

SANTA MONICA MOUNTAINS CONSERVANCY

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MINUTES OF THE JOINT MEETING
of the
SANTA MONICA MOUNTAINS CONSERVANCY
and the
SANTA MONICA MOUNTAINS CONSERVANCY
ADVISORY COMMITTEE

June 25, 2012

1. Call to order.

The 390th joint telephonic meeting of the Santa Monica Mountains Conservancy and Santa Monica Mountains Conservancy Advisory Committee was called to order by Chairperson Elizabeth A. Cheadle, at 7:40 p.m. on June 26, 2012 at Temescal Gateway Park, Pacific Palisades, California.

2. Roll Call of Conservancy.

The Conservancy roll was called and the following members were present: Jerome C. Daniel; Linda Parks; Bryan Cash (via teleconference); Ms. Muñoz, Vice Chairperson, and Ms. Elizabeth A. Cheadle, Chairperson. A quorum was present. The following member was absent: Craig Sap.

3. Roll Call of Advisory Committee.

The Advisory Committee roll was called and the following members were present: Allison-Claire Acker; Sean Anderson; Dave Brown; Illece Buckley-Weber; Michael Cacciotti; Elaine Freeman; Richard Gould; Mary Sue Maurer; Paul Rabinov; David Ross; Paul Rockenstein; Wendy-Sue Rosen; Nancy Stephens; Marc Stirdivant; Donald Voss; Timothy Wendler; Garen Yegparian; George Lange, Vice Chairperson, and Donald Robinson, Chairperson. A quorum was present. The following members were absent: Sean Arian; Caroline Brown; Anita Fromholz; Jeffrey Jennings; Alan Kishbaugh; Roseann Mikos, and Effie Turnbull-Sanders.

Staff present: Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director; Rorie Skei, Chief Deputy Director; Laurie Collins, Chief Staff Counsel; Paul Edelman, Deputy Director of Natural Resources and Planning; Melissa Cartelli, Associated Government Program Analyst, and James Yeramian, Board Secretary.

4. Introduction of Legislative Participants or their staff.

The Chairperson announced that Louise Rishoff and Rebekah Rodriguez-Lynn were present.

5. Approval of Minutes.

The minutes of May 21, 2012 were submitted for approval.

The minutes of May 21, 2012 were approved as submitted.

6. Reports.

The Conservancy received oral reports from the Chairperson; the Executive Director; George Lange, representing the Mountains Recreation and Conservation Authority, and Richard Gould, representing Santa Clarita Watershed Recreation and Conservation Authority.

7. Members comments on matters not on the agenda.

Comments were made by Ms. Parks, and Messrs. Anderson and Wendler.

8. Comments from members of the public on items not on the agenda and public testimony on all agenda items.

The following members of the public addressed the Conservancy:

Jody Thomas, representing Old Topanga Homeowners Association, on item 9(b).
Elizabeth Stephens, member of the public, on item 9(b).
Bobbi Buescher, representing Assemblymember Betsy Butler, on item 13.
Mayisha Akbar, representing Compton Junior Posse, on item 9(c).

9. Consent Calendar:

- (a) Consideration of resolution authorizing a comment letter to County of Los Angeles on Draft Significant Ecological Areas Ordinance.**
- (b) Consideration of resolution authorizing a clarification letter to the City of Calabasas regarding APN's 2072-024-015, 2072-024-016, 2072-027-003, and 2072-030-010, prior lot line adjustments, and additional access parcels, Dry Creek Canyon watershed.**

- (c) **Consideration of resolution authorizing a grant from the Conservancy fund to the Mountains Recreation and Conservation Authority for registration of MRCA staff and community partners at the World Ranger Congress.**
- (d) **Consideration of resolution authorizing entering into a license agreement with the Mountains Recreation and Conservation Authority for management of Upper Las Virgenes Canyon Open Space property pursuant to the Offer to Dedicate agreement and pending transfer of title.**

Item 9(b) was removed from the agenda.

Items 9(c) and 9(d) were removed from the Consent Calendar.

A roll-call vote was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Cacciotti, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-40.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 12-40.

- 9(c). Consideration of resolution authorizing a grant from the Conservancy fund to the Mountains Recreation and Conservation Authority for registration of MRCA staff and community partners at the World Ranger Congress.**

Comments were made by Mr. Daniel.

A roll-call vote was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Cacciotti, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-42.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 12-42.

9(d). Consideration of resolution authorizing entering into a license agreement with the Mountains Recreation and Conservation Authority for management of Upper Las Virgenes Canyon Open Space property pursuant to the Offer to Dedicate agreement and pending transfer of title.

Questions were propounded by Ms. Parks.

Comments were made by the Chief Staff Counsel.

A roll-call vote was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Cacciotti, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-43.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 12-43.

10. Consideration of resolution authorizing acquisition, pursuant to Public Resources Code Section 33207(b), of Los Angeles County Water Works District No.29 property, APN 4453-038-901, unincorporated Los Angeles County.

Comments were made by Mr. Brown.

A roll-call vote was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Brown, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-44.

CONSERVANCY CONSIDERATION:

On motion of Ms. Muñoz, duly seconded, the Conservancy unanimously adopted Resolution No. 12-44.

11. Consideration of resolution authorizing amendment and budget augmentation of SMM-0836 to the Mountains Recreation and Conservation Authority for the 8th Street Park project, San Fernando.

The staff report for this item was presented by Ms. Cara Meyer, Chief of Special Project for the Mountains Recreation and Conservation Authority.

Questions were propounded by Ms. Freeman, Mr. Yegparian, and Ms. Parks.

Comments were made by Ms. Meyer, the Executive Director, and Mr. Cash.

A roll-call vote was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Rosen, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-45.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 12-45.

12. Consideration of resolution approving the preliminary FY 2012-2013 budget of the Mountains Recreation and Conservation Authority.

The staff report for this item was presented by Mr. Jeff Jones, Assistant Financial Officer for the Mountains Recreation and Conservation Authority.

Questions were propounded by Messrs. Cacciotti, Rockenstein, and Ms. Maurer.

Comments were made by Mr. Jones and the Executive Director.

A roll-call vote was administered.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Rosen, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-46.

CONSERVANCY CONSIDERATION:

On motion of Ms. Parks seconded, the Conservancy unanimously adopted Resolution No. 12-46.

13. Consideration of position on pending legislation: (a) SB 1572 (Pavley); (b) SB 1066 (Lieu), (c) AB 1532 (Perez), and (d) AB 2226 (Hueso).

The staff report for this item was presented by the Executive Director.

Questions were propounded by Ms. Rosen.

Comments were made by the Executive Director, Messrs. Brown, Robinson, Yegparian, and Ms. Freeman.

A roll-call vote was administered.

ADVISORY COMMITTEE CONSIDERATION:

Ms. Freeman, Mr. Robinson, and Mr. Rockenstein voted against items 13(a) and 13(b). Mr. Lange was noted as abstaining.

Ms. Acker was noted as abstaining from items 13(c) and 13(d).

On motion of Ms. Rosen, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-47.

CONSERVANCY CONSIDERATION:

On motion of Ms. Parks, duly seconded, the Conservancy adopted Resolution No. 12-47.

Mr. Cash was noted as abstaining from this item.

14. Closed Session: (The Conservancy may hold a closed session on the following items pursuant to Section 11126 Subdivision (c)(7)(A), Section 11126.3(a), and Section 11126 Subdivision (e) of the Government Code. Confidential memoranda related to the

following items may be considered during such closed session discussions.) Discussion and possible action regarding pending and/or potential litigation: Pending litigation – *Kruells v. La Vina Homeowners Association, Case No. GC035668; Santa Monica Mountains Conservancy v. City of Whittier, Matrix Oil Co. and related entities, Los Angeles County Regional Park and Open Space District and the Los Angeles County Board of Supervisors; Morris v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority; Ramirez Canyon Preservation Fund v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority, Case No. BS127089; Ramirez Canyon Preservation Fund v. California Coastal Commission, Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority, Case No. BS129503; City of Malibu v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority and California Coastal Commission, Case No. BS129222 Ramirez Canyon Preservation Fund v. California Coastal Commission, et al. Case No. BS 121820; City of Malibu v. California Coastal Commission, Santa Monica Mountains Conservancy, Mountains Recreation and Conservation Authority Case No. BS121650, Santa Monica Mountains Conservancy v. City of Malibu, and related actions.*

Initiation of litigation. Number of cases: 1. Parties: *Santa Monica Mountains Conservancy v. Mulholland Estates Homeowner’s Association, Bartlein & Company, Inc., et al.* The Conservancy may refer the following matter to the Department of Justice for potential initiation of litigation: Action to enforce public access rights to Fossil Ridge Park as recorded in the “Declaration of Covenants, Conditions & Restrictions for Mulholland Estates” recorded on August 29, 1988 as Instrument No. 88-1372488 in the Office of the Los Angeles County Recorder.

Discussion with legal counsel regarding consideration of initiation of litigation: *Santa Monica Mountains Conservancy v. City of Malibu* regarding enforcement of parking and use deed restriction at Bluffs Park (this item may be heard in closed session pursuant to Government Code Section 11126(e)(2)(C)(I).

The Chairperson convened the closed session at 9:41 p.m. to discuss consideration of initiation of litigation: *Santa Monica Mountains Conservancy v. City of Malibu* regarding enforcement of parking and use deed restriction at Bluffs Park (this item may be heard in closed session pursuant to Government Code Section 11126(e)(2)(C)(I).

The Chairperson reconvened the open session at 9:48 and announced that directions were given to staff regarding consideration of initiation of litigation: *Santa Monica Mountains Conservancy v. City of Malibu* regarding enforcement of parking and use deed restriction at Bluffs Park (this item may be heard in closed session pursuant to Government Code Section 11126(e)(2)(C)(I).

15. Announcement of future meetings and adjournment.

The Chairperson announced that the next meeting would be held July 23, 2012.

Comments were made by Ms. Parks and Mr. Yegparian.

There being no further business, the Chairperson adjourned the meeting at 9:49p.m. in memory of Ms. Margot Feuer.

Respectfully submitted:

Approved:

JOSEPH T. EDMISTON, FAICP HON. ASLA
Executive Director

ELIZABETH A. CHEADLE
Chairperson