

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, February 24, 2014

*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, February 24, 2014 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 Marv Landon  
Council Member Jim Cohen  
Council Member Stuart E. Siegel

Staff:

City Engineer Dirk Lovett  
Environmental Consultant Joe Bellomo  
City Manager Cherie L. Paglia

Absent:

Council Member Larry G. Weber

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

### APPROVAL OF AGENDA

Upon MOTION of Council Member Siegel, seconded by Council Member Cohen and unanimously carried, it was resolved that the agenda for the February 24, 2014 regular meeting be approved as submitted.

### ANNOUNCEMENTS

Mayor Freedland made the following announcements:

Daylight saving time begins Sunday, 3/9; don't forget to set your clocks ahead one hour; this is also a good time to change batteries in any smoke detectors.

Congratulations to those involved with this past weekend's Valentine's Musicale; it was a little different this year, but very enjoyable.

Best wishes to Jim Doran for a quick recovery after breaking his hip recently.

We understand Joe Bellomo's young son Sal is ill and will be receiving treatments over the next six to seven months; the Council would like to wish Sal and Joe's entire family the best during these difficult times, and hope for a quick recovery.

### AUDIENCE

There were no questions or comments at this time.

### PRESENTATIONS

#### **A. By Las Virgenes Municipal Water District Regarding 2014 Water Supply/Drought**

Mayor Freedland introduced LVMWD Board President Charles Caspary, Public Affairs and Communications Manager Jeff Reinhardt, and General Manager Dave Pedersen. Mr. Pedersen made a presentation to the Council, providing an update on the 2014 water supply and drought response (slide handout is available at City Hall). During the presentation, Mr. Pedersen stressed the importance of conservation, and informed the Council of a program whereby you can anonymously report incidents of water being wasted (such as a broken sprinkler, water running down the gutter, etc., that someone may not be aware of) by sending a photo or email from your

smart phone (you do not have to provide the address if you have the GPS activated on your phone) to: [stopthewaste@LVMWD.com](mailto:stopthewaste@LVMWD.com) or by calling the LVMWD at 818.251.2200.

Council Member Siegel asked about the Delta smelt issue, and how much of that is a factor in the lack of water in southern California. Mr. Pedersen stated the following:

it is a very complicated issue, but it is a major factor at this time; in December of 2012 there were heavy rains; unfortunately at that same time, the smelt were in the southern part of the Delta where the water is pumped into the aqueduct and then to the reservoir for storage; during that month alone 800,000 acre feet of water could not be pumped and stored, since the pumps were turned off because of the smelt; that water went into the bay and was lost; for comparison purposes, a typical family uses 1/2 - 3/4 acre feet in one year; the tunnels proposed in the Bay Delta Conservation Plan would allow water to be moved through the area and stored when it is plentiful and available without affecting the endangered fish.

Resident Brett Katz wondered what percentage of water goes to residential customers as opposed to that used by commercial irrigation. Per Mr. Pedersen, about 95% of water use in our area is for residential, as we do not have much agriculture; however, statewide, water being used for agriculture is probably close to 70%. Mr. Katz then asked since a majority of the water was being used for agriculture, why plants are still being irrigated like it was the 12th century (flood irrigation, rainbirds, etc.) instead of using more modern methods. Mr. Pedersen responded as follows:

that is always an issue; however, the agricultural community has made huge advances in technology and improved efficiency, but it is largely driven by cost; around Sacramento, it is hard to believe, but there are still some areas that do not have water meters; statewide, though, there is a movement toward efficiency, with some areas moving faster than others; we should see it get better, but it does take time.

Resident Ady Gil asked if the "Mow No Mow" lawn replacement program would apply to artificial turf, to which Mr. Pedersen stated the following:

when this program was conceived, the idea was to encourage a change in attitude to remove lawns and move toward drought tolerant plantings; even though the artificial turf does not use water, it was felt it still looked like a lawn and was not helping change attitudes; however, customers have suggested that since the artificial turf accomplishes

the goal and does not require water, it should be a part of the program; communities can certainly have a say in this, and there are many homeowner's associations that do have policies relating to artificial turf; staff will address the issue and probably recommend to the Board, which has the final decision, that artificial turf be included in the program in the future.

The Council thanked Mr. Pedersen for his presentation.

**B. Consideration of Approval of Community Assistance Grant to Calabasas High School/Parent Faculty Club for Support of the Every 15 Minutes Program**

Mathy Wasserman, Hidden Hills resident and member of the Fundraising Committee, asked for the Council to consider a community assistance grant in the amount of \$2500 to help cover the costs of the two-day Every 15 Minutes Program (total cost of the Program is approximately \$30,000). She added that the Program is presented by the Calabasas High School/Parent Faculty Club in conjunction with numerous local emergency responders, cities, and businesses, etc.

In response to Mayor Freedland, the City Manager said the Council approved that same amount two years ago when the Program was presented at Calabasas High School (every other year it is presented at Agoura High School). He expressed his belief, especially after speaking with his own children who experienced the Program, that it had a major influence on the high school students. Upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Landon and unanimously carried on roll call vote, it was resolved to approve a community assistance grant in the amount of \$2500 to Calabasas High School/Parent Faculty Club in support of the Every 15 Minutes Program.

**PUBLIC SAFETY**

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

The following report was presented by Community Services Representative Maria Grycan:

During the month of January there were 13 responses, with 7 of those being medical calls and 6 being good intent calls; there were no fires and no snakes reported; the Fire

Prevention Bureau conducted 4 inspections, and there were 3 plan checks; rain is on the way, so people should prepare.

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

Lt. Dave Thompson provided the following information:

January was pretty uneventful with no arrests or accidents, and only one Part I crime, that being the petty theft of a cell phone; 14 citations were issued, of which 11 were hazardous and 3 non-hazardous, with the majority being for stop sign violations; the Motors wrote 7 of those citations; no drivers/vehicles were reported to the STTOP program.

Council Member Siegel asked if there was any resolution in the investigation of the recent collision on Mulholland (not in Hidden Hills) between a Sheriff's Deputy in a vehicle and a bicycle rider, as there are some people in Hidden Hills who belong to riding clubs, knew the rider who was killed, and believe the investigation is taking a very long time. Lt. Thompson stated the following:

this accident was certainly a tragedy; everything that can be done to resolve the matter will be done; the case has been presented to the District Attorney; it usually takes awhile (the District Attorney still has not ruled on the Justin Bieber case that was submitted), so there is no way of anticipating the length of time it will take; the Deputy is no longer at the Lost Hills Station, as he was transferred by Sheriff Baca; all they can do at this point is wait to hear from the District Attorney on his decision; he will update the Council if and when any additional information becomes available.

**PUBLIC HEARING**

**Request for Lot Merger of Contiguous Parcels Located at 5546 Jed Smith Road - APN Numbers 2049-002-033 and 2049-002-035 (Gil)**

Mayor Freedland stated that he has a conflict in relation to this item since he lives within 500' of the subject property. He therefore recused himself and left the Council Chambers, turning the meeting over to Mayor Pro Tem Landon.

City Engineer Dirk Lovett presented the following staff report:

the applicant is requesting a merger of two parcels located at 5546 Jed Smith into one property that would total approximately 2.36 acres; the merger is being requested to remove the existing lot line that divides the two adjacent properties to allow for the demolition of the existing home and the building of a new home on the property that would otherwise be prohibited by the existing property line setbacks; there is currently a residence and sport court on parcel 33 (that fronts on Jed Smith) and a barn on parcel 35 (that fronts on Jacob Hamblin); the new residence is proposed for parcel 33, while a staff house and detached garage will be located on parcel 35; the Community Association has reviewed and approved the lot merger; the City's Municipal Code allows mergers of contiguous parcels if the City's Planning Agency, which is the City Council, finds that certain provisions of the Government Code are satisfied; notices were sent to all property owners within a 500' radius of the subject property and posted as required; no official comments have been received to date; however, there were some phone calls from residents with questions that were answered by staff; staff feels the provisions of the Government Code can be met, and would therefore recommend approval of the merger request and adoption of the proposed resolution; if there are any questions, the owner/applicant is in attendance.

