

**City Council**  
**REGULAR MEETING**  
**Tuesday, May 30, 2017, 6:00 P.M.**  
**Council Chambers**



**Claudia Bill-de la Peña, Mayor**  
**Andrew P. Fox, Mayor Pro Tem**  
**Joel R. Price, Councilmember**  
**Al Adam, Councilmember**  
**Rob McCoy, Councilmember**

**Executive Team**

Andrew P. Powers, City Manager  
Gary Rogers, Deputy City Manager/HR Director  
Mark A. Towne, Community Development Director  
Cynthia M. Rodriguez, City Clerk  
Barry McComb, Cultural Affairs Director  
Jim Friedl, General Manager, CRPD

Tracy M. Noonan, City Attorney  
John F. Adams, Finance Director/City Treasurer  
Jay Spurgin, Public Works Director  
Heather Cousin, Library Director  
Tim Hagel, Police Chief  
Theodore E. Smith, Fire Chief

**MISSION STATEMENT:**  
**Extraordinary Service to the Citizens We Serve is Our Purpose**

Americans with Disabilities Act (ADA): In compliance with ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk Department, (805) 449-2151. Assisted listening devices are available at this meeting. Ask City Clerk staff if you desire to use this device. Upon request, the agenda and documents in this agenda packet can be made available in appropriate alternative formats to persons with a disability. Notification at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring reasonable arrangements can be made to provide accessibility to the meeting or service.

The following is provided to assist with public participation:

**Agenda Availability:** The City Council Agenda is posted at the entry to the Civic Arts Plaza/City Hall, 2100 E. Thousand Oaks Boulevard, Thousand Oaks [main posting location pursuant to the Brown Act, G.C. 54954.2(a)]. City Council Agenda Packets are available for review at the City Clerk Department, 2100 E. Thousand Oaks Boulevard, Thousand Oaks. Agenda packet and “Live and Archived” meetings and minutes are available on the City’s website at [www.toaks.org](http://www.toaks.org). Televised City Council Meetings are re-broadcast Thursday and Sunday (following meeting) at 10:00 a.m. and 6:00 p.m. on TOTV, Channel 10.

**Supplemental Information:** Any agenda related information received and distributed to the City Council after the Agenda Packet is printed is included in Supplemental Packets. Supplemental Packets are produced as needed, typically a minimum of two—one available on the Thursday preceding the City Council meeting and the second on Tuesday at the meeting. The Thursday Supplemental Packet is available for public review in the City Clerk Department, 2100 E. Thousand Oaks Boulevard, during normal business hours (main posting location pursuant to the Brown Act, G.C. 54957.5(b)(2)). Both the Thursday and Tuesday Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2100 E. Thousand Oaks Boulevard and on the City’s website.

Please be advised that communications directed to the City Council are public records, and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under the applicable law. Communications will NOT be edited for redactions; will be printed/posted as submitted.

**Public Input:** Any person who wishes to speak regarding an item on the regular agenda or on a subject within the City’s jurisdiction during “Public Comments” is requested to file a “Public Speaker” card with City Clerk staff before that portion of the Agenda is called. Any person who wishes to speak on a specific agenda item is requested to file a “Public Speaker” card before the specific item is called. Any person who wishes to speak on a Public Hearing is requested to file a “Public Speaker” card before the Hearing is called. Persons addressing the City Council are requested to state their name and community of residence for the record. Any supporting materials should be submitted to the City Clerk before addressing the Council. These materials are also considered a public record pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under the applicable law.

**Special Meeting Public Input:** Only issues listed on a special meeting agenda may be addressed pursuant to the Brown Act/Special Meetings.

**Consent Calendar:** Matters listed on Consent Calendar that do not require significant reporting and/or discussion for decision or considered to be routine, will be approved by one motion as recommended. There will be no separate discussion unless Councilmember or staff member requests separate discussion prior to approval.

**Judicial Review:** Any legal action by an applicant seeking to obtain a judicial review of the City Council’s decision on a Hearing or issue listed on this Agenda may be subject to the 90-day filing period, of and governed by, Code of Civil Procedure Section 1094.6. Also refer to TOMC Section 1-4.05.

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Price, Adam, McCoy, Fox, and Mayor Bill-de la Peña
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
  - A. 2017 One City One Book Announcement
  - B. Conejo Open Space Trails Education Days Letter Writing Contest
  - C. Performance – Conejo Valley Youth Orchestra
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 9 for Consent Calendar listing)
8. PUBLIC HEARINGS:
  - A. [La Granada Pump Station Project; Resolution of Necessity for acquisition of Utility Easement \(CI 8082\)](#)

RESOLUTION OF NECESSITY FOR ACQUISITION BY EMINENT DOMAIN OF EASEMENT IN PORTION OF REAL PROPERTY COMMONLY KNOWN AS ASSESSOR PARCEL NO. 671-0-360-225, LOCATED IN CITY OF THOUSAND OAKS, COUNTY OF VENTURA, STATE OF CALIFORNIA

RES. NO. 2017-

8. PUBLIC HEARINGS: (Continued)

- A. La Granada Pump Station Project; Resolution of Necessity for acquisition of Utility Easement (CI 8082) (Continued)

RECOMMENDATION:

1. Conduct public hearing; adopt Resolution of Necessity
2. Authorize legal counsel to file complaint in eminent domain to acquire utility easement in portion of real property located 590 North Conejo School Road (Assessor's Parcel No. 671-0-360-225) owned by Jennifer and Michael Bernstein
3. Make following findings in Resolution of Necessity:
  - a. Public interest and necessity require the project
  - b. Project is planned or located in manner that will be most compatible with greatest public good and least public injury
  - c. Property described in resolution is necessary for proposed project
  - d. Offer required by section 7267.2 of Government Code has been made to owner(s) of record
  - e. Proposed use of property will not unreasonably interfere with or impair continuance of public use as it exists
  - f. Use for which property is sought to be taken is a more necessary use than use to which property is appropriated

- B. [Municipal Code Amendment relating to Accessory Dwelling Units \(MCA 2016-70540\)](#)

ORDINANCE AMENDING SECTIONS 9-4.202, 9-4.2104, 9-4.2402, 10-1.701, AND 9-4.2521, AND ADDING SECTION 9-4.2521.1 TO THOUSAND OAKS MUNICIPAL CODE, REGARDING REGULATIONS FOR ACCESSORY DWELLING UNITS (MCA 2016-70540)

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

RECOMMENDATION: Ordinance amending Municipal Code relating to Accessory Dwelling Units be read in title only, further reading waived, and if no objection, introduced.

9. DEPARTMENT REPORTS: None

10. STUDY SESSION:

A. [Proposed FY 2017-18 and FY 2018-19 Operating Budget](#)

RECOMMENDATION:

1. Receive information on Proposed FY 2017-18 and FY 2018-19 Operating Budget
2. Schedule public hearing for formal City Council review and adoption of Budget on June 13, 2017

11. COMMITTEE/COMMISSION/BOARD REPORTS: None

12. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None

13. COUNCIL ISSUES/RECOMMENDATIONS:

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

1. [Update on League of California Cities \(LCC\) Channel Counties](#)  
Division Meeting April 28, 2017

RECOMMENDATION: Receive report

14. CITY MANAGER:

A. Follow-up items

B. Announcements and upcoming issues

15. CLOSED SESSION: City Council Conference Room 2<sup>nd</sup> floor

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:  
*EDWARD SCULLY, et al. v. DV RANCH EAST MASTER ASSOCIATION, et al.*; Case No. 56-2016-00477533-CU-OR-VTA; Pursuant to Government Code Section 54956.9(a)

15. CLOSED SESSION: (Continued)

- B. CONFERENCE WITH LABOR NEGOTIATORS – City designated representatives: City Manager Andrew P. Powers; City Attorney Tracy Noonan; Deputy City Manager/Human Resources Director Gary Rogers; Finance Director John F. Adams; Deputy Human Resources Director/Risk Manager Elizabeth White; Deputy Finance Director Jaime Boscarino; and Associate Human Resources Analyst Sharon Chen; Employee Organizations: Thousand Oaks City Employees Association (TOCEA); Senior Management Association (SMA); Thousand Oaks Management Association (TOMA); and Executive Managers (Finance Director, Community Development Director, Public Works Director, City Clerk, Deputy City Manager/Human Resources Director, Cultural Affairs Director, Library Director); Pursuant to Government Code Section 54957.6

16. PUBLIC NOTICES: None

17. ADJOURNMENT:

Adjournment in memory of:

- Former Mayor and Councilmember Raymond “Ray” Arthur Garcia
- Long-time Resident and Active Community Member Henry “Hank” L. Lacayo

to Regular Meeting June 13, 2017

Agenda Post Date/Time: May 25, 2017, 5:00 p.m.

## EXHIBIT A

### 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH M. ARE TO APPROVE  
RECOMMENDATION FOR ITEM N. IS TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify May 3, 2017, May 10, 2017, May 17, 2017, and May 24, 2017; approve May 31, 2017; approve June 7, 2017, subject to review and ratification
- B. [Minutes of City Council Regular meeting of April 25, 2017 and Special and Regular meetings of May 9, 2017](#)
- C. [No Appropriation/Expenditure Required: City of Thousand Oaks 2017 Legislative Platform; receive report and approve 2017 Legislative Platform](#)
- D. [Approved Expenditure: Tara Reservoir Improvements Project \(CI 5290\); authorize staff to solicit construction bids](#)
- E. [Approved Expenditure: Hill Canyon Wastewater Treatment Plant \(HCTP\) Aquatic Bioassay testing; agreement with Aquatic Bioassay and Consulting Laboratories, Inc., \(ABC Lab\) in amount not-to-exceed \\$150,000; term: 7/1/17 – 6/30/20; annual expenditure of \\$50,000 for three-years beginning FY 2017-18 A/C 621-8250-682-5699 \(Wastewater/HCTP Contracted Services\)](#)
- F. [Approved Expenditure: Document Repository System and Electronic Forms Software; First Amendment to Contract No. 11259-2016, with Compulink Management Center, Inc., DBA Laserfiche in amount of \\$157,000 extending term to 10/27/20 with option to extend one additional two-year term; revised contract total not-to-exceed \\$202,000; expenditure not-to-exceed \\$34,200 as follows: \\$6,600 A/C 001-2310-612-4199 \(Equipment Repairs & Maintenance/Other\); \\$27,600 A/C 001-3410-612-3122 \(Supplies and Equipment/Computer Software\)](#)

## 7. CONSENT CALENDAR: (Continued)

- G. Approved Expenditure: [Hillcrest Center Stair Renovation Project \(MI 2090\): award contract to Bodagger Enterprises, Inc., dba Bodagger Builders](#) in amount not-to-exceed \$320,866 plus \$48,000 contingency; expenditures \$56,500 A/C 001-3585-612-5500 (MI 2090 Construction), \$56,500 A/C 001-3590-612-5500 (MI 2090 Construction); \$300,000 budget appropriation and expenditure as follows: \$150,000 A/C 001-0000-311-1000 (General Fund - Fund Balance) to A/C 001-3585-612-5500 (MI 2090 Construction); \$150,000 A/C 001-0000-311-1000 (General Fund - Fund Balance) to A/C 001-3590-612-5500 (MI 2090 Construction) for engineering and construction costs; plan and design of improvements as shown on construction drawings and specifications as reasonable and appropriate
- H. Approved Expenditure: [Grant R. Brimhall Library Aquarium Maintenance: three-year agreement with Aquatic Contractors in amount not-to-exceed](#) \$112,260.00 (\$91,260.00 for monthly service and maintenance; \$21,000.00 for unexpected equipment repair or replacement); term: 7/1/17 – 6/30/20; expenditure not-to-exceed \$37,420 A/C 110-7310-673-4200 (Building Repairs and Maintenance) with \$20,000 offset by donated funds; acceptance of \$10,000 from both Friends of Thousand Oaks Library and Thousand Oaks Library Foundation FY 2017-18, FY-2018-19, and FY 2019-20 to revenue A/C 110-0000-481-0000 (Library Donations)
- I. Approved Expenditure: [FY 2016-17 Expenditure Plan of grant funds pursuant to Supplemental Law Enforcement Services Fund \(SLESF\)](#) guidelines to allow City to continue to benefit under SLESF partially offsetting contract costs of following positions: two Directed Enforcement Team (formerly referred to as Bike Patrol) deputies (contract costs: \$445,476) A/C 001-6620-621-5730 (Contracted Services – Law Enforcement); one misdemeanor detective (contract costs: \$247,298) A/C 001-6640-621-5730 (Contracted Services – Law Enforcement)
- J. Additional Appropriation Fully Offset by Grant Revenue: [Acceptance of County of Ventura's Homeland Security grant in amount of \\$10,000 for](#) Thousand Oaks Police Department's Disaster Assistance Response Team (DART); \$10,000 budget appropriation and expenditure A/C 001-6740-438-9900 (OES010 Grant Revenue) as follows: \$3,873 to A/C 001-6740-627-6520; \$6,127 to A/C 001-6740-627-3300 (OES010 DART Equipment less than \$5,000)

7. CONSENT CALENDAR: (Continued)

- K. Approved Expenditure: [FY 2017-18 Thousand Oaks Boulevard Property Business Improvement District Annual Levy; adopt resolutions; expenditure](#)  
in amount of \$17,432 FY 2017-18 A/C 001-3010-612-7200 (MCPBID  
General Fund Management and Support/Taxes)

RESOLUTION APPROVING THOUSAND OAKS BOULEVARD  
PROPERTY BUSINESS IMPROVEMENT DISTRICT OWNERS'  
ASSOCIATION ANNUAL 2016 ACTIVITIES AND 2017 PLANNING  
REPORT AND 2017/2018 MANAGEMENT DISTRICT PLAN

RES. NO. 2017-\_\_\_\_\_

RESOLUTION ORDERING LEVY AND COLLECTION OF  
ASSESSMENTS FOR THOUSAND OAKS BOULEVARD PROPERTY  
BUSINESS IMPROVEMENT DISTRICT, FISCAL YEAR 2017-18

RES. NO. 2017-\_\_\_\_\_

- L. No Appropriation/Expenditure Required: [Cancellation of Level One Water Supply Shortage Declaration; adopt resolution](#)

RESOLUTION CANCELING LEVEL ONE WATER SUPPLY SHORTAGE  
DECLARED PURSUANT TO MUNICIPAL CODE SECTION 10-2.1105(a)  
AND RESCINDING RESOLUTION NO. 2016-051

RES. NO. 2017-\_\_\_\_\_

- M. No Appropriation/Expenditure Required: [City Investment Review Committee – Appointment Schedule and Member Terms; extend](#)  
appointments of John Short, Richard law, and Mark Kroenke from July 2017  
to January 2018 and appointments of William Berliner and James Hoagland  
from July 2018 to January 2019; adopt resolution

RESOLUTION ESTABLISHING CITY INVESTMENT REVIEW  
COMMITTEE TO SERVE AS ADVISORY BODY TO CITY COUNCIL ON  
MATTERS DEALING WITH CITY CASH INVESTMENTS AND ANNUAL  
REVIEW OF INVESTMENT POLICY AND RESCINDING RESOLUTION  
NO. 2013-002

RES. NO. 2017-\_\_\_\_\_

- N. No Appropriation/Expenditure Required: [FY 2016-17 Transportation Development Act Article 4 Funds Claim with Ventura County Transportation](#)  
Commission (VCTC) in amount of \$4,501,130

RESOLUTION AUTHORIZING CLAIM FOR ALLOCATION OF FY 2016-17  
FUNDS FROM VENTURA COUNTY LOCAL TRANSPORTATION FUNDS  
AS OUTLINED IN 1971 TRANSPORTATION DEVELOPMENT ACT

RES. NO. 2017-\_\_\_\_\_