

Palisair Home Owners Association

A NON-PROFIT CORPORATION

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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 JANUARY 15, 2018 MINUTES

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

I. Vice President Howard Weisberg called the meeting to order at 8:25 pm at the home of Miriam Schulman. Present: Howard Weisberg, Suzanne Weisberg, Brian Bradford, Chuck Emerick, Diana Ungerleider, Dawn Hill, Roger Broderick, Miriam Schulman and Kathy Wedeking. Also present: Kim Bantle.

Guests present: Debbie Streiber, Michael McCall, Alex Gabayan, Shervin Gabayan, Leigh Silverton and Inbal Gonen.

II. Approval of Minutes Minutes from the November 20 and November 27, 2017 Executive Sessions were reviewed and were approved as written.

III. Violation Hearings The purpose of the meeting was to hold two CC&R violation hearings. Howard reviewed the process for conducting violation hearings recommended by the Adams Stirling law firm. Notices of violation hearings are to be sent to home owners by US Mail, and the owner has the option to attend the hearing and meet privately with the Board, or they may decline to attend. If Board determines that there is a violation, the owner has 30 days to correct the problem, or be fined.

IV. Gonen/Kirkpatrick dispute

The PHOA received a formal complaint from Francine Kirkpatrick regarding the gate on Ron and Inbal Gonen's property. Kirkpatrick says that when the gate is open it blocks her view unreasonably and is a CC&R violation. Discussion ensued. Inbal Gonen was present and said that the gate is kept closed as much as possible.

VOTE: *Howard moved that since the open gate creates an unreasonable view obstruction it is therefore a CC&R violation and that a condition of the plans approval was that the gate can only*

be open when cars are passing through; Miriam seconded; 4 in favor, 4 opposed, 1 abstention; motion did not pass, as the vote was a tie.

V. Streiber tree dispute

The PHOA has received complaints from neighbors Leigh Silverton and also Alex and Victoria Gabayan about a large tree on Debbie Streiber's property that blocks their ocean view. Suzanne reviewed the history of the conflict and displayed photographs that document the view obstruction. The affected neighbors described the effect the tree has on their views, and both said that they were advised by realtors that the view blockage lowers their property values. Streiber's friend Michael McCall spoke on behalf of Ms. Streiber and asked the Board to dismiss the complaint. He also expressed his view that the tree does not significantly block the neighbors' views. Discussion ensued and the Board was in consensus that the tree constitutes a significant view blockage.

VOTE: *Miriam moved that Ms. Streiber's tree is an unreasonable obstruction of neighbor's views and should be cut down, and that if it is not removed within 30 days of receipt of letter from Board, a fine of \$250 a month will be imposed, as per PHOA rules and regulations; Suzanne seconded; 8 in favor, 1 abstained, motion passed.*

Board will draft letter to owner notifying her of violation.

The meeting was adjourned at 10:35 p.m.

Respectfully submitted,

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

Diana Ungerleider, PHOA Secretary