

**City Council**  
**REGULAR MEETING**  
**Tuesday, December 12, 2017, 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  
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](http://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 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. Recognition – Community Emergency Response Team (CERT) Graduates
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 through 10 for Consent Calendar listing)
8. PUBLIC HEARINGS:

A. Cannabis Business Selection Process and Fees

RESOLUTION ADOPTING AND ADDING COMMERCIAL CANNABIS  
BUSINESS APPLICATION FEES, APPLICATIONS AND PROCEDURES  
FOR COMMERCIAL CANNABIS PERMITS RES. NO. 2017-

RESOLUTION AUTHORIZING ACCESS TO STATE AND FEDERAL  
CRIMINAL HISTORY INFORMATION RES. NO. 2017-

RECOMMENDATION:

1. Adopt Resolution approving application and selection process and fees for commercial cannabis businesses
2. Adopt Resolution authorizing California Department of Justice and Federal Bureau of Investigation to release criminal background information with purpose of permitting cannabis business owners and employees

8. PUBLIC HEARINGS: (Continued)

A. Cannabis Business Selection Process and Fees (Continued)

RECOMMENDATION: (Continued)

3. Provide direction to staff pertaining to possible Business Tax measure for cannabis businesses on November 2018 general election ballot
4. Approve First Amendment to Contract No. 11362-2017 with HdL Companies, Diamond Bar, CA in amount of \$55,000 to provide additional consulting and audit services for cannabis businesses with a term extension through December 31, 2020
5. Authorize staff to waive formal Request for Proposal/Qualifications (RFP/Q) process for Marijuana Regulations and approve proposed contract amendment for HdL Companies
6. Approve budget appropriation in amount of \$100,000 to A/C 001-0000-425-5000 (Cannabis Business Permits–Revenue) and \$55,000 from A/C 001-3010-612-5640 (Contract Services/ Management Fees) for HdL Companies contract amendment

B. State Mandated Business License Fee for Disabled Access

RESOLUTION ADOPTING AND REVISING BUSINESS LICENSE  
DISABLED ACCESS FEE IN 2017 USER FEE MASTER FEE SUMMARY  
RES. NO. 2017-

RECOMMENDATION:

1. Adopt Resolution approving state mandated business license fee for disabled access to be revised in Citywide User Fee Manual
2. Approve additional budget appropriation to increase General Fund revenue budget in amount of \$40,000 A/C 001-3310-421-6000 (Business License Disabled Access Fee)

9. COMMITTEE/COMMISSION/BOARD REPORTS:

A. Council on Aging (COA) Annual Report

RECOMMENDATION:

1. Receive COA Annual Report and Age-Friendly/Livability Community Portfolio
2. Consider Age-Friendly/Livability designation as FY 2018-19 City Council Priority

B. FY 2017-18 Community Enhancement Grant (CEG) Award Recommendations

RECOMMENDATION:

1. Approve CEG's totaling \$39,426; authorize the City Manager to execute agreements with grantees
2. Approve budget appropriation of \$25,000 A/C 632-0000-341-9900 (Community Enhancement Grant Fund/Net Position) to A/C 632-8420-682-5920 (NC0104 Community Enhancement Fund/ Grants) and expenditure of \$39,426 A/C 632-8420-682-5920 (NC0104 Community Enhancement Fund/Grants)

C. FY 2017-18 Sports Facility Endowment Fund (SFEF) Grants

RECOMMENDATION:

1. Award nine FY 2017-18 SFEF grants totaling \$80,429.11 to applicants identified in report
2. Authorize expenditure of \$80,429.11 A/C 001-1120-611-5920 (SF2017 City Endowment Grant Account)

10. DEPARTMENT REPORTS:

A. [Los Angeles Community Choice Energy \(LACCE\)](#)

ORDINANCE APPROVING JOINT POWERS AGREEMENT FOR LOS ANGELES COMMUNITY CHOICE ENERGY AUTHORITY AND AUTHORIZING IMPLEMENTATION OF COMMUNITY CHOICE AGGREGATION PROGRAM ORD.NO.1<sup>st</sup>Reading

RECOMMENDATION: Authorize City of Thousand Oaks' participation in LACCE Authority through following actions:

1. Approve and execute LACCE Authority Joint Powers Agreement
2. Ordinance approving the Joint Powers Agreement for LACCE Authority, which authorizes implementation of community choice aggregation program to operate in City to be read in title only, further reading waived, and if no objection, introduced

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. [2017 National League of Cities \(NLC\) City Summit Conference](#)  
November 14 – 19, 2017 (Price)

RECOMMENDATION: Receive report

13. CITY MANAGER:

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

14. CLOSED SESSION: City Council Conference Room 2<sup>nd</sup> floor - None

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to Regular Meeting January 9, 2018

Agenda Post Date/Time: December 7, 2017, 5:00 p.m.

## EXHIBIT A

### 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH N. ARE TO APPROVE  
RECOMMENDATIONS FOR ITEMS O. THROUGH Q. ARE TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – approve December 13, 2017; approve December 20, 2017, December 27, 2017, and January 3, 2018, subject to review and ratification
- B. [Minutes of City Council meetings of November 28, 2017 and December 5, 2017](#)
- C. No Appropriation/Expenditure Required: 2018 Social Services Ad Hoc Committee Appointments (Bill-de la Peña, Price); reappointments of Clyde Doheney, Wilfred Garand, Anne La Fianza, Lisa Powell, and Jeri Weinstein, and appointments of Charles Bloomquist, Ann Church, Deborah Wenkert, and Michelle Yee, to the Social Services Ad Hoc Committee, to serve one-year term ending December 2018
- D. No Appropriation/Expenditure Required: Council on Aging Appointment (Fox); appointment of Jeffrey Bert to fill unscheduled vacancy to serve remainder of two-year term ending July 2019
- E. No Appropriation/Expenditure Required: Ventura County Air Pollution Control District Advisory Committee Appointment (McCoy); appointment of Edward Carloni to fill one unscheduled vacancy for term ending January 2019
- F. Additional Appropriation Fully Offset by Donations and Contributions: Conejo Canyons Bridge-Hill Canyon Treatment Plant (HCTP) (CI 5527); accept donation of \$30,000 from Conejo Open Space Foundation (COSF); authorize City Manager to accept additional donations for Conejo Canyons Bridge; accept contribution of \$654,000 from Conejo Recreation and Park District (CRPD) for the Conejo Canyons Bridge; budget appropriation and expenditure of \$684,000 A/C 001-4410-481-0000 (COSF Donation & CRPD Contribution Revenue) to A/C 001-4410-671-8300 (CI 5527 Conejo Canyons Bridge at HCTP); budget appropriation transfer and expenditure of \$140,000 (\$70,000 FY 2017-18 and \$70,000 FY 2018-19) A/C 001-4410-671-8300 (CI 1170 COSCA Improvements & Renovations) to A/C 001-4410-671-8300 (CI 5527 Conejo Canyons Bridge at HCTP)



## 7. CONSENT CALENDAR: (Continued)

- G. Approved Expenditure: [Non-exclusive brush clearance easement on City-owned open space parcel \(APN 676-0-040-105\)](#)
- H. No Appropriation/Expenditure Required: [Temporary informational only post on the City Website regarding State and Local Tax Deduction \(SALT\)](#)
- I. Approved Expenditure: [Lang Ranch Reservoir Improvements \(CI 5291\)](#); professional services agreement with HDR Engineering, Inc. in amount not-to-exceed \$233,500 plus a contingency of \$23,500 for design, preparation of contract documents, and construction services; term: 12/12/17 – 3/30/19; expenditure of \$265,000 (\$233,500 agreement, \$23,500 contingency, and \$8,000 for City furnished materials and supplies) A/C 613-8050-685-8300 (CI 5291 Water Capital Facility Replacement Reservoirs/Lang Ranch Reservoir Improvements)
- J. Additional Appropriation Fully Offset by Grant Funds: [2018 Pavement Overlay and Resurfacing Program \(CI 5256\)](#) and [2018 Pavement Slurry Program \(MI 2541\)](#); authorize staff to advertise for construction bids; professional services agreement with D. Woolley & Associates in amount of \$592,727, plus \$17,273 contingency for monument preservation for overlay program; term: 12/12/17 – 6/30/19; accept CalRecycle Grant of \$265,179 approved November 29, 2017; budget appropriation of \$265,179 A/C 183-0000-435-9900 to A/C 183-5310-631-8300 (CI 5256 2018 Pavement Overlay Program); expenditure \$610,000 (\$592,727 agreement, plus \$17,273 contingency) A/C 539-5610-631-8300 (CI 5256 2018 Pavement Overlay Program)
- K. Approved Expenditure: [Bus Equipment Purchase; Cooperative Agreement](#) with Ventura County Transportation Commission (VCTC) for purchase of bus technology equipment and software; budget appropriation transfer and expenditure of up to \$130,200 to VCTC A/C 651-5540-685-8300 (CI 5263 Transit Technology Upgrades/Capital Improvements) to A/C 651-5540-685-8400 (CI 5263 Transit Technology Upgrades/Capital Equipment)
- L. Approved Expenditure: [Professional Services for Civic Arts Plaza Energy Savings \(CI 5086\)](#); award contract not-to-exceed \$386,500 for professional engineering services to Glumac Inc. term: 12/12/17 – 6/30/19 ending June 30, 2019 including sole source finding; expenditures of \$154,600 A/C 001-3570-612-8205, \$212,575 A/C 001-3577-612-8205, and \$19,325 A/C 001-3580-612-8205 (CI 5086 Building Improvements)



7. CONSENT CALENDAR: (Continued)

- M. Approved Expenditure: Third Party Liability Claims Administration; Second Amendment to Contract No. 11260-2016 with Carl Warren & Company in amount of \$45,000 to extend term 1/1/18 – 12/31/18; revised total not-to-exceed \$137,000; \$45,000 expenditure A/C 711-0520-686-5640 (Claim Handling Fees)
- N. Additional Appropriation Partially Offset by Grant Revenue: Conejo School Road/Willow Lane Sidewalk and Bike Lanes Project (CI 5492); Professional Services Agreement with MNS Engineers, Inc. in amount of \$538,669, plus contingency of \$50,000 for professional engineering services and design; acceptance of the following grants: Congestion Mitigation and Air Quality Improvement (CMAQ) grant of \$1,709,150 from Federal Highway Administration, Active Transportation Program Cycle 3 Augmentation (ATP) Grant of \$775,000 from California Department of Transportation (Caltrans), and Transportation Development Act (TDA) Article 3 Bicycle and Pedestrian grant of \$252,500 from Ventura County Transportation Commission (VCTC); adopt resolution authorizing staff to file a claim with VCTC for FY 2017-18 TDA Article 3 Bicycle/Pedestrian funds in the amount of \$252,500; budget appropriation of \$1,709,150 A/C 183-0000-438-4200 and \$775,000 A/C 183-0000-438-6100 (CI 5492 Conejo School Rd/Willow Lane Sidewalk) to A/C 183-5310-631-8300 (CI 5492 Improvements Other than Buildings) and \$252,500 A/C 136-0000-433-0000 (CI 5492 Conejo School Rd/Willow Lane Sidewalk) to A/C 136-5310-631-8300 (CI 5492 Improvements Other than Buildings, and \$110,000 A/C 136-0000-311-1000 to A/C 136-0000-433-0000 (CI 5492, Gas Tax Revenue) budget transfer of \$200,000 A/C 543-5310-631-8300 (CI 4252 Conejo School Road Sidewalk) FY 2018-19 to A/C 543-5310-631-8300 (CI 5492 Willow Lane Sidewalk) FY 2017-18; expenditures of \$594,500 (\$538,669 professional service agreement, plus \$50,000 contingency, plus \$5,831 for City furnished materials and services) as follows: \$232,000 A/C 543-5310-631-8300 (CI 5492 Conejo School Rd/Willow Lane Sidewalk), and \$362,500 from A/C 136-5310-631-8300 (CI 5492 Conejo School Rd/Willow Lane Sidewalk)

RESOLUTION AUTHORIZING FILING OF CLAIM WITH VENTURA COUNTY TRANSPORTATION COMMISSION FOR ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUNDS FOR BICYCLE AND/OR PEDESTRIAN PURPOSES FOR FISCAL YEAR 2017-18  
RES. NO. 2017-\_\_\_\_\_

7. CONSENT CALENDAR: (Continued)

ORDINANCES FOR SECOND READING:

- O. 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 (Introduced 11/28/17, 5-0)  
ORD.NO. 1637-NS
- P. 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 (Introduced 11/28/17, 5-0)  
ORD.NO. 1638-NS
- Q. ORDINANCE AMENDING CHAPTER 3 OF TITLE 6 OF THE THOUSAND OAKS MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT (Introduced 11/28/17, 5-0)  
ORD.NO. 1639-NS