

BOE

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Jennifer DeNicola, a mother of two children. "The district cannot expect to achieve this trust unless the testing and the remediation are done timely, transparently and are verifiable."

PCBs, lead and other toxins were discovered in the Malibu Middle School quad during an environmental review of the campus in 2010, but the district did not widely inform parents of remediation work performed in 2011 to remove the contaminated soil. Some teachers at the campus believe the toxins may be responsible for a series of health issues among the staff, including several cases of thyroid cancer.

The issue of communication between the BOE, which consists of Santa Monica residents, and the

Malibu community, was brought up several times, including by Malibu City Councilman John Sibert. Boardmembers defended the district's response to findings of elevated toxins on campus, arguing that continued emails to parents from Supt. Sandra Lyon and updates on the high school website had kept parents informed.

"We're a little bit baffled about what suggestions you might have about communications, because I do think our superintendent has been doing her best about communication," Boardmember Laurie Lieberman told Sibert. "[She has] been putting out weekly updates."

Sibert suggested sharing the latest information about the testing process on the City of Malibu's website, and several boardmem-

bers said the city could easily take information from its own website.

They also said making sure testing met standards from state and local government agencies explained why contaminated soils had not yet been tested after health concerns raised by some MHS teachers were first made public in early October.

The district conducted air testing of classrooms over winter break in the main middle school building, through previous consultant the Phylmar Group, but has yet to test soil on the campus. It plans to have the soil tested by Environ, an environmental consultant hired after the district parted ways with Phylmar, and the state's Department of Toxic Substances (DTSC) as well as the Environmental Protection Agency (EPA) are also involved.

In a prepared statement before public comment, Lyon said the district continues to hear a "lot of criticism about reporting and communication that was done during initial investigations."

However, she said that while she knows "how frustrated everyone is," working with both Environ, state and federal authorities, "we can't be [both] quick and thorough."

DeNicola requested the district hire an independent environmental expert, chosen by Malibu Unites, who would work alongside Environ, the EPA and the DTSC. The contractor would be granted access to all environmental reports, raw data and input on testing protocol. DeNicola also requested the district expand its scope to include tests for air, soil, water and dust testing at the campuses of Juan Cabrillo Elementary

School, Malibu High School and Malibu Middle School.

When Boardmember Oscar de la Torre asked DeNicola if she was requesting the district pay for the independent expert and the extra testing, DeNicola responded that "we have a couple of different choices, but what we're asking is that you set aside funds."

Later, de la Torre also asked Malibu City Councilmember Laura Rosenthal, who spoke on the issue, to comment on whether the City of Malibu would be willing to contribute funds toward the independent expert.

"I would need to look at that," Rosenthal responded. "I know the parents, always open to looking at that and vetting that at the city council level."

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Parents lobby board to halt rodenticide use at MHS

Another issue Malibu Unites lobbied for last week was the discontinuation of rodenticides at Malibu High School and Middle School. Noting that MHS is located in a rural area, parents presented the issue as both an environmentally risky practice and a safety concern for children and pets.

City council candidate June Louks, founder of the Malibu Agricultural Society, which has campaigned for a ban on rodenticides, is a mother of two children at the Malibu High and Middle School. She petitioned the board to cease using rodenticides, noting that the City of Malibu had passed a resolution against the use of rodenticides

in local stores, while state and national bans were currently under consideration.

"With all these efforts, if we're still using rodenticides at our high school, we are failing to be stewards of our planet. The amount of poisons that are being routinely poured on our local Malibu High School ground that our children are being exposed to is, I think, criminal."

As alternatives, Louks suggested installing owl and raptor boxes to "encourage ecological balance," plant beds of native flowers which deter squirrels, clean up after ball games and events to reduce trash and install lids on trash cans.

Campaign

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"That's just her throwing it back on [our campaign.] She's smearing us saying we're smearing her. We're not, we're just getting it out there to show people what she has said. She has a record, and people need to see it," he told *The Malibu Times*.

The other council incumbent, Lou La Monte, sided with Rosenthal and said the campaign has taken on an unprecedented negative tone.

"I don't remember campaigns in Malibu being quite this bad. I remember we ran last time [in 2010] there were 10 candidates... everybody had different opinions, ideas, it never turned into anything nasty like that," La Monte said. "The issues came out, which is really what elections are supposed to be all about."

"Whatever you put out there on the public record is open to interpretation whether it's good, bad or ugly," Patterson countered.

One of the emails released is of April 2012 correspondence between then-Mayor Rosenthal and then-Malibu High principal Mark Kelly over the school's athletic program, of which Rosenthal's son was a part of at the time.

She urged Kelly to fire Malibu High athletic director Eric Neier and complained of a malfunctioning scoreboard, muddy sports fields and chaotic parking.

"Do you really think he does a good job or even an adequate job? I know that athletics isn't very important to you or our district, but it is to a lot of kids and their families," Rosenthal wrote. The email was sent from Rosenthal's personal email account and includes a "Mayor, City of Malibu" signature line, which Patterson and Lyon believe was an abuse of her power as mayor.

When asked about the email, Rosenthal told *The Malibu Times* that the messages were taken "out of context." She and Kelly often worked closely when it came to high school athletics, Rosenthal said.

Kelly affirmed Rosenthal's side of the story.

"I would not have deemed that as a communication on behalf of the mayor and the city of Malibu," he told *The Malibu Times*. "I had that [type of communication] with her and other parents. I did deem that as a communication as a parent."

At the time, Rosenthal's younger son was a student at the high school.

Nonetheless, Patterson believes Rosenthal's title could be portrayed as a representation of the city at the time.

"When it has the mayor's

"Whatever you put out there on the public record is open to interpretation whether it's good, bad or ugly."

HAMISH PATTERSON
CITY COUNCIL CANDIDATE

"It's not the Malibu that I want to live in where people smear and misrepresent other candidates, because it puts a damper on quality people."

LAURA ROSENTHAL
CITY COUNCILWOMAN AND INCUMBENT

official title on it, they're both wrong," he said.

Malibu High contamination

Rosenthal has also come under fire from opponents over allegations that she knew of toxic soils being discovered at the Malibu High/Middle School campus in 2010 and failed to act on the revelations.

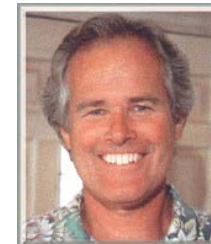
At a council candidates forum on March 5, Rosenthal said she received a report on the contaminated soil in 2010 while she was a member of a Measure BB site committee, but was assured by district officials that all bases would be covered in alerting parents, teachers and students.

But shortly after the forum, she blamed a memory lapse and called it an incorrect admission.

"I didn't correctly remember [during a recent candidates forum]...I was already off the BB advisory committee when they discussed the contamination issue," Rosenthal said. She said she resigned from the committee in April 2010 to focus on her first city council campaign. The BB committee was first informed of the toxins in August 2010.

"She's never owned it. She goes on to say she misspoke," Patterson said. "She's trying to split hairs. She knew exactly what was going on down there. It shows her utter incompetence."

Later that year, the same report was presented on a Board of Education consent calendar but received no public comments.



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#106 \$950,000	#102 \$725,000	#32 \$455,000	#53 \$240,000
#158 \$855,000	#59 \$520,000	#192 \$445,000	#21 \$235,000
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#280 Listed at \$495,000 #153 Not Listed #84 Not Listed

POINT DUME CLUB - SOLD 2013

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