

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, July 10, 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, July 10, 2006 at the hour of 7:30 p.m. Mayor Jim Cohen called the meeting to order and presided thereover after asking resident Joshua McNeely 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 Stuart E. Siegel

Staff:

City Engineer Dirk Lovett  
Building Official Greg Robinson  
City Manager Cherie L. Paglia  
Environmental Coordinator Kevin Powers  
Director of Environmental Services Kimberly  
Colbert

Absent:

Council Member Steve Freedland

Upon MOTION of Council Member Berg, seconded by Council Member Siegel and unanimously carried, it was resolved to excuse the absence of Council Member Freedland.

Mayor Cohen thanked Public Safety Commissioner Gabe Nussbaum for volunteering to videotape the Council meeting this evening, as videographer Chris Doran was unavailable.

### **APPROVAL OF AGENDA**

Upon MOTION of Mayor Pro Tem Fisher, seconded by Council Member Siegel and unanimously carried, it was resolved that the agenda for the July 10, 2006 regular meeting be approved as submitted.

### **ANNOUNCEMENTS**

Mayor Cohen made the following announcements:

There is a teen casino night at the Community Center this Wednesday (7/12/06) from 5:30 p.m. – 9:30 p.m.; call the Community Association for more information.

The City is sponsoring a blood drive on Thursday, 7/13/06; call Deana at City Hall for more information; currently not enough donors have scheduled appointments, so please help or the blood drive may need to be cancelled.

At the next Council meeting on Monday, 7/24/06, the Council will be discussing cell phone coverage, the possibility of implementing a cell phone system in the City, and the merits or lack thereof; anyone interested in this matter is invited to attend.

### **AUDIENCE**

There were no questions or comments at this time.



Upon MOTION of Council Member Berg, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the proposed Fiesta budget, with the addition of \$4000, resulting in projected expenses of \$84,000 and income of \$30,685, for an estimated cost to the City of \$53,315.

Upon MOTION of Council Member Berg, seconded by Mayor Pro Tem Fisher and unanimously carried on roll call vote, it was resolved to approve the In 'N' Out Burger Mobile Unit Agreement to provide one truck for two hours for this year's Fiesta, providing approximately 450 burger meals at an approximate cost of \$2,799, with a \$500 deposit to be paid by July 12, 2006.

#### **CONSENT CALENDAR**

- A. City Council Minutes – June 26, 2006**
- B. Demand List**

Upon MOTION of Council Member Siegel and seconded by Mayor Pro Tem Fisher, it was resolved by a 3-0 roll call vote (Council Member Berg was temporarily out of the room) to approve items A and B of the consent calendar as submitted.

#### **MATTERS FROM STAFF**

- A. Update on the National Pollutant Discharge Elimination System (NPDES) and the Los Angeles River Watershed**

City Engineer Dirk Lovett introduced two members of the Charles Abbott Associates (CAA) staff: Kimberly Colbert, the Director of Environmental Services for CAA (covering various cities throughout California); Kevin Powers, the Environmental Coordinator assigned to Hidden Hills. Mr. Powers provided the following staff report:

The NPDES permit covers general storm water matters; the renewal process occurs every five years; since the current permit is from 2001, the permit renewal application has been submitted to the Regional Water Quality Control Board; the first draft is expected in the next several months; there has been a lot of contention during the renewal phase, with

numerous cities (not including Hidden Hills) initiating litigation against the Regional Board; even though the permit expires in December, the Regional Board wants to reopen the permit now and add language over which there is a great deal of concern; there will be a public hearing on July 13<sup>th</sup>, which staff will attend, as will someone from Richards, Watson & Gershon; the increase in staff's efforts is due to the implementation of water quality regulations, basically the control of pollutants into the State's streams and rivers; a major concern involves the State Board's implementation of regulations for bacteria in Malibu Creek; this is being monitored to see where the problems are and what can be done to address those problems; in January the Regional Board passed legislation regarding toxic metals; the City staff is working with the Los Angeles County Department of Public Works (the primary permittee, with the City as a co-permittee), Caltrans and the City of Calabasas, with the County taking the lead for regions 5 and 6 (basically the headwaters of the L.A. river), to see if the regulations regarding selenium should apply to this area; the limits for selenium that the State has adopted from the EPA are 5 units, while a normal multi-vitamin has 200 units of selenium, an imbalance in the regulatory mechanism; hopefully a study can be done to show that the limit is unrealistic; the most recent development is the reinstatement of the L.A. river trash TMDL; in 2001, regulations were adopted by the Board to regulate trash; a group of cities called the Coalition for Practical Regulations (CPR) challenged this in the State courts; the courts sent this back to the Regional Board on procedural mechanisms regarding the CEQA process; therefore the CEQA process has been restarted, and within the next 30-90 days there should be an effective trash regulation; staff will continue to monitor this situation; also in a few years, there will be a bacteria limit for the L.A. river, which will be affected by septic tanks and horses; staff is working to protect the City's interests in this regard; in relation to AB939 and the Integrated Waste program, the City, through LARA (the Los Angeles Regional Agency), has improved its diversion rate over 15% in the last quarter; the City is now 65% compliant, with one of the main reasons being the adoption by the Council of a Construction & Demolition (C&D) ordinance; as the Council is aware, the current waste hauler contract expires at the end of September; the City requested bids for waste hauler services and only received a proposal from one company; staff is currently evaluating the proposal; lastly, the L.A. region, under new legislation, is undergoing a regional water management planning effort; this will hopefully join all water issues into one regulatory package; there is no legal effect at this time, but it is a good effort.

Mayor Cohen asked if the City would have any problems complying with all of these regulations. Mr. Powers responded as follows:

If the L.A. river trash regulations stand, the City is already meeting year eight requirements, which is about 80% compliant, without any structural engineering projects; studies are underway in the Malibu Creek watershed to determine where the bacteria is coming from; this City is just at the very tip of that watershed; with the L.A. river toxic

metals, the only one to affect this area is selenium; there are many studies and reports for other areas that claim selenium is a naturally occurring element through sea shell deposits in the mountains that leeches out when it rains; if it can be shown that is where the selenium is coming from, that will help us tremendously; one of the biggest concerns for the City is the increase in costs related to all of these regulations; just for the permit renewal process during a three month period, he and other staff members have attended over 20 meetings just addressing the permit language; they will continue to interact with the City staff and the City Attorney; about eight cities have gone out on their own and applied for individual permits, with no guarantee that those permits will be approved by the Board; they will continue to monitor all of these matters.

The City Manager pointed out that staff is working very closely with Richards, Watson & Gershon, which represents numerous cities in relation to the NPDES permit, so there is a great deal of coordination.

**B. Tentative Map 63567 - Update**

The following update was provided by City Engineer Dirk Lovett:

Staff is still evaluating the application to determine when it can be deemed complete; he met with the developer last week; additional items were dropped off at that time by the developer, and again today; the next step will be to solicit proposals to prepare the EIR; he has a meeting scheduled Tuesday with the developer and the CAA consultant who will be coordinating the EIR process; the developer has given his approval to begin the EIR process at this time, agreeing to reimburse the City for costs related to the EIR; the developer will sign an agreement to this effect.

Resident Deborah Vangelos wanted to know if the EIR report for this tract would be combined with that of the Lasher/Gonen project to determine the effects on the Bridle Trail area. Council Member Siegel confirmed with Ms. Vangelos that she was asking the City to include in the new EIR, the combined effects of both projects in relation to noise, dust, visual impacts, etc. He and Council Member Berg both agreed that the impacts of the Gonen project, even though it would not be finished before the Ashley EIR was done, should be taken into account. Mr. Lovett stated that Ms. Vangelos' comments have already been noted and will be shared with the EIR consultant, who will look at the cumulative effects from the Gonen project that are applicable.

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL:**

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

Upon MOTION of Council Member Berg, seconded by Mayor Pro Tem Fisher and unanimously carried, it was resolved to adjourn to closed session at 8:00 p.m., at which time it was announced by Mayor Cohen that the Council, in closed session, would be discussing the item listed above. Special Counsel Larry Wiener joined the meeting by telephone.

Upon MOTION of Mayor Pro Tem Fisher, seconded by Council Member Berg and unanimously carried, it was resolved to return to open session at 8:24 p.m., at which time Mayor Cohen 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 Berg, seconded by Council Member Siegel and unanimously carried, it was resolved to adjourn the regular meeting of July 10, 2006 at 8:25 p.m.

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Jim Cohen, Mayor

ATTEST:

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Cherie L. Paglia, City Manager/City Clerk