

MINUTES OF THE CITY COUNCIL/REDEVELOPMENT AGENCY
Thousand Oaks, California April 27, 2010

1. CALL TO ORDER:

Mayor/Agency Chair Dennis Gillette called the meeting to order at 6:07 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor/Chair Gillette led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers/Directors Claudia Bill-de la Peña, Tom Glancy, Andy Fox, and Mayor Dennis Gillette.

Absent: Councilmember/Director Jacqui Irwin.

Also Present: City Manager/Agency Executive Director Scott Mitnick, City/Agency Attorney Amy Albano, Assistant City Manager Candis Hong, City Clerk/Agency Secretary Linda Lawrence, 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, Deputy Community Development Director/City Planner Mark Towne, Deputy Public Works Director Jay Spurgin, Assistant to City Manager Drew Powers, COSCA Manager Kristin Foord, Economic Development Manager Gary Wartik, Housing and Redevelopment Manager Russ Watson, Senior Analyst Caroline Raposo-Milton, Senior Planners Bill Hatcher and Jeff Specter, Police Senior Deputy Jon Smith, Police Sergeant Don Aguilar, Cable Operations Supervisor Carl Jarecky, Associate Engineer Chris Lynch, Assistant Analysts Chris Ball, Mary Lech, and Lynn Oshita, Video Production Specialist Trainees Matt Evans and Richard Swingler, Administrative Clerk II Melissa L'Engle, and Senior Recording Secretary Janis Daly.

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

5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

- A. Mayor Gillette and Public Works Assistant Analyst Ball presented City's "2010 Wastewatch Awards" to Amgen, Inc., Baxter Bioscience, California Lutheran University, EARTHS Magnet School, and Steve Johnson Painting.
- B. Mayor Gillette and Thousand Oaks Police Chief Matson presented Commendations for meritorious service to Sergeant Don Aguilar and Senior Deputy Jon Smith recognizing outstanding work with crime resolution.
- C. Mayor Gillette, Fire Chief Megli, and Battalion Chief Ted Smith presented Commendations for heroic life-saving actions of Dr. Ashley Benjamin and Los Angeles City Firefighters, Captain Larry Jackson and Fire Engineer Jon Raskin.

6. PUBLIC COMMENTS:

Assistant City Manager Candis Hong introduced new Neighborhood for Learning Director Janet Flemming, Thousand Oaks; Billy Martin, Thousand Oaks; Charles Cronin, Thousand Oaks; Gaston Mona, Thousand Oaks; Teresa Canul, Thousand Oaks; Leslie Maunu, Thousand Oaks; Nick Quidwai, Newbury Park; Frank Schillo, Thousand Oaks; Larry Janss, Thousand Oaks; Diana Malmquist, Westlake Village; Francisco Behr, Westlake Village; Dick Johnson, Thousand Oaks; Michele Leavitt, Thousand Oaks.

City Manager Mitnick indicated staff will follow-up as appropriate regarding agendizing Regional Art Museum project.

7. CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Rancho Potrero Specific Plan and associated applications – Specific Plan SP 2007-70045; Zone Change Z 2007-70773; Land Use LU 2007-70060; Annexation ANX 2007-70061 presented by Deputy Community Development Director/City Planner Towne; Community Development Director Prescott and Senior Planner Smith available for questions.

RESOLUTION APPROVING SPECIFIC PLAN 19 (RANCHO POTRERO)
SP 2007-70045 (APPLICANT: CITY OF THOUSAND OAKS)

RES. NO. 2010-028

RESOLUTION APPROVING AMENDMENT TO LAND USE ELEMENT OF
THOUSAND OAKS GENERAL PLAN TO EXPAND PLANNING AREA
BOUNDARY AND ADOPT LAND USE ELEMENT DESIGNATION FOR LAND
LOCATED APPROXIMATELY 2,000 FEET SOUTH OF LYNN ROAD OPPOSITE
VIA ANDREA LU 2007-70060 (APPLICANT: CITY OF THOUSAND OAKS)

RES. NO. 2010-029

ORDINANCE APPROVING PRE-ZONING OF PROPERTY LOCATED ON
SOUTH SIDE LYNN ROAD OPPOSITE VIA ANDREA (ZONE CHANGE
Z 2007-70773) (APPLICANT: CITY OF THOUSAND OAKS)

ORD.NO. 1stReading

8. PUBLIC HEARINGS:

RESOLUTION INITIATING APPLICATION TO VENTURA COUNTY LOCAL AGENCY FORMATION COMMISSION TO (1) AMEND SPHERE OF INFLUENCE OF CITY AND CONEJO RECREATION AND PARK DISTRICT; (2) ANNEX TO CITY AND CONEJO RECREATION AND PARK DISTRICT; AND (3) DETACH FROM VENTURA COUNTY RESOURCE CONSERVATION DISTRICT AND COUNTY SERVICE AREA NO. 32; INVOLVING RANCHO POTRERO PROPERTY ON SOUTH SIDE LYNN ROAD OPPOSITE VIA ANDREA (ANX2007-70061) RES. NO. 2010-030

Speakers: Louis Goldsman, Thousand Oaks, pro; Susan Egan, Newbury Park, pro.

Written Statements: None.

Mayor Gillette closed Public Hearing.

Motion by Councilmember Fox to approve Mitigated Negative Declaration (MND) No. 253, including Mitigation Monitoring Program; adopt resolution approving Specific Plan 19 (SP 2007-70045); adopt resolution approving General Plan Amendment LU 2007-70060, comprising following changes to Land Use Element: expand planning area boundary of Thousand Oaks General Plan to include approximately 156 acres of land, being southerly portion of Rancho Potrero property; and adopt Land Use Element designation of "Existing Parks, Golf Courses, Open Space" for added area; ordinance to approve Pre-zoning Application Z 2007-70773 to establish City zoning applicable upon annexation of subject property, consisting of OS (Open Space) zoning for approximately 306 acres and P-L (Public, Quasi-public, and Institutional Lands and Facilities) for approximately 20 acres be read in title only, further reading be waived, and if no objection, introduced; adopt resolution initiating Annexation ANX 2007-70061 and authorizing staff to submit application to Local Agency Formation Commission (LAFCo) for annexation of Rancho Potrero property to City and Conejo Recreation and Park District (CRPD), and conforming changes to spheres of influence of both agencies; authorize expenditure of available funds in amount not-to-exceed \$20,000 A/C 001-4410-641-5699 (MI 2062 Contracted Services – Other) to cover annexation costs and environmental filing fees payable to other agencies, carried 4-0, Councilmember Irwin absent.

8. PUBLIC HEARINGS: (Continued)

- B. Hearing, advertised as required by law, opened to consider: U. S. Department of Housing and Urban Development (HUD) FY 2010-15 Consolidated Plan; FY 2010-11 Action Plan presented by Senior Analyst Milton; Police Sergeant Aguilar responded to questions; Community Development Director Prescott, Associate Engineer Lynch, and Assistant Analyst Oshita available for questions. Additional information supplemental packet.

RESOLUTION ADOPTING REVISED CITIZEN PARTICIPATION PLAN FOR LOCAL IMPLEMENTATION OF U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) CONSOLIDATED PLAN PROCESS AND RESCINDING RESOLUTION 2004-242 RES. NO. 2010-031

Speakers: Tea Silvestre, Ventura, pro.

Written Statements: None.

Mayor Gillette closed Public Hearing.

Motion by Councilmember Glancy to approve FY 2010-15 Consolidated Plan (Housing and Community Development Strategic Plan) for submission to HUD; approve FY 2010-11 Action Plan (Implementation Plan) for \$729,330 Federal Community Development Block Grant (CDBG) funds; approve Consolidated Plan-related FY 2010-15 "Analysis of Impediments to Fair Housing Choice in Ventura County" (AI), a collaboration with County of Ventura and other Ventura County cities; adopt resolution, carried 4-0, Councilmember Irwin absent. (Record to reflect Councilmember Bill-de la Peña not in support of day laborer site coordination funded by CDBG.)

9. DEPARTMENT REPORTS:

- A. Community Mediation Program annual review presented by Police Chief Matson. Sergeant Don Aguilar responded to questions.

Motion by Councilmember Fox to approve continuing Community Mediation Program through remainder of FY 2009-10 and FY 2010-11; authorize additional budget appropriations and expenditures to upcoming FY 2010-11 budget in amount of \$1,650 A/C 001-0000-311-1000 (General Fund – Fund Balance) for following: \$900 to A/C 001-6610-621-5699 (Investigative Fees); \$600 to A/C 001-6610-621-6118 (Cell Phone/Pagers); \$150 to A/C 001-6610-621-3611 (Duplication – Inside), carried 4-0. Councilmember Irwin absent.

10. REDEVELOPMENT AGENCY REPORTS: None.

11. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. Business Roundtable Appointments presented by Councilmember Glancy. Additional information supplemental packet.

Motion by Councilmember Glancy to approve re-appointments of Dan Overton and Ashish Vaidya and appointments of Robert Bianchi, Betsy Friedman, and Larry Horner to serve two-year terms ending April 2012, carried 4-0, Councilmember Irwin absent.

12. COUNCIL ISSUES/RECOMMENDATIONS:

- A. Follow-up reports on meetings/conferences attended by Councilmembers.

- 1. Update on League of California Cities (LCC) Transportation, Communication and Public Works Policy Committee (TCPW) meeting April 8, 2010 presented by Councilmember Glancy.

Motion by Councilmember Glancy to receive report carried 4-0, Councilmember Irwin absent.

- *3. Update on League of California Cities (LCC) Public Safety Policy Committee (PSPC) meeting April 9, 2010 presented by Councilmember Gillette.

Motion by Councilmember Gillette to receive report carried 4-0, Councilmember Irwin absent.

- 2. Update on League of California Cities (LCC) Housing, Communication and Economic Development (HCED) Policy Committee meeting April 9, 2010 presented by Councilmember Glancy.

Motion by Councilmember Glancy to receive report, carried 4-0, Councilmember Irwin absent.

13. CITY MANAGER:

- A. Follow-up on requests from public: City Manager Mitnick indicated staff will follow up on speaker requests and suggestions and report back to City Council where needed.

- B. Announcements and upcoming issues: City Manager Mitnick announced Annual Conejo Valley Days April 28 – May 3, 2010, Amgen Tour of California Bike Race culminating May 23, 2010 in Conejo Valley, indicating link on City website to Amgen Tour Conejo.org will provide complete calendar related events and reviewed potential topics for next regularly scheduled City Council Meeting May 11, 2010.

14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor.

City Attorney Albano announced Closed Session held at 8:35 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *SHATO HOLDINGS, et al. v CITY OF THOUSAND OAKS et al.*; Case No. SC 048101; Pursuant to Government Code Section 54956.9(a)

- B. CONFERENCE WITH LABOR NEGOTIATORS – City designated representatives: City Manager Scott Mitnick, Assistant City Manager Candis Hong, and Human Resources Director Connie Hickman; Employee Organizations: Senior Management Association (SMA), Thousand Oaks Management Association (TOMA), and Thousand Oaks City Employee Association (TOCEA); Groups: Unrepresented executive and temporary hourly employees; Pursuant to Government Code Section 54957.6

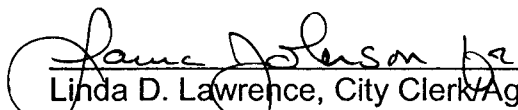
15. ADJOURNMENT:

City Council/Redevelopment Agency Adjourned at 9:05 p.m. to Regular Meeting on Tuesday, May 11, 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: April 23, 2010
MINUTES APPROVED: May 11, 2010

*indicates item taken out of order

EXHIBIT A

7. CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH J. ARE TO APPROVE
RECOMMENDATIONS FOR ITEM K. IS TO ADOPT*

Additional information supplemental packet regarding Items 7.G. and 7.I.

Speaker: Rick Lemmo, Newbury Park (questions only Item 7. I.); Nick Quidwai, Newbury Park.

Motion by Councilmember Bill-de la Peña to approve Consent Calendar with exception of Item 7. I. (CI 5180; Downtown Eastside Angled Parking at The Lakes Project) carried 4-0, Councilmember Irwin absent. (Item subsequently approved following discussion.)

Motion by Councilmember Glancy to approve Item 7.I. carried 3-1, Councilmember Bill-de la Peña dissenting, Councilmember Irwin absent.

- A. General, Utilities, Golf Course, Theatres, and Redevelopment Agency Demands – ratify April 21, 2010; approve April 28, 2010; approve May 5, 2010 subject to review and ratification
- B. Minutes of City Council/Redevelopment Agency Special and Regular meetings of April 13, 2010
- C. Approved Expenditure: CI 5177; Dial-A-Ride Vehicle Purchase; lease buy-out and sales agreement with MV Contract Transportation for purchase of four Dial-A-Ride vehicles in amount not-to-exceed \$221,777 A/C 651-5550-685-8400 (Equipment CI 5177); purchase four new Dial-A-Ride vehicles through sales agreement with Creative Bus Sales utilizing California Association for Coordinated Transportation/Morongo Basin Transit Authority contract in amount of \$195,407 A/C 651-5550-685-8400 (Equipment CI 5177); each fully offset by American Recovery and Reinvestment Act Grant Revenue (A/C 651-0000-438-9900)
- D. Financial Impact to be Determined: On-call agreements with Tree Elements, Inc. and West Coast Arborist, Inc.; tree maintenance services each in amount not-to-exceed \$200,000 for two-year period with option to extend one additional two-year term; funds will be identified on case-by-case basis and charged to appropriate Operating or Capital Improvement Budget

7. CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR: (Continued)

- E. Approved Expenditure: CI 1236; Erbes Road Improvements; Second Amendment to Contract No. 7686-2006 with RBF Consulting additional services in amount of \$31,850; authorize City Manager to execute amendments up to previously approved contingency or \$30,000, whichever is less; \$61,850 (\$31,850 amendment plus \$30,000 contingencies) A/C 135-5330-631-8300 (CI 1236 Erbes Road Improvements); total not-to-exceed \$774,250
- F. Approved Expenditure: CI 1164; Ventu Hydro Line Replacement Project; plans and specifications; authorize staff to advertise for construction bids
- G. Approved Expenditure: MI 2007; Annual Slurry Seal Program; MI 2063; Verizon Fiber to the Premises; plans and specifications; authorize staff to advertise for construction bids
- H. Approved Expenditure: MI 2012: Specification No. 2009/10-08; annual concrete replacement and sidewalk repair program; plans and specifications; advertise for construction bids
- I. Additional Appropriation: CI 5180; Downtown Eastside Angled Parking at The Lakes Project; Amendment No. 1 to Task Order No. 1 (Contract No. 9294-2010) with Huitt-Zollars, Inc. in amount of \$35,030 for final design plans, specifications, construction cost estimate and construction engineering support services; total not-to-exceed \$64,975; \$77,970 (\$29,945 Task Order No. 1; \$35,030 Amendment to Task Order No. 1; \$12,995 contingency) A/C 420-0000-311-1000 (Redevelopment Agency – Fund Balance) to A/C 420-4620-643-8300 (Redevelopment Agency – Capital Improvements); authorize Executive Director to execute this and any subsequent amendments up to contingency amount
- J. No Appropriation/Expenditure Required: Initiate proceedings for Landscape and Lighting District No. 79-2 Fiscal Year 2010-11 Annexation and Assessments; transfer Graffiti Abatement Program from General Fund to Landscape District with use of ad valorem revenues for general benefit areas; adopt resolutions

RESOLUTION INITIATING PROCEEDINGS FOR ANNEXATION OF TERRITORY AND ANNUAL LEVY OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2010/2011) RES. NO. 2010-024

RESOLUTION DECLARING INTENTION TO ANNEX TERRITORY, CONDUCT PROPERTY OWNER BALLOTING ON MATTER OF NEW OR INCREASED ASSESSMENTS, AND LEVY ANNUAL ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2010/2011) (Sets Public Hearing for June 22, 2010) RES. NO. 2010-025

7. CITY AND REDEVELOPMENT AGENCY CONSENT CALENDAR: (Continued)

RESOLUTION CONFIRMING PRELIMINARY ENGINEER'S REPORT FOR ANNEXATION OF TERRITORY, PROPOSED NEW ASSESSMENTS CONNECTED THEREWITH, AND ANNUAL LEVY OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2010/2011) RES. NO. 2010-026

K. RESOLUTION ACCEPTING SUBDIVISION IMPROVEMENTS FOR LD 06-70271; Ventu Thousand Oaks LLC; 500-550 No. Ventu Park Road; RES. NO. 2010-027