

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, July 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, July 14, 2008 at the hour of 7:32 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
Council Member Stuart E. Siegel

Staff:

City Attorney Roxanne Diaz
City Engineer Dirk Lovett
Building Official Greg Robinson
City Manager Cherie L. Paglia

APPROVAL OF AGENDA

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

ANNOUNCEMENTS

Mayor Freedland made the following announcements:

He extended Happy Birthday wishes to both Emergency Services Director Jim Doran (7/15) and Deputy City Clerk Deana Graybill (7/19).

He reminded everyone of the Association/Parks & Recreation BBQs on Thursdays at 5:00 p.m. at the Community Center and encouraged them to attend.

Council Member Siegel stated that he attended the grand opening of the beautiful new Calabasas Civic Center, which includes a City Hall and library, and that Calabasas is very proud of the fact that it was designed to meet certain green standards.

The City Manager also wished a Happy Birthday to Mayor Freedland's son Kurtis (7/12).

AUDIENCE

There were no questions or comments at this time.

PRESENTATIONS

A. Consideration of Request from the Las Virgenes Unified School District for a Community Assistance Grant for Technology

Dr. Don Zimring, Superintendent of the Las Virgenes Unified School District (LVUSD), addressed the Council:

He is here to hopefully obtain a second year commitment from the Council in promoting the use of technology, not only in the classrooms, but also extending to the parents and communities; we are blessed in this area, with all four cities working together for a common and shared commitment to the LVUSD, realizing that helping schools stay at the top helps cities stay at the top; it was a great first year, with the pooled resources of the four cities (Hidden Hills, Agoura Hills, Calabasas, Westlake Village) reaching nearly \$600,000, paired with Measure G bond funds and District resources; Measure G allows the District to buy equipment and build buildings to keep current with technology and have an ongoing revenue stream; before Measure G there was no consistent source of funds; Measure G does not provide for people for maintenance or training to keep the staff current; the plan, with the grant money from the cities, is to provide training and to

have technology become the bedrock of the classroom; with the funds from the cities, they have hired two teachers on special assignment, with their primary goal being to train other teachers at all sites; they help develop and share information with all the teachers, help with lesson plans being shared online, and help teachers to create their own websites; the funds are also used for onsite technology support; previously they had 2.5 technicians for nearly 8000 computers (for that number there should be 100 technicians); the new commitment is for every school site to have technical support every day; this means two hours at the elementary level, one-half day at the middle schools, and one full day at the high schools, which has probably been the biggest change the teachers have seen; the funds provide a network security administrator and the ability to increase bandwidth; with increased bandwidth, parents will have greater access to their students' records, assignments, and report cards; the District is asking for the same amount as last year - \$55 per number of resident students, resulting in \$17,875 from Hidden Hills; the other three cities have committed their participation.

Council Member Siegel wished to point out that this would not be a new budget item, but would come out of the \$25,000 already placed in the budget for community assistance grants to help the community and schools. He felt this expenditure would certainly be of value to residents, maybe even more so than some of the other expenditures in the past.

Upon MOTION of Council Member Siegel, seconded by Council Member Fisher and unanimously carried on roll call vote, it was resolved to approve the Community Assistance Grant Application from the Las Virgenes Unified School District in the amount of \$17,875 in support of instructional technology in the District.

In response to Council Member Siegel, who asked if the District was receiving less money from the State or less of an increase than what was expected, Dr. Zimring stated the following:

The District will actually receive \$2 million less under the current proposal; an increase has been proposed by the Assembly Committee, but that increase would need \$9 billion in revenue, which he believes is unrealistic and will not happen; rather than looking at rankings, the State and communities should ask what they want in our schools, and what other states offer; virtually all of the states that have high academic achievement have music, art, and physical education, which this state has not had for many years; the State should be determining what they want to see the schools do, and then let them do that.

B. 2008 Fiesta

Fiesta Co-Chairman Lisa Moriarity presented several items/requests to the Council:

She reminded the Council that \$11,000 had already been approved for rentals from A Rental Connection, but now that the actual proposal has been received, the cost is an additional \$497.73 due to additional fuel costs, etc.

Katy's Cool Company would like to provide ice cream treats again. There is no cost to the City, as the owner of the company donates 20% of the gross profits to the City.

As there is usually difficulty deciding on a theme every year, she would like to use the same theme every year – A Country Fair. If the theme is approved, she has obtained a proposal to make a sign, stating that theme, which can be placed every year over the walkway entering the Spring Valley arena area. The cost of the sign, which can be folded for storage, is \$300.

In the arena, in addition to the booth providing free popcorn and cotton candy, she would like to offer free dill pickles, at a cost of \$200.

For the morning and early afternoon activities at the Community Center, she would like to add the sledge hammer game, with a separate one for the children and another for the adults. The total cost for both is \$750.

In the arena, she is proposing the addition of another booth from which to sell old-fashioned candy. The cost for the candy is \$1500, plus another \$150 for the booth itself, although there will be income from the booth as the candy will be sold.

Again for the earlier activities at the Community Center, she would like to conduct a pie-eating contest, for which she is expecting the cost to be no more than \$100.

Upon MOTION of Council Member Cohen, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the additional cost of \$497.73 to A Rental Connection to provide tables/chairs, electricity/lights, and other miscellaneous equipment, bringing the total cost of that contract to \$11,497.73.

The Council Members liked the idea of using the same "A Country Fair" theme every year, and granted approval. Upon MOTION of Council Member Fisher, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the expenditure of an

additional \$3000 for this year's Fiesta, to cover the new theme sign (\$300 – it will be reused every year), the dill pickle barrel (\$200), two sledge hammer games (\$750 - one for children and one for adults), the candy booth (\$1500 for candy and \$150 for the booth), and the pie contest (\$100).

PUBLIC HEARINGS

A. Consideration of Proposed Ordinance Regarding the Designation of a Very High Fire Hazard Severity Zone – First Reading

The following staff report was provided by Building Official Greg Robinson:

The State requires local agencies to designate within their jurisdictions a Very High Fire Hazard Severity Zone (HFHSZ or Zone) based on the recommendation of the California Department of Forestry and Fire Protection (CAL FIRE); the City can designate additional areas for this Zone, if it so chooses, but cannot reduce the area; any new buildings built in the designated Zone will have to meet more restrictive Building Code requirements; staff would recommend that the Council introduce and give first reading by title only to the proposed ordinance; if there are any questions, two representatives from the Fire Department are in attendance to address those questions.

Mayor Freedland opened the public hearing, at which time J. Lopez, Deputy Forester of the Forestry Division/L.A. County Fire Department, presented additional information:

This is an evolution from an October 1970 fire whereby Fire Zone 4 was created to determine where new building standards should be required; it further evolved in the 1980s and then 1990s with the Bates Bill, which created the first Very High Fire Hazard Severity Zone, and the Brown Bill which further tightened definitions; the State reviewed maps and codes, and updated the building standards for the benefit of those living in a HFHSZ; the red area on the map is the main concern for the City, with the other colors showing how a fire could spread and impact other areas of the community; the HFHSZ is not just from the flaming front, but also from ember production, as a lot of homes have been lost from embers; the red Zone has been clearly identified by parcel, throughout the entire state.

Mayor Freedland asked if being in this Zone would increase insurance rates for residents, and what benefits there might be in expanding the Zone to cover the entire City. Mr. Lopez stated the following:

The Fire Department deals with hazards only as it relates to fire damage to a home, so they are looking at the possibility of flames and embers; the insurance companies analyze the risks; the risks could be considered higher in a HFHSZ, but they also consider where fire hydrants are located, how quickly the Fire Department would be able to respond, the width of the streets, the types of materials that are used to build a house, etc.; there is a written agreement between the Director of CAL FIRE, the State Fire Marshall, and the Insurance Commissioner to work together to make sure insurance companies do not take advantage to increase rates; a city can expand the red Zone to cover the entire city; this might make it easier for residents and enforcement of requirements, if the entire City has the same regulations or at least has streets making the division, rather than having one parcel next to another being in different zones; some of the cities on the Palos Verdes peninsula expanded the Zone since they have a lot of vegetation and their construction standards were lower than those required by the Zone.

In response to Mayor Freedland, Building Official Robinson stated he did not feel it would be difficult for staff to enforce or administer different code requirements throughout the City, as the HFHSZ only applies to new construction, and the extra requirements would become part of the plan check list.

Council Member Siegel had a question relating to the differences in the codes from one zone to the next, to which Mr. Robinson responded:

The City already has some requirements that would be the same, such as requiring Class A roof material; many of the new requirements have to do with venting on the sides, tempered glass, and exterior wall coverings, etc.; there will be substantial costs involved.

Bryan Batiste, Fire Prevention Division Engineering Assistant from the Codes and Ordinances Unit/L.A. County Fire Department, provided the following information and answered questions from the Council as follows:

There are three levels of protection; if a resident in the white zone (or yellow or orange) does a remodel, that resident is not subject to the same requirements as a resident in the red zone; the City by ordinance can expand the red Zone area; the State did the maps by parcel, but a City can decide to add areas to the red by using streets, for example, as a division to eliminate confusion; of course, the Fire Department has copies of all the maps and will refer to those maps to impose the correct requirements during the plan check process; the State version of the HFHSZ only applies to new construction; Los Angeles County amended the State code to be more restrictive, requiring a remodel over 50% in a

twelve month period to provide a landscape fuel modification plan; Forestry will assist the resident with this plan, and will conduct a five-year follow-up to monitor the plan.

Council Member Cohen asked what would happen if the City did not adopt the HFHSZ. Per Mr. Batiste, the City has to adopt the minimum red Zone by law as shown on the map, as of July 1, 2008; the amendment by the County that triggers the 50% remodel to submit a fuel modification plan could be eliminated.

Council Member Cohen then asked about the differences in the current building codes and what the new HFHSZ would require. Mayor Freedland read from the staff report the following: “new buildings in areas designated as a Very High Fire Hazard Severity Zone would be subject to new requirements pertaining to roof coverings, roof valleys, roof gutters, eave or cornice vents, eave protection, exterior wall coverings, exterior wall vents, exterior glazing and window walls, exterior door assemblies, and decking surfaces”, with the City’s current requirements the same as far as roof coverings.

Architectural Committee Consultant Ron Heston thought the fuel modification plan did not apply to Hidden Hills, and asked how that would affect the residents. Mr. Lopez explained the following:

The building codes go together with proper defensible space; for existing homes, the Fire Department asks for 100’ (200’ in some circumstances as determined by the Fire Department); if a resident is building a new home, the homeowner must go to the Forestry Division, which will review the landscaping and irrigation plan; there are many choices regarding plants, but the spacing and arrangement of the vegetation is very important; with good building materials and the outside properly irrigated and maintained, the chances of that house surviving a fire go much higher.

The City Manager asked Building Official Robinson to clarify the need for a fuel modification plan. Mr. Robinson stated that the City had adopted the Los Angeles County Fire Code earlier this year, so a fuel modification plan is definitely required for a new building or remodel over 50%, but only for those properties in the red Zone.

Mr. Lopez added that the approximate cost to comply with the new building code requirements, as calculated by the State Fire Marshall, for a house of around 2500 square feet with the usual number of windows, would be \$3000; the most expensive aspect would be in relation to the double paned windows with tempered glass.

As there were no further comments, Mayor Freedland closed the public hearing. Upon MOTION of Council Member Cohen, seconded by Council Member Siegel and unanimously carried, it was resolved to approve the HFHSZ as recommended by the Fire Department, without adding any additional sections of the City, and to introduce and give first reading by title only to an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS REGARDING THE DESIGNATION OF A VERY HIGH FIRE HAZARD SEVERITY ZONE.

**B. Variance No. V-374 (*Continued from 6/9/08*)
24814 Jacob Hamblin Road
Swimming Pool and Retaining Walls within the Side Yard Setback**

Mayor Freedland recused himself at this time, as he lives next door to the subject property.

Mayor Pro Tem Weber announced that the public hearing was still open, and asked for any comments from the audience. There were none. City Engineer Dirk Lovett explained that the Council, at its meeting on 6/9/08, continued the public hearing to tonight's meeting, in order to allow time for the Community Association to review the proposed project. He added that the Association had taken no action up to this time, but was expected to address the matter on Tuesday evening (7/15/08). At staff's recommendation, Mayor Pro Tem Weber continued the public hearing to the 7/28/08 Council meeting.

Mayor Freedland rejoined the meeting at 8:14 p.m.

**C. Minor Accommodation
24952 Kit Carson Road
Spa within the Side Yard Setback**

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

This application is for a spa built into the pool deck; the spa would be no closer to the property line than the existing pool, which triggers a minor accommodation; everyone within 300' of the subject property was sent notification of the public hearing, with no comments being received; the Council may grant a minor accommodation if it finds that there is no material adverse impact on the public welfare or adjacent properties; this application was submitted to the Building Department without Association approval, due to a misunderstanding between the Association and the homeowner; until the project is reviewed by the Association, which should be in August, he would recommend that the hearing be continued to the 8/25/08 City Council meeting.

Mayor Freedland opened the public hearing. There were no comments, so he continued the public hearing to the 8/25/08 Council meeting.

D. Consideration of Conceptual Approval of Proposed Site Improvements to the Saddle Creek Arena by the Hidden Hills Community Association (*continued from 6/23/08*)

City Engineer Dirk Lovett presented the following information:

This is an application for approval of conceptual plans prepared by the Community Association for the Saddle Creek arena, a roughly 3.6 acre property owned by the City; everyone within 500' of the property was notified of the public hearing, with one comment letter from a resident being received; the improvements include 1) 8000 yards of fill to cover an existing creek bed in which a new 48" storm drain will be constructed, 2) a 1000 square foot two-story announcer's booth, 3) a 2400 square foot one-story arena maintenance building, 4) new gymkhana arena and dressage area, 5) a grass play area, 6) decomposed granite driveways and parking lot, 7) a paved walkway, 8) a hitching post, and 9) landscaping; per the included excerpts from the lease agreement and zoning codes, there are certain requirements that the Association must meet, including the following; the tenant (Association) may only do improvements that benefit the community; the tenant must comply with all applicable statutes, ordinances, rules, regulations, orders, covenants and restrictions of record; the tenant shall not create waste or a nuisance; the tenant may make any improvements to the property subject to the City's (as the landlord) prior written consent and subject to tenant's compliance with all local, state and federal laws, statutes, and regulations; Section 5-2G-1 of the zoning code states "Any property

owned by the City within a Community Use Zone may be used for any public purpose; provided, the Planning Agency has reviewed and approved the proposed use after a public hearing” – thus the need for a public hearing; staff has reviewed the proposal and would recommend that the Council give some directives to the Association to include in the actual plans if submitted in the future, such as 1) buildings to be located 25’ from the property lines in conformance with setbacks, 2) storm drain improvements to be designed per County standards, with the drain and easements to be transferred to the County upon completion for maintenance and operations, 3) if the County rejects the storm drain, acceptance by the Association of responsibility for maintenance and operations, 4) planting for screening, 5) handicapped parking paved, delineated, and accessible to announcer’s booth; he believes that the proposed improvements are in compliance with the lease agreement, etc.; he would recommend the Council take testimony, and then do one of the following – close the hearing and approve the conceptual plan along with the outlined directives (or as revised by the Council), close the public hearing and deny the conceptual plan, or continue the public hearing and ask for the submittal of revised conceptual plans.

Mayor Freedland asked for comments from the audience, with Marv Landon being the first to address the Council:

He is the Chair of the Equestrian Services Committee (ESC), which has reviewed the plans and also discussed them with the Hidden Hills Horsemen (HHH); Hidden Hills is a horse and equestrian community, which should have up to date equestrian services; the plans provide for a grassy area for a playground; it is unfortunate that the property is in disrepair and needs a total overhaul; nothing else in the community has been maintained as poorly; this is a designated facility for the equestrian community, and this should be continued.

Steve Bond was next to address the Council:

He is an Association Board Member; this has been a dream of his since he served on the ESC; the basic idea is to take what is existing, and make it new and exciting, add the playground, provide protection for riders, bring it up to date, and clean it up; he feels it is not being used to its full potential; it will be like the Community Center – it was a big deal when first suggested, but now everyone uses it.

The following comments were made by Cheryl Morris:

She was the Chair of the ESC and on the subcommittee that started this conceptual process about four years ago; there were amazing volunteers, including the best horse people in the community, who put in a lot of time and effort to come up with a wish list for a prime facility for horses, for residents, for safety issues, for traffic flow and parking

issues; they had an architect to draw preliminary plans and held two public hearings which received an exceptional response; after the architect was lost, and things slowed down, a smaller group went back and worked with Ron Heston on a revised plan; she has lived here for 20 years and is very excited about the plan, and excited to actually have a bathroom and kitchen on the site; there is still work needed, but she feels this is a great start; she hopes the Council appreciates and understands all of the effort that was put into this by all those volunteers, some of whom are in attendance this evening.

Mitch Jacobs stated the following:

He serves on the Association Board of Directors, but he is here to speak as a resident who has lived in the community for about 14 years and has horses; he came here because he is an equestrian; the community is a beautiful place, but the Saddle Creek arena was never built to the level it should have been, and does need some work – the ring and arena need to be redone, and there needs to be a better layout for safety purposes; the ESC has spent a lot of time to do this and make it a nice facility; now speaking as a Board Member, the Association is just asking for the same continued use of the property, with the addition of a park area for the benefit of the community; it is early in the process, but the Board needs conceptual approval to move forward; they are not even sure this plan will happen, as they will have public hearings and need input from the community; there are also funding issues; they are now just asking for permission to add more value to this leasehold for the community.

Eric Toeg expressed his views:

He has lived here for five years, is on the ESC, and is a member of the HHH; he did not know horses when he came here originally, but has since become involved and sets up a lot of events with the HHH; he believes the Saddle Creek arena is run down and outdated; as an ESC member, he is constantly turning in reports for maintenance/repair issues; he agrees with Mr. Bond that they are just trying to update the facility, make it more practical for use by the community, and just making what is there better.

Council Member Siegel commented as follows:

Historically, the relationship between the City and Association has been, stated simplistically, that the City addresses public safety issues but defers to the Association on other matters as the voice of the community; the City does not know how to design a riding ring, so as long as it looks good, the City isn't going to have much input, especially since the Association will hold public hearings; but he does have one issue that he tried to raise last year when he was the Mayor, but did not get much follow-up from the Board (perhaps all the Board Members did not know about it); there was a general determination made by the Council regarding the use of City owned property by non-residents; non-residents rent stables as they are attracted to the community and the use of

the City and community facilities, such as the trails and arenas; this raises liability concerns; the City has entrusted their properties to the Association for use by this community; he understands that a healthy equestrian community would have invited guests for events, and that lessons are given for residents along with their guests; he is focused more on the situations whereby a non-resident is giving lessons in an arena exclusively to non-residents, or stabling in the community just to use the facilities; he cannot speak for the entire Council, but he does not feel this is a fair use of the City's or the Association's resources; he is asking everyone to understand that the facilities are not for commercial use, not for anyone to make a profit, and not for the benefit of non-residents; he feels there should be a policy established to address this.

In response, Mr. Landon stated the following:

They did address this issue and did the best they could; they started with the worst case scenario, whereby horse trailers were coming in with horses and children who were using the Spring Valley arena (they were not even boarding the horses in the City); if non-resident trainers are using the facilities, they need to come to the Community Center to register, sign a release, sign the rules (to say they understand them), and get a tag for their saddle so they can be recognized and not allowed to prevent a resident from using any facilities; they are to train residents of Hidden Hills, although the classes may be mixed; the Association is making every effort to ensure the facilities are being used by residents; they are not aware of any problems since this policy was instituted; he is not aware of any rule or law preventing horses from being boarded within the City, so they are attempting to know who the boarders are and what they are doing; as far as non-resident riders on the trails, the Association has not addressed this issue as it has not been a problem; the Association will consider any suggestions or ideas the Council may have.

Council Member Siegel reminded Mr. Landon that the City sometimes has more ability to enforce the rules, and just wants to make sure everyone is on the same page. Mr. Landon thought that was the case.

Mr. Bond had additional comments:

Council Member Siegel's point is well taken, but he does not want the two issues to be confused; one issue is increased safety standards, the redevelopment, and beautification of an existing facility; many in the community are equestrians, but many others are not, so they added the playground area so more residents could make use of the facility; perhaps the City and Association should address the other issue, the boarding of horses, but separately; he feels the improvements at the Saddle Creek arena would make it a great asset.

Council Member Siegel pointed out that there have already been discussions, and the City Council felt the matter should be addressed, as he cannot imagine that it is beneficial for City property and Association facilities to be used by non-residents.

Mr. Jacobs stated that he could not imagine anyone in the room believing that the improvements to the Saddle Creek arena would not benefit the community, and if the point was that non-residents using the facility would be a detriment, he did not feel this was the issue. He added that non-residents come into the community with the permission of residents, or they would not be here.

Mayor Pro Tem Weber defended Council Member Siegel's position, stating that if a non-resident was using any City owned facility without a resident present, this might raise liability concerns.

Mayor Freedland added his comments:

He cannot speak for Council Member Siegel, but he believes one of the cases he is talking about is a homeowner renting stables to a non-resident who then advertises riding lessons in Hidden Hills; they allow the non-residents to come in, use their boarded horses, and get their lessons in the City or Association facilities; he can't see how this benefits the community as a whole, as only the homeowner collecting boarding fees benefits; this exposes both the City and Association to potential liability, and how can anyone be against limiting that liability; it is a side issue apart from the Saddle Creek plan, but is still an issue for which Council Member Siegel is looking for support from the Board; the question is does the Board agree with the premise that the facilities are for the use, enjoyment, and benefit of the residents, and will the Board regulate that to the extent they can; he believes everyone is pretty much on the same page.

Mr. Jacobs felt that what Mr. Landon said earlier, about the process being followed, would address Council Member Siegel's concerns. He believes the ESC is trying to make sure trainers are providing services to the community and not focusing on those outside the community, but they can certainly look at this further if necessary.

Council Member Fisher wished to know if the project would be done in phases (referring more to construction with vehicles in and out affecting the neighbors), if it would be finished in the next five to ten years, and if there was a known dollar figure. Architectural Committee Consultant Ron Heston stated the following:

Phasing or non-phasing is probably more a question of overall costs and long-term discussions regarding financing; this is a guess on his part, but in relation to construction, he would think there would probably be two stages; the first would include the storm drain, and the grading which would generate the arena and dressage area; the second stage would include construction of the buildings and park area.

Council Member Fisher added that he thought Council Member Siegel was just attempting to put the Association on notice, since the facility is under the protection of the City regarding its use, that the City does not want people using the facility that should not be. Mr. Jacobs reiterated his earlier statements:

He believes the ESC is completely on the same page with the Council in wanting to make sure the facilities are used for the benefit of the community as a whole; the recently adopted rules seem to be working; the message from the Council is coming through loud and clear; perhaps the Association or ESC could hold hearings for the community to see if there are concerns regarding the use of the facilities; he is not aware of resident complaints regarding use of the facilities by non-residents.

Council Member Fisher stated he has seen many non-residents using the facilities on the weekends. Council Member Cohen wished to add the following comments:

He agrees with Mr. Bond and others who have said these two matters are not related; the Council is looking at the use; the only connection he sees is if a non-resident is using the facilities to the detriment of the community, this is a lease violation that the Council would have a duty to enforce; he does not want to see any violations that would get it to that point, and thus the warning from the Council; as for the use, it is a riding facility now and would still be a riding facility later, after the improvements; the Council could perhaps place certain conditions on the approval, such as compliance with setbacks, but he personally cannot see any reason to deny the conceptual plans for the improvements.

Mayor Freedland pointed out that no one is looking for an adversarial relationship, or disallowing the use.

Bliss Wendelburg then asked to address the Council:

She is the President of the HHH; they have been putting on events about every other month using the Spring Valley arena; they are getting about 30-40 riders at every event, as well as feeding about 80-100 people; the equestrian community is alive and well; it is our residents and our children, or boarders using a trainer who lives in Hidden Hills, who are for the most part using the facilities; she is excited at the possibility of using Saddle Creek for team penning and other future events; they are trying to create more excitement and increase membership in the HHH; a better facility will help that goal, help with multi-events, and make it safer.

Mayor Freedland reminded everyone that this is just the very beginning of the process, that the Association at this time is just asking for conceptual approval of the plan, and that conditions could be addressed when the Association returns with actual construction plans. City Attorney Roxanne Diaz confirmed that the Association would indeed need to come before the Council in the future, and that they would have to go through the approval process like any other applicant, including environmental review, plan check, etc. Mayor Pro Tem Weber suggested that the Association, when they get further along and are looking at construction drawings, should consider the staff suggestions relating to possible conditions.

As there were no further comments, Mayor Freedland closed the public hearing. Upon MOTION of Council Member Cohen, seconded by Council Member Siegel and unanimously carried, it was resolved to approve the conceptual plans submitted by the Community Association for improvements to the Saddle Creek arena property owned by the City.

CONSENT CALENDAR

- A. City Council Minutes – June 23, 2008**
- B. Demand List**

Upon MOTION of Council Member Siegel, 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 CITY COUNCIL MEMBERS

Consideration of Proposed Ordinance Regarding City's Filming Requirements – First Reading

City Attorney Roxanne Diaz pointed out that per direction at the last meeting, she deleted text relating to compensation for the permittee.

Mayor Freedland stated the following:

He would like the Council to look at section 2-9-16, on page 9, regarding the extension of filming hours; Council Member Cohen made the point that perhaps the City did not want to put the surrounding residents in the position of being pressured; he agreed, and would suggest that this section be removed from the ordinance, as long as the ordinance could still be given first reading this evening.

Ms. Diaz assured the Council that those changes could easily be made without affecting the first reading. Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to strike section 2-9-16 from the proposed ordinance.

Council Member Cohen suggested that the process of obtaining a permit should be changed, so that the permit was issued by staff, with the Council seeing only appeals. The rest of the Council Members disagreed. He then expressed concern with Section 2-9-9-B, as it said the permit shall be issued if the applicant meets certain requirements. Attorney Diaz explained that ordinances had to be worded in that manner to comply with due process. She added that a permit could be denied if the findings/requirements could not be met, but if all the findings are met, the permit must be issued to protect the ordinance from a challenge. Mayor Freedland suggested this was similar to the variance process, which Attorney Diaz confirmed was accurate.

Council Member Cohen then suggested several other changes. He thought Section 2-9-14-F1, which stated when filming could and could not occur, should mention that filming was not allowed on City recognized holidays. The Council agreed. Council Member Cohen then referred to Section 2-9-14-J, believing a security deposit should be collected. Attorney Diaz

pointed out that the Council would have to approve any filming on City property, there are required conditions for storage, debris, etc., and if there was damage to a resident's house for which the permit was issued, that would not be a City issue. The other Council Members did not agree with this suggestion by Council Member Cohen, as if there is a violation, the permit can be revoked, and the Sheriff can be called if necessary (the City of Malibu uses this method). Council Member Cohen pointed out one other Section, 2-9-14-F4, that needed to be removed as it also referred to the extension of filming hours.

Upon MOTION of Council Member Siegel, seconded by Council Member Fisher and unanimously carried, it was resolved to introduce and give first reading by title only to an ordinance as amended above (strike Section 2-9-16; add City recognized holidays to Section 2-9-14-F1; strike Section 2-9-14-F4; renumber Sections 17 and 18 to Sections 16 and 17) entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS REGARDING MOTION PICTURE AND TELEVISION PRODUCTIONS AND AMENDING CHAPTER 9 OF TITLE 2 OF THE HIDDEN HILLS MUNICIPAL CODE.

MATTERS FROM STAFF

A. Consideration of Acceptance of Lasher Road Easement from the Hidden Hills Community Association for the Proposed Hidden Ridge Storm Drain

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

The developer of Vesting Tentative Map 54063 is in the final phases of plan review for the Hidden Ridge project at the end of Lasher Road; one of the conditions of approval is that all storm drains be transferred to the County for ownership and maintenance; the storm drain plans have been reviewed and approved by the County, subject to a recorded maintenance easement over Lasher Road, as the storm drain comes down Lasher Road and ties into the County's Long Valley storm drain; because Lasher Road is owned by the Community Association, the County requires that an easement be granted to the City; after construction, the City will then grant the easement to the County, at which time the County will accept the storm drain and begin maintenance; the Association has prepared and signed a grant of easement to the City, which also authorizes the City to convey all

rights to the County; the City needs to accept the easement, execute a Certificate of Acceptance, and record this Acceptance along with the easement.

Upon MOTION of Council Member Fisher, seconded by Council Member Siegel and unanimously carried, it was resolved to accept the easement, authorize the City Manager to sign the Certificate of Acceptance for Storm Drain Easement, and record both the Certificate of Acceptance and the easement.

B. Tentative Map 63567 (Ashley) - Update

City Engineer Dirk Lovett informed the Council that staff was diligently working on the final EIR in order to bring it to the Council as soon as possible.

C. Charles Abbott Monthly Report - May

The report was received and filed.

D. Consideration of Cancellation of August 11, 2008 City Council Meeting

Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Fisher and unanimously carried, it was resolved to cancel the regular meeting of August 11, 2008.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Fisher, seconded by Council Member Cohen and unanimously carried, it was resolved to adjourn the regular meeting of July 14, 2008 at 9:14 p.m.

Steve Freedland, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk

