

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, October 27, 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, October 27, 2008 at the hour of 7:34 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 Larry G. Weber  
Council Member Jim Cohen  
Council Member Monty E. Fisher  
Council Member Stuart E. Siegel

Staff:

Building Official Greg Robinson  
City Engineer Dirk Lovett  
City Manager Cherie L. Paglia

**APPROVAL OF AGENDA**

Upon MOTION of Council Member Siegel, seconded by Council Member Fisher and unanimously carried, it was resolved that the agenda for the October 27, 2008 regular meeting be approved as submitted.

## **ANNOUNCEMENTS**

Mayor Freedland made the following announcements:

Please have a safe and fun Halloween this Friday (10/31), and remember to drive safely, watching for all the children who are out that evening.

Saturday night or early Sunday morning (2:00 a.m.), don't forget to turn your clocks back one hour; this is also a good time to check batteries in smoke detectors.

Congratulations to the Community Association/Parks & Recreation Committee, chaired by Bret Katz, on a very successful Halloween party this past Saturday.

Don't forget to vote on Tuesday, 11/4, at City Hall; polls will be open from 7:00 a.m. – 8:00 p.m.

## **AUDIENCE**

There were no questions or comments at this time.

## **PRESENTATION**

### **Recognition of Lisa Moriarity, 2008 Fiesta Co-Chairman**

Mayor Freedland, on behalf of the Council and staff, thanked Lisa Moriarity for chairing the City's last six Fiesta's, from 2003-2008, stating that she would be missed in the future, as she has decided to take a break and let someone else chair the event. Mayor Freedland then presented Ms. Moriarity with a beautifully engraved vase as a small token of the City's appreciation.

## **PUBLIC SAFETY**

### **B. Los Angeles County Sheriff's Department Report - September**

The following report was provided by Lt. John Benedict:

In September, there was 1 residential burglary in the 5800 block of Jed Smith; someone entered the unlocked rear door; the resident was on vacation so is just now itemizing the missing items; detectives arrested a Calabasas resident who vandalized his ex-girlfriend's car twice, along with her current boyfriend's and a friend's car; the vandalism occurred in the 5400 block of Paradise Valley and in Calabasas; there were 8 false alarms, and one non-injury traffic collision at Eldorado Meadow and John Muir; the driver hit the metal

poles around a fire hydrant, due to unsafe speed; 32 citations were issued, with 24 of those being hazardous, 4 non-hazardous, and 4 parking; 3 drivers were reported to the STTOP deputy; a letter was sent to one of them who lived outside the area for not yielding to a school bus; the deputy spoke to one driver on Kit Carson regarding the dangers of speeding; a third person was reported for playing loud music from his vehicle; the deputy is still attempting to contact that person.

Mayor Freedland thanked the Sheriff's Department for the good work with the restraining order and arrest of the Calabasas resident for the car vandalism.

In response to resident Lisa Moriarity, Lt. Benedict explained that it is a violation of the Vehicle Code if a driver is playing music loud enough in his vehicle to disturb residents.

#### **C. Consideration of Assignment of 2008-2009 Brulte/COPS Funds**

The City Manager informed the Council of the following:

Every year a letter is provided by Captain Tom Martin suggesting expenditures for the Brulte/COPS funds received by the City; he has proposed \$62,283.06 from each of the five cities in the region (Hidden Hills, Agoura Hills, Calabasas, Malibu, and Westlake Village) to fund motorcycle traffic enforcement deputies (motors), with each city receiving 16 hours per week; another \$2000 is set aside for the Parental Resource Program (PRP) class; the Sheriff's Teen Traffic Offender Program (STTOP) is shared equally by all five of the cities, with the cost for each city being \$29,481.78; the remaining \$6,235.16 is proposed for crime impact funds, to address specific crime problems or trends within the community; these proposed expenditures are based on \$100,000, the amount normally received annually; however, per this year's State budget, these funds will most likely be cut by 10%; that will not be a problem for the City, as the funds for the PRP class and the crime impact funds are not normally used; even if they are, the City still has more than enough funds left over from previous years to cover the difference.

Council Member Cohen thought the amount for the STTOP program was quite large, and wondered if the program was effective. Lt. Benedict responded as follows:

Numerous drivers are reported to the STTOP deputy by the residents, and he strongly believes the program is effective; it is geared to teens, but is also used for adult drivers; a warning by the STTOP deputy, showing up at someone's door, is often much better than a ticket; the deputy talks to those reported about driver safety, safety for the residents,

and different City issues; he believes this has a huge impact year after year, and is money well spent.

Council Member Cohen referred to letters that are sent from the STTOP deputy to those who live outside the City, and wondered if the City should not pursue those further to see how the individuals were admitted to the City, and then send letters to the residents who let them in. Lt. Benedict and the City Manager explained that this was not a Sheriff issue. The City Manager added that copies of the letters are sent to the Community Association, but that the City could not compel the Association to contact the residents, as there may be legal issues involved. Association Board Member Marv Landon said the Association would have to discuss the matter.

In response to Council Member Cohen, Mayor Freedland explained that the crime impact funds were used for unusual circumstances or situations whereby additional Sheriff time would be helpful – for example, if extra detective time is necessary to investigate a series of break-ins.

As there was no further discussion, upon MOTION of Council Member Fisher, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to allocate \$100,000 in Brulte/COPS funds for the following, as recommended by the Sheriff's Department: \$62,283.06/Motorcycle Enforcement Officers (Motors); \$2,000/Parenting Class; \$29,481.78/Sheriff's Teen Traffic Offender Program (STTOP); and \$6,235.16/Crime Impact Funding.

**D. Consideration of Approval of Los Angeles County Sheriff's Department Service Agreement for the Success Through Awareness and Resistance (STAR) Program for Fiscal Year 2008 - 2009**

Sergeant Patrick Gomez and Deputy Sheriff Michael Shapiro were in attendance, with Deputy Shapiro presenting the following information:

This is his third year as the STAR deputy for Round Meadow School; he provides eight lessons for each of the 4<sup>th</sup> and 5<sup>th</sup> grade classes over the 10 month period; they talk to the students about goals, communicating effectively, peer pressure, and the gateway drugs,

which are tobacco, alcohol, and marijuana; he is a School Board member in Santa Clarita, where the reported use of these drugs is low in the 5<sup>th</sup> and 6<sup>th</sup> grades, but then seems to spike in the higher grades; he doesn't see that in the Las Virgenes District since the STAR program is taught through 8<sup>th</sup> grade; he believes this is a good program; when the deputies are in the schools, and playing with the kids on the playground, the kids feel more comfortable with them rather than fearing them, and they have good interactions with the students; he would invite any of the Council Members or residents to visit his classes any time (he is there on Mondays).

The City Manager informed the Council that the amount requested was well within the approved budget. Upon MOTION of Council Member Fisher, seconded by Council Member Cohen and unanimously carried on roll call vote, it was resolved to approve the Service Agreement between the Los Angeles County Sheriff's Department and the City of Hidden Hills for services to be provided by the Sheriff's Department's Success Through Awareness & Resistance (STAR) Unit to six classes of 4<sup>th</sup> and 5<sup>th</sup> graders at Round Meadow School for the 2008-2009 school year, at a cost of \$9,245.71.

**A. Los Angeles County Fire Department Report - September**

Community Services Representative Maria Grycan provided the following report:

During the month there were 14 responses, including 0 fires, 4 EMS, 5 false alarm/good intent, 2 snake removals, 2 invalid assists, and 1 public service assist (resetting alarm); there were 200 station inspections, probably all of which were in Calabasas; there were 4 Fire Prevention Bureau Inspections, and 0 plans checked; the Department participated in the Fiesta parade; there is no change in the brush clearance from last month, with 100% compliance; a Captain from Battalion 1 (who lives in Agoura Hills but is stationed in West Hollywood) was assigned to Hidden Hills during the Sesnon fire; as everyone knows, Hidden Hills was potentially threatened, so the Department had already deployed resources in Hidden Hills, Calabasas, and Agoura Hills for structure protection and to stop the fire from crossing the 101 in case the fire entered Bell Canyon and followed the same path as in 2005; the Captain was very impressed with the brush clearance in Hidden Hills, stating that if everyone did as well with brush clearance as this City, there would be no problems.

The City Manager thanked the Community Association for opening the Community Center during the fire alert for all the Sheriff and Fire personnel in the City waiting to be deployed, as

there was not enough room for them at City Hall, where the Emergency Operations Center was opened. She added that the gate guards were kind enough to pick up and deliver food for all those at the Community Center that was purchased by the City.

Council Member Siegel commented as follows:

It is his understanding that of all the properties owned and managed by the Conservancy, only Ahmanson permits clearance, a requirement inherited from the previous owner; they do 100' of clearance along the Hidden Hills border, which is a huge benefit to our City; in preparation for a worst case scenario, everything between the Fire Department and the Rangers was coordinated ahead of time; most importantly, it appears everyone was ready ahead of time in case the fire came this way, and also threw everything at the fire before it could jump Topanga and get into the canyons, which then just leads to our back door, across the 101, and on to the ocean if not stopped.

Ms. Grycan stated that the concern with the fire in the beginning was the south end, but it was actually the west end that took off to Simi Valley, which was a surprise and was due partially to the wind shift.

In response to Council Member Fisher, Ms. Grycan said she did not have specifics on the horse evacuations from Hidden Hills, but believed that about 240 horses were taken to Pierce College and the Ventura County Fairgrounds, with approximately 150-160 at Pierce – most of the horses from the other fire went to Hanson Dam.

Mayor Freedland was concerned that a lot of Hidden Hills residents did not take the horse evacuation order seriously. Marv Landon, Association Board Member and liaison to the Hidden Hills Horsemen (HHH) group, stated the following:

The HHH will be preparing a more organized horse evacuation plan; Pierce did run out of space, and the Ventura County Fairgrounds are a long way away; Animal Control is usually good about bringing in trailers, which are needed, as there are quite a few residents who do not have their own trailers; the HHH did have a phone committee going during the recent incident, and they did know who needed help.

Mayor Freedland commented that there are always things that are learned from each incident that will make us smarter during the next incident, and that could be seen with how early equipment and personnel were deployed during the recent fire; however, he was concerned that everyone did not receive the horse evacuation orders, and that more of an effort needs to be made to obtain phone numbers, and especially cell phone numbers.

The City Manager informed the Council of the following:

The City has just switched to Connect CTY, a new emergency notification system, with training to be provided to staff (Emergency Services Director Jim Doran, Assistant Emergency Services Director Gabe Nussbaum, City Manager Cherie Paglia, Deputy City Clerk Deana Graybill, and City Engineer Dirk Lovett) this week; the system currently has only those numbers that are listed in the public phone book white pages; very soon, information will be provided to all residents regarding this new system, and they will be able to use the City's website to access the system and provide whatever phone numbers (including cell phones), emails, or text addresses they wish to use for notification purposes; during this last fire, even though it fell on a holiday when the City and Association offices were closed, she was able to send a horse evacuation message via Connect CTY to the existing numbers; she was also able to reach the Association Manager, who was very helpful during the incident, and sent the City's message out to all the residents via the Association's emergency notification system; they are purposely two different systems, so if one should happen to be down, hopefully the other one would be working; having two systems should also increase our ability to reach as many residents as possible, as one system may have contact numbers that the other one doesn't; during the recent incident, the first horse evacuation notice, as directed by the Sheriff's Department, was voluntary; ½ hour later when the Association sent the City Manager's notice, it was changed to mandatory, at the request of the Fire Department; in the beginning, Animal Control horse trailers were not available as they were helping evacuate horses from the first fire; but when they became available, they went through the City with trailers, and no one wanted to go, as they had heard (from the news on television) that the horse evacuation was not mandatory; what people need to understand is that the fire may not seem that close, but it is important to move the horses early, before the scene becomes more frantic, before Pierce College is full, and especially before the Fire and Sheriff personnel are trying to get into the City; once that happens, the horse trailers block the way, and it is much more difficult for everyone, putting more people in danger.

Mr. Landon stated the following:

He reminded everyone that not only should they have a plan to evacuate their horses, but they should have a backup plan in case they are not home to conduct the evacuation themselves; it would also be helpful to have a holding place for the horses, to which they could first move horses out of the City; once all of the horses were out, then they could be shuttled to either Pierce College or the Ventura County Fairgrounds; if anyone has such a place or knows of one, please let him know; it should be safely out of the direction of the fire, and also as smoke free as possible; these are all things that the HHH will be discussing.

Council Member Fisher suggested El Camino High School, with Council Member Siegel adding that horses could be walked across the freeway bridge to the El Camino Shopping Center. Mayor Freedland asked Mr. Landon to let the City know if they needed help with anything.

In response to Mayor Pro Tem Weber, who asked what “mandatory” meant for horses, Ms. Grycan replied as follows:

When they ask for a voluntary evacuation (warning), they still think you should leave, as it will most likely become mandatory; a voluntary evacuation for people is really a mandatory evacuation for large animals; people historically wait too long before they realize the need to leave; it is one thing for emergency response equipment to compete with cars that are trying to leave a city; it is entirely another thing to compete with trailers and people trying to load those trailers; in a perfect world, the horses would be gone before the actual need to leave arises; is it an inconvenience – yes, but they consider it a small price to pay for what would have happened if the fire actually got to the city; there are no fines or penalties that can be imposed for not evacuating, even during a mandatory evacuation.

Council Member Fisher reminded everyone that during a previous fire, the freeway was jammed and closed, and no one could get out of Hidden Hills via the Long Valley and Round Meadow gates; it was a very dangerous situation, so people should get out when they are told to get out. Mayor Pro Tem Weber, who lives within 500’ of Ahmanson, also remembered seeing people trying to load their horses in the smoke and congestion, and even turning horses loose.

Mayor Freedland raised an issue regarding the locked gate at the end of Long Valley Road leading onto Ahmanson, as the Fire Department was unable to open the gate, resulting in the City having to contact Chief Ranger Walt Young to come and open it. Ms. Grycan was surprised at that, as there should be a universal Knox box at that location which could be opened by any Fire Department. She will check into this issue to see what happened.

Emergency Services Director Jim Doran stated he did not like the idea of any Fire Department personnel possibly being injured because residents took too long to evacuate the horses.

Mayor Freedland wished to thank Jim Doran, Mark Deitch, Gabe Nussbaum, and Martin Zane, who manned the Emergency Operations Center around the clock, went to debriefings, etc., as most people have no idea what these people are doing to protect the City and its residents. He also thanked the City Manager who came in on her day off and spent the entire night.

Council Member Fisher, who stopped in at City Hall to help the day of the fire, also pointed out what a good job the gate guards did. Mayor Freedland, the rest of the Council, and the City Manager all agreed, as the guards were helping with the phones, running errands, helping all the Sheriff and Fire personnel at the Community Center, keeping the lines of communication open between everyone, etc.

Council Member Cohen suggested that perhaps the Association could consider using the guards in the gate houses to better disseminate information during this type of situation, even if that meant just telling people as they came into the City about the horse evacuation in case they did not receive any earlier notification. Mayor Freedland suggested that even a sign might be helpful at each of the gates, such as "Mandatory Horse Evacuation has been ordered".

**E. Consideration of Proposal to Develop the City's Emergency Operations Plan**

Emergency Services Director Jim Doran provided the following report:

He is seeking approval of a proposal to prepare the City's Emergency Operations Plan (EOP), which would provide operational guidelines for the Emergency Operations Center (EOC) and incorporate the National Incident Management System (NIMS) requirements where appropriate; the EOP will comply with the Standardized Emergency Management System (SEMS) regulations, the Incident Command System (ICS), and NIMS; the proposal includes technical assistance from the contractor and the following services: 1) data collection, 2) project manager planning meetings, 3) development of plan format and structure (the contractor will use the Area B template to help reduce the overall costs), 4) development of the draft EOP and organization, 5) interagency coordination (interfacing with the County, School District, American Red Cross, hospitals, utilities, and any other affected local agencies), and 6) compilation of the final document; the contractor will fill out and provide the State Office of Emergency Services' check list that is required for plan review; SEMS/NIMS/ICS are mandatory requirements promulgated by local, state, and national governments for emergency response and disaster planning and operations; the development of the EOP is an important step towards fulfilling those requirements; he would recommend approval of the proposal; this item was included in the Public Safety budget earlier approved by the Council.

In response to Council Member Cohen, Mr. Doran stated that the contractor was well known to him, very qualified, and very experienced.

Upon MOTION of Council Member Cohen, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the expenditure of \$8,750 to Terra Firma Enterprises (TFE) to provide technical assistance and develop the City of Hidden Hills Emergency Operations Plan.

**CONSENT CALENDAR**

- A. City Council Minutes – September 22, 2008**
- B. City Council Minutes – October 13, 2008**
- C. Demand List**
- D. Disbursement List – September**
- E. Financial/Treasurer’s Report – September**

Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Weber and unanimously carried on roll call vote, it was resolved to approve items A, B, C, D, and E of the consent calendar as submitted.

**MATTERS FROM CITY COUNCIL MEMBERS**

- A. Report from 10/6/08 Four Cities/Las Virgenes Unified School District Meeting**

Mayor Freedland announced that he, Council Member Cohen, and the City Manager all attended this meeting, and then asked Council Member Cohen for a report, which he gave as follows:

It was a very broad subject meeting, but well planned; the main objective is to exchange information among the various cities; the biggest complaint is that the last meeting was nine months ago, and too many things can happen in that amount of time, causing cities to move forward on their own; it is certainly okay to do that, but it does seem to help when matters are shared and discussed; for example, Calabasas has scheduled a drive-through flu shot clinic, but just for Calabasas residents; last year it was sponsored by the County and anyone could attend; that is their prerogative, but it is possible that other cities may have wanted to take part in or help with the event; overall the meeting promoted good discussion and some conceptual ideas.

Mayor Freedland added his comments:

Calabasas recently hired, through the Sheriff’s Department, a full-time uniformed School Resource Officer; this person patrols The Commons on the weekend, and then visits school sites during the week, including the high school, and both middle schools in Calabasas; the officer works with the Juvenile Intervention Team (JIT), and gets to know the students; Calabasas did this on their own, which is fine, but again it might have provided an opportunity for all or some of the cities to work together.

**B. Report from 10/21/08 Hidden Hills Community Association Board of Directors Meeting**

Association Board Member Marv Landon provided the following report:

They had their annual election, which was uncontested; incumbents John McGinnis and Cindy Goldstein were elected, along with new Board Members David Brien and Kim Long; they had quite a discussion regarding gate admittance, party lists, call downs, etc.; there are a lot of things on the table, but nothing has been resolved yet; they should be coming back with a plan in several months; they will be replacing two pieces of equipment, a dump truck and a boom truck, at an approximate cost of \$175,000; they have not yet selected officers.

**C. Report from 10/21/08 Las Virgenes Malibu Council of Governments Meeting**

**Consideration of Letter of Support to Governor Schwarzenegger for an Appointment to the Regional Water Quality Control Board**

Council Member Siegel, who serves as the President of the Las Virgenes Malibu Council of Governments (COG), reported the following:

The last two COG meetings, due to the number in attendance, were held at the Calabasas City Hall, with representatives from the County, the Water District, and the five cities, including the cities' environmental technical experts; per laws established by the Federal Government, water has to be clean, which seems simple; however, how to do that is not really defined nor the goals attainable, especially since environmental groups have taken over the process; even cities like Malibu, which has spent millions of dollars in attempting to provide clean water, has been sued for not doing enough; the Executive Director of the Regional Board, even though extended an olive branch by the Malibu City Council, has stated that the Regional Board Members may not talk to the City Council while they have a pending issue; there are two ideas on how to deal with these water issues and the Regional Board; the City has joined an organization called the Los Angeles Stormwater Quality Partnership (LASQP), which is trying to work in Sacramento to create a more favorable climate and possibly influence appointments to the Regional Board; another idea, instead of spending millions to try to achieve unattainable goals and then being sued, is to do nothing; then if a City is sued, let the judge make a decision on what the City would be required to do, which should be much more reasonable; recently, the Governor appointed a local resident, Alex Soteras, to fill an unexpired term on the Regional Board; even though he was only one of nine Board Members, the Board and environmental groups were not happy with his appointment as he was more moderate; that short term has expired, and the environmental groups do not want Mr. Soteras

reappointed; he is asking that the Council authorize the Mayor to send a letter to the Governor encouraging the reappointment of Mr. Soteras, as it is critical he serve on the Board to provide more support to our cities; he would also like to send a personal letter to the Governor supporting Mr. Soteras, as a Hidden Hills Council Member and President of the COG, making it very clear that the letter represents his individual views.

The Council Members all approved Council Member Siegel's request, directing staff to draft two letters, one from the Council and signed by the Mayor, and the other from Council Member Siegel personally.

### **Los Angeles Regional Interoperable Communications System (LA – RICS)**

Council Member Siegel then provided information to the Council as follows:

Several years ago there was an instance involving fire personnel from two different agencies, with each agency on a separate hill looking at each other; they could not talk directly to each other, as calls had to go from one agency to a central command and then be relayed to the other agency; as the fire approached one agency on one hill, the other agency could see it approaching but could not warn the other agency directly, resulting in injuries; the LA-RICS system would resolve that issue, allowing all public safety agencies that operate in the region to communicate with each other; this is a countywide effort, involving LA County Sheriff and Fire, City of Los Angeles Police and Fire, School District, etc.; as a contract city with the Sheriff's Department, Hidden Hills does not have to deal with this issue on its own, but they are looking for money and support from all 88 cities in the County; this will be presented to the Council in the future for consideration.

The City Manager added the following:

The cost for LA-RICS is currently estimated at between \$600 - \$700 million; some funding has been received, with more funding and grants to be sought; LA County has already approved the Memorandum of Understanding (MOU) in relation to designing and providing the system, with the City of Los Angeles reviewing the MOU at this time; once it is approved by the City of Los Angeles, the other cities in the County will be given 45 days to sign the MOU; by signing the MOU, it shows solidarity and a regional effort, which is often better for obtaining grants; if the MOU is signed by a city, that will also provide more representation at the table regarding the system and cost sharing arrangements; realistically, the City would have representation through other contract cities that would most likely sign the MOU; there is a clause in the MOU, stating that once the actual cost and cost sharing arrangement is determined, a city can opt out of the

MOU if it does not like that arrangement; the opt out clause really is meaningless, because even if the MOU is never signed, or it is signed and the City opts out later, the City will still have to pay in some manner as a contract city receiving Sheriff services; however, it is a very important system that should be supported, so once the MOU is approved by the City of Los Angeles, staff will return to the Council for its consideration of approval of that MOU.

### **MATTERS FROM STAFF**

#### **A. Building Code Effectiveness Grading Schedule**

The following report was provided by Building Official Greg Robinson:

The City's Building Department recently received a Class 2 BCEGS rating from the Insurance Services Office, Inc. (ISO); the ISO reviews Building Departments every five years; the Class 2 rating puts the City's Building Department in the top 2% in the country; of the 8400 jurisdictions rated, only 144 received at least a Class 2 rating, including Hidden Hills.

#### **B. Consideration of Proposed Resolution Regarding the City's March 3, 2009 Regular Municipal Election**

The City Manager informed everyone that even though the next election for the City Council is not until March 3, 2009, the process actually begins now. She added that two seats were up for election, and that a resolution needed to be adopted at this time calling the election and establishing procedures for that election. Upon MOTION of Council Member Cohen, seconded by Council Member Fisher and unanimously carried, it was resolved to adopt by title only Resolution No. 817 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS CALLING AND GIVING NOTICE OF A REGULAR MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, MARCH 3, 2009 FOR THE PURPOSE OF ELECTING MEMBERS OF THE CITY COUNCIL AND ESTABLISHING CERTAIN PROCEDURES FOR THE CONDUCT THEREOF.

**C. 2008 Fiesta**

The following report was provided by the City Manager:

The preliminary report on the Fiesta shows expenditures at \$80,099.09 and income at \$34,291.00, resulting in a cost of \$45,808.09; this cost is \$1208.09 more than expected per the original budget, although an additional \$3000 in expenditures was approved by the Council after that budget was approved; there was quite a bit of candy left over from the Fiesta, which was sold at a reduced cost to the Community Association for its Halloween party.

Resident Bonnie Frank has agreed to Co-chair next year's Fiesta with Deputy City Clerk Deana Graybill; they have reviewed the 2009 calendar, which shows Rosh Hashanah beginning on the evening of September 18th, and Yom Kippur beginning on the evening of September 27<sup>th</sup>; since the rides are not available on October 3<sup>rd</sup>, the Co-chairmen are suggesting the weekend of October 10<sup>th</sup> and 11<sup>th</sup> for the 2009 Fiesta.

All of the Council Members agreed to schedule next year's Fiesta for the weekend of October 10-11, 2009.

**D. Charles Abbott Monthly Report - September**

The report was received and filed.

City Attorney Roxanne Diaz and Assistant City Attorney Steve Orr joined the meeting at this time.

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL**

**Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(c):  
Number of Potential Cases: 1**

Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to adjourn to closed session at 8:45 p.m., at which time the City Attorney announced that the Council in closed session would be discussing the item listed above.

Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to return to open session at 9:25 p.m., at which time the City Attorney 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 Cohen, seconded by Council Member Fisher and unanimously carried, it was resolved to adjourn the regular meeting of October 27, 2008 at 9:26 p.m.

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Steve Freedland, Mayor

ATTEST:

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Cherie L. Paglia, City Manager/City Clerk