



RAY PEARL
Mayor

NED E DAVIS
Mayor Pro Tem

KELLY HONIG
Councilmember

SUSAN McSWEENEY
Councilmember

BRAD HALPERN
Councilmember

MINUTES

Regular Meeting of the City Council

June 14, 2023

CALL TO ORDER:

This Regular Meeting of the Westlake Village City Council was called to order by Mayor Pearl on Wednesday, May 10, 2023, at 6:31 p.m., at 31200 Oak Crest Drive, Westlake Village.

PLEDGE OF ALLEGIANCE:

Mayor Pearl led the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: Councilmember Honig

Also Present: City Manager de Geus, City Attorney Boga, Administrative Services Director Wilson, Planning Director Forbes, City Clerk Mann, City Engineer Hughes, City Traffic Engineer Wessel, Senior Planner Sinkula, Administrative Analyst Mott and Deputy City Clerk Kramer.

APPROVAL OF AGENDA:

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

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

NO: None

ABSENT: Councilmember Honig

ABSTAIN: None

Mayor Pearl declared the motion passed 4-Yes; 0-No; 1-Absent (Councilmember Honig)

APPROVAL OF MINUTES:

Councilmember Halpern moved to approve the Minutes of May 24, 2023 Regular Meeting as presented. Councilmember McSweeney seconded the motion.

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

Mayor Pearl declared the motion passed 4-Yes; 0-No; 1-Absent (Councilmember Honig)

CLOSED SESSION REPORT:

City Attorney Boga reported that City Council met for a closed session this evening with no reportable action.

SPECIAL PRESENTATIONS/CEREMONIAL MATTERS: None

PUBLIC COMMENTS:

Gabriel Albarian, Westlake Village, reported on the Homeowners Association Council meeting and future topics.

COUNCIL RESPONSE:**STAFF COMMENTS:**

City Manager de Geus provided an overview of the White Oak Elementary School Fencing Working Group where the School District provided an update on their plans and process for the new fence. The Working Group heard the perspectives from the various members. It is anticipated that an additional meeting of the Working Group will be scheduled. The School District Facilities Committee will review the feedback from the Working Group and make a recommendation to the Board of Education on the proposed fence plan.

Mr. de Geus highlighted recent events including the May 26 concert at the Civic Center Courtyard, featuring Agoura High School and Lindero Middle School Jazz Bands and the June 10 concert at Berniece Bennett Park, featuring Fooz Fighters band. On May 31, 2023, White Oak Elementary School 4th grade students visited City Hall for the annual City to Schools field trip to participate in a mock City Council meeting; students participated as Councilmembers, City Manager, and members of the public.

Mr. de Geus announced that the Public Safety Advisory Board recruitment closes on June 23 and encouraged residents to visit WLV.org/Volunteer to learn more and submit an application. A Community Emergency Response Team (CERT) meeting is scheduled for

STAFF COMMENTS (continued):

June 21, 2023 at 6:00 pm at City Hall to discuss upcoming Los Angeles County Fire CERT classes and radio use for CERT members. He welcomed interested volunteers to come to learn more about the program.

Planning Director Forbes reported that Waste Management (WM) is realigning collection routes starting the week of July 31, 2023 with new collection days. WM is sending a postcard to all residents and businesses and will be calling all residents to inform them of their new collection day.

Mr. de Gues concluded with highlighting upcoming City Council Committee Meeting dates and the June 28, 2028 City Council Meeting agenda topics.

COUNCIL COMMENTS:

Mayor Pearl reported that construction will commence at White Oak Elementary School on June 20, 2023 to replace asphalt and repair/replace playground equipment; construction will not be related to the fence plans.

CITY COUNCIL COMMITTEE REPORTS: None

PUBLIC HEARINGS:

1. **ESTABLISHMENT OF CITYWIDE DEVELOPMENT IMPACT FEES (DIF) FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT — APPROVAL OF NEXUS STUDY AND CAPITAL IMPROVEMENTS PROGRAM; INTRODUCTION OF ORDINANCE NO. 303-23; AND ADOPTION OF RESOLUTION NO. 2304-23**

Mayor Pearl opened the Public Hearing. Senior Planner Sinkula presented the request to establish citywide Development Impact Fees (DIFs) for new residential and non-residential development.

Ms. Sinkula provided background data on the fees, noting that the North Business Park Specific Plan (NBSP) was adopted in June 2020, and recommended adopting various fees to implement the goals and vision of the plan including infrastructure enhancements and public improvements. On May 25, 2022, City Council approved a Professional Services Agreement with Stanley R. Hoffman Associates (SHA) to authorize the preparation of a Nexus Study to establish Citywide DIFs and that the study has been prepared and is ready for adoption by the City Council. Initially, DIFs were recommended only for the NBSP area. However, the Southern California Association of Governments (SCAG) growth projections for the City indicate that there may be some commercial growth outside of the NBSP. Additionally, recent changes in legislation would allow for residential development outside of the NBSP area regardless of zoning.

PUBLIC HEARINGS (continued):

Ms. Sinkula reviewed the proposed DIFs, which are one-time fees that local agencies charge for new development to cover the capital cost of public facilities needed to provide and maintain an acceptable level of service. DIFs cannot be used for costs attributable to existing deficiencies in public facilities, only for those additional needs arising from new development.

Projects exempted from DIFs include replacement or reconstruction of structures damaged or destroyed by fire or natural causes; rehabilitation or remodeling of an existing residential or non-residential structure; replacement or reconstruction of an existing single-family residence with another single-family residence (even if new the single family residence (SFR) is larger than the existing SFR); additions to existing single-family residences; affordable units (per policy in General Plan); mobile homes; and accessory dwelling units (ADUs).

Senior Planner Sinkula explained the Nexus Study establishes a fee schedule to support a range of facilities and infrastructure capital costs to serve anticipated new growth. She presented a description of each of the proposed projects providing detailed information on each category within the following five service programs (Parks and Recreation Facilities; General Government Facilities; Sidewalk and Pedestrian Safety Facilities; Intelligent Transportation System; and Police Protection Facilities).

On May 2, 2023, the Land Use Committee (Davis/Honig) reviewed the proposed fees and discussed whether the Parks and Parkways DIF should include a park acquisition fee or just a fee for the cost of park improvements. The Committee directed staff to include the park acquisition fee in the Parks and Parkways DIF to ensure that any future increases in population do not result in a decrease to the level of service currently provided to residents of 4.38 acres of parkland per 1,000 residents. The Committee directed staff to bring the proposed new DIFs to the full City Council for consideration and adoption.

Ms. Sinkula discussed considerations including potential constraints to development by increasing costs; that DIFs can be used for capital improvements only, not operations or maintenance; that new development would pay a proportional cost of improvements and other funding would be needed for the balance of the cost of improvements; future development projects are uncertain given recent legislation; and the City's need to maintain and expand capital facilities commensurate with new development.

Senior Planner Sinkula stated that fees become effective 90 days after City Council adoption. She mentioned that the survey results from property owners regarding the special benefit assessment district will be analyzed.

PUBLIC HEARINGS (continued):

City Council discussion included whether the fees apply to Senate Bill (SB) 9 properties, Accessory Dwelling Units, how DIFs are adjusted, and how often they are adjusted.

Councilmember Halpern moved that the City Council approve the DIF Nexus Study and Capital Improvement Program, waive full reading and introduce Ordinance No. 303-23, and adopt Resolution No. 2304-23 to establish citywide development impact fees for new residential and non-residential development. Mayor Pro Tem Davis seconded the motion.

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

Mayor Pearl declared the motion passed 4-Yes; 0-No; 1-Absent (Councilmember Honig)

ORDINANCE NO. 303-23 - AN ORDINANCE OF THE CITY OF WESTLAKE VILLAGE ADDING A NEW CHAPTER 8.11 TO ARTICLE 8 (BUILDING REGULATIONS; SEWAGE AND WASTE) OF THE WESTLAKE VILLAGE MUNICIPAL CODE CONCERNING DEVELOPMENT IMPACT FEES, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA

RESOLUTION NO. 2304-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE VILLAGE APPROVING THE CITYWIDE DEVELOPMENT IMPACT FEE NEXUS STUDY DATED MAY 25, 2023, ADOPTING A CAPITAL IMPROVEMENT PROGRAM AS PART OF THE NEXUS STUDY, ADOPTING DEVELOPMENT IMPACT FEES, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA

CONSENT CALENDAR:

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

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

Mayor Pearl declared the motion passed 4-Yes; 0-No; 1-Absent (Councilmember Honig)

APPROVAL OF WARRANTS: Warrants effective June 1, 2023 in the amount of \$ 732,357.48

CONSENT CALENDAR (continued):**GENERAL BUSINESS:**

- 1. ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SENATE BILL 1) PROJECT LIST; RESOLUTION NO. 2305-23** – City Council adopted Resolution No. 2305-23, identifying the Fiscal Year (FY) 2023-24 Annual Street Improvement Project to utilize the Road Maintenance and Rehabilitation Account Funds.

RESOLUTION NO. 2305-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE VILLAGE IDENTIFYING THE FY 2023-24 ANNUAL STREET IMPROVEMENT PROJECT TO UTILIZE ROAD MAINTENANCE AND REHABILITATION ACCOUNT FUNDS

- 2. APPROVAL OF AMENDMENT NO. 2 TO THE CONSULTANT SERVICES AGREEMENT BETWEEN MUNISERVICES LLC AND THE CITY FOR SALES TAX MONITORING AND AUDIT SERVICES; RESOLUTION NO. 2306-23** – City Council adopted Resolution No. 2306-23, approving Amendment No. 2 to the Consultant Services Agreement between MuniServices LLC and the City of Westlake Village and authorized the Mayor to sign and execute the agreement on behalf of the City.

RESOLUTION NO. 2306-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE VILLAGE APPROVING AMENDMENT NUMBER 2 TO A CONSULTANT SERVICES AGREEMENT WITH MUNISERVICES LLC

- 3. ADOPTION OF RESOLUTION NO. 2307-23 APPROVING A COOPERATION AGREEMENT WITH THE LOS ANGELES COUNTY DEVELOPMENT AUTHORITY FOR THE LOS ANGELES URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEARS 2024-2026** – City Council adopted Resolution No. 2307-23.

RESOLUTION NO. 2307-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE VILLAGE APPROVING PARTICIPATION IN THE LOS ANGELES URBAN COUNTY PROGRAM

- 4. FIRST AMENDMENT TO TRANSIT SERVICES AGREEMENT WITH THE CITY OF THOUSAND OAKS TO OPERATE DIAL-A-RIDE PROGRAMS** – City Council approved the First Amendment to the agreement with the City of Thousand Oaks for the operation of the City's Senior and Disabled Dial A Ride program and authorized the Mayor to sign and execute on behalf of the City.

OLD BUSINESS:**1. ADOPTION OF PROPOSED BUDGET FOR FISCAL YEAR 2023-24;
RESOLUTION NO. 2308-23**

City Manager de Geus introduced the item, stating the proposed budget adopts and appropriates funds for the operating and capital budgets for Fiscal Year 2023-24, closes appropriations for Fiscal Year 2022-23, delegates contract execution authority to the City Manager and establishes appropriations limits as required by the California Constitution.

Administrative Services Director Wilson presented the proposed Fiscal Year (FY) 2023-24 City budget adoption. The budget priorities are in alignment with the 2025 Strategic Plan. Citywide budget by fund level is \$21.3 million with Citywide revenues projected at \$19 million. She stated that the three major revenue sources remain as Sales Tax, Property Tax and Transient Occupancy Tax (TOT) which total 67% of all citywide revenues.

Administrative Services Director Wilson noted that the proposed budget is \$1.17 million more than the FY 2022-23 due to capital program expenditures and the increase in the City's law enforcement contract, adding that the increase in funding for law enforcement services will be entirely offset by the American Rescue Plan Federal Grant.

Ms. Wilson reported that the year-to-year increase in General Fund revenue is 10.67% or \$1.5 million, and noted that for the upcoming fiscal year, Muni Services, LLC and Regional Governmental Services, with a combined experience of over 60 years in municipal revenue services, informed the revenue projections for the major categories included in the proposed budget.

Ms. Wilson reviewed the Capital Improvement Plan (CIP), approved by City Council on April 12, 2023, which comprise of 21 projects at a total cost of \$4.58 million. She presented the projects in five categories (Recurring CIP Projects, Park Improvements, Sidewalk Improvements, Streetscape Improvements, and Other Projects) and provided an overview of the funding plan for the \$4.58 million in expenditures for the CIP program. Staff commits to continue their efforts on leveraging additional outside funding sources to lessen the burden on the Unrestricted CIP fund.

Administrative Services Director Wilson stated the City is required by State law to establish an appropriation limit each fiscal year. Only those revenues received from proceeds of taxes are subject to this limit. Utilizing the most current price and population data provided by the State, the City's FY 2023-24 appropriation limit is estimated to be \$30.6 million with appropriation well under that limit. As such, the proposed budget complies with State law.

OLD BUSINESS (continued):

City Council expressed appreciation to staff for the excellent financial projections and the ability to have a surplus following a pandemic. Councilmembers thanked staff for their time and effort on this year’s budget process.

Councilmember McSweeney moved that the City Council adopt Resolution No. 2308-23, which adopts and appropriates funds for the operating and capital budgets for Fiscal Year 2023-24, closes appropriations for Fiscal Year 2022-23, delegates contract execution authority to the City Manager and establishes appropriations limits as required by the California Constitution. Councilmember Halpern seconded the motion.

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

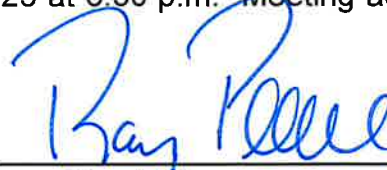
Mayor Pearl declared the motion passed 4-Yes; 0-No; 1-Absent (Councilmember Honig)

RESOLUTION NO. 2308-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE VILLAGE ADOPTING AND APPROPRIATING FUNDS FOR OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR COMMENCING JULY 1, 2023 CLOSING APPROPRIATIONS FOR FISCAL YEAR 2022-2023, DELEGATING CONTRACT EXECUTION AUTHORITY, AND ESTABLISHING THE APPROPRIATIONS LIMIT AS REQUIRED BY THE CALIFORNIA CONSTITUTION

NEW BUSINESS: None

ADJOURNMENT:

Mayor Pearl congratulated all students for finishing the school year - especially High School graduates, wished all families a fun summer, and announced that the next City Council meeting will be held on June 28, 2023 at 6:30 p.m. Meeting adjourned at 7:31 p.m.



Ray Pearl, Mayor

Attest:


Antoinette Mann, City Clerk