

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

April 25, 2011

1. Call to order.

The 379th joint meeting of the Santa Monica Mountains Conservancy and Santa Monica Mountains Conservancy Advisory Committee was called to order by Conservancy Chairperson Antonio Gonzalez at 7:35 p.m. on April 25, 2011 at King Gillette Ranch, 26800 Mulholland Highway, Calabasas.

2. Roll Call of Conservancy.

The Conservancy roll was called and the following members were present: Irma Muñoz, Linda Parks, Bryan Cash, Jerome C. Daniel, Vice Chairperson, and Antonio Gonzalez, Chairperson. A quorum was present. The following members were absent: Woody Smeck, Elizabeth A. Cheadle, James Berkus, and Craig Sap. No ex-officio members were present.

3. Roll Call of Advisory Committee.

The Advisory Committee roll was called and the following members were present: Sean Anderson, Caroline Brown, Dave Brown, Elaine Freeman, Anita Fromholz, Richard Gould, Alan Kishbaugh, Mary Sue Maurer, Roseann Mikos, David Ross, Paul Rockenstein, Wendy-Sue Rosen, Effie Turnbull Sanders, Dennis Seider, George Lange, Vice Chairperson, and Don Robinson, Chairperson. A quorum was present. The following members were present subsequent to roll call: Allison-Claire Acker, Michael Cacciotti, Paul Rabinov, Timothy Wendler, and Garen Yegparian. The following members were absent: John Edelston, Nancy Stephens, Marc Stirdivant, Charles Stringer, and Donald Voss.

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, Associate Governmental Program Analyst and James Yeramian, Executive Secretary.

4. Introduction of Legislative Participants or their staff.

The Executive Secretary announced that Rebekah Rodriguez-Lynn was present.

5. Approval of Minutes.

The minutes of March 28, 2011 were submitted for approval.

The minutes of March 28, 2011 were approved as submitted.

6. Reports:

The Conservancy received verbal reports from the Chief Staff Counsel, the Executive Director, and Mr. Lange, representing the Mountains Recreation and Conservation Authority.

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

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously decided to add agenda item 10(a) as an emergency item, upon making the finding that the issue arose subsequent to the posting of the agenda.

7. Members comments on matters not on the agenda.

Comments were made by Ms. Brown, Ms. Rosen, and the Executive Director.

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

The following members addressed the Conservancy:

Kelly Weil, representing Mulholland Estates Homeowners Association, on item 15.

Dave McCormick, member of the public, on item 9(b).

Larry Ready, member of the public, on item 9(b).

Glenn Hawks, representing Hawks & Associates, on item 9(b).

Ron Coons, member of the public, on item 9(b).

Errol Ginsberg, member of the public, on item 14.

Jim Smith, representing Serra Homeowners Board, on item 14.

Marcia Flores, representing the Office of Councilmember Tony Cardenas, on item 11.

9. Consent Calendar:

- (a) **Consideration of resolution authorizing a comment letter to Ventura County regarding Initial Study Assessment Guidelines for Impacts to Biological**

Resources, Ventura County.

- (b) Consideration of resolution confirming comment letters to City of Simi Valley regarding Ready Project, 890 and 900 West Los Angeles Avenue, Simi Valley.**
- (c) Consideration of resolution authorizing a comment letter the City of Los Angeles on Hollywood Community Plan Update.**
- (d) Consideration of resolution authorizing a comment letter on the Draft Specific Plan for the Hummingbird Nest Ranch, City of Simi Valley.**
- (e) Consideration of resolution authorizing a comment letter to Los Angeles County on Notice of Consultation for 2701 April Road project adjacent to Malibu Creek State Park, unincorporated Los Angeles County.**
- (f) Consideration of resolution authorizing a comment letter to City of Los Angeles on Forest Lawn Memorial Park – Hollywood Hills Master Plan Draft Environmental Impact Report (SCH No. 2008111048), City of Los Angeles.**

Item 9(c) was removed from the agenda.

Item 9(b) was removed from the Consent Calendar at the request of Ms. Freeman.

Item 9(f) was removed from the Consent Calendar at the request of Ms. Rosen.

Item 9(e) was removed from the Consent Calendar at the request of Mr. Brown.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Cacciotti, duly seconded, the Advisory Committee recommended adoption of Resolution Nos. 11-24 and 11-27.

CONSERVANCY CONSIDERATION:

On motion of Mr. Cash, duly seconded, the Conservancy unanimously adopted Resolution Nos. 11-24 and 11-27.

- 9(b). Consideration of resolution confirming comment letters to City of Simi Valley regarding Ready Project, 890 and 900 West Los Angeles Avenue, Simi Valley.**

Comments were made by Ms. Freeman, Ms. Rosen, the Executive Director, the Deputy Director of Natural Resources and Planning, and Ms. Mikos.
Questions were propounded by Messrs. Yegparian and Cacciotti.

Comments were made by Mr. Coons, member of the public, the Executive Director, and the Chief Staff Counsel.

Questions were propounded by Ms. Parks, and Ms. Maurer.

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

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Rockenstein, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-25.

Ms. Freeman was noted as voting against adoption of this resolution.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 11-25.

9(e). Consideration of resolution authorizing a comment letter to Los Angeles County on Notice of Consultation for 2701 April Road project adjacent to Malibu Creek State Park, unincorporated Los Angeles County.

Questions were propounded by Mr. Brown.

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

Questions were propounded by Mr. Anderson.

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

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Brown, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-28.

CONSERVANCY CONSIDERATION:

On motion of Ms. Parks, duly seconded, the Conservancy unanimously adopted Resolution No. 11-28.

9(f). Consideration of resolution authorizing a comment letter to City of Los Angeles on Forest Lawn Memorial Park – Hollywood Hills Master Plan Draft Environmental Impact Report (SCH No. 2008111048), City of Los Angeles.

Comments were made by the Executive Director.

Questions were propounded by Ms. Rosen and Mr. Yegparian.

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

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Mikos, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-29.

Mr. Robinson recused himself from this item.

Ms. Acker was noted as abstaining.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 11-29.

10. Consideration of resolution authorizing a comment letter to Los Angeles County on Final Environmental Impact Report for the Pepperdine Campus Life Project (SCH No. 2008041123), watersheds of Marie/Winter/Middle canyons, unincorporated Malibu area.

The comment letter was presented by the Deputy Director of Natural Resources and Planning.

Questions were propounded by Messrs. Seider and Anderson.

Comments were made 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. 11-30.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 11-30.

10(a). Consideration of resolution authorizing entering into an agreement with Pepperdine University to conditionally support its Campus Life Project, Malibu.

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

Comments were made by the Chief Staff Counsel, and the Executive Director.

Questions were propounded by Mr. Seider, Ms. Fromholz, and Ms. Rosen.

Comments were made by the Chief Staff Counsel, the Deputy Director of Natural Resources and Planning, the Executive Director, and Messrs. Anderson and Brown.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Yegparian, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-30(a).

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 11-30(a).

11. Consideration of resolution authorizing a grant of Proposition 84 funds to the City of Los Angeles for a natural area within the boundaries of Cesar Chavez Recreation Complex in the San Fernando Valley.

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

Comments were made by Mr. Cash.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Cacciotti, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-31.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy unanimously adopted Resolution No. 11-31.

- 12. Consideration of resolution authorizing a matching grant of Conservancy Fund funding to Old Topanga Homeowners Association for the creation of educational multimedia components for www.LAMountains.com.**

This item was removed from the agenda.

- 13. Consideration of resolution authorizing the transfer of APNs 3059-004-900, 3059-005-900, 3079-004-900, 3091-018-900, 3091-018-901, 3236-006-901, 3236-007-903, and 3318-002-900 located north of the Rim of the Valley Trail Corridor zone to the Mountains Recreation and Conservation Authority, unincorporated Los Angeles County.**

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

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Yegparian, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-33.

CONSERVANCY CONSIDERATION:

On motion of Ms. Parks, duly seconded, the Conservancy unanimously adopted Resolution No. 11-33.

- 14. Consideration of revised resolution concerning public benefits program associated with Coastal Development Permit application numbers 4-10-040, 4-10-041, 4-10-42, 4-10-043, 4-10-44, and 4-10-045 (formerly application numbers 4-07-067, 4-07-068, 4-07-146, 4-07-147, 4-07-148 and 4-08-043) and authorize entering into an agreement to secure such public benefits, Sweetwater Mesa, unincorporated Malibu area.**

The staff report for this item was presented by the Executive Director and the Chief Staff Counsel.

Questions were propounded by Ms. Rosen, Mr. Cash, Ms. Mikos, Ms. Fromholz, and Messrs. Gould, Brown, and Seider.

Comments were made by the Executive Director and the Chief Staff Counsel.

ADVISORY COMMITTEE CONSIDERATION:

A vote was taken by a show of hands.

Ten Advisory Committee Members voted in favor of recommending adoption of the resolution, nine members were opposed, and there were two abstentions.

On motion of Mr. Rockenstein, duly seconded, the Advisory Committee recommended adoption of Resolution No. 11-34.

CONSERVANCY CONSIDERATION:

Comments were made by Ms. Muñoz, Ms. Parks, Messrs. Cash and Daniel, and the Chairperson.

On motion of Mr. Daniel, duly seconded, the Conservancy adopted Resolution No. 11-34.

Ms. Muñoz and Ms. Parks were noted as voting against the adoption of this resolution.

15. **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 – *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*; *Lt-WR, LLC v. Santa Monica Mountains Conservancy*

SC105587; Friends of Temescal Pool v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority, 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.

The Chairperson convened the closed session at 10:58 p.m. to discuss **Initiation of litigation. Number of cases: 1. Parties: *Santa Monica Mountains Conservancy v. Mulholland Estates Homeowner's Association, Bartlein & Company, Inc., et al.***

The Chairperson reconvened the open session at 11:08 p.m.

16. Announcement of future meetings and adjournment.

The Chairperson announced that the next meeting would be held on April 25, 2011 at the Los Angeles River Center and Gardens.

There being no further business, the Chairperson adjourned the meeting at 11:23 p.m.

Respectfully submitted:

Approved:

JOSEPH T. EDMISTON, FAICP Hon. ASLA
Executive Director

ANTONIO GONZALEZ
Chairperson