

# 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

## **DRAFT** **PHOA BOARD MEETING** **EXECUTIVE SESSION** **MINUTES** **MAY 21, 2018**

**NOTE:** Executive session is closed to the membership per Civil Code §4935.

President Howard Weissberg readjourned the meeting 8:35. Members present: Howard Weisberg, Suzanne Weisberg, Brain Bradford, Kathy Wedeking, Diana Ungerlieider, Chuck Emerick, Roger Broderick, Dawn Hill Consultants present: Kim Bantle

- I. CC&R ENFORCEMENT HEARING to be held at Patti Gallagher's home, 1170 El Medio Ave.

The board heard extensive comments by Patti Gallagher and the Emericks. Board members personally observed the view of the ocean from various points in the Gallagher residence and also walked to the Emerick residence and inspected the hedges, railings, and fencing from there and measured heights above the building pad.

The Board members present at deliberation moved, voting unanimously (7 to 0) (Chuck Emerick was asked to recuse himself and left the meeting at 8:49), as follows

1. *Prior to the hearing on 5/21/2018, the Emericks carried out extensive pruning and removal of planting. We find that, as of that date, the remaining plantings did not unreasonably obstruct or unreasonably diminish the nature or quality of the Gallaghers' ocean view.*
2. *To maintain this CC&R compliance going forward, and thereby avoid the imposition of fines, the Emericks should maintain all plantings and fencing that is in line of sight to the ocean from the Gallagher residence below the height (altitude) of four (4) feet above the level pad.*

(continued)

- II. Approval of 3-19-18 Minutes-Approved as written
- III. Discussion of correspondence with Deborah Streiber's attorney

We are following the plan discussed in the executive session board meeting on 3/19/2018.  
A letter was sent to Deborah Streiber's attorney and we are waiting for a response.

- IV. Discussion of other client/attorney privileged matters

Meeting was adjourned at 9:03