

**City Council
REGULAR MEETING
Tuesday, November 13, 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	Tracy M. Noonan, City Attorney
Ingrid Hardy, Assistant City Manager	Gary Rogers, Deputy City Manager/HR Director
Mark A. Towne, Community Development Director	Jaime Boscarino, Interim Fin. Dir./City Treasurer
Cynthia M. Rodriguez, City Clerk	Jay T. Spurgin, Public Works Director
Barry McComb, Cultural Affairs Director	Heather Cousin, Library Director
Jim Friedl, General Manager, CRPD	Tim Hagel, Police Chief
John Spykerman, 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. 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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November 13, 2018

RES. NO. 2018-068
ORD. NO. 1653-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. Commendation – Dick Hus – 90th Birthday Celebration
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 7 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [Adoption of Title 10 of the Los Angeles County Code with Amendments and Fee Resolution as it relates to Animal Control Services \(MCA 2018-70107\)](#)

RESOLUTION ESTABLISHING ADMINISTRATIVE FINES FOR VIOLATIONS, AND USER FEES FOR ANIMAL CONTROL SERVICES, PURSUANT TO TITLE 10 OF THE LOS ANGELES COUNTY CODE AS ADOPTED BY REFERENCE BY THE THOUSAND OAKS MUNICIPAL CODE RES. NO. 2018-_____

ORDINANCE AMENDING SECTIONS 6-1.100, 6-1.106, 6-1.107, 6-1.109, AND REPEALING IN ITS ENTIRETY SECTION 6-1.05 OF THE MUNICIPAL CODE OF THE CITY OF THOUSAND OAKS REGARDING THE ADOPTION OF TITLE 10 OF THE LOS ANGELES COUNTY CODE WITH ASSOCIATED LOCAL AMENDMENTS AS IT RELATES TO ANIMAL REGULATIONS (MCA 2018-70107) ORD. NO. 1st Reading

8. PUBLIC HEARINGS: (Continued)

- A. Adoption of Title 10 of the Los Angeles County Code with Amendments and Fee Resolution as it relates to Animal Control Services (MCA 2018-70107) (Continued)

RECOMMENDATION:

- 1. Adopt resolution establishing fees for animal licenses, permits, and administrative penalties for violations per Title 10 of the Los Angeles County Code
- 2. Ordinance to be read in title only, further reading be waived, and if no objection, introduced

- B. [Municipal Code Amendment Regarding Licensing and Operating Regulations for Vending on Public Property](#)

ORDINANCE AMENDING THE THOUSAND OAKS MUNICIPAL CODE REPEALING IN ITS ENTIRETY TITLE 5, CHAPTER 23 AND ADDING TITLE 5, CHAPTER 23 ADOPTING LICENSING AND OPERATING REGULATIONS FOR VENDING ON PUBLIC PROPERTY AND AMENDING SECTION 4-3.415 MODIFYING REGULATIONS CONCERNING COMMERCIAL VENDING VEHICLES NEAR SCHOOLS
ORD. NO. 1st Reading

RECOMMENDATION: Ordinance amending the Thousand Oaks Municipal Code repealing in its entirety Title 5, Chapter 23 and adding Title 5, Chapter 23 adopting licensing and regulations for vending on public property and amending Title 4, Chapter 3, Article 4, Section 415 regarding commercial vending vehicles near schools to be read in title only, further reading be waived, and if no objection, introduced

9. DEPARTMENT REPORTS: None

10. COMMITTEE/COMMISSION/BOARD REPORTS: 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

13. CITY MANAGER:

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

14. CLOSED SESSION: City Council Conference Room 2nd floor

- A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: Operating Engineers Funds, Inc. v. City of Thousand Oaks, Case No. 56-2017-00504680-CU-OR-VTA; Pursuant to Government Code Section 54956.9(a)

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn in memory of:

- o Victims of the Conejo Valley shooting
- o Betty Hanson Linsley, retired City employee

to Regular Meeting November 27, 2018

Agenda Post Date/Time: November 8, 2018, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH H. ARE TO APPROVE
RECOMMENDATIONS FOR ITEMS I. THROUGH K. ARE TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify October 24, 2018 and October 31, 2018; approve November 14, 2018; approve November 21, 2018, subject to review and ratification
- B. [Minutes of City Council meeting of October 23, 2018](#)
- C. Approved Expenditure: [Conejo Creek North Park/El Monte Drive Steel Waterline Rehabilitation Project \(CI 5519\)](#); reject all bids received October 3, 2018; authorize staff to re-advertise for new construction bids following value engineering evaluation
- D. Approved Expenditure: [Out of Agency Service Agreement; agreement between Victor Galvez and City for water and wastewater services for new single-family residence and accessory dwelling unit; located: 426 South Ventu Park Road \(AP #673-0-180-590\)](#)
- E. Approved Expenditure: [1994-1 Community Facilities District Annual Report](#); receive and file Annual Report on 1994-1 Community Facilities District (Marketplace Public Pedestrian, Traffic Circulation, and Parking Facilities) in compliance with Local Agency Special Tax Bond and Accountability Act
- F. Additional Appropriation: [Franchised Solid Waste Hauler Financial Audit](#); award contract to HF&H Consultants, LLC for professional auditing services for audit of City's two franchised exclusive solid waste hauler companies, including their non-exclusive contracts and Simi Valley Landfill; not-to-exceed \$115,700; term ending 9/30/2019; budget appropriation \$7,270 A/C 631-000-341-9900 (Solid Waste Net Position) to A/C 631-8420-682-5210 (Financial/Audit Expense); expenditure not-to-exceed \$127,270 (\$115,700 contract, \$11,570 contingency) A/C 631-8420-682-5210 (Financial/Audit Expense)

7. CONSENT CALENDAR: (Continued)

- G. Approved Expenditure: [Non-Exclusive Solid Waste Franchise Agreements](#); adopt resolution approving Non-Exclusive Solid Waste Franchise Agreements with America’s Bin Company, Inc.; Harrison Industries/Newbury Disposal Company; J&L Hauling and Disposal, Inc.; Ware Disposal, Inc.; and USA Waste of California/Waste Management; term 1/1/2019 - 12/31/2021, with one three-year extension option

RESOLUTION APPROVING NON-EXCLUSIVE SOLID WASTE FRANCHISE AGREEMENTS WITH AMERICA’S BIN COMPANY, INC.; HARRISON INDUSTRIES/NEWBURY DISPOSAL COMPANY; J&L HAULING AND DISPOSAL, INC.; WARE DISPOSAL INC.; AND USA WASTE OF CALIFORNIA, INC., A DELAWARE CORPORATION, A WASTE MANAGEMENT COMPANY RES. NO. 2018-

- H. Approved Expenditure: [Solid Waste Program and Rate Adjustments](#); adopt resolution approving annual rate adjustments and add a special processing fee for solid waste collection services effective 1/1/2019; discontinue Neighborhood Clean Up

RESOLUTION ESTABLISHING 2019 RESIDENTIAL AND COMMERCIAL SOLID WASTE RATE SCHEDULES RES. NO. 2018-

ORDINANCES FOR SECOND READING:

- I. [ORDINANCE AMENDING THE THOUSAND OAKS MUNICIPAL CODE REPEALING IN ITS ENTIRETY TITLE 4, CHAPTER 2 AND ADDING TITLE 4, CHAPTER 2 ADOPTING LICENSING AND OPERATING REGULATIONS FOR TAXICABS](#) (Introduced 10/23/18, 4-0, Bill-de la Peña absent) ORD. NO. 1653-NS

- J. [ORDINANCE ADJUSTING AND SETTING RATES AND FEES OF THE CITY WATER DIVISION \(UNCODIFIED\)](#) (Introduced 10/23/18, 4-0, Bill-de la Peña absent) ORD. NO. 1654-NS

- K. [ORDINANCE ADJUSTING AND SETTING RATES, FEES AND DISCHARGE LIMITS OF THE CITY WASTEWATER DIVISION \(UNCODIFIED\)](#) (Introduced 10/23/18, 4-0, Bill-de la Peña absent) ORD. NO. 1655-NS