

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

December 15, 2015

1. CALL TO ORDER:

Mayor Joel Price called the meeting to order at 6:02 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor Price led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers Al Adam, Rob McCoy, and Mayor Joel Price. Councilmember Claudia Bill-de la Peña arrived 6:05 p.m.

Absent: Councilmember Andy Fox.

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, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Chief Theodore Smith, Assistant Police Chief James Freyhoff, Deputy City Clerk Antoinette Mann, Deputy Public Works Director Cliff Finley, Senior Planner Lori Young, Disaster Services Coordinator Grahame Watts, Cable Operations Supervisor Carl Jarecky, Landscape Maintenance Supervisor Kevin Wilson, Associate Analyst Mike Houser, Assistant Analysts Laura Maguire and Vanessa Pellegrino, Production Assistant Christian Phelps, and Senior Recording Secretary Janis Daly.

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

5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

A. Mayor Price introduced City Disaster Services Coordinator Grahame Watts to recognize City's Community Emergency Response Team (CERT) Graduating Class.

B. Mayor Price introduced Police Chief Hagle to recognize Thousand Oaks Police Charitable Foundation 2015 Golf Tournament Sponsors.

C. Mayor Price introduced Landscape Maintenance Supervisor Wilson to present Oak Leaf Tree Award to California Conservation Corp Santa Maria Crew 9 representatives recognizing their efforts in streetscape beautification.

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5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS: (Continued)

- D. Mayor Price introduced Public Works Director Spurgin and County Office of Emergency Services representative Kevin McGowan to review El Nino Rainfall Preparation.

Councilmember Bill-de la Peña absent 6:35 p.m.; present 6:37 p.m.

- E. Mayor Price presented Commendation to retiring Conejo Recreation and Park District Administrator Karen Lindsey, acknowledging her 38 years of service.
- F. Mayor Price introduced City Manager Mitnick to present Commendation and Commemorative City Tile to Retiring City Clerk Linda Lawrence, in recognition of her 35 years of public service, 20 years of which were with the City of Thousand Oaks.

6. PUBLIC COMMENTS:

Mike Houser, Camarillo; Joan Edwards, Thousand Oaks; Billy Martin, Thousand Oaks; Carolyn Guillot, Thousand Oaks; Nick Quidwai, Newbury Park.

13. CITY MANAGER:

- *A. Follow-up items: City Manager Mitnick indicated Economic Development Manager Alawami has spoken with Business Improvement District Chair regarding oak trees on Thousand Oaks Boulevard (Edwards) and City is currently implementing changes to website and staff will follow up with speaker regarding City Council Meeting agenda access (Guillot).

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Appeal of Planning Commission decision to deny second monument sign on Westlake Boulevard; Special Use Permit SUP 2015-70335; Located: 101 North Westlake Blvd. #100 (North Ranch Plaza); Applicant/Appellant: Westlake AF, LLC; report presented by Senior Planner Young; Community Development Director Prescott responded to questions. Additional information (Ex Parte Memo – Mayor Price) supplemental packet.

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8. PUBLIC HEARINGS: (Continued)

Speakers: Applicant/Appellant Representative Tom Cohen, Thousand Oaks, pro/rebuttal; Nick Quidwai, Newbury Park, card not marked.

Written Statements: None.

Mayor Price closed public hearing.

Motion by Councilmember Bill-de la Peña to adopt resolution to deny appeal, thereby upholding Planning Commission's decision to deny additional monument sign on Westlake Boulevard, failed 1-3 by the following vote: Ayes – Bill-de la Peña; Noes - Adam, McCoy, and Price; Absent – Fox.

Motion by Councilmember Adam to grant appeal, thereby reversing Planning Commission's decision and allowing additional monument sign on Westlake Boulevard, carried 3-1 by the following vote: Ayes – Adam, McCoy, and Price; Noes – Bill-de la Peña; Absent – Fox. (Confirming Resolution to be placed on January 12, 2016 agenda.)

9. DEPARTMENT REPORTS:

- A. Forestry and Landscape Master Plan Project Introduction (MI 2107) presented by Deputy Public Works Director Finley and Consultant Jeremy Clement; Landscape Maintenance Supervisor Wilson available for questions.

Motion by Councilmember Bill-de la Peña to receive presentation and consideration of Council comments, carried 4-0 by the following vote: Ayes – Adam, McCoy, Bill-de la Peña, and Price; Noes - None; Absent - Fox.

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. Investment Review Committee Annual Report presented by Chair Bill Berliner.

Report received.

- B. FY 2015-16 Community Enhancement Grant Awards presented by Community Funding Review Committee member D.J. Greene; Assistant Analyst Pellegrino available for questions.

Speakers: Jacob Derksen, Thousand Oaks (questions only); Kari Taketa, Simi Valley; Ryan Kazmirchuk, Thousand Oaks; Sureh Gharakani, Thousand Oaks.

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

Motion by Councilmember Bill-de la Peña to approve Community Enhancement Grants totaling \$33,600 (Exhibit B); authorize City Manager to execute agreements with grantees authorize expenditure of available funds of \$33,600 A/C 632-8420-682-5920 (NC0104, Enhancement Fund/Solid Waste Enhancement Grants), carried 4-0 by the following vote: Ayes – Adam, McCoy, Bill-de la Peña, and Price; Noes - None; Absent - Fox.

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

12. COUNCIL ISSUES/RECOMMENDATIONS:

- A. Proposed 2016 City Councilmember Committee Assignments (including Redevelopment Successor Agency Oversight Board) presented by Mayor Price.

Motion by Mayor Adam to approve proposed 2016 City Councilmember Committee Assignments, carried 4-0 by the following vote: Ayes – Adam, McCoy, Bill-de la Peña, and Price; Noes - None; Absent - Fox.

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

1. League of California Cities (LCC) Leadership Assignments and League Leaders Meeting, November 19-20, 2015 presented by Mayor Price.

Report received.

13. CITY MANAGER: (Continued)

- A. Follow-up items: Nothing additional.

- B. Announcements and upcoming issues: City Manager Mitnick announced City Hall annual closure beginning December 24, 2015 at 1:00 p.m. through January 1, 2016, reopening January 4, 2016 at 7:30 a.m., encouraged residents to consult City Website for schedule of upcoming Civic Arts Plaza events, and reviewed potential topics for the next regularly scheduled City Council Meeting January 12, 2016.

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

City Attorney Noonan announced Closed Session held at 8:33 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation; Pursuant to Government Code Section 54956.9(d),(e)(3): Claimants: Dos Vientos Ranch East Master Community Association c/o The Emmons Company; Claim No. 1285-2015
- B. CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation; Pursuant to Government Code Section 54956.9(d),(e)(3): Claimants: Dos Vientos Ranch Community Association (West) c/o The Emmons Company; Claim No. 1286-2015

City Attorney Noonan indicated no announcement anticipated.

15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

City Council adjourned at 9:09 p.m. to Regular Meeting on Tuesday, January 12, 2016.



Joel R. Price, Mayor
City of Thousand Oaks City Council

Attest:



Antoinette M. Mann, Interim City Clerk
City of Thousand Oaks City Council

AGENDA POSTED: December 10, 2015
MINUTES APPROVED: January 12, 2016

EXHIBIT A7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH S. ARE TO APPROVE
RECOMMENDATIONS FOR ITEMS T. THROUGH V. ARE TO ADOPT*

Speakers: Nick Quidwai, Newbury Park; Sue Hughes, Oxnard.

Additional information Supplemental Packet regarding Items 7.P. and 7.R.

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

- A. General, Utilities, Golf Course, and Theatres Demands – November 18, 2015, November 25, 2015, December 2, 2015, and December 9, 2015; approve December 16, 2015; approve December 23, 2015, December 30, 2015, and January 6, 2016, subject to review and ratification
- B. Minutes of City Council meetings of November 10, 2015 and December 1, 2015.
- C. No Appropriation/Expenditure Required: Ventura County Citizens Transportation Advisory Committee (VCCTAC) Appointments (Price/ Bill-de la Peña); appointments of Nanette Metz to fill regular position and Chaise Rasheed to fill alternate position with terms ending December 2017
- D. Additional Appropriation: Cultural Affairs Department Strategic Plan (Cultural Affairs Commission); agreement with Brokaw Jackson Consulting in amount not-to-exceed \$30,000 to develop five-year strategic plan for Cultural Affairs Department; term 12/15/15 - 7/1/16; budget appropriation and expenditure in amount of \$30,000 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-1250-674-5699 (Contracted Services)
- E. No Appropriation/Expenditure Required: Posting 2015 Boards, Commissions and Committees Local Appointments List (Maddy Act)
- F. Approved Expenditure: Subordination Agreement with Area Housing Authority of County of Ventura and Montecito Bank relative to former Redevelopment Agency Deed of Trust for Los Arboles Apartments located 801 Calle Haya; authorize City Manager to sign agreement and any related documents

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7. CONSENT CALENDAR: (Continued)

- G. Approved Expenditure: First Amendment to Professional Services Agreement with Van Scoyoc Associates (Contract #10309-2014) in amount not-to-exceed \$70,000 per year; total not-to-exceed \$140,000 for two-year period; term: 1/1/16 – 12/31/17; expenditure in amount of \$70,000 annually FY 2015-16 and FY 2016-17 A/C 001-1120-611-5750 (Contracted Service – Payment to Agencies/Management Fees)
- H. Approved Expenditure: Award professional services agreement to Joe A. Gonsalves and Son for professional State lobbyist services for amount not-to-exceed \$33,000 each year; term: 1/1/16 – 12/31/17 with option to extend one two-year term and one one-year term; authorize staff to waive formal Request for Proposal/Qualifications (RFP/Q) process pursuant to Thousand Oaks Municipal Code Section 3-10.501; annual expenditure in amount of \$33,000 FY 2015-16 and FY 2016-17 A/C 001-1120-611-5750 (Contract Service Payment to Agencies/Management Fees)
- I. Approved Expenditure: Green Bike Lanes (MI 2040); Design and Construction Standard Plate No. 7-14; installation of Green Bike Lane Marking and green bike lanes at four intersections; expenditure in amount of \$10,000 A/C 537-5560-631-5500 (MI 2040 Construction)
- J. Additional Appropriation Increasing Capital Revenue: Wastewater Agreement with Baxalta US, Inc., regarding wastewater connection charges, establishing new baseline discharge flow limit, and to reflect corporate name change (formerly Baxter Healthcare Corporation); term: 12/15/15 – 12/15/20 with option to extend three additional three-year terms with City Manager approval; budget appropriation increasing Wastewater Capital Connection revenue in amount of \$1,234,025 A/C 622-0000-448-3111 (OP0622 Wastewater Capital Fund/Commercial Connection Fees)
- K. Approved Expenditure: Wastewater Connection and Service Charge agreement with Cal Lutheran University for flow-based wastewater billing; term: 12/15/15 – 12/15/20 with automatic extensions on same terms and conditions for successive periods of five (5) years unless terminated or modified as provided in agreement
- L. Approved Expenditure: Mutual Assistance Memorandum of Understanding (MOU) with Ventura County Public Works Agency; term: 12/15/15 until MOU modified or terminated in accordance with MOU terms

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7. CONSENT CALENDAR: (Continued)

- M. Additional Appropriation: City participation in Community Choice Energy Program feasibility study (NC0156); budget appropriation and expenditure in amount of \$25,000 A/C 001-0000-311-1000 (General Fund, Fund Balance) to A/C 001-5010-631-5799 (NC0156 General Fund/Community Choice Energy Study)
- N. Approved Expenditure: Civic Arts Plaza Fire Alarm System Upgrade; Change Order #4 to Contract No. 10859-2015 with Golden Phoenix Construction Co. in amount not-to-exceed \$20,000 A/C 001-3570-612-8200 (CI 5143 Capital Buildings)
- O. Additional Appropriation Fully Offset by Grant Revenue: Acceptance of Edward Byrne Memorial Justice Assistance Grant in amount of \$10,668 less five percent administration fee of \$533 for total grant award amount of \$10,135; ratify City Manager signing Interlocal Agreement between City of Oxnard and County of Ventura, and Cities of Thousand Oaks, and San Buenaventura; additional budget appropriation and expenditures of \$10,135 A/C 001-6610-438-9900 (Grant revenue – LE0JG7) to A/C 001-6610-621-3300 (Equipment less than \$5,000 – LE0JG7)
- P. Approved Expenditure: Compensation and Fourth Amendment to Employment Agreement for City Manager (Mitnick) (Contract No. 7407-2005); adopt resolution
RESOLUTION APPROVING COMPENSATION AND FOURTH AMENDMENT
TO AGREEMENT FOR CITY MANAGER RES. NO. 2015-073
- Q. Approved Expenditure: Compensation and second amendment to agreement for City Attorney (Noonan) (Contract No. 9799-2012); adopt resolution
RESOLUTION APPROVING COMPENSATION AND SECOND AMENDMENT
TO AGREEMENT FOR CITY ATTORNEY RES. NO. 2015-074
- R. Approved Expenditure: Stop sign installations at seven intersections (MI 2033); expenditure in amount of \$4,800 A/C 651-5560-631-5500 (MI 2033 Construction); adopt resolution
RESOLUTION ESTABLISHING STOP SIGNS AT INTERSECTIONS OF COMBS ROAD AT PEPPER ROAD, MAPLE ROAD AT McKNIGHT ROAD, ORINDA COURT AT MOSS COURT, TIBURON COURT AT MOSS COURT, CALLE AVELLANO (EAST) AT CALLE OLIVO (EAST), CALLE PIMIENTO (EAST) AT CALLE OLIVO (EAST), AND CALLE PIMIENTO (WEST) AT CALLE OLIVO (WEST) RES. NO. 2015-075

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7. CONSENT CALENDAR: (Continued)

- S. No Appropriation/Expenditure Required: Transportation Development Act (TDA) Article 4 Funds Claim in amount of \$4,514,020; adopt resolution

RESOLUTION AUTHORIZING CLAIM (Ventura County Transportation Commission- -VCTC) FOR ALLOCATION OF FY 2015-16 FUNDS FROM VENTURA COUNTY LOCAL TRANSPORTATION FUNDS AS OUTLINED IN 1971 TRANSPORTATION DEVELOPMENT ACT RES. NO. 2015-076

- T. No Appropriation/Expenditure Required: Conflict of Interest Resolution Update

RESOLUTION UPDATING DESIGNATED EMPLOYEES, OFFICERS, AND DISCLOSURE CATEGORY LIST FOR FAIR POLITICAL PRACTICES ACT REQUIREMENTS (CONFLICT OF INTEREST) AND RESCINDING RESOLUTION NO. 2014-064 RES. NO. 2015-077

ORDINANCES FOR SECOND READING:

- U. ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE TO RE-TITLE CHAPTERS 14 AND 24 OF TITLE 5 AS ARTICLES 42 AND 43, RESPECTIVELY, OF CHAPTER 4 OF TITLE 9 AND TO RE-NUMBER THE RESPECTIVE SECTIONS WITHIN EACH ARTICLE ACCORDINGLY, AND TO AMEND SECTIONS WITHIN SAID ARTICLES, AS RE-TITLED AND RE-NUMBERED, TO MODIFY PROCEDURES FOR CONSIDERING APPLICATIONS TO REMOVE OAK AND OTHER LANDMARK TREES, AND REMOVE THE EXEMPTION STANDARD FOR OWNER-PLANTED OAK TREES (MCA 2014-70145) (Introduced 11/10/15, 5-0) ORD.NO. 1610-NS
- V. ORDINANCE PRE-ZONING PROPERTY AT SOUTHWEST CORNER OF ELM ROAD AND COMBS ROAD PRIOR TO ANNEXATION; (Z 2015-70338) (APPLICANT: DIRK AND MARYANN GASTALDO) (Introduced 11/10/15, 5-0) ORD.NO. 1611-NS

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EXHIBIT B

Item 10.B.

FY 2015-16 Community Enhancement Grant Award Recommendations

	Organization	Amount Requested	Recommended Award	Project Summary
1	Conejo Valley Botanic Garden	\$5,000	\$5,000	Drought Resistant Landscaping
2	California Lutheran University – SEEd Project	\$5,000	\$5,000	Food Preparation waste diversion to worm composting system
3	Conejo Open Space Foundation	\$3,600	\$3,600	Trail Work Events/Habitat Restoration
4	City Corps of the Central Coast	\$5,000	\$5,000	Rehabilitate butterfly garden, upgrade edible garden area
5	Temple Etz Chaim	\$5,000	\$5,000	Garden bed and modify slope
6	Thousand Oaks Girls Softball Association	\$5,000	\$5,000	Trash and recycle bins near dugout fields
7	Conejo Elementary School	\$5,000	\$5,000	Grass removal and tree/plant installation
		\$33,600	\$33,600	