

# 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

OCTOBER 23, 2017

### MINUTES

**I. Vice President Howard Weisberg called the meeting to order at 7:05 p.m.** at the home of Miriam Schulman. Present: Brian Bradford, Diana Ungerleider, Howard Weisberg, Suzanne Weisberg, Roger Broderick, Chuck Emerick and Miriam Schulman. Absent: Francine Kirkpatrick and Dawn Hill. Also present: Kim Bantle.

Guests present: Dean Preston, Leslie Woodward, Michael and Laura Cohen, Rob Lekstrom (project manager for 1124 Las Pulgas Rd.) and Jason Massaband (architect, 1124 Las Pulgas Rd.)

**II. General Comments** Home owners Laura and Michael Cohen expressed their reluctance to pay the late fees and interest charges that they owe. Board members explained PHOA's policies and history of mandatory dues.

**III. Approval of 9-18-17 Minutes** Minutes from the previous meeting were reviewed and were approved as written.

#### IV. Treasurer's Report

**a. Bank Balances** Chuck reported that checking account balance is \$15,340.24 and savings account balance is \$24,534.01

**b. Delinquent Dues** There are currently 16 home owners in arrears, owing \$14,172.65 in unpaid dues.

**c. Mailbox vandalism incident** Howard reported on a threatening letter that was left anonymously in a Board member's mailbox; person also stole mail, including a package worth over \$400. Incident was reported to the police and the U.S. Post Office. Counsel informed him that the Board could vote to reimburse the Board member for the cost of package from the PHOA account. Board wanted to see details of the evidence of the break-in and theft. Howard proposed discussing these details in the Executive Session at the next month's meeting. Then, if the Board agrees to the reimbursement, it must be approved in a subsequent public Board vote.

**d. Proposal for collection of unpaid assessments (dues)** Howard read a summary he wrote, reviewing the decision made by the Board at the Sept. 18 Board meeting on how to handle collection of currently remaining unpaid assessments (dues).

The Board does not intend to carry out non-judicial foreclosures, however, when a property is refinanced or title is transferred, the amount owed would be collected. Homeowners

would be allowed to request a payment plan or Internal Dispute Resolution meeting with Board. Following discussion, Board agreed to postpone a vote on this issue until a more detailed proposal is prepared, and it is reviewed by the Association's legal counsel.

**e. Approval of 2018 budget** Chuck distributed the 2018 Budget and Board reviewed. *Diana moved to approve the budget; Brian seconded; passed unanimously.* Budget will be included in Nov. 1 mailing.

**f. Change in reserve fund requirement** Howard reviewed the CC&R requirement about the reserve fund. According to the Davis-Stirling act, a reserve fund can only be used for expenses related to the improvements in the common areas of an HOA, and not for unexpected legal expenses as called for in our CC&Rs. Since the PHOA does not have common area improvement, and State law trumps the CC&Rs, we do not need a reserve fund.

*Following discussion, Chuck moved to eliminate the reserve fund and merge the funds into our operating accounts; Suzanne seconded; passed unanimously.*

## V. Membership and Governance

**a. CC&R Rewrite** Howard reported that he has received feedback from several Board members and others on the CC&R rewrite. Once he incorporates this feedback into the current draft, and conducts a final review, he will submit the updates to PHOA's attorney and she will prepare a second draft of CC&Rs for distribution and review by the Board.

**b. For Sale and Escrows** Postponed.

**c. Executive Committee/ Executive Report** No report.

**d. Annual Mailing to Membership** Ungerleider will coordinate mailing to be sent on Nov. 1.

## VI. Plans Committee

### a. Under Review (October report):

**i. 1124 Las Pulgas Rd. (Martin)** Revised plans for a one-story remodel and addition were submitted for preliminary approval in September 2017. Following review by consulting architect Richard Blumenberg, and review by the Plans Committee and Board, the homeowner agreed to put up story poles so any potential view obstruction could be evaluated. The Board conducted site visits of story poles and a neighborhood meeting was conducted during October 23, 2017 Board meeting. There were no objections from the neighbors. *Based on all construction being below 15 ½ ft of the original pad or original grade, and there being no unreasonable obstruction or diminishment of the view, Howard moved to give preliminary approval to the plans; Brian seconded; passed unanimously.* Kim will draft a letter of approval; Diana will follow up.

### b. Under Review (no report this month):

**i. 1055 El Medio Ave.- Chapin** No report.

**ii. 1160 El Medio Ave. - Gonzales** No report.

### c. Under Construction:

**i. 1341 Las Canoas- Koch** No developments.

**ii. 1261 Las Lomas Ave. - Rothman** No developments.

**VII. Landscape Committee**

- a. **Overview of plans to enforce compliance** Postponed.
- b. **1000 Las Lomas Ave. - Streiber** No developments.
- c. **949 Las Lomas Ave. - Thomas** No developments.
- d. **1034 Las Lomas Ave. -Vernez** No developments.
- e. **1261 Las Lomas - Rothman** No developments.
- f. **1170 El Medio - Gallagher** No developments.
- g. **1200 El Medio - Barber** No developments.
- h. **1216 Las Pulgas Rd. - Wellwood** Some trimming has been done, but palm tree & magnolia are still not in compliance.
- i. **1148 Las Pugas Rd. - Darvish** No developments.
- j. **16037 Anoka Dr. - Ohari** Tree trimming was carried out; remove from agenda
- k. **1177 El Medio Ave. - Emerick** No developments.

**VIII. New Business/ Old Business** None

The meeting was adjourned 10:10 p.m.

Next meeting: **November 20, 2017** (third Monday of the month)

Respectfully submitted,

A handwritten signature in black ink that reads "Diana Ungerleider". The signature is written in a cursive, flowing style.

Diana Ungerleider, PHOA Secretary