

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, April 23, 2012

***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, April 23, 2012 at the hour of 7:30 p.m. Mayor Stuart E. Siegel called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

**ROLL CALL**

Council:

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

Staff:

City Engineer Dirk Lovett  
City Manager Cherie L. Paglia

**APPROVAL OF AGENDA**

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Cohen and unanimously carried, it was resolved that the agenda for the April 23, 2012 regular meeting be approved as submitted.

## **ANNOUNCEMENTS**

Mayor Siegel made the following announcements:

This Wednesday night (4/25) at 6:00 p.m. there will be a public workshop here at City Hall regarding the City's draft housing element; if anyone is interested in attending, contact the City Manager for further details.

Happy anniversary to Council Member Larry Weber and his wife Nanette on 5/3 (their 27<sup>th</sup>).

Don't forget Mother's Day on Sunday, 5/13.

Council Member Weber reported that the 7<sup>th</sup> annual Hidden Hills triathlon held this past Sunday (he and his wife took part in the event) was very well attended and made some money for charity.

## **AUDIENCE**

Resident (and videographer) Kyle Wasserman invited everyone to the Calabasas High School food truck experience, called Chomp, to be held to benefit the senior class on Sunday, April 29<sup>th</sup>, from 12:00 noon to 9:00 p.m.

Mayor Pro Tem Freedland congratulated Mr. Wasserman on recently being accepted to USC.

## **PRESENTATION**

### **Consideration of Approval of the Las Virgenes Malibu Council of Governments (LVMCOG) Hazard Mitigation Plan**

Robert Takemura, President of MLC & Associates, Inc., and Paul Brown, Director of Business Continuity, were introduced by Mayor Siegel. Mr. Takemura provided the following information:

The original Hazard Mitigation Plan (HMP) was completed in 2005 for the COG, of which Hidden Hills is a member; per federal guidelines, a HMP is necessary to obtain grant funding and federal funding in case of a disaster; the HMP must be updated every

five years, and encompasses a brief overview of each of the five cities, the major hazards those cities face, and the mitigation efforts of each city in the past and those proposed for the future to mitigate any of those hazards; the majority of the cost of the HMP was covered by a grant to the COG; he and his company worked with the Hidden Hills staff to update and complete the HMP; for example, the Hidden Hills evacuation routes are very limited in case of a wildfire, so the HMP calls for better instructions for such an evacuation if necessary; not an area wide threat, but discussed in this year's HMP were pipelines, which do run through Hidden Hills, Calabasas, and Agoura Hills; of course, earthquakes are a threat that must be mitigated against; mitigation strategies were proposed in the 2005 HMP, and the City has made progress in mitigating some of those hazards already through building codes and better enforcement; this new HMP builds on and continues what was started in 2005.

Mayor Siegel commented as follows:

This is one reason that the money spent every year on membership in the COG is very beneficial; the cost for Hidden Hills to do its own HMP would have been very high, at least as much as one year, and probably more, of annual COG dues; plus with the sophisticated administration at the COG level, Executive Director Terry Dipple was able to obtain a grant that covered almost the entire cost of the HMP, with no additional funding being required from the five cities.

In response to Council Member Cohen, Mr. Takemura explained that the housing numbers are taken from census tracts rather than individual cities, resulting in some discrepancies in relation to attached housing numbers. The City Manager stated that the Councils of each of the five cities in the COG were being asked to approve the HMP, after which the HMP would be submitted to the COG board for approval.

As there were no further questions or comments, upon MOTION of Council Member Cohen, seconded by Council Member Weber and unanimously carried, it was resolved to approve the Las Virgenes Malibu Council of Governments Multi-Jurisdictional Hazard Mitigation Plan as prepared by MLC & Associates, Inc.

## **PUBLIC SAFETY**

### **A. Los Angeles County Fire Department Report - March**

The following report was presented by Community Services Representative Maria Grycan:

During the month of March there were 5 response calls, including 1 medical, 1 false alarm, 1 public assistance, and, unseasonably, 2 snake removals; they are not that usual during this time of the year, but sightings are being reported throughout the region; the Fire Prevention Bureau completed 2 inspections, with no plans being checked; the report shows 140 station inspections, which were probably all in Calabasas; the listed number of hydrant inspections is most likely wrong, but all hydrants within Hidden Hills and Calabasas would have been inspected by the end of the month; if a hydrant problem is ever discovered, during the annual inspections, it is reported to the LVMWD, which always takes care of the problem promptly; CERT training is now underway here at City Hall, with weeks one and two completed, and quite a few Hidden Hills residents in attendance.

Mayor Siegel asked staff to place an item in the next City newsletter warning residents to be on the lookout for rattlesnakes.

### **B. Los Angeles County Sheriff's Department Report - March**

Lt. Matt Squire provided the following report:

It has been a fairly quiet month with no collisions, only 4 moving violations (failure to stop at stop signs, or the classic "slow and go"), and 1 parking citation (for expired registration); there was 1 arrest in town (the only one for all of 2012); a stolen iPad, with a GPS app, led to a gardener working in Hidden Hills; even though he claimed he found the iPad in the bushes, he was filed on for receiving stolen property; it might be a good idea to put something in the City newsletter about incidents like this as a warning to residents; often thefts from the home are connected to people that work in or around the home; of course most people working around the home are not a problem, but when there are people who have a legal reason to be in or outside the home, and a theft occurs, it is hard to investigate and solve; the Sheriff's Department may have an idea of who committed the theft, but the District Attorney may not file a case if it is not beyond a reasonable doubt.

Council Member Weber commented about the low traffic citation count, which was a good sign.

Lt. Squire stated that even with the late rains and bad weather, which usually cause more accidents, the City is doing very well.

### **CONSENT CALENDAR**

- A. City Council Minutes – March 26, 2012**
- B. City Council Minutes – April 9, 2012**
- C. Demand List**
- D. Disbursement List – March**
- E. Financial/Treasurer’s Report – March**

Upon MOTION of Council Member Cohen, seconded by Council Member Landon and unanimously carried on roll call vote, it was resolved to approve items A, B, C, D, and E of the consent calendar as submitted.

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

- A. Report from 3/20/12 and 4/17/12 Hidden Hills Community Association Board of Directors Meetings**

The following information was provided by the City Manager:

At the 3/20/12 Board meeting, a presentation on the Long Valley pipeline repair project was given by the LVMWD (the same presentation the Council heard at one of its previous meetings); the new resident party was discussed, along with a few problems that currently exist at the gates, which are being worked on; resident Lee Black was approved as a new member of the Horsemen Committee; the Jenner filming request (for two days) was approved; one of the filming days has already occurred, with no complaints being received by the City; at the 4/17/12 Board meeting, a lot tie on Long Valley was approved, as well as the budgets for both the kids and adult welcome parties; due to rain delays, and some other problems, the Board approved an additional \$65,682 plus a 15% contingency for landscape work at the Saddle Creek arena; the area looks very good, with the main arena, the dressage ring, and the round pen all in place.

- B. Report from 4/17/12 Las Virgenes Malibu Council of Governments Meeting**

Mayor Siegel reported on the last Las Virgenes Malibu Council of Governments (COG) meeting:

A presentation was made to the COG by Mary Ann Lutz, a Los Angeles Regional Water Quality Control Board (RWCQB) Member; the RWCQB, which consists of nine members appointed by the Governor, is very influenced by Heal the Bay and other environmental groups; Ms. Lutz is more independent and is trying to support cities; there are many TMDLs, limiting the amounts of certain materials that can be in water bodies, that cities will have to comply with; for example, copper is limited, although no one

knows where the copper is coming from or how to remove it; the RWQCB has about 200 staff members, but shockingly, in order to get an impartial staff report, Ms. Lutz has had to hire her own consultant to read the voluminous reports and help her interpret technical information; Ms. Lutz has been asking some of the COGs to help her cover the costs of her independent staff person; no decision was made at this meeting, but could be made in the future; Ms. Lutz is concerned that she may not be reappointed.

**C. Selection of Two Council Members for Ad Hoc 2012 Budget Committee**

Mayor Siegel and Mayor Pro Tem Freedland volunteered to serve as the 2012 ad hoc budget committee, which was agreeable to the rest of the Council.

**D. Consideration of Appointment of Two Public Safety Commissioners**

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Weber and unanimously carried, it was resolved to reappoint Kim Ulrich and Martin Zane to the Public Safety Commission, each to serve a two year term effective May 1, 2102 through April 30, 2014.

**MATTERS FROM STAFF**

**A. Consideration of Approval of Proposed Agreement and Resolution with the City of West Hollywood Regarding Sale of Prop A Funds**

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

Monthly, the City receives Prop A funds which are to be used for transit purposes; however, these funds cannot be used inside of the gates, so the City accumulates the funds and then offers them to other cities in exchange for general funds; the going rate is usually 60 cents to 70 cents on the dollar; in this case, West Hollywood has offered 70 cents on the dollar, which will add \$57,400 to the City's general fund in exchange for \$82,000 in Prop A funds.

In response to Mayor Pro Tem Freedland, City staff explained that numerous cities were contacted to see if they were interested in the exchange, with West Hollywood offering the highest exchange rate. Upon MOTION of Council Member Cohen, seconded by Council Member Landon and unanimously carried on roll call vote, it was resolved to approve the Assignment Agreement Prop A Local Return Fund Exchange between the City of Hidden Hills

and the City of West Hollywood (subject to final approval by the City Manager of any minor changes made by the City of West Hollywood, or further Council review and approval of any major changes), and to adopt by title only Resolution No. 841 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS ASSIGNING TO THE CITY OF WEST HOLLYWOOD \$82,000.00 OF ITS AVAILABLE PROPOSITION A LOCAL RETURN FUNDS.

**B. Consideration of Approval of Prop 40 Grant Project Agreements Between the State of California, the City of Hidden Hills, and the Las Virgenes Unified School District to Install a Playground Overhead Shade Structure at Round Meadow Elementary School**

City Engineer Dirk Lovett provided the following staff report:

Last year the City received a grant totaling \$192,551, which was used at Round Meadow School for playground equipment, a track, fencing, etc.; these grant funds could only be used for improvements on property accessible to the public; this year the State informed us that there were additional Prop 40 grant funds in the amount of \$32,756 available to the City for which the deadline had been extended; staff at Round Meadow School designed another project for which these funds could be used, that being the installation of a shade/canopy structure over the playground equipment; since the total cost of the project is \$49,700, the Round Meadow School PFA will pay the difference; no money from the City's general funds will be spent on the project; there are several agreements involved, two with the State (one between the City and State, and the other between the School District and State), one agreement between the City and the School District, and a letter agreement between the City and School District.

In response to Mayor Siegel, Mr. Lovett explained that there are actually two Prop 40 grants being used for the project, a 2002 Resources Bond Act Per Capita Grant Program in the amount of \$27,449 and a 2002 Resources Bond Act Roberti-Z'berg-Harris Block Grant in the amount of \$5,307.

Mayor Pro Tem Freedland pointed out that the City, through a joint use agreement, has use of the Round Meadow School facilities free of charge until dusk, as long as the use does not interfere with school activities, so there is a benefit to our residents. Mayor Siegel stated that the facilities

do seem to be used frequently. Upon MOTION of Council Member Weber, seconded by Council Member Cohen and unanimously carried on roll call vote, it was resolved to authorize the Mayor and staff to execute the following documents: 1) Joint Use Agreement Between the City of Hidden Hills and the Las Virgenes Unified School District Regarding Development and Use of Recreational Facilities Under the State of California 2002 Park Bond Act Grant Program; 2) Grant Contract for 2002 Resources Bond Act Per Capita Grant Program between the City of Hidden Hills and the State; and 3) Letter Agreement between the City of Hidden Hills and the Las Virgenes Unified School District, all subject to final approval by the City Attorney and the Mayor if any changes need to be made after the final review by the School District.

**C. Consideration of Renewal of General Services Agreement with the County of Los Angeles**

The following staff report was provided by the City Manager:

The General Services Agreement the City currently has with Los Angeles County must be renewed every five years (it expires on June 30, 2012); the proposed agreement is the same as the existing agreement, and is exactly what it says – a “general services” agreement as opposed to specific individual agreements the City has with the County, such as those with Animal Control and the Sheriff’s Department; with the General Services Agreement in place, the City can request services, only when needed, from the County by filling out a service request, rather than having to prepare and approve a separate agreement each time; the County then provides a cost estimate, which can be approved or denied by the City; services used under this Agreement in the past have included the cleaning and stenciling of the City’s catch basins, and the replacement of all traffic posts and signs within the City; the City is only billed for services that are specifically requested and approved.

Upon MOTION of Council Member Cohen, seconded by Council Member Weber and unanimously carried, it was resolved to approve the five-year General Services Agreement (GSA) with Los Angeles County, commencing July 1, 2012 and continuing through June 30, 2017.

**D. Consideration of Approval of Proposal from In-N-Out Burger to Provide Lunch at the Community Center for the 2012 Fiesta**

The City Manager provided the following information:

Last year the City used a different vendor for lunch since In-N-Out Burger was not available on the date of the Fiesta, but this year the City would like to go back to In-N-Out; the proposed contract is the same as that of years past with this vendor; the estimate of \$5190 is based on two trucks being provided for three hours each, serving approximately 600 lunches; if more tickets are sold, the cost would be based on the actual number of tickets; if less than 600 tickets are sold, the cost is based on the actual number sold, or the minimum cost of \$3400, whichever is higher; a deposit of \$500 is needed at this time to hold the date of the event.

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon and unanimously carried on roll call vote, it was resolved to approve the In-N-Out Burger Mobile Unit Agreement to provide two trucks for three hours each for lunch at the Community Center for this year's Fiesta on 9/22/12 at an estimated cost of \$5190 based on the sale of 600 lunch tickets (minimum cost \$3400), and to authorize payment at this time of the \$500 deposit to hold the date of the event.

**E. Consideration of Cancellation of May 28, 2012 City Council Meeting (Memorial Day)**

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon and unanimously carried, it was resolved to cancel the May 28, 2012 Council meeting due to the Memorial Day holiday.

**F. Charles Abbott Monthly Report - March**

The report was received and filed.

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL**

**Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(c):  
Number of Potential Cases: 1**

At this time, City Attorney Roxanne Diaz joined the meeting by telephone.

Upon MOTION of Council Member Weber, seconded by Council Member Landon and unanimously carried, it was resolved to adjourn to closed session at 8:12 p.m., at which time Mayor Siegel announced that in closed session the Council would be discussing the item listed above.

Upon MOTION of Council Member Cohen, seconded by Council Member Weber and unanimously carried, it was resolved to return to open session at 8:42 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 Landon, seconded by Council Member Weber and unanimously carried, it was resolved to adjourn the regular meeting of April 23, 2012 at 8:43 p.m.

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Stuart E. Siegel, Mayor

ATTEST:

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Cherie L. Paglia, City Manager/City Clerk