

MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL AND THE
AGOURA HILLS FINANCING AUTHORITY
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
February 14, 2007 at 7:00 p.m.

The meeting was called to order at 7:05 p.m.

The flag salute was led by City Manager Ramirez.

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

Also Present were: City Manager Greg Ramirez, Assistant to the City Manager Nathan Hamburger, Assistant to the City Manager Louis Celaya, City Attorney Craig Steele, Lieutenant Steve Smith, Director of Planning and Community Development Mike Kamino, City Engineer Ken Berkman, Director of Finance Georgette Holt, Financial Advisor Curt de Crinis, Director of Community Services Amy Brink, Recreation Manager Donna Conlin, Emergency Operations/Media Coordinator Carol Tubelis, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

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

APPROVAL OF AGENDA

Mayor Kuperberg requested the City Council change the order of the Agenda and move Item No. 9 to follow the Financing Authority Meeting (preceding Item No. 7). On a motion by Councilmember Schwarz, second by Mayor Pro Tem Edelston, the Agenda was approved, as amended, without objection.

ORAL COMMUNICATIONS

The following persons spoke:

Carol Rosenberg, Agoura Hills
Zuma Dogg, Agoura Hills
Colleen Holmes, Agoura Hills, President of the Cornell Preservation Organization
(submitted pictures on graffiti)
Melina Watts, Agoura Hills, Resource Conservative District, Santa Monica Mountains
(provided a presentation on New Zealand mud snails)

PRESENTATIONS

There were no presentations.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE & DEPARTMENTAL REPORTS

Las Virgenes Municipal Water District (LVMWD) Representative Jeff Reinhardt introduced LVMWD Acting Director of Resource Conservation and Public Outreach, Dr. Randal Orton, who provided an update on the Malibu Creek Runoff Control (MCRC) Program.

Councilmember Schwarz reported on the last meeting of the Community Services Committee regarding the proposed upgrade of the tennis courts at Agoura High School.

CONSENT CALENDAR

The City Council consented to pull Item No. 5 for public comment.

The motion by Mayor Pro Tem Edelston, to approve Item Nos. 1, 2, 3, and 4, was seconded by Councilmember Weber and approved 5-0.

1. Approve Minutes of the Regular City Council and Agoura Hills Financing Authority of January 10, 2007

ACTION: Approved 5-0

2. Approve Minutes of the Regular City Council Meeting of January 24, 2007

ACTION: Approved 5-0

3. Approve Demand Warrant Register No. 557

ACTION: Approved 5-0

4. Approve Updated and Restated Agreement for City Attorney Services

ACTION: Approved 5-0

CONSENT CALENDAR ITEM PULLED FOR PUBLIC COMMENT

5. Adopt **Resolution No. 07-1439**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING THE AGOURA HILLS EMERGENCY RESPONSE PLAN IN COMPLIANCE WITH THE CALIFORNIA STANDARDIZED EMERGENCY MANAGEMENT SYSTEM (SEMS)

The following person spoke in favor of the item:

Kirk Allegro, Agoura Hills (submitted letter)

ACTION: Following discussion, the motion by Councilmember Schwarz to adopt **Resolution No. 07-1439**, was seconded by Councilmember Koehler, and approved 5-0.

PUBLIC HEARING

6. Conduct a Public Hearing and Adopt **Resolution No. 07-1440**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, MAKING A FINDING OF SIGNIFICANT PUBLIC BENEFIT IN CONNECTION WITH THE SALE AND ISSUANCE OF AGOURA HILLS FINANCING AUTHORITY LEASE REVENUE REFUNDING BONDS, SERIES 2007, APPROVING AS TO FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION WITH THE SALE AND ISSUANCE OF SAID BONDS, AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO

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

There were no speakers.

Mayor Kuperberg closed the Public Hearing.

ACTION: Following discussion, the motion by Councilmember Schwarz, to adopt **Resolution No. 07-1440**, was seconded by Councilmember Weber, and approved on a roll call vote of 5-0.

Convene the Agoura Hills Financing Authority (FA) Meeting Without Adjourning the Agoura Hills City Council Meeting

Chairman Kuperberg called the meeting to order at 7:52 p.m.

Present were: Chairman Dan Kuperberg, Vice Chairman John Edelston, Director William Koehler, Director Harry Schwarz, and Director Denis Weber.

Also Present Were: Executive Director Greg Ramirez, Authority Counsel Craig Steele, Assistant to the City Manager Nathan Hamburger, Assistant to the City Manager Louis Celaya, Director of Finance Georgette Holt, Financial Advisor Curt de Crinis, and Authority Secretary Kimberly Rodrigues.

FA APPROVAL OF AGENDA

On a motion by Director Weber, second by Vice Chairman Edelston, the Agenda was approved without objection.

FA ORAL COMMUNICATIONS

There were no speakers.

FA CONSENT CALENDAR

On a motion by Vice Chairman Edelston, second by Director Weber, the Consent Calendar was approved without objection.

FA1. Approve Minutes of the Regular City Council and Agoura Hills Financing Authority of January 10, 2007

ACTION: Approved 5-0

FA DISCUSSION/ACTION

FA2. Adopt **Resolution No. 07-004**; A RESOLUTION OF THE AGOURA HILLS FINANCING AUTHORITY ACKNOWLEDGING A FINDING OF SIGNIFICANT PUBLIC BENEFIT IN CONNECTION WITH THE ISSUANCE OF AGOURA HILLS FINANCING AUTHORITY LEASE REVENUE REFUNDING BONDS, SERIES 2007; AUTHORIZING THE SALE, ISSUANCE AND DELIVERY OF SAID BONDS; APPROVING AS TO FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO and,

Adopt **Resolution No. 07-005**; A RESOLUTION OF THE AGOURA HILLS FINANCING AUTHORITY APPROVING AS TO FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST SUPPLEMENTAL INDENTURE RELATING TO THE AUTHORITY'S LEASE REVENUE BONDS (CIVIC CENTER AND LIBRARY PROJECTS), SERIES 1999

ACTION: Following presentation of the staff report, the motion by Director Weber, to adopt **Resolution Nos. 07-004 and 07-005**, was seconded by Director Koehler, and approved on a roll call vote of 5-0.

At 7:55 p.m., Chairman Kuperberg adjourned the Financing Authority Meeting.

**Adjourn the Agoura Hills Financing Authority Meeting and
Reconvene the Regular Meeting of the Agoura Hills City Council**

DISCUSSION/ACTION - CHANGE IN ORDER OF AGENDA

9. Discussion of Facility Use Agreement with Las Virgenes Unified School District for Agoura High School Tennis Courts

Following presentation of the staff report and a question and answer period, Mayor Kuperberg opened the floor for public comment.

The following persons spoke in favor of tennis courts at Agoura High School:

Sharon McDonald, Agoura Hills
Noel Gyro, Agoura Hills (additional time deferred by David Silverman, Agoura Hills)

ACTION: The City Council unanimously concurred to direct staff to work with the Community Services Committee to continue to negotiate with the Las Virgenes Unified School District regarding the term of the agreement, facility use fees, first right of refusal, and security procedures, and bring back a formal item to Council for approval on February 28, 2007.

PUBLIC HEARING/ORDINANCE

7. Conduct a Continued Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 06-341**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, IMPOSING A CIVIL PENALTY FOR HOSTING GATHERINGS OF UNDERAGE DRINKERS AND AMENDING THE AGOURA HILLS MUNICIPAL CODE - *This Public Hearing was continued from the Regular City Council Meeting of January 10, 2007*

Following presentation of the staff report, Mayor Kuperberg spoke about concerns with consistency in language and definitions in the Ordinance and requested the opened Public Hearing be continued to a date certain.

ACTION: The motion by Mayor Kuperberg, to open and continue the Public Hearing to the Regular City Council Meeting of April 25, 2007, was seconded by Mayor Pro Tem Edelston, and unanimously approved 5-0.

8. Conduct a Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 07-343**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING SECTION 9678 THROUGH 9678.2 (TEMPORARY USES) AND SECTIONS 9312.2 (COMMERCIAL USE TABLE) AND SECTIONS 9212.4, 9222.3, 9232.3, 9242.3, 9252.3 AND 9262.3 (RESIDENTIAL LAND USE DISTRICTS) RELATING TO TEMPORARY USES

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

There were no speakers.

Mayor Kuperberg closed the Public Hearing.

The City Council directed staff to shorten the three month time limitation for temporary seasonal uses, such as pumpkin and Christmas tree sales lots, to 45 or 60 days.

ACTION: The motion by Councilmember Koehler, to introduce, read by title only, and waive further reading of **Ordinance No. 07-343**, was seconded by Councilmember Schwarz, and approved on a roll call vote of 5-0.

DISCUSSION/ACTION – CHANGE IN ORDER OF AGENDA

9. This item was moved to follow the Financing Authority Agenda (preceding Item No. 7).

COUNCIL, STAFF COMMENTS

Councilmember Weber reported that he attended the Decades and Diamonds event at the Senior Center, honoring senior citizens 90 years or older, and it was a wonderful celebration.

Councilmember Koehler reported that he attended the City of Westlake Village's 25th Anniversary Gala at the Four Seasons Hotel in Westlake Village and suggested staff commence planning for the City's 25th Anniversary Gala scheduled for December. Mayor Kuperberg reported that staff is working on the event and an update would be brought back to Council.

Mayor Kuperberg complimented staff on the Annual Volunteer Recognition Event and noted that participants were appreciative of the City's acknowledgement.

ADJOURNMENT

At 8:50 p.m., on a motion by Councilmember Schwarz, second by Councilmember Weber, the Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, February 28, 2007, 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/Authority Secretary