

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, November 26, 2012

MINUTES

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

A regular meeting of the City Council of the City of Hidden Hills was duly held in the Council Chambers at the City Hall, 6165 Spring Valley Road, Hidden Hills, California 91302 on Monday, November 26, 2012 at the hour of 7:30 p.m. Mayor Stuart E. Siegel called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:

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

Staff:

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

APPROVAL OF AGENDA

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon and unanimously carried, it was resolved that the agenda for the November 26, 2012 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Siegel made the following announcements:

We hope everyone had a wonderful Thanksgiving holiday.

The Public Safety Commission meeting scheduled for tomorrow night has been cancelled.

Happy birthday to Council Member Weber's Dad, who will be 87 on Wednesday (11/28).

Happy anniversary to Council Member Landon and his wife Jill on 12/4.

Hanukkah begins at sundown on Saturday, 12/8.

The filing period for the 3/5/13 City Council election is now open, with the last day to file papers being 12/7/12. Call Deana at 818.888.9281 for further information.

AUDIENCE

There were no questions or comments at this time.

PUBLIC SAFETY

A. Consideration of Appointment of Emergency Services Director, and Confirmation of Appointment of Deputy Emergency Services Director and Assistant Emergency Services Director

The City Manager provided the following staff report:

The City's Municipal Code previously created the offices of the Director and Assistant Director of Emergency Services, currently held by Jim Doran and Gabe Nussbaum, respectively; as Mr. Doran wanted to begin reducing his involvement and time spent as a volunteer for the City in relation to Emergency Services, he and the City Manager

recommended approval of a new ordinance, which was recently adopted, creating a third volunteer position to assist with the workload, that being a Deputy Director of Emergency Services; Mr. Doran would like to recommend that Gabe Nussbaum be appointed by the Mayor (with the advice and consent of the Council), as the new Director of Emergency Services; if that is acceptable, then Mr. Nussbaum would like to appoint, with the advice and consent of the Council, Jim Doran as the Deputy Director and Martin Zane (a Public Safety Commissioner who has been assisting Mr. Doran and Mr. Nussbaum by attending Area B meetings, etc.) as the Assistant Director; Mr. Nussbaum, if appointed as the Director of Emergency Services, would then also like to recommend that if he is unavailable, the Deputy Director would automatically assume the duties of the Director, and if both the Director and Deputy Director are unavailable, those duties would automatically be assumed by the Assistant Director.

Mayor Siegel stated he wished to appoint Gabe Nussbaum as the new Emergency Services Director, to serve for a period of four years, through November 26, 2016. Upon MOTION of Council Member Cohen, seconded by Council Member Weber and unanimously carried, it was resolved to: confirm the appointment made by Mayor Siegel of Gabe Nussbaum as the Emergency Services Director, effective through November 26, 2016; confirm the appointment by the new Emergency Services Director Gabe Nussbaum of Jim Doran as the new Deputy Director of Emergency Services and Martin Zane as the new Assistant Director of Emergency Services; and approve the order of succession for the assumption of duties if the Director of Emergency Services is unavailable, as recommended by Director Nussbaum.

B. Los Angeles County Fire Department Report - October

Community Services Representative Maria Grycan presented the following report:

During the month of October, there were 7 responses, including 2 false alarm/good intent calls, 1 snake removal, 3 medical calls, and 1 hazardous condition, which was a traffic collision with no injuries; the report shows 192 station inspections, most of which were probably in Calabasas; regarding brush clearance, all 18 of those that were outstanding have now been brought into compliance; not one was referred to the Brush Clearance Unit.

C. Los Angeles County Sheriff's Department Report - October

The following report was presented by Lt. Matt Squire:

There was one Part I crime in October, that being a grand theft on Bonneville Road; firearms were taken from a gun cabinet, with the possible suspect being a former tenant; detectives are working on this case; in relation to traffic, there were 34 citations issued, with 23 being hazardous, 2 non-hazardous, and 11 parking.

In response to Council Member Cohen, Lt. Squire stated there was nothing substantial that was outstanding – the narcotics case (the suspects bonded out) is still going through the court system, but crime is down and it has been a rather quiet 2012.

D. Consideration of Assignment of 2012-2013 Brulte/COPS Funds

The City Manager reminded everyone that the City receives \$100,000 every year in Brulte/COPS funds from the State, with the Lost Hills Sheriff Station Captain providing a letter of recommendation for the spending of those funds. The funds are normally spent for motorcycle enforcement, the Sheriff's Teen Traffic Offender Program (STTOP), and other miscellaneous items such as the LET (fingerprint technician), the Blackboard Connect Emergency Notification System, and special Halloween enforcement. Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon and unanimously carried on roll call vote, it was resolved to allocate \$100,000 in Brulte/COPS funds for the following, as recommended by the Sheriff's Department: \$65,000/Motorcycle Enforcement Officers (Motors); \$31,000/Sheriff's Teen Traffic Offender Program (STTOP); and \$4,000/Crime Impact Funds.

E. Consideration of Approval of Los Angeles County Sheriff's Department Service Agreement for the Success Through Awareness and Resistance (STAR) Program for Fiscal Year 2012-2013

The City Manager provided the following staff report:

The four cities in the Las Virgenes Malibu Council of Governments (COG) who are in the Las Virgenes Unified School District all pay for the L.A. County Sheriff's Department Success Through Awareness & Resistance (STAR) Unit for the schools within their respective cities; Hidden Hills supports the STAR program at Round

Meadow School; this year the program is being provided to six 4th and 5th grade classes for the ten month school year, resulting in an estimated cost of \$9,251.67; this is well within the budgeted amount for this program.

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon 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 six classes of 4th and 5th graders at Round Meadow Elementary School for the 2012-2013 school year, at a cost of \$9,251.67.

F. Consideration of Approval of a Resolution Adopting Parking Restrictions in City Owned Parking Lots

The City Manager informed the Council of the following:

Round Meadow School Principal Jeremy Resnick asked for a meeting with City staff regarding the traffic situation at the school; the City Manager and the City Engineer, along with the City's Traffic Sgt. Phil Brooks (from the Sheriff's Department) attended the meeting; there was no desire to change the circulation drop-off and pick-up pattern, but the school was asking for any help in enforcing violations; Sgt. Brooks spoke with the crossing guard company to give them pointers on when to allow people to cross the street to help keep the traffic moving better; as the parking lot is owned by the City and therefore a public lot, Sheriff personnel is able to enforce the appropriate sections of the Vehicle Code, including reckless driving, which should cover some of the problems occurring in the lot; the City had one of the trees trimmed that was blocking a sign exiting the lot, which prohibits a driver from crossing the road and entering the drop-off pick-up area; there are parking spots marked "reserved" in the lot, but in order for the Sheriff personnel to issue parking tickets to those not displaying a current parking permit, the City needs to adopt a resolution and then post the proper signs; staff is recommending the adoption of the proposed resolution that would address that issue; the resolution would apply to all City owned lots, if signs were posted.

Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Freedland and unanimously carried, it was resolved to adopt by title only Resolution No. 851 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS ADOPTING

PARKING RESTRICTIONS AT CITY OWNED PARKING LOTS (ROUND MEADOW SCHOOL AND LOWER AND UPPER CITY HALL LOTS).

PUBLIC HEARING

Consideration of a Resolution Regarding Withdrawal from the County of Los Angeles Public Library System and Various Options for Provision of Library Services

Mayor Siegel opened the public hearing, at which time both the Calabasas City Manager, Tony Coroalles, and the Las Virgenes Unified School District Superintendent, Dan Stepenosky, thanked the Council for the opportunity to obtain library funding from Hidden Hills as the City withdraws from the Los Angeles County Free Library System. Both Mr. Coroalles and Mr. Stepenosky expressed support for the splitting of the funding between their two agencies, believing that their agencies could provide proper and beneficial library services to the residents of Hidden Hills.

A short discussion then followed, during which the following points were made:

The use of the library funds by the City of Calabasas is pretty straight forward, as the funds will go directly to that City's public library; the School District's proposal is a little different, as it involves the use of the Internet and wireless hot spots for the residents to obtain access to the District's library system and hopefully e-collection books; these hot spots could be installed at Round Meadow Elementary School, A.E. Wright Middle School, and Calabasas High School, all schools that Hidden Hills students attend; the City does not wish to micromanage the use of the funds, as long as the County feels the funds are being properly used for public library services and benefit Hidden Hills residents; in the future, agreements would be necessary individually between the City of Hidden Hills and the City of Calabasas, and the City of Hidden Hills and the School District; at this point, the City just needs to take formal action via resolution to officially withdraw from the County library system.

As there was no further discussion, Mayor Siegel closed the public hearing. Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Weber and unanimously carried on roll call vote, it was resolved to adopt by title only Resolution No. 852 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS TO

WITHDRAW THE CITY OF HIDDEN HILLS FROM THE LOS ANGELES COUNTY FREE LIBRARY SYSTEM AND ASSUME THE RESPONSIBILITY FOR LIBRARY SERVICES FOR CITY RESIDENTS.

CONSENT CALENDAR

- A. City Council Minutes – October 22, 2012**
- B. City Council Minutes – November 12, 2012**
- C. Demand List**
- D. Disbursement List – October**
- E. Financial/Treasurer’s Report – October**
- F. Annual Financial Audit – June 30, 2012**

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

MATTERS FROM CITY COUNCIL MEMBERS

- A. Report from 11/20/12 Hidden Hills Community Association Board of Directors Meeting**

Community Association Board Member and City liaison Bret Katz presented the following report:

Two new Board Members were recently elected to the Board, those being Gina Richards and Rick Morris; John McGinnis and Cindy Goldstein left the Board, as they were termed out; he would like to thank Deb Spellman for the Halloween party which had a big turnout of children as well as about sixty adult couples; the Association will be doing some improvements on Lasher Road (swale and repaving) to compliment improvements being done by the Gonens in relation to their development; the Winter Social will be held on January 6, 2013; the officers for the Board have not yet been determined; the Tennis Club has been reinstated, and some changes were made to the rules regarding hours for the use of the courts.

B. Report from 11/20/12 Las Virgenes Malibu Council of Governments Meeting

Mayor Siegel announced that a representative from recently re-elected Fran Pavley's office was in attendance, offering assistance to the COG and the local cities; the other major item discussed was the Measure R project list, including revisions and reallocations.

MATTERS FROM STAFF

A. Consideration of an Ordinance Amending the Municipal Code Regarding Boundary Monuments for Final Maps – Second Reading

Upon MOTION of Council Member Cohen, seconded by Council Member Landon and unanimously carried, it was resolved to give second reading to and adopt by title only Ordinance No. 342 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS AMENDING THE STANDARDS REGARDING TRACT BOUNDARY MONUMENTS AND AMENDING THE HIDDEN HILLS MUNICIPAL CODE.

B. A Hearing Pertaining to the Declaration of a Public Nuisance at 24814 Jacob Hamblin Road and Consideration of Proposed Resolution

At this time, Mayor Pro Tem Freedland recused himself from the meeting due to a conflict as he lives within 500 feet of the property at 24814 Jacob Hamblin Road.

City Attorney Roxanne Diaz provided a chronology of events in relation to a retaining wall built without permits on the property at 24814 Jacob Hamblin, which led to a letter being sent by the City Manager (dated 11/13/12) to the property owners (Cliff Hill and Sabina S. Hill) declaring the existence of a nuisance on the property, per the City's Municipal Code. She added that since the nuisance was not abated within the time frame stated in that letter, the City Council is required to conduct a hearing and take evidence regarding the nuisance, after which the Council may take any of three options. Ms. Diaz suggested, as one of the options, that the Council consider adoption of a resolution to confirm the action of the City Manager and declare the condition to constitute a public nuisance, with an order to abate the nuisance. As stated in the

proposed resolution, Ms. Diaz explained the time requirements that would be involved with the abatement of the nuisance, with which the owners would have to comply.

Mayor Siegel then opened the public hearing, at which time owner Cliff Hill addressed the Council. Mr. Hill expressed his desire to correct the problem, but stated he was confused as he was being told different things by the City and by the Community Association in relation to what he could and could not do, and also expressed his belief that the wall he built without a permit was needed due to an erosion problem. Mayor Siegel and the Council numerous times reminded Mr. Hill that the City was not the Association, that his problems with the Association were irrelevant to his issues with the City, and that the City could not tell him what to do in relation to the Association – but that he would have to comply with all the City’s regulations, Municipal Code, and building codes. Attorney Diaz stated it appeared Mr. Hill had two options: 1) to remove the wall, obtaining a demolition permit and providing any required reports; or 2) to file an application for a building permit, again complying with all the City’s laws and regulations. Mayor Siegel also reminded Mr. Hill that this problem has now existed for many months, and that it was time to move forward to resolve the issue.

Resident Charley Caspary, who lives below the Hill property, also addressed the Council Members, reminding them that he had previously submitted letters and pictures complaining of this wall and its failure. He was in favor of the Council adopting the resolution to declare the existing condition a nuisance, and to have that nuisance abated promptly.

A short discussion then occurred regarding the different time line requirements for the owners to complete either the demolition of the wall, or the application for a permit for the wall and its construction and completion. The Council chose to leave the time lines as stated in the proposed resolution. Upon MOTION of Council Member Landon, seconded by Council Member Weber and unanimously carried, it was resolved to: 1) confirm the action of the City Manager, as stated in her 11/13/12 letter to Cliff Hill and Sabina S. Hill, 2) declare the condition on the property at

24814 Jacob Hamblin Road to constitute a public nuisance, and 3) adopt by title only Resolution No. 853 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS DECLARING THE PROPERTY AT 24814 JACOB HAMBLIN ROAD TO BE A PUBLIC NUISANCE AND ORDERING THE ABATEMENT THEREOF.

Mayor Pro Tem Freedland rejoined the meeting at this time.

C. Charles Abbott Monthly Report - October

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**

Upon MOTION of Council Member Weber, seconded by Council Member Cohen and unanimously carried, it was resolved to adjourn to closed session at 8:46 p.m., at which time City Attorney Roxanne Diaz announced that in closed session the Council would be discussing the items listed above.

After discussion of the first item, Mayor Pro Tem Freedland left the meeting.

Upon MOTION of Council Member Cohen, seconded by Council Member Weber and unanimously carried, it was resolved to return to open session at 9:04 p.m., at which time City Attorney 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 Council Member Weber, seconded by Council Member Landon and unanimously carried, it was resolved to adjourn the regular meeting of November 26, 2012 at 9:05 p.m.

Stuart E. Siegel, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk