

# Las Virgenes Homeowners Federation, Inc.

Post Office Box 353, Agoura Hills, California 91301



*"The voice and conscience of the Santa Monica Mountains since 1968"*

## October 2010 MEETING ([www.lvhf.org](http://www.lvhf.org))

**Thursday, 21 October 2010, 7:00 p.m.**

**The Place – Diamond X** – Take Las Virgenes to Mulholland; turn left on Mulholland. For the next 3/4 mile, the King Gillette Ranch will be on your right. After you've passed Stokes Canyon Road, in about 3/4 mile, you will see a sign on your right with "Diamond X" and the National Park Service logo on it. A short distance past the sign a narrow road goes south at a right angle. This is Wickland Road, and, at this point you are entering the King Gillette Ranch. Follow Wickland about 300 yards until the road forks; take the left-hand fork; keep bearing left to the lighted house on the right. Park; enter through the lit doorway.

**Call to Order  
Roll Call  
Agenda Changes/ Approval  
Delegates Reports**

**Correspondence/Announcements  
Officer's Reports  
Approval of Meeting Minutes**

### [Old Business/ Reports](#)

1. Tapia Treatment Update – Guest – Jeff Reinhardt – LVMWD
2. Calabasas OWTS Status Update

### [New Business](#)

1. Presentation for proposed **Conrad N. Hilton Foundation Headquarters** on Agoura Road in Agoura Hills at Lady Face Mountain. Guest speaker representing project: Mr. Bigalow.
2. Guest Ben Saltsman – Planning Deputy to Supervisor Zev Yaroslavsky
3. Annexation Discussion/Update/Action - Cold Creek
4. Discussion Possible Change in Procedures "For or Against"  
Recommendations for Candidates for Public Office
5. Old Topanga NOP
6. Malibu Valley Farms

***This Just In...*** An October 18 letter to Calabasas from the California Building Standards Commission indicates the City hasn't yet provided the findings for the OWTS ordinance. Attorney Nancy Schreiner released this statement today in response: "The State confirmed our analysis and presentation at City Council that Ordinance #2009-262 [OWTS] lacked the appropriate findings, and as a result, is still not operative and effective." An excerpt from the Commission's letter:

This letter acknowledges our receipt of and details our findings regarding your submittal pertaining to your Ordinance Numbers 2007-240, 2008-246, 2009-262, and 2009-264 from the City of Calabasas, CA. These files were received from the City of Calabasas for filing at this office on September 27, 2010.

We understand that your submittal is intended to file with the California Building Standards Commission (CBSC), the City of Calabasas' changes to the California Building Standards Code as provided for by California Health and Safety Code (HSC), sections 18941.5 and 17958.7. These provisions of law permit a city or county to make necessary modifications or changes for reasons of local climatic, geological or topographical conditions. Additionally, Section 17958.7 also provides that no modifications or changes shall become effective or operative for any purpose until the findings and modifications or changes have been filed with the CBSC.

- Ordinance No. 2009-262 amends Section 15.04.610 of the Calabasas Municipal Code regarding onsite wastewater treatment systems. Staff was unable to locate your express findings of local climatic, geographical, or topographical conditions in the submitted ordinance documents. This ordinance is presently not acceptable for filing. Please provide your express findings to this office in order to complete the filing.

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## **OLD TOPANGA CANYON ROAD IDENTIFIED AS CALABASAS HISTORIC LANDSCAPE**

As part of the City of Calabasas's ongoing efforts to identify, designate and protect its cultural resources, it hired consultants with expertise in historic preservation. Last week Galvin Preservation Consultants presented the results of their "historic landscape survey" at the Historic Preservation Commission meeting.

They identified *Old Topanga Canyon Road* (from Mulholland Highway to the City's southern limits) and three other landscapes as historically significant and worthy of protection, including *Warner Brothers Movie Ranch*, *Juan Bautista de Anza Trail* and the *Park Moderne Bird Path*. They recommended all four landscapes for local historic listing under the city's Historic Preservation Ordinance, but they determined that Old Topanga Canyon Road is also eligible for submission for state and national recognition.

While these special landscapes are all associated with events that made significant contributions to Calabasas' history, Old Topanga Canyon Road also made a significant contribution to California and U.S. history. A requirement for designation under the National Register of Historic Places and the California Register of Historical Resources is that historic landscapes retain sufficient integrity to convey their historic significance, which Old Topanga Canyon Road does.

It is a historic main artery, serving two important purposes in Calabasas over time: first as a stagecoach route for mail delivery and later as a critical link between Calabasas and the sea. As a transportation resource it also enabled early settlement with homesteaders constructing homes along the route.

With the close proximity of El Camino Real (later Highway 101), Calabasas had access to a major north-south transportation route from the late 1700s. What it did not have until after California became a state was access to the Pacific Ocean. The access came in the form of a stagecoach trail linking Calabasas to the shore and forged through the mountainous area to Calabasas' south, becoming known as Old Topanga Canyon Road. The trail was formed circa 1865 and led from Calabasas to the beach just north of what is now Pacific Palisades. It became an important link between the San Fernando Valley and Santa Monica in 1893, when the Long Wharf, part of the original Port of Los Angeles, was built. Old Topanga Canyon Road provided a vital route across the Santa Monica Mountains from the wharf to Calabasas.

Today, Old Topanga Canyon Road is still the original six-mile, mountainous road that intersects Topanga Canyon Boulevard (State Route 27). The two-mile portion stretching from Mulholland Highway south to the City's boundary qualifies as a historic landscape because it retains its integrity of location, setting, design, feeling and association. According to the survey: "The residences are sparse and mostly set far back from the right of way and often not visible behind the tall trees and dense natural landscaping [oak woodland] that line the road [and adjacent creek]. There are no curbs, gutters, swales, lighting, signs, sidewalks, tree lawns or overlooks. No trees appear to have been planted in conjunction with the road. The topography is a character-defining aspect of the road, ranging from very hilly to mountainous, and serves as the road's primary organization feature, as the road slopes and winds in accordance with the hillsides. The 25-foot-wide road evolved from a dirt trail into a paved road circa 1932, and there are still no visible realignments and no new road construction." All these factors help make the case for Old Topanga Canyon Road's historic designation.

