

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, April 14, 2008

***MINUTES***

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

A regular meeting of the City Council of the City of Hidden Hills was duly held in the Council Chambers at the City Hall, 6165 Spring Valley Road, Hidden Hills, California 91302 on Monday, April 14, 2008 at the hour of 7:30 p.m. Mayor Steve Freedland called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

**ROLL CALL**

Council:

Mayor Steve Freedland  
Mayor Pro Tem Larry G. Weber  
Council Member Jim Cohen  
Council Member Monty Fisher

Staff:

City Engineer Dirk Lovett  
Environmental Coordinator Kevin Powers  
City Manager Cherie L. Paglia

Absent:

Council Member Stuart E. Siegel

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

### **APPROVAL OF AGENDA**

Upon MOTION of Council Member Fisher, seconded by Council Member Cohen and unanimously carried, it was resolved that the agenda for the April 14, 2008 regular meeting be approved as submitted.

### **ANNOUNCEMENTS**

Mayor Freedland made the following announcements:

The City received a thank you from the students and staff at A.E. Wright Middle School for the City's support, along with three other cities, of new technology for the District; he and Council Member Siegel (who was the Mayor at the time) received a banner from the Round Meadow students at a special assembly recently, also as a thank you for monetarily supporting the new technology.

The City provided a certificate for Harry Leff, who is retiring from the LVUSD after 36 years; he was the music teacher at A.E. Wright Middle School; a concert will be held in his honor on 5/4/08 at the Thousand Oaks Civic Arts Plaza; City staff has the details for anyone interested.

The City sent plaques to Malibu for that City's reorganization (this evening), in honor of Jeff Jennings and Ken Kearsley, both of whom were termed out.

### **AUDIENCE**

Paul Edelman, Director of the Santa Monica Mountains Conservancy, addressed the Council:

The Conservancy, which would be the acquisition agent, is working on the purchase of four parcels totaling two acres, east of Valley Circle along Ventura Boulevard (the Council received maps); the Conservancy has \$71,000 towards the \$140,000 total cost of the land, with a \$14,000 non-refundable deposit to be made in the next ten days; the rest is due by 5/30/08, although Caltrans has been flexible; he would like to use this meeting as a forum to get the word out that, since this is a local project, they are looking for additional funding from the City or private individuals; the Conservancy would like to beautify the two acres, keeping it open space as opposed to commercial, with those contributing funding having a say in what would happen to the property; he is aware the City had per capita grant funding (from either Prop 40 or Prop 12) that was supposed to go toward the maintenance of the former Ahmanson property, but never did; he wondered if that funding could be used by the City to help with this project if it was still available.

Mayor Freedland made the following comments:

The City did have \$220,000 that was earmarked for both the acquisition and maintenance of the Ahmanson property (now the Upper Las Virgenes Canyon Open Space Preserve); since it was not needed for the acquisition, the City attempted to give all of that money for maintenance, but the State had a logistical problem with that plan, as the State did not believe the MRCA or the SMMC was an approved recipient for those funds; he does not know if this new project would be a good substitute for the original project, as maintaining the Ahmanson property, abutting the City, has a greater effect on Hidden Hills residents than the proposed purchase; he also would not be opposed to reconsidering use of the funds for Ahmanson, but he does not believe there has been any change in the logistics that would allow that to happen; the Council will look into whether or not these funds are still available and for what purpose.

Mr. Edelman thought the fact that the SMMC would be the agency involved, not the MRCA, might make a difference with the newly proposed project, but he would not be opposed to the funds being resurrected for use on Ahmanson.

**PUBLIC HEARING (Continued from 3/24/08)**

**Variance No. V-374**

**24814 Jacob Hamblin Road**

**Swimming Pool and Retaining Walls within the Side Yard Setback**

Mayor Freedland recused himself at this time (7:38 p.m.), as he lives next door to the subject property.

Mayor Pro Tem Weber announced that the hearing was still open as it was continued from the last meeting, and asked City Engineer Dirk Lovett for a staff report. Mr. Lovett reported that revised plans had not yet been received, so staff is recommending that the hearing be closed after any comments this evening; once new plans are received, a new hearing date will be scheduled and noticed. Mayor Pro Tem Weber asked if staff was certain new plans would be submitted, with Mr. Lovett believing that to be the case based on statements from the property owner.

Charles Caspary, who lives on Round Meadow Road below the subject property, expressed three concerns about the proposed project: 1) the visual impact, 2) storm water flow from the additional hardscape, and 3) possible flow from a structural failure of the pool due to an earthquake or any other cause. He asked that the Council address these issues in relation to any future variance request, or during the plan check process if a variance for some reason was not required for any new plans submitted.

Mayor Pro Tem Weber asked if there were any other neighbors right below the subject property. Mr. Caspary stated that his neighbor to the south, Jim Dunn, did live below the subject property and had expressed all of the same concerns; however, Mr. Dunn chose not to attend tonight's meeting since he (Mr. Caspary) assured him he was attending the meeting.

As there were no further comments, Mayor Pro Tem Weber, hearing no objections, closed the hearing. Mayor Freedland rejoined the meeting at this time (7:42 p.m.).

## **PRESENTATION**

### **Upper Las Virgenes Canyon Open Space Preserve (Formerly Ahmanson) Report**

Chief Ranger Walt Young provided the following information:

Some of the public outreach programs will continue, including the full moon and the astronomy hikes; however, the camp fire programs will be moved to the King Gillette Ranch so there will be no fire activity in the park; programs are listed on the website ([www.lamountains.com](http://www.lamountains.com)); there is already a good crop of grass as the fire season approaches; the maintenance crew has already completed the first brush clearance pass and there has been very little regrowth; their commitment is as it has always been – to do what was historically done by Ahmanson; most work is done, but brush will be recut as needed; they now contract with the L.A. County Department of Agriculture for brush clearance; the Fire Department will confirm that they are in full compliance; residents may see a trailer on the knoll overlooking the Victory entrance to the park, as it is a portable repeater which is part of a science experiment; they are trying a variety of things including testing a solar system and a web based camera that could possibly be placed in front of a fire line to monitor the progress of a fire without putting personnel in danger; it can also serve as a local wifi, broadcasting out at about 100 yards in each direction; all of

this was done for approximately \$1000; there was an incident two Sundays ago – they received a call from Fish & Game that a coyote was snared on park property, about 200 yards north of the common access road; the coyote was caught in a live snare trap, and was released unharmed; he would just like to remind everyone that although the coyote may be considered a pest in the City, it is a protected animal in the park, and trapping on park property is a crime; there is no indication that this has happened before, and it does not appear to be ongoing; there was no poisoning and no baiting, so they do not know what the purpose of the trapping was.

Council Member Fisher asked if the park had any concerns financially due to the State budget problems, to which Chief Ranger Young responded as follows:

The MRCA is the joint powers authority for which he works, and they receive no general funds from the State for operations; on the acquisition side, that is covered by bond measures voted on by the people; finances do come from enterprise operations, such as movies, antenna lease revenue, and the leasing of facilities; they will be starting their fiscal year 7/1/08, with the State budget having no direct effect on operations.

### **CONSENT CALENDAR**

- A. City Council Minutes – March 24, 2008**
- B. Demand List**

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

### **MATTERS FROM STAFF**

- A. NPDES/Watershed Issues**

**Update** – A written staff report was provided by Environmental Coordinator Kevin Powers, for which the Council had no questions.

**Consideration of Approval of Schedule for Sewer Management Plan** – Mr. Powers provided the following information:

This is a State program (discussed about a year ago) that requires the City to develop a comprehensive plan to address the sewer system; staff has been working closely with

L.A. County and also with the Las Virgenes Municipal Water District (LVMWD); a schedule of completion dates is attached to the written memo; this must be brought before the Council for its consideration and review; the current requirement is to complete the schedule and first chapter of the Sewer System Management Plan (SSMP); the next due dates for additional requirements are in February, 2010; the final plan is due in August of 2010.

Mayor Freedland reiterated that this was a State mandated program, and then asked about related costs and timing. Mr. Powers stated the following:

Staff will be following the deadlines as closely as possible; most of the City's obligations will be the development of paperwork and documentation; there is no current estimate on related costs; some of the larger cities are further along due to earlier deadlines, so staff will be looking at what they have done, which should result in some cost benefits.

Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Cohen and unanimously carried, it was resolved to approve the Sewer System Management Plan (SSMP) Development Plan and Schedule as presented by staff.

**Consideration of Approval of Request to Participate in Special Studies in the Los Angeles River (LAR) Watershed** – Mr. Powers presented the following staff report:

The Regional Water Quality Control Board (RWQCB) developed the Los Angeles River (LAR) metals TMDL (Total Maximum Daily Load); currently this City and forty-two others have developed a Compliance Monitoring Plan (CMP), which requires mandatory participation; the cost estimate for Hidden Hills for the first year (probably due in this upcoming fiscal year) is \$4128, out of a total shared cost of \$589,000; the second item is a Special Studies that has been recommended by a group of the LAR City Managers; the total cost for the Special Studies is \$2 million/year for two years; the cost to Hidden Hills would be \$28,284 (\$14,142 for each of two years), a rather significant cost for a small city, especially when participation in the Special Studies is not mandatory; even though there is no immediate direct benefit to the City, staff is recommending that Hidden Hills join in the Special Studies, as currently we are one of only three or four cities that are not participating (and one of those, Pasadena, has now tentatively agreed); the Regional Board has made it clear that it wants all of the LAR cities to participate in the Special Studies; the Studies will look at the assimilation capacities for metals into the water; the Regional Board used a default standard that was developed by the EPA and is used across the United States, even though conditions here may be different; the Regional Board is not conducting any studies, so the cities feel they need to in hopes that the Studies will

show that the LAR is not as bad as they presume; at this time, the only metal existing in our area is selenium; in the future, if it is thought there is a problem in this area with other metals such as cadmium, copper, lead, or zinc, the results of the Studies could be used to show actual levels.

The Council and staff then engaged in a short discussion, during which the following points were made:

If the City does not participate in the Special Studies, it will be very obvious; the Regional Board has expressed concerns that smaller cities are not taking an active enough part in watershed issues, relying on the larger cities; by participating as a member of this larger group of cities in the LAR, the cost benefit should be much better than if the City had to address many of these concerns individually; even though the \$28,284 cost is significant, the long-term cost savings should be much greater and have a positive impact on inter-city relations; there probably would not be any testing sites in our City; there are several monitoring points at the confluence of the upper headwaters, more to the southeast of the City; the City of Pasadena was concerned that even if the studies were completed, the Regional Board would not accept the results; the Regional Board assured that city it would accept the methods and procedures used in the Studies; the CMP is expected to continue indefinitely, although it is hoped the Special Studies will show that monitoring may not be necessary; the costs for the CMP, after the \$4128 estimate for the first year, would be \$1503 in the second year, and then \$1343 for the third and ongoing years; the CMP cost agreements have not been developed yet, but will be brought to the Council when ready.

As there was no further discussion, upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Weber and unanimously carried on roll call vote, it was resolved to authorize participation in the Los Angeles River Watershed Special Studies at an estimated cost of \$14,142 each year for two years, totaling \$28,284.

### **Consideration of Approval of Agreement for Malibu Creek Bacteria Compliance**

**Monitoring Plan** – Mr. Powers provided the following information:

The City is required to participate in the Malibu Creek and Lagoon Bacteria Total Maximum Daily Load (TMDL) Compliance Monitoring Plan (CMP); the proposed agreement for the CMP will expire on March 10, 2011, but can be renewed in additional two year increments; the agreement has been reviewed and approved by the City Attorney; the City's allocated costs are \$377.86 for year one, \$383.13 for year two, and \$384.61 for year three.

Upon MOTION of Council Member Cohen, seconded by Council Member Fisher and unanimously carried on roll call vote, it was resolved to approve the agreement for the Malibu Creek Bacteria TMDL Compliance Monitoring Plan.

**B. Consideration of Approval of City of Hidden Hills Traffic and Engineering Survey for Speed Limits**

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

State law requires that speed surveys be conducted on any streets on which the City wishes to use radar to enforce speeding violations; the current survey lapsed on 4/13/08; in March of this year, radar speed measurements were conducted on those streets within the City where radar is used; this speed survey data and road conditions were reviewed by Abbott's traffic engineer; it is his recommendation that each of the evaluated road segments continue to be posted at the current 30 mph speed limit.

Upon MOTION of Council Member Fisher, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to approve the City of Hidden Hills Traffic and Engineering Survey for Speed Limits dated April, 2008 and adopt by title only Resolution No. 810 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS APPROVING PRIMA FACIE SPEED LIMITS AND THE POSTING OF SPEED LIMIT SIGNS ON LOCAL STREETS WITHIN THE CITY OF HIDDEN HILLS.

Mayor Freedland pointed out that the Public Safety Commission will be looking into moving the electronic speed sign currently on Round Meadow Road, and perhaps this speed survey data will help them determine an appropriate new location. Mayor Pro Tem Weber pointed out that the stretch of road near the electronic sign did have some of the fastest recorded speeds in the survey, with Mayor Freedland adding that Eldorado Meadow might benefit from having the electronic sign moved to that area, where higher speeds were also recorded.

**C. Consideration of Notice of Completion for the Round Meadow/Mureau Road Corner Landscaping Project**

In response to Mayor Freedland, City Engineer Dirk Lovett confirmed that several different restricted funds were being used to pay for this project, with no general fund monies being used for construction. Mr. Lovett then informed the Council of the following:

The project has been completed, with the exception of problems with the red fescue grass; most of the work was done by FS Construction, while Zacha Construction refurbished the gazebo; FS Construction has made several attempts to reseed and fertilize the grass, which has not been very successful; FS Construction is asking for payment for the rest of the project, but will not charge the City for the costs related to the grass, which are approximately \$1300; the Council authorized \$151,159.80 for construction (including the gazebo and 10% contingencies); the final construction cost, including all change orders, credits, and actual unit prices, is \$146,126.58 (\$142,626.58 to FS Construction and \$3,500 to Zacha Construction); he would recommend that the work be accepted as complete, and that the retention be released if appropriate after 35 days; hopefully, the grass will fill in under the competent maintenance being provided now by the Community Association crew.

In response to Council Member Fisher, Mr. Lovett explained that the work being done along Mureau Road in the vicinity of this project is the construction by Calabasas (in conjunction with Los Angeles County) of a new bicycle lane; the City's project does tie in nicely with this bicycle route, providing a rest area.

Upon MOTION of Council Member Fisher, seconded by Mayor Pro Tem Weber and unanimously carried on roll call vote, it was resolved to accept the work as complete, authorize the City Clerk to file a Notice of Completion for recordation, and authorize the release of the retention upon satisfactory clearance of the 35 day lien period.

**D. Consideration of Date Change for the 2008 Fiesta**

The City Manager reported the following:

The Council originally approved the 2008 Fiesta dates as Saturday and Sunday, October 4<sup>th</sup> and 5<sup>th</sup>; the City is unable to obtain the rides and games for that weekend; Co-Chairmen Lisa Moriarity and Deputy City Clerk Deana Graybill have confirmed that the

company providing the rides and games, and the food vendors, are all available on Saturday and Sunday, September 27<sup>th</sup> and 28<sup>th</sup>; that weekend should not interfere with Rosh Hashanah (which begins at sundown on Monday, September 29<sup>th</sup>) and Yom Kippur (which begins at sundown on Wednesday, October 8<sup>th</sup>).

Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to reschedule this year's Fiesta from Saturday and Sunday, October 4<sup>th</sup> and 5<sup>th</sup>, to Saturday and Sunday, September 27<sup>th</sup> and 28<sup>th</sup>.

**E. Vesting Tentative Map 63567 (Ashley) - Update**

Per City Engineer Dirk Lovett, the consultant recently finished another round of corrections on the draft EIR, which are now being reviewed by staff.

**F. Consideration of Appointment of Two Public Safety Commissioners**

Mayor Freedland stated that two Public Safety Commission positions were up for appointment, and that no one had applied for those positions other than the two incumbents. Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to reappoint incumbents Kimila Ulrich and Martin Zane to the Public Safety Commission, each to serve a two year term effective May 1, 2008 through April 30, 2010.

**ADJOURNMENT**

There being no further business to come before the Council, upon MOTION of Council Member Fisher, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to adjourn the regular meeting of April 14, 2008 at 8:16 p.m.

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Steve Freedland, Mayor

ATTEST:

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Cherie L. Paglia, City Manager/City Clerk