

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, July 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, July 11, 2005 at the hour of 7:30 p.m. Mayor Ronald Berg called the meeting to order and presided thereover after asking his daughter Macy Berg and Council Member Freedland's daughter Kelsey 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 Monty E. Fisher
Council Member Steve Freedland
Council Member Stuart E. Siegel

Staff:

City Engineer Dirk Lovett
City Manager Cherie L. Paglia

APPROVAL OF AGENDA

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

ANNOUNCEMENTS

Mayor Berg made the following announcements:

He reminded everyone of the Thursday evening activities at the Community Center, which include a wild animal show at 4:00 p.m., a BBQ at 5:00 p.m., and a movie at 7:00 p.m.

The City Council meeting scheduled for Monday, July 25th, has been cancelled, with the next regularly scheduled meeting to be held on Monday, August 8th.

AUDIENCE

There were no questions or comments at this time.

PRESENTATIONS

A. City Certificate/Recognition of Hidden Hills Resident Macy Berg, Sierra Canyon School Student, for Receipt of the Director's Award for 2005

Council Member Siegel stated the following:

He was very pleased to announce that Macy Berg received an award from her school, Sierra Canyon; the school's highest academic award, called the Director's Award, requires a 3.8 or better grade point average; Ms. Berg received the Director's Award after obtaining straight A's.

Council Member Siegel then presented Ms. Berg with a City certificate, which he read.

B. Consideration of Approval of Community Assistance Application from Calabasas All Star Jazz Band for Travel Expenses to China for Cultural Festival Performance

Resident Bonnie Frank provided the following information to the Council for consideration:

The All Star Jazz Band is a group of 23 musicians between the ages of 14-18, two of which reside in Hidden Hills, that was chosen to perform in a cultural festival for two weeks in China; the festival provides most of the expenses related to housing, meals and transportation while in China, but not for transportation to China, which will cost approximately \$1500 per student; there will also be costs related to cases and the transporting of some equipment; the group performs all over, and recently performed a free concert in Hidden Hills; they also do community service during the year and try to

educate people about jazz; this is an incredible honor, of which they are all very proud; she is asking for possible monetary assistance, but is not sure whether or not her request would qualify or meet the requirements of the City's community assistance program.

Mayor Berg commented as follows:

The Council is also very proud, as everyone should be, of the All Star Jazz Band; unfortunately, he does not feel that this request falls under the purview of the grant program; the intent of the community assistance grants has been to assist the community as a whole, or provide a benefit to more of the community, with specific eligibility standards that must be met; the fact that only two Hidden Hills residents would be affected by this grant, creates some difficulty for him, as he does not see a benefit to the community; he does appreciate the fact that Ms. Frank appeared before the Council to make this request, and even though he does not feel it can be honored, invited her to come back at any time in the future with requests that would meet the requirements.

Council Member Siegel added his comments:

He thought about this very carefully on a personal level; he and the other Council Members are citizen politicians and constantly interact with the community; the job the band is doing is very admirable, and the amount being requested is not excessive; but if funds were provided for this group's trip, then they would have to approve grants for numerous other student travels in relation to other awards, and the requests could be endless.

Council Member Freedland asked if there was still time before the trip for the band to present a concert for which people could be charged, as he and his family would be more than happy to attend such an event, which could be a good fundraiser for them. Council Member Siegel and the other Council Members all thought that was a good idea, which Ms. Frank said she would consider.

C. Consideration of Approval of Community Assistance Application from An Alec Gillis Production for a Community Halloween Video

Resident Nathalie Blossom provided the following information:

They (An Alec Gillis Production) are producing a 30 minute video, starring a minimum of twelve actors and celebrity volunteers from Hidden Hills, for the Halloween event sponsored every year by the Community Association; once completed, its use could be alternated with other Halloween activities such as the haunted house and The Oracle

stage show; all the actors, the producer, the director and creator are Hidden Hills residents, but they do not have camera and sound people from Hidden Hills, and need to pay to obtain a higher quality of personnel for post production, editing, etc.; most of these people are working at one-half or one-third of their usual rates; the Association has authorized money for the video, but that amount will not meet all the expenses; they are asking for help from the City to cover the remainder of the costs, which if provided, would result in the City owning the product.

Mayor Berg provided the following additional details:

The approximate budget for this project is \$9500; the Association has agreed to provide \$4500, with the City being asked to provide that remaining \$5000; the video will be shown at Halloween and will be for the benefit of the community; it is being acted, staged, and produced by Hidden Hills residents who are not charging for their services; there are others from outside the community charging discounted rates to assist with the completion of the product; the City has budgeted \$15,000 for community assistance grants in the 2005-2006 fiscal year, which just began; last year the City spent approximately \$5000 for community assistance grants which were used mainly to provide additional funding for school projects such as Calabasas High School Safe and Sane Grad Nite, Calabasas library, equipment for Round Meadow, etc.

Council Member Freedland asked how far along the project was, and what would be done if they could not obtain the funding from the City. Mayor Pro Tem Cohen also wondered how much had already been spent on the project. Ms. Blossom responded as follows:

The video is approximately 2/3 done; the Association is looking into possible additional funding; she and Alec Balsamo Gillis are out of pocket now about \$5750, and have not yet submitted any receipts to the Association; if all of the budget set aside by the Association for the Halloween party is not used for the party itself, it is possible they could borrow against what is left over for this one time expense; if they do not get the funding, they will remain out of pocket.

Council Member Fisher thought this was a very good cause, as it kept the youngsters in the community interested and was being done by and for members of the community, and thus the Council should authorize the expenditure of the \$5000. Council Member Siegel suggested that the expenses be monitored, and that the \$4500 be reimbursed first by the Association, and then additional expenses could be submitted to the City, not to exceed \$5000. Mayor Berg wanted to assure that the City would own the video and all copyrights, and that the video would be for use

only in the City and not shown commercially. As everyone was in agreement, 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 to An Alec Gillis Production for the production of a Halloween video that will become the property of the City of Hidden Hills and be used solely for the benefit of the community and not shown commercially, with the amount of the grant not to exceed \$5000, based on the submittal of receipts over and above the \$4500 to be paid by the Community Association.

D. 2005 Fiesta - Update and Consideration of Adoption of Proposed Budget

Co-chairman Andrea Lascoe provided the following update:

They have some preliminary proposals from the vendors; the date, selected so as not to conflict with holidays, is Saturday, October 1st; they received a lot of positive feedback last year, but people did feel that the theme was still western related; to make it different, fun, and more exciting this year, they have chosen more of an old-fashioned theme "Traveling through Dixieland"; the Dixieland band will perform all day long, beginning with the parade, children's events, lunch, and dinner; instead of the ferris wheel, they are attempting to obtain the big bumper car ride; it will be large, impressive, and more expensive, but everyone can participate; they did get quite a bit of feedback last year from the youngsters, which is always welcome; James Events has a new vendor for prizes this year, which was unforeseen and will result in a cost increase; the catering cost per person, which remained the same for the last two years, will most likely increase slightly; they feel this is only fair as the caterer has done an excellent job with the food and wine; last year there was much confusion with all the different types of tickets for different meals, so to simplify, they are considering issuing wrist bands only, eliminating most of the tickets; for example, different colored wrist bands could be used for an adult dinner and rides, for a child dinner and rides, or just rides; paper tickets will be needed for In-'N' Out Burger per their contract; on the draft Fiesta budget submitted to the Council, the expenses are shown at \$75, 420, which they now believe will be more like \$79,900.

Mayor Berg pointed out that the draft Fiesta budget showed an income of \$29,275, with expenses at \$75,420, and that by raising the expenses to \$79,900, the City would be subsidizing approximately \$50,000 of the cost of event, which is not unusual. He added that the City's recently adopted budget expected \$30,000 in revenues and \$75,000 in expenses for this year's

Fiesta, which was only an approximate \$5000 difference if the revised Fiesta numbers were approved.

Co-chairman Lisa Moriarity added the following information:

They have done the Fiesta for the last several years, and it does get a little stale; to make it more exciting, James Events can decorate the arena to coincide with the theme, by using white picket fences, hay bales, red/white/blue bunting, milk cans, crates, park benches, lamp posts, etc.; there will also be white Dixieland hats for people to wear; to encourage people, especially the youngsters, to wear the hats all day, they are planning some type of giveaway related to the wearing of the hats.

Council Member Freeland thought both Ms. Lascoe and Ms. Moriarity had done a phenomenal job year after year, and suggested the Council support their request for additional funding. Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Cohen and unanimously carried on roll call vote, it was resolved to approve the proposed Fiesta budget showing expenses at \$80,000 and revenues at \$29,275.

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 24960 John Fremont Road

Council Member Siegel recused himself at this time (8:05 p.m.), as he lives within 300' of the subject property.

City Engineer Dirk Lovett presented the following staff report:

The current building encroaches approximately 20' into the front yard setback; the applicants are requesting a minor accommodation for a one story addition within the 50' front yard setback; the addition will be no closer to the front property line than the existing building; notices were sent to property owners within 300' and posted at the usual locations, with no comments being received to date; the existing building is a two story single family residence; the owner purchased the home with some unfinished construction to the front of the residence; other addition and remodel work has been ongoing and permitted; the applicants are proposing to enclose the front entry/porch area

which is approximately 156 square feet; this will be in line with the rest of the house; the Community Association has approved the addition; the applicants removed one tree, and have since applied for an after-the-fact tree permit, which will be coming to the Council for consideration at a later date; in order to approve the minor accommodation, the Council must find that it will not have a material adverse impact on the public welfare or adjacent property; staff believes this finding can be made because the proposed improvements are no further into the required setback than the existing encroachment, and other homes in the area have similar encroachments/setbacks from the street; staff would therefore recommend approval.

Mayor Berg and Council Members Fisher and Freedland reported that they had visited the site, while Mayor Pro Tem Cohen had not. Mayor Berg opened the public hearing, and as there were no comments, closed the public hearing.

Mayor Pro Tem Cohen stated he did not have a problem with this request conceptually, but wanted clarification on whether or not they were adding a front porch and enlarging the dining and living room space. Mr. Lovett explained that there is an open outside alcove which presently serves as the front entry/porch to the house, and that area is being enclosed to increase the inside space.

Council Member Fisher asked if this work was started before a permit was obtained, and wondered how it was being compared to other houses on this street, as there appears to be only one. Mr. Lovett responded as follows:

This work was not started without permits; there was other pre-existing ongoing construction from the previous owner, some of which was not permitted; the current owner has obtained the required permits for all that work; a tree permit application has been submitted, as noted earlier, which will be before the Council in the near future; for this property, it is technically the front yard which faces the street; there are other houses along the street, where the street frontage may actually be the side yard, but the setbacks are consistent for comparison purposes.

In response to Council Member Freedland, Mr. Lovett stated he was not sure of the height of the addition, but it was just one story. Council Member Freedland also inquired about utility poles, as he did not see any shown on the plans. Mr. Lovett confirmed that there were indeed utility

poles on the property, and apologized for not showing them on the plans, which he will do in the future. He added that the applicants would be required to underground the utility wires, and that they would be notified of that requirement, if they had not been already. Mayor Berg asked if that condition could be added to the resolution, which the City Manager stated could be done.

As there was no further discussion, upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Cohen and unanimously carried, it was resolved to adopt by title only, subject to the addition of language requiring the undergrounding of all utilities, Resolution No. 771 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 24960 JOHN FREMONT ROAD.

Council Member Siegel rejoined the meeting at this time (8:12 p.m.)

CONSENT CALENDAR

- A. City Council Minutes – June 27, 2005
- B. Demand List

Upon MOTION of Council Member Freedland, 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

Consideration of Proposal from Charles Abbott Associates for Alignment Study for Possible Extension of Calabasas Road to Las Virgenes Road

Mayor Berg informed the Council of the following:

He and his wife Barbara, along with Council Member Siegel, City Engineer Dirk Lovett, and City Manager Cherie Paglia, recently hiked part of the old El Camino Real trail from the end of Calabasas Road to Las Virgenes Road, a distance of approximately 1½ miles;

it was very interesting with streams, beautiful oak trees, and signs designating historical locations and events; the consensus, after the hike, was that it would be very beneficial to have a frontage road in this area along the freeway to relieve traffic problems on Mureau Road, but it was probably not very feasible or the best use of public funds; it was felt, however, that the City should continue to support and encourage the building of such a road whenever possible, but not to spend money in relation to such a project at this time.

Council Member Siegel added his comments:

As the person who proposed this in the first place, he is recommending against this particular proposal to conduct an alignment study at this time; he believes a frontage road running next to the freeway would be a solution, and even though at certain points it would require significant grading, it would be possible in that location; it would not be possible along the trail, as there are too many sensitive areas; he does agree that the City should spend no funds at this time, but should continue to push for a road in this area at any opportunity, and to make sure such a road stays listed as a possibility on the MTA's long range transportation plan (LRTP).

MATTERS FROM STAFF

A. Lasher Development - Update

City Engineer Dirk Lovett reported that the staff has established a fairly reasonable tentative schedule, setting 7/25/05 as the beginning date of the 45 day public review period for the draft environmental impact report (DEIR). In response to Mayor Berg, Mr. Lovett stated that the DEIR would be available at City Hall for review or purchase (the cost has not yet been determined, but will be based on the duplicating costs) and will also be circulated to other adjacent public agencies and those who have asked for a copy, as well as sent to the State Public Clearing House.

Mayor Berg wished to again point out that neither the Council Members nor the developers had seen the screen check draft EIR, and would not see it until it was available to the public.

Council Member Freedland felt staff should go above and beyond the minimum legal notification requirements regarding the availability of the DEIR, to assure that everyone possible

is informed about the public review period. Mayor Berg agreed, and asked that information be placed on Cable TV channel 3 and in the City's newsletter, with Council Member Freedland suggesting the City's email/fax notification system and the Association's newsletter also be used to disseminate the information. Council Member Siegel pointed out that an announcement could be made by the Mayor at an Association Board of Director's meeting once the opening date of the review period was definite, and that even if the City's newsletter had to be sent out several days late in order to include the information, that would not be a problem. The City Manager stated that staff would also make posters to be placed at the gates, City Hall, and the Community Center.

Mayor Pro Tem Cohen was not sure that would be enough, and wondered if a separate letter should be sent to all residents, and if the review period should be extended beyond 45 days. The other Council Members did not feel either of those suggestions was necessary with everything else that was being done.

Ron Gonen informed the Council that the developers would be mailing a pamphlet to the entire community, which would include answers to frequently asked questions and also invite residents to contact the developers directly with any comments or questions.

In response to Council Member Fisher, staff explained they did have a list of those who had earlier requested a copy of the draft EIR when it was available, and that those people would be individually notified.

B. Consideration of Request from the Las Virgenes Unified School District to Contribute \$2000 for a Feasibility Study Regarding Potential Income for the District from a Document Transfer Tax

Mayor Berg suggested that this item be continued to a future Council meeting to give staff additional time to investigate the matter and to ask Dr. Donald Zimring, who had made the

request for the funding, to attend the meeting to provide additional information and answer any questions. The other Council Members agreed.

C. Charles Abbott Monthly Report - May

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 July 11, 2005 at 8:28 p.m.

Ronald S. Berg, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk