

Renata Harbison Statement for PVHA on January 14th, 2014

My name is Renata Harbison. I live at 916 Via Panorama and I've been a resident of Palos Verdes Estates since 1992. I would like to thank each of you for serving our community in your capacity as Directors of the PV Homes Association. In your role you successfully defended our CC&Rs in the controversy over Lots C & D in Lunada Bay in 2011 when the School District determined to sell those lots for residential development. Zoned as parkland and allotted to the PVPUSD in 1938 by deed for school sites—not for residential development—those lots were then and are still today, parkland; the rules that bound the school district to the deeds and restrictions in 1938 were and are still enforceable, as confirmed by the court in 2011.

How then can you justify your part in the 4-way Memorandum of Understanding between the PVHA, the City of PVE, the PVPUSD and the Luglianis (the owners of property located at 900 Via Panorama) by selling 1.7 acres of OUR parkland for \$500K to them? How can you as a body fight to enforce the restrictions one year, and do an about face by selling parkland the next year? How can you justify the lack of public notice since all the negotiations were conducted behind closed doors – in meetings and emails principally between attorneys and the parties benefitting from the MOU, as we have seen in the discovery process? No one in the immediate vicinity of the parkland knew that Via Panorama parkland was up for grabs. Not because we weren't interested, not because we didn't care – but because we weren't notified. The PVHA has a process they could have followed, but obviously chose not to do so.

Who won in that MOU?

1. The School district received a donation of \$1.5 million from the Luglianis.
2. The PVHA received \$400K for 1.7 acres. Is that the going rate? Really?
3. The City of PVE received \$100K.
4. The Luglianis received 1.7 acres of parkland they had used as their own private playground with unpermitted structures for decades; with that sum, they paid significantly less than the going market rate for residential property, assuming that their attempt to rezone from OS to R-1 would be successful. To date it hasn't been successful...but they did try, twice.

Who lost in that MOU?

1. Every current resident and homeowner in PVE who has not received preferential treatment.
2. All those who abide by the City and Homes Association rules and pull permits for a long laundry list of codes and regulations by rewarding residents who flagrantly defy the rules that govern us all.
3. Future generations who may be able to enjoy less open space/parkland because you opened Pandora's box by selling parkland to one owner – how much more of our parkland is for sale at what price?

And today, you continue to fight against CEPC (Citizens for Enforcement of Parkland Covenants) by stating that you have a right but not the duty to enforce the deeds and CC&Rs, that "shall" really means "may," and that you therefore have discretion in enforcing the rules. Are you prepared for the consequences? I'd like to close by asking how many "yeah" and how many "nay" votes you received in the ballots that were returned. Thank you.