

# TPOA

## NEWSLETTER

FALL 2009



*Dave Garfinkle TPOA President*

### *It was the best of times. It was the worst of times.*

Dickens had it right. The last few months have seen some exceptional ups and downs for TPOA, Tarzana, and the city of Los Angeles.

First, TPOA. We have had the misfortune of losing three outstanding, longtime board members: Irma Dobbyn, Liz Tigar, and Kathy Delle Donne. Irma was a Tarzana resident for 45 years and a TPOA Board member for 42 of them, including 7-1/2 years as President. We wish our "conscience of TPOA" the best of everything in her new home in Issaquah, Washington, a suburb of Seattle. See the story by Cheryl Crane for more details.

Liz Tigar attended her first TPOA Board meeting 29 years ago. When Irma Dobbyn noticed her taking notes in shorthand, they immediately prevailed upon her to become secretary. She did an outstanding job of recording our deliberations from then until her recent resignation due to health considerations. Liz was TPOA President for one year, the de facto editor of this newsletter for many years, and she served as the secretary for our sister organizations, the Federation of Hillside and Canyon Associations and the Tarzana Neighborhood Council. Again, we wish the best of everything for our irreplaceable "word champ".

Kathy was a member of the Board for 15 years, serving as our Land Use champion, tirelessly reviewing Environmental Input Reports (EIR), meeting with developers to review their plans and suggest modifications to the benefit of both the developer and the community, and attending an infinite number of public hearings. Over the last few years her work as Chairperson of the Tarzana Neighborhood Council Land Use Committee has essentially superseded her TPOA efforts. In addition Kathy is President of the Ventura-Cahuenga Blvd. Corridor Plan Review Board and on the Board of the Tarzana Improvement Association. In those positions Kathy will continue to be a key player in protecting the citizens of Tarzana and the Southwest Valley on development and land use issues

On the positive side, we've gained two new, highly motivated board members. In 1952 Laura McNamara's grandmother bought the Tarzana house Laura lives in, "home" to three generations of Tarzana activists. Laura, who is pursuing her teacher's credential, was elected Secretary at the last TPOA Board meeting. Sandy Mittleman has been an active member of the Tarzana community for 40 years. A retired teacher and school counselor. Sandy is active in the revitalization of the Neighborhood Watch program in Tarzana (see her article) and she is co-chairing the TPOA community outreach efforts.

**Next, TPOA and the City.** It's been a busy time for items of interest to our community, most of it positive. An example is the election of an activist City Attorney. Gone are the days of Rocky Delgadillo, his backroom deals, and his isolation from the citizenry of Los Angeles. Carmen (Nuch) Trutanich is an activist. He has successfully defended the City against unwarranted lawsuits, provided the City Council and other City officials with specific legal guidance on critical issues.

## TPOA NEWSLETTER

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### BOARD MEETING SCHEDULE

**Second Monday of each month  
Except July and August  
7:30 PM  
at**

**TARZANA COMMUNITY &  
CULTURAL CENTER  
19130 Ventura Blvd.  
Tarzana, CA 91356**

and actively engaged with citizen activists. I represent TPOA on two newly formed citizen groups that meet periodically with the City Attorney' on issues of City interest, one on billboards and signage, the other as a member of the City Attorney Advisory Group. "Bully" (as some call him) he might be, but bully for him! His senior staff includes Jane Usher, the recent President of the City Planning Commission, who was instrumental in the formulation of the Baseline Mansionization Ordinance.

We've seen positive action on a number of critical issues including signage, where the City Council has outlawed all new off-site signs and the courts have thrown out Delgado's agreement to allow 800+ billboards to convert to digital; see Dennis Hathaway's article. Less successful is the fight against marijuana dispensaries; see Len Shaffer's article. There has also been positive movement on overturning the Density Bonus Ordinance, and reversing the onerous fees for appealing Planning and Building and Safety decisions. **The fight goes on!!**

### LONGTIME TPOA PRESIDENT IRMA DOBBYN LEAVES TARZANA AREA...Cheryl Crane

Irma Dobbynn attended her first Tarzana Property Owners (TPOA) meeting more than 45 years ago. It was a perfect fit. Irma agreed to serve as vice president of TPOA when another Tarzana dynamo and then president of TPOA, Louise Frankel, asked if she would run. Irma said she would, as long as she didn't have to be president. Well, Irma eventually went on to become a six-term president, plus filling in for 1 1/2 years when another president was replaced. She and her husband, Ed, recently moved to Issaquah, Washington, a suburb of Seattle, to be closer to their son Ned and his family. Until the move, she served either as a TPOA Board Member or President, working hard to improve the quality of life for the residents of Tarzana. Irma is one of those rare individuals who is both liked and respected by virtually everyone.

Irma recalls how nervous she was the first time she spoke at a Planning meeting. Several months later, then City Councilman Marvin Braude told her that she was "shaking like a leaf at her first meeting, but then noted she stood firm at the subsequent meetings. Irma was a fast learner.

Some of the projects in which TPOA was instrumental during Irma's tenure included

- The Vanalden storm drain;
- Protecting the zoning for single-family residences south of Ventura Blvd. and along a wide area of Tampa Avenue;
- Stopping the "Vanalden Ave. and Reseda Blvd. to the Sea" movement where developers wanted Vanalden and Reseda to be paved through to Mulholland thereby dramatically increasing traffic in the community;
- Getting the park dedicated at the south end of Reseda Blvd.

Irma read every Environmental Impact Report (EIR), analyzed developers' plans, responded to each issue, and attended hearings on

each. Since then. Kathy Delle Donne has picked up that torch through the Tarzana Neighborhood Council and capably represents Tarzana in numerous areas of planning. Tarzana residents owe so much to these dedicated people.

Irma's greatest disappointment was never having any kind of meaningful controls on signs and billboards, a problem with which we still struggle. Hopefully, that will change in the near future. Her greatest enjoyment was meeting community people and working with other activist-organizers who have so generously lent both their brains and brawn over the years. Now that Irma has moved. First Vice President Len Shaffer is TPOA's longest serving Board member.

Long-time TPOA members Nancie and Harvey Piccus recently reflected on how the Dobbys will especially be missed by the 12 other Tarzana residents who have had dinner with them every Friday evening for several years. Dr. Piccus, a retired Tarzana dentist, said that the members of the dinner group called Irma and Ed the "conscience of Tarzana" because of Irma's intense efforts over the last 45 years to improve the quality of life in Tarzana.

Irma came to the United States with her parents from Helsinki, Finland in 1922 when she was just 5-1/2 years old. After graduating from Bridgewater College in Maine, she married a tall, handsome U.S. Navy- officer, Ed Dobbyn, who would later serve on the USS Texas including the time it aimed its huge guns toward the German bunkers overlooking Omaha Beach on D-Day, June 6, 1944. Irma went on to teach many elementary and high-school students for a number of years. But as members of the military, Ed, Irma, and Ned lived in many different cities during Capt. Dobbyn's service in the Navy, including two years in Cannes, France. Irma jests that they moved so often she never had to do spring house-cleaning until they moved to Tarzana. She is also going to have to do that in Issaquah, although she may get some "help" from those cute great-grandchildren.

Irma and Ed, we all miss you so much and wish you the best of everything on this new adventure. And, Irma, "conscience of TPOA", thank you so much for everything you have done for Tarzana!

### **MANSIONIZATION ORDINANCE UPDATE...David Garfinkle**

As we have reported in prior articles, the multiphase Mansionization Ordinance is complex. There are three stages to the City's effort to control the incursion of

oversize houses into established neighborhoods.

#### **The first stage was the Baseline Mansionization**

**Ordinance**, unanimously passed by the City Council and signed by the Mayor, went into effect on June 29, 2008. It affects all single family residential property north of Ventura Blvd. It limits the maximum size of homes as a function of the zone and lot size. See the **Summer 2008 TPOA Newsletter** for a summary of the provisions.

**The second stage, underway now, is an ordinance to better define the hillside area.** The Ventura Blvd. boundary was initially established as a matter of convenience, as detailed topographic maps were not available. As part of the Baseline Mansionization Ordinance, the Planning Department was tasked to use the currently available detailed topographical maps to more accurately define the boundary between hillside and flatland. In Tarzana, the proposed boundary line is somewhat irregular, but, going west to east, basically follows Wells to Topeka, with a dip south around Vanalden, then follows a line drawn approximately connecting Brewster to Tarzana. The proposed Hillside Areas Definition Amendment recently was unanimously passed by the City Council. However, the ordinance must be formalized by City Attorney's Office before it can take effect. While only a formality, this may delay-implementation until after the first of the year.

#### **'The third stage, still in early planning, will be to develop a Hillside Mansionization Ordinance.**

Although the ordinance is early in the development process, indications are that the maximum by-right permitted home size will follow the provisions of the Baseline Mansionization Ordinance, but will include additional limits based on the lot slope. The Baseline provisions would apply to all lots with 15% or less slope. For each 15% increase in slope, there would be a further decrement in the maximum home size. There will be a series of public forums as well as hearings before the PLUM and full City Council before any ordinance is adopted.

There is one further concern. One of the provisions of the Baseline Mansionization Ordinance, added at the request of Councilman Cardenas, was that the Baseline Ordinance "sunset" in two years if no Hillside Ordinance is adopted. As the Hillside Ordinance is still in the early stages of the development and adoption process, there is concern that it will not be adopted by the June, 2010 sunset deadline. However, the Baseline Ordinance may be extended by the City Council by resolution. TPOA will bring our concerns to the attention of Jonathan Brand, Councilman Zinc's Chief Planning Deputy and Brian Perry, his Chief Legislative Deputy.

## **MEDICAL MARIJUANA IN LOS ANGELES.....Leonard Shaffer**

In 1996 the people of California passed the Compassionate Use Act, a proposition that allowed seriously ill persons to use medicinal marijuana. In 2003 the state legislature passed the Medical Marijuana Program Act to help clear up some ambiguities and to expand certain parts of the Act. Control of establishments supplying medical marijuana to patients was left up to the individual cities. Some cities have enacted control and zoning ordinances and others have banned the establishments all together.

In November 2007 when a moratorium was enacted, there were 186 medical marijuana dispensaries in Los Angeles. Today it is estimated that there are as many as 1100. There are 7 or 8 in Tarzana. Since November 2007 the City Council has struggled with what to do about medical marijuana. Many neighborhoods have seen an increase in crime associated with the dispensaries. The operators of at least one of them on Ventura Blvd. in Tarzana were robbed at gun point. There have been claims that some dispensary owners have engaged in sales to minors. Many of them advertise on the internet and in local papers. Steve Lopez of the LA Times wrote an article about how, for \$150. he got a doctors recommendation to use marijuana to relieve back pain and his visits to two dispensaries to obtain his medicine. Had the process not been so easy, it might have been funny. The Los Angeles City Attorney is of the opinion that State law does not allow for the sale of marijuana to anyone but does allow care givers and patients to join together in collectives to cultivate marijuana for medical use. They have proposed an ordinance that will allow care givers and patients in Los Angeles to form non-profit collectives for the purpose of cultivating and supplying medical marijuana to the qualified patients. This proposed ordinance, now in its fifth revision, has been the subject of numerous, contentious, public hearings. The ordinance would control who could apply for permission to open and manage a collective; how *far* they would have to be from schools, religious institutions, play grounds, other designated sensitive uses and other collectives; and various other conditions. The two most contentious issues involve how the marijuana is obtained and how it is distributed. The proposed ordinance would require that the collectives cultivate their own marijuana on site and would ban sales while allowing the care givers to be reimbursed for expenses. The advocates for the dispensaries insist they must be allowed to sell the

marijuana in order to make enough money to stay open. They also claim that they would not be able to grow enough marijuana fast enough to comply with the new ordinance.

The last hearing on the matter was before a joint meeting of the city council's Public Safety and Planning and Land Use Management committees. At the hearing on November 16<sup>th</sup> committee members offered a number of changes to the ordinance. The next stop will be the City Council where the ordinance along with the changes will be considered. If all goes well, the Council will pass an ordinance on November 18<sup>th</sup> and it will go to the Mayor for his signature. Although there is disagreement among the different factions as to just what the ordinance should say, everyone agrees it's time to put something in place. We'll let you now how it works and if the City Council can, after 2-1/2 years can finally agree on an ordinance.