The newer portion of the road north of Mulholland, which changes its name to Valmar and fronts Calabasas High School, does not qualify because it has been widened, altered and urbanized, and its natural vegetation no longer exists.

The Historic Preservation Commission approved the recommendations of the Historic Landscape Survey which then became part of the City's Historic Context Statement. Calabasas' Historic Preservation Ordinance was initiated and driven by Councilmember James Bozajian.

## **ANNEXATION REQUEST RAISES HACKLES**

On the surface, the request seems innocuous: A landowner in Stokes Canyon wants to annex his property to the City of Calabasas. So why have the last two Council meetings, in which the issue was addressed, been the scene of angry storms of protest?

## **Development Threat**

Many people suspect that the annexation proposal is a precursor to a large development proposal that will surface soon after annexation is complete. Just five years ago, Calabasas residents solidly voted against an annexation proposal that included a 400,000-square-foot convention center. It came from the same landowner, Brian Boudreau, and would have put 2,000 to 3,000 additional cars per day on Las Virgenes Road. Option A of Calabasas' current annexation proposal, which initially looks like the smallest and thus most palatable option is the same property that was the site of the convention center proposed in 2005. It is the flattest and most easily developable portion of the property currently being proposed for annexation.

Because some members of the City Council are perceived as pro-development, many observers believed in 2005—and still fear—that the developer's primary purpose in asking for annexation was/is to seek a more favorable political venue for getting his development proposals approved. In fact, Mr. Boudreau's attorney, Fred Gaines, who has represented developers, is rumored to be running for Calabasas City Council in the upcoming election. Los Angeles County, on the other hand, has gone back and forth with Mr. Boudreau for years over illegal property uses, unpermitted buildings, misrepresentations by the developer in obtaining permits and expiration of entitlements. Supervisor Yaroslavsky, along with then-Senator Sheila Kuehl and then-Assemblymember Fran Pavley, was openly opposed to the convention center proposed in 2005.

Residents speculate that the developer may be trying to annex first and then ask for development permits in a couple of years, (known as piece-mealing a development proposal) instead of trying to do it all at once, a tactic that raised too many alarms in the community the last time he tried it.

## **Questionable Ownership**

There is a continuing question about who actually owns the largest properties proposed for annexation. In 2005, the tax assessor's office listed Soka University as owner of most of the property known as Option A in the current staff report, though Mr. Boudreau was signing all the paperwork with the city and making appearances before the City Council. When members of the public revealed this fact, the ownership was quickly changed to Malibu Canyon L.P., but there didn't seem to be a reassessment of property taxes as is usually the case when property changes hands. While the Articles of Incorporation filed with the Secretary of State for Malibu Canyon L.P. show Spectrum Development as its only General Partner and the Articles of Incorporation for Spectrum Development name Mr. Boudreau as the CEO, CFO, secretary, director, and agent of service. Attorney Gaines stated at a Coastal Commission hearing in San Francisco that "Mr. Boudreau is a 1 percent owner...actually his...a company that he is president of is a 1 percent owner...as the general partner of a limited partnership 99 percent controlled by other entities of certain other properties." Watchdogs fear the presence of well financed silent partners seeking development profits.

Robert Levin of Moab, Utah, is the recorded owner of the horse farm property on the corner of Stokes and Mulholland; though the Coastal Commission has a letter stating that he has transferred it to Boudreau in an unrecorded deed. The 300-plus eastern acres where Mr. Boudreau's so-called 81 home entitlements lie now show up as being owned by Mr. Levin.

## **The Annexation Process**

Annexation must be approved by the Local Agency Formation Commission (LAFCO), whose legislated purpose is to “assist the legislature in promoting orderly development and in balancing development with competing state interests of discouraging urban sprawl, preserving agricultural, open space land and extending government services efficiently.” In reviewing an annexation proposal, LAFCO takes into consideration some 15 different factors, including “the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.”

In spite of the city’s efforts to round out Mr. Boudreau’s proposal with Stokes Canyon property owned by other individuals, the borders of the area proposed for annexation remain highly irregular, leaving awkward peninsulas of unincorporated LA County land sandwiched between what would become City of Calabasas property. Driving Stokes Canyon Road would take the traveler through seven changes from unincorporated LA County to City of Calabasas, according to the map included in the city’s staff report.

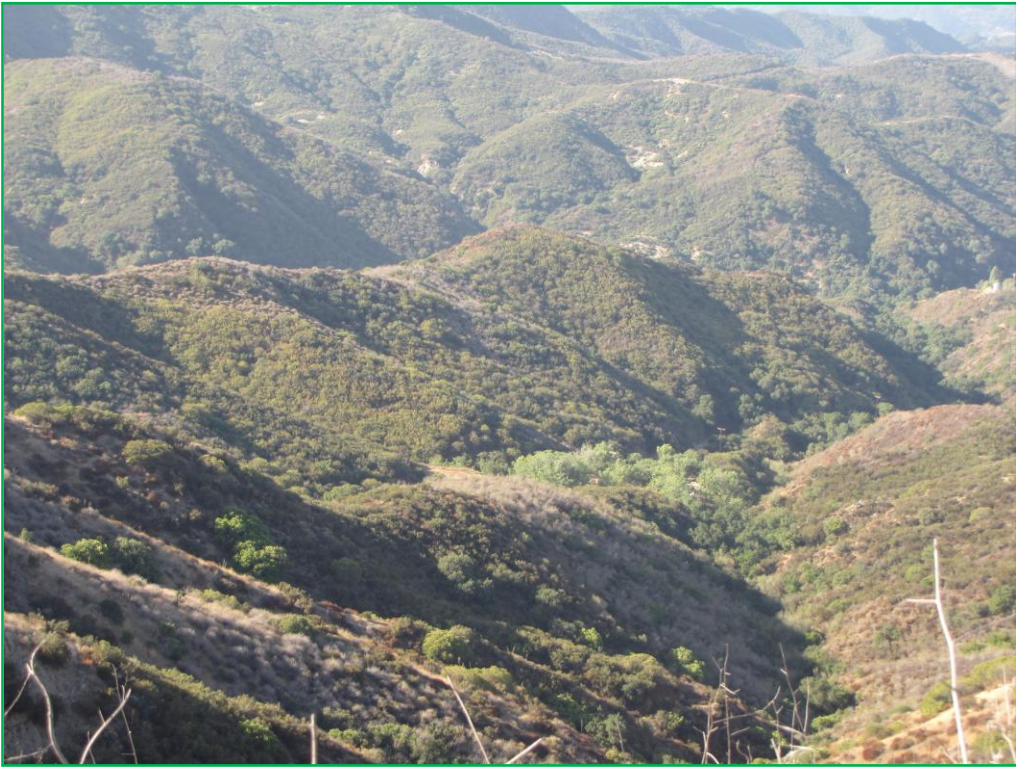
LAFCO also considers “the extent to which the proposal will affect a city...and the county in achieving their respective fair shares of the regional housing needs,” which is another major concern of stakeholders.

