

John Harbison Comments
At PVHA Annual Meeting 1/14/14

I appreciate the Palos Verdes Homes Association for its admirable stewardship of our precious parklands in Palos Verdes Estates over the past 90 years. PVHA has been the staunch defender of the CC&Rs in the original deeds from 1923, when the founders exhibited great foresight in creating a framework that would last in perpetuity – a set of Protective Restrictions that can sustain our precious parkland resources forever.

For 89 of the last 90 years, PVHA has acted as an exemplary steward. In particular, I applaud PVHA's advocacy of those Protective Provisions when they came under fire from the ill-conceived lawsuit by the PVUSD several years ago. As a strong advocate, PVHA stepped up to the challenge and successfully defended the CC&Rs in court. **Bravo!**

So why, fresh from that victory, did PVHA throw that all to the wind and become an active principal in 2012 in the illegal act of selling 1.7 acres of parkland on Via Panorama to the Luglianis, who for 38 years had illegally built extensive structures and plantings on the parkland surrounding their home?

Further, why does PVHA now claim, in its court briefings for the CEPC lawsuit opposing that sale, that it has the **right but not the duty** to enforce and abide by those protective restrictions. In these official legal briefings, PVHA claims that the word "shall" actually doesn't mean "shall". Instead, PVHA claims that "shall" really means "may", and therefore that enforcing the restrictions is **entirely optional. REALLY?**

What is the point of this 80 page book of protective restrictions if PVHA can elect to sell **any or all** of the 800 acres of parkland that were intended to remain open space for public use "forever." Why does PVHA not understand that such an unambiguous term as "forever" does not mean "until 2012 or whenever I decide to ignore the law."

Shame on you. Your predecessors as Board members of PVHA would turn in their graves if they were told of your abandonment of the principles and integrity that were the foundation of this great institution.

Do the right thing. Admit your mistake and exercise your reversionary interest to return this parkland to the people of Palos Verdes Estates. Or face the increasing ire of our population who are shocked and amazed at your behavior and actions.

125 Residents have signed letters expressing their opposition to your actions. Two-thirds of these people do not live anywhere near Via Panorama – which is unusual for PVE where concerns are usually very locally contained to immediate neighborhoods. Instead of the typical “not in my backyard” concern, this issue has grabbed the attention of people all throughout PVE. Some of them have voted “no” for your re-election. Listen to the people and fix this great wrong.