

Update on PVHA Annual Meeting and Election Results January 10, 2017

The Palos Verdes Homes Association (PVHA) held their Annual Meeting on January 10, 2017, and disclosed the results for the Election of the Board of Directors. The City Hall Council Chamber was nearly filled to capacity. This had the **largest turnout of any of the last four Annual Meetings**. But that was about it for good news.

Unfortunately, it was very sad night for democracy and for our community. **Only 1589 ballots were returned out of 5420 members, well short of the quorum of 2711 required, and less than the 2101 returned last year or the 1772 that were determined to be "valid" last year.**

The PVHA Board reinforced the concerns of many that they have been **poor stewards** and have acted with a **remarkable lack of transparency and lack of interest in the concerns of their members**.

The efforts of the current Board to **minimize the likelihood for reaching a quorum** were successful. Among the things the PVHA Board did to accomplish no quorum:

- Sending **one mailing** not **three** as in some previous years
- Refusing to accept ballots returned **by fax, email, hand delivery to PVHA**, as well as by **bringing the ballot or proxies to the annual meeting** – all of which were **allowed in previous years**
- Establishing a **difficult process to acquire signatures** - 100 with affidavits and notary required (PVE City Council nominations are 30 signatures and no affidavit/notary required)
- Allowing **address errors** on the return envelope
- Closing the office Dec 23 to Jan 4 effectively making it **impossible to get a replacement ballot after Dec 22nd**
- **Failing to list a return address** on their original mailed envelope and using the returns to update the PVHA address database. **Many people** claimed they **never received a ballot** and others received ballots for homes/condos sold many years ago.
- **Sending ballots** out on 11/21 (**just before Thanksgiving**) -- thus increasing the likelihood they might go unnoticed

The Board **accepted no responsibility** for any of their actions in this regard. Instead, Kim Robinson was quoted in the PV News as saying "All I know is that **we ran a very neat and very clean election** and we had two professionals managing it and overall, I think it was good."

President Phil Frengs opened the meeting by acknowledging all the people of note in attendance from the Association and the PVE City Government, but neglected to mention four former PVE mayors in the audience – Ruth Gralow, Barbara Culver, Mike Moody and Dwight Abbott – perhaps omitting them because all have been supportive of ROBE's efforts to elect new leadership at PVHA and CEPC's efforts to reverse the sale of parkland?

The Board tried to **suppress any public comment** when President Phil Frengs opened the meeting with a statement that comments from the public were limited to 3 minutes per parcel, and **comments should not cover the ongoing parklands litigation and the election process**. Really? Most people were there to express their dissatisfaction with one or both of those issues, and to forbid an opportunity to voice those concerns is both **arrogant** and **astonishing**.

Nevertheless, seven people did speak out anyway to express concerns over the election process, and did so articulately and respectfully. One other person thanked the Board for beginning to publish the Bulletin once again. The points I mentioned in my last email update were mostly covered and asked, but **the Board was largely mute, acknowledged no responsibility, and basically rejected all criticism.**

- They are **not following their by-laws** by adjourning “day-to-day” and **extending the election until a quorum is reached.**
- They are thus **not resending ballots** to the members **that did not vote.**
- They are **not counting the results of the ballots received**, even though members have volunteered to help under their supervision.
- They are **not even opening the envelopes received**, logging them in, and **posting a list** so that members can **verify** if the ballot they sent was received.
- They are **not petitioning a judge to have the quorum threshold reduced.**

When we asked Kim Robinson after the meeting had closed whether the incumbents had followed their own Resolution #177 which **requires all** candidates to gather 100 signatures and comply with the complicated affidavit and notarization process, we were told **“that was not required.”** Renata had wanted to speak to this, but we were limited to one 3-minute address and we decided that I would speak. **PVHA is failing to comply with their own resolution as written which DOES require it from ALL candidates without excepting the incumbents**, unlike all the three ROBE candidates who fully complied with the arduous process and who gathered over 200 signatures each. The resolution is posted on their website if you care to look – [click here](#). Notably, PVE City Council Incumbents are required to gather 30 signatures when they decide to run for election, but apparently the PVHA Board thinks their own PVHA rules do not apply to themselves despite the fact that three of the current directors have never been elected and the other two have not been elected since 2009.

Mr. Frengs merely stated that **in lieu of a quorum being reached, they would continue to serve as directors for another year.** They would consider changes in the process and may post revisions mid-year. We pointed out that the **PVHA By-Laws state that in the absence of a quorum, they must “adjourn day-to-day” until a quorum is accomplished.** “Day-to-day” does not mean “until a year from now”. The language means PVHA should extend the election long enough to establish a quorum. However, they’ve rejected that -- showing once again that **they feel they are above the law (by violating deed restrictions), and can ignore their bylaws and their own resolutions.** Finally, by not following their by-laws and continuing to transact business during the year, they are acting illegally because they have not been legitimately elected and hence are not empowered to transact business..

After the meeting, cookies were served out at the front counter, but the **Directors all slipped out the back door and disappeared** without mingling with the members in attendance.

It’s business as usual in the “good old boys club.”

If any of this bothers you, the PVHA monthly meetings are open to the public and any member can address the Board and provide feedback. The next meeting is at **4:30pm on Tuesday January 24th at the PVHA office** at 320 Palos Verdes Drive West in Malaga Cove