

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Monday, April 28, 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, April 28, 2014 at the hour of 7:30 p.m. Mayor Marv Landon called the meeting to order and presided thereover after leading the Council and audience in the Pledge of Allegiance.

**ROLL CALL**

Council:

Mayor Marv Landon  
Mayor Pro Tem Larry G. Weber  
Council Member Jim Cohen  
Council Member Steve Freedland  
Council Member Stuart E. Siegel

Staff:

City Engineer Dirk Lovett  
City Manager Cherie L. Paglia

**APPROVAL OF AGENDA**

Upon MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved that the agenda for the April 28, 2014 regular meeting be approved as submitted.

## **ANNOUNCEMENTS**

Mayor Landon made the following announcements:

The Council would like to wish a quick recovery to Building Inspector Steve O'Hara who recently had ankle replacement surgery.

Condolences to Mayor Pro Tem Larry Weber whose father just passed away.

Happy anniversary to Mayor Pro Tem Weber and his wife Nanette who will be celebrating their 29th anniversary on 5/3.

In response to Council Member Siegel, Community Association Board Member Bret Katz said he was sorry to report that the wine and cheese event on Sunday was not very successful, possibly due to it being a busy weekend and not as much advertising as the previous event, which was very well attended.

## **AUDIENCE**

There were no questions or comments at this time.

## **PUBLIC SAFETY**

### **A. Los Angeles County Fire Department Report - March**

Community Services Representative Maria Grycan provided the following information:

during the month of March there were 10 responses, including 2 medical, 3 good intent, 0 fires, and 5 service calls; the service calls included 1 water problem on Spring Valley Road, 3 snake removals, and 1 smoke/odor of smoke removal (no fire); all the fire hydrants in the City have been checked; 3 inspections were conducted by the Fire Prevention Bureau.

Council Member Siegel asked if the brush clearance had occurred on the Ahmanson Ranch, which led to a short discussion regarding what type of clearance was usually allowed on State parks and by whom, how much clearance was required on privately owned properties by the Fire Department, and how much clearance was required in the agreement with Hidden Hills when the Ahmanson Ranch became a State park. Ms. Grycan will check to see if any brush clearance has

occurred, and the City Manager will look at the agreement to see how much clearance is required.

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

The following report was presented by Lieutenant Dave Thompson:

March was a good month, as there were no Part I crimes, no noteworthy incidents, no arrests (juvenile or adult), and no collisions; 16 citations were written by the Motors; 14 of those were hazardous, mostly stop sign violations; one dangerous driver was reported to the STTOP program; usually this involves teenage drivers, but in this case it turned out to be the parent; he therefore sent a deputy to the house for an extensive discussion with that parent; there were numerous complaints about this vehicle, and it did take a fair amount of investigation, so hopefully this behavior will now stop.

Mayor Pro Tem Weber wondered what happened if someone was pulled over and did not have any insurance. Lieutenant Thompson explained the following:

Deputies do have the discretion to either issue a citation or not; if someone has insurance but just does not have the proof of insurance with them, they can show proof later and it becomes like a "fix it" ticket; if they do not have any insurance, that of course is a different story; Deputies cannot tell whether or not someone has insurance as they are driving by, so the citation for not having insurance is usually issued in conjunction with a stop for something else, like a stop sign violation.

**C. Consideration of Approval of Community Assistance Grant to the Los Angeles County Sheriff's Department Malibu/Lost Hills Posse**

The City Manager reported that the L.A. County Sheriff's Department's Malibu/Lost Hills Posse was requesting a \$1500 community assistance grant from the City to help purchase equipment and supplies to outfit and train the Posse volunteers, and that there were plenty of funds in the budget to handle this request. She added that the Posse is now officially located at the Malibu/Lost Hills Station, rather than working out of the Santa Clarita Station.

Council Member Freedland wanted to make sure that the Posse would be spending time in Hidden Hills. The City Manager stated that the Posse rides in the Fiesta parade every year, has patrolled in Hidden Hills even when working from the Santa Clarita Station, and would definitely be spending time in Hidden Hills; however, she will confirm with Deputy Mike Selnick that the Posse does indeed have plans to patrol in our City. As there was no further discussion, upon MOTION of Council Member Freedland, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the request from the L.A. County Sheriff's Department's Malibu/Lost Hills Station Posse for a \$1500 community assistance grant for the purchase of equipment and supplies to help outfit and train its volunteer members.

#### **CONSENT CALENDAR**

- A. City Council Minutes - March 24, 2014**
- B. City Council Minutes - March 31, 2014 (Adjourned Regular Meeting)**
- C. City Council Minutes - April 14, 2014**
- D. Demand List**
- E. Disbursement List - March**
- F. Financial/Treasurer's Report - March**

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

#### **MATTERS FROM CITY COUNCIL MEMBERS**

##### **A. Report from 4/15/14 Las Virgenes Malibu Council of Governments Meeting**

Council Member Siegel reported that one of the candidates for Supervisor Yaroslavsky's seat on the L.A. County Board of Supervisors, Bobby Shriver, attended the meeting to introduce himself, and that the only other major item discussed was the disbursement of Measure R funds. He added that the COG has been allocated a total of \$175 million in Measure R funding, with approximately \$3 million - \$4 million being set aside for Hidden Hills. Council Member Siegel asked staff to look into the possibility of using Measure R funds, which can only be used for very

specific projects related to traffic reduction, to possibly establish a connection from the Long Valley gate to the bridge on Valley Circle crossing over the freeway.

**B. Report from 4/22/14 Hidden Hills Community Association Board of Directors Meeting**

Community Association Board Member and City liaison Bret Katz informed the Council of the following:

the Board elected new officers: President David Brien, Vice-President Rob Raznick, Treasurer Gina Richards, and Secretary Kim Long; the Board discussed the Valentine Musicale, and whether or not the cost for tickets should continue to support charities or offset costs of the event; it was thought the Board should also look at plays and whether or not the intent was to just cover costs or make money, and to look at the possibility of having to increase budgets for many of the events; this was all related to the noticeable change in the community from the past when everyone volunteered to help and events included potlucks, to the present day when residents prefer to use outside caterers and have things provided for them; there will be a team penning event on 5/18; again in relation to the latest wine and cheese event which was not well attended (the earlier events were enjoyed by 20-30 people), they are looking at a possible opt-in email notification to remind residents of upcoming events.

**C. Update, Discussion, and Direction to Staff Regarding Potential Undergrounding of Utility Poles Near Old Farm and Long Valley Roads, and the Memorandum of Understanding Between the City and Howard Tenenbaum**

The following staff report was provided by City Engineer Dirk Lovett:

in March of 2013 the City Council entered into an agreement with Howard Tenenbaum to share the cost for removing two utility poles near the intersection of Old Farm Road and Long Valley Road; the Council authorized the expenditure of \$5000 to SCE for the design work for the project; the preliminary design was completed and shared with Mr. Tenenbaum and the Community Association; one of the critical elements of the project was the relocation of the switching equipment from the one pole (referred to as the mother pole) on Old Farm; this was major equipment that would require the installation of two cabinets; the preliminary design showed these cabinets on the north end of the Tenenbaum property, abutting Paradise Valley; since this was not acceptable to the Tenenbaums, staff looked at placing the cabinets in the parkway on Paradise Valley; this

proposal was met with some hesitation by the Association Board of Directors and others, especially after seeing the sketch of the cabinets showing their size and location in relation to the parkway; even though SCE's policy is not to place cabinets underground, after staff met with SCE, it was thought the larger cabinet could be placed underground, but the other would have to be placed above ground; the agreement with Mr. Tenenbaum, which was for one year, has since expired; it had an option for renewal with the consent of both parties, but Mr. Tenenbaum opted not to renew the agreement without knowing his other options; the original estimate for this project was approximately \$350,000; to put the one cabinet underground would add approximately \$52,000, for a total of \$402,000 for the removal of the two poles; he spoke with Mr. Tenenbaum who said he would rather have the existing pole left in front of his house (he thought he could landscape around the pole, which is just inside the 3-rail fence on his property) than have any above ground cabinets adjacent to his property.

Council Member Freedland stated the following:

he is a big proponent of undergrounding utilities when the City can, not only for the aesthetic value, but also for public safety; he believes there is a definite fire hazard with overhead wires, and service issues; but he is not interested in doing undergrounding projects in areas if the people who live in those areas do not want the projects; he thinks there are other areas in the community where people want the wires undergrounded, and areas that would make a bigger aesthetic impact, although maybe not as big of a safety improvement, since the pole involved in this proposed project is a major switching pole; it seems the Board of Directors is not thrilled with this project, nor are the Tenenbaums; he is not comfortable with the increased cost, or spending that amount of money for a minimal aesthetic improvement, although it would have been a valuable safety improvement; there is an area along Jed Smith where an undergrounding project would make a much bigger impact for the money; the Tenenbaums have been very gracious, but there is no obligation for Mr. Tenenbaum to extend the agreement; originally this looked like an attractive project since Mr. Tenenbaum was going to share in a large percentage of the cost, but since the costs are spiraling out of control, and he has a fiduciary responsibility to the City, he is no longer in favor of moving forward with this project.

Council Member Siegel stated his full agreement with Council Member Freedland, adding that he was surprised at how large and aesthetically displeasing the cabinets were, so he could understand the objections. He was also concerned that the mother pole was on private property, and SCE did not have an easement for moving poles in that area. Council Member Freedland explained that he met with the private property owner, who seemed excited about getting rid of

the pole, and verbally agreed to it. He also explained that the cabinets were larger than everyone expected, due to all of the switching equipment on the mother pole. Mayor Pro Tem Weber said that even if the City agreed to spend more money to put the cabinet underground, he did not feel Mr. Tenenbaum wanted to extend the agreement or pay his share of the project costs at this point; therefore, he agreed that the project should be abandoned and that the City should look for a better location to spend the money. Council Member Cohen agreed, adding that the Tenenbaums might not even be agreeable to having their 3-rail fence behind the cabinets gated (to provide the 3' of clearance necessary to allow maintenance). Mayor Landon pointed out that the horse trail (parkway) would be impassible with these cabinets, although Council Member Freedland did not really consider that parkway a trail since it has a curb and trees in the middle of it.

Association Board Member Bret Katz addressed the Council at this time:

he would like to get rid of as many poles as possible, as he feels it is a safety issue; a pole recently fell down in the City, causing some damage and people had food spoil; he has read a lot of articles, and the fire danger from overhead wires is much more common than people think; however, he does not like the cabinets above ground; he does not understand why SCE cannot put all the cabinets completely underground, even if it costs more money, as they would be safer (cars cannot hit them, etc.); he walks a lot around town and has noticed how many of these cabinets there are above ground - not just SCE cabinets, but also phone and cable boxes.

Council Member Freedland provided the following information:

the last undergrounding project the City did was at Round Meadow/Long Valley, and that was the last project for which SCE would allow cabinets to be put underground; for the Tenenbaum project, the City was told the SCE policy did not allow these cabinets to be put underground (for the safety of workers, and in relation to water issues/damage); staff spent a lot of time looking for alternatives, and finally got SCE to make an exception in this case, but just for the one cabinet; from this point forward, the City will most likely not have that choice, and it will be very difficult to put any cabinets underground; in the case of this latest proposed project, the amount of equipment on the mother pole resulted in the need for a larger cabinet than usual, so hopefully future cabinets will be smaller.

Mr. Katz suggested that since SCE worked for the City, the City should be able to tell them what to do, and if not, that SCE should document the science or engineering they are using to establish their policy to not put cabinets underground. It was pointed out that SCE is a utility, and the City cannot determine SCE's policies. Council Member Freedland said the City has a good relationship with SCE, and that even if the City could tell SCE to put the cabinets underground, that could put liability on the City by asking SCE to do something the company did not feel was safe.

In response to Mayor Landon, City Engineer Lovett explained that the cabinets could not go on the trail behind the Tenenbaums' property, since they could not be put under overhead wires that exist there, and putting the cabinets on the other side of the street, would have raised the same issues as on the Tenenbaum side of the street.

Association Board Member Rob Raznick then addressed the Council:

the Board of Directors is concerned about overhead wires from a safety standpoint; he and other Board Members met with City staff on site; the cabinets turned out to be even larger than originally thought, and they would be an eyesore; he did not support placing the cabinets in that location; he earlier suggested to City staff that there should possibly be a master plan for all of this undergrounding; it is not just SCE, but also the phone and cable companies that have these big boxes that are very unattractive, and they are often there working on those cabinets; City staff informed him it was not really a possibility to plan undergrounding throughout the entire community.

Council Member Freedland explained the following:

the City accumulates any surplus money at the end of each year, and when there is enough money, the City looks for an undergrounding project, looking for areas that have the most impact for the money available; it is a much easier project if all of the homes in the area are already undergrounded out to the poles, rather than having to compel owners to spend approximately \$3000 - \$5000 to underground their wires out to the poles; some homeowners do not want to spend the money; if that is the case, then he would rather go to an area where the homeowners are interested, and either already undergrounded or willing to spend the money; earlier the City identified three areas for possible undergrounding; the Round Meadow/Long Valley area was selected because most of the



residents there were already undergrounded to the poles, and the homeowners were excited and actually contributed some money for the project; undergrounding is very expensive, costing approximately \$100,000 per pole, and projects have to be coordinated with all the utilities; to him, it is more of an eyesore driving down Round Meadow, where the trees are topped and very ugly due to the wires, than seeing the cabinets; when you drive down Long Valley, there are no wires, except in front of the Tenenbaum house, and the trees form a nice canopy; then you combine that with the less reliable service due to overhead wires, and the potential fire danger - that makes public safety a bigger issue to him; it depends on what is more important to people.

Council Member Siegel, for future reference, wondered if SCE had the same policy, in relation to not undergrounding cabinets, for both transformers and switching equipment. Staff will check, but SCE has said that transformers definitely have to be above ground.

Council Member Freedland expressed his thoughts as follows:

if the Board of Directors is so against putting any cabinets anywhere in the parkway, maybe the City should not waste any more money on engineering/design and assume that we will not be able to do anymore undergrounding projects as long as that is the Board's position; he is not trying to force the issue, but looking at reality; he is very passionate about undergrounding overhead wires, as he believes it is a safety issue; one of the Calabasas fires was caused by an overhead line, and there are dozens of other documented incidents of fires caused by overhead wires; if the Board does not want to work with the City on these undergrounding projects and has a policy of not placing anything in the parkways/trails, there is no point in moving forward.

Mr. Raznick stated it was not that the Board did not want anything in the trails, but rather they were trying to control what goes in the trails, and how many cabinets there are in one area - and that they would work with the City, especially since the number one priority is safety. He then asked if all new homes and remodels were required to underground their wires out to the poles. City Engineer Lovett explained that new homes are required to underground wires, as are remodels of either 50% of the value of the home or 50% of the square footage, or if someone has to change out the panel. He added that sometimes it is not possible to complete the actual undergrounding, depending on where the poles are, so the homeowner is then required to at least put the conduit in for future use.

The following comments were made by Council Member Freedland:

the City does not have enough money to complete all the undergrounding at one time, as it is so expensive; so the City identifies a possible area, and then has to pay SCE to engineer and draw plans for that particular area; SCE has to look at each pole, where the transformers are, etc.; there is no way to identify ahead of time how many cabinets will end up in the parkways/trails; the engineering for each section is unique, so there is no way to complete a master plan.

In response to Mr. Raznick, Council Member Freedland and City Engineer Lovett explained the following:

there are no immediate plans to conduct undergrounding in another area at this time; other areas were looked at some time ago; the most high profile are two very clustered areas on Jed Smith, and a lot of Round Meadow Road, especially right inside the gate; since undergrounding in any of these areas would have safety benefits, the City might as well start with a project that would also have the greatest improvements aesthetically; currently the City has approximately \$350,000 in the budget for undergrounding projects, which would only cover a few poles; the City would need to save additional funds for another project; the last undergrounding project (at Round Meadow and Long Valley) cost approximately \$800,000; the project near the Tenenbaums was selected because it was within the City's budget, and had additional funding being provided by Mr. Tenenbaum; however, now that the costs have grown, it is not worth the cost.

Council Member Siegel suggested that when the City gets enough money to consider another project (hopefully in the next few years), that Board Members be invited to attend a Council meeting at which everyone together can look at the areas being considered, review any engineering/design plans, and be involved in the process of determining whether or not to move forward with a particular project. As there was no further discussion, upon MOTION of Council Member Siegel, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to abandon the undergrounding project that was being considered for the area near Old Farm Road and Long Valley Road.

**D. Selection of Two Council Members for Ad Hoc 2014-2015 Budget Committee**

Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Siegel and unanimously carried, it was resolved to appoint Mayor Landon and Council Member Freedland, who both volunteered, to serve on the 2014-2015 ad hoc budget committee.

**MATTERS FROM STAFF**

**A. Calabasas Library Commission Report**

The report was received and filed.

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

The report was received and filed.

**C. Consideration of Appointment of Public Safety Commissioners**

The City Manager reported the following:

Members of the Public Safety Commission serve two year terms, commencing on May 1st of the even numbered years for two members, and May 1st of the odd numbered years for the other three members; per this schedule, two terms will expire on April 30, 2014; these openings were posted and noticed in the March newsletter; only two applications were received, and those were from the two incumbents currently holding the seats.

Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Weber and unanimously carried, it was resolved to reappoint Kim Ulrich and Martin Zane to the Public Safety Commission, each to serve a two year term effective May 1, 2014 through April 30, 2016.

**D. Consideration of Approval of Proposal from In-N-Out Burger to Provide Lunch at the Community Center for the 2014 Fiesta**

The City Manager informed the Council that this was the same proposal as that received and approved for last year's Fiesta. Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Siegel and unanimously carried on roll call vote, it was resolved to approve the proposal

from In-N-Out Burger to provide lunch at the Community Center for the 2014 Fiesta, and to also approve a \$500 deposit to hold the date.

**E. Consideration of Cancellation of May 26, 2014 City Council Meeting (Memorial Day)**

Upon MOTION of Mayor Pro Tem Weber, seconded by Council Member Siegel and unanimously carried, it was resolved to cancel the May 26, 2014 City Council meeting due to the Memorial Day holiday.

**ADJOURNMENT**

There being no further business to come before the Council, upon MOTION of Council Member Siegel, seconded by Council Member Freedland and unanimously carried, it was resolved to adjourn the regular meeting of April 28, 2014 at 8:28 p.m.

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Marv Landon, Mayor

ATTEST:

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Cherie L. Paglia, City Manager/City Clerk