

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, August 8, 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, August 8, 2016 at the hour of 7:30 p.m. Mayor Jim Cohen called the meeting to order and presided thereover after asking City Engineer Dirk Lovett to lead 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  
Water Quality Consultant Joe Bellomo  
City Engineer Dirk Lovett  
City Manager Cherie L. Paglia

**APPROVAL OF AGENDA**

Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved that the agenda for the August 8, 2016 regular meeting be approved as submitted.

### **ANNOUNCEMENTS**

Mayor Cohen made the following announcement:

The LVUSD will be conducting its annual bus tour of the City on Friday, 8/19; they do this every year to familiarize new teachers with the cities the District serves; the bus usually enters at the Round Meadow gate and exits at the Long Valley gate.

Council Member Weber said he is getting calls from the gate stating that the U.S. Census Bureau wants to enter. No one else reported getting such calls, and the City staff was not aware of any reason for the calls.

Council Member Freedland announced the following:

He is the administrator of the City of Hidden Hills facebook page; it is for residents only, and if you move from the City, you will be deleted; it is a good way to keep in touch with everyone and share information (lost dog, accident on the freeway, etc.); if you do live in the City and are interested, call and give him your address, and once it is verified, you will be added.

### **AUDIENCE**

There were no questions or comments at this time.

### **CONSENT CALENDAR**

- A. City Council Minutes – July 25, 2016
- B. Demand List
- C. Disbursement List - June
- D. Financial/Treasurer's Report – June

Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Landon 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 STAFF**

**A. Final Malibu Creek Enhanced Watershed and Upper Los Angeles River Enhanced Watershed Management Plans and Coordinated Integrated Monitoring Programs – Overview**

The following report was presented by Water Quality Consultant Joe Bellomo:

in 2013 the City Council elected to join in the development of an Enhanced Watershed Management Plan (EWMP) and the companion document, the Coordinated Integrated Monitoring Plan (CIMP) for both the Malibu Creek Watershed (MCW) and the Upper Los Angeles River Watershed (ULAR) (both of which the City drains into); otherwise the City would have had to immediately comply individually with the NPDES permit, and those standards are very onerous; developing these documents allowed for planning and implementation strategies to comply with the requirements of the permit, and extended the time frame to a more appropriate one; all but two cities elected to develop a watershed management plan; it has taken over two years (with a lot of thought, energy, public input, etc.) to develop the documents, using water quality data collected over the past 20+ years; there was not much data from the outflow into which our City drains, so to fill that void, a model was developed by all of the agencies that elected to develop the EWMP; there are a lot of assumptions built into that model, with the end result being an estimated expenditure for Hidden Hills of \$3.7 million by the end of 2017; the EWMP and CIMP were recently approved by the Regional Water Quality Control Board (Regional Board), so it is now time to think about putting programs in place and developing compliance strategies to address the volume metric criteria behind that \$3.7 million; in the MCW there are three compliance milestones by which water quality projects must be completed – the first year is 2017, the second is 2021, and the third year is 2032; the ULAR milestones are very similar, with the recommended water quality project expenditures for compliance for both watersheds totaling \$11.9 million; the major emphasis in complying with the document was to find a regional BMP in the City that the City could drain to in order to get the compliance volume needed, which in the MCW is .1 by 2017, .4 by 2021, and .4 by 2032; these numbers represent the volume in acre feet that has to be diverted to a regional BMP, and the most optimal site that staff has found in Hidden Hills is under the Saddle Creek arena.

In response to numerous questions from the Council Members, Mr. Bellomo explained the following:

monitoring data was put into the model based on land use data across the nation, since there was an absence of actual contribution data; the model indicates the volume of flow the City would be responsible for, so the purpose of the CIMP is to collect data to show exactly what the City is discharging; Hidden Hills is in a better position than a lot of

