

MINUTES
REGULAR MEETING
AGOURA HILLS CITY COUNCIL
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Wednesday, October 23, 2024
6:00 p.m.

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

Mayor Buckley Weber announced the Land Acknowledgement.

The Pledge of Allegiance was led by Girl Scout Troop 176.

Present were: Mayor Illece Buckley Weber, Mayor Pro Tem Penny Sylvester, Councilmember Chris Anstead, Councilmember Deborah Klein Lopez, and Councilmember Jeremy Wolf.

Also Present were: City Manager Nathan Hamburger, City Attorney Candice K. Lee, Assistant City Manager Ramiro Adeva, Deputy City Manager Louis Celaya, Communications Manager Mary Haddad, Management Analyst Amber Victoria, Community Development Director Denice Thomas, City Prosecutor Eric Markus, Principal Planner Robby Nesovic, Associate Planner Katrina Garcia, Director of Public Works/City Engineer Jessica Forte, Senior Civil Engineer Charmaine Yambao, Director of Finance Diego Ibañez, Finance Manager Brenda Cho, Accountant Leah Palmer, Director of Community Services Amy Brink, and City Clerk Kimberly M. Rodrigues.

REPORT OF CLOSED SESSION

City Attorney Lee reported on the City Council Closed Session item pursuant to Government Code Sections 54956.9(d)(1). The City Council considered the item, no reportable action was taken and direction was given to staff.

APPROVAL OF AGENDA

ACTION: Mayor Pro Tem Sylvester moved to approve the Agenda, as presented. Councilmember Klein Lopez seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Buckley Weber, Mayor Pro Tem Sylvester, and Councilmembers Anstead, Klein Lopez, and Wolf.

NOES: None.

ABSTAIN: None.

ABSENT: None.

PRESENTATIONS

Mayor Buckley Weber presented a Certificate of Recognition, honoring Love's Pets as Business of the Month, to Larry Horn.

Mayor Buckley Weber presented a Certificate of Recognition, congratulating 2024 Reyes Adobe Days 20th Anniversary Commemorative Poster Contest Winner, Joan Sharron.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

Mayor Pro Tem Sylvester provided a Las Virgenes/Malibu Council of Governments Update.

Mayor Buckley Weber provided a Santa Monica Mountains Conservancy Advisory Committee Update.

Councilmember Klein Lopez provided a Clean Power Alliance Update.

PUBLIC COMMENTS

The following person(s) spoke:

Bernie Maddis, Agoura Hills
Claire Guillory, Calabasas, representing Girl Scouts (*submitted event flyer*)

CONSENT CALENDAR

There were no public comments.

ACTION: Councilmember Wolf moved to approve Consent Calendar Item Nos. 1-9, as presented. Councilmember Klein Lopez seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Buckley Weber, Mayor Pro Tem Sylvester, and Councilmembers Anstead, Klein Lopez, and Wolf.

NOES: None.

ABSTAIN: None.

ABSENT: None.

1. Approve Minutes of the Regular City Council Meeting of October 9, 2024
2. Approve Demand Warrant Register No. 921
3. Approve Memorandum of Understanding, with the City of Los Angeles, County of Los Angeles, County Flood Control District, California Department of Transportation, and the Cities of Calabasas, El Segundo, Hidden Hills, Malibu, Santa Monica, Thousand Oaks, and Westlake Village, Regarding the Cost Sharing for Implementing

the Santa Monica Bay Dry and Wet Weather Bacteria Total Maximum Daily Loads Coordinated Shoreline Water Quality Monitoring Program

4. Approve Agreement for Consultant Services, with Dudek, for the Preparation of an Oak Tree Ordinance Amendment
5. Approve Notice of Completion, with J&H Engineering General Contractor, Inc., for the Fiscal Year 2024-25 Pavement Rehabilitation Project
6. Adopt Amendments to the City of Agoura Hills Fiscal Year 2023-24 Budget
7. Approve Request to Amend the 2024 City Council Meeting Schedule
8. Adopt **Resolution No. 24-2084**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING AN AMENDED AND RESTATED CONFLICT OF INTEREST CODE FOR THE CITY OF AGOURA HILLS WHICH INCORPORATES BY REFERENCE THE STANDARD CONFLICT OF INTEREST CODE PREPARED BY THE FAIR POLITICAL PRACTICES COMMISSION, ESTABLISHING A NEW DESIGNATED POSITION AND DISCLOSURE CATEGORY FOR HUMAN RESOURCES MANAGER AND COMMUNICATIONS MANAGER OF THE CITY, AND REPEALING RESOLUTION NO. 22-2023
9. Adopt **Resolution No. 24-2085**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, WITHDRAWING FROM AND DISSOLVING THE AGOURA HILLS AND CALABASAS COMMUNITY CENTER JOINT POWERS AUTHORITY AND TERMINATING THE RELATED JOINT POWERS AGREEMENT BETWEEN THE CITY OF AGOURA HILLS AND THE CITY OF CALABASAS

CONTINUED OPEN PUBLIC HEARING (REVOCAATION)

10. Request to Receive and File Staff's Withdrawal of Request to Revoke Business License Number 006982 for Alleged Violations on March 8-11, 2024, under Case No. OTHER-001367-2021 and Close and Pull Off Calendar a Continued Open Public Hearing to Consider the Revocation of Business License Number 006982 (New Era Performance and Tuning, LLC) *Continued from September 11, 2024*

Mayor Buckley Weber opened the Public Hearing at 6:26 p.m.

Following presentation of the staff report, and a question and answer period of staff, Mayor Buckley Weber opened the floor for public comments.

Following distribution of the Agenda Packet, and prior to the City Council Meeting, written correspondence was received from the following persons (listed in the order received), forwarded to the City Council, and made available for public review.

*Diane Ricci Vannelli, Agoura
Maria DiMaggio, Agoura*

There were no further public comments.

Following deliberations, Mayor Buckley Weber called for a motion and second to approve the staff recommendation to receive and file staff's withdrawal of request to revoke Business License Number 006982 for alleged violations on March 8-11, 2024, under Case No. OTHER-001367-2021 and close and pull off calendar the Continued Open Public Hearing.

ACTION: Mayor Pro Tem Sylvester moved to approve the staff recommendation. Councilmember Anstead seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Buckley Weber, Mayor Pro Tem Sylvester and Councilmembers Anstead, Klein Lopez, and Wolf.

NOES: None.

ABSTAIN: None.

ABSENT: None.

CONTINUED PUBLIC HEARING / APPEAL

11. Conduct a Continued Public Hearing to Consider 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*) Continued from August 14, 2024

Mayor Buckley Weber deferred to Councilmember Wolf.

Councilmember Wolf made the following announcement: *"I have to recuse myself on this item, having already voted on it when it came before the Planning Commission,"* stepped down from the Council dais, and exited the Council Chambers at 6:41 p.m.

Mayor Buckley Weber opened the Public Hearing at 6:42 p.m. and deferred to City Attorney Lee.

City Attorney Lee made the following announcement: *"Yes, thank you, Mayor. As I usually do when we have these "De Novo" hearings, I like to provide a summary of tonight's proceedings to assist the Council and to give the public an idea of what to expect this evening. I know some of this is a repeat for those who have joined us in the past, but we definitely have new people who might attend so I want to reiterate the process. First, the Council will hold what's called a continued "De Novo" Public Hearing on the 28340 Balkins 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 the issues raised in the appeal application. This allows the Council to look at all the components, including*

individual entitlements, for a project and make a decision on the project as a whole. The Council need not give any particular weight or deference to what the Planning Commission decided. Now, they certainly may consider what the Planning Commission thought about this project, but the Council is not bound to follow Planning Commission's decision. Next, I'd like to summarize the order of proceedings for the hearing this evening. The Mayor already opened the Public Hearing on August 12, 2020, which was then continued to January 24, 2024, and then to tonight, October 23, 2024. So, this is a continued Public Hearing. Next, we will have a staff report. Next, we will have City Council questions of staff. At this time, Council should avoid commenting on the Project; please do stick to questions of staff. We will then turn to Council disclosure of ex parte communications. As this is a quasi-judicial matter, if Councilmembers have received relevant information about this matter outside the Public Hearing, including visiting the site, they should publicly announce that information obtained before testimony begins. We will then move to the Applicant's presentation. The Applicant is also the Appellant this evening. They will get 15 minutes and then the Council will have an opportunity to ask the Applicant questions. We will then move to the public comment portion of the Public Hearing. As usual, each speaker will be allotted three minutes. Council may ask questions of the public during public comment as well. We will then turn to the Applicant's rebuttal, which will be five minutes. Then, we will have last call for Council questions and Council should conclude questions prior to the close of the Public Hearing. Then, the Mayor will close the Public Hearing and then the Council will engage in discussion and deliberation. During deliberation, the Council should explain why they can or cannot make certain findings required for the approval of the proposed Project so that staff can prepare appropriate resolution of approval or denial based on Council's direction. Thank you."

Following presentation of the staff report, Mayor Buckley Weber inquired if any Councilmember had any ex parte communications to disclose.

- Councilmember Anstead disclosed that he had been to the site in January and prior, but had not spoken with any of the parties.
- Mayor Pro Tem Sylvester disclosed that she had spoken with staff within the last week and also visited the site in January and again last week.
- Councilmeber Klein Lopez disclosed she had re-watched some of the hearings, driven by the site this week, and had received an email with photos from the Applicant, but did not respond.
- Mayor Buckley Weber disclosed she had driven by the site for the January hearing, re-watched both the 2020 and 2024 hearings, had received an email from Mr. Aurora and responded "I'll see you next week," and recalled receiving an email from George Colman with comments and photos.

Following a question and answer period with staff, Mayor Pro Tem Buckley Weber opened the floor for public testimony from the Applicant/Appellant.

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.

Following distribution of the Agenda Packet, and prior to the City Council Meeting, written correspondence was received from the following persons (listed in the order received), forwarded to the City Council, and made available for public review.

*Russ Diamond, Old Agoura
David Sack, Agoura Hills
Jon Levin, Agoura Hills
Laurie Turner, Agoura Hills
George Colman, Old Agoura (2)
Ken Leonard, Old Agoura
Jess Thomas, Old Agoura*

The following person(s) spoke:

George Colman, Old Agoura
Laurie Turner, Agoura Hills
Brant Turner, Agoura Hills
Jon Levin, Old Agoura
Russ Diamond, Agoura Hills
Walt Donald Chandler, Agoura Hills

The City Council recessed at 7:49 p.m. and reconvened at 7:59 p.m.

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

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

Arvind Aurora, Applicant/Appellant

There being no public comments, or further questions of staff or the Applicant/Appellant by the City Council, Mayor Buckley Weber closed the Public Hearing at 8:10 p.m.

As the majority of the City Council could not make all the findings, following discussion, it was Council consensus to offer the Applicant the option to continue the Public Hearing to bring back a site redesignation for the equestrian area.

Mayor Buckley Weber reopened the Public Hearing at 8:46 p.m. to inquire if the Applicant was amenable to the continuance and he concurred. Following further discussion, a date certain of November 13, 3024, was agreed upon for the Applicant to submit new plans for consideration by the City Council.

ACTION: Following discussion, Councilmember Klein Lopez moved to continue the Open Public Hearing to November 13, 2024. Councilmember Anstead seconded. The motion carried 4-0, by the following roll call vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

Councilmember Wolf returned to the Council dais at 9:01 p.m.

DISCUSSION / ACTION

12. Discussion to Consider Options and Process for Amending the Agoura Hills Municipal Code to Establish Architectural and Design Requirements for Commercial Property within the Old Agoura Overlay District

Following presentation of the staff report, and a question and answer period of staff, Mayor Buckley Weber opened the floor for public comments.

Following distribution of the Agenda Packet, and prior to the City Council Meeting, written correspondence was received from the following person (listed in the order received), forwarded to the City Council, and made available for public review.

Jess Thomas, Old Agoura, representing Old Agoura Homeowners

The following person(s) spoke:

George Colman, Old Agoura, representing Old Agoura Homeowners
(submitted correspondence)

Daniel Farkash, Old Agoura, representing Old Agoura Homeowners

During discussion, there was City Council consensus to direct staff to bring back the item for consideration at the next Budget Workshop.

ACTION: Following deliberations, Councilmember Klein Lopez moved to “bring this back to our Budget Workshop in March of 2025 for further discussion and investigation of what works for the area.” Mayor Pro Tem Sylvester seconded. The motion carried 5-0, by the following roll call vote:

AYES: Mayor Buckley Weber, Mayor Pro Tem Sylvester, and Councilmembers Anstead, Klein Lopez, and Wolf.

NOES: None.

ABSTAIN: None.

ABSENT: None.

CITY COUNCIL, STAFF COMMENTS

Mayor Pro Tem Sylvester thanked staff for their diligence in clearing the signs and “*keeping our City looking nice and clean,*” and wished everyone a Happy Halloween, noting the road (Hempstead) would be shut down at 4:30 p.m. for the pedestrian event.

Mayor Buckley Weber announced the following upcoming events at the Event Center: the One City, One Book event, with author Lisa See, scheduled for October 30, 2024, and the State of the City and the Mayor’s Art Show scheduled for November 7, 2024.

Director of Community Services Brink invited everyone to attend the next City Council meeting on November 13, 2024, to honor outgoing Mayor Buckley Weber and announced Holidays on the Hill would be held December 2-5, 2024, at the Event Center.

Councilmember Klein Lopez spoke about the upcoming election and that voters have the options of voting by mail, dropping their ballot in a ballot box, or voting in-person at the Vote Centers. City Clerk Rodrigues offered the dates/locations of the Vote Centers.

Mayor Buckley Weber shared her personal remarks, regarding the recent passing of former Mayor/Councilmember Harry Schwarz, extended her condolences to his family, noting that he would be greatly missed, and requested the meeting be adjourned in his memory.

ADJOURNMENT

At 9:38 p.m., Mayor Buckley Weber announced the next Regular City Council Meeting would be held at 6:00 p.m. on Wednesday, November 13, 2024, in the Council Chambers of the Civic Center and adjourned the meeting in memory of Harry Schwarz.

Kimberly M. Rodrigues, MPPA, MMC
City Clerk