

Castellammare Mesa Home Owners NEWSLETTER April, 2013

Dear Neighbor: This newsletter updates you on the community news and the results of the Annual General Meeting which was held on February 26. We had a very good attendance and thanks to all of you who attended and participated in this important once-a-year community meeting. Thanks also to Mary Alice Hawkins and Kristen McCormick for staffing the registration desk at the meeting.

Summary of the news from the ANNUAL GENERAL MEETING:

- **BOARD ELECTIONS:** You elected the following 2013 Board Members. Officers were elected by the Board at its first meeting on March 26:
 - Kim Clary, President
 - Mike Lofchie, Vice President
 - Muriel Janes, Secretary
 - Doug McCormick, Treasurer
 - Bennett Murphy
 - Mo Sahebi
 - Marker Wiegand

- The Board appointed the following to the **Architectural Committee (AC)**:
 - Kim Clary, Chair
 - Andrew Martin, Vice-Chair
 - Margaret Churchill, Secretary
 - Bob Marrs*
 - Gerald Nadler*
 - Marlana Newmark*
 - Mo Sahebi
 - Reuel Sutton(*Denotes alternate)

- The Board re-appointed David Morena, Gerald Nadler, Bennett Murphy and Mo Sahebi to the **Professional Services Committee**. Kelly Comras and Kim Clary were re-appointed to the **Getty Villa Community Relations Committee**. Bob Marrs will continue to be our **Records Custodian**.

- **TREASURER'S REPORT:** Doug McCormick handed out and reviewed the financial report for January through December 2012 at the meeting. At yearend we had a total of \$32,914 in all our accounts.

We currently have \$15,810 in our General Account (Checking), \$6,011 in the Legal Defense Fund and \$14,229 in the Money Market account for a total of \$36,050 in all accounts.

Paid membership for 2012 was 75%, which is excellent for a voluntary HOA. Thanks to all of you for your continued support! Membership this year is currently at 113. **If you have not already paid your dues of \$85 for the year, please send them to PO Box 742, PP, 90272. The Board provides extra services with your paid membership dues, including newsletters, email announcements, crime and**

safety alerts and Architectural Committee updates. These services will not be provided to neighbors who don't pay their dues.

Remember, you receive a Getty Villa card if you pay your dues. Please make arrangements with Kim (contact info on page 5) to pick up your card if you have paid and not already received it.

- **ARCHITECTURAL COMMITTEE REPORT:** Kim Clary reported that the AC had another busy year, with 23 projects to review in 2012. The Architectural Guidelines that are given to realtors and new owners have been helpful in providing useful information for owners wanting to remodel. The longstanding lawsuit involving the Kashani property on Tramonto at Bellino is almost over.
- **CMHO INSURANCE ISSUE:** Mike Lofchie discussed the problem of HOA's such as ours having increasing difficulty renewing their Directors and Officers insurance policy due to the litigious climate in California. At the time of the AGM, our insurance company is not renewing HOA's in California. Our D&O insurance was up in March, 2013. (Subsequently insurance was obtained with another company.)
- **LAPD SENIOR LEAD OFFICER MICHAEL MOORE:**
 - Warned residents about phone scams where an individual receives a call that a relative is injured, jailed or otherwise in need of money. They ask that money be wired. **DO NOT FALL FOR THIS SCAM!**
 - Explained why it is difficult for the LAPD to remove possessions from campsites of homeless persons. Due to a lawsuit, new procedures are in place.
 - Encouraged not giving money to the homeless since that encourages their continuing stay in the neighborhood.
 - To report suspicious activity or behavior, call 877-ASK-LAPD (877-275-5273) the non-emergency number. Website: www.alertcommunity.com.
- **MARK ANTONIO GRANT, SPECIAL ASSISTANT TO COUNCILMAN ROSENDAHL:**
 - He is the Liaison for Public Works, among other duties.
 - Reported that the Castellammare streets, which were taken off the public roles are now back on and should be eligible for paving.
 - A resident complained that the no u-turn sign at Porto Marina and PCH is not adequate, causing unsafe u-turns. He said he will look into it. (Subsequent event- Mark has taken care of this and there should be a sign up soon.)
 - A resident asked that the "no outlet" sign be removed on lower Tramonto because having it there may cause emergency services from not responding in the event of a disaster. He will look into it.
- **MIKE BONIN, COUNCILMAN ROSENDAHL'S CHIEF OF STAFF:**
 - He is running for Councilman Rosendahl's seat on the LA City Council.
 - Councilman Rosendahl's health is improving and he is back to work.
 - Problems for the area that are in need of resolving:
 - 911 response time for the Palisades and Brentwood, average is 30 minutes.
 - Ingress and egress issues
 - Fire services reduced
 - Discussed the amount of paperwork involved in police work, the amount of overtime spent and the need for technology to save time and enhance services.

