

**MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL AND
AGOURA HILL REDEVELOPMENT AGENCY
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
November 8, 2006 at 7:00 p.m.**

Mayor Weber called the meeting to order at 7:03 p.m.

The flag salute was led by City Attorney Craig Steele.

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

Also Present were: City Manager Greg Ramirez, City Attorney Craig Steele, City Treasurer Lily Ruff, Assistant to the City Manager Nathan Hamburger, Assistant to the City Manager Louis Celaya, Director of Finance Georgette Holt, Director of Planning and Community Development Mike Kamino, Planning Consultant Joyce Parker-Bozylinski, City Engineer Ken Berkman, Director of Community Services Amy Brink, Recreation Manager Donna Conlin, Recreation Supervisor Meredith Petit, Community Services Coordinators, Nick Newkirk and Xochitl Castillo, Administrative Secretary Cynthia Polich, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

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

APPROVAL OF AGENDA

Councilmember Edelston requested Agenda Item No. 6 be pulled and referred back to the Finance Committee for consideration.

Mayor Weber requested Agenda Item No. 9 be moved up and considered immediately preceding the Redevelopment Agency Meeting.

The motion by Mayor Pro Tem Kuperberg to approve the recommended changes for Agenda Item Nos. 6 and 9, was seconded by Councilmember Edelston, and the Agenda was approved without objection as amended.

ORAL COMMUNICATIONS

There were no oral communications.

PRESENTATIONS

On behalf of the City Council, Mayor Weber presented a bouquet of roses to Director of Community Services Amy Brink in recognition of the success of the 2nd Annual Reyes Adobe Days event.

On behalf of the City Council, Mayor Weber presented awards to Administrative Secretary Cynthia Polich (20 years) and City Treasurer Lily Ruff (23 years) for their years of service to the City of Agoura Hills.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE & DEPARTMENTAL REPORTS

City Manager Ramirez apologized to the public for any inconvenience yesterday with access to the polling precinct located on Canterbury Drive.

CONSENT CALENDAR

The motion by Councilmember Schwarz, to pull and forward Agenda Item No. 6 to the Finance Committee for consideration and approve Consent Calendar Agenda Item Nos. 1 (as amended with the inclusion of Appendix F), 2, 3, 4, 5, and 7, was seconded by Mayor Pro Tem Kuperberg and approved 5-0.

1. Approve Minutes of the Regular City Council Meeting of October 25, 2006

ACTION: Approved 5-0

2. Approve Demand Warrant Register No. 551

ACTION: Approved 5-0

3. Approve Professional Services Agreement with Centration to Provide Services to Prepare and File SB 90 Mandated Cost Claims

ACTION: Approved 5-0

4. Adopt **Resolution No. 06-1432**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING A 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 LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES FOR OFFICERS AND EMPLOYEES OF THE CITY, AND REPEALING RESOLUTION NO. 04-1343

ACTION: Approved 5-0

5. Adopt **Resolution No. 06-1433**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE ADOPTED PERSONNEL RULES AND REGULATIONS TO INCLUDE A VEHICLE USE POLICY

ACTION: Approved 5-0

CONSENT CALENDAR ITEM PULLED

6. Adopt **Resolution No. 06-1434**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING THE INVESTING OF MONIES WITH BANC OF AMERICA INVESTMENT SERVICES, INC.

ACTION: The City Council unanimously approved pulling and forwarding this item to the Finance Committee for consideration.

CHANGE IN ORDER OF AGENDA
CONSIDERATION OF AGENDA ITEM NO. 9

DISCUSSION/ACTION

9. Contract Award for the Morrison Park Improvement Project; NIB 04-11

The following documents were received after the Agenda packet was prepared and distributed and copies were placed at the dais for City Council consideration:

Dr. Donald M. Zimring, LVUSD, Letter dated November 3, 2006
Six (6) residents (signatures illegible) submitted a support letter dated November 7, 2006
One resident (no name) submitted a support letter dated November 7, 2006

The following Public Comments were heard at the meeting:

Noel Gyro, Agoura Hills, spoke on behalf of 23 residents in opposition to the project
Michael Hu (in favor), Agoura Hills
Barbara Hu (in favor), Agoura Hills
Phil Carter, representing Malibu Pacific Tennis Courts, Inc.

ACTION: Following discussion and a question and answer period, the motion by Mayor Pro Tem Kuperberg, to accept the base bid by Malibu Pacific Tennis Courts, Inc., for the restrooms, was seconded by Councilmember Schwarz and unanimously approved 5-0.

MOTION: The motion by Mayor Pro Tem Kuperberg, to direct staff to work with Malibu Pacific Tennis Courts, Inc., on an extension to keep the bids open for ninety (90) days and bring back a proposal on any modifications to the basketball/sports court, the proposed tennis courts, and when the actual construction would begin, was seconded by Councilmember Edelston.

City Manager Ramirez noted that any modifications could be approved through a change order.

Mayor Pro Tem Kuperberg withdrew his previous motion.

ACTION: The motion by Mayor Pro Tem Kuperberg, to approve the base bid (plus the basket ball court) from Malibu Pacific Tennis Courts, Inc., ask them to keep the remaining bids open for up to ninety (90) days, and direct staff to work with them regarding any modifications and regarding the building and construction timelines, was seconded by Councilmember Edelston, and unanimously approved 5-0.

ACTION: The motion by Mayor Pro Tem Kuperberg, to direct staff to work with the Las Virgenes Unified School District and bring back, within ninety (90) days, a proposal for the tennis courts at Agoura High School, in addition to working with Malibu Pacific Tennis Courts, Inc., on the refurbishment and/or redesign of said tennis courts, was seconded by Councilmember Koehler, and unanimously approved 5-0.

<p style="text-align: center;">Convene the Agoura Hills Redevelopment Agency (RDA) Meeting Without Adjourning the Agoura Hills City Council Meeting</p>
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Agency Chair Dan Kuperberg called the meeting to order at 8:34 p.m.

Present were: Agency Chair Dan Kuperberg, Agency Vice Chair John Edelston, Agency Member William Koehler, Agency Member Harry Schwarz, and Agency Member Denis Weber.

Also Present were: Agency Executive Director Greg Ramirez, Agency Attorney Craig Steele, and Agency Secretary Kimberly Rodrigues.

RDA APPROVAL OF AGENDA

On a motion by Agency Vice Chair Edelston, seconded by Agency Member Weber, the Agenda was approved without objection.

RDA ORAL COMMUNICATIONS

There were no oral communications by the public.

RDA CONSENT CALENDAR

On a motion by Agency Member Schwarz, second by Agency Member Koehler, the Consent Calendar was approved 5-0.

RDA1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of July 12, 2006

ACTION: Approved 5-0

RDA2. Approve Agreement with RSG, Inc., for Consulting Services to Assist in Implementing City Affordable Housing Projects and Programs

ACTION: Approved 5-0

At 8:35 p.m., the Redevelopment Agency unanimously consented to adjourning the Redevelopment Agency Meeting.

**Adjourn the Agoura Hills Redevelopment Agency Meeting and
Reconvene the Regular Meeting of the Agoura Hills City Council**

PUBLIC HEARING/ORDINANCE

7. Conduct a Public Hearing, Read by Title Only, Waive Further Reading, and Adopt **Ordinance No. 06-339**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, EXTENDING THE INTERIM ZONING ORDINANCE PROHIBITING THE ESTABLISHMENT OF MARIJUANA DISPENSARIES IN ANY ZONING DISTRICT WITHIN THE CITY

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

There were no speakers.

Mayor Weber closed the Public Hearing.

ACTION: Following discussion, the motion by Councilmember Schwarz, to adopt **Ordinance No. 06-339** and direct staff to bring back an update in six months, was seconded by Mayor Pro Tem Kuperberg, and approved on a roll call vote of 5-0.

The City Council recessed at 8:40 p.m. and reconvened at 9:04 p.m.

8. Conduct a Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 06-340**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING CHAPTER 6, PART 2, DIVISION 5 – SIGN REGULATIONS, §9655-9655.9, IN THE CITY OF AGOURA HILLS MUNICIPAL CODE

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

There were no speakers.

Mayor Weber closed the Public Hearing.

ACTION: Following discussion, the motion by Councilmember Koehler, to introduce, read by title only, and waive further reading of **Ordinance No. 06-340**, with the proviso that staff will monitor the enforcement provision of the temporary commercial window sign ordinance and report back to the City Council within six months (after adoption) regarding possible continuance of enforcement provisions, was seconded by Councilmember Edelston and approved on a roll call vote of 5-0.

DISCUSSION/ACTION

9. This item was moved for consideration immediately preceding the Redevelopment Agency Meeting.

COUNCIL, STAFF COMMENTS

Mayor Weber wished everyone a happy Veteran's Day and Thanksgiving and thanked everyone for his time as Mayor.

ADJOURNMENT

At 9:57 p.m., on a motion by Councilmember Schwarz, seconded by Councilmember Koehler, the Council unanimously consented to adjourn the meeting to 7:00 p.m., Monday, December 4, 2006, for a Special Meeting of the City Council in the Council Chambers of the Civic Center. The Civic Center is located at 30001 Ladyface Court, Agoura Hills, California.

Kimberly M. Rodrigues, CMC
City Clerk/Agency Secretary