## **Fiscal Impact**

The City’s staff report concludes that there is no fiscal impact to exploring the annexation of the Boudreau/Levin property. However, the staff report asks for an extended amount of staff time to address the many issues annexation of this particular property will raise if the city wishes to pursue it. Opponents object that committing extended amounts of staff time to addressing the many hurdles the project faces is a considerable fiscal impact that is being ignored. They point out that at a time when most organizations are downsizing, Calabasas’ staff remains three times the size of that of Agoura Hills, despite comparable size of populations, and that there is a heavy opportunity cost to committing staff time to projects that do not benefit current residents, many of whom are already receiving reduced City services.

Thousands of dollars in real costs, which do not include any accounting for expenditure of staff time, already have been spent pursuing the Mont Calabasas and Mountain View annexations, which have dragged on for years. The Boudreau/Levin property faces additional challenges for several reasons: An EIR would most likely be required, and because large portions of the property are in the Coastal Zone, the City would have to prepare an entire Local Coastal Program that would have to be approved by the Coastal Commission in order for the City to administer coastal development permits as a local branch of the Coastal Commission.

Los Angeles County has spent several years preparing a Local Coastal Program which has yet to get to the Coastal Commission for approval. However, unlike the County, which controls huge amounts of land in the Coastal Zone, the City of Calabasas has no other property in the Coastal Zone to justify that use of staff time. Thus, the taxpayers of Calabasas could end up paying the annexation preparation costs for County property with complicated issues that may well prevent LAFCO from allowing it to be transferred to City control.



*Portion of Stokes Canyon from New Millenium Trail.*

## **MORE ON THE STOKES CANYON ANNEXATION**

On September 22, residents of Stokes Canyon—about 75 percent of the voting population—bought an ad in *The Acorn* opposing annexation. Some showed up at Council meetings to voice their opposition. Staff responded with an annexation boundary recommendation that carved out all the parcels whose owners didn't want to be part of Calabasas, leaving an annexation boundary that resembled a hunk of Swiss cheese.

The latest staff recommendation offers the City Council a choice of three “Annexation Study Areas.” Annexation Study Area Option B would limit annexation to the rugged mountains south of Stokes Canyon and a small area in mid-canyon, creating an hourglass-shaped City that would be difficult to administer. Annexation Study Area C would consist of the 128 acres of Option A plus the rugged south side of Stokes Canyon, and it would be separated from the present Calabasas City limits by a 1000' to 2000' strip of County territory north of Stokes Canyon Road.

Option A, which is rumored to be developer Brian Boudreau's choice, would annex a strip comprising a mile of frontage on the north side of Mulholland from Las Virgenes Road to a point opposite the entrance to Diamond X. If we assume Boudreau, Robert Levin and whoever else is behind this venture would want to squeeze whatever additional development they are able to get the City to approve after annexation of this 128-acre area, it would be difficult to avoid the serious visual impacts on the broad

meadows and mountain vistas of King Gillette Ranch Park, Malibu Creek State Park, Mulholland and Las Virgenes (State-designated scenic highways) and the Park Service Visitor Center being built just inside the King Gillette entrance across the street. It's been only five years since state and federal park agencies paid \$35 million to purchase King Gillette in order to preserve this exceptional mountain-ringed valley as the focal point and main visitor center for all the state and federal parks in the Santa Monica Mountains.

It is the northern rim of this exceptional mountain-ringed valley that is being proposed for annexation to Calabasas, with the owners' plans for the location, type and intensity of post-annexation development not indicated anywhere in the 2008 General Plan or in any other plans now available to Stokes Canyon residents or Calabasas residents. In effect, the City is being asked to buy a "pig in a poke" if it decides to go ahead and process this annexation request without first amending the 2008 General Plan to define what Boudreau-Levin will be permitted to do with this very sensitive property.

Normally, the first step for a city asking LAFCO for permission to annex an area would be first to go through the process of "pre-zoning" that area for the land uses and intensity of use that would be allowed there after annexation.

While the current 2008 Calabasas General Plan has pre-zoned the proposed annexations of Mont Calabasas and Mountain View Estates, there is no pre-zoning in place for the Stokes Canyon acquisition. There was a very low rural density shown for Stokes Canyon in the City's 1995 General Plan and in early iterations of the 2008 General Plan, but it was removed by staff at some point without public input, and no pre-zoning of any kind is currently shown for Stokes Canyon in the General Plan.

It is unusual for a city to begin annexation of property within its planning area that has no land-use designation in its General Plan, especially when the area is already covered by the County's North Area Plan, which City staff seems ready to ignore. This raises questions about the intentions of both the City and the landowners.

Another issue in the Stokes Canyon annexation controversy affects the entire City: The allocation of RHNA numbers between the County and the City. In Mont Calabasas and Mountain View Estates annexations, the City is required to take a portion of the County's required RHNA housing development allocations, including low-income housing, which must be zoned for 20 housing units to the acre. The Southern California Association of Governments, which adjudicates such matters, has typically required that RHNA allocations include about 50 percent low-income housing at 20 units to the acre. In the case of the Stokes Canyon annexation, will SCAG require the City to put those low-income units at 20 units to the acre somewhere on the Boudreau-Levin property? Or will SCAG force the City to zone areas near Saratoga Hills or on the Pontoppidan property for high-density, low-income housing that were rejected for that use in 2008? Or will more units in Old Topanga and Calabasas Highlands be designated to meet the City's RHNA requirements?

The next City Council hearing on the proposed annexation is scheduled for Wednesday, December 8th.

# SIGNIFICANT FINDING ON LOSS OF SPECIES DIVERSITY IN THE SANTA MONICA MOUNTAINS

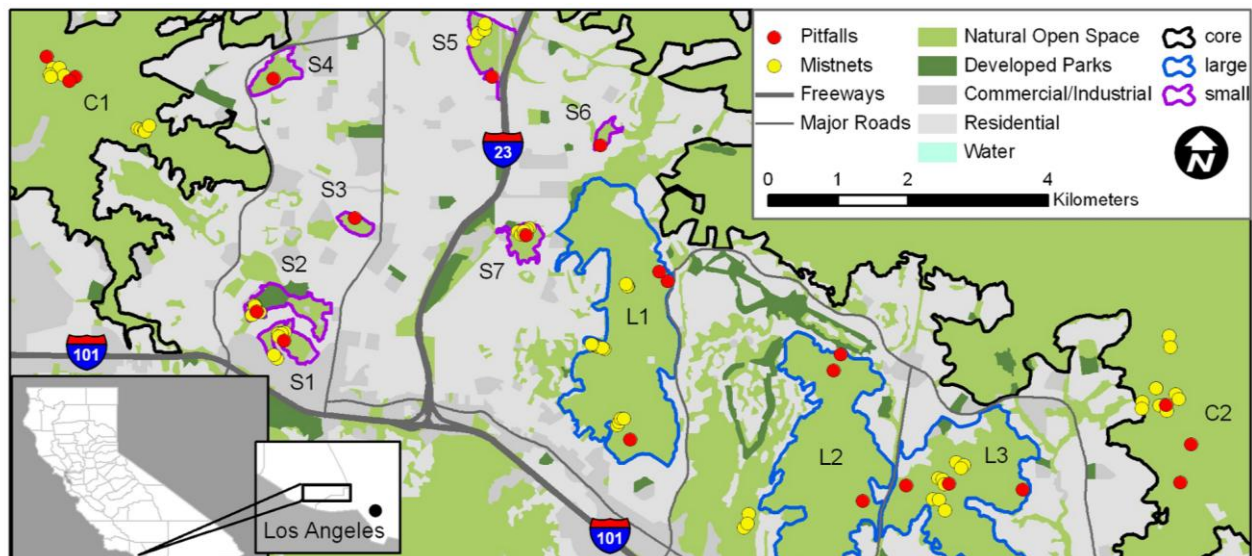
An important scientific finding has been made on species diversity in the Santa Monica Mountains. National Park Service and U. S. Geological Survey scientists working in the Santa Monica Mountains National Recreation Area have published a peer-reviewed study of significant genetic changes caused by habitat fragmentation

The scientists looked at the populations of three common species of lizards and a small songbird (wrentit) and how they are being affected by urbanization and fragmentation. The study involved isolated scrubland patches surrounding Thousand Oaks and State Route 23, an area that was mostly contiguous wilderness only 50 years ago. Their data shows that the populations of lizards and wrentits have become disconnected and isolated as their natural habitats have been divided. Unable to cross urban barriers, the populations have begun to inbreed and lose genetic diversity. The consequences may lead to extinction over time, a reality that could be accelerated by climate and other environmental changes.

The findings have major implications for land-use planning in the SMMNRA and for the proposed Rim of the Valley Corridor. They also underscore the significance of open space advocacy for wildlife corridors and wildlife conservation in general.

Urbanization is a common cause of fragmentation, and conservation efforts point to dramatic land-use changes associated with urbanization as one of the largest threats to biodiversity. The landscape of southern California continues to be rapidly altered by urbanization, habitat loss and fragmentation, even though it is part of the California Floristic Province and is one of Conservation International's world biodiversity hotspots. The SMMNRA is under intense development pressure, and urbanization could increase to as much as 47 percent of the area by 2050, whereas only 11 percent was urbanized in 2000.

*Thanks to Seth Riley, Ph.D., and Kathleen Semple Delany, Ph.D., of the National Park Service, and Robert Fisher, Ph.D., of the San Diego Field Station of the U.S. Geological Survey for this important work. Their article was published in the scientific journal PLoS ONE and is available at <http://dx.plos.org/10.1371/journal.pone.0012767>*



A. Sampling sites, roads, and habitat patches (S = small, L = large, C = core) within the study area.



## FACT VS. OPINION

In the October 7 issue of The Acorn, Calabasas City Attorney, Michael Colantuono's name appeared over a lengthy "guest opinion" headlined "Calabasas septic tank inspections prompted by law, environment."

Mr. Colantuono wrote that he was responding to "some of the debate [that] has produced more heat than light" and that "a few facts have been obscured. I write in an effort to create better understanding of those facts."

We agree that facts have been obscured. But before we delve into "the light", why in this time of budget crisis is the City of Calabasas spending taxpayer money to have the city attorney write an "opinion" piece for the local newspaper—and how much did it cost? How is this kind of decision made at City Hall? Are there checks and balances – do the mayor and city manager answer to the other Council members?

What was the "heat" that inspired the city manager to direct the city attorney to write this well crafted opinion? Was it damage control? Could it be because the legality of the City's OWTS ordinance and its enforcement are being challenged by attorney Nancy Schreiner, who contends that the City violated state law by not properly filing the ordinance nor making the mandatory findings?

Let's take a closer look at the city attorney's opinion:

*"Calabasas' ordinances do not require septic systems to meet a higher or different performance standard than do those of Malibu, Los Angeles County or any other community governed by the version of the Uniform Plumbing Code adopted by the state Building Standards Commission," he wrote.*

*"The Regional Water Quality Control Board is requiring inspection programs, so Malibu and Calabasas are on the leading edge of this environmental issue but will soon be followed by others. Calabasas requires systems to be inspected this year and every five years in the future; Malibu requires inspection each time a property is sold," he continued.*

Actually, the ordinance that Mr. Colantuono appears to be dancing around is the OWTS ordinance, and the fact is that Los Angeles County does not have one! Calabasas and Malibu do—but only because they *voluntarily* signed a Memorandum of Understanding with the Regional Water Quality Control Board to implement a septic-inspection ordinance. The RWQCB did not "require" Calabasas' specific ordinance, and few other cities were willing to sign an MOU—only 13 of 88 in Los Angeles County chose to do so.

Malibu's simple ordinance (applicable to 5,500 septic) is eight pages long and triggered only by home sales and construction. Calabasas' is 30 pages long and mandatory for its 142 septic. The two are hardly comparable.

Only Calabasas requires its septic owners to sign a release on the application that includes this statement in order to have their systems inspected: ".....I further consent

and hereby authorize City representative(s) to enter upon my property for the purpose of **examining and inspecting the property** in preparation of any reports, **photos** and/or required environmental review for the processing of the application(s) being filed.” Unlike Calabasas, Malibu inspectors are not accompanied by city officials with cameras.

Mr. Colantuono next wrote,

*“... the city did make the findings required by state law that its local, substantive amendments to the uniform building codes are justified by local topography, geology and climate. We do not know why a lawyer for some unidentified property owners erroneously concluded otherwise.”*

If the City made the mandatory statutory findings as he claims, then why has the City not provided them? There is no reference again to the OWTS ordinance, even though the required findings for that Ordinance are still missing which is what is being challenged. Where *are* the findings? As a member of the public testified at a recent Council meeting, why doesn't the City post the findings on its website with the same zeal that motivated it to post damaging and erroneous information about the Smiths (the family the City evicted from their home in Stokes Canyon) on its website?

In a letter to Mr. Colantuono, Nancy Schreiner wrote, “Your letter and the City's Press Release state that findings were made. This information was not provided by either the City Clerk or the Building and Safety Department as a result of earlier public record requests. There is no information provided in the City's response to earlier Public Record Requests that findings were made for each of the above-referenced Ordinances. Either the City failed to comply with the California Public Records Act in its prior responses, or willfully failed to provide information.”

Attorney Schreiner subsequently made another public records request for these findings, and here is an excerpt from what she received from Calabasas in place of the requested findings:

**RE: Request for information received September 28, 2010**

Dear Ms. Schreiner:

This letter is in response to your public records request received on September 28, 2010. Due to the need to conduct further research to collect the necessary information and pursuant to Government Code Section 6253, we will be extending the time period for an additional fourteen (14) days, which is October 22, 2010. We will make every effort to complete this request as soon as possible and will contact you when we determine what documents are responsive to the request.

Attorney Schreiner responded, “In light of the fact that the City purportedly sent on or about September 23, 2010, certified copies of the Ordinances and supporting findings for each of the requested Ordinances to the California Building Standards

Commission, as evidenced by the City's own Press Release, these documents should be readily available, please provide the basis for this delay in production of the requested documents.

“I do not believe the City can refuse to provide the records or extend the production of such for an additional 14 days. At the very least the records that are readily available must be produced. This again appears to be a failure by the City to comply with mandatory statutory requirements.”

In his opinion piece in *The Acorn*, Mr. Colantuono continued,

*“That attorney and I simply disagree as to whether Calabasas was required to file its inspection ordinance with the state Building Standards Commission. This is not unusual: statutes sometimes lend themselves to competing interpretations and, of course, that attorney’s clients have different objectives than does the city. The city has filed its ordinances with the state, and this issue can be of only academic interest in just a few months.”*

An earlier letter to Mr. Colantuono from Attorney Schreiner is the best answer to Mr. Colantuono’s opinion:

“Dear Mr. Colantuono:

I am in receipt of your letter dated September 28, 2010, and I have also seen the City's Press Release. Both your letter and the City's Press Release contain inaccurate information and apparent misrepresentations to the citizens of your community. I find it disingenuous that the City states such inaccurate information in a Press Release.

Obviously, the City realized it had failed to properly file any of the City's local amendments until after my public comment and letter. According to my discussion with representatives of the Commission, the Commission does not consider the local amendments operative until it sends the response letter.

Health and Safety Code section 17958.7 provides that none of these local amendments are effective or operative until filed. Thus at the earliest, assuming all proper findings were made, Ordinance Numbers 2007- 240, 2008-246, 2009-262 and 2009-264 are not effective until yesterday or today. Substantive findings are not sufficient. Only findings based upon climate, topographic and geological conditions are permitted to support local amendments. Your assertion of water quality and environmental issues are not pertinent to support local amendments to the Building Standards.”

We’ve seen the “light”, and we think the “heat” has only begun to rise.

*To read Mr. Colantuono’s entire letter to The Acorn, visit*

<http://www.theacorn.com/news/2010->

[1007/Editorials/Calabasas\\_septic\\_tank\\_inspections\\_prompted\\_by\\_law\\_.html](http://www.theacorn.com/news/2010-1007/Editorials/Calabasas_septic_tank_inspections_prompted_by_law_.html))

# SHANGRI-LA.....HUH?

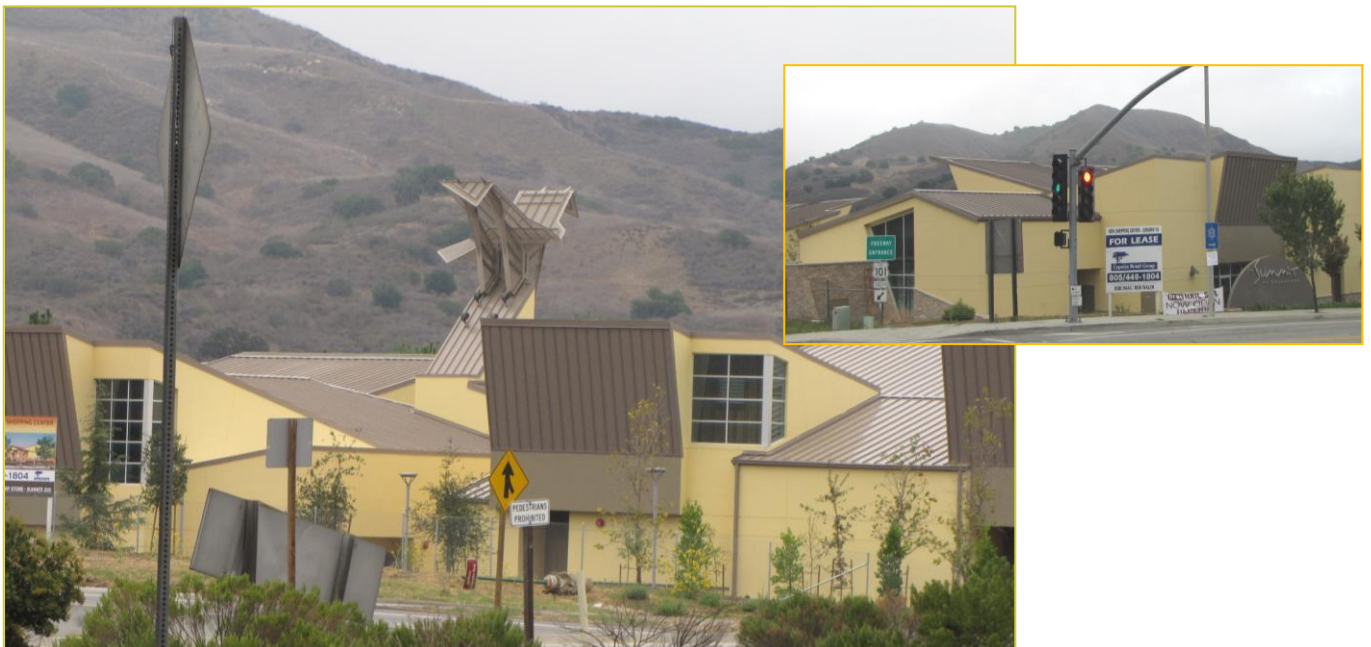
**Shangri-la** – *any place of complete bliss and delight and peace. A remote beautiful imaginary place where life approaches perfection: utopia; promised land (Merriam-Webster)*

At the September 22 Calabasas City Council meeting, in response to negative testimony from residents of Stokes Canyon who don't want to be annexed into the City, Mayor Barry Groveman stated that he would "...not want to force anybody to be annexed into this great city...which is probably the closest thing to Shangri-la in California."

Based on the City's recent governing track record and abuse of its own residents, there are more than a few citizens and nearby community members who would disagree with the mayor that Calabasas is utopia. Far from it, actually. Some neighborhoods would like to de-annex, others passionately don't want to annex, and many residents are shocked and angry at how the city has been shaken upside down. Many blame the mayor for the aggressive role he's played in bullying residents and Councilmembers alike, undermining the once sterling reputation of the City. Take, for example, the October 13 Council meeting.

This time, the agenda item that ignited the mayor and City Manager Tony Coroaalles was an item for discussion initiated by Councilmember Maurer and Wolfson on the possibility of establishing a loan program for septic systems and building code violations repair.

Just last month the City Council unanimously approved an interest-free \$987,000 loan to the Dollinger Properties developer of the Summit of Calabasas, the infamous new shopping center at Lost Hills Road and the 101 Freeway with design features and colors intensely disliked by the community. Apparently the developer was unable to pay \$987,000 in bridge and thoroughfare fees, which were due to the City by November 1.



*Dollinger Properties Developer received a \$987,000 interest free loan from the City.*

Despite enthusiasm for making a large, interest free- loan to a developer, Mr. Groveman was less enthusiastic about making small loans to homeowners who can't afford to repair their septic systems. "Why would we help people who thwart the law?" he asked, and at another point, "Should we give lawbreakers loans?" The vilification continued. He appeared to compare Calabasas homeowners whose systems are not yet inspected or with questionable compliance - to burglars. At least 10 times he referred to them as "lawbreakers" and several more times as "people in violation of the law." In reference to the condition of their property, Mr. Groveman said, "A lot of these things are crimes" and "Some of these things are felonies."

Meanwhile, Mr. Coroalles frequently interrupted Councilmembers Bozajian and Maurer and strongly voiced his opinion despite not being asked. In a forceful tone that matched the mayor's threats of strong action the city was going to take against Calabasas homeowners, he repeated more than three times in various ways that "the next step that they [those who have not been inspected] are going to get is a letter from the prosecutor telling them you better or..." , "the next step is getting a letter from the city prosecutor much stronger than the original letter, a precursor to do something about it – a more formal letter with teeth." (How much is it going to cost Calabasas taxpayers now for the prosecuting attorney to write threatening letters?)

All this aggression, despite the fact that the City has been advised by attorney Nancy Schreiner that it was in violation of state law by neglecting to file the OWTS ordinance with the state and make the mandatory statutory findings. She indicated the ordinance, therefore, has been illegally enforced. So who at the City is responsible for the serious neglect? How can the City compel a septic inspection without a legal ordinance? Does this mean Calabasas taxpayers are now at risk for lawsuits or damages, particularly in light of the forceful actions the city has taken to enforce the OWTS ordinance? The City must have realized it failed to properly file the ordinance because within days of Ms. Schreiner's testimony, Calabasas filed the ordinance with the State Building Standards Commission.

At one point in the discussion on loans, Councilmember Maurer asked when the City had last corresponded with septic owners about the October 15 inspection deadline, which set off a further flurry of insults. The mayor asked, "Why are we making exceptions?" After all, the City wasn't writing letters to all burglars telling them not to rob banks! This despite his having agreed a moment earlier with notifying homeowners that the deadline was coming up.

Throughout the discussion, Councilmember Bozajian was an outstanding advocate for the citizens of his community. He, along with Councilmember Maurer actually listens to his constituents and represents their issues and concerns as elected officials are supposed to do. Councilmember Wolfson also responded. Bozajian made it clear that the potential "loans of last resort" the Council was considering to help residents bring their systems up to code was a small measure and that "his preference all along, based on the numerous problems we've had, would be to repeal our septic ordinances and start all over again." He acknowledged that the [City] now sees the punitive things that have happened and the unintended consequences of the OWTS ordinance and

said the City could craft a much better ordinance. He noted that the City has a big black eye in many of its neighborhoods and that the ordinances are not serving the purpose for which they were intended.

Mayor Groveman disagreed and said, “We should have had these sewers done a long time ago.” Councilmember Bozajian made sure the record accurately reflected that he was not an advocate of sewers [in Old Topanga].

Kudos to Councilmember Bozajian for his unwavering dedication to the citizens and City and to Councilmembers Maurer and Wolfson for initiating the discussion of loans for those who have been adversely impacted by the OWTS ordinance.

Here is a link to the October 13 Council meeting:

[http://calabasas.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=3043](http://calabasas.granicus.com/MediaPlayer.php?view_id=2&clip_id=3043) For the loan discussion go to item 9 at 01:10:40.

## **APPROACHES TO WATER QUALITY DIFFER**

If there was any doubt that the City of Calabasas is determined to spend millions of taxpayer dollars putting sewers into Old Topanga, the agenda is now clear.

On Saturday, October 16 (one day after the OWTS septic inspection deadline), the 38 Old Topanga homeowners received by certified mail a Notice of Preparation for a Draft Environmental Impact Report Scoping Meeting on the sewer to be held Monday, November 8 at the City’s Founders Hall.

Never mind that most Old Topanga residents are complying with the OWTS ordinance or that properly working septic systems are environmentally preferable to sewers or that there have never been any studies linking Calabasas septic systems to environmental damage.

While Calabasas’ water quality efforts have primarily been focused on enforcing a controversial septic ordinance, the City of Agoura Hills has chosen to educate and persuade its citizens to comply with “best practices” behavior to prevent degradation of water quality. To see how Agoura Hills handles water quality, visit <http://ci.agoura-hills.ca.us/Index.aspx?page=262>.

Once there, check out Agoura’s exceptionally informative resource links, such as the Sewer Maintenance Program, Proper Pool Drainage – Landscaping and Pool Maintenance, Clean Water Act & Our Backyards, Santa Monica Bay Restoration Commission, Overwatering, Living Lightly in Our Watersheds and Water Quality Pilot Projects.

## HIGH-PRESSURE OIL AND GAS PIPELINES – UPDATE

As we reported last month, there are high pressure gas and oil transmission lines that pass through Calabasas from west to east. We are not talking about local utility pipelines but rather major regional high-pressure oil and gas transmission lines similar to the one that blew up in San Bruno.

The City of Calabasas has hired former Fire Captain Jim Jordan as a consultant, and he has obtained maps of the oil and gas transmission lines, but efforts to contact the pipeline companies have been complicated by the sudden desire of cities all over southern California to find out more about the pipelines in their midst.

A high-pressure petroleum transmission line passes through the upper edge of Old Agoura, goes through Cheeseboro Canyon Park and is marked by triangular yellow and black signs on both sides of Las Virgenes Road where it enters Calabasas about 150' north of Fire Station 125. It follows the alignment of Mureau Road, crossing over the Freeway near the BMW, and then passes under several streets in Calabasas Park to exit the City at the junction of Park Ora and Valmar.

What hazard does this high pressure petroleum pipeline pose to residents of the areas through which it passes? The best information we've been able to obtain to date is that, if ruptured, it would not explode, but could send up a fountain of crude oil as much as 200 feet high.

The high-pressure natural gas transmission line is not as well marked as the petroleum transmission line, but it also passes through the upper part of Old Agoura and Cheeseboro Canyon Park and enters Calabasas a few feet north of the petroleum transmission line. There are blue and white high pressure gas line warning signs on both sides of Las Virgenes Road about 175' north of Station 125, but they are difficult



to see, and the one on the east side is mostly covered by a large bush. For hundreds of feet along Mureau Road the high pressure gas transmission line is less than 300' from homes in Calabasas Colony, Las Virgenes Village and other townhomes along Las Virgenes Road and homes on lower Parkmor, Ruthwood, and Red Bluff in the Malibu Canyon community to the east.

*Sign marking high pressure gas transmission line obscured by shrubbery on the east side of Las Virgenes Road near Fire Station 125 a block north of the Ventura Freeway.*

Questions have also been raised about the fact that the high-pressure natural gas transmission line passes through several ancient landslides, most notably a 300-acre Pleistocene landslide on the mountainside west of Fire Station 125. Could these landslides be activated during heavy storms or earthquakes, causing the line to rupture?

Others point out that we have corrosive soils in the area that could be weakening the pipelines over time. From Malibu Canyon the unmarked gas and oil transmission lines follow the general alignment of Mureau Road, with the gas line dropping down closer to the 101 Freeway, until it, too crosses over the 101 and follows Calabasas Road to The Commons, where it apparently breaks up into several distribution lines.



A second high pressure natural gas transmission line passes through the northern part of Hidden Hills and next to El Camino High School and continues eastward into the Valley along the general alignment of Burbank.

We have been told that high pressure natural gas transmission lines are under so much pressure that, in case of a break, the natural gas would not be likely to ignite and explode.

For now our high pressure gas and petroleum pipelines have been buried out of sight and out of mind for so long that generations of residents have lived out their lives here without even being aware of their existence.

*Outdoor smoking area on top of high pressure gas transmission line behind 26010 Mureau Road.*

## **LOWER SPEED LIMIT ON MULHOLLAND HIGHWAY**

On October 9, the stretch of Mulholland Highway that runs through Las Virgenes from Stunt Road to Westlake Boulevard got a new speed limit. The Department of Public Works is replacing speed-limit signs that previously ranged from 35 to 55 mph with signs that limit speed to 45 mph, a result of a recent engineering and traffic survey (E&TS).

The CHP can use radar to enforce speed limits only if a survey is conducted every seven years, explains Todd Liming of the County's Traffic and Lighting Division. "When conducting any E&TS, we generally try to set the speed limit as low as possible while staying within highway-safety guidelines and the California Vehicle Code," he says. "One of the restrictions states that we should only transition a speed limit along a



roadway at locations that would make the transition obvious to motorists, such as an intersection with a stop sign or stoplight.” That consideration and the speed-count data from the E&TS indicated that the best option was to set the entire stretch at 45 mph.

“Posting a lower speed limit should cause most reasonable motorists to slow down, making the roadway safer for everyone, including motorists, equestrian traffic, bicyclists and pedestrians,” says Liming. “We wanted to allow CHP and County Sheriffs to continue to utilize radar enforcement, which is arguably the best method to combat speeding.”

A word to the wise: When speeds are first reduced, locals are usually the majority of violators, so slow down.

## **LVMWD OFFERS FREE TOUR ON **NOVEMBER 6** & TOURS BEHIND THE SCENES 2011**

Las Virgenes Municipal Water District (LVMWD) will present a free tour of its water distribution facilities on [Saturday, November 6 from 8:45 a.m. to 1 p.m.](#) The bus tour will begin at LVMWD headquarters, 4232 Las Virgenes Rd. in Calabasas. Guests will learn first-hand about water infrastructure and will visit the Las Virgenes Reservoir and Filtration Plant in Westlake Village, a site normally closed to the public.

In 2011 LVMWD hosts quarterly tours for customers to see first-hand the processes of water filtration and wastewater treatment. Sign up for one of these educational and entertaining tours – learn where your drinking water comes from, how it gets to your tap, and what happens to it once it goes down the drain.

### 2011 Dates

[Potable Water System tour dates:](#)

[Sat. May 7 and Sat. Nov. 5](#)

[Wastewater Treatment tour dates:](#)

[Sat. Feb. 5 and Sat. Aug. 6](#)

Registration is required to attend all tours. Sign up on-line at [www.LVMWD.com](http://www.LVMWD.com), under Services/Quarterly Facilities Tours, or call 818-251-2100. Guests must be at least 12 years old and those under 18 years old must be accompanied by an adult. All tours start at 8:45 a.m. and end at 1:30 p.m. A light lunch is provided. Guests should wear comfortable shoes as moderate walking and stairways are encountered during the tour.

“Our popular tour program is a great way for area residents to understand the infrastructure, costs and challenges we must overcome to provide safe, reliable water service,” said John R. Mundy, LVMWD’s General Manager.

LVMWD serves some 65,000 people in the communities of Agoura Hills, Calabasas, Hidden Hills, Westlake Village and adjacent unincorporated areas of Los Angeles County.



## Reminder...Deadline for Comments is October 29, 2010!

This summer, the National Park Service initiated a new "special resource study" of the Rim of the Valley Corridor in Los Angeles and Ventura Counties of southern California, and to date, hundreds of participants turned out for one or more of our nine public meetings. For those of you who were able to participate, thank you for taking the time to share your thoughts and ideas. If you are just learning about the study or were unable to attend a meeting, the materials presented are now available online including a copy of the presentation and display maps.

**As a reminder, the Rim of the Valley Corridor study's purpose is to determine whether any portion of the study area is eligible to be designated as a unit of the national park system or added to an existing national park such as the Santa Monica Mountains National Recreation Area. The study will also explore other ways that private or governmental entities can protect resources and provide more outdoor recreation opportunities.**

**Please note that the public comment period extends through October 29, 2010.** Once the comments have been received and reviewed, a summary report of what we heard throughout the scoping period will be prepared and distributed. In the meantime, for more information about the study and how to submit comments, please visit the study website: <http://www.nps.gov/pwro/rimofthevalley/>

### How to Participate

- [Download the Newsletter](#)
- [Provide Comments Online](#)
- [Review the Public Meeting Materials Online](#)
- [Email](#) or mail your comments

### Contact Information

Website: [www.nps.gov/pwro/rimofthevalley](http://www.nps.gov/pwro/rimofthevalley)

Phone: Anne Dove, Project Manager (323) 441-9307

E-mail: [pwr\\_rimofthevalley@nps.gov](mailto:pwr_rimofthevalley@nps.gov)

Margie Steigerwald, Planner (805) 370-2373

## **FEDERATION ELECTS NEW VICE-PRESIDENT**

Last month, Federation delegates elected Mary Ellen Strote, a delegate from Cold Creek, as new vice-president. She has been involved with Santa Monica Mountains land-use issues since moving to Calabasas in 1971 and is co-“scorekeeper” of the Calabasas Environmental Scorecard with Bob Benson and Hal Helsley.

Mary Ellen replaces Craig Overlook, a long-time delegate from Mont Calabasas. Craig never missed a meeting! He was a valuable, much appreciated, highly skilled activist and delegate, and we will miss him greatly. His sense of humor is second to none, and we wish him the very best wherever his endeavors may take him. Happy trails, Craig!

## **CALABASAS PLANNING WORKSHOPS ON LAS VIRGENES TRAIL**

The purchase of “Firehouse Hill” has eliminated a major obstacle to completion of the Las Virgenes Trail, which could some day create a system of bike trails and footpaths along Las Virgenes Creek from Ahmanson Ranch all the way to Malibu Creek State Park, enabling citizens – and especially our children - to walk or ride their bicycles from their homes in Malibu Canyon, Mont Calabasas, Las Virgenes Village, and Deer Springs to Albertson’s, AE Wright, and De Anza Park without having to ride or walk in traffic.

The Las Virgenes Trail will get us out from behind the wheel of our cars, reducing traffic and emissions while giving our kids the badly needed exercise of walking or riding their bikes to school every day along the wooded banks of our local creek. Calabasas plans to begin the process of planning for the segment of the Las Virgenes Trail from Agoura Road to De Anza Park in two Community Visioning Workshops on the following dates and locations. Children are welcome to attend.

- Wednesday, November 3<sup>rd</sup> from 6:00 to 8:00 PM at the Calabasas Library
- Saturday, November 6<sup>th</sup> at the Agoura Hills – Calabasas Community Center

For questions, call Senior Planner Geoffrey Starns at (818)224-1706