- Homeless problem: the courts are not allowing the City to clean up encampments unless possessions are stored 90 days to allow persons to reclaim them. There is an organization to assist people to find shelter for those living in vehicles
- The California Incline Project is projected to begin in 2014. A resident suggested re-stripping West Channel Road to accommodate two lanes during the project. He will look into that suggestion.
- **REAL ESTATE UPDATE: JUDY ORSINI** of Coldwell Banker, reported that 2012 was a good year in residential real estate and expects this trend to continue at least through 2013. There are usually several buyers for any appropriately priced property on the market. There are still 71 homes in some stage of foreclosure (4 of which are in our tract) as compared to 92 last year. As part of the Healthcare Legislation, there is a new transaction tax imposed on certain higher income individuals and couples upon the sale of a home. This is a complicated issue and should be discussed with a qualified tax preparer when considering the sale of a property. If you have any questions about this report or any real estate needs, please contact Judy at 310-230-2427.

OTHER COMMUNITY NEWS/UPDATES:

- **LIABILITY PROTECTIONS FOR VOLUNTEER BOARD MEMBERS AND OFFICERS OF HOA's:** In the March 28 Palisadian Post there was an article on the first page titled "Court Rules in Tramonto Dispute - Appeal Decision is Big Win for HOAs and Volunteers." This was about the Kashani lawsuit referred to earlier in this newsletter (for background information on this seven year lawsuit, please refer to previous newsletters on our website). The important information contained in this article was the defense put forward by volunteer counsel called the Federal Volunteer Protection Act (VPA). The VPA provides immunity for unpaid volunteers "unless they committed criminal misconduct or gross negligence." The VPA aims to "promote the interests of social service program beneficiaries and taxpayers and to sustain the availability of programs, nonprofit organizations ... that depend on volunteer contributions by reforming the laws to provide certain protections from liability abuses related to volunteers..." HOA volunteers are also protected under the California Nonprofit Corporations Code which states that uncompensated directors and officers are protected against personal liability for their service to nonprofit corporations, subject to certain exceptions. **In this increasingly litigious climate, these are important legal protections for our Board and Architectural Committee members.**
- **DIRECTORS AND OFFICERS INSURANCE:** As discussed at the AGM, homeowners associations are experiencing increasing difficulty getting D&O Insurance. This was the Board's experience as a result of two homeowners threatening litigation due to their disagreement with the Architectural Committee. We were fortunate that we were able to find a company to insure us this year, but if litigious neighbors continue to threaten the CMHO with legal action, we may not be so fortunate in the future. Without this protection, the association would most likely not have a Board of Directors or Architectural Committee to uphold the CC&R's as no one would be willing to serve due to the personal liability exposure. Without a Board or Architectural Committee, each homeowner would be left to uphold the CC&R's on an individual basis.
- **DWP DISTRIBUTING STATION 104 UPDATE:** The DS-104 Task Force has not met since early in the year. LADWP is currently performing technical analysis on the top tier sites to determine their suitability for the proposed distributions station. This analysis is expected to be completed by summer. LADWP will then prepare an Initial Study under the California Environmental Quality Act (CEQA) and

continue community outreach as part of the CEQA process. The final selection of site will be performed and managed by LADWP.

- **17433 TRAMONTO DRIVE:** This is the large project on lower Tramonto, outside of our tract. The owner informs us that they are on schedule and plan to finish the major structural work in the next few months and have the house enclosed by the end of the summer. They are requesting a few variances through the City. They are asking for an increase in fence height, 7' in the front yard and 7' 11" in the rear and they are asking to split the two long retaining walls into a series of shorter walls (6 total). The owner said the proposal reduces the visual and actual impacts. They plan to be completed by June of 2014.
- **THE FORMER LANDMARK PROJECT** was sold. The City recently gave nearby homeowners notice that the new owners of this project and the owners of the condominium project on Castellammare Drive will begin work on these properties. They will start by repairing the central part of the 1965 Revello landslide by excavating 60' next to some of resident's property lines on Revello. They hope to start this project within the next few weeks.
- **THE GETTY VILLA AND THE GETTY VILLA COMMUNITY RELATIONS COMMITTEE (GVCRC):** The Getty Villa continues its collaboration with the Italian Minister of Culture with a new exhibition from Sicily called "Art and Invention between Greece and Rome." They have over 150 masterpieces of ancient art from Sicily on display through August 19. The incredible "Lion attacking a Horse" from the Capitoline Museum in Rome has been held over until May 6. These exhibits shouldn't be missed. Visits to the Getty Villa are free, parking is \$15. If you have a neighborhood Getty Villa card, you can walk in free and a shuttle bus will take you from the Getty Villa entrance on PCH to the Villa..

The GVCRC has recently decided to meet quarterly, as there are no pressing neighborhood issues.

- **ARCHITECTURAL COMMITTEE REPORT-CURRENT PROJECTS:** One of the CMHO's primary responsibilities, through your Architectural Committee (AC), is to uphold the CC&R's. Property owners are required, as per the CC&R's, to bring their construction projects, no matter how small, to the AC early in their process to save time and money. A word of caution: If you are planning to make improvements to your property, be sure to check with the City Building Department first to see if you need a permit. Permits or variances may be required for small projects such as retaining walls, fences, outdoor spas, barbecues which require gas or electrical hook-ups, gazebos, windows, etc. If you do not go through the proper channels with the City, you may find yourself paying fines and possibly having to tear down what you built.

Current projects:

- 293 Bellino Dr. The owner submitted plans to expand the rear of his house and has installed story poles. The AC is currently going through its process.
- 294 Bellino - The AC approved plans for an under floor story and first story with a roof deck. The owner signed a Covenant limiting the use of the roof deck.
- 17708 Tramonto Dr. The owners of this project informed the AC that they will be remodeling only the West end of their house, called Addition A. The AC recently approved this addition.

Castellammare Mesa Home Owners
PO Box 742, Pacific Palisades, CA 90272
<http://castellammaremesa.com>

Board Members

Kim Clary, President	310 230-8041	kimjdave@msn.com
Mike Lofchie, Vice President	310 459-5661	mlofchie@gmail.com
Doug McCormick, Treasurer	310 459-1382	Dougmcco@gmail.com
Muriel Janes, Secretary	310 459-4616	mjanez@aol.com
Bennett Murphy	310 459-8395	Bennett.j.murphy@gmail.com
Mo Sahebi	310 664-9311	Mo101@planex.us
Marker Wiegand	310-854-9083	Marker_wiegand@yahoo.com

Architectural Committee Members

Kim Clary, Chair	310 230-8041	kimjdave@msn.com
Andrew Martin, Vice-Chair	310 459-5310	a.forbesmartin@gmail.com
Margaret Churchill, Secretary	310 573-1713	bermarg@roadrunner.com
Bob Marrs*	310 454-2030	bobmarrs@yahoo.com
Gerry Nadler*	310 459-3746	Nadler@usc.edu
Marlena Newmark*	454-4592	PaulMarlena@aol.com
Mo Sahebi	310-664-9311	Mo101@planex.us
Reuel Sutton	310 459-1286	reuel.sutton@yahoo.com

*Denotes Alternate

Other Important Numbers:

LAPD: Senior Lead Officer Michael Moore: 1-310-444-0737; 27995@lapd.lacity.org

For non-emergency immediate service: (877) 275-5273

Fire Dept. 911 Brush Clearance: (818) 374-1111

City Services and Building & Safety: 311 or <http://www.lacity.org/boss/request.htm>

Note: This number is for any kind of question or concern re the City (graffiti removal, pot-hole repair, brush clearance, code violations, tree removal, etc.)

City Council Office:

Bill Rosendahl: LA Office: 200 N. Spring Street, Rm. 415, LA, CA 90012; 213-473-7011

West LA: 1645 Corinth, Room 201, West LA, CA 90025; 310-575-8461

councilman.rosendahl@lacity.org

Joaquin Macias, Sr. Field Deputy for Pacific Palisades: Joaquin.Macias@lacity.org

Getty Villa Community Relations Committee:

Kelly Comras: 1-310-459-5661; k_comras@hotmail.com

Kim Clary 1-310-230-8041 kimjdave@msn.com

Getty Villa Complaint Hotline: 1-877-625-4282

Remember to conserve water & to recycle!!

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