

**MINUTES**  
**REGULAR MEETING OF THE**  
**AGOURA HILLS CITY COUNCIL**  
**Civic Center – Council Chambers**  
**30001 Ladyface Court, Agoura Hills, CA 91301**  
**September 26, 2007 at 7:00 p.m.**

The meeting was called to order at 7:04 p.m. in honor of the birth of Community Services Coordinator Nick Newkirk's son, Kyle Nicholas Newkirk.

The flag salute was led by Councilmember Weber.

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

Councilmember William Koehler was absent.

Also Present were: City Manager Greg Ramirez, City Attorney Craig Steele, Assistant City Manager Nathan Hamburger, Assistant to the City Manager Louis Celaya, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, Director of Community Services Amy Brink, Recreation Manager Donna Conlin, Recreation Supervisor Meredith Petit, Community Services Coordinator Julianne Cox, Community Services Coordinator Nick Newkirk, Community Services Coordinator Xochitl Castillo, and City Clerk Kimberly Rodrigues.

**REPORT OF CLOSED SESSION**

City Attorney Steele announced that a motion by Mayor Kuperberg, to add a pending litigation item, Government Code Section 54956.9(a), regarding *Mohammed Sherif dba Agoura Lube and Smog v. City of Agoura Hills*, Case No. LC 077472, to the Closed Session Agenda, was seconded by Councilmember Weber and approved on a 4/5 vote, with Councilmember Koehler absent.

City Attorney Steele reported on two Closed Session items (*Altmann v. City of Agoura Hills City Council*, Case No. BS 104251 and the case listed above) pursuant to Government Code Section 54656.9(a). Direction was given to staff and no reportable action was taken.

**APPROVAL OF AGENDA**

On a motion by Councilmember Schwarz, second by Mayor Pro Tem Edelston, the Agenda was approved without objection, with Councilmember Koehler absent.

## **ORAL COMMUNICATIONS**

There were no public speakers.

## **PRESENTATIONS**

There were no presentations.

## **INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE & DEPARTMENTAL REPORTS**

There were no reports.

## **CONSENT CALENDAR**

On a motion by Mayor Pro Tem Edelston, second by Councilmember Schwarz, the Consent Calendar was approved 4-0, with Councilmember Koehler absent.

1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of August 22, 2007

ACTION: Approved 4-0, Koehler absent

2. Approve Demand Warrant Register No. 571

ACTION: Approved 4-0, Koehler absent

3. Approve Demand Warrant Register No. 572

ACTION: Approved 4-0, Koehler absent

4. Approve Treasurer's Report for July 2007

ACTION: Approved 4-0, Koehler absent

5. Approve Treasurer's Report for August 2007

ACTION: Approved 4-0, Koehler absent

6. Approve Rejection of Claim for Damages – Benedict DeSimone

ACTION: Approved 4-0, Koehler absent

7. Approve Updated Agreement with California Code Check to Provide Professional Plan Review and Inspection Services

ACTION: Approved 4-0, Koehler absent

8. Approve Notice of Completion for the 2007-2008 Street Resurfacing Project; NIB 07-02

ACTION: Approved 4-0, Koehler absent

9. Approve Brulte Funding – Twelfth Year Expenditures

ACTION: Approved 4-0, Koehler absent

10. Adopt **Ordinance No. 07-347**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ARTICLE IV, CHAPTER 11, SECTIONS 41106, 41108, 41109(b), AND 41111, GRAFFITI PREVENTION AND REMOVAL, AND AMENDING THE NOTIFICATION TO OWNERS OR POSSESSORS OF PRIVATE PROPERTY, HEARING AND POSTING, AND ABATEMENT OF GRAFFITI WHERE IT IS VISIBLE

ACTION: Approved 4-0, Koehler absent

### **INFORMATIONAL REPORTS**

11. Reyes Adobe Days 2007

The City Council received the presentation from the Community Services Department; no action was required.

12. Capital Improvement Projects (CIP) Update

The City Council received the presentation from the Engineering Department; no action was required.

### **ORDINANCE**

13. Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 07-348**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, REGARDING NEWSRACKS AND AMENDING THE AGOURA HILLS MUNICIPAL CODE and adopt **Resolution No. 07-1464**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING LIMITATIONS ON FEES THAT MAY BE CHARGED FOR NEWSRACKS

Following the staff presentation, Mayor Kuperberg opened the floor for public comment.

There were no public speakers.

**ACTION:** Following discussion, the motion by Councilmember Weber, to introduce, read by title only, and waive further reading of **Ordinance No. 07-348**, was seconded by Councilmember Schwarz, and approved on a roll call vote of 4-0, with Councilmember Koehler absent.

**ACTION:** The motion by Councilmember Schwarz, to direct staff to utilize Option one for implementation, and to adopt **Resolution No. 07-1464**, was seconded by Councilmember Weber, and approved 4-0, with Councilmember Koehler absent.

### **DISCUSSION/ACTION**

14. Discussion Regarding Support of the Board of Education's Placement of A Measure, for Voter Approval to Renew an Educational Parcel Tax Benefiting the Las Virgenes Unified School District, on the November 6, 2007 Ballot

Following the staff presentation, Mayor Kuperberg opened the floor for public comment.

There were no public speakers.

**ACTION:** The motion by Councilmember Schwarz, to endorse the Board of Education's placement of Measure E, for voter approval to renew an educational parcel tax benefiting the Las Virgenes Unified School District, on the November 6, 2007 ballot, was seconded by Councilmember Weber, and unanimously approved with Councilmember Koehler absent.

### **CITY COUNCIL, STAFF COMMENTS**

Director of Community Services Amy Brink announced that an all day music festival, featuring Poncho Sanchez, would be held at the Reyes Adobe on October 14, 2007, and commended Community Services staff on organizing the Reyes Adobe Days event.

Mayor Pro Tem Edelston spoke about attending, at the request of the County of Los Angeles, meetings in Washington D.C. to ask legislators to support measures limiting the Federal reduction in the amount of money given to the State for healthcare for uninsured individuals. He reported that the State is looking at a budgetary cut of approximately \$250 million to the County of Los Angeles which will affect everyone.

Councilmember Weber requested the City Council adjourn in honor of City Clerk Kimberly Rodrigues' birthday today.

Councilmember Schwarz spoke about the AT&T optical line upgrades and reported that the asphalt repair work was less than satisfactory and, in addition, residents were not receiving notification about the installation of green cable boxes to their property. He requested staff look into the issues and respond to AT&T.

Mayor Kuperberg announced that the City of Agoura Hills Emergency Preparedness Handbook was mailed to each household in the community and encouraged residents to review the materials.

City Manager Greg Ramirez reported that City staff and the Disaster Response Team (16 participants) performed a routine (twice per year) emergency exercise and opened the EOC (Emergency Operations Center) yesterday. The educational exercise provided staff the opportunity to respond to a (mock) 7.8 earthquake and lasted approximately three hours.

Mayor Kuperberg requested Council consensus for the formation and addition of an Environmental Committee to the Special Purpose Committee list. The City Council, with Councilmember Koehler absent, unanimously consented to direct staff to bring back a report on October 10, 2007.

### **ADJOURNMENT**

At 10:37 p.m., on a motion by Councilmember Schwarz, second by Councilmember Weber, with Councilmember Koehler absent, the Council unanimously consented to adjourn the meeting, in honor of City Clerk Kimberly Rodrigues, to 7:00 p.m., Wednesday, October 10, 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