

MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
May 14, 2008 at 7:00 p.m.

The meeting was called to order at 7:00 p.m.

The flag salute was led by Councilmember Koehler.

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

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, Parks and Landscape Superintendent Frank Gonzalez, Director of Planning and Community Development Mike Kamino, Building Official Amir Hamidzadeh, Director of Community Services Amy Brink, Recreation Supervisor Meredith Petit, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

City Attorney Steele reported on the three Closed Session items, pursuant to Government Code Section 54956.8. Direction was given to staff and no reportable action was taken.

APPROVAL OF AGENDA

Councilmember Koehler requested the City Council add an item to the agenda, to consider setting an appeal regarding the Planning Commission's approval of a project located at 27489 Agoura Road, on the grounds that: 1) the item came to the City's attention after the regularly scheduled agenda was posted; 2) the deadline for filing an appeal on the Planning Commission's decision is this Friday; and, 3) to meet the Friday deadline, there is a need for the City Council to take action, before the next regular City Council meeting, to decide whether or not they are going to call the item up on appeal.

The motion by Councilmember Koehler, to place the item on the agenda (Item No. 12), was seconded by Councilmember Schwarz, and approved 4-1, with Mayor Pro Tem Weber opposed.

On a motion by Councilmember Kuperberg, second by Councilmember Schwarz, the Agenda was approved, as amended, with Mayor Pro Tem Weber opposed to Item No. 12.

PUBLIC COMMENTS

There were no public comments.

PRESENTATIONS

Mayor Edelston presented an Employee Service Award to City Manager Greg Ramirez for ten years of service with the City. Following the presentation, each member of the City Council spoke about Mr. Ramirez and his contributions to the City and congratulated and thanked him for his leadership and service to the community.

Mayor Edelston presented a Certificate of Recognition to Older American of the Year Nominee, James Benedict.

Community Services Coordinator Xochitl Castillo noted that Mr. Benedict's name has been added to a plaque that will be hung at the Community Center.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

There were no reports.

CONSENT CALENDAR

Mayor Pro Tem Weber requested Item No. 3 be pulled for discussion.

There were no public speakers.

On a motion by Councilmember Kuperberg, second by Mayor Pro Tem Weber, the Consent Calendar was approved 5-0, with the exception of Item No. 3.

1. Approve Minutes of the Regular City Council, Redevelopment Agency, and Financing Authority Meeting of April 23, 2008

ACTION: Approved 5-0

2. Approve Demand Warrant Register No. 586

ACTION: Approved 5-0

3. **This item was pulled and deferred to the end of the Agenda for discussion.**

4. Approve an Agreement with the Las Virgenes Unified School District to Use Agoura High School for the July Fireworks Show

ACTION: Approved 5-0

5. Approve an Agreement with West Coast Arborists, Inc., for Professional Tree Maintenance Services

ACTION: Approved 5-0

6. Approve Contract Award for the FY 2008-09 Street Resurfacing Project; NIB 08-01

ACTION: Approved 5-0

7. Approve Authorization to Seek Bids for FY 2008-09 Annual Concrete Repair Project; NIB 08-02

ACTION: Approved 5-0

8. Approve Rejection of Claim for Damages – Michelle Fletcher

ACTION: Approved 5-0

9. Adopt **Resolution No. 08-1477**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING A CITYWIDE RECORDS RETENTION/DESTRUCTION SCHEDULE FOR THE MAINTENANCE AND DISPOSITION OF RECORDS AND RESCINDING RESOLUTION NO. 06-1426

ACTION: Approved 5-0

10. Adopt **Resolution No. 08-1478**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT FOR A LOCAL AGENCY, and Adopt **Resolution No. 08-1479**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT FOR A SPECIAL DISTRICT

ACTION: Approved 5-0

CONSENT CALENDAR ITEM PULLED FOR DISCUSSION

3. Approve Agreement with Direct Landscape Maintenance for FY 2008-11 Citywide Landscape and Maintenance Contract

There were no public speakers.

ACTION: Following discussion, the motion by Councilmember Kuperberg, to approve the agreement, was seconded by Councilmember Schwarz, and approved 4-1, with Mayor Pro Tem Weber opposed.

DISCUSSION/ACTION

11. Discussion Regarding Park Reservation Policies

Following presentation of the staff report, Mayor Edelston opened the floor for public comment.

There were no public speakers.

ACTION: Following discussion and a question and answer period, the City Council provided their comments regarding the park reservation policies and directed staff to bring back a report.

DISCUSSION/ACTION ITEM ADDED TO THE AGENDA

12. Consideration to Schedule an Appeal of the Planning Commission's Decision regarding property located at 27489 Agoura Road

Councilmember Koehler requested the City Council schedule this item to consider reviewing the General Plan requirement for the project, which would have an impact (removal) of an existing Oak tree, and to revisit the proposed color scheme.

City Attorney Steele, confirmed that if the item is scheduled, it would be considered as a de novo (new) public hearing and, for the public benefit, noted that Section 9804.8 of the Agoura Hills Municipal Code says that the people who have the standing to appeal the decision are the applicant, the Planning Commission, the City Council, or any interested person and this is the only forum that the City Council has the opportunity, procedurally, to make a decision to file an appeal and it is completely consistent with the Municipal Code to have the item come before the City Council for consideration in this manner.

ACTION: The motion by Councilmember Koehler, to approve setting an appeal to consider the Planning Commission's approval of Site Plan/Architectural Review Case No. 06-SPR-009; Oak Tree Permit No. 06-OTP-021, and Vesting Tentative Parcel Map No. 67397 for property located at 27489 Agoura Road, was seconded by Councilmember Schwarz and approved 4-1, with Mayor Pro Tem Weber opposed.

CITY COUNCIL, STAFF COMMENTS

Mayor Pro Tem Weber invited everyone to attend the Memorial Day Ceremony at Pierce Brothers Valley Oaks Cemetery in Westlake Village on Monday, May 26, 2008 at 11:00 a.m.

Recreation Supervisor Meredith Petit invited everyone to attend the ribbon cutting event, to unveil the City's five new Dial-A-Ride vans, on Monday, May 15, 2008, at the Agoura Hills Recreation Center.

ADJOURNMENT

At 8:30 p.m., on a motion by Councilmember Kuperberg, second by Mayor Pro Tem Weber, the City Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, May 28, 2008, 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