

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, April 11, 2005

MINUTES

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

A regular meeting of the City Council of the City of Hidden Hills was duly held in the Council Chambers at the City Hall, 6165 Spring Valley Road, Hidden Hills, California 91302 on Monday, April 11, 2005 at the hour of 7:30 p.m. Mayor Ronald Berg called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:

Mayor Ronald S. Berg
Mayor Pro Tem Jim Cohen
Council Member Monty Fisher
Council Member Stuart E. Siegel
Council Member Steve Freedland

Staff:

Assistant City Attorney Roxanne Diaz
City Engineer Dirk Lovett
City Manager Cherie L. Paglia

APPROVAL OF AGENDA

Upon MOTION of Council Member Freedland, seconded by Council Member Fisher and unanimously carried, it was resolved that the agenda for the April 11, 2005 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Berg announced that the Hidden Hills Horsemen were conducting a vet clinic on Sunday, April 17th, and that anyone interested should contact Claudette Rice for additional information.

AUDIENCE

There were no questions or comments at this time.

OLD BUSINESS

Consideration of Approval of Community Assistance Application from Calabasas High School Grad Nite Committee

Rebecca Lascoe, a member of the Calabasas High School Grad Nite Committee, and Susan Sanett, a resident of Hidden Hills since 1978 with two children currently attending Calabasas High School, introduced themselves to the Council.

Mayor Berg informed everyone that the Grad Nite Committee was requesting \$1000, and asked what that money would be used for. Ms. Lascoe responded as follows:

Every year the PFC (Parent Faculty Club) sponsors a safe and sober graduation party; after graduation on 6/17/05, students are taken on buses to an undisclosed location from 10:00 p.m. until 5:00 a.m.; this keeps the students from attending other parties where they may not be safe and sober.

As there was funding in the budget, and this event is very beneficial to graduating seniors, including those from Hidden Hills, upon MOTION of Council Member Fisher, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve a Community Assistance grant in the amount of \$1000 to the Calabasas High School Grad Nite Committee to help provide a safe and sober graduation party. Ms. Lascoe and Ms. Sanett both thanked the Council for its support.

PUBLIC SAFETY

A. Consideration of Adoption of Hazard Mitigation Plan and Proposed Resolution

Terry Dipple, Executive Director of the Las Virgenes Malibu Council of Governments (COG), provided the following report:

A Hazard Mitigation Plan (HMP) is required by State law; the five cities in the COG chose to prepare a regional HMP, for which the COG received a grant to assist in the preparation of the plan; this reduced the costs that the cities would have had to pay if each had prepared an individual plan; the HMP has been prepared and sent to the State Office of Emergency Services (OES), from which the COG is awaiting a response on the plan; he worked with the Assistant City Attorney on the preparation of the proposed resolution for the adoption by the City of the HMP.

Assistant City Attorney Roxanne Diaz informed the Council that if a city does not adopt a HMP, that city would not be eligible for certain FEMA monies in case of a disaster. She added that since this requirement became effective last year, every city in the State is adopting such a plan, whether individually or regionally.

Council Member Freedland wished to know how much Hidden Hills may have saved by having the COG prepare the HMP. Mr. Dipple stated that OES estimated a cost of \$35,000 - \$50,000 for a small average sized city to prepare a HMP. He further stated that Hidden Hills did not have to expend any funds for the plan, as the grant paid for most of the preparation costs, with the remainder of the costs coming from the COG reserve funds.

Council Member Siegel pointed out that this was another example of a fiscal and public safety benefit of being a member of the COG, in addition to the increased communication between the five cities. Upon MOTION of Council Member Freedland, seconded by Council Member Siegel and unanimously carried, it was resolved to adopt by title only Resolution No. 762 entitled: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS APPROVING THE CITY'S HAZARD MITIGATION PLAN.**

B. Emergency Antenna At/Near Round Meadow Gatehouse

As Kim Gagnier was not yet in attendance, the Council chose to address this item later in the meeting.

C. Designation of City Representative for Disaster Management Area B Governing Board

Emergency Services Director Jim Doran provided the following background information:

The County is divided into several different areas; Hidden Hills is in Disaster Management Area B with seven other cities that work together to prepare for disasters on a regional basis; a Joint Powers Authority (JPA) was recently established, with the County being a part of the JPA; there is a Governing Board, which among other things, has the responsibility to adopt by-laws (which are just about ready for adoption at this time) and to hire a Disaster Management Area Coordinator (DMAC), for which the Board will be preparing a job task analysis.

The City Manager informed the Council that money has been accumulating and held in an escrow account for Area B, and because of the establishment of the JPA, that money will now come to Area B to hopefully cover the cost of a DMAC for several years. Mr. Doran added that this money is federal funding (an Emergency Management Program grant) that comes through the State to the County and Area B to help provide for the preparation and planning for disaster events. Without the JPA, the money would stay with the County.

Council Member Fisher asked why the five local cities were grouped in Area B with cities further north. Mr. Doran thought at first it was a little strange to include Lancaster, Palmdale and Santa Clarita with our area cities, but it is actually a benefit. He went on to further explain that if our area suffers a disaster, those three cities may be far enough away to not be affected and can thus provide aid, as we could for them if the situation was reversed.

Upon MOTION of Council Member Freedland, seconded by Council Member Fisher and unanimously carried, it was resolved to officially appoint Emergency Services Director Jim Doran as the City's representative on the Governing Board for Disaster Management Area B.

D. Consideration of Appointment of Public Safety Commissioners

The following staff report was presented by City Manager Cherie Paglia:

Per the City's Municipal Code, three seats on the Public Safety Commission are up for appointment during this odd-numbered year; the two incumbents have applied for reappointment; there is one vacant seat, which occurred when Dr. Fred Dubick moved from the City near the end of last year; interviews of all four applicants were conducted by two of the Public Safety Commissioners whose seats were not up for appointment.

As recommended by those Public Safety Commissioners who conducted the interviews, upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Cohen and unanimously carried, it was resolved to reappoint Jim Doran and Gabe Nussbaum, and to appoint Mark Deitch, to the Public Safety Commission, each to serve a two-year term effective May 1, 2005 through April 30, 2007.

B. Emergency Antenna At/Near Round Meadow Gatehouse

Gate Committee Member Kim Gagnier addressed the Council as follows:

The conduit from the gatehouse underneath the roadway has been located; Mike Zacha has completed the trenching and placed the additional conduit to the flagpole location; the flagpole is here; she is aware that the base design must be ICBO approved; she was finally able to find one company (the one that provided the flagpole) that can provide a base design that has been certified by a California certified engineer; this should arrive by Wednesday, at which time it will be provided to the City for approval and any necessary permits; Mr. Zacha will be able to build the base, with the cement needing 1-2 days to dry; the cabling could be done now so everything is ready to go once the foundation is poured and ready; she has worked very hard on this project, which hopefully can be completed in another week or two; she would like to meet with City Engineer Dirk Lovett Tuesday morning to see what is still required to be completed.

Council Member Freedland made the following comments:

He believes one of the remaining issues is the extension by Mr. Zacha of the conduit from the crawl space up through the floor and into the gatehouse; he suggested Mr. Lovett, when meeting with Ms. Gagnier, make sure she and Mr. Zacha know everything that still needs to be done; that will include pulling of a permit, for which the fees will be waived; he thought it would be a good idea if possible to pre-cable the flagpole and attach the antenna before the flagpole is raised.

Mayor Berg thanked Ms. Gagnier for all her efforts that are very much appreciated.

CONSENT CALENDAR

- A. City Council Minutes – March 28, 2005**
- B. Demand List**

Upon MOTION of Mayor Pro Tem Cohen, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve items A and B of the consent calendar as submitted.

MATTERS FROM CITY COUNCIL MEMBERS

Selection of Two Council Members for Ad Hoc 2005 Budget Committee

Mayor Berg and Council Member Freedland both volunteered to serve on the ad hoc 2005 budget committee, which was agreeable to the rest of the Council.

MATTERS FROM STAFF

- A. Discussion Regarding Environmental Review/Notice of Consultation for Los Angeles County Project Located at 24141 and 24121 Ventura Boulevard, Calabasas**

City Engineer Dirk Lovett provided the following staff report:

This item was before the City Council in July of 2004 as a conceptual plan for a much higher density condominium project than what is being proposed now; this is a vacant lot at the corner of Ventura Boulevard and Parkway Calabasas Road; the project is now a formal application for 66 condominiums, 38 of which would be conventional and 28 for seniors; the project site is 5.63 acres, with the building footprint at almost two acres; a zone change would be required from commercial to residential (RPD-8), allowing a little

more than eight units per acre; the structures would be three stories with subterranean parking, with the total height of the buildings not to exceed 60'; 239 parking spaces are planned; there would be 22,440 yards of grading, 20,480 of which are to be exported; Los Angeles County has circulated an Initial Study; the project is in the unincorporated area of the County but within the Hidden Hills sphere of influence (SOI); staff has visited the site and did not note any apparent adverse impacts that would directly affect the City, but if the City wishes to comment on the IS, potential annexation, or any environmental impacts the Council may feel exist, those comments are needed by 4/23/05.

Council Member Siegel made the following comments:

There is a proposal in the MTA's Long Range Transportation Plan (LRTP) to extend Calabasas Road to connect with Las Virgenes Road; there is already an impossible situation on Mureau Road and the bridge crossing the freeway; in light of the additional traffic from this project, the congestion can only get worse; it may not be possible to require this extension of Calabasas Road, but it should definitely be referenced and considered in reviewing this project and the additional traffic it will cause.

Council Member Freedland asked if the applicant for this project had appeared before the Calabasas City Council, and if so, what concerns might have been expressed. He also thought that Council might be interested in our City's comments. Mr. Lovett stated that the applicant had addressed the Calabasas City Council in relation to the original proposed project, at which time he believes concerns were expressed with the density, but he was not aware of any attendance at the Calabasas Council meetings based on this latest proposal.

In response to a question from Mayor Pro Tem Cohen regarding senior housing, Assistant City Attorney Roxanne Diaz stated the following:

If this project is getting a density bonus, the applicant probably included the senior housing to get that bonus; typically there would be a covenant for 35 or more years to ensure that the housing would be for seniors 55 and older; this is all mandated by State law; senior housing can be low income housing, but it does not have to be, and the applicant has not indicated that the senior housing is low income; a project can have market rate senior housing.

Mayor Pro Tem Cohen thought the three-story, not-to-exceed 60', seemed disproportionate, with Council Member Freedland asking if it would be visible from anywhere in Hidden Hills. Mike

Ashley thought it might be from the proposed Lasher project, but everyone agreed if it could be seen, it would not block views as one would be looking down at the project.

As there were no further comments, staff was directed to contact Calabasas to see what concerns that City might have expressed in relation to this project, and to draft a letter to the County stating the concerns expressed during the above discussion, with Mayor Berg and Mayor Pro Tem Cohen to review the letter before it was sent.

B. Lasher Development - Update

City Engineer Dirk Lovett informed the Council that the latest revision of the screen draft EIR was received from the consultant Friday evening, and that he would now review it, as would the City Attorney and the consultant planners. If it is deemed complete, it would be prepared for circulation. The City Manager pointed out that if it was not complete, it would again go back to the consultant for any revisions the City staff determined were still necessary.

C. Consideration of Letter of Support for AB 1252 - Pavley

The City Manager provided the following information:

The City received a request from Louise Rishoff, District Director, for a letter of support for Assemblymember Pavley's proposed AB 1252; this legislation would designate a portion of Mulholland Highway as a County Scenic Highway upon determination by Caltrans that all the necessary criteria were met; per Ms. Rishoff, this bill would not affect any local control issues.

Upon MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved to send a letter of support for State Assemblymember Fran Pavley's proposed legislation, AB 1252.

D. Consideration of Proposed Resolution Regarding Extension of Charter Cable Franchise

Mayor Pro Tem Cohen recused himself from this item, and left the Council chambers. Upon MOTION of Council Member Siegel, seconded by Council Member Fisher and unanimously carried, it was resolved to adopt by title only Resolution No. 763 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS EXTENDING THE TERM OF ITS CABLE TELEVISION FRANCHISE AGREEMENT WITH FALCON CABLEVISION, DBA CHARTER COMMUNICATIONS, TO OCTOBER 31, 2005, TO FACILITATE THE CITY'S CONTINUED NEGOTIATIONS WITH THE CABLE OPERATOR REGARDING RENEWAL OF THAT FRANCHISE AGREEMENT.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Freedland, seconded by Council Member Fisher and unanimously carried, it was resolved to adjourn the regular meeting of April 11, 2005 at 7:59 p.m.

Ronald S. Berg, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk