

City Council
REGULAR MEETING
Tuesday, July 11, 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. Presentation – 2017 Ventura County Fair Poster
 - B. Bee City USA - Recognition of Student
 - C. Performance – Cabrillo Music Theatre “Peter Pan”
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 10 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [FY 2017-18 Community Development Block Grant Action Plan and FY 2017-18 Social Services Funding](#)

RECOMMENDATION:

1. Approve FY 2017-18 Community Development Block Grant (CDBG) Action Plan totaling \$762,063 (\$557,958 in 2017 funds and \$204,105 in prior years' surplus funds) for submittal to U.S. Department of Housing and Urban Development (HUD)
2. Approve FY 2017-18 social services grants budget to allocate total of \$184,339, including \$83,693 in CDBG funds, plus \$100,646 from City's Social Services Endowment Fund
3. Authorize City Manager to proportionately adjust proposed allocations should HUD revise amount of City's 2017 CDBG grant

8. PUBLIC HEARINGS: (Continued)

- B. [La Granada Pump Station Project; Resolution of Necessity for acquisition of Utility Easement \(CI 8082\) \(Continued from May 30, 2017\)](#)

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-

RECOMMENDATION:

1. Conduct public hearing (continued from May 30, 2017 City Council meeting); 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 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 more necessary use than use to which the property is appropriated

9. DEPARTMENT REPORTS:

- A. [Thousand Oaks Alliance for the Arts \(TOARTS\) Annual Work Plan](#)

RECOMMENDATION: Receive TOARTS Annual Work Plan FY 2017-18

9. DEPARTMENT REPORTS: (Continued)

B. [Wastewater and Water Financial Plans and Proposed Rate Adjustments](#)

RECOMMENDATION:

1. Approve 2017 Wastewater Financial Plan and Water Financial Plan; set September 26, 2017 as Public Hearing date to establish wastewater and water service charges for January 2018 and January 2019
2. Approve establishment of Utility Assistance Program for low-income City wastewater and water customers; direct staff to include specific program eligibility and discount rate criteria in fee ordinances presented at Public Hearing

C. [Amendment of Benefits and Compensation for Executive Managers](#)

RESOLUTION ADOPTING COMPREHENSIVE BENEFITS AND
COMPENSATION FOR EXECUTIVE MANAGERS AND RESCINDING
RESOLUTION NO. 2015-037 RES. NO. 2017-

RECOMMENDATION: Adopt resolution

10. COMMITTEE/COMMISSION/BOARD REPORTS: None

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. [City-Hosted Social Services Provider Meeting with Congresswoman
Julia Brownley \(Price\)](#)

RECOMMENDATION:

1. Authorize City to hold Social Services Provider Meeting with Congresswoman Julia Brownley
2. Authorize expenditure in amount not-to-exceed \$500 A/C 001-0110-612-3114 (Meeting Support); approve request for use of Founders Room on date to be determined in August

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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July 11, 2017

13. CITY MANAGER:

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

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

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: Before the Public Utilities Commission of the State of California: *Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$34,559,200 or 16.29% in the year 2018, by \$8,478,500 or 3.43% in the year 2019, and by \$7,742,600 or 3.03% in the year 2020*; Application No. 16-07-002; City of Thousand Oaks, Party of Interest; Pursuant to Government Code Section 54956.9(a)

15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

Adjourn to Regular Meeting August 29, 2017.

Agenda Post Date/Time: July 7, 2017, 2:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH R. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify July 5, 2017; approve July 12, 2017; approve July 19, 2017, July 26, 2017, August 2, 2017, August 9, 2017, August 16, 2017, and August 23, 2017, subject to review and ratification
- B. [Minutes of City Council meeting of June 27, 2017](#)
- C. No Appropriation/Expenditure Required: Youth Commission Appointments (Price); reappointments of Nicole Katz to serve one-year term ending July 2018 and Peyton Tovey to serve two-year term ending July 2019; appointments of Jacqueline Emanuel, Matthew Glaubke, Riley Goodnight, Anthony Matus , Shaylee McKeown, and Ivy Schlosser to serve two-year terms ending July 2019
- D. No Appropriation/Expenditure Required: Designate Councilmember Joel Price as Voting Delegate and Mina Layba, Legislative Affairs Manager, as Alternate Voting Delegate to represent City at 2017 League of California Cities Annual Business Meeting September 15, 2017; City Clerk to affirm and sign 2017 Annual Conference Voting Delegate/Alternate Form
- E. No Appropriation/Expenditure Required: Grand Jury Response; authorize Mayor to provide written response to May 8, 2017, Ventura County Grand Jury report entitled “Water Considerations for Cities;” forward response to Grand Jury
- F. Approved Expenditure: Haigh Road Drainage Channel Improvements (CI 5367); Professional Services Agreement with Dudek in amount of \$200,396, plus \$20,000 for design and engineering services; term: 7/11/17 – 7/11/19; expenditure of \$225,396 (\$200,396 agreement, \$20,000 contingency, and \$5,000 for City furnished materials and services) A/C 532-5310-631-8300 (CI 5367 Haigh Road Drainage Channel Improvements/Newbury Park Road Improvement Fees)
- G. Approved Expenditure: Spalding Street Storm Drain and Channel Repair Project (MI 2547); authorize staff to advertise for construction bids
- H. Approved Expenditure: Conejo Creek Park North Equestrian and Bike Path Improvements (CI 5409); authorize staff to advertise for construction bids

7. CONSENT CALENDAR: (Continued)

- I. Approved Expenditure: [Integrated Transit Marketing and Educational Outreach Services](#); Professional Services Agreement with Celtis Ventures, Inc. in amount not-to-exceed \$400,000; term: 8/1/17 – 6/30/20; FY 2017-18 expenditure of \$150,000 as follows: \$75,000 A/C 651-5540-682-5699 (Bus Contracted Services/Other); \$75,000 A/C 651-5550-682-5699 (Dial-a-Ride Contracted Services/Other)
- J. Approved Expenditure: [Blanket purchase orders for hot mix asphalt material](#) with Vulcan Materials Company and Granite Construction, Inc., FY 2017-18 and FY 2018-19; amount not-to-exceed \$150,000 per fiscal year, per vendor; funding to be identified on case-by-case basis
- K. Approved Expenditure: [Blanket purchase orders for concrete material with](#) Cemex Cement, Inc., Sprague's Ready Mix, National Ready Mix, and State Ready Mix FY 2017-18 and FY 2018-19; amount not-to-exceed \$100,000 per fiscal year, per vendor; funding to be identified on case-by-case basis
- L. Approved Expenditure: [On-Call General Stormwater Services Agreements](#) with Mike Prlich and Sons, Inc. and Whitson Contracting & Management, Inc.; On-Call Professional Stormwater Services Agreements with Brash Industries, Sapphos Environmental, Inc., and S. Groner Associates, Inc.; each for three-year period ending June 30, 2020 in amount not-to-exceed \$200,000 per year; each individual General Services Task Order not-to-exceed \$45,000; each individual Professional Services Task Order not-to-exceed \$125,000
- M. Approved Expenditure: [Striping plans for Thousand Oaks Boulevard](#) parking space markings between Moorpark Road and Hodencamp Road
- N. Additional Appropriation: [Transfer of development fire impact fees](#) (\$3,206,403) to Ventura County Fire Protection District; budget appropriation and expenditure of \$3,206,403 A/C 563-0000-311-1000 (Developer Fee Fund Balance) to A/C 563-5310-622-59-20 (Project #DF0946) (Other Contractual/Grants & Donations)
- O. Additional Appropriation Offset by Grant Revenue and Retired Equipment Reserves: [Acceptance of California State Library grant in amount of](#) \$12,000 to be received by Thousand Oaks Library to purchase new servers; budget appropriation and expenditure of \$46,250 as follows: \$12,000 A/C 110-0000-435-9900 (LBST17 Other Reimbursements); \$34,250 A/C 110-7330-673-8900 (LBST17 Retired Equipment Reserves) to A/C 110-7330-673-8400 (LBST17 Equipment greater than \$5,000)

7. CONSENT CALENDAR: (Continued)

- P. No Appropriation/Expenditure Required: [Adopt resolution granting City Manager authority for designated actions during summer recess; report of actions taken to City Council for ratification in August](#)

RESOLUTION DELEGATING CERTAIN INTERIM AUTHORITY TO CITY MANAGER
RES. NO. 2017-

- Q. No Appropriation/Expenditure Required: [Initiation of Municipal Code Amendment \(MCA 2017-70260\) to modify existing regulations to allow one medical cannabis dispensary and cannabis testing facility; adopt resolution](#)

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT TO THOUSAND OAKS MUNICIPAL CODE CONCERNING MEDICAL CANNABIS DISPENSARIES AND CANNABIS TESTING FACILITIES (MCA 2017-70260)
RES. NO. 2017-

- R. Approved Expenditure: [Implementation of Memorandum of Understanding \(MOU\) for period July 1, 2017 through June 30, 2019 with Represented Bargaining Units; adopt resolutions](#)

1. RESOLUTION ADOPTING MEMORANDUM OF UNDERSTANDING WITH THOUSAND OAKS CITY EMPLOYEES ASSOCIATION (TOCEA) AND RESCINDING RESOLUTION NO. 2015-031
RES. NO. 2017-

2. RESOLUTION ESTABLISHING NEW SALARY SCHEDULE FOR THOUSAND OAKS CITY EMPLOYEE ASSOCIATION (TOCEA), AND RESCINDING RESOLUTION NO. 2016-035
RES. NO. 2017-

3. RESOLUTION ADOPTING MEMORANDUM OF UNDERSTANDING WITH THOUSAND OAKS MANAGEMENT ASSOCIATION (TOMA) AND RESCINDING RESOLUTION NO. 2015-033
RES. NO. 2017-

4. RESOLUTION ESTABLISHING NEW SALARY SCHEDULE FOR PROFESSIONAL EMPLOYEES (THOUSAND OAKS MANAGEMENT ASSOCIATION – TOMA) AND PROFESSIONAL HOURLY EMPLOYEES, AND RESCINDING RESOLUTION NO. 2015-034
RES. NO. 2017-

7. CONSENT CALENDAR: (Continued)

R. Approved Expenditure: Implementation of Memorandum of Understanding (MOU) for the period July 1, 2017 through June 30, 2019 with Represented Bargaining Units; adopt resolutions (Continued)

5. RESOLUTION ADOPTING MEMORANDUM OF UNDERSTANDING WITH SENIOR MANAGEMENT ASSOCIATION (SMA) AND RESCINDING RESOLUTION NO. 2015-035 RES. NO. 2017-_____

6. RESOLUTION ESTABLISHING NEW SALARY SCHEDULE FOR SENIOR MANAGEMENT, CONFIDENTIAL AND SUPERVISORY EMPLOYEES (SENIOR MANAGEMENT ASSOCIATION – SMA) AND RESCINDING RESOLUTION NO. 2015-036 RES. NO. 2017-_____