

**City Council**  
**REGULAR MEETING**  
**Tuesday, September 26, 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, Acting Asst. City Manager  
Mark A. Towne, Community Development Director  
Cynthia M. Rodriguez, City Clerk  
Barry McComb, Cultural Affairs Director  
Jim Friedl, General Manager, CRPD  
Theodore E. Smith, Fire Chief

Tracy M. Noonan, City Attorney  
John F. Adams, Finance Director/City Treasurer  
Jay Spurgin, Public Works Director  
Heather Cousin, Library Director  
Elizabeth White, Acting Human Resources Director  
Tim Hagel, Police 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:
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:  
  
(See Exhibit A page 7 for Consent Calendar listing)
8. PUBLIC HEARINGS:

A. [Wastewater and Water Rates](#)

ORDINANCE ADJUSTING AND SETTING RATES, FEES AND  
DISCHARGE LIMITS OF CITY WASTEWATER DIVISION (UNCODIFIED)  
ORD.NO. 1<sup>st</sup>Reading

ORDINANCE ADJUSTING AND SETTING RATES AND FEES OF CITY  
WATER DIVISION (UNCODIFIED) ORD.NO. 1<sup>st</sup>Reading

RESOLUTION ADOPTING WASTEWATER AND WATER UTILITY RATE  
ASSISTANCE PROGRAM RES. NO. 2017-

8. PUBLIC HEARINGS: (Continued)

A. Wastewater and Water Rates (Continued)

RECOMMENDATION:

1. Ordinance adjusting and setting rates and fees of City Wastewater Division to be read in title only, further reading to be waived, and if no objection, introduced (Proposition 218 protest hearing applies)
2. Ordinance adjusting and setting rates and fees of City Water Division to be read in title only, further reading to be waived, and if no objection, introduced (Proposition 218 protest hearing applies)
3. Adopt resolution establishing City wastewater and water Utility Rate Assistance Program, criteria and guidelines
4. Approve budget appropriation as outlined in report

9. DEPARTMENT REPORTS:

A. [Westside Properties/California Museum of Art Thousand Oaks \(CMATO\) Lease Amendment](#)

RECOMMENDATION:

1. Receive report regarding Westside properties
2. Direct staff to give notice to CMATO that Exclusive Negotiation Agreement will expire on October 13, 2017 in accordance with its terms
3. Authorize City Manager to negotiate short-term lease terms to include 90-day notification for termination and execute First Amendment to CMATO Lease (Contract No. 10620-2014)

10. COMMITTEE/COMMISSION/BOARD REPORTS: None

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

12. COUNCIL ISSUES/RECOMMENDATIONS:

A. [Compensation and First Amendment to Employment Agreement for City Manager](#)

RESOLUTION APPROVING COMPENSATION AND FIRST  
AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY MANAGER  
RES. NO. 2017-\_\_\_\_\_

RECOMMENDATION: Adopt resolution approving compensation and first amendment to employment agreement for City Manager (Contract No. 11382-2017)

B. [Compensation and Fourth Amendment to Employment Agreement for City Attorney](#)

RESOLUTION APPROVING COMPENSATION AND FOURTH  
AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY ATTORNEY  
RES. NO. 2017-\_\_\_\_\_

RECOMMENDATION: Adopt resolution approving compensation and fourth amendment to employment agreement for City Attorney (Contract No. 9799-2012)

C. [Nature Neighbors Public Service Announcement Project](#)

RECOMMENDATION: Approve production of Nature Neighbors Public Service Announcement Series and airing of series on TOTV, City website, and City social media sites

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

1. [Update on National League of Cities \(NLC\) Public Safety Crime Prevention Steering Committee \(PSCPSC\) Meeting, September 6 - 8, 2017 \(Price\)](#)

RECOMMENDATION: Receive report

2. [Update on League of California Cities \(LCC\) Annual Conference, September 13-15, 2017 \(Price\)](#)

RECOMMENDATION: Receive report

13. CITY MANAGER:

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

14. CLOSED SESSION: City Council Conference Room 2<sup>nd</sup> floor - None

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to Regular Meeting October 10, 2017

Agenda Post Date/Time: September 21, 2017, 5:00 p.m.

## EXHIBIT A

### 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH E. ARE TO APPROVE  
RECOMMENDATION FOR ITEM F. IS TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify September 20, 2017; approve September 27, 2017; approve October 4, 2017, subject to review and ratification
- B. [Minutes of City Council meeting of September 12, 2017](#)
- C. Additional Appropriation: Intersection Improvements at Avenida De Los Arboles and Big Sky Drive (CI 5525); design, project plans, specifications, and Addendum No. 1; award construction contract in amount of \$113,412 plus contingency of \$17,000 to Granite Construction; budget appropriation of \$135,000 A/C 543-0000-311-1000 (Developer Fees – Thousand Oaks Road Fund Balance) to A/C 543-5310-631-8300 (CI 5525, Intersection Median Improvements at Avenida De Los Arboles and Big Sky Drive); expenditure of \$133,412 (\$113,412 contract plus \$17,000 contingency; and \$3,000 for City furnished material and supplies) A/C 543-5310-631-8300 (CI 5525 Intersection Median Improvements at Avenida De Los Arboles and Big Sky Drive)
- D. Approved Expenditure: Rancho Road Sidewalk and Bike Lanes (CI 5308); First Amendment to Professional Services Agreement No. 11302-2016 with Kimley-Horn Associates, Inc., in amount of \$65,835; term extended to 12/31/18; revised contract total not-to-exceed \$235,283; expenditures as follow: \$58,283 A/C 183-5310-631-8300 (CI 5308 Grant Fund/Rancho Rd Sidewalk); \$7,552 A/C 543-5310-631-8300 (CI 5308 Thousand Oaks Road Improvement Developer Impact Fees/ Rancho Rd Sidewalk)
- E. Additional Appropriation: Los Robles Golf Course Equipment Budget Request; budget appropriation and expenditure of \$200,000 A/C 671-3560-685-8900 (Retired Equipment Reserves) to A/C 671-3560-685-8400 (Capital Equipment)

### ORDINANCE FOR SECOND READING:

- F. [ORDINANCE ADDING SECTION 8-1.26 TO MUNICIPAL CODE,](#)  
REGARDING ELECTRIC VEHICLE CHARGING STATIONS (MCA 2017-  
70306 (Introduced 9/12/17, 5-0) ORD.NO.1632-NS