

City Council

REGULAR MEETING

Tuesday, June 11, 2019, 6:00 P.M.

Andrew P. Fox City Council Chambers



Rob McCoy, Mayor

Al Adam, Mayor Pro Tem

Claudia Bill-de la Peña, Councilmember

Bob Engler, Councilmember

Ed Jones, 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

Jaime Boscarino, Finance Dir./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. 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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June 11, 2019

RES. NO. 2019-022
ORD. NO. 1662-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Bill-de la Peña, Engler, Jones, Adam, and Mayor McCoy
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
 - A. Acknowledgment - 75th Anniversary of D-Day
 - B. Pop Up Arts & Music Festival Update
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 8 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [Proposed FY 2019-20 and FY 2020-21 Operating and Capital Improvement Program Budgets](#)

RESOLUTION ADOPTING ANNUAL CITY OF THOUSAND OAKS OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGETS FOR FISCAL YEARS 2019-20 AND 2020-21; AND ADOPTING FINANCIAL POLICIES RES. NO. 2019-_____

RECOMMENDATION:

1. Adopt resolution approving proposed Operating and Capital Improvement Program (CIP) Budgets for FY 2019-20 and FY 2020-21
2. Adopt updated Financial and Budget Policies, including Governmental Fund Balance Policy that establishes guidelines and procedures for allocating and reporting fund balance in financial statements in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54
3. Authorize City Manager to carryover funds from FY 2018-19 to FY 2019-20 and from FY 2019-20 to FY 2020-21 for projects listed as requiring carryover included in CIP Budget, Grants, and Project-Related Maintenance and Operations budgets

8. PUBLIC HEARINGS: (Continued)

B. [Annual Collection of Delinquent Wastewater Service Charges - Property Tax Roll](#)

RESOLUTION PROVIDING FOR COLLECTION OF DELINQUENT WASTEWATER SERVICE CHARGES BY ATTACHMENT TO REAL PROPERTY TAX ROLL RES. NO. 2019-_____

RECOMMENDATION:

1. Adopt resolution approving Annual Collection of Delinquent Wastewater Service Charges by Attachment to Real Property Tax Roll (two-thirds vote required)
2. Approve list of property owner names, addresses, parcel numbers, and assessment amounts to be submitted to Ventura County Tax Collector

C. [Landscape and Lighting Assessment District No. 79-2 Annual Levy](#)

RESOLUTION APPROVING ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2, AND ANNUAL LEVY OF ASSESSMENTS RELATED THERETO COMMENCING IN FISCAL YEAR 2019-20 RES. NO. 2019-_____

RESOLUTION ORDERING LEVY AND COLLECTION OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 FOR FISCAL YEAR 2019-20 RES. NO. 2019-_____

RECOMMENDATION:

1. Approve Final Engineer's Report for Landscape and Lighting Assessment District (LLAD) No. 79-2 FY 2019-20 Assessments
2. Adopt resolutions approving Engineer's Report and Ordering Annual Levy of Assessments for FY 2019-20

9. DEPARTMENT REPORTS: None

10. COMMITTEE/COMMISSION/BOARD REPORTS: None

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

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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June 11, 2019

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: *CITY OF THOUSAND OAKS v. VALENCIA CIRCLE K RIDING STABLES, INC. et al.*; Case No. 56-2019-00526124-CU-UD-VTA; Pursuant to Government Code Section 54956.9(a)
- B. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *VALENCIA CIRCLE K RIDING STABLES, INC., et al. v. CITY OF THOUSAND OAKS*; Case No. 56-2019-00524543-CU-CO-VTA; Pursuant to Government Code Section 54956.9(a)

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to Regular Meeting June 25, 2019

Agenda Post Date/Time: June 6, 2019, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

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

- A. General, Utilities, Golf Course, and Theatres Demands – ratify May 22, 2019, May 29, 2019, and June 5, 2019; approve June 12, 2019, and approve June 19, 2019, subject to review and ratification
- B. [Minutes of City Council meetings of May 14, 2019 and May 21, 2019](#)
- C. Additional Appropriation: [Bank of America Performing Arts Center \(BAPAC\) Security Assessment; Patron Safety Policy effective 7/1/19; \\$40,000 budget appropriation A/C 001-0000-311-1000 \(General Fund – Fund Balance\) to A/C 001-3577-677-3300 \(Equipment less than \\$5,000\)](#)
- D. No Appropriation/Expenditure Required: [City of Thousand Oaks 2019 Legislative Platform; receive report and approve 2019 Legislative Platform](#)
- E. Approved Expenditure: [Greater Conejo Valley Chamber of Commerce Services; agreement for two-year term: 7/1/19-6/30/21; \\$115,000 expenditure for FY 2019-2020 and \\$115,000 for FY 2020-2021 A/C 001-0810-612-5723 \(Contracted Services – Chamber of Commerce\)](#)
- F. Approved Expenditure: [Concrete Sidewalk Repair Program \(MI 2543\);](#) project design, plans, and specifications, including Addendum No. 1; award construction contract to Gentry General Engineering, Inc. in amount of \$644,273, plus \$128,727 contingency; \$778,000 expenditure (\$644,273 construction contract, \$128,727 contingency, \$5,000 City furnished materials and supplies) A/C 133-5610-631-5500 (MI 2543 Concrete Replacement and Sidewalk Repair Program); delegate authority to City Engineer to approve changes in design, plans, specifications, and working details of project up to approved contingency
- G. Approved Expenditure: [La Granada Pump Station Improvements \(CI 8082\);](#) authorize staff to advertise for construction bids

7. CONSENT CALENDAR: (Continued)

- H. \$939,684 Increase to FY 2017-19 Capital Budget Fully Offset by Grant Revenue: [Rancho Road Sidewalks and Bike Lanes Project \[CML-5392 \(055\)\]](#) (CI 5308); Third Amendment with Kimley-Horn and Associates, Inc. (Cont. No. 11302-2016), in amount of \$59,568.27, new not-to-exceed amount \$294,850.81, term ending: 12/31/20; authorize acceptance of additional 2017 and 2018 Congestion Mitigation and Air Quality Improvement (CMAQ) Grant [CML-5392(055)] in amount of \$659,314 and \$280,370 from Federal Highway Administration; \$939,684 budget appropriation A/C 543-0000-486-0000 (CI5308, CMAQ Grant) to A/C 543-5310-631-8300 (CI 5308, Rancho Road Sidewalk); \$59,568.27 expenditure A/C 543-5310-631-8300 (CI 5308, Rancho Road Sidewalk)
- I. Additional Appropriation: [Conejo School Road/Willow Lane Sidewalk and Bike Lanes Project](#) (CI 5492); Second Amendment with MNS Engineers, Inc. (Cont. No. 11658-2017) in amount of \$68,785, new not-to-exceed amount \$698,586; \$21,401 budget appropriation A/C 613-0000-341-9900 (Water Fund, Net Position) to A/C 613-5310-682-8300 (Water-Capital Facility Replacement), \$4,600 A/C 001-0000-311-1000 (General Fund, Fund Balance) to A/C 001-5210-642-5300 (General Fund – Design and Engineering collected from Plan Check Fees); \$68,785 expenditure [\$42,784 A/C 543-5310-631-8300 (CI 5492, Conejo School Road/Willow Lane Sidewalk) extra services, \$21,401 A/C 613-5310-682-8300 (Water-Capital Facility Replacement), \$4,600 A/C 001-5210-642-5300 (General Fund – Design and Engineering collected from Plan Check Fees)]
- J. Approved Expenditure: [Household Hazardous Waste \(HHW\) Contract](#) Amendment; Second Amendment with Clean Harbors Environmental Services, Inc. (Cont. No. 11264-2016) for routine and emergency HHW facility operations and disposal services in amount of \$320,000 annually for two-year term: 7/1/19-6/30/21, increasing not-to-exceed total to \$1.6 million; three percent increase in service, transportation, and disposal rates for two-year extension period to cover increases in costs
- K. Approved Expenditure: [Alex Fiore Thousand Oaks Teen Center \(Teen Center\)](#) and Goebel Adult Community Center (Goebel Center) Capital Improvements Grant Agreement; grant agreement between City and Conejo Recreation and Park District (CRPD); \$300,000 budget appropriation A/C 001-3573-677-8200 (CI4901, Capital – Buildings) to A/C 001-3573-677-5920 (CI4091, Grants and Donations); \$300,000 expenditure A/C 001-3573-677-5920 (CI4091, Grants and Donations)

7. CONSENT CALENDAR: (Continued)

- L. Approved Expenditure: [Workers' Compensation Claims Administration](#); First Amendment with York Risk Services Group Inc. (Cont. No. 11249-2016) to extend agreement for additional two years, new term: 7/1/16-7/30/21; new not-to-exceed amount \$225,607; \$95,000 expenditure A/C 712-0520-686-5640 (Claims Administrative Fees)

ORDINANCES FOR SECOND READING:

- M. [ORDINANCE AMENDING TITLE 5, CHAPTER 29, SECTIONS 5-29.01, 5-29.06, 5-29.07, 5-29.08, 5-29.09, 5-29.12, 5-29.18, 5-29.22, 5-29.24, 5-29.27, 5-29.34, AND 5-29.35 OF THE MUNICIPAL CODE OF THE CITY OF THOUSAND OAKS REGARDING COMMERCIAL CANNABIS AND PERSONAL CANNABIS CULTIVATION](#) (Introduced 5/14/19, 5-0)
ORD.NO. 1662-NS

- N. [ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE SECTIONS 5-8.08 & 5-8.09 OF TITLE 5, CHAPTER 8 MISCELLANEOUS OFFENSES REGARDING CAMPING AND SITTING AND STANDING IN PUBLIC PLACES](#) (Introduced 5/21/19, 5-0) ORD.NO. 1663-NS