

# SHPOA

Shadow Hills Property Owners Association  
Dedicated to Preserving Rural Community

*A Neighborhood Where Families Grow*



Volume 38, Issue 5

September-October 2015

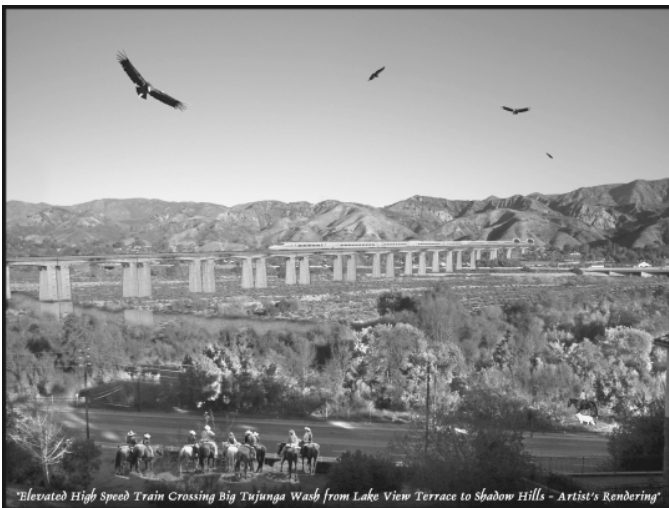
## High Speed Rail One Year Anniversary – Alternative E2 Must Be Eliminated NOW!

By Dave DePinto

We recently passed the one year anniversary of the “yellow banana” study area which was introduced last August, which led to the horrendous “East Corridor” alternatives E1, E2 and E3 which were announced in December 2014. As noted at SHPOA meetings and in prior issues of the newsletter, our Foothill communities, united under the SAFE Coalition umbrella, have made progress including increased awareness throughout our communities, unity with surrounding communities impacted by high speed rail (communities along the SR14 route, with people and environments just like ours, have faced this threat for more than 6 years), removal of above ground structures from alternatives E1 and E3, relocation of alternatives E1 and E3 significantly further away from residential areas, political support for removal of above ground routes, and promises of “upfront” studies of water, tunneling and seismicity.

The immediate and most pressing problems are CHSRA is not moving quickly enough to remove Alternative E2 from further consideration or to communicate with us on the promised “upfront” studies which relate to water, tunneling and seismicity. As shown in the image below, proposed alternative E2 features grotesque tunnel openings bored/dug into the hillsides of both Shadow Hills and Lake View Terrace, as well as above ground train tracks, trestles, bridges and train wiring (i.e. catenaries) through the heart of the beautiful Big Tujunga Wash.

We face being sucked into and held hostage by a multi-year environmental review process much like we’ve witnessed on the neighboring 710 Freeway extension project unless we remain



*“Elevated High Speed Train Crossing Big Tujunga Wash from Lake View Terrace to Shadow Hills - Artist's Rendering”*

strong, united and pro-active. We vowed in our earliest days to get these most destructive routes (and our people and communities) out of the long, draining EIR/environmental review process. Now is the time for strategic, united and focused action.

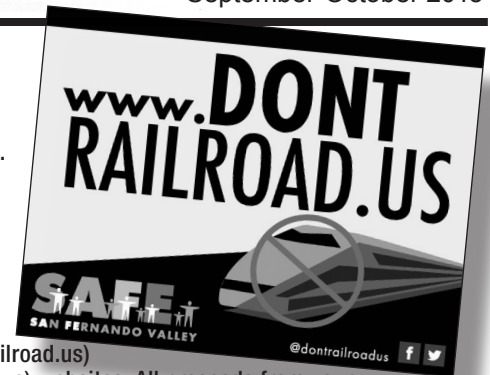
It's clear that E2, which is the sole remaining Foothills route with

(See “HSR One Year Later” cont'd on pgs. 2 & 5)

## GET YOUR “NO HIGH SPEED RAIL” LAWN SIGN!

Contribute \$10 to S.A.F.E. to fight high speed rail and receive a free lawn sign. You may contribute and receive a lawn sign at the SHPOA meeting on September 28, at local events and on the S.A.F.E. ([www.dontrailroad.us](http://www.dontrailroad.us))

and SHPOA ([www.shpoa.us](http://www.shpoa.us)) websites. All proceeds from your contribution help fund the lawn signs and related outreach and education to stop high speed rail from destroying our communities.



## City Council Opposes Community and Neighborhood Council - Approves Line 204 Studio/Warehouse Project

By Dave DePinto

The Line 204 Studio/Warehouse project has divided our once-united communities of Shadow Hills and Sun Valley. Recent votes by the City's Planning and Land Use Management Committee, as well as the full City Council, were in opposition to our community's and Neighborhood Council's wishes and supported the project applicant's request for variances related to many issues, most importantly its excessive height and close proximity to the residential cul-de-sac community located at the Elinda/Peoria intersection in Stonehurst.

Whereas the Shadow Hills Property Owners Assn. and the Foothill Trails District Neighborhood Council opposed the (See “City Council Votes” cont'd on pg. 3)

## SHPOA Community Meeting Monday, September 28 – 7:00 p.m. Tierra del Sol—9919 Sunland Blvd.

### ON THE AGENDA!

- UPDATES on High-Speed Rail, Studio-Warehouse Project, and Grocery Outlet
- Vote on providing Financial Support for Neighborhood Lawsuit challenging Studio-Warehouse Project!
- Prepare for Mother Nature's best and worst! (drought, El Nino, rainwater harvesting, greywater recycling)
- Voter Registration!!

### HOT ITEMS IN THIS ISSUE...

- 28th SPECIAL OLYMPICS EQUESTRIANS at LAEC! pp. 4 & 6
- Ahead With HORSES Costume Day, Oct. 31! See p. 7
- HSR—NO BETTER after one year! Start p. 1, then pp. 2 & 5
- BRING YOUR SHPOA MEMBERSHIP UP TO DATE! SEE p. 3!

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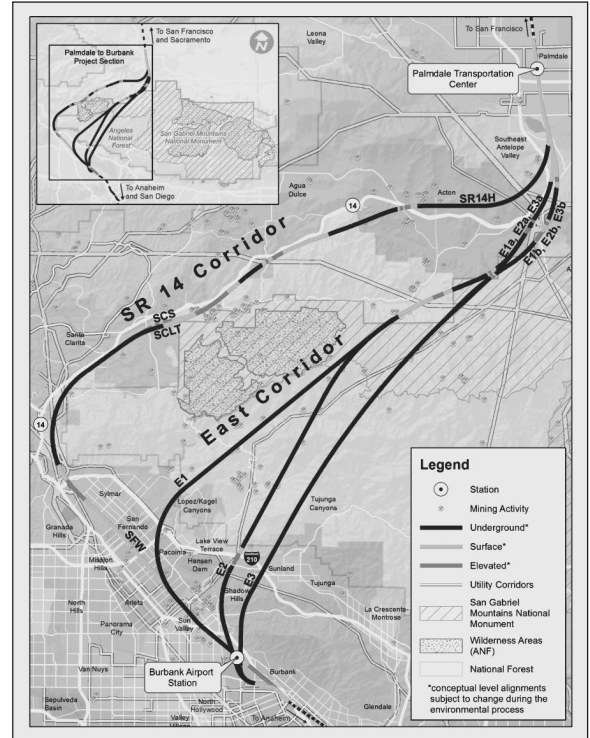
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**www.ftdnc.org**

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Mike Carpenter 470-5235  
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("HSR One Year Later" cont'd from pg. 1)

above ground features while also tunneling through the Forest, is the worst alternative facing ALL of the Foothills communities. The current E2 proposal would cause immense physical and psychological damage to our region and result in 5-6 above ground, high speed trains PER HOUR EVERY DAY destroying the quietude and character of our Foothills communities for EVERYONE (not just Lake View Terrace and Shadow Hills), as well as seriously threatening and damaging ALL WATERS and sensitive environmental resources within the Big Tujunga Wash (Haines Creek, Big Tujunga Creek, Tujunga Mitigation Ponds, etc.).



It is critical that we all keep in mind that the environmental review period will span 3-5 years and the construction period will span 5-7 years. If we don't unite to remove E2 now, we will be hostage during all of this time, depressing our spirit, community character, property values and more. We need your active involvement in this effort – letters, phone calls, financial contributions, attendance at meetings, displaying a lawn sign and more. When we ask for help or involvement, we need you to be there and fast!

SHPOA supports the SAFE Coalition short-term strategy of removal of Alternative E2 from further consideration in what will be a very long, multi-year environmental review period. To achieve united political support throughout the San Fernando Valley for that action, we are working with ALL San Fernando Valley communities to oppose all above ground routes through densely populated and sensitive environmental areas, and that would include the SR14 alternative which passes through Santa Clarita, Sylmar, San Fernando, Pacoima and Sun Valley on its way to an ill-conceived, but not approved station in Burbank. Opposing above ground routes and structures in densely populated and sensitive environmental areas is the right thing to do!

Some in the Foothills area are puzzled by or reluctant to pursue the above strategy due to their passionate support of the Forest and Monument, believing this E2 removal strategy implies support for either of the fully tunneled routes, E1 or E3. Nothing could be further from the truth. Simply put, the immediate discussion and opportunity is about what is studied in the multi-year EIR/ environmental studies, and NOT about a long-term position on a preferred route. We are certain that political support is growing to remove above ground routes; we are equally certain that political

(See "HSR One Year Later" cont'd on pg. 5)



**Urgent – Contribute (\$25) for your 2015 SHPOA Membership Today!**

*By Eric Stein*

It's not too late to make your \$25 donation to support SHPOA for 2015. SHPOA operates on a calendar year basis from January through December. So far this year, we have over 300 paid members, but many people who have received all of SHPOA's benefits this year (newsletter, meetings, Daily Fodder, representation on high speed rail, Neighborhood Watch, etc.) have yet to pay for or renew their 2015 membership.

SHPOA is an all volunteer organization and your contribution is used solely for services provided on your behalf. Your contribution really is important. We've issued many reminders. Please use the enclosed envelope to mail your membership payment today or visit the SHPOA website ([www.shpoa.us](http://www.shpoa.us)) to pay on-line.

Thank you.



*("City Council Votes" cont'd from pg. 1)*

project as proposed, mainly due to its planned 73 foot tall studio and 52-foot tall warehouse, the Sun Valley Area Neighborhood Council (SVANC) supported the project for its potential for jobs and attracting other Hollywood businesses.

The project further divided our Foothills communities as the Foothill Trails District Neighborhood Council (FTDNC) initially supported the project against neighbor's and SHPOA's wishes. However, due to determined efforts by Bill and Tina Eick, as well as residents of the Elinda/Peoria neighborhood, to break through bureaucratic red tape resulting from the Neighborhood Council's land use committee, the full Neighborhood Council eventually reversed its position and voted to support the residents in opposing the project.

The project sets a dangerous precedent for future developments along the boundary between Council Districts 6 and 7, as much of that boundary is now defined by working quarries, gravel pits, truck yards, auto salvage businesses and the like. Personally, I don't believe Hollywood deserves special treatment here, just like "green power" initiatives like solar farms don't belong too close to residential and equestrian neighborhoods. The Studio/Warehouse project is simply too tall and too close to residents and that principle should have been followed by our City Council.

It is noteworthy that both Councilwoman Nury Martinez, CD6, where the project is located, and Councilman Felipe Fuentes, CD7, who represents Shadow Hills/Stonehurst, voted for the project against the requests of residential neighbors, the Shadow Hills community and SHPOA. Forgotten in the zeal of the Councilmembers and Sun Valley Area Neighborhood Council to "go Hollywood," was more than a decade of leadership and cooperation between Shadow Hills and Sun Valley to rid the area of open-air landfills, trash recycling/processing facilities, graffiti, litter, gang activity and more.

The Elinda/Peoria neighbors have filed a lawsuit against the City about this case. Please follow Daily Fodder and this newsletter for updates and further information. 🐾

Shadow Hills Property Owners Association

**SHPOA**  
Membership Form

Shadow Hills area residents, it's always time to join SHPOA! We're here for you!

Your support and participation are vital to the preservation of our rural community.

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**Benefits and Value of SHPOA Membership**

**Preserve Country Lifestyle**

- ✓ Fight for code enforcement to protect residential zoning
- ✓ Provide legal counsel and referrals
- ✓ Expand trail system, open space and wildlife corridors
- ✓ Support equestrians and equestrian organizations
- ✓ Advocacy with government and law enforcement agencies

**Protect Public Safety, the Environment and Property Values**

- ✓ Initiate Neighborhood Watch groups
- ✓ Liaison to local police and fire departments
- ✓ Assist animal health and care
- ✓ Reduce speeding, unsafe driving and trash truck traffic
- ✓ Community beautification and clean-ups
- ✓ Partner with real estate community

**Promote Shadow Hills**

- ✓ Market unique lifestyle and real estate properties
- ✓ Conduct SHPOA membership drives
- ✓ Hold general member meetings with guest speakers, helpful information and entertainment
- ✓ Bi-monthly newsletter
- ✓ Daily email outreach and information
- ✓ Website information
- ✓ Special events and signage

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**28th Special Olympics Equestrian Report**

*by Julia Tarnawski*

The 28th Special Olympics was held in July in Los Angeles. Shadow Hills was honored to have several residents and members of ETI Corral 20 participate in the equestrian events at the Los Angeles Equestrian Center (LAEC) in Burbank. ETI, Equestrian Trails Inc., has long protected and promoted trail maintenance, trail riding, and participation in all levels of equestrian events.

LAEC was buzzing with over 80 borrowed horses and 120 riders. Athletes diagnosed with a range of perceived mental and physical disabilities traveled from all over the world to compete in the equestrian competitions. They competed in a series of different events including western riding, working trail, drill team, and dressage.



One of the most important parts of the process was matching horses to riders. "The horses all have to be gentle, kind, forgiving and tolerant," Bryan McQueeney, director of

the equestrian competition for Special Olympics, told ESPN. "Finding safe, appropriate horses is integral to providing a positive experience for the equestrians", said Hearts Program Director, Devon Sachey. Special Olympics reached out via social media, magazines, and websites looking for people willing to donate their horses for the 10 days. The response was overwhelming, with people reaching out from all over the country.

And, so it was with our own Corral 20 member, Deb Mader, who stables her horses on Wheatland Avenue, riding back and forth from the trails daily, to provide a positive experience to some of the equestrians participating in the world games by offering her MISTY. Deb purchased MISTY as a three year old BLM Mustang Susanville horse. Now, at 14, she would be a nice ride for some of the competitors. Deb was assisted by Corral 20 members Cindy Wilson and Rachel Pratt.



The horses were test ridden by various coaches looking for certain styles and sizes of horses for their students. On Monday and Tuesday, each rider was matched with a horse and the competitions began on Wednesday, with Equitation, followed by Trail on Thursday, Dressage on Friday, and one Western Relay on Saturday. The coaches and their assistants also did a relay team event that day.

Mrs. Mader decided to come and stay with MISTY every day because she was one of the few horses chosen to compete daily. In fact, MISTY was really well liked by all who rode her, even the volunteers. One of them even rode her in the final relay race for the volunteers and handlers.

*(See "Special Olympics Equestrians" cont'd on pg. 6)*



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*("HSR One Year Later" cont'd from pg. 2)*

support is practically non-existent to remove tunneled routes from further study. We will lead the fight for the Forest, but that fight is for another day. Today's fight is to remove above ground E2 permanently so ALL of the Foothill communities are spared the threat of the above ground routes.

SHPOA joins the S.A.F.E. Coalition in believing it is incumbent on those in this region who have been spared the above ground threats of the old E1 and E3 routes, which were successfully changed due to the efforts of the S.A.F.E. Coalition, to stick together and be part of the fight for removal of E2 which helps ALL of our Foothills communities and, of course, Shadow Hills and Lake View Terrace, where the proposed alternatives are most damaging.

While we are at it, and to avoid certain litigation against CHSRA down the road, we must demand that CHSRA revisit the many dozens of routes they have studied previously and/or removed prematurely from further consideration. We also call upon CHSRA to research new routes for their SAA Report and EIR/ environmental studies, and include at least one non-Burbank alternative in their environmental studies.

Please visit the SAFE website, [www.dontrailroad.us](http://www.dontrailroad.us), to find detailed contact information for local elected officials such as Councilmember Fuentes ([felipe.fuentes@lacity.org](mailto:felipe.fuentes@lacity.org)), Assemblywoman Lopez ([assemblymember.lopez@assembly.ca.gov](mailto:assemblymember.lopez@assembly.ca.gov)), Supervisor Antonovich ([kbarger@lacbos.org](mailto:kbarger@lacbos.org)), Senator Hertzberg ([senator.hertzberg@senate.ca.gov](mailto:senator.hertzberg@senate.ca.gov)) and Senator Liu ([senator.liu@sen.ca.gov](mailto:senator.liu@sen.ca.gov)) and CHSRA to communicate your requests. Please take a few minutes and write, email and call them today with the message that you want E2 removed NOW!

Please follow this issue, order a lawn sign, register to vote, vote, be prepared to support informational and protest events (being planned) and respond quickly when we ask for your involvement and assistance. Thank you. 🐾

**Latest Rules and Regulations Pertaining to:**  
*by Elektra Kruger*

**1. Vehicles**

**Home Auto Repair:**

- Other than minor emergencies - which must be completed within 24 hours - all auto repairs must be done in an area that is entirely enclosed from view.

**Inoperative Vehicles:**

- Inoperative vehicles must be stored in a garage or area not visible from a public street. Inoperative vehicles may not be stored on a driveway.

**Front-yard Parking:**

- Vehicles may not be parked in the front yard area except on a designated driveway.

**Car Alarms:**

- Car alarms must be silenced within five minutes.

**Important Phone Numbers:**

- Private property parking violations - Call Building and Safety at 1-800-524-2854
- Abandoned vehicles - Call 1-800-ABANDON

**2. Yard Sales**

- Sales are confined to items which were originally used in the household from which they are being sold.
- Sales are restricted to a maximum of five sales events per calendar year.
- Sales may last no longer than two consecutive days per event.
- Sales are limited to the hours of 9 a.m. to 5 p.m.

Report any illegal or excessive sales to Building and Safety at <http://ladbs.org/LADBSWeb/public-home.jsf>

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- Register online: [www.laanimalservices.com/Laws\\_Policies/Dog\\_License.htm](http://www.laanimalservices.com/Laws_Policies/Dog_License.htm)
- Visit in person: East Valley Animal Control located at 14409 Vanowen Street, Van Nuys CA 91405
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*("Special Olympics Equestrians" from pg. 4)*



Exercise people from various riding schools for handicapped riders rode the horses to check out their abilities and temperaments. MISTY's riders were a 30 year old young lady from Egypt and a 14 year old young lady from Argentina. In the competition, the riders were not allowed to tack up their chosen horses. Only selected grooms could prepare the horses for the riders.

Athletes were grouped by age, gender, and ability, according to the Games' website, giving everyone a reasonable chance to win. The awards were handed out in every Division, from gold down to eighth place ribbons. However, the greatest prize of all, many agreed, were the bonds formed between the riders and their horses. Horseback riding has long been proven to help people with behavioral or cognitive disorders. Horses can help draw people out of their shells, alongside developing their physical fitness.

What an honor to have an American Mustang Horse, raised on the range in the wild of this great nation; gentled and trained to carry all who perceive what she has to offer in friendship and trust in exchange for good horsemanship. Congratulations to Deb Mader & MISTY for sharing their bond with the 2015 Special Olympians at the LAEC. Also, what a great way to remind us all to let our congress people know that the slaughter of our American wild horses must stop now as there are so many MISTYs out there for people to enjoy! 🐾

## Tujunga Spreading Grounds

*by Elektra Kruger*

There are three big infrastructure projects being planned for the northeast San Fernando Valley including the Pacoima Spreading Grounds Basin Enhancement Project, the Pacoima Reservoir Sediment Removal Project and our own Tujunga Spreading Grounds Enhancement Project. The DWP and County are working collaboratively to reconfigure the spreading basins at the Tujunga Spreading Grounds and to make other necessary improvements to help increase groundwater recharge there.

All of these Projects will impact the surrounding communities to one extent or another and CD7 Councilmember Felipe Fuentes believes it would be appropriate to have the DWP and the County outreach to the local communities. Additionally, in mid-May he submitted a Motion to City Council asking that they request the Department of Water and Power and Los Angeles County Flood Control District to prepare and present a report to the City Council on the status of these three projects, including timelines for any construction associated with them, any potential impacts they may impose and all proposed mitigation measures being considered to help minimize those



## Ahead with Horses Annual Costume Day

By Michelle Newman

One of the best parts about fall is Halloween. To celebrate, AHEAD With Horses Inc. is holding their Annual Costume Day. It will be a day filled with fun, costumes, and a way to support one of our local charities. We encourage everyone to come to the event in costume! Admission is free.



The event is scheduled for Saturday, October 31, 2015 from 11 a.m. to 2 p.m. at the AHEAD With Horses Facility at 10157 Johanna Ave., Shadow Hills, CA 91040. There will be trick-or-treating for all kids on the horses, arts & crafts, games, all of the horses and staff will be dressed in costumes, and a huge horse tack sale. Items For Sale Include: Saddles, bits, reins, blankets, pads, polos, standing wraps, coolers, boots,



leather pieces, spurs, and much more! All of the proceeds from the sale will benefit AHEAD With Horses, a non-profit developmental therapeutic vaulting program for children with disabilities.



If you are interested in learning more about AHEAD With Horses, check out their website at: [www.AWHLA.org](http://www.AWHLA.org). If you are interested in volunteering with the program, or have a child you would like to enroll, please call the office at (818) 767 – 6373. 🐾

impacts on the surrounding communities.

The DWP is pursuing stormwater capture projects to enhance a reliable local water supply. As it is today, Los Angeles imports over 85% of its water supply. Given the severity of the recent drought, it is all the more important to capture stormwater to recharge our local aquifers. In the last eight years the DWP, the Los Angeles County Flood Control District (LACFCD) and other similar agencies have implemented stormwater capture projects that have increased the the average annual groundwater recharge capacity for the City by approximately 11,500 acre-feet per year (AFY). This multi-agency collaboration to develop future stormwater capture facilities is on-going.

The Tujunga Spreading Grounds TSG) Enhancement Project is a 150 acre facility owned by the DWP, operated by the LACFCD, and used for recharging the San Fernando Groundwater Basin. The Project intends to increase its storage capacity from 100 to 790 acre-feet, nearly doubling its intake capacity to result in a total expected recharge of 16,000 AFY - enough water to supply 40,000 single-family homes. To be continued in future issues of the SHPOA newsletter. 🐾

*Under New Management*

# Hot Tan In The City

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## Audit of Street Services' Resurfacing and Maintenance

by Elektra Kruger

The Bureau of Street Services is responsible for maintaining the City's 6,500 centerline miles and 28,000 lane miles of roadways. It is the largest municipal street network in the nation. The Bureau's current Pavement Preservation Plan applies a black slurry seal to B and C rated streets in an effort to preserve the underlying pavement. Applying the slurry seal constitutes a process of "resurfacing" but not outright totally "replacing" existing pavement. To fully replace road pavement is a very costly procedure calling for total removal of existing pavement, compacting the subsurface ground before placing new pavement material on top.

It is the process of resurfacing that adds a few extra years of life to a roadway that is the heart of the "Pavement Preservation Plan". Between 2010 and 2013, the Bureau applied slurry seal to 1,166 miles of roadway. But that left the grade D and F streets, making up about 40% of the City's roads, to further deteriorate. A Washington non-profit called TRIP that reports on transportation issues noted that the average LA driver spends 71% more than the average American in large metropolitan areas on vehicle costs each year due to poor road conditions which ends up using more gas and is responsible for greater damage to car parts like wheels, suspensions and tires. The Bureau does not always prioritize its repair work based on common-sense criteria like areas of heavy traffic volume, greater heavy vehicle loads and greater mass transit loads.

The Office of the Controller audited the Bureau of Street Services' Resurfacing and Maintenance Activities and in late July 2014, released a report entitled "LA Streets: The Road to the Future" based on its findings. Piecing together the finances and operations of the Bureau proved to be a challenge as much of the information on the Bureau's activities was incomplete or even outright missing.

For example, despite the Bureau's claim that it had filled 953,339 potholes in the prior three years, there was no documentation to back that up. As a matter of fact, auditors could not find completion reports or work evaluations for 60% of street paving Projects. The Bureau failed to collect some \$190 million in fees from utility companies that dug up our streets - revenue that could have been used to repair our failing roads. Between those three years, 2010 - 2013, the Bureau was found to have returned \$21 million ear-marked for street repairs unused. The City spent more producing its own asphalt than it would have cost to purchase it from a private vendor.

From fiscal year 2010-2011 through 2012-2013, the City had been budgeting increasing funds into its Pavement Preservation Plan, a Plan that "resurfaces" B and C rated roads with a black slurry seal to extend the life of a roadway prior to having to under take the very costly job of actually totally "reconstructing" a road. The Preservation Plan for all practical purposes makes an effort to maintain roads at a status quo in terms of their rating. In fiscal year 2013 to 2014, the City gave thought to turning its attention to funding some of the deferred maintenance of streets that are in significant disrepair.

An estimate presented to policymakers was that it would cost \$3.86 BILLION and some 20 years to repair the 8,200 lane miles rated as D or F ("poor" or "failed") - not to mention the additional 500 lane miles that would become D or F rated during that 20 year period. And THAT \$3.86 billion would be in addition to the +/- \$3 billion that it would take over that same 20 years to support the on-going Pavement Preservation Plan to protect even more streets from deteriorating into a D or F rating.

Best Management Practices recommends that a City's roadway infrastructure be maintained at an average condition level of A or B - Los Angeles falls far below that with an average overall rating of C-. While the Bureau of Contract Administration subscribes



to the monthly Bureau of Street Services street resurfacing and maintenance project notifications to ensure it is aware of where it needs to enforce street-cut moratoriums, enhanced communication systems are still needed. An interesting finding during the Bureau of Street Services audit had to do with what is referred to as "compensated time off".

Generally speaking, for government agencies, compensated time off (paid sick leave/vacation time) encompasses no more than 15% of an employees scheduled work hours. Any further "not hands on" work time such as training may account for up to an addition 10% compensated time off leaving 75-80% of an employees work day dedicated to direct work activities - the job for which the employee was hired. The audit of the Bureau of Street Services determined that the Division of Resurfacing and Reconstruction had only a 57.3% direct labor utilization over the audit period. What in the world were they doing?

Before any more funds are dedicated to the Bureau of Street Services, the Controller impelled the need for the Bureau to reform its management processes, adopt new oversight procedures and implement new technologies. Software exits that would allow the Bureau to map street conditions, monitor progress of its work crews, track utility cuts and other damages to our roads. To be continued in future issues of the SHPOA newsletter. 🐾



### Update on 30-Day DWP Billing Cycle

by Elektra Kruger

In late July 2013, Councilmember Felipe Fuentes submitted a Motion to City Council asking that the DWP provide a report "within 30 days" on the feasibility of switching the residential DWP billing cycle from a 60-day cycle to a 30-day cycle and what processes would be necessary to make that happen. We are in the second half of 2015 with that Motion languishing in the City Council's Energy and Environmental Committee - which is somewhat amusing since Councilmember Fuentes is the Chairperson for this Committee. He can't move a Motion through his own committee?

The only latest addition to the Council File has been a Comment Letter from the Winnetka Neighborhood Council supporting the Motion plus requesting that the practice of "estimated charges" be discontinued and that DWP customers be billed based on actual water and energy usage. Let's see if the addition of this letter blows a little dust off the file and it is once again seriously considered at City Hall. 🐾

### Raise the Legal Age Limit of Cigarettes to 21?

by Elektra Kruger

In late August 2015, City Council adopted a Motion presented by Councilmember Paul Koretz that the City Attorney, with the help of the City's Chief Legislative Analyst, be asked to prepare and present an Ordinance to raise the legal age one can purchase tobacco cigarettes from 18 to 21. Adoption of this Motion does not mean that this change is now law in the City of Los Angeles, only that the City Attorney's office has been asked to draft an Ordinance that may then be voted on by the City Council.

Let's see whether this effort dies on the vine again. This Motion was first submitted in 2013, but it is Council policy that any Motion that sits idle for two years be removed from the roster of consideration. After first being submitted, this Motion collected dust for 2 years and was removed from the roster of consideration because no one appeared to consider it important enough to waste their time on. But Councilmember Koretz feels that it definitely is and has brought it back to life. SHPOA will report on any further action on this in a future issue of the newsletter. 🐾



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## Removal of Private Property from our Sidewalks

*by Elektra Kruger*

Our courts have hampered the City's ability to enforce its Code relating to the prohibition of leaving "private property" unattended on public sidewalks or parkways. Among other things, the courts have ruled that notice must be provided prior to removal of these items and arrangements must be made for interim storage.

In mid-February 2015, the Office of the City Attorney prepared a Draft Ordinance to amend the Los Angeles City Code as it relates to the unauthorized storage of "personal property" in public areas by allowing impoundment of these items after sufficient pre-removal notice, laying out provisions for post-removal notification and describing conditions under which these items may be destroyed. The City Council's Public Works Committee reviewed the Draft Ordinance in mid-February 2015 and recommended its approval as well as recommended that the City Council instruct the Board of Public Works to prepare a report on how to streamline and expedite the removal process.

In early May 2015, the Office of the City Attorney prepared an amended Draft Ordinance to present to the City Council for their consideration and vote by adding to the provisions of the initial Draft Ordinance which covered issues of pre- and post notification of removal, the removal process itself and property impoundment and storage and ultimate destruction of those impounded items if they are not retrieved within a 90-day period, the amended Draft included a provision prohibiting individuals from erecting tents and requiring removal of tents in public areas between the hours of 6:00am and 9:00pm.

It further added the provision that no person may erect a barrier around his personal property and any public property such as buildings, bus shelters/benches, light/telephone poles, trash cans, mailboxes, newsracks, bike racks, signs, trees, bushes, shrubs or plants nor in any way attach the "personal property" to any public/private property in a way that obstructs a street or sidewalk. Any violation of these amendments, along with that of codes related to illegal dumping, would constitute a criminal offense. The amended Draft Ordinance was again sent to the City Council's Public Works Committee for them to review at their May 20, 2015 meeting.

This Motion/Ordinance effects only streets/sidewalks, not our City's parks. There had been a separate Motion submitted in early November 2014 recommending that the City Attorney be requested to draft an Ordinance that would "provide notice that personal property left in the park after the park closes may be subject to removal and short-term storage by the City." This Motion was approved by City Council in late January 2015 and the request was forwarded to the City Attorney's Office. As of mid-May 2015, no Draft to this effect has been prepared/presented. SHPOA will report on further status of both these items in future issues of the SHPOA newsletter.

*Up-Date: At the Public Works Committee meeting 7 representatives of the LA Community Action Committee (CAN) and 1 private resident of Koreatown all testified in opposition to having an Ordinance placed in the Los Angeles Municipal Code relating to the removal of "private property" from public streets and sidewalks. Despite the opposition presented at the meeting, thank goodness the Committee did approve the proposed Ordinance allowing for removal of "private property" from public streets and sidewalks.*

## Sidewalk Repair Trust Fund

*by Elektra Kruger*

For as many Motions that have been submitted to City Council over the years and are being discussed and debated over for those years, the City still hasn't managed to develop a program for repairing the many miles of damaged sidewalks throughout the City. The poor SHPOA newsletter editors have to pick and choose among the massive queue of articles I dump on them as I begin to follow each new Motion related to sidewalk repair that



gets filed with the City and begins its travel through the system of reviews, recommendations and votes.

In June/July, 2014, Councilmembers Paul Krekorian Herb Wesson submitted a Motion related to sidewalk repair that was so all inclusive there really should never have to be another one. It begins with a request that the City Council instruct the City's Administrative Officer to establish a Sidewalk Repair Trust Fund for all future sidewalk repairs. The Motion further recommends that the "50/50" program be reconstituted or that a similar cost sharing program for residential sidewalk repairs be designed and initiated in which any funds in the program be used exclusively for privately-owned residential properties, that funding be shared equitably across all communities and that an incentive program be created encouraging significant lengths of contiguous sidewalk to be repaired at any one time by prioritizing the application and/or increasing repair subsidies. It should be noted that it is against State law for the City to perform any sidewalk repair "gratis" for a property owner. If the City were to perform a repair, it must bill the property owner for the job. The use of the word "shall" in regards to this billing process in the State Streets and Highways Code precludes the City from absorbing ANY portion of the expense as would be the case in a 50-50 program.

The Motion recommended that a low-interest loan program be established that property owners could borrow from to make the necessary repairs with repayment to be secured by a lien against the home for any unpaid balance. Just as neighborhoods may be part of a Lighting District in which each household within that District pays an annual fee for street light maintenance, a similar Assessment District could be created for sidewalk repairs and maintenance if a neighborhood wishes to go that direction.

The Motion also asked various city departments to work together to develop a complaint-driven mapping and prioritization system to identify those sidewalks posing the greatest risk to City pedestrians. Further, the Motion asked that the City Council instruct the Bureau of Engineering to design and develop construction standards for sidewalks that would maximize mobility, that would increase groundwater recharge and stormwater infiltration capability, maintain in their design compatibility with any distinctive neighborhood or historic styles, be flexible enough to introduce new innovative construction technologies and materials as they are developed, and be flexible enough to work with pilot programs as they may be pursued. And finally it asks that the City Council to instruct the city departments to prepare and present a report recommending a system of certifying sidewalks for compliance of meeting standards of "good repair" and a means of notifying property owners that it is their responsibility to maintain sidewalks in a state of good repair.

There has been much debate about this repair issue including discussion about special taxation or a district assessment. I take particular exception to the argument that in older areas, sidewalks may only be 1" thick resulting in numerous potholes with travel being blocked by poles and signs which, while having been installed by the City, were permitted to be so installed by the property owner (?????). Do you think that you or I could prohibit the City from installing a pole/sign wherever it wished?

An inspection/enforcement program needs to be developed for those sidewalks with easements over commercial or governmental properties. The magic word here is "easement". Sidewalks are City easements over private property - not a feature adjacent to a property, public or private - which makes it the property owner's responsibility to keep the sidewalks in good repair. The only exception per code is when the disrepair is a function of tree root damage. The City is supposed to take responsibility for that. The enforcement program would begin with issuance of repair orders, if after a reasonable amount of time the repairs are not made a fine will be charged and those monies deposited in the Sidewalk Repair Trust Fund.

Let's see how the City responded to that letter in future issues of the SHPOA newsletter. 🐾

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**Removal of Private Property from our City Parks**

*by Elektra Kruger*

On June 16, 2015, the Motion to approve an amendment to the Los Angeles Municipal Code that would give the City the right to remove any “personal property” left on City Park grounds after daily closure time - if that closure time is posted somewhere on the park grounds - without notice to the property’s owner, but requiring it to go into short-term storage with the option of retrieval by the owner, was heard in City Council. The Motion also included a prohibition against the erection of tents on City grounds after closing time.

Hey, all I ever hear is complaints from stakeholders in the area here about how unhappy they are with the homeless erecting tents and camping out on our City parks and how they bring their shopping carts with all their worldly possessions in them and park them all over our City parks, yet when it comes to testifying in front of the City Council - the Council that must vote based on the wishes of their constituents - every person testifying testified against this amendment - every person testifying said they want to see the right to store private property on City Park grounds 24/7 retained and no one should be allowed to interfere with the erection of tents even overnight. Anyway, here is what happened during the course of the June 16, 2015 Los Angeles City Council meeting. Councilmember Nury Martinez added a Friendly Amendment to the Motion requesting that the Department of Recreation and Parks give priority in the queue of City Parks that would need to have signage erected to indicate Park closure hours to the top four Parks per District with the highest concentration of homeless.

A second Friendly Amendment was presented by Councilmember Mitch O’Farrell which was recommended by the Board of Recreation and Parks Commissioners requesting a one sentence clarification to the definition of “bulky item” to ensure that portable picnic tables and chairs would not be deemed “bulky items” to be prohibited by the Ordinance as these are items made available for public use by the Department of Recreation and Parks.

The re-written Draft Ordinance was held over to the June 23, 2015 City Council Meeting for a second reading. Councilmember Martinez’ Friendly Amendment was referred to the City Council’s Ad Hoc Committee on Homelessness for their review and recommendations. Despite the fact that our Councilmembers were bombarded with requests to vote “No” on this Motion and all those that testified urged the Council to oppose the Motion, the City Council did adopt the amended Ordinance at their June 23, 2015 meeting. It is now in the hands of the Mayor who has until July 6, 2015 to either approve or veto the Council’s vote. SHPOA will report whether the Mayor signs off on the Council’s vote to approve when pen is placed to paper.

*Up-Date: The Mayor neither outright vetoed nor signed off approval of the Ordinance sending it back to City Council telling them that in essence he approved of the Ordinance but that it needed to contain some reference to dealing with those who live in our City Parks because “they have no other choice”. Because the Mayor neither vetoed nor signed off approval it is policy that the vote of the City Council stands and the Ordinance passed being deemed effective July 18 2015. However the City has ordered the LAPD not to act per the new code and their hands are still tied in terms of removing private property from our City Parks.*

**Wildlife Watering Troughs in City Natural Areas?**

*by Elektra Kruger*

California’s ever-worsening drought affects not only the humanoid residents of the State, but its wildlife as well. The wildlife is leaving their natural habitat and entering urban areas in a desperate search for water, a search resulting in greater exposure to ourselves and our domestic animals. It



is unfortunate for wildlife to be destroyed for simply acting on survival instincts - the need to find water.

Understanding this, in early July 2015, Councilmember Paul Koretz submitted a Motion to City Council asking that they direct the Department of Animal Services, the Department of Recreation and Parks as well as other wildlife agencies and organizations to jointly prepare and present a report to the Council within 30 days with a plan to provide watering troughs or other means of providing water to wildlife in the City's nature areas such as the Sepulveda Basin Wildlife Area and Griffith Park including possible sources of outside donations and crowdfunding to put those plans into practice. The Motion was referred to the City Council's Parks and Animal Welfare Committees for their review and recommendations. To be updated in future issues of the SHPOA newsletter. 🐾

## Installation of "No Smoking" Signs

by Elektra Kruger

I am going to quote a paragraph from a Motion submitted to City Council over a year ago in late May 2014:

"Now that the Wild Fire season is upon us, in May rather than October, it is important to reinforce that smoking in hilly canyon areas of the City is a fire waiting to happen. The posting of No Smoking signs along canyon roadways, trailheads and other appropriate locations is a direct and simple means of reminding the public of the dangers of smoking in fire prone areas"

(The LAMC has already established "Very High Fire Hazard Severity Zones in hillside and canyon areas with prohibitions against open burning or smoking and requires the Fire Chief to take it upon himself to see to it that "no smoking" signs are posted in these zones).

Despite the fact that we have been in a drought for many years and we have been in severe danger of wildfire last year as well as this, it was not until the June 26, 2015 meeting of the City Council's Public Safety Committee that they pulled the Motion out of the dusty cabinet where they had filed it away and approved an amended version of the Motion asking that the City Council instruct the City Administrative Officer along with the Fire Department and the Department of Recreation and Parks identify funding for installation of said signs.

Groups that might be approached to sponsor the printing of and installation of signs might include Neighborhood Councils and Homeowners Associations. Also that the Fire Department, Department of Transportation and Department of Recreation and Parks recommend strategies for enhanced enforcement (what happened to the LAPD?). 351 locations have been identified to be in need of signs at an estimated cost of \$79,000 to not only install new signs, but also to repair a number of existing signs.

When taken to the floor of City Council, Councilmember Mike Bonin added a Motion that asks the City Council to instruct the City Administrative Officer to report back in the next Financial Status Report on potential funding sources for the fabrication and installation of the "No Smoking" signs in Very High Fire Hazard Severity Zones. Both the primary amended Motion and adopting Motion were approved at the City Council's July 29, 2015 session. Now, with fires raging throughout California, let's see if the City fathers can carry through with this and that it does not sit on the back shelf for another full year. 🐾

## Expedited Permitting Process for Rooftop Solar?

by Elektra Kruger

Over the last several years, the State has encouraged and prioritized the adoption of solar power as a renewable energy resource, yet local permitting processes governing installation



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of rooftop solar energy systems vary greatly in each local jurisdiction often resulting in extended delays in issuing needed permits. To address this bureaucratic wall, in late September 2014, the Governor approved a measure requiring all local jurisdictions to adopt an Ordinance creating an expedited and streamlined permitting process for small residential rooftop solar energy systems by September 30, 2015.

In response to this State measure, in mid-August 2015, Councilmember Felipe Fuentes submitted a Motion to City Council asking that they call upon the Department of Building and Safety, Department of Water and Power and the Office of the City Attorney to work together to prepare such an Ordinance for the Los Angeles City Council to review and adopt by the magic date of September 30, 2015.

The Motion was referred to the City Council's Energy and Environment Committee and Planning and Land-Use Management Committee for their review and recommendations. The Energy and Environment Committee waived consideration of the Motion probably because of the tight timeline within which they had to work. Of course the City had only itself to blame for this. The Governor signed the measure on September 21, 2014 and Los Angeles couldn't be bothered to start working on that State order until mid-August 2015 giving them just a month and a half to meet the State mandate.

The pressure was on the City Attorney to get a Draft Ordinance written up lickety-split, which he did. Elements of the Draft Ordinance included such things as qualified solar energy systems being eligible for on-line submission of permit applications, electronic signature of all forms, timely notice of any application deficiencies and consolidated and timely inspections. For a solar energy system to be eligible for the streamlined permitting process, it may not have a larger than 10 kw AC nameplate or 30 kw thermal rating, may only be installed only on a single family or duplex family dwelling and solar panels or module arrays may not exceed legal height allowances.

The Planning and Land-Use Management Committee agendized a review of the proposed Ordinance at its September 1, 2015 meeting. SHPOA will keep you abreast of the progress of this Motion in a future issue of the SHPOA newsletter. 🐾



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## Lopez Canyon Equestrian Projects

*by Elektra Kruger*

In mid-March 2015, Councilmember Felipe Fuentes submitted a Motion to City Council asking that they call upon the Los Angeles Department of Sanitation (LASAN) to:

- Report on the status of LASAN's plans for an equestrian staging area and recreational trails along the Lopez Canyon bufferlands including their anticipated timeframe for completion.
- Report on the status of ground settlement at the landfill and projected timeframe for post-closure stability and environmental restoration.

In 2010, LASAN prepared a development plan proposal for the landfill property which consisted of three phases:

- Phase 1: Improvements of the park located at the entrance to the landfill at Paxton and the construction of an Environmental Education Center to educate the public to the intricacies of composting and water conservation. This phase has been completed but not to the level of development first promised to the community. Councilmember Fuentes presided over the dedication ceremony of the Environmental Education Center in mid-April 2015. The Center now serves as an educational center for residents and students on the intricacies of composting and water conservation. It is located adjacent to the site where local residents may obtain free mulch or compost.
- Phase 2: Construction of an equestrian staging area and recreational trails. The preliminary design was completed in 2012 at a cost estimate of \$497,100. Collaboration between the City and community members on the design has languished unfortunately.
- Phase 3: Following land settlement and stabilization and reduced landfill gas production, end uses are proposed to fall into two groups - Additional LASAN uses and Community/Public uses. Examples of LASAN use could be such things as construction of permanent office, training and conference buildings. Examples of Community/Public uses would include both active and passive recreational opportunities such as a golf course, organized active sports facility, playground and hiking and equestrian trails.

LASAN, along with the CD7 staff, plan to once again reach out to the community to revisit the design of the staging area and the equestrian trails. For the last several years the proposed location of the staging area had been presented and discussed at a number of local venues including meetings of the Lake View Terrace Improvement Association and the Kagel Canyon Civic Association. There had never been any negative feedback from the community over a period of a couple of years and it was assumed, and hoped that, a simple Negative Declaration of its CEQA review would be adequate.

However, out of the blue, at a mid-May 2015 community meeting held at the landfill, several residents living in proximity to the proposed location of the staging area expressed displeasure at the choice of location as they were not equestrians and did not wish to have an equestrian element imposed upon them. So a simple Negative Declaration will NOT be adequate, but a time-consuming and somewhat expensive environmental impact report will have to be prepared, reviewed and accepted. In the meantime, LASAN had received unsolicited offers to place solar panels at the landfill and has secured the services of



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a consultant to study the feasibility of developing a solar power generation project on 23 acres of the landfill with a single, integrated funding plan and EIR including the solar and equestrian components.

The community has, by-and-large, had only negative feedback on the solar generating facility and, by-and-large, a very strong desire to have the staging area developed. So is this an attempt on the part of LASAN to play "give me what I want and I will give you what you want"?

A draft feasibility study has been prepared for the solar power generating facility which is now under review. LASAN claims to be committed to Open Space, but believes that "utilizing an area of the landfill that is not ready for public access for the next 20 years is a good candidate for increasing the renewable power generation in the LA basin." And after the 20 years - what are they going to do? Yank out the panels to make the land accessible for public recreational use? Of course not. That is the biggest concern the community has with the solar panel facility.

First it was the Truck Driving Academy (a project halted by the community), now a Solar Panel Facility - and there are still 20-25 years before the landfill will have settled/stabilized and gas production reduced to the point that the public may have free access to the land. That is 20+ years of more and more industrial complexes that will attempt to go in up there so what will be left as truly Open Space for public recreational use in those 20+ years? 🐾

To be continued in a future issue of the SHPOA newsletter.



### Permit Process for City Park Vending

by *Elektra Kruger*

In November of 2013, Councilmembers Price and Huizar introduced a Motion to City Council instructing the City's Chief Legislative Analyst to come up with recommendations for the creation of a permitting system for street vending. The City Council's Economic Development Committee has reviewed this Motion several times since then and continues to request further study by the Chief Legislative Analyst as well as community input.

Given that the City is working towards developing a permitting program for street vending, Councilmembers Curren Price and Jose Huizar felt that a similar program should be established for our City Parks and Recreational Facilities. To this end, in mid-June 2015, the Councilmembers submitted a Motion to City Council asking that they instruct the Department of Recreation and Parks to work with the Chief Legislative Office to develop a permitting process for vending in City Parks and Recreational Facilities that would be compatible with one developed for street vending.

The Motion further asked that the City Council instruct the Department of Recreation and Parks to create an extensive outreach/education campaign to inform the public of any law in regards vending as soon as it may become effective in City Parks and Recreational Facilities.

I have to admit that I am oblivious as to what forms of City Park vending are currently allowed and what are not. When street vending was first outright banned, the issue became entangled in a couple lawsuits and prohibitions against vending on both streets and in parks was suspended. Those lawsuits are now over and Motions to require permits to do so are in review in the City's political process.



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One of the biggest concerns facing our City Fathers is who might get sued if someone gets sick from ingesting any food items peddled on City Park grounds (or on public streets). Who would get sued if a child fell off a pony during a ride offered at Hansen Dam. The answer from the Senior Assistant City Attorney was - arguably the City. The legal battles that had ensued were over rights to "freedom of speech". Now that these legal battles, initiated mostly by vendors from the Venice Beach area, are over it became time for the City to reinstate restrictions in parks and beaches but, in so doing, to be very sure not to interfere with freedom of speech.

Under the new rules, a vendor would first have to obtain permission from the City doing so in the form of a permit UNLESS that vendor was selling any item suggestive of "freedom of speech" such as books they themselves had written or paintings they themselves had created or any items suggestive of freedom of speech such as newspapers or bumper stickers, etc.

Members of the Los Angeles Street (and Park) Vendor Campaign argued that the Park Department did not have a clear system of granting permits to park vendors and only have an understanding geared more toward large concessions such as the Hansen Dam Equestrian Center as opposed to a single individual offering pony rides or selling ice cream/fruits from a cart. As of late June 2015, the Motion has been referred to the City Council's Economic Development and Parks Committees for their review and recommendations. To be continued in future issues of the SHPOA newsletter. 🐾

