

**City Council**  
**REGULAR MEETING**  
**Tuesday, August 30, 2016, 6:00 P.M.**  
**Council Chambers**



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

**Executive Team**

Andrew Powers, Interim City Manager  
Gary Rogers, Deputy City Manager/HR Director  
Mark A. Towne, Interim Comm. Dev. Director  
Cynthia M. Rodriguez, City Clerk  
Barry McComb, Cultural Affairs Director  
Jim Friedl, General Manager, CRPD

Tracy M. Noonan, City Attorney  
John F. Adams, Finance Director/City Treasurer  
Jay Spurgin, Public Works Director  
Heather Cousin, Library Director  
Tim Hagel, Police Chief  
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](http://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.

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE: Flag Ceremony by Thousand Oaks Police Department and Ventura County Fire Department Color Guard in recognition of September 11, 2001
3. ROLL CALL: Councilmembers Fox, Adam, McCoy, Bill-de la Peña, and Mayor Price
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
  - A. National Library Card Sign-Up Month – September, 2016
  - B. Certificates of Recognition – Residential Fire Rescue
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 8 for Consent Calendar listing)
8. PUBLIC HEARINGS: None
9. DEPARTMENT REPORTS:
  - A. [Request to Initiate Amendment to General Plan Land Use Element \(LU 2016-70305\)](#); allow concurrent processing of Entitlement Applications; Located: 449 East Wilbur Road; Applicant: KB Home California, LLC  
  
RECOMMENDATION: Adopt resolution to implement one of the following options concerning land located at 449 East Wilbur Road:
    1. Deny request to initiate a change to General Plan Land Use Element from “Institutional” to “Medium Density Residential”; or
    2. Initiate amendment to General Plan Land Use Element from “Institutional” to land use mix that is consistent with Measure E and community needs and allow concurrent processing of amendment with entitlement applications  
Staff will prepare a resolution for adoption at the next regular meeting to implement City Council’s direction

9. DEPARTMENT REPORTS: (Continued)

B. [Greenmeadow Avenue Speed Hump Petition](#)

RECOMMENDATION:

1. Adopt resolution authorizing installation of speed cushions on Greenmeadow Avenue north of Lynn Road
2. Approve budget transfer appropriation and expenditure in amount not-to-exceed \$25,000 A/C 132-5310-631-8300 (CI 4541 Roadside Safety Enhancements /Improvements) to A/C 132-5610-631-5500 (Roadside Safety Enhancements/ Improvements)

C. [Contract for Interim City Manager](#)

RECOMMENDATION: Approve contract

10. COMMITTEE/COMMISSION/BOARD REPORTS:

A. [Planning Commission Appointment](#) (Fox)

RECOMMENDATION: Appoint Sharon McMahon to fill unscheduled vacancy to serve unexpired term ending December 2018

B. [Traffic & Transportation Advisory Commission Appointment](#) (Price)

RECOMMENDATION: Appoint Susan Engler to fill unscheduled vacancy to serve unexpired term ending December 2018

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. [League of California Cities \(LCC\) Channel Counties Division Meeting August 19, 2016](#) (Price)

RECOMMENDATION: Receive report

13. CITY MANAGER:

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

14. CLOSED SESSION: City Council Conference Room 2<sup>nd</sup> floor

- A. Conference with CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: Claim of Sally Arbogast, Claim No. 1314-2015; Pursuant to Government Code Section 54956.9(a)
- B. CONFERENCE WITH LEGAL COUNSEL - Existing Litigation; Pursuant to Government Code Section 54956.9(a): Claimant: James Biggs; Workers' Compensation Claim No. 120900112140300233; WCAB No. ADJ7037489, ADJ7384183, ADJ9817968, ADJ9818106, ADJ9817947
- C. CONFERENCE WITH LEGAL COUNSEL - Existing Litigation; Pursuant to Government Code Section 54956.9(a): Claimant: Dave Parkinson; Workers' Compensation Claim No. 130100018; WCAB No. ADJ9162464

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to Regular Meeting September 13, 2016

Agenda Post Date/Time: August 25, 2016, 5:00 p.m.

## EXHIBIT A

### 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH M. ARE TO APPROVE  
RECOMMENDATIONS FOR ITEMS N. THROUGH P. ARE TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify July 20, 2016, July 27, 2016, August 3, 2016, August 10, 2016, August 17, 2016, and August 24, 2016; approve August 31, 2016; approve September 7, 2016, subject to review and ratification
- B. [Minutes of Special City Council meeting of July 7, 2016 and Regular City Council meeting of July 12, 2016](#)
- C. No Appropriation/Expenditure Required: [Community Funding Review Committee Appointments](#) (Bill-de la Peña); appointments of Carolyn Johnson and Barbara Sponsler and reappointment of Britta Halfen to fill three scheduled vacancies to serve two-year terms ending July 2018
- D. No Appropriation/Expenditure Required: [Ratify designated actions by City Manager authorized during City Council 2016 summer recess as identified in report](#)
- E. Approved Expenditure: [Hill Canyon Treatment Plant Miscellaneous Repairs -Coating and Painting \(MI 2055\)](#) Plans and Specifications including Addenda Nos. 1 and 2; award construction contract to Blastco, Inc. in amount of \$394,950 plus contingency of \$59,500; carry-over \$220,000 in remaining approved Wastewater Capital Budget (MI 2055) from FY 2015-16 to FY 2016-17; budget expenditure of \$474,450 (\$394,950 construction contract, \$59,500 construction contingency, and \$20,000 City furnished supplies and services) A/C 624-8250-682-5500 (MI 2055 Wastewater Capital Budget)
- F. Additional Appropriation Fully Offset by Grant Revenue: [Rancho Road Sidewalks and Bike Lanes Project \[CML-5392 \(055\)\] \(CI 5308\)](#); Professional Services Agreement with Kimley-Horn and Associates, Inc., in amount of \$169,447.54 plus contingency of \$16,952 for engineering and design; term to 12/31/17; acceptance of Congestion Mitigation and Air Quality Improvement (CMAQ) Grant [CML-5392(055)] in amount of \$821,600 (\$98,600 for Design Phase and \$723,000 for Construction Phase) from the Federal Highway Administration; budget appropriation in amount of \$98,600 from A/C 183-0000-438-4200 (Grant Fund/Rancho Sidewalk) to A/C 183-5310-631-8300 (Grant Fund/Rancho Sidewalk); expenditures in amount of \$191,400 (\$169,447.54 professional services agreement, \$16,952 contingency, plus \$5,000 for City furnished materials and services)

7. CONSENT CALENDAR: (Continued)

- G. Additional Appropriation: [Light Standard Lease Agreement between City and Verizon Wireless](#) for term of 10 years; budget appropriation in amount of \$8,000 to increase revenue in A/C141-5570-484-9900 (City Lighting)
- H. Approved Expenditure: [Out of Agency Service Agreement between Armando Lopez and City](#) for water and wastewater services for new single family residence at 1094 Kathleen Drive (APN 673-0-160-290 & APN 673-0-160-300) in unincorporated Ventu Park area of Thousand Oaks
- I. Approved Expenditure: [Compressed Natural Gas \(CNG\) Fuel Purchase and Maintenance Agreement](#); five-year agreement with Trillium USA Company, LLC in amount not-to-exceed \$780,000; term: 6/1/16 – 5/31/19 with two one-year options to extend; expenditure of \$156,000 A/C 001-5640-631-3510 (General Fund/Fuel) with funding for future years to be requested during upcoming biennial budget cycles; waive formal Request for Proposals process for CNG fuel purchase and maintenance services
- J. Approved Expenditure: [Newbury Park Library Roof Renovation project \(CI 5248\)](#); authorize staff to solicit bids
- K. Approved Expenditure: [Hillcrest Center Accessibility Upgrades \(MI 2090\)](#); authorize staff to solicit bids; carry-over remaining approved General Fund project budget for MI 2090 from FY 2015-16 to FY 2016-17
- L. Approved Expenditure: [Beacon Award Program](#); designate Public Works Director or designee as lead staff person; adopt resolution

RESOLUTION APPROVING PARTICIPATION IN INSTITUTE FOR LOCAL GOVERNMENT'S BEACON AWARD PROGRAM RES. NO. 2016-\_\_\_\_\_

- M. Approved Expenditure: [Route 101/23 Caltrans Maintenance Agreement](#); adopt resolution

RESOLUTION APPROVING MAINTENANCE AGREEMENT NO. TR# 07-05-0033 WITH STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR COMPLETION OF CONSTRUCTION FOR ROUTE 101/23 INTERCHANGE IMPROVEMENTS PROJECT  
RES. NO. 2016-\_\_\_\_\_

7. CONSENT CALENDAR: (Continued)

ORDINANCES FOR SECOND READING:

- N. ORDINANCE AMENDING SECTIONS 4-3.207, 5-23.02(h), 7-2.306, 9-4.2301, 9-4.2305(b)(6), 9-4.2309(t), and 9-4.2309(x) OF MUNICIPAL CODE REPEALING OR MODIFYING REGULATIONS CONCERNING NON-COMMERCIAL SIGN POLICY AND TEMPORARY SIGNS LOCATED IN THE PUBLIC RIGHTS-OF-WAY (MCA 2016-70135) (Introduced 7/12/17, 5-0) ORD.NO.1621-NS
- O. ORDINANCE ADOPTING AMENDMENT (NO. 3) TO THOUSAND OAKS BOULEVARD SPECIFIC PLAN TO ADD RESIDENTIAL CAPACITY, PROVIDE FOR ALLOCATION OF ADDED CAPACITY, SET MAXIMUM DENSITY FOR HOUSING PROJECTS, ALLOW ON-STREET PARKING TO BE COUNTED TOWARD REQUIRED PARKING, DELETE K-12 SCHOOLS AS PERMITTED USE, AND MODIFY OTHER LAND USE AND DEVELOPMENT REQUIREMENTS; APPLICANT: THOUSAND OAKS BOULEVARD PROPERTY BUSINESS IMPROVEMENT DISTRICT (SPA 2014-70068 and SPA 2013-70312) (Introduced 7/12/16, 5-0) ORD.NO.1622-NS
- P. ORDINANCE AMENDING MUNICIPAL CODE TITLE 9, CHAPTER 4; REVISING PARKING REQUIREMENTS FOR ASSISTED LIVING FACILITIES, SKILLED NURSING FACILITIES AND CONTINUING CARE RETIREMENT COMMUNITIES (MCA 2016-70097) (APPLICANT: CITY OF THOUSAND OAKS) (Introduced 7/12/17, 4-0, AF absent) ORD.NO.1623-NS