

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, November 13, 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, November 13, 2006 at the hour of 7:30 p.m. Mayor Jim Cohen called the meeting to order and presided thereover after asking Macy Berg, daughter of former Council Member Ron Berg, to lead the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:

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

Staff:

City Engineer Dirk Lovett
City Manager Cherie L. Paglia
Deputy City Clerk Deana L. Graybill

APPROVAL OF AGENDA

Upon MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved that the agenda for the November 13, 2006 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Cohen made the following announcements:

Today is the first day of the nomination period for the City's General Municipal Election on March 6, 2007; three Council seats, one of which is vacant, will be up for election; anyone interested in running for the Council should call City Hall for information; if someone does decide to run, papers have to be pulled, signatures obtained, and papers returned no later than 5:00 p.m. on Friday, December 8, 2006.

The Council would like to extend belated birthday wishes to Kelsey Freedland, whose birthday was Sunday, 11/12, and birthday wishes to Macy Berg, who will celebrate on Friday, 11/17.

City Hall, the Building Department, and the Community Center will all be closed and there will be no inspections on Thursday (11/23) and Friday (11/24) in honor of the Thanksgiving holiday.

The City is still taking orders for automated external defibrillators (AEDs) through the end of November; call City Hall for details.

The Council and staff expressed belated birthday wishes to Mayor Cohen, who celebrated his birthday this past Saturday.

Council Member Freedland announced that the City Manager was celebrating her 20th anniversary with the City of Hidden Hills (11/6). City Manager Cherie Paglia was then presented with a cake and a gift from the four current Council Members (Mayor Cohen, Mayor Pro Tem Fisher, Council Member Freedland, and Council Member Siegel) and former Council Member Berg, all of whom individually expressed their appreciation for her service and dedication to the City, for her professional representation of the City outside its boundaries, and for being a good friend to them and to the community. City Manager Paglia (being very surprised and moved) thanked the Council, stating that although she was not a resident of the City, she loved working for Hidden Hills, considered it "her City" that she would always protect, and that she was very proud of Hidden Hills.

Mayor Cohen then called for a short recess, and asked everyone in attendance to join the Council and staff for a reception in honor of Ms. Paglia. Mayor Cohen then reconvened the Council meeting at 7:49 p.m.

AUDIENCE

There were no questions or comments at this time.

PRESENTATION

To Lisa Moriarity, 2006 Fiesta Chairman

Mayor Cohen, on behalf of the Council, staff and residents, thanked Ms. Moriarity for once again organizing and presenting a wonderful Fiesta. He added that there was hope she would change her mind, and agree to chair the Fiesta again next year. Ms. Moriarity was then presented with a token of gratitude from the Council.

Ms. Moriarity thanked the Council, and also thanked Deputy City Clerk Deana Graybill for her assistance. She expressed her opinion that a new chairman next year would be a good idea and bring new, fresh ideas for the event, but added that she would be more than happy to help with the transition.

CONSENT CALENDAR

- A. City Council Minutes – September 25, 2006**
- B. City Council Minutes – October 23, 2006**
- C. Demand List**

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem 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 STAFF

A. Selection of Dates for 2007 Fiesta

Deputy City Clerk Deana Graybill provided the following information:

This year's Fiesta was pushed later into October due to the holiday schedule and the availability of the company that provides the rides; staff would again like to move the Fiesta back into September, when there usually is not a problem with weather and the possibility of rain; she has reviewed the 2007 holiday schedule (Rosh Hashanah 9/12-13; Yom Kippur 9/21-22), and would recommend the Fiesta be held the weekend of September 29-30, 2007.

The Council agreed with the proposed dates.

B. Consideration of Approval of Agreement with Waste Management for City Solid Waste Collection Services

City Engineer Dirk Lovett informed the Council that adoption of the proposed agreement would ratify the action taken by the Council at the last meeting. He also pointed out that the agreement was for six years (exclusive) with an option to extend the agreement for another four years (if mutually agreed), and that the termination date in the agreement was stated inaccurately and would be corrected. Upon MOTION of Mayor Pro Tem Fisher and seconded by Council Member Freedland, the Council resolved on a 3-1 vote (with Council Member Siegel opposed) to approve, as corrected, the Agreement for Solid Waste and Recycling Collection, Transportation, Processing, and Disposal Services with G.I. Industries/Waste Management, with the agreement to be effective January 1, 2007.

C. Consideration of Approval of Proposal to Prepare an Environmental Impact Report (EIR) for Vesting Tentative Tract Map 63567 (Ashley)

City Engineer Dirk Lovett presented the following staff report:

The Council is being asked this evening to select a consultant to prepare an EIR for the Ashley project on eighteen acres next to the recently approved Hidden Ridge project; an application was received in April for a vesting tentative map, general plan amendment, zone change, and annexation of approximately seven acres into the City; at that time,

staff determined that an EIR was necessary for the project; an RFP was prepared and circulated to twenty-six qualified environmental consulting firms; seven proposals were received, all of which were evaluated; all seven companies were qualified and presented quality proposals, but two were considered for further study; references were checked for both of these companies, who have substantial experience and come highly recommended; both proposals presented a reasonable schedule for completion of the EIR; all else being equal, there is a price difference; therefore staff is recommending that the Council authorize the City Manager and Planning Department to negotiate and enter into an agreement with Rincon to prepare, for a total cost of \$71,251, an EIR for vesting tentative map 63567, based on the proposal submitted by Rincon dated 11/6/06.

