

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, August 24, 2009

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 24, 2009 at the hour of 7:30 p.m. Mayor Steve Freedland called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:

Mayor Steve Freedland
Mayor Pro Tem Larry Weber
Council Member Monty E. Fisher
Council Member Jim Cohen
Council Member Stuart E. Siegel

Staff:

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 August 24, 2009 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Freedland made the following announcements:

The guava fruit fly has been found in the area – in both Calabasas and Agoura Hills, but not in Hidden Hills; as a result the California Department of Food and Agriculture will be putting bait stations in trees; even though none of the flies have been found in Hidden Hills, trapping will occur in the area west of Round Meadow and south of Long Valley; for those in that area, you will be notified of any trapping 24 hours ahead of time, and will also receive a notice of completion when the trapping is done; if you have any questions, call City Hall.

The Public Safety Commission meeting scheduled for Tuesday night (8/25) has been cancelled.

CERT classes are being conducted here at City Hall on Wednesday evenings from 6:30 p.m. to 9:00 p.m.; call City Hall for details.

Wednesday (8/26) is the first day of school; everyone should avoid the Round Meadow School and gate area if at all possible during the drop-off and pick-up times, especially that first day.

Bookkeeper Randee Weinberger will be celebrating her 19th anniversary with the City on Monday, 8/31.

City Hall, Building & Safety, and the Community Center will all be closed on Labor Day, 9/7.

Happy Birthday to Susan Freedland (his wife) on 9/8.

The Council would like to thank Aubrey Weber (Mayor Pro Tem Larry Weber's daughter), as this is her last night of videotaping before going to college; she did a great job, which is much appreciated.

AUDIENCE

There were no questions or comments at this time.

PRESENTATION

A. City Plaque/Hidden Hills Youth Recognition Program Recipient

Mayor Freedland, on behalf of the Council, presented a City plaque to Marissa Maliani, recognizing her as an outstanding student through the Hidden Hills Youth Recognition Program. He pointed out that Ms. Maliani was nominated by her counselor at Agoura Hills High School.

B. City Certificates/2009 Achievement Recipients

Mayor Freedland, on behalf of the Council, presented City certificates to A.E. Wright Middle School student Thomas Stanford and Calabasas High School Student Emily Stanford for achievements at their respective schools during the 2009 school year.

C. Las Virgenes Municipal Water District – Poster Presentation

Las Virgenes Municipal Water District (LVMWD) Public Affairs and Communications Manager Jeff Reinhardt addressed the Council:

The LVMWD is promoting water conservation measures, and appreciates everyone's efforts which are getting the District closer to its goals; after about 5-6 weeks into the conservation program, the initial response has been good, but there is still work to do; last year the LVMWD observed its 50th anniversary, after being started largely by the efforts of Hidden Hills residents that many years ago; in honor of the anniversary, the LVMWD was able to come up with 50 ways to save water; to recognize the efforts of the City and its residents, he would like to present to the City a framed poster showing those 50 water saving measures; the poster has been presented to the Las Virgenes Unified School District and will also be presented to the other area cities.

The poster was unveiled and presented to Mayor Freedland. Council Member Siegel then asked if total water consumption by residents in the entire District was less than last year, which Mr. Reinhardt answered as follows:

The LVMWD is seeing a difference, but they have not completed a full 8 week reading cycle yet; therefore they do not have meter readings, but they do have import readings for imported water and water drawn from the Westlake Village reservoir; these show an approximate 15% - 19% reduction from last year's use; the fact that the weather has been cooler has to be considered, but it is starting to happen; they are noticing a little bit of reduction in the inflow to the sewage treatment plant, which tells them that indoor use is

coming down a little as well; however, the big bulk of savings to be made is in outdoor water usage, as 70% or more of the water in the District is used outdoors.

Resident and Community Association Board Member Marv Landon stated the following:

He had two people from the LVMWD come to his house just today to help him with conservation measures; they looked at sprinkler heads and valves, reset the sprinklers, found a pipe that needed attention, and really offered great suggestions; the review took two hours, and they provided a very comprehensive report that he can now share with his gardener.

Mayor Freedland suggested that every resident take advantage of this water audit conducted by the LVMWD, which is free.

Resident Lisa Maliani, who has three acres and a high water bill, also had the audit completed for her property. She wondered if the LVMWD had any suggestions on who might be able to fix any of the recognized problems. Mr. Reinhardt responded as follows:

The LVMWD is compiling a list of certified landscape specialists that will be posted on the District website; also on 10/24/09, there will be a landscape workshop at the District office with certified and approved vendors in attendance; there will be a pallet of water saving plants to choose from; just out today is a new catalog of water-wise plantings; there are some very beautiful landscape choices to save water; you do not have to always do the colored rocks which are often seen in Arizona; the LVMWD really appreciates those who are taking advantage of the audits; even though the District is booked into the future for audits, you can still call and schedule one; call the District (818.251.2100) during normal business hours.

**D. Consideration of Issuance of Proclamation for Childhood Cancer Awareness Week
September 6 – 13, 2009**

As the gentleman who requested this proclamation, American Cancer Fund for Children, Inc. Chairman Steven Firestein, was unable to attend due to a medical issue, the City Manager provided the following information from the proclamation:

The American Cancer Fund for Children and sister organization Kids Cancer Connection provide a variety of patient psychosocial services to children undergoing cancer treatment at the L.A. County-USC Medical Center, the Division of Pediatric Hematology/Oncology

Mattel Children's Hospital at Ronald Reagan-UCLA Medical Center, and Division of Pediatric Hematology/Oncology, as well as participating hospitals throughout the country; through the uniquely sensitive and comforting Magical Caps for Kids program, they distribute thousands of hand made caps and decorated baseball caps to children who want to protect their heads following the trauma of chemotherapy, surgery and/or radiation treatments.

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to approve a proclamation declaring September 6-13, 2009 as Childhood Cancer Awareness Week.

PUBLIC SAFETY

A. Los Angeles County Fire Department Report - July

Community Services Representative Maria Grycan provided the following report:

During the month of July there were 15 responses, including 1 outside equipment fire (vault) on Jim Bridger with the loss estimated at \$50,000; Southern California Edison was notified and responded; there were also 3 medical calls, 5 false alarms, and 2 hazardous conditions with no fires; one was an electrical/wiring problem on Round Meadow, and the other a power line down on Oakfield; 1 Fire Prevention Bureau inspection occurred, but no plans were checked; in relation to brush clearance, there were 34 properties out of 570 that were initially not in compliance; of those 34 properties, 29 are now in compliance, 4 are outstanding, and 1 was referred to the brush clearance unit for enforcement.

In response to Mayor Pro Tem Weber, who asked about a fire in the area Saturday evening, Ms. Grycan stated the following:

She was first notified of the fire when it was one acre and creeping; the fire was south of the 101 freeway and east of Las Virgenes Road in the hillsides; the flames could be seen from the freeway, but the burnt area cannot be seen from there; it was a hard to reach spot, but there was no wind which really helped; the fire ended up burning four acres, with the cause not determined.

Council Member Fisher asked about a fire in Bell Canyon, and also about the State's clearance efforts on Ahmanson. Ms. Grycan replied as follows:

She was aware of the Bell Canyon fire and monitoring it, but it was not windy and held to eight acres; the State has had some budget cutbacks, but they are saying that public safety will not be affected; resources will be made available by the Governor if needed.

B. Los Angeles County Sheriff's Department Report - July

The following report was presented by Lt. John Benedict:

During the month of July, there were three incidents; the first was a burglary in the 24500 block of Round Meadow, during which toilet paper was stolen; they were able to locate five responsible juveniles, all of whom were counseled and released; a Laker flag was stolen in the 5300 block of Round Meadow; one theft occurred in the 5800 block of Round Meadow; a purse was stolen, after which credit cards from that purse were used at a Rite-Aid and restaurant in Woodland Hills; videotape from those locations is being reviewed, and that will hopefully help to identify those responsible; there were four false alarms; in relation to traffic, there were no collisions, but 50 citations; of those, 33 were hazardous, 5 non-hazardous, and 12 parking violations; no one was reported to the STTOP deputy in July, but a driver from the June report was contacted, warned and advised.

2009 FIESTA

A. Consideration of Approval of Proposal from Harvey's Bar-B-Q Catering Company to Provide Saturday Night Dinner and Payment of Deposit

Co-chairman Bonnie Frank informed the Council of the following:

She is proposing the use of a new food vendor this year; she, along with her husband David and Stuart and Peggi Siegel, have been taste testing, and they have all agreed that this company was very good, very accommodating, and should be used this year; the dinner will include tri-tip, chicken breast, pork ribs, baked beans, potato salad, cole slaw, corn cobbettes, rolls, and iced tea and lemonade, as well as hot dogs and chicken legs for the kids; deserts will include ice cream, cookies, and different cheesecakes; the company has done many car shows (including the recent one in Hidden Hills), a party for 5000, and others, so is well qualified for this event.

Mayor Freedland pointed out that the proposal, at \$18,925.79, was under the budget amount already approved by the Council.

Council Member Cohen expressed some concern with the proposal, which was handwritten and not clear as to whether or not the price included the 15% set-up and service fee mentioned on the proposal. The City Manager assured the Council that the company would sign the City's standard agreement, and before that was done, another proposal would be obtained making all the specifics very clear. She also reminded everyone that an accurate count of tickets sold would be provided to the company as soon as ticket sales closed on the Wednesday preceding the Fiesta, which could adjust the price up or down slightly since the proposal was based on last year's ticket sales. Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Cohen and unanimously carried on roll call vote, it was resolved to approve the proposal from Harvey's Bar-B-Q Catering Company in the amount of \$18,925.79 to provide this year's Fiesta dinner, with the payment of a \$9,462.90 deposit to be paid once the walk-through is completed, a more precise proposal provided, and the City's agreement signed.

B. Consideration of Approval for Wine Cask/Calabasas to Provide Wine and Beer for Sale Saturday Evening without any Reimbursement to City

Ms. Frank provided the following information:

In the past, the company providing the wine and beer gave \$1 for every glass sold, back to the City, for an estimated income of \$300; she does not feel this is necessary, as the Wine Cask is run by residents of Hidden Hills, they are using their own staff, and will provide a more extensive wine menu and tap beer; they have an off-site license so are qualified to sell wine and beer at the Fiesta; if they are required to pay money back to the City, they would just have to raise the cost to the residents.

Mayor Freedland did not see any need for money to be paid back to the City, especially since this is a benefit to the residents, and the \$300 is not necessary since the dinner cost is already over \$3000 under budget. Council Member Siegel agreed, suggesting that this will be another venue to enhance the event, as they will be providing a much larger menu as opposed to the choice of just one red or white wine in past years. Upon MOTION of Council Member Siegel, seconded by Council Member Cohen and unanimously carried, it was resolved to approve the

use of the Wine Cask/Calabasas to provide wine and beer at this year's Fiesta, without any reimbursement to the City, subject to the required City agreement being signed.

C. Consideration of Approval of Proposals from Sports N' More to Provide Sports, Games, Activities and Lifeguards at the Community Center

Ms. Frank pointed out that the lifeguard cost for this year was a little more than last year, due to the use of four professional guards that would rotate every 15 minutes. Upon MOTION of Council Member Fisher, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the proposal from Sports N' More to provide sports, games, and activities from 11:00 a.m. – 2:00 p.m., and four lifeguards from 11:00 a.m. – 3:00 p.m. at the Community Center for the Fiesta, at a total cost of \$561, subject to Sports N' More signing the required City agreement.

Ms. Frank also suggested that even though the theme for the Fiesta is always (as decided last year) "A Country Fair", that a separate theme be chosen every year just for the parade so participants would have some guidance as to costumes, decorations, etc. Parade Co-chairman Susan Freedland has offered a parade theme of "Classic Cars, Stars, and Films". The Council all felt this was a great idea.

PUBLIC HEARING

**Minor Accommodation
5666 Jed Smith Road
Three Bay Windows within the Front Yard Setback**

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

Notices were posted and sent to all those within 300' of the property; no comments or objections have been received; the applicant is requesting the installation of three bay windows within the 50' front yard setback; the windows will be no closer to the property line than the existing residence, which is now 25 ½ feet from the front property line; the closest window would be 30 feet away; the applicant's argument in favor of his request for a minor accommodation is that the existing residence and the proposed improvements

in the setback are in conformance with the neighborhood characteristics; to approve the minor accommodation, the Council needs to make one finding – that it will not have a material adverse impact on the public welfare or adjacent properties; staff believes the finding can be made, as the improvements would not encroach any closer into the required setback than the existing building, and other existing houses on the street are as close to the road easement as these proposed improvements; he would recommend that the Council make the required finding and adopt the resolution.

Mayor Freedland opened the public hearing, at which time all of the Council Members stated they had visited the property except for Council Member Cohen. Mayor Freedland pointed out that the applicant would be reroofing the house, resulting in one less shake roof in the community. As there were no further comments, Mayor Freedland closed the public hearing. Upon MOTION of Council Member Siegel, seconded by Council Member Fisher and unanimously carried, it was resolved to make the required finding and adopt by title only Resolution No. 826 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS SITTING AS THE PLANNING AGENCY, APPROVING A REQUEST FOR A MINOR ACCOMMODATION FOR THREE BAY WINDOWS WITHIN THE FRONT YARD SETBACK LOCATED AT 5666 JED SMITH ROAD.

CONSENT CALENDAR

- A. City Council Minutes – July 13, 2009**
- B. City Council Minutes – July 27, 2009**
- C. City Council Minutes – August 5, 2009 Special Meeting**
- D. City Council Minutes – August 10, 2009**
- E. Demand List**
- F. Disbursement List – June**
- G. Financial/Treasurer’s Report – June**

Upon MOTION of Council Member Cohen, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve items A, B, C (with Council Member Fisher abstaining on this item as he was not in attendance at the meeting), D, E, F, and G of the consent calendar as submitted.

MATTERS FROM CITY COUNCIL MEMBERS

Report from 8/18/09 Hidden Hills Community Association Board of Directors Meeting

Board Member Marv Landon presented the following report:

Possible new rules for parties over 400 guests are being discussed; there should be more about this at the next Board meeting; there is a vacancy on the Architectural Committee; anyone interested should contact the Association office; the Parks & Recreation Committee had eight very successful BBQs over the summer, with approximately 200 people at each one; the Halloween party has been scheduled for Saturday, October 24th; the Equestrian Services Committee also has a vacancy due to a resignation; they will be looking at applicants from another recent vacancy, but anyone else interested can also apply; the Board held a hearing on the Saddle Creek Park Project; numerous people spoke and the matter was discussed; there will be another hearing at the next Board meeting on 9/15; a road slurry and reconstruction project was approved.

Mr. Landon confirmed Mayor Freedland's understanding that there is an upcoming Board election in either October or November, and that the three incumbents are running for reelection, although anyone else interested in running can contact the Association office.

Mayor Freedland also asked Mr. Landon if he could make sure the City received minutes in a timely manner for the Board and for all of the Association committees, as he felt it was important for both entities to know what the other was doing, as well as being important for residents who do not have cable TV channel 3 and are unable to watch any of the meetings. He pointed out that the City is directed to the website to obtain the minutes, and just recently was able to get minutes for all of the committees (dating back to last February) except for the Board, as there were no 2009 Board minutes on the website. Mr. Landon said he would look into the matter.

MATTERS FROM STAFF

A. Consideration of Bids to Slurry Seal the Public Portion of Round Meadow Road and the Round Meadow School Parking Lot

City Engineer Dirk Lovett presented the following report:

The last time these streets were resurfaced was about seven years ago; bids were obtained, with the low bid coming from Pave West at \$57,774; the company's references

have been checked and Pave West is qualified for the job; the project includes Round Meadow Road from the gate to Mureau Road, the Round Meadow School parking lot, and the turnout, drop-off area; the project will include the slurry seal, pavement rehab, raised pavement markers, and striping; in this year's budget, the Council has already approved \$70,000 for this project, which would cover the cost plus the 10% contingency; he would recommend that the project be awarded for the amount of the proposal, and that staff be authorized a 10% contingency for any unforeseen expenditures.

Mayor Freedland expressed his understanding of the project, as follows:

The Council already budgeted \$70,000 for the project; with a 10% contingency, the total cost would be \$63,551.54, still under the budgeted amount; gas tax funds can be used for approximately ½ of the project, around \$30,000, leaving approximately \$33,000 to be paid from the City's general fund; markings have already been spray painted on the street, but the project will not be done when school is in session, but rather over a holiday or long weekend.

City Engineer Lovett confirmed that all of Mayor Freedland's beliefs were accurate. In response to Council Member Cohen, Mr. Lovett explained that the City could not join with the Association to use the same contractor they were using to slurry seal the roads, as the City had to put the project out for public bid, and award the project to the lowest qualified bidder, who had to pay prevailing wage. Upon MOTION of Council Member Cohen, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to award the Round Meadow Road and Round Meadow School parking lot slurry seal project to Pave West in the amount of \$57,774.00, and to authorize staff a 10% construction contingency for unforeseen costs and expenditures.

B. Charles Abbott Monthly Report - July

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(b):
Number of Potential Cases: 1

At this time, City Attorney Roxanne Diaz joined the meeting by telephone. Upon MOTION of Council Member Fisher, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to adjourn to closed session at 8:20 p.m., at which time Mayor Freedland announced that the Council in closed session would be discussing the item listed above.

Upon MOTION of Council Member Siegel, seconded by Council Member Fisher and unanimously carried, it was resolved to return to open session at 8:58 p.m., at which time City Attorney Roxanne Diaz announced that the Council in closed session discussed the item listed above, and that no reportable action was taken.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Fisher, seconded by Council Member Cohen and unanimously carried, it was resolved to adjourn the regular meeting of August 24, 2009 at 8:59 p.m.

Steve Freedland, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk