

MINUTES OF MONTHLY MEETING
SMPOA BOARD OF DIRECTORS
April 4, 2012

1. The Meeting was called to order at 6:40 p.m. by Natasha Roit. It was held at 3929 Malibu Vista Drive, Malibu, CA 90265.
2. A quorum of Directors was present: Barbara Belcher, Ron Doctor, Nancy Posner, Becky Rickley, Natasha Roit, Paul Rudzinski, and Helen Tartavull.
3. Director absent: Lisa Doctor.
4. Owners present: Shyam and Kalyani Amladi, Robert Bornstein, Ruth Erb, Patricia Hackel, Megan Plumridge, Mimi Rose, Tennyson Sebastian, Paulette Silver, Georg and Gerlinda Stelzner, Linda and Robert Wessen, and Sally Young.
5. Others present: Flo Elfant, Chairperson, Disaster Preparedness, Pacific Palisades Chamber of Commerce.
6. Flo Elfant discussed how to prepare an emergency plan for individuals and families and the neighborhood, based on information developed in conjunction with state and local government agencies and the Red Cross. She described some of the many procedures to be taken in advance and after an emergency event, and recommended supplies to have on hand. Ms. Elfant emphasized that Sunset Mesa, like Pacific Palisades, is an isolated region and we must be prepared to do without emergency responders for several days. The keys to dealing with a disaster are to have each household prepared and to have several small groups of adjacent homes (about 10) linked in a common plan to assist one another. The guide is available at www.PalisadesPost.com; click on 'Helpful Links'. The Board thanked her for an excellent presentation of this vital information.
7. A Motion was made by R. Doctor and seconded by Roit to accept the email approval of the Minutes from the Special Meeting of March 19, 2012. The Motion passed unanimously.
8. Roit reported on the CC&R re-vote in Tract 26458. She reiterated the reasons for the vote and noted that the CC&Rs are identical to those voted on, and passed, in 2004. The ballots were mailed to the 99 owners in the Tract on March 22. Owners have until April 25 to return them to Ballot Box, an independent election supervisor, in a pre-addressed, stamped envelope. Alternatively, a Ballot Box employee will be in the Mesa on Saturday, April 14 to receive them. On Wednesday, April 25 at 6 p.m. Ballot Box will bring the envelopes to the Mesa where, in a public forum, they will be opened and tabulated. Both events will take place in the garage of Paulette Silver, 18361 Clifftop Drive, the Mesa's long-time polling place. Roit thanked her for offering to host them.
9. There were several questions and comments from owners in attendance to which Roit and others responded:
 - Are renters voting? If not, do we know how to contact the owners? (Renters do not vote. We obtained the names of owners from a title company's search of grant deeds and we have confirmed addresses for all.)
 - What might Mr. Shayne do? Could he block the revised CC&Rs if passed in a re-vote? (The Association has taken extensive efforts to avoid any basis for

litigation and there are certain bases which Mr. Shayne cannot use under terms of the settlement with SMPOA.)

- Why is it important that the 2004 CC&Rs be implemented? Why wouldn't the old ones, once again in force, continue to work as they did for so many years? (The old CC&Rs refer alternatively to dwelling and structure. This has been interpreted by one judge to mean that a "structure" such as a shed could not block ocean views, but that "structure" does not in this instance mean a "dwelling". The 2004 revised CC&Rs remove this possibility for confusion.)
- There is a 25.5 foot height limit in Tract 2658 in both sets of CC&Rs. Wouldn't this permit someone to build up anyway? (No, this may be the height of some portion of a roof line at its highest, but the CC&Rs do not permit any changes to existing structures that would interfere with ocean views.)
- What would the impact of a CC&R defeat be? (Realtors have told us that the guaranteed existence of ocean views is a very strong selling point in the Mesa and loss of that could significantly devalue our properties.)
- Shouldn't owners of properties along the rim be concerned about the negative impact of building-up on those lots could have on the stability of the slope, sideways as well as down? (Emphatically, yes.)
- Can owners gather together to hire an attorney to represent the community to defend the CC&Rs? (Yes.)

10. Tartavull presented the Treasurer's report. The records for 2012 have been entered into Quick Books and she is working to complete the 2011 records. There is about \$40,000 of uninvested cash in the Stifel-Nicolaus accounts and we soon will be making decisions about how much and in what to reinvest it. March's income has shown a substantial increase in both dues and ad revenues. One owner made a \$5,000 contribution to the Association toward replacement of trees being removed by the County as part of their pavement repairs. The only extraordinary expense was a \$2700 fee to our legal council related to the re-vote.

11. Belcher reminded everyone that the Annual Meeting is set for Monday, June 18, at 6 p.m. at Gladstones restaurant.

12. Roit said that a *Procedure Manual* for the Architecture Committee is being prepared.

13. Roit said that the By-Laws are being reviewed for content and to correct typos, improve formatting, and clarify wording.

14. The meeting adjourned at 8:30 p.m.

15. The minutes were prepared by Barbara Belcher.



Barbara Belcher