## **COYOTES ARE HERE TO STAY...Terry Saucier** *How to Coexist Safely*

Coyotes are quickly adapting to urban areas as their natural habitat shrinks and are becoming a regular sight in many of our neighborhoods. There have been a number of sightings in Tarzana in recent months and a number of accounts of pets being attacked by coyotes. According to the California Wildlife Center, a nonprofit organization dedicated to the rescue, rehabilitation and release of a wide range of native species, there are a number of steps you can take to avoid attracting them to your yard and to coexist safely:

1. Do not feed coyotes. This will cause them to lose fear of people and escalate conflicts between coyotes and people.
2. Coyotes will feed on human refuse, therefore be sure to secure your garbage cans properly.
3. Do not leave pet food outside.
4. Erect walls and fences at least 6 feet high and 6 inches below ground to keep coyotes from jumping over them. You can try installing a "coyote roller" at the top of your fence. It is also useful for those who have dogs that like to jump out of the yard. The link is <http://www.coyoteroller.com/home>
5. Keep pets indoors, especially cats and smaller dogs. When letting your dogs out, be sure to keep a watchful eye on smaller dogs. Coyotes generally hunt at dusk, sunset, and at night, however they have been seen during the day.
6. Do not let your smaller pets out alone at dawn or twilight. Coyotes learn which yards have small

animals and have been known to hide in backyards and catch the pets as soon as they come out the back door. This has happened several times in our neighborhood. Go out with your pet at these particular times.

- 7. Use loud noise to discourage coyotes from approaching homes and people; they should retain their fear of people. When walking you may wish to carry a whistle or air horn.
- 8. Do not use poison to kill rodents. You may inadvertently kill coyotes and other wildlife that prey upon rodents. Coyotes are opportunistic omnivores (they eat both animals and plants), but their primary diet consists of rodents.

Other information of interest includes — they are native to western North America, and they are an intelligent predator, often tracking their prey using a sense of smell. Their average size is that of a medium dog, about 20-30 lbs. They are known to mate for life and communicate with 11 different sounds, body language and scent.

For more information about coyotes and how to coexist safely, contact Gregory Randall, Animal Regulation, at [Gregory.Randall\(g\).lapd.lacitv.org](mailto:Gregory.Randall(g).lapd.lacitv.org) or the California Wildlife Center at (818) 222-2658 or [admin@californiawildlifecenter.org](mailto:admin@californiawildlifecenter.org).

**PLANNING AND ZONING ISSUES.....**

**Leonard Shaffer**

Over the past few months Tarzana has been represented at a number of hearings concerning land use matters affecting our community.

**18731-43 Topham St & 18800 Calvert St.** - Three commercial businesses that have been operating on residential lots along Topham just west of Yolanda (next to the .Discovery School) applied to have their zone variance extended in order to continue in operation. The properties had fallen into disrepair over the years and needed to be cleaned up to match the newer residential areas to the west. After on site meetings with the business owners and their representative it was agreed that the community would support a five year extension of the variance starting in February of 2011. The business owners agreed to landscape the frontages along Topham, and replace the old fences and gates in order to give the lots a more residential look.

**6100, 6012 & 6120 LindleyAve.** - Child's World School at the northeast corner of Lindley and Topham requested a conditional use on the two properties to the north in order to expand from 110 to 210 students.

Although the school is actually in Encino, it has an effect on the neighbors on the west side of Lindley.

After certain conditions were agreed to by the owners of Child's World, the community supported the conditional use request.

**5429 LindleyAve.** -Temple Judea requested a conditional use permit for an expanded temple and religious school and a parking variance for a reduction in parking spaces from 327 to 228. Public hearings were held where some of the neighbors requested certain conditions be imposed regarding walls, gates, landscaping and trash containers. It was also determined that, except for two times each year, the reduced parking would be adequate for normal usage. After the Temple agreed to various conditions the community supported the requests.

**18454 Oxnard Street** - The old Frisky Kitty, re-opened under new ownership with a new name, Babes 'N Beer. The Department of Building and Safety determined that the previous conditional use permit allowing the service of alcohol had expired because it had not been used for 6 years. The bar was told to either stop serving alcohol or shut down. The owners appealed the order to the Department of Planning which, after a public hearing, upheld the order. At this time it appears the owners did not file an appeal of the ruling and it has become a permanent order. We will have to wait to see if the owners file for a new conditional use permit.

**TRANSPORTATION REPORT.....**

**Max Flehinger**

There have been relatively few traffic issues in Tarzana in the last few months.

**Pedestrians crossing Clark Street.** The Tarzana Neighborhood Council is attempting to find a way to protect pedestrians as they cross Clark Street, between the Gelson's and Vons shopping centers. The presence of so many driveways in a short distance makes this a dangerous place to cross the street. Many near-accidents have been reported.

**Unhitched advertising trailers.** Most of the advertising trailers have been removed from Tarzana, except for the one on Tampa, immediately south of Victory. Reseda NC is working with us on this. In addition a trailer, attached to various vehicles at various times, is frequently on Tampa, under the 101 Freeway. To report a violation of *any* parking ordinance, including the trailers, call Parking Enforcement (818-752-5100)

**Rosita and Ellenita.** The TNC has requested parking restriction on the south side of Rosita. immediately west of Ellenita. so that drivers, turning right or left from northbound Ellenita will have a better view of cars coming down the hill.

**L.A. City Bicycle Plan.** In September, the City proposed a new bicycle plan. Public input on the plan was to be accepted only until early November, but the Bicycle Advisory Committee, neighborhood councils, and other interested organizations and individuals are requesting that the cut-off date be extended to January 8 of next year. Copies of the plan are available at [www.lacity.org](http://www.lacity.org).

**Speeding on Reseda Blvd./Mecca.** Senior Lead Officer Scoggins reports ongoing speeding in both directions between Ventura and the top of the hill to the south. There has been some attenuation by diligent police enforcement and many citations have been issued. Enforcement will continue and more citations are certain to be issued.

**DOT MOU.** A committee representing neighborhood councils is meeting with representatives of the L.A. Department of Transportation to create a memorandum of understanding (MOU) that will define the relationship between the LADOT and the neighborhood councils, similar to the MOU with the Department of Water and Power.

**Billboards .....Dennis Hathaway, President, Coalition to Ban Billboard Blight**

Digital billboards have moved to center stage in the ever-changing drama of the City's often conflicted attempts to keep both legal and illegal advertising from overwhelming the visual environment. Earlier in November, a superior court judge threw out the 2006 lawsuit settlement that gave Clear Channel and CBS the right to convert 840 conventional billboards to digital, and the City Council's PLUM committee met November 17<sup>th</sup> to begin considering what to do about the 101 billboards that went up before the City enacted a moratorium late last year. Some council members clearly want to steer a course between citizen demands that permits for those billboards be revoked, and cries from the billboard companies and their allies in the business community that a deal is a deal and shouldn't be reneged on, even if that deal was so bad that the judge termed it "poison."

Another contentious issue expected to soon come before the City Council desk is the proposal to cover the

freeway-facing facade of the L.A. Convention Center with billboards. Despite alarms raised over the potential to distract motorists and create a safety hazard, and concerns about the propriety of selling advertising on a city-owned building, the City Planning Commission approved the proposal with a single no vote; a number of City Council members have voiced their support.

The courts continue to be one of the busiest venues for billboard issues, with more than 20 lawsuits still pending against the City. The good news is that the new ordinance banning all off-site signs without any exceptions has survived two attacks in federal court, the most recent coming just in early November. Unfortunately, this hasn't stopped some companies from putting up supergraphic signs. These "wallscapes" have become a common sight along major commercial streets and on buildings visible from the freeways. In some cases, the companies have succeeded in getting federal court injunctions, but others are simply cases of rogue companies plastering the viewscape with ads ; the penalties for breaking the law are no real deterrent, compared to the revenue they generate.

