

**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  
December 9, 2009 at 7:00 p.m.**

The meeting was called to order at 7:07 p.m. by Mayor Koehler.

The flag salute was led by Mayor Pro Tem Schwarz.

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

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 Consultant Ann Burroughs, Planning Consultant Tom Crouthers, City Engineer Ramiro Adeva, Traffic Engineer Sri Chakravarthy, 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 City Council Closed Session item pursuant to Government Code Section 54956.8. Direction was given to staff and no reportable action was taken.

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENTS**

There were no public comments.

**PRESENTATIONS**

Mayor Koehler presented a Proclamation recognizing A Day Without A Bag to Girl Scout Brownie Troop No. 735 Leader, Brenda Barton-LeMay, on behalf of Heal the Bay. Mrs. Barton-LeMay introduced Girl Scout Brownies Roxanne Chevalier, Rachel Diamond, Jennifer Griffin, Danica Kern, Sage LeMay, and Carly Morris, who spoke about A Day Without A Bag and announced that reusable bags would be distributed at the Ralphs grocery store on December 17,

2009. Mayor Koehler announced that reusable bags would also be distributed at City Hall and the Agoura Hills Library.

Mayor Koehler, on behalf of the City Council, presented an Employee Service Award to Robert Cortez, Engineering Department and thanked him for his five years of dedicated service to the City. Mr. Cortez thanked the City Council and staff for the recognition.

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

Community Services Director Amy Brink and Recreation Supervisor Meredith Petit provided an update on the Amgen Tour de California, announcing the City, along with the cities of Thousand Oaks and Westlake Village, will host Stage Eight of the race on Sunday, May 23, 2010, and the cities will be entering into and bringing forward an agreement for Council approval.

City Engineer Ramiro Adeva provided a U.S. 101/Reyes Adobe Interchange update, indicating the project was in Stage One and spoke about grading, culvert construction, and utility pole realignment indicating the completion of the project was anticipated in February 2011.

### **CITY COUNCIL CONSENT CALENDAR**

Councilmember Edelston pulled Item No. 7 for discussion.

There were no public speakers.

On a motion by Councilmember Kuperberg, second by Councilmember Weber, Consent Calendar Item Nos. 1, 2, 3, 4, 5, 6, 8, 9, 10, were unanimously approved 5-0. Item No. 7 was pulled for discussion.

1. Approve Demand Warrant Register No. 618

ACTION: Approved 5-0

2. Approve Treasurer's Investment Report for October 2009

ACTION: Approved 5-0

3. Receive and File the Comprehensive Annual Financial Report for the Year Ended June 30, 2009

ACTION: Approved 5-0

4. Approve City Council Meeting Schedule for 2010

ACTION: Approved 5-0

5. Approve Council Committee Appointments for 2010

ACTION: Approved 5-0

6. Approve Appointments to the California Joint Powers Insurance Authority (California JPIA), the League of California Cities, and the League's Los Angeles County Division

ACTION: Approved 5-0

7. **This item was pulled and deferred to the end of the Consent Calendar for discussion.**

8. Approve Brulte Funding – Fifteenth Year Expenditures

ACTION: Approved 5-0

9. Adopt **Resolution No. 09-1561**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING RULE V, SECTION 3 OF THE PERSONNEL RULES

ACTION: Approved 5-0

10. Adopt **Resolution No. 09-1562**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, SUPPORTING LOCAL GOVERNMENT AUTHORITY IN WIRELESS TELECOMMUNICATIONS REGULATIONS

ACTION: Approved 5-0

11. Adopt **Resolution No. 09-1563**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, SUMMARILY VACATING ONE 10-FOOT AND ONE 20-FOOT SLOPE EASEMENT, LOCATED WITHIN THE PROPERTY AT 6300 CHESEBRO ROAD IN AGOURA HILLS

ACTION: Approved 5-0

#### **CONSENT CALENDAR ITEM PULLED FOR DISCUSSION**

7. Approve Agreement with Thousand Oaks Westlake Village Regional Chamber of Commerce

Councilmember Edelston spoke about the Thousand Oaks Westlake Village Regional Chamber of Commerce and the programs and services that would be extended to the community and City and reported that he had received positive feedback from other businesses regarding the Chamber.

Councilmember Kuperberg, Mayor Pro Tem Schwarz, Councilmember Weber, and Mayor Koehler also spoke about the Chamber and indicated they would support the approval of the agreement and welcome them to our community.

Following discussion, Mayor Koehler opened the floor for public comment.

There were no public speakers.

**ACTION:** On a motion by Mayor Pro Tem Schwarz, second by Councilmember Weber, Consent Calendar Item No. 7 was unanimously 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 7:37 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, Agency Attorney Craig Steele, Assistant Executive Director 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 Consultant Ann Burroughs, Planning Consultant Tom Crouthers, City Engineer Ramiro Adeva, Traffic Engineer Sri Chakravarthy, Building Official Amir Hamidzadeh, Director of Community Services Amy Brink, Recreation Supervisor Meredith Petit, and Agency Secretary Kimberly Rodrigues.

**RDA APPROVAL OF AGENDA**

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

**RDA ELECTION OF AGENCY CHAIR AND VICE CHAIR**

Agency Chair Koehler asked for nominations for the position of Agency Chair. The motion by Agency Member Edelston, to nominate Agency Vice Chair Schwarz as Agency Chair, was seconded by Agency Member Weber. There were no further nominations and, by unanimous consensus, Harry Schwarz was elected as Agency Chair.

Agency Chair Schwarz asked for nominations for the position of Agency Vice Chair. The motion by Agency Member Weber to nominate Agency Member Kuperberg, as Agency Vice Chair, was seconded by Agency Member Edelston. There were no further nominations and, by unanimous consensus, Dan Kuperberg was elected as Agency Vice Chair.

**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 Edelston, the Consent Calendar was approved 5-0.

RDA1. Approve Agreement with KTG Y Group, Inc., for Design Consulting Services for a Housing Project at the Gateway Church Site

ACTION: Approved 5-0

**Convene Joint Meeting of the Agoura Hills City Council and the  
Agoura Hills Redevelopment Agency (RDA)**

**JOINT CITY COUNCIL/RDA CONSENT CALENDAR**

There were no public speakers.

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

12./RDA2. JOINT PUBLIC MEETING OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY REGARDING THE AGOURA HILLS REDEVELOPMENT AGENCY ANNUAL FINANCIAL REPORT

ACTION: Approved 5-0

At 7:40 p.m., Agency Chair Schwarz adjourned the Agoura Hills Redevelopment Agency meeting.

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

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

13. Conduct a Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 09-371**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING A ZONE CHANGE (CASE NO. 07-ZC-002); and Adopt **Resolution No. 09-1564**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT CASE NO. 07-GPA-002; **Resolution No. 09-1565**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING ZONE CHANGE CASE NO. 07-ZC-002; **Resolution No. 09-1566**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SITE PLAN/ARCHITECTURAL REVIEW CASE NO. 07-SPR-015, OAK TREE PERMIT CASE NO. 09-OTP-019 AND ADOPTING THE PROJECT MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM; **Resolution No. 09-1567**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 70096; and **Resolution No. 09-1568**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING VARIANCE CASE NO. 09-VAR-002. (Agoura Medical Partners, LLC, Applicant)

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

The following person spoke on behalf of the applicant:

Gary Heathcote, Architect, Thousand Oaks

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

ACTION: Following discussion, the motion by Councilmember Kuperberg, to Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 09-371** and adopt **Resolution No. 09-1564**, **Resolution No. 09-1565**, **Resolution No. 09-1566**, **Resolution No. 09-1567**, and **Resolution No. 09-1568** was seconded by Councilmember Edelston, and approved on a roll call vote of 5-0.

### **CITY COUNCIL PUBLIC HEARING/ACTION**

14. Conduct a Public Hearing and Consider the Adoption of **Resolution No. 09-1569**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT CASE NOS. 98-CUP-007 AND 03-CUP-010, AND OAK TREE PERMIT CASE NO. 98-OTP-011, FOR THE PURPOSE OF GRANTING A ONE-YEAR TIME EXTENSION. (Charles Cohen for Riopharm USA, Inc., Applicant)

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

The following person(s) spoke:

Chuck Cohen, representing the applicant  
Laura Ohannessian, Agoura Hills

**The City Council recessed at 9:02 p.m. and reconvened at 9:15 p.m.**

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

The City Council continued discussion and a question and answer period.

Mayor Koehler reopened the Public Hearing to receive additional comment from the applicant.

The following person(s) spoke:

Chuck Cohen, representing the applicant  
Mr. Ohannessian, Agoura Hills

**ACTION:** Following discussion, the motion by Councilmember Kuperberg to adopt **Resolution No. 09-1569**, approving an amendment to Conditional Use Permit Case Nos. 98-CUP-007 and 03-CUP-010, and Oak Tree Permit Case No. 98-OTP-011, and granting a one-year time extension that would expire on October 11, 2010, subject to conditions, was seconded by Councilmember Edelston, and unanimously approved 5-0.

**ACTION:** The motion by Councilmember Kuperberg to, direct staff to bring back, at the next meeting, a report that allows for an in-lieu fee payment by the applicant and sets the fee at the rate based on the current standards of the 2008 Inclusionary Housing Ordinance, with direction to staff to allow for staggered payments, was seconded by Councilmember Weber, and unanimously approved 5-0.

### **CITY COUNCIL DISCUSSION/ACTION**

15. Receive and File Monitoring Report for Conditional Use Permit Amendment Case No. 03-CUP-018, Regarding Extended Stay Occupancy at the Homewood Suites Hotel (Apple Seven Hospitality Ownership, Inc., Applicant)

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

There were no public speakers.

The City Council unanimously received and filed the report.

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

Councilmember Weber thanked staff for a great year, congratulated Mayor Koehler on his first City Council meeting, and wished everyone a Happy Hanukkah, Merry Christmas, and safe and Happy New Year.

Councilmember Kuperberg concurred with Councilmember Weber's comments and, in addition, wished him a very Happy Birthday.

Mayor Pro Tem Schwarz stated it was a pleasure to work with the City Council and wished everyone a safe and Happy Hanukkah, Merry Christmas, and Happy New Year,

Councilmember Edelston spoke about his participation as a judge at Lindero Canyon Middle School and wished everyone a Happy Hanukkah, Merry Christmas, and have a healthy and safe New Year.

City Manager Ramirez noted that the City Council had received and filed this year's financial report and commended Director of Finance Christy Pinuelas for receiving a CAFR award.

Mayor Koehler spoke about his first meeting as Mayor being a memorable one; thanked everyone for the easy transition; wished staff, the City Council, and the public a Happy Hanukkah, Merry Christmas, and a safe and Happy New Year; and wished a prosperous 2010 for the City of Agoura Hills.

### **ADJOURNMENT**

At 10:33 p.m., on a motion by Councilmember Kuperberg, second by Mayor Pro Tem Schwarz, the City Council unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, January 13, 2010, 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