

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, January 9, 2006

*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, January 9, 2006 at the hour of 7:30 p.m. Mayor Ronald Berg called the meeting to order and presided thereover after asking Council Member Stuart Siegel 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 Attorney Larry Wiener  
City Engineer Dirk Lovett  
City Building Official Greg Robinson  
City Manager Cherie L. Paglia

Consultant:

Ken Koch, Impact Sciences

### **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 January 9, 2006 regular meeting be approved as submitted.

### **ANNOUNCEMENTS**

Mayor Berg made the following announcements:

If anyone has a Christmas tree to be recycled, it can be placed in the large roll off bin in either the upper City Hall parking lot or at the Community Center; the bins are only for the trees, not furniture.

City Hall, the Building Department, and the Community Center will all be closed and there will be no inspections on Monday, 1/16/06, in honor of the Martin Luther King, Jr. holiday.

On a sad note, former Calabasas City Council Member Lesley Devine passed away on 1/5/06; she was a founding member of the City and will be missed.

### **AUDIENCE**

There were no questions or comments at this time.

### **PRESENTATION**

**To Todd Bernstein, Past Hidden Hills Community Association President and Board Member**

As Todd Bernstein was not yet in attendance, the Council agreed to discuss this item later during the meeting, upon Mr. Bernstein's arrival.

**PUBLIC HEARING – Continued from 12/12/05**

**Consideration of approval of an application for Vesting Tentative Map 54063 and consideration of certification of the accompanying Environmental Impact Report. Vesting Tentative Map 54063 would subdivide approximately 23 acres of property located generally south of Lasher Road and east of Bridle Trail Road. The property would be subdivided into 11 residential lots clustered around one roadway ending in a cul de sac that would be developed from Lasher Road into the project site.**

Mayor Berg reminded everyone that this was a continuation of a public hearing the Council began on 12/12/05, during which the developers made a presentation and testimony was taken from the Community Association and the public. He then asked if there was anyone in the audience that wished to speak at this time.

Community Association Board President Mitch Jacobs announced that the Association would conduct a public hearing on this project on Tuesday, 1/17/06.

Developer and applicant Ron Gonen, President of Hidden Ridge, LLC stated the following:

He appreciated the opportunity to present the plans for this project at the last Council meeting; they are very proud of this plan and the outreach done within the community over many months; since the last meeting, they have either met or spoken with homeowners who raised issues at the 12/12/05 public hearing; they continue to make progress in negotiations with the Community Association, which will hold a public hearing on 1/17/06, and hopefully they will have an agreement very soon; he introduced the following team members who were in attendance to answer any questions - 1) Attorney David Goldberg, Latham & Watkins, 2) Larry Gray, S.E.C. Civil Engineers, Inc., 3) Amir Yazdanniyaz, Arup Acoustic Consulting, and 4) George Muhlsten, Latham & Watkins.

Attorney David Goldberg, representing the applicant, addressed the Council:

Since the last meeting, at the request of the Council, they have submitted baseline noise measurements for two residential locations, one on Bridle Trail and one on Old Farm Road, that were not included in the EIR; requests for modifications to the proposed conditions were submitted in writing, after discussions with the City Engineer; they understand these requests have been incorporated into the current draft conditions attached to the staff report; they have reviewed the revised conditions and find them all acceptable except the sound wall requirement; as expressed at the last meeting, they are

still requesting that this condition be removed; they believe there has been substantial evidence presented in both written comments and oral testimony that there are aesthetic and other social reasons why sound walls should not be required; they are pleased to report they have made substantial progress in discussions with the L.A. Pet Park and believe they have reached agreement in principle; there should hopefully be a signed agreement within several days, a copy of which will be provided to the City; he would like to thank the Council and City staff for their time; at the end of this meeting, their hope is that the Council will direct staff to prepare the necessary resolutions to certify the EIR and approve Vesting Tentative Map 54063.

Next to speak was Rob Glushon, counsel for the L.A. Pet Memorial Park, which is operated by an entity called SOPHIE:

They are very close to an agreement with the developers; their issues are with respect to access over an easement through the Pet Park property; they have refrained from placing everything in the record up to this point, as it would not be necessary if the agreement is approved; however, since the agreement is not signed yet, if City staff is directed this evening to prepare approval resolutions, he would ask that the record still be kept open; he also wished to compliment the applicants and the City Council for working with the Pet Park.

