

## **City Council/Public Financing Authority (TOPFA)**

### **REGULAR MEETING**

**Tuesday, October 10, 2017, 6:00 P.M.  
Council Chambers**



**Claudia Bill-de la Peña, Mayor/Authority Chair**  
**Andrew P. Fox, Mayor Pro Tem/Authority Vice-Chair**  
**Joel R. Price, Councilmember/Authority Director**  
**Al Adam, Councilmember/Authority Director**  
**Rob McCoy, Councilmember/Authority Director**

#### Executive Team

Andrew P. Powers, City Manager/Auth. Exec. Dir.	Tracy M. Noonan, City Attorney
Gary Rogers, Acting Asst. City Manager	John F. Adams, Fin. Dir./City Treasurer/Auth. Treas.
Mark A. Towne, Community Development Director	Jay Spurgin, Public Works Director
Cynthia M. Rodriguez, City Clerk/Auth. Secretary	Heather Cousin, Library Director
Barry McComb, Cultural Affairs Director	Elizabeth White, Acting Human Resources Director
Jim Friedl, General Manager, CRPD	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](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/Directors Price, Adam, McCoy, Fox, and Mayor/Chair Bill-de la Peña
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
  - A. Announcement – Thousand Oaks Library Foundation Event Honoring Ed Lawrence
  - B. Performance – 5 Star Theatricals “Joseph and the Amazing Technicolor Dreamcoat”
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 7 for Consent Calendar listing)
8. PUBLIC HEARINGS: None
9. DEPARTMENT REPORTS:

A. 2018 Pavement Overlay Program (CI 5256)

RESOLUTION AMENDING FY 2017-18 AND FY 2018-19 BUDGET TO INCORPORATE LIST OF PROJECTS FUNDED BY SB-1: ROAD REPAIR AND ACCOUNTABILITY ACT

RES. NO. 2017-

RECOMMENDATION: Adopt resolution amending FY 2017-18 and FY 2018-19 capital budget to include list of projects funded by California Senate Bill 1 (SB-1), Road Repair and Accountability Act

9. DEPARTMENT REPORTS: (Continued)

- B. Additional Allocation Approval ("Pre-screening") Request, Initiation of General Plan Amendment, and Approval of Concurrent Processing for Mixed-Use Project at 299 East Thousand Oaks Boulevard (RCA 2017-70212/LU 2017-70214); Applicant: ACRE Investments

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT TO LAND USE ELEMENT OF GENERAL PLAN AND ALLOWING CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS FOR LAND LOCATED AT 299 EAST THOUSAND OAKS BOULEVARD (LU 2017-70214: ACRE INVESTMENTS) RES. NO. 2017-

RECOMMENDATION: Allocate 72 dwelling units of citywide Measure E capacity to project subject to submittal of formal application within 12 months from date of unit allocation

Should City Council allocate units staff further recommends City Council authorize following actions:

1. Initiation of General Plan Amendment to allocate requested 72 dwelling units of citywide Measure E capacity to western district of Thousand Oaks Boulevard Specific Plan (SP 20)
2. Concurrent processing of entitlements and legislative requests

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

13. CITY MANAGER:

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

14. CLOSED SESSION: City Council Conference Room 2<sup>nd</sup> floor
  - A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: *CLAIM OF SCOTT MURPHY*; City Claim No. 1325-2016; Pursuant to Government Code Section 54956.9(a)
15. PUBLIC NOTICES: None
16. ADJOURNMENT:  
  
Adjourn to Regular Meeting October 24, 2017

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

## EXHIBIT A

### 7. CITY COUNCIL/TOPFA CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH I. ARE TO APPROVE  
RECOMMENDATIONS FOR ITEMS J. THROUGH K. ARE TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify October 4, 2017; approve October 11, 2017; approve October 18, 2017, subject to review and ratification
- B. Minutes of Special City Council meeting September 19, 2017 and Regular City Council meeting September 26, 2017
- C. Approved Expenditure: Seventh Amendment to Transit Operator Agreement with MV Transportation (Contract No. 10470-2014) to require additional insurance coverage for services provided under agreement with City of Agoura Hills; annual costs to be reimbursed by City of Agoura Hills
- D. Additional Appropriation: Energy Action Plan Grant; \$54,000 2017 Energy Action Strategic Plan Grant from Southern California Edison (SCE) and Southern California Gas (SoCalGas); authorize City Manager to sign required letter of support; \$54,000 budget appropriation to A/C 001-5060-486-3000 (NC0158 Grant Revenue) to offset Sustainability Division salary and benefits
- E. Approved Expenditure: Los Robles Golf Course Groundwater Utilization Project (CI 5395); Professional Services Agreement with Kennedy/Jenks Consultants in amount of \$341,654 plus \$34,000 contingency for feasibility study and preliminary design; term 10/10/17 – 10/31/18; budget transfer during Budget Carry-Over process to move \$700,000 from Fund 612 to Fund 613; total expenditure of \$400,654 (\$341,654 agreement, \$34,000 contingency, and \$25,000 City-furnished materials and supplies) as follows: \$148,500 A/C 613-5310-682-5699 (CI 5395 Los Robles Golf Course Groundwater Utilization Feasibility Study); \$252,154 A/C 613-5310-682-8300 (CI 5395-Los Robles Golf Course Groundwater Utilization Preliminary Design)
- F. Approved Expenditure: Civic Arts Plaza Parking Structure Renovation (CI 5090); authorize staff to solicit bids
- G. No Appropriation/Expenditure Required: Thousand Oaks Public Financing Authority (TOPFA) Annual Update; receive and file

7. CITY COUNCIL/TOPFA CONSENT CALENDAR: (Continued)

- H. Approved Expenditure: Adopt resolution approving agreement with California Municipal Finance Authority (CMFA) Open Property Assessed Clean Energy (PACE) Program to operate in City; authorize City Manager or designee to execute all documents and take any actions necessary and appropriate to carry out intent of resolution

RESOLUTION CONSENTING TO INCLUSION OF PROPERTIES WITHIN TERRITORY OF CITY IN CALIFORNIA MUNICIPAL FINANCE AUTHORITY OPEN PACE PROGRAMS; AUTHORIZING CALIFORNIA MUNICIPAL FINANCE AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN TERRITORY OF CITY; AND AUTHORIZING RELATED ACTIONS

RES. NO. 2017-

- I. Approved Expenditure: Professional Consultant Services – Deferred Compensation Plan; agreement with Benefit Financial Services Group, LLC, in amount not-to-exceed \$140,000; term: 10/1/17– 9/30/22 with one two-year renewal option; \$140,000 expenditure A/C 001-3010-612-5640 (Finance Administration–Management Fees) not-to-exceed \$20,000 annually; adopt resolution authorizing delegation of duties associated with 401(a) and Retirement Health Savings plans to Finance Director

RESOLUTION MODIFYING AND REAFFIRMING DELEGATION OF DUTIES RELATED TO CITY'S 401 AND RETIREMENT HEALTH SAVINGS PLANS AND MODIFYING DELEGATION OF DUTIES RELATED TO CITY'S 457 PLAN

RES. NO. 2017-

ORDINANCES FOR SECOND READING:

- J. ORDINANCE ADJUSTING AND SETTING RATES, FEES AND DISCHARGE LIMITS OF CITY WASTEWATER DIVISION (UNCODIFIED)  
(Introduced 9/26/17, 4-1, RM dissenting) ORD. NO. 1633-NS
- K. ORDINANCE ADJUSTING AND SETTING RATES AND FEES OF CITY WATER DIVISION (UNCODIFIED) (Introduced 9/26/17, 4-1, RM dissenting) ORD. NO. 1634-NS