

City Council
REGULAR MEETING
Tuesday, June 13, 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. 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. Civic Arts Plaza Programming Update
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 9 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [Proposed FY 2017-18 and FY 2018-19 Operating and Capital Improvement Program Budgets](#)

RESOLUTION ADOPTING ANNUAL CITY OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGETS FOR FISCAL YEARS 2017-2018 AND 2018-2019; AND ADOPTING FINANCIAL POLICIES

RES. NO. 2017-_____

RECOMMENDATION:

1. Adopt resolution approving Proposed Operating and Capital Improvement Program (CIP) Budgets for FY 2017-18 and FY 2018-19
2. Adopt updated Financial and Budget Policies, including Governmental Fund Balance Policy that establishes guidelines and procedures for allocating and reporting fund balance in financial statements in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54

8. PUBLIC HEARINGS: (Continued)

- A. Proposed FY 2017-18 and FY 2018-19 Operating and Capital Improvement Program Budgets (Continued)

RECOMMENDATION: (Continued)

3. Authorize City Manager to carry over funds FY 2016-17 to FY 2017-18 for projects listed as requiring carryover included in Capital Improvement Program Budget, Grants, and Project-Related Maintenance and Operations budgets
4. Authorize City Manager and Finance Director to assign unclassified revenues to specific purpose when necessary and appropriate

- B. [Annual Collection of Delinquent Wastewater Service Charges - Property Tax Roll](#)

RESOLUTION PROVIDING FOR COLLECTION OF DELINQUENT WASTEWATER SERVICE CHARGES BY ATTACHMENT TO REAL PROPERTY TAX ROLL
RES. NO. 2017-

RECOMMENDATION:

1. Adopt resolution approving Annual Collection of Delinquent Wastewater Service Charges by attachment to Real Property Tax Roll (two-thirds vote required)
2. Approve list of property owner names, addresses, parcel numbers, and assessment amounts to be submitted to Ventura County Tax Collector

9. DEPARTMENT REPORTS:

- A. [Acquisition of Open Space Parcel in the Skyline Open Space; Located: North of Skyline Drive, 2,200 Feet Southwest of Willow Lane](#)

RECOMMENDATION:

1. Authorize City Manager, or designee, to execute all documents necessary to effectuate purchase of APN 676-0-090-060 (Owner: Phillip & Shelley Menser Trust) by City, including authority to accept deed, subject to resolution of any liens and encumbrances affecting said parcel

9. DEPARTMENT REPORTS: (Continued)

- A. Acquisition of Open Space Parcel in the Skyline Open Space; Located: North of Skyline Drive, 2,200 Feet Southwest of Willow Lane (Continued)

RECOMMENDATION: (Continued)

2. Approve budget appropriation and expenditure of \$25,000 (\$23,000, plus closing costs not-to-exceed \$2,000) for one parcel (APN 676-0-090-060) A/C 512-0000-311-1000 (Community Recreation Facilities and Open Space Acquisition and Maintenance Endowment Fund – Fund Balance) to A/C 512-4410-679-8100 (CI 1227 Capital – Land)
3. Authorize subsequent transfer of APN 676-0-090-060 from City to Conejo Open Space Conservation Agency (COSCA)

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. [Youth Commission Annual Report](#)

RECOMMENDATION: Receive report

- B. [FY 2017-18 Community Events Endowment Fund \(CEEF\) Grant Award](#) Recommendations (Cultural Affairs Commission)

RECOMMENDATION:

1. Approve Community Events Endowment Fund Grants totaling \$85,000; authorize City Manager to execute agreements with grantees
2. Authorize expenditure of \$85,000 A/C 001-1120-611-5920 (CF2017 CEEF Grants/ Donations)

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

12. COUNCIL ISSUES/RECOMMENDATIONS:

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

1. [League of California Cities \(LCC\) Public Safety Committee Meeting](#) June 8 – 9, 2017 (Price) – Report to be provided

RECOMMENDATION: Receive report

13. CITY MANAGER:

- A. Follow-up items
- B. Announcements and upcoming issues

14. CLOSED SESSION: City Council Conference Room 2nd floor

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Property: APN: 671-0-360-225; Located 590 North Conejo School Road, Thousand Oaks; CITY NEGOTIATORS: Andrew P. Powers, City Manager, Tracy M. Noonan, City Attorney, John F. Adams, Finance Director/City Treasurer and John Holloway, outside counsel; NEGOTIATING PARTY: Michael and Jennifer Bernstein; UNDER NEGOTIATION: Price and Terms of Purchase; Pursuant to Government Code Section 54956.8
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: *GRISELDA CASTRO, et al. v CITY OF THOUSAND OAKS, et al.*; Case No. 56-2013-00432039-CU-PA-VTA; Pursuant to Government Code Section 54956.9(a)
- C. CONFERENCE WITH LEGAL COUNSEL: Initiation of Litigation pursuant to Government Code Section 54956.9(4) - 1 case
- D. 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; 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

15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

Adjournment in memory of:

- o Former Public Works Director J. L. Scherer

to Regular Meeting June 27, 2017

Agenda Post Date/Time: June 8, 2017, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH M. ARE TO APPROVE/ADOPT.

- A. General, Utilities, Golf Course, and Theatres Demands – ratify June 7, 2017; approve June 14, 2017; approve June 21, 2017, subject to review and ratification
- B. [Minutes of City Council meeting of May 30, 2017](#)
- C. [Approved Expenditure: 2017 Excellence in Arts Awards as Official City Sponsored Cultural Event](#); direct financial support from City not-to-exceed \$5,000; in-kind staff services not-to-exceed 80 hours FY 2017-18; expenditure not-to-exceed \$5,000 FY 2017-18 A/C 001-1240-674-1013 (Employee-Overtime)
- D. [Approved Expenditure: Day Labor Site Coordination; First Amendment to Contract No.10890-2015 with Cyrus Urban Inter-Church Sustainability Network \(CUISN\) in amount of \\$114,000 to extend contract two years; term: 7/1/17 – 6/30/19; expenditure of \\$114,000 \(\\$57,000/year\) A/C 001-1010-644-5640 \(DAYLBR General Fund\) FY 2017-18 and FY 2018-19](#)
- E. [Approved Expenditure: Thousand Oaks Boulevard Undergrounding Phase 3 Sidewalk Restoration and Traffic Signal Fiber Improvement \(CI 5331 & CI 5258\)](#); project plans, specifications, and Addenda No. 1 and 2; award construction contract in amount of \$338,700 plus contingency of \$50,805 to Taft Electric Company; authorize City Manager to execute all associated documents; Second Amendment to Professional Services Agreement with Richard W. Campbell, Inc. (Contract No. 11122-2016), in amount of \$4,940 revised not-to-exceed total \$10,610 (plus previously approved \$2,000 contingency); carryover of capital budget from FY 2016-17 to FY 2017-18 as follows: \$200,000 A/C 001-5210-642-5500 (CI 5331 Thousand Oaks Blvd. Undergrounding); \$100,000 A/C 537-5570-631-8300 (CI 5258 Developer Fees/Traffic Signal Fiber Optics); expenditure of \$399,445 (\$338,700 construction contract, plus \$50,805 contingency, \$4,940 for oak tree monitoring services, and \$5,000 for City furnished materials, supplies, equipment and fees) as follows: \$303,457.38 A/C 001-5210-642-5500 (CI 5331) and \$95,987.62 A/C 537-5570-631-8300 (CI 5258)
- F. [Approved Expenditure: Flashing Yellow Arrow Left Turn Operation at Eight Traffic Signals \(CI 5259\)](#); per Traffic and Transportation Advisory Commission recommendation install during Fall/Winter 2017; expenditure not-to-exceed \$48,000 A/C 551-5570-631-8300 (CI 5259 FYA Traffic Signal Modifications)

7. CONSENT CALENDAR: (Continued)

- G. [Approved Expenditure: Out of Agency Wastewater Service Agreement with Craig and Dawn Nelson for wastewater services for new single family residence; located: La Cam Road and Moonridge Avenue in unincorporated Kelley Estates area of Thousand Oaks; APN 668-0-070-335](#)
- H. [Approved Expenditure: Purchase and Delivery of Polymer Products for Hill Canyon Wastewater Treatment Plant \(HCTP\); award "piggyback" agreement using Santa Clarita Valley County Sanitation District of Los Angeles County contract to SNF Polydyne, Inc.; term: 7/1/17 – 6/30/18; expenditure of \\$375,000 FY 2017-18 A/C 621-8250-685-3242 \(Wastewater/HCTP Chemical Supplies\)](#)
- I. [Approved Expenditure: Child Care Center Lease Agreement between City and Conejo Valley Unified School District \(CVUSD\); located: 110 S. Conejo School Road, Thousand Oaks](#)
- J. [Approved Expenditure: Westlake Boulevard Sidewalk Project \(CI 5337\);](#) maintenance agreement with the State of California Department of Transportation (Caltrans); adopt resolution

RESOLUTION APPROVING LANDSCAPE MAINTENANCE AGREEMENT NO. 716-NMC-1138 WITH STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR ROUTE 23 SOUTH, WESTLAKE BOULEVARD SIDEWALK PROJECT
RES. NO. 2017-

- K. [Approved Expenditure: Landscape and Lighting Assessment District No. 79-2 FY 2017-18 Assessments; adopt resolutions; set public hearing for June 27, 2017; service agreement with Ventura County Auditor-Controller](#)

RESOLUTION INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2017-18)
RES. NO. 2017-

RESOLUTION DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2017-18)
RES. NO. 2017-

RESOLUTION CONFIRMING PRELIMINARY ENGINEER'S REPORT FOR ANNUAL LEVY OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2017-18)
RES. NO. 2017-

7. CONSENT CALENDAR: (Continued)

- L. [Approved Expenditure: City's Long-Term Debt Policy Revision; adopt resolution](#)

RESOLUTION ADOPTING UPDATED DEBT POLICY

RES. NO. 2017-

ORDINANCE FOR SECOND READING:

- M. [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 \(MCA 2016-70540\) \(Introduced 5/30/17, 5-0\)](#) ORD.NO.1631-NS