Mayor Berg then asked staff for any additional information or comments before the Council began its deliberations. City Engineer Dirk Lovett provided the following report:

He will just point out the major revisions since the last meeting, based on comments at that meeting; the applicants have provided two more baseline sound studies that were not included in the EIR; these will be used in post grading measurements to determine if mitigation measures are required; there was a request for open space and parkland on the project site; instead, the applicants will pay in-lieu fees, which staff feels is appropriate in light of the topography and geology of the site; a petition signed by five residents in the area requested a speed hump on Lasher Road; the City's speed hump policy has certain physical requirements before a speed hump can be installed; Lasher Road does not meet these requirements; there are other traffic calming measures that may be considered appropriate, which the applicants will be required to study per the conditions; regarding the sound walls required by the EIR for lots 7, 8, 9, and 10, the Council has three options 1) leave the current condition as is, requiring the sound walls, 2) revise the condition to allow the applicants to conduct post grading measurements to see if the walls are required, or could possibly be lowered or eliminated altogether, or 3) find that the walls are infeasible and can be eliminated based on social and aesthetic reasons; staff would recommend the second option; the Community Association (HHCA) requested authority to stop construction on Saturdays if that entity felt the noise was objectionable; City staff

would recommend that the applicants be treated no differently than any others in relation to noise, and be allowed to work on Saturdays per the City's code which does provide for particular hours and noise levels; the Council expressed concerns with construction vehicles entering Long Valley gate, where there is already an existing problem in the morning; the conditions have been revised to require the applicant to provide a phasing plan for construction vehicles that will need to be approved by the City staff and the HHCA's Gate Committee; as the Mayor has said, this applies only during construction of homes, since construction vehicles will not be coming through the City during grading; the applicants are agreeable to all the changes in the conditions except for the one regarding the sound walls.

Resident Mathy Wasserman commented as follows:

She lives on Rolling View Road and is concerned with noise levels in that area due to this project; with the removal of the hill, she would like to know what the result will look like from their viewpoint as well as from Bridle Trail, not just what it will look like from the freeway; she feels it is unfortunate that there will be no open space or park land designated on this project site.

Mr. Goldberg made the following responding comments on behalf of the applicants:

The EIR analyzed nine noise receptor locations, and in all but two, it was determined the noise increase would be imperceptible to the human ear; the two other locations were determined to have some perceptible noise increase, with the EIR concluding a significant impact with respect to these two locations (#6A near the top of Lasher and #8 a short distance beyond that); Bridle Trail and Rolling View are much further away, approximately  $\frac{3}{4}$  mile from the freeway; lines of sight were drawn from three locations (from two not included in the EIR and from #6A), including from Bridle Trail; in that line of sight, the amount of hillside to be removed as a result of the grading is about 39' (170' down to 131'); the hillside closer to the freeway, which will not be removed, is at 217', which will still provide a substantial noise barrier after the project grading; Bridle Trail is at only 55' above the freeway, with the higher hills in between that street and the freeway.

Mr. Ron Gonen further explained as follows:

They are talking about line of sight because sound travels, if not obstructed, somewhat freely along that line, diminishing over distance; the freeway noise affecting Bridle Trail and Rolling View would come more from the south, where the freeway is much closer, and there will be no elevation changes in that area; looking from the other direction from the freeway across the project to those two streets, there will still be the two hills – the one that is being lowered is still 80' above Bridle Trail and the other hill is 180' above Bridle Trail, so Bridle Trail should not be impacted; the sound studies were done over a

24-hour period to establish baseline measurements; after the grading, they will conduct an additional study in each of those locations, again over a 24-hour period, to see if mitigation measures are necessary; the sound walls for lots 7, 8, 9, and 10 will not impact Bridle Trail from a noise standpoint, but could impact that area visually.

Council Member Freedland wished to know what type of mitigation measures might be used if the after grading sound measurements determined a need for mitigation measures. He also asked if the applicants were required to conduct mitigation measures, and those measures did not reduce the sound impact to within 3 dBA of the pre-grading measurements, what recourse the City had to compel further mitigation measures. Mr. Ron Gonen stated that numerous measures could all be effective, including planting, landscape barriers, trees, fencing, berms, or walls.

City Attorney Larry Wiener stated the following:

If the City Council desires, staff can draft a condition providing continuing jurisdiction for the Council to impose additional measures as necessary to reduce noise impacts to the standard being set forth, which is no more than 3 dBA above the existing conditions; 3 dBA is usually chosen because the human ear cannot perceive changes less than 3 dBA; the condition would be drafted requiring certain mitigation measures, and then if those were not effective, would give the Council open-ended authority to require additional mitigation measures to achieve the performance standard.

In response to questions from several Council Members and Ms. Wasserman, Mr. Ron Gonen and Mr. Yazdanniyaz provided the following information:

Once homes are built on the project site, that will help to further reduce noise levels; there will be visual impacts from some of the properties on Bridle Trail and Rolling View, as they will see well-landscaped slopes and homes; currently there are no retaining walls planned for the site; if any should need to be built at a later date, they would fall under the jurisdiction and need approval of the Architectural Committee; the applicants do not want to install sound walls on the site; any sound walls required for the freeway noise mitigation are different than those proposed on individual lots for the benefit of future owners; if noise studies after grading show a need for noise mitigation, that will be addressed by the acoustic engineer, but they would rather start with landscaping, trees, etc. before having to build any walls; most of the freeway noise in the Bridle Trail area is coming from the freeway directly south of Bridle Trail, where the freeway is much closer; this will not change; if you follow the other line of sight across the project, the freeway is much further away, where there will still be barrier hills.

Mayor Berg invited resident Jill Rosenberg to speak, informing her that before she arrived staff acknowledged her petition for a speed hump, stating that Lasher Road does not meet the requirements of the City's speed hump policy, but that the applicants would look at other traffic calming devices. Ms. Rosenberg asked the Council to still consider a speed hump on Lasher, especially since there is a hump on Jim Bridger that does not meet the requirements of the speed hump policy (less than 5% grade and at least ¼ mile of road at that grade). The City Manager stated that the hump on Jim Bridger was most likely installed long before the speed hump policy was adopted.

Council Member Siegel pointed out that the Sheriff and Fire Departments would not support a speed hump on Lasher Road, as it is too steep and too narrow and would impede their response times. He also reminded Ms. Rosenberg that humps can be very noisy as vehicles travel over them or try to slow down suddenly when approaching the humps.

Council Member Freedland asked for examples of traffic calming devices, and wondered if the residents could be brought into any discussions regarding their possible use. City Engineer Lovett listed some devices that came to mind, although they might not all be feasible on this narrow road: BOTS dots (which residents do not normally like as they are very noisy when vehicles travel over them); center and outside edge line striping; slight geometric changes to the road itself; landscaping; medians. He thought it would be possible to include in the conditions that the residents on Lasher be allowed to provide input when any traffic calming devices are being considered by the applicants. Council Member Siegel reminded everyone that there were many resident complaints about speeding through the top area of Spring Valley, and that the problem was resolved by adding center and outer edge line striping with reflectors, which visually narrow the road and cause slowing; this method, also used in several other areas of the City, is very inexpensive, dramatic, and needs little maintenance.

Resident Deborah Vangelos asked if the new sound measurements would be included in the EIR, if the community would vote on whether the applicants should provide open space or pay fees, and if fees were collected, how they would be spent. Her questions were answered by the Council and staff as follows:

The conditions have not yet been finalized, and when they are, they will require the applicants to conduct after grading noise measurements at all of the baseline measurement locations, including the recent baseline measurement on Bridle Trail; the City Council determines whether the applicants provide parkland or pay an in-lieu fee, based on the suitability of the project site; to require a park on this project site would be poor planning, as it would be near residents' back yards, used primarily on the weekends with no place to park, and in a location, up a narrow road, that most people would not want to drive to; the in-lieu fees paid by the applicants must be used for park purposes, and could be combined with other park funds; the Council can determine at a later date, when there are sufficient funds, how to spend them, whether on a new park or to improve an existing park facility; these fees are different from school fees (which go directly to the school based on square footage) and from those collected by the Community Association as an annexation fee per their agreement with the applicants; the amount of land required for dedication is based on the number of dwelling units (11 in this case) at a rate of .00465 acres of park land per lot; for in-lieu fees, the developer is to pay fair market value for that acreage (.05115 acres in this case); the City staff will determine from the Municipal Code how the fair market value is to be determined.

At this time, Mayor Berg suggested the Council recess this item, and return to Item No. 6.

