

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

December 12, 2017

1. CALL TO ORDER:

Mayor Andy Fox called the meeting to order at 6:00 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

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

3. ROLL CALL:

Present: Councilmembers Bill-de la Peña, Price, Adam, McCoy, and Mayor Fox.

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Acting Assistant City Manager Gary Rogers, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer John F. Adams, Community Development Director Mark Towne, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Assistant City Attorneys Patrick Hehir and Felicia Liberman, Deputy City Clerk Laura Maguire, Permit Process Manager Marjan Behzadi, Revenue Operations Manager Melissa Hurtado, Sustainability Manager Helen Cox, Cable Operations Supervisor Carl Jarecky, Associate Analyst Francine Sprigel, Assistant Analyst 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:

- A. Mayor Fox introduced Emergency Services Coordinator Grahame Watts to provide information about the Community Emergency Response Team (CERT) Program and introduce recent CERT Graduates; Mayor Fox presented City pins to each.

6. PUBLIC COMMENTS:

Vinay Bansal, Newbury Park; Robbin Close, Newbury Park; Andy Levine, Newbury Park; Sharon Miret, Newbury Park; Raymi Schwartz, Newbury Park; Earl Schwartz, Newbury Park; Bonnie Shubb, Newbury Park; Alicia Reynold, Newbury Park; Gregory Maine, Newbury Park; Robert Reynolds, Newbury Park; Seth Stevens, Newbury Park; Craig Everett, Newbury Park; Adam Haverstock, Greater Conejo Valley Chamber of Commerce; Moises Mercado, Newbury Park; Thomas Kim, Newbury Park; Craig Dodson, Newbury Park; Joy Twersky, Newbury Park; Patricia Thompson, Newbury Park; Robert Gleason, Newbury Park; Feng Shen, Newbury Park; Bob Huber, City of Simi Valley Mayor; Martha Farwell, Newbury Park; Barbara Andreassen, Newbury Park; Kristeen Reimnitz, Newbury Park; Enhao Du, Newbury Park.

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6. PUBLIC COMMENTS: (Continued)

Following second public speaker, City Attorney Noonan explained that the YMCA is a private organization and the City has no jurisdiction or ability to regulate its operation or sale of its property. With respect to future use of the property, currently the City has no indication of what that might be, but changes would be subject to the appropriate review process depending upon what the proposed use would be, and encouraged citizens to reach out to the YMCA for more information.

City Manager Powers indicated City Council gifted \$1,000,000 to YMCA in 2002 and made similar grants to other entities including Senior Concerns and Ventura County Discovery Center, explaining there are no formal provisions for repayment of the grant.

Written Statements: Matthew Cassaro, Newbury Park; Rebecca Doll, Newbury Park; Kristina Golem, Thousand Oaks; Alexis Haines, Thousand Oaks; Jennifer Hiraoka, Newbury Park; Dolores Moutes, Newbury Park; Karen Stevens, Thousand Oaks; Jane Wang, Newbury Park; Hong Zhou, Newbury Park.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Cannabis Business Selection Process and Fees report presented by Revenue Operations Manager Hurtado; City Manager Drew Powers and HdL Companies Cannabis Compliance Director Dave McPherson responded to questions; Community Development Director Towne, Assistant City Attorney Hehir, and Permit Process Manager Behzadi available for questions. Additional information supplemental packet.

RESOLUTION ADOPTING AND ADDING COMMERCIAL CANNABIS
BUSINESS APPLICATION FEES, APPLICATIONS AND PROCEDURES
FOR COMMERCIAL CANNABIS PERMITS RES. NO. 2017-055

RESOLUTION AUTHORIZING ACCESS TO STATE AND FEDERAL
CRIMINAL HISTORY INFORMATION RES. NO. 2017-056

Speakers: Joe Kyle, Thousand Oaks, pro; J.C. Simmons, Newbury Park, card not marked.

Written Statements: None.

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8. PUBLIC HEARINGS: (Continued)

Mayor Fox closed public hearing.

Motion by Councilmember Bill-de la Peña to adopt resolutions; approve staff recommendation striking the word "recommendation" from Phase 4, Number 2; direct staff to return with appropriate tax range, timeline, and process regarding possible Business Tax measure for cannabis businesses on November 2018 general election ballot; approve First Amendment to Contract No. 11362-2017 with HdL Companies in amount of \$55,000 to provide additional consulting and audit services for cannabis businesses with a term extension through December 31, 2020; authorize staff to waive formal Request for Proposal/Qualifications (RFP/Q) process for Marijuana Regulations and approve proposed contract amendment for HdL Companies; 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; carried 5-0 by the following vote: Ayes - Bill-de la Peña, Price, Adam, McCoy, and Fox, Noes - None.

- B. Hearing, advertised as required by law, opened to consider: State Mandated Business License Fee for Disabled Access report presented by Revenue Operations Manager Hurtado.

RESOLUTION ADOPTING AND REVISING BUSINESS LICENSE
DISABLED ACCESS FEE IN 2017 USER FEE MASTER FEE SUMMARY
RES. NO. 2017-057

Speakers/Written Statements: None.

Mayor Fox closed public hearing.

Motion by Councilmember Price to adopt resolution approving state mandated business license fee for disabled access to be revised in Citywide User Fee Manual; 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), carried 5-0 by the following vote: Ayes - Bill-de la Peña, Price, Adam, McCoy, and Fox, Noes - None.

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9. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. Council on Aging (COA) Annual Report presented by COA Chair Dr. Karen Gorback; Associate Analyst Sprigel available for questions.

Motion by Councilmember Bill-de la Peña to receive COA Annual Report and Age-Friendly/Livability Community Portfolio; consider Age-Friendly/Livability designation as FY 2018-19 City Council Priority, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Price, Adam, McCoy, and Fox, Noes - None.

- B. FY 2017-18 Community Enhancement Grant (CEG) Award Recommendations report introduced by Sustainability Manager Cox and presented by Community Funding Review Committee Chair Britta Halfen.

Motion by Councilmember Adam to approve CEG's (Exhibit B) totaling \$39,426; authorize the City Manager to execute agreements with grantees; 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), carried 5-0 by the following vote: Ayes - Bill-de la Peña, Price, Adam, McCoy, and Fox, Noes – None.

- C. FY 2017-18 Sports Facility Endowment Fund (SFEF) Grants report presented by Community Funding Review Committee Chair Britta Halfen.

Speaker: Bryan McQueeney, Thousand Oaks.

Motion by Councilmember Bill-de la Peña to award nine FY 2017-18 SFEF grants totaling \$80,429.11 to applicants identified in report (Exhibit C); authorize expenditure of \$80,429.11 A/C 001-1120-611-5920 (SF2017 City Endowment Grant Account), carried 5-0 by the following vote: Ayes - Bill-de la Peña, Price, Adam, McCoy, and Fox, Noes - None.

10. DEPARTMENT REPORTS:

- A. Los Angeles Community Choice Energy (LACCE) report presented by Sustainability Manager Cox; Gary Gero, Los Angeles County Chief Sustainability Officer responded to questions; Public Works Director Spurgin, and Assistant City Attorney Liberman available for questions. Additional information supplemental packet.

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10. DEPARTMENT REPORTS: (Continued)

ORDINANCE APPROVING JOINT POWERS AGREEMENT FOR LOS ANGELES COMMUNITY CHOICE ENERGY AUTHORITY AND AUTHORIZING IMPLEMENTATION OF COMMUNITY CHOICE AGGREGATION PROGRAM ORD.NO. 1stReading

Speakers: Karen Stevans, Thousand Oaks; Fran Pavley, Agoura Hills; J.C. Simmons, Newbury Park; Kevin Matthews, Thousand Oaks.

Motion by Councilmember Bill-de la Peña to authorize City of Thousand Oaks' participation in LACCE Authority; approve and execute LACCE Authority Joint Powers Agreement; Ordinance approving 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, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Price, Adam, McCoy, and Fox, Noes - None.

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 2017 National League of Cities (NLC) City Summit Conference November 14 – 19, 2017 presented by Councilmember Price.

Report received.

13. CITY MANAGER:

A. Follow-up items: None.

B. Announcements and upcoming issues: City Manager Powers wished everyone happy holidays and reviewed potential topics for the next regularly scheduled City Council meeting on January 9, 2018.

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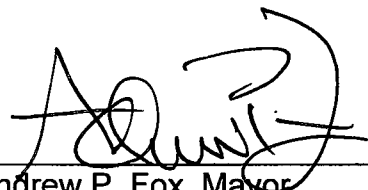
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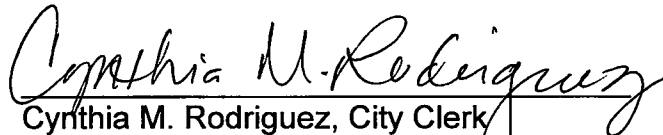
14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor. – None.
15. PUBLIC NOTICES: None.
16. ADJOURNMENT:

City Council adjourned at 9:08 p.m. to Regular Meeting on Tuesday, January 9, 2018.



Andrew P. Fox, Mayor
City of Thousand Oaks City Council

Attest:



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

AGENDA POSTED: December 5, 2017
MINUTES APPROVED: January 9, 2018

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EXHIBIT A

7. **CONSENT CALENDAR:**

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

Additional information supplemental packet regarding Item 7.H.

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

- 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)

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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)

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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) FY2017-18; 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. 2017-054

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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

EXHIBIT B

**Item. 9.B. FY 2017-18 Community Enhancement Grant (CEG)
Award Recommendations**

	Group Name	Amount Requested	Amount Recommended	Total Score	Project Description
1	CLU- Seed Project	\$5,000	\$5,000	pass	Project: Design and create a native ecosystem demonstration and teaching site on CLU campus with native plants, benches and signage. Funding: Site build-out services, landscaping materials, signage, plants, soil, irrigation supplies.
2	Carden Conejo Parents Assoc	\$5,000	\$5,000	pass	Project: Purchase outdoor recycling stations to be placed on campus and speaker to educate students. Funding: Recycling bins, guest speaker.
3	Community Conscience	\$3,326	\$3,326	pass	Project: Replace dead plants with water conserving pollinator plants and repair irrigation. Funding: Plants and irrigation supplies.
4	Conejo Open Space Foundation	\$3,600	\$3,600	pass	Project: a) Trail Work day b) Habitat restoration of Conejo open space land and creek drainages. Funding: Water and snacks for volunteers, tools, herbicides, soil mix, clay, native seeds and plants.
5	Conejo Valley Botanic Garden	\$5,000	\$5,000	pass	Project: New topographical informational map at entrance to garden, tree care and cleanup, irrigation and new plantings. Funding: Plants, signage, irrigation and arborist costs.
6	Ladera Elementary School	\$5,000	\$5,000	pass	Project: Transform outdoor space into learning lab. Funding: Purchase of umbrellas, benches, plants, seeds and other supplies for the lab.
7	Maple Elementary School	\$5,000	\$5,000	pass	Project: Replace 2 existing water fountains with eco-friendly water fountain/refill stations to reduce single use bottles. Funding: Water fountain purchase and installation costs.
8	NPHS Panther Prowler	\$2,500	\$2,500	pass	Project: Reduce use of landfill space and plastic bags by using donated old t-shirts and re-purpose into "new" reusable tote bags for carrying groceries, library books, gym clothes, etc. Tote bags will be distributed throughout the community, free of charge. Funding: Thread, cloth, paint and t-shirts from thrift shops if not enough donations.
9	TOHS	\$5,000	\$5,000	pass	Project: Rehabilitation of outdoor classroom/learning garden Funding: Tools, plants, irrigation supplies, pavers, decomposed granite, wood, mulch, signage, paint and other supplies needed for project.
	Total =	\$39,426	\$39,426		

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EXHIBIT C

**Item 9.C. FY 2017-18 Sports Facility Endowment Fund (SFEF)
Grant Recommendations**

	Organization	Grant Request	Recommended Award	Project Description
1	La Reina High School and Middle School	\$ 9,300.00	\$ 9,300.00	Tennis court resurfacing
2	Newbury Park High School Baseball Boosters	\$ 4,750.00	\$ 4,750.00	Additions to the hitting tunnel to accommodate batters and pitchers
3	Newbury Park High School Wrestling Team	\$ 6,318.20	\$ 6,318.20	Purchase permanent wrestling mats
4	Ride On Therapeutic Horsemanship	\$25,000.00	\$25,000.00	Build and install a permanent handicapped accessible ramp
5	Southeast Ventura YMCA	\$12,500.00	\$12,500.00	Parking lot improvements at Conejo Valley YMCA facility
6	Thousand Oaks High School Football Boosters	\$14,750.00	\$14,750.00	Resurface lineman practice area
7	Thousand Oaks High School Softball Boosters	\$ 1,400.91	\$ 1,400.91	Softball field and site improvements
8	Thousand Oaks Track and Field Boosters	\$ 1,497.00	\$ 1,497.00	Purchase new starting block cart, lane markers and flags
9	Westlake High School Dance Team Booster Club	\$ 4,913.00	\$ 4,913.00	Purchase and installation of wood dance surface.
	TOTAL:	\$80,429.11	\$80,429.11	