

## MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

November 28, 2017

### 1. CALL TO ORDER:

Mayor Claudia Bill-de la Peña called the meeting to order at 6:03 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: Acting City Manager City Manager Gary Rogers, City Attorney Tracy Noonan, 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, Deputy City Clerk Laura Maguire, Deputy Cultural Affairs Director Jonathan Serret, Deputy Public Works Director/City Engineer Cliff Finley, Sustainability Division Manager Helen Cox, Assistant Analysts Rod Cordova and Sandra Delgado, Senior Video Specialist Richard Swingler, Production Assistant Jaime Cawelti, and Senior Recording Secretary Janis Daly.

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

### 5. SPECIAL PRESENTATIONS: None.

### 6. PUBLIC COMMENTS: None.

Written Statement: Jeanette Welling, 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: Purchasing Ordinance Modifications presented by Finance Director Adams; Public Works Director Spurgin and Assistant City Attorney Liberman available for questions.

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. 1<sup>st</sup>Reading

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8. PUBLIC HEARINGS: (Continued)

Speakers/Statement Cards: None.

Public hearing closed.

Motion by Councilmember Fox to 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; that ordinance be read in title only, further reading be waived, and if there are no objections, introduced, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- B. Hearing, advertised as required by law, opened to consider: Revised Construction and Demolition (C & D) Debris Recycling Regulations presented by Sustainability Division Manager Cox; Deputy Public Works Director Finley and Assistant Analyst Cordova available for questions.

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

ORD.NO. 1<sup>st</sup>Reading

Speakers/Statement Cards: None.

Mayor Bill-de la Peña closed public hearing.

Motion by Councilmember Price that ordinance be read in title only, further reading to be waived, and if no objection, introduced, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

9. DEPARTMENT REPORTS: None.

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. Investment Review Committee Annual Report introduced by Finance Director Adams and presented by Committee Chair John Short.

Report received.

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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.  
None.

13. CITY MANAGER:

A. Follow-up items: None.

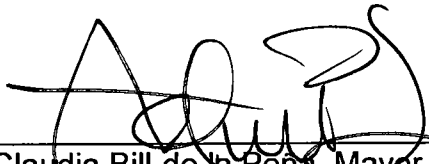
B. Announcements and upcoming issues: Acting City Manager Rogers announced the December 5, 2017 Meeting will be the Annual City Council Reorganization Meeting and reviewed potential topics for the subsequent regularly scheduled meeting December 12, 2017.

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


15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

City Council adjourned at 6:35 p.m. to Reorganization Meeting on Tuesday, December 5, 2017.

  
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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: November 22, 2017

MINUTES APPROVED: December 12, 2017

## **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*

Speaker: Joe Kyle, Thousand Oaks.

Additional information supplemental packet regarding Item 7.E.

Motion by Councilmember Adam to approve Consent Calendar with exception of Items 7 E. (Janitorial Services at Various City Facilities), 7.J. [ORDINANCE AMENDING SECTIONS OF MUNICIPAL CODE ADJUSTING CAMPAIGN CONTRIBUTION LIMITS TO REFLECT CHANGES IN CALIFORNIA CONSUMER PRICE INDEX (CPI)] and 7.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)], carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes – None. (Items subsequently approved following discussion.)

Finance Director Adams responded to questions regarding Item 7.E.

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

Motion by Mayor Bill-de la Peña to approve Item 7.J., carried 4-0 by the following vote: Ayes - Adam, McCoy, Fox, and Bill-de la Peña; Noes - None; Abstaining - Price.

Motion by Councilmember Adam to approve Item 7.K., carried 4-0 by the following vote: Ayes - Adam, McCoy, Fox, and Bill-de la Peña; Noes - None; Abstaining - Price.

- 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

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7. CONSENT CALENDAR: (Continued)

- 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; contract total not-to-exceed \$3,538,954.
- 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
- 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)

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7. CONSENT CALENDAR: (Continued)

- H. 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
- 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
- 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. 1<sup>st</sup>Reading