

**MINUTES
REGULAR MEETING OF THE
AGOURA HILLS CITY COUNCIL AND
AGOURA HILLS REDEVELOPMENT AGENCY
Civic Center – Council Chambers
30001 Ladyface Court, Agoura Hills, California 91301
Wednesday, December 8, 2010, 7:00 P.M.**

The meeting was called to order at 7:02 p.m. by Mayor Schwarz.

The flag salute was led by Councilmember Koehler.

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

Also Present were: City Manager Greg Ramirez, Assistant City Attorney Candice Lee, Assistant City Manager Nathan Hamburger, Assistant to the City Manager Louis Celaya, Director of Planning and Community Development Mike Kamino, Planning Consultant Phil White, City Engineer Ramiro Adeva, Engineering Consultant Donna Snider, Building Official Amir Hamidzadeh, Director of Finance Christy Pinuelas, and Recording Secretary Sheila Keckhut.

REPORT OF CLOSED SESSION

Assistant City Attorney Candice Lee reported on the three City Council Closed Session items, pursuant to Government Code Sections 54956.8, 54956.9(a), and 54957. The City Council considered all three items; direction was given to staff and no reportable action was taken.

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

There were no public comments.

PRESENTATIONS

There were no presentations.

INTERGOVERNMENTAL, SPECIAL PURPOSE COMMITTEE, & DEPARTMENTAL REPORTS

Councilmember Weber reported on History Day at Lindero Canyon Middle School.

CONSENT CALENDAR

Councilmember Edelston requested Item No. 7 be pulled and placed on the January 12, 2011, Agenda for Council consideration.

There were no public speakers.

On a motion by Mayor Pro Tem Kuperberg, second by Councilmember Weber, the Consent Calendar was unanimously approved, as amended, 5-0.

1. Approve Minutes of the Regular City Council Meeting of November 10, 2010
ACTION: Approved 5-0
2. Approve Minutes of the Special City Council Reorganization Meeting of November 30, 2010
ACTION: Approved 5-0
3. Approve Demand Warrant Register No. 639
ACTION: Approved 5-0
4. Approve Treasurer's Investment Report for October 2010
ACTION: Approved 5-0
5. Approve City Council Meeting Schedule for 2011
ACTION: Approved 5-0
6. Adopt Proposed Amendments to City Council Norms
ACTION: Approved 5-0
7. Approve Request for Proposals for Landscape and Oak Tree Consultant
ACTION: Approved 5-0 to pull and place the item on the January 12, 2011 Agenda
8. Receive and File the Comprehensive Annual Financial Report for the Year Ended June 30, 2010
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 7:11 p.m. by Agency Chair Schwarz.

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

Also Present were: Executive Director Greg Ramirez, Assistant Agency Attorney Candice Lee, Assistant Executive Director Nathan Hamburger, Assistant to the City Manager Louis Celaya, Director of Planning and Community Development Mike Kamino, Planning Consultant Phil White, City Engineer Ramiro Adeva, Engineering Consultant Donna Snider, Building Official Amir Hamidzadeh, Director of Finance Christy Pinuelas, and Recording Secretary Sheila Keckhut.

RDA APPROVAL OF AGENDA

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

RDA ELECTION OF AGENCY CHAIR AND VICE CHAIR

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

Agency Chair Kuperberg asked for nominations for the position of Agency Vice Chair. The motion by Agency Member Weber to nominate Agency Member Edelston, as Agency Vice Chair, was seconded by Agency Member Koehler. There were no further nominations and, by unanimous consensus, John M. Edelston 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 Vice Chair Edelston, the Consent Calendar was approved 5-0.

RDA1. Approve Minutes of the Regular City Council and Agoura Hills Redevelopment Agency Meeting of October 13, 2010

ACTION: Approved 5-0

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

The joint meeting was called to order at 7:13 p.m. by Mayor/Agency Member Schwarz.

Present were: Mayor/Agency Member Harry Schwarz, Mayor Pro Tem/Agency Chair Dan Kuperberg, Councilmember/Agency Vice Chair John M. Edelston, Councilmember/Agency Member William D. Koehler, and Councilmember/Agency Member Denis Weber.

Also Present were: City Manager/Executive Director Greg Ramirez, Assistant City/Agency Attorney Candice Lee, Assistant City Manager/Assistant Executive Director Nathan Hamburger, Assistant to the City Manager Louis Celaya, Director of Planning and Community Development Mike Kamino, Planning Consultant Phil White, City Engineer Ramiro Adeva, Engineering Consultant Donna Snider, Building Official Amir Hamidzadeh, Director of Finance Christy Pinuelas, and Secretary Sheila Keckhut.

JOINT CITY COUNCIL/RDA CONSENT CALENDAR

There were no public speakers.

On a motion by Councilmember/Agency Vice Chair Edelston, second by Councilmember/Agency Member Weber, the Joint Consent Calendar was approved 5-0.

9./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 7:14 p.m., on a motion by Councilmember/Agency Chair Kuperberg, second by Mayor/Agency Member 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 CONTINUED PUBLIC HEARING/ORDINANCE

10. Conduct a Continued Public Hearing, Introduce, Read by Title Only, and Waive Further Reading of **Ordinance No. 10-380**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING DIVISION 3 OF PART 1 OF CHAPTER 6 OF ARTICLE IX OF THE AGOURA HILLS MUNICIPAL CODE, RELATING TO THE CITY'S UNDERGROUNDING UTILITIES ORDINANCE TO ALLOW FOR THE OPTION OF AN IN-LIEU FEE FOR DEVELOPMENT LOCATED WITHIN SPECIFIED AREAS OF UNDERGROUNDING DISTRICTS and Adopt **Resolution No. 10-1606**; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ESTABLISHING UTILITY UNDERGROUNDING IN-LIEU FEES ON PORTIONS OF ROADSIDE DRIVE WITHIN UNDERGROUND UTILITY DISTRICT NO. 1, AS AUTHORIZED BY DIVISION 3 OF PART 1 OF CHAPTER 6 OF ARTICLE IX OF THE AGOURA HILLS MUNICIPAL CODE, - *Continued from the Regular City Council Meeting of November 10, 2010*

The open Public Hearing was continued from November 10, 2010. Following presentation of the staff report, Mayor Schwarz asked for public comment.

The following person spoke:

Brad M. Rosenheim, Woodland Hills, representing Whizen Market Square/
Regency Center

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

ACTION: Following discussion, the motion by Councilmember Koehler, to introduce, read by title only, and waive further reading of **Ordinance No. 10-380**, was seconded by Councilmember Weber, and approved 4-1 on a roll call vote, with Mayor Pro Tem Kuperberg opposed.

CITY COUNCIL PUBLIC HEARING/ORDINANCE

11. Conduct a Public Hearing and Adopt **Ordinance No. 10-381**; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA ADOPTING, BY REFERENCE, THE FOLLOWING MODEL CODES INTO AGOURA HILLS MUNICIPAL CODE: 2010 CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, MECHANICAL, ELECTRICAL, FIRE, GREEN BUILDING, PROPERTY AND MAINTENANCE, AND OTHER RELATED MODEL CODES, AND THEIR APPENDICES, AND REPEALING AND REPLACING CHAPTER 1 OF ARTICLE III, AND CHAPTERS 1, 2, 3, AND 4 OF ARTICLE VIII OF THE AGOURA HILLS MUNICIPAL CODE – *The Ordinance was Introduced and the Public Hearing was Set at the Regular City Council Meeting of November 10, 2010*

Staff recommended the following amendments, as suggested by the Las Virgenes Municipal Water District:

***112.3.3 Authority to Disconnect Water Utility.** The Building Official is hereby empowered to disconnect or to require ~~in writing the discontinuance of~~ **the property owner to disconnect the** water utility service to buildings, structures or premises, or portions thereof, or to fixtures, devices or materials where such buildings, structures or premises, or portions thereof, are determined to be a hazard to life, health, property or to the environment, or where they lack permits and required inspection approvals.*

*The Building Official is hereby empowered to disconnect or to require ~~in writing the discontinuance of~~ **the property owner to disconnect the** water utility service as a means of preventing, restraining, correcting or abating any violation of this code, or other relevant laws, ordinances, rules or regulations.*

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

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

ACTION: Following discussion, the motion by Councilmember Weber, to adopt **Ordinance No. 10-381**, as amended, was seconded by Councilmember Edelston, and approved 5-0 on a roll call vote.

CITY COUNCIL, STAFF COMMENTS

Councilmember Weber spoke about the Menorah lighting at City Hall and wished everyone a Happy Hanukkah, Merry Christmas, and Happy New Year.

Councilmember Kuperberg wished Councilmember Weber a Happy Birthday, applauded staff on the success of the City Council reorganization meeting, and noted that December 8, 2010, marked the 28th Anniversary of the City of Agoura Hills.

Mayor Schwarz spoke about community members Patty and Alan MacGregor and requested the meeting be adjourned in honor of Alan MacGregor, who recently fell and broke his hip.

ADJOURNMENT

At 8:41 p.m., on a motion by Mayor Pro Tem Kuperberg, second by Councilmember Weber, the City Council unanimously consented to recess the meeting to a Closed Session and then adjourn, in honor of Alan MacGregor, to 7:00 p.m., Wednesday, January 12, 2011, 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.

The Regular Meeting of the City Council for December 22, 2010, has been canceled, the next Regular Meeting is scheduled for January 12, 2011

Minutes prepared by:

Kimberly M. Rodrigues, MMC
City Clerk/Agency Secretary
Meeting attended by Recording Secretary Sheila Keckhut