

**MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL, THE
AGOURA HILLS FINANCING AUTHORITY, AND THE
AGOURA HILLS REDEVELOPMENT AGENCY
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
June 24, 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 Councilmember Edelston.

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, Assistant Director of Planning and Community Development Doug Hooper, Planning Consultant Dave Tabor, Director of Finance Christy Pinuelas, Director of Community Services Amy Brink, Recreation Supervisor Nick Newkirk, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, and City Clerk Kimberly Rodrigues.

REPORT OF CLOSED SESSION

No Closed Session was held.

APPROVAL OF AGENDA

City Manager Ramirez requested the City Council consider adding an item to the Agenda regarding the Amgen Tour of California bike race on the following grounds: 1) the item came to the City's attention after the regularly scheduled agenda was posted; 2) the deadline for filing a letter of interest with AEG 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 would like to authorize staff to work with the City of Thousand Oaks to file the necessary paperwork with AEG.

The motion by Councilmember Schwarz, to place the item on the Agenda, immediately following the approval of the Agenda, was seconded by Councilmember Edelston, and unanimously approved 5-0.

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

DISCUSSION/ACTION ITEM ADDED TO THE AGENDA

1A. Consideration of Amgen Tour of California

Following presentation of the item by City Manager Ramirez, Mayor Weber opened the floor for public comment.

There were no public speakers.

ACTION: The motion by Councilmember Edelston, to authorize staff to work with the City of Thousand Oaks to respond jointly, via letter of interest and RFP, to AEG to host a late stage of the Amgen Tour of California in May, 2010, was seconded by Mayor Pro Tem Koehler, and approved 5-0.

PRESENTATIONS

Mayor Weber presented a proclamation to Sally Schneider in recognition of her retirement from the City of Agoura Hills.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

There were no reports.

CITY COUNCIL CONSENT CALENDAR

There were no public speakers.

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

1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of June 10, 2009

ACTION: Approved 5-0

2. Approve Minutes of the Special City Council and Redevelopment Agency FY 2009-10 Budget Workshop of June 10, 2009

ACTION: Approved 5-0

3. Approve Demand Warrant Register No. 608

ACTION: Approved 5-0

4. Approve Treasurer's Investment Report for May 2009

ACTION: Approved 5-0

5. Approve Agreement for Contractor Services with All City Management Services for Continued Crossing Guard Service

ACTION: Approved 5-0

6. Approve Agreement for Consultant Services with California Code Check to Provide Professional Plan Review and Inspection Services

ACTION: Approved 5-0

7. Approve First Amendment to Agreement for Contractor Services with CleanStreet for Citywide Street Sweeping Services

ACTION: Approved 5-0

8. Approve Agreement for Consultant Services with Dapeer, Rosenblit & Litvak, LLP, for City Prosecuting Services for FY 2009-2010

ACTION: Approved 5-0

9. Approve Agreement for Consultant Services with Geodynamics, Inc., for Ongoing Geotechnical Review Services

ACTION: Approved 5-0

10. Approve Agreement for Consultant Services with Seven Elk Ranch Design, Inc., (Kay Greeley) for Landscaping and Oak Tree Consulting Services for FY 2009-2010

ACTION: Approved 5-0

11. Approve Agreement for Contractor Services with Charmaine O. Yambao for Public Works Inspection Services

ACTION: Approved 5-0

12. Approve Memorandum of Understanding with the City of Los Angeles for the Recovery Act Justice Assistance Grant (JAG) Program Award

ACTION: Approved 5-0

13. Adopt **Resolution No. 09-1533**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING THE COMPENSATION PLAN BY SETTING SALARY RANGES FOR CITY EMPLOYEES TO INCLUDE A 3.9% COLA RATE INCREASE, INCREASING THE EMPLOYER CONTRIBUTION TO PROVIDE FOR INCREASED COSTS TO VISION INSURANCE PREMIUMS, AMENDING THE RANGE OF THE SPECIAL EVENT WORKER, ESTABLISHING THE POSITION OF PUBLIC WORKS PROJECT MANAGER, APPROVING THE CLASSIFICATION SPECIFICATION AND SETTING THE SALARY RANGE, AND APPROVING AMENDMENT NO. 6 TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT

ACTION: Approved 5-0

14. Adopt **Resolution No. 09-1534**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING RULE VI, SECTION 9, AND RULE VIII, SECTION 1 AND SECTION 2, OF THE PERSONNEL RULES

ACTION: Approved 5-0

**Convene the Agoura Hills Financing Authority (FA) Meeting
Without Adjourning the Agoura Hills City Council Meeting**

Chairman Weber called the meeting to order at 7:14 p.m.

Present were: Chairman Denis Weber, Vice Chairman William Koehler, Director John Edelston, Director Dan Kuperberg, and Director Harry Schwarz

Also Present were: Authority Executive Director Greg Ramirez, Authority Counsel Attorney Craig Steele, Authority Assistant Executive Director Nathan Hamburger, Assistant to the City Manager Louis Celaya, Assistant Director of Planning and Community Development Doug Hooper, Planning Consultant Dave Tabor, Director of Finance Christy Pinuelas, Director of Community Services Amy Brink, Recreation Supervisor Nick Newkirk, City Engineer Ramiro Adeva, Building Official Amir Hamidzadeh, and Authority Secretary Kimberly Rodrigues.

FA APPROVAL OF AGENDA

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

FA PUBLIC COMMENTS

There were no public speakers.

FA CONSENT CALENDAR

There were no public speakers.

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

FA1. Approve Minutes of the Regular City Council, Agoura Hills Financing Authority, and Agoura Hills Redevelopment Agency Meeting of June 25, 2008

ACTION: Approved 5-0

FA DISCUSSION/ACTION

FA2. Annual Business Meeting

Following presentation of the staff report, Chairman Weber opened the floor for public comment. There were no speakers.

No action was required.

At 7:17 p.m., the Financing Authority unanimously consented to adjourn the meeting.

**Adjourn the Agoura Hills Financing Authority Meeting and
Convene the Agoura Hills Redevelopment Agency (RDA) Meeting
Without Adjourning the Agoura Hills City Council Meeting**

The meeting was called to order at 7:18 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 Counsel Craig Steele, Assistant Executive Director Nathan Hamburger, Assistant to the City Manager Louis Celaya, Assistant Director of Planning and Community Development Doug Hooper, Planning Consultant Dave Tabor, Director of Finance Christy Pinuelas, Director of Community Services Amy Brink, Recreation Supervisor Nick Newkirk, 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 Weber, 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 Edelston, the Consent Calendar was approved 5-0.

RDA1. Approve Minutes of the Regular City Council and Redevelopment Agency Meeting of June 10, 2009

ACTION: Approved 5-0

RDA2. Approve Minutes of the Regular City Council and Redevelopment Agency FY 2009-10 Budget Workshop of June 10, 2009

ACTION: Approved 5-0

RDA3. Approve Agreement with RSG, Inc., for Consulting Services to Assist in Implementing City Affordable Housing Projects and Programs

ACTION: Approved 5-0

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

JOINT CITY COUNCIL AND RDA/PUBLIC HEARING

15./RDA4. Conduct a Public Hearing and Adopt **Resolution No. 09-1535**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING FISCAL YEAR 2009-10 APPROPRIATIONS LIMITATIONS, **Resolution No. 09-1536**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE ANNUAL

BUDGET FOR FISCAL YEAR 2009-10; and **Resolution No. 09-51**; A RESOLUTION OF THE AGOURA HILLS REDEVELOPMENT AGENCY ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2009-10

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

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

ACTION: Following discussion, the motion by Councilmember Schwarz, to adopt **Resolution No. 09-1535**, was seconded by Councilmember Edelston, and approved on a roll call vote of 5-0.

ACTION: Following discussion, the motion by Councilmember/Agency Member Kuperberg, to adopt City Council **Resolution No. 09-1536** and Redevelopment Agency **Resolution No. 09-51**, was seconded by Councilmember/Agency Member Edelston, and approved on a roll call vote of 5-0.

At 7:27 p.m., 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 CONTINUED PUBLIC HEARING/ORDINANCE

16. Conduct a Continued Open Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 09-362**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING ZONING ORDINANCE SECTIONS 9120.1, 9120.15, 9312.2, 9312.3, 9396.1, 9396.2, 9396.3, 9542.1, AND 9710 (ALCOHOLIC BEVERAGE ESTABLISHMENTS) AND CHAPTER 4 OF THE AGOURA VILLAGE SPECIFIC PLAN REGARDING ON-SALE AND OFF-SALE OF ALCOHOLIC BEVERAGES (CASE NO. 09-ZOA-002) - *Continued from May 13, 2009*

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

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

ACTION: Following discussion, the motion by Councilmember Edelston, to Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 09-362**, was seconded by Mayor Pro Tem Koehler, and approved on a roll call vote of 5-0.

CITY COUNCIL PUBLIC HEARING/ORDINANCE

17. Request to Continue a Public Hearing to Consider the Introduction of an Ordinance Regarding Basketball Stanchions Placed in the Public Right-of-Way

ACTION: Following discussion, the motion by Councilmember Kuperberg, to continue the Public Hearing to July 8, 2009, was seconded by Councilmember Edelston, and approved on a roll call vote of 5-0.

18. Conduct a Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 09-365**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING A ZONE CHANGE (CASE NO. 07-ZC-001); Adopt **Resolution No. 09-1538**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT (CASE NO. 07-GPA-001); and Adopt **Resolution No. 09-1539**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING ZONE CHANGE (CASE NO. 07-ZC-001); **Resolution No. 09-1540**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. 07-CUP-010 AND ADOPTING THE PROJECT MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, **Resolution No. 09-1541**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING VARIANCE CASE NO. 08-VAR-006(A), **Resolution No. 09-1542**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING VESTING TENTATIVE PARCEL MAP NO. 69426, and **Resolution No. 09-1543**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, APPROVING SIGN PERMIT CASE NO. 07-SP-036 AND VARIANCE CASE NO. 08-VAR-006(B) (Agoura Business Center West, Applicant)

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

The following person(s) spoke:

William Poe, Applicant
Rick Gunter, Dale Poe Real Estate, representing the applicant

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

The City Council recessed at 9:02 p.m. and reconvened at 9:10 p.m.

At 9:27 p.m., Mayor Weber reopened the Public Hearing.

The following person(s) spoke:

Rick Gunter, Dale Poe Real Estate, representing the applicant

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

By Council consensus, the following amendments were recommended:

Resolution No. 09-1540; adding No. 64 to the Conditions of Approval as follows:

The applicant shall revise the planting in front of the seventeen foot (17') high retaining wall to provide screening of the wall within as short a time period possible. The revised planting plan shall specify fast-growing tree species and the largest container sizes feasible, to the satisfaction of the Director of Planning and Community Development.

Resolution No. 09-1543; amending the language to Section VII to read:

*Based on the aforementioned findings, the City Council hereby approves Sign Permit Case No. 07-SP-036 and Variance Case No. 08-VAR-006(B), subject to the attached conditions, with respect to the property described in Section I hereof, **as shown on Exhibit A.***

and, **Amending No. 8 of the Conditions of Approval for Resolution No. 09-1453**, as follows:

North Elevation Signage

*c. The secondary signs shall be in proportion with the space allocated to each one and equidistant from at least three closest points that define the tenant frontage **and limited to a maximum of six signs.***

ACTION: Following discussion, the motion by Mayor Pro Tem Koehler, to Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 09-365** and adopt **Resolution No. 09-1538**, **Resolution No. 09-1539**, **Resolution No. 09-1540**, as amended, **Resolution No. 09-1541**, **Resolution No. 09-1542**, and, **Resolution No. 09-1543**, as amended, was seconded by Councilmember Edelston, and approved on a roll call vote of 5-0.

CITY COUNCIL DISCUSSION/ACTION

19. Consideration of Approval of Amended Park Reservation Policies

Following presentation of the staff report, Mayor Weber opened the floor for public comment. There were no public speakers.

Director of Community Services Brink recommended the following amendment to Special Events:

- a. Special Events will only be allowed to take place at Chumash Park with the exception of City-sponsored events which may occur at any of the parks. This park is the home to all of the city-sponsored events and is equipped to handle large events.

ACTION: Following discussion and a question and answer period, the motion by Councilmember Schwarz, to approve the proposed Park Reservation Policies and Procedures, as amended, was seconded by Councilmember Kuperberg, and unanimously approved, 5-0.

20. Request to Approve a Professional Services Agreement with Kimley-Horn and Associates, Inc., Relating to the Completion of the Project Report and Environmental Documents for the U. S. 101/Palo Comado Canyon Road Interchange Project

Following presentation of the staff report, Mayor Weber opened the floor for public comment. There were no public speakers.

ACTION: Following discussion and a question and answer period, the motion by Councilmember Edelston, to approve the professional services agreement with Kimley-Horn and Associates, Inc., for the implementation of the Project Report and Environmental Documents for the U.S. 101/Palo Comado Canyon Road Interchange project, was seconded by Councilmember Kuperberg, and unanimously approved, 5-0.

CITY COUNCIL, STAFF COMMENTS

City Manager Ramirez commended staff on the balanced FY 2009-10 Budget.

Director of Community Services Brink thanked everyone for attending the initial kickoff *Concert in the Park* last weekend and invited everyone to attend the upcoming concert and fireworks show on Sunday, July 5, 2009.

Councilmember Schwarz announced and invited everyone to attend the upcoming *Movies in the Park* events.

Mayor Pro Tem Koehler wished everyone a happy and safe 4th of July holiday and Mayor Weber echoed his comments.

In addition, Mayor Weber thanked his colleagues for their deliberation and good work, indicated that he appreciates that everyone respects each other and works together, and remarked that he's proud to serve on the City Council.

ADJOURNMENT

At 9:58 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, July 8, 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/Authority Secretary/Agency Secretary