

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, October 13, 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, October 13, 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 Jim Cohen
Council Member Steve Freedland
Council Member Stuart E. Siegel

Staff:

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

APPROVAL OF AGENDA

Upon MOTION of Council Member Freedland, seconded by Council Member Siegel and unanimously carried, it was resolved that the agenda for the October 13, 2014 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Landon made the following announcements:

Happy Birthday to Building Inspector Steve O'Hara on 10/15/14.

The last day to register to vote for the 11/4/14 election is Monday, 10/20; registration forms are available at City Hall.

The Community Association will be holding its Halloween party on Sunday, 10/26, from 4:00 p.m. - 7:00 p.m.; call the Community Center for details.

Halloween, 10/30, falls on Friday night this year; there will be a road closure that evening on Round Meadow between Long Valley and Jed Smith North; there will be no vehicle traffic (including golf carts) on Wingfield; there will be a lane for golf carts to pass through the closed section of Round Meadow; only street legal golf carts, driven by a licensed driver, will be allowed on City streets.

Council Member Freedland suggested that residents, if possible, try to avoid the area near Jed Smith and Robert Guy on Tuesday, as the Water District will be making repairs to the street; the road will not be completely closed, but there could be delays with one lane closed.

AUDIENCE

There were no questions or comments at this time.

PRESENTATIONS

A. Discussion Regarding Water Main Breaks and Water Conservation

Mayor Landon introduced, from the Las Virgenes Municipal Water District, Board President Charles Caspary, General Manager David Pedersen, and District Facilities and Operations Director David Lippman. Mr. Lippman then addressed the Council, providing detailed information regarding the District's system, the District's system in Hidden Hills, the District's failure rates, and how the District proactively manages its buried infrastructure.

Mr. Lippman addressed the recent problem on Jed Smith near Robert Guy:

unfortunately, usually a series of breaks is the first indication that a pipeline is losing its strength and growing more susceptible to failure; this leads to a process where condition assessment and analysis is used to ascertain the pipeline's condition; this is what they intend to do on Jed Smith near Robert Guy where there have been three significant failures within that reach on that pipeline since 2003; they suspect that pipe was installed by the Hidden Hills Mutual Water Company (which was formed in 1950 and incorporated into the District in 1958); as mentioned earlier, the section of roadway that was damaged will be repaired on Tuesday, with the repairs expected to take less than one full day; those areas of the parkways will also be repaired where the DG was washed out; they work very closely with the Community Association to complete all the repairs.

In response to questions from Mayor Landon, Council Member Freedland, and residents and Association Board Members Rob Raznick and Bret Katz, Mr. Lippman provided the following information:

when there is a drought and people are conserving water, sometimes these demand pattern changes can stress pipes; but a lot of breaks are due to the dry ground rising up and shrinking away from the pipes, thus providing less support for those pipes; there can also be other problems; three months ago, a fire hydrant was hit on Mulholland which surged the system and found weak points, resulting in five pipeline breaks there since then; the District does not wait for pipes to "pop"; they could dig up a pipe and look at it, but all that shows is what the pipe looks like at that particular location; rather, they look at and analyze all the system indications and try to proactively move forward with necessary replacement programs and rehabilitation; the problem in Hidden Hills is that there is not much information on the original pipes installed; within the City, there are 20 miles of pipes, and to replace all of those at today's costs would be somewhere between \$25 million - \$30 million; there is no health danger from decomposing asbestos pipes, as one is not inhaling the fibers; there is some potential for the asbestos pipes to lose strength based on the water chemistry; there are tests to determine that to some degree, and they intend to use those tests in some locations where there are asbestos pipes; in the system today, there are four main materials: steel pipe with cement coatings and linings, asbestos, PVC, and ductile iron pipes; you start to see PVC since the 1980s where the pressure is less than 200 psi; above that, the steel is used; when a break does occur, they do look for the cause of the failure; the recent problem on Long Valley was caused by a tree root; the roots get around a pipe seeking water (AC pipes are very brittle), and eventually the pipe is crushed and fails; in this case, they would not look further at the pipe as the likelihood of there being a problem up stream would be remote unless there was another tree; in relation to the recent break on Jed Smith, the pipe broke longitudinally, as if it burst; in this case, they will look up and down stream, but first,

they will examine the broken piece of pipe that they took out of the ground; there are published life spans for pipes, with some lasting for 100 years; but there are many other factors besides age to look at, such as how the pipe is installed, the workmanship, or if the pipe is built to standards; they have had steel pipe that failed in 10 years due to poor workmanship, while they have had asbestos cement pipe that has been in the ground for 60 years without failing; that is why they do not just look at age, but on condition assessment; there is no need to dig up and replace perfectly sound pipe if it will continue to provide the service it needs to.

As there were no further questions or discussion, Mayor Landon thanked the District representatives for their attendance, and Mr. Lippman for his presentation.

B. Informal Presentation by Ashley Construction Regarding the Development of the Property Located Between Bridle Trail Road and Lasher Road

City Attorney Roxanne Diaz stated the following:

this item is on the agenda this evening to give the City Council and the public an opportunity to learn about a new development proposed by Mr. Mike Ashley; it is important to note that no application has been submitted, so this is not a public hearing; therefore the Council's role is to listen and ask questions, but not to make any decision on the project or make any comments on the merits of any specific proposal; if there are concerns or questions about the proposed project, the Council can request further information regarding those concerns; if Mr. Ashley desires to submit an application in the future, this can provide the applicant with a sense of what is important to the public and to the Council.

Mike Ashley then addressed the Council:

he requested that this project be put on the agenda to get it out before everybody in Hidden Hills; they are still working on some of the details that were brought up at the Community Association meeting when this project was presented to them last month; there were some interesting comments made, some by the people here tonight; he has taken those back to his engineer and other people; they are looking at it, as he wants to make sure that everything is addressed; he would welcome and appreciate as much input from anybody and everybody as possible; the intent is to listen and respond to all concerns; he had this area as a proposed development years back, and there were some negative aspects on the way he did it; that is not going to happen this time; he wants to present to the City, the Community Association, the residents of Lasher Road, and the residents of Bridle Trail Road a project that is positive and that is going to be beneficial to all the separate entities in the unique way that these separate entities are looking at

different aspects of the development; that is why he has no maps to show tonight, as they are still fine tuning some of those valid concerns as well as other concerns; he has had meetings with the neighbors and has been at the Community Association trying to gather input; he is available to go to anyone's house, or to meet with anyone at his office, at which time they can ask him anything; hopefully any concerns can be resolved in a positive manner; at least he will have the opportunity to understand the concerns so when the project is officially submitted, hopefully soon, all the concerns can be addressed accurately and it can be a proper proposal; he would like to ask everybody who looks at this to look at it with fresh eyes; someone said, that was then and this is now - fine; that is why he has a new proposal addressing everything that he is aware of that was a problem before; he wouldn't spend his time, money, and effort if he didn't believe this project would increase the value and standard of living for all the groups previously named; he would appreciate anyone looking at this project to ask a simple question - is it better for the City, for the Community Association, and for the Bridle Trail and Lasher people; that is where he is trying to get with this, and he believes he has gotten there; if someone had a problem four years ago, he would hope they would not say the same thing now; again, he would not be wasting his time and money, and the City's time, if he was not totally convinced that this project is very positive for everyone - not for Mike Ashley, but for those personally involved in it.

Council Member Siegel asked what concerns were expressed at the Community Association Board meeting that Mr. Ashley was taking back and now reconsidering, to which Mr. Ashley replied as follows:

Mr. Frimmer, who is here this evening, questioned the percentage of the proposed grading on that plan and how it relates to the total hill; the engineer is working on this to look at it from different angles because with this property being surrounded on three sides by Hidden Hills, everybody is going to view this slightly differently; so we are looking at that percentage and what that percentage really does; he thinks there was a question about noise, and would this increase the noise factor for this area; this will be addressed in the updated EIR that will be required by an independent company that has nothing to do with him; the findings will be submitted to the City staff; Laura Goldwasser wondered if there was a way of not grading any of the property ridgewise while still making the development work; they are looking at this, as well as other issues such as geology and traffic.

Council Member Siegel stated that the Council would absolutely be looking at this project with fresh eyes, as Mr. Ashley requested. He also wanted to point out that the EIR is paid for by the

applicant, but the EIR consultant is selected by the City and works at the direction of the City staff, and not on behalf of the developer.

Council Member Freedland stated that he was happy to hear that Mr. Ashley is preemptively talking to affected people and looking at the issues ahead of time. Mr. Ashley then made the following comments:

development is often looked at as if it will change a way of life, and sometimes it does; but in looking back at development in Hidden Hills over the last 45 years, he believes it has been mostly positive; he believes that the values from proper development, and he takes credit for some of that, have been beneficial for all of us - not just in values but also in lifestyles in relation to things like fire danger, underground utilities, proper roads and parkways, and more bridle trails; development does not have to be negative; it can be positive; if you look at the Gonen project, it was just a couple of canyons with marginal areas, and now is right up there with everything else in Hidden Hills; his desire is to make sure his small project, in which he is only getting four lots, falls into that positive category.

Fred Gaines, a Calabasas City Council Member, addressed the Council, stating the following:

he was asked by Mr. Ashley to assist him with this application and some of the work related to the project, so he is looking forward to working with everybody; he understands this is not a night to take any action; this project will eventually involve an annexation, so this is an opportunity for the Council to look at the possibility of perhaps doing a pre-annexation agreement or maybe a development agreement; the plan now is to make a straight forward tract application, but this project, because of other complications, would fit into these categories; if the City is interested, that could help us move along; the Council could theoretically have a committee to negotiate the terms of such an agreement, so by the time it gets here, input has been included; those are just some things the Council could consider that we would certainly be open to and may make sense in this case because of the annexation and other details involved; he is just throwing these out as ideas for the Council to think about in the future; he is looking forward to working with everybody.

Resident Charles Caspary said he was not familiar with this project, but appreciated the stance he was hearing from both the Council and applicant that they wanted to make this a win-win project for everybody. He also agreed with Mr. Ashley's earlier statement that the development in Hidden Hills over the last 45 years has been positive, maybe even overwhelmingly so.

Mayor Pro Tem Weber stated that he did not believe anyone would complain about the quality of an Ashley-built, or Gonen-built, home in Hidden Hills.

As there were no further comments, Mayor Landon said the Council would be looking forward to a future presentation.

CONSENT CALENDAR

- A. City Council Minutes - September 8, 2014**
- B. City Council Minutes - September 22, 2014**
- C. Demand List**
- D. Disbursement List - August**
- E. Financial Treasurer's Report - August**
- F. Annual Financial Audit - June 30, 2014**

Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Weber 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 9/16/14 Hidden Hills Community Association Board of Directors Meeting**

Board Member and City liaison Bret Katz provided the following information:

there will be Halloween road closures, which were reported earlier during the announcements; the good news is that the assessment rate will stay the same at 27 cents; theater improvements have been made, including the addition of new carpet and the painting of the floor.

In response to Council Member Freedland, Mr. Katz reported that the assessed value from last year to this year has increased dramatically. Council Member Freedland wondered why, with the increase, the Board decided to keep the assessment rate the same. Mr. Katz stated that they were looking to make some repairs, they didn't have the final assessed value when the draft budget was prepared, and their accounting firm recommended the rate stay the same based on current

needs and expenses. Council Member Freedland expressed his hope that the rate would go down next year, with Mr. Katz thinking that could be a possibility, but he was speaking personally, not speaking for the Board.

B. Report from the 9/16/14 Las Virgenes Malibu Council of Governments Meeting

Council Member Siegel reported that the COG heard several presentations regarding stormwater runoff in conjunction with the MS4 permit (National Pollutant Discharge Elimination System), subregional transportation including bike improvements, and the Mobility Matrix study.

MATTERS FROM STAFF

A. October 6, 2014 Calabasas Library Commission Meeting - Report

The City Manager reminded residents that if they have not already done so, they should get a library card at the Calabasas library, which is free for all those who live in Hidden Hills. The report from Britt Aaronson, who represents Hidden Hills on the Calabasas Library Commission, was received and filed.

B. Charles Abbott Monthly Report - August

The report was received and filed.

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 Freedland, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to adjourn to closed session at 8:07 p.m. to address the item listed above.

Upon MOTION of Council Member Freedland, seconded by Council Member Siegel and unanimously carried, it was resolved to return to open session at 8:12 p.m., at which time the City Attorney announced that the Council, in closed session, approved the Property Tax Administrative Fees (PTAF) settlement offer from the County of Los Angeles to resolve the PTAF dispute.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Siegel and unanimously carried, it was resolved to adjourn the regular meeting of October 13, 2014 at the hour of 8:13 p.m.



Mayor Marv Landon

ATTEST:



Cherie L. Paglia, City Manager