

City Council
REGULAR MEETING
Tuesday, October 20, 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

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
Heather Cousin, 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

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October 20, 2015

RES. NO. 2015-059
ORD. NO. 1610-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Fox, Bill-de la Peña, McCoy, Price, and Mayor Adam
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
 - A. Presentation – California Department of Food and Agriculture – Asian Citrus Psyllids (ACP) Treatment Program Schedule
 - B. Announcement – “Spokes in the Oaks” Open Streets Festival October 31, 2015
 - C. 2015-16 Theatre Season Schedule Update
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 8 thru 10 for Consent Calendar listing)
8. DEPARTMENT REPORTS:
 - A. [Body-Worn Cameras – Thousand Oaks Police Department](#)

RECOMMENDATION: Receive oral report and presentation from Ventura County Sheriff Geoff Dean

9. PUBLIC HEARINGS:

A. [Oak Tree Ordinance and Landmark Tree Ordinance Amendments
Municipal Code Amendment MCA 2014-70145](#)

ORDINANCE AMENDING 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 RESPECTIVE SECTIONS WITHIN EACH ARTICLE ACCORDINGLY, AND AMEND SECTIONS WITHIN SAID ARTICLES, AS RE-TITLED AND RE-NUMBERED, TO MODIFY PROCEDURES FOR CONSIDERING APPLICATIONS TO REMOVE OAK AND OTHER LANDMARK TREES IN PARKING AREAS, ESTABLISH DEFINITION OF OWNER-PLANTED OAK TREES, AND MODIFY EXEMPTION STANDARD FOR OWNER-PLANTED OAK TREES (MCA 2014-70145) ORD.NO. 1st Reading

RESOLUTION MODIFYING USER FEE DESCRIPTION FOR TYPE C OAK TREE PERMITS TO INCLUDE HOMEOWNER ASSOCIATION AREAS RES. NO. 2015-_____

RECOMMENDATION:

1. Approve amendments to City's Oak Tree Ordinance and Landmark Tree Ordinance; amendment ordinance to be read in title only, further reading be waived, and if no objection, introduced
2. Adopt Fee Resolution to become effective upon effective date of ordinance

9 PUBLIC HEARINGS: (Continued)

- B. [Amendment to General Plan Land Use Element LU 2015-70137 and Amendment No. 16 to Specific Plan No. 7 SPA 2015-70138; Located: west side Conejo Center Drive approximately 200 feet north of Conejo Spectrum Street; Applicant: City of Thousand Oaks](#)

RESOLUTION APPROVING AMENDMENT TO LAND USE ELEMENT OF THOUSAND OAKS GENERAL PLAN FOR LAND LOCATED WEST SIDE OF CONEJO CENTER DRIVE APPROXIMATELY 200 FEET NORTH OF CONEJO SPECTRUM STREET (LU 2015-70137: CITY OF THOUSAND OAKS) RES. NO. 2015-

RESOLUTION APPROVING AMENDMENT TO SPECIFIC PLAN NO. 7 (AMENDMENT NO. 16) FOR LAND LOCATED WEST SIDE OF CONEJO CENTER DRIVE APPROXIMATELY 200 FEET NORTH OF CONEJO SPECTRUM STREET (SPA 2015-70138: CITY OF THOUSAND OAKS) RES. NO. 2015-

RECOMMENDATION:

1. Adopt resolution to approve Negative Declaration 2015-70251 and LU 2015-70137 to change General Plan Land Use Element Amendment from "High Density Residential" to "Industrial"
2. Adopt resolution to approve SPA 2015-70138, amendment to Specific Plan No. 7 (Rancho Conejo Specific Plan) land use designation from "High Density" to "Employment Park" and conforming changes to Authority and Conditions for Specific Plan No. 7

10. STUDY SESSION:

- A. [Thousand Oaks Boulevard Specific Plan Modifications \[Ad Hoc Committee Report \(Adam/Fox\)\]](#)

RECOMMENDATION:

1. Direct staff to prepare amendment to Thousand Oaks Boulevard Specific Plan to allow for use of on-street parking to satisfy on-site parking requirements for certain uses; direct staff to evaluate and make recommendations regarding remaining Thousand Oaks Boulevard Business Improvement District's Parking Management Plan items
2. Direct staff to prepare amendments to General Plan and Thousand Oaks Boulevard Specific Plan to allocate 206 "at-large" residential units from available Citywide General Plan capacity below Measure E baseline to Thousand Oaks Boulevard Specific Plan area; provide a special process to award those units, as described in report
3. Direct staff to proceed with design and construction of necessary public infrastructure capital improvement projects, as included in adopted FY 2015-16 and FY 2016-17 Capital Improvement Program Budget and as envisioned in Thousand Oaks Boulevard Specific Plan

11. COMMITTEE/COMMISSION/BOARD REPORTS: None

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

13. COUNCIL ISSUES/RECOMMENDATIONS:

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

1. [National League of Cities \(NLC\) Public Safety Crime Prevention Steering Committee Meeting September 20 – 22, 2015 \(Price\)](#)

RECOMMENDATION: Receive report

2. [League of California Cities \(LCC\) Annual Conference September 30 – October 2, 2015 \(Price/McCoy\)](#)

RECOMMENDATION: Receive report

14. CITY MANAGER:

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

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

- A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *LEO RAMPERSAD (MONTANA/SAFE) v. CITY OF THOUSAND OAKS*; Case No. 56-2011-00408151-CU-WM-SIM; pursuant to Government Code Section 54956.9(a)

16. PUBLIC NOTICES: None

17. ADJOURNMENT:

Adjournment in memory of:

- o Jaclyn “Jackie” Foley, daughter of City employee Cathy Jansen
to Regular Meeting November 10, 2015

Agenda Post Date/Time: October 15, 2015, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH J. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify September 23, 2015 and September 30, 2015; approve October 7, 2015, October 14, 2015 and October 21, 2015; approve October 28, 2015 and November 4, 2015, subject to review and ratification
- B. [Minutes of City Council meeting of September 15, 2015](#)
- C. [No Appropriation/Expenditure Required: Conejo Open Space Conservation Agency \(COSCA\) Board of Directors Public Member Appointment; appoint Rorie Skei to fill scheduled vacancy, approved by the Conejo Recreation and Park District \(CRPD\) Board of Directors, to serve four-year term ending July 2019](#)
- D. [No Appropriation/Expenditure Required: Social Services Ad Hoc Committee Appointments \(Bill-de la Peña\); reappointments of Margaret Ambrose, Frank Bianchino, Clyde Doheney, and Lisa Powell, and appointments of Wilfred Garand, Joseph Kirby, Anne LaFianza, Terry Piper, and Terri West to serve one-year terms ending September 2016](#)
- E. [No Appropriation/Expenditure Required: Cultural Affairs Commission Appointments \(Bill-de la Peña/Adam\); reappointments of Robert Biery, David Mead, Stephanie Wilson, and John Bradley \(Alliance for the Arts Nomination\) to serve three-year terms ending November 2018](#)
- F. [No Appropriation/Expenditure Required: Simulated weapon discharge in conjunction with Civil War Re-enactment November 6-8, 2015; Applicant: Rotary Club of Moorpark; Location: California Lutheran University, 75 Olsen Road -undeveloped area \(Special Event Permit 2015-102SE\)](#)
- G. [No Appropriation/Expenditure Required: Thousand Oaks Auto Mall Public Improvements Project \(CI 5118\); reject all bids received on June 3, 2015](#)

7. CONSENT CALENDAR: (Continued)

H. Financial Impact to be Determined for On-Call Agreements; Approved Expenditure for Software Maintenance Agreement: General Maintenance and Technology Support Agreements; five three-year on-call technology support agreements each in amount of \$200,000 per year with not-to-exceed amounts of \$50,000 for individual task orders; each term ending 6/30/18; three-year agreement for software maintenance with MaintStar, Inc., in amount not-to-exceed \$149,806; term: 7/1/15 – 6/30/18 with two 1-year options to extend; four three-year on-call general maintenance agreements each in amount not-to-exceed \$250,000 per year with not-to-exceed amounts of \$45,000 for each individual task order; each term ending 6/30/18; annual expenditure of \$28,500 to MaintStar, Inc., for FYs 2015-16 and 2016-17 as follows: \$14,250 A/C 001-5650-631-4300 (General Fund/ MSC Computer Software Maint) \$7,125 A/C 611-5650-685-4300 (Water Operating/ MSC Computer Software Maintenance), and \$7,125 from A/C 621-5650-685-4300 (Wastewater Operating/MSC Computer Software Maintenance)

I. Additional Appropriation Fully Offset by Revenue: FY 2015-16 Transportation Development Act (TDA) Article 3 Funds Claim with Ventura County Transportation Commission (VCTC) in amount of \$60,000; budget appropriation in amount of \$5,000 increasing revenue in A/C 136-0000-433-0000 (CI 5337 TDA Article 3 revenue Westlake Boulevard Sidewalk Project) and increasing expenditures in amount of \$60,000 in A/C 136-5310-631-8300 (CI 5337 TDA Article 3 expenditures/Westlake Boulevard Sidewalk Project); adopt resolution

RESOLUTION AUTHORIZING FILING OF CLAIM WITH VCTC FOR ALLOCATION OF TDA ARTICLE 3 FUNDS FOR BICYCLE AND/OR PEDESTRIAN PURPOSES FISCAL YEAR 2015-16 RES. NO. 2015-

J. Approved Expenditure: Property Assessed Clean Energy (PACE) Programs; adopt resolutions; indemnification and insurance agreement from Renovate America; Public Works Director as the authorized staff contact for these programs

RESOLUTION CONSENTING TO INCLUSION OF PROPERTIES WITHIN TERRITORY OF CITY IN CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) OPEN PACE PROGRAMS; AUTHORIZING CSCDA TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN TERRITORY OF THE CITY; AND AUTHORIZING RELATED ACTIONS RES. NO. 2015-

J. Approved Expenditure: Property Assessed Clean Energy (PACE) Programs (Continued)

RESOLUTION APPROVING ASSOCIATE MEMBERSHIP BY CITY IN CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY; AUTHORIZING AND DIRECTING EXECUTION OF ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF CITY IN AUTHORITY; AUTHORIZING CITY TO JOIN FIGTREE PACE PROGRAM; AUTHORIZING CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY TO CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN TERRITORY OF CITY OF THOUSAND OAKS; AND AUTHORIZING RELATED ACTIONS

RES. NO. 2015-_____

RESOLUTION CONSENTING TO INCLUSION OF PROPERTIES WITHIN CITY'S JURISDICTION IN CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING AMENDMENT TO CERTAIN JOINT POWERS AGREEMENT RELATED THERETO

RES. NO. 2015-_____

RESOLUTION CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN CALIFORNIA HOME FINANCE AUTHORITY, PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO

RES. NO. 2015-_____

RESOLUTION CONSENTING TO INCLUSION OF PROPERTIES WITHIN CITY'S JURISDICTION IN CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO

RES. NO. 2015-_____