

MINUTES OF THE CITY COUNCIL

Westlake Village, California

July 14, 2010

- CALL TO ORDER** This regular meeting of the Westlake Village City Council was called to order by Mayor Pro Tem Davis on Wednesday, July 14, 2010 at 6:35 p.m., at 31200 Oak Crest Drive, Westlake Village.
- PLEDGE OF ALLEGIANCE** Mayor Pro Tem Davis led the Pledge of Allegiance.
- ROLL CALL** **Present:** Councilmembers Slavin, Klessig, McSweeney, Mayor Pro Tem Davis
Absent: Mayor Rutherford
Also Present: City Manager Taylor, Assistant City Manager Schmitz, City Attorney Boga, Planning Director Theobald, City Clerk Schott, City Engineer Knipe, Senior Planner Wolfe, Administrative Analyst Kallman, Community Services Coordinator Anderson, City Treasurer Biery.
- APPROVAL OF AGENDA** Councilmember Klessig moved to approve the agenda as presented. Councilmember McSweeney seconded the motion which passed unanimously.
- APPROVAL OF MINUTES** Councilmember McSweeney moved to approve the minutes of June 23, 2010, as presented. Councilmember Slavin seconded the motion which passed unanimously.
- SPECIAL PRESENTATIONS/ CEREMONIAL MATTERS** None.
- CITY COUNCIL COMMITTEE REPORTS:**
- PURCHASING SYSTEM AND TRANSIENT OCCUPANCY TAX ORDINANCE UPDATE** Mayor Pro Tem Davis introduced the item regarding an update to the City's purchasing system and transient occupancy tax (TOT) ordinance. City Attorney Boga presented staff's report and provided background of the City's purchasing system, which governs the process by which the City contracts for supplies, equipment, services and construction of public projects. Mr. Boga also provided background of the City's TOT ordinance, which imposes a 10% tax on the privilege of hotel occupancy. Mr. Boga reported the City's Municipal Code

Update Committee has reviewed proposed changes to the ordinance, and is recommending approval.

Proposed Changes:

Purchasing-Related Amendments

1. Change the provision which currently authorizes the City Manager to unilaterally execute service contracts on behalf of the City from \$10,000 to \$15,000.
2. Provide for regular systematic review of the City's service contracts in accordance with City Council policy.

TOT-Related Amendments:

1. Add a new section to establish a claim requirement for persons and entities seeking a tax refund, and establish a "pay first, litigate later" rule.
2. Amend the Municipal Code to specify that the City Manager, rather than the City Clerk, is the "Tax Administrator."
3. Amend various provisions of the Municipal Code:
 - a. require hotel operators to submit reports and remit taxes on a monthly basis;
 - b. amend Section 6.4.080 for clarity and correct a cross-reference;
 - c. amend Section 6.4.090 to cross-reference the new Section 1.4.020 and the state law governing court challenges to local tax determinations;
 - d. amend Section 6.4.100 to require hotel operators to maintain tax records for four years instead of three; and
 - e. amend Section 6.4.110 to provide greater emphasis on credits as a remedy for a tax overpayment, and to require refund claims to be filed within one year.

Councilmember Klessig moved that Ordinance No. 210-10, titled "An Ordinance of the City of Westlake Village regarding the Purchasing System and Transient Occupancy Tax and amending the Westlake Village Municipal Code", be introduced by title only and that further reading be waived. Councilmember McSweeney 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. Administrative Analyst Kallman announced two upcoming events related to emergency preparedness and emergency services will be held. The first event, an earthquake preparedness event titled "Are You Prepared," will be held at the City on Tuesday, August 31; the second event, a point of distribution clinic, in conjunction with

the cities of Agoura Hills, Calabasas, Hidden Hills and Malibu, is planned for November 20 and will be hosted within the west side of the region.

COUNCIL COMMENTS Councilmember Klessig reported she attended the City of Thousand Oaks City Council meeting on Tuesday, July 13, and the City Council approved an expansion and retrofit of Los Robles Regional Medical Center. Mayor Pro Tem Davis reported he attended the City's TGIF event on July 9, and stated the event was well attended and recognized Community Services Coordinator Anderson on her efforts.

PUBLIC COMMENTS None.

PUBLIC HEARINGS: None.

CONSENT CALENDAR Councilmember Klessig, commenting on Consent Calendar Item No. 4, recognized staff and reported the number of participants in the programs has grown. Councilmember Klessig moved that the Consent Calendar be approved. Councilmember Slavin seconded the motion which passed unanimously by a roll-call vote.

APPROVAL OF WARRANTS: Warrants effective July 15, 2010 in the total amount of \$810,679.26.

GENERAL BUSINESS:

1. Re-designation of the Los Angeles County Department of Public Health as the Local Enforcement Agency for Solid Waste Management - Recommendation was to adopt Resolution No.1541-10, designating the LA County Department of Public Health, Department of Environmental Health, Solid Waste Management Program as the Local Enforcement Agency for the disposal, handling and transportation of solid waste.
2. Notice of Completion for Citywide Arterial Street Overlay Project (Lindero Canyon Road) - Recommendation was that the 2009-10 Citywide Arterial Street Overlay Project be accepted and that the Notice of Completion be executed and recorded with Los Angeles County.
3. Notice of Completion for Triunfo Canyon Road Median Improvement Project - Recommendation was that the Triunfo Canyon Road Median Improvement Project (Phase I) be accepted and that the Notice of Completion be executed and recorded with Los Angeles County.
4. Agreement with Conejo Recreation and Park District to Operate the Senior Recreation Program and Afterschool Enrichment Program - Recommendation was to approve an agreement with Conejo Recreation and Park District for the Senior Recreation and Afterschool Enrichment programs.

5. Proposed Amendment to the Agreement with Prime Time Shuttle to operate the City's Airport Shuttle Program - Recommendation was to approve the proposed amendment to the agreement with Prime Time Shuttle.

OLD BUSINESS: None.

NEW BUSINESS: None.

MEETING ADJOURNED The meeting was adjourned at 6:52 p.m.

Mark Rutherford, Mayor

Attest:

Beth A. Schott, City Clerk