

**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
June 10, 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 City Manager Ramirez.

Present were: Mayor Denis Weber, Mayor Pro Tem William Koehler, Councilmember John Edelston, 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, Administrative Analyst Chris Dodd, Director of Planning and Community Development Mike Kamino, Assistant Planner Renee Madrigal, Director of Finance Christy Pinuelas, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

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

APPROVAL OF AGENDA

Councilmember Edelston requested the City Council add an item to the Agenda to consider setting an appeal regarding the Planning Commission's decision to approve an amendment to the Conditional Use Permit Case No. 06-CUP-012, regarding the request to amend an existing Conditional Use Permit to expand the live entertainment floor area and extend the live entertainment hours in the Senor Carlos Grill and Tequila Lounge.

City Attorney Steele provided the following grounds for adding the item on the agenda: 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 before the next City Council meeting; and, 3) to meet the filing 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 Edelston, to place the item on the agenda, immediately following the approval of the agenda, was seconded by Councilmember Schwarz, and unanimously approved 5-0.

On a motion by Councilmember Edelston, second by Councilmember Schwarz, the Agenda was approved, as amended, without objection.

DISCUSSION/ACTION ITEM ADDED TO THE AGENDA

- 1A. Consideration to Schedule an Appeal of the Planning Commission's Decision regarding the approval of an Amendment to Conditional Use Permit Case No. 06-CUP-012 (Senor Carlos Grill and Tequila Lounge)

Following presentation of the item by Councilmember Edelston, Mayor Weber opened the floor for public comment.

There were no public speakers.

ACTION: The motion by Councilmember Edelston, to appeal the decision of the Planning Commission, regarding the Planning Commission's decision to approve an amendment to Conditional Use Permit Case No. 06-CUP-012 (request to expand the live entertainment floor area and extend the live entertainment hours in the Senor Carlos Grill and Tequila Lounge), was seconded by Councilmember Schwarz, and approved 5-0.

PUBLIC COMMENTS

The following person(s) spoke:

Joan Yacovone, Agoura Hills
Ross Hashemi, Calabasas, representing the Alzheimer's Association

PRESENTATIONS

Mayor Weber presented a Certificate of Recognition to Jerry Cadish as the 2009 Outstanding School Crossing Guard of the Year.

Mayor Weber presented a Proclamation to Triunfo YMCA representative Veronica Rodarte in recognition of Olympic Day.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

Las Virgenes Unified School District (LVUSD) Superintendent Dr. Donald Zimring, Assistant Superintendent Mary Schillinger, MIS Director Mike Carmody, Technology Teachers Mary Ann Hamre and Jeanne Sbardellati, Network Technologist/Help Desk Brian Starr, and Network Technologists Seyed Anvari, Elias Armenta, and Boris Velikovsky, provided a Technology Program Update. Dr. Zimring introduced LVUSD Board Members Jill Gaines and Gordon Whitehead, who were in attendance at the meeting.

CITY COUNCIL CONSENT CALENDAR

There were no public speakers.

Councilmember Kuperberg spoke about Item No. 4 and requested the City Council give the City Manager discretion to approve the agreement for up to one year, but not to exceed one year.

On a motion by Councilmember Kuperberg, second by Councilmember Edelston, the Consent Calendar was unanimously approved 5-0.

1. Approve Minutes of the Regular City Council Meeting of May 26, 2009

ACTION: Approved 5-0

2. Approve Demand Warrant Register No. 607

ACTION: Approved 5-0

3. Approve Agreement with GI Industries/USA Waste of California to Perform Used Oil and Household Hazardous (HHW) Waste Collection Events

ACTION: Approved 5-0

4. Approve A One-Year Extension to the Municipal Law Enforcement Services Agreement with the County of Los Angeles (Sheriff's Department)

ACTION: Approved 5-0, as amended

5. Approve Agreement with Solid Waste Solutions, Inc., for Ongoing Recycling and Solid Waste Program Consulting Services

ACTION: Approved 5-0

6. Approve Letter of Support for the County of Los Angeles Proposal, to the U. S. Board on Geographical Names, to Rename "Negrohead Mountain" to "Ballard Mountain"

ACTION: Approved 5-0

7. Adopt **Resolution No. 09-1528**; 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. 08-1477

ACTION: Approved 5-0

8. Adopt the following Resolutions for the Upcoming 2009 General Municipal Election:

Resolution No. 09-1529; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2009, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES,

Resolution No. 09-1530; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2009, and

Resolution No. 09-1531; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2009 WITH THE LAS VIRGENES UNIFIED SCHOOL DISTRICT ELECTION TO BE HELD ON SAID DATE AND TO RENDER SPECIFIED SERVICES TO THE CITY OF AGOURA HILLS, PURSUANT TO §10403 OF THE ELECTIONS CODE

ACTION: Approved 5-0

9. Adopt **Ordinance 09-363**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, REPEALING ORDINANCE NO. 167 OF THE AGOURA HILLS MUNICIPAL CODE, AND ADOPTING BY REFERENCE TITLE 20, UTILITIES DIVISION 2, SANITARY SEWERS AND INDUSTRIAL WASTE, OF THE LOS ANGELES COUNTY CODE, AND ANY SUBSEQUENT AMENDMENTS OR MODIFICATIONS THERETO

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 7:48 p.m. by Agency Chair Koehler.

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

Also Present were: Executive Director Greg Ramirez, City Attorney Craig Steele, Assistant Executive Director Nathan Hamburger, Assistant to the City Manager Louis Celaya, Administrative Analyst Chris Dodd, Director of Planning and Community Development Mike Kamino, Assistant Planner Renee Madrigal, Director of Finance Christy Pinuelas, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, and Agency Secretary Kimberly Rodrigues.

RDA APPROVAL OF AGENDA

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

RDA1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of April 22, 2009

ACTION: Approved 5-0

RDA 2. Approve Agreement with MDG-LDM Associates, Inc., for First Time Homebuyer Program Implementation Services and Single-Family Housing Rehabilitation Program Consulting Services for FY 2009-2010

ACTION: Approved 5-0

At 7:49 p.m., on a motion by Agency Member Edelston, second by Vice Chair Schwarz, 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

10. Conduct a Public Hearing to Consider an Appeal of the Planning Commission's Approval of Conditional use Permit Case No. 07-CUP-007, which Allows for the Construction of an Unmanned Wireless Telecommunication Facility Consisting of Three (3) New T-Mobile Antenna Flag Poles with Two (2) Antennas Inside Each Pole, and Six (6) Associated Ground-Mounted Equipment Cabinets Surrounded by an Eight (8)-Foot High Masonry Equipment Enclosure and Consider the Adoption of **Resolution No. 09-1532** (Omnipoint Communications, Inc., for T-Mobile, Applicant)

Following presentation of the staff report, City Attorney Steele provided direction to the City Council.

Councilmember Kuperberg disclosed that the City Council had received a number of emails and he had spoken with residents, school board members, and met with the two representatives from T-Mobile.

Mayor Weber opened the Public Hearing and invited the applicant to speak.

The following person(s) spoke:

Jim Lee, Sure-Site Consulting, representing the applicant, T-Mobile
Rob Searay, Sure-Site Consulting, representing the applicant, T-Mobile

The City Council recessed at 8:53 p.m. and reconvened at 9:09 p.m.

ACTION: Following a question and answer period, the motion by Councilmember Edelston, to continue the open public hearing to September 23, 2009, request T-Mobile erect a story pole to simulate the visual impacts of the 45-ft. high flagpole antenna (story pole to be removed after 15 days), and direct staff to prepare and submit a letter to the Las Virgenes Unified School District requesting the Board of Education conduct a public hearing regarding the proposed cell site at Lindero Canyon Middle Schools, was seconded by Councilmember Schwarz, and unanimously approved, 5-0.

CITY COUNCIL DISCUSSION/ACTION

11. Discussion of Meeting with the Old Agoura Homeowners Association Regarding Traffic Calming Measures and Results of the Individual Speed Hump Survey

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

The following person(s) spoke:

Jess Thomas, Agoura Hills, representing Old Agoura Homeowners Association
Phil Ramuno, Agoura Hills
Jean-Luc Nouzille, Agoura Hills
Fred Levine, Agoura Hills

ACTION: Following discussion and a question and answer period, the motion by Councilmember Kuperberg, to approve the installation of speed humps along Chesebro Road and direct staff to provide an update after six months, was seconded by Councilmember Schwarz, and unanimously approved, 5-0.

CITY COUNCIL, STAFF COMMENTS

Assistant to the City Manager Celaya announced the Used Oil and Hazardous Household Waste Collection Event, scheduled for Saturday, July 4, 2009, has been canceled, due to the holiday.

Councilmember Kuperberg congratulated all the school graduates and wished everyone a Happy Father's Day.

Mayor Weber provided the dates of the upcoming Concerts & Movies in the Park events and noted the Beach Bus begins on Monday, June 22, 2009.

ADJOURNMENT

At 10:24 p.m., on a motion by Councilmember Edelston, second by Councilmember Schwarz, the City Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, June 24, 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