

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, June 11, 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, June 11, 2012 at the hour of 7:30 p.m. Mayor Stuart E. Siegel called the meeting to order and presided thereover after asking Council Member Cohen to lead 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

Staff:

City Attorney Roxanne Diaz
Building Official Greg Robinson
City Engineer Dirk Lovett
Environmental Compliance Coordinator Kimberly
Colbert
Bookkeeper Randee Weinberger
City Manager Cherie L. Paglia

Absent:

Council Member Larry G. Weber

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon and unanimously carried, it was resolved to excuse the absence of Council Member Weber.

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 June 11, 2012 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Siegel made the following announcements:

Tomorrow (Tuesday, 6/12) is the last day of school at Round Meadow.

The Community Association/Parks & Recreation Committee Kids Welcome Party/Summer Kick-off will be held this Saturday (6/16) from 1:00 p.m. – 4:00 p.m. at the Community Center; call the Association for more information.

Don't forget Father's Day on Sunday (6/17).

The first day of the HHCA summer camp and the first day of the Calabasas beach bus are both Monday (6/18).

Happy birthday to City Engineer Dirk Lovett (6/21), and to Council Member Cohen's wife Joanne (6/23).

Council Member Cohen said he had the privilege of attending T.H.E. Event Saturday night, which was extremely successful, with approximately 1000 in attendance at the Calabasas Swim and Tennis Center experiencing great food and wine tasting, silent and live auctions, and entertainment. This was a fundraiser for the Las Virgenes Unified School District, and he encouraged everyone to attend the event if it was held again next year.

AUDIENCE

Resident Charles Caspary submitted a letter (with pictures) and addressed the Council, expressing his concerns regarding what he described as a retaining wall failure on the property above his. After Mr. Caspary spoke, resident Cliff Hill, the owner of the property above the Caspary property, also addressed the Council, refuting some of the complaints and stating his intentions to address any problems. The City Attorney reminded everyone that there was no action for the Council to take; staff is aware of the issue and is working with the homeowner. Mayor Siegel then suggested that the two residents discuss the matter, which they did outside of the Council Chambers as they left the meeting.

PUBLIC HEARING

Review and Discussion of Preliminary Draft City Budget for Fiscal Year 2012-2013

Mayor Pro Tem Freedland, who was on the ad hoc budget committee, stated the following:

The draft budget shows a slight increase in expected revenues of approximately \$50,000, and a slight decrease in expenditures; the budget projects a small surplus, which usually means a larger surplus at the end of the fiscal year since the ad hoc committee, City Treasurer, and staff are always very conservative with projections.

Mayor Siegel added that the last printed draft of the budget shows a small deficit around \$1500, but due to a change in one item related to the engineering budget, the end result is now a slight surplus.

Council Member Cohen had several questions related to interest income, a year-to-date expenditure of \$402,000 being reduced to \$212,000 in the new budget, a \$9000 actuarial expenditure, and a rather significant change in the Building & Safety and Engineering expenditures for the new budget. The other Council Members and Bookkeeper Randee Weinberger answered those questions as follows:

There are very high restrictions on where City funds can be invested, with most of the funds being placed in LAIF; the interest rates are very low, around 1%, resulting in less income expected for the upcoming year; the current budget included a \$200,000

community assistance grant to the Community Association, which will not be in the new budget; an actuarial study will be done this year, which will cost somewhere between \$5000 and \$9000, with the highest amount being placed in the budget to be safe; the May financial statement will show some adjustments between Building & Safety expenses, and Engineering expenses, so the projected amounts for the new budget should be realistic.

The City Manager stated that the final draft of the budget would be placed on the next City Council agenda for final approval.

CONSENT CALENDAR

- A. City Council Minutes – May 14, 2012**
- B. City Council Minutes – May 28, 2012**
- C. Demand List**
- D. Disbursement List – April**
- E. Financial/Treasurer’s Report – April**
- F. Resolution No. 842 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-377 FOR A NEW SWIMMING POOL, WALL, WATERFALL, AND SPA LOCATED AT 5523 PARADISE VALLEY ROAD**

Upon MOTION of Council Member Cohen, seconded by Council Member Landon and unanimously carried on roll call vote (with Mayor Pro Tem Freedland abstaining on item F as he was not in attendance at the meeting when the variance public hearing was held), it was resolved to approve items A, B, C, D, E, and F of the consent calendar as submitted.

MATTERS FROM CITY COUNCIL MEMBERS

Report from 5/15/12 Las Virgenes Malibu Council of Governments Meeting

Mayor Siegel informed the Council that there was nothing major to report other than that the final version of the Multi-Jurisdictional Hazard Mitigation Plan was approved by each of the five individual COG cities and approved by the COG itself. The plan has now been sent to Sacramento for approval.

MATTERS FROM STAFF

A. Review and Discussion of the Draft 2008-2014 Housing Element for Transmission to the State Department of Housing and Community Development (HCD)

Mayor Siegel introduced the consultant who prepared the draft Housing Element, John Douglas, and then asked City Attorney Roxanne Diaz to provide the staff report. Attorney Diaz stated the following:

The City is engaged in the planning process that all cities in the region must do, as required by State law; that is the preparation of the Housing Element, which is required every so many years; the requirement used to be every five years, but the time period changes from session to session; the Housing Element, which is one of the General Plan elements, is a means to identify and analyze the City's existing and projected housing needs; it lists a statement of goals, policies, and objectives with respect to preservation, improvement, and development of housing; its purpose is really to recognize that every city has a role in housing with respect to its own community and overall for the State; there are certain required components, with the first being an analysis of the City's demographic and housing characteristics and trends; there is an evaluation of land, financial, and administrative resources to address housing goals; there is also an analysis of potential government and non-governmental constraints to the development of housing; the key is that the City has to plan for housing, but is not required to build housing; there are goals, policies and programs for the Housing Element period, with this period being from 2008-2014; the City looks back to see what was accomplished; there is a public participation component; the City held a workshop in April, and was very happy to have ten community members attend; comments were provided at that time, which were incorporated into the draft, resulting in the red-line version available this evening; tonight an additional comment was received from resident Mike Ashley with respect to the vacant site inventory, which will be addressed a bit later; pages II-20,21 address one of the requirements called the Regional Housing Needs Assessment (RHNA), based on what is called the City's fair share of the overall regional housing needs for all income groups; the RHNA process involves the State determining the housing numbers for the entire State of California; these numbers get funneled through regional government entities, which in this region is SCAG; SCAG gives numbers to the local Councils of Governments (COGs), and then different numbers are given to the individual cities in the COGs regarding what they need to plan for in relation to the development of housing; per the RHNA numbers, Hidden Hills is assigned thirty-four units, with thirteen being above moderate (above the moderate mean income level), six moderate, six low, and nine very low (four very low, and 5 extremely low); as required, the Hidden Hills Housing Element identifies sites where there is a potential for development to meet the RHNA numbers; the way this City approaches its Housing Element (similar to the way it was done in the

last planning period) is to rely on second units to meet the needs; during the last planning period, staff took an analysis of census numbers and determined that through second units certain segments of our population (the very low and low income) were being served and housed in those second units; that is how this City has planned to meet the RHNA numbers for this next period; part of the Housing Element is to conduct a housing inventory (Table B2, Appendix E); State law requires all vacant property in the City to be analyzed with respect to its potential development for housing; the comment received tonight from Mr. Ashley suggested that the 5401 Lasher Road property was omitted from this table; the City has no problem including that property as part of the vacant land inventory; the Housing Element goals and policies are shown in an appendix near the end of the document; some of the goals from the existing Housing Element have been adopted, with good progress being made on others; Mr. Douglas has been invaluable, and has assisted many other cities with this process; even though the housing period is 2008-2014, Hidden Hills is not the only city still completing this process (for example, Seal Beach just finished its Element, while Malibu and Laguna are still working on theirs); tonight the Council is being asked to look at the draft Housing Element, hear any public comments, and then authorize staff to transmit the document to HCD; HCD will review and provide comments, and then there will be a series of meetings until we get to a place where both the City and HCD agree what the Housing Element should contain; housing element law is unique in this aspect, because there is a government agency that actually reviews and comments on the document; the process could take two months, or it could take a year; it is a give and take with HCD to ultimately get a certified Element.

In response to Council Member Cohen, Attorney Diaz again confirmed that the parcel mentioned by Mr. Ashley that was inadvertently omitted, will be added to the document before it is sent to HCD.

Mr. Ashley said he noticed in the draft that there was an indication there would be another public hearing, and wondered if that was not the case. Attorney Diaz assured Mr. Ashley that there would be another public hearing before the Housing Element is finalized, but that the date is left blank at this point because there is no way to know when it will occur. Mr. Ashley asked to be notified of that hearing, and also stated he appreciated the acknowledgement of the letter he submitted this evening.

Attorney Diaz confirmed Mayor Siegel's summary of the procedure from this date forward: the final document will be compiled, it will be sent to HCD in Sacramento, and then the City will wait for comments from the HCD, which has sixty days to respond. At the direction of the Council, staff will make the final corrections to the draft Housing Element and forward it to HCD.

B. Consideration of Approval of the Amendment to the Malibu Creek Bacteria Total Maximum Daily Load (TMDL) Coordinated Monitoring Plan Implementation Agreement

Environmental Compliance Coordinator Kimberly Colbert reported the following:

The Council is being asked to approve an amendment to the existing agreement between a number of cities in the Malibu Creek Watershed; the amendment adds Caltrans to the agreement; Caltrans did not participate originally due to funding constraints, but now has the funding to participate; the amendment will result in a reduction to the City's cost of less than 1%, but it is nevertheless a reduction.

Mayor Siegel asked what the participation of Caltrans would be, to which Ms. Colbert responded as follows:

Caltrans is part of the Malibu Creek Watershed (MCW) due to the existence of the 101 freeway; under the bacteria TMDL, all of those in the MCW are responsible for coordinated monitoring, and are required to monitor stormwater discharges to local waterways; Caltrans will now participate and contribute its fair share based on the land area it represents in the MCW; the largest jurisdiction in the MCW is Los Angeles County (58.72%), followed by Agoura Hills (15.29%), Calabasas (12.63%), Westlake Village (10.45%), Malibu (1.58%), Caltrans (1.01%), and then lastly Hidden Hills, with only a 0.31% share.

Upon MOTION of Council Member Landon, seconded by Mayor Pro Tem Freedland and unanimously carried on roll call vote, it was resolved to approve the Amendment to the Malibu Creek Bacteria Total Maximum Daily Load (TMDL) Coordinated Monitoring Plan Implementation Agreement.

C. Building and Safety Cost Tracking

Building Official Greg Robinson provided the following staff report:

Approximately every six months, staff looks at the outstanding workload in relation to permits, to determine an estimate of what it would cost to close out those permits; as of the end of April, that number was determined to be \$54,853.78, as compared to last September, when the number was \$78,804.75; therefore the fund balance on the City's financial statements should be adjusted to reflect the new number.

In response to questions from Mayor Siegel, Mr. Robinson explained that this number is a constant fluctuation, it would have been larger if he included permits through the end of May (due to some large homes), it has nothing to do with Charles Abbott fees, and is really just a tracking number for the Council to see what the outstanding workload is at a certain point. Staff was directed to revise the Building & Safety Department funds balance shown on the City's financial statements to \$54,853.78, and to recalculate this fund balance in approximately six months.

D. Charles Abbott Monthly Report - April

The report was received and filed.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon and unanimously carried, it was resolved to adjourn the regular meeting of June 11, 2012 at 8:12 p.m.

Stuart E. Siegel, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk