

**MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, CA 91301
October 11, 2006 at 7:00 p.m.**

The meeting was called to order at 7:05 p.m.

The flag salute was led by Eagle Scout Brandon Leafman.

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, Assistant to the City Manager Louis Celaya, City Attorney Craig Steele, Planning and Community Development Director Mike Kamino, Assistant Planning and Community Development Director Doug Hooper, Senior Planner Allison Cook, Oak Tree/Landscape Consultant Kay Greeley, City Engineer Ken Berkman, Community Services Director Amy Brink, Recreation Manager Donna Conlin, Recreation Supervisor Meredith Petit, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

No Closed Session was held.

APPROVAL OF AGENDA

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

ORAL COMMUNICATIONS

The following persons spoke about their concerns with an incident on Eaglebrook Drive:

Ilene Lipton, Agoura Hills (submitted a letter and photographs)
David Brandolino, Agoura Hills
Yolanda Brizendine, Agoura Hills
Liz Cangelosi, Agoura Hills
Kathy Terndrup, Agoura Hills
Laura and Liana Moss, Agoura Hills

Carl Olson, Woodland Hills, representing State Department Watch (submitted a handout)

PRESENTATIONS

Mayor Weber presented a Certificate of Recognition to Brandon Leafman honoring his two Eagle Scout projects for the City of Agoura Hills; the installation of new recycle bins at all six parks and a new set of benches at the Agoura Hills Recreation Center.

Mayor Weber introduced the 2006 Miss Reyes Adobe Pageant Winners: Hayley Wank, Littlest Miss Reyes Adobe; Blake Makenna Weireter, Pre-Teen Miss Reyes Adobe; Kayla Randazzo, Teen Miss Reyes Adobe; and Starlene Early, Miss Reyes Adobe.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE & DEPARTMENTAL REPORTS

Recreation Manager Donna Conlin provided an update on the various Reyes Adobe Days events scheduled for October 13-15, 2006. Constance Joculvar and Randi Powler unveiled and presented the commemorative 2006 Reyes Adobe Days poster, designed by Michael Lang, to the City Council.

Melissa Reinhardt provided an update from the Conejo/Las Virgenes Future Foundation and presented a DVD of the recent colloquium, "A Day in Your Life", and invited the City Council to attend the Sixth Annual CLvFFie Awards, recognizing individuals and/or organizations serving the Conejo Valley region, on November 5, 2006.

Councilmember Schwarz reported that he, Councilmember Edelston, and City Engineer Ken Berkman attended the North Santa Monica Bay Watershed Task Force Executive Committee meeting.

City Engineer Berkman provided an update on the Bacteria Total Maximum Daily Load (TMDL) regulations for the Malibu Creek Watershed and indicated a report would be brought back for Council information in December.

CONSENT CALENDAR

On a motion by Councilmember Edelston, second by Councilmember Schwarz, the Consent Calendar was approved 5-0.

1. Approve Minutes of the Regular City Council Meeting of September 27, 2006

ACTION: Approved 5-0

2. Approve Minutes of the Special City Council Meeting of September 27, 2006

ACTION: Approved 5-0

3. Approve Demand Warrant Register No. 549

ACTION: Approved 5-0

4. Approve Treasurer's Report for July 2006

ACTION: Approved 5-0

5. Approve Treasurer's Report for August 2006

ACTION: Approved 5-0

6. Adopt **Resolution No. 06-1431**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING AND DIRECTING THE CITY CLERK TO DESTROY CERTAIN CITY RECORDS AND DOCUMENTS PURSUANT TO THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA (ADMINISTRATION, BUILDING AND SAFETY, CITY CLERK, FINANCE AND PUBLIC WORKS DEPARTMENTS)

ACTION: Approved 5-0

7. Adopt **Ordinance No. 06-338**; AN INTERIM ZONING ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, PROHIBITING THE ESTABLISHMENT OF MARIJUANA DISPENSARIES IN ANY ZONING DISTRICT WITHIN THE CITY

ACTION: Approved 5-0

PUBLIC HEARING/ACTION

8. Conduct a Public Hearing and Consider the Adoption of **Resolution Nos. 06-1404, 06-1405, and 06-1406**, 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 June 28, 2006***

Councilmember Koehler and Councilmember Schwarz, having previously heard this item as Planning Commissioners, recused themselves from the discussion and abstained from participation in the appeal.

Councilmembers Koehler and Schwarz left the meeting at this point.

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

Prior to the City Council meeting, a letter was received from Mary Altmann today, dated October 10, 2006, and copies were distributed to the City Council and to the applicant and his attorney.

Public Comment in Opposition of the Project:

Mary Altmann, Agoura

Speaking on behalf of the Applicant:

Charles (Chuck) Cohen, Westlake Village, representing the Applicant, Riopharm, USA, Inc.
Yael Lir, Agoura Hills, Landscape Architect

Mayor Weber asked if there were other speakers who wished to be heard. There being none, the Public Hearing was closed.

City Attorney Steele and City staff rebutted the comments made in Ms. Altmann's letter.

ACTION: Following discussion, the motion by Councilmember Edelston to approve the project, including the updated Condition 22, and adopt Resolution Nos. 06-1404, 06-1405, and 06-1406, was seconded by Mayor Weber, and approved on a roll call vote of 2-1, with Councilmember Edelston and Mayor Weber in favor; Mayor Pro Tem Kuperberg opposed; and, Councilmembers Koehler and Schwarz abstaining.

COUNCIL, STAFF COMMENTS

City Attorney Steele reported that the California Court of Appeals invalidated the countywide National Pollution Discharge Elimination System (NPDES) permit issued by the Regional Water Quality Control Board. He noted that, although the City of Agoura Hills was not a party to the lawsuit, the invalidation was a victory for the number of cities who challenged the permit.

Mayor Pro Tem Kuperberg noted that the Reyes Adobe Days would kick off this Friday.

Mayor Weber announced that the Agoura Hills Leaflet, the City's newsletter, was distributed to the residents today.

ADJOURNMENT

At 8:55 p.m., on a motion by Councilmember Edelston, second by Mayor Pro Tem Kuperberg, the City Council unanimously consented, with Councilmember Koehler and Councilmember Schwarz absent, to adjourn the meeting to 7:00 p.m. Wednesday, October 25, 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