

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, June 22, 2009

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, June 22, 2009 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 Weber
Council Member Monty E. Fisher
Council Member Jim Cohen
Council Member Stuart E. Siegel

Staff:

City Engineer Dirk Lovett
City Manager Cherie L. Paglia

APPROVAL OF AGENDA

Council Member Siegel suggested that Items 8A (Fire Department Reports) and 8B (Sheriff's Department Reports) be addressed before Item 7 (Public Hearings). Upon MOTION of Council

Member Fisher, seconded by Council Member Siegel and unanimously carried, it was resolved that the agenda for the June 22, 2009 regular meeting be approved as amended.

ANNOUNCEMENTS

Mayor Freedland made the following announcements:

Congratulations to the Community Association/Parks & Recreation Committee on a very successful kids welcome party this past Saturday.

Today was the first day of summer camp; call the Association for more information.

The Calabasas beach bus began service today; there is a stop at Round Meadow School; the bus schedule is available at City Hall.

Happy Birthday (tomorrow) to Council Member Cohen's wife Joanne.

There will be a bulky item pick-up event this Saturday (6/27); call City Hall for details.

City Hall, the Building Department, and the Community Center will all be closed and there will be no inspections on Friday, 7/3, in honor of Independence Day.

Happy Birthday to Council Member Fisher (6/26) and Mayor Pro Tem Weber (7/5).

The Council would like to invite everyone to stay for a reception (the Council will recess) right after all the awards and certificates are presented this evening.

Thanks to Deputy City Clerk Deana Graybill for all her hard work in planning and providing all the refreshments for the reception.

AUDIENCE

There were no questions or comments at this time.

PRESENTATION

A. City Plaque/Hidden Hills Youth Recognition Program Recipients

Mayor Freedland introduced the honored guests: LVUSD Board President Dave Moorman; Superintendent Dr. Donald Zimring; Agoura High School Principal Larry Misel; and Round

Meadow Elementary School Principal Tom Spence. Mayor Freedland stated that these leaders are one of the main reasons the LVUSD is such a wonderful and well respected District, and he thanked them all for taking the time to attend this meeting to honor the Hidden Hills students from the District.

Mayor Freedland informed everyone that two Hidden Hills students were nominated by their High School counselors as being deserving of special recognition through this City program – his daughter Kelsey Freedland and Marissa Maliani (who was not at the meeting). On behalf of the Council, he then presented a City plaque to Ms. Freedland.

B. City Certificates/2009 Achievement Recipients

The names of the following Hidden Hills students who received any type of honors during this past school year were all provided by the individual area schools – sometimes the schools accidentally omit students, so if there is anyone that should be honored that was not contacted, the City staff should be notified.

On behalf of the Council, Mayor Freedland presented City certificates to the following students, whose names were all read by Mayor Pro Tem Weber:

From A.E. Wright Middle School:	Baylee Blumenthal	Cassidy Blumenthal
	Ashley Ben-Porat	Bryan Dunn
	Sydney Epstein	Jake Feldman
	Alexandra Foisy	Emily Glavin
	Max Goldwasser	Sam Goldwasser
	Jake Heller	Ryan Heller
	Max Holden	Jake Klein
	Kate Korchek	Zachary Levaton
	Alex Resnick	Caroline Resnick
	Sophia Rome	Eden Rubel
	Sam Shandler	Emma Spellman
	Moriah Stapf	Samantha Steinberg
	Clare Stonich	Perry Wasserman

From Calabasas High School: Harrison Doyle Christopher Dunn
 Kurtis Freedland Briana Langer
 Joshua Langer Michael Siegel
 Jake Wasserman Kyle Wasserman

From Round Meadow Elementary School: Jordan Chung-Sprackman
 Honour Fottrell Camden Garcia
 Colin Glavin Rosie Goldwasser
 Kenna Klein Hudson Miller
 Shane Munson Alexandra Terlesky
 Shane Weiss

From Sierra Canyon School: Jonathan Goetzman Lauren Goetzman
 Erik Hainer Tahnee Shah

From Viewpoint School: Alexis Berkovits Travis Metzger

At this time (8:00 p.m.), Mayor Freedland called for a twenty minute recess for all those in attendance to enjoy refreshments and congratulate those students being honored. He reconvened the meeting at 8:21 p.m.

PUBLIC SAFETY

A. Los Angeles County Fire Department Reports – April and May

The following report was provided by Community Services Representative Maria Grycan:

During the month of April there were 10 responses, including 3 medical calls, 4 false alarm/good intent calls, 2 snake removals, and 1 smoke/odor removal with no fire; there were 4 Fire Prevention Bureau inspections but no plans checked; there was 1 walk-through, which was probably the Community Center; during May, there were no fires but 11 responses, including 5 snake removals, 2 false alarm/good intent calls, 3 medical calls, and one hazardous condition (no fire or damage) which involved a downed power line on Oakfield; no plans were checked, but there were 5 Fire Prevention Bureau inspections; brush clearance statistics will start in June, but it already appears that better than 50% of the initial inspections have been completed in the entire Battalion; she will attempt this year to separate out the Hidden Hills parcels so they are not mixed in with Calabasas.

B. Los Angeles County Sheriff's Department Reports – April and May

Lt. John Benedict presented the following information:

There were 4 false alarms but no crimes during the month of April; 2 adults were arrested, one for domestic violence and one for a minor narcotics violation; there were no collisions but 27 citations were issued, mostly for signs and signals, including 19 hazardous, 2 non-hazardous, and 6 for parking; no drivers were reported to the STTOP program; in May, 2 crimes occurred; a saddle was stolen by an unknown person from a tack room in the 5600 block of Jed Smith; the other was a grand theft in the 25200 block of Eldorado Meadow resulting in the loss of a Rolex watch from a master bedroom; compared to last year at this time, he is very pleased to report a 50% reduction in crime; also during May there were 5 false alarms and another domestic violence arrest; again there were no collisions, but 33 citations issued of which 22 were hazardous, 4 non-hazardous, and 7 for parking; one contractor was reported to the STTOP program; the STTOP Deputy contacted the employer, who warned and advised his driver.

Council Member Cohen asked if the arrests resulted in any convictions. Lt Benedict explained that domestic violence arrests are usually misdemeanors resulting in office hearings; the narcotics arrest was also a misdemeanor, and these usually are cited and diverted into programs. Council Member Fisher thought it seemed much quieter in the City in relation to unlicensed motorcycle drivers. Lt. Benedict was hopeful that the Sheriff's presence in the City served as a deterrent, but reminded everyone that it is now summer and the Deputies would still have to be diligent and keep up their efforts, as there still are some violators.

PUBLIC HEARINGS

**A. Minor Accommodation
5831 Hilltop Road
Alter Existing Nonconforming Single Family Residence**

City Engineer Dirk Lovett presented the following staff report:

Notices were properly posted and sent to all those within 300' of the property; no comments have been received to date; this is a one acre property on Hilltop that has a very small building pad and a steep downslope to the rear; the existing residence and garage are within the front and side yard setbacks; the house is 27'6" from the front property line (the front setback is usually 50') and 11'7" away from the north side yard property line (the side yard setback is usually 25'); the garage is 23' from the front

property line and 10' from the south side yard property line; the applicants wish to leave the house in approximately the same position, while making improvements and additions; the garage would be pulled back from the front property line to be even with the house; the side yard encroachments would remain the same; the Council can grant the minor accommodation if there is no material adverse impact on the public welfare or adjacent properties; staff feels the finding can be made as the improvements encroach no further into the setbacks, and the improvements would not be out of conformance with other homes on Hilltop, which are as close or closer to the road easements; he would recommend that the Council make the finding and approve the minor accommodation and related resolution.

Mayor Freedland and Mayor Pro Tem Weber stated they had visited the property, while the rest of the Council Members had not. Mayor Freedland then opened the public hearing, at which time the project Architect George de la Nuez addressed the Council:

He felt Mr. Lovett described the project very well; the new addition actually encroaches less than the existing residence, so the setback area is actually being increased; the Association's Architectural Committee has reviewed and approved the project; all of the Committee's concerns regarding landscaping and fences were addressed.

In response to Council Member Cohen, Mr. de la Nuez explained that the existing driveway will remain in its current location, while the other area being questioned is actually landscaping.

Mayor Freedland closed the public hearing. Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to make the required finding, approve the minor accommodation, and adopt by title only Resolution No. 821 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS SITTING AS THE PLANNING AGENCY, APPROVING A REQUEST FOR A MINOR ACCOMMODATION TO ALTER AN EXISTING NONCONFORMING RESIDENCE LOCATED AT 5831 HILLTOP ROAD.

**B. Minor Accommodation
5530 Jed Smith Road
Pool and Spa Remodel**

At this time (8:35 p.m.), Mayor Freedland and Council Member Fisher recused themselves and left the Council Chambers, as they both live within the 300' radius of this property. Mayor Pro Tem Weber asked City Engineer Dirk Lovett for a staff report, which he provided as follows:

Notices were posted and mailed to all those within 300' of the property, as required; no comments have been received to date; the existing pool and spa were approved and constructed in 1996 within the side yard setback; the applicants wish to remodel that existing pool and spa; the Council may approve the minor accommodation if there is no adverse material impact on the public welfare or on adjacent properties; staff feels the finding can be made as the improvements will encroach no further into the setbacks than the existing pool and spa, the improvements will conform with neighborhood characteristics, and the improvements will be screened with trees and plants so as not to be visible from neighboring properties; he would recommend that the Council make the finding and approve the minor accommodation and related resolution.

Mayor Pro Tem Weber opened the public hearing. As there were no comments, he then closed the hearing and asked the Council Members for comments. Council Member Siegel was familiar with the property, and had just one comment: he understands that this property was out of compliance with the Association's hardscape requirements, and these improvements will further reduce the hardscape by 500 square feet, which is an additional benefit to the community. Council Member Cohen was also familiar with the property, and had no comments. Upon MOTION of Council Member Siegel, seconded by Council Member Cohen and unanimously carried (by the three Council Members in attendance), it was resolved to make the required finding, approve the minor accommodation, and adopt by title only Resolution No. 822 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS SITTING AS THE PLANNING AGENCY, APPROVING A REQUEST FOR A MINOR ACCOMMODATION FOR A POOL AND SPA REMODEL LOCATED AT 5530 JED SMITH ROAD.

At this time (8:39 p.m.), Mayor Freedland and Council Member Fisher rejoined the meeting.

CONSENT CALENDAR

- A. City Council Minutes – June 8, 2009**
- B. Demand List**
- C. Disbursement List – May**
- D. Financial/Treasurer’s Report – May**

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

MATTERS FROM CITY COUNCIL MEMBERS

- A. Consideration of Approval of City Budget for Fiscal Year 2009-2010 and Related Resolution**

Upon MOTION of Council Member Cohen, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the proposed City budget for fiscal year 2009-2010 and adopt by title only Resolution No. 823 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS TRANSFERRING FUNDS UNAPPROPRIATED AS OF JUNE 30, 2009 TO THE CONTINGENCY RESERVE ACCOUNT, AFFIRMING INVESTMENT POLICY, APPROVING THE CITY’S BUDGET AND ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE FISCAL YEAR COMMENCING JULY 1, 2009.

- B. Report from 6/16/09 Hidden Hills Community Association Board of Directors Meeting**

The following report was provided by the City Manager:

Last year in July there was a large party at a residence in the City, which resulted in some problems with many of the party-goers leaving that property and wandering throughout the City; the party will again be held this year, but they will have two Sheriff Deputies on site, will have additional busses for transportation, and will keep all attendees of the party on the property until they board the busses to leave; the gambling format at the adult welcome party was so successful that they will probably keep that same format every year; the Architectural Committee, due to less activity, will be meeting only the first

Monday of the month (and not the third Monday) from now on; if there are minor projects to be addressed, the Committee will approve those projects via email if everyone is in agreement so as not to unnecessarily delay anyone, and then formally approve them at the next monthly meeting; Eric Toeg has been appointed as the new Chairman of the Equestrian Services Committee, which still has one opening.

C. Report from 6/16/09 Las Virgenes Malibu Council of Governments Meeting

Council Member Siegel, who is the current President of the COG, informed the Council of the following:

The main item discussed was Measure R, which is a tax approved by voters in the County for transportation purposes; \$175 million has been designated for our COG over the next thirty years, with the COG being asked to prioritize projects; this is not an issue now, but could become a problem in the future, as three of the cities in the COG will have individual projects; this might make it harder at some point to decide which of those projects should be addressed and receive funding before others; this was also his last meeting as President of the COG, as the position rotates every year beginning in July; the new President is Dennis Washburn from Calabasas.

Council Member Fisher and the Council thanked Council Member Siegel for representing this City so well.

MATTERS FROM STAFF

A. Consideration of Proposed Resolution and Agreement with the City of Torrance Regarding Sale of Prop A Funds

City Engineer Dirk Lovett provided the following staff report:

The City acquires Prop A funds every year, which can only be used for transit projects; Hidden Hills does not have a need for these funds, but can sell them to other cities who do need the funds for projects; these funds have been sold in the past, with Torrance asking for the funds again this year as they did some years ago; Torrance has offered 70 cents on the dollar; Hidden Hills has \$103,509 in Prop A funds, for which Torrance is offering \$72,456.30 in general fund monies; in the Council packets is a draft agreement and resolution to provide for this exchange.

Upon MOTION of Council Member Siegel, seconded by Council Member Fisher and unanimously carried on roll call vote, it was resolved to approve the Proposition A Assignment Agreement between the City of Hidden Hills and the City of Torrance, and to adopt by title only Resolution No. 824 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS ASSIGNING TO THE CITY OF TORRANCE \$103,509.00 OF ITS AVAILABLE PROPOSITION A LOCAL RETURN FUNDS.

B. Charles Abbott Monthly Report - May

The report was received and filed.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL:

**Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(c):
Number of Potential Cases: 2**

At this time, City Attorney Roxanne Diaz joined the meeting by telephone. Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Cohen and unanimously carried, it was resolved to adjourn to closed session at 8:48 p.m., at which time Mayor Freedland announced that the Council in closed session would be discussing the items listed above.

Upon MOTION of Council Member Siegel, seconded by Council Member Fisher and unanimously carried, it was resolved to return to open session at 8:51 p.m., at which time City Attorney Roxanne Diaz announced that the Council in closed session discussed the items listed above, and that no reportable action was taken.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Cohen and unanimously carried, it was resolved to adjourn the regular meeting of June 22, 2009 at 8:52 p.m.

Steve Freedland, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk