

**MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, CA 91301
January 25, 2006 at 7:00 p.m.**

The meeting was called to order at 7:03 p.m.

The flag salute was led by San Fernando Girl Scout Council, Las Virgenes Service Unit, Girl Scout Cadet Troop #724.

Mayor Weber thanked Troop #724 and introduced cadets Chesa Giglio, Grace Higgins, Taylor Jordan, Melissa Regan, Chelsey Rubenstein, and Megan Salisbury and Troop leaders Kathy Chavez and Penny Sylvester.

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

Also Present were: City Manager Greg Ramirez, Assistant City Manager Jim Thorsen, Assistant to the City Manager Nathan Hamburger, Assistant to the City Manager Carol Tubelis, Assistant Community Development Director Doug Hooper, City Engineer Ken Berkman, Community Services Director Amy Brink, Recreation Manager Donna Conlin, Recreation Manager Dale Summersille, Community Services Coordinator Meredith Petit, Community Services Coordinator Emily Melo, Community Services Coordinator Nick Newkirk, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

City Attorney Steele reported on the Closed Session pursuant to Government Code Section 54957 and announced that the Council did not finish the session and would return to the Closed Session after the meeting and report out at that time.

APPROVAL OF AGENDA

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

ORAL COMMUNICATIONS

There were no speakers.

PRESENTATIONS

Mayor Weber and members of the City Council, assisted by Community Services Coordinators Melo, Newkirk and Petit, recognized and thanked the City Volunteers and presented them with tokens of appreciation for all their hard work.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE & DEPARTMENTAL REPORTS

Councilmember Schwarz reported that he was sworn in as a member and attended the Santa Monica Mountains Conservancy meeting and two items, a response to the DEIR Agoura Village Specific Plan and the City's consideration for the Lindero Canyon property under Proposition 50, were discussed at the meeting.

Councilmember Edelston spoke about the Los Angeles County Emergency Medical Services (EMS) Commission's engagement in a strategic planning process and, as Agoura Hills is without a hospital or emergency room and would be part of the strategic discussion, he would provide future updates as the plan develops.

CONSENT CALENDAR

Councilmember Koehler pulled Agenda Item Nos. 1 and 5 for discussion.

On a motion by Mayor Pro Tem Kuperberg, second by Councilmember Edelston, Consent Calendar Item Nos. 2, 3, 4 and 6 were approved 5-0.

1. Item pulled and deferred to end of the Consent Calendar.
2. Approve Demand Register No. 532

ACTION: Approved 5-0
3. Approve Treasurer's Report for December 2005

ACTION: Approved 5-0
4. Approve Declaration of Surplus Property: Portions of Canwood Street between Derry Avenue and Lewis Road and Derry Avenue from Canwood Street to Approximately 150 Feet Northerly

ACTION: Approved 5-0
5. Item pulled and deferred to end of the Consent Calendar.

6. Authorize Staff to Seek Bids for City Hall Repair; NIB 05-06

ACTION: Approved 5-0

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION

1. Approve Minutes of the Regular City Council Meeting of January 11, 2006

ACTION: Following discussion, the motion by Councilmember Koehler to amend Page 5, Agenda Item No. 9, of the minutes to read as follows:

*Councilmember Koehler declared a conflict of interest and abstained from participating in the discussion and decisions due to a personal financial interest in that **a prospective tenant of** the applicant has been a client of his law firm.*

was seconded by Councilmember Schwarz and approved 5-0.

5. Adopt Resolution No. 06-1402; Adopting the NIMS (National Incident Management System) Principles and Policies into the City's Emergency Management System

ACTION: Following discussion, the motion by Councilmember Koehler to adopt Resolution No. 06-1402, was seconded by Councilmember Schwarz and approved 5-0.

PUBLIC HEARING

7. Continuation of 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, and Oak Tree Permit Case No. 98-OTP-011 (Riopharm USA, Inc., Applicant) – *Public Hearing will be continued to the regular City Council meeting of February 22, 2006*

ACTION: Following presentation of the staff report, the motion by Mayor Pro Tem Kuperberg, to continue the Public Hearing to the regular City Council meeting of February 22, 2006, was seconded by Councilmember Koehler and approved 5-0.

DISCUSSION/ACTION

8. Award of Contract for U.S. 101/Kanan Road Interchange Improvements Project; NIB 05-02

There were no speakers on this item, however, prior to the City Council meeting, Howard Littman, 5933 Kanan Road, Agoura Hills, submitted written correspondence which was distributed to each Councilmember at the dais.

ACTION: Upon presentation of the staff report and a question and answer period, the motion by Mayor Pro Tem Kuperberg to approve the following recommendations,

1. Waive minor defects in the lowest responsible bidder's bid and award the contract for the U.S. 101/ Kanan Road Interchange Improvements Project; NIB 05-02, to Security Paving Company, Inc., in the amount of \$11,750,948.45.
2. Authorize City staff to utilize up to \$1,249,051.55 in contingency funds for the project.
3. Authorize the transfer of up to \$5,000,000 in additional Transportation Improvement Funds to the Redevelopment Agency for project utilization.
4. Authorize the Mayor to sign and execute the contract on behalf of the City Council.
5. Authorize the City Attorney to sign and Approve as to Form the contract.
6. Direct the City Clerk to attest to the signatures.

was seconded by Councilmember Schwarz and approved 5-0.

Council also provided staff direction to provide a periodic project update report and to bring back substantial change orders to a committee, comprised of the Mayor and Mayor Pro Tem, for review.

COUNCIL, STAFF COMMENTS

Mayor Weber announced that Milano's restaurant is closing and wished the owner(s) well.

ADJOURNMENT

At 8:59 p.m., on a motion by Mayor Pro Tem Kuperberg, second by Councilmember Edelston, the City Council unanimously consented to recess the meeting back to the Closed Session.

Prior to the adjournment of the Closed Session, the City Attorney announced that the Council had completed its Closed Session discussion and unanimously authorized awarding a 5% performance bonus to the City Manager, pursuant to the terms of his contract. The City Council then adjourned the Closed Session to 7:00 p.m., Wednesday, February 8, 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.