Council Member Siegel commented as follows:

This is a proposal for a company to do an environmental investigation and report back to the Council; it does not constitute an approval of the project, and is done at the expense of the developer; once the consultant is approved, the preparation of the EIR is out of the hands of the Council; the Council will not have any input into the report, or see the report, until staff determines that the draft EIR is ready to be presented to the community; that allows the Council to fairly judge the EIR and not be influenced by the consultant, the developer, or residents.

Council Member Siegel asked when the appropriate time would be for residents who want to provide input to do so. City Engineer Lovett responded as follows:

The consultant selected will immediately start work; they gather studies, make findings, look at alternatives, etc.; all that information is then put into a draft EIR (DEIR); when staff feels the DEIR is complete, it gets circulated to adjacent agencies and the public, with notices being sent to all property owners within 500' of the project; during the last DEIR process for the Hidden Ridge project, notices were sent to all residents in the City, and staff plans on doing the same this time; once the DEIR is circulated, that begins a 45 day period, during which comments are invited and encouraged; any additional studies that might be required, and any comments received, along with the consultant's responses to those comments, are then added to the DEIR to produce the final EIR; the final EIR is submitted to the Council for certification; the proposed schedule for completion of the EIR process is roughly 7 ½ months, including the 45 day review period for the DEIR.

Council Member Freedland wished to confirm his understanding of the schedule and process:

As he understands it, once the DEIR comes out, there will be a 45 day review period during which any resident with comments or questions should put those comments or questions in writing and submit to the City; the City then forwards those to the consultant, who will address them in the final EIR; anyone with any issues related to the

project, whether the issues involve view, sound, wildlife, etc., should submit those issues in writing during the 45 day period.

City Engineer Lovett informed the Council that some comments had already been received, all of which will be forwarded and addressed by the selected consultant; however, he confirmed Council Member Freedland's understanding that when the DEIR is circulated, that is the first time for anyone to comment on the DEIR.

Council Member Siegel wished to point out that the 45 day comment period is not the time to oppose the project itself, but is the time for someone to express concerns regarding a specific matter in the DEIR, for example the sound methodology; if someone believes that the consultant has missed something, or needs to know more about an issue, then that information should be submitted in writing and the consultant will determine if it is related to the project and should be addressed.

Mayor Cohen confirmed that there have been preliminary discussions by residents at Council meetings, and some written comments have been received, all of which will be forwarded to whichever consultant is selected by the Council.

Resident Deborah Vangelos then addressed the Council:

She has spoken at previous Council meetings about this issue; residents on Bridle Trail and other streets already submitted written requests to the City staff since they have big concerns about this proposed plan; this is not personal or about the quality of work, as anyone can look around the community and see the good quality of Mr. Ashley's work; she recently talked to the County Supervisor's office, as the land to be annexed is unincorporated County and governed by very strict ridgeline rules; Hidden Hills does not have these same ridgeline regulations; she was informed that the County would most likely not allow low income housing to be built on that land (although the County could not say never), which has been a concern of some residents if the land remains in the County; the City needs to look at this project very carefully, so she and other residents have raised their concerns to be addressed now rather than later; a petition has been signed and submitted to staff (she provided copies to the Council); they do not understand why the land would be annexed, to then allow a road through the property and the hill to

come down, which is not what they want to see happen; some are opposed to the annexation, while others are not; the concern is what will be done with the property if it is annexed; there are currently only five homes that could be built in that area; there could be five or six years of construction traffic; the residents on Bridle Trail will lose not only the double cul de sac, but also their view, which is what gives the neighborhood its rural feeling; they hope everyone can work together to find a creative solution; they are asking the City to look at alternatives, especially related to access and the ridgeline, which is considered significant to the County; the County has rules to maintain a sense of mountains, which is why they all moved to that area; they hope the City will look at their request and investigate options.

Mayor Cohen assured Ms. Vangelos that the City will take a very serious look at this project, and that the Council is appreciative and aware of their expressed concerns, which will be communicated to the selected EIR consultant.

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Fisher and unanimously carried on roll call vote, it was resolved to accept the recommendation of staff to authorize the City Manager and Planning Department to negotiate and enter into an agreement with Rincon Consultants, Inc., based on the revised proposal from Rincon dated November 6, 2006, to prepare an Environmental Impact Report (EIR) for vesting tentative map 63567 at a cost of \$71, 251.

D. Consideration of Acceptance of APN 2049-005-902 (Parcel at Northeast Corner of Intersection of Round Meadow Road and Mureau Road) from the Las Virgenes Unified School District

The following staff report was provided by the City Manager:

It was thought that this corner property was given to the City by the LVUSD when the Round Meadow School parking lot and road (out to Mureau Road) were given to the City in 1986; it was recently discovered, while working on plans to landscape the corner, that the property was still listed as being owned by the LVUSD; the LVUSD was asked to transfer the property to the City, since the City has been maintaining it for many years; the LVUSD Board agreed to the transfer at its meeting on September 26th, and signed a grant deed; the Council now officially needs to accept the property, after which the grant deed will be recorded.

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Fisher and unanimously carried, it was resolved to accept from the Las Virgenes Unified School District (LVUSD) the parcel at the northeast corner of the intersection of Round Meadow and Mureau Roads (APN 2049-005-902) and to authorize staff to record the grant deed transferring this property from the LVUSD to the City of Hidden Hills.

E. Consideration of Approval of Design Proposal for Landscape Plans for Round Meadow/Mureau Corner

City Engineer Dirk Lovett presented the following staff report:

On August 14th, the Council accepted a conceptual plan for this landscaping, and then reviewed two proposals to provide professional plans at the September 15th meeting; at that time there were concerns regarding license and insurance requirements, so staff was directed to obtain additional proposals with those requirements in mind; bids were solicited from thirteen companies, with five submitting proposals, all of which are compared in a table in the staff report; due to the size of the project, it was the Council's consensus to use a licensed landscape architect; per the City's standard agreement, contractors are to provide general liability, professional liability (errors and omissions), and auto insurance, along with worker's compensation when appropriate; of the five proposals received, four are licensed landscape architects; of those four, only two have all of the required insurance; staff spoke with the Senior Risk Consultant at the California Joint Powers Insurance Authority (CJPIA), of which the City is a member, regarding coverage for a project of this nature and size; he thought auto and professional liability would be the most important for this project; although general liability is always a good thing, it would not be as pertinent for a project such as this due to the size of the project and the risks involved, along with the additional cost to provide that insurance (the bids ranged from \$4,900 to \$11,500); it was also pointed out that general liability insurance would be required of the company hired to complete the construction once the plans were approved; the City has three options; the general liability requirement could be waived and the lowest bid accepted; all the insurance per the City's standard agreement could be required, resulting in acceptance of a higher bid; all proposals could be rejected and additional proposals solicited; staff would recommend the first option.

Council Member Siegel felt that based on the minimal risks (plans are being drawn, and there will be no workers doing physical labor), and especially with the comments from the CJPIA, the additional cost to use a company with general liability insurance was not warranted. Upon

MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried on roll call vote, it was resolved to waive the City's general liability insurance requirements and authorize staff to enter into an agreement with Healing Leaves to provide professional landscape plans for the northeast corner of Round Meadow and Mureau Roads at a cost of \$4,900.

F. Consideration of Approval of Proposal for Provision and Installation of City Traffic Regulation and School Parking Lot Signs

The following staff report was provided by City Engineer Dirk Lovett:

In the Council packets is a map showing where many of the new signs will be located, based on direction from the City Council and Public Safety Commission earlier in the year; besides those shown on the map, there are numerous dilapidated signs throughout the community that need cleaning, repair, or replacement; three proposals have been received, with the costs to be covered with Traffic Safety Funds; each of the proposals was broken into two sections, one for providing the signs and hardware, and the other for installation; the low bidder, Interstate Striping & Signs, Inc., would be able to do both, which staff feels would be a benefit; old signs, posts, and hardware will be salvaged as much as possible; staff would recommend the proposal from Interstate Striping & Signs, Inc. be approved, at a cost not-to-exceed \$11,000.

In response to Council Member Freedland, City Engineer Lovett explained that he was proposing the approved cost be increased to \$11,000 from the amount of the proposal (\$9,229) as a contingency to cover any other signs that might need work throughout the City. The City Manager added that there are a lot of stop signs that have been temporarily "fixed" that do need work beyond what the maintenance crew is able to do; she also pointed out that the signs being purchased include those to establish the new "No Passenger Unloading in Roadway" zone at Round Meadow School approved by the Council some time ago.

Council Member Fisher asked if the Sheriff would enforce all the signs being added. The City Manager explained that staff originally met with the Sheriff to determine the best location for the new signs, which they would certainly enforce; it was thought at that time that the new signs

could be added to existing posts, but in many cases, that was not possible as the clearance at the bottom of the signs did not meet the required 7', so many of the old posts have to be replaced with taller new posts.

Upon MOTION of Mayor Pro Tem Fisher, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to authorize staff to enter into an agreement with Interstate Striping and Signs, Inc. to provide, repair, relocate, and install signs and striping, per the City Engineer's request for proposal (and as stated in the staff report dated November 8, 2006), at a cost of not-to-exceed \$11,000 (including 20% contingencies), with the monies to be paid from the City's traffic safety fund.

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 November 13, 2006 at 8:24 p.m.

Jim Cohen, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk