

## MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

February 14, 2017

### 1. CALL TO ORDER:

Mayor Claudia Bill-de la Peña called the meeting to order at 6:10 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

### 2. PLEDGE OF ALLEGIANCE: Mayor Bill-de la Peña led the pledge of allegiance.

### 3. ROLL CALL:

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

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Deputy City Manager/Human Resources Director Gary Rogers, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer John F. Adams, 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, Deputy City Clerk Laura Maguire, Deputy Public Works Director Cliff Finley, Engineering Division Manager Nader Heydari, Economic Development Manager Haider Alawami, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, and Senior Recording Secretary Janis Daly.

### 4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM: None.

### 5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS: None.

### 6. PUBLIC COMMENTS:

J.C Simmons, Newbury Park; Adam Haverstock, Greater Conejo Valley Chamber of Commerce (submitted document); Nick Quidwai, Newbury Park; Joan Edwards, Westlake Village.

### 13. CITY MANAGER:

- \*A. Follow-up items: City Manager Powers explained staff is working to schedule workshop(s) including external expert and outreach process relating to Proposition 64 and will notify speaker once date(s) set (Simmons); City Manager Powers indicated Community Development Director Towne will contact speaker to provide specifics regarding oversight of trees during development process (Edwards).

### 7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

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8. PUBLIC HEARINGS: None.

9. DEPARTMENT REPORTS:

- A. Westlake Boulevard Sidewalk Project (CI 5337) presented by Engineering Division Manager Heydari; Deputy Public Works Director Finley available for questions.

Motion by Councilmember Price to receive project update; approve Fourth Amendment to Professional Services Agreement No. 10687-2014 with MNS Engineers, Inc., in amount of \$16,888, for additional engineering services increasing agreement not-to-exceed amount to \$204,525; approve expenditure in amount of \$16,888 A/C 136-5310-631-8300 (CI 5337 TDA Article 3 expenditures/Westlake Boulevard Sidewalk Project), carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- B. Appointments to Downtown Revitalization Ad Hoc Committee presented by Community Development Director Towne.

Speaker: Nick Quidwai, Newbury Park.

Motion by Councilmember Price to establish Ad Hoc City Council Downtown Revitalization Committee and appoint Councilmembers Fox and Adam to serve; provide City Council with monthly updates, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. Planning Commission Appointment presented by Councilmember Adam.

Motion by Councilmember Adam to approve reappointment of Douglas V. Nickles to serve term ending December 2020, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- B. Traffic and Transportation Advisory Commission (TTAC) Appointment presented by Councilmember Adam.

Motion by Councilmember Adam to approve reappointment of Michael Rieder to serve term ending December 2020, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

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10. COMMITTEE/COMMISSION/BOARD REPORTS: (Continued)

- C. Traffic and Transportation Advisory Commission (TTAC) Appointment presented by Councilmember McCoy.

Motion by Councilmember McCoy to approve reappointment of Thomas Gregory II to serve term ending December 2020, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- D. Planning Commission Appointment presented by Councilmember McCoy. Additional information supplemental packet.

Motion by Councilmember McCoy to approve appointment of Don E. Lanson to serve term ending December 2020, carried 4-0 by the following vote: Ayes - Price, Adam, McCoy, Fox; Noes – None; Abstaining - Bill-de la Peña.

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

12. COUNCIL ISSUES/RECOMMENDATIONS:

- A. Compensation and Employment Agreement for City Manager presented by Deputy City Manager/Human Resources Director Rogers.

RESOLUTION AUTHORIZING CONTRACT AND ESTABLISHING  
COMPENSATION FOR CITY MANAGER RES. NO. 2017-007

Motion by Councilmember Fox to adopt resolution approving compensation and employment agreement for Andrew P. Powers as City Manager, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- B. Follow-up reports on meetings/conferences attended by Councilmembers. None.

13. CITY MANAGER: (Continued)

- A. Follow-up items: Nothing additional.
- B. Announcements and upcoming issues: City Manager Powers reviewed potential topics for next regularly scheduled City Council Meeting February 28, 2017.

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

City Attorney Noonan announced Closed Session held at 7:23 p.m.


- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: Claim of Joyce Lombard; Claim No. 1339-2016; Pursuant to Government Code Section 54956.9(a)
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: Pursuant to Government Code Section 54956.9(a): Claimant: Juan M. Cervantez; Workers' Compensation Claim No. 100780; WCAB No. ADJ8088938
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 1850 E. Thousand Oaks Boulevard, 81 Oakwood Drive and 145 Oakwood Drive; City Negotiators: Andrew Powers, City Manager, John Adams, Finance Director, Haider Alawami, Economic Development Manager, Larry Kosmont, Kosmont Companies; Negotiating Parties: 226 Montgomery LLC; Under negotiation: purchase of property, including price and terms of payment; pursuant to Government Code section 54956.8

City Attorney Noonan indicated no announcement anticipated.

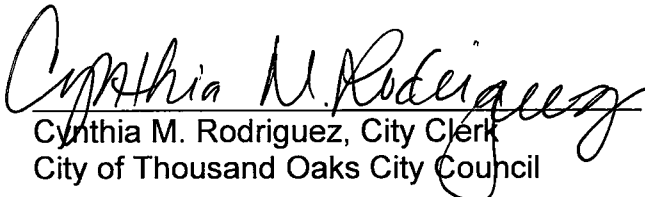
15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

City Council adjourned at 8:06 p.m. in memory of former Mayor and Councilmember Frances K. Prince to Regular Meeting on Tuesday, February 28, 2017.

  
\_\_\_\_\_  
Claudia Bill-de la Peña, Mayor  
City of Thousand Oaks City Council

Attest:

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

AGENDA POSTED: February 9, 2017

MINUTES APPROVED: February 28, 2017

\*indicates item taken out of order

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**EXHIBIT A**

7. CONSENT CALENDAR:

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

Speaker: Nick Quidwai, Newbury Park.

Additional information supplemental packet regarding Item 7.D.

Motion by Councilmember Adam to approve Consent Calendar with exception of Item 7.L. (Donation to benefit Thousand Oaks Library) and Item 7.N. (Confirming resolution granting in part appeal of Planning Commission decision), carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None. (Items subsequently approved following discussion.)

Motion by Councilmember Price to approve Consent Calendar Item 7.L., carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

Motion by Councilmember Price to approve Consent Calendar Item 7.N., carried 4-1 by the following vote: Ayes - Price, McCoy, Fox, and Bill-de la Peña; Noes - Adam.

- A. General, Utilities, Golf Course, and Theatres Demands – ratify February 1, 2017 and February 8, 2017; approve February 15, 2017; approve February 22, 2017, subject to review and ratification
- B. Minutes of City Council meeting of January 24, 2017
- C. No Appropriation/Expenditure Required: Ventura County Citizens Transportation Advisory Committee (VCCTAC); appointment of Todd Oberson to fill unscheduled vacancy for alternate position to serve term ending December 2017
- D. No Appropriation/Expenditure Required: Grand Jury Response: authorize Mayor to provide written response to December 1, 2016, Ventura County Grand Jury report “Campaign Contributions Transparency”; forward response to Grand Jury

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7. CONSENT CALENDAR: (Continued)

- E. Additional Appropriation: Legal Services – Statutory Merger of Alliance for the Arts into Thousand Oaks Civic Arts Plaza Foundation; ratify legal services agreement (Contract No. 11212-2016) with The Law Firm for Non-Profits (LFNP) in amount not-to-exceed \$75,000; budget appropriation and expenditure in amount not-to-exceed \$75,000 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-1250-674-5699 (Contracted Services – Other)
- F. No Appropriation/Expenditure Required: Letter of Public Convenience or Necessity (LPCN) for Type 42 alcohol license to serve only beer or wine for on-site consumption; Department of Alcoholic Beverage Control (ABC) requirement; authorize Community Development Director to send LPCN to ABC; Applicant: SoCalSipArt Inc., dba Painting with a Twist, 1865 East Thousand Oaks Boulevard (LPCN 2017-70014)
- G. Additional Appropriation Fully Offset by Grant Revenue: Rancho Road Sidewalk and Bike Lanes Federal Funds Cost Adjustment CML 5392(055) (CI 5308); budget appropriation in amount of \$51,412 A/C 183-0000-438-4200 (CI 5308 Rancho Road Sidewalks/Congestion Mitigation and Air Quality (CMAQ) Grant Revenue) to A/C 183-5310-631-8300 (CI 5308 Rancho Road Sidewalks/CMAQ Capital Expenditures) for design
- H. Approved Expenditure: Thousand Oaks Boulevard Undergrounding Phase 3 Sidewalk Restoration Project (CI 5331); authorize staff to advertise for construction bids
- I. Approved Expenditure: Financial Reports Fiscal Year 2015-16 ended June 30, 2016; receive and file
- J. Approved Expenditure: Update on additional audit services; receive and file audit summary report
- K. Additional Appropriation: Novell to Microsoft Migration; award professional services contract in amount not-to-exceed \$140,500 to Novacoast, Inc.; term: 2/15/17 – 11/30/17; budget appropriation and expenditure in amount not-to-exceed \$140,500 A/C 001-0000-311-1000 (General Fund, Fund Balance) to A/C 001-3410-612-5699 (Contracting Services)

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7. CONSENT CALENDAR: (Continued)

- L. Additional Appropriation Increasing FY 2016-17 Library Revenue Budget: Donation to benefit Thousand Oaks Library; accept and authorize Mayor to acknowledge \$50,422.08 donation from Mr. George J. Altonji in support of Library operations; budget appropriation in amount of \$50,500.00 A/C 110-0000-481-0000 (LBGJA1 Private Contribution) to A/C 110-7210-673-3231 (LBGJA1 Collections - Circulating Materials)
- M. No Appropriation/Expenditure Required: Water and Energy Efficiency Grant application in amount of \$600,000

RESOLUTION SUPPORTING GRANT APPLICATION TO BUREAU OF RECLAMATION FOR WATERSMART: WATER AND ENERGY EFFICIENCY GRANT FOR PURCHASE AND INSTALLATION OF AUTOMATED METER READING METERS RES. NO. 2017-005

- N. No Appropriation/Expenditure Required: Confirming resolution granting in part appeal of Planning Commission decision to delete solar awnings and solar mansard roofs on patio covers at two office buildings (1/24/17, 4-1, Adam dissenting)

RESOLUTION GRANTING, IN PART, APPEAL OF PLANNING COMMISSION DECISION THAT APPROVED, IN PART, RPMJ 2016-70123 LOCATED 4165 EAST THOUSAND OAKS BOULEVARD (APPLICANT/APPELLANT: SELVIN PROPERTIES) RES. NO. 2017-006