



BRAD HALPERN  
Mayor

RAY PEARL  
Mayor Pro Tem

NED E DAVIS  
Councilmember

KELLY HONIG  
Councilmember

SUSAN McSWEENEY  
Councilmember

## MINUTES Regular Meeting of the City Council July 27, 2022

### CALL TO ORDER:

This Regular Meeting of the Westlake Village City Council was called to order by Mayor Halpern on Wednesday, July 27, 2022, at 6:36 p.m., at 31200 Oak Crest Drive, Westlake Village.

### PLEDGE OF ALLEGIANCE:

Mayor Halpern led the Pledge of Allegiance.

### ROLL CALL:

PRESENT: Councilmembers McSweeney, Honig, Davis, Mayor Pro Tem Pearl, and Mayor Halpern

ABSENT: None

Also Present: City Manager de Geus, City Attorney Boga, Deputy City Manager Eskandar, Administrative Services Director Wilson, Planning Director Forbes, City Clerk Mann, Deputy City Engineer Bellomo, Senior Planner Sinkula, Public Works Manager Iverson, Administrative Analyst Mott and Community Services Specialist Roush.

### APPROVAL OF AGENDA:

Councilmember Davis moved to approve the Agenda as presented. Councilmember McSweeney seconded the motion.

YES: Councilmembers McSweeney, Honig, Davis, Mayor Pro Tem Pearl, and Mayor Halpern

NO: None

ABSENT: None

ABSTAIN: None

Mayor Halpern declared the motion passed 5-0.

**APPROVAL OF MINUTES:**

Councilmember Honig moved to approve the Minutes of July 13, 2022 City Council Study Session and City Council Regular Meeting. Mayor Pro Tem Pearl seconded the motion.

YES: Councilmembers McSweeney, Honig, Davis, Mayor Pro Tem Pearl,  
and Mayor Halpern  
NO: None  
ABSENT: None  
ABSTAIN: None

Mayor Halpern declared the motion passed 5-0.

**SPECIAL PRESENTATIONS/CEREMONIAL MATTERS:**

Mayor Halpern presented the 2022 Quarterly Business Recognition Program to MC2 Wholesale Lighting and Electrical Supplies, Inc. The owners Brent McCabe, Mac Cayne and Chuck Cohen were unable to attend the City Council Meeting due to prior commitments with the Veterans of Foreign Wars.

MC2 Wholesale provides lighting and electrical supplies to contractors. With a huge line of supplies, have over 100 years of experience in the electrical industry and help customers find exactly what they need. MC2 Wholesale has been in Westlake Village for 20 years.

Adam Haverstock, Director of Government Affairs and Tourism presented the Chamber of Commerce 2022 Quarterly Business Recognition Program to MC2 Wholesale Lighting and Electrical Supplies, Inc.

**PUBLIC COMMENTS:**

Trevor Bishop, Westlake Village, invited residents to experience Crumbl Cookies.

**COUNCIL RESPONSE:** None

**STAFF COMMENTS:**

City Manager de Geus thanked Deputy City Manager Eskandar for his assistance at the July 13, 2022 City Council meeting and reported that the recent Movie in the Park event was very successful.

**COUNCIL COMMENTS:**

Councilmember Honig stated the Los Angeles Board of Supervisors recently called for a Special Election asking for a charter amendment to allow the five members of the Board of Supervisors to remove an Elected official. In this case, they want to remove the Los Angeles County Sheriff. This charter amendment, with a 4/5 vote, would allow 5 elected

**COUNCIL COMMENTS** (continued):

officials to remove another elected official. Councilmember Honig expressed concern about this matter and requested that the item be placed on the Administrative Committee agenda for future discussion. City Council approved the recommendation to place the issue on a future Administrative Committee meeting agenda.

**MONTHLY DEPARTMENTAL REPORTS:****1. Sheriff's Department Report**

Deputy Knott presented the Sheriff Department report for the month of June 2022. He mentioned that there were no security issues at the Concerts in the Park events. He encouraged residents to attend the National Night Out Event at the Westlake Village Community Park on August 2<sup>nd</sup> from 5-7 p.m.

**2. Fire Department Report**

Assistant Fire Chief Drew Smith presented the Fire Department report for the month of June 2022 on the number of fires, medical response calls, and rescue activities conducted. To assist with wildfires, the Chinook helicopter has been activated and the super scoopers will be activated in September.

**3. Chamber of Commerce Report**

Adam Haverstock, Director of Government Affairs and Tourism, highlighted recent and upcoming events of the Greater Conejo Chamber of Commerce, including the Leadership Conejo class, job fair on August 10, 2022, and the small business stories project.

**4. Library Report**

Julie Frieze, Manager of the Westlake Village Daniel K. Ludwig Library, presented the Library report for June 2022.

**CITY COUNCIL COMMITTEE REPORTS:****1. ENVIRONMENTAL COMMITTEE REPORT**

City Manager de Geus reported that the Environmental Committee met on July 14, 2022 (Councilmember Davis and McSweeney) to discuss the current drought and invited Administrative Analyst Mott to present the report.

Administrative Analyst Mott reported that in response to the statewide historic drought conditions, the Las Virgenes Municipal Water District (District) has implemented watering restrictions on both potable and reclaimed water for outdoor use as follows: once a week for 8 minutes a station or 15 minutes a station with smart irrigation controllers, an overall 50% reduction to the outdoor water budget for potable water and a 75% reduction to outdoor water budgets for recycled water.

**CITY COUNCIL COMMITTEE REPORTS (continued):**

Mr. Mott provided a status update on three City landscaped areas that use potable water and are experiencing stressed landscape conditions due to the watering reductions. He noted that these areas could benefit from additional watering:

- Canyon Oaks Park - Staff is working with the Los Angeles County Department of Public Health to receive a permit to activate the new recycled water lines recently installed to the park. Until recycled water is operational, trees will be supplemented with imported recycled water, however there will be no additional watering of the turf at this time. Once the permit is approved, the recycled water lines will be operational.
- First Neighborhood has recycled water lines to the neighborhood but not within the cul-de-sacs which have landscaped medians. The medians are currently irrigated with potable water and have turf. Any expanded recycled water use would require trucking in recycled water.
- Lakeshore uses potable water for the neighborhood medians however the medians have drought-tolerant plants and trees, and no turf. Use of recycled water would require trucking in recycled water.

Mr. Mott provided short-term and long-term options for additional watering, noting that the Environmental Committee suggested supplemental water for trees only. Costs for First Neighborhood ranged from \$12,000-\$22,000 a month while Lakeshore will be approximately \$1,700 a month. City Manager de Geus requested City Council direction on the supplemental watering options as they all have budget implications.

Mr. Mott provided an update on the recycled water fill station available at Rancho Las Virgenes Composting facility in Calabasas. He explained that customers can receive 300 gallons per trip, but they must take a training course from the District before they can access the water. He mentioned that the District has offered to install fill stations at other locations in which City staff is trained and runs the fill stations. He discussed location options that could be viable in the City, including Bernice Bennett Park and the Civic Center. He stated that both locations have limited parking that would be impacted by the installation of a fill station and that City staff would have to operate the station and ensure it was not vandalized or otherwise damaged.

He also noted that while supplemental recycled water was currently available, its availability could be impacted by on-going drought conditions, causing this program to terminate. Other local cities have added large tanks of recycled water that their landscapers can use for supplemental watering needs. Staff is not recommending a fill station at this time.

**CITY COUNCIL COMMITTEE REPORTS (continued):**

There was Council discussion on the practicality of households using recycled water and its limitations since recycled water cannot be stored.

**PUBLIC SPEAKER:** Tish Matthews, Westlake Village, inquired if Homeowner Associations (HOA's) will be charged for the costs of trucking in recycled water.

Deputy City Manager Eskandar responded that HOA's will not be charged for the supplemental water, but the cost will be charged to Assessment District Zone 2, thereby requiring a budget appropriation.

There was additional Council discussion on having City staff trained and staffing a fill station. Staff was directed to monitor and reassess potential implementation of a fill station at a later time.

Discussion on First Neighborhood included watering trees and turf on the gateway streets. Public Works Manager Iverson confirmed that of the five gateway streets, two are currently on potable water and three on recycled water. Costs were anticipated to be between \$12,000 – \$14,000 for First Neighborhood and \$1,700 for Lakeshore. He suggested supplemental watering for a maximum of three months with recycled water. A budget appropriation would be brought back for approval.

Councilmember Davis moved to approve utilizing recycled water for irrigation purposed once a week in the three exterior medians in First Neighborhood and Lakeshore for three months. Staff was directed to begin evaluating long term options for the landscaped medians in these neighborhoods. Councilmember McSweeney seconded the motion.

- YES: Councilmembers McSweeney, Honig, Davis, Mayor Pro Tem Pearl, and Mayor Halpern
- NO: None
- ABSENT: None
- ABSTAIN: None

Mayor Halpern declared the motion passed 5-0.

**PUBLIC HEARINGS:**

**1. CONDITIONAL USE PERMIT NO. 08-003, MODIFICATION NO. 1 (TIME EXTENSION); RESOLUTION NO. 2266-22**

Senior Planner Sinkula presented a staff report on Modification 1 to Conditional Use Permit (CUP) No. 08-003 submitted by VCA Animal Hospitals, dba VCA Westlake Village Animal Hospital and the Barkley Pet Hotel and Day Spa, 31166 Via Colinas, Westlake Village. Modification 1 requested an extension of the expiration date of

**PUBLIC HEARINGS** (continued):

the CUP to authorize the continued operation of an animal hospital, pet grooming, and indoor kenneling facility.

CUP 08-003 was approved by City Council on January 28, 2009. Since approval, the animal hospital has changed ownership, but the operations have remained the same. On March 12, 2019, the applicant filed a request for a time extension to allow for the continued operation of the facility with no proposed modifications to the permit. The site is in the La Baya Zoning District of the North Business Park Specific Business Plan which allows animal-related uses.

During the initial permit term, the sump pump that serves the subject facility failed leading to an illicit discharge from the facility into the City's storm drain system. Since the time extension request was filed, staff have been working with the City's consulting Environmental Analyst, to prepare a recommended condition of approval to closely regulate the issue. Condition of approval (No. 13) requires the applicant to maintain the sump pump in good working order, including regular maintenance. If the sump pump overflows and/or causes an illicit discharge, the applicant is required to resolve the discharge and/or failure within 24 hours. Requirements for water quality treatment and the replacement of the sump pump system should there be more than one failure of the system within a one-year period is included. If the system must be replaced, the applicants must have approval of the City Engineer for the new system prior to installation.

Staff recommended approval of the time extension for ten years to expire on July 27, 2032. Staff further recommended carrying forward conditions of approval related to noise and animal waste, as they have been effective thus far in avoiding conflicts of use at the site.

Ms. Sinkula informed the Council that on July 6, 2022, the Land Use Committee, composed of Mayor Pro Tem Pearl and Councilmember Honig, reviewed the CUP time extension request and recommended that the request move forward to a public hearing if conditioned as discussed above.

Deputy City Engineer Bellomo discussed the sump pump failures and how the Los Angeles County Industrial Waste Division discovered the failure. He noted that this site is inspected annually, and frequent drive-by inspections are conducted by the County. Failure was a result of lack of maintenance. Plans for the equipment are not on file with the City or Building and Safety.

Jason Damavandi, VCA Regional Operations Director, stated plans could not be located by the applicant. Stevie Dockery, VCA Hospital Manager stated maintenance is now conducted twice a month by VCA staff and quarterly cleaning conducted by Lloyd's plumbing.

**PUBLIC HEARINGS** (continued):

Councilmember McSweeney moved to adopt Resolution No. 2266-22, 'A Resolution of the City Council of the City of Westlake Village approving an extension of the expiration date for Conditional Use Permit No. 08-003 to authorize the continued operation of a small animal hospital, kennel, and grooming facility located at 31166 Via Colinas' with the added condition that the business must provide as-built plans within 90 days for the sump pump. Councilmember Davis seconded the motion.

YES: Councilmembers McSweeney, Honig, Davis, Mayor Pro Tem Pearl, and Mayor Halpern  
NO: None  
ABSENT: None  
ABSTAIN: None

Mayor Halpern declared the motion passed 5-0.

**2. CONDITIONAL USE PERMIT NO. 22-002; RESOLUTION NO. 2267-22**

Senior Planner Sinkula presented a staff report on Conditional Use Permit (CUP) No. 22-002 submitted by Angela Peña on behalf of the Tribú Language School, 31344 Via Colinas, Suite Nos. 105 and 106 to authorize the operation of an instructional language facility. The business was previously authorized by CUP No. 17-005 but has moved to a new location.

Ms. Sinkula reported that City Council approved CUP No. 17-005 to authorize an instructional language facility at 31368 Via Colinas Suite 101 on September 27, 2017. The business subsequently relocated to its current location. Since the CUP is attached to the location, not the business, requiring a new CUP. On June 24, 2022, the applicant filed a CUP application requesting authorization to operate an immersive English and Spanish instructional language facility that offers classes to children and adults. The proposed site is located within the Westlake Village Industrial Park in the Business Park Zoning District of the North Business Park Specific Plan. An instructional language facility is a conditionally permitted use within this zone.

Staff recommended a condition of approval to address any issues that could arise over the permit term and allow staff to bring the matter to the Land Use Committee for resolution. Staff noted that the proposed site is situated within an area where the requested land use is common. Staff finally recommended approval of the CUP request with a permit term of ten years if the permit is conditioned as recommended.

Ms. Sinkula noted that on July 6, 2022, the Land Use Committee, comprised of Mayor Pro Tem Pearl and Councilmember Honig, reviewed the request, and recommended that it be moved forward to the full City Council for hearing.

**PUBLIC HEARINGS** (continued):

Councilmember McSweeney moved to adopt Resolution No. 2267-22, 'A Resolution of the City Council of the City of Westlake Village approving Conditional Use Permit No. 22-002, relative to the operation of an instructional language facility located at 31344 Via Colinas Suites No. 105 and 106'. Mayor Pro Tem seconded the motion.

YES: Councilmembers McSweeney, Honig, Davis, Mayor Pro Tem Pearl, and Mayor Halpern  
NO: None  
ABSENT: None  
ABSTAIN: None

Mayor Halpern declared the motion passed 5-0.

**MONTHLY IN-HOUSE DEPARTMENTAL REPORTS:****1. Engineering Department Report**

Deputy City Engineer Bellomo provided the July monthly report highlighting completion of the punch list items for the Annual Street Improvement Project and submittal of the Technical Resources Program application to the Safe Clean Water Program with a request for \$300,000 from Measure W funds. These projects will address water quality objectives and meet National Pollutant Discharge Elimination System Permit standards.

**2. Planning Department Report**

Planning Director Forbes provided the July monthly report highlighting the second community virtual meeting on Zero Emissions Landscape equipment. The third meeting, which will be in-person, will be scheduled in September. Also, the City received \$160,00 from the State of California for Senate Bill 2 Planning Grant, as a partial reimbursement for the costs of preparing the North Business Park Specific Plan.

**3. Cultural Recreation Report**

Community Services Specialist Roush provided the July monthly report highlighting the Summer Entertainment Series and 4<sup>th</sup> of July events.



**CONSENT CALENDAR:**

Councilmember McSweeney moved to approve the Consent Calendar. Mayor Pro Tem Pearl seconded the motion.

YES: Councilmembers McSweeney, Honig, Davis, Mayor Pro Tem Pearl,  
and Mayor Halpern  
NO: None  
ABSENT: None  
ABSTAIN: None

Mayor Halpern declared the motion passed 5-0.

**APPROVAL OF WARRANTS:** Warrants effective August 1, 2022 in the amount of \$468,153.36

**GENERAL BUSINESS:**

1. **ASSEMBLY BILL 361 FINDINGS FOR SPECIAL BROWN ACT REQUIREMENTS FOR TELECONFERENCE MEETINGS** - City Council made the following findings so that teleconference meetings of the City Council and the City's committees can continue to be conducted pursuant to the AB 361 special Brown Act requirements: the City Council has reconsidered the circumstances of the COVID-19 state of emergency, and state and local officials continue to recommend measures to promote social distancing.
2. **AMENDMENT NO. 1 TO KAYUGA SOLUTION, INC. CONTRACT FOR THE PURPOSE OF COMPLETING THE RESERVE STUDY** – Approved Amendment No. 1 with Kayuga Solution, Inc., extending the term of the agreement by six months until December 31, 2022, and authorized the Mayor to execute the contract amendment.
3. **APPROVAL OF A WATERLINE EASEMENT AGREEMENT WITH LAS VIRGENES MUNICIPAL WATER DISTRICT FOR RECLAIMED WATERLINE TO CANYON OAKS PARK** - Approved the Waterline Easement Agreement with Las Virgenes Municipal Water District over Canyon Oaks Tract No. 32994 Lots 78 and 79 and the City of Westlake Village and authorized the Mayor to execute the agreement.
4. **ACCEPTANCE OF TRIUNFO CANYON ROAD – SADDLE MOUNTAIN DRIVE PEDESTRIAN HYBRID BEACON PROJECT** - Accepted the Triunfo Canyon Road – Saddle Mountain Drive Pedestrian Hybrid Beacon Project and authorized the City Clerk to execute and record a Notice of Completion on behalf of the City.

**OLD BUSINESS:****1. APPROVAL OF SOLID WASTE COLLECTION SERVICES FRANCHISE AGREEMENT WITH G.I. INDUSTRIES DBA WASTE MANAGEMENT**

City Manager de Geus introduced the item stating that City Council held two study sessions on this topic, discussing the contract in detail. Staff is recommending approval of the contract as favorable terms have been negotiated, providing improved services to the City and residents with reduced rates with a company that the City has worked with for many years. He noted that Waste Management has been very responsive and proactive in handling the new organic waste laws. If the City Council is not ready to approve the new contract, approving an amendment to the current contract is required to allow for continued trash service.

**PUBLIC SPEAKER:** Rondi Guthrie, Vice President of Government Affairs, Athens Services.

Council discussion on pricing, terms, open bid process and commercial exclusivity.

Councilmember Davis moved to approve the First Amendment to the Solid Waste Collection Agreement executed by the City of Westlake Village and G.I. Industries doing business as Waste Management dated June 23, 2015 and authorize the Mayor to execute the First Amendment.

No second on the motion. Motion failed.

Councilmember Honig moved to approve the Collection Services Franchise Agreement for the Provision of Garbage, Organic Waste, and Recyclable Materials Collection Services between the City of Westlake Village and G.I. Industries doing business as Waste Management and authorized the Mayor to execute the agreement. Councilmember McSweeney seconded the motion.

YES: Councilmembers McSweeney, Honig, and Mayor Halpern  
NO: Councilmember Davis and Mayor Pro Tem Pearl  
ABSENT: None  
ABSTAIN: None

Mayor Halpern declared the motion passed 3-yes (Councilmember McSweeney, Honig and Mayor Halpern) and 2-no (Councilmember Davis and Mayor Pro Tem Pearl).

**NEW BUSINESS:****1. INTRODUCTION OF ORDINANCE AMENDING CHAPTER 5.3 OF THE WESTLAKE VILLAGE MUNICIPAL CODE PERTAINING TO SOLID WASTE MANAGEMENT; ORDINANCE NO. 295-22**

Planning Director Forbes reported that by approving the Solid Waste Collection Services Franchise Agreement with Waste Management (WM), is it necessary to amend the Municipal Code adding in the provision for exclusive commercial services to implement the terms of the approved agreement.

California Public Resources Code Section 49520 provides for a five-year transition period in situations where an open market commercial waste collection system is changed to an exclusive agreement. Any hauler that has been providing commercial waste collection services for at least three years may continue providing services for up to five additional years after the exclusive agreement takes effect. The proposed ordinance would prohibit haulers other than WM from acquiring new customers during the five-year transition period, consistent with the terms of the WM agreement. Any businesses that already use WM for waste service would be required to remain with WM. Other businesses would have the option of remaining with their current hauler or switching to WM, but could not switch to a different hauler other than WM. All businesses would be required to switch to WM by the end of the five-year transition period in August 2027.

Councilmember McSweeney moved to introduce an Ordinance regarding Solid Waste Management and Amending the Westlake Village Municipal Code be introduced by title only and that further reading be waived. Councilmember Honig seconded the motion.

YES: Councilmembers McSweeney, Honig, and Mayor Halpern  
NO: Councilmember Davis and Mayor Pro Tem Pearl  
ABSENT: None  
ABSTAIN: None

Mayor Halpern declared the motion passed 3-yes (Councilmember McSweeney, Honig and Mayor Halpern) and 2-no (Councilmember Davis and Mayor Pro Tem Pearl).

**2. CITY MANAGER CONTRACT NEGOTIATION AD HOC COMMITTEE**

City Attorney Boga requested the Council establish a new Ad Hoc Committee comprised of the Mayor and Mayor Pro Tem to begin negotiating on the City Manager's contract.

Councilmember Honig moved to create the City Manager Contract Negotiation Ad Hoc Committee to work on a potential contract amendment in connection with the annual performance evaluation of the City Manager, and that Mayor Halpern and Mayor Pro

**NEW BUSINESS** (continued):

Tem Pearl be assigned to such committee. Councilmember McSweeney seconded the motion.

YES: Councilmembers McSweeney, Honig, Mayor Pro Tem Pearl and Mayor Halpern  
NO: Councilmember Davis  
ABSENT: None  
ABSTAIN: None

Mayor Halpern declared the motion passed 4-yes and 1-no (Councilmember Davis).

**ADJOURNMENT:**

Meeting adjourned at 8:51 p.m. to the next Regular Scheduled Meeting on September 14, 2022.



Brad Halpern, Mayor

**Attest:**



Antoinette Mann, City Clerk