

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, January 25, 2010

***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, January 25, 2010 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 Jim Cohen Council Member Stuart E. Siegel
Staff:	City Engineer Dirk Lovett City Manager Cherie L. Paglia

**APPROVAL OF AGENDA**

Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Cohen and unanimously carried, it was resolved that the agenda for the January 25, 2010 regular meeting be approved as submitted.

**ADMINISTRATION OF OATH OF OFFICE TO NEWLY APPOINTED COUNCIL MEMBER LARRY GOLDBERG BY JUDGE JOHN DOYLE**

Mayor Freedland introduced resident Judge John Doyle, who administered the oath of office to newly appointed Council Member Larry Goldberg. Council Member Goldberg then took his seat at the dais and stated his appreciation for the appointment, thanking the other Council Members for giving him this opportunity to serve with them and to help their ongoing efforts in making this the wonderful community it is.

All of the Council Members welcomed Council Member Goldberg. Mayor Freedland stated that he believes Council Member Goldberg will be a great addition to the Council, bringing to the table some important talents, and that he and the entire Council are looking forward to working with him.

**ANNOUNCEMENTS**

Mayor Freedland made the following announcements:

Happy anniversary to Council Member Cohen and his wife Joanne (this past Saturday).

Happy 80<sup>th</sup> birthday to Mayor Pro Tem Weber's mother tomorrow.

Happy birthday to Council Member Siegel's granddaughter Zoe, who will be two on 2/5.

Happy birthday to our Los Angeles County Fire Department Community Services Representative Maria Grycan, also on 2/5.

Happy belated birthday to Association Board Member Marv Landon (1/19).

Don't forget to purchase your tickets for the Valentine Musicale, which will be held on 2/5-6; call the Community Association for details.

Council Member Cohen added the following:

He was not at the last meeting to express his feelings regarding the loss of Council Member Monty Fisher, whom he thought of as a mentor; Monty was a friend to all of us, and a very independent individual; whenever Monty voted as an Association Board

Member or Council Member, he did so always aware of the consequences to the community and the residents; it may not be politically correct to say so, but Monty was a servant of this community; the community and he himself personally will miss Monty.

### **AUDIENCE**

There were no questions or comments at this time.

### **PUBLIC SAFETY**

#### **A. Los Angeles County Fire Department Reports – November and December**

Community Services Representative Maria Grycan presented the following report:

For the month of November, there were 9 responses, including 4 medical, 4 false alarm/good intent, and 1 fire (outside rubbish fire on John Muir with \$0 loss); there were no inspections or plan checks; there is nothing new to report on the brush inspections, which were pretty good with only 4 properties being referred for enforcement; during the month of December, there were again 9 responses, including 6 medical, and 3 false alarm/good intent calls; there were 3 Fire Prevention Bureau inspections, and no plans checked; a tour of the Fire Station was provided for three adults.

#### **B. Los Angeles County Sheriff's Department Reports – November and December**

The following report was provided by Lt. John Benedict:

During the month of November there were 2 false alarms, and 1 grand theft on John Colter (a sprinkler control box was stolen); in relation to traffic, there were no collisions and 26 citations, with 21 of those being hazardous, 4 non-hazardous, and 1 parking; 2 drivers were reported to the STTOP program, with both allegedly speeding on Round Meadow Road; warning letters were sent to both vehicle owners, with one responding to date; in December, there was 1 false alarm, and 1 assault on Eldorado Meadow Road, which involved parking valets for a party at one residence and a neighbor of that residence; there were no traffic collisions, but 29 citations issued, with 24 of those being hazardous, 5 non-hazardous, and 0 parking; in his thirty years of being in law enforcement, this is one of the cities he has worked in where there really is very little crime to speak of; the crimes in 2009 showed a 31% reduction over 2008; most of the crimes in the City are vehicle and property related, and the residents should be thanked for helping reduce the number of crimes by locking doors, etc.

Mayor Freedland said a lot of the thanks should go to the Sheriff's Department also, for a job well done. Council Member Siegel asked about an incident on Wingfield in December, involving juveniles and a party. Lt. Benedict explained that the incident, which happened on New Year's Eve, is still under investigation. Mayor Pro Tem Weber was concerned that the new year was starting out with a bang, as there were several incidents on New Year's Eve. Lt. Benedict said it was a party night in Hidden Hills, as it is in most cities.

### **PUBLIC HEARING**

**Variance No. V-375  
25081 Lewis and Clark Road  
New Single Family Residence**

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

In September and October of 2007, the Council considered an application for a variance at this site; there were several retaining walls in the setbacks and the house encroached into the front yard setback, being 25' from the edge of the road; that application was not approved, as the Council felt the house was too large for the lot and they could not make the required findings; the applicants considered other options, including the formation of a cul de sac; the applicants have now submitted a scaled down version of the previous variance application; the house is now proposed to be 30' from the front easement line, all the square footages have been reduced, and there are no retaining walls within the setbacks that require a variance; notices were posted and sent to all those within 500' of the subject property; one response was received that provided information, but it did not express support or objections to the variance request; the applicants have pointed out that other existing homes on Lewis and Clark Road have similar encroachments into the front yard setback; staff does feel that all the required findings (the findings were read at the request of the Mayor) can be made, and would recommend approval of the variance.

In response to Mayor Freedland, all of the Council Members (including himself) stated they had visited the subject property.

Mayor Freedland then opened the public hearing, at which time Linda Sacket, the applicant, addressed the Council:

She and her husband listened to what the Council said during review of the previous variance application; they attempted to meet the Council's suggestions by pulling the house further back from the property line, by reducing the square footage and footprint, and by removing the retaining walls that required a variance; they pursued the cul de sac idea for 1 ½ years, even completing engineering, but it just ended up not being feasible with all the roadblocks; she would be more than happy to answer any questions.

Mrs. Deardorff, from the audience, stated she was in favor of this project and hoped to see it proceed.

Both Mayor Pro Tem Weber and Council Member Cohen had some questions regarding the letter dated January 18, 2010 submitted to the Council by the neighbor above the subject property. They were concerned that a side deal between the applicants and that neighbor regarding reconfiguration of the two properties might affect this variance, or require a variance later. Ms. Sacket stated the following in response:

They were trying to do a property reconfiguration/transfer of property in relation to the cul de sac, but that fell through and the deal is no longer on the table; there is no issue with the slope above the subject property; the above owner, who wrote the letter, wanted their assistance with a certain matter that had nothing to do with this variance request; it is a drainage problem, or not, as the slope was just fine after the recent rains; the neighbor wanted to use some of the dirt from this project.

Both Mayor Freedland and Council Member Siegel felt the letter was just providing some history; the City is not at all involved in any side agreement, and needs to act on the variance presented, regardless of any deals between the property owners that would not affect the variance request.

As there were no other comments from the audience, Mayor Freedland closed the public hearing, and commented as follows:

He has been out to the property many times; it is a very difficult lot; he believes the applicants have made a sincere effort to propose a project that is reasonable for the lot; he is sorry that the cul de sac idea did not work out, as he thought that would have made a better project, but the City cannot deny the application because the applicants were not able to reach an agreement with the neighbor or the Association.

Council Member Siegel, who was opposed to the original variance application, said he was now personally satisfied, as there is only so much that can be done with that lot and the applicants did what they could. Mayor Pro Tem Weber agreed.

Council Member Cohen had two questions which were answered by City Engineer Lovett as follows:

What looks on the map like foundations that appear closer than the 30' property line, are actually eaves, which can legally extend beyond the footings; in increasing the setback, some of the yard was given up, making some of the retaining walls unnecessary; some existing walls were removed; there is a small retaining wall in the front yard, but its height allows the wall without a variance.

After having his questions answered, Council Member Cohen expressed his approval. Council Member Goldberg, after looking at the past record of what occurred on this property, agreed that the applicants did everything they could to comply with earlier concerns.

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to approve Variance No. V-375, as all the required findings could be made, and to adopt by title only Resolution No. 827 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS SITTING AS THE PLANNING AGENCY APPROVING A REQUEST FOR VARIANCE NO. V-375 FOR A NEW SINGLE FAMILY RESIDENCE WITHIN THE FRONT YARD SETBACK LOCATED AT 25081 LEWIS & CLARK ROAD.

**CONSENT CALENDAR**

- A. City Council Minutes – January 11, 2010**
- B. City Council Minutes – January 15, 2010 (Adjourned Regular Meeting)**
- C. Demand List**
- D. Disbursement List – December**
- E. Financial/Treasurer's Report – December**

Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolve to approve items A (with Council Members Cohen and Goldberg abstaining on this item, as they were not in attendance at the meeting), B (with Council Members Cohen and Goldberg abstaining on this item, as they were not in attendance at the meeting), C, D, and E of the consent calendar as submitted.

### **MATTERS FROM CITY COUNCIL MEMBERS**

#### **A. Consideration of Approval of a Resolution Supporting a Ballot Initiative for Potential Placement on California's November, 2010 Statewide Ballot**

Council Member Siegel encouraged the Council to adopt this proposed resolution that would support a ballot initiative filed by a coalition of local government, transportation and transit advocates (with major funding from the League of California Cities using non-public funds) to change the Constitution to prevent the State from raiding local government funds. Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to adopt by title only Resolution No. 828 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS SUPPORTING THE LOCAL TAXPAYER, PUBLIC SAFETY, AND TRANSPORTATION PROTECTION ACT OF 2010.

#### **B. Report from 1/19/10 Hidden Hills Community Association Board of Directors Meeting**

Community Association Board President and City liaison Ron Wolfe informed the Council of the following:

He would like to extend congratulations to newly appointed Council Member Larry Goldberg; the meeting was fairly short; the budget was approved for the Valentine Musicale; the Gate Committee is discussing parties, including the size and those involving teens, but parents should be watching their own children; if someone has a security or crime issue, rather than calling the gates (the gate guards and roving guard are not there for security), the Sheriff should be called directly; in relation to the Spring Valley curve, where some feel there is a speeding and horse safety issue, a civil engineering and design firm was hired by the Equestrian Services Committee to look at

the area; that firm recommended against installing a double 3-rail fence, but offered other options, most of which relate more to the City than the Association.

The City Manager informed everyone of some things that were already being done in that location, stating the following:

The civil engineer suggested that curve warning signs be installed; there are already curve signs with a suggested lower speed limit installed on both sides approaching the top of the hill in the curve; the Sheriff has already been asked to target that area for speeders; a speed survey was done not very long ago that showed the 85<sup>th</sup> percentile at 35 mph; normally speed limits have to be set at the 85<sup>th</sup> percentile, unless extenuating circumstances can be shown to keep the speed limit lower, which is what was done to keep the speed limit at 30 mph; it is a fairly tight curved area that makes it appear that vehicles are speeding through the area, but most are not.

Mayor Freedland made the following comments:

You can put up more signs, but the more signs there are the more people tend to ignore them, especially those who do not pay attention in the first place; the City will be happy to have the Sheriff target the area, which should help; the Public Safety Commission should be asked to look at other options; perhaps the V-calm sign (the electronic speed sign the City owns) could be moved from its current location on Eldorado Meadow Road to this location, which should not cost that much; that particular sign can be left off for a certain period of time while still gathering data, and then that data can be compared to new data collected once the sign is turned on to see if there really is a speeding problem in that location.

Mayor Pro Tem Weber wondered what happened to the old speed trailers that were used in the past. The City Manager will check with the Sheriff's Department, as she is not sure those signs are still available – they were fairly old and had to be calibrated often, plus there was a problem finding someone to move them in and out of the City.

In response to Council Member Siegel, the City Manager and City Engineer reported that the V-calm sign, currently on Eldorado Meadow, has not been in that location for one year, which was the intent when it was first moved there. They added that the Public Safety Commission had already determined that the sign, when moved again, would be placed on Jed Smith Road, where a post has already been installed for the move. At the direction of the Council, the Public Safety



Commission will be asked to study this matter and look at options, including the possibility of moving the V-calm sign to the Spring Valley curve area before it is moved to Jed Smith.

**C. Report from 1/19/10 Las Virgenes Malibu Council of Governments Meeting**

Council Member Siegel provided the following information:

The voters in Los Angeles County recently approved Measure R, a ½ cent sales tax, to support transportation and highway related projects; our COG stands to receive approximately \$170,000,000 over the next 30 years; Hidden Hills does not have any applicable projects, but the other cities in the COG do, so are very excited about this funding; each city in the COG will also receive a per capita amount monthly; at the last COG meeting, Ara Najarian, Chair of the MTA Board of Directors, presented checks to each city for the beginning months of the per capita funding; Hidden Hills received \$4,787.71, with the projected Measure R revenue for Hidden Hills estimated at \$1.1 million over the next 30 years.

Mayor Pro Tem Weber asked if the funds could be traded. The City Manager explained that Measure R funds would expire five years after receipt, and that the City may be able to trade those funds that might expire to another city for gas tax funds, which do not expire.

**MATTERS FROM STAFF**

**A. Round Meadow/Long Valley Road Utility Undergrounding Project - Update**

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

He held a preconstruction meeting two weeks ago; all of the utilities were not there, but he has since met with AT&T, and is working on Charter; there is a punch list of items to be completed; right-of-way easements and construction documents are being worked on; Southern California Edison will take at least one month to complete their easement documents; hopefully we can be moving forward in the next few months, but there are many factors and variables involved.

**B. Charles Abbott Monthly Report - December**

The report was received and filed.

**ADJOURNMENT**

There being no further business to come before the Council, upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to adjourn the regular meeting of January 25, 2010 at 8:12 p.m.

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Steve Freedland, Mayor

ATTEST:

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Cherie L. Paglia, City Manager/City Clerk