

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, May 22, 2006

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, May 22, 2006 at the hour of 7:30 p.m. Mayor Jim Cohen called the meeting to order and presided thereover after asking Council Member Ron Berg and resident Ron Gonen to lead the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:

Mayor Jim Cohen
Mayor Pro Tem Monty E. Fisher
Council Member Ron Berg
Council Member Steve Freedland
Council Member Stuart E. Siegel

Staff:

City Engineer Dirk Lovett
City Manager Cherie L. Paglia

APPROVAL OF AGENDA

Upon MOTION of Council Member Freedland, seconded by Council Member Siegel and unanimously carried, it was resolved that the agenda for the May 22, 2006 regular meeting be approved as submitted.

ANNOUNCEMENTS

Council Member Berg congratulated Council Member Freedland's wife Susan and City Manager Cherie Paglia for returning with trophies from the 2006 1st Marine Division Association Golf Classic held last week, at which the City was also represented by City Engineer Dirk Lovett and Building Official Greg Robinson. Mayor Pro Tem Fisher, a former Marine, thanked the foursome on behalf of the 1st Marine Division for their participation.

Mayor Cohen made the following announcements:

Measure G, if approved on the ballot June 6th, would provide funding for improvements for the Las Virgenes Unified School District; his comments have nothing to do with whether or not he personally supports the measure; he just wants everyone to be aware that this bond could run for 30 years; from the limited information that is available and the literature that he has read, the length of the bond has not been indicated; he believes it is unfair not to make it clear to everyone that their property taxes could be affected for that long of a time period; this should have been disclosed to the public and all the residents in the District who will be affected.

On behalf of the Council, he would like to congratulate Deputy City Clerk Deana Graybill for earning recertification status as a "Certified Municipal Clerk" (CMC).

The County is still in need of poll workers for the June 6th primary election; call 800/815-2666 (option 7) if interested; there will be two polls for this election in Hidden Hills, but both of the polls will be at City Hall.

City Hall will be closed and there will be no inspections on Monday, 5/29, in honor of Memorial Day.

The City Council meeting on 6/12/06 has been cancelled; the next regularly scheduled meeting will be held on Monday, 6/26/06.

AUDIENCE

Resident Bret Katz asked about the process for him to get involved in providing improved cell service to the City, and whether or not the City had looked at using private cell repeaters. Council Member Freedland responded as follows:

He has been very involved with this in the past; the City really does not have a great deal of influence in soliciting companies to provide more towers in the City; if cell phone companies identify a strong enough need and if it makes financial sense for them, they would be approaching the City; he is aware that a new tower is being put up in Calabasas, which may or may not improve coverage in Hidden Hills; there is an 800 number for residents to call with complaints about service and coverage; Bob Coffey at the Association did spend some time investigating this problem and may have that number, along with information about some systems he did look at; this City, with all its hills, is not a very attractive area for cell phone companies; there has also been a backlash in the past about possible placement in different locations of antennas; if a company knows there is going to be a lot of resistance, that company is not interested in spending the time and money to fight that battle; companies know that residents are not going to cancel their cell phones, even if the coverage is not that good within the City; but he does believe that the companies do track the number of complaints from different areas, so would suggest that Mr. Katz and others start registering complaints.

Mayor Cohen suggested the 800 number be publicized, and told Mr. Katz that there was nothing further to discuss at this time, unless he wished to have the item placed on a future Council agenda. Mr. Katz stated that he tried to do that, but was told it was not possible. The City Manager refuted that comment, and informed the Council that Mr. Katz was told he could address the Council during the audience section and ask for the item to be placed on a future agenda – if the Council wished to address this item again, the matter would then be placed on an agenda. Council Member Berg pointed out that the Council had very recently discussed this matter. The City Manager stated that she had told Mr. Katz it was recently discussed, with nothing further to be done by the Council at this time, and that is why staff would not place the item on the agenda again, unless so directed by the Council.

Council Member Siegel stated that, simply, there was no interest from any public utility or cell phone company to do anything at this time, and that the City was not in a position to provide cell

sites. Mr. Katz thought something could be done very inexpensively, and asked if he could make a presentation to the Council to show existing technology. Council Member Siegel suggested Mr. Katz talk to the City Manager to place this matter on a future agenda if he had new information to provide, and the Council would be happy to listen.

PUBLIC HEARING

Consideration of Minor Accommodation Application for a Proposed One Story Addition, Within the Required 50' Front Yard Setback, to an Existing Nonconforming Building Located at 24854 Eldorado Meadow Road

The following report was provided by City Engineer Dirk Lovett:

This application involves an existing single family residence that encroaches approximately 8' into the front yard setback; the applicant would like to enclose a 64 square foot front porch area; the proposed addition will be no closer to the property line than the existing encroachment; the application has been reviewed and approved by the Community Association; notices were posted and mailed to all those within 300'; no comments have been received; per the Municipal Code, the minor accommodation can be granted if the Council finds that it will not have a material adverse impact on the public welfare or adjacent property; staff believes the finding can be made since the proposed improvements are no further into the required setback area than the existing encroachment, and other homes in the area have similar setbacks; staff would recommend approval.

All Council Members reported visiting the site. Mayor Cohen opened the public hearing, which he then closed as there were no comments. Upon MOTION of Council Member Freedland, seconded by Council Member Berg and unanimously carried, it was resolved to approve the minor accommodation application and adopt by title only Resolution No. 785 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 AN ADDITION TO AN EXISTING NONCONFORMING RESIDENCE LOCATED AT 24854 ELDORADO MEADOW ROAD.

PUBLIC SAFETY

A. Los Angeles County Fire Department Report - April

Assistant Fire Chief Reggie Lee presented the following report:

During the month of April there were five rescue/emergency medical calls, two false alarm/good intent calls, and three hazardous condition calls, with no fires (two of these were downed power lines, the other an overheated motor); there were 71 hydrant inspections, two Fire Prevention Bureau inspections, and one plan check; in addition, the Fire Department conducted one Rescue Youth Program activity and three Fire Station tours for a total of seven people; normally May 1st is the deadline for brush clearance, but due to the moisture conditions, that deadline has been extended to June 1st; on 5/23/06, Calabasas will be starting CERT classes on Tuesday evenings, so if there are any NEAT members who need to complete missed classes, this is an opportunity to make up those classes (call Deana at City Hall).

In response to Mayor Cohen and Council Member Siegel, Chief Lee explained that snake calls are recorded as real calls, while good intent calls refer to callers attempting to do the right thing. For example, sometimes when it rains and then the sun comes out, steam rising from the roof appears to be smoke, and this generates a call to the Fire Department. Chief Lee added that the Department welcomes these calls, as they do not want to discourage anyone from calling in when they believe there is a problem.

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

The following report was provided by Lieutenant John Benedict:

There was one Part I crime during April, that being a residential burglary in the 23000 block of Long Valley; approximately \$1000 worth of items were taken from an unlocked home under construction; there were four false alarms, no arrests, no traffic collisions, and 48 traffic citations issued – 39 hazardous, 7 non-hazardous, and 2 parking tickets.

Council Member Siegel wished to point out an ongoing issue being discussed by the Las Virgenes Malibu Council of Governments (COG) with ties to the Sheriff's Department:

The COG has been discussing the types of services the area cities expect the Sheriff's Department to provide per its contracts; one in particular is fingerprinting service, which should be provided as a part of the Sheriff's contract; however, there is currently no one at the Lost Hills Station to conduct this service, so if a crime scene or vehicle needs to be

dusted for prints, it can take weeks or longer to get someone out to this area, placing a hardship on our residents; so the question is whether or not the cities should provide additional funding, besides what they are already paying per contract, for a fingerprinting expert to be stationed at Lost Hills for timely service.

On an unrelated issue, Mayor Cohen pointed out that the Council never hears the results of most of the investigations listed on the monthly Sheriff reports, and he would like an update, going back approximately six months, on each of these cases. Lt. Benedict said the detectives handling the cases could be contacted to provide a status report.

C. Consideration of Approval of Amendment to Agreement with All City Management Services for Crossing Guards at Round Meadow School for the 2006-2007 School Year

Upon MOTION of Council Member Berg, seconded by Council Member Freedland and unanimously carried on roll call vote, it was resolved to approve the “Amendment to Agreement Between All City Management Services, Inc. and the City of Hidden Hills for Providing School Crossing Guard Services” for the 2006-2007 school year beginning July 1, 2006 through June 30, 2007, at a cost of \$14.98 per hour (the same as last year) per crossing guard, not to exceed \$25,347 and 1692 hours. The City Manager explained that the total cost is based on three guards for nine hours a day for each of the 180 school days, with some extra hours built in for any unforeseen circumstances.

CONSENT CALENDAR

- A. City Council Minutes – April 24, 2006**
- B. City Council Minutes – May 8, 2006**
- C. Demand List**
- D. Disbursement List – April**
- E. Financial/Treasurer’s Report – April**
- F. Annual Financial Report of the Transportation Development Act Article 3 Fund for Fiscal Years Ended June 30, 2005 and 2004**

Council Member Siegel pointed out that per the Financial Statement, through the first ten months of the year, the City has already received over 100% of the projected income while expending

approximately only 70% of the budgeted amount. Upon MOTION of Council Member Berg, seconded by Mayor Pro Tem Fisher and unanimously carried on roll call vote, it was resolved to approve items A, B, C, D, E, and F of the consent calendar as submitted.

MATTERS FROM CITY COUNCIL MEMBERS

A. Report from 4/27/06 and 5/16/06 Las Virgenes Malibu Council of Governments Meetings

Council Member Siegel, the City's representative on the COG, reminded the Council of the following:

The COG's general assembly meeting, to which all five Council Members of each of the five cities are invited, along with the five City Managers, will be held on June 19th; the meeting, at the Agoura Hills/Calabasas Community Center, will begin with a light buffet at 6:30 p.m.; the mandated NEMS/SIMS training will be provided to the Hidden Hills Council Members and City Manager by the COG's Executive Director Terry Dipple at 6:00 p.m. on Monday, June 26th (before the regularly scheduled Council meeting).

B. Report from 5/16/06 Hidden Hills Community Association Board of Directors Meeting

The City Manager reported the following:

The Welcome Party will be held June 3rd, with the Kid's Welcome Party scheduled for June 17th; summer camp will begin on Monday, June 20th; Doug Lucas is resigning from the Architectural Committee, as soon as a replacement is appointed; the nominating committee for the Board's upcoming election consists of Board Members Mitch Jacobs and Ron Wolfe, along with Council Member Siegel, Mayor Pro Tem Fisher's wife Teri Fisher, and Rob Raznick.

Mayor Cohen praised the recent Calabasas Fine Arts Festival, stating it was very well done and well worth attending.

C. Review of Youth Recognition Program Nominations

The City Manager provided the following information:

This is an ongoing City program, which next year staff will attempt to promote more heavily at the schools to make sure everyone is aware of the program; it is intended to recognize outstanding Hidden Hills students, whether an individual or group; students can be nominated by teachers, parents, or anyone else who might know them and be aware of their achievements and accomplishments; this year two nominations have been received, both of whom staff feel are deserving of this recognition – Marissa Jaffe and Danielle Gersh; if the Council Members agree, these two individuals will be presented with City plaques at the 6/26/06 City Council meeting when other students are presented certificates for academic achievement.

Council Member Siegel commented as follows:

The nominations for both young ladies appear exceptional; he does know Ms. Gersh, an excellent student who has been accepted at CAL; she works at a charity camp that his family is involved with, and has been doing charity work all her life.

Mayor Cohen stated that even though he did not know either of the nominees, both of whom were nominated by their parents, their applications looked wonderful, and he thought they should both be approved for this award. Upon MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved to approve the applications for Marissa Jaffe and Danielle Gersh, making them the recipients of this year's Youth Recognition Program award, with plaques to be presented to each young lady at the 6/26/06 City Council meeting.

MATTERS FROM STAFF

A. Consideration of Approval of Cable Television System Franchise and License Agreement with Charter Communications and Related Resolution

Charter Representative Susan Booker stated the following:

The City staff report (in the Council packets) is very accurate and sums up the situation very well; in light of pending State and Federal legislation, some language has been added to the proposed agreement by the City Attorney to protect both the City and Charter if local franchising is eliminated or affected by any new legislation; she is here to answer any questions the Council might have.

Mayor Cohen expressed his understanding that Charter's counsel was reviewing but had not yet approved the agreement, so he would like to give the City Attorney approval to make minor changes to the agreement, if necessary, without further Council approval; however, if there were to be major changes, the agreement should come back to the Council for further review. Upon MOTION of Council Member Berg and seconded by Council Member Siegel, on a 4-1 vote with Council Member Berg opposed, it was resolved to approve the proposed agreement with Charter Communications, subject to City Attorney review and approval of the final agreement in case of minor changes, and to adopt by title only Resolution No. 786 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS APPROVING AN AGREEMENT BETWEEN THE CITY OF HIDDEN HILLS, THE HIDDEN HILLS COMMUNITY ASSOCIATION, AND FALCON CABLEVISION, DBA CHARTER COMMUNICATIONS, GRANTING AND RENEWING A NONEXCLUSIVE FRANCHISE AND LICENSE TO OPERATE A CABLE TELEVISION SYSTEM IN THE CITY OF HIDDEN HILLS AND SETTING FORTH TERMS AND CONDITIONS RELATING TO THE RENEWAL OF THE FRANCHISE AND LICENSE.

B. Update on Los Angeles River Metals Total Maximum Daily Load (TMDL)

This item will be placed on a future agenda.

C. Tentative Map 63567 - Update

City Engineer Dirk Lovett informed the Council that staff met with the developer, who has submitted an application, which at this point is still incomplete. He added that staff is also in the process of preparing a Request for Proposal (RFP) to in the future obtain an EIR consultant.

Council Member Freedland asked for an update on the procedures in relation to this project, with Mr. Lovett providing the following information:

The application is for several matters, including an eight-lot subdivision and the annexation of approximately 7.5 acres from the County of Los Angeles; the project will

require an EIR; when the draft EIR (DEIR) is completed, it will be circulated to agencies and made available to the public; the availability of the DEIR will be well noticed through the newsletter, cable TV channel 3, posted notices, etc.; comments will be welcome; these comments will be addressed in the final DEIR; there will be public hearings and many opportunities for anyone to comment on the application, general plan amendment, zoning amendment, etc.; the number of public hearings will depend on the public interest and the discussions of the Council.

Council Members Freedland and Berg pointed out that questions will be answered and, as with the Gonen project, they would expect several hearings so people will have an adequate opportunity to comment. The City Manager stated that this project would be placed on every Council agenda for updates, and that residents could always raise issues or make comments at any meeting, or speak with Mr. Ashley after Council meetings, which he usually attends. Council Member Siegel reminded everyone that while the City is following its long and meticulous process, the Community Association (HHCA) is also on a parallel track, and the City would expect the HHCA to provide input to the City during this process.

Mayor Cohen also wished to assure everyone that this is a very open process until the very end, and that if anyone has questions now, they are welcome to ask them, although the answers at this point will not be real detailed, as the application has not even been deemed complete yet. Council Member Berg further explained that the Council Members have not seen the application or plans, and are not really involved in the process until they see the DEIR at the same time that it is made available to the public. He pointed out that with the Gonen project, the process was as transparent as possible, and the Council continued the public hearings several times so everyone could be involved.

Resident Deborah Vangelos addressed the Council:

She would like to know what the community's vision is in terms of development; she looked at the map provided by Mr. Ashley, and did see that most of his project is in the City and Association, but wondered to what extent this project would open the area to the freeway and to lights and noise; she agreed there was a lot of information provided on the Lasher/Gonen project; she was aware that Mr. Ashley and the Gonens were working

together originally, but then split; she knew Mr. Ashley would still develop his area, but she and other residents on Bridle Trail thought access to his project would still come off of Lasher, not off of Bridle Trail; they do not understand why the access cannot be from Lasher, and they would like to know what other options are available to them.

Council Member Berg wished to make it very clear that the City and the Council Members do not design the project – they look at the application/project submitted and the DEIR. He suggested that the residents talk to Mr. Ashley about his design, but reminded everyone that Mr. Ashley has a right to submit an application for the project he wants; the residents also have the right to comment on the project that is proposed.

City Engineer Lovett stated the following:

The purpose of the EIR is to study the proposed project and alternatives; the environmental consultant will look at alternatives and the impacts of noise, traffic, etc.; cumulative impacts will be studied if appropriate, as well as any impacts that the consultant feels are substantial; any comments made by agencies and the public will be addressed.

Mayor Cohen agreed with Council Member Siegel and expressed concerns that the discussion was getting too detailed, as the Council did not want to prejudice the project in any way. Mayor Cohen again suggested that concerned residents talk to staff and to the developer.

Ms. Vangelos asked if she should talk to the Gonens and Mr. Ashley to get questions answered before the EIR is available. Mayor Cohen responded that she could talk to the Gonens if she wished, but he did not believe they would be able to answer her questions, as the two projects are completely separate – the Gonens are not involved in the Ashley project.

Mr. Lovett reminded Ms. Vangelos that she could review or get copies of anything submitted that was public record, but his answers to many of her questions at this point would be limited, since the application is not complete. He also informed the Council that Mr. Ashley did attend a neighborhood meeting with concerned residents recently.

Council Member Siegel offered some final comments:

He suggested that Ms. Vangelos look at the City's process as if it were a trial, and what she is doing at this time, is like trying to tell the judge what she thinks about the trial before it even begins; he again pointed out that the Council Members are not part of the EIR development process, as they need to be able to review the EIR impartially; he also thought it would be effective for the concerned residents, besides attending Council meetings, to attend Association meetings, as the Association can discuss anything about the project at any time and will have an impact on the design of the project.

D. Charles Abbott Monthly Report – March and April

The reports were received and filed.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Berg, seconded by Council Member Siegel and unanimously carried, it was resolved to adjourn the regular meeting of May 22, 2006 at 8:21 p.m.

Jim Cohen, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk