

MINUTES
REGULAR MEETING – VIDEO CONFERENCE
AGOURA HILLS CITY COUNCIL
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Wednesday, August 12, 2020
6:00 p.m.

The City Council meeting was called to order at 6:00 p.m. by Mayor Buckley Weber.

The Pledge of Allegiance was led by Councilmember Anstead.

Present were: Mayor Illece Buckley Weber, Mayor Pro Tem Denis Weber, Councilmember Chris Anstead, Councilmember Deborah Klein Lopez, and Councilmember Linda L. Northrup.

Also Present were: City Manager Nathan Hamburger, City Attorney Candice K. Lee, Deputy City Manager Louis Celaya, Administrative Aide Dexter Muller, Community Development Director Ramiro Adeva, Public Works Director/City Engineer Jessica Forte, Assistant Planning Director Allison Cook, Assistant Planner Katrina Garcia, Director of Finance Christy Pinuelas, and Executive Assistant/Recording Secretary Amber Victoria.

REPORT OF CLOSED SESSION

There was no Closed Session.

APPROVAL OF AGENDA

ACTION: Councilmember Anstead moved to approve the Agenda, as presented. Councilmember Northrup seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Buckley Weber, Mayor Pro Tem Weber, and Councilmembers Anstead, Lopez, and Northrup.

NOES: None.

ABSENT: None.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

Greater Conejo Valley Chamber of Commerce Manager of Government & Economic Affairs, Adam Haverstock, provided a (remote) Chamber update.

Las Virgenes Municipal Water District Update Public Affairs and Communication Manager, Mike McNutt, provided an Automatic Meter Reading/Advanced Metering Infrastructure (AMR/AMI) presentation.

Mayor Buckley Weber reported that the Las Virgenes/Malibu Council of Governments (COG) held a special meeting on August 3, 2020, and considered a resolution opposing nine housing bills; consensus could not be reached, as there was concern each member of City Council had not taken a position on the bills; and staff was directed to prepare a general letter to area state legislators expressing opposition to legislation that weakens or interferes with local control of the COG cities.

PUBLIC COMMENTS

There were no public comments.

CONSENT CALENDAR

There were no public comments.

Councilmember Lopez pulled Item No. 4 for discussion.

ACTION: Mayor Pro Tem Weber moved to approve Consent Calendar Item Nos. 1, 2, 3, 5, and 6, as presented. Councilmember Lopez seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Buckley Weber, Mayor Pro Tem Weber, and Councilmembers Anstead, Lopez, and Northrup.

NOES: None.

ABSENT: None.

1. Approve Minutes of the Regular City Council Meeting of July 22, 2020
2. Approve Demand Warrant Register No. 834
3. Approve Treasurer's Report for June 2020
4. **Item pulled for discussion.**
5. Approve Award of Contract, with Ardalan Construction Company, Inc., for the Community Development Block Grant (CDBG) Forest Cove Park Rehabilitation and Maintenance Project #602174-19; NIB 20-01
6. Adopt **Resolution No. 20-1955**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, RATIFYING AND CONFIRMING THE DIRECTOR OF EMERGENCY SERVICES' EXECUTIVE ORDER NO. 2020-03, AN EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF AGOURA HILLS AUTHORIZING DESIGNATED COMMERCIAL BUSINESSES (GYMS, FITNESS ESTABLISHMENTS, HAIR SALONS, BARBERSHOPS, AND PERSONAL CARE ESTABLISHMENTS, INCLUDING ESTHETICIAN, SKIN CARE AND COSMETOLOGY BUSINESSES, NAIL SALONS AND MASSAGE ESTABLISHMENTS) TO CONDUCT

TEMPORARY OUTDOOR OPERATIONS WITH ISSUANCE OF A TEMPORARY OUTDOOR COMMERCIAL EXPANSION PERMIT

CONSENT CALENDAR ITEM PULLED FOR DISCUSSION

4. Approve Agreement for Consultant Services, with RRM Design Group, for Agoura Village Specific Plan (AVSP) Update

Mayor Buckley Weber deferred to Councilmember Lopez for her questions of staff related to the timeframe of the two-year agreement.

Following a question and answer period between the City Council and staff, Mayor Buckley Weber opened the floor for public comments.

There were no public comments.

ACTION: Following discussion, Councilmember Lopez moved to approve Consent Calendar Item No. 4, as presented. Councilmember Northrup seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Buckley Weber, Mayor Pro Tem Weber, and Councilmembers Anstead, Lopez, and Northrup.

NOES: None.

ABSENT: None.

PUBLIC HEARING / APPEAL

7. Conduct a De Novo Public Hearing to Review the Agoura Hills Planning Commission's Denial of Conditional Use Permit Case No. CUP-01533-2018 and Oak Tree Permit Case No. OAK-01534-2018 for 28340 Balkins Drive (AIN 2055-021-044), a Request to Construct a 4,180 Square-Foot, Two-Story, Single-Family Residence and a 730 Square-Foot Attached Garage (*Arvind Aurora, Applicant/Appellant*)

Mayor Buckley Weber opened the Public Hearing at 6:54 p.m.

City Attorney Lee made the following announcement: *"Good evening Honorable Mayor and Members of the Council. I thought it would be helpful to provide a summary of the framework of the proceedings to assist the Council and give the public an idea of what to expect this evening. First off, the City Council will be holding what is called a "De Novo" Public Hearing on the project. In the City of Agoura Hills, all appeals of Planning Commission decisions are heard "De Novo" at the Council level. A "De Novo" land use hearing is a completely new hearing where the City Council takes a fresh look at a project and is not limited to issues raised in an appeal application. This allows the Council to look at all the components or individual entitlements for a project and make a decision on the project as a whole. The Council need not give any deference or particular weight*

to what the Planning Commission decided. Certainly, the Council may consider what the Planning Commission thought about the project, but, again, the Council is not bound to follow the Planning Commission's decision. Next, I'd like to summarize the order of the proceedings for the hearing this evening. The Mayor has opened the Public Hearing, thank you. Next, we'll have the staff report and then, as usual, we'll have City Council questions of staff. I would recommend at this time that the Council avoid commenting on the project and just stick to questions of staff. Next will be Council disclosure of ex parte communications and that would include site visits. So, if you visited the site, I would recommend that you would disclose that. Because this is a quasi-judicial matter, if Councilmembers have received relevant information about this matter outside the public hearing, they should publicly announce the information obtained before testimony begins. Next will be the Applicant's presentation. In this case, the applicant is also the appellant and the Applicant will receive up to 15 minutes for his presentation. At the conclusion of that, the Council may ask the Applicant questions. We will then move to the public comment portion of tonight's public hearing and, again, as usual, each speaker will be allotted three minutes to speak. The Council, again, may ask questions of the public during the public comment period. Then we will move to applicant's rebuttal, which will be five minutes. Then we will have last call for Council questions. Council must conclude its questions prior to the close of the Public Hearing. The Mayor will then close the Public Hearing and then we will have Council discussion and deliberation. And, just as a friendly reminder, during deliberation it would be appropriate for the Council to explain why they can or cannot make certain findings required for approval for the proposed project. That concludes my summary. If you have any initial questions, I'm available. Otherwise, I am happy to hand it over to staff for their staff report. Thank you."

Following presentation of the staff report and a question and answer period of staff, Mayor Buckley Weber announced this was the time for the City Councilmembers to disclose any ex parte communications.

- Councilmember Anstead disclosed that he visited the lot and had no further communications besides receiving the emails that were forwarded from staff for public comment.
- Councilmember Lopez disclosed that she had visited the site and watched both Planning Commission meetings.
- Councilmember Northrup disclosed that she had visited the site many times prior, but did not visit it for this project, and that she had a conversation with the Mayor about the matter that was coming before the Council.
- Mayor Pro Tem Weber disclosed he visited the site, took his own pictures, and watched the Planning Commission meeting.
- Mayor Buckley Weber disclosed that she visited the site, watched both Planning Commission meetings regarding this matter, and she had a conversation with Councilmember Northrup several days ago.

The following person spoke on behalf of the Applicant/Appellant:

Arvind Aurora, Applicant/Appellant

Following a question and answer period with the Applicant/Appellant, Mayor Buckley Weber opened the floor for public comments.

Public comments were received by email and forwarded to the City Council prior to the meeting by the following person(s):

Walt and Pam Chandler, Agoura Hills
Jon Levin, Agoura Hills
Russ and Andrea Diamond, Agoura Hills
Laurie Turner, Agoura Hills
Brant Turner, Agoura Hills
David Sack, Agoura Hills
Curt C., Agoura Hills
Dan Maltese, Agoura Hills
Karen Marriott, Agoura Hills
Linda Medvene (2), Agoura Hills
Karen Marriott, Agoura Hills
Michael Papanicolaou, Agoura Hills
Stephen Cirigliano, Agoura Hills

The following person submitted a public comment after 4:00 p.m., but prior to the close of the Public Hearing:

Paul Brent, Agoura Hills

There being no further public comment, Mayor Buckley Weber invited the Applicant/Appellant to present their rebuttal.

Arvind Aurora, Applicant/Appellant

For the record, Councilmember Anstead requested staff show the photograph he took of the house that is two lots down (east) from the lot, as referenced by the Applicant/Appellant as 5470 with a 760 sq. ft. garage, on the corner of Balkins and Fairview.

There being no further questions, Mayor Buckley Weber closed the Public Hearing at 8:05 p.m.

Following discussion, Mayor Buckley Weber re-opened the Public Hearing at 8:57 p.m. for additional dialogue with the Applicant/Appellant.

The following person spoke:

Arvind Aurora, Applicant/Appellant

There being no further comments, Mayor Buckley Weber closed the Public Hearing at 9:04 p.m.

ACTION: Councilmember Northrup moved to “*continue this hearing off calendar to be publicly noticed for a future date with consultation with the Applicant and staff as to the appropriate timing of bringing it back to Council.*” Councilmember Lopez seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Buckley Weber, Mayor Pro Tem Weber, and Councilmembers Anstead, Lopez, and Northrup.

NOES: None.

ABSENT: None.

The City Council recessed at 9:06 p.m. and reconvened at 9:17 p.m.

DISCUSSION / ACTION

8. Discussion Regarding Pre-Screen Review of a Proposed Zoning Ordinance Amendment for a Residential Senior Care Facility at the Northwest Quadrant of Agoura and Chesebro Roads (Case No. PSR-01752-2020)

Following presentation of the staff report, Mayor Buckley Weber opened the floor for public comments.

The following person spoke:

Cory Anttila, Anttila Design Studio, representing the Applicant

There were no further public comments.

No formal action was required. Following discussion, the City Council provided non-binding comments to the Applicant.

9. Discussion Regarding Review of the Agoura Village Specific Plan Survey Results Completed by FM3 Research

City Manager Hamburger introduced Richard Brandon, representing FM3 Research, who provided the staff presentation.

Following presentation of the staff report, Mayor Buckley Weber opened the floor for public comments.

There were no public comments.

ACTION: Councilmember Lopez moved to receive the survey results, as presented. Councilmember Anstead seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Buckley Weber, Mayor Pro Tem Weber, and Councilmembers Anstead, Lopez, and Northrup.

NOES: None.

ABSENT: None.

10. Discussion Regarding Approval of Comment Letter on Los Angeles County Local Agency Formation Commission (LAFCO) Public Review Draft Municipal Service Review (MSR) and Sphere of Influence (SOI) Update

Following presentation of the staff report, Mayor Buckley Weber opened the floor for public comments.

There were no public comments.

ACTION: Councilmember Lopez moved to direct staff *“to submit this (comment) letter, as amended by staff with our comments on Public Review Draft MSR and SOI Update, to LAFCO and the consultant by tomorrow with your signature, Madam Mayor.”* Councilmember Anstead seconded. The motion carried 4-1, by the following roll call vote:

AYES: Mayor Buckley Weber and Councilmembers Anstead, Lopez, and Northrup.

NOES: Mayor Pro Tem Weber.

ABSENT: None.

COUNCIL, STAFF COMMENTS

Councilmember Anstead reminded everyone to stay safe and wear their mask when they go out.

Councilmember Lopez added that there would be a heatwave for the next week and encouraged everyone to be safer at home.

Councilmember Northrup requested the City Council adjourn in memory of her only and beloved Aunt, Lee Slicer, from Ohio, who, unexpectedly, passed away last Friday, noting that she was the person who taught her to sew, which led Councilmember Northrup to her love of sewing and the creation of 700 face masks for the community.

Mayor Buckley Weber reported there were 128 confirmed cases of COVID-19 in Agoura Hills with two deaths, expressed her condolences to Long Beach Mayor Robert Garcia who lost both his mother and stepfather to COVID-19 last weekend, and encouraged everyone to stay home, stay safe, stay six feet away, wash their hands, and wear their face coverings.

ADJOURNMENT

Mayor Buckley Weber announced the next Regular Meeting of the City Council would be held at 6:00 p.m., Wednesday, August 26, 2020, in the Council Chambers of the Civic Center. It is anticipated the meeting will be held by video conference and in-person attendance by the public in the Council Chambers will not be permitted.

- ACTION:** At 11:03 p.m., Councilmember Northrup moved to adjourn the meeting, in memory of her beloved Aunt, Lee Slicer. Councilmember Lopez seconded. The motion carried 5-0, by the following roll call vote:
- AYES:** Mayor Buckley Weber, Mayor Pro Tem Weber, and Councilmembers Anstead, Lopez, and Northrup.
- NOES:** None.
- ABSENT:** None.

Kimberly M. Rodrigues, MPPA, MMC
City Clerk