

## Opposition regroup for new Palos Verdes Homes Association election

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After last year's rare contested election was [voided because too few homeowners participated](#), the Palos Verdes Homes Association has changed some protocols for its 2016 race for five board of directors seats.

Unlike last year, however, this time challengers to board incumbents will be listed on the official ballot.

The 2015 race ultimately included three ballots and plenty of consternation. Now the [PVHA](#) and [Residents for Open Board Elections](#), a group that has sharply criticized board decisions and fielded four challengers last year, are hoping for a smooth race.

"Nobody wants to have that confusion," said John Harbison, organizer of ROBE.

### ELECTION CHANGES

This year's election will include changes by the PVHA designed to keep the process running smoothly, said Kim Robinson, the association's manager.

Votes will only be accepted by mail and the association has hired the Los Angeles accounting firm of Moss Adams to receive the ballots, she said.

"We've taken ourselves out of the process; we're not even a stop on the chain of custody," Robinson said.

The decision only to accept ballots by mail was a move to avoid the confusion of the 2015 race, when association members submitted multiple ballots via mail, fax and other methods in an attempt to be sure their votes were counted, she said. The race ended up featuring three ballots, and the whole process became too difficult to manage, she said.

The PVHA will have some extra ballots on hand in case members don't receive theirs in the mail, she added, but they will be marked once they're handed over to voters so no one can submit multiple ballots.

The association, which oversees deed restrictions and architectural standards in the exclusive community, also will bring retired Superior Court Judge Michael Latin to oversee the election. Latin performed the same process during the 2015 race.

Ballots will go out Monday, and must be received by Jan. 4 to be counted, according to the PVHA website.

## **EIGHT CANDIDATES TOTAL**

Three ROBE candidates — Marlene Breene, W. Richard Fay and L. Reid Schott — are running against the five incumbent board members, Carolbeth Cozen, Ed Fountain, Phil Frengs, Dale Hoffman and Carol Swets.

Each of ROBE's candidates submitted a petition with more than the 100 signatures needed to qualify for this year's vote-by-mail election, the results of which are scheduled to be announced at the association's Jan. 10 annual meeting.

The group was formed out of dissatisfaction with [a 2012 decision by the homes association and city](#) to transfer public parkland to a couple on Via Panorama, and its candidates have pledged not to sell or swap any parklands should they be elected. Many of the same residents also opposed the [PVHA's support for rerouting the Paseo del Sol Fire Trail](#) in the summer of 2015.

The land deal ultimately led to a lawsuit filed by Harbison and a group of residents. A Superior Court judge [ruled in 2015 that the trade was illegal](#), but the city and homes association are appealing that decision.

## **HOPE FOR INFORMED VOTERS**

Robinson and Harbison said they hope voters take the time to inform themselves before they mark their ballots. "I'm just hopeful that they will look at the candidates who are qualified and make their choices," she said. Harbison echoed a similar sentiment.

"The important thing in the election is that people try to inform themselves and then make their decision, and certainly if it turns out the public likes what (the board is) doing, we fully support that that's the conclusion of the public," Harbison said.

Nevertheless, he described an apparent disconnect between the board and the community of homeowners. "When we went around door-to-door to people, literally none of us had anyone that we met that, once they were aware of what's going on, said they didn't support the change," he said.

Robinson said the fact that the association has now seen two consecutive contested elections is a sign that "there is a movement afoot," but added that much of the feedback she and PVHA staff have received in the office has been positive.

"I can't speak for the board but, as far as the association, there is a vocal group that has a lot to say about this, and then there are a lot of people that don't have anything to say about it," she said.

## **CONTENTIOUS ELECTION**

The 2015 election [pitted four challengers against five incumbents](#), but ended up bogged down with ballot issues after the association declined to print the challengers' names on their ballot when the group missed a filing deadline, a move that prompted ROBE to issue its own ballots.

The 2015 election grew more complex after the homes association attorney [mistakenly told the Daily Breeze that](#)

members who wanted to vote for a challenger could change their vote if their ballot only listed incumbent candidates. He later reversed himself, saying such ballots would be invalid.

Ultimately, only 1,772 valid ballots were counted in the January election, 939 short of the necessary 2,711 to reach a quorum for a valid election. Per the association's rules, without a quorum reached by voters the incumbents keep their positions. The last time the association met a quorum for one of its elections was in 2009.

ROBE later contested those results, questioning the methods for counting votes, and the association's decision to keep the incumbents in their seats.