

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, January 10, 2011

MINUTES

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

A regular meeting of the City Council of the City of Hidden Hills was duly held in the Council Chambers at the City Hall, 6165 Spring Valley Road, Hidden Hills, California 91302 on Monday, January 10, 2011 at the hour of 7:30 p.m. Mayor Larry Weber called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:

Mayor Larry G. Weber
Mayor Pro Tem Jim Cohen
Council Member Steve Freedland
Council Member Larry Goldberg
Council Member Stuart E. Siegel

Staff:

City Attorney Roxanne Diaz
City Engineer Dirk Lovett
City Manager Cherie L. Paglia

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 January 10, 2011 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Weber made the following announcements:

Happy Birthday to his daughter Aubrey, a former videographer for the City, who turned twenty today.

City Hall, the Community Center, and the Building & Safety Department will all be closed and there will be no inspections on Monday, January 17th, in honor of Martin Luther King, Jr. Day.

Happy Anniversary, on Sunday, January 23rd, to Mayor Pro Tem Cohen and his wife Joanne.

Congratulations to the Association/Parks & Recreation Committee for a very successful winter social/snow day yesterday; there were over 200 people in attendance, many making football cookies and enjoying the snow.

AUDIENCE

There were no questions or comments at this time.

PRESENTATION

To Daniel Jacob Deitch for Achievement of Eagle Scout

Mayor Weber read and presented a City certificate to resident Daniel Deitch for “having learned and completed all requirements and been tested as a Scout worthy of the rank of an Eagle Scout”. When asked about his project, Daniel explained that he and his troop cleaned up the parking lot at Paramount Ranch, removing, replacing, and disposing of the railroad tie parking bumpers that had toxic chemicals in them.

PUBLIC SAFETY

Consideration of Approval of Los Angeles County Sheriff's Department Service Agreement for the Success Through Awareness and Resistance (STAR) Program for Fiscal Year 2010-2011

The City Manager explained that this is a program already approved in the budget that the City supports every year, but that the contract is never received until well into the school year as it is based on the final number of classes and students enrolled at the school. In response to Council Member Siegel, the City Manager stated that \$10,000 was placed in the budget for this program, with any amount over that being covered by the crime impact/special event budget. Upon MOTION of Council Member Siegel, seconded by Council Member Goldberg and unanimously carried on roll call vote, it was resolved to approve the Service Agreement between the Los Angeles County Sheriff's Department and the City of Hidden Hills for services to be provided by the Sheriff's Department's Success Through Awareness & Resistance (STAR) Unit to seven classes of 4th and 5th graders at Round Meadow School for the 2010-2011 school year, at a cost of \$10,453.08.

PUBLIC HEARINGS

A. Consideration of:

- 1. A Final Environmental Impact Report for Proposed Vesting Tentative Map 63567, Including a General Plan Amendment, Pre-Zoning, and City Annexation of Approximately 7.8 Acres of Property from the County of Los Angeles; and**
- 2. A General Plan Amendment and Pre-Zoning of Approximately 7.8 Acres of Property Proposed to be Annexed; and**
- 3. An Application for Vesting Tentative Map 63567, Including 7.8 Acres Proposed to be Annexed to the City**

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

At the 12/13/10 meeting, the City Council discussed the application for a Vesting Tentative Map (VTM), a General Plan amendment, and annexation into the City for property at the end of Bridle Trail, between Bridle Trail and Lasher; this is VTM 63567;

at that 12/13/10 meeting, the City Council directed staff to prepare a denial resolution for the above items and continued the public hearing to this evening; since the 12/13/10 meeting, the applicant has submitted an application to revise the VTM, along with required fees and deposits; staff is currently reviewing the application and evaluating the environmental and project impacts; when staff has completed its review, including the environmental review, the revised plan will be returned to the City Council for review and consideration; since the applicant formally submitted the revision, staff did not prepare a denial resolution; as such, no action is requested now, to allow staff time to complete its review; when the review is complete, a public hearing will be scheduled at which the Council will consider the revision to the VTM.

Mayor Weber opened the continued public hearing at this time, inviting any comments from the audience, reminding everyone that no action would be taken.

Bridle Trail resident Marta Kurland addressed the Council:

She is speaking on behalf of herself and her husband Jerry, as well as several other neighbors that she will name later; they do not think it is appropriate to have two plans simultaneously submitted at the same time; they are requesting that the Council deny the tabled application for VTM 63567; the denial would be consistent with the motion passed by the Council at the 12/13/10 meeting at which the Council asked staff to prepare formal paperwork to deny the tabled application; if the tabled application is not denied, there would be two plans submitted simultaneously, the tabled application and the new one; they believe if ACI wishes to proceed with a new proposal, ACI should formally present it to the City as a new application, but only be allowed to do so after the tabled application is either withdrawn by ACI or denied by the Council; they believe the plan recently submitted, which they have seen a sketch of but have not all had a chance to thoroughly review, is not a mere modification of the tabled application; the new plan includes significant changes that cause it to be an entirely new plan rather than a modified plan; the new plan is significantly different because among other things it 1) provides for a different number of lots and homes to be developed, and they're still unclear as to what the total number of homes will be for the subdivision, 2) the new plan reflects new and changed boundary lines for those lots included, but does not encompass all of the contiguous property owned by ACI, 3) the new plan provides for different access points, as it now has a different number of homes being accessed off of both Bridle Trail and Lasher Roads, 4) the new plan provides for substantially different grading of the protected significant ridgeline without having considered a plan that would simply protect the ridgeline, and 5) the new plan includes a new not-to-exceed element, and as far as they understand, there is no definition for what not-to-exceed means; they strongly believe an applicant should not be permitted to have concurrent and conflicting

plans submitted in two separate municipalities at the same time; ACI has submitted grading plans for a horse corral on the L.A. County parcel, also has the tabled application, and now has the new plan which would request annexation of the L.A. County parcel; for all the foregoing reasons, they respectfully request that the City Council deny tonight the tabled application for VTM 63567; she is making these statements on behalf of her husband and herself, and the following Bridle Trail residents: Deb and Vas Vangelos, Stephanie and Paul Strong, Stella and Bob Oblath, Carol and Paul Frimmer, Nanci and Bob Mayer, Britt and Craig Aaronson, Laura and Charlie Goldwasser, Debra and Marc Spellman, and Gordon Gregory.

City Attorney Roxanne Diaz provided the following information:

There are not two simultaneous applications before the Council; the applicant, by submitting an application to revise the previous VTM, has submitted a revised plan; the previous plan reviewed by the City Council on 12/13/10 and at previous meetings no longer exists in the form that it previously existed; what staff will be reviewing is the revised tentative map application; so the previous plan will not be before the Council in its previous form; what will be before the Council is the revised or new plan, whatever one wants to call it, and that is what staff is reviewing; it is going through the legal process of review, and is not available to the public yet; it will be brought to the Council in the future; so there are not two simultaneous plans being reviewed; there is only one being reviewed, and that is the revised tentative map.

Mayor Pro Tem Cohen said he understood and agreed with Attorney Diaz, but asked if there were any legal consequences or ramifications regarding the point made earlier that there was an application made to the County for development of the County property simultaneously with an application made to the City. Attorney Diaz responded as follows:

When staff undertakes the review of the revised application, they will look at any applications on the County side with respect to the environmental review and with respect to any cumulative projects on the County property; if that is the case, that will be taken into consideration as the environmental review is conducted.

Mayor Pro Tem Cohen had additional questions:

If an application exists before the County for some type of horse development and is approved, does that conflict with what is before the Council; will the application to Hidden Hills supersede any application to the County; if the County approves a horse or building permit on that piece of land, that would seem to be in conflict with the request for annexation.

City Attorney Diaz explained the following:

Staff needs to undertake the review of what the new application is, and if it still includes the annexation of the County property, the review will have to look at that; if the request is to annex land that is currently vacant or land on which there is a proposed development application, that will impact staff's review and consideration of that application; staff will take everything into consideration; also, as part of the environmental review, the County will receive notice of that review and can submit any comments.

Bridle Trail resident Gordon Gregory asked if what has been submitted as a modification is sufficient and complete to allow staff to complete the evaluation, or will staff require further information to complete the evaluation. Attorney Diaz replied as follows:

Staff received the revised application, and under current law has 30 days to review the application and determine whether or not it is complete, meaning whether or not we have all the information needed to move forward; we are still within that 30 day period, and are undertaking the review; if additional items need to be submitted, if the application is not complete, or if staff needs further information, the applicant will be notified that the application is incomplete; the City Council does not have the information yet, as staff is still conducting the review.

Mr. Gregory asked what would happen at the end of 30 days if staff concluded more information was needed. The following information was provided by Attorney Diaz:

Staff would send a letter to the applicant deeming the application to be incomplete and requesting whatever information was still needed; another 30 day cycle would then begin anew; this could go on until the application is deemed complete; however, it is in everyone's best interest to make sure staff has all of the information needed to make a recommendation to the Council; the applicant has submitted a formal application and paid required fees and deposits; when this comes back to the City Council, it will be duly noticed as a public hearing.

Mayor Weber was hopeful that something could be ready in 90 – 120 days, with staff interjecting that there was no way to determine a time schedule at this point. As there were no further comments, Mayor Weber closed the public hearing.

B. Consideration of Ordinance Regarding Adoption of Revised Building Codes – Second Reading

City Attorney Roxanne Diaz pointed out that whenever codes are adopted by reference, a public hearing is required. Mayor Weber then opened the public hearing. As there were no comments, he closed the hearing. Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Cohen and unanimously carried, it was resolved to give second reading to and adopt by title only Ordinance No. 335 entitled: AN ORDINANCE OF THE CITY OF HIDDEN HILLS ADOPTING BY REFERENCE PART 2 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2010 CALIFORNIA BUILDING CODE; PART 2.5 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2010 CALIFORNIA RESIDENTIAL CODE; PART 3 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2010 CALIFORNIA ELECTRICAL CODE; PART 4 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2010 CALIFORNIA MECHANICAL CODE; PART 5 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2010 CALIFORNIA PLUMBING CODE; PART 11 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE; TITLE 32 OF THE LOS ANGELES COUNTY CODE, INCORPORATING AND AMENDING PART 9 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2010 CALIFORNIA FIRE CODE; THE 2009 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDING TITLES 4 AND 5 OF THE HIDDEN HILLS MUNICIPAL CODE.

CONSENT CALENDAR

- A. City Council Minutes – December 13, 2010**
- B. Demand List**
- C. Disbursement List – November**
- D. Financial/Treasurer’s Report – November**

Upon MOTION of Council Member Freedland, seconded by Council Member Siegel 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 COUNCIL MEMBERS

Report from 12/21/10 Hidden Hills Community Association Board of Directors Meeting

Board Treasurer and City liaison Ron Wolfe provided the following report:

New scanners have been approved for all three gates, which should be more sophisticated and accurate; the process should take about six months; it is RFID; they are not changing companies, just getting new equipment; some parkway repairs have been approved, which should take a few months; the Hidden Hills Horsemen (HHH), which was a private non-profit organization, no longer exists; in its place the Board may start a new committee; it will have similar functions, such as putting on events, but under the Association; there will be notices about the possible new committee, so anyone interested should let the Association know; they are going to be putting Wi-Fi in at the Community Center, as phone connections are not always great; once it is installed, residents just need to get the code and it can be used for Internet connections.

Council Member Freedland commented that RFID was much better technology, and that everyone should be very happy with the new system.

MATTERS FROM STAFF

Round Meadow/Long Valley Road Utility Undergrounding Project – Update

City Engineer Dirk Lovett reported that the project is getting close to the finish, as Charter Cable is hopefully done, AT&T and SCE have promised to be finished by the end of January, and the poles will hopefully come out by the end of February.

CLOSED SESSION

Conference with Real Property Negotiator Pursuant to Government Code Section 65956.8

Property: 5208 Saddle Creek Road
APN 2049-16-900, APN 2049-16-901
City Negotiators: City Attorney, City Manager
Negotiating Party: Hidden Hills Community Association
Under Negotiation: Price and Terms of Payment

Upon MOTION of Mayor Pro Tem Cohen, seconded by Council Member Siegel and unanimously carried, it was resolved to adjourn to closed session at 7:57 p.m., at which time Mayor Weber announced that the Council in closed session would be discussing the item listed above.

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Cohen and unanimously carried, it was resolved to return to open session at 8:32 p.m., at which time City Attorney Diaz announced that the Council in closed session discussed the item listed above, and that no reportable action was taken.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Siegel, seconded by Council Member Goldberg and unanimously carried, it was resolved to adjourn the regular meeting of January 10, 2011 at 8:33 p.m.

Larry G. Weber, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk