

MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, CA 91301
August 24, 2005 at 7:00 p.m.

The meeting was called to order at 7:04 p.m.

The flag salute was led by Councilmember Reinhardt.

Present were: Mayor Ed Corridori, Mayor Pro Tem Denis Weber, Councilmember John Edelston, Councilmember Dan Kuperberg, and Councilmember Jeff Reinhardt.

Also Present were: City Manager Greg Ramirez, City Attorney Craig Steele, City Attorney Candice Lee, Assistant City Manager Jim Thorsen, Roundabout Consultant Leif Ourston, Planning and Community Development Director Mike Kamino, Senior Planner Allison Cook, City Engineer Ken Berkman, Assistant Engineer Kelly Fisher, Traffic Engineer Ed Cline, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

City Attorney Steele reported on the Closed Session pursuant to Government Code Sections 54956.8, 54956.9(a) and 54956.9(c). Direction was given to staff and no reportable action was taken.

APPROVAL OF AGENDA

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

ORAL COMMUNICATIONS

Max Rosenblum, 5625 Slicers Circle, Agoura Hills spoke about his summer internship with the City; thanked City staff and offered a bouquet of flowers to be presented to Assistant to the City Manager Carol Tubelis for her support; and shared his travel experiences from his 10-day trip to South Africa.

PRESENTATIONS

There were no presentations.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE & DEPARTMENTAL, REPORTS

Mayor Corridori spoke about the Council of Governments meeting discussion regarding the potential increases in costs for the Sheriff's Department services.

Gordon Whitehead, representing the Las Virgenes Unified School District, introduced Superintendent Dr. Sandra Smyser. Dr. Smyser spoke about her professional background and thanked the Council for the opportunity to speak.

CONSENT CALENDAR

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

1. Approve Minutes of the Regular City Council Meeting of August 10, 2005
ACTION: Approved 3-0, Kuperberg and Reinhardt abstained due to being absent
2. Approve Demand Register No. 522
ACTION: Approved 5-0
3. Deny Claim for Damages for Addie Winter
ACTION: Approved 5-0
4. Adopt Resolution No. 05-1381; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS ESTABLISHING A DAILY TWO-HOUR PARKING RESTRICTION AND RED CURB RESTRICTIONS ON THE SOUTH SIDE OF ROADSIDE DRIVE FROM 675 FEET EAST OF CORNELL ROAD TO LEWIS ROAD
ACTION: Approved 5-0
5. Award of Contract to Excel Paving Company for the 2005-2006 Street Resurfacing Project; NIB 05-04
ACTION: Approved 5-0
6. Approval of Professional Services Agreement with RRM Design Group for Implementation of the Open Space Preservation Action Plan
ACTION: Approved 5-0

DISCUSSION/ACTION

7. Authorization to Seek Bids for the U.S. 101/Kanan Road Interchange Improvements; NIB 05-02

ACTION: Following discussion, the motion by Councilmember Edelston to approve the Plans and Specifications for the project and authorize the Assistant City Manager to seek bids for the U.S. 101/Kanan Road Interchange Improvements (NIB 05-02), was seconded by Mayor Pro Tem Weber, and approved 5-0.

8. Discussion on Heschel West School Project

Following a presentation by Director of Planning/Community Development Kamino, Assistant City Manager Jim Thorsen, and Roundabout Consultant Leif Ourston, and a question and answer period, Mayor Corridori opened the floor for public comment.

Jess Thomas, 6064 Chesebro Road, representing the Old Agoura Homeowners Association (HOA) expressed concerns about traffic mitigation in relation to the proposed project.

ACTION: After discussion, Councilmember Edelston offered a motion that failed for lack of a second.

Councilmember Kuperberg indicated that he would second the motion if it was amended to delete, from the second paragraph, the statement “neither supports nor opposes the Heschel West School Project at this time” and to include the three letters from staff dated July 14, 2005, August 8, 2005 and August 9, 2005.

The City Council recessed at 8:58 p.m. and reconvened at 9:11 p.m.

ACTION: Upon further discussion by the City Council, Councilmember Edelston moved to reaffirm the three actions taken by the City Council at its regular meeting of June 8, 2005 as expressed below in the letter from Mayor Ed Corridori to the County of Los Angeles Regional Planning Commission, dated June 13, 2005:

1. The County Regional Planning Commission public hearing on the Heschel West School project should be continued until City and County staff, along with the applicant, can meet to further discuss and resolve important technical items regarding the project and DEIR, particularly traffic issues.
2. The City Council opposes the Heschel West School project as currently proposed, based on the deficiencies in the DEIR.

3. The letters prepared by the City Planning and Community Development Department staff (dated May 16, 2005) and by the City Attorney (dated May 18, 2005) regarding the DEIR reflect the position of the City Council regarding adequacy of the DEIR.

to direct staff to transmit a letter to the County Regional Planning Commission indicating the City Council stands by its letter dated June 13, 2005, but wishes to amplify its position with the addition of the following text:

That the applicant and the County of Los Angeles continue to work with the City of Agoura Hills to find a mutually agreeable configuration of the Project that is viable for the applicant, appropriate for the community as a whole, and that does not create the risk of legal exposure for the City.

To that end, the City of Agoura Hills seeks a negotiated solution the parties agree will balance the mitigation of environmental, neighborhood and traffic impacts with the applicant's reasonable needs for the project to achieve viability.

Without limiting the City staff's professional obligations as it pertains to planning, environmental, public works, safety and legal issues, the City Council seeks to continue to work together with the applicant and the County of Los Angeles, including Supervisor Yaroslavsky's Office, to incorporate the following City objectives into the Project, if one is approved:

1. Effective mitigation of traffic problems resulting from the project, at no expense to the City, preferably installed and accepted before phase one of the project opens. If full construction of traffic mitigation measures is infeasible prior to the opening of phase one, the applicant and the County may implement mandatory phasing that [1] ensures all traffic from the project is mitigated as the number of trips at the school increases; [2] incorporates a plan for construction-related traffic that minimizes construction vehicles in the adjacent residential neighborhood; [3] meets with the approval of the City's Traffic Engineer; [4] meets with the approval of the Los Angeles County Fire Department, and, as applicable, [5] meets with the approval of CalTrans.
2. An adequate buffer between the school and its residential neighbors that would protect the continued reasonable quiet enjoyment of the adjacent residential properties.

3. A permanent restriction, recorded in favor of the City and the County, on [1] the frequency of special events at the school; [2] the maximum number of attendees at each event, and [3] the level of noise generated during these events.

and to affirm that the following three letters from staff reflect the position of the City Council of the City of Agoura Hills, as it pertains to the DEIR and the project:

- Letter from City Attorney to County Regional Planning Commission, dated July 14, 2005
- Letter from City to County Regional Planning Commission, dated August 8, 2005
- Letter from City to County staff Kim Szalay, dated August 9, 2005, including the memorandum from Assistant City Manager Jim Thorsen to Community Development Director Mike Kamino, dated August 11, 2005.

The motion was seconded by Councilmember Kuperberg and approved 3-2, with Mayor Corridori and Mayor Pro Tem Weber opposed.

COUNCIL, STAFF COMMENTS

City Clerk Rodrigues announced the six qualified City Council candidates for the upcoming General Municipal Election which included: Todd August, Adam Lewis Guynes, Bill Koehler, Harry Schwarz, George Christopher Thomas, and Denis Weber.

Councilmember Kuperberg announced a new display at the Agoura Hills Library depicting pictures of Agoura Hills by photographers Ed and Nidia Beltramo.

Councilmember Reinhardt announced that the upcoming Regional Water Quality Control Board public hearing regarding a proposed permit renewal for the Tapia Water Reclamation Facility is open to the public and scheduled for 9:00 a.m. on September 1, 2005, in the Council Chambers.

ADJOURNMENT

At 9:35 p.m., on a motion by Mayor Pro Tem Weber, seconded by Councilmember Reinhardt, the Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, September 14, 2005 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.