

**MINUTES**  
**REGULAR MEETING OF THE**  
**AGOURA HILLS CITY COUNCIL**  
**Civic Center – Council Chambers**  
**30001 Ladyface Court, Agoura Hills, California 91301**  
**April 14, 2010 at 7:00 p.m.**

The meeting was called to order at 7:12 p.m. by Mayor Koehler.

The flag salute was led by Councilmember Edelston.

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

Councilmember Denis Weber was absent.

Also Present were: City Manager Greg Ramirez, City Attorney Craig Steele, Director of Finance Christy Pinuelas, Director of Planning and Community Development Mike Kamino, City Engineer Ramiro Adeva, and City Clerk Kimberly Rodrigues.

**REPORT OF CLOSED SESSION**

City Attorney Steele reported on the two City Council Closed Session items as follows:

1. **Conference with Legal Counsel – Initiation of Litigation - Government Code Section 54956.9(c)**  
Number of Potential Cases: One (1) potential case

The City Council authorized the initiation of litigation; disclosure of the parties in that case would impair the ability to serve the parties and to seek a settlement so the identity will not be disclosed until the case itself is filed.

2. **Conference with Legal Counsel – Existing Litigation, Government Code Section 54956.9 (a)**  
Case Name and No.: T-Mobile West Corporation v. City of Agoura Hills,  
USDC Case No.: CV09-9077 DSF (PJWx)

The City Council had previously authorized the City Attorney's Office to present a settlement proposal to the Plaintiff in that case; T-Mobile West. The settlement proposal involved the processing of an antennae at an alternative site that had been discussed during the hearings. The site is a facility owned by the (Las Virgenes Municipal) Water District that the T-Mobile Consultant had agreed was technically superior to the site that had been applied for. The City presented the proposal to the attorneys for T-Mobile and they indicated that T-Mobile was not interested in pursuing an alternative site and were interested only in the site they had proposed. The City Council authorized further defense of this litigation.

## **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 announced Safety Seat Checkup Week, which serves as a reminder that all children are required to be properly restrained in safety seats and safety belts in the back seat until at least age six or 60 pounds, and encouraged the community to participate in child passenger safety.

Mayor Koehler announced Sexual Assault Awareness Month and Denim Day in Los Angeles County, both events draw attention to the fact that rape and sexual assault remain a serious issue in our society, and encouraged the community to show their support and wear jeans on April 21.

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

There were no reports.

## **CONSENT CALENDAR**

There were no public speakers.

On a motion by Councilmember Kuperberg, second by Councilmember Edelston, the Consent Calendar was approved 4-0, with Councilmember Weber absent.

1. Approve Minutes of the Special City Council Goal Setting Workshop of March 24, 2010

ACTION: Approved 4-0, Weber absent

2. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of March 24, 2010

ACTION: Approved 4-0, Weber absent

3. Approve Demand Warrant Register No. 625

ACTION: Approved 4-0, Weber absent

4. Approve Authorization to Solicit Request for Qualifications/Proposals for the Agoura Road Widening Project

ACTION: Approved 4-0, Weber absent

### **PUBLIC HEARING/ACTION**

5. Conduct a Public Hearing and Consider the Adoption of **Resolution No. 10-1579**; 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 LA MIRADA REGARDING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2010-2011

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

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

ACTION: Following discussion, the motion by Councilmember Kuperberg, to adopt **Resolution No. 10-1579**, was seconded by Councilmember Edelston, and approved 4-0, with Councilmember Weber absent.

### **DISCUSSION/ACTION**

6. Consider the Adoption of **Resolution No. 10-1580**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE URBAN WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)

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

There were no public speakers.

ACTION: Following discussion, the motion by Councilmember Kuperberg, to adopt **Resolution No. 10-1580**, was seconded by Mayor Pro Tem Schwarz, and approved 4-0, with Councilmember Weber absent.

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

City Engineer Adeva announced a segment of the Ragnar Relay Series, a national running relay race, would be traveling through Agoura Hills on April 23, along Kanan and Agoura Roads, and no special traffic control was required.

City Manager Ramirez announced that he would be joining Mayor Koehler in representing the City at the Malibu Reorganization meeting to recognize outgoing Councilmembers Sharon Barovsky and Andy Stern.

Mayor Pro Tem Schwarz announced the upcoming City sponsored Relay for Life Texas Hold 'em Tournament fundraiser scheduled at the Renaissance Hotel on Saturday, April, 17, 2010.

Councilmember Kuperberg spoke about the upcoming Relay for Life event at Willow Elementary School on April 24-25, 2010, and encouraged everyone to participate.

Mayor Koehler announced the Amgen Tour of California, with internationally known cyclists such as Lance Armstrong, is scheduled for the weekend of May 23, reported that part of the route will pass through Agoura Hills, and invited the public to come out and watch the event.

### **ADJOURNMENT**

At 7:45 p.m., on a motion by Mayor Pro Tem Schwarz, second by Councilmember Edelston, the City Council, with Councilmember Weber absent, unanimously consented to adjourn the meeting to 7:00 p.m., Wednesday, April 28, 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