

## MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

June 27, 2017

### 1. CALL TO ORDER:

Mayor Claudia Bill-de la Peña 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 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, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Battalion Chief Tomas Arce, Assistant City Attorney Patrick Hehir, Deputy City Clerk Laura Maguire, Deputy Cultural Affairs Director Jonathan Serret, Code Compliance Manager Geoff Ware, Associate Analyst Mike Houser, Communications/ Marketing Analyst Ashley Humes, Maintenance Supervisor Garrett Crawford, Assistant Analysts Sandra Delgado and Pam Romer, Senior Video Specialist Richard Swinger, and Senior Recording Secretary Janis Daly.

### 4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM: Mayor announced Items 10.B. (Cultural Affairs Commission Annual Report) and 10.C. (Business Roundtable's Work Plan; Public WiFi Project in Downtown Area) are being moved to a future date.

### 5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

- A. Mayor Bill-de la Peña introduced Conejo Recreation and Parks District (CRPD) Board Chair George Lange and CRPD Recreation and Community Services Administrator Rochelle Callis to highlight events planned for the month of July; Mayor Bill-de la Peña presented Proclamation designating July as National Park and Recreation Month.
- B. Mayor Bill-de la Peña introduced Landscape Maintenance Supervisor Crawford who explained the Tree Project for which Oak Leaf award is being presented and indicated representative of recipient, Mormon Helping Hands Just Serve was unable to attend.
- C. Maintenance Supervisor Crawford presented Oak Leaf award to Eagle Scout Michael McCoy for his Butterfly/Pollinator Garden Project.

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6. PUBLIC COMMENTS:

Mike Houser, Camarillo; Roger Meade, Thousand Oaks; Dao Doan, Newbury Park; Nick Quidwai, Newbury Park.

13. CITY MANAGER:

- \*A. Follow-up items: City Manager Powers indicated staff will reach out to speaker regarding Accessory Dwelling Units (Meade) and will include citizen who spoke regarding downtown in the process going forward (Doan).

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Landscape and Lighting Assessment District (LLAD) No. 79-2 Annual Levy, FY 2017-18 presented by Deputy Public Works Director Finley.

RESOLUTION APPROVING ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2, AND ANNUAL LEVY OF ASSESSMENTS RELATED THERETO COMMENCING FISCAL YEAR 2017-18  
RES. NO. 2017-032

RESOLUTION ORDERING LEVY AND COLLECTION OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 FISCAL YEAR 2017-18  
RES. NO. 2017-033

Speaker/Statement Cards: None.

Mayor Bill-de la Peña closed public hearing.

Motion by Councilmember Adam to approve Final Engineer's Report LLAD No. 79-2 FY 2017-18 Assessments; adopt resolutions approving Engineer's Report, Annexations and Ordering Annual Levy of Assessments FY 2017-18, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes – None.

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### 9. DEPARTMENT REPORTS:

- A. Marijuana Policy presented by Community Development Director Towne and HdL Companies Cannabis Compliance Director David McPherson; City Attorney Noonan, Assistant City Attorney Hehir and Police Chief Hagel responded to questions; Code Compliance Manager Ware available for questions. Additional information supplemental packet.

Speakers: Nancy Chappell, Thousand Oaks; Daniel Mattera, Thousand Oaks; James Healey, Thousand Oaks; Mark Wallis, Thousand Oaks; Joshua Wright, Thousand Oaks; Sarah Armstrong, Thousand Oaks; Lori Robinson, Thousand Oaks.

City Council recess 7:55 p.m.; reconvened 8:05 p.m.

Speakers (Continued): Nick Quidwai, Newbury Park; Sally Miller, Thousand Oaks; J.C. Simmons, Newbury Park; Graeme Davis, Newbury Park; Joe Kyle, Newbury Park; Claudia Nagatoshi, Newbury Park; Chaise Rasheed, Thousand Oaks; Eloda Linehan, Newbury Park.

Written Statements: Vadim Manzhos, Newbury Park; Monte Sprague, Thousand Oaks.

Motion by Councilmember Fox to receive report and direct staff to take no action on #'s 1. (Cultivation), 2. (Manufacturing), 4. (Transportation/Transporter), and 5. (Distribution/Distributor) detailed in staff report, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

Motion by Councilmember Price to direct staff to return with guidelines necessary to allow for a single testing facility (# 3. outlined in staff report) in an industrial area, based on best practices, carried 3-2 by the following vote: Ayes - Price, Adam, and Bill-de la Peña; Noes - McCoy and Fox.

Motion by Councilmember Adam to direct staff that no consideration be given to #7. (delivery as outlined in staff report), carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

Motion by Councilmember Fox to direct staff to return with regulatory requirements to allow one dispensary, located in industrial area, limiting hours of operation to 10 a.m. – 7 p.m., 7 days a week by appointment only, allowing THC and CBD, and, based on industry best standards, create application process, taxing mechanism, and on-site security measures including quarterly audits, access, and retention location, 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:

- A. Downtown Revitalization Ad Hoc Committee Report presented by Community Development Director Towne; City Manager Powers and Deputy Public Works Director Finley responded to questions.

Motion by Councilmember Price to endorse citywide pre-screening process for projects that request allocation of unassigned Measure E residential capacity; endorse latest proposed streetscape concept; direct staff to solicit proposals for design services for Phase 1 of downtown streetscape improvements; direct staff to solicit proposals for master plan for downtown core consisting of Thousand Oaks Boulevard from Erbes Road to Conejo School Road, including analysis of land use, streetscape, parking and economics, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- B. Cultural Affairs Commission Annual Report.

Item pulled earlier in meeting.

- C. Business Roundtable's Work Plan; Public WiFi Project in Downtown Area. Additional information supplemental packet.

Item pulled earlier in meeting.

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. Report on National League of Cities Summer Board/Leadership Meeting June 19 – 21, 2017 presented by Councilmember Price.

Report received.

13. CITY MANAGER: (Continued)

- 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 on July 11, 2017, indicating after that date City Council will be in Summer Recess until next regularly scheduled meeting August 29, 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 10:42 p.m.

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: *Javier Ceja v. City of Thousand Oaks*; Case No. 56-2016-00479820-CU-WT-VTA; Pursuant to Government Code Section 54956.9(a)

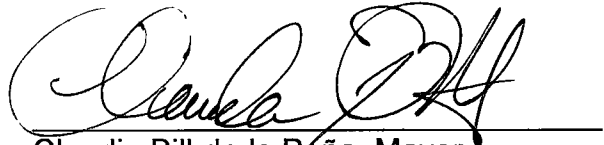
B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: *Edward Scully v. City of Thousand Oaks*; Case No. 56-2016-00477533-CU-OR-VTA; Pursuant to Government Code Section 54956.9(a)

City Attorney Noonan indicated it is unlikely there will be an announcement.

15. PUBLIC NOTICES: None.

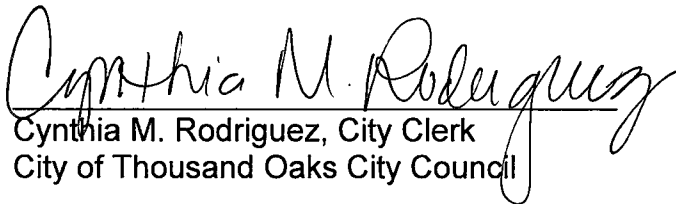
16. ADJOURNMENT:

City Council adjourned at 11:20 p.m. in memory of Former Mayor and Councilmember Dan Del Campo to Regular Meeting on Tuesday, July 11, 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: June 22, 2017

MINUTES APPROVED: July 11, 2017

\*indicates item taken out of order

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**EXHIBIT A**

7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH Q. ARE TO APPROVE*

Speaker: Nick Quidwai, Newbury Park.

Motion by Councilmember Price to approve Consent Calendar with exception of Item 7.O. (City Council Top Ten Priorities FY 2017-18; Citywide Goals FY 2017-18 & FY 2018-19; Policy Documents: City Mission Statement, Customer Service Policy, City Council Norms), carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None. (Item subsequently approved following discussion.)

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

- A. General, Utilities, Golf Course, and Theatres Demands – ratify June 21, 2017; approve June 28, 2017; approve July 5, 2017, subject to review and ratification
- B. Minutes of City Council meeting of June 13, 2017
- C. No Appropriation/Expenditure Required: Business Roundtable Appointments; appointments of Colleen Andersen, Brian Berman, and Maryjane MacLeod and the re-appointments of Cheri Blessing and Aaron Kitzman to serve two-year terms ending June 2019
- D. Approved Expenditure: Agreement with Greater Conejo Valley Chamber of Commerce; term: 7/1/17 – 6/30/19; annual expenditure of \$106,000 A/C 001-0810-612-5723 (Contracted Services – Chamber of Commerce) FY 2017-18 and FY 2018-19
- E. Additional Appropriation: Purchase four replacement Compressed Natural Gas (CNG) Buses for Thousand Oaks Transit (CI 5264) in amount of \$2,276,514 from Gillig, LLC; acceptance of FY 2015-16 Federal Congestion Mitigation Air Quality (CMAQ) grant for \$1,500,000 from Ventura County Transportation Commission (VCTC); grant requires 20 percent (\$300,000) in local matching funds [Transportation Development Act (TDA) Funds]; budget appropriation in amount of \$1,500,000 increasing CMAQ revenue A/C 651-5540-438-4200 (CMAQ Grant Revenue Bus Purchase) and expenditure in the amount of \$2,276,514 A/C 651-5540-685-8400 (CI 5264 Thousand Oaks Transit Bus Purchases)

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### 7. CONSENT CALENDAR: (Continued)

- F. Approved Expenditure: Thousand Oaks Boulevard Decorative Lighting; Second Amendment to Contract No. 11256-2016 with Caltec Electric, Inc., in amount of \$33,938 for assessment, repairs, and upgrades to lighting between Moorpark Road and 23 Freeway overpass and to extend term to 12/30/17; amended total not-to-exceed \$109,524; expenditure of \$34,000 FY 2017-18 A/C 001-5610-631-5699 (Contracted Services)
- G. Approved Expenditure: Wastewater Pipe and Maintenance Hole Lining (CI 5221); Storm Drain Corrugated Metal Pipe Lining (CI 5316); specifications, including Addendum No.1; award construction contract to Sancon Technologies, Inc. in amount of \$1,107,568.20, plus \$111,000 contingency; expenditure of \$1,233,568.20 (\$1,107,568.20 construction contract, \$111,000 construction contract contingency, and \$15,000 City furnished supplies and services) as follows: \$903,159.28 A/C 624-5310-682-8300 (CI 5221 Improvements other than Buildings); \$330,408.92 A/C 001-5310-631-8300 (CI 5316 Improvements other than Buildings); budget will be carried forward FY 2016-17 to FY 2017-18
- H. Approved Expenditure: On-call professional services agreements for various services with 59 firms as outlined in report on Master On-Call Consultant Listing by Service Category; each agreement with three-year term ending 6/30/20, in amount not-to-exceed \$200,000 per year and each individual Task Order not-to-exceed \$125,000 (see Exhibit B for listing of vendors)
- I. Approved Expenditure: Landscape Maintenance Services; three-year agreement with Venco Western, Inc., in total amount not-to-exceed \$4,975,165.08; term: 7/1/17 – 6/30/20 with option to extend up to two additional years; annual expenditure of \$1,658,388.36 (\$1,358,388.36 contract, \$300,000 extra services) FY 2017-18, FY 2018-19, and FY 2019-20
- J. Approved Expenditure: Quitclaim of Waiver of Protest Rights recorded in Book 5319 Page 111 and Book 5319 Page 113 to property owner of Parcels A and B of Land Division (LD) 371; located: 71 North Conejo School Road and 135 North Conejo School Road; authorize the City Engineer to execute all necessary documents

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7. CONSENT CALENDAR: (Continued)

- K. Approved Expenditure: Materials and Parts Supplies; agreements with Famcon Pipe and Supply, Inc., Ferguson Enterprises, Inc. DBA Ferguson Waterworks A Wolseley Company, and Astra Industrial Services, Inc. each in amount not-to-exceed of \$200,000 annually; each term 7/1/17 – 6/30/20 with option of two, one-year extensions; annual expenditure in amount of \$200,000 each vendor FY 2017-18, FY 2018-19, and FY 2019-20
- L. Approved Expenditure: Cleaning and Inspection Services of Potable Water Storage Reservoirs; five-year agreement with H2O Solutions, LLC (H2O) in amount not-to-exceed \$60,000; term: 7/1/17 – 6/30/22; expenditures in the amount of \$60,000 A/C 611-8050-682-5699 (Water Operating Reservoirs/ Contracted Services) as follows: \$10,740 (\$8,700 contract, \$2,040 extra services) FY 2017-18; \$13,040 (\$11,000 contract, \$2,040 extra services) FY 2018-19; \$15,040 (\$13,000 contract, \$2,040 extra services) FY 2019-20; \$15,540 (\$13,500 contract, \$2,040 extra services) FY 2020-21; \$5,640 (\$3,600 contract, \$2,040 extra services) FY 2021-22
- M. Approved Expenditure: Bloomberg Professional Subscription; two-year subscription with Bloomberg Finance, L.P. in amount of \$33,555 annually; term: 7/1/17 – 6/30/19; annual expenditure of \$34,000 FY 2017-18 and FY 2018-19 A/C 001-3210-612-5299 (Treasury Management and Support Financial Expenditure)
- N. Approved Expenditure: FY 2017-18 Insurance Renewals: Property, Liability and Workers' Compensation; City Manager/designee (Deputy City Manager/Human Resources Director) to renew insurance policies for property (Public Entity Property Insurance Program), liability (California Municipal Excess Liability Program), and workers' compensation insurance (Arch Insurance Company); expenditures of \$665,959 from General Fund, Water Fund, Wastewater Fund, Transportation Fund, and Solid Waste Fund for "All Risk" property insurance, \$248,718 A/C 711-0520-686-6312 (Internal Service Fund – Liability) for excess liability insurance renewal, and \$106,779 A/C 712-0520-686-6321 (Internal Service Fund – Workers' Compensation) for excess workers' compensation insurance renewal
- O. No Appropriation/Expenditure Required: City Council Top Ten Priorities FY 2017-18; Citywide Goals FY 2017-18 & FY 2018-19; Policy Documents: City Mission Statement, Customer Service Policy, City Council Norms



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7. CONSENT CALENDAR: (Continued)

- P. No Appropriation/Expenditure Required: Thousand Oaks Cultural Affairs Commission; adopt resolution

RESOLUTION ESTABLISHING THOUSAND OAKS CULTURAL AFFAIRS  
COMMISSION AND RESCINDING RESOLUTION 2016-067

RES. NO. 2017-030

- Q. No Appropriation/Expenditure Required: Annual Gann Appropriations Limit  
\$168,194,683 FY 2017-18; adopt resolution

RESOLUTION ESTABLISHING APPROPRIATIONS LIMIT FOR FISCAL  
YEAR 2017-2018

RES. NO. 2017-031

**EXHIBIT B**

Item 7.H.

Master On-Call Consultant Listing – Various Services

1	AE Group Mechanical Engineers, Inc.
2	ATC Group Services LLC
3	Albert Grover & Associates
4	Allan E. Seward Engineering Geology, Inc.
5	AECOM Technical Services
6	Associated Transportation Engineers
7	Cannon
8	Chris Nelson & Associates, Inc.
9	Coffman Engineers, Inc.
10	Construction Testing & Engineering South, Inc.
11	Cotton, Shires and Associates, Inc.
12	Dudek
13	Encompass Consultant Group, Inc. (ECG)
14	Environmental Science Associates
15	ES Engineering Services
16	Earth Systems Southern California
17	Filippin Engineering, Inc.
18	Flowers & Associates, Inc.
19	Fugro USA Land, Inc.
20	G3 Quality, Inc.
21	GEOCON West, Inc.
22	Geotechniques
23	Gorian Associates, Inc.
24	Hamner Jewell & Associates
25	Huitt-Zollars
26	Impact Sciences
27	Interwest Consulting Group
28	Iteris, Inc.
29	Jensen Design & Survey, Inc.
30	KOA Corporation
31	KPFF Consulting Engineers
32	Kier & Wright Civil Engineers & Surveyors
33	Kimley-Horn and Associates, Inc.
34	Larry Walker Associates
35	Lee & Ro, Inc.

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**EXHIBIT B (Continued)**

Item 7.H.

Master On-Call Consultant Listing – Various Services

36	M6 Consulting, Inc.
37	MNS Engineers Inc.
38	Mollenhauer Group Civil, Inc.
39	NV5 West, Inc.
40	Overland, Pacific & Cutler, Inc.
41	Pacific Coast Land Design, Inc.
42	Pavement Engineering, Inc.
43	Perlter & Ingalsbe Consulting Engineers
44	Phoenix Civil Engineering, Inc.
45	Placeworks
46	RK Engineering Group, Inc.
47	RECON Environmental, Inc.
48	Rincon Consultants, Inc.
49	SWA Group
50	Stantec Consulting Services Inc.
51	Transpo Group
52	Twining Geotechnical
53	United -Heider Inspection Group
54	WM Surveys, Inc.
55	Wagner Engineering & Survey, Inc.
56	Whitson Contracting & Mgmt., Inc.
57	Willdan Engineering
58	YCE Incorporated
59	Yeh and Associates, Inc.