

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, September 9, 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, September 9, 2013 at the hour of 7:30 p.m. Mayor Steve Freedland called the meeting to order and presided thereover after resident and Eagle Scout Brandon Solursh led 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
City Engineer Dirk Lovett
City Manager Cherie L. Paglia

APPROVAL OF AGENDA

Upon MOTION of Council Member Siegel, seconded by Council Member Cohen and unanimously carried, it was resolved that the agenda for the September 9, 2013 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Freedland made the following announcements:

Happy belated birthday to his wife Susan (9/8).

Yom Kippur begins this Friday (9/13) at sundown.

Happy birthday to Council Member Larry Weber's son Connor (9/14).

The Hidden Hills Horsemen Fiesta gymkhana will be held on Sunday, 9/15, the week before the Fiesta; call the Community Association for more details or look in your Fiesta booklet; if you have not received a booklet, call City Hall; the Fiesta will be held on Saturday and Sunday, 9/21-22.

Happy birthday to Council Member Jim Cohen's daughter Dana (9/16).

If you are planning to vote in the special election Tuesday, 9/17, check your sample ballot for your polling place; it will not be here at City Hall.

It is not too late to sign up for the CERT classes which will be held here at City Hall on Thursday evenings, beginning 9/26; these classes provide great information to help your community and your individual families during disasters; the free classes are presented by the Fire Department; he would encourage everyone to take the classes.

Mayor Pro Tem Landon wished a happy anniversary to Mayor Steve Freedland and his wife Susan (9/24).

Council Member Siegel explained the importance of the CERT classes in helping residents to become self-reliant, as during major disasters, first responders will be very busy and most likely unable to come right away when someone calls 911; the phones may not work at all; even if residents do not want to serve on the City's Community Emergency Response Team (CERT), they should take the classes just for their own benefit.

Council Member Siegel also said the empty-nester gathering this past Sunday, attended by 40-50 people, was very nice and very organized.

AUDIENCE

There were no questions or comments at this time.

PRESENTATIONS

A. To Brandon Solursh for Achievement of Eagle Scout

Mayor Freedland asked Eagle Scout Brandon Solursh, from Hidden Hills Boy Scout Troop #642, to say a few words about his Eagle Scout project. Mr. Solursh explained the following:

in partnership with Heal the Bay and Malibu Divers, he and about 50 volunteers helped clean up Surf-Rider Beach, both on the beach and with scuba divers in the ocean; they collected over 100 pounds of trash, hopefully making the beach more attractive to those visiting; he would also like to thank Hidden Hills for supporting Troop #642.

Mayor Freedland announced that less than 2% of Boy Scouts entering the program actually achieve the rank of Eagle Scout. He then presented a City certificate to Mr. Solursh.

B. City Plaques/Hidden Hills Youth Recognition Program Recipients

Mayor Freedland explained that a Council nominating committee reviews all Youth Recognition Program applications submitted every year by teachers, coaches, etc. (not parents) to recommend those that should be recognized. This year, the two recipients are Kevin and Alex DeJesse. Mayor Freedland presented a City plaque to Kevin, and presented Alex's plaque to his parents as he is already away at school.

C. City Certificates/2013 Student Achievement Recipients

Las Virgenes Unified School District Board Member Dave Moorman said a few words before Mayor Freedland, on behalf of the Council, presented certificates to the following students:

From Oaks Christian School:

Alexandra Hainer

Erik Hainer

From Sierra Canyon School:

Joslyn Bernstein

From Viewpoint School:

Persia Fardad-Finn

From Calabasas High School:

Baylee Blumenthal
Rosie Goldwasser
Ella Morner-Ritt
Brandon Solursh

Maxwell Goldwasser
Samuel Goldwasser
Sophia Skaaden

Board President Lesli Stein and Superintendent Dr. Dan Stepenosky spoke briefly after the presentations. Mayor Freedland reminded everyone that these certificates are created based on the information provided by the individual schools, and that if anyone feels they have been overlooked, they should contact City Hall.

At this time (7:49 p.m.), Mayor Freedland called for a short recess, inviting everyone to enjoy the refreshments. Mayor Freedland reconvened the meeting at 8:10 p.m.

PUBLIC HEARING

Consideration of a Proposed Ordinance Adopting New Building Height Standards and Allowable Second Floor Limitations - First Reading

City Engineer Dirk Lovett provided the following staff report:

changes made by the Community Association to the Architectural Standards were addressed at the last meeting, at which time it was pointed out that the changes were in conflict with the City's current Municipal Code (MC); staff has prepared a draft ordinance to amend the MC to eliminate those conflicts; one of the proposed changes limits second stories to 50% of the first floor footprint for all residential buildings in the City; secondly, in the RA-S and R-1 zones, there would be an increase allowed in building heights based on increased setbacks; for buildings with less than a 65' setback from the front property line or easement line, the roof ridge height would remain at 26', with a 30' cap; for a 65'-75' front setback, the roof ridge height could increase to 28' with a 32' cap; for anything over 75' from the front property or easement line, the roof ridge height could increase to 30' with a 34' cap; these revisions are being made to facilitate larger second stories without encouraging larger first story footprints, and without encouraging noticeable aesthetic effects when viewing the site from the front yard; massing is encouraged toward the rear yard; the Association has stated that they are aware of the City's concerns, and will make an effort to minimize impacts on the rear and adjacent properties; staff would recommend that the Mayor open the public hearing, that

first reading be given to the ordinance, and that the public hearing be continued to the next meeting.

Mayor Freedland opened the public hearing. A discussion then occurred during which the following points were made and issues raised:

any portion of the first story that exceeds 18' shall be considered part of the second story; there is some repetition in the ordinance, which is just the result of expressing the language for the different zones; the maximum height is not changing in the RA-S-2 zone, as that zone already was given a 30' height limit; the Association did not address that zone as the height limit is stated in the CC&Rs, which are very hard to change; there is nothing in this ordinance that conflicts with the Association's height restrictions for the RA-S-2 zone; there really is no enforcement mechanism for the City if the City disagrees with a decision made by the Association that might have an impact on neighboring properties; that is the way it has always been, as the Association addresses the aesthetics and the City addresses safety in relation to building codes; the opportunity to complain or object aesthetically to something being done on a property rests with the neighbors or other residents who can speak directly to the Architectural Committee.

As there was no further discussion, upon MOTION of Council Member Weber, seconded by Council Member Siegel and unanimously carried, it was resolved 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 AMENDING THE ZONING CODE REGARDING SECOND STORIES AND BUILDING HEIGHT IN RESIDENTIAL ZONES IN THE CITY AND AMENDING THE HIDDEN HILLS MUNICIPAL CODE. Mayor Freedland then continued the public hearing to the October 14, 2013 City Council meeting.

CONSENT CALENDAR

- A. City Council Minutes - August 12, 2013**
- B. City Council Minutes - August 26, 2013**
- C. Demand List**
- D. Disbursement List - June**
- E. Disbursement List - July**
- F. Financial/Treasurer's Report - June**
- G. Financial/Treasurer's Report - July**
- H. Air Quality Improvement Fund Audit - Fiscal Years 2009-2010, 2010-2011**

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

MATTERS FROM CITY COUNCIL MEMBERS

Report from the 8/20/13 Hidden Hills Community Association Meeting

Community Association Board Member and City liaison Bret Katz informed the Council of the following:

there were a number of discussions in relation to the Hidden Hills Horsemen, including team penning and the netting around the pen, which the wrangler said was necessary so the cows could not see outside; they are going to forego the mesh at this time, and then see in the spring if someone would like to take on this responsibility; the Fiesta gymkhana will be on 9/15, with the pancake breakfast on 9/22; Parks & Recreation will be conducting a wine and cheese night on 10/13; one of the main topics of the night was the replacement of the video cameras at the Community Center and all three gate houses; the existing cameras are very old and the newer technology (all digital and high resolution) will provide much more detail so that faces, etc. can be seen; the system feeds will be connected so that all three gate houses can see each other and the Community Center; due to the cost of all the equipment and all the wiring required, they are now in the process of obtaining other bids so see if the cost can be lowered from the first bid of \$123,000; the cost is high because each gate house has a 9 terabyte array, while the Community Center has an 18 terabyte array, there is a lot of wiring, and the DVRs are very sophisticated (used in shopping centers and communities like ours).

In response to questions and comments from the Council Members, Mr. Katz explained the following about the proposed new cameras:

the system will not run on fiber, but on copper; the data resides at the location; you just need bandwidth for feeds so the data is low; they will be license plate recognition cameras that will have future abilities, such as facial recognition, but they cannot integrate at this time with the current gate system; the new system could be done wirelessly; if a roving guard had a wireless Ipad, he could look at all cameras at the different locations; they are looking at keeping 30 days worth of data; they want to get the foundation now and then build on it in the future; the cameras are day and night cameras; they are buying on the front edge, but the goal is to have the ability to see what is being looked at, making it easier for the Association or the Sheriff when necessary to

review the information; the servers will be faster, and there will be the ability to look at specific dates and times; there is a middle camera that films 360 degrees and below, and then the software cuts the image in pieces and corrects the curvature of the lens; there will be more coverage with less cameras; part of the higher cost is due to the addition of more cameras at the Community Center and in the theater, and the amount of data storage.

Mr. Katz continued with his report from the Board meeting:

There has been a problem with the creek drainage at the school bus stop on the corner of Jed Smith South and Round Meadow; the water pools and attracts mosquitoes; the Association is looking into the cost of possibly installing a pipe and covering over it to create a flat area that would have a number of usages in the future; the Board approved a cost of living increase of 1.3% for the staff.

The City Manager pointed out that any work done on the bus stop property would require City Council approval, as that property is owned by the City.

MATTERS FROM STAFF

A. Consideration of Appointment of Resident Britt Aaronson as the City of Hidden Hills' Ex-Officio Member of the Calabasas Library Commission

The following staff report was provided by the City Manager:

the City recently left the County library system and signed an agreement with both the City of Calabasas and the Las Virgenes Unified School District to give the City's library funds to the Calabasas library, with the use of those funds to be directed by both of those entities; as a part of that agreement, the City is to appoint an ex-officio member of the Calabasas Library Commission; that person will not have a vote, but will attend all the quarterly meetings, receive all the materials, and provide input; the City asked for applications for this position, and received only one, that being from resident Britt Aaronson; she is very familiar with the City of Calabasas and they with her, as she served that City previously when a resident there.

Council Member Siegel commented on Ms. Aaronson's excellent qualifications. Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Landon and unanimously carried, it was resolved to appoint Hidden Hills resident Britt Aaronson to serve as the City's ex-officio member of the Calabasas Library Commission for a partial term beginning in October, 2013 and

extending through March of 2016. Mayor Freedland asked that Ms. Aaronson be asked to provide reports to the Council on a regular basis.

B. Consideration of Approval of a Proposal from J.H. Douglas & Associates to Prepare the Hidden Hills 2013-2021 Housing Element Update

City Engineer Dirk Lovett presented the following report:

the housing element approved by the City Council last June has been certified by the California Department of Housing and Community Development (HCD); it is now time to start on the next housing element update, which is due in February, 2014; staff obtained a proposal from J.H. Douglas & Associates, the same company that prepared the latest update and did such a good job that led to the certification; the proposal is for a much lower cost than the last update, not to exceed \$22,100, due to the company's familiarity with the City and its history, and the availability of the recently collected and compiled data; staff would recommend awarding the contract to J.H. Douglas & Associates.

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 J.H. Douglas & Associates to prepare the Hidden Hills 2013-2021 Housing Element Update at a cost not to exceed \$22,100, which includes a 15% contingency, subject to Mr. Douglas signing a City agreement.

C. Status Report of Utility Pole Undergrounding at 23973 Long Valley Road (Tenenbaum)

The following update was provided by City Engineer Dirk Lovett:

this report is for information only, so no action is required; in March, the City Council entered into an MOU with the Tenenbaums to underground a utility pole, and possibly other poles in the vicinity; two pole relocation options are being considered; the design costs are to be paid by the City with the construction costs split between the City and the Tenenbaums; the standard process for pole removals starts with Southern California Edison (SCE) preparing the right-of-way documents, design, and cost estimate; those plans are then forwarded to other utilities, who also use the poles, to do their designs and cost estimates; when all the designs are completed, plans are publicly bid for

construction; to date SCE has completed its right-of-way check and determined that they have no easements for the poles on Old Farm Road; these would have to be provided by the property owner, with whom staff recently met; the property owner has expressed an interest in the project, but is talking with his neighbors and a real estate agent; hopefully the City will hear something from that resident within the next couple of weeks; however, SCE is moving forward with the designs, and has completed a preliminary design and materials list; the City has paid \$5,000 to SCE for the design costs of both options, and SCE has committed to complete their design, easement documents, and cost estimates by late October of this year.

The City Manager pointed out that the Council originally approved a total of \$25,000 for the design of both options, but SCE has now said they can design both options for a total cost of \$5,000, as long as both designs include moving all the equipment from the mother pole to the above ground vault on Paradise Valley. In response to Mayor Freedland and Council Member Weber, City Engineer Lovett explained that the owner of Old Farm Road could lose one above ground pole on his side, or it could just be relocated; there could also be additional easements needed from other property owners depending on guy wire locations.

D. Consideration of a Proposed Ordinance Regarding Weapons - First Reading

The City Manager provided the following information:

this item was discussed at the last Council meeting at the request of the Community Association; they were having some difficulties with children using paint ball guns at the Saddle Creek arena, and asked if the City could prevent the use of paint ball guns, air rifles, etc. on City-owned properties; the Council Members thought that was a good idea and directed staff to prepare an ordinance to amend the City's Municipal Code; one comment letter was received from Wes Myers, who thought the City should allow cross-property line shooting of air rifles and bows with the permission of the property owners for rodent, varmint and critter removal.

Mayor Freedland did not think it was a good idea to allow shooting across property lines, as this could lead to problems.

In response to resident Bret Katz, Mayor Freedland explained the following:

the current City law allows the use of pellet guns, air rifles, etc. on your own property, as long as the projectiles are not shot along or across property lines; the proposed ordinance would not change that part of the regulation, but would only prevent the use of such guns on City-owned properties.

The City Manager added that she asked the Association if they would like the proposed ordinance to also prevent the use of such air rifles, etc. on Association-owned property, but the Association Manager did not want the Association properties included in case, at a future date, they wished to host a paint ball event at the Community Center.

As there was no further discussion, upon MOTION of Council Member Siegel, seconded by Council Member Weber and unanimously carried, it was resolved 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 WEAPONS AND AMENDING CHAPTER 6 OF TITLE 4 OF THE HIDDEN HILL MUNICIPAL CODE.

E. Consideration of Recommendation from the Public Safety Commission to Contract with a Part-Time Emergency Services Management Coordinator

The following staff report was provided by the City Manager:

for many years resident Jim Doran has been volunteering his time as the Emergency Services Director, handling emergency services and emergency response related issues; due to some recent medical issues and time constraints, Mr. Doran stepped into the Deputy Emergency Services Director position, and the Council appointed Gabe Nussbaum as the new Emergency Services Director; as he and the staff do not have the time or training to take over all of the responsibilities handled in the past by Mr. Doran, the current Emergency Services personnel, the Public Safety Commission, and staff are all recommending that the City contract with a part-time independent consultant (who would not be an employee) to assist the City as its Emergency Services Coordinator; in order to provide time for the submittal of applications, interviews, and contract negotiations, the contract should run from January 1, 2014 through June 30, 2014; during the budget deliberations for the 2014-2015 fiscal year, the need for the Coordinator and the details of the contract can be reviewed and evaluated for future needs; it was thought the Coordinator should work not-to-exceed 40 hours per month, as assistance is needed

on an ongoing basis (not all in the first month or two), and could change weekly depending on the responsibilities (so should not be limited to a certain amount of hours per week); some cities like Malibu have a full-time person who handles nothing but all the emergency related matters, while others like Westlake Village use a staff person hired for other duties, who spends approximately 10 hours per week on emergency services at the direction of the City Manager; based on the Area B DMAC who works between 20-30 hours per week at an average rate of \$52/hour, the recommendation is to offer \$50/hour, with the ability to increase that offer if necessary based on qualifications and experience (but not to exceed \$60/hour).

In response to questions from Mayor Freedland and the other Council Members, the City Manager stated the following:

supervision would be provided by the City Manager, with direction from the Council; a very simple and broad job description has been written, which does include as a task "Perform any other emergency related duties as assigned by the City Council or City Manager"; some of the other duties would involve updating the City's Emergency Operations Plan, recruiting CERT members and keeping them involved and properly trained, attending Area B meetings, etc.; per the City Attorney, since this would be a contract position, there is no need to formally advertise; staff would prefer to conduct a focused search by asking for referrals from the Area B DMAC, Area B cities, the Fire Department, the Sheriff's Department, the COG Executive Director, the City Attorney's office, and anyone else that might personally know someone who would be interested; once applications are received, a panel would be established (consisting of those well versed in emergency services) to interview candidates; in the event of a disaster, the Coordinator would be expected to physically come to the City to handle the response to the disaster.

Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Landon and unanimously carried, it was resolved to direct the staff to begin the recruiting process for a part-time Emergency Services Coordinator based on the information provided above and the recommendations provided by the Emergency Services personnel, the Public Safety Commission, and staff in the memorandum from the City Manager dated 9/5/13.

F. Consideration of Approval of Responses to County of Los Angeles 2012-2013 Civil Grand Jury Final Report Regarding Fiscal Health, Governance, Management, and Compensation

The following report was provided by City Attorney Roxanne Diaz:

the volunteer Los Angeles County Civil Grand Jury sent out a survey earlier this year to all 88 cities in the County asking for detailed documents with respect to finances, budget, investment policies, and performance measures; from those questionnaires, they did a report and made several findings and recommendations regarding the fiscal health, governance practices, management, and compensation of those cities; staff worked with the City's independent financial consultant to complete the draft responses, which per the penal code have to be done in a specific format; we had to first respond to the findings, stating if we agreed or disagreed, and then respond to the recommendations, stating whether we could implement them or not and why; due to the general nature of some of the findings, we could not comment on the practices of other cities; however, where applicable and appropriate, the City's policies or actions related to the findings are described; the legislative body and the Mayor or required to comment on the findings and recommendations and submit those comments to the presiding judge; this is what is being done here tonight.

The City Manager pointed out that Hidden Hills is just one of many cities listed under each of the recommendations, so those recommendations were not directed just at us. Council Member Cohen stated that since the City Attorney, City Manager, and independent consultant went through all of the findings and recommendations and specifically answered the questions, he felt that they were answered appropriately and felt comfortable with the responses. Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Landon and unanimously carried, it was resolved to approve the responses, as prepared by staff, to the County of Los Angeles 2012-2013 Civil Grand Jury Final Report Regarding Fiscal Health, Governance, Management, and Compensation, and submit those responses, as directed, to the presiding judge of the Los Angeles County Superior Court.

G. Charles Abbott Monthly Report - July

The report was received and filed.

H. Consideration of Cancellation of September 23, 2013 City Council Meeting

Upon MOTION of Council Member Siegel, seconded by Council Member Cohen and unanimously carried, it was resolved to cancel the September 23, 2013 City Council meeting.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Landon and unanimously carried, it was resolved to adjourn the regular meeting of September 9, 2013 at 9:01 p.m.

Steve Freedland, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk