

City Council
REGULAR MEETING
Tuesday, November 28, 2017, 6:00 P.M.
Council Chambers



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

Executive Team

Andrew P. Powers, City Manager
Gary Rogers, Acting Asst. City Manager
Mark A. Towne, Community Development Director
Cynthia M. Rodriguez, City Clerk
Barry McComb, Cultural Affairs Director
Jim Friedl, General Manager, CRPD
Theodore E. Smith, Fire Chief

Tracy M. Noonan, City Attorney
John F. Adams, Finance Director/City Treasurer
Jay Spurgin, Public Works Director
Heather Cousin, Library Director
Elizabeth White, Acting Human Resources 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.

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

(See Exhibit A pages 5 thru 7 for Consent Calendar listing)
8. PUBLIC HEARINGS:

A. [Purchasing Ordinance Modifications](#)

ORDINANCE REPEALING AND REPLACING, IN ITS ENTIRETY, THE PROVISIONS OF ARTICLES 1, 2, 3, 4 AND 5 AND ADDING ARTICLE 6 OF CHAPTER 10 OF TITLE 3 (PURCHASING) OF MUNICIPAL CODE
ORD.NO. 1stReading

RECOMMENDATION:

1. Approve revisions to existing Purchasing Ordinance including: minor administrative changes, addition of federal grant purchasing procedures section, authority for City Manager to award informal Public Project construction bids and contracts (\$175,000 or less) as allowed in California Public Contracts Code, award of Equipment Bids and Request for Proposal/Qualifications (\$75,000 or less), Department Head authority to award contracts (\$25,000 or less), and award of construction change orders
2. Ordinance to be read in title only, further reading be waived, and if there are no objections, introduced

8. PUBLIC HEARINGS: (Continued)

B. [Revised Construction and Demolition \(C & D\) Debris Recycling Regulations](#)

ORDINANCE AMENDING CHAPTER 3 OF TITLE 6 OF THE THOUSAND OAKS MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT

ORD.NO.1stReading

RECOMMENDATION: Ordinance to be read in title only, further reading to be waived, and if no objection, introduced

9. DEPARTMENT REPORTS: None

10. COMMITTEE/COMMISSION/BOARD REPORTS:

A. [Investment Review Committee Annual Report](#)

RECOMMENDATION: Receive and file report

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 - None

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to City Council Reorganization Meeting December 5, 2017

Agenda Post Date/Time: November 22, 2017, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH I. ARE TO APPROVE
RECOMMENDATIONS FOR ITEMS J. THROUGH K. ARE TO ADOPT
RECOMMENDATION FOR ITEM L. IS THAT ORDINANCE BE READ IT TITLE ONLY,
FURTHER READING BE WAIVED, AND IF NO OBJECTION, INTRODUCED*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify November 22, 2017; approve November 29, 2017; approve December 6, 2017, subject to review and ratification
- B. [Minutes of City Council meeting of November 14, 2017](#)
- C. Approved Expenditure: Lawrence Drive Lift Station Expansion (CI 5380); project plans, specifications, and Addendum No. 1; award construction contract in amount of \$177,676 plus contingency of \$17,767 to Bodagger Builders; \$200,443 expenditure (\$177,676 construction contract, \$17,767 contingency, and \$5,000 City furnished materials, supplies, equipment and fees) A/C 624-5310-682-8200 (CI 5380)
- D. Approved Expenditure: On-Call General Service Agreements for Pump, Air Compressor and Motor Repair with All Safe Electric, Inc., Brithinee Electric, Inc., and General Pump Co., Inc.; each in amounts not-to-exceed \$250,000 annually and \$500,000 for term; each term: 11/28/17 – 6/30/19; funds to be identified on case by case basis
- E. Approved Expenditure: Janitorial Services at Various City Facilities Award Janitorial Services at Various City Facilities; award General Services Agreement in amount not-to-exceed \$543,582 annually including approximate amounts of \$104,167 per year for theatre services as needed and \$15,000 for additional on-call services to DMS Facility Services, Inc.; term: 11/28/17 – 11/30/20 with option to extend two additional one-year terms; expenditures of \$662,749 as detailed in staff report as follows: \$310,681 various General Fund accounts; \$190,073 various Library Fund accounts; \$144,127 various Theatre Fund accounts, \$8,934 various Water Fund accounts; and \$8,934 various Wastewater Fund accounts
- F. Approved Expenditure: Citywide Uniform Contract; “piggyback” agreement using City of Tucson, AZ uniform contract through National IPA with award to Prudential Overall Supply for uniforms, other related rental items, and laundry services; term: 12/1/17 – 10/5/22; expenditure not-to-exceed \$50,000 annually various department accounts

7. CONSENT CALENDAR: (Continued)

- G. Approved Expenditure: [Professional Services for Roof Renovation Projects](#) (CI 5387 and CI 5418); award contract for professional architect services related to Civic Arts Plaza, Fiore Teen Center and Goebel Community Adult Center roof renovation projects to Walker Restoration Consultants in amount not-to-exceed \$157,000; term: 11/28/17 – 12/31/19; expenditures of \$39,250 A/C 001-3570-612-8200 and \$39,250 A/C 001-3577-612-8200 (CI 5387 Building Improvements); \$39,250 A/C 001-3573-677-8200 and \$39,250 A/C 001-3574-677-8200 (CI5418 Building Improvements)
- H. Approved Expenditure: [Contribution to Thousand Oaks Alliance for the Arts](#) (TOARTS); donor agreement between City and TOARTS to set forth terms and conditions related to City's one-time \$4,000,000 contribution
- I. Approved Expenditure: [Professional Sales Tax Audit Services; agreement](#) with Hinderliter, de Llamas & Associates (HdL) for Sales and Use Tax Audit Services in base amount of \$10,200 per year plus percentage not-to-exceed 15 percent of all new sales and use tax revenue received by City as result of audit and recovery work; term: 7/1/17 – 6/30/22 with one optional two-year extension; authorize Finance Director to approve expenditure of base fee A/C 001-3110-612-5210 (General Fund Audit Services) and contingency pursuant to contract

ORDINANCES FOR SECOND READING:

- J. [ORDINANCE AMENDING SECTIONS OF MUNICIPAL CODE](#) ADJUSTING CAMPAIGN CONTRIBUTION LIMITS TO REFLECT CHANGES IN CALIFORNIA CONSUMER PRICE INDEX (CPI) (Introduced 11/14/17, 4-0, JP absent) ORD.NO. 1635-NS
- K. [ORDINANCE ADDING TITLE 5, CHAPTER 29, AMENDING SECTIONS 9-4.202 AND 9-4.2105, REPEALING IN ITS ENTIRETY TITLE 9, CHAPTER 4, ARTICLE 44, AND AMENDING TITLE 5, CHAPTER 26 OF MUNICIPAL CODE REGARDING COMMERCIAL CANNABIS, PERSONAL CANNABIS CULTIVATION, AND SOCIAL HOST LIABILITY \(MCA 2017-70260\)](#) (Introduced 11/14/17, 4-0, JP absent) ORD.NO. 1636-NS

7. CONSENT CALENDAR: (Continued)

L. No Appropriation/Expenditure Required: [City Engineer Authority](#)

ORDINANCE AMENDING TITLE 4, CHAPTER 3, ARTICLE 2; TITLE 7, CHAPTER 2, ARTICLE 2; TITLE 9, CHAPTER 3, ARTICLE 9; TITLE 9, CHAPTER 3, ARTICLE 9; TITLE 9, CHAPTER 3, ARTICLE 10; TITLE 9, CHAPTER 3, ARTICLE 12 OF MUNICIPAL CODE AND THEREAFTER READOPTING SAID CHAPTERS OF MUNICIPAL CODE RELATING TO CITY ENGINEER AUTHORITY

ORD.NO.1stReading