

CITY OF HIDDEN HILLS
REGULAR CITY COUNCIL MEETING

City Hall

Monday, April 9, 2007

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 9, 2007 at the hour of 7:30 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 Monty E. Fisher
Council Member Jim Cohen
Council Member Steve Freedland
Council Member Larry G. Weber

Staff:

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

APPROVAL OF AGENDA

Upon MOTION of Council Member Freedland, seconded by Mayor Pro Tem Fisher and unanimously carried, it was resolved that the agenda for the April 9, 2007 regular meeting be approved as submitted.

ANNOUNCEMENTS

Mayor Siegel announced that Tuesday (4/10/07) was Deputy City Clerk Deana Graybill's 17th anniversary with the City.

AUDIENCE

There were no questions or comments at this time.

PRESENTATION

To Larry G. Weber, Former Public Safety Commissioner

Mayor Siegel, on behalf of the Council, thanked newly elected Council Member Larry Weber for his eleven years of service on the Public Safety Commission, presenting him with a City plaque. Mayor Siegel stated that Public Safety Commission Chairman Jim Doran was out of town and unable to attend this evening's meeting, but noted that Commissioners Mark Deitch and Gabe Nussbaum were in attendance to express their thanks to Council Member Weber. Council Member Weber said it was a privilege to serve on the Public Safety Commission, and was hopeful that he could do as well as a Council Member.

2007 FIESTA

Consideration of Approval of Proposal from Helm & Sons Amusements and Payment of Deposit to Reserve Fiesta Date of 9/29/07

As Lisa Moriarity was not yet in attendance, the Council chose to address this item later in the meeting.

PUBLIC HEARING

**Variance No. V-369
24607 Wingfield Road
Inlet and Outlet Drainage Structures**

Mayor Siegel, Council Member Freedland, and Council Member Weber all announced that they had visited the site, with Mayor Pro Tem Fisher and Council Member Cohen stating they were familiar with the property.

Mayor Siegel asked City Engineer Dirk Lovett for a staff report, which he provided as follows:

This application is for a variance for inlet and outlet drainage structures that will encroach into the required 25' side yard setbacks at each end of the property; the property is currently developed with a single family home; notices were sent to the owners of all properties within 500' of the subject property, and posted per the City's Municipal Code; no comments have been received to date; there is a natural drainage course running through the lot; the applicant wishes to fill in that drainage course and install a pipe, which would require the inlet and outlet structures at each end; the structures would encroach 15' into the 25' side yard setbacks; there are no additional encroachments; in order to approve the variance, the Council must be able to make the four required findings; as staff believes these findings can be made, the recommendation is to approve the variance and adopt the proposed resolution.

Mayor Siegel opened the public hearing, and hearing no comments from the audience, closed the hearing.

Upon MOTION of Council Member Freedland, seconded by Council Member Weber and unanimously carried, it was resolved to approve Variance No. V-369 and adopt by title only Resolution No. 797 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIDDEN HILLS SITTING AS THE PLANNING AGENCY APPROVING A REQUEST FOR VARIANCE NO. V-369 FOR INLET AND OUTLET DRAINAGE STRUCTURES LOCATED AT 24607 WINGFIELD ROAD.

CONSENT CALENDAR

- A. City Council Minutes – March 26, 2007
- B. Demand List

Upon MOTION of Mayor Pro Tem Fisher, seconded by Council Member Cohen and unanimously carried on roll call vote, it was resolved to approve items A (with Council Member

Weber abstaining on this item as he was not in attendance at the meeting) and B of the consent calendar as submitted.

MATTERS FROM COUNCIL MEMBERS

A. Rocketdyne Health Risks Briefing and Consideration of Letter of Support for Proposed Legislation SB 990

Mayor Siegel presented the following information:

He recently attended a briefing meeting on the health risks associated with Rocketdyne/Santa Susana Field Lab; as most people are probably aware, this is a former government site, in the Santa Susana Pass, used for experimental nuclear reactor research and rocket and missile testing activities; as he understands, over the many years, there were 30,000 test firings of munitions and rocket engines, and at least one meltdown; the nuclear reactor and other facilities have been removed over the years, but there has been conjecture that the site presents health risks for those in the area; it has already been established that former employees can apply for compensation because of known cancer risks; there have been lawsuits, and some people have received compensation; but nothing has been provided for residents in the area, which would include Bell Canyon, West Hills, and into Simi Valley; these are the primary areas that could potentially be at greater risk; State Senator Sheila Kuehl called the meeting, which was also attended by State Assemblywoman Julia Brownley, L.A. County Supervisor Zev Yaroslavsky, City of Calabasas Council Member Mary Sue Maurer, a representative from the Ventura County Supervisor's office, and representatives from both of California's U.S. Congressional Districts; Senator Kuehl has proposed a bill, SB 990, which would require Boeing Co. as the owners of the property to clean the property to EPA standards, which was originally the requirement; however, Boeing was able to have the clean-up standards lowered to the more minimal standards of the Department of Energy, which was opposed by Senator Feinstein; SB 990 would direct the State to require the site be cleaned, by the owners before sold, to the equivalent more stringent standards required by the EPA; this is the third time this type of legislation has been presented, with the first two bills being defeated; the owners of the property have also had the support of the unions that worked at the site; if the Council in the future would like more detailed information, he would be more than happy to provide that, as it is truly an unbelievable story; even though there is probably no immediate effect on Hidden Hills, at this time, he is asking if the Council would agree to send a letter of support for SB 990.

All the Council Members agreed a letter should be sent, with Mayor Siegel suggesting that anyone call him or call City Hall if they wished to discuss or obtain more information on this matter.

In response to several questions from Mayor Pro Tem Fisher and Council Member Cohen, Mayor Siegel stated the following:

He does not know how many reactors were there, but it was an experimental site with nuclear material fires, etc.; there is no state law in effect that Boeing is violating, as both bills presented earlier were defeated; the site is currently under the jurisdiction of the federal government, but this proposed SB 990 would not allow the owners of the property to sell the site without first cleaning the site to the equivalent standards as those required by the EPA; there were 20-30 different chemicals used on the site; one of those was TCE, a solvent used in cleaning, that seems to be one of the major problems; it is flammable, and in the past, it appears it was put in barrels which were lined up in ditches and then shot at until they exploded and burned; these barrels were then buried, and that was the way they got rid of the material; those possible affected by this site have been categorized by cities; we are within the radius, but appear at the very bottom of the listing, as nothing has ever been measured and found around Hidden Hills.

Dr. Paul Bryson addressed the Council, stating he has a doctorate in chemical engineering and would be more than happy to review the information if necessary. Mayor Siegel explained that everything has already been examined, but the problem is that the federal government controls the property, not the state. He offered to pass on any future information regarding the site and any meetings to Dr. Bryson if he was interested.

Council Member Freedland pointed out that there is a website maintained by Senator Kuehl that has information on this matter. Staff will place that website on cable TV.

B. Discussion Regarding Variance Requirements for Drainage Structures in Setbacks

Mayor Siegel commented as follows:

The owner of the property for which the variance was just approved was surprised, as was he, that building an inlet and outlet drainage structure in a setback fell under the

variance requirements; the owner was also surprised at the cost involved, which for this particular project was \$2300; he wondered if there was not some way that such a structure, in this specific drainage area that runs all along the west/south side of Long Valley Road, could be addressed as a minor accommodation or some type of mini-variance, for which the cost is more in the \$500 range; other property owners have installed such a pipe, with proper engineering, to allow them to fill in this drainage area to increase yard space; he wondered as more owners chose this procedure, if everything from property to property would be tied together.

Council Member Cohen asked if the process should be considered a variance with a lesser fee, or a minor accommodation. City Engineer Dirk Lovett explained that minor accommodations are for existing structures, and would not apply to the installation of drainage structures. He pointed out that there are some exemptions in the City's Municipal Code that allow certain structures, such as some bridges or 3' walls, to be built in the setback without a variance, and that perhaps an exemption could be established for drainage structures that were built in this particular area and met certain requirements. Council Member Freedland was not opposed to considering something like this, but just wanted to be very careful of unintended consequences.

Council Member Weber wondered what would happen when neighbors on either side of an existing structure wanted to build their own drainage pipe structure – would they all connect or would there be open inlets and outlets on each property. Mayor Pro Tem Fisher thought it could cause problems if several properties wanted to all connect into a continuous drain, as it would be hard to clean out and maintain. The City Manager and City Engineer Lovett agreed, stating that no drainage structures have been connected between properties, and each owner has a private structure that has been engineered for that particular property – connecting structures between properties could raise issues with locations of manholes, who maintains what and when, who would be responsible for necessary repairs, etc.

Mayor Pro Tem Fisher asked if there was an overall master design for this drainage ditch, and if it was still necessary, due to the installation of the Long Valley drain. Per Mr. Lovett, there is no master plan or recent hydrology study to show how much water still enters that drainage channel,

but most residents' yard drains still empty into the channel and it is necessary. As there were no further questions at this time, staff was directed to look into this matter to determine the best way to handle the installation of inlet and outlet drainage structures along Long Valley Road without the requirement for a full variance.

C. Discussion Regarding Coyotes

Mayor Siegel provided the following information:

The Council discusses coyotes at least once a year; the City last week received notice from a resident that her dog, which had been left out alone in the yard, had been attacked, and sadly could not be saved; she had no proof but thought a coyote was responsible; the Council has been very diligent about asking the community to report coyote incidents; he would suggest that the community again be asked to report any coyote attacks on animals, or any aggressive behavior, keeping in mind that this is a coyote area and that there is an unlimited supply of them; if the Council determines that there is a problem with aggressive coyote behavior, it is not difficult or that expensive to conduct another trapping program; however, everyone needs to be aware that the trapper only attempts to capture the aggressive coyotes, and there is no way to eradicate coyotes; residents will continue to hear coyotes and see them walking and in yards, but this is not aggressive behavior and is expected when living in an area such as Hidden Hills, especially so close to an open area like Ahmanson where the Conservancy will not trap wild animals; if the Council agrees, he would suggest that information be placed on channel 3, in the newsletter, and sent out via the City's email/fax notification system; the notices could again educate residents about living with coyotes and also ask them to report aggressive behavior.

Resident Paul Bryson addressed the Council with the following comments:

He expressed concerns that his young son, who recently learned how to open the door and went outside by himself, could have been in danger since they live just four houses from where the 65 pound dog was recently killed; the last time the coyote issue was discussed, it was pointed out by old-timers that there was no coyote problem in Hidden Hills from the 60s through the early 90s; cats, small dogs, and chickens roamed freely and were in no danger; when the coyotes came in the early 1990s, small animals that were not locked up disappeared, which then resulted in an increase in rats and rabbits; to say that coyotes are an inevitable feature of this City is not exactly correct; he wondered if there was not another approach toward coyote management.

Mayor Siegel asked Mr. Bryson if he had any suggestions, to which Mr. Bryson responded as follows:

He would leave that to the professional trappers; if they say they cannot get rid of all the coyotes in this day and age, he would take their judgment; but if they say they could catch most of them as soon as they enter the City, this should be explored.

Mayor Pro Tem Fisher stated the following:

He understands what Mr. Bryson has said, but he does not believe that the City can eliminate all the coyotes; there have even been mountain lions in the City; there is no way to stop these wild animals from coming in, but residents can protect their property; if it becomes an epidemic, then a trapping program can be conducted to remove the aggressive coyotes; years ago everything was not developed and the animals could roam freely; now Calabasas is developed, along with other areas, and there is much less territory for the coyotes; they are looking for food, and they will go where the food is; he himself lost cats, and then the number of gophers, rats, and mice did increase.

Mr. Bryson stated that the trapping program seemed to help, as he was able to free-range his chickens again for awhile after the program. He suggested the Council look at the baseline, and see if that is achievable, but he would listen to the trappers, as they are the experts. If it is not possible to reduce the number of coyotes to zero, maybe it is possible to trap all those that come in. Council Member Freedland recalled the trappers used in the past telling the Council that there was no way to eradicate coyotes from the City – that aggressive behavior could be managed, but a zero coyote population would not happen. City staff verified Council Member Freedland's recollection.

Mayor Siegel pointed out that not only was there a geographical consideration here, but also a contributing factor when some people are irresponsible and leave out trash, dog food, water, and especially dropped fruit from the trees, which is a staple of the coyotes. Mayor Siegel suggested that the Council get a sense from the community of what is going on at this time, and if it appears that there is a problem with aggressive behavior, that the trapper be asked to attend a meeting to discuss options.

Council Member Weber called attention to the phone call logs kept by staff, which show only about one call per month, and no attacks other than the most recent one. It appeared that the last time a trapping program was approved, there were several attacks on pets, and even then the trapper did not feel a program was really necessary. Council Member Weber agreed with the other Council Members that the coyote monitoring should continue to see if there is indeed a problem with aggressive behavior, as the coyotes do seem to be more active during certain times, such as the summer which is approaching. Mayor Siegel pointed out that a trapping program was conducted in September of both 2003 and 2005, and suggested the Council address this issue again in September of this year.

MATTERS FROM STAFF

A. Tentative Map 63567 (Ashley) - Update

City Engineer Dirk Lovett informed the Council that the comment period for the Notice of Preparation for the Draft Environmental Impact Report (DEIR) had closed, and that he was hopeful the DEIR would be ready by the end of the month.

B. Los Angeles County Department of Regional Planning Public Hearing Notice Regarding Mureau Estates and Consideration of Submittal of Comment Letter

City Engineer Dirk Lovett provided the following staff report:

The Mureau Estates project was approved by the County in 1990; one of the conditions of approval was that Mureau Estates participate in improvements to Mureau Road, which was listed on the County's Master Plan of Highways and was to be widened and straightened to accommodate a higher speed; Mureau Estates completed some smaller improvements specific to their project on Mureau Road, but opted to pay the County a \$500,000 deposit in lieu of constructing the major improvements; the County recently revised its Master Plan, downgrading a portion of Mureau Road (from Calabasas Road to Crummer Ranch Road) so it no longer requires physical improvements; as such, Mureau Estates has asked for a refund of their deposit; there will be a public hearing to address this request on 4/17/07, at which it appears the County will be inclined to return the money; Calabasas has expressed support for returning the deposit to Mureau Estates; at the same time, there is talk of a conceptual plan to build a bridge across the 101 freeway, connecting Mureau Road from just east of Mountain View to Calabasas Road; he asked

the County why the deposit was not going to be kept to help with the cost of the bridge, but County Counsel said the deposit was specifically for the widening of Mureau and could not legally be used for the bridge; along with this conceptual plan, there is a rumor that if and when the bridge is built, Mureau Road might end in a cul de sac near the bridge, which would prevent traffic leaving Hidden Hills from connecting on Mureau Road to Las Virgenes Road; he would suggest that the Council send a letter at this time, not so much to comment on the refund of the deposit, but to request continued access to Las Virgenes Road via Mureau Road.

Council Member Freedland suggested that even though we have seen no definite plans, the City send a letter at this time supporting a flyover bridge, which would take a lot of traffic off of Mureau Road in the vicinity of Round Meadow Road, but also stating opposition to any attempt to prevent access to Las Virgenes Road via Mureau Road. The Council agreed.

2007 FIESTA

Consideration of Approval of Proposal from Helm & Sons Amusements and Payment of Deposit to Reserve Fiesta Date of 9/29/07

The City Manager reported that the new proposal obtained by Lisa Moriarity shows the desired nine rides, and a deposit of \$12,000 rather than half of the \$29,000 proposal. She added that a few inaccuracies in the proposal have been corrected in the draft City agreement that Helm & Sons will be asked to sign. Upon MOTION of Council Member Freedland, seconded by Council Member Weber and unanimously carried on roll call vote, it was resolved to approve the expenditure of not-to-exceed \$29,000 to Helm & Sons, including a \$12,000 deposit, to provide the rides and games for the 2007 Fiesta, subject to Helm & Sons signing the City agreement as finalized by the City Attorney.

ADJOURNMENT

There being no further business to come before the Council, upon MOTION of Council Member Freedland, seconded by Council Member Weber and unanimously carried, it was resolved to adjourn the regular meeting of April 9, 2007 at 8:20 p.m.

Stuart E. Siegel, Mayor

ATTEST:

Cherie L. Paglia, City Manager/City Clerk