cities because there are no businesses or industries to contribute things like metals; the CIMP monitoring program is very involved, and if Hidden Hills had to develop that same program for just our City alone, it would be very expensive; the EWMP, and companion CIMP document, were developed in partnership with other agencies in a watershed, with the monitoring to then be conducted at sub-watershed locations, rather than selecting a greater number of monitoring points jurisdictionally, in order to be more cost effective; if the monitoring showed any hits, then it would be necessary to drill down further into the sub-watershed to see where the hit is coming from; in this year's budget for the City, there are funds to conduct additional monitoring to ensure that what is leaving Hidden Hills is being correctly characterized by what is being captured below us; ideally, sampling would come first, but because of the way the regulations have been developed, some compliance targets have already come and gone, while others are fast approaching; nutrients is the driving pollutant in the MCW, which is the basis for the 2017 compliance target; the driving pollutant in the ULAR is metals with that same compliance target date; the final target date is around 2035, but the interim target dates are there to show that we are making progress and moving towards the final compliance date; the model is dictating that there is a loading in this watershed; the question we need answered (and very soon) is "If the model shows we need to do a project, do we actually have to do it, or can we wait until we have monitoring data to show that the model is incorrect and may need to be recalibrated?"; it is hard to imagine that we would be forced to build a very expensive regional project based on assumptions.

Council Member Freedland, who is familiar with industrial clarifiers and holding tanks to capture flow (even if temporarily) to allow for testing, asked if the City had to construct some type of a sampling facility at the Saddle Creek arena. Mr. Bellomo replied as follows:

rather than putting in monitoring stations, which can cost between \$30,000 - \$70,000, we would conduct grab samples; next to Saddle Creek, at an outfall of the City, is a trapezoidal channel where a sample could be grabbed during a rain condition; besides capturing water coming out of the City, we would also want to capture samples from upstream so we could characterize what is coming from the City itself; the Saddle Creek outflow is only one of three locations we would want to sample at this point; there is a large debris basin outflow going into Las Virgenes Creek, in the MCW, near Round Meadow School; this would be an optimal point to collect samples; the main cost is not for the collection of samples, but for the laboratory analysis and what is being tested for; metals is one of the more costly tests; a good sample, depending on how many tests are done, could run anywhere from \$3000 - \$4000.

Council Member Freedland was a little confused with the cost estimate, as his company, for years, did full panel samples that were only \$400 - \$500. Resident and Association Board

Member Bret Katz agreed, as he has had samples done for approximately \$600 in relation to his business. Mr. Bellomo stated that there are different standards for different types of uses; for municipal uses and the way this permit is written, the City might be able to dial back some things in the monitoring programs (for example toxicity tests) and stay focused more on the constituents (such as metals) that are more of an issue, with those panels running more in that cost range (less than \$1000).

This led to a rather lengthy discussion during with the following points were made:

if the City does no testing, the model will be considered correct by the Regional Board, and that means the City would be expected to spend the large estimated costs per the model; all Council Members agreed that at this time it would be relatively inexpensive and imperative to collect and analyze samples both upstream and downstream; even though there is no water flowing now, if there are hits downstream and there is no water flowing in the City, that is our best defense; staff is currently documenting and doing walk-throughs on a weekly basis to verify that there is no flow; there is some activity in the City (a few construction sites, some spring water), but nothing really leaving the City during the last 3-4 months of the testing; there is no data from the CIMP yet, but the City of Los Angeles (the managing entity) is collecting data and will develop a master report for the ULAR, where Hidden Hills is at the headwaters and makes up only 0.3% of the watershed; the intent of the BMP at Saddle Creek is to infiltrate and eliminate discharge; only the model says that Hidden Hills has to spend \$3.7 million, which is for the implementation side of the projects (to meet, by the end of 2017, the first compliance target of metals in the ULAR and of nutrients in the MCW); the monitoring is an attempt to show, in a manner that is in compliance with the permit, that the model is incorrect; to ensure the neutrality of the monitoring samples, it was felt that someone other than staff should collect and analyze the samples (there are many approved companies that do this); all cities are in the same situation as Hidden Hills, and being asked to spend outrageous amounts of money, often many times their annual budgets, that they just cannot afford; eventually this may have to be solved politically and in court.

All the Council Members agreed, as summarized by Council Member Freedland, that Mr. Bellomo should continue to document the fact that the City is not discharging anything at this time, and should also obtain proposals, for consideration by the Council on an upcoming agenda, from several neutral contractors to grab and analyze monitoring samples. In addition, Mr. Bellomo had two recommendations, the first being that at this same time, he attempt to get

approval from the Regional Board for a specific monitoring plan that the City could use officially. He added that the monitoring program itself would help future decisions on the magnitude of costs for mitigation; however, there is still the large dollar amount looming per the EWMP (that \$3.7 million in projects has to be completed by 2017) that is a compliance issue with the permit, so he is also recommending that the City consider spending some money for possible mitigation projects, such as porous pavement or using portions of the parkways for rain gardens or cisterns.

Mr. Katz asked if the City could change its codes to require properties in the City with new houses to keep all run-off from leaving the property, as he does by using four 55 gallon drums with cut out bottoms and gravel underneath (which is inexpensive). City Engineer Dirk Lovett explained the City already requires owners of large lots and certain sloped areas to treat water before it goes into the street, which can be done with things such as bio-swales, infiltration trenches, and rain gardens. Council Member Freedland pointed out that there is a property on Jed Smith with a settling tank in front, which Mr. Lovett stated is to slow down and clarify run-off water before it reaches the street.

At the request of Mayor Cohen, City Engineer Lovett provided the following report on porous pavement:

he was asked at the last Council meeting to gather some information on porous pavement, green streets, options, costs, and possible coordination with the Community Association in relation to reconstruction of the streets; he did talk to the Association Manager, and unfortunately, the Association has not reconstructed any streets in the last 16 years, and has no plans to do so in the future; pavement can generally last 25+ years, so the Association usually slurry seals or overlays the streets; porous pavement is an open grade asphalt or concrete that is usually used for parking lots and low traffic volume streets; it is a pavement in conjunction with a rock base filter system underneath (like a storage tank); it needs a good draining subgrade soil, which we don't really have in the City; it needs regular maintenance, as the pores need to be vacuumed; with all the dg in Hidden Hills, it would be very hard to keep those pores cleaned out; he checked with one City who reconstructed a ¾ mile street at a cost of \$1.4 for the porous pavement; scaling that out, he figured it could cost approximately \$2 million per mile in Hidden Hills; as Joe

mentioned, there are other options such as taking water down gutters into rain gardens in different locations in the parkways; this may not work well for horses, although they could perhaps be designed with a dg path through the middle for horses; they can be landscaped (pictures were provided); or cisterns could be placed underneath the parkways, and not be visible; these ideas will not fix the problem, but could certainly help.

Resident Mike Ashley addressed the Council, suggesting that they might want to look at letting some of the water, that is now directed into the underground Long Valley drain (which is an enclosed pipe and box channel), to go back into the still existing natural channel that runs parallel to Long Valley Road where it could either evaporate or go into the soil – a very inexpensive natural infiltration system.

As there was no further discussion, Mr. Bellomo will obtain, for a future meeting, proposals from outside contractors to grab and analyze samples from the City's three outflows.

**B. Charles Abbott Monthly Report – June**

The report was received and filed.

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL:**

**A. Public Employment  
Government Code Section 54957**

**Title: City Manager**

**B. Conference with Labor Negotiator  
Government Code Section 54957.6**

**City Negotiator: Roxanne Diaz, City Attorney  
Unrepresented Employee: City Manager**

Upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved to adjourn to closed session at 8:43 p.m. to address the items listed above, as read by Mayor Cohen.

Upon MOTION of Council Member Weber, seconded by Council Member Landon and unanimously carried, it was resolved to return to open session at 9:22 p.m., at which time City Attorney Diaz announced that in closed session the Council discussed the items listed above, and that no reportable action was taken.

**ADJOURNMENT**

There being no further business to come before the Council, upon MOTION of Mayor Pro Tem Siegel, seconded by Council Member Weber and unanimously carried, it was resolved to adjourn the regular meeting of August 8, 2016 at 9:23 p.m.

  
\_\_\_\_\_  
Jim Cohen, Mayor

ATTEST:

  
\_\_\_\_\_  
Cherie L. Paglia, City Manager