

## MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

August 30, 2016

### 1. CALL TO ORDER:

Mayor Joel Price called the meeting to order at 6:04 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

### 2. PLEDGE OF ALLEGIANCE: Flag Ceremony by Thousand Oaks Police Department and Ventura County Fire Department Color Guard in recognition of September 11, 2001 anniversary. Mayor Price led the pledge of allegiance followed by a Moment of Silence.

### 3. ROLL CALL:

Present: Councilmembers Andy Fox, Al Adam, Rob McCoy, Claudia Bill-de la Peña, and Mayor Joel Price.

Also Present: Interim City Manager Andrew P. Powers, Assistant City Attorney Patrick Hehir, Deputy City Manager/Human Resources Director Gary Rogers, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer John F. Adams, Interim Community Development Director Mark Towne, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Chief Theodore Smith, Senior Engineer James Mashiko, Senior Planner Jeffrey Specter, Cable Operations Supervisor Carl Jarecky, Library Services Supervisor Darren Jeffrey, Assistant Analyst Pam Romer, Senior Stage Technician Jonathan Serret, Senior Video Specialist Eric Goor, Information Technology Tech II David Johnson, Records Management Specialist Melissa L'Engle, Administrative Clerk Christine Glaubke, 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 presented Proclamation to Library Director Cousin and newly appointed Deputy Library Services Director Jeffrey designating September 2016 National Library Card Sign-Up Month.
- B. Mayor Price introduced Fire Chief Smith to provide account of recent house fire rescue efforts by City residents Jenny Fizdale and Daniel Smith (not in attendance to receive Certificates).

## MINUTES OF THE CITY COUNCIL

City of Thousand Oaks

2

August 30, 2016

### 6. PUBLIC COMMENTS:

Alyce Klussman, Thousand Oaks; Cassidy Koch, city of residence unknown; Rachel Simon, city of residence unknown; Shepha Vainstein, Agoura; Nick Quidwai, Newbury Park; Walter Knauss, Thousand Oaks.

### 13. CITY MANAGER:

- \*A. Follow-up items: Interim City Manager Powers indicated staff will reach out to speakers to cross-promote upcoming events (Koch, Simon, Vainstein) and explained new City Website launched last week, is being refined during the “soft launch” period, and encouraged everyone to visit the new site.

### 7. CONSENT CALENDAR:

(See Exhibit A 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. Report presented by Interim Community Development Director Towne; Senior Planner Specter available for questions. Additional information supplemental packet including Ex Parte Memoranda from four City Councilmembers.

Speakers: Jeri Dye Lynch, Thousand Oaks; Josh Wheeler, Los Angeles; Ben O’Neal, city of residence unknown; Walter Knauss, Thousand Oaks.

Written Statements: Rick Schroeder, Thousand Oaks.

Motion by Councilmember Fox to adopt resolution concerning land located at 449 East Wilbur Road to initiate amendment to General Plan Land Use Element from “Institutional” to land use mix that is consistent with Measure E and community needs (a project with public value); allow concurrent processing of amendment with entitlement applications (staff to prepare resolution for adoption at next regular meeting to implement City Council’s direction) carried 5-0 by the following vote: Ayes – Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

MINUTES OF THE CITY COUNCIL

City of Thousand Oaks

3

August 30, 2016

9. DEPARTMENT REPORTS: (Continued)

Mayor Price announced that due to the close proximity of his residence to Greenmeadow Avenue, he is recusing himself and will leave the meeting while Item 9.B. (Greenmeadow Speed Hump Petition) is heard. Mayor Pro Tem Bill-de la Peña will conduct meeting during his absence.

Mayor Price absent 7:23 p.m.; Mayor Pro Tem Bill-de la Peña presiding 7:24 p.m.

- B. Greenmeadow Avenue Speed Hump Petition presented by Public Works Director Spurgin and Senior Engineer Mashiko; Assistant City Attorney Hehir and Police Chief Hagel responded to questions. Additional information supplemental packet.

RESOLUTION DECLARING SPEED CUSHIONS BE INSTALLED ON GREENMEADOW AVENUE NORTH OF LYNN ROAD RES. NO. 2016-054

Speakers: Elliot Rada, Thousand Oaks; Michael Koch, Thousand Oaks; Shane Tuttle, Newbury Park; Stanley Ogle, Newbury Park; Bruce Herbkersman, Thousand Oaks; William Irvin, Newbury Park; Walter Knauss, Thousand Oaks; Nick Quidwai, Newbury Park, Bill Hoyt, Newbury Park; Teri Mika, Thousand Oaks.

Written Statements: Jayakumar Ashoam, Thousand Oaks; Linda Del Dosso, Thousand Oaks; Melody/Robert Hebert, Thousand Oaks; Suzanne/Tim Holland, Thousand Oaks; Donald Knox, Thousand Oaks; Deborah Koch, Thousand Oaks; Josh Levy, Newbury Park; Brenda Michel, Thousand Oaks; Amy/Julianna Ogle, Newbury Park; Charles Oliver, Thousand Oaks; Robin Ray, Newbury Park; Amy Robinson, Newbury Park.

Motion by Councilmember Fox to adopt resolution authorizing installation of speed cushions on Greenmeadow Avenue north of Lynn Road; 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), carried 4-0 by the following vote: Ayes – Fox, Adam, McCoy, and Bill-de la Peña; Noes - None; Recused and Absent - Price.

Mayor Price present and presiding 8:22 p.m.

MINUTES OF THE CITY COUNCIL

City of Thousand Oaks

4

August 30, 2016

9. DEPARTMENT REPORTS: (Continued)

- C. Contract for Interim City Manager presented by Deputy City Manager/Human Resources Director Rogers.

Speaker: Nick Quidwai, Newbury Park.

Motion by Councilmember Adam to approve contract, carried 5-0 by the following vote: Ayes – Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. Planning Commission Appointment presented by Councilmember Fox.

Motion by Councilmember Fox to appoint Sharon McMahon to fill unscheduled vacancy to serve unexpired term ending December 2018, carried 5-0 by the following vote: Ayes – Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes – None.

- B. Traffic & Transportation Advisory Commission Appointment presented by Mayor Price.

Speaker: Nick Quidwai, Newbury Park.

Motion by Mayor Price to appoint Susan Engler to fill unscheduled vacancy to serve unexpired term ending December 2018, carried 5-0 by the following vote: Ayes – Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

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. Report on League of California Cities Channel Counties Division Meeting August 19, 2016 presented by Mayor Price.

Report received.

MINUTES OF THE CITY COUNCIL

City of Thousand Oaks

5

August 30, 2016

13. CITY MANAGER:

- A. Follow-up items: Interim City Manager Powers indicated staff will meet regarding next steps on the KB Home request (Item 9.A.).
- B. Announcements and upcoming issues: Interim City Manager Powers reviewed potential topics for the next regularly scheduled City Council Meeting September 13, 2016.

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

Assistant City Attorney Hehir announced Closed Session held at 8:45 p.m.

- A. 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

Assistant City Attorney Hehir indicated no announcement anticipated.

15. PUBLIC NOTICES: None

MINUTES OF THE CITY COUNCIL

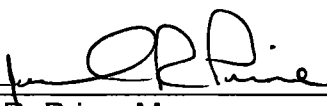
City of Thousand Oaks

6

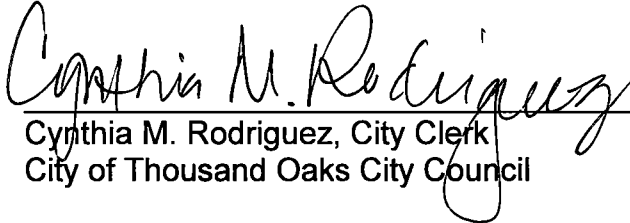
August 30, 2016

16. ADJOURNMENT:

City Council adjourned at 9:13 p.m. to Regular Meeting on Tuesday, September 13, 2016.

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

Attest:

  
Cynthia M. Rodriguez, City Clerk  
City of Thousand Oaks City Council

AGENDA POSTED: August 30, 2016

MINUTES APPROVED: September 13, 2016

\*indicates item taken out of order

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## MINUTES OF THE CITY COUNCIL

City of Thousand Oaks

7

August 30, 2016

### EXHIBIT A

#### 7. CONSENT CALENDAR:

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

Motion by Councilmember Adam to approve Consent Calendar, carried 5-0 by the following vote: Ayes – Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes – None.

- 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

MINUTES OF THE CITY COUNCIL

City of Thousand Oaks

8

August 30, 2016

7. CONSENT CALENDAR: (Continued)

- 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
- 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. 2016-052



MINUTES OF THE CITY COUNCIL

City of Thousand Oaks

9

August 30, 2016

7. CONSENT CALENDAR: (Continued)

- 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. 2016-053

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 7/12/16, 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 7/12/16, 4-0, AF absent)

ORD.NO.1623-NS