

**City Council**  
**REGULAR MEETING**  
**Tuesday, July 10, 2018, 6:00 P.M.**  
**Council Chambers**



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

Executive Team

Andrew P. Powers, City Manager  
Ingrid Hardy, Assistant City Manager  
Mark A. Towne, Community Development Director  
Cynthia M. Rodriguez, City Clerk  
Barry McComb, Cultural Affairs Director  
Jim Friedl, General Manager, CRPD  
John Spykerman, Fire Chief

Tracy M. Noonan, City Attorney  
Gary Rogers, Deputy City Manager/HR Director  
John F. Adams, Finance Director/City Treasurer  
Jay T. Spurgin, Public Works Director  
Heather Cousin, Library Director  
Tim Hagel, Police 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.

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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July 10, 2018

RES. NO. 2018-051  
ORD. NO. 1646-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Bill-de la Peña, Price, Adam, McCoy, and Mayor Fox
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
  - A. Performance – 5-Star Theatricals “Beauty and the Beast”
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 11 for Consent Calendar listing)
8. PUBLIC HEARINGS:
  - A. [California Municipal Finance Authority Tax-Exempt Bonds or Loan Financing for California Lutheran University](#)

RESOLUTION APPROVING ISSUANCE OF CALIFORNIA MUNICIPAL FINANCE AUTHORITY TAX EXEMPT REVENUE BONDS SERIES 2018 (CALIFORNIA LUTHERAN UNIVERSITY) OR 2018 TAX EXEMPT LOAN IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$100,000,000 FOR PURPOSE OF FINANCING AND REFINANCING ACQUISITION, CONSTRUCTION, IMPROVEMENT, RENOVATION AND EQUIPPING OF VARIOUS EDUCATIONAL AND ADMINISTRATIVE FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO

RES. NO. 2018-\_\_\_\_\_

RECOMMENDATION:

1. Conduct public hearing regarding issuance of tax-exempt bonds or loan (Bonds) by California Municipal Finance Authority (CMFA) to provide financing for California Lutheran University (CLU)

8. PUBLIC HEARINGS: (Continued)

- A. California Municipal Finance Authority Tax-Exempt Bonds or Loan Financing for California Lutheran University (Continued)

RECOMMENDATION: (Continued)

2. Adopt resolution approving issuance of Bonds by CMFA, not-to-exceed \$100,000,000, for benefit of CLU, to provide for financing of project, such adoption solely for purposes of satisfying requirements of Tax Equity and Fiscal Responsibility Act of 1983 (TEFRA), Internal Revenue Code 1986, as amended, (Code) and California Government Code Section 6500, et seq.

9. DEPARTMENT REPORTS:

- A. [Thousand Oaks Alliance for the Arts \(TOARTS\) Operations and Programming Update](#)

RECOMMENDATION: Receive TOARTS operations and programming update for previous six months, ending June 30, 2018

- B. [Selection of Medical Cannabis Dispensary Business](#)

RECOMMENDATION:

1. Receive report; select one medical cannabis dispensary operator
2. Establish Community Benefit Fund
3. Authorize City Manager to execute Operations Agreement, including Community Benefit Fund contribution, with selected operator, subject to City Attorney approval

- C. [CalPERS Fresh Start and Funding Policy](#)

RECOMMENDATION:

1. Authorize Finance Director to direct CalPERS Actuary to implement 15-year Fresh Start liability amortization methodology

9. DEPARTMENT REPORTS: (Continued)

C. CalPERS Fresh Start and Funding Policy (Continued)

RECOMMENDATION: (Continued)

- 2. Direct staff to develop funding policy to achieve long-term pension sustainability, including budget appropriation and expenditure of Assigned Fund Balance/Net Position of various funds towards Pension Rate Stabilization Trust Fund as follows:

General Fund	\$17,185,000
Wastewater Fund	\$ 3,010,000
Water Fund	\$ 1,795,000
Transportation Fund	\$ 260,000
Solid Waste Fund	\$ 250,000

10. COMMITTEE/COMMISSION/BOARD REPORTS:

A. [FY 2018-19 Community Events Endowment Fund \(CEEF\) Grants Award Recommendations \(Cultural Affairs Commission\)](#)

RECOMMENDATION:

- 1. Approve Community Events Endowment Fund Grants totaling \$85,000; authorize City Manager to execute agreements with grantees
- 2. Authorize expenditure of \$85,000 A/C 001-1120-611-5920 (CF2018 CEEF Grants/Donations)

B. [Cultural Affairs Commission Annual Report](#)

RECOMMENDATION: Receive and file Cultural Affairs Commission's Annual Report for FY 2017-18

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. [National League of Cities \(NLC\) Summer Board and Leadership Forum – June 25 - 27, 2018 \(Price\)](#)

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 LEGAL COUNSEL – EXISTING LITIGATION:  
Zahra Sirat v. City of Thousand Oaks, et al.; Case No.: 56-2016-00490653-CU-PO-VTA; Pursuant to Government Code Section 54956.9(d)(1)

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to Regular Meeting August 28, 2018

Agenda Post Date/Time: July 5, 2018, 5:00 p.m.

## EXHIBIT A

### 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH U. ARE TO APPROVE  
RECOMMENDATIONS FOR ITEMS V. AND Y. THROUGH AA. ARE TO ADOPT  
RECOMMENDATIONS FOR ITEMS W. AND X. ARE THAT ORDINANCE BE READ IN  
TITLE ONLY, FURTHER READING BE WAIVED, AND IF NO OBJECTION,  
INTRODUCED*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify June 20, 2018, June 27, 2018 and July 4, 2018; approve July 11, 2018; approve July 18, 2018, July 25, 2018, August 1, 2018, August 8, 2018, August 15, 2018 and August 22, 2018, subject to review and ratification
- B. [Minutes of City Council meetings of June 5, 2018 and June 19, 2018](#)
- C. No Appropriation/Expenditure Required: [Designate Councilmember Joel Price as Voting Delegate and Mina Layba, Legislative Affairs Manager as Alternate Voting Delegate to represent City at 2018 League of California Cities Annual Business Meeting September 14, 2018; City Clerk to affirm and sign 2018 Annual Conference Voting Delegate/Alternate Form](#)
- D. No Appropriation/Expenditure Required: [FY 2018-19 Top Ten Priorities & Citywide Goals FY 2017-18 & 2018-19; Policy Documents: City Mission Statement, Customer Service Philosophy, City Council Norms](#)
- E. No Appropriation/Expenditure Required: [Grand Jury Response; authorize Mayor to provide written response to May 10, 2018, Ventura County Grand Jury report “Wild-Animal Regulations in Thousand Oaks”; forward response to Grand Jury](#)
- F. Approved Expenditure: [Hill Canyon Treatment Plant \(HCTP\) Lab Services Agreement; First Amendment to Contract No. 10966-2015 with Weck Laboratories, Inc. \\$83,200; not-to-exceed \\$208,200, new term 9/1/18 – 8/31/20; expenditure \\$83,200 A/C 621-8250-682-5699 \(Wastewater HCTP Contracted Services\)](#)
- G. Approved Expenditure: [Ventura County Integrated Regional Water Management Memorandum of Understanding Amendment; term extension to 8/22/23; \\$13,000 expenditure A/C 177-5320-631-5799 \(Storm Water Fund – contracted services\), A/C 621-8250-682-5799 \(Wastewater Fund – contracted services\), A/C 611-8070-682-5799 \(Water Fund – contracted services\)](#)

## 7. CONSENT CALENDAR: (Continued)

- H. Additional Appropriation Fully Offset by Air Quality Developer Fees and Transportation Development Act Funds (TDA): [Transit Operator Contract Amendment; Eighth Amendment to Contract No. 10470-2014 with MV Transportation, Inc. \(MV\)](#) \$4,957,500 maximum annual contract expenditure, 5.01 percent increase in billed hourly rates for all transit services effective 7/1/2018; First Amendment to Contract No. 10506-2014 with City of Westlake Village, First Amendment to Contract No. 10886-2015 with City of Agoura Hills, Second Amendment to Contract No. 10509-2014 with County of Ventura, and Second Amendment to Contract No. 10504-2014 with City of Moorpark for DAR services; Second Amendment to Contract No. 10508-2014 with County of Ventura for Kanan Shuttle services; and Third Amendment to Contract No. 10505-2014 with City of Moorpark for Fixed Route Bus Operations, increasing billing rates by 5.01 percent effective 7/1/2018; \$186,000 budget appropriation, \$444,200 budget transfers, and \$630,200 expenditures detailed in Budget Appropriation and Expenditure Summary
- I. Approved Expenditure: [Purchase of Water Meters and Equipment \(CI 4551\)](#) from Badger Meter, Inc.; four-year annual expenditure not-to-exceed \$400,000 annually A/C 613-8030-685-8310 (CI 4551 Water Capital Facilities/AMR Program)
- J. Approved Expenditure: [Thousand Oaks Boulevard Phase I Streetscape Improvements \(CI 5391\)](#); First Amendment to Contract No. 11556-2017 with MNS Engineers, Inc. \$138,520, not-to-exceed \$429,332; term extension to 9/30/19; expenditure \$148,520 (\$138,520 plus \$10,000 contingency) A/C 001-5310-631-8300 (CI 5391 Thousand Oaks Boulevard Streetscape Improvements)
- K. Approved Expenditure: [Haigh Road Drainage Channel Improvements \(CI 5367\)](#); Third Amendment to Contract No. 11473-2017 with Dudek for engineering support services during construction, \$30,110; expenditure not-to-exceed \$237,656 A/C 532-5310-631-8300 (CI 5367 Haigh Road Drainage Channel)
- L. Additional Appropriation Fully Offset by Grant Revenue: [Emergency Management Performance Grant Application \(EMPG17\)](#); authorize staff to submit application; \$35,000 budget appropriation and expenditure A/C 001-5090-438-3100 (EMPG17 Emergency Management Performance Grant) to A/C 001-5090-627-3300 (EMPG17 Disaster Preparedness Equipment)



## 7. CONSENT CALENDAR: (Continued)

- M. Additional Appropriation Partially Offset by Ventura County Cost-Sharing Agreement: [US Army Corps of Engineers Cost-Sharing Agreements](#) (MI 2527); authorize City Manager to execute cost-sharing agreement for Arroyo Conejo South Branch Feasibility Study as approved by City Attorney, \$600,000; two-year term ending 7/2020; and execute cost-sharing Memorandum of Agreement with Ventura County Watershed Protection District as approved by City Attorney, \$300,000; budget appropriation \$400,000 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-5210-631-5500 (MI 2527 Arroyo Conejo South Branch Improvements)
- N. Approved Expenditure: [Public Emergency Declaration – Water Main Repair](#); ratify City Manager Public Emergency Declaration, pursuant to TOMC 3-10.308; waive informal bid process; authorize City Manager to approve General Services Agreement with Jetoc Construction, Inc. not-to-exceed \$125,000 for repair of 20-inch water main pipeline
- O. Additional Appropriation: [Lease Agreement with Sunesys, LLC](#) for fiber optic facilities serving CVUSD within City traffic signal and communication conduits; term: 7/10/2018 - 6/15/2020; budget appropriations FY 2017-18 \$41,600 and FY 2018-19 \$11,500 A/C 141-5570-484-9900 (Lighting Fund/Miscellaneous Revenue)
- P. Approved Expenditure: [On-Call Office Furniture, Installation, and Related Services](#); contracts with Modular Systems Specialists, Inc.; The Sheridan Group; and Taylor Walk, DBA Pacific Office Interiors, Inc. for three-year terms: 7/10/2018 – 7/31/2021 with two one-year extension options; total not-to-exceed \$300,000 per contractor; maximum \$45,000 per task order/work authorization
- Q. No Appropriation/Expenditure Required: [Civic Arts Plaza Mechanical System Upgrade \(CI 5086\)](#); authorize staff to solicit bids
- R. No Appropriation/Expenditure Required: [Authorization to Solicit Bids for Various Projects at City-owned Buildings for Civic Arts Plaza Roof Renovation project \(CI 5387\)](#); Goebel and Teen Center's Roof Renovation project (CI 5418); Civic Arts Plaza Painting project (MI 2521); and Civic Arts Plaza Signage Renovation project (CI 5332)

7. CONSENT CALENDAR: (Continued)

S. No Appropriation/Expenditure Required: [Amendments to Adult/Teen Center Agreements; First Amendment to Contract No. 1680-1988](#)  
Operating Agreement with CRPD for Goebel Adult Community Center to extend term for 20-year period; First Amendment to Contract No. 1681-1988 Land Lease with CRPD to standardize terms

T. No Appropriation/Expenditure Required: [Grand Jury Response; authorize Mayor to provide written response to May 16, 2018, Ventura County Grand Jury report "Annual Detention Report"; forward response to Grand Jury](#)

U. Approved Expenditure: [Homeland Security Grant for Thousand Oaks Police Department's Disaster Assistance Response Team \(DART\); authorize \\$10,000 grant acceptance and expenditure A/C 001-6740-627-3300 \(OES11 DART Equipment less than \\$5,000\)](#)

V. No Appropriation/Expenditure Required: [City Manager Authority During Summer Recess; adopt resolution](#)

RESOLUTION DELEGATING CERTAIN INTERIM AUTHORITY TO CITY MANAGER RES. NO. 2018-\_\_\_\_\_

W. No Appropriation/Expenditure Required: [Municipal Code Amendment – Landscape and Encroachments Within Public Right-of-Way](#)

ORDINANCE AMENDING SECTIONS 7-2.902(b), 7-2.910, AND ADDING SECTION 7-2.913 OF THE THOUSAND OAKS MUNICIPAL CODE REGARDING LANDSCAPE AND ENCROACHMENTS WITHIN THE PUBLIC RIGHT-OF-WAY ORD. NO. 1<sup>st</sup> Reading

X. No Appropriation/Expenditure Required: [Municipal Code Amendment – Flood Insurance Rate Maps; Flood Damage Prevention - General Provisions, pursuant to directive from Federal Emergency Management Agency \(FEMA\)](#)

ORDINANCE AMENDING TITLE 4, CHAPTER 7, ARTICLE 3(b) OF THE THOUSAND OAKS MUNICIPAL CODE, CITY WATER DIVISION ORD. NO. 1<sup>st</sup> Reading

7. CONSENT CALENDAR: (Continued)

ORDINANCES FOR SECOND READING:

- Y. [ORDINANCE AMENDING TITLE 10, CHAPTER 2, ARTICLE 701 \(a\) OF MUNICIPAL CODE, CITY WATER DIVISION \(Introduced 5/15/18, 5-0\)](#)  
ORD. NO. 1646-NS
- Z. [ORDINANCE AMENDING ARTICLE 10, CHAPTER 3, TITLE 9 OF MUNICIPAL CODE RELATIVE TO STANDARD SPECIFICATIONS FOR ROAD CONSTRUCTION IMPROVEMENTS \(Introduced 5/15/18, 5-0\)](#)  
ORD. NO. 1647-NS
- AA. [ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE RELATING TO OFFICIAL ZONING MAP AND CHANGING ZONING CLASSIFICATION OF PROPERTY LOCATED AT 980 WARWICK AVENUE; \(ZONE CHANGE Z 2017-70523; APPLICANT: SILVERADO SENIOR LIVING\) \(Introduced 6/19/2018, 5-0\)](#)      ORD.NO. 1648-NS