

**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**  
**April 22, 2009 at 7:00 p.m.**

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

The flag salute was led by Mayor Pro Tem Koehler.

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

Councilmember John Edelston was absent.

Also Present were: Acting City Manager Nathan Hamburger, City Attorney Craig Steele, Assistant to the City Manager Louis Celaya, Director of Community Services Amy Brink, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, 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 Ann Burroughs, and City Clerk Kimberly Rodrigues.

**REPORT OF CLOSED SESSION**

No Closed Session was held.

**APPROVAL OF AGENDA**

On a motion by Councilmember Kuperberg, second by Councilmember Schwarz, with Councilmember Edelston absent, the Agenda was approved without objection.

**PUBLIC COMMENTS**

There were no Public Comments.

**PRESENTATIONS**

Mayor Weber presented a Proclamation, recognizing Sexual Assault Awareness Month and Denim Day, to Peace Over Violence representative Lauren Ford.

Mayor Weber presented a Proclamation, recognizing Lindero Canyon Middle School for Receiving the Bravo Award, to Principal Ron Kaiser and Art Teacher Marilyn Fine and Science Department Chair Robin Paul.

Mayor Pro Tem Koehler presented a Proclamation, recognizing Relay for Life of Agoura, Relay for Life Days, to Event Chair Jenni Campbell and Event Co-Chair Ian Maxwell.

Mayor Pro Tem Koehler presented a Proclamation, recognizing Safety Seat Checkup Week, to SafetyBeltSafe U. S. A. Board Member Marc Cohen.

Councilmember Kuperberg presented a Proclamation, recognizing National Library Week, to Community Library Manager Raya Sagi.

Tom Allen, President of the Friends of the Library, on behalf of the Agoura Hills Library, presented certificates to the 2008 Children's Bookmark Contest winners, Priscilla Aguero and Layla Kantor.

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

Las Virgenes Municipal Water District President Charles Caspary presented books to Agoura Hills Community Library Manager Raya Sagi in observance of Water Awareness Month, and along with Public Affairs and Communications Manager Jeff Reinhardt, provided an update on the water shortage.

Agoura Hills Community Library Manager Raya Sagi presented the State of the Library.

Mayor Weber and Councilmember Schwarz spoke about the Every 15 Minutes program being held at Agoura High School today and tomorrow.

Sergeant Brooks of the Lost Hills Sheriff's Station also spoke about the program.

Mayor Weber commended the Finance Department for the City receiving an upgrade in its bond rating from Standard & Poor's.

### **CITY COUNCIL CONSENT CALENDAR**

Mayor Weber opened the floor for public comment.

The following person spoke on Item No. 6:

Jess Thomas, Agoura Hills, representing the Old Agoura Homeowners Association

On a motion by Councilmember Schwarz, second by Mayor Pro Tem Koehler, the Consent Calendar, with Councilmember Kuperberg abstaining on Item No. 1, was unanimously approved 4-0, with Councilmember Edelston absent.

1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of March 25, 2009

ACTION: Approved 3-0, Kuperberg abstained, Edelston absent

2. Approve Demand Warrant Register No. 604

ACTION: Approved 4-0, Edelston absent

3. Approve Amended Treasurer's Investment Report for February 2009

ACTION: Approved 4-0, Edelston absent

4. Approve Treasurer's Investment Report for March 2009

ACTION: Approved 4-0, Edelston absent

5. Approve Letter of Support for Assembly Bill 139 – Los Angeles County Flood Control District: Fees and Charges (Brownley)

ACTION: Approved 4-0, Edelston absent

6. Approve Authorization to Solicit A Request for Qualifications and Request for Proposals (RFQ/RFP) for the Engineering and Environmental Services Related to the U. S. 101/ Palo Comado Canyon Road (at Chesebro) Interchange Project

ACTION: Approved 4-0, Edelston absent

7. Approve Award of Contract for the FY 2008-09 Annual Concrete Repair Project; NIB 08-02

ACTION: Approved 4-0, Edelston absent

8. Approve Award of Contract for the Joint Street Maintenance Project Agreement with the City of Westlake Village for the FY 2009-10 Street Resurfacing Project; NIB 09-01

ACTION: Approved 4-0, Edelston absent

9. Approve Grant of Easement to Southern California Edison (SCE) for the Realignment of Existing Power Poles Along Canwood Street, Immediately North of the Reyes Adobe Interchange

ACTION: Approved 4-0, Edelston absent

10. Adopt **Ordinance No. 09-359**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING SECTION 105.3.2 OF CHAPTER 1, ARTICLE VIII, OF THE AGOURA HILLS MUNICIPAL CODE

ACTION: Approved 4-0, Edelston absent

**DISCUSSION/ACTION – CHANGE IN ORDER OF AGENDA**

14. Consider the Adoption of **Resolution No. 09-1523**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING PARKING RESTRICTIONS ON FOOTHILL DRIVE, BETWEEN DRIVER AVENUE AND THE EAST PROPERTY LINE OF 28353 FOOTHILL DRIVE

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

The following person(s) submitted written comments:

Meril Platzer, Agoura Hills

The following person(s) spoke:

Milli Desai, Weslie Lechner, Matt Pall, Ori Ravid, and Andy Turk, Agoura Hills, representing the Agoura High School Student Body  
Jess Thomas, Agoura Hills, Old Agoura Homeowners Association  
June Slayton, Agoura Hills (submitted photos)  
Cyrena Nouzille, Agoura Hills  
William Foster, Agoura Hills

ACTION: Following discussion and a question and answer period, the motion by Councilmember Schwarz, to adopt **Resolution No. 09-1523**, was seconded by Mayor Pro Tem Koehler, and approved 4-0, with Councilmember Edelston absent.

**The City Council recessed at 8:50 p.m. and reconvened at 9:02 p.m.**

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

The meeting was called to order at 9:02 p.m. by Agency Chair Koehler.

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

Agency Member John Edelston was absent.

Also Present were: Acting Executive Director Nathan Hamburger, Agency Attorney Craig Steele, Assistant to the City Manager Louis Celaya, Director of Community Services Amy Brink, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, 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 Ann Burroughs, and Agency Secretary Kimberly Rodrigues.

### **RDA APPROVAL OF AGENDA**

On a motion by Vice Chair Schwarz, second by Agency Member Weber, with Agency Member Edelston absent, 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 Weber, second by Vice Chair Schwarz, the Consent Calendar was approved 4-0 with Agency Member Edelston absent.

RDA1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of March 25, 2009

ACTION: Approved 3-0, Kuperberg abstained, Edelston absent,

RDA 2. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of March 11, 2009

ACTION: Approved 4-0, Edelston absent

RDA 3. Approve Agreement with Walker Parking Consultants to Prepare a Parking Master Plan for the Agoura Village Specific Plan Area

ACTION: Approved 4-0, Edelston absent

At 9:04 p.m., on a motion by Agency Member Kuperberg, second by Vice Chair Schwarz, with Agency Member Edelston absent, 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/ACTION**

11. Conduct a Public Hearing to Consider the Adoption of **Resolution No. 09-1521**;- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING AN AGREEMENT BETWEEN THE CITY OF AGOURA HILLS AND THE CITY OF HAWAIIAN GARDENS REGARDING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR 2009-2010

Following presentation of the staff report, Mayor Weber opened the public hearing.

There being no speakers, Mayor Weber closed the Public Hearing.

ACTION: Following discussion, the motion by Councilmember Kuperberg, to adopt **Resolution No. 09-1521**, was seconded by Councilmember Schwarz, and approved on a roll call vote of 4-0, with Councilmember Edelston absent.

12. Conduct a Public Hearing to Consider a Request to Amend a Previously Approved Conditional Use Permit for the Proposed Construction of a New Specialty Grocery Store and Restaurant on Canwood Street, East Side of Medea Creek, within the Shops at Oak Creek Project Site and the Adoption of **Resolution No. 09-1522**; - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT AMENDMENT CASE NO. 06-CUP-007 (Danari Oak Creek, LLC, Applicant)

Following presentation of the staff report, Mayor Weber opened the public hearing.

The following persons spoke:

Mike Adler, Agoura Hills, representing Adler Realty  
Ron Azad, Los Angeles, representing Adler Realty Investments  
Hal Roseman, Agoura Hills  
Jess Thomas, Agoura Hills  
Keith Gertzman, Agoura Hills

Adena Ishii, Agoura Hills  
Jennifer Dato, Agoura Hills (submitted document)

Comments were submitted by Council on behalf of the following person:

Randy Power, Agoura Hills

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

ACTION: Following discussion, the motion by Councilmember Schwarz, to adopt **Resolution No. 09-1522**, with the following amendments to the conditions of approval:

- T. The proposed 2,500 square foot building (Building C-1) shall not be divided or leased into more than one tenant space.
- U. The permitted hours of delivery to the specialty grocery store shall be subject to the review and approval of the Director of Planning and Community Development, prior to issuance of a certificate of occupancy, to avoid conflicts with neighboring uses.

and direct staff to work with representatives from Trader Joe's and Homewood Suites, was seconded by Mayor Pro Tem Koehler, and approved on a roll call vote of 4-0, with Councilmember Edelston absent.

### **CITY COUNCIL PUBLIC HEARING/ORDINANCE**

13. Conduct a Public Hearing to Consider Allowing Certified Farmers' Markets in the Commercial Shopping Center (CS) Zone, Subject to the Issuance of a Conditional Use Permit, and Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 09-360**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ZONING ORDINANCE SECTION 9312.2 – COMMERCIAL LAND USE TABLE (CASE NO. 09-ZOA-004)

Following presentation of the staff report, Mayor Weber opened the public hearing.

The following person(s) spoke:

Monty Morton, Agoura Hills, Applicant and Owner of Agoura Hills City Mall  
(submitted map)  
Pat MacGregor, Agoura Hills  
Jennifer Lebowitz, Agoura Hills

Comments were submitted by Council on behalf of the following person:

Randy Power, Agoura Hills

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

**ACTION:** Following discussion, the motion by Mayor Pro Tem Koehler, to Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 09-360**, was seconded by Mayor Pro Tem Koehler, and approved on a roll call vote of 4-0, with Councilmember Edelston absent.

### **DISCUSSION/ACTION – CHANGE IN ORDER OF AGENDA**

14. This item was moved to follow the Consent Calendar.

### **DISCUSSION/ACTION**

15. Consider the Approval of an Application for the 2009 Competitive Natural Land for Trails Grant Program to Construct Equestrian Trails Along Chesebro Road

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

The following person(s) spoke:

Jess Thomas, Agoura Hills, representing the Old Agoura Homeowners Association

Mary C. Keenan, Agoura Hills, representing the Old Agoura Homeowners Association

Cyrena Nouzille, Agoura Hills

**ACTION:** Following discussion and a question and answer period, the motion by Councilmember Kuperberg, to authorize the application for the 2009 Competitive Natural Land for Trails Grant Program and, if the grant is awarded, direct staff to bring back a report with options for funding, was seconded by Councilmember Schwarz, and approved 4-0, with Councilmember Edelston absent.

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

Councilmember Kuperberg congratulated staff for the terrific Relay for Life Golf Tournament held last Monday, April 20, and encouraged everyone's attendance at the upcoming Relay for Life event to be held this weekend, April 25-26, at Willow Elementary School.

## **ADJOURNMENT**

At 10:51 p.m., on a motion by Councilmember Schwarz, second by Mayor Pro Tem Koehler, with Councilmember Edelston absent, the City Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, May 13, 2009, 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, MMC  
City Clerk/Agency Secretary