

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

June 13, 2017

1. CALL TO ORDER:

Mayor Pro Tem Andy Fox called the meeting to order at 6:03 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor Pro Tem Fox led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers Joel Price, Al Adam, and Mayor Pro Tem Andy Fox. Councilmember Rob McCoy arrived 6:05 p.m.

Absent: Mayor Claudia Bill-de la Peña.

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Deputy City Manager/Human Resources Director Gary Rogers, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer John F. Adams, Community Development Director Mark Towne, Library Director Heather Cousin, Public Works Director Jay Spurgin, Thousand Oaks Police Senior Deputy Damian Alvarez, Fire Chief Theodore Smith, Assistant to City Manager Rachel Wagner, Deputy City Clerk Laura Maguire, Deputy Cultural Affairs Director Jonathan Serret, Deputy Finance Director Jaime Boscarino, Deputy Public Works Director/City Engineer Cliff Finley, Budget Officer Brent Sakaida, Revenue Operations Manager Melissa Hurtado, Cable Operations Supervisor Carl Jarecky, Assistant Analysts Sandra Delgado, Emma Mosbergen and Pam Romer, Senior Video Specialist Richard Swingler, Production Assistant Hannah Dalrymple, 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 Pro Tem Fox introduced Deputy Cultural Affairs Director Serret to provide Civic Arts Plaza Programming Update.

6. PUBLIC COMMENTS:

Brenda Coleman, Conejo Recreation and Parks District (CRPD); Rick Tanaka, CRPD.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

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8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Proposed FY 2017-18 and FY 2018-19 Operating and Capital Improvement Program Budgets presented by Finance Director Adams; City Manager Powers responded to questions; Budget Officer Sakaida and Senior Financial Analyst Punsalan available for questions.

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

RES. NO. 2017-028

Speakers/Written Statements: None

Mayor Pro Tem Fox closed public hearing.

Motion by Councilmember Adam to adopt resolution; 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; 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; authorize City Manager and Finance Director to assign unclassified revenues to specific purpose when necessary and appropriate, carried 4-0 by the following vote: Ayes - Price, Adam, McCoy, and Fox; Noes - None; Absent - Bill-de la Peña.

- B. Hearing, advertised as required by law, opened to consider: Annual Collection of Delinquent Wastewater Service Charges - Property Tax Roll. Report presented by Assistant Analyst Mosbergen; Revenue Manager Hurtado available for questions. Additional information supplemental packet.

RESOLUTION PROVIDING FOR COLLECTION OF DELINQUENT WASTEWATER SERVICE CHARGES BY ATTACHMENT TO REAL PROPERTY TAX ROLL

RES. NO. 2017-029

Speakers/Written Statements: None.

Mayor Pro Tem Fox closed public hearing.

Motion by Councilmember Adam to adopt resolution; approve list of property owner names, addresses, parcel numbers, and assessment amounts to be submitted to Ventura County Tax Collector, carried 4-0 by the following vote: Ayes - Price, Adam, McCoy, and Fox; Noes - None; Absent - Bill-de la Peña.

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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. Report presented by Community Development Director Towne; Conejo Open Space Conservation Agency (COSCA) Manager Mason available for questions.

Motion by Councilmember Price to 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, 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); authorize subsequent transfer of APN 676-0-090-060 from City to COSCA, carried 4-0 by the following vote: Ayes - Price, Adam, McCoy, and Fox; Noes - None; Absent - Bill-de la Peña.

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. Youth Commission Annual Report presented by Vice-Chair Hannah Cutler-Dye and Commissioners Chloe Nash and Nicole Katz.

Motion by Councilmember Adam to receive report, carried 4-0 by the following vote: Ayes - Price, Adam, McCoy, and Fox; Noes - None; Absent - Bill-de la Peña.

- B. FY 2017-18 Community Events Endowment Fund (CEEF) Grant Award Recommendations (Cultural Affairs Commission) presented by Deputy Cultural Affairs Director Serret and Commissioner David Mead.

Motion by Councilmember Price to approve Community Events Endowment Fund Grants totaling \$85,000 (Exhibit B); authorize City Manager to execute agreements with grantees; authorize expenditure of \$85,000 A/C 001-1120-611-5920 (CF2017 CEEF Grants/ Donations), carried 4-0 by the following vote: Ayes - Price, Adam, McCoy, and Fox; Noes - None; Absent - Bill-de la Peña.

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. Report on League of California Cities (LCC) Public Safety Committee Meeting June 8 – 9, 2017 presented by Councilmember Price. Additional information supplemental packet.

Report received.

13. CITY MANAGER:

- A. Follow-up items: None.

- B. Announcements and upcoming issues: City Manager Powers reviewed potential topics for the next regularly scheduled City Council Meeting, June 27, 2017.

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

City Attorney Noonan announced Closed Session held at 7:24 p.m.

- 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

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14. CLOSED SESSIONS REQUESTED: (Continued)

- 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

City Attorney Noonan announced City Council has authorized initiation of litigation. Once formally commenced, the nature of the action and defendants shall be disclosed to any person upon inquiry unless to do so would jeopardize the agency's ability to effectuate service of process on one or more parties.

15. PUBLIC NOTICES: None.

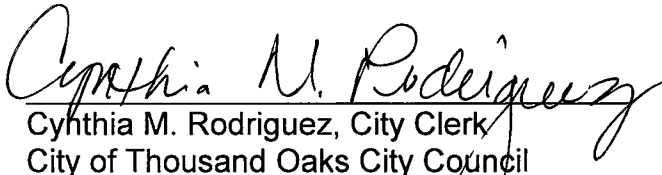
16. ADJOURNMENT:

City Council adjourned at 8:50 p.m. in memory of former Public Works Director J. L. Scherer to Regular Meeting on Tuesday, June 27, 2017.



Claudia Bill-de la Peña, Mayor
City of Thousand Oaks City Council

Attest:



Cynthia M. Rodriguez, City Clerk
City of Thousand Oaks City Council

AGENDA POSTED: June 8, 2017

MINUTES APPROVED: June 27, 2017

EXHIBIT A

7. **CONSENT CALENDAR:**

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

Additional information supplemental packet regarding Item 7.C.

Motion by Councilmember Adam to approve Consent Calendar with exception of Item 7.F. [Flashing Yellow Arrow Left Turn Operation at Eight Traffic Signals (CI 5259)], carried 4-0 by the following vote: Ayes - Price, Adam, McCoy, and Fox; Noes - None; Absent - Bill-de la Peña. (Item subsequently approved following discussion.)

Motion by Councilmember Adam to approve Item 7.F., carried 4-0 by the following vote: Ayes - Price, Adam, McCoy, and Fox; Noes - None; Absent - Bill-de la Peña.

- 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 Regular 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 \$9,250 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

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7. CONSENT CALENDAR: (Continued)

- 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)
- 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

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7. CONSENT CALENDAR: (Continued)

- 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. 2017-023

- 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. 2017-024

RESOLUTION DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2017-18)
RES. NO. 2017-025

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. 2017-026

- L. Approved Expenditure: City's Long-Term Debt Policy Revision; adopt resolution

RESOLUTION ADOPTING UPDATED DEBT POLICY RES. NO. 2017-027

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

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Exhibit B

Item 10.B.

FY 2017-18 Community Events Endowment Fund (CEEF) Grant Award Recommendations

	Grant Applicant	2016-17 CEEF Award	2017-18 CEEF Request	2017-18 CEEF Award	Event Description
1	Art Trek - Conejo Rabbits	1,500	5,000	500	Conejo Rabbit sculptures at Conejo Conscience and Casa Pacifica.
2	ACCV - Young Artists Ensemble	7,500	8,500	8,500	2017 Teen Summer Musical - Grease
3	Cabrillo Music Theatre	8,500	8,500	8,500	Outreach programs in support of 2017-18 season
4	California Museum of Art Thousand	3,500	8,500	4,000	Two artist exhibitions
5	California Shakespeare Company	1,000	2,000	-	Request did not meet funding criteria
6	Community Partners - Engaged Community Project	-	8,500	1,500	Six Community Projects with focus on healthy, connected and resilient Conejo Valley
7	Conejo Chinese Cultural Association	1,000	2,500	2,000	Annual Chinese New Year Celebration
8	Conejo Las Virgenes Future Foundation	2,500	6,000	2,500	Four community programs
9	Conejo Open Space	2,500	3,500	3,500	Open Space Trails Education Days
10	Conejo Players Theatre	1,500	6,000	3,225	Children's production of My Son Pinocchio, Jr
11	Conejo Schools Foundation	2,000	4,000	4,000	Annual All District Music Festival
12	Gold Coast Performing Arts Association	4,500	4,000	4,000	Saturday Conservatory classes
13	Gold Coast Wind Ensemble	-	1,000	1,000	Two community concerts
14	Hospice of the Conejo	2,200	8,500	4,000	Theatre piece - "Love & Loss"
15	Kingsmen Shakespeare Company	5,500	8,500	8,000	Annual Shakespeare Festival
16	Los Robles Master Chorale	-	8,000	-	Request did not meet funding criteria
17	Military Order of the World Wars	500	775	775	Annual Veterans Day Ceremony
18	New West Symphony	5,500	8,500	8,500	Symphonic Adventures school performances
19	Newbury Park Band Boosters	4,500	8,500	4,000	Attend Aloha Cup Concert Band Festival
20	Redwood Middle School - Band	2,000	3,000	2,500	Perform at San Juan Capistrano Swallows Day Parade
21	Stagecoach Inn Museum	-	5,000	-	Request did not meet funding criteria
22	Thousand Oaks High School Band Boosters	-	5,000	4,000	Performances at Redwood and Los Cerritos Middle Schools
23	Thousand Oaks High School Orchestra	1,200	1,500	1,500	Perform at Disney Performing Arts OnStage
24	Village Voices	1,000	4,000	3,500	Two community concerts
25	Westlake High School Dance Team Boosters	4,000	8,000	4,000	Compete at regional and national dance competitions
26	Youth Musical Theatre	1,000	3,000	1,000	Winter and Spring musicals
	TOTAL	63,400	140,275	85,000	