

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, December 12, 2016

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, December 12, 2016 at the hour of 7:33 p.m. Mayor Jim Cohen called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:

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

Staff:

City Attorney Roxanne Diaz
City Engineer Dirk Lovett
City Treasurer Michael Blazenski
Emergency Services Coordinator Kevin Ryan
City Manager Cherie L. Paglia
City Manager Designate Kerry Kallman
Water Quality Consultant Joe Bellomo
City Clerk Deana L. Graybill

APPROVAL OF AGENDA

Upon MOTION of Mayor Pro Tem Stuart E. Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved that the agenda for the December 12, 2016 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Cohen made the following announcements:

City Hall will be closed at noon on Friday, December 23, 2016 and will reopen on Tuesday, January 3, 2017 at 9:00 a.m.

Happy Birthday to Council Member Steve Freedland (12/11), Happy Anniversary to Mayor Pro Tem Stuart Siegel and his wife Peggi (12/12), Happy Birthday to City Manager Cherie L. Paglia (12/13), Happy Birthday to Mayor Pro Tem Stuart Siegel's grandson, Hank Eagle Siegel (12/22).

This Wednesday, December 14, 2016, is the last day to pull and file papers for the March Municipal Election.

There will be a short recess following tonight's presentations to City Manager Cherie L. Paglia. All are invited to stay for light refreshments.

The City Council meeting on December 26, 2016 and the Public Safety meeting on December 27, 2016 have been canceled.

Christmas is on December 25, 2016 and Hanukkah begins at sundown on Saturday, December 24, 2016.

The City Council and staff wants to wish everyone a safe and happy new year.

Christmas tree recycling begins on 12/26/16 through 1/16/17 or in the bins at the Community Center and upper City Hall parking lot.

AUDIENCE

There were no questions or comments at this time.

RETIREMENT OF CITY MANAGER CHERIE L. PAGLIA

- A. Presentations to Retiring City Manager**
- B. Remarks by Mayor Cohen**
- C. Remarks by Other Council Members**

Presentations were made to retiring City Manager Cherie L. Paglia by the following:

Staff Assistant Veronica Vos - representing Congressman Brad Sherman's Office (American flag that was flown over the U.S. Capitol in DC and a certificate);
Field Representative Armine Sargsyan – representing Assemblymember Matt Dababneh's Office (certificate);
Board President Angela Cutbill, Board Member Mathy Wasserman, and Superintendent Dan Stepenosky – representing Las Virgenes Unified School District (certificate);
Lieutenant Josh Thai, Lieutenant Christina Baker, Lieutenant A.J. Rotella, and Deputy Michael Woodard – representing the Lost Hills Sheriff's Station (plaque);
General Manager Dave Pedersen and Division 1 Director, Secretary Charlie Caspary – representing the Las Virgenes Municipal Water District (certificate);
Assistant Fire Chief Anthony Williams and Community Services Representative Maria Grycan – representing the Los Angeles County Fire Department (plaque);
Board Vice President Bret Katz and Manager Shannon Moore – representing the Hidden Hills Community Association (gift);
Council Member James Bozajian and City Manager Tony Coroalles – representing the City of Calabasas (plaque, City pin, Calabasas "Images of America" book and;
Mayor Brad Halpern and City Manager Ray Taylor – representing the City of Westlake Village (plaque).

During the numerous presentations City Manager Paglia was praised and thanked for her 30 years of endless dedication to the City, her friendship, her honesty and commitment to everyone she worked with, surrounding cities and agencies, and the Council and residents of Hidden Hills.

Mayor Cohen read and presented to City Manager Paglia a certificate from Los Angeles County Supervisor Sheila Kuehl and a presentation piece from the City of Agoura Hills, and who were unable to attend the meeting. Mayor Cohen also noted that the City of Rolling Hills presented City Manager Paglia with a certificate/proclamation at her retirement party in November. Mayor Cohen, on behalf of the entire Council and staff, then presented to City Manager Paglia, two "forever admission tickets" to the Hidden Hills Fiesta and City Manager Designate, on behalf of

the entire Council, staff, friends, and residents, presented to City Manager Paglia a gift certificate to Axson Engineering for a complete computer system for her new home office. City Manager Paglia read a heartfelt speech expressing her gratitude, and thanking everyone she has met and worked with over the past 30 years, after which Mayor Cohen and the other Council Members made their remarks, acknowledging Cherie's devotion to the City and its residents and all her accomplishments, which were many, over her 30 years.

At this time, Mayor Cohen called for a recess and short reception in honor of outgoing City Manager Cherie L. Paglia. Mayor Cohen called the meeting back to order at 8:48 p.m.

PRESENTATION

City of Hidden Hills Investment Advisory Services – Quarterly Update

Mayor Cohen introduced Beacon Pointe Advisors Senior Vice President David Hopkins and Schwab Vice President Financial Consultant Seth Gray. Mr. Hopkins addressed the Council as follows:

the portfolio is doing exactly what it was set up to do; the NET performance of this portfolio from inception through 11/30/16 is 0.41%; given the violent moves we have seen, which have not been this volatile since 2013, remaining slightly positive is a good thing; this portfolio is very conservative and very short term, so it will not have the performance of our standard ladders; what is more important than total return is yield. The net yield on this portfolio as of 11/30/16 is 1.68% that is fantastic considering at the time this portfolio was constructed, the 5 YR Treasury Yield was 1.25%; the ladder process works, but does take time and protects principle and allows Hidden Hills to enjoy higher yields ahead; the portfolio has already dramatically outperformed the treasury market; this account is in fantastic shape.

Mayor Pro Tem Siegel did point out that it is still early and in this current market it can make performance look a little peculiar.

City Treasurer Michael Blazenski presented the method Schwab's financials statements will be interpreted and reported on City's financial statements.

PUBLIC HEARINGS

A. Consideration of a Proposed Interim Ordinance Extending Interim Ordinance No. U-359 Declaring a Moratorium and Prohibiting the Issuance of Building Permits and Other Land Use Entitlements that Would Allow the Establishment of Housing in the Affordable Housing Overlay in the Commercial Restricted Zone

City Attorney Roxanne Diaz provided the following report:

On November 14, 2016, the City Council adopted Ordinance No. U-359, an interim ordinance that prohibits the issuance of building permits and other land use entitlements that would allow the establishment of housing in the Affordable Housing Overlay in the Commercial Restricted Zone. Staff discovered recently that the current development standards in the CR zone do not contain development standards applicable to housing and only address development standards for commercial development. Staff initiated the studies determined to be necessary and appropriate to make a recommendation to the City Council regarding development standards for affordable housing standards. In spite of the progress made to date by staff, additional time is needed (as Ordinance U-359 expires December 29, 2016) for staff to conduct further analysis. Accordingly, a public hearing was noticed as required by law in order to extend the moratorium ordinance for an additional 10 months and 15 days. This will allow staff the additional time necessary to complete its research and bring back a comprehensive ordinance for City Council consideration.

At this point, Mayor Cohen opened the public hearing. As there were no comments, he closed the hearing. Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Landon and unanimously carried, it was resolved to adopt by title only, Ordinance No. U-360 entitled: AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS EXTENDING INTERIM ORDINANCE NO. U-359 DECLARING A MORATORIUM AND PROHIBITING THE ISSUANCE OF BUILDING PERMITS AND OTHER LAND USE ENTITLEMENTS THAT WOULD ALLOW THE ESTABLISHMENT OF HOUSING PURSUANT TO THE AFFORDABLE HOUSING OVERLAY IN THE COMMERCIAL RESTRICTED ZONE DURING THE PENDENCY OF THE CITY'S REVIEW OF THE AFFORDABLE HOUSING OVERLAY, FINDING THE ORDINANCE EXEMPT FROM THE

CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND DECLARING THE URGENCY THEREOF AND IMMEDIATE EFFECTIVENESS OF THIS ORDINANCE PURSUANT TO GOVERNMENT CODE SECTIONS 65858, 36934 AND 36937

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

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

every three years the California Building Standards Commission updates standards to reflect changes in the new building codes; the City has adopted the codes in the past with amendments in relation to pool safety fencing, roofing material, and grading; staff is proposing that these amendments continue along with one additional amendment in relation to grading bonds.

Mayor Cohen opened the public hearing. As there were no comments, he closed the hearing. Upon MOTION of Council Member Weber, seconded by Council Member Freedland and unanimously carried, it was resolved to give second reading to and adopt by title only Ordinance No. 361 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS ADOPTING BY REFERENCE PART 2 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA BUILDING CODE; PART 2.5 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA RESIDENTIAL CODE; PART 3 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA ELECTRICAL CODE; PART 4 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA MECHANICAL CODE; PART 5 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA PLUMBING CODE; PART 11 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDING TITLE 5 OF THE HIDDEN HILLS MUNICIPAL CODE

CONSENT CALENDAR

- A. City Council Minutes – August 22, 2011**
- B. City Council Minutes – November 14, 2016**
- C. City Council Minutes – November 28, 2016**
- D. Demand List**
- E. Disbursement List – October**
- F. Financial/Treasurer’s Report – October**
- G. Annual Financial Audit – June 30, 2016**

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

EMERGENCY SERVICES

- A. Consideration of Approval of Standard Operating Guidelines for the Community Emergency Response Team (CERT)**

The following staff report was provided by Emergency Services Coordinator Kevin Ryan:

As the City’s Community Emergency Response Team (CERT) has been gradually recruiting members, a set of Standard Operating Guidelines have been established to provide guidance for CERT members.

Upon MOTION of Council Member Weber, seconded by Council Member Landon and unanimously carried on roll call vote, it was resolved to adopt Standard Operating Guidelines for the Community Emergency Response Team (CERT).

- B. Consideration of Approval of a Resolution Approving the Standardized Emergency Management System (SEMS)**

The following staff report was provided by City Manager Designate Kerry Kallman:

all cities within California are required to develop and maintain an Emergency Operations Plan (EOP), the City first drafted its updated plan in 2009; staff has recently completed the update of the EOP for review and adoption by the City Council; the revised EOP maintains the original organizational sections along with additional revisions including updating of contact information for various agencies,

personnel, staff and media; Homeland Security's 2007 color coded advisory system has been replaced with the 2011 Homeland Security National Terrorism Advisory System (NTAS), and all charts, matrices, forms and logs have been updated to current standards or removed; the City's EOP. The City is no longer required to submit the EOP to the state for review, rather approved EOP's are forwarded along with an executed letter of promulgation.

Upon MOTION of Council Member Weber, seconded by Council Member Freedland and unanimously carried on roll call vote, it was resolved to adopt by title only Resolution No. 900 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS ADOPTING THE STANDARDIZED EMERGENCY MANAGEMENT SYSTEM PRINCIPLES AND POLICIES INTO THE CITY'S EMERGENCY OPERATIONS PLAN

C. Consideration of Approval of a Resolution Adopting the City's Emergency Operations Plan

Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Siegel and unanimously carried on roll call vote, it was resolved to adopt by title only Resolution No. 901 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS ADOPTING THE CITY OF HIDDEN HILLS EMERGENCY OPERATIONS PLAN

D. Update on Emergency Services/CERT Activities

The following staff report was provided by Emergency Services Coordinator Kevin Ryan:

Hidden Hills CERT members participated in the Fiesta parade, towing the CERT medical supplies trailer; during the dinner and carnival, the CERT members took turns manning the CERT booth; discussed some ideas for making the carnival area safer for residents with Deputy Mike Woodard; CERT members patrolled the closed area at Halloween, noticing a few minor issues with poor or no lighting along Round Meadow Road between Jed Smith Road and Wingfield Road and people and workers, with vehicles within the closed area, trying to leave the closed area; two residents have showed interest in the CERT program and have been sent information on CERT and upcoming training classes; the Area B meeting for November was held in Hidden Hills and a complete inventory of equipment that

has been supplied to Hidden Hills by the County was taken; the Hidden Hills EOP was updated with new forms, emergency contact information and new acronym designations; the Hidden Hills CERT Standard Operating Guidelines were completed.

MATTERS FROM CITY COUNCIL MEMBERS

A. Report from 11/15/16 Hidden Hills Community Association Board of Directors Meeting

Board Vice President and City liaison Bret Katz provided the following report:

a quorum was reached and the election results resulted in the re-election of four incumbents: Cindy Goldstein, Mitch Jacobs, John McGinnis, Alex Werner; the planting of new landscaping at Burbank gate and entrance; Halloween was discussed and ways to improve back up at gates (especially Long Valley); approximately \$677,000 was budgeted for road repairs including 50 areas, 5 streets, Jim Bridger and Ashley Ridge new concrete swales.

Council Member Freedland pointed out that there he had mentioned a while back that the decomposed granite had washed away from the parkway at the corner of Jed Smith and Kit Carson and it appeared like nothing has been done to remedy the problem. Mr. Katz did say he had mentioned it to Association staff after Council Member Freedland had notified him of it and he will check again with Association staff to find out why it hasn't been fixed. Mayor Cohen mentioned to Mr. Katz that there has been a water truck and bull dozer parked for over two weeks on John Colter and that the neighbors were starting to complain as it hasn't moved day or night and would like it moved. Mr. Katz said that he would look into it.

B. Report from 11/15/16 Las Virgenes Malibu Council of Governments Meeting

Mayor Pro Tem Stuart Siegel provided the following information:

Measure M an additional countywide ½ cent sales tax to help mitigate traffic including, bike lanes, onramps, off-ramps, road widening and narrowing, and roundabouts, etc. was passed. Hidden Hills' potential share will be approximately \$6 million dollars which may prove to be difficult to spend as most City streets are private or behind the gates. He'd like staff pursue the idea of using the funds on

the private streets where we can certainly utilize the money. Council Member Landon asked that if the money could be used to as a bypass on Mureau Road. Mayor Pro Tem Siegel explained that this idea has been raised but unfortunately it hasn't been further looked into. City Manager Designate Kallman explained that the Measure R working group that is now the Measure M working group was having a meeting the following day that City Engineer Lovett was attending so that they might be able to gather more ideas and he also stated that he and City Engineer Lovett would be meeting with COG Executive Director Terry Dipple in early 2017 to also discuss options; City Manager Paglia also pointed out that it was discussed previously that when guidelines are being established on how to utilize the Measure M funds, that there may be a way to change the guidelines to make the funds more flexible to use.

MATTERS FROM STAFF

A. Consideration of Approval of a Proposal from Clean Lakes Inc. to Provide Water Sampling and Analysis to the City of Hidden Hills

The following staff report was provided by Water Quality Consultant Joe Bellomo:

at its August 8, 2016 meeting, the City Council directed staff to obtain proposals to collect and analyze water quality samples from select outfalls; this monitoring data could then be used to justify the need for potential costly water quality improvement projects, or demonstrate the City's compliance with water quality standards; a City Council Ad-hoc Committee (consisting of Mayor Pro Tem Siegel and Council Member Freedland) was formed to review and discuss the monitoring program and the proposals; the Ad-hoc Committee met on September 28 and October 20, 2016, asked staff to solicit new proposals for "baseline" and additional testing at future locations if needed and solicit the new proposals from the original five firms along with four additional firms that were identified; the City only received proposals from Clean Lakes Inc. and Rincon Consultants Inc.; staff is recommending an initial monitoring program that will test two dry samples and three wet samples at two locations. The first location, HH_ULAR_LV (Long Valley), will test water leaving the City and entering the Los Angeles River. The second, HH_MCW_1 (Jim Bridger) will test water leaving the City and entering the Malibu Creek Watershed; it is anticipated that there will be an additional cost associated with the testing along Long Valley as the City will be required to pay a fee to Los Angeles County Flood Control District for a permit and potential staff time to open the manhole (expected to not exceed than \$5,000); the Jim Bridger location is fully accessible and no additional costs are anticipated.

Council Member Weber asked Mr. Bellomo what the difference was between an open channel and closed channel. Mr. Bellomo explained that an open channel is easily accessible for sampling and a closed channel can only be accessed from a manhole, which is much more complex. Mayor Cohen asked if the figures are “not-to-exceed” for which Mr. Bellomo replied that they are. Mayor Cohen also asked Mr. Bellomo if he felt that Clean Lakes are qualified for this and Mr. Bellomo stated yes and that he felt both companies are qualified.

Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Siegel and unanimously carried on roll call vote, it was resolved to approve a total expenditure of \$28,165 for the following: \$20,604 to Clean Lakes Inc. to collect and analyze a total of three (3) wet samples and two (2) dry samples from two City locations, those being HH_ULAR_LV (Long Valley) and HH_MCW_1 (Jim Bridger), subject to the signing of a City agreement by Clean Lakes, \$5000 to Los Angeles County Flood Control District for an encroachment permit and associated costs, and \$2560 – 10% contingency

B. Consideration of Approval of Agreement for Solid Waste and Recycling Collection, Transportation, Processing, and Disposal Services with G.I. Industries and USA Waste of California, Inc. (Waste Management)

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

the current agreement will lapse on December 31, 2016; on March 14, 2016, the City Council directed staff and an ad-hoc committee to negotiate with Waste Management, in hopes of obtaining a good and fair proposal, and if that was not possible, to then go out to bid; the City received a proposal from Waste Management on April 7, 2016 for a five year agreement; the ad-hoc committee requested, for additional consideration, an alternative proposal for a seven year agreement with an option for three additional years; an alternative proposal was received on May 23, 2016; the ad-hoc committee preferred the proposal for seven years, with an option for an additional three years; an agreement has been prepared and has been reviewed and approved by both City’s and Waste Management’s attorneys; basic service provides on cart for each trash, green waste, and recyclables; current 2016 rates for basic service (\$80.91) would be frozen and again utilized in 2017; basic service rates would then increase by \$1.00 per year; with the exception of temporary bins and roll-offs, for all other services will generally not

increase, and have remained the same since 2007; non-basic service rates are controlled by actual costs and per a formula provided in the agreement, but shall not exceed 7% annually, unless there are unusual circumstances.

City Attorney Diaz stated for the record that Council Member Freedland recused himself from this item as he himself owns stock in Waste Management and did not want the appearance of a conflict.

Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Weber and unanimously carried on roll call vote, it was resolved to authorize the Mayor and staff to sign the Agreement for Solid Waste and Recycling Collection, Transportation, Processing and Disposal Services for a period of seven (7) years with an option for an additional three (3) years.

C. Charles Abbott Monthly Report – October

The report was received and filed.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation:

Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2): A claim has been submitted by Jeremy Littman and is available for inspection in the City Clerk's office

Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved to adjourn to closed session at 9:59 p.m. to address the item listed above, as read by City Attorney Roxanne Diaz.

Upon MOTION of Council Member Landon, seconded by Mayor Pro Tem Siegel and unanimously carried, it was resolved to return to open session at 10:10 p.m., at which time City Attorney Diaz announced that in closed session the Council discussed the item listed above, and that no reportable action was taken.

NEW BUSINESS

Consideration of Rejection of Notice of Claim Filed by Sophie Etemadi from Cheong, Denove, Rowell & Bennett, on Behalf of Jeremy Littman Regarding Traffic Collision/Personal Injuries Sustained on Mureau Road

Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Weber and unanimously carried, it was resolved to reject the Notice of Claim filed by Sophie Etemadi, Cheong, Denove, Rowell & Bennett, on behalf of Jeremy Littman regarding Traffic Collision/Personal Injuries sustained on Mureau Road.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Freedland, seconded by Council Member Weber and unanimously carried, it was resolved to adjourn the regular meeting of December 12, 2016 at 10:15 p.m.

Jim Cohen, Mayor

ATTEST:

Deana L. Graybill, CMC, City Clerk