

Maricela Hernandez

From: David Litt <dlitt@selectmortgageca.com>
Sent: Monday, May 8, 2023 9:25 AM
To: Maricela Hernandez
Subject: RE: Council Agenda Item #2
Attachments: Consent Item #2 - May 10 2023 Council.pdf

Importance: High

Hello Maricela ---

Please place this email and the attachment in the council's package pertaining to item #2 on 5/10/2023. I as well may attend this meeting if the stars align.

I'm sharing with the council an internal email exchange I had back on 8/28/2021 with some directors at CPHA. Why? This was due to the CFO trying to push through an 'Allocation' plan that thank god was NOT approved that night. I subsequently give the history and logistics of the landscape funds to educate most in my camp. I am no longer a director at CPHA (resigned 3/31/2023 and was a director 18+ years). I wish to submit this as a citizen that resides in the LMD 22, the Park, LLD 22 and Zone 7.

I hope you will all read this, and IF I can speak that night what I will say should connect all the dots. As some of you know the CFO has train wrecked these funds and the overall operation and this must be fixed now.

Maricela please confirm receipt of this correspondence and that this will be included in the council and public package for 5/10/2023

Sincerely,

David Litt
23815 Park Belmonte
Calabasas, CA 91302
(818) 225-1500 office
(818) 225-1584 fax
(818) 203-9980 mobile

See the attachment from the city. This is very informative, accurate and you should be able to connect the dots.

<https://www.cityofcalabasas.com/government/public-works/landscape-district-division>

DL

From: David Litt <dlitt@selectmortgageca.com>

Sent: Saturday, August 28, 2021 10:51 AM

To: Richard Sherman <richardsherman@earthlink.net>

Cc: Stephanie Williams <stephaniewilliams1000@gmail.com>; Brian Cameron (Briancameron9@gmail.com) <briancameron9@gmail.com>; Shirley Greenberg <shirley@shirleygreenberg.com>; Ida Worth <idaworth@rossmorganco.com>; Carey Melcher <cmpinc@pacbell.net>

Subject: Re: LMD Calabasas

Richard thank you summarizing the events that unfolded. Very accurate and I do believe your great letter set the stage. I do appreciate you saying my persuasion helped delay the vote and process. I thought everything I stated was accurate. Of course a huge thank you to Shirley for alerting us to the shenanigans. I will explain later why I use that word.

Carey I read your emails. Very good information, however there are some talking points that ALL typically confuse and I must correct or we will continue to muddle the waters. I believe even the new CFO is learning and he must continue to be called out until he gets it right. Yes his statement about when he prepares the monthly statements was asinine, as he incurred a self-inflicted wound. 3-5 months behind and he admitted to at least 3 months behind today and it's on the back burner and he does it when he has time. How could he not understand how all the Zones/Hoa's had to stop business as we had no clue what the actual costs and balances were? He probably wanted to hide under the table after I spoke and he was exposed later by Mary Sue which helped seal the deal. He really should be fired and that department needs to know we need our statements no later than 30 days after the last day of the month.

We MUST start to differentiate between LMD22, LLAD22, 24, 27 & 32 and the Zones which are located only within LLAD22 (CPHA manages only one zone, which is the 'Classic' area under the Classic Calabasas commission direction - That is ZONE 7). And when we talk we should speak accurately or it continues to confuse the narrative. Yes the Ridge opted out of their one-time ago Zone and Carey that was most of your talking points and some good info to use down the road.

Some History (please correct me if anything is inaccurate):

* the city of Calabasas has 1 LMD, which is 22 and 4 LLAD's (22, 24, 27, 32) and one area of Zones, which is part of LLAD22.

* All CPHA members are part of LLAD22 and our Ad Valorem tax (the 1.00% base) funds LMD22 (this area serves the east side of Calabasas).

*. Property Taxes - All counties in California pay a 1.00% base tax; all other Property Taxes come from voted indebtedness; with a maximum Property Tax of 1.25% - cannot be higher; typically most pay between 1.18% - 1.22% and the amount varies based on the city and what that voted indebtedness is; example: LVUSD, bonds, etc.

*. LMD22 gets their funding from the 1.00% base county property tax assessment; this is called an 'Ad Valorem Tax'. It's pro-rated presumably by the population of that area, or the amount of paying tax payers and/or the amount collected.

IF the LMD22 does not have enough funds to fund all the projects within the LMD22 area then I presume they obtain the deficit from the city operating budget and NOT other budgets and especially the Zones; it's my belief the CAP proposed to the city council is misplaced and a sham as it will give unfettered access to the CFO to take funds from other accounts, which includes the Zones (I will detail later)

IF the city does not want to take the proceeds from any other budget then they need to make cuts to stay within that budget. Period.

*. LMD22, LLAD24, 27 & 32 have nothing to do with the Zones, which again only applies to LLAD22 and NOT LMD; LMD22 has their own role of maintenance and again the funds come from the 'Ad Valorem' tax; BTW...this is why you can use the lake even if you're not a member of CPHA (another discussion for another time). Each LLAD and Zones has their own budget and the CFO CANNOT apply his new CAP to any of this as all of the LLAD's is voted indebtedness. Period.

* Zones - the Classic area (un-gated area) is Zone 7 and again managed by CPHA under the direction of the Classic Calabasas Commission

To complicate matters, of the 458 members/residents approximately 280 are mandatory members of CPHA, 30 are voluntary members of CPHA and the remainder NOT under any membership of CPHA. So you have CPHA managing this for 170+ non-mandatory members of CPHA. A huge issue in multiple areas and one of the reasons why CPHA and these districts is so complicated.

The Zone fee is voted indebtedness and paid through your property tax bill. Unfortunately most of the confusion of your property tax bill comes from the differentiation between the LLAD and Zones. There is a line that states LMD, rather it should be called LLAD22 and/or Zone Fee or something similar. Again the LMD22 funds/budget comes from the 1.00% base property tax and the Zone fee is voted indebtedness. There is no way you can commingle these funds to fund something else within the city. Better to state the Zones cannot be part of the proposed CAP. If the council wants to continue to fund a bloated LMD22 budget then so be it. Not my choice, however one of the main reasons Calabasas is loved.

In summary, it's time all of us in Calabasas understand the difference between LMD22, the 4 LLAD's and the Zones, located only within LLAD22. Why did we have to scream and shout at the city and council? They can do their CAP program, however they CANNOT touch any Zone funds OR any of that LMD22 money. Precisely what the CFO was trying to get through, which would ultimately become a monumental disaster. It would allow the city to take from our voted indebtedness Zone funds and use them anyway they want. No way Jose. IF they don't want to manage the actual Zones any longer at actual costs for management then I guess we will have to opt out like Carey's Hoa the Ridge did and a

few others. Sounds like the CFO and city manager and council will have to scrap the CAP or tweak and take out the Zones and LMD22.

Please do not forward to any city council member or employee of the city as I would like to use this template for rebuttal once the city council agenda comes out on this item. Further if you feel there is anything inaccurately state, then bring it. If you think it's accurate and we'll stated then Richard please put this correspondence as part of our September package for discussion and/or direction.

Thanks to my other half Teresa for doing the driving so I could write.

Respectfully,

David Litt

Sent from my iPhone

On Aug 27, 2021, at 11:45 AM, Richard Sherman <richardsherman@earthlink.net> wrote:

Hi All,

CPHA had a very successful night at City Council on Wednesday. For various reasons, I do not believe that every Council member had a chance to see my email before the Council Meeting. I know for sure that the Mayor did.

David Litt in open comment persuasively presented the argument that the HOAs were given no notice about something of great significance and impact to our members. He also made a few other points one that the accounting is always months late and makes budgeting/planning very difficult. The CFO was not very responsive or in my mind convincing in his reply. He acknowledged that nothing had gone out to the HOAs. He also said that the books have not closed yet for June. Ron also used the "unfortunate" phrase that he gets it out the the HOAs "when I get around to it".

The council was very bothered by the lack of advanced notice to the HOAs and the the Library in particular.

Mayor Bozajian did not want to move forward on this Allocation plan until all groups were involved. That was voted down 3-2.

Both groups (HOAs and Library) were pulled out of the "new" allocation plan at least for now by at vote of 5-0. We were assured that there will be much more opportunity for the City to present their new proposed plan to us before any additional vote for implementation.

As a close follower of City Council for some time, I know that including stakeholders in the process is something very important to several on the Council including Mary Sue Maurer and Alicia Weintraub. They have advocated this open process for years.

David Litt and I communicated after the votes that we again may want to discuss if there is any fiscal advantage for CPHA to withdraw from LMD. The raises may be arbitrary for which we otherwise will have no say. With the economy of scale issue, I am not sure if this can be done but this is worthy of a good discussion.

Best,

Richard

Analuz Mendoza

From: Michael Russo
Sent: Wednesday, May 10, 2023 3:45 PM
To: Kindon Meik; Matthew Summers; Maricela Hernandez
Cc: Analuz Mendoza
Subject: FW: City Council meeting 5-10-23 – agenda item #2 – Public Comments

Bcc'd to Council

May be a duplicate.

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CITY of CALABASAS

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From: Joe Chilco <joe.chilco@gmail.com>
Sent: Wednesday, May 10, 2023 3:40 PM
To: info <info@cityofcalabasas.com>; Maricela Hernandez <mhernandez@cityofcalabasas.com>
Subject: Re: City Council meeting 5-10-23 – agenda item #2 – Public Comments

Hi,

I didn't receive an acknowledgment of receipt for this submission.

Could you please acknowledge receipt and confirm it has been forwarded to the City Council for tonight's packet.

Thanks,
Joe

Sent from my iPhone

On May 9, 2023, at 4:29 PM, Joe Chilco <joe.chilco@gmail.com> wrote:

City Councilmembers,

Please consider the following comments/questions with regard to agenda item #2, the adoption of various resolutions regarding certain Landscape and Lighting Districts.

In particular, these all relate to District No. 24, specifically to Deer Springs.

This text appears in the Preliminary Engineer's Report:

“Note: Traffic Generation Factor is based on information provided by the City of Calabasas in 1997-98. Due to minor changes in development in the area since this time, these results continue to be representative of the traffic generated in the assessment district.”

Question/Comment: I've lived in Deer Springs since 1991. Traffic generation is a huge concern in the area. To suggest that nothing significant has occurred since 1997-98 is questionable. Where is the hard data to back up this claim?

This text appears in the Preliminary Engineer's Report:

“ASSESSMENT METHODOLOGY

...In Fiscal Year 1997-98, the four Districts conducted an assessment ballot proceeding pursuant to Proposition 218; the assessment methodology was approved by a majority of District parcel owners and the City Council. The City reserves the right to implement the previously approved inflation adjustment in these Districts.”

Question/Comment: 1997-98 was 25 years ago – a quarter of a century. “District parcel owners” have changed significantly in that time. Why hasn't the City conducted a more recent assessment ballot?

This text appears in the Preliminary Engineer's Report:

“In Fiscal Year 2000-01, Mira Monte (Tract No. 52150) (Assessor's Parcel No. 2064-004-91 and its successor parcels) was annexed into LLAD 24, and **Calabasas View HOA, was detached from LLAD 24.**”

Question/Comment: Why was Calabasas View HOA detached from LLAD 24? It is directly above Deer Springs and adjoining Mira Monte, both of which are in LLAD 24. What LLAD is Calabasas View HOA now included within?

This text appears in the Preliminary Engineer's Report:

“For the areas where the CPI adjustments have been approved, **an attempt is made** to provide the same levels of service from year to year.”

Question/Comment: An attempt is made? “Attempt” is the weakest legal incentive. What are the criteria for determining compliance with that?

Landscaping on the east side of Calabasas Hills Road has been extremely poor for the past several years. Granted, we have all experienced drought. However, the watering lines on this stretch are all “reclaimed water” – not as restricted as homeowners using potable water. The rose

bush beds, which used to be flourishing and provided an aesthetic improvement, are mostly diminished in number and not blooming currently, even though every other rose bush on private homeowner property in Deer Springs is. The landscaping service provider uses a riding lawnmower. While I understand that it is not their job to clean up after pets, this machinery tends to fling around the dog feces all over the grass area and in some cases, the public sidewalk. I'm not sure how much of it's dirt left by the machinery's tire tracks (because there are patches of bare ground) or the other substance. Local residents run or walk with strollers every day on this stretch of road.

I'm not getting what I'm paying for. Who is monitoring the level of service provided?

The process for authorizing these assessments seems to proceed on "auto-pilot".

The justification and authorizations rely on information that is outdated by 25 years.

Just because residents don't take the time to read through pages of text is no reason for it to continue unabated.

I understand that a Consumer Price Index increase is allowed. Just because you can, doesn't mean you should.

What efforts are made to get the most cost effective service provider that will still do a "proper job of it"?

It is the City Council's responsibility to the residents, as our elected representatives, to be our "ears and eyes" on the matter.

I encourage you to ask questions that should be asked, some of which I've provided in my comments.

Thank you for your consideration and action on all of the above.

Joe Chilco
Calabasas resident
(address on file)