

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

June 11, 2019

1. CALL TO ORDER:

Mayor Rob McCoy called the meeting to order at 6:01 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor McCoy led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers Bill-de la Peña, Engler, Jones, Adam, and Mayor McCoy.

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Assistant City Manager Ingrid Hardy, City Clerk Cynthia M. Rodriguez, Community Development Director Mark Towne, Finance Director/City Treasurer Jaime Boscarino, Public Works Director Jay Spurgin, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Police Chief Tim Hagel, Fire Chief John Spykerman, Deputy City Clerk Laura Maguire, Deputy Cultural Affairs Director Jonathan Serret, Revenue Operations Manager Sheri Johnson, Budget Officer Brent Sakaida, Senior Engineer Jim Taylor, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Eric Goor, Senior Video Specialist Richard Swingler, Senior IT Technician David Johnson, Assistant Analyst Christy Glaubke, Assistant Analyst Sandra Delgado, and Recording Secretary Dominga Zambrano.

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

5. SPECIAL PRESENTATIONS:

- A. In commemoration of the 75<sup>th</sup> anniversary of D-Day, Mayor McCoy introduced World War II veterans, Leonard Zerlin and Harry Norkin, and presented commendations for their service to the country and to the community.
- B. Mayor McCoy introduced Deputy Cultural Affairs Director Serret who provided an update on upcoming Pop Up Arts & Music Festival programming.

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6. PUBLIC COMMENTS:

Rebecca Tatum, Newbury Park (submitted document); Adam Haverstock, Greater Conejo Valley Chamber of Commerce; Carol Taccetta, Newbury Park (submitted document); Kristi Turner, Thousand Oaks; Trisha Brazil, Thousand Oaks; Peggy Rosenberg, Thousand Oaks; Joy DuPuis, Thousand Oaks (submitted document); Paige Nielsen, Westlake Village; Vadim Manzhos, Newbury Park; Tania, Thousand Oaks (submitted document); Bill Lind, Ventura; Judy Bruce, Simi Valley; Robert Oriley, Thousand Oaks; Cathy Willott, Thousand Oaks; Celia Daniels, Thousand Oaks; Steven Auclair, Port Hueneme; Warren Wolf, Thousand Oaks; Alex Valadez, Newbury Park; Audrey Bruckner, Thousand Oaks; Kevin Narramore, Thousand Oaks (submitted document); Linda Pore, Westlake Village; Lorena Saruwatari, Camarillo; Mandy Jacob, Newbury Park.

Written Statements: Carolyn Guillot, Thousand Oaks; Dale Russell, Thousand Oaks.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Proposed Annual City Operating and Capital Improvement Program Budgets for FY 2019-20 and FY 2020-21 presented by Finance Director Boscarino. Budget Officer Sakaida available for questions.

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. 2019-022

Speakers/Statement cards: None.

Mayor McCoy closed public hearing.

Motion by Councilmember Bill-de la Peña to adopt resolution approving proposed Operating and Capital Improvement Program (CIP) Budgets for FY 2019-20 and FY 2020-21; 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; 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, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes – None.

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8. PUBLIC HEARINGS: (Continued)

- B. Hearing, advertised as required by law, opened to consider: Annual Collection of Delinquent Wastewater Service Charges - Property Tax Roll presented by Revenue Operations Manager Johnson. Finance Director Boscarino responded to questions. Additional information supplemental packet.

RESOLUTION PROVIDING FOR COLLECTION OF DELINQUENT WASTEWATER SERVICE CHARGES BY ATTACHMENT TO REAL PROPERTY TAX ROLL  
RES. NO. 2019-023

Speakers/Statement cards: None.

Mayor McCoy closed public hearing.

Motion by Councilmember Bill-de la Peña to adopt resolution approving Annual Collection of Delinquent Wastewater Service Charges by Attachment to Real Property Tax Roll (two-thirds vote required); approve list of property owner names, addresses, parcel numbers, and assessment amounts to be submitted to Ventura County Tax Collector, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None.

- C. Hearing, advertised as required by law, opened to consider: Landscape and Lighting Assessment District No. 79-2 Annual Levy provided by Public Works Director Spurgin. Senior Engineer Taylor available for questions.

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. 2019-024

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. 2019-025

Speakers/Statement cards: None.

Mayor McCoy closed public hearing.

Motion by Councilmember Engler to approve Final Engineer's Report for Landscape and Lighting Assessment District (LLAD) No. 79-2 FY 2019-20 Assessments; adopt resolutions approving Engineer's Report and Ordering Annual Levy of Assessments for FY 2019-20, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None.

9. DEPARTMENT REPORTS: None.

10. COMMITTEE/COMMISSION/BOARD REPORTS: None.

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

12. COUNCIL ISSUES/RECOMMENDATIONS: None.

13. CITY MANAGER:

A. Follow-up items: Nothing additional.

B. Announcements and upcoming issues: City Manager Powers reviewed potential topics for the next regularly scheduled City Council Meeting June 25, 2019.

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

City Attorney Noonan announced Closed Session held at 7:48 p.m.

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)

City Attorney Noonan indicated no announcement anticipated.

15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

City Council adjourned at 8:08 p.m. to Regular Meeting on Tuesday, June 25, 2019.

  
Robert McCoy, Mayor  
City of Thousand Oaks City Council

Attest:

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

AGENDA POSTED: June 6, 2019

MINUTES APPROVED: June 25, 2019

\*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*

Additional information supplemental packet regarding Item 7.C.

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

- 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

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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)

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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