

MINUTES OF THE CITY COUNCIL/REDEVELOPMENT AGENCY
Thousand Oaks, California February 9, 2010

The City Council/Redevelopment Agency Meeting was called to order at 6:00 p.m. by Mayor/Agency Chair Dennis Gillette in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California with Councilmembers/Directors Jacqui Irwin and Tom Glancy. Councilmember/Director Andy Fox arrived 6:02 p.m. Councilmember/Director Claudia Bill-de la Peña arrived 6:03 p.m.

Also present were City Manager/Agency Executive Director Scott Mitnick, City/Agency Attorney Amy Albano, Assistant City Manager Candis Hong, City Clerk/Agency Secretary Linda Lawrence, Finance Director/Agency Treasurer John Adams, Community Development Director/Deputy Executive Director John Prescott, Human Resources Director Connie Hickman, Library Director Stephen Brogden, Community & Cultural Services Director Tom Mitze, Public Works Director Mark Watkins, Assistant City Attorney Christopher Norman, Assistant Police Chief Bill Ayub, Deputy City Clerk Laura Johnson, Public Information Officer Drew Powers, Legislative Affairs Manager Mina Layba, Resource Division Manager Joanne Kelly, Senior Planners Bill Hatcher and Jeffrey Specter, Senior Analyst John Brooks, Engineering Associate Wes Tackett, Cable Operations Supervisor Carl Jarecky, Assistant Analysts Mary Lech and Gay Mosser, Video Production Specialist Trainees Matt Evans and Richard Swingler, and Senior Recording Secretary Janis Daly.

REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
Mayor Gillette announced Consent Calendar Item 7.H. (Service agreement with Clark's Motorcycles) pulled from agenda.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

- *CCO #120-30 Mayor Gillette presented Commendation to Conejo Valley Boy Scout District Committee Chair Bill Cole recognizing Boy Scouts 100th Anniversary.
- *CCO #120-35 Mayor Gillette presented Proclamation to Colleen Briner-Schmidt (on behalf of Unified Association of Conejo Valley Teachers) declaring March 2, 2010 "Read Across America Day" honoring Dr. Seuss' 106th birthday.

PUBLIC COMMENTS:

- *CMO #120-80 Richard Elsley, Thousand Oaks; Sherrill Hyink, Thousand Oaks; Chuck Kuenstle, Thousand Oaks.

CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

PUBLIC HEARINGS:

*CDD #420-86 Hearing, advertised as required by law, opened to consider: Appeal of Planning Commission decision to deny Trailer Park Major Modification (TPMJ 2006-70686) – Closure Impact Report and relocation assistance adjustment for proposed closure of Conejo Mobile Home Park and Final Negative Declaration No. 274; Appellant/Applicant: 1200 Newbury, LLC; Located: 1200 Newbury Road; Report presented by Senior Planner Specter; City Attorney Albano presented synopsis of legal history of case and responded to questions; City Manager Mitnick responded to questions; Community Development Director Prescott available for questions. Additional information supplemental packet.

RESOLUTION GRANTING IN PART APPEAL OF PLANNING COMMISSION DENIAL OF TPMJ 2006-70686 CONCERNING CLOSURE OF CONEJO MOBILE HOME PARK LOCATED 1200 NEWBURY ROAD (APPELLANT/APPLICANT: 1200 NEWBURY LLC) RES. NO. 2010-010

Speakers: See Exhibit B.

Written Statements: See Exhibit C.

Mayor Gillette closed Public Hearing.

Motion by Councilmember Irwin to adopt resolution granting appeal of Planning Commission decision except uphold Commission's denial of relocation assistance adjustment, and thereby approve TPMJ 2006-70686 and Closure Impact Report for Conejo Mobile Home Park with conditions; Adopt Final Negative Declaration No. 274, carried 4-1, Councilmember Bill-de la Peña dissenting

City Council recess 9:05 p.m.; reconvened 9:34 p.m.

DEPARTMENT REPORTS:

*DPW #640-10 Exclusive refuse, recycling and street sweeping franchise term extension and 2010 residential and commercial solid waste rate schedules presented by
#810-20 Public Works Director Watkins; Division Manager Joanne Kelly, Senior Analyst
#810-40 John Brooks, G.I. Industries Market Area General Manager Mike Smith, and
#821-10 Harrison Industries/Newbury Disposal Company Vice President Jim Harrison and Public Relations Director Nan Drake available for questions.

DEPARTMENT REPORTS: (Continued)

RESOLUTION APPROVING EXTENSION OF RESIDENTIAL REFUSE, RECYCLING AND STREET SWEEPING FRANCHISE AGREEMENT WITH NEWBURY DISPOSAL COMPANY, AND APPROVING EXTENSION OF RESIDENTIAL AND COMMERCIAL REFUSE, RECYCLING AND STREET SWEEPING FRANCHISE AGREEMENT WITH G. I. INDUSTRIES, A SUBSIDIARY OF USA WASTE OF CALIFORNIA, INC., A WASTE MANAGEMENT COMPANY RES. NO. 2010-011

RESOLUTION ESTABLISHING 2010 RESIDENTIAL AND COMMERCIAL SOLID WASTE RATE SCHEDULES RES. NO. 2010-012:

Statement Cards: Andy Levine, Newbury Park; Sharon Miret, Newbury Park.

Motion by Councilmember Fox to adopt resolutions approving amended and restated exclusive refuse, recycling and street sweeping franchise agreements with G.I. Industries and Newbury Disposal Company with three year term extensions and establishing residential and commercial solid waste rate schedules for March 1, 2010 through December 31, 2010, carried 5-0.

REDEVELOPMENT AGENCY REPORTS:

*HSG Many Mansions short-term loan request Hillcrest Drive project; Located: 2672 –
#430-33 2736 Hillcrest Drive and 2645 Los Feliz Drive presented by Senior Planner
#430-35 Hatcher; Community Development Director Prescott available for questions.

Speakers: Steven Geoffrion, Newbury Park (questions only); Rick Schroeder, Thousand Oaks (questions only).

Motion by Director Fox to approve Redevelopment Agency loan of \$500,000 to Many Mansions for predevelopment costs related to Hillcrest Drive project; authorize budget appropriation and expenditure of \$500,000 A/C 430-0000-311-1000 (RDA Housing Low/Mod Fund Balance) to A/C 430-4630-644-5920 (HS 9322 – Contractual Agreements/RDA Projects), carried 5-0.

COMMITTEE/COMMISSION/BOARD REPORTS: None.

COUNCIL ISSUES/RECOMMENDATIONS:

*CMO Follow-up Reports on Meetings/Conferences attended by Councilmembers.
#660-40 None.

CITY MANAGER:

*CMO #100-90 Follow-up on Requests from Public: City Manager Mitnick indicated staff will follow up regarding availability of 24-hour pharmacy in City and report back to City Council.

*CMO #100-90 Announcements and Upcoming Issues: City Manager Mitnick reviewed potential topics for next regularly scheduled City Council Meeting February 23, 2009.

CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd Floor – None.

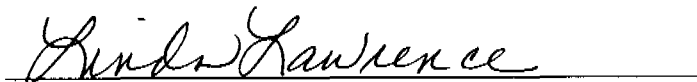
ADJOURNMENT:

*CCO #610-35 City Council/Redevelopment Agency Adjourned at 10:05 p.m. to Regular Meeting on Tuesday, February 23, 2010.



Dennis C. Gillette, Mayor/Chair
City of Thousand Oaks City Council/
Redevelopment Agency

Attest:



Linda D. Lawrence, City Clerk/Agency Secretary
City of Thousand Oaks City Council/
Redevelopment Agency

AGENDA POSTED: February 5, 2010
MINUTES APPROVED: March 9, 2010

EXHIBIT A

CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH H. ARE TO APPROVE
RECOMMENDATION FOR ITEM I. IS TO ADOPT*

Additional information supplemental packet regarding Item 7.C.

Motion by Councilmember Bill-de la Peña to approve Consent Calendar with exception of Item 7.H. (Service agreement with Clark's Motorcycles, Inc. pulled from agenda earlier in meeting), and 7. F. (CI 5061; Hill Canyon Wastewater Treatment Plant North and South Headworks Upgrades), carried 5-0. (Item 7.F. subsequently approved following discussion.)

Public Works Director Watkins responded to question regarding Item 7.F.

Motion by Councilmember Bill-de la Peña to approve Item 7.F., carried 5-0.

- *CCO #610-60 A. Minutes of City Council/Redevelopment Agency Regular Meeting of January 26, 2010.
- *FIN #300-30 B. General, Utilities, Golf Course, Theatres, and Redevelopment Agency Demands – Ratify February 3, 2010; Approve February 10, 2010; Approve February 17, 2010 subject to review and ratification
- *DPW #482-10 #810-60 C. Approved Expenditure: FY 2009-10 Community Enhancement Grant eligible activities modification to scopes of services allowing awardees to conduct surveys and/or other activities consistent with City Council Resolution No. 2008-003
- *DPW #670-50 #850-20 D. Additional Appropriation: Purchase two easements from Southern California Edison (SCE) for water and wastewater in amount of \$15,000; Authorize City Engineer to sign all necessary documents for easement acquisitions; appropriate/expend \$15,000 as follows: \$5,400 A/C 611-0000-341-9900 (Water – Operations – Retained Earnings) to A/C 611-5210-682-8100 (Water – Operations – Land); \$600 A/C 613-0000-341-9900 (Water – Capital – Retained Earnings) to A/C 613-5210-682-8100 (Water – Capital Facilities – Land); \$6,300 A/C 621-0000-341-9900 (Wastewater–Operations–Retained Earnings) to A/C 621-5210-682-8100 (Wastewater – Operations – Land); \$300 A/C 623-0000-341-9900 (Wastewater – Capital – Retained Earnings) to A/C 623-5210-682-8100 (Wastewater – Capital Facilities – Land); \$2,400 A/C 624-0000-341-9900 (Wastewater – Capital – Retained Earnings) to A/C 624-5210-682-8100 (Wastewater – Capital Programs – Land)

CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR: (Continued)

- *DPW #290-30 #850-20 E. Approved Expenditure: CI 5058; Hill Canyon Wastewater Treatment Plant (HCTP) Phase 1 Biosolids Processing Improvements Plans and Specifications; Authorize staff to advertise for construction bids; First Amendment to Professional Services Agreement No. 9047-2009 in amount of \$6,850 with Kennedy/Jenks Consultants to provide assistance to obtain Ventura County Air Pollution Control District (APCD) permit for new flare; \$6,850 as follows: \$1,400 A/C 622-5330-682-8300 (CI 5058 Hill Canyon Treatment Plant Biosolids Management); \$5,450 A/C 624-5330-682-8300 (CI 5058 Hill Canyon Treatment Plant Biosolids Management); Total contract not-to-exceed \$245,020
- *DPW #290-30 #850-20 F. Additional Appropriation: CI 5061; Hill Canyon Wastewater Treatment Plant North and South Headworks Upgrades; Award construction contract in amount of \$2,091,450 to Cushman Contracting Corporation; Professional services agreement for construction and engineering services to Lee & Ro, Inc. in amount of \$158,000; Term: 2/9/10 – 12/31/12; authorize City Manager to execute any amendments up to contingency amount or \$30,000, whichever is less; \$2,475,100 (\$1,996,450 construction contract amount, \$95,000 early completion bonus, plus \$209,650 contingencies; \$158,000 professional services agreement amount plus \$16,000 contingencies); \$675,100 as follows: \$135,000 A/C 622-0000-341-9900 (Wastewater Capital Programs Developer Fees Fund Balance) to A/C 622-5330-682-8300 (CI 5061 Improvements other than Buildings); \$540,100 A/C 624-0000-341-9900 (Wastewater Capital Programs Service Charge Fees Fund Balance) to A/C 624-5330-682-8300 (CI 5061 Improvements other than Buildings); \$1,800,000 as follows: \$360,000 A/C 622-5330-682-8300 (CI 5061); \$1,440,000 A/C 624-5330-682-8300 (CI 5061)
- *FIN #235-95 G. Approved Expenditure: Communication service rate agreement with Verizon Business Network Services Inc. setting communication services rates at various City facilities; Term: 2/9/10 – 2/9/11

CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR: (Continued)

*POL #370-30 H. Approved Expenditure: Service agreement with Clark's Motorcycles, Inc., dba BMW Motorcycles of Ventura County for maintenance and repair of Police Department's eleven BMW motorcycles; Term: 11/18/09 – 6/30/11; Agreement total not-to-exceed \$97,650: FY 2009-10 \$47,650 as follows: \$25,000 A/C 001-6660-621-3512 (Parts & Materials); \$22,650 A/C 001-6660-621-3513 (Labor); FY 2010-11 \$50,000 as follows: \$27,000 A/C 001-6660-621-3512 (Parts & Materials); \$23,000 A/C 001-6660-621-3513 (Labor)

7.H. pulled from agenda earlier in meeting.

*CDD #660-21 I. ORDINANCE FOR SECOND READING:
ORDINANCE AMENDING SECTION 1-5.08 OF CHAPTER 5 OF TITLE 1 OF THOUSAND OAKS MUNICIPAL CODE REGARDING ENFORCEMENT OFFICERS AND ADDING SECTION 5-8.11 OF CHAPTER 8 OF TITLE 5 REGARDING ENCROACHMENTS ONTO PUBLIC LANDS (MCA 2009-70228) (Introduced 1/26/10, 4-0, BDLP Absent) ORD. NO. 1532-NS

Exhibit B

Public Hearing - Item 8. A.

(Appeal of Planning Commission decision to deny Trailer Park Major Modification (TPMJ 2006-70686) – Closure Impact Report and relocation assistance adjustment for proposed closure of Conejo Mobile Home Park and Final Negative Declaration No. 274; Appellant/Applicant: 1200 Newbury, LLC; Located: 1200 Newbury Road)

SPEAKERS

Pro Appeal:

<u>Applicant/Appellant Joe Bednar, Agoura Hills, rebuttal</u>	<u>Mike Cirillo, Oxnard</u>
<u>Boyd Hill, city of residence unknown</u>	

Con Appeal:

<u>Henry Daane, Thousand Oaks</u>	<u>Dan Douglas, Newbury Park</u>
<u>Alyce Klussman, Newbury Park</u>	<u>Janet Wall (for Gordon Manley), Thousand Oaks</u>
<u>Charles Oaks, Oxnard</u>	<u>Roger Swanson, Newbury Park</u>
<u>Rodney Buell, Newbury Park</u>	

Pro City filing appeal of Judge's decision:

<u>Alma Lopez, Thousand Oaks</u>	<u>Deborah Fisher, Newbury Park</u>
<u>Penny Mayou, Newbury Park</u>	<u>Shawn Torres, Newbury Park</u>
<u>Jim Strong, Newbury Park</u>	<u>Brenda Feldman, Newbury Park</u>
<u>Edna Paros, Newbury Park</u>	<u>Alfredo Sandoval, Newbury Park</u>

Failed to appear:

<u>Nancy Tamarin, Thousand Oaks</u>

Exhibit C

Public Hearing - Item 8. A.

(Appeal of Planning Commission decision to deny Trailer Park Major Modification (TPMJ 2006-70686) – Closure Impact Report and relocation assistance adjustment for proposed closure of Conejo Mobile Home Park and Final Negative Declaration No. 274; Appellant/Applicant: 1200 Newbury, LLC; Located: 1200 Newbury Road)

WRITTEN STATEMENTS

Con Appeal:

Jose Ambriz, Newbury Park	Sarah/ Roberto Martinez, Newbury Park
Transito Barilles, Newbury Park	Oscar Rodriguez, Newbury Park
Cecilia Coto, Newbury Park	Eliseo Socoy, Newbury Park
Alicia Hassey, Nwbury Park	Alfonso Tristan, Newbury Park
Evelyn Lopez, Newbury Park	Betty Weltag, Newbury Park
Ofelia Marin, Newbury Park	

Pro City filing appeal of Judge's decision:

Juan Chinchilla, Newbury Park	Ida Husk, Newbury Park
Anita Croteau, Newbury Park	Ernesto Lopez, Newbury Park
Eric Herem, Newbury Park	

Question for City Council:

Hilda Hansen, Thousand Oaks
