

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, January 14, 2008

***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 14, 2008 at the hour of 7:30 p.m. Mayor Stuart 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 Monty E. Fisher  
Council Member Steve Freedland  
Council Member Larry G. Weber

Staff: City Engineer Dirk Lovett  
Building Official Greg Robinson  
City Manager Cherie L. Paglia  
City Attorney Roxanne Diaz (Closed Session)

Absent: Council Member Jim Cohen

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

### **APPROVAL OF AGENDA**

Mayor Siegel wished to move item 10C (Round Meadow School Traffic Flow Pattern/Parking – Update), to be addressed right after Announcements and before the Audience section. Upon MOTION of Council Member Freedland, seconded by Council Member Weber and unanimously carried, it was resolved that the agenda for the January 14, 2008 regular meeting be approved as amended.

### **ANNOUNCEMENTS**

Mayor Siegel made the following announcements:

The City prepared a proclamation for Mark Pisano, who is leaving his position as executive director of SCAG after thirty-one years.

The City also sent a certificate of recognition to Deputy Jon Yip, who is retiring from the L.A. County Sheriff's Department on 3/30/08 after twenty-six years of service.

The City is currently conducting another coyote trapping program which was approved by the Council on 12/10/07; trapping began on 12/17 for one week, and then was suspended for the holidays and for evaluation; one adult male was caught that first week; one adult female was caught near Round Meadow/Hoback Glen during the second week of trapping from 1/7-11/08; even though the two week program per the contract has ended, the trapper has left the disabled traps in the City until Wednesday (1/16) when he will again reset the traps; there is one particular coyote he is still tracking that he would like to catch; it may be the one that is looking into the windows at one of the residences.

The HHCA Board of Directors annual meeting is Tuesday night (1/15) at 7:30 p.m.

If anyone still has a Christmas tree to recycle, there are bins at both City Hall (upper parking lot) and the Community Center through Saturday (1/19).

City Hall will be closed and there will be no inspections on Monday, 1/21, in observance of the Martin Luther King, Jr. holiday.

Council Member Freedland wished a happy birthday to resident Kyle Wasserman, who then received a certificate of recognition from Mayor Siegel for academic achievement, having made the honor roll for both the fall and spring semesters at A.E. Wright Middle School.

## **MATTERS FROM STAFF**

### **C. Round Meadow School Traffic Flow Pattern/Parking - Update**

Resident and PFA President Mathy Wasserman read a letter to the Council, thanking them and all of the others involved in the partnership that put together the new traffic flow pattern, which has been very successful since the first day of its implementation.

Mayor Siegel commented as follows:

The only comment he has directly received on this issue involves the alleged cut-through parking on Round Meadow near the school; the City looked at this problem once before, actually checking parked vehicles to see if they were Hidden Hills residents or not; most of those parking were indeed residents of the City; this could be checked again, but his preference would be to let it go for now and only address the matter if it appears to be a problem; he is not sure there is a solution if it is a problem, as the City is not inclined to establish parking zones, install signs, and issue special permits for a small amount of people; he suggested nothing be done at this time, as other problems may be discovered with the pattern during bad weather, etc., and then everything could be addressed at once.

Ms. Wasserman stated that she did send comments to the Gate Committee, who has added an extra guard to help on a regular basis with school traffic, and this guard does check for bar codes inside the gate. She added that the Gate Committee might want, in the future, to explore a new system that prints out visitor cards and uses a hand-held scanner, but she agreed that nothing needed to be done at this time, especially since the Gate Committee frequently checks for cut-through traffic.

Council Member Freedland felt, agreeing with Mayor Siegel, that nothing should be done at this time, especially since most parents seem to be very happy with the new pattern – he would not want to upset that, but perhaps a review could be conducted in six months. Ms. Wasserman did ask that some type of padding be added to the new sign posts in the drop-off area, as the car doors, when opened, come very close to the posts. Staff will see what can be done.

Council Member Weber confessed that he originally thought this new pattern would not work very well, and commended Ms. Wasserman for pushing the Council to try it. The City Manager also wished to thank Ms. Wasserman for all the time she has spent educating everyone on the new program, and in encouraging all those involved to do all they could to make it work.

### **AUDIENCE**

There were no questions or comments at this time.

### **PUBLIC HEARING**

#### **Consideration of Ordinance Regarding Adoption of Revised Building Codes – Second Reading**

Mayor Siegel opened the public hearing, and then closed the hearing as there were no comments. Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Fisher and unanimously carried, it was resolved to give second reading and adopt by title only Ordinance No. 322 entitled: AN ORDINANCE OF THE CITY OF HIDDEN HILLS ADOPTING BY REFERENCE PART 2 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2007 CALIFORNIA BUILDING CODE; PART 3 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2007 CALIFORNIA ELECTRICAL CODE; PART 4 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2007 CALIFORNIA MECHANICAL CODE; PART 5 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2007 CALIFORNIA PLUMBING CODE; TITLE 32 OF THE LOS ANGELES COUNTY CODE, INCORPORATING AND AMENDING PART 9 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, COMPRISING THE 2007 CALIFORNIA FIRE CODE; THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDING TITLES 4 AND 5 OF THE HIDDEN HILLS MUNICIPAL CODE.

## **PUBLIC SAFETY**

### **Consideration of Approval of the Purchase of New Equipment for Emergency Operations**

Council Member Weber recused himself at this time, as he conducts business with KR Nida Companies.

Public Safety Commission Chairman Jim Doran provided the following information:

The following proposals are a direct result of an evaluation of the entire radio system by KR Nida Companies (NIDA) at the request of the City Council: 1) there was a recent power failure at the repeater site; to resolve this problem, NIDA has suggested the addition of a solar panel on the roof of the small existing building, along with one additional battery; this would provide 72 hours of monitoring time, or 36 hours of actual talk time, at a cost of \$1,894.66; 2) in looking at the number of people who should have radios and the number of existing radios, the City needs an additional 19 radios, each with an extra battery, along with two six-bank chargers; to comply with FCC rulings, the five base stations and 25 recently purchased radios all need to be reprogrammed to narrow band; the total cost for all of this is \$10,892.78; 3) the old scanner and ham radio need to be replaced, which includes an antenna attachment and new back-up battery; this equipment, at a cost of \$1,731.74, allows the City to monitor what is happening in other cities and in the County; 4) an estimated cost of \$700 will cover the purchase of 19 radio cases, all with the Hidden Hills imprint, for the 19 new radios; 5) a maintenance contract can be provided at a cost of \$6300; this includes a regular monthly check of the five base stations (City Hall, Community Center, 3 gates) and all equipment, and NIDA being on call 24/7 with no longer than a 2-hour response time.

Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Fisher and unanimously carried on roll call vote, it was resolved to authorize the expenditure of \$21,519.18 for the purchase of a 24/7 (2-hour response time) maintenance contract and emergency equipment, as detailed above, from KR Nida Companies.

Council Member Weber rejoined the meeting at this time (7:53 p.m.).

**CONSENT CALENDAR**

- A. City Council Minutes – December 10, 2007**
- B. City Council Minutes – December 24, 2007**
- C. Demand List**
- D. Disbursement List – November**
- E. Financial/Treasurer’s Report – November**

Council Member Freedland had a question on the Financial Report regarding an apparent 155% use of the proposed property insurance expense, after only five months into the budget, which the bookkeeper thought might be corrected at the end of the fiscal year with an expected rebate. The City Manager will investigate this discrepancy, as she felt it was most likely that the amount placed in the property insurance expense (\$9,315) should have been for the liability insurance (proposed budget - \$9000); the \$4685 property insurance invoice was just received, which falls within the budgeted amount of \$6000. Upon MOTION of Council Member Freedland, seconded by Council Member Weber and unanimously carried on roll call vote, it was resolved to approve items A (with Mayor Pro Tem Fisher abstaining on this item, as he was not in attendance at the meeting), B, C, D, and E (with the typographical correction) of the consent calendar as submitted.

**MATTERS FROM CITY COUNCIL MEMBERS**

- A. Report from 12/18/07 Hidden Hills Community Association Board of Directors Meeting**

Mayor Siegel stated that on behalf of the Council, he presented a plaque to resident Claudette Rice, who recently moved from the City, in honor of her many years of service to the City and the Community Association. He added that Ms. Rice, who will be missed and represents the definition of volunteer, was very appreciative of the recognition.

- B. Discussion Regarding City Requirements for Repair/Replacement of Wood Shake Roofs**

Council Member Freedland provided the following background information:

He recently had an opportunity to talk to Captain Tony Hill from Fire Station 68 and his brother, who works out of the Fire Station in Malibu; he asked what the City could do to help protect its residents; Captain Hill said his biggest worry was the large number of existing wood shake roofs in Hidden Hills; their policy, when fighting fires, is to save the homes that they can; reluctantly, if they have to choose, the homes with wood shake roofs that will burn more readily may not receive as much attention; according to City staff, there are still over 100 homes in the City with wood shake roofs, which is approximately 20% of the homes; this is a huge problem and a recipe for disaster in case of fire; per the City's current code, a resident can replace 25% of his roof per year without having to upgrade the whole roof, which can result in a completely new wood shake roof in four years; that part of the code is not reflective of the conditions in which we live; that is why he asked staff to address this issue and why he would like the Council to consider strengthening the code for better protection.

Building Official Greg Robinson informed the Council of the following:

As the Council can see from the prepared report, different cities have different requirements; for cities not listed, they generally would follow the State requirements for high severity fire zones; beginning in July of 2008, these require an entire roof to be replaced if the homeowner is repairing over 50%; in the surrounding cities, the repairs allowed (without requiring replacement of the whole roof) vary from 5% to 50%; some cities address this issue by size, stating that the whole roof needs to be replaced if repairs are being done to anywhere from 25 square feet to 200 square feet; many of the cities have requirements more restrictive than Hidden Hills.

Mayor Siegel said he would agree to make the City's requirements more restrictive, but still reasonable, believing that residents should be able to make small repairs without replacing the whole roof. He added that he would prefer to use a square footage measurement rather than a percentage, which could lead to arguments on how that percentage is measured. A short discussion then occurred during which the following points were made:

Calabasas allows only 25 square feet of repairs before the entire roof must be replaced, while Rolling Hills allows up to 200 square feet; Hidden Hills should fall somewhere in between there, but does need to make the requirements more restrictive than the existing; perhaps 50 square feet would be good; a time frame, probably one year, should be placed on the 50 square foot repair, so someone cannot be replacing 50 square feet every month; the 50 square foot limit would also apply to additions, remodels, etc.; anytime the roof is touched, if it involves 50 square feet, this new requirement would apply; there are some wood shakes that fall under Class A; the City rejected Class A wood shakes some years ago after presentations at a Council meeting, and the current code reflects that decision;

the code should continue to disallow Class A wood shake, as it was felt the treatment that makes the wood Class A does not last over time; the Community Association's current requirements are the same as the City's, although they may be a bit more restrictive regarding acceptable materials; the Association is more concerned with aesthetics, while the City is more concerned with safety, as it should be; before any public hearings on this matter, the Association should be notified and invited to send representatives to the hearing; someone from the L.A. County Fire Department should also be invited; since this affects contractors, the hearing notice can be placed in the Building Department and pointed out to them by the Building Inspector, in case any of them wish to attend the hearing.

Based on the above discussion, staff will prepare a draft ordinance for the Council's consideration in the near future, and notify as many people as possible, including residents, the Community Association, the L.A. County Fire Department, and contractors.

### **C. Undergrounding of Utilities - Update**

The following update was provided by City Engineer Dirk Lovett:

Southern California Edison (SCE) gave an original estimate for completion of the undergrounding plans for two separate locations as the middle of January; however, they are behind due to the recent fires, and have now said the plans for the Jed Smith segment should be ready by the end of February; they have not started on the Round Meadow portion yet, but hope to have them done early to mid-March; these will be preliminary drawings that the City can comment on; once the plans are provided to the City, the Council will review them at a meeting, and conduct a field review if desired; once finalized, they will be provided to other utilities, who will have to provide their own designs, and used to obtain bids from contractors.

## **MATTERS FROM STAFF**

### **A. Vesting Tentative Map 63567 (Ashley)**

City Engineer Dirk Lovett presented the following staff report:

The official public comment period has been closed; the consultant is now addressing all of the comments received; staff, including the City Attorney, met with the consultants today to complete a "game plan"; extensive comments were received from some agencies, such as Fish and Game; some of the residents hired consultants who also submitted extensive comments on their behalf; an additional study on the burrowing owl, which will take several weeks, needs to be done in the field; all of this will take at least another

month, after which staff will need to review the work of the consultant, which could result in additional work by the consultant.

The City Manager wished to point out that staff received a letter from resident Laura Goldwasser dated 12/20/07 regarding comments made at an earlier meeting. The resident was unable to attend the meeting to read the letter into the record, but the letter will be placed in the file for this project and available for public review.

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

The report was received and filed.

**C. Round Meadow School Traffic Flow Pattern/Parking - Update**

This item was addressed earlier in the meeting.

**D. Consideration of Approval of an Ordinance Regarding Charter Cable State Franchise Agreement – First Reading**

The City Manager provided the following information:

The City and Charter Communications approved a new franchise agreement, after lengthy negotiations, in 2006; however, on January 1, 2007, Assembly Bill 2987 became effective, creating a state franchising system administered by the Public Utilities Commission for video service providers; this allowed Charter to terminate its franchise with the City (the City had no choice in this decision); Charter was granted a state franchise effective January 2, 2008; the City's ordinance thus needs to be amended to impose a fee on video service providers with a state-issued franchise for PEG channel purposes in an amount not to exceed 1% of gross revenues; the City will continue to collect a 5% fee from state-franchised video service providers, which in the past was split between the City and Community Association; for the first 15 years, the Association received 3% and the City 2%; in the recent franchise, the City received 3% and the Association 2%; if the Council wishes to continue this arrangement, an agreement will need to be approved between the City and Association, since the 5% will all be sent to the City due to the new state franchise.

Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Fisher and unanimously carried, it was resolved to introduce and give first reading by title only to an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS REGARDING STATE-FRANCHISED VIDEO SERVICE PROVIDERS AND AMENDING ARTICLE B OF CHAPTER 6 OF TITLE 2 OF THE HIDDEN HILLS MUNICIPAL CODE.

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL**

**Existing Litigation:**

**Government Code Section 54956.9(a)**

**Name of Case:**

**1. People of the State of California; City of Hidden Hills v. Charles Burtzloff, Jennifer Burtzloff, et al., Los Angeles Court Case No. LC 075623**

Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Fisher and unanimously carried, it was resolved to adjourn to closed session at 8:12 p.m., at which time City Manager Cherie Paglia announced that the Council, in closed session, would be discussing the item listed above.

Upon MOTION of Council Member Weber, seconded by Mayor Pro Tem Fisher and unanimously carried, it was resolved to return to open session at 8:26 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 Mayor Pro Tem Fisher, seconded by Council Member Weber and unanimously carried, it was resolved to adjourn the regular meeting of January 14, 2008 at 8:27 p.m.

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Stuart E. Siegel, Mayor

ATTEST:

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Cherie L. Paglia, City Manager/City Clerk