

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

June 23, 2015

1. CALL TO ORDER:

Mayor Al Adam 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 Adam, accompanied by Police Chief Hagel, led the pledge of allegiance.

Mayor Adam called for a Moment of Silence in observance of the shooting incident in Charleston, North Carolina on June 17, 2015.

3. ROLL CALL:

Present: Councilmembers Andy Fox, Claudia Bill-de la Peña, Joel Price, and Mayor Al Adam. Councilmember Rob McCoy seated after being sworn in.

Also Present: City Manager Scott Mitnick, City Attorney Tracy Noonan, Assistant City Manager Andrew Powers, City Clerk Linda Lawrence, Finance Director/City Treasurer John F. Adams, Community Development Director John Prescott, Human Resources Director Gary Rogers, Interim Library Director Nancy Schram, Cultural Affairs Director Barry McComb, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Chief Theodore Smith, Assistant City Attorney Patrick Hehir, Deputy City Clerk Antoinette Mann, Deputy Community Development Director Dave Hueners, Senior Engineer Jim Taylor, Economic Development Manager Haider Alawami, COSCA Manager Shelly Mason, Cable Operations Supervisor Carl Jarecky, Assistant Analyst Laura Maguire, Senior Stage Technician Jonathan Serret, Senior Video Specialist Richard Swingler, Production Assistant Andrea Baltazar, and Senior Recording Secretary Janis Daly.

4. DEPARTMENT REPORTS:

A. June 2, 2015 Special Municipal Election to fill City Council Vacancy Results/Swear in New Councilmember report provided by City Clerk Lawrence.

RESOLUTION RECITING THE FACT OF SPECIAL MUNICIPAL ELECTION HELD JUNE 2, 2015 DECLARING RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW
RES. NO. 2015-041

Speakers: Chaise Rasheed, Thousand Oaks; Nick Quidwai, Newbury Park.

Motion by Councilmember Fox to adopt resolution declaring results of June 2, 2015 Special Election for election of one Councilmember, Rob McCoy, to fill position vacated by former Councilmember Jacqui Irwin, for term ending November 2016, carried 4-0 by the following vote: Ayes - Fox, Bill-de la Peña, Price, and Adam; Noes - None.

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4. DEPARTMENT REPORTS: (Continued)

City Clerk Lawrence administered oath to newly elected Councilmember McCoy.

Councilmember McCoy took his seat at the dais.

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

6. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

A. Mayor Adam presented Proclamation to Conejo Recreation and Park District (CRPD) General Manager Jim Friedl, CRPD Board Vice Chair Chuck Huffer, and CRPD Board Director George Lange, designating July as Recreation and Park Month.

B. Mayor Adam introduced Las Virgenes Future Foundation Former Executive Director Fran Brough to explain the Youth Congress Leadership program and introduce student representatives Irene Li and Sanjana Kurapati to share their experiences.

C. Mayor Adam presented Commendation to retiring Conejo Valley Unified School District Superintendent Dr. Jeff Baarstad, recognizing his accomplishments and contributions to the community.

7. PUBLIC COMMENTS:

Patrissha Booker, Thousand Oaks (submitted document); Debbie Gregory, Thousand Oaks; Tom Hunt, Newbury Park; Nick Quidwai, Newbury Park; John Brison, Thousand Oaks.

Written Statement: Peggy Burns, Newbury Park.

8. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

9. PUBLIC HEARINGS:

A. Hearing, advertised as required by law, opened to consider: Proposed Sale of Schillo Gardens Affordable Housing Project to Many Mansions report presented by Community Development Director Prescott; Assistant City Attorney Hehir, Finance Director Adams and Consultant Keyser Marston Representative Julie Romey available for questions.

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9. PUBLIC HEARINGS: (Continued)

RESOLUTION APPROVING PURCHASE AGREEMENT AND JOINT ESCROW INSTRUCTIONS AND LOAN AGREEMENT WITH MANY MANSIONS, A CALIFORNIA NON-PROFIT CORPORATION FOR PURCHASE BY MANY MANSIONS OF SCHILLO GARDENS APARTMENT PROJECT AND ITS RETENTION AS AFFORDABLE HOUSING PROJECT RES. NO. 2015-043

Speaker: Rick Schroeder, Oak Park, pro.

Written Statements: Lisa Megaffin, Thousand Oaks, pro; Chris Soltow, Thousand Oaks, pro.

Mayor Adam closed public hearing.

Motion by Councilmember Fox to adopt resolution to approve: 1) Purchase Agreement and Joint Escrow Instructions to sell Schillo Gardens affordable housing project to Many Mansions for appraised value of \$6,250,000; 2) Loan Agreement with Many Mansions to provide seller financing of purchase price through two loans, with repayment from residual receipts, and extending affordability covenants on project for additional 55 years; 3) Concurrent with closing of sale, termination of existing Management and Revenue Sharing Agreement between former Redevelopment Agency and Many Mansions (Contract 9176-2009), carried 5-0 by the following vote: Ayes - Fox, Bill-de la Peña, Price, McCoy, and Adam; Noes - None.

- B. Hearing, advertised as required by law, opened to consider: Landscape and Lighting Assessment District LLAD 79-2 Public Hearing Annual Levy FY 2015-16 presented by Public Works Director Spurgin; Senior Engineer Taylor and Consultant Harris & Associates representative Dennis Anderson available for questions. Additional information supplemental packet.

RESOLUTION APPROVING ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2, AND ANNUAL LEVY OF ASSESSMENTS RELATED THERETO COMMENCING IN FISCAL YEAR 2015/2016 RES. NO. 2015-044

RESOLUTION ORDERING LEVY AND COLLECTION OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 FOR FISCAL YEAR 2015-2016 RES. NO. 2015-045

Speaker/Statement Cards: None.

Mayor Adam closed public hearing.

Motion by Councilmember Bill-de la Peña to approve Final Engineer's Report for LLAD 79-2 FY 2015-16 assessments and adopt resolutions, carried 5-0 by the following vote: Ayes - Fox, Bill-de la Peña, Price, McCoy, and Adam; Noes - None.

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9. PUBLIC HEARINGS: (Continued)

- C. Hearing, advertised as required by law, opened to consider: Municipal Code Amendment MCA 2015-70107 to create streamlined review process for small residential rooftop solar energy system installations in compliance with State Law presented by Building Official/Deputy Community Development Director Hueners.

ORDINANCE ADDING SECTION 8-1.26 (SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEM REVIEW PROCESS) TO MUNICIPAL CODE IN ORDER TO PROVIDE EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS IN COMPLIANCE WITH STATE LAW (MCA 2015-70107) ORD.NO.1st Reading

Speaker/Statement Cards: None.

Mayor Adam closed public hearing.

Motion by Councilmember Price that ordinance be read in title only, further reading be waived, and if no objection introduced, carried 5-0 by the following vote: Ayes - Fox, Bill-de la Peña, Price, McCoy, and Adam; Noes - None.

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. FY 2015-16 Community Events Endowment Fund (CEEF) Grants presented by Cultural Affairs Commission Community Outreach Chair Stephanie Wilson; Deputy Cultural Affairs Director Park responded to questions; Cultural Affairs Director McComb available for questions.

Motion by Councilmember McCoy to award FY 2015-16 CEEF grants as outlined in staff report (Exhibit B); authorize expenditure of available funds in amount of \$85,000 A/C 001-1120-611-5920 (CF2015, CEEF Grants/Donations, carried 5-0 by the following vote: Ayes - Fox, Bill-de la Peña, Price, McCoy, and Adam.

- B. FY 2014-15 Cultural Affairs Commission Annual Report presented by Commission Chair Jerry Miller; Cultural Affairs Director McComb available for questions.

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

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

- C. Business Roundtable Work Plan July 1, 2015 – June 30, 2017 presented by Economic Development Manager Alawami.

Motion by Councilmember Fox to approve continuance of Business Roundtable Work Plan with proposed revisions for next two years, carried 5-0 by the following vote: Ayes - Fox, Bill-de la Peña, Price, McCoy, and Adam; Noes – None.

4. DEPARTMENT REPORTS: (Continued)

- B. Back to Business (B2B) Program presented by Building Official/Deputy Community Development Director Hueners. Additional information supplemental packet.

Speakers: David Barley, Newbury Park (questions only); Cheryl Meisner, Newbury Park (questions only).

Written Statement: Kevin McGowan, city of residence unknown.

Motion by Councilmember Price to approve B2B Program; authorize staff to enter into agreements with businesses to provide for post-disaster building safety assessments as outlined in report, carried 5-0 by the following vote: Ayes - Fox, Bill-de la Peña, Price, McCoy, and Adam; Noes - None.

- C. Rim of the Valley (ROV) Corridor Special Resource Study introduced by COSCA Manager Mason and presented by National Park Service representative Margie Steigerwald.

Motion by Councilmember Bill-de la Peña to direct staff to submit letter to National Park Service in support of ROV Corridor Special Resource Study, Alternative D (Regional ROV Boundary Adjustment with Cooperative Conservation Areas), carried 5-0 by the following vote: Ayes - Fox, Bill-de la Peña, Price, McCoy, and Adam; Noes - None.

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

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12. COUNCIL ISSUES/RECOMMENDATIONS:

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

1. National League of Cities (NLC) Summer Policy Forum June 11-14, 2015 report presented by Councilmember Price.

Report received.

13. CITY MANAGER:

A. Follow-up items: None.

B. Announcements and upcoming issues: City Manager Mitnick announced City hosted Ventura Council of Governments Annual Meeting at Stagecoach Inn on June 18, 2015 and acknowledged Mayor Adam and his wife, Marilyn, for their portrayal of 1880's era Mayor Egbert Newbury and his wife; reviewed potential topics for the next City Council Meeting on July 14, 2015.

14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor.

City Attorney Noonan announced Closed Session held at 8:50 p.m.

A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *WEST v CITY OF THOUSAND OAKS*; United States District Court for the Central District of California Case No. CV14-4988 CAS (AJWx); Pursuant to Government Code Section 54956.9(a)

B. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *KAREN MONTANA, et al. v CITY OF THOUSAND OAKS*; Case No. 56-2011-00408151-CU-WM-SIM; Pursuant to Government Code Section 54956.9(a)

City Attorney Noonan indicated no announcement anticipated.

15. PUBLIC NOTICES: None.

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16. ADJOURNMENT:

Written Statement: Nick Quidwai, Newbury Park.

City Council adjourned at 9:44 p.m. in memory of Sergio Sepe, City of Thousand Oaks resident and spouse of City Employee Mary Sepe to Regular Meeting on Tuesday, July 14, 2015. (July 7, 2015 City Council Meeting canceled)



Al Adam, Mayor
City of Thousand Oaks City Council

Attest:



Linda D. Lawrence, City Clerk
City of Thousand Oaks City Council

AGENDA POSTED: June 18, 2015
MINUTES APPROVED: July 14, 2015

EXHIBIT A8. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH U. ARE TO APPROVE
RECOMMENDATION FOR ITEM V. IS TO ADOPT*

Additional information supplemental packet regarding Item 7.J.

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

Speaker: Nick Quidwai, Newbury Park.

- A. General, Utilities, Golf Course, and Theatres Demands – ratify June 17, 2015; approve June 24, 2015; approve July 1, 2015 and July 8, 2015, subject to review and ratification
- B. Minutes of City Council Special and Regular meetings of June 9, 2015.
- C. No Appropriation/Expenditure Required: Investment Review Committee Appointments (Bill-de la Peña); reappointments of Richard Law, John A. Short III, and Cody Sorenson to serve two-year terms ending July 2017
- D. No Appropriation/Expenditure Required: Council on Aging Appointments (Bill-de la Peña); reappointments of Loretta Allen, Karen Gorback, Nancy Healey, and Harry Norkin to serve two-year terms ending July 2017
- E. Approved Expenditure: Venue Management Software Contract; Third Amendment to Contract #9795-2011 with Ungerboeck Systems for venue management software, hosting and support services in amount not-to-exceed \$12,000 per fiscal year to raise contract not-to-exceed amount to \$107,500 and extend contract term; term: 7/1/15 – 6/30/17; expenditure in amount not-to-exceed \$12,000 per fiscal year as follows: \$8,400 A/C 681-7710-686-4300 (software maintenance); \$3,600 A/C 681-7810-686-4300 (software maintenance)
- F. Approved Expenditure: Day Labor Site Coordination; award contract in amount of \$108,000 (\$54,000 per year) to Cyrus Urban Inter-Church Sustainability Network (CUISN); term 7/1/15 – 6/30/17 with two one-year options to extend; expenditure in amount of \$108,000 A/C 001-1010-644-5640 (DAYLBR, General Fund) FY 2015-16 and FY 2016-17

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8. CONSENT CALENDAR: (Continued)

- G. Additional Appropriation: Rancho Potrero Specific Plan Implementation (CI 5208); budget appropriation and expenditure in amount of \$118,400 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-4410-671-8300 (CI 5208 Rancho Potrero Specific Plan) for implementation and completion of Rancho Potrero Specific Plan Phase 1
- H. Approved Expenditure: Greater Conejo Valley Chamber of Commerce Services Agreement renewal; term: 7/1/15 – 6/30/17; expenditures in amount of \$98,500 FY 2015-2016 and \$99,500 FY 2016-2017 A/C 001-0810-612-5723 (Contracted Services – Chamber of Commerce)
- I. Approved Expenditure: Concrete Replacement and Sidewalk Repair Program (MI 2012); plans, specifications, and Addendum 1; award construction contract in amount of \$483,167.50 to El Camino Construction and Engineering Corporation; expenditure of \$548,000 (\$483,167.50 contract plus \$48,332.50 contingency, \$15,000 for construction materials testing, \$1,500 for City furnished supplies and materials) A/C 133-5610-631-5500 (MI 2012 Concrete Replacement/ Construction)
- J. Approved Expenditure: Biosolids Recycling Program Hill Canyon Wastewater Treatment Plant (HCTP); termination agreement with Ventura Regional Sanitation District for disposal of biosolids HCTP effective June 30, 2015; agreement in amount not-to-exceed \$2,355,000 with Holloway Environmental, LLC; term: 6/23/15 – 6/30/18 with option to extend additional two years; expenditure in amount of \$785,000 annually FY 2015-16 and FY 2016-17 A/C 621-8250-682-5798 (Biosolids Contracted Services)
- K. Approved Expenditure: Household Hazardous Waste Collection Program; Fourth Amendment to Professional Services Agreement Contract No. 9739-2011 with Stericycle Environmental Solutions, Inc., in amount of \$330,000 to extend term to June 30, 2016; FY 2015-16 expenditure \$330,000 A/C 631-8430-682-5699 (Hazardous Waste/ Contracted Services); revised contract total not-to-exceed \$1,840,000
- L. Approved Expenditure: Wastewater Flow Monitoring Services; 3.5 year agreement with HACH Company in amount not-to exceed \$203,700 as follows: \$29,200 FY 2014-15 and \$58,200 each FY 2015-16, FY 2016-17, and FY 2017-18; term ending June 30, 2018; total expenditures \$145,500 A/C 621-8220-682-5699 (Wastewater Collection Contract Service) FY 2014-15 through FY 2016-17; FY 2017-18 funding will be requested during biennial budget process

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8. CONSENT CALENDAR: (Continued)

- M. Approved Expenditure: Traffic Signal Maintenance Service Agreement with Aegis ITS, Inc., for traffic signal preventive maintenance services and unscheduled repairs, upgrades, and emergency services in amount not-to-exceed \$1,775,000; term: 7/1/15 – 6/30/18 with one two-year option to extend;. annual expenditure in amount of \$355,000 A/C141-5570-631-5699 (Lighting District/Traffic Signals/Contracted Services)
- N. Additional Appropriation: 2014 Pavement Resurfacing Program (MI 2007); Change Order No. 6 (Contract No. 10557-2014) with All American Asphalt in amount of \$365,558.50 for adjustment of utility covers, road repair, and quantity adjustments for actual quantities constructed; budget transfers in amount of \$235,250, budget appropriations in amount of \$7,100 and expenditures in amount of \$365,558.50 as outlined in staff report
- O. Additional Appropriation Fully Offset by Grant Funds: US101/Wendy Drive Interchange Improvements (CI 5050); acceptance of Surface Transportation Program (STP) grant in amount of \$1,500,000 for previously paid and current budgeted expenditures in FYs 2011-12 through 2014-15; Fifth Amendment to professional services agreement with AECOM Technical Services, Inc. (Contract No. 9744-2011) in amount of \$200,544.04 for additional construction management services and to extend contract term to December 31, 2016; revised not-to-exceed total \$2,201,380.13; authorize staff to waive formal Request for Proposal/Qualifications (RFP/Q) process for additional design services and support during construction and approve Parsons Transportation Group, Inc. pursuant to Thousand Oaks Municipal Code Section 3-10.501; Professional Services Agreement for design services and design support during construction with Parsons Transportation Group, Inc. in amount of \$64,197.92 with term ending December 31, 2016; budget appropriation and expenditures of STP grant funds in amount of \$1,500,000 (\$850,000 previously paid from Gas Tax and Developer Fees, \$200,544.04 construction management services, \$64,197.92 design and design support services, and \$385,258.04 proposed pedestrian and bicycle safety and drainage enhancements) A/C 183-0000-438-9900 (CI 5050 STP Grant Revenue/US 101-Wendy Drive) to A/C 183-5310-631-8310 (CI 5050 Grant Expenditures/US101- Wendy Drive)
- P. Approved Expenditure: General Services Agreement in amount not-to-exceed \$178,200 with Adopt-A-Highway Litter Removal Service of America, Inc., for freeway ramp and interchange litter removal services; term: 7/1/15 – 6/30/20; annual expenditure \$35,640 FY 2015-16 – FY 2019-20 A/C 631-8420-682-5699 (NC0100 Solid Waste/Contracted Services)

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8. CONSENT CALENDAR: (Continued)

- Q. Approved Expenditure: Blanket purchase orders for concrete materials with Cemex Cement, Inc., Sprague's Ready Mix, National Ready Mix, and State Ready Mix in amounts not-to-exceed \$100,000 per fiscal year per vendor FY 2015-16 and FY 2016-17; funds to be identified on case-by-case basis
- R. Approved Expenditure: Cooperative Purchasing Agreement for tires, tubes, and related services; execute Participating Addendum with Western States Contracting Alliance (WSCA) Utah Contract No. MA208 for tires, tubes, and related services from Goodyear Tire and Rubber Company's authorized dealer, Daniel's Tire Service; term through March 31, 2019; annual expenditure in amount of \$95,500 FY 2015-16 and FY 2016-17, total amount not-to-exceed \$191,000 A/C #001-5640-631-3512 (General Fund/Fleet Parts and Materials)
- S. Approved Expenditure: FY 2015-16 Property, Liability and Workers' Compensation Insurance Renewals; City Manager/designee (Deputy City Manager/Human Resources Director) to renew insurance policies for property (Public Entity Property Insurance Program), liability (California Municipal Excess Liability Program) and workers' compensation insurance (Arch Insurance Company); expenditure of \$693,817 from General Fund, Water Fund, Wastewater Fund, Transportation Fund, and Solid Waste Fund for "All Risk" property insurance; expenditure of \$231,409 A/C 711-0520-686-6312 (Internal Service Fund – Liability) for renewal of excess liability insurance; expenditure of \$119,041 A/C 712-0520-686-6321 (Internal Service Fund – Workers' Compensation) for renewal of excess workers' compensation insurance
- T. Approved Expenditure: Renewal of annual Novell licensing maintenance agreement through State of California Software Licensing Program (SLP) in amount of \$50,000 annually; term: 7/1/15 – 6/30/18; total amount not-to-exceed \$150,000 A/C 001-3410-612-4300 (Computer Software Maintenance)
- U. Approved Expenditure: Maintenance Agreement with Innovative Interfaces, Inc. in amount of \$76,536; term: 7/1/15 – 6/30/16; expenditure in amount not-to-exceed \$76,536 FY 2015-16 A/C 110-7330-673-4114 (Equipment Repairs & Maintenance)
- V. No Appropriation/Expenditure Required: Annual Gann Appropriations Limit calculation; \$152,248,159 FY 2015-16

RESOLUTION ESTABLISHING APPROPRIATIONS LIMIT FISCAL YEAR 2015-2016
RES. NO. 2015-042

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EXHIBIT B

Item 10.A. FY 2015-16 Community Events Endowment Fund (CEEF)
Grants - Requests and Recommendations

NAME OF GROUP	2014/15 CEEF Award	2015/16 CEEF Request	2015/16 CEEF Award
AAUW, Thousand Oaks Branch		2000	1300
Arts Council Young Artists	6000	8500	7000
Arts Council Tile Wall	700	2000	600
Art Trek-Community Art		8060	1500
Art Trek- Rabbits		10000	1000
Boys and Girls Club		7500	1000
Cabrillo Music Theatre	8500	8500	8500
City of Thousand Oaks Council on Aging	2000	1500	1000
City of Thousand Oaks Youth Commission	1500	1700	1000
Conejo Chinese Cultural Association		2500	1000
Conejo Coalition for Youth & Families	0	1700	1000
Conejo Las Virgenes Future Foundation	4000	5500	4000
Conejo Open Space	2000	3500	2500
Conejo Players Theatre		6500	3500
Conejo Schools Foundation	2000	20000	2000
Conejo Valley Botanic Garden	1000	1000	1000
Conejo Valley Youth Orchestra	4000	4000	3000
Gold Coast Performing Arts Assc.	4000	5000	4500
Hospice of the Conejo	1500	2500	2000
Kingsmen Shakespeare Company	8500	8500	5500
Kiwanis Club: Thousand Oaks	900	1190	900
Moorpark Civic Ballet and Dance Theatre	500	3000	500
Newbury Park Band Boosters	4000	10000	4500
Newbury Park High School Choral Boosters	4000	3000	2500
New West Symphony/Symphonic Adventure	5000	6000	5500
Redwood Middle School Band Boosters	1000	3800	2000
Scandinavian Festival	4000	6000	4000
Thousand Oaks Arts Festival		3000	1000
T.O. High School Choral Boosters Club	3000	6500	4000
T.O. High School Orchestra Boosters	1200	1500	1200
Village Voices	1500	2000	1000
Westlake High School Dance Team Boosters		7500	4000
Youth Musical Theatre		7800	1000
TOTALS		\$171,750	\$85,000