

**MINUTES OF A REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA
HELD WEDNESDAY, AUGUST 9, 2023**

Mayor Shapiro called the Closed Session to order at 6:00 p.m. in the Council Conference Room, 100 Civic Center Way, Calabasas, CA.

Present: Mayor Shapiro, Mayor pro Tem Weintraub, Councilmembers Albrecht, Bozajian and Kraut

Absent: None

1. Conference with Legal Counsel; Anticipated Litigation
(Gov. Code § 54956.9(d)(2))

A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City. The following facts and circumstances known to potential plaintiff(s) regarding a transactional occurrence: City consideration of story poles policy modification request by Caruso Affiliated regarding pending housing project at 4719 Commons Way. (Gov. Code § 54956.9(e)(2))

2. Conference with Real Property Negotiator
(Gov't Code §54956.8)

Property Address: 27040 Malibu Hills Rd., Calabasas, CA 91301
Agency Negotiator: Kindon Meik, City Manager
Negotiating Party: City of Agoura Hills
Under Negotiation: Price and Terms of Payment

3. Conference with Legal Counsel; Existing Litigation (Gov. Code Section 54956.9(d)(1))

Case Names: THNC Canyon Oaks LLC v. City of Calabasas, et al., Los Angeles County Superior Court Case No. 21STCP01819; related to Building Industry Association of Southern California v. City of Calabasas, et al., Los Angeles County Superior Court Case No. 21STCP02726

Mayor Shapiro called the Open Session to order at 7:05 p.m. in the Council Chambers, 100 Civic Center Way, Calabasas, CA.

Present: Mayor Shapiro, Mayor pro Tem Weintraub, Councilmembers Albrecht, Bozajian and Kraut

Absent: None

Staff: Ahlers, Bartlett, Green, Hernandez, Klein, Lockwood, McConville, Meik, Mendoza, Michitsch, Russo and Summers

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Adam Smith.

APPROVAL OF AGENDA

Mayor Shapiro stated that the presentation by the Sheriff's J-Team would be postponed to a future meeting.

Mayor pro Tem Weintraub moved, seconded by Councilmember Kraut to approve the agenda with modifications. MOTION CARRIED 5/0 as follows:

AYES: Mayor Shapiro, Mayor pro Tem Weintraub, Councilmembers Albrecht, Bozajian and Kraut

CITY ATTORNEY REPORT ON CLOSED SESSION

Mr. Summers reported that the City Council met in Closed Session to address Item Nos. 1-3. However, there were no reportable actions.

ADJOURN IN MEMORY

- Peter Valk

Mayor Shapiro expressed condolences to the Valk family and presented a certificate of adjournment to the family.

Members of the Council expressed condolences to the Valk family.

The Valk family expressed gratitude to the Council for the tribute to Mr. Valk.

PRESENTATIONS

- Sheriff's Crime Report - May and June 2023

Deputy Mason De Matteo presented the report.

SPECIAL ITEM

1. Consideration and approval of appointment of Adam Smith (Kraut) to the Traffic & Transportation Commission

Councilmember Albrecht moved, seconded by Councilmember Kraut to approve the appointment of Adam Smith to the Traffic & Transportation Commission.

MOTION CARRIED 5/0 as follows:

AYES: Mayor Shapiro, Mayor pro Tem Weintraub, Councilmembers Albrecht, Bozajian and Kraut

2. Oath of Office for Adam Smith

Mayor Shapiro administered the Oath of Office to Mr. Smith.

ANNOUNCEMENTS/INTRODUCTIONS

Members of the Council made the following announcements:

Mayor pro Tem Weintraub:

- Reminded everyone to drive with caution as classes return to session.
- Extended her thoughts and prayers to the residents of Maui.

Councilmember Albrecht:

- Reported that the hillside remediation at Park Ora has begun.
- Shared that the Fall Premier Recreation Brochure is now available.
- Extended an invitation to the Tech Help Wednesdays at the Calabasas Senior Center.

Councilmember Kraut:

- Extended an invitation to the Mayor’s Luncheon hosted by the Calabasas Chamber of Commerce at the Calabasas Country Club on August 17.

Mayor Shapiro:

- Congratulated staff for coordinating amazing Sunsets Summer Concerts at the Calabasas Lake. Additionally, he extended an invitation the last concert of the season on August 27.
- Wished City Attorney Matt Summers and Councilmember Kraut a wonderful birthday.

ORAL COMMUNICATIONS – PUBLIC COMMENT

John Suwara, Jacy Shillan, Joanne Suwara read by Denise Miller, Frances Alet, Luressa Byrne, Priscilla Lee, James Bukowski, Mark Levinson, Jolene Strige, Norma Citron, Joe Chilco and Alexandros Mikrakis spoke during public comment.

CONSENT ITEMS

3. Approval of June 21 and 28, 2023, meeting minutes

4. Adoption of Resolution No. 2023-1855, establishing policies and procedures for compliance with Assembly Bill 2449 relating to teleconference participation in legislative meetings
5. Adoption of Ordinance No. 2023-402, amending Chapter 2.04 of the Calabasas Municipal Code relating to City Councilmember salaries
6. Adoption of Resolution No.2023-1863 designating Councilmember Kraut as the voting delegate and Councilmember Bozajian as the alternate voting delegate for the League of California Cities annual business meeting on September 22, 2023
7. Quarterly Investment Report for period ending June 30, 2023
8. Authorization to approve Amendment No. 4, extending the existing Professional Services Agreement with AppleOne Employment Services
9. Authorization to approve and add Amendment No. 2, for additional funding in the amount of \$130,000 to the professional Services Agreement with Sauce Creative Services Corp.
10. Library Commission recommendation to institute a \$100 library card fee for non-residents in jurisdictions without free reciprocal library borrowing privileges

Councilmember Bozajian requested Item Nos. 4, 5 and 10 be pulled from Consent.

Mr. Summers addressed the City Council regarding Consent Item Nos. 4 and 5.

Ms. Lockwood addressed the City Council regarding Consent Item No. 10.

After discussion Mayor pro Tem Weintraub moved, seconded by Councilmember Bozajian to approve Consent Item Nos. 3-10. MOTION CARRIED 5/0 as follows:

AYES: Mayor Shapiro, Mayor pro Tem Weintraub, Councilmembers Albrecht, Bozajian and Kraut

The meeting recessed at 8:11 p.m.
The meeting reconvened at 8:21 p.m.

NEW BUSINESS

11. Call for Review of the Planning Commission's decision not to approve a request to modify the City's Story Pole requirements for a proposed mixed-use project located at 4799 Commons Way. The Planning Commission voted not to approve the requested modifications at the public meeting held on July 6, 2023

Mr. Klein presented the report.

Ms. Chris Robertson, Caruso's Vice President, Planning, Government and Community Relations, addressed the City Council on behalf of the applicant.

Priscilla Lee, Greg Byrne, John Suwara, Joanne Suwara read by Denise Miller, Frances Alet, Anita McQuillan, Moran Nachum, Navin Parmar, Julie Hsieh, Joe Chilco, Amanda Weiss, Randi Fenchurch and Pat Maginnis provided public comment.

After extensive discussion Mayor pro Tem Weintraub moved, seconded by Councilmember Albrecht to approve a request to modify the City's Story Pole requirements for a proposed mixed-use project located at 4799 Commons Way. Mayor Shapiro requested to amend the motion to include that the applicant must have a representative available at Civic Center during set hours to assist the public with general questions. Mayor pro Tem Weintraub stated that the hours of operation shall be at the discretion of the Planning Department and applicant. MOTION CARRIED 4/1 as follows:

AYES: Mayor Shapiro, Mayor pro Tem Weintraub, Councilmembers Albrecht and Bozajian
NOES: Councilmember Kraut

The meeting recessed at 10:25 p.m.

The meeting reconvened at 10:34 p.m.

CONTINUED BUSINESS

12. Review and direction from Council on Law Enforcement Services levels provided by the LA County Sheriff's Department

Mr. Meik presented the report.

Captain Seetoo addressed the City Council

The City Council provided direction to staff.

INFORMATIONAL REPORTS

13. Check Register for the period of June 17-July 28, 2023

No action taken on this Item.

TASK FORCE REPORTS

Councilmember Albrecht reported that Councilmember Kraut and he met with Headwaters Corner Board of Directors and hope to reach a lease agreement in the near future.

Councilmember Kraut reported his participation in a Records Retention meeting to review policies and procedures. He also reported he attended the annual Installation Ceremony hosted by the League of California Cities and congratulated Councilmember Bozajian for being appointed to the State Board as the LA County representative.

Councilmember Bozajian reported he attended the annual California Joint Powers Insurance Authority meeting. He also reported he attended an AHCCC meeting on July 27.

Mayor pro Tem Weintraub reported she attended an Economic Development meeting hosted by the Valley Economic Alliance Board as well as a COG meeting.

Mayor Shapiro reported he attended various SCAG meetings and an Economic Development meeting hosted by the Valley Economic Alliance Board. Additionally, he reported that the VICA Local Officeholders Luncheon has been postponed to September. Lastly, he reported he attended the Attorneys Forum hosted by the Calabasas Chamber of Commerce.

CITY MANGER'S REPORT

Mr. Meik thanked the City Council for their participation in the 4th of July events. He expressed appreciation to Community Services staff for their fantastic work. Additionally, he shared that City full-time employees were sworn-in as Disaster Service Workers on August 9. Lastly, he reported that Code Enforcement, Building and Safety and Public Works personnel will now be using uniforms.

FUTURE AGENDA ITEMS

Mayor pro Tem Weintraub requested that the Environmental Commission establish a program that recognizes sustainable homes and to bring back the Green Business program. Mayor Shapiro also supported the request.

Councilmember Bozajian reiterated his request for an update regarding airport noise issues.

ADJOURN

The City Council adjourned at 11:10 p.m. in memory of Peter Valk to a regular meeting scheduled on Wednesday, August 23, 2023, at 7:00 p.m.

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk