

**MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL, AND THE
AGOURA HILLS REDEVELOPMENT AGENCY
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
August 13, 2008 at 7:00 p.m.**

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

The flag salute was led by Councilmember Kuperberg.

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, Director of Finance Christy Pinuelas, Director of Planning and Community Development Mike Kamino, Assistant Director of Planning and Community Development Doug Hooper, Associate Planner Valerie Darbouze, Oak Tree/Landscape Consultant Kay Greeley, Rincon Consultant Abe Leider, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

City Attorney Steele reported on the four City Council Closed Session items and one Redevelopment Agency Closed Session items, pursuant to Government Code Sections 54956.8, 54957.6 and 54956.9(a). Direction was given to staff and no reportable action was taken.

APPROVAL OF AGENDA

On a motion by Councilmember Kuperberg, second by Mayor Pro Tem Weber, the Agenda was approved without objection.

PUBLIC COMMENTS

There were no public comments.

PRESENTATIONS

There were no presentations.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

Las Virgenes Unified School District Superintendent Donald Zimring introduced newly appointed Willow Elementary School Principal, Jill Kiernan.

League of California Cities Regional Public Affairs Manager Teresa Acosta introduced herself to the City Council and community as the representative for Agoura Hills.

CITY COUNCIL CONSENT CALENDAR

There were no public speakers.

On a motion by Councilmember Schwarz, second by Mayor Pro Tem Weber, the Consent Calendar was approved 5-0.

1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of July 9, 2008

ACTION: Approved 5-0

2. Approve Demand Warrant Register No. 591

ACTION: Approved 5-0

3. Approve Treasurer's Investment Report for June 2008

ACTION: Approved 5-0

4. Approve Consulting Services Agreement with Dapeer, Rosenblit & Litvak, LLP, for City Prosecuting Services

ACTION: Approved 5-0

5. Approve Consulting Services Agreement with Seven Elk Ranch Design, Inc., (Kay Greeley) for Landscaping and Oak Tree Consulting Services

ACTION: Approved 5-0

6. Approve Rejection of Claim for Damages for Sonya Martin

ACTION: Approved 5-0

7. Adopt **Resolution No. 08-1489**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE RETIREE WELFARE BENEFITS PLAN NO. 801972 AND THE DECLARATION OF TRUST OF THE CITY OF AGOURA HILLS RETIREE HEALTHCARE INTEGRAL PART TRUST FOR EXISTING AND FUTURE RETIREES

ACTION: Approved 5-0

8. Adopt **Resolution No. 08-1490**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ACCEPTING THE TRANSFER OF TITLE OF CERTAIN SPECIFIED PARCELS OF REAL PROPERTY AS DEDICATED OPEN SPACE AND AUTHORIZING THE CITY CLERK TO EXECUTE AND RECORD THE GRANT DEED AS NECESSARY

ACTION: Approved 5-0

9. Adopt **Resolution No. 08-1491**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, OVERTURNING THE PLANNING COMMISSION'S DENIAL AND APPROVING CONDITIONAL USE PERMIT CASE NO. 06-CUP-007 AND SIGN PERMIT CASE NO. 06-SP-037 (Danari Oak Creek, LLC, Applicant)

ACTION: Approved 5-0

**Convene the Agoura Hills Redevelopment Agency (RDA) Meeting
Without Adjourning the Agoura Hills City Council Meeting**

The meeting was called to order at 7:08 p.m. by Agency Chair Weber.

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

Also Present were: Executive Director Greg Ramirez, Agency Attorney Craig Steele, Assistant Executive Director Nathan Hamburger, Assistant to the Executive Director Louis Celaya, Director of Finance Christy Pinuelas, Director of Planning and Community Development Mike Kamino, Assistant Director of Planning and Community Development Doug Hooper, Associate Planner Valerie Darbouze, Oak Tree/Landscape Consultant Kay Greeley, Rincon Consultant

Abe Leider, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, and Agency Secretary Kimberly Rodrigues.

RDA APPROVAL OF AGENDA

On a motion by Agency Member Edelston, second by Agency Member Kuperberg, the Agenda was approved without objection.

RDA PUBLIC COMMENTS

There were no public comments.

RDA CONSENT CALENDAR

There were no public speakers.

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

RDA1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of July 9, 2008

ACTION: Approved 5-0

RDA2. Approve Consulting Services Agreement with MDG-LDM Associates, Inc., for First Time Homebuyer Program Implementation Services and Single-Family Housing Rehabilitation Program Consulting Services

ACTION: Approved 5-0

At 7:10 p.m., on a motion by Vice Chair Koehler, second by Agency Member Edelston, the Redevelopment Agency unanimously consented to adjourn the meeting.

**Adjourn the Agoura Hills Redevelopment Agency (RDA) Meeting
Without Adjourning the Agoura Hills City Council Meeting**

CITY COUNCIL PUBLIC HEARING

10. Conduct a Public Hearing and Adopt **Resolution No. 08-1492**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, FINDING THE CITY OF AGOURA HILLS TO BE IN CONFORMANCE WITH THE CONGESTION

MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

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

There being no public speakers, Mayor Edelston closed the Public Hearing.

ACTION: Following discussion, the motion by Mayor Pro Tem Weber, to adopt **Resolution No. 08-1492**, was seconded by Councilmember Kuperberg, and approved on a roll call vote of 5-0.

CITY COUNCIL CONTINUED PUBLIC HEARING

11. Conduct a Continued Public Hearing to Consider an Appeal of the Planning Commission's Approval of Site Plan/Architectural Review Case No. 06-SPR-009, Oak Tree Permit Case No. 06-OTP-021 and a Vesting Tentative Parcel Map Case No. VTPM 67397, for Development of Two New Office Buildings of 9,658 Square-Feet and 20,002 Square-Feet on a Partially Developed Site at the Northwest Corner of Liberty Canyon and Agoura Road; an Oak Tree Permit to Encroach into the Protected Zone of 27 Oak Trees During Construction and to Remove 12 Oak Trees for the Proposed Development; a Vesting Tentative Parcel Map to Merge Six (6) Parcels into a Single Parcel; a Variance to Reduce the Required Number of Parking Spaces from 214 to 198 (Case No. 08-VAR-003); and Consideration of Adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program (Applicant: 27489 Agoura Road, LLC) ~ *Continued from June 11, 2008*

Mayor Edelston announced that the open Public Hearing had been continued from June 11, 2008 and public testimony would be received this evening.

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

The following persons spoke on behalf of the applicant:

Michael Browsers, Behr Browsers Architects, Woodland Hills
Marc Spellman, Applicant, Hidden Hills

The following persons spoke:

Robin Morselli, Agoura Hills
Steve Merriett, Agoura Hills
Rudy C'Dealva, representing Liberty Canyon HOA, Agoura Hills
Rich Lawson, representing Liberty Canyon HOA, Agoura Hills
Joan Yacovone, representing Liberty Canyon HOA, Agoura Hills

Rose Topliss, Agoura Hills

There being no further public speakers, Mayor Edelston closed the Public Hearing.

ACTION: Following discussion, the motion by Councilmember Kuperberg, to adopt Resolution Nos. 08-1493, 08-1494, and 08-1495 (including the amended conditions), with the color of the buildings subject to review and approval by the Director of Planning and Community Development, was seconded by Mayor Pro Tem Weber, and unanimously approved 5-0.

CITY COUNCIL PUBLIC HEARING/ORDINANCE

12. Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 08-354**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ZONING ORDINANCE SECTIONS 9655.4, 9655.4.D, 9655.4.I, AND 9655.10.A.4 (SIGN REGULATIONS) (CASE NO. 08-ZOA-004)

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

There were no public speakers.

ACTION: Following discussion, the motion by Councilmember Kuperberg, to continue the open Public Hearing to August 27, 2008, was seconded by Mayor Pro Tem Weber, and approved 5-0.

CITY COUNCIL, STAFF COMMENTS

Councilmember Schwarz noted that he attended the Face to Face concert, a tribute to Elton John and Billy Joel, last Sunday and commended Community Services Director Amy Brink and staff on the success of both the *Summer Concerts in the Park Series* and the *Movies in the Park Series* and that he looked forward to next year's annual event.

ADJOURNMENT

At 9:13 p.m., on a motion by Councilmember Koehler, second by Councilmember Kuperberg, the City Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, August 27, 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/Agency Secretary