

**MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL AND THE
AGOURA HILLS REDEVELOPMENT AGENCY
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Wednesday, December 14, 2011, 6:00 P.M.**

The meeting was called to order at 6:00 p.m. by Mayor Edelston.

The flag salute was led by Councilmember Buckley Weber.

Present were: Mayor John M. Edelston, Mayor Pro Tem Denis Weber, Councilmember Illece Buckley Weber, Councilmember William D. Koehler, and Councilmember Harry Schwarz.

Also Present were: Assistant City Manager Nathan Hamburger, Assistant City Attorney Candice Lee, City Treasurer Candis Hong, Deputy City Manager Louis Celaya, Public Works Director/City Engineer Ramiro Adeva, Public Works Project Manager Chris Dodd, Building Official Amir Hamidzadeh, Director of Planning and Community Development Mike Kamino, Principal Planner Allison Cook, Director of Finance Christy Pinuelas, Director of Community Services Amy Brink, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

There was no Closed Session.

APPROVAL OF AGENDA

On a motion by Councilmember Schwarz, second by Councilmember Koehler, the Agenda was approved without objection.

PUBLIC COMMENTS

The following person(s) spoke:

Toni Martocchio and Tanita Morgan, Agoura Hills
Bruce Boyer, Agoura Hills
Pastor Ronnie Ortiz, representing Jesus Cares Ministries, Northridge

PRESENTATIONS

Mayor Edelston introduced and welcomed newly appointed Agoura Hills City Treasurer Candis Hong.

Mayor Edelston presented a proclamation, recognizing A Day Without A Bag, to Heal the Bay representative Kevin Jountz and encouraged the community to participate in the event on December 15, 2011, and pick up their reusable bags from City Hall, the Agoura Hills Recreation Center, and the Agoura Hills Library.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

There were no reports.

CONSENT CALENDAR

Mayor Edelston requested Item Nos. 5 and 14 be pulled to address public comment.

Councilmember Buckley Weber noted she would be abstaining on Item Nos. 1 and 2 as she was not present at the meetings.

On a motion by Councilmember Koehler, second by Mayor Pro Tem Weber, Consent Calendar Item Nos. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, and 13 were approved 5-0, with Councilmember Buckley Weber abstaining on Item Nos. 1 and 2.

1. Approve Minutes of the Regular City Council and Agoura Hills Redevelopment Meeting of November 9, 2011

ACTION: Approved 4-0, Buckley Weber abstained

2. Approve Minutes of the Adjourned Regular City Council Meeting of November 28, 2011

ACTION: Approved 4-0, Buckley Weber abstained

3. Approve Demand Warrant Register No. 660

ACTION: Approved 5-0

4. Approve Treasurer's Investment Report for October 2011

ACTION: Approved 5-0

5. **This item was pulled for discussion, immediately following the Consent Calendar.**

6. Approve Proposal to Rename the Community Concert Band

ACTION: Approved 5-0

7. Approve Rejection of Claim for Damages – Frank Gonzalez

ACTION: Approved 5-0

8. Approve City Council Meeting Schedule for 2012

ACTION: Approved 5-0

9. Approve Council Committee Appointments

ACTION: Approved 5-0

10. Approve Appointments to the California Contract Cities Association, the California Joint Powers Insurance Authority (California JPIA), the League of California Cities and the League's Los Angeles County Division, and the Los Angeles County City Selection Committee

ACTION: Approved 5-0

11. Approve Statement of Investment Policy for Fiscal Year 2011-12

ACTION: Approved 5-0

12. Receive and File GI Industries/USA Waste of CA Service Performance Standard Review – 2011

ACTION: Approved 5-0

13. Adopt **Ordinance No. 11-388**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE ZONING ORDINANCE (ARTICLE IX OF THE AGOURA HILLS MUNICIPAL CODE) TO IMPLEMENT THE CITY OF AGOURA HILLS GENERAL PLAN 2035 TO CREATE NEW ZONING DISTRICTS; AMEND DEVELOPMENT STANDARDS OF EXISTING DISTRICTS; AMEND THE COMMERCIAL USE TABLE; DELETE DISTRICTS NO LONGER IN USE; UPDATE THE ZONING MAP; CORRECT TYPOGRAPHICAL ERRORS AND OMISSIONS; AND INCORPORATE PREVIOUS PLANNING COMMISSION INTERPRETATIONS OF THE ORDINANCE (CASE NO. 11-ZOA-003)

ACTION: Approved 5-0

14. **This item was pulled for discussion, immediately following the Consent Calendar.**

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

5. Approve Acceptance of Public Utility Easement and Right-of-Way from Whizin Market Square, LLC, to Lay, Construct, Repair, Maintain, Operate, Renew, and Replace Public Utility Pipelines and Public Service Facilities on the South Side of Canwood Street Near Clareton Drive

The following person spoke in favor of the item:

Brett Trebil, Calabasas, representing Dale Poe Real Estate Group

ACTION: Following discussion, the motion by Mayor Pro Tem Weber, to approve the acceptance of the public utility easement and right-of-way from Whizin Market Square, LLC, was seconded by Councilmember Buckley Weber, and approved 5-0.

14. Adopt **Ordinance No. 11-390**; AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, REGARDING MOBILE BILLBOARD ADVERTISING DISPLAYS AND AMENDING THE AGOURA HILLS MUNICIPAL CODE

The following person(s) spoke:

Bruce Boyer, Agoura Hills (*in favor/opposition*)
Dan J. Motta, Agoura Hills (*in favor*)

ACTION: Following discussion, the motion by Mayor Pro Tem Weber, to adopt Ordinance No. 11-390, was seconded by Councilmember Koehler, and approved 4-0, with Buckley Weber abstaining.

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

The meeting was called to order at 6:22 p.m. by Agency Vice Chair Edelston.

Present were: Agency Vice Chair John M. Edelston, Agency Member Illece Buckley Weber, Agency Member William D. Koehler, Agency Member Harry Schwarz, and Agency Member Denis Weber.

Also Present were: Assistant Executive Director Nathan Hamburger, Assistant Agency Attorney Candice Lee, Agency Treasurer Candis Hong, Deputy City Manager Louis Celaya, Public Works Director/City Engineer Ramiro Adeva, Public Works Project Manager Chris Dodd, Building Official Amir Hamidzadeh, Director of Planning and Community Development Mike Kamino, Principal Planner Allison Cook, Director of Finance Christy Pinuelas, Director of Community Services Amy Brink, and Secretary Kimberly Rodrigues.

RDA APPROVAL OF AGENDA

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

RDA ELECTION OF AGENCY CHAIR AND VICE CHAIR

Agency Vice Chair Edelston asked for nominations for the position of Agency Chair. The motion by Agency Member Koehler, to nominate Agency Member Denis Weber as Agency Chair, was seconded by Agency Member Schwarz. There were no further nominations and, by unanimous consensus, Denis Weber was elected as Agency Chair.

Agency Chair Weber asked for nominations for the position of Agency Vice Chair. The motion by Agency Member Schwarz to nominate Agency Member Koehler, as Agency Vice Chair, was seconded by Agency Member Buckley Weber. There were no further nominations and, by unanimous consensus, William D. Koehler was elected as Agency Vice Chair.

RDA PUBLIC COMMENTS

There were no public comments.

RDA CONSENT CALENDAR

There were no public speakers.

On a motion by Agency Vice Chair Koehler, second by Agency Member Edelston, the Consent Calendar was approved 5-0, with Agency Member Buckley Weber abstaining on Item No. RDA1.

RDA1. Approve Minutes of the Regular City Council and Agoura Hills Redevelopment Meeting of November 9, 2011

ACTION: Approved 4-0, Buckley Weber abstained

RDA2. Adopt **Resolution No. 11-61**; A RESOLUTION OF THE AGOURA HILLS REDEVELOPMENT AGENCY APPROVING AMENDMENTS TO THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE AND CERTAIN RELATED ACTIONS

ACTION: Approved 5-0

**Convene Joint Meeting of the Agoura Hills City Council and the
Agoura Hills Redevelopment Agency (RDA)**

JOINT CITY COUNCIL AND RDA/CONSENT CALENDAR

There were no public speakers.

On a motion by Agency Member Buckley Weber, second by Agency Member Schwarz, the Joint City Council and Redevelopment Agency Consent Calendar was unanimously approved 5-0.

15/RDA3. Receive and File the Redevelopment Agency's Annual Financial Report

ACTION: Approved 5-0

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

At 6:28 p.m., on a motion by Agency Member Schwarz, second by Vice Chair Koehler, the Redevelopment Agency unanimously consented to adjourn the meeting.

CITY COUNCIL PUBLIC HEARING/ORDINANCE

16. Conduct a Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 11-392**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE MUNICIPAL CODE AND ADOPTING NEW REGULATIONS FOR MASSAGE ESTABLISHMENTS AND PRACTITIONERS

Following presentation of the staff report, Mayor Edelston opened the Public Hearing at 6:35 p.m.

The following person(s) spoke:

Dan J. Motta, Agoura Hills (*in favor*)
Bruce Boyer, Agoura Hills

There being no further speakers, Mayor Edelston closed the Public Hearing at 6:40 p.m.

ACTION: Following discussion, the motion by Councilmember Schwarz, to introduce, read by title only, and waive further reading of **Ordinance No. 11-392**, was seconded by Councilmember Koehler, and approved 5-0.

17. Conduct a Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 11-393**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING PROCEDURES TO REQUEST A REASONABLE ACCOMMODATION FROM THE CITY'S ZONING REGULATIONS BY ADDING A NEW DIVISION 9 OF PART 1 OF CHAPTER 8 OF ARTICLE IX OF THE AGOURA HILL MUNICIPAL CODE

Following presentation of the staff report, Mayor Edelston opened the Public Hearing at 6:51 p.m.

There being no public speakers, Mayor Edelston closed the Public Hearing at 6:52 p.m.

ACTION: Following discussion, the motion by Councilmember Koehler, to introduce, read by title only, and waive further reading of **Ordinance No. 11-393**, was seconded by Councilmember Buckley Weber, and approved 5-0.

18. Conduct a Public Hearing and Adopt **Ordinance No. 11-391**; AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING TITLE 15 OF THE LOS ANGELES COUNTY CODE, AS ADOPTED BY REFERENCE, ADOPTING PARKING REGULATIONS FOR CITY-OWNED AND CITY-OPERATED PARKING FACILITIES AND AMENDING ARTICLE III OF THE AGOURA HILLS MUNICIPAL CODE (*Ordinance was Introduced on November 28, 2011*)

Councilmember Buckley Weber announced she would be abstaining from this item and recused herself from the discussion and voting.

Following presentation of the staff report, Mayor Edelston opened the Public Hearing at 6:56 p.m.

The following person(s) spoke:

Bruce Boyer, Agoura Hills (*in favor/opposed*)
Dan J. Motta, Agoura Hills (*in favor*)

There being no further speakers, Mayor Edelston closed the Public Hearing at 7:03 p.m.

ACTION: Following discussion, the motion by Councilmember Schwarz, to adopt **Ordinance No. 11-391**, was seconded by Mayor Pro Tem Weber, and approved 4-0, with Councilmember Buckley Weber abstaining.

CITY COUNCIL DISCUSSION/ORDINANCE

19. Discussion to Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 11-394**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING CHAPTER 6 OF ARTICLE V OF THE AGOURA HILLS MUNICIPAL CODE, RELATING TO THE CITY'S NUISANCE ABATEMENT ORDINANCE

Following presentation of the staff report, Mayor Edelston opened the floor for public comment. There was no public comment.

Assistant City Attorney Lee noted a revised ordinance had been placed on the dais for Council consideration this evening and included the following amendment on Page 2, Subsection 5, Section b, to read:

*Vegetation, with any of the characteristics or conditions listed in this subsection (5) of this section, located in the public right-of-way (medians and parkways, etc.) conditioned or required to be maintained by private property owners, developers, homeowner associations, **or property owners associations.***

ACTION: Following discussion, the motion by Councilmember Koehler, to introduce, read by title only, and waive further reading of **Ordinance No. 11-393**, was seconded by Councilmember Buckley Weber, and approved 5-0.

CITY COUNCIL, STAFF COMMENTS

Mayor Pro Tem Weber congratulated Mayor Edelston on his first meeting, welcomed Councilmember Buckley Weber, and wished everyone a Happy Hanukkah, noting the menorah lighting would be held at City Hall on December 21, Merry Christmas, and Happy New Year.

Councilmember Koehler echoed Mayor Pro Tem Weber's comments, spoke about attending the City of Westlake Village's 30th Anniversary, noting there were a number of photos and tidbits regarding the founding and history of the city, suggested staff look into the same for Agoura Hills' upcoming 30th anniversary event, and congratulated Councilmember Schwarz on a wonderful year as Mayor.

Councilmember Schwarz also echoed the previous congratulatory and holiday comments, thanked staff for their efforts towards the reorganization meeting, and reported that he had

received many positive comments from the residents and a majority had reported they enjoyed and were happy living in Agoura Hills.

Councilmember Buckley Weber spoke about the recent promotion of Superintendent Woody Smeck from the Santa Monica Mountains Recreation Area to Yosemite National Park, noted that the requested funding for the Liberty Canyon Wildlife Corridor had not been granted, and wished everyone a happy, healthy new year.

Mayor Pro Tem Weber requested the meeting be adjourned in honor of the anticipated arrival of Assistant City Attorney Lee's baby.

Mayor Edelston also echoed the previous congratulatory and holiday comments, announced he would be presenting a certificate at the alumni boys and girls water polo game at Agoura High School this Saturday, and encouraged everyone to support the Agoura Hills Water Polo Foundation's fundraiser towards a new regulation-size pool.

ADJOURNMENT

At 7:18 p.m., on a motion by Councilmember Schwarz, second by Councilmember Koehler, the City Council unanimously consented to adjourn the meeting, in honor of the anticipated arrival of "Baby Lee," to Wednesday, January 11, 2012, for a Regular Meeting of the City Council in the Council Chambers of the Civic Center, with a Closed Session at 5:00 p.m. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California.

Kimberly M. Rodrigues, MPPA, MMC
City Clerk/Agency Secretary

The Regular Meeting of the City Council for December 28, 2011
has been canceled, the next Regular City Council Meeting
is scheduled for Wednesday, January 11, 2012