

## MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

August 29, 2017

### 1. CALL TO ORDER:

Mayor Claudia Bill-de la Peña called the meeting to order at 6:04 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

### 2. PLEDGE OF ALLEGIANCE: Mayor Bill-de la Peña led the pledge of allegiance followed by a moment of silence in remembrance of the sailors lost on the U.S.S. John McCain and the 11 victims of Hurricane Harvey.

### 3. ROLL CALL:

Present: Councilmembers Joel Price, Al Adam, Andy Fox, and Mayor Claudia Bill-de la Peña.

Absent: Councilmember Rob McCoy.

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Acting Assistant City Manager Gary Rogers, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer John F. Adams, Community Development Director Mark Towne, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Battalion Chief Tomas Arce, Economic Development Manager Haider Alawami, Engineering Division Manager Nader Heydari, Senior Planner Kari Finley, Cable Operations Supervisor Carl Jarecky, Assistant Analyst Sandra Delgado, Senior Video Specialist Richard Swinger, Production Assistant Jaime Cawelti, and Senior Recording Secretary Janis Daly.

### 4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM: Mayor Bill-de la Peña announced request to cancel public hearing Item No. 8.A. [La Granada Pump Station Project; Resolution of Necessity for acquisition of Utility Easement (CI 8082)] due to parties having reached an agreement.

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

### 5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS: None.

### 6. PUBLIC COMMENTS:

Holly Gold, Thousand Oaks (submitted document); Tish Greenwood, California Museum of Art Thousand Oaks (CMATO) (submitted document); David Lake, Thousand Oaks.

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13. CITY MANAGER:

- \*A. Follow-up items: City Manager Powers explained a task force is working on issues relating to homelessness, indicating Police Chief Hagel spoke with resident (Gold) and COSCA Manager Mason will talk with individual regarding his concerns about Wildwood Park (Lake).

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. La Granada Pump Station Project; Resolution of Necessity for acquisition of Utility Easement (CI 8082) (Continued from July 11, 2017).

Public hearing canceled earlier in meeting.

9. DEPARTMENT REPORTS:

- A. 2018 Pavement Overlay (CI 5256) and Slurry Program (MI 2541) introduced by Public Works Director Spurgin and presented by Engineering Division Manager Heydari; Finance Director Adams available for questions.

Motion by Councilmember Adam to approve Professional Services Agreement with Pavement Engineering, Inc., in amount of \$135,940, plus \$13,600 [\$106,033 plus \$10,608 contingency (CI 5256) and \$29,907 plus \$2,992 contingency (MI 2541)] for pavement engineering and design support services for term ending June 30, 2019; approve Professional Services Agreement with Twining, Inc., in amount of \$556,193, plus \$55,627 contingency [\$433,831 plus \$43,389 contingency (CI 5256) and \$122,362 plus \$12,238 contingency (MI 2541)] for material testing and inspection services for term ending June 30, 2019; approve expenditure of \$20,000 for City Furnished Materials and Supplies: \$10,000 A/C 132-5310-631-8300 [Pavement Overlay Program (CI 5256)] and \$10,000 A/C 539-5310-631-8300 [Pavement Slurry Program (MI 2541)]; approve expenditures of \$761,360 as follows: \$593,861 A/C 132-5310-631-8300 [Pavement Overlay Program (CI 5256)]; \$167,499 A/C 539-5310-631-8300 [Pavement Slurry Program (MI 2541)] carried 4-0 by the following vote: Ayes - Price, Adam, Fox, and Bill-de la Peña; Noes - None; Absent – McCoy.

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### 9. DEPARTMENT REPORTS: (Continued)

- B. Request to Initiate General Plan Amendment (LU 2017-70280) from Medium Density Residential to Institutional; allow concurrent processing of entitlement applications; Located: southeast corner Warwick Avenue and Mayflower Street; Applicant: Silverado Senior Living. Report presented by Community Development Director Towne; Senior Planner Finley available for questions.

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT TO LAND USE ELEMENT OF GENERAL PLAN AND ALLOWING CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS FOR LAND LOCATED AT SOUTHEAST CORNER OF WARWICK AVENUE AND MAYFLOWER STREET (LU 2017-70280: SILVERADO SENIOR LIVING)

RES. NO. 2017-044

Speakers: Curtis Johnson, Moorpark; Doug Pancake, Irvine; Paul Mullin, Irvine; Loren Shook, Irvine; Amy Commans, Thousand Oaks.

Written Statements: Kamal Banki, city of residence unknown; Sarah Berg, Newbury Park; Nick Fotheringham, Thousand Oaks; Tim Gallagher, Somis.

Motion by Councilmember Price to adopt resolution to initiate General Plan Amendment LU 2017-70280, request for change in Land Use Element from "Medium Density Residential" (4.6-15 dwellings per net acre) to "Institutional" involving 2.1 acres located southeast corner of Warwick Avenue and Mayflower Street; allow entitlement applications for proposed 80-bed memory care facility on subject property to be processed concurrently with Land Use Element Amendment and companion zone change application, carried 4-0 by the following vote: Ayes - Price, Adam, Fox, and Bill-de la Peña; Noes - None; Absent - McCoy.

### 10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. Business Roundtable's Work Plan presented by Economic Development Director Alawami; Public WiFi Project report presented by Business Roundtable Chair Aaron Kitman and Economic Development/Small Business Support Subcommittee Chair Ping Fang; City Manager Powers responded to questions.

Speakers: Suzanne Duckett, Thousand Oaks.

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10. COMMITTEE/COMMISSION/BOARD REPORTS: (Continued)

Motion by Councilmember Adam to approve Business Roundtable Work Plan for next 24 months (July 1, 2017 - June 30, 2019); continue with conceptual idea of Business Roundtable's proposed WiFi project in the Thousand Oaks Boulevard downtown area, working with staff and Downtown Core Master Plan Consultant, Raimi and Associates, and report back to City Council, carried 4-0 by the following vote: Ayes - Price, Adam, Fox, and Bill-de la Peña; Noes - None; Absent - McCoy.

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. None.

13. CITY MANAGER: (Continued)

- A. Follow-up items: Nothing additional.
- B. Announcements and upcoming issues: City Manager Powers reviewed potential topics for the next regularly scheduled City Council meeting on September 12, 2017, indicating there will be a Special City Council meeting on September 19, 2017, and announced City's new mobile App, launched today, is available in App Store or via a direct link on the City's website.

14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2<sup>nd</sup> floor.

City Attorney Noonan announced Closed Session held at 7:44 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: Claim of Susan & Charles Thorburn; Claim No. 1383-2017; Pursuant to Government Code Section 54956.9(a)
- B. CONFERENCE WITH LEGAL COUNSEL - Existing Litigation: Pursuant to Government Code Section 54956.9(a): Claimant: Gloria Ware Pesis; Workers' Compensation Claim No. THWC 1911, 2002-2005; WCAB No. ADJ3956316

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14. CLOSED SESSIONS REQUESTED: (Continued)

- C. 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)*

City Attorney Noonan indicated no announcement is anticipated.

15. PUBLIC NOTICES: None.

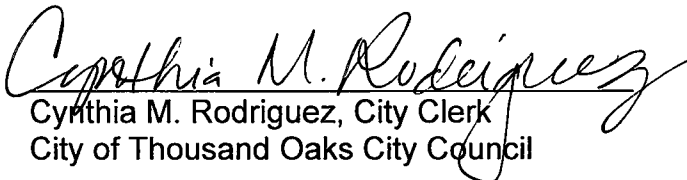
16. ADJOURNMENT:

City Council adjourned at 8:24 p.m. in memory of Gwen Wagner Huffer, local Pediatrician and wife of Conejo Recreation and Park District Board Member Chuck Huffer and John Slade, educator, actor, and Director of The Kingsmen Shakespeare Company's summer production of "Julius Caesar" to Regular Meeting on Tuesday, September 12, 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: August 24, 2017

MINUTES APPROVED: September 12, 2017

\*indicates item taken out of order

**EXHIBIT A**

7. **CONSENT CALENDAR:**

*RECOMMENDATIONS FOR ITEMS A. THROUGH S. ARE TO APPROVE*

Additional information supplemental packet regarding Item 7.M.

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

- A. General, Utilities, Golf Course, and Theatres Demands – ratify July 19, 2017, July 26, 2017, August 2, 2017, August 9, 2017, August 16, 2017, and August 23, 2017; approve August 30, 2017; approve September 6, 2017, subject to review and ratification
- B. Minutes of City Council meeting of July 11, 2017
- C. No Appropriation/Expenditure Required: Ratification of election of Thousand Oaks Alliance for the Arts (TOARTS) Board Director; ratify election of Janet Scherr to serve three-year term ending December 31, 2020
- D. No Appropriation/Expenditure Required: Community Funding Review Committee Appointments (Bill-de la Peña); appointments of Mary DiCesare, Julia Farag, Kathleen Marley and re-appointment of Gus Gougas to serve two-year terms ending June 2019
- E. No Appropriation/Expenditure Required: Council on Aging Appointments (Fox); re-appointments of Loretta Allen and Dr. Karen Gorback and appointments of Kenneth Gardner and John Posta to serve two-year terms ending July 2019
- F. Additional Appropriation: Write-Off of Outstanding Balances in Theatres; authorize staff to write-off past due theatre user fees of \$19,918.86 A/C 681-7710-686-7400 (Bad Debt Expense); Budget Appropriation and Operating Transfer in amount not-to-exceed \$20,000 General Fund A/C 001-9720-677-9168 (Operating Transfers Out) to Theatre Fund A/C 681-0000-561-0100 (Operating Transfer In)

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7. CONSENT CALENDAR: (Continued)

- G. No Appropriation/Expenditure Required: Ratify designated actions by City Manager authorized during City Council 2017 summer recess as identified in report pursuant to Resolution No. 2017-034
- H. Additional Appropriation: Economic Development Strategic Plan; Third Amendment to Professional Services Contract No. 10999-2015 with Kosmont Companies in amount not-to-exceed \$35,000 for final preparation of City's Economic Development Strategic Plan; revised total not-to-exceed \$134,000; budget appropriation and expenditure of \$35,000 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-0810-612-5750 (Contracted Services)
- I. Approved Expenditure: Agreement with Shelterclean Services, Inc., in amount not-to-exceed \$120,000 (\$40,000 annually) for bus shelter cleaning and maintenance services; term: 8/29/17 - 6/30/20; expenditures of \$40,000 FY 2017-18 and FY 2018-19 A/C 651-5540-682-5699 (Buses/Contracted Services - Other); funding for FY 2019-20 to be requested during next biennial budget cycle
- J. Approved Expenditure: Thousand Oaks Boulevard (TOB) (Phase I) Streetscape Improvements (CI 5391); Professional Services Agreement with MNS Engineers, Inc., in amount not-to-exceed \$290,812 for final design and preparation of construction contract documents; expenditure of \$324,812 (\$290,812 agreement plus \$29,000 contingency and \$5,000 for City furnished materials and supplies) A/C 001-5310-682-8300 (CI 5391 - TOB Streetscape Improvements)
- K. Approved Expenditure: Supply and delivery of three chemicals to Hill Canyon Wastewater Treatment Plant (HCTP); agreements with Olin Chlor Alkali Products and Vinyls in amount not-to-exceed \$450,000 for Sodium Hypochlorite, California Water Technologies in amount not-to-exceed \$310,200 for Ferric Chloride, and JCI Jones Chemicals, Inc., in amount not-to-exceed \$480,000 for Sodium Bisulfite; terms: 9/23/17 – 6/30/19; expenditure of \$610,000 FY 2017-18 and \$630,200 FY 2018-19 A/C 621-8250-685-3242 (HCTP/Wastewater Chemical Supplies)

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7. CONSENT CALENDAR: (Continued)

- L. Approved Expenditure: Lawrence Drive Lift Station Expansion (CI 5380); reject all bids received on July 26, 2017; authorize staff to revise contract documents and re-advertise for construction bids
- M. Approved Expenditure: Downtown Core Master Plan; Selection of Raimi and Associates as professional consultant team to prepare Downtown Core Master Plan to guide future development within area along Thousand Oaks Boulevard between Erbes Road and Conejo School Road; award Professional Services Agreement with Raimi and Associates in amount not-to-exceed \$226,819 (includes 15 percent contingency) for preparation of Downtown Core Master Plan plus amount not-to-exceed \$50,000 for review of proposed development projects that will affect downtown core; budget appropriation and expenditure of \$276,819 A/C 001-0000-311-1000 (General Fund-Fund Balance) to A/C 001-4010-641-5699 (Contracted Services/Other)
- N. Approved Expenditure: Sixth Amendment to Transit Operator Agreement with MV Transportation (Contract No. 10470-2014) in amount of \$106,747.32 to add Trapeze Software Dispatching and Reservations licensing and operations; expenditures of \$45,760.28 FY 2017-18 and \$60,987.04 FY 2018-19 A/C 651-5550-682-5650 (TOTDAR Transportation/ DAR Contracted Services)
- O. Additional Appropriation Fully Offset by Gas Tax Revenue: Street Name and Traffic Sign Upgrade (CI 5168); \$20,000 budget appropriation and expenditure annually FY's 2017-18 and 2018-19 A/C 132-0000-311-1000 (Gas Tax/ Fund Balance) to A/C 132-5310-631-8300 (CI5168 Street Name and Traffic Sign Upgrade)
- P. Additional Appropriation: Borchard Road Drainage Improvements (CI 5399); carryover of budget in amount of \$120,000 A/C 532-5310-631-8300 (CI 5399) Newbury Park Improvement Fees/High Maintenance Relief) FY 2016-17 to FY 2017-18; budget appropriation of \$70,000 A/C 532-0000-311-1000 (Newbury Park Improvement Fee Fund Balance) to A/C 532-5310-631-8300 (CI 5399 High-Maintenance Relief Drainage Improvements FY 2017-18)
- Q. Additional Appropriation: Fire alarm upgrades - various City facilities (CI 5388); budget appropriation and expenditure of \$35,000 A/C 001-0000-311-1000 (General Fund - Fund Balance) as follows: \$11,000 to A/C 001-3573-677-8200 (CI 5388 Construction); \$24,000 to A/C 001-3574-677-8200 (CI 5388 Construction) for construction costs



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7. CONSENT CALENDAR: (Continued)

- R. Approved Expenditure: Renewal of subscriptions with Gale Cengage Learning, Inc., for Library Databases, Standing Orders, Periodicals, and Circulating and Reference Books; expenditures FY 2017-18 not-to-exceed \$80,000 A/C 110-7210-673-3231 (Library-Materials/Circulating Books)
- S. No Appropriation/Expenditure Required: Los Robles Golf Course Groundwater Utilization Project Water Desalination Grant Program (CI 5395); adopt resolution

RESOLUTION DESIGNATING AUTHORIZED REPRESENTATIVE TO  
SUBMIT APPLICATION, EXECUTE AGREEMENT AND ANY  
AMENDMENTS, AND CERTIFY FUNDING DISBURSEMENTS WITH  
STATE OF CALIFORNIA FOR WATER DESALINATION GRANT

RES. NO. 2017-043