERE, CHRISTIAN ELIE	0,0196	
BONAVISTA DE BONMONT SL-PONT VILADOMIU, JOSE MARIA	0,2446	Ana Barbe Llusá
ICARD, BRUNO	0,0204	Brigitte Anquetil
HEUBERGER-STEINER, CARMEN	0,0574	Hoffmann, Susanne Heidi
HILTNER, NORBERT GEORG	0,1213	Hoffmann, Susanne Heidi
ROUILLER, RAYMOND	0,02	Hoffmann, Susanne Heidi
TEASLEY, IRENE	0,0188	Hoffmann, Susanne Heidi
JESSEL, PETER	0,0292	
SCHWAIGER, HELGA	0,011	
JUNRO 2003 SL-ROBLES VIDAL, ADOLFO	0,0305	Hoffmann, Susanne Heidi
LAIER, JULIA	0,0196	Hoffmann, Susanne Heidi
BREIG, GERHARD HERMANN	0,011	Hoffmann, Susanne Heidi
AMILIEN, GERARD DENIS	0,0196	Luis Carrasco