

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

December 3, 2012

1. Call to order.

The 394th 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 7:37 p.m. on December 3, 2012 at the following locations:

- (a) Franklin Canyon Park, 2600 Franklin Canyon Drive, Beverly Hills, California;
- (b) Natural Resources Agency, 1416 9th Street, 13th Floor, Room 1306-7, Sacramento, California.

2. Roll Call of Conservancy.

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

3. Roll Call of Advisory Committee.

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

Staff present: Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director; Rorie Skei, Chief Deputy Director; Christina Arndt, Supervising Deputy Attorney General; Paul Edelman, Deputy Director of Natural Resources and Planning; Melissa Cartelli, Associated Government Program Analyst, and Chris Trumpy, Acting Board Secretary.

4. Introduction of Legislative Participants or their staff.

The Chair announced that the following legislative participant was present: Louise Rishoff.

5. Approval of Minutes.

The minutes of October 29, 2012 were submitted for approval.

The minutes of October 29, 2012 were approved as submitted.

Mr. Szymanski was noted as abstaining.

6. Reports.

The Conservancy received oral reports from the Supervising Deputy Attorney General; Craig Sap, representing State Parks; Tom Contreras, representing the Forest Service; the Executive Director, and George Lange with the Deputy Director of Natural Resources and Planning, representing the Mountains Recreation and Conservation Authority.

7. Members comments on matters not on the agenda.

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

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

No members of the public address the Conservancy.

9. Presentation by Community Conservation Solutions on status update of Phase III of Green Solutions project, Upper Los Angeles River Watershed.

The Conservancy received an oral report from Esther Feldman, representing Community Conservation Solutions.

Questions were propounded by Ms. Freeman; Ms. Brown; Ms. Parks; Mr. Daniel; Ms. Turnbull Sanders, and Mr. Cacciotti.

Comments were made by the Executive Director.

10. Presentation by Dr. Sean Anderson on California State University Channel Islands Coastal Public Opinion Survey and briefing on Camarillo Regional Park.

The Conservancy received an oral report by Advisory Committee member Dr. Sean Anderson, representing California State University Channel Islands.

Comments were made by Ms. Parks and Ms. Rosen.

11. Presentation by Mountains Recreation and Conservation Authority Chief Ranger Fernando Gomez on 7th World International Ranger Congress.

This item was postponed to a future meeting.

12. Consideration of resolution authorizing a comment letter to the National Park Service on Rim of the Valley Corridor Study Update.

The staff report for this item was presented by the Deputy Director of Natural Resources and Planning.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Rosen, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-63.

CONSERVANCY CONSIDERATION:

A roll-call vote was administered.

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 12-63.

13. Consideration of resolution authorizing support of (a) City of Santa Clarita's Gateway Ranch project; (b) Mountains Recreation and Conservation Authority's Ramirez Canyon; (c) Malibu Creek, and (d) Franklin Ivar project applications to the Environmental Enhancement Mitigation Program grant program.

The staff report for this item was presented by the Deputy Director of Natural Resources and Planning.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Freeman, duly seconded, the Advisory Committee recommended adoption of Resolution Nos. 12-63(a); 12-63(b); 12-63(c), and 12-63(d).

CONSERVANCY CONSIDERATION:

A roll-call vote was administered.

On motion of Ms. Muñoz, duly seconded, the Conservancy unanimously adopted Resolution Nos. 12-63(a); 12-63(b); 12-63(c), and 12-63(d).

14. Consideration of resolution approving the Mountains Recreation and Conservation Authority's use of Coastal Habitat Impact Mitigation Fund to acquire APN 4444-030-010 in the Topanga Canyon watershed, unincorporated Los Angeles County.

The staff report for this item was presented by the Deputy Director of Natural Resources and Planning.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Anderson, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-65.

CONSERVANCY CONSIDERATION:

A roll-call vote was administered.

On motion of Muñoz, duly seconded, the Conservancy unanimously adopted Resolution No. 12-65.

15. Consideration of resolution approving the Mountains Recreation and Conservation Authority's use of Coastal Habitat Impact Mitigation Fund to acquire APNs 4465-004-045 and 4465-004-084 in the Ramirez Canyon Watershed, unincorporated Los Angeles County.

The staff report for this item was presented by the Deputy Director of Natural Resources and Planning and the Executive Director.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Rosen, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-66.

CONSERVANCY CONSIDERATION:

A roll-call vote was administered.

On motion of Mr. Szymanski, duly seconded, the Conservancy unanimously adopted Resolution No. 12-66.

16. Consideration of resolution approving the Mountains Recreation and Conservation Authority's use of the Coastal Habitat Impact Mitigation Fund to acquire a conservation and trail easement over APN 4467-002-002, Ramirez Canyon, City of Malibu.

The staff report for this item was presented by the Deputy Director of Natural Resources and Planning.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Freeman, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-67.

CONSERVANCY CONSIDERATION:

A roll-call vote was administered.

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 12-68.

17. Consideration of resolution authorizing a grant of Proposition 40 funds to the Mountains Recreation and Conservation Authority for acquisition of remaining interest in Towsley Canyon APN's 2826-018-900 and 066; -901 and 067; -902 and 068; 2826-019-901 and 040, and -902 and 041; Santa Clarita Woodlands, unincorporated Los Angeles County.

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

Comments were made by Mr. Lange.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Kishbaugh, duly seconded, the Advisory Committee recommended adoption of Resolution No. 12-69.

CONSERVANCY CONSIDERATION:

A roll-call vote was administered.

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 12-69.

18. **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 Chair convened the closed session at 9:47 p.m.

The Chair reconvened the open session at 10:00 p.m.

19. Announcement of future meetings and adjournment.

The Chairperson announced that the next meeting would be held on January 7, 2012.

There being no further business, the Chairperson adjourned the meeting at 10:01 p.m.

Respectfully submitted:

Approved:

JOSEPH T. EDMISTON, FAICP HON. ASLA
Executive Director

ELIZABETH A. CHEADLE
Chairperson