

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, September 10, 2012

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, September 10, 2012 at the hour of 7:31 p.m. Mayor Stuart E. 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 Steve Freedland
Council Member Jim Cohen
Council Member Marv Landon
Council Member Larry G. Weber

Staff:

City Attorney Roxanne Diaz
City Engineer Dirk Lovett
City Manager Cherie L. Paglia

APPROVAL OF AGENDA

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Weber and unanimously carried, it was resolved that the agenda for the September 10, 2012 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Siegel made the following announcements:

All tickets for the Fiesta (9/22-23) are now on sale at City Hall; all residents should have received a Fiesta brochure in the mail; if not, there are extra copies at City Hall; volunteers are still needed in different areas; this would be a good way for students to get community service hours; call City Hall with any questions.

Happy birthday to Council Member Weber's son Connor (9/14) and to Council Member Cohen's daughter Dana (9/16).

Rosh Hashanah begins at sundown on Sunday, 9/16.

Happy anniversary to Mayor Pro Tem Freedland and his wife Susan (9/24).

Yom Kippur begins at sundown on Tuesday, 9/25.

AUDIENCE

Resident Charley Caspary, the City's elected representative on the Las Virgenes Municipal Water District (LVMWD) Board, and Jeff Reinhardt, the LVMWD Public Affairs Manager, addressed the Council, notifying everyone of upcoming rate increases and providing dates and locations of related public workshops/open houses.

PRESENTATIONS

A. City Plaques/Hidden Hills Youth Recognition Program Recipients

On behalf of the Council, Mayor Siegel presented City plaques (along with a "goodie bag") to each of the following: Colin Bernstein and Joslyn Bernstein.

B. City Certificates/2012 Student Achievement Recipients

On behalf of the Council, Mayor Siegel presented City certificates (along with a “goodie bag”) to each of the following: Felicity Black/A.E. Wright Middle School; Rayce Aaronson/Round Meadow Elementary School; Joslyn Bernstein/Sierra Canyon School.

C. Consideration of Issuance of Proclamation for Childhood Cancer Awareness Week September 30th – October 6, 2012

D. Consideration of Issuance of Proclamation for “It Can Wait – No Texting While Driving Pledge Day” September 19, 2012

Upon MOTION of Council Member Cohen, seconded by Council Member Landon and unanimously carried, it was resolved to issue the two proclamations listed in Items C and D above.

CONSENT CALENDAR

- A. City Council Minutes – August 13, 2012**
- B. City Council Minutes – August 27, 2012**
- C. Demand List**
- D. Disbursement List - July**
- E. Financial/Treasurer’s Report – July**

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Cohen and unanimously carried on roll call vote, it was resolved to approve items A, B, C (with Council Member Weber recusing himself from #11 on Item C), D, and E of the consent calendar as submitted.

MATTERS FROM CITY COUNCIL MEMBERS

- A. Report from 8/21/12 Hidden Hills Community Association Board of Directors Meeting**

Association Board Member Bret Katz reported the following actions taken by the Board:

Approved a lot tie of two lots on Long Valley Road; overturned an Architectural Committee decision regarding a property with three driveways; approved a budget for the Halloween party; appointed the nominating committee for the upcoming election, with the committee consisting of John McGinnis, Cindy Goldstein, Ron Wolfe, Teri Fisher, and Ellie Sambol; thus far there are two potential candidates for the upcoming election – Rick Morris and Steve Bond.

B. Consideration of Letter of Support for the Reappointment of Mary Ann Lutz to the Los Angeles Regional Water Quality Control Board

Mayor Siegel asked for permission to send a letter to Governor Jerry Brown in support of the reappointment of Mary Ann Lutz to the Los Angeles Regional Water Quality Control Board. He explained that this matter has been discussed several times at the COG meetings (and therefore reported by him to this Council), and that Ms. Lutz, who also serves as the Mayor of Monrovia, has been a fairly singular voice of reason on the Board in support of municipalities. The Council directed staff to prepare the support letter for the Mayor's signature.

C. Discussion Regarding the Issuance of Identifying Badges for Members of the City Council and City Manager

Mayor Siegel stated that Council Member Weber asked to discuss this item after all badges that had been issued over the years to City officials by the Sheriff's Department were recently recalled by Sheriff Baca. City Attorney Roxanne Diaz presented background information on the badges, some of the reasons they were recalled, legal opinions on how badges could and could not be used, and what types of badges could be issued by individual cities if so desired. The Council and staff then discussed whether or not there was a need for the City to design and issue its own badges, mainly for the purpose of identifying City officials during emergencies. Council Member Landon offered to work with a company to design a sample City badge if the Council Members wanted City badges.

It was pointed out that the Council Members and City Manager still have a picture ID issued by the Sheriff's Department and signed by Sheriff Baca, which would likely be more recognized and acceptable in case of an emergency than a City issued badge. These IDs have an expiration date commensurate with the end of a Council Member's term. After further discussion, the Council Members decided to wait and see if those Sheriff issued IDs would be renewed upon their expiration dates, and if not, to then revisit this issue.

Resident Bret Katz asked if the Sheriff badges encased in Lucite would still be issued to City officials, and offered his opinion that Council Members should have some type of badge identifying them as City officials. The City Manager said she has been discussing with the Sheriff's Department the possibility of having badges previously in the possession of current Council Members (who had to return their badges) encased in Lucite and provided to those Council Members upon their retirement. She will continue to pursue this matter.

MATTERS FROM STAFF

A. Consideration of Approval of Amendment Number One to the Memorandum of Agreement Between the Gateway Cities Council of Governments and the City of Hidden Hills Regarding the Administration and Cost Sharing of the Coordinated Monitoring Plan for the Los Angeles River and Tributaries Metals TMDL

City Engineer Dirk Lovett provided the following report:

In 2007, the Los Angeles Regional Water Quality Control Board (Regional Board) adopted the Los Angeles River (LAR) and Tributaries Metals Total Maximum Daily Load (TMDL); the TMDL required the LAR watershed cities and agencies to develop a coordinated monitoring plan (CMP) to assess the amount of metals pollutants in the LAR; in 2009, forty-two cities/agencies in the LAR watershed approved a Memorandum of Agreement (MOA) with the Gateway Cities Council of Governments (GCCOG) to fund and share the costs of the CMP; that MOA expired in June of this year; the Regional Board has indicated that the next municipal separate storm sewer system (MS4) permit requires continued metals monitoring; the LAR CMP Technical Committee has recommended a one-year extension to the MOA called Amendment Number One; the City's share of the cost is \$1505.11, which has already been budgeted for; staff would recommend approval of the Amendment.

Council Member Cohen felt the City really did not have much of a choice, with Mayor Siegel pointing out that if the City had to conduct this monitoring on its own, the cost would be much greater. Upon MOTION of Council Member Cohen, seconded by Council Member Landon and unanimously carried on roll call vote, it was resolved to approve Amendment Number One to the Memorandum of Agreement Between the Gateway Cities Council of Governments and the City of Hidden Hills Regarding the Administration and Cost Sharing of the Coordinated Monitoring Plan for the Los Angeles River and Tributaries Metals TMDL.

B. Consideration of Proposed Ordinance Regarding Adoption of Title 10/Animal Control – First Reading

The following report was provided by City Attorney Roxanne Diaz:

The City periodically adopts by reference the County's animal control ordinance referred to as Title 10; the County periodically makes amendments to Title 10; after adopting Title 10 and amendments in the same manner for many years, the City was told that the right format was not used for the most recent adoption; after almost a year of discussions with the County, the City was finally given a format that would be acceptable to the County, resulting in the rather lengthy ordinance being presented for first reading; the ordinance also continues the local amendments that differ from the County's ordinance.

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon 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 ADOPTING BY REFERENCE TITLE 10, ANIMALS, OF THE LOS ANGELES COUNTY CODE AND AMENDING THE HIDDEN HILLS MUNICIPAL CODE, and further resolved to set a public hearing on the adoption of the ordinance for Monday, October 8, 2012 and to advertise the public hearing according to Government Code Section 50022.3.

C. Consideration of Proposed Ordinance Regarding Emergency Services – First Reading

The City Manager informed the Council of the following:

The City's current Municipal Code establishes a Director and Assistant Director of Emergency services; these positions are currently held by Jim Doran and Gabe Nussbaum, respectively; Mr. Doran would like to cut back somewhat on the time spent fulfilling his volunteer responsibilities, and feels that adding a third Emergency Services position would help both him and Mr. Nussbaum in covering the different areas of emergency services; they are at this time actually receiving some assistance from Public Safety Commissioner Martin Zane; Mr. Doran and staff would like to recommend that the Code be amended to establish an Emergency Services Director, a Deputy Director, and an Assistant Director; if this ordinance is approved, Mr. Doran would then return with a recommendation to appoint Mr. Nussbaum as the Director, who could then (according to the ordinance and with the consent of the Council), recommend the appointment of Mr. Doran and Mr. Zane to the other two positions.

Upon MOTION of Council Member Cohen, seconded by Council Member Weber and unanimously carried, it was resolved to give first reading by title only to an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS REGARDING THE OFFICE OF EMERGENCY SERVICES AND AMENDING THE HIDDEN HILLS MUNICIPAL CODE.

D. Discussion Regarding Upcoming City Council Meeting Schedule

After a short discussion regarding holidays and the Fiesta dates, the Council Members chose to cancel the City Council meeting regularly scheduled for September 24, 2012 (directly following the Fiesta) and to hold the City Council meeting regularly scheduled for October 8, 2012, even though that meeting falls on a holiday (Columbus Day).

E. Consideration of Estimates/Bids to Provide Landscape Maintenance at the Round Meadow/Mureau Road Intersection

City Engineer Dirk Lovett provided the following information:

Staff feels that professional landscape maintenance is needed due to the size and complexity of these two locations; three bids were obtained, with the low bid being \$335/month, covering both corners; the Enhanced Landscape Management bid was quite a bit lower since they are already doing the maintenance at City Hall, and other private locations throughout the City; the proposal also includes a one time clean-up and rodent

control treatment at a cost of \$685; no general funds will be spent on this landscaping, as the City has been given permission to use Prop C funds, which cannot be used inside of the gates; the City currently has approximately \$110,000 in Prop C funds, and continues to receive about \$2,000 monthly.

In response to Mayor Pro Tem Freedland and Council Member Landon, staff explained that all the dying material will be removed in connection with the one time clean-up, that the Association's maintenance crew would continue to maintain the wall and the small landscaped corner right across from Round Meadow School, and that the oleanders were not included in any of the maintenance as they were on the Haller property above the wall, not on City property. Upon MOTION of Council Member Cohen, seconded by Council Member Landon and unanimously carried on roll call vote, it was resolved to approve a maintenance contract with Enhanced Landscape Maintenance to provide once a week services for both corners at the Round Meadow Road/Mureau Road intersection at a cost of \$335/month, and to also approve a one-time expenditure of \$685 for initial clean-up and rodent control treatment, all to be paid from Prop C funds.

F. Consideration of Approval of a Resolution Regarding Governmental Accounting Standards Board Statement No. 54

The City Manager reported the following:

The Government Accounting Standards Board (GASB) has issued Statement No. 54 intended to improve financial reporting by providing more clearly defined fund balance categories and classifications; per the City's auditors, the City must now, in accordance with this Statement, adopt a fund balance policy; in the policy, under Emergency Reserve, the City is committing to an emergency reserve equal to one year's expected expenditure; this varies by City, usually depending on the amount of reserves, with many of the cities using the one year measure.

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Cohen and unanimously carried, it was resolved to adopt by title only Resolution No. 846 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS APPROVING AND ADOPTING A FUND BALANCE POLICY AND AUTHORIZING THE CITY

MANAGER AND/OR CITY TREASURER TO ASSIGN FUND BALANCE TO A SPECIFIC PURPOSE IN RELATION TO THIS FUND BALANCE POLICY.

G. Consideration of Proposed Resolution Regarding the City's March 5, 2013 Regular Municipal Election

The City Manager explained that this resolution had to be adopted before October 15, 2012 to begin the process for the City Council election scheduled for March of 2013. Upon MOTION of Council Member Weber, seconded by Council Member Cohen and unanimously carried, it was resolved to adopt by title only Resolution No. 847 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS CALLING FOR THE HOLDING OF A REGULAR MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, MARCH 5, 2013 FOR THE PURPOSE OF ELECTING MEMBERS OF THE CITY COUNCIL AND ESTABLISHING CERTAIN PROCEDURES FOR THE CONDUCT THEREOF.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL

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

At this point, Mayor Pro Tem Freedland recused himself from the meeting due to a conflict.

Upon MOTION of Council Member Cohen, seconded by Council Member Weber and unanimously carried, it was resolved to adjourn to closed session at 8:28 p.m., at which time City Attorney Roxanne Diaz announced that in closed session the Council would be discussing the item listed above.

Upon MOTION of Council Member Weber, seconded by Council Member Landon and unanimously carried, it was resolved to return to open session at 8:47 p.m., at which time City Attorney 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 Council Member Weber, seconded by Council Member Landon and unanimously carried, it was resolved to adjourn the regular meeting of September 10, 2012 at 8:48 p.m.

Stuart E. Siegel, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk