

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, June 23, 2014

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 23, 2014 at the hour of 7:30 p.m. Mayor Marv Landon called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:	Mayor Marv Landon Mayor Pro Tem Larry G. Weber Council Member Steve Freedland Council Member Stuart E. Siegel
Staff:	City Attorney Roxanne Diaz City Engineer Dirk Lovett City Manager Cherie L. Paglia
Absent:	Council Member Jim Cohen

Upon MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved to excuse the absence of Council Member Cohen.

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 June 23, 2014 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Landon made the following announcements:

Happy Birthday to Council Member Jimmy Cohen's wife JoAnne (today).

This Saturday (6/28) Waste Management will be conducting a bulky item pick-up; call Waste Management for details.

Enjoy the Thursday night BBQ's at the Community Center; they have different themes every week; call the Association office for further information.

City Hall, the Community Center, and Building & Safety will be closed and there will be no inspections on Friday, July 4th.

Happy Birthday to Mayor Pro Tem Larry Weber on July 5th, to Emergency Services Director Gabe Nussbaum on July 8th, and to Council Member Steve Freedland's son Kurtis on July 12th.

Thanks to City Clerk Deana Graybill for providing the refreshments this evening; she goes way out of her way to prepare for the reception.

AUDIENCE

There were no questions or comments at this time.

PUBLIC SAFETY

A. Los Angeles County Sheriff's Department Reports - April and May

The following report was provided by Lieutenant Dave Thompson:

May was a very good month, with no Part I crimes; however, 2 adults were arrested, and there was one traffic collision, with property damage only; 45 traffic citations were issued, with 31 being hazardous, 8 non-hazardous, and 6 parking; 39 of those citations

were written by the Motors, with most of those being stop sign violations; 2 dangerous drivers were reported to the STTOP program, both of which were handled by the STTOP Deputy; in June, there were two Part I crimes, one being a burglary from a garage, and the other a vehicle burglary; 3 adults were arrested this month; 23 traffic citations were issued, again mostly for stop sign violations, with 18 of those being hazardous and 5 non-hazardous; there were no traffic collisions; 2 drivers were reported to the STTOP program.

Mayor Landon thought the three arrests in one month was rather unusual. Lieutenant Thompson agreed that was a bit unusual for this City, but one was a non-aggravated assault (which is a misdemeanor), one was a drunk driving, and the other a vehicle loss.

B. Los Angeles County Fire Department Reports - April and May

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

there were 12 responses during the month of April, with 3 of those being medical and 7 being good intent calls; 2 were hazardous conditions, both being downed power lines, but with no resulting fires; in May, there were no fires, but 16 responses, including 3 medical, 8 service calls, and 2 hazardous conditions; the service calls involved 6 snake removals, 1 public assist, and 1 faulty smoke detector; one of the hazardous conditions was a downed power line, while the other was a report of a burned area on a trail near the resident's home; the residue was actually from a pool equipment fire in the LA City area; even though it will not show up until the June report, there was a small brush fire, just under 2 acres, in Hidden Hills last week; the fire actually started in the unincorporated area of Calabasas (the County), but two additional spot fires developed, one of which affected Hidden Hills; it burned a small area of ornamental vegetation in a back yard; the fire was caused by downed power lines.

Council Member Freedland made the following comments:

the City is undertaking pretty ambitious projects in relation to undergrounding utility poles and overhead wires; there were two incidents of downed wires in April, one in May, and now one in June resulting in a fire; an investigation was just released stating that the Power House fire was caused by downed power lines; he feels it is vitally important that the Council continue to set aside and accumulate money from the City's budget every year so affordable areas for undergrounding can be identified, with the hope of eventually eliminating all the overhead wires in the City; he is hopeful that the City will have enough money next year to undertake a project; he understands that Ms. Grycan talked to Chief Whittle, and that generally the Fire Department does not take a position on undergrounding.

Ms. Grycan stated that the Fire Department normally tries to stay neutral, but when it comes to efforts by cities or residents to undertake preventive measures or mitigate potential hazards, those efforts will be fully supported, so the Fire Department will support any city's efforts to underground utilities, because the reality is, downed power lines can cause fires. Both the Power House fire and the 2007 Canyon fire in Malibu, which destroyed 20+ homes, were caused by downed power lines. Mayor Pro Tem Weber pointed out that there are also other hazards from downed lines, as he experienced a downed line near his house during the rain some years ago, that arced every time a tree brushed against it. Ms. Grycan explained that the Fire Department will not touch arcing wires, even if there is no rain, with Council Member Siegel pointing out that SCE would need to deal with the downed wires.

PRESENTATIONS

City Certificates/2014 Student Achievement Recipients

Mayor Landon introduced, from the Las Virgenes Unified School District, Board President Jill Gaines, Vice-President Cindy Iser, and Superintendent Dan Stepenosky, and thanked them for attending on behalf of all the students being honored. The City Manager announced that if someone feels their child should be honored but did not receive a letter from the City, they should call the child's school, as the schools provide the names of the Hidden Hills students who received awards, and the certificates are prepared based on that information from the schools. Mayor Pro Tem Weber stated the Council would take a short recess after the presentation of the certificates, and invited everyone to stay at that time for refreshments and to honor the recipients.

On behalf of the entire Council, Mayor Landon presented certificates to the following students, whose names and accomplishments were read by Council Member Freedland:

From A.E. Wright Middle School:

Rayce Aaronson
Jordan Heller
Lauren Kessler

Carly Gould
Adam Kessler
Jacob Newman

	Trey Spellman	Eleanor Stonich
	Willoughby Thom	Ethan Toeg
From Agoura High School:	Emma Spellman	
From Calabasas High School:	Erica Gould	Taylor Newman
	Spencer Toeg	
From Oaks Christian School:	Asher Baer	Clare Stonich
	William Stonich	
From Viewpoint School:	Persia Fardad-Finn	Jake Levin
	Flynn O'Sullivan	

Council Member Freedland commented that this event is always one of his favorites, and that he hopes to see all these students who have not yet graduated back again next year, adding that they are all the cream of the crop and bring honor to themselves, their parents, and the City.

At this time (8:00 p.m.), Mayor Landon called for a short recess, reconvening the meeting at 8:17 p.m.

PUBLIC HEARINGS

- A. Architectural and Site Plan Review of Proposed Office Building at 23501 Long Valley Road (Arnold Meyerstein) in the Commercial Restricted (CR) Zone and Adoption of a Negative Declaration**
- B. Consideration of An Ordinance Regarding Adoption of Hours of Operation for Permitted Uses in the Commercial Restricted (CR) Zone - Second Reading**

City Engineer Dirk Lovett reminded everyone that the Council held a noticed public hearing on 6/9/14 regarding items A and B, and at that time staff was directed to prepare a resolution to approve the architectural and site plan application and negative declaration, including suggested changes made at the 6/9/14 meeting. He announced that the hearing was continued to this

evening so is still open at this time for any public comment, and then presented a staff report (see Memorandum from Mr. Lovett to the Mayor and City Council dated 6/19/14) addressing the proposed conditions, including three additional conditions suggested during the public hearing on 6/9/14, the requirements of the Affordable Housing Overlay (AHO) zone, the required findings for approval, written comments recently received from a resident (based on some inaccurate information), and his recommendation.

City Attorney Roxanne Diaz added the following comments:

on page 2 of the staff report are the seven findings that need to be made; the proposed resolution includes those seven findings and provides information with respect to how each of those findings will be made; the resolution also includes the conditions of approval and the timing for when each of those conditions must be met; she added conditions to ensure that within 30 days of approval of the site plan, the applicant has to submit a covenant that they understand and agree to all of the conditions of approval, that they will indemnify and hold the City harmless should anyone challenge the project, and that the fees be paid in the amounts in effect at the time fees are payable.

Mayor Landon, since the public hearing was still open, asked if there were any comments from the audience. As no one wished to speak, he closed the hearing.

Mayor Pro Tem Weber raised the issue of the 3-rail fence, which he looked at on the site, suggesting that it might be better to leave the installation of the fence up to the applicant rather than making it a condition of approval. This led to a discussion among the Council Members, staff, and the applicant, resulting in the condition (#10) being changed to require that the 3-rail fence remain or be replaced at a location agreed upon by the applicant and the City Engineer, with the length of the fence to remain at least as long as that shown on the site plan.

Mayor Landon was assured that the conditions did require a 5' sidewalk along the project's Long Valley Road frontage and the recordation of reciprocal access easements between the applicant and Boething Treeland in relation to the shared driveway. When Mayor Landon asked about the

condition requiring the applicant to work with Boething Treeland to keep the trees and shrubs east of the driveway along Long Valley Road (the corner at the bottom of the freeway on-ramp) clear for site distance, this led to a discussion regarding who owned which properties, and what conditions could be imposed on those property owners. Since the Boething Treeland property is not in the City and not a part of this project, the Council agreed that rather than making this a condition that could not be enforced, the City could always ask the Boething Treeland property owners to clear that area if needed (it was pointed out that someone recently cleared that corner area). At the end of the discussion, the Council Members agreed that the condition (#5) should be changed to require the applicant to clear and/or trim and/or maintain trees and shrubs on the applicant's property to maintain site distance and to keep in good condition.

As there was no further discussion, upon MOTION of Council Member Freedland, seconded by Council Member Siegel and unanimously carried, it was resolved to adopt by title only Resolution No. 871 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS APPROVING AN ARCHITECTURAL SITE PLAN IN THE COMMERCIAL RESTRICTED/AFFORDABLE HOUSING ZONE AND A NEGATIVE DECLARATION FOR PROJECT LOCATED AT 23501 LONG VALLEY ROAD, with the amended conditions as discussed above.

Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Siegel and unanimously carried, it was resolved to give second reading to and adopt by title only Ordinance No. 349 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS ADOPTING HOURS OF OPERATION FOR PERMITTED USES IN THE COMMERCIAL RESTRICTED (CR) ZONE. Mr. Meyerstein, in relation to this ordinance, asked if a tenant would be able to come into the building he was proposing prior to 9:00 a.m., to which the answer was yes, as the restricted hours were for the public.

CONSENT CALENDAR

- A. City Council Minutes - June 9, 2014**
- B. Demand List**
- C. Disbursement List - May**
- D. Financial/Treasurer's Report - May**

Upon MOTION of Council Member Freedland, 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. Report from 5/20/14 Hidden Hills Community Association Board of Directors Meeting**

The report was received and filed.

- B. Report from 6/17/14 Las Virgenes Malibu Council of Governments Meeting**

Council Member Siegel reported the following:

his term as President of the COG has expired; the new President is Lucy Martin from Calabasas; at the last meeting there was a very interesting discussion regarding wildlife and the frequent inability for that wildlife (bigger game such as bobcats, deer, mountain lions) to cross freeways; there is a division of Caltrans that looks at environmental impacts, including those on wildlife, when freeways and overpasses are built; so they do look for different methods for wildlife to cross both under and over freeways; there are some very grandiose overpasses being built, but they are very costly; right now an underpass is being studied for the Liberty Canyon area.

MATTERS FROM STAFF

- A. Consideration of Approval of City Budget for Fiscal Year 2014-2015 and Related Resolution**

Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the proposed budget for the 2014-2015 fiscal year, and adopt by title only Resolution No. 872 entitled: A RESOLUTION

OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS TRANSFERRING FUNDS UNAPPROPRIATED AS OF JUNE 30, 2014 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, 2014.

B. Consideration of Approval of County of Los Angeles Department of Animal Care and Control and City of Hidden Hills Agreement

The City Manager reported that this agreement is offered by the County every five years to provide animal care and control services to the City (the current agreement expires 6/30/14), with a separate form being submitted every year by the City which requests specific services for that year. Upon MOTION of Council Member Freedland, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the City-County Municipal Services Agreement between the County of Los Angeles Department of Animal Care and Control and City of Hidden Hills.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL

**Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4):
Number of Potential Cases: 1**

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to adjourn to closed session at 8:49 p.m., at which time City Attorney Roxanne Diaz announced that in closed session the Council would be discussing the item listed above.

Upon MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved to return to open session at 9:12 p.m., at which time City Attorney Diaz announced that the Council in closed session discussed the item listed above, and

gave direction to the City Manager and City Attorney to initiate a claim, under certain conditions, with the State Mandate Commission regarding NPDES.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to adjourn the regular meeting of June 23, 2014 at 9:13 p.m.

Marv Landon, Mayor

ATTEST:

Cherie L. Paglia, City Manager