

City Council
REGULAR MEETING
Tuesday, June 23, 2015, 6:00 P.M.
Council Chambers



Al Adam, Mayor
Joel R. Price, Mayor Pro Tem
Andrew P. Fox, Councilmember
Claudia Bill-de la Peña, Councilmember
Rob McCoy, Councilmember Elect

Executive Team

Scott Mitnick, City Manager
Andrew Powers, Assistant City Manager
John C. Prescott, Comm. Dev. Director
Linda D. Lawrence, City Clerk
Barry McComb, Cultural Affairs Director
Tim Hagel, Police Chief
Jim Friedl, General Manager, CRPD

Tracy M. Noonan, City Attorney
John F. Adams, Finance Director/City Treasurer
Jay Spurgin, Public Works Director
Gary Rogers, Human Resources Director
Nancy Schram, Interim Library Director
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. 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.

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

3

June 23, 2015

RES. NO. 2015-041
ORD. NO. 1608-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Fox, Bill-de la Peña, Price, and Mayor Adam
4. DEPARTMENT REPORTS:
 - A. [June 2, 2015 Special Municipal Election to fill City Council Vacancy Results/Swear in New Councilmember](#)

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-

RECOMMENDATION: 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

5. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
6. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
 - A. Proclamation – July as Recreation and Park Month
 - B. Conejo Las Virgenes Future Foundation Youth Leadership Report
 - C. Commendation – Superintendent Dr. Jeff Baarstad retirement from Conejo Valley Unified School District
7. PUBLIC COMMENTS:
8. CONSENT CALENDAR:

(See Exhibit A pages 8 thru 11 for Consent Calendar listing)

9. PUBLIC HEARINGS:

A. [Proposed Sale of Schillo Gardens Affordable Housing Project to Many Mansions](#)

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-

RECOMMENDATION:

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)

B. [Landscape and Lighting Assessment District LLAD 79-2 Public Hearing Annual Levy FY 2015-16](#)

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-

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-

RECOMMENDATION:

1. Approve Final Engineer's Report for LLAD 79-2 FY 2015-16 assessments
2. Adopt resolutions

9. PUBLIC HEARINGS: (Continued)

- C. [Municipal Code Amendment MCA 2015-70107 to create streamlined review process for small residential rooftop solar energy system installations in compliance with State Law](#)

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

RECOMMENDATION: Ordinance to be read in title only, further reading be waived, and if no objection introduced

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. [FY 2015-16 Community Events Endowment Fund \(CEEF\) Grants](#)

RECOMMENDATION:

1. Award FY 2015-16 Community Events Endowment Fund grants as outlined in staff report
2. Authorize expenditure of available funds in amount of \$85,000 A/C 001-1120-611-5920 (CF2015, CEEF Grants/Donations)

- B. [FY 2014-15 Annual Report \(Cultural Affairs Commission\)](#)

RECOMMENDATION: Receive report

- C. [Work Plan July 1, 2015 – June 30, 2017 \(Business Roundtable\)](#)

RECOMMENDATION: Approve continuance of Business Roundtable Work Plan with proposed revisions for next two years

4. DEPARTMENT REPORTS: (Continued)

B. [Back to Business Program](#)

RECOMMENDATION: Approve Back to Business (B2B) Program; authorize staff to enter agreements with businesses to provide for post-disaster building safety assessments as outlined in report

C. [Rim of the Valley Corridor Special Resource Study](#)

RECOMMENDATION: Direct staff to submit letter to National Park Service in support of Rim of the Valley (ROV) Corridor Special Resource Study, Alternative D

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

1. [National League of Cities \(NLC\) Summer Policy Forum June 11-14, 2015 \(Price\)](#)

RECOMMENDATION: Receive report

13. CITY MANAGER:

A. Follow-up items

B. Announcements and upcoming issues

14. CLOSED SESSION: City Council Conference Room 2nd floor

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 OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

7

June 23, 2015

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjournment in memory of:

- o Sergio Sepe, City of Thousand Oaks resident and spouse of City Employee Mary Sepe

to Regular Meeting July 14, 2015 (July 7, 2015 City Council Meeting canceled).

Agenda Post Date/Time: June 18, 2015, 5:00 p.m.

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EXHIBIT A

8. CONSENT CALENDAR:

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

- 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
- 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)

8. CONSENT CALENDAR: (Continued)

- 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
- 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)

8. CONSENT CALENDAR: (Continued)

- 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)
- 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

8. CONSENT CALENDAR: (Continued)

- 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-_____