Two court cases of great significance are now pending before the 9<sup>th</sup> Circuit Court of Appeals and the U.S. Supreme Court, respectively. The first. World Wide Rush v. Los Angeles, is the City's appeal to last year's federal court ruling that the City's off-site sign ban was unconstitutional because of exceptions allowed for sign districts, specific plans, and approved development agreements. A ruling is expected within the next 6-12 months. In the other case, Metro Lights v. Los Angeles, the sign company is asking the high court to review a 9<sup>th</sup> Circuit decision that said that the City could allow commercial advertising in bus shelters, kiosks, and other "street furniture" and still ban off-site advertising signs on private property. The court is expected to decide at any time whether or not to take the case, which could have great significance for sign control efforts not only in L.A. but all over the country.

Finally, the City's long-stalled billboard inventory and inspection program has completed a street-by-street count of all billboards in the City. The results of that inventory are being compiled, and Building Department officials have said that by the first of the year people will be able to go to the department website, enter the address on which a billboard is located, and get detailed information and the status of permits issued for that sign.

Visit [www.banbillboardblight.org](http://www.banbillboardblight.org) for more detail on these and other outdoor advertising issues.

**NEIGHBORHOOD WATCH .....Sandra Mittleman**

Tarzana Neighborhood Watch is once again visible in our neighborhoods. We have at least two active areas due to the diligent work of Natalie Sultan, Sue Ellmore, Sue Deckman, Willard Simms, and Ginny Stevenson.

There are a number of reasons for the renewed interest. There has been a rash of burglaries and attempted break-ins; the number of these has decreased in the past two months due to public awareness and neighbor actions. People have been seen going through trash; watchful neighbors have provided police with license plate numbers. Empty prescription bottles have been strewn on the street from the medical marijuana store fronts. There have been incidents of transients living in unoccupied houses and an increase in loitering by nonresidents in our neighborhoods. Increased awareness by all of us is necessary. Tarzana Neighborhood Watch groups are forming in Tarzana, signs are up in Tarzana, and more groups and signs are coming up shortly.

If you would like to start a neighborhood watch group on your street or in your immediate neighborhood, first contact your neighbors and see if they are interested (you can put a letter in their mailbox). If you think you have enough to start a group, contact Senior Lead Officer Daryl Scoggins at 35838@lapd.lacity.org and he will help you with the process. Officer Scoggins also hosts periodic Tarzana-wide Neighborhood Watch meetings.

**THE HILLS ARE ALIVE..... Halli Mason**

Unfortunately not just with the sound of music, but a menace called Pampas Grass (*Cortaderia selloana*, and *C. jubata*). This grass comes from Argentina and has invaded our neighborhoods. It produces thousands of seeds which can travel up to 20 miles, carried by the wind. It provides perfect shelter for breeding rats as no predator will go near those razor-sharp blades of grass. It rapidly grows in height and girth and can easily reach 10 feet in 3 to 5 years. The outer perimeter stays green while the center dries out and becomes a fire hazard. One flicked out cigarette butt from a passing car could set off a fire with unforeseen consequences. The aggressive roots seek out water sources and can block sewer and other pipes. PG is not the only invasive weed in our gardens; Arundo, Tree of Heaven and Castor Bean are also quite bad.

The LA County Weed Management Area (CWMA) entered into a Memorandum of Understanding (MOU) with many environmental organizations wherein they state that weed (and PG is one of them) infestations reduce biological, agricultural, recreational and economical value of the land and have negative impact upon the environment by suppressing native plant species. Some of the key issues covered are education, inventory, monitoring, prevention, early detection and prevention of their spread.

\$1.5 million were included in AB 2479 for the State's network of Weed Management Areas (WMA) signed by-Governor Schwarzenegger back in 2007.

When the plants are young, they can fairly easily be pulled out by their roots. As they get bigger and can no longer effectively be dug out, it might become necessary to cut them all the way to the ground, remove all the plumes (so the seeds will not disburse) and have a licensed herbicide applicator spray them to prevent re-growth. A follow-up treatment might be needed and, of course, keeping vigil of new plants emerging and their prompt removal.

Very good information is available on the *California Invasive Plant Council's* website at <http://cal-ipc.org> and the *California Native Plant Society's* website at <http://cnps.org>. The Mulholland Scenic Parkway Specific Plan has a list of prohibited non-native plants.

Anything we can do to actively combat this invasion in our neighborhoods, would be an important step in hopefully gaining the upper hand.

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e-mail comments and suggestions to:

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Attend our Board meetings, the second Monday of each month