Mayor Pro Tem Landon opened the public hearing. As there were no comments from the audience, he closed the hearing. Mayor Pro Tem Landon reported visiting the site, as did Council Member Siegel, with Council Member Cohen stating he had not been to the site.

Mayor Pro Tem Landon stated that he originally had concerns about the trail running between these two parcels, as he thought the trail might be abandoned, but that is not the case and the trail will remain as it is per an agreement the owner has with the Community Association.

City Engineer Lovett explained the following in response to questions from Council Member Cohen and Council Member Siegel:

the Community Association will maintain the trail easement and continue to maintain the trail, even though it crosses what will be one property if the merger is approved; there is no easement required by the City, as the trails are solely under the jurisdiction of the Association; the Association wants to keep that loop of the trail system in place, but if the Association finds an alternate loop, they could abandon the easement and the trail in the future; the merger will be recorded and it will include a specific easement for the trail to the Community Association; there will be a paved driveway from Jacob Hamblin to the rear parcel where the staff house and garage will be located; there will be walking access

between the two parcels, but no connecting driveway; it is not the trail but the actual property line that currently exists at the trail location which would cause a setback issue and restrict the building of the new house if the parcels are not merged.

The City Manager explained that the Community Association entered into an agreement with the previous owner that the two parcels could never be sold separately, so the Association has considered these two parcels as one lot since that agreement was recorded. However, for the City there was never an official lot tie/merger, which is why this formal action is now being taken.

As there was no further discussion, upon MOTION of Council Member Siegel, seconded by Council Member Cohen and unanimously carried, it was resolved to make the required findings, approve the lot merger, and adopt by title only Resolution No. 866 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS SITTING AS THE PLANNING AGENCY APPROVING A REQUEST FOR A MERGER OF CONTIGUOUS PARCELS LOCATED AT 5546 JED SMITH ROAD.

Mayor Freedland rejoined the meeting at this time.

**CONSENT CALENDAR**

- A. City Council Minutes - January 27, 2014**
- B. City Council Minutes - February 10, 2014**
- C. Demand List**
- D. Disbursement List - January**
- E. Financial/Treasurer's Report - January**

Upon MOTION of Council Member Cohen, seconded by Mayor Pro Tem Landon 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 2/18/14 Hidden Hills Community Association Board of Directors Meeting**

Association Board Member and City liaison Bret Katz provided the following report:

he is happy to report that a quorum was achieved for the annual election; Board Member Mitch Jacobs was termed out, two existing Board Members were reelected (he and Rob Raznick), with Deb Spellman being the new Board Member elected; he wished to thank the City for sending two representatives to the meeting to honor Mr. Jacobs; the Board had a going-away party for Mr. Jacobs, whose time and energy spent on behalf of the Association is much appreciated; a \$3492 budget was approved for the Valentine Musicale, which was a great event attended by about 180 people, including himself and Mayor Freedland; a budget was approved for both the 3/16/14 Saint Patrick's Day gymkhana (10 a.m.), and the 3/16/14 wine and cheese night (5:00 p.m. - 7:00 p.m.); the new resident party will be held on 5/17/14; Gateworks has a phone app (that can be purchased for 99 cents) to manage guest lists, etc. from your cell phones; a variance was approved at 24501 Deep Well Road, where the house is already in the setback; another discussion occurred on the proposal for SCE to put electrical vaults in the parkway near Long Valley/Paradise Valley in relation to a City undergrounding project; this was tabled again so more information could be obtained; hopefully the Board will take action at its next meeting; Board officers will be elected during the next executive session.

In response to Council Member Cohen, Mr. Katz explained that a resident raised the issue of assessments during the open discussion session, stating that it takes the County so long to adjust an assessment, that the homeowner does not get the benefit of that reduced assessment value on the Association's billing for dues. He added that it will take some time for the Association to look into this matter.

**B. Report from 2/18/14 Las Virgenes Malibu Council of Governments Meeting**

Council Member Siegel updated the Council as follows:

there were two major issues addressed at the meeting; Dave Pedersen from the LVMWD gave the same presentation that he made here earlier this evening; there was also a presentation by Kian Schulman from the Malibu Agricultural Society regarding the use of rat traps that use a poison that then passes from a poisoned dead or dying animal into the food chain, killing other animals; in reviewing the information provided, he did not see any real hard scientific evidence; Ms. Schulman would like to make a presentation at a

future City Council meeting; her goal is to have Hidden Hills pass a resolution of support for trying to eliminate the use of such traps; Malibu, Agoura Hills, and Calabasas have all adopted resolutions encouraging businesses in their cities to stop the sale of the traps; however, Hidden Hills has no businesses; he thought Ms. Schulman was very courteous and very passionate, and had obviously spent a lot of time on this matter, so was asking the Council to consider inviting her to a future meeting to make her presentation.

Resident Charles Caspary suggested that the Council investigate the science behind these claims, and if there is no scientific evidence, to not do this. He added that this is a very sore subject with him, as the LVMWD (he is the Board President) has been forced to spend a great deal of money (which comes from the residents) trying to comply with regulations not based on scientific information. Mayor Freedland said the Council was not making any commitment to take any regulatory action, but just looking at inviting Ms. Schulman to make her presentation. The Council agreed, so staff will contact Ms. Schulman.

#### **MATTERS FROM STAFF**

##### **A. Consideration of Approval of Lot Line Adjustment Between 25131 Butterfield Road and 5515 Dixon Trail Road**

City Engineer Dirk Lovett provided the following staff report:

this application is for a lot line adjustment between two contiguous properties owned by the same family (Gebbia Living Trust); the proposal is to adjust the lots to transfer approximately 23,030 square feet from 5515 Dixon Trail Road to 25131 Butterfield Road to control the landscape and maintenance of the hillside, consistent with subdivision practices.

In response to questions from Mayor Freedland, Mike Dehard addressed the Council:

he is the representative for the Gebbias, who own both properties; this request is definitely in relation to a maintenance issue; when it rains, there have been drainage and flooding problems affecting the lower property, coming from the upper property; they would like to install appropriate drainage measures to prevent that problem; they could possibly also put in drought resistant plants in the future, where the hillside is now bare.

City Engineer Lovett further reported that this lot line adjustment has been approved by the Community Association and is consistent with all the City's regulations, with both properties still

exceeding one acre in size. He believes that the required findings can be made, and would therefore recommend that the lot line adjustment be approved and recorded.

Mayor Freedland and Council Member Siegel reported walking the site, with Mayor Pro Tem Landon stating he was familiar with the property and listened to the presentation and information provided at the Association meeting when that agency approved the lot line adjustment. Council Member Cohen said he did not visit the site. As there were no further comments, upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Landon and unanimously carried, it was resolved to approve the lot line adjustment between two contiguous properties at 5515 Dixon Trail Road and 25131 Butterfield Road, as the required findings could be made, and to direct staff to record the lot line adjustment and certificate of compliance for the new lots, subject to final review as to form and completeness by the City Engineer.

**B. Consideration of Approval of Memorandum of Agreement with the Gateway Cities Council of Governments (GCCOG) Regarding the Administration and Cost Sharing of the Coordinated Monitoring Plan for the Los Angeles River and Tributaries Metals TMDL**

Environmental Consultant Joe Bellomo presented the following information:

in 2007 the L.A. County Regional Water Quality Control Board adopted a metals TMDL that named all responsible agencies and jurisdictions draining to that main stem and its tributaries as a potential source for metals, including the County and City of Hidden Hills; there were many requirements in that TMDL, one of which was a Coordinated Monitoring Plan (CMP); Hidden Hills participated, with other jurisdictions, in the development and submittal of a CMP that was approved by the Regional Board in 2008; shortly after that, L.A. County and a number of municipalities, including Hidden Hills, signed a Memorandum of Agreement (MOA) with the Gateway Cities Council of Governments (GCCOG) so that agency could administer the CMP, while the City of Los Angeles would implement the program as it has a large area in the watershed and the monitoring equipment and staff to conduct it; the original MOA expired on 6/30/12, and was then extended one year to 6/30/13, at which time it expired; the item before the Council now is to consider the next generation of the MOA to continue the monitoring program; the TMDL again names the City as one of the responsible agencies; the TMDL itself was incorporated into the NPDES permit, giving it regulatory teeth, so the City is

obligated to conduct this monitoring; staff looked at options and has found nothing more affordable than this program with the GCCOG and the other watershed partners; there is some good news; last year the City made the decision to join in an Enhanced Watershed Management Plan (EWMP) group and to develop a Coordinated Integrated Monitoring Plan (CIMP); the consultant working on this is doing a good job putting together a coordinated effort of all TMDLs and the monitoring requirements in them; the consultant is using innovative thinking in looking at which TMDLs are exceeding and which are not; in relation to the metals TMDL, there is no evidence of metal exceedence in many of the tributaries, so we are looking at the CIMP to reduce the amount of activity that is required in the monitoring program; this MOA is just to bridge the gap until we can get approval of the CIMP and then execute an MOA to have just one combined monitoring program.

Mayor Freedland pointed out that the annual cost would be \$1,523.74 to cover the period from July 1, 2013 through June 30, 2014 (which is a budgeted item in this fiscal year), with two automatic one year renewals, provided that any escalation in cost does not exceed 10% of the previous year cost. He added that the City can withdraw from the MOA upon a 30-day advance notice. Mr. Bellomo felt that once the CIMP is approved and agencies have an opportunity to execute a new MOA and program for that CIMP, most agencies will most likely withdraw from this current MOA.

Council Member Siegel had a question regarding the testing, to which Mr. Bellomo responded as follows:

the City of Los Angeles sends out crews to collect through grab samples at various locations during dry weather; during wet weather, there is equipment that is used to pull up at regular intervals columns of water; these samples are sent to labs and analyzed.

As there was no further discussion, upon MOTION of Council Member Siegel, seconded by Council Member Cohen and unanimously carried on roll call vote, it was resolved to: approve the City's participation in the Los Angeles River and Tributaries Metal TMDL required CMP; approve the Memorandum of Agreement with the Gateway Cities Council of Governments (GCCOG) Regarding the Administration and Cost Sharing of the Coordinated Monitoring Plan

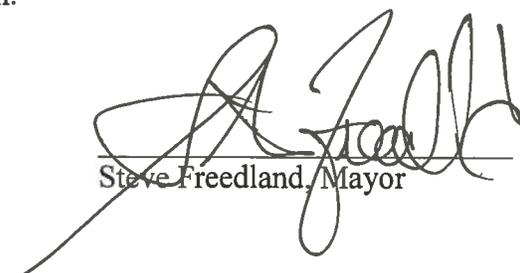
for the Los Angeles River and Tributaries Metals TMDL, subject to final approval by the City Attorney; and authorize the payment to the GCCOG of \$1523.74 for the 2013-2014 fiscal year.

**C. Calabasas Library Commission Report**

The report was received and filed.

**ADJOURNMENT**

There being no further business to come before the Council, upon MOTION of Council Member Cohen, seconded by Council Member Siegel and unanimously carried, it was resolved to adjourn the regular meeting of February 24, 2014 at 8:32 p.m.



Steve Freedland, Mayor

ATTEST:



Cherie L. Paglia, City Manager/City Clerk