

Council votes 3-2 to accept city manager's resignation

By Sophia Fischer

sfischer@theacorn.com

Despite residents' angry appeals, the Thousand Oaks City Council voted 3-2 to accept the resignation of City Manager Phil Gatch, 64, and terminate his contract during a closed session on Tuesday.

Councilmembers Andy Fox, Jacqui Irwin and Dennis Gillette voted for the termination while Mayor Claudia Bill-de la Peña and Councilmember Ed Masry voted against it. Assistant City Attorney Scott Mitnick was named interim city manager. A search for a permanent city manager begins in May.

"I do not agree with how we arrived at this day," Bill-de la Peña said. "My conscience does not allow me to support approval of contract termination."

Gatch signed an agreement that he wouldn't sue the city. He vacates his office on May 6, with his resignation effective June 30.

"It's clear by his signature that Mr. Gatch thinks this is best for him, his family and the citizens of Thousand Oaks," Masry said. "It puts to rest this entire issue."

But that may not be the case. There's still the possibility of an investigation by the Ventura County District Attorney. At the council's direction last week, City Attorney Amy Albano sent a letter to the D.A. requesting an investigation into possible violations of open meeting laws among city council members over the past two years.

About 50 people filled the boardroom and about half addressed the council expressing disappointment, anger and shame over the council's treatment of Gatch, a 38-year city employee credited with authoring the plan that developed the city. Many singled out Fox, accusing him of forcing Gatch out as part of a power struggle.

"Mr. Fox, this is not good government," said former Planning Commissioner Laura Lee Custodio.

"I want to urge the council to morally, ethically and financially do the right thing for Mr. Gatch," said Planning Commissioner Amy Walker Davis.

"For me you'll always be '40 percent Phil' because our city is 40 percent open space," said John Reid, chair of the city's Residents Roundtable. "Councilmen came and went but you steered the ship."

No one on the council explained reasons for the change. Albano said she's seen similar situations in Ventura and Oxnard. The only two staff positions city councils can hire and fire are the city manager and city attorney. Although she understood the public's frustration in wanting to know more, Albano said personnel decisions are confidential.

"When you are an at-will employee, you can be let go anytime for any reason," Albano said.

"Sometimes it's not even a matter of how you're doing your job. It could be their style—numerous things."

Although the issue created friction among council members, Masry believes the council can continue working together.

"We all have a duty to the citizens of Thousand Oaks first," Masry said.

When the announcements were made, residents still in the room sat quietly, then stood to give Gatch an ovation.

Gatch expressed appreciation for the support. He said he was most proud of delivering the kind of community residents wanted, referring to open space and building design. He acknowledged that it would be difficult to continue as city manager with a majority of the council wanting him to leave.

"From a democratic standpoint they shouldn't have the right to do that, but the majority has the right to choose their city manager," Gatch said.

Gatch has no immediate plans for the future.

"It's been so sudden that I haven't given a lot of thought to what I want to do next," Gatch said. "My wife says that one thing's for sure: I'm not staying home."