

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

The meeting was called to order at 7:02 p.m.

The flag salute was led by Councilmember Koehler.

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, City Attorney Craig Steele, Assistant City Manager Jim Thorsen, Assistant to the City Manager Nathan Hamburger, Planning and Community Development Director Mike Kamino, Assistant Director of Community Development Doug Hooper, Senior Planner Allison Cook, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

The Closed Session was canceled due to a lack of business to transact.

APPROVAL OF AGENDA

On a motion by Mayor Pro Tem Kuperberg, second by Councilmember Koehler, the City Council consented to pull Item No. 9, as it was a Public Hearing item, for consideration at the end of the Agenda and approved the Agenda without objection.

ORAL COMMUNICATIONS

There were no speakers.

PRESENTATIONS

There were no presentations.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE & DEPARTMENTAL REPORTS

Mayor Weber reported that he, along with Councilmember Edelston and Councilmember Koehler, attended the 8th Grade *History Day Lindero* judging at Lindero Canyon Middle School and wished the students well in their upcoming countywide competition.

CONSENT CALENDAR

On a motion by Councilmember Edelston, second by Mayor Pro Tem Kuperberg, Item No. 9 was deferred to the end of the Agenda and the Consent Calendar was approved 5-0, with Councilmember Edelston, Councilmember Koehler, and Councilmember Schwarz abstaining on Item No. 1.

In relation to Item No. 7, Mayor Weber introduced John O'Meara who was appointed to serve on the Planning Commission.

1. Approve Minutes of the Regular City Council Meeting of November 9, 2005

ACTION: Approved 2-0, with Edelston, Koehler and Schwarz abstaining

2. Approve Minutes of the Special City Council Meeting of December 5, 2005

ACTION: Approved 5-0

3. Approve Minutes of the Regular City Council Meeting of December 14, 2005

ACTION: Approved 5-0

4. Approve Demand Register No. 530

ACTION: Approved 5-0

5. Approve Demand Register No. 531

ACTION: Approved 5-0

6. Approve Treasurer's Report for November 2005

ACTION: Approved 5-0

7. Approve Planning Commission Appointments for 2006-2008

ACTION: Approved 5-0

8. Approve Denial of a Claim for Damages from Jeff Haller

ACTION: Approved 5-0

9. Item deferred to the end of the Agenda.

10. Approve the Notice of Completion for the Park Monument Signs Project; NIB 04-07

ACTION: Approved 5-0

11. Approve Resolution No. 06-1400; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE COOPERATIVE AGREEMENT, DISTRICT AGREEMENT NO. 07-4679, WITH THE STATE OF CALIFORNIA FOR THE REYES ADOBE BRIDGE WIDENING PROJECT

ACTION: Approved 5-0

PUBLIC HEARING

12. Conduct a Public Hearing and Approve Resolution No. 06-1401; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS AUTHORIZING PARTICIPATION IN THE LOS ANGELES COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM IN THE THIRTY-SECOND PROGRAM YEAR (2006-2007) AND SELECTING THE PROJECTS THAT ARE TO BE FUNDED

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

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

ACTION: Following discussion, the motion by Mayor Pro Tem Kuperberg to adopt Resolution No. 06-1401, was seconded by Councilmember Edelston and approved on a roll call vote of 5-0.

DISCUSSION/ACTION

13. Discussion of Retail Center at Russell Ranch (Lowe's) Project

There were no speakers on this item.

ACTION: Following presentation of the staff report and a question and answer period, the City Council expressed no additional comments were necessary beyond City staff's comment letter on the draft EIR to the City of Westlake Village and unanimously consented to not take a position on the project or any further action on this item.

14. Process for the Selection of Mayor and Mayor Pro Tem

ACTION: Following discussion, the motion by Councilmember Edelston to approve the proposed amendment to the City Council Norms to change the rotation of Mayor and Mayor Pro Tem, was seconded by Mayor Weber. Councilmember Edelston further proposed that the changes would be effective with the selection of Mayor Pro Tem (2007), following his selection as Mayor Pro Tem. Mayor Weber indicated that he would not support the motion unless it was amended to be effective in election year 2009 and withdrew his second. The motion failed.

ACTION: Following further discussion, the motion by Councilmember Edelston to approve the following amendment to the City Council Norms, to be effective with the rotation beginning after the City election in 2009,

SELECTION OF THE MAYOR

1. *Insofar as it is possible, each Councilmember should have a fair and equal opportunity to serve as Mayor and Mayor-Pro Tem.*
2. *The outgoing Mayor will follow [1] those already in the rotation and [2] first-time elected Councilmember(s).*
3. *The order of first-time elected Councilmember(s) should be based on the order of finish in the election, with the first-time elected Councilmember receiving the most votes taking the first term, the next in line taking the second, and so on.*
4. *Once a Councilmember's position in the rotation is established, it does not change based upon the future order of election results.*
5. *Existing #3*
6. *Existing #4*
7. *Existing #5*

was seconded by Mayor Weber and approved on a roll call vote of 3-2, with Mayor Pro Tem Kuperberg and Councilmember Schwarz voting no.

CONSENT CALENDAR ITEM PULLED FOR DISCUSSION – PUBLIC HEARING

9. Adopt Resolution No. 06-1399; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS VACATING A PORTION OF CANWOOD STREET BETWEEN DERRY AVENUE AND LEWIS ROAD AND DERRY AVENUE FROM CANWOOD STREET TO APPROXIMATELY 150 FEET NORTHERLY

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

For the record, City Attorney Steele announced that the decision the City Council is being asked to make on a street vacation is slightly different than the decision the Planning Commission was asked to make which was conformity with the General Plan. While in certain circumstances he would recommend Councilmembers Koehler and Schwarz recuse themselves from decisions on matters that they participated in the Planning Commission, although involving the same property, this particular circumstance relates to two different decisions.

Following presentation of the staff report, Mayor Weber opened the Public Hearing. There being no speakers, Mayor Weber closed the Public Hearing.

ACTION: Following discussion, the motion by Mayor Pro Tem Kuperberg to adopt Resolution No. 06-1399, was seconded by Councilmember Edelston and approved on a roll call vote of 4-0, with Councilmember Koehler abstaining.

Councilmember Koehler returned to his seat at the dais.

COUNCIL, STAFF COMMENTS

City Manager Ramirez announced the distribution of the January edition of the Agoura Hills Newsletter which focused on disaster preparedness; introduced Nathan Hamburger as the new Assistant to the City Manager; reported that a resident had made a 911 call from his internet phone service which was routed to a fire station instead of the 911 system; and alerted Agoura residents that 911 calls from internet phone services may not be properly routed and to make sure, if they purchase such services, that the proper 911 assistance is offered.

Mayor Weber also noted that, in addition to Internet access, residents should have a land (telephone) line for emergencies.

Mayor Pro Tem Kuperberg complimented City staff on Agoura Hills Television, Channel 10, and recommended residents view the channel for upcoming events in Agoura Hills; recommended an annual review of the City Council Norms and volunteered to review the norms this year with another Councilmember and/or staff; and reported that he attended the funeral for Lesley Devine, former Calabasas Councilmember/Mayor, who was clearly an “impact player” and made a difference in the City of Calabasas and the entire area.

Councilmember Edelston suggested creating a set time for City Council meetings and restructuring the Agenda to include a category that would incorporate a list of Council items of interest for discussion so that if there was a short Agenda, the Council may engage in meaningful discussion related to issues that are important to the City.

Mayor Weber reported that he and Councilmember Koehler attended the memorial service for Ed Masry, former Thousand Oaks Councilmember/Mayor, and requested the City Council adjourn in the memory of Ed Masry, Lesley Devine, and also Ernani Bernardi, former Los Angeles City Councilman, and Warren Dorn, former Los Angeles County Supervisor.

ADJOURNMENT

At 8:48 p.m., on a motion by Councilmember Schwarz, second by Mayor Pro Tem Kuperberg, the Council unanimously consented to adjourn the meeting, in memory of Ed Masry, Lesley Devine, Ernani Bernardi, and Warren Dorn, to 7:00 p.m., Wednesday, January 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