

THOUSAND OAKS CITY COUNCIL



Supplemental Information Packet

L. Lawrence

Agenda Related Items - Meeting of February 24, 2015
Supplemental Packet Date: February 24, 2015

3:00 P.M

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are 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 inspection in the City Clerk Department, 2100 E. Thousand Oaks Boulevard, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(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.

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Finance Department
MEMORANDUM

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Phone 805/449.2200 • Fax 805/449.2250 • www.toaks.org

2015 FEB 24 PM 3: 03
CITY CLERK DEPARTMENT
CITY OF THOUSAND OAKS

TO: Scott Mitnick, City Manager
FROM: John F. Adams, Director
DATE: February 24, 2015
SUBJECT: **Item 7.K. – Temporary License Agreement between City of Thousand Oaks and CBC Federal Credit Union**

The specific language contained in Sections 4 (Holding Over) and 13 (Liability and Indemnity) of the temporary license agreement with CBC Federal Credit Union (CBC) are under further review as requested by CBC. Therefore the agreement contained in the staff report is considered a "Draft". This agreement does not generate income nor does it incur costs to the City.

Allowing the respective legal teams to revise the language in these sections to that which will more accurately reflect the best interests of both parties will not affect the intent of the agreement, cause a financial hardship to either party or expose either party to additional liability.

Revise recommendation as follows:

1. Approve a Temporary License Agreement between City of Thousand Oaks and CBC Federal Credit Union; term January 1, 2015 to December 31, 2015 with automatic annual renewals, subject to City Attorney approval as to form and Authorize City Manager to execute Agreement

FIN:320-10/lt/H:Common/Council/2015/FAC/022415 CBC Supplemental.docx

TO COUNCIL 2-24-2015
AGENDA ITEM NO. 7.K
MEETING DATE 2-24-2015



Finance Department
MEMORANDUM

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Phone 805/449.2200 • Fax 805/449.2250 • www.toaks.org

2015 FEB 24 PM 3:04

CITY CLERK DEPARTMENT
CITY OF THOUSAND OAKS

TO: Scott Mitnick, City Manager

FROM: John F. Adams, Director

DATE: February 24, 2015

SUBJECT: **Item 7.L. – Lease Agreements between City and Westside Properties**

The agreements with Above All Glass, Inc., Enhanced Landscape Management, Inc., and NATJAX, LLC (Smog Check) referred to collectively as “Westside Properties” have been revised.

The following changes were made to each agreement (see #1 below):

- Section 4, Termination – Reference to Section 19 has been changed to Section 20
- All reference to business names have been changed to TENANT

ALTERNATE RECOMMENDATION

As an alternate to Recommendation #1, City Council may choose to approve the following for each agreement:

- Section 3, Term – change from 2 years to 1 year (see #2 below)
- Section 4, Termination – change from 180 days to 90 days (see #3 below)

MODIFICATION TO AGREEMENTS

1. Section 4, Termination (second paragraph), reference to Section 19 has been changed to Section 20 and all references to business names have been changed to TENANT to remain consistent with paragraph 1 (Agenda Packet Pages 175, 188 and 201):

In the event this Agreement is terminated, for reasons other than those stated in Section 20 of this Lease, TENANT shall remove all personal property, vacate the Premises on or before the effective date of termination, and TENANT shall not have the right to occupy the Premises. Should TENANT continue to occupy the space after termination, without the express written consent of CITY, it is agreed that said occupancy shall constitute a trespass and that, in addition to any other remedies available to it, CITY shall be entitled to seek immediate injunctive relief.

2. Section 3, Term, would be changed to one (1) year (Agenda Packet Pages 175, 188 and 201):

The initial term of this Agreement shall be for one (1) year commencing January 1, 2015 through December 31, 2015. This agreement shall automatically renew annually until terminated.

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3. Section 4, Termination (first paragraph) would be changed to ninety (90) days notification period (Agenda Packet Pages 175, 188 and 201):

CITY or TENANT retains the right, in their sole and absolute discretion and without cause, to terminate the Agreement upon ninety (90) days prior written notice to either party.

SUMMARY

The revised term ending December 31, 2015 and the 90-day termination notification provides the City more flexibility. The original recommendation is preferred by tenants due to the added security of a longer term and termination notification period. However, the City will take every measure to ensure the greatest amount of notification time feasible.



TO: Scott Mitnick, City Manager

FROM: John F. Adams, Finance Director

DATE: February 24, 2015

SUBJECT: Item 9A - Draft 2015 Citywide User Fees, Fines, Penalties, Rates, and Assessments (User Fees), and Development Impact Fees

The User Fee Manual (document provided under separate cover) has been revised and the following change has been made to Citywide Fee, City Facility Rental - Library (CW-04), located on page 12 and the Summary on page 6 of 85:

Under the Grant R. Brimhall Library (Marvin E. Smith & Conference Rooms), the available hours for the Conference Room for Saturday should be 9:00 a.m. and not 8:00 a.m., as stated in the manual.

Attachments

2015 FEB 24 PM 1:41
CITY CLERK DEPARTMENT
CITY OF THOUSAND OAKS

FIN:390-10H:\COMMON\Council\2015\Administration\022415 User Fee Study Session Supplemental 1.docx

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AGENDA ITEM NO. 9.A.
MEETING DATE 2-24-2015

City of Thousand Oaks User Fees Detail Citywide - 2015 (Draft A)

Fee Type	Fee Title				Fee #
User Fee	City Facility Rentals - Library				CW-04
Operating Department	Effective Date	Legislative Reference	Prior Action Date	Prior Legislative Reference	
Citywide	Jul 01, 2015		Jul 01, 2013	Resolution No. 2013-027	
Definition/Comments					
<p>INSURANCE COVERAGE REQUIRED Group 1. City Departments, Commissions or Committees. Group 2: Non-profit and City supported organizations, other government agencies. Non-profit organizations must submit proof of non-profit status from State or IRS. Group 3: Business & commercial (for profit) organizations (also includes other groups that cannot provide evidence of non-profit status). No admission fees or product sales allowed.</p>					
Accounts Credited With Fee Receipts					
110-0000-486-00-00 Library Admin - Other misc. revenue					
Fee Structure	Prop. 26 Exception			Fee or Tax	
<input type="checkbox"/> Fixed Fee <input checked="" type="checkbox"/> Variable Fee <input type="checkbox"/> Deposit Required	4. Entrance to or use of local gov't property			Fee	
Fee					
<p>GRANT R. BRIMHALL LIBRARY (MARVIN E. SMITH & CONFERENCE ROOMS) Requests for use can be made by reservation through the Library and subject to Library policies.</p> <p>Available hours (Mon-Th 9:00am-8:00pm, Fri 9:00am-6:00pm, Sat 9:00am-5:00pm) (Conference Room availability Mon-Th 4:00pm-8:00pm, Fri 4:00pm-6:00pm, Sat 9:00am-5:00pm)</p> <p>Group 1 - No charge Group 2 - No charge Group 3 - \$100.00/hour for the Marvin E. Smith Room, plus additional \$25.00 if the kitchen is used. \$40.00/hour for the Conference Room</p> <p>NEWBURY PARK BRANCH LIBRARY MEETING ROOM Available Hours (Mon-Wed 9:00am-8:00pm, Th-Fri 9:00am-6:00pm, Sat 9:00am-5:00pm) Group 1 - No charge Group 2 - No charge Group 3 - \$80.00/hour, plus additional \$25.00 if the kitchen is used.</p> <p>For information: Contact the Thousand Oaks Library at (805) 449-2660 ext. 7301.</p> <p>INSURANCE COVERAGE IS REQUIRED: Insurance may be purchased through the City; \$15.00 insurance processing fee is required.</p> <p>EQUIPMENT RENTAL FEES: Please refer to Citywide Fees (CW-04A).</p> <p>Damages/Excessive Cleaning Fee: Any damages or excessive cleaning cost required due to the activities of the renter will be the responsibility of the renter. Permission to use facility may be revoked for a limited or indefinite period of time depending on the severity of damage.</p>					

City of Thousand Oaks
User Fee Summary (2015) - Citywide

Draft A Fee	City Facility Rentals - Library	CW-04
<p>GRANT R. BRIMHALL LIBRARY (MARVIN E. SMITH & CONFERENCE ROOMS) Requests for use can be made by reservation through the Library and subject to Library policies.</p> <p>Available hours (Mon-Th 9:00am-8:00pm, Fri 9:00am-6:00pm, Sat 9:00am-5:00pm) (Conference Room availability Mon-Th 4:00pm-8:00pm, Fri 4:00pm-6:00pm, Sat 9:00am-5:00pm)</p> <p>Group 1 - No charge Group 2 - No charge Group 3 - \$100.00/hour for the Marvin E. Smith Room, plus additional \$25.00 if the kitchen is used. \$40.00/hour for the Conference Room</p> <p>NEWBURY PARK BRANCH LIBRARY MEETING ROOM Available Hours (Mon-Wed 9:00am-8:00pm, Th-Fri 9:00am-6:00pm, Sat 9:00am-5:00pm) Group 1 - No charge Group 2 - No charge Group 3 - \$80.00/hour, plus additional \$25.00 if the kitchen is used.</p> <p>For information: Contact the Thousand Oaks Library at (805) 449-2660 ext. 7301.</p> <p>INSURANCE COVERAGE IS REQUIRED: Insurance may be purchased through the City, \$15.00 insurance processing fee is required.</p> <p>EQUIPMENT RENTAL FEES: Please refer to Citywide Fees (CW-04A).</p> <p>Damages/Excessive Cleaning Fee: Any damages or excessive cleaning cost required due to the activities of the renter will be the responsibility of the renter. Permission to use facility may be revoked for a limited or indefinite period of time depending on the severity of damage.</p>		