### **PRESENTATION**

#### **To Todd Bernstein, Past Hidden Hills Community Association President and Board Member**

Mayor Berg thanked Mr. Bernstein for his past six years on the Community Association Board of Directors, five as its President, stating that all of the Council Members and staff have enjoyed working with him. Mayor Berg then read the plaque and presented it to Mr. Bernstein, who made the following comments:

He thanked the City for the plaque and kind words; it has been a long six years, but it has been a pleasure for him to work with the Council and staff; a great deal has been accomplished, although there is always more to be done; he knows the current Board and

its new President are committed to fostering a good relationship with the City Council; he would like to wish each Council Member continued success.

**PUBLIC HEARING – Continued from 12/12/05**

At 8:25 p.m., the Council reconvened this item and began deliberations, with the following issues raised and points made:

Grading condition #21 not only would require weed abatement per the Fire Department requirements, but would also require the developer to keep the pads at no more than 12” of growth and maintain an attractive appearance on each; the slopes will be maintained for erosion control; it was felt the HHCA should have a condition whereby the Architectural Committee would monitor the appearance of the site; traffic during grading will enter the site over the easement through the Pet Park; once the grading is complete, all traffic for construction, including street improvements and infrastructure, will come through the HHCA gates; once the rough grading is signed off, the construction phase begins; usually streets are cut during the rough grading, but then the street paving and utilities are done after that.

In response to Council questions, Mr. Ron Gonen explained the following:

He can only speak in general terms at this time; they anticipate grading (which involves the large equipment) on site for 4-6 months; the infrastructure phase is also estimated to take 4-6 months; the time could be more or less depending on the weather and any other items out of their control; once they have approved grading pads and pull permits, they plan on building two or three homes per year, depending on market conditions; they expect a five year build out; where they build the two or three homes per year within the project site has not been determined, and could vary.

At this point, there was a short discussion regarding noise, when measurements would be taken, and what specifically could be done and at what point to assure that the noise impacts, if any, were properly mitigated. Attorney Wiener stated that per the current draft conditions (which could be changed), if there are impacts, the applicants need to provide noise mitigation to return to the pre-project noise levels prior to getting occupancy of the first home; noise measurements will be taken after completion of grading, but there are other points in time to require compliance with the performance standard even before occupancy, such as at the permit building stage. Mr. Muhlsten stated that the measurements would be taken after grading, that they would like to place

landscaping on a lot first, as that should help mitigate any noise impacts, and that the applicants would be agreeable to the condition stating that the mitigation measures should be completed before issuance of building permits.

In response to Mayor Pro Tem Cohen, Attorney Wiener said he has heard theoretically that there are alternatives to the beeping noise on vehicles required when they back up, but this is a very huge issue with OSHA, and he is not aware of anyone meeting an OSHA approved alternative. Staff will investigate this matter.

The next issue raised by the Council was the visual blight of any required sound walls, which the Council agreed should be landscaped or screened (perhaps like the Round Meadow wall) if visible to Hidden Hills residents. Mr. Yazdanniyaz said a sound wall needs to be solid (like block or heavy timber), continuous, and a certain height (the highest walls built by Caltrans are 16', with the EIR requiring ranges from 8'-10'), but it is possible that berms or trees could be used instead. Mr. Muhlsten again pointed out that the applicants believe sound walls will not be appropriate, but if required, they would like to change the current condition which provides for a 60 dBA rating to the Caltrans required 67 dBA rating, remembering that this is not for the existing residents, but for future residents, most of whom they believe would prefer not to have sound walls.

Council Members Freedland and Siegel both felt the visual impacts of these walls could be potentially significant on existing residents, but that visual impact from afar could be mitigated with landscaping or screening; however, they were very concerned for future homeowners, as an 8' – 9' wall on their property would be an impact that would never go away, and it would be more appropriate for those homeowners to determine how to mitigate freeway noise on their property if post grading levels required mitigation.

EIR Consultant Ken Koch wished to point out the following: the conclusion of significance is based on the future 2025 conditions, with all the traffic on the road at that time; there is no impact now and the noise levels meet all the current standards, but post grading measurements are taken to help fine-tune and calibrate a sound prediction model to be used by an acoustic engineer to determine what predicted sound levels will be. This triggered a fairly lengthy discussion regarding a 60 dBA rating vs. a 67 dBA rating, during which the following points were made:

Current dBA measurements, covering all noise, not just freeway noise, show Long Valley at 52 dBA, Saddle Creek at 54 dBA, and the highest at Old Farm Road with 58 dBA; taking just freeway noise alone, the measurement is running at 34 – 47 dBA; even a 50 dBA might sound loud if that is an increase in 10 dBA over the current level; by 2025, traffic volume may increase, but that can also cause a slow-down in traffic and thus less noise; the 67 dBA Caltrans standard is meant to protect residents near a freeway, but due to the topography, landscaping, distance from the freeway, etc., Hidden Hills will never reach the 67 dBA level, even in 2025; if that is the case, then there should not be a problem imposing the 60 dBA requirement; this is a very quiet community, and the Council wants to protect the future as well as the current residents; the problem with the 60 dBA threshold of significance is that traffic fluctuates when looking at the community level over a 24-hour period; 60 dBA is used more for land use compatibility; what is recommended in the EIR is the recommended standard for the State Department of Health Services, Environmental Noise Division.

At this time, Mayor Berg called for a short recess, reconvening the meeting at 9:05 p.m.

After the recess, Mr. Muhlsten still expressed a desire for the Council to eliminate the requirement for sound walls, but if that does not occur, he believed Mr. Yazdanniyaz and Mr. Koch had now agreed they could define a standard representing a 5 dBA increase over the existing condition of sound attributable to freeway noise for the new residential lots, and that they could further work out a procedure to determine if mitigation measures would be required, with flexibility built in to allow a wall or some other feature to mitigate the impact. This triggered a lengthy discussion regarding whether or not the finding could and should be made to eliminate the requirement for sound walls, during which the following points were made:

The Council could require mitigation measures up to and including sound walls if necessary, with the understanding that neither the applicants nor the Council wished to see the walls built; if sound walls are not required, future owners of the properties in question could still build a wall to mitigate noise if approval was obtained from the HHCA and the wall met the building code requirements; the current mitigation measure proposed would require them to build a wall; if the Council wishes to leave the determination to the homeowner, the finding of infeasibility should be made and the condition not imposed; if a homeowner went to the Architectural Committee and requested a 9' wall, it most likely would not be approved; homeowners probably would request something other than a high wall; the current mitigation measure calls for sound walls to be built for the benefit of future homeowners in the year 2025; recommendation #3 suggests the Council find that although walls may be necessary to mitigate potential noise impacts, the Council feels the walls are inappropriate for aesthetic reasons so will not impose the requirement to build walls as a mitigation measure; the applicants believe they would not build any walls unless mandated by the Council; the condition is currently a mandatory requirement that walls must be built unless the applicants can test and show that the noise levels are 60 dBA or below; if the sound walls are mandated as a mitigation measure, the applicants are asking for the elimination of the 60 dBA threshold, to be replaced with the 5 dBA over the existing conditions.

As there was some confusion expressed at this point, Council Member Freedland stated what he thought the two separate issues related to sound impacts were:

First, he believes it has been resolved that the developers are comfortable that the post grading sound levels will not be more than 3 dBA higher than current levels in a 24-hour period; if they are, the developers will mitigate the impacts with landscaping, berms, and other measures up to and including sound walls if acceptable to all those concerned; the second issue affects the residents purchasing the new lots; there is current noise data on those lots, over a 24-hour period; he would suggest not looking at 2025, but to instead look at the current conditions and establish a reasonable increase – again perhaps a 3-5 dBA standard increase, if the developers are comfortable with this; if the post grading levels are that much higher than the pre-grading levels, mitigation measures would be required; it would be his preference that sound walls not be used, but the developers should be allowed to use the mitigation measures they see fit, up to and including the sound walls; the developers hands should not be tied by the Council saying that no walls can be built; this would be his recommendation.

Resident Mike Ashley expressed his opinion that the Council had more of an obligation to existing residents rather an obligation to protect future buyers, since those buyers could look at the property, see what impacts would affect the property, and then make their choice as to

whether or not they wished to purchase the property. Council Member Freedland stated that he originally agreed with Mr. Ashley, but future buyers of these properties will be future residents, and the Council should also help them to obtain an enjoyable lifestyle. He also pointed out that even though people see problems before they purchase a property (like those who purchase near airports), they still complain after they move in.

Mr. Muhlsten stated that it was acceptable to the applicants to apply a 5 dBA standard increase for the future residents over the existing conditions, post grading, of sound coming from the freeway. This raised a question from Mayor Berg regarding the 3 dBA increase for existing residents, which he thought was from any source, as opposed to the 5 dBA increase for the future residents, which Mr. Muhlsten said was just from freeway noise, with Council Member Freedland asking if the noise from the freeway could be segregated. Mr. Koch stated the following:

The applicants took an L-90, with 90% of the sound falling within a certain range over a 24-hour period; with the data in the EIR, there is a potential for significant impacts in the future; he is obligated under CEQA to find feasible mitigation for that impact or have the City make the finding that it is infeasible; personally, he would go with the second approach to conduct further study, modify the condition to reflect a standard everyone can live with, and make future predictions; he is comfortable staying with what the EIR says for existing residents, and would agree, for the new lots, that the standard increase of 5 dBA above the current level be established for the freeway noise source as a projection.

Mr. Yazdaniyaz agreed with Mr. Koch, stating that to determine the impact of lowering the hill on the existing residents, there should be an attempt to measure just what is coming from the freeway, which is what was done for the two locations not included in the EIR.

Attorney Wiener summarized this latest discussion as follows:

After grading is completed, there will be noise measurements taken at the proposed four lots; based on those noise measurements, there will be a projection of what the freeway noise will be at those four locations in 2025; if that projection indicates that freeway noise in 2025 will increase by 5 dBA over the contribution the freeway noise is making today, mitigation measures up to and including sound walls will be required.

City Engineer Lovett wished to clarify several matters in relation to parkland dedication:

The Council, in determining if in-lieu fees can be paid, should consider the topography, geology, access and location of land in the subdivision available for dedication, and size and shape of the subdivision and land available for dedication; per the Municipal Code, "fair market value" shall be determined as of the time the Planning Agency's approval of the tentative tract map based upon the then assessed value of the land, modified to equal market value in accordance with current practices of the County Assessor; staff will further investigate this definition.

Mr. Ashley suggested that the parkland dedication requirement has been more than satisfied in the past by the amount of space dedicated to trails. However, Mr. Lovett pointed out that the Municipal Code specifically says trails shall not be included in the computation.

As there was no further discussion, upon MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried on roll call vote, it was resolved to continue the public hearing to the 1/23/06 City Council meeting, and to direct staff to prepare resolutions, for consideration by the Council at the 1/23/06 meeting, certifying the EIR and conditionally approving Vesting Tentative Map 54063, based on the discussion this evening.

Attorney Wiener summarized the procedure from this point forward, as follows:

Staff will draft the resolutions to approve the project with conditions along the lines discussed this evening and set forth in the staff report presented to the City Council in December and modified to reflect comments at that time to be presented this evening, and further modified based on tonight's discussion; the resolutions will come back to the Council for consideration at the next regularly scheduled meeting on 1/23/06; at that time, since the public hearing is still open, anyone wishing to provide testimony on the resolutions, the conditions being imposed on the developers, or the developers' agreement with the HHCA which is being addressed on 1/17/06 may do so; if the resolutions are approved by the Council on 1/23/06, then the project is approved and the developers can go forward to fulfill the conditions and build the project as described in their application and the resolutions.

Mayor Berg thanked the developers and their team, the City team, and the outside consultant, stating that everyone acted in good faith to get this project done. He added that although the

process took longer than anyone anticipated, the result is a better project hopefully for both the developers and the City.

### **CONSENT CALENDAR**

- A. City Council Minutes – December 12, 2005**
- B. Demand List**
- C. 2005 Fiesta Expenditure Report**

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

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

#### **Report from 12/13/05 Hidden Hills Community Association Board of Directors Meeting**

The report was received and filed.

### **MATTERS FROM STAFF**

#### **Discussion Regarding Tree Permit Ordinance/Regulations/Procedures**

The following report was provided by City Engineer Dirk Lovett:

The City Council adopted a new tree ordinance in November, limiting the application of tree removal and trimming regulations to the CR zone; the provisions of the ordinance will become effective upon written notification to the Council by the City Manager, once the Association adopts its tree regulations; the Association drafted new Architectural Standards to regulate tree trimming and removals; these draft regulations were approved by the Architectural Committee and will be circulated to the community; one item in the Association's regulations requires the City's approval in relation to oak trees; if the City Council wishes to regulate oak trees, the newly adopted ordinance will need to be amended.

The Council Members were all in agreement that the City's tree regulations would apply only to the CR zone, and not to oak trees, and thus directed staff to ask the Association to remove from its regulations the requirement for City approval.

**ADJOURNMENT**

There being no further business to come before the Council, upon MOTION of Council Member Fisher, seconded by Council Member Freedland and unanimously carried, it was resolved to adjourn the regular meeting of January 9, 2006 at 9:45 p.m.

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Ronald S. Berg, Mayor

ATTEST:

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Cherie L. Paglia, City Manager/City Clerk