

Palisair Home Owners Association

A NON-PROFIT CORPORATION

P.O. Box 901

Pacific Palisades, CA 90272

www.palisair.org

palisair@gmail.com

The association itself is a "Tract Committee" under the Declaration of Restrictions covering Tracts 15944, 15948 and 19890, and operates as such through its Board of directors and its Officers

PHOA BOARD MEETING EXECUTIVE SESSION SEPTEMBER 27, 2017 MINUTES

NOTE: This meeting is closed to the membership per Civil Code §4935.

I. Vice President Howard Weisberg called the meeting to order at 4:30 pm at the Miriam Schulman's residence. Present: Howard Weisberg, Suzanne Weisberg, Brian Bradford, Chuck Emerick, Diana Ungerleider, Dawn Hill and Roger Broderick. Absent: Francine Kirkpatrick.

II. Approval of 9-18-17 Minutes: Minutes from the previous Executive Session were reviewed and were approved as written.

III. Vandalism Report and attorney's suggested response: Howard reported that a Board member who wishes to remain anonymous recently received a threatening letter and had mail stolen from mailbox, including a package worth over \$400. He consulted with PHOA's attorney who suggested reporting the incident to the police, and she also suggested that the PHOA could reimburse the Board member for the value of the stolen package. Board discussed and is in support. It will go on the agenda for the October Board meeting.

IV. Attorney-Client privileged issues related to collection of assessments and possible "in-between" approach:

- i. Howard led discussion on conducting a survey of home owners to get feedback on PHOA's fine policy and using a law firm to collect unpaid dues. Board consensus was to not do the survey.
- ii. Howard suggested that collection policy could consist of three steps:
 1. Send a courteous letter to delinquent owner about dues that are owed, mentioning that the PHOA has a fiduciary responsibility to collect dues, and include what the dues are used for;
 2. Send a "pre-lien" letter to home owner;
 3. If steps 1 and 2 don't get results, file a lien on the home owner's property. PHOA has the power to pursue a non-judicial foreclosure, but we would avoid taking that action.Steps 2 and 3 would be done by Witkin Neal. Home owners could request a meeting and arrange a payment plan. Board was in support of this 3-part plan.

V. Procedure for handling tie votes at Board meetings: Howard reviewed the legal requirement for handling a tie vote. In situations when the Board votes and there is a tie, the motion does not pass.

VI. Right of members and non-members to attend meetings and speak: Howard reported that any homeowner may attend a Board meeting and speak. The chairman may set a time limit. Attorneys may not attend meetings, except that if a homeowner is an attorney, they may attend provided that they are not acting as legal counsel in any matter before the Board.

VII. Old Business/ New Business

- i. Due to scheduling conflicts, October Board meeting will be held on Oct. 23rd instead of the 16th.
- ii. Howard suggested postponing meeting with Debbie Streiber about her tree issues, as well as Executive Session meetings with home owners who owe back dues; Board agreed.
- iii. Board discussed and agreed that Steve Thomas' tree violation should be moved to top of agenda, following request by Georges Vernez.

The meeting was adjourned at 6:20 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Diana Ungerleider".

Diana Ungerleider, PHOA Secretary