

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, April 22, 2013

MINUTES

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

A regular meeting of the City Council of the City of Hidden Hills was duly held in the Council Chambers at the City Hall, 6165 Spring Valley Road, Hidden Hills, California 91302 on Monday, April 22, 2013 at the hour of 7:30 p.m. Mayor Steve Freedland called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:

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

Staff:

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

APPROVAL OF AGENDA

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Landon and unanimously carried, it was resolved that the agenda for the April 22, 2013 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Freedland made the following announcements:

Happy anniversary to Council Member Larry Weber and his wife Nanette (5/3).

The HHCA's adult welcome party will be held on Saturday, 5/11; call the Association for details.

Don't forget Mothers' Day on Sunday, 5/12.

There was an accident at the triathlon held this past Sunday in the City; a bicycle rider missed colliding with a car, but did fall; he hit his head but was protected by his helmet and did not sustain major injuries; so please, everyone, wear your helmets when bicycle riding.

Council Member Siegel pointed out that youngsters are required to wear helmets.

AUDIENCE

Las Virgenes Municipal Water District (LVMWD) Board President and resident Charles Caspary encouraged residents to attend an upcoming EPA public workshop on 5/1/13 at the Agoura Hills City Hall, as the EPA is proposing a new set of regulations for the LVMWD in relation to Malibu Creek which could cost the District millions and substantially increase costs to customers while most likely not reducing the amount of algae in the creek. Mr. Caspary invited residents to call him, call the District, or visit the website (LVMWD.com) for additional information.

PUBLIC SAFETY

A. Los Angeles County Fire Department Report - March

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

During the month of March there were 15 responses including 7 medical, 4 service calls (3 snake removals and 1 assist), and 4 false alarm/good intent calls; there were 8 station inspections (which were probably in Calabasas, as the cities are mixed together), 3 Fire Prevention Bureau inspections, and 3 plan checks; hydrant inspections in the City have all been completed.

In response to Council Member Weber, Ms. Grycan said it is a bit early for snakes, but they have been receiving snake reports consistently. She also invited everyone to attend the Regional Fire Service Day event scheduled for Saturday, 5/4, at Fire Station 89 on Canwood Street in Agoura Hills.

B. Los Angeles County Sheriff's Department Report - March

Lt. Matt Squire presented the following report:

The City experienced its first Part I crime of the year in March, a residential burglary and vandalism on Jed Smith, which was probably juvenile related; an unknown person entered a vacant residence and threw a fire extinguisher through glass doors; there were two false alarms (both at the same address), no collisions, and 10 traffic citations, with 5 of those being hazardous and 5 non-hazardous; overall, it was a pretty quiet month which he hopes continues.

CONSENT CALENDAR

- A. Demand List**
- B. Disbursement List - March**
- C. Financial/Treasurer's Report – March**

Upon MOTION of Council Member Siegel, seconded by Council Member Cohen and unanimously carried on roll call vote, it was resolved to approve items A (with Council Member Weber abstaining on item #8 due to a conflict of interest), B, and C of the consent calendar as submitted.

MATTERS FROM CITY COUNCIL MEMBERS

A. Consideration of Approval of Memorandum of Understanding Between the City of Hidden Hills and the Las Virgenes Unified School District for the Provision of Library Services – *continued from March 25, 2013 and April 8, 2013*

Mayor Freedland provided the following information:

He and Council Member Siegel have been working with the Las Virgenes Unified School District (LVUSD) and the City of Calabasas to finalize an MOU in relation to the disbursement of the City's library funds; nothing is finalized, but there were some questions raised at the previous Council meeting regarding specific uses of those funds by the LVUSD, so he thought perhaps some clarity could be provided this evening, especially since representatives of the LVUSD were in attendance (Board Members Jill Gaines and Cindy Iser, and Superintendent Dr. Dan Stepenosky); he would recommend, since the LVUSD is still working on the MOU with City Attorney Roxanne Diaz, that the matter be discussed to resolve some issues, but that no actual vote be taken at this time.

In response to Council Member Siegel, the City Attorney and City Manager explained the following:

The County had to be notified by last December (2012) that the City wished to pull out of the County library system in order for the funds to be allocated to Hidden Hills starting with the 2013-2014 fiscal year (which begins on 7/1/13); however, money will not be received by the City until most likely January and May of 2014, following the collection of property taxes that are paid to the County in December 2013 and April 2014.

Council Member Cohen asked if the LVUSD was going to be providing services that would not be duplicating those being provided by the County or the Calabasas library, and if so what those services would be. This led to a fairly lengthy discussion during which the following points were made:

The LVUSD would like more time to continue working with the City Attorney to work out details, and agreed with not taking action on the MOU this evening; the LVUSD would most likely not be adding additional services, but would like to create an e-collection for the District and Hidden Hills residents (including adults and the 300 Hidden Hills kids who are in the LVUSD) that would include many different books, reference materials, etc., but not textbooks; none of the LVUSD schools currently have an e-collection, so this is new and exciting; the LVUSD would be required to conduct surveys to determine what Hidden Hills residents might like to see, and the program should be evaluated after a year (with an annual report being provided) to determine its

effectiveness; LVUSD could certainly coordinate with Calabasas, but may not be able to provide something totally different and unique; there may be overlapping materials, but the LVUSD could provide more copies of those materials; it was thought that the Calabasas library already has an e-collection; Calabasas has a fairly large library budget, but might not be adding anything special with the money from Hidden Hills for Hidden Hills residents, as the residents already use the existing library and all it has to offer (there are over 600 library cards currently held by Hidden Hills residents); the funding currently being collected by the County from property taxes is not providing any direct library services to Hidden Hills, and now that money will benefit our residents (adults and students) through both the LVUSD and the existing Calabasas library; the LVUSD would need to spend the money not just on the e-collection books, but also the necessary software to begin the program and a person to operate the system (at what cost and what duties); perhaps the LVUSD should coordinate with the City of Calabasas in an attempt to provide as many different services as possible and as efficiently as possible.

Superintendent Stepenosky said he thought bringing Calabasas in and working with them would be valuable, so they will do that. He thanked the Council and staff for their time, and said the LVUSD would contact the Hidden Hills staff once they and Calabasas were ready to move forward and meet again with the ad hoc committee.

B. Report from the 4/16/13 Las Virgenes Malibu Council of Governments Meeting

Council Member Siegel stated that three major topics were covered at the COG meeting, those being the Hazard Mitigation Plan (which all the cities were required to do), the Metro Congestion Mitigation Study to determine new methods and fees in relation to the Congestion Management Program (to replace the current debits and credits approach), and Measure R funding.

C. Selection of Two Council Members for Ad Hoc 2013-2014 Budget Committee

Mayor Freedland and Mayor Pro Tem Landon volunteered to serve on the ad hoc budget committee.

MATTERS FROM STAFF

A. Consideration of Approval of Proposal from Willdan Engineering for Professional Consulting Services for Compliance with the Municipal NPDES Permit and Associated TMDLs

The City Manager informed the Council of the following:

Kimberly Colbert, who handled all of the City's NPDES issues, recently resigned from Charles Abbott Associates (CAA); in staff discussions with the CEO of CAA, Rusty Reed, and City Engineer Dirk Lovett, it was felt that it would take too much time for CAA to hire another person to take Ms. Colbert's place and get them up to speed on all the NPDES and water issues, especially since some very important decisions needed to be made by June; staff asked for a proposal to address all the City's NPDES related matters from Supervising Engineer Joe Bellomo of Willdan Engineering, as he is very familiar with the Malibu Creek Watershed (he does work for both the cities of Agoura Hills and Westlake Village) and the Regional Water Quality Control Board and staff, and somewhat familiar with Hidden Hills and the Los Angeles River Watershed.

Joe Bellomo was in attendance, and stated the following:

He has provided a proposal for NPDES consulting services, including associated TMDLs applicable to the City in relation to both the watersheds into which the City drains - the Malibu Creek Watershed (MCW) and the upper Los Angeles River Watershed (LARW); cities must meet certain requirements within six months of the 12/28/12 effective date of the new NPDES MS4 permit, which is fast approaching; there are different strategies the City needs to look at (Enhanced Watershed Management Plan/EWMP, do the permit as written, etc.) and analyze to determine, based on the advantages and disadvantages, which is best for this particular City; he would attend meetings, work with City staff, and communicate and work with watershed partners and the Regional Board to complete that analysis and make recommendations.

When asked by Mayor Freedland, City Engineer Dirk Lovett said he knows Mr. Bellomo, who has represented other cities in the area, and thinks this is a good opportunity to get him on board and utilize his knowledge and skills.

A discussion then occurred during which the following questions were raised and points made:

The hourly rates for Mr. Bellomo and others from Willdan who might help with the workload seem high for such a small city; the rates will depend on volume, and anything less than a certain amount would be tied to the CPI; the rates being proposed are higher

than those paid by Westlake Village, based on the volume of work (consulting for full compliance with the NPDES permit) and that city being a long time client; Agoura Hills rates, although lower, are going to increase, as that city has an in-house employee who is assisted by Mr. Bellomo, resulting in a smaller workload; Mr. Bellomo will discuss with those other two cities the sharing with Hidden Hills of some of the costs, such as those related to attending the same meetings and possibly some of the same programs; regardless of a city's size, it still takes the same amount of time for some things like meetings, so costs would be split equally; however, some things are not equitable, especially when looking at the small amount of area and water that actually drains into the MCW; much of the planning would appear to be more equal, while implementation costs later on might be based more on land use; the proposal from Willdan is based on an annual program; would it be better to do an annual program, have a three-year plan, or commit to a three-month study to determine what is most beneficial to the City.

As there were still some questions and discussion regarding what might be needed by the City at this time, City Attorney Roxanne Diaz suggested that this item be continued until after the closed session, when the Council might have a better idea of the City's obligations in relation to the NPDES permit. The Council agreed.

B. Consideration of Cancellation of May 27, 2013 City Council Meeting (Memorial Day)

Upon MOTION of Mayor Pro Tem Landon, seconded by Council Member Siegel and unanimously carried, it was resolved to cancel the May 27, 2013 City Council meeting in honor of the Memorial Day holiday.

C. Charles Abbott Monthly Report - March

The report was received and filed.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL:

- A. Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):
Number of Cases: 1**

Administrative Appeal to State Water Resources Control Board of NPDES MS4 Permit; SWRCB/OCC File A-2236

- B. Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(c):
Number of Potential Cases: 1**

Upon MOTION of Council Member Siegel, seconded by Council Member Weber and unanimously carried, it was resolved to adjourn to closed session at 8:31 p.m., at which time City Attorney Roxanne Diaz announced that in closed session the Council would be discussing the items listed above.

Upon MOTION of Council Member Weber, seconded by Council Member Cohen and unanimously carried, it was resolved to return to open session at 9:07 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.

Consideration of Approval of Proposal from Willdan Engineering for Professional Consulting Services for Compliance with the Municipal NPDES Permit and Associated TMDLs

At this time, the Council completed its discussion on the above item, which was continued earlier in the meeting.

Joe Bellomo of Willdan stated the following:

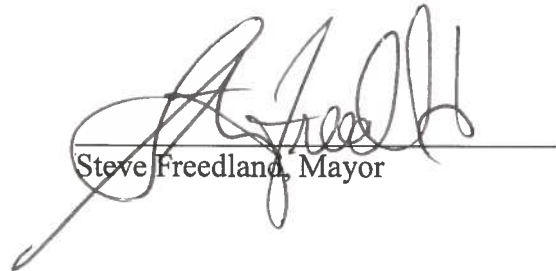
He can offer a 5% discount on all hourly rates (across the board for anyone for works on Hidden Hills matters) if the City wants a three year contract; there will be no charge for mileage; he will try to use lower level staff whenever possible; he cannot offer the same rates as Westlake Village, again due to the fact that Willdan provides full service to them,

and has for many years; Agoura Hills will come up to about the same rates as Hidden Hills.

Upon MOTION of Council Member Cohen, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the proposal from Willdan Engineering for professional consulting services for compliance with the Municipal NPDES MS4 permit and associated TMDLs, for three years with a 5% discount for all three years on all hourly rates, stated in the July 1, 2013 to June 30, 2014 Schedule of Hourly Rates, subject to Willdan signing a City agreement.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Weber, seconded by Mayor Pro Tem Landon and unanimously carried, it was resolved to adjourn the regular meeting of April 22, 2013 at 9:16 p.m.



Steve Freedland, Mayor

ATTEST:



Cherie L. Paglia
Cherie L. Paglia, City Manager/City Clerk