

MINUTES OF THE CITY COUNCIL/REDEVELOPMENT AGENCY  
Thousand Oaks, California February 23, 2010

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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 Claudia Bill-de la Peña, Jacqui Irwin, Tom Glancy, and Andy Fox.

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, Police Chief Jeff Matson, Fire Chief Rod Megli, Assistant City Attorney Patrick Hehir, Deputy Library Services Director Nancy Sevier, Deputy Public Works Director Jay Spurgin, Budget Officer Brent Sakaida, Code Compliance Manager Geoff Ware, Economic Development Manager Gary Wartik, Housing and Redevelopment Manager Russ Watson, Risk Manager Paul Swenson, Library Division Managers Christine Hendel and Nancy Schram, Senior Planners Nellie Jasso and Stephen Kearns, Senior Analyst John Brooks, Senior Financial Analyst Jaime Miller, Senior Accountants May Ju, Elisa Magana, and Fay Menkin, Associate Human Resources Analyst Cheryl Johnson, Assistant Analysts Mary Lech and Gay Mosser, Senior Video Production Technician Eric Goor, Video Production Specialist Trainee Richard Swingler, and Senior Recording Secretary Janis Daly.

REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:  
None.

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

\*CCO #120-30 Mayor Gillette introduced Westlake Braves Athletic Director Hector Castro and presented Commendations to team members and coaches of Gold Coast Youth Football League Westlake Braves Bantam Blue Team, Junior Blue Team, and Senior Team, and Pacific Youth Football League Thousand Oaks Titans Pee-Wee Team.

PUBLIC COMMENTS:

\*CMO #120-80 Lourdes Palma, Thousand Oaks; Cathy Carlson, Thousand Oaks; Dave Gulbranson, Thousand Oaks; Dao Doan, Thousand Oaks; Antoinette Hagopian, Thousand Oaks; Maria Serrano, Thousand Oaks (interpreter Nellie Jasso); Nick Quidwaj, Newbury Park.

CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

PUBLIC HEARINGS:

\*CCD #660-21 Hearing, advertised as required by law, opened to consider: Municipal Code Amendment to modify Oak Tree Ordinance, Oak Tree Preservation and Protection Guidelines Resolution, and establish new application filing fee (MCA 2009-70100) presented by Senior Planner Kearns; Community Development Director Prescott responded to questions. Additional information supplemental packet.

RESOLUTION SETTING FORTH REVISED OAK TREE PRESERVATION AND PROTECTION GUIDELINES AND RESCINDING RESOLUTION NO. 2002-091 RES. NO. 2010-014

RESOLUTION ESTABLISHING USER FEE FOR TYPE B OAK TREE PERMITS FOR SIMPLE OAK TREE ENCROACHMENT REQUESTS RES. NO. 2010-015

ORDINANCE AMENDING MUNICIPAL CODE SECTIONS 5-14.01 THROUGH 5-14.08 OF CHAPTER 14 OF TITLE 5 AND SECTION 9-4.904(g)(2) OF CHAPTER 4 OF TITLE 9 TO REVISE AND ESTABLISH DEFINITIONS, PROCEDURES, AND PROTECTION STANDARDS FOR PRESERVATION AND PROTECTION OF OAK TREES THROUGHOUT CITY (MCA 2009-70100) ORD.NO. 1<sup>st</sup> Reading

Speakers: Russ Goodenough, Thousand Oaks, con; Dave Gulbranson, Thousand Oaks, pro; George Hutchison, Thousand Oaks, pro; Judy Lazar, Thousand Oaks, pro; Janet Wall, Thousand Oaks, con; Nick Quidwai, Newbury Park, con; Stanfell Boone, Thousand Oaks, pro; Rick Lemmo, Newbury Park, pro.

Written Statements: Raquel/Stacy Gougas, Thousand Oaks, pro; Barbara Slensker, Thousand Oaks, position undetermined.

Mayor Gillette closed Public Hearing.

Motion by Councilmember Irwin that ordinance, revised to incorporate Option 2, be read in title only, further reading be waived and if no objection, introduced; Adopt resolutions revised to provide exemption for owner-planted oak trees, Option 2 - Establish simple application process to verify tree status (whether native or owner-planted, and whether it was required as condition of approval or voluntary) with on-going exemption for verified trees, carried 4-1, Councilmember Bill-de la Peña dissenting.

City Attorney Albano indicated guidelines for revision of ordinance and resolution in accordance with Option 2 on pages 79 and 80 of staff report.

City Council in recess 8:30 p.m.; reconvened 8:36 p.m.

DEPARTMENT REPORTS:

\*FIN FY 2009-10 Mid-year budget update; Introduction by City Manager Mitnick;  
#330-40 Report presented by Finance Director Adams; Budget Officer Sakaida available for questions. Additional information supplemental packet.

Councilmember Fox absent 9:20 p.m.; present 9:25 p.m.

Speaker: Nick Quidwai, Newbury Park.

Motion by Councilmember Fox to approve FY 2009-10 General Fund Budget Adjustments (revised revenue estimates and appropriation reductions) in off-setting amount not-to-exceed \$2,608,000; Approve FY 2009-10 Library Fund Budget Adjustments (revised revenue estimates and appropriation reductions) in an off-setting amount not-to-exceed \$730,300 and authorize transfer out of \$389,000 from A/C 001-9720-673-9111 (General Fund Reserves – Transfer Out) to A/C 110-0000-561-0100 (Library Fund – Transfer In) to balance Library Fund budget; Direct staff to continue to work with City Council Finance/Audit Committee, Executive Team, Citywide Brainstorming Action Group, and applicable employee bargaining groups on various appropriation reductions and revenue enhancement strategies to balance FY 2010-11 Citywide Budget for all funds; Direct staff to solicit feedback from Thousand Oaks Library patrons and to coordinate independent survey of Unincorporated Thousand Oaks Area residents within Thousand Oaks Library service area with respect to potential impacts of Ventura County's official December 23, 2009 notice to terminate long-standing County/City Library Services Funding Agreement, effective July 1, 2010; Direct staff to provide update on projected FY 2010-2011 Citywide Budget for all funds, including feedback from multi-agency funding options survey, at March 23, 2010 City Council Goals Setting Workshop, followed by formal recommendations to balance FY 2010-2011 Citywide Budget at regular City Council meeting of May 25, 2010, carried 4-1, Councilmember Bill-de la Peña dissenting.

REDEVELOPMENT REPORTS: None.

COMMITTEE/COMMISSION/BOARD REPORTS: None.

COUNCIL ISSUES/RECOMMENDATIONS:

\*CMO Follow-up reports on meetings/conferences attended by Councilmembers.  
#660-40 None.

CITY MANAGER:

\*CMO Follow-up on Requests from Public: City Manager Mitnick announced staff will  
#100-90 follow up and work with school district regarding Child Care Center and will  
provide updates to City Council as appropriate.

\*CMO Announcements and Upcoming Issues: City Manager Mitnick reviewed  
#100-90 potential topics for next regularly scheduled City Council Meeting March 9,  
2010 and announced annual City Council Goals and Objectives Study Session  
March 23, 2010 at Los Robles Greens Golf Course Community Banquet Center

CLOSED SESSIONS REQUESTED: City Council Conference Room 2<sup>nd</sup> Floor

City Attorney Albano announced Closed Session held at 9:40 p.m.

\*CAO CONFERENCE WITH LEGAL COUNSEL -- Existing Litigation: *KANCHI et*  
#650-40 *al v STRETTON et al*; Case No. 56-2008-00318408-CU-POS-SIM  
Consolidated with *KANCHI et al v CITY OF THOUSAND OAKS et al*; Case  
No. 56-2008-00330285-CU-POS-SIM; Pursuant to Government Code Section  
54956.9(a)

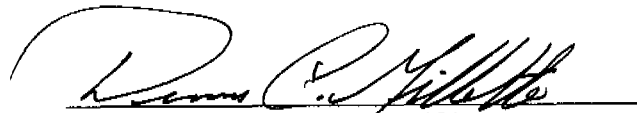
No announcement.

MINUTES OF THE CITY COUNCIL/REDEVELOPMENT AGENCY  
Thousand Oaks, California 5 February 23, 2010

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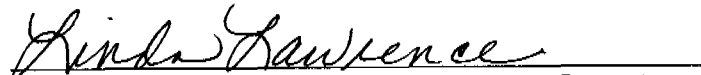
ADJOURNMENT:

\*CCO City Council/Redevelopment Agency Adjourned at 10:00 p.m to Regular  
#610-35 Meeting on Tuesday, March 9, 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 19, 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  
RECOMMENDATION FOR ITEM J. IS ORDINANCE TO BE READ IN TITLE ONLY, FURTHER  
READING BE WAIVED AND IF NO OBJECTION, INTRODUCED*

Additional information supplemental packet regarding Items 7.F. and 7.J.

Speaker: Nick Quidwai, Newbury Park.

Finance Director Adams responded to questions regarding items 7.F. and 7.G.

Motion by Councilmember Bill-de la Peña to approve Consent Calendar, carried 5-0.

- \*FIN #300-30 A. General, Utilities, Golf Course, Theatres, and Redevelopment Agency Demands – ratify February 17, 2010; approve February 24, 2010; approve March 3, 2010 subject to review and ratification
- \*HSG #486-40 B. Additional Appropriation Fully Offset by Grant Revenue: Tenant Based Rental Assistance Program (TBRA) (09-HOME-6257); Agreement for professional services with Area Housing Authority to administer program for 30 very-low income households in amount not-to-exceed \$88,000; Total \$800,000 as follows: \$704,000 for rental assistance A/C 199-0000-438-1200 (HOME10, HOME Grant–Grant Revenue) to A/C 199-4630-644-5920 (HOME10, Grants & Donations); \$88,000 for professional services A/C 199-0000-438-1200 (HOME10, HOME Grant–Grant Revenue) to A/C 199-4630-644-5699 (HOME10, Grant Expenditure–Contracted Services); \$8,000 to offset City staff administrative expenses A/C 199-9720-677-1901 (HOME10, HOME Grant) to A/C 001-0000-561-9100 (HOME10, General Fund Revenue)
- \*CDD #465-90 C. No Appropriation/Expenditure Required: Request for Letter of Public Convenience and Necessity (Department of Alcohol and Beverage Control (ABC) requirement) primarily for sale of alcohol to hotel customers; Authorize Community Development Director to send letter to ABC; Applicant: Hampton Inn and Suites, 501 N. Ventu Park Road, Newbury Park (LPCN 2010-70005)
- \*DPW #420-47 D. No Appropriation/Expenditure Required: Oaks Mall (Macerich) Wastewater Agreement/Covenant to serve as ten-year warranty for repair of City wastewater main damaged during renovation construction; Supplement to easement created by Parcel Map No. LD-7-241 recorded November 11, 2008 instrument no. 2008-1111-00165008-0

CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR: (Continued)

\*DPW #850-20 #290-30 E. Approved Expenditure: CI 4270; Wastewater Interceptor Improvements, Phase 3, Project V1 Plans and Specifications; Authorize staff to advertise for construction bids

\*FIN #235-95 F. Additional Appropriation: Purchase water treatment controller system for Civic Arts Plaza from Nalco Company as sole source vendor; Waive formal bid requirements; Total not-to-exceed \$35,000; Term: 2/23/10 – 6/30/11; \$32,300 A/C 001-3570-612-8900 (Use of Asset Replacement) to General Fund A/C 001-3570-612-8400 (Equipment over \$5,000)

\*FIN #300-50 #310-10 G. Additional Appropriation: Professional services agreement for cost allocation consultant with Wildan Financial Services in amount not-to-exceed \$64,700; Term: 2/23/09 – 6/30/14 with two one-year extension options; \$18,840 and \$6,520 FY 2009-10 and FY 2010-11, respectively, A/C 001-3110-612-5640; Funding for three remaining fiscal years and extensions will be include in biennial budget process

\*HSG #430-34 H. Additional Appropriation: Adopt resolution approving execution of owner participation agreement with Area Housing Authority of County of Ventura (AHA) and all specified documents implementing various requirements including affordability restrictions and authorizing Redevelopment Agency expenditure of up to \$650,000 A/C 430-0000-311-1000 (Housing Fund Balance) to A/C 430-4630-644-5926 (RDA Projects) HS9928 for short term predevelopment loan to AHA for development of affordable rental housing project; Located 1972, 1990, 1994, 2020 and 2026 Los Feliz Drive

REDEVELOPMENT AGENCY RESOLUTION APPROVING OWNER PARTICIPATION AGREEMENT AND AGENCY FINANCING ASSISTANCE WITH AREA HOUSING AUTHORITY OF COUNTY OF VENTURA FOR LOS FELIZ APARTMENT PROJECT

RDA RES. NO. 275

\*DPW #530-10 I. RESOLUTION AUTHORIZING SACRAMENTO COUNTY TO APPLY TO CALIFORNIA ENERGY COMMISSION AND ADMINISTER GRANT FUNDS ON BEHALF OF CITY FOR CALIFORNIA FIRST PROGRAM

RES. NO. 2010-013

\*CCD #630-70 J. Local Campaign Reform Ordinance Amendment (Contribution limit update)  
ORDINANCE AMENDING SECTIONS OF THOUSAND OAKS MUNICIPAL CODE REVISING DEFINITION AND ADJUSTING CAMPAIGN CONTRIBUTION LIMITS TO REFLECT CHANGES IN CALIFORNIA CONSUMER PRICE INDEX (CPI) IN CITY'S CONTRIBUTION LIMITS AND DISCLOSURE REQUIREMENTS

ORD. NO. 1<sup>st</sup> Reading

