

MINUTES OF THE CITY COUNCIL/TOPFA

Thousand Oaks, California

October 10, 2017

1. CALL TO ORDER:

Mayor/Authority Chair Claudia Bill-de la Peña 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/Authority Chair Bill-de la Peña led the pledge of allegiance followed by a moment of silence in remembrance of those lost in the massacre in Las Vegas, specifically those with local ties: Chris Hazencomb, Susan Smith, Derrick "Bo" Taylor, Laura Shipp, and Keri Galvan.

3. ROLL CALL:

Present: Councilmembers/Authority Directors Joel Price, Al Adam, Rob McCoy, Andy Fox, and Mayor/Authority Chair Claudia Bill-de la Peña.

Also Present: City Manager/Authority Executive Director Andrew P. Powers, City Attorney Tracy Noonan, Acting Assistant City Manager Gary Rogers, City Clerk/Authority Secretary Cynthia M. Rodriguez, Finance Director/City Treasurer/Authority Treasurer John F. Adams, Community Development Director Mark Towne, Library Director Heather Cousin, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Chief Theodore Smith, Deputy City Clerk Laura Maguire, Deputy Cultural Affairs Director Jonathan Serret, Deputy Public Works Director Cliff Finley, Engineering Division Manager Nader Heydari, Planning Division Manager Jon Shepherd, Cable Operations Supervisor Carl Jarecky, Assistant Analyst Pam Romer, Senior Video Specialist Richard Swingler, Production Assistant Jaime Cawelti, and Senior Recording Secretary Janis Daly.

4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM: None.

5. SPECIAL PRESENTATIONS:

- A. Mayor Bill-de la Peña introduced California Lutheran Assistant Professor of Marketing Dr. Sarah Fischbach to provide details regarding the Thousand Oaks Library Foundation's fundraiser Saturday, November 4, 2017 at the Thousand Oaks Community Art Gallery honoring photographer Ed Lawrence. Mayor Bill-de la Peña presented Commendation to Ed Lawrence acknowledging his contributions to the community.
- B. 5 Star Theatricals' Managing Director Will North introduced cast members to perform song from its upcoming production "Joseph and the Amazing Technicolor Dreamcoat."

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6. PUBLIC COMMENTS:

Adam Haverstock, Greater Conejo Valley Chamber of Commerce; Nick Quidwai, Newbury Park; Suzanne Duckett, Thousand Oaks (submitted document).

13. CITY MANAGER:

- A. Follow-up items: City Manager Powers explained the City has quarterly emergency preparedness exercises and on October 19 will participate in the Great California Shakeout, adding that the City's website has an Emergency Preparedness section which includes a wealth of information relating to disaster and emergency preparedness (Quidwai, Duckett).

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS: None.

9. DEPARTMENT REPORTS:

- A. 2018 Pavement Overlay Program (CI 5256) presented by Engineering Division Manager Heydari; Finance Director Adams and Deputy Public Works Director Finley available for questions.

Councilmember Adam absent 6:39 p.m.; present 6:41 p.m.

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. 2017-051

Motion by Councilmember Adam to 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, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- 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. Report presented by Community Development Director Towne; City Manager Powers responded to questions; Planning Division Manager Shepherd available for questions. Additional information supplemental packet including Ex Parte Memoranda from three Councilmembers.

9. DEPARTMENT REPORTS: (Continued)

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. 2017-052

Speakers: Applicant Greg Lampert, Thousand Oaks; Applicant Representative Mark Maron, city of residence unknown; Applicant Representative Keith McClosky, Santa Monica; Nick Quidwai, Newbury Park; Shawn Moradian, Thousand Oaks; Suzanne Duckett, Thousand Oaks; Deborah Kernahan, Thousand Oaks.

Written Statements: Cheri Blessing, Thousand Oaks; Chuck Cohen, Thousand Oaks; Danielle, city of residence unknown; Angel Fierro, Moorpark; Tina Frugoli, Thousand Oaks; Christian Gari, Thousand Oaks; Joanne Gari, Thousand Oaks; Jason Gari, Thousand Oaks; Stephanie Maron, city of residence unknown; Susan Maron, city of residence unknown; Valerie Martindale, Oak Park; Michael Militello, Los Angeles; Anthony Nanula, Malibu; Richard Nanula, Malibu; Arnold Prepsky, Oak Park; Robert Sexton, Agoura Hills; Tommy Sexton, Westlake Village; William Strauser, Thousand Oaks; Cynthia Thompson, Thousand Oaks; Nancy Whitaker, city of residence unknown; Scott Whitaker, city of residence unknown.

Motion by Councilmember Fox to 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; initiate 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); authorize concurrent processing of entitlements and legislative requests, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

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.
None.

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*

Speaker: Nick Quidwai, Newbury Park.

Additional information supplemental packet regarding Items 7.B. and 7.F.

Motion by Councilmember/Authority Director Adam to approve Consent Calendar, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- 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)

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

- 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
- 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. 2017-049

- 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. 2017-050

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