

**MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL AND THE
AGOURA HILLS REDEVELOPMENT AGENCY
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, CA 91301
June 28, 2006 at 7:00 p.m.**

The meeting was called to order at 7:01 p.m.

The flag salute was led by Boy Scouts of America Troop No. 745 from St. Jude's School.

Present were: Mayor Denis Weber, Mayor Pro Tem Dan Kuperberg, Councilmember John Edelston, Councilmember William Koehler, and Councilmember Harry Schwarz.

Also Present were: City Manager Greg Ramirez, Assistant to the City Manager Nathan Hamburger, City Attorney Craig Steele, Assistant City Attorney Candice Lee, Director of Finance Georgette Holt, Administrative Analyst Celeste Bird, City Engineer Ken Berkman, Director of Community Services Amy Brink, Director of Planning and Community Development Mike Kamino, Senior Planner Allison Cook, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

City Attorney Steele reported on the Closed Session pursuant to Government Code Sections 54956.9(c). Direction was given to staff and no reportable action was taken.

APPROVAL OF AGENDA

On a motion by Mayor Pro Tem Kuperberg, second by Councilmember Koehler, the Agenda was approved without objection.

ORAL COMMUNICATIONS

There were no oral communications.

PRESENTATIONS

There were no presentations.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE & DEPARTMENTAL REPORTS

There were no reports.

CONSENT CALENDAR

On a motion by Mayor Pro Tem Kuperberg, second by Councilmember Schwarz, the Consent Calendar was approved 5-0.

1. Approve Minutes of Regular City Council Meeting of June 14, 2006

ACTION: Approved 5-0

2. Approve Demand Warrant Register No. 542

ACTION: Approved 5-0

3. Approve Treasurer's Report for May 2006

ACTION: Approved 5-0

4. Adopt **Resolution No. 06-1422**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, AMENDING THE COMPENSATION PLAN; SETTING SALARY RANGES FOR CITY EMPLOYEES EFFECTIVE JULY 1, 2006 TO INCLUDE EQUITY ADJUSTMENTS RESULTING FROM THE 2006 SALARY SURVEY, A 4% COLA RATE INCREASE, AND A NINE-STEP SALARY RANGE; ESTABLISH THE CLASSIFICATIONS OF EXECUTIVE ASSISTANT, RECREATION SUPERVISOR, AND SENIOR CIVIL ENGINEER, AND RECLASSIFY THE ACCOUNTING SPECIALIST I AND II CLASSIFICATIONS TO ACCOUNTING SPECIALIST II AND III; APPROVE THE CLASSIFICATION SPECIFICATIONS AND SALARY RANGES FOR THE CLASSIFICATIONS; APPROVE REVISIONS AND UPDATES TO THE EXISTING CLASSIFICATION SPECIFICATIONS; INCREASE THE CITY'S MATCHING CONTRIBUTION TO THE DEFERRED COMPENSATION PLAN TO A DOLLAR-FOR-DOLLAR MATCH NOT TO EXCEED SIXTY DOLLARS (\$60.00) PER PAY PERIOD; AND FIX THE CITY'S CONTRIBUTION TO THE EMPLOYEES MEDICAL MONTHLY PREMIUM UP TO THE MAXIMUM OF THE EQUIVALENT OF THE BLUE SHIELD FAMILY RATE

ACTION: Approved 5-0

5. Approve Agreement with All City Management Services for Continued Crossing Guard Service

ACTION: Approved 5-0

6. Approve Agreement with GI/Waste Management Industries to Perform Used Oil and Household Hazardous Waste Collection Events

ACTION: Approved 5-0

7. Approve Agreement with Solid Waste Solutions, Inc., for Ongoing Recycling and Solid Waste Program Consulting Services

ACTION: Approved 5-0

8. Approve Extension of Agreement with Laidlaw Transit Services, Inc., to Provide Paratransit (Dial-A-Ride) Service

ACTION: Approved 5-0

9. Approve Extension of Agreement with Los Angeles County to Provide Paratransit (Dial-A-Ride) Service

ACTION: Approved 5-0

10. Approve a Professional Services Agreement with Dapeer, Rosenblit & Litvak, LLP, for City Prosecuting Services

ACTION: Approved 5-0

11. Approve Renewal of a Professional Services Agreement with CleanStreet for Citywide Street Sweeping Services

ACTION: Approved 5-0

12. Approve Authorization to Seek Bids for FY 2006-07 Street Resurfacing Project; NIB 06-01

ACTION: Approved 5-0

**Convene Agoura Hills Redevelopment Agency (RDA) Meeting
Without Adjourning City Council Meeting**

The meeting was called to order at 7:07 p.m. by Agency Chair Dan Kuperberg.

Present were: Agency Chair Dan Kuperberg, Agency Vice Chair John Edelston, Agency Member William Koehler, Agency Member Harry Schwarz, and Agency Member Denis Weber.

Also Present were: Agency Executive Director Greg Ramirez, Agency Attorney Craig Steele, and Agency Secretary Kimberly Rodrigues.

RDA APPROVAL OF AGENDA

On a motion by Agency Member Weber, second by Agency Vice Chair Edelston, the Agenda was approved without objection.

RDA ORAL COMMUNICATIONS

There were no oral communications.

RDA CONSENT CALENDAR

On a motion by Agency Member Schwarz, second by Agency Member Weber, the Consent Calendar was approved 5-0.

RDA1. Approve Minutes of the Regular City Council and Redevelopment Agency meeting of December 14, 2005

ACTION: Approved 5-0

RDA2. Approve Minutes of the Special City Council and Redevelopment Agency Meeting of May 24, 2006

ACTION: Approved 5-0

<p style="text-align: center;">Joint Public Hearing of the Agoura Hills City Council and the Agoura Hills Redevelopment Agency (RDA)</p>

JOINT CITY COUNCIL/RDA PUBLIC HEARING

13./RDA3. Conduct a Public Hearing and Adopt **Resolution No. 06-1423**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING FISCAL YEAR 2006-07 APPROPRIATIONS LIMITATIONS, **Resolution No. 06-1424**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2006-07, and **Resolution No. 06-44**; A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2006-07

Agency Chair Kuperberg deferred the item to Mayor Weber.

Following presentation of the staff report, Mayor Weber opened the Public Hearing.

There being no speakers, Mayor Weber closed the Public Hearing.

By Council consensus, the monies for the *Volunteers on Patrol Program* would be kept in abeyance and monies would not be spent on the program until the City Council had the opportunity to discuss the program in further detail.

ACTION: The motion by Mayor Pro Tem Kuperberg, to adopt **Resolution No. 06-1423**, was seconded by Councilmember Koehler and approved on a roll call vote of 5-0.

ACTION: The motion by Mayor Pro Tem Kuperberg, to adopt **Resolution No. 06-1424**, was seconded by Councilmember Edelston and approved on a roll call vote of 5-0.

ACTION: The motion by Agency Chair Kuperberg, to adopt **Resolution No. 06-44**, was seconded by Agency Vice Chair Edelston and approved on a roll call vote of 5-0.

There being no further business to transact, Agency Chair Kuperberg adjourned the Redevelopment Agency meeting at 7:17 p.m.

**Adjourn Agoura Hills Redevelopment Agency Meeting and
Reconvene Meeting of the Agoura Hills City Council**

PUBLIC HEARING/ACTION

14. Conduct a Public Hearing Regarding an Appeal of the Planning Commission's Denial of Conditional Use Permit Case Nos. 03-CUP-010 and 98-CUP-007, Oak Tree Permit Case No. 98-OTP-011, which was a Request to Develop 27 Detached Single-Family Residences on Two Recorded Residential Tracts, to Remove 33 Oak Trees and Encroach within the Protected Zone of 15 Oak Trees for the Proposed Construction on the South Side of Agoura Road, East of Calle Montecillo and West of Liberty Canyon Road, and Adoption of a Mitigated Negative Declaration. (Riopharm USA, Inc., Applicant) – *This Public Hearing was continued from the Regular City Council meeting of May 24, 2006*

ACTION: Following the staff presentation and discussion, the motion by Mayor Pro Tem Kuperberg, to continue the Public Hearing to the regular City Council meeting of September 13, 2006, was seconded by Councilmember Edelston and approved 3-0 with Councilmember Koehler and Councilmember Schwarz abstaining.

ORDINANCE/ACTION

15. Waive the Second Reading in Full and Adopt, by Title only, **Ordinance No. 06-334**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING A ZONE CHANGE (CASE NO. 06-ZC-001), and, **Ordinance No. 06-335**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING A ZONING ORDINANCE AMENDMENT (CASE NO. 06-ZOA-001)

Upon presentation of the staff report, Mayor Weber opened the floor for public comment.

Mary Altmann, 5737 Kanan Road, #150, Agoura Hills, spoke in opposition to the project and submitted written comments to the City Council.

ACTION: There being no further discussion, the motion by Mayor Pro Tem Kuperberg, to waive the second reading in full and adopt, by title only, **Ordinance No. 06-334**, was seconded by Councilmember Schwarz and approved on a roll call vote of 5-0.

ACTION: The motion by Mayor Pro Tem Kuperberg, to waive the second reading in full and adopt, by title only, **Ordinance No. 06-335**, was seconded by Councilmember Schwarz and approved on a roll call vote of 5-0.

DISCUSSION/ACTION

16. Approve Plans and Specifications and Authorization to Seek Bids for the Morrison Park Improvement Project; NIB 04-11

Following presentations by City Engineer Ken Berkman and Director of Community Services Amy Brink, the Mayor **opened the floor for public comment at 7:25 p.m.**

The following documents were received and distributed as part of the Agenda packet:

Emails and Voicemail Transcription(s) Submitted in Opposition to the Morrison Park Project:

Kenneth A. Carmona, 29646 Meadowmist Way, Agoura Hills
Kirsty and Doug Easton, Agoura Hills
Joanne Goldsmith, 5739 Hempstead Drive, Agoura Hills
Sholeh Karbassioon, 29917 Oak Vista Court, Agoura Hills
Julie Kraschinsky, 29907 Oak Vista Court, Agoura Hills
Louann Linder, Morrison/Southmeadow resident, Agoura Hills
Rick Markovitz, Agoura Hills
Jennifer and Brian Oliver, Agoura Hills
Noel and John Gyro Potter, Emerson Court residents, Agoura Hills
Hal Roseman, 30440 Sandtrap Drive, Agoura Hills

Qutami Family, Morrison Ranch residents, Agoura Hills
Rina and Naftaly Schmargal, 30282 Belmont Court, Agoura Hills

Emails and Voicemail Transcription(s) Submitted in Support of the Morrison Park Project:

Eugene Lewis, Emerson Court, Agoura Hills (voicemail transcription)

The following documents were received after the Agenda packet was distributed and copies were placed at the dais for City Council consideration:

Emails and Voicemail Transcription(s) Submitted in Opposition to the Morrison Park Project:

Gayle and Steve Aron, 5731 Willowtree Drive, Agoura Hills
Ernie Blazic, Morrison Ranch resident, Agoura Hills
Marsi Gore, 30617 Passageway Place, Agoura Hills
Kelly and Sammy Jung, 29960 Forest Cove Lane, Agoura Hills
Louanne Lightfoot Linder, Agoura Hills
Karen and Bart Listick, Morrison Ranch residents, Agoura Hills
Kari and Kurt Menslage, Agoura Hills
Paul Nunez, 5718 Willowtree Drive, Agoura Hills
Janette and Robert Odenberg, 29900 Forest Cove Lane, Agoura Hills
David Silverman, Morrison Ranch resident, Agoura Hills
Michael Siteman, 5841 Woodglen Drive, Agoura Hills
Rabbi Richard Spiegel, 5773 Green Meadow Drive, Agoura Hills
Judy Spilka, Morrison Ranch resident, Agoura Hills
Chien Chih Andy Su, 29937 Oak Vista Court, Agoura Hills
Jonathan D. West, Agoura Hills

Emails and Voicemail Transcription(s) Submitted in Support of the Morrison Park Project:

Milan Bikhchandani, Morrison Ranch resident, Agoura Hills (voicemail transcription)
Sushil Bikhchandani, Morrison Ranch resident, Agoura Hills (voicemail transcription)
Dottie Bartlick, Morrison Ranch resident, Agoura Hills (voicemail transcription)
Eugene Lewis, Emerson Court, Agoura Hills

The following public comments were heard at the meeting:

Public Comment in Opposition to the Morrison Park Project:

David Silverman, 29959 Forest Cove Lane, Agoura Hills (submitted a petition of 238 signatures from residents opposing the project)
Kathy Friedman, 5737 Tenneyson Drive, Agoura Hills
Kyle Friedman and Aidan Menell, 5737 Tennyson Drive, Agoura Hills
Gayle and Steve Aron, 5731 Willowtree Drive, Agoura Hills
Mark Spilka, 5760 Willowtree Drive, Agoura Hills
Judy Spilka, 5760 Willowtree Drive, Agoura Hills
Jim Martinson, 29950 Forest Cove, Agoura Hills

Mary Altmann, representing Citizens for Sensitive Development, 5737 Kanan Road, #150, Agoura Hills
Georgia Qutami, 29953 Forest Cove Lane, Agoura Hills

Ari Qutami, 29953 Forest Cove Lane, Agoura Hills
Andy Chien Chih Su, 29937 Oak Vista Court, Agoura Hills
Paul Nunez, 5718 Willowtree Drive, Agoura Hills
Louann Lightfoot-Linder, 5757 Hempstead Drive, Agoura Hills
Sheri Karbassioon, 29917 Oak Vista Court, Agoura Hills
Ian Feuer, Agoura Hills
Hal Roseman, 30440 Sandtrap Drive, Agoura Hills
Kirk Allegro, 28312 Driver Avenue, Agoura Hills
Lisa Mennell, Agoura Hills
Noel Gyro, Agoura Hills

Public Comment in Support of the Morrison Park Project:

Eugene Lewis, 5729 Emerson Court, Agoura Hills

The public comment portion of the meeting concluded at 8:33 p.m.

The City Council recessed at 8:59 p.m. and reconvened at 9:12 p.m.

ACTION: Following discussion and a question and answer period, the motion by Mayor Pro Tem Kuperberg, to approve the plans and specifications for the Morrison Park Improvement Project without the basketball half-court, in an amount not-to-exceed \$645,000, and allow staff to pursue alternative bids (with the restrooms and tennis courts as priority) to be brought back for Council consideration, was seconded by Councilmember Schwarz and approved 3-2, with Councilmember Koehler and Mayor Weber opposed.

17. Report on Action of Los Angeles County Regional Planning Commission Regarding Heschel West School Project; Consideration and Direction to Staff Regarding Possible Appeal to the Los Angeles County Board of Supervisors

Following presentation of the staff report, the Mayor opened the floor for public comment.

Jess Thomas, 6064 Chesebro Road, Agoura Hills, representing the Old Agoura Homeowners Association, spoke in support of the City Council filing an appeal with the Los Angeles County Board of Supervisors.

ACTION: Following discussion and a question and answer period, the motion by Councilmember Edelston, to appeal the decision of the Los Angeles County Regional Planning Commission (regarding the certification of the final Environmental Impact Report, approval of the Mitigation Monitoring

and Reporting Program, and approval of the Conditional Use Permit for the Heschel West School Project) to the Los Angeles County Board of Supervisors, including all grounds pursued by staff, was seconded by Councilmember Schwarz and approved 5-0.

COUNCIL, STAFF COMMENTS

Councilmember Edelston spoke about Westmed Ambulance Service and urged staff to explore the possibility of finding a permanent location within the City.

Mayor Weber announced that a Walk to School Program would be implemented by the School District in October, wished everyone a Happy 4th of July, and indicated he would like to start a fundraiser for people to make donations to assist Fire Station 89 with the purchase of a big screen television, patio furniture, and other amenities for the firefighters at the station.

ADJOURNMENT

At 10:50 p.m., on a motion by Councilmember Schwarz, second by Councilmember Edelston, the Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, July 12, 2006, for a Regular Meeting of the City Council in the Council Chambers of the Civic Center with a Closed Session at 6:00 p.m. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California.

Kimberly M. Rodrigues, CMC
City Clerk