

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, May 23, 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, May 23, 2005 at the hour of 7:32 p.m. Mayor Ronald Berg called the meeting to order and presided thereover after asking Council Member Steve Freedland to lead the Council and audience in the Pledge of Allegiance.

**ROLL CALL**

Council:	Mayor Ronald S. Berg Mayor Pro Tem Jim Cohen Council Member Steve Freedland Council Member Stuart E. Siegel
Staff:	Assistant City Attorney Roxanne Diaz City Engineer Dirk Lovett City Manager Cherie L. Paglia
Absent:	Council Member Monty Fisher

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Cohen and unanimously carried, it was resolved to excuse the absence of Council Member Fisher.

### **APPROVAL OF AGENDA**

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Cohen and unanimously carried, it was resolved that the agenda for the May 23, 2005 regular meeting be approved as submitted.

### **ANNOUNCEMENTS**

Mayor Berg made the following announcements:

He wished to congratulate and thank everyone involved with the Association's Welcome Party for new residents; it was a wonderful evening attended by approximately 350 people; everyone will be looking forward to next year's event.

City Hall, the Building Department, and the Community Center will all be closed and there will be no inspections on Monday, 5/31, in honor of Memorial Day.

A happy birthday wish was extended to Shannon Moore, the Association's Manager, for Wednesday, 5/25.

He along with Mayor Pro Tem Cohen, Council Member Siegel, and the City Manager all attended the Calabasas Library dedication last Thursday; the "Extreme Team", which included Hidden Hills residents Jill Rosenberg, Natalie Blossom, and Mary Tochner, did an excellent job raising the necessary funds and renovating the library; there was a very nice ribbon cutting ceremony at the dedication, a picture of which appeared in the latest "Acorn"; congratulations to Calabasas High School and to all those involved who made this happen.

Everyone is invited to attend the Public Safety Commission meeting on Tuesday, 5/31, for a discussion on emergency rerouting of traffic through Hidden Hills in case of a 101 freeway closure.

Council Member Siegel's son Mikey Siegel recently received notice that on the advice of the Stevenson College Academic Standards Committee, and on behalf of the Stevenson College Faculty, he has been awarded "College Honors" for his excellent overall academic record while at the University of California/Santa Cruz; this award is given to those who have demonstrated academic excellence throughout their studies at UCSC, distinct from "Honors in the Major", which is awarded by academic departments and recognizes excellence in courses exclusively in the major; the designation "College Honors" will appear on his official academic record and diploma, and will be announced at the Stevenson graduation; congratulations to both Mikey and his parents.

## **AUDIENCE**

Julie and Lloyd Talbert were in attendance, with Mr. Talbert addressing the Council as follows:

There is a new project that he and his wife are involved with in Gates Canyon Park off of Las Virgenes Road near the back gate of Mountain View; the City of Calabasas, local residents, and a group called Shane's Inspiration, are building a universal access playground to allow children with disabilities to play alongside their able-bodied friends; Shane's Inspiration will act as the consultant for the design of the playground and the construction of the equipment; Calabasas is applying for State and other grants to fund the project, which has a budget in the neighborhood of \$1 million; hopefully \$650,000 will be obtained from grants; the balance will come from various naming opportunities at the playground and other fundraising events over the next few years; their group, the Talbert Family Foundation, will take the lead in many of these events, including a golf tournament at Calabasas Country Club on 8/29/05; they will also hold the second annual 5K – 10K run on 11/12/05, with a portion of the proceeds allocated to this project; a bracelet sale will take place in late summer; he would like to encourage residents of Hidden Hills to play an active role in this project, from which so many will benefit; anyone with questions can call him and his wife directly.

Mayor Berg commented that he had attended a recent presentation, including renderings and blueprints, for this very worthwhile project. He added that he did not believe there were very many parks like this in the country. Mr. Talbert confirmed this, stating that there was one in Griffith Park, with another nine – fifteen on the drawing boards. Mr. Talbert explained that Shane's Inspiration was named after the disabled child of founders Scott and Katherine Williams, who wanted their son to have a place to play. Mayor Berg wished the Talberts good luck with the project, and asked to be kept informed of the progress being made.

## **PRESENTATIONS**

### **A. League of California Cities Los Angeles Division**

Mayor Berg introduced Mark Rutherford, the Mayor of Westlake Village and the Las Virgenes Malibu Council of Governments Regional Director to the Los Angeles Division of the League of California Cities, who addressed the Council as follows:

He is here to remind everyone what the League is and what it does; even though Hidden Hills historically has not been very active in the League, which is understandable, he would like to encourage participation when issues affect the City; the League is a

volunteer membership organization of all 478 cities in California; the goals are primarily related to education and advocacy, which was shown by the recent passage of Prop 1A, which helps all municipal governments; there is a Board of Directors operating out of Sacramento; Dennis Washburn, Mayor Pro Tem of Calabasas, will now serve on this Board; Ann Marie Wallace is our Regional Representative; the Los Angeles County Division, comprised of 85 cities, is guided by a 13-member Executive Committee, of which Mr. Washburn is the President; there is also a Board of Directors that includes a representative from every L.A. County Council of Governments; he would really like to emphasize the advocacy portion of the League; he knows Hidden Hills does not have a lot of issues, similar to Westlake Village, but everyone is facing housing issues; the League's goals concerning housing issues are 1) local government must pay attention to environmental concerns and avoid sprawl to minimize stress on transportation, 2) regional cooperation, and 3) land use and zoning issues are the responsibility of local government; more focus needs to be on regional allocation as opposed to city boundary type mandates from Sacramento; the City should use the League for information, and get involved by writing letters and attending meetings when issues are of concern.

Council Member Siegel made the following comments:

Hidden Hills benefits from the League whether there is active participation or not; the way government is evolving, the Federal government is trying to balance its budget on the backs of the State governments, who then turn around and do the same to the local governments; this has now crept into the housing area, as State representatives would like to create their own zoning areas within cities to satisfy their political agendas.

Ann Marie Wallace confirmed that Hidden Hills is already a dues paying member of the League, with the dues based on a Statewide and L.A. Division sliding scale. Mr. Rutherford made the additional following comments:

The City can take a passive role, but there are many things that affect everyone, and if the cities band together, that is what makes things happen; for example, cities and counties together, with a two to three year effort, were able to assure the passage of Prop 1A to protect city revenues; again, he would like to encourage Hidden Hills to become more active when certain issues impact the city; banding together with common positions result in voices being heard, just like the COG has a greater voice with all the five participating cities working together.

The City Manager pointed out that Ms. Wallace attends all the COG meetings, where she provides League information and legislative updates, so the City definitely is aware of what is going on and benefits from her knowledge. She added that if there is anything that does affect

Hidden Hills, Council Member Siegel, presently serving as the COG President, shares that information with the rest of the Council.

**B. Las Virgenes Educational Foundation/Regional Support**

Red Godfrey, President of the Las Virgenes Educational Foundation, addressed the Council as follows:

She thanked the Council for allowing her and Stuart Selter to speak this evening; they were previously involved in spearheading the passage of Measure E for the Las Virgenes Unified School District (LVUSD), and hoping to use the same cooperation and unity, have moved on to the Las Virgenes Educational Foundation (LVEF); the LVEF encompasses all students from all schools across the cities; there were Hidden Hills residents instrumental in support of Measure E; the education crisis has continued, so she and Mr. Selter, along with Dave Moorman, have taken on this new venture.

Ms. Godfrey then introduced Stuart Selter, the Vice-President of the LVEF, who stated the following:

He has been involved with the LVEF since it was reactivated in 2002 (the Foundation is approximately 30 years old); it seems to ebb and flow with the crises; he wished to thank Hidden Hills for being supportive of District schools for many years; the LVEF mission is to promote quality educational experiences to all students in the District and engage our communities in striving for excellence in our schools; the Foundation operates under the premise that what is good for the District students is also good for all residents of all the cities feeding into the District; in 2003 the Foundation played a key role in offsetting cutbacks to many programs and services, and prevented layoffs by raising over \$600,000 through a direct donation drive; the high school summer school program in just two years has allowed the Foundation to donate \$170,000, which has been distributed to all schools in the District on a per student basis; the LVEF is not a fund-raising arm of the District; the Foundation has independently assessed the needs of our students, schools, and education system by using data collected from the District, school sites, parents, cities, and the communities at large; the LVEF will then seek ways to fund and implement solutions to the most global problems; our schools are not substandard, and in fact, are consistently among the top in the State; but California educational funding is falling woefully behind other states; so communities like ours are forced to take the initiative, contribute funds, and maintain quality education on our own; the parents and residents all seem to want a higher level and wider breadth of educational experiences for the students; and all of this is happening at a very efficient and well-run District; they want to bring back many of the programs that have been lost over the last few years due to

decreased State funding; the parents and booster clubs depend on families and small businesses to generously fund millions of dollars every year for programs; so the LVEF does not compete with school/parent groups, they will be looking to larger corporations, to benefactors, to grants, and to partnerships with local governments; they are not blindly asking cities to hand over taxpayer money; they want cities to work together to respond to common educational goals and to seek alternative sources of revenue to meet these goals, while minimizing the burden on individual residents and local businesses; a cooperative multi-jurisdictional approach, modeled on the success of the Community Center Joint Powers Authority, could provide the means to capitalize this Foundation and enable it to continue to raise significant funds on a self-sustaining and ongoing basis; the LVEF has embarked on a study of the District's needs and goals, and they are reaching out to the community for input and participation; he would encourage everyone to visit the website to learn more about the LVEF and to register as a supporter if in agreement with the goals; the Foundation is asking for cities to analyze, investigate and consider participation in this cooperative regional concept; the LVEF is a partner of many communities, and he would invite Hidden Hills to join in creating and maintaining educational excellence in our schools.

Ms. Godfrey had additional comments as follows:

The Foundation is attempting to schedule a workshop with two Council Members from each of the four cities to brainstorm and come forward with any ideas; nothing will happen overnight; they want to lay down the foundation of cooperation and communication; she again wished to stress that the LVEF is not the fund-raising arm of the District; they do hear things from parents and the communities that might well be at odds with the District; the Foundation's responsibility is to make sure everyone who is a part of this large community (parents, teachers, staff, the District, business owners) has an opportunity to speak and express what they think is needed; the Foundation has already had one meeting with the City Managers; the meeting with the Council Members will be scheduled after the Foundation meets with the new Superintendent, who begins with the District July 1<sup>st</sup>; they would really like Hidden Hills to participate, and will keep the Council posted through the City Manager.

Mayor Berg and Council Member Freedland volunteered to attend the Foundation meeting, once the date is established. Mayor Berg did wish to point out the following:

Council Members have heard statements made (not by the Foundation members) that Hidden Hills does not support the District as it should; the City has a budget this year of just over \$1 million; over the last eleven years, the City has contributed in excess of \$563,000 to the District for things such as crossing guards, a traffic signal, traffic deputies, the SANE/STAR program, the Juvenile Intervention Team, and State and

community grants for various programs and equipment; for a small city with a small budget, he feels the City has contributed a great deal, contrary to the perception.

Ms. Godfrey was unaware of the source of such statements, and thanked the City on behalf of the students and parents, as Mr. Selter had done earlier, for the support shown for the District.

**C. 2005 Fiesta**

**Consideration of Approval of Proposal from In ‘N’ Out Burger** – Co-Chairman Lisa Moriarity informed the Council that this year they asked In ‘N’ Out Burger for two trucks and decided not to offer submarine sandwiches, as there was much more interest in the burger meals last year. Mayor Berg informed everyone that the contract submitted by In ‘N’ Out Burger appeared to provide 400 burger meals from two trucks for two hours, at a minimum cost of \$2700, with a \$500 deposit due 5/24/05. The City Manager thought this was consistent with the wishes of the Co-Chairmen, but suggested the Council approve the contract subject to their final approval. In response to Mayor Berg, Assistant City Attorney Roxanne Diaz confirmed that her office had reviewed the proposed contract, although the contract had to be signed “as is” if the City wished the services. Upon MOTION of Mayor Pro Tem Cohen, seconded by Council Member Freedland and unanimously carried on roll call vote, it was resolved to approve the In ‘N’ Out Burger Mobile Unit Agreement, subject to final approval by the Fiesta Co-Chairmen, to provide two trucks for two hours for this year’s Fiesta, providing approximately 400 burger meals at a minimum cost of \$2700, with a \$500 deposit to be paid by 5/24/05.

**Update** - Ms. Moriarity announced that this year’s theme for the October 1<sup>st</sup> and 2<sup>nd</sup> Fiesta was “Traveling Through Dixieland”, and that they were going to try to devise methods to encourage everyone to wear Dixieland type hats during the entire day. She added that a proposed budget would hopefully be ready for Council consideration in the next month, and that they already had chairpersons for each of the different events, but would welcome any ideas and other volunteers.

Council Member Freedland, on behalf of the Council, thanked Ms. Moriarity and Andrea Lascoe for again chairing this event after doing a great job last year.

## **PUBLIC SAFETY**

### **A. Los Angeles County Fire Department Report - April**

As no one from the Fire Department was available for this meeting, the report was received and filed.

### **B. Los Angeles County Sheriff's Department Report – April**

Lt. Crystal Miranda provided the following report:

In April there was one residential burglary, which was the only Part I crime for the month, raising the total of Part I crimes for the year to four; the noteworthy incident was the residential burglary and vehicle theft in the 5800 block of Annie Oakley; the suspect entered through an unlocked garage; one suspect was taken into custody in the stolen vehicle in the San Luis Obispo area; the investigation is continuing.

### **C. Consideration of Shared Expenditure with Other LVMCOG Cities (Agoura Hills, Calabasas, Malibu and Westlake Village) for Purchase of a Laser Mapping System, Collision Diagramming Software, and Training**

Sgt. Phil Brooks reported that the Sheriff's Department was in the second week of the "Click It or Ticket" seat belt enforcement program, which has resulted in the issuance of 50 tickets so far for the month in Hidden Hills, compared to a usual 20 tickets during a month. He did point out that it is legal for the Department to stand at the gates of the City to check for seat belt usage.

Sgt. Brooks provided the following information on the proposed laser mapping system that the Sheriff's Department would like all of the COG cities to purchase jointly:

When there is a fatal or serious collision, or a DUI with injuries, the Deputies currently have to lay out 300' of metal tape and measure every piece of evidence against that tape by hand; this causes the closure of a roadway for approximately 4-6 hours; the proposed system is a tripod laser, which can measure everything with just one Deputy at the tripod and one at the points to be measured; the information is then downloaded into a PDA,

taking approximately one hour of time, allowing the road to be opened much more quickly; then a Deputy downloads the information into a computer at the station which can draw diagrams, even in 3D, to show in court what drivers actually saw at the site; an investigation usually takes an officer 100 hours at a cost of almost \$4000; each City's cost for this system is less than that, so the system will pay for itself in a short time period; although it is not part of this proposal, the system can also, with additional software, be used for crime scene investigation.

In response to Council Member Freedland, Sgt. Brooks stated that the system is being used in places like San Diego, Burbank, and Glendale, and that the system's use in our area would provide greater efficiency at a lesser cost, resulting in better investigations and roads being opened much faster.

Council Member Freedland asked if the City had funds available for this purchase. The City Manager explained that the \$3542.32 cost could be covered by either CLEEP or COPS grant funds, or from Traffic Safety funds. Upon MOTION of Council Member Freedland, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to authorize the expenditure of \$3542.32 as the City's portion of a joint purchase with the other COG cities of a laser mapping system, collision diagramming software, and related training, with staff to determine the best funding source.

**D. Discussion Regarding Cell Phone Service/Reception Within the City**

Mayor Berg announced that the Council had received a letter from a resident asking the City to provide a cell site for better cellular service within the City, and even though that resident was unable to attend the meeting tonight, there were obviously others in attendance who came to comment on the issue. He asked Council Member Freedland to start the discussion.

Council Member Freedland commented as follows:

As Mayor Berg said, a letter was received from resident Jerry Sprackman who suggested the City look into installing an antenna to provide better cell phone service, which was very poor at his house; the City was approached approximately five years ago by Pacific

Bell who wanted to install an antenna; at that time there was quite a bit of community displeasure expressed over the proposal; he suggested the Council at this time take comments from audience members who wished to speak for or against taking some type of action to improve coverage.

Dr. Leon Partamian was the first to address the Council:

He lives on Bonneville Road, and is a practicing physician and a clinical Associate Professor (soon to be full Professor) at UCLA; he is the immediate past Chief of Staff at Northridge Hospital, the major hospital and trauma center in the Valley, and holds a patent on a medical device that utilizes radio frequency; the proposal, at least five years ago, was to place an antenna on the City's lot on Bonneville next to his property; he could address the issue of property values if an antenna is placed in the immediate vicinity, or address the safety issues of people driving when talking on cell phones; but he would really like to address the health issue; radio frequency is the way cell phones and antennas work; radio frequency travels a great distance in a straight line; people may have heard about the potential hazard of using cell phones, but he is talking more about the antenna; he has a wife and two daughters, and is very concerned with the potential health hazards that could occur whether that might be leukemia or other forms of cancer; the amount of radiation from an antenna is much greater than from a cell phone; when this issue came up five years ago, in just the matter of a couple days, 100 signatures were gathered in opposition; as a community that prides itself on being rural with no street or tennis court lights, he is somewhat surprised that this issue would even come up.

Mayor Berg wished to point out that the Council did not raise this issue, but since it was raised by a resident, he felt the Council had an obligation to let the issue be heard. Mayor Berg added that there was no proposal before the Council for any action, nor any determination that there should be an antenna installed, or that Bonneville would be the site.

Council Member Siegel asked if Dr. Partamian would be as strongly opposed to an antenna if Mr. Sprackman volunteered to have one installed on his property, or if another site was found within the City that was much further away from Dr. Partamian. Council Member Siegel also asked if people were not exposed to radio frequency almost anywhere during a day.

Dr. Partamian replied as follows:

The closer you are to an antenna, the more exposure you have; just because he would not be able to see the antenna does not necessarily mean he would not be affected; he would still feel strongly that Hidden Hills should remain rural, and he believes he would still be opposed as a resident; he would expect that Mr. Sprackman's neighbors would object; he would also suggest if residents have bad reception that they look at other options, such as connecting through the Internet.

Council Member Siegel stated that some do get cell service in the City, and for the short term, those that have problems with their service could switch to a different provider. Mayor Pro Tem Cohen wondered if all antennas were the same and had the same output, which is something that could be investigated, along with other remote locations within the City.

Cheryl Morris was the next resident to address the Council:

She understands that cell phones are very important, but is old enough to remember when phones were not needed constantly; this community is very rural and rustic, with parkways, no sidewalks, no curbs, and no street lights; her main concern is for the safety of equestrians, bicyclists, and children along the roadway; cell phones are a necessary evil, but she has seen people "wobble" on the roadway while carrying on a cell phone conversation; personally, she can wait until she gets home or can stop somewhere outside the City for phone access, and would prefer Hidden Hills to be a cell phone free zone.

The next speaker was John Savage:

He lives near Dr. Partamian; he is on call 24-7 for his business, and is not concerned with missing phone calls in that 2-3 minutes that it takes him to get from the gate to his house; he forwards and gets his calls at the house, and does not feel that it is a big deal to not have reception for that short period of time; he recently changed to a different carrier and now has much better reception, so there are other alternatives; he does not believe there is anyone, including Mr. Sprackman, who would want an antenna right next door; this issue was discussed before, and at that time the lot at the top of Bonneville was suggested as a site, and probably would be again, which is logical since it is one of the highest points in the City; he would not want an antenna in his back yard or near his or his neighbors' properties.

Larry Weber commented as follows:

He is a member of the Public Safety Commission and the Assistant Director of Emergency Services; he is not an advocate for cellular phone companies, but would like

to make some points that have come up at Public Safety Commission meetings; Round Meadow School is an evacuation center in case of emergencies, and cell phones do not work at the school; he believes there should be coverage at Round Meadow School for all carriers; residents probably do not need cell phone service at their homes, but it is probably desirable; he has two different carriers that work in different locations throughout the City, so even if you switch carriers, you may gain in some areas and lose in others; regarding health issues, he takes exception, as the most recent studies from Europe say there is no cancer danger; if there are health concerns related to the actual phones, cell sites work differently than radio sites, which broadcast at a certain wattage at all times; at a cell site, the radio is intelligent and speaks to the cell phone; if a cell site is nearby, less power goes to the phone; if a cell site is not nearby, but there is service, there is more wattage at the ear; radiation danger dissipates logarithmically the further one goes from a radio site, just like from a television set; one gets radiation from lights and from the sun; he would suggest that overhead electrical wires pose more of a radiation danger than a cell site; he also believes that five years ago when this issue was addressed, most of the concerns were related to health rather than aesthetics; he would not care where a cell site was located, but he does believe that better coverage is needed, especially at Round Meadow School for public safety reasons.

Council Member Freedland, who expressed his respect for the work done by Mr. Weber and all of the Public Safety Commissioners, asked if a satellite phone could be purchased if the issue is inadequate coverage at Round Meadow School. He also wondered if it were possible to employ voice-over Internet protocol at the School. Mr. Weber responded as follows:

He believes the School should have every type of backup system possible; since 9-11, people are looking at the issue of interoperability; California is advocating an interoperability system that is duplicated throughout all counties; the County of Los Angeles has two SUVs that are hooked up with all types of communication equipment; if Round Meadow is going to serve as an evacuation center, it should have both a satellite phone and cell phone service; in case of emergency, phone service, cell phone service, and the Internet could all go down.

The following statements were made by Council Member Freedland:

It sounds like from what Mr. Weber has said that the most reliable form of communication, in a situation such as an earthquake, would be the satellite phone, which should solve the problem at Round Meadow School; he remembers reading a great letter that Mr. Weber wrote for the City's newsletter regarding safe driving within the City; he would suggest that the data collected on the use of cell phones should be looked at; there are several studies from the "New England Journal of Medicine" which state that the risk of having an accident when using a cell phone is the same as when driving drunk, and

that cell phone users are 400% - 500% more likely to get into a traffic accident than those not using a cell phone; he would echo Ms. Morris' comments regarding this being a community with no sidewalks or traffic signals, and with many equestrians and children who may be in danger from inattentive drivers on cell phones; aside from the health issues, and he would trust that a medical doctor would know more than he would in this regard, he would consider this a general public safety issue; he does not believe that residents are any worse off by not having good cell phone coverage, and he does not want to encourage the use of cell phones.

Mr. Weber again pointed out that he is not advocating cellular usage, and especially for younger drivers, but there are some people who are using cell phones as their only phones, and would like to see better coverage. His main concern, however, is still Round Meadow School.

Council Member Freedland suggested that the Public Safety Commission get the details and propose to the City Council the purchase of a satellite phone for the School.

Public Safety Commission Chairman and Emergency Services Director Jim Doran stated the following:

A satellite phone would be valuable, but if there is smoke overhead from a fire, it will not work; no matter what type of communication systems are in use, there is always a problem with communications during an emergency, which is why redundancy is so important; in San Francisco when they had the high wind problems, everything went down except for the old police call boxes because they had underground wires; we do need a satellite phone, both for the City and for the School, so they will make that request of the Council in the near future; he just wants to make sure everyone understands that even the satellite phones can fail.

Bliss Wendelburg, the President of the Hidden Hills Horsemen, spoke next:

She agrees with everyone that spoke, all of whom have made good points; the health issue is a concern which should be researched; but she is looking at this from a little different perspective; she takes her cell phone with her all the time when horseback riding for safety purposes; she would love to have service on the Ahmanson Ranch; she does get service at home and at Round Meadow School, but it is a little scary alone on the trails, and her cell phone is her only tool for safety; also, as the fire season approaches, cell phone service is needed in the City if she has to coordinate the evacuation of some 900 horses.

Mayor Berg again reminded everyone that the Council was making no decision, and if there was any application to be addressed by the Council in the future, it would be discussed at a public meeting.

Dr. Partamian again spoke, stating that the health and safety issue is not with the cell phone, but with the antenna, and he referred to a quote that said the FCC Guidelines do not directly address postulated nonthermal effects such as those due to chronic exposure. He pointed out that people have been told in the past that something was safe (for example, tobacco companies), but there is no guarantee that there will not be a problem in the future. In response to Mr. Savage, Council Member Siegel said that the Council was discussing satellite or cell phone service at Round Meadow School in the context of it being a staging area or alternate EOC for the City during an emergency.

Mayor Berg reminded everyone that no action was being taken, as this was just a discussion item raised by a resident, and thanked everyone for their comments.

### **PUBLIC HEARING**

#### **Consideration of Minor Accommodation Application for a One Story Addition, Within the Front Yard Setback, to an Existing Nonconforming Single Family Residence Located at 24580 John Colter Road**

Mayor Pro Tem Cohen left the Council Chambers, recusing himself from this item as he lives within 500' of the subject property.

City Engineer Dirk Lovett provided the following staff report:

The application is for an addition to the front portion of the house that encroaches into the standard 50' front yard setback; to expand an existing nonconforming encroachment, a minor accommodation must be requested; public hearing notices were posted and sent to all property owners within 300'; no comments regarding the project have been received; the lot is relatively flat with an upslope in the rear; the existing 2814 square foot house was built in 1978; the applicant is proposing an addition of 44 square feet to the first

floor; to approve a minor accommodation, the Council must find that the project will not have a material adverse impact on the public welfare or adjacent property; staff believes the finding can be made because the proposed improvements are no further into the required setback area than the existing encroachment, and other existing houses in the area are as close or closer to the road easement; staff is therefore recommending approval of the minor accommodation.

Mayor Berg and Council Member Freedland reported visiting the site, while Council Member Siegel did not.

Mayor Berg opened the public hearing, at which time Ron Mulick addressed the Council:

He is the acting general contractor for the applicant; this addition is the first phase, before a second story room addition is done; that project has been approved by the Architectural Committee and is now being reviewed by the Building & Safety Department; the applicant just wanted to make the room a little bigger; the addition is so small that no one would even notice.

Council Member Freedland asked if the addition was 44 square feet or 48 square feet. Per Mr. Lovett, the plans show 44 square feet, but the addition may very well be 48 square feet since the dimensions are 12' x 4'. As there were no further comments, Mayor Berg closed the public hearing. Upon MOTION of Council Member Freedland, seconded by Council Member Siegel and unanimously carried, it was resolved to approve the minor accommodation and adopt by title only Resolution No. 766 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS SITTING AS THE PLANNING AGENCY, APPROVING A REQUEST FOR A MINOR ACCOMMODATION FOR AN ADDITION TO AN EXISTING NONCONFORMING RESIDENCE LOCATED AT 24580 JOHN COLTER ROAD. Mayor Pro Tem Cohen rejoined the meeting at this time.

#### **CONSENT CALENDAR**

- A. City Council Minutes – May 9, 2005**
- B. Demand List**
- C. Disbursement List – April**
- D. Financial/Treasurer's Report – April**

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

### **MATTERS FROM CITY COUNCIL MEMBERS**

#### **A. Discussion Regarding Vineyards in Hidden Hills**

Mayor Berg announced that this item would be addressed at the July 11, 2005 City Council meeting, and invited anyone who has vineyards in the City or is interested in this item to attend that meeting.

#### **B. Report from 5/17/05 Hidden Hills Community Association Board of Directors Meeting**

Mayor Berg reported the following:

He attended the Board meeting and discussed a proposal to require trucks and other delivery vehicles to use flagmen when blocking the road; as a perfect example, last Friday at 5:00 p.m. there was construction equipment at the corner of Round Meadow and Long Valley, making it difficult to see from any of the four corners; the vehicle was moved when asked; staff has made a recommendation, and the Association is looking into the problem.

The City Manager informed the Council that the Board approved an expenditure for a soils report at the Long Valley gate so work can begin on that remodel.

#### **C. Report from 5/17/05 Las Virgenes Malibu Council of Governments (LVMCOG) Meeting**

The following report was provided by Council Member Siegel, who is the current President of the LVMCOG (COG):

One issue looming over the City is the cost for Sheriff Department services; some members of the L.A. County Board of Supervisors (BOS), in trying to balance their budget, are convinced that there are Sheriff services being received by contract cities that the cities are not paying for; the BOS is reevaluating these services, which could result in

a very dramatic increase in the costs to all contract cities, including Hidden Hills; hopefully this is several years away.

The COG is also going to place a greater emphasis on what is important to this region, mainly public safety and disaster related issues; there will be better efforts made to conduct actual drills, create more coordination, and raise funds so the five cities can all work together; during a disaster, such as an earthquake, we do have people trained to help, but those people could be injured or helping their own families; in that case, we would hope to receive help from the other cities that might not be affected; the COG is often required to spend too much time with State mandates, and gets involved in studies that just get put on the shelf with no resulting action being taken; the intent is to get more involved in actual hands-on activities.

Emergency Services Director and Public Safety Commission Chairman Jim Doran commented as follows:

Public safety and disaster related issues are being coordinated through Disaster Management Area B, which is currently working on approval of By-Laws and the hiring of a Disaster Management Area Coordinator; the members are putting together a work plan, and hope to incorporate the COG into this; Area B in particular has an advantage over the other Disaster Management Areas in that the eight cities are spread further apart, so would more likely be able to help each other during a disaster; if an earthquake occurs in this area, the three northern cities (Lancaster, Palmdale, Santa Clarita) may not be affected and could provide help and vice versa.

**D. Attendance at the Las Virgenes Municipal Water District Water Leadership Forum on June 9, 2005**

Staff will notify the Water District that at this time it does not appear anyone from the Council will be available for this forum.

Mayor Pro Tem Cohen, in relation to a different issue, asked about the V-calm sign, as it did not appear to be working. The City Manager reported that the sign was functioning properly every morning, but then seemed to shut off most afternoons. She added that the owner of Fortel Traffic, from whom the sign was purchased, is scheduled to test the sign either Tuesday or Wednesday to see if it is a problem related to not enough sunlight (as the sign does not receive

direct sunlight for very long each day), or a problem in conjunction with a recent program upload.

### **MATTERS FROM STAFF**

#### **A. Lasher Development - Update**

City Engineer Dirk Lovett informed the Council that a lot of progress was made at a meeting on 5/10/05, which was attended by City staff, including a representative from the City Attorney's office, the consultant, and for a portion of the meeting, the developers. There has been communication back and forth since then, and the City is expecting another draft by the end of this week.

#### **B. Charles Abbott Monthly Report - March**

The report was received and filed.

### **ADJOURNMENT**

There being no further business to come before the Council, upon MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved to adjourn the regular meeting of May 23, 2005 at 9:04 p.m.

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Ronald S. Berg, Mayor

ATTEST:

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Cherie L. Paglia, City Manager/City Clerk

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