

CITY OF HIDDEN HILLS  
REGULAR CITY COUNCIL MEETING

City Hall

Tuesday, November 13, 2017

***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, November 13, 2017 at the hour of 6:30 p.m. Mayor Stuart 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 Bret Katz  
Council Member Marv Landon

Staff: City Manager Kerry Kallman  
City Attorney Roxanne Diaz  
City Engineer Dirk Lovett  
City Clerk Deana L. Graybill

Absent: Council Member Larry Weber

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

**APPROVAL OF AGENDA**

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon and unanimously carried, it was resolved that the agenda for the November 13, 2017 regular meeting be approved as submitted.

## **ANNOUNCEMENTS**

Mayor Siegel made the following announcements:

City Hall, the Hidden Hills Community Association and Building and Safety will be closed and no inspections done on Thursday, 11/23 and Friday, 11/24 in honor of the Thanksgiving Holiday

The Public Safety Commission meeting scheduled for Tuesday, 11/28 is canceled

Happy 54<sup>th</sup> Anniversary to Council Member Landon and his wife Jill on 12/4

Round Meadow Elementary School dismissal will be at noon for the rest of the week

Residents are encouraged to avoid the Round Meadow gate from 12-12:30 pm this week

City Manager Kallman updated the City Council and audience that the owner of Moochie the Bull has agreed to not walk Moochie in public areas and will also see if he can be relocated.

Council Member Katz thanked City Manager Kallman for facilitating the Wildland Fire Preparedness Community Forum held on November 9.

## **AUDIENCE**

There were no questions or comments at this time.

## **PRESENTATION**

### **From Broadband Asset Strategies Regarding Potential 1G Fiber To The Home (FTTH) Project**

City Manager Kallman reminded the Council and audience that at a Council and staff goals session earlier this year, one of the adopted goals included addressing the lack of cell coverage within the City and considering the development of a broadband enhancement program or strategy within the City.

Mr. David J. Daigle, CEO of American Dark Fiber (ADF) was introduced and presented a slideshow sharing the background of ADF and possible solutions for the City including a non-subsidized and fully funded all fiber, IP network available to every home in Hidden Hills, initial

gb-level bandwidth with future scalability and demand-driven applications (tv and phone), secure underground deployment utilizing unique City rights-of-way and public streets, and access to demanded services via connectivity to local data-centers. The development team consortium would include a development lead, primary service operator and a prime contractor to fund, build, operate, and maintain the network. With enough stated interest, after a more detailed presentation on December 5 with lead executives from the consortium team to address community questions/concerns, a final build plan and beginning development could occur within 9 – 12 months.

After discussion from the City Council, it was decided to bring this item back to a future City Council meeting after community input is received.

### **PUBLIC HEARING**

#### **Consideration of Proposed a Proposed Ordinance Amending the Municipal Code Regarding Cultivation and Commercial Activity of Cannabis – First Reading**

City Attorney Roxanne Diaz presented the following report:

on June 27, 2017, Governor Brown signed into law Senate Bill 94, (Medicinal and Adult-Use Cannabis Regulation and Safety Act), establishing a comprehensive State system to regulate commercial cannabis activity by harmonizing statutes governing cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, and delivery of cannabis (medical and non-medical) and cannabis products; authorizes cities to regulate or prohibit the establishment of commercial cannabis activities within their jurisdiction; does not limit municipal authority to adopt and enforce local ordinances regulating cannabis businesses, including zoning restrictions and land use requirements, business license requirements, and requirements related to reducing exposure to secondhand smoke; the proposed ordinance prohibits all cannabis activity in the City with the exception of limited indoor cultivation of 6 or fewer plants in a private residence, or inside a fully enclosed and secured structure located at the residence, which the City must allow under state law; over the past few decades, California's cannabis laws have evolved through voter initiative, legislative action and case law, which provide the framework for the proposed Ordinance; the City currently prohibits all medical marijuana dispensaries in all zones in the City, commercial medical marijuana activity as well as cultivation of marijuana for commercial or non commercial purposes; the proposed Ordinance amends the City's current zoning provisions to expressly prohibit commercial cannabis activity and uses including any activities of any marijuana business licensed by the State and outdoor cultivation of cannabis throughout the City, and as required by state law allow limited

indoor cultivation of cannabis at private residences subject to the restrictions set forth in state law; a new Chapter 11 to Title 2 would be added relating to the City's provisions on business regulations to make clear that a business license may not be issued for cannabis activities; the ordinance does include the prohibition on delivery of cannabis within the City; consistent with State law, the proposed Ordinance contains exemptions that allow persons 21 years of age or older to: smoke or ingest cannabis or cannabis products; possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older 28.5 grams (one ounce) of cannabis, or eight grams of concentrated cannabis; and possess, plant, cultivate, harvest, dry or process up to six cannabis plants for personal use in a private residence, or inside an accessory structure located upon the grounds of a private residence; it also includes a catch-all exception that states the proposed Ordinance shall not prohibit any commercial cannabis activity that the City is required by State law to permit within its jurisdiction which would ensure that the City is not prohibiting activities that it is preempted from prohibiting pursuant to State law; the proposed Ordinance does not prohibit the transportation of cannabis and cannabis products through the City's territory on public roads in compliance with the MAUCRSA by persons holding a state license for such activity, since the City is precluded under State law from prohibiting this activity.

At this point, Mayor Siegel opened the public hearing. After discussion among the Council Members, it was resolved to remove Section 5-2K-2B prohibiting delivery of cannabis to locations in the City. As there were no further comments, he closed the hearing. 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 AMENDING THE LAND USE AND DEVELOPMENT CHAPTER OF THE MUNICIPAL CODE TO PROHIBIT ALL COMMERCIAL CANNABIS ACTIVITY IN ALL ZONES IN THE CITY AND TO ALLOW LIMITED INDOOR CANNABIS CULTIVATION CONSISTENT WITH STATE LAW AND ADDING A NEW CHAPTER 11 TO TITLE 2 OF THE MUNICIPAL CODE PROHIBITING ALL COMMERCIAL CANNABIS ACTIVITY.

#### **CONSENT CALENDAR**

- A. City Council Minutes – October 23, 2017**
- B. Demand List**
- C. Disbursement List – October**
- D. Financial/Treasurer's Report – October**
- E. Investment Statement – October**

- F. Air Quality Improvement Fund Audit – June 30, 2015**
- G. Annual Financial Audit – June 30, 2017**
- H. Consideration of Cancellation of November 27, 2017 City Council Meeting**

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

### **MATTERS FROM STAFF**

- A. Consideration of Approval of Amendment No. 1 to Measure R Funding Agreement Between the City of Hidden Hills and the Los Angeles County Metropolitan Transportation Authority (LACMTA)**

City Engineer Dirk Lovett presented the following report:

on March 15, 2016, the City of Hidden Hills entered into an agreement with LACMTA to fund a new traffic signal and sidewalk project on the Long Valley Road On-ramp to the US-101 Freeway from the Measure R sales tax (Measure R Funding Agreement Highway Program -attached); City Engineering prepared a conceptual design and traffic studies, and while Caltrans and LADOT expressed positive comments, it was decided that that design, which included the traffic signal would be ineffective; City staff provided an alternate concept which omits the signal but adds a new paved traffic lane from the Valley Circle intersection to the Long Valley intersection, and the purchase of property and construction of a parking lot just outside the Long Valley gate (Meyerstein property); this new lane would be used as a dedicated right turn lane into Hidden Hills for residents, guests and contractors and the parking lot would be available for guest and contractors to park; the cost estimate for the new concept is now \$8 million; the City has \$5.7 million with a balance of \$2.3 million which will come from various other funds that may include, but are not limited to: the new County Measure M Tax, City Gas Tax, City Prop C funds, and possible donations from the City of Los Angeles; staff has created a Phase 1 for which the Council can direct staff to proceed with or direct staff to continue to procure funds and proceed with the project as a whole.

Upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Landon and unanimously carried, it was resolved to approve the Amendment No. 1 to Measure R Funding Agreement Between the City of Hidden Hills and the Los Angeles County Metropolitan Transportation Authority and directed staff not to proceed with Phase 1 and to continue to procure funds and proceed with the project as a whole.

**B. Discussion of Construction Traffic and Parking Study**

City Engineer Dirk Lovett presented the following report:

at its meeting of October 23, 2017, the City Council directed staff to survey other cities and report back on their regulations regarding construction traffic and parking; staff contacted and received regulations for the cities of Calabasas, Agoura Hills, Westlake Village, Beverly Hills, Rolling Hills, Camarillo, Mission Viejo, and Apple Valley, and two Homeowners Associations in Century City from resident Britt Aaronson; Most of the Agencies surveyed have regulations similar to Hidden Hills. while some agencies have more restrictive construction hours, the Cities of Beverly Hills and Apple Valley, and one HOA also prohibit construction on Saturdays, and none of these agencies restrict the number of vehicles allowed at a construction site; each of the cities surveyed expressed that enforcement of the construction traffic and parking regulations is generally reactive, based on complaints and the building inspector can issue correction or stop work notices, or the Police Departments can issue citations (after hours).

After discussion between the Council Members and staff, the Council directed staff to meet with the HHCA to find out what a majority of the residents' complaints are and to track the complaints. After a sufficient amount of time, the Council would like this item to be added to a future City Council agenda for further discussion.

**C. Status Report of City Council Goals**

City Manager Kerry Kallman presented the following report:

earlier in the spring, the City Council adopted twelve goals for this fiscal year; one of the goals was to *address the lack of adequate cell coverage within the City*; ATS Communications presented a proposal at the City Council meeting on 10/10 to develop a cell tower master plan; the agreement is being reviewed at this time; another goal was to *improve the City's website*; agreements have been signed with 911Media and staff has received a redesign schedule and the sitemap of the website, which has been reviewed and returned to 911Media; staff should receive a sample design in the near future; the final goal to be addressed at this time is to *enhance the City's efforts to obtain grants either by City staff and/or with the assistance of state and federal lobbyists*; staff applied for three grants in the month of October: (1) SB1 Highway Local for \$38,000, (2) SB1 Highway Competitive for \$57,000, and (3) MSRC/AQMD jumpstart grant for \$50,000.

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL:**

**Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8**

**Property:** APN 2049-007-024  
**City Negotiator:** Kerry Kallman, City Manager  
**Negotiating Party:** U.S. Bank National Association, as Trustee, Successor in Interest to Bank of America, National Association as Trustee as Successor by Merger to La Salle Bank, Nation Association as Trustee for Washington Mutual Mortgage Pass-Through Certificates Wmalt Series 2007-5 Trust  
**Under Negotiation:** Price and Terms of Payment

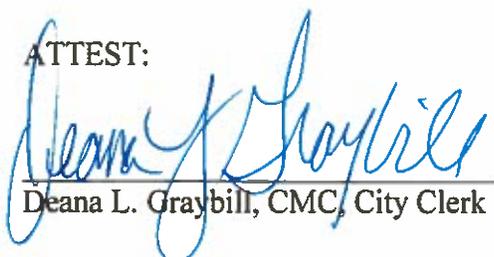
Upon MOTION of Council Member Landon, seconded by Mayor Pro Tem Freedland and unanimously carried, it was resolved to adjourn to closed session at 8:00 p.m. to address the items listed above.

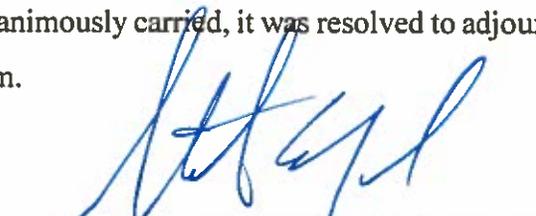
The City Council returned from closed session and the City Attorney announced that in closed session the Council discussed the item listed above, and that no reportable action was taken.

**ADJOURNMENT**

There being no further business to come before the Council, upon MOTION of Mayor Pro Tem Freedland, seconded by Council Member Katz and unanimously carried, it was resolved to adjourn the regular meeting of November 13, 2017 at 9:15 p.m.

ATTEST:

  
Deana L. Graybill, CMC, City Clerk

  
Stuart E. Siegel, Mayor