

# MINUTES OF THE CITY COUNCIL

Westlake Village, California

January 13, 2010

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**CALL TO ORDER** This regular meeting of the Westlake Village City Council was called to order by Mayor Rutherford on Wednesday, January 13, 2010 at 6:05 p.m., at 31200 Oak Crest Drive, Westlake Village.

**CLOSED SESSION** Mayor Rutherford adjourned the meeting at 6:06 p.m. to discuss the item on the closed session agenda.

**RECONVENE** Mayor Rutherford reconvened the meeting at 6:43 p.m.

**PLEDGE OF ALLEGIANCE** Mayor Rutherford led the Pledge of Allegiance.

**ROLL CALL** **Present:** Councilmembers Klessig, McSweeney, Mayor Pro Tem Davis, Mayor Rutherford  
**Absent:** Councilmember Slavin  
**Also Present:** City Manager Taylor, Assistant City Manager Brown, City Attorney Boga, Planning Director Theobald, City Clerk Schott, City Engineer Knipe, Senior Planner Wolfe, Administrative Analyst Kallman, Community Services Coordinator Anderson

**APPROVAL OF AGENDA** Councilmember Klessig moved to approve the agenda as presented. Councilmember McSweeney seconded the motion which passed unanimously.

**CLOSED SESSION REPORT** City Attorney Boga reported the City Council met in Closed Session to discuss the item listed on the Closed Session Agenda, and no reportable action was taken.

**APPROVAL OF MINUTES** Councilmember Klessig moved to approve the minutes of December 9, 2009, as presented. Councilmember McSweeney seconded the motion which passed unanimously.

**SPECIAL PRESENTATIONS/ CEREMONIAL MATTERS** None.

**CITY COUNCIL COMMITTEE REPORTS:**

**CITYWIDE** City Manager Taylor introduced the item which addressed a

**LANDSCAPE  
MAINTENANCE  
CONTRACT RENEWAL**

proposed two-year time extension of the existing contract with American Landscape, Inc. for Citywide landscape maintenance. City Engineer Knipe, presenting staff's report, provided background of the contract entered with American Landscape, Inc. in 2004 for maintenance of all streetscapes throughout the City, three neighborhood parks, and freeway landscaping. Mr. Knipe reported the Environmental Committee reviewed the proposed time extension, and recommended the City Council approve the contract amendment, and a budget adjustment for additional work areas and operations cost increase. David Price Jr., American Landscape, responded to questions from the City Council. Councilmember McSweeney expressed gratitude to American Landscape for continuing its relationship with Villa Esperanza, and City Manager Taylor stated American Landscape has been very responsive on the occasions he has had to contact them after hours. Councilmember Klessig moved that the City Council: 1) approve the contract amendment for the Citywide Streetscape Maintenance Services with American Landscape Maintenance, Inc. extending the contract to February 1, 2012; 2) approve a budget adjustment in the amount of \$16,020 for the current fiscal year; and 3) authorize the Mayor and City Clerk to sign and execute the contract amendment on behalf of the City. Mayor Pro Tem Davis seconded the motion, which passed 4/0 by a roll-call vote.

**STAFF COMMENTS**

City Engineer Knipe provided an update on the Westlake Village Community Park project and Freeway On-ramp Improvement project. Responding to questions from Councilmember Klessig regarding the park project, Mr. Knipe explained the material recently sprayed on the slopes is a binder coating to protect the slopes from erosion. City Manager Taylor noted the contractor conducts a weekly inspection meeting every Monday to address safety issues.

**COUNCIL COMMENTS**

Responding to a request from Councilmember Klessig, City Manager Taylor reported the City's recently completed Annual Report is available at [www.wlv.org](http://www.wlv.org).

**PUBLIC COMMENTS**

**Neil Ticktin**, WLW - provided a Power Point presentation regarding improving technology within the City, and encouraged the City Council to consider taking the lead to install fiber optics throughout Westlake Village.

**COUNCIL RESPONSE**

Mayor Rutherford suggested the issue be addressed at the City Council's Annual Goals Session.

**PUBLIC HEARINGS:**

**SELECTION OF  
PROJECTS TO BE  
FUNDED THROUGH  
THE CDBG PROGRAM  
FOR FY 2010-11  
(36<sup>TH</sup> PROGRAM  
YEAR) - RESO. 1514-  
10**

Mayor Rutherford introduced the item which reviewed the possible selection of projects to be funded through the Community Development Block Grant Program (CDBG). Assistant City Manager Brown presented staff's report outlining the basic program, the possible eligible projects the City can consider, and a recommendation from the Land Use Committee to continue to fund the Housing Rehabilitation Program for FY 2010-11. Ms. Brown further stated staff's recommendation was that the City Council conduct a public hearing for the purpose of selecting CDBG projects for the 2010-11 program year. Councilmember Klessig suggested the City Council consider at either the Annual Goals meeting or when the annual budget is considered to possibly add City funds to this program. Councilmember McSweeney moved that the City Council: (1) select the project for the use of CDBG funds in FY 2010-11; and (2) that Resolution No. 1514-10, a resolution authorizing participation in the Los Angeles County Community Development Block Grant Program for the thirty-sixth program year, be introduced by title only, that further reading be waived, and that Resolution No. 1514-10 be adopted. Councilmember Klessig seconded the motion, which passed 4/0 by a roll call vote.

**CUP 09-008; RESO.  
1515-10;  
CLEARWIRE  
BROADBAND**

Mayor Rutherford introduced the item and Planning Director Theobald presented staff's report of a proposal by Clearwire Broadband requesting authorization to install roof mounted telecommunication antennas at 32107 Lindero Canyon Road. Mr. Theobald, providing background of the request, described the proposed three sector antenna arrays which will be hidden by an existing parapet. Mr. Theobald further reported staff recommended the permit be approved, subject to the conditions set forth in Resolution No. 1515-10, Exhibit A. **Questions of Staff:** Planning Director Theobald and Senior Planner Wolfe, responding to questions from the City Council, reported the application is for broadband antennae to distribute data, and is not for cellular antennae. **Questions of Applicant:** Amy Pena, Sure Sight Consulting, clarified the antennae is for wireless internet data distribution, not cellular coverage. **City Council Discussion/Deliberation:** Mayor Pro Tem Davis expressed frustration the City is receiving applications for antennae other than much needed cell service antennae. Councilmember Klessig moved that Resolution No. 1515-10, a resolution of the City Council of the City of Westlake Village approving Conditional Use Permit No. 09-008, authorizing the installation of telecommunication facilities at 32107 Lindero Canyon Road, be introduced by title only, that further reading be waived, and that Resolution No. 1515-10 be adopted.

Councilmember McSweeney seconded the motion, which passed 4/0 by a roll-call vote.

**CUP 09-009; RESO.  
1516-10; MY  
HEALTH STUDIO**

Mayor Rutherford introduced the item, and Senior Planner Wolfe presented staff's report of a request for a conditional use permit to authorize a personal fitness training studio at 31139 Via Colinas, Suite 303. Mr. Wolfe, providing background, described the request, location, parking requirements, and proposed hours of operation. Mr. Wolfe further reported staff recommended the permit be approved, subject to the conditions set forth in Resolution No. 1516-10, Exhibit A.

**Questions of Staff:** Mr. Wolfe responded to questions from the City Council regarding parking, hours of operation, and size of classes. Mr. Wolfe stated the Land Use Committee will conduct an informal review of the operation in six months. Mayor Pro Tem Davis moved that Resolution No. 1516-10, a resolution of the City Council of the City of Westlake Village approving Conditional Use Permit No. 09-009 authorizing the operation of a personal fitness training facility located at 31139 Via Colinas, Suite 303, be introduced by title only, that further reading be waived, and that Resolution No. 1516-10 be adopted. Councilmember McSweeney seconded the motion, which passed 4/0 by a roll-call vote.

**CONSENT CALENDAR**

Councilmember Klessig moved that the Consent Calendar be approved. Mayor Rutherford seconded the motion which passed unanimously by a roll-call vote.

**APPROVAL OF WARRANTS:** Warrants effective January 1, 2010 in the total amount of \$587,456.75, and January 15, 2010 in the amount of \$829,653.79.

**OLD BUSINESS:**

**REVIEW OF THE 2009  
COMMUNITY SURVEY  
RESULTS**

Mayor Rutherford introduced the item which addressed the results of the recently completed 2009 community survey. Assistant City Manager Brown, presenting staff's report, introduced Dr. Timothy McLarney, True North Research, who summarized the results of the survey, and compared responses of identical questions from the 2005 survey. Dr. McLarney reported 99% of residents rated "Quality of Life" as excellent or good, and 93% of residents are satisfied with the City's communication efforts. Dr. McLarney stated the survey results and analyses will assist the City Council and staff by providing information that can be used to make strategic decisions in a variety of areas, including service improvements and enhancements, measuring and tracking internal performance, budgeting, policy-making, and planning. Responding to questions from the City Council and staff, Dr.

McLarney stated in regards to electronic newsletters, things are slowly moving in that direction, but based on the results of the survey phasing out a printed newsletter at this time would not be advised. City Manager Taylor noted use of the City Care program will only come up when residents need to use it. Dr. McLarney stated the optimal response to the City Care program question would be 100% of residents know about it, and a low response in terms of needing to use it. Dr. McLarney reported the survey calls were made at different times during the week and weekend. City Manager Taylor noted the residents have a high expectation of the City and the City cannot remain static. Dr. McLarney further stated he is available to speak to the City Council members individually to discuss the survey in more detail. **Public Comments:** **Richard Van Dyke**, WLW - voiced concerns regarding noise pollution associated with leaf blowers. **Response to Public Comments:** In response to Mr. Van Dyke - Mayor Rutherford noted construction hours are limited on weekends, and Senior Planner Wolfe stated unreasonable noise is addressed in the Municipal Code. Mayor Pro Tem Davis and Councilmember McSweeney stated they would like to speak to Mr. Van Dyke further on this subject. **Public Comments continued:** **Dan Stepenosky**, Las Virgenes Unified School District - encouraged the City and the School District to continue to partner together. **Karen Kimmel**, Las Virgenes Unified School District and resident of WLW - encouraged expanding financial support from the City to the School District. **Public Comment Cards:** **Eleen Vallejo**, WLW and **Gayle Majors**, WLW - expressed their desire for a dog park.

**NEW BUSINESS:**

**CONSIDERATION OF CITY COUNCIL COMMITTEE ROSTER CHANGES**

Mayor Rutherford introduced the item addressing City Council Committee assignments for 2010, and distributed the 2010 City Council Committee Roster which was accepted and filed. Committee assignments are:

**GOVERNMENTAL LIAISON**

- LCC (State & Southern California Division) . . . . . Rutherford/Davis
- LCC Revenue and Taxation Policy Committee . . . . . Slavin
- So. Cal. Assoc. of Governments (SCAG) . . . . . Rutherford/McSweeney
- California Joint Powers Insurance Authority (CJPIA) . . . Rutherford/Slavin
- Las Virgenes Malibu Council of Gov'ts (LVMCOG) . . . . Rutherford/Davis
- North Santa Monica Bay Watershed . . . . . Klessig
- Santa Monica Mountains Conservancy Council Appointee: Don Robinson
- California Contract Cities Association (CCCA) . . . . . McSweeney/Slavin
- California Healthy Communities . . . . . McSweeney/Klessig

**STANDING COMMITTEES**

- ADMINISTRATIVE** ..... Rutherford/Davis  
Governmental Finance, Cable TV Franchise, Legislative Advocacy,  
Personnel, Fiscal/Budget
- PUBLIC SAFETY** ..... Rutherford/McSweeney  
Emergency Preparedness/Disaster Response, Sheriff/Fire, Streets &  
Transportation, Traffic Safety
- LAND USE** ..... Davis/Slavin  
Zoning Regulations, Residential, Commercial, and Business Park  
Development, Signs
- CULTURAL/RECREATION** ..... McSweeney/Klessig  
Library, Parks, Golf Course
- ENVIRONMENTAL** ..... Rutherford/McSweeney  
Landscaping (including Streetscape implementation), Water, Open  
Space, Waste Management (including Recycling), Storm  
Drains/Catch Basins
- ECONOMIC DEVELOPMENT** ..... Klessig/Slavin  
Chamber of Commerce Liaison, Economic Development  
Committee, Small Business Forum

**AD HOC COMMITTEES**

- BUSINESS PARK SPECIFIC PLAN** ..... Davis/Slavin
- HOSPITAL** ..... Davis/Klessig
- SCHOOL DISTRICT** ..... Rutherford/McSweeney
- MUNICIPAL CODE UPDATE** ..... Davis/Slavin
- WESTLAKE LAKE** ..... Davis/Klessig
- PARK DEVELOPMENT** ..... Rutherford/Davis
- PROPERTY ACQUISITION** ..... Rutherford/Slavin

**MEETING  
ADJOURNED**

The meeting was adjourned at 8:57 p.m.

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Mark Rutherford, Mayor

Attest:

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Beth A. Schott, City Clerk