

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, March 14, 2005

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, March 14, 2005 at the hour of 7:30 p.m. Mayor Steve Freedland called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

ROLL CALL

Council:	Mayor Steve Freedland Mayor Pro Tem Ronald S. Berg Council Member Jim Cohen Council Member Stuart E. Siegel
Staff:	City Attorney Larry Wiener City Engineer Dirk Lovett City Manager Cherie L. Paglia
Absent:	Council Member Monty Fisher

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

APPROVAL OF AGENDA

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Berg and unanimously carried, it was resolved that the agenda for the March 14, 2005 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Freedland made the following announcements:

The Council will reorganize at the next meeting on Monday, March 28th; there will be a small reception with refreshments after the meeting to which everyone is invited.

He extended condolences to Council Member Monty Fisher, his wife Teri, and the family on the loss of Monty's sister.

The Calabasas City Council will be seating the newly elected Council Members and reorganizing on Wednesday, March 23rd at 7:30 p.m.; he will present plaques, on behalf of the Council, to outgoing Council Members Lesley Devine and Michael Harrison.

He extended congratulations to Council Member Siegel's daughter Jenna on her recent engagement, and wished her and her fiancé Richard the best.

AUDIENCE

There were no questions or comments at this time.

NEW BUSINESS

Consideration of Approval of Community Assistance Application from Calabasas High School Grad Nite Committee

Mayor Pro Tem Berg suggested this item be continued until the next meeting. In response to Council Member Siegel, Mayor Freedland stated that he did not believe there was any problem in supporting this request for a grant for Grad Nite as the Council has done in the past, but he too felt since no one was available to discuss the item and since the person who requested the grant was not a Hidden Hills resident, that the matter should be continued. Upon MOTION of Mayor

Pro Tem Berg, seconded by Council Member Cohen and unanimously carried, it was resolved to continue this item to the next meeting, in hopes that someone from the Calabasas High School Grad Nite Committee would be in attendance, along with a Hidden Hills resident who was involved with the project.

PUBLIC SAFETY

Consideration of Placement and Costs Related to Emergency Antenna at/near Round Meadow Gatehouse

Resident Kim Gagnier, representing the Gates Committee, addressed the Council as follows:

She is here to discuss the antenna needed for public safety, which is a very important issue; she met with Jim Doran to discuss this matter; the Gates Committee does not want the antenna placed on the gatehouse, so other locations were considered; they feel the solution is to place the antenna on a flagpole to be placed on the trail near the exiting side of the gatehouse; the Gates Committee will supply and install the flagpole, and supply anything else necessary for the antenna, with the Community Association to pay these costs; per Mr. Doran, the City would purchase the antenna, and pay for its installation; she met with a representative from Nida, the company that would install the antenna, and pointed out the proposed location; this person said, and she also has a letter from Nida stating the same thing, that the antenna would have better reception and less interference at the proposed location on the flagpole than on the gatehouse; she also spoke with the adjacent property owner (Todd Bernstein) and the Equestrian Services Committee, both of whom approved the proposed flagpole and location.

Mayor Freedland stated the following:

When this issue first came up, he and Public Safety Commission Chairman Jim Doran wanted to get the antenna mounted as soon as possible; he at that time told Ms. Gagnier that the City would need assurances that wherever the antenna was installed, it would need to work as good or better than if it were placed on the gatehouse; he also asked her to obtain the approval for the proposed location from the Association Board of Directors, the Gates Committee, the Architectural Committee, and the Equestrian Services Committee; he does not feel that the City Council should be making aesthetic decisions, as that should be left to the Board and the Architectural Committee; the final consideration for the Council would appear to be the cost; he is aware that the Board approved \$1000 for the flagpole, installation of the flagpole, conduit, any necessary trenching, etc., and is assuming that Ms. Gagnier has an estimate for these items; he

wondered if she also had an estimate for the wiring from the gatehouse to the flagpole and the installation of the antenna.

Ms. Gagnier replied that she did not have an estimate for the wiring and installation of the antenna, as the City was responsible for that part, and deferred to Mr. Doran. Mr. Doran stated that the original estimate was to install the antenna on the gatehouse (placing it on the back peak, and dropping cable just a few inches to the vent leading into the gatehouse), so a new estimate would need to be obtained for the placement of the antenna on the flagpole, assuming that the Association would provide all the conduit and have everything ready for the installation by Nida. He added that there could be additional material and labor charges to now run the wiring from the gatehouse all the way under the street, to and up the 20' flagpole.

Public Safety Commissioner Gabe Nussbaum pointed out that there are two scopes of work, and it needs to be made clear that the Association or its contractor will be responsible for any necessary conduit, trenching, the purchase of the flagpole, the installation of the flagpole, and the anchoring of the flagpole to an approved base, while the City's contractor (Nida) will extend the wiring/cable from the gatehouse to the top of the flagpole (through existing conduit) and install the antenna itself. He commented, however, that he was unable to locate conduit from the gatehouse to the trail on the exiting side. Ms. Gagnier assured everyone that there was existing conduit from the gatehouse under the street to the trail, and that the Association's contractor would provide any additional conduit necessary, including the trenching, to reach the flagpole which would be further up the trail.

A discussion then ensued, during which the following issues were raised and points made:

The original estimate for the installation of the antenna was \$865.44, which included the antenna; the antenna has already been purchased for \$134.38; a new proposal from Nida needs to be obtained as soon as possible; perhaps the City could approve the expenditure of \$1500 - \$2000 to hopefully cover Nida's new proposal; the antenna may be higher on the flagpole, but would still work well on the gatehouse, as it was located on the old gatehouse; there is a proposal from Mike Zacha for \$1015 for the Association's portion of the work; the base of the flagpole must be a design that is ICBO approved, or an

engineered plan for the base must be submitted and plan checked; a building permit will be required, but the fee can be waived for the Association; there are regulations that must be met in relation to the flagpole installation, and the City will have to inspect the work; Architectural Consultant Ron Heston is aware of this; the preferred location (of the Gates Committee and Mr. Heston) for the flagpole is location A, which places the flagpole approximately 44' up the trail on the left hand side (when facing the trail); an amount needs to be approved by the Council for the City's portion of the project; if the work cannot be done for that amount, either the matter can be brought back to the Council in two weeks, or the antenna needs to be mounted on the gatehouse; the consensus was the latter, as the City is very uncomfortable with no antenna in that area for public safety purposes, and does not want to delay this project any longer.

As there was no further discussion, upon MOTION of Mayor Pro Tem Berg, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to authorize the expenditure of not-to-exceed \$1500 for the installation of the emergency services antenna on top of a flagpole at location A, including the wiring (through conduit provided by the Association from inside the gatehouse to the base of the flagpole), with the condition that if the installation cannot be accomplished for the approved \$1500, the antenna will be placed on the Round Meadow gatehouse forthwith.

PUBLIC HEARING *(Continued from 2/14/05)*

Consideration of Proposed Ordinance Regarding Commercial Restricted (CR) Zone – Second Reading

Consideration of Proposed Resolution Regarding Commercial Restricted (CR) Zone Ordinance Negative Declaration

City Attorney Larry Wiener provided the following staff report:

The City Council has been working for several months on amendments to the Commercial Restricted (CR) zone regulations to ensure that development in the CR zone will be compatible with adjacent residential properties; a public hearing on the proposed amendments was opened on February 14th; there was some public comment at that time; the public hearing was continued for the primary purpose of circulating the negative declaration under the California Environmental Quality Act (CEQA) to March 14th; the negative declaration has been circulated; the comment period has now closed, and no comments were received during the comment period; at this time the continued public

hearing should be opened, during which any public comments can be taken; since the ordinance was introduced and given first reading on February 14th, if the Council favors the ordinance, a motion may be made at this time to adopt the ordinance.

Mayor Freedland opened the public hearing, and hearing no comments, closed the hearing. Upon MOTION of Mayor Pro Tem Berg, seconded by Council Member Siegel and unanimously carried, it was resolved to adopt by title only Resolution No. 759 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS ADOPTING A NEGATIVE DECLARATION FOR THE PROPOSED ORDINANCE RELATING TO THE COMMERCIAL RESTRICTED (CR) ZONE, and to give second reading and adopt by title only Ordinance No. 318 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS RELATING TO THE COMMERCIAL RESTRICTED (CR) ZONE AND AMENDING THE HIDDEN HILLS MUNICIPAL CODE.

CONSENT CALENDAR

- A. **City Council Minutes – February 28, 2005**
- B. **Demand List**

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

MATTERS FROM STAFF

- A. **Lasher Development - Update**

City Engineer Dirk Lovett informed the Council that the status is the same as that reported at the last meeting, and that the consultant is working on a revised screen check draft EIR after receiving additional staff comments two weeks ago.

Council Member Cohen asked if anything was still needed from the developer, and specifically for the EIR. Mr. Lovett responded as follows:

The developer is still working on some items for the vesting tentative tract map; both the EIR and the vesting tentative tract map will come to the Council for consideration at the same time; both need to be prepared and reviewed concurrently, so the EIR cannot go forward until everything is provided; there is nothing owed specifically for the EIR, as the hydrology study has been submitted; that study and other items are still being reviewed at this time, so it is not known yet if they are complete.

B. Consideration of Proposed Resolution Regarding Extension of Charter Cable Franchise

Upon MOTION of Mayor Pro Tem Berg and seconded by Council Member Siegel, it was resolved on a 4-0-1 vote, with Council Member Cohen abstaining, to adopt by title only Resolution No. 760 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS EXTENDING THE TERM OF ITS CABLE TELEVISION FRANCHISE AGREEMENT WITH FALCON CABLEVISION, DBA CHARTER COMMUNICATIONS, TO APRIL 30, 2005, TO FACILITATE THE CITY'S CONTINUED NEGOTIATIONS WITH THE CABLE OPERATOR REGARDING RENEWAL OF THAT FRANCHISE AGREEMENT.

C. Consideration of Proposed Public Entity Resolution

The City Manager reported the following:

The City Attorney has reviewed the proposed resolution and determined that it is nothing unusual for banking purposes; when the City last completed a wire transfer, the bank had difficulty locating the signatures on the account; when they were found, it was determined that the signatures were not on the proper forms that the bank uses for public entities; the bank has therefore asked for the proposed resolution, listing all the signors on the account, along with a contract.

Mayor Pro Tem Berg asked if two signatures were required for a wire transfer, and how often they occur. The City Manager replied as follows:

Only one signature has been required for wire transfers, very few of which occur during a year; wire transfers have only been used to transfer excess funds from the City's general account to LAIF; it would not be a problem to require two signatures, as is done for all checks written from City accounts (even though most banks only require one signature);

the bank may require that the signors actually come to the bank to provide original signatures.

Mayor Pro Tem Berg felt two signatures should be required for any wire transfers, with the other Council Members agreeing. The City Manager will make those arrangements with the bank. Upon MOTION of Mayor Pro Tem Berg, seconded by Council Member Cohen and unanimously carried, it was resolved to adopt by title only Resolution No. 761 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS PERTAINING TO CITY BANK TRANSACTIONS.

D. Charles Abbott Monthly Report - January

The report was received and filed.

E. Right-of-Way Survey for Front Gate Area - Update

City Engineer Dirk Lovett announced that the survey has been completed, with a copy hand delivered to the Community Association, and that a meeting with both City and Association representatives is scheduled for Wednesday, March 23rd at 4:00 p.m. at City Hall. The City Manager stated that Mayor Freedland, Council Member Siegel, Mr. Lovett and herself would be representing the City at the meeting, with Ron Heston, Kim Gagnier, and Pamela Boothe attending for the Association. She added that she was still waiting to hear if anyone else from the Association wanted to attend.

At the request of Council Member Siegel, copies of the survey will be made and provided to each of the Council Members in their mail packets to be delivered Friday.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Mayor Pro Tem Berg, seconded by Council Member Siegel and unanimously carried, it was resolved to adjourn the regular meeting of March 14, 2005 at 8:09 p.m.

Steve Freedland, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk