

**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

March 18, 2013

**1. Call to order.**

The 397<sup>th</sup> joint telephonic meeting of the Santa Monica Mountains Conservancy and Santa Monica Mountains Conservancy Advisory Committee was called to order by Chairperson Irma Muñoz, at 2:02 p.m. on January 7, 2013 at the following locations: (a) Los Angeles River Center and Gardens, Los Feliz Room, 570 West Avenue Twenty-Six, Los Angeles, California; (b) Natural Resources Agency, Room No. 1306-7, 1416 9<sup>th</sup> Street, 13<sup>th</sup> Floor, Sacramento, California; (c) King Gillette Ranch, Small Conference Room, Dormitory Building, 26800 Mulholland Highway, Calabasas, California; (d) Malibu Creek State Park, Angeles District Headquarters, District Superintendent's Office, 1925 Las Virgenes Road, Calabasas, California; (e) UCLA School of Law, 1224 Law Building, 405 Hilgard Avenue, Los Angeles, California; (f) SMMNRA Headquarters, Superintendent's Office, 401 W. Hillcrest Drive, Thousand Oaks, California; (g) City of Ventura Headquarters, 501 Poli Street, Ventura, California; (h) Senator Fran Pavley District Office, 5016 N. Parkway Calabasas, Calabasas, California, and (i) Assemblymember Richard Bloom District Office, 2800 28<sup>th</sup> Street, Suite 15, Santa Monica, California.

**2. Administration of Oath of Office to new members.**

The Executive Director administered the Oath of Office to Brian Brennan, Ex-Officio Member, representing the California Coastal Commission.

**3. Roll Call of Conservancy.**

The Conservancy roll was called and the following members were present: Brian Brennan; David Szymanski; Jerome C. Daniel; Elizabeth A. Cheadle; Bryan Cash; Craig Sap; Linda Parks, Vice Chairperson, and Irma Muñoz, Chairperson.

**4. Roll Call of Advisory Committee.**

The Advisory Committee Roll was called and the following members were present: Illece Buckley Weber; Elaine Freeman; Mike Mishler; Anthony Portantino; Wendy-Sue Rosen, and George Lange, Vice Chairperson. A quorum of the Advisory Committee was not present for this meeting. The following members were absent: Allison-Claire Acker; Sean Anderson; Sean Arian; Dave Brown; Caroline Brown; Michael Cacciotti; Anita Fromholz; Richard Gould; Jeffrey Jennings; Alan Kishbaugh; Mary Sue Maurer; Paul Rabinov; Roseann Mikos; David Ross; Effie Turnbull Sanders; Nancy Stephens; Tim Wendler; Garen Yegparian, and Don Robinson, Chairperson.

Staff present: Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Director; Rorie Skei, Chief Deputy Director; Christina Arndt, Supervising Deputy Attorney General; Jeff Maloney, Staff Counsel; Paul Edelman, Deputy Director of Natural Resources and Planning, and James Yeramian, Board Secretary.

**5. Introduction of Legislative Participants or their staff.**

The Chair announced that the following members were present: Louise Rishoff and Andrea Kune.

**6. Oral reports by staff.**

No oral report were made.

**7. Members comments on matters not on the agenda.**

No members comments were made.

**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:

Mr. Chris Deleau, representing Schmitz & Associates, Inc., on item 10.  
Mr. Dustin Womber, representing Diamond West, on item 11.

**9. Consent Calendar:**

- (a) **Consideration of resolution authorizing a Memorandum of Agreement with the Ventura County Watershed Protection District for coordination of land protection and habitat restoration activities in Ventura County.**

**(b) Consideration of resolution authorizing a comment letter to County of Los Angeles on Draft Significant Ecological Area Ordinance.**

Item 9(b) was removed from the agenda.

A roll-call vote was administered.

On motion of Ms. Parks, duly seconded, Resolution No. 13-17 was unanimously adopted.

**10. Consideration of resolution authorizing a comment letter to the City of Malibu regarding 24024 Malibu Road Project.**

Comments were made by member of the public, Mr. Chris Deleau.

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

Comments were made by the Executive Director.

Staff recommended correcting any statement regarding the square footage of the property based on Mr. Deleau's comments, and request that the applicant sign a letter certifying that they will not move forward, at least for the next month. Staff recommended approving the comment letter contingent on said certification. Staff would then engage in conversation with the applicant, and if within that time period, if Staff believes that they can accommodate the applicant and the concerns of the agency, then we would bring back the letter at the next subsequent meeting. If no agreement would be reached, then the current letter would stand.

A motion was made by Mr. Daniel, duly seconded, to accept Staff's recommendation.

Questions were propounded by Ms. Parks.

Comments were made by the Deputy Director of Natural Resources and Planning.

Questions were propounded by the Executive Director.

Comments were made by the Deputy Director of Natural Resources and Planning.

Questions were propounded by Mr. Brennan.

Comments were made by the Deputy Director of Natural Resources and Planning and the Executive Director.

Ms. Parks recommended that the motion be amended to add a third point that the 2<sup>nd</sup>-story should be designed to maintain an adequate view of the Santa Monica Mountains. Mr. Daniel, duly seconded, accepted the recommendation of Ms. Parks.

A roll-call vote was administered.

On motion of Mr. Daniel, duly seconded, Resolution No. 13-19 was unanimously adopted.

**11. Consideration of resolution authorizing a comment letter to the City of Calabasas on 17 acre project and Draft Mitigated Negative Declaration, 23401 Mulholland Highway, Dry Creek Canyon watershed.**

Comments were made by member of the public, Mr. Womber.

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

Comments were made by Ms. Parks.

On motion of Mr. Daniel, duly seconded, Resolution No. 13-20 was unanimously adopted.

**12. Consideration of resolution supporting AB 1213 (Bloom).**

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

Comments were made by Mr. Portantino and Ms. Kune.

On motion of Mr. Daniel, duly seconded, Resolution No. 13-21 was adopted.

Mr. Cash was noted as abstaining from the vote.

**13. 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, and Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority v. City of Malibu, and related actions, Case No. SC 092212.*

**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.**

No closed session was held.

**14. Announcement of future meetings and adjournment.**

The Chairperson announced that the next meeting would be held on April 29, 2013.

Comments were made by Ms. Rosen and Mr. Lange.

There being no further business, the Chairperson adjourned the meeting at 2:43 p.m.

Respectfully submitted:

Approved:

JOSEPH T. EDMISTON, FAICP HON. ASLA  
Executive Director

IRMA MUÑOZ  
Chairperson