

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

April 10, 2018

1. CALL TO ORDER:

Mayor Andy Fox 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 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, Fire Chief John Spykerman, Deputy City Clerk Laura Maguire, Deputy Public Works Director Cliff Finley, Senior Planner Jeff Specter, Operations Manager Marjan Behzadi, Sustainability Manager Helen Cox, Landscape Maintenance Supervisor Garrett Crawford, Cable Operations Supervisor Carl Jarecky, 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 Sustainability Manager Cox to provide details about events the City has planned to celebrate Arbor Earth Day and presented Proclamation designating April 28, 2018 Arbor Earth Day. Landscape Maintenance Supervisor Crawford presented award from the Arbor Day Foundation designating the City as a Tree City, indicating this is the 20th consecutive year the City has been honored with this award. Supervisor Crawford also announced for the second year the City has received the Bee City Award from Bee City USA. Mayor Fox accepted both awards on behalf of the City.
- B. 5 Star Theatricals Managing Director Will North introduced cast members to perform song from its upcoming production of "The Hunchback of Notre Dame."

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6. PUBLIC COMMENTS:

Roslyn Laliberte, city of residence unknown; Alison Eilerman, city of residence unknown; Margarita Assael, Westlake Village; Karen Martin, Thousand Oaks (submitted document); Jeffrey Burum, Oxnard; Tony Dolz, Thousand Oaks; Tasha Bosnich, city of residence unknown (submitted document); Allison Gennette, Newbury Park; William Hicks, Newbury Park; Mandy Jacob, Thousand Oaks; Bruce Boyer, city of residence unknown; Adam Haverstock, Greater Conejo Valley Chamber of Commerce; Thomas Adams, Thousand Oaks; Tom Hunt, Newbury Park; Robert Hodson, Thousand Oaks (submitted document); Vadim Manzhos, Newbury Park.

Written Statements: Alysia Bright, city of residence unknown; Peggy Burns, Newbury Park; Theodore Chavannes, Thousand Oaks; Amy Chen, Thousand Oaks; Steve Chen, Thousand Oaks; Taylor Chen, Thousand Oaks; Elizabeth Frankowski, Thousand Oaks; Carolyn Guillot, Thousand Oaks; Amy Horst, Thousand Oaks; Larry Irvin, Thousand Oaks; Tiffany Lanzl, Newbury Park; Kathryn M., Thousand Oaks; T. Meyer, Thousand Oaks; Stephen Simmons, Thousand Oaks (submitted document); Sharon Steen, Thousand Oaks; Rosemary Swenson, Thousand Oaks; Dennis Wells, Thousand Oaks.

13. CITY MANAGER:

- *A. Follow-up items: City Manager Powers indicated staff has been in contact with Mrs. Martin regarding a number of concerns and will continue to do so, City will assist in promotion of Imagine Fest through the community calendar (Bosnich, Gennette), and explained with regard to State of California SB 54, the City of Thousand Oaks has not declared itself a sanctuary city, the City maintains a Legislative Platform relating to local issues but issues such as immigration, gun control, and war are beyond the scope of local government and traditionally are left to the discretion of State and Federal officials (Laliberte, Eilerman, Assael, Burum, Dolz, Hicks, Jacob, Boyer, Adams, Hunt, Hodson, Manzhos). Police Chief Hagel has indicated SB 54 is not hindering policing in the City. City Manager Powers announced several comment cards were submitted regarding Hauser Circle and proposed sewer line expansion, indicating Deputy Public Works Director Finley would be available in the lobby to speak with any of those citizens wishing to do so, adding that the City does not intend to move forward with transition from septic to sewer at this time.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

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8. PUBLIC HEARINGS:

Hearing, advertised as required by law, opened to consider: Municipal Code Amendment (MCA 2018-70141) regarding Separation Standards between Sensitive Uses and Commercial Cannabis Businesses presented by Community Development Director Towne; City Manager Powers responded to questions; Police Chief Hagel, Finance Director Adams, and Operations Manager Behzadi available for questions.

ORDINANCE AMENDING SECTION 5-29.24 OF MUNICIPAL CODE REGARDING LOCATION OF COMMERCIAL CANNABIS BUSINESSES (MCA 2018-70141) ORD.NO. 1stReading

Speakers: Joe Kyle, Newbury Park, pro; Bruce Boyer, city of residence unknown, card not marked; Lorraine Johnson, Santa Rosa Valley, pro; Nick Quidwai, Newbury Park, pro; George Gamboa, Camarillo, pro; Thomas Adams, Thousand Oaks, con.

Written Statement: Chuck Cohen, Thousand Oaks, pro.

Mayor Fox closed public hearing.

Motion by Councilmember Adam that ordinance amending separation standards between sensitive uses and commercial cannabis businesses 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.

City Council in recess 7:37 p.m.; reconvened 7:52 p.m.

9. DEPARTMENT REPORTS:

- A. Prescreening Process for General Plan Amendments requiring Allocation of Residential Capacity presented by Community Development Director Towne; City Attorney Noonan responded to questions; Senior Planner Specter available for questions.

RESOLUTION ESTABLISHING POLICY FOR PRESCREENING GENERAL PLAN LAND USE MAP AMENDMENTS THAT REQUIRE ALLOCATIONS OF RESIDENTIAL CAPACITY RES. NO. 2018-015

Written Statement: Chuck Cohen, Thousand Oaks.

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

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10. COMMITTEE/COMMISSION/BOARD REPORTS: 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.
None.
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 April 24, 2018.
14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor.

City Attorney Noonan announced Closed Session held at 8:34 p.m., indicating Item 14.B. will not be heard tonight.

 - A. CONFERENCE WITH LEGAL COUNSEL on behalf of City Council – ANTICIPATED LITIGATION: Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9 (1 case)
 - B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS– Property #1: 1868 E. Thousand Oaks Boulevard; City Negotiators: Andrew Powers, City Manager, John Adams, Finance Director, Haider Alawami, Economic Development Manager, Larry Kosmont, Kosmont Companies; Negotiating Parties: 1868 TO LLC; Property # 2: 1846 Oakwood Drive (APN: 670-0-181-245); City Negotiators: Andrew Powers, City Manager, John Adams, Finance Director, Haider Alawami, Economic Development Manager, Larry Kosmont, Kosmont Companies; Negotiating Parties: Scott and Danita Leese Trust; Under negotiation: purchase of properties, including price and terms of payment; pursuant to Government Code section 54956.8

Item pulled from agenda.

The decision to initiate litigation has been authorized by the City Council. The specifics regarding the action and defendants shall, once commenced, be disclosed upon inquiry.

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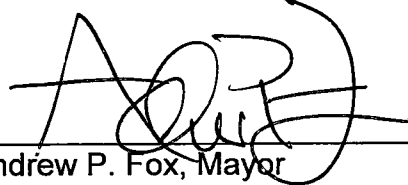
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15. PUBLIC NOTICES: None.

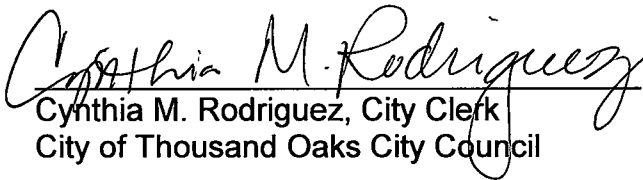
16. ADJOURNMENT:

City Council adjourned at 9:05 p.m. to Regular Meeting on Tuesday, April 24, 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: April 5, 2018

MINUTES APPROVED: April 24, 2018

*indicates item taken out of order

EXHIBIT A

7. **CONSENT CALENDAR:**

RECOMMENDATIONS FOR ITEMS A. THROUGH L. ARE TO APPROVE

Written Statement: Nick Quidwai, Newbury Park.

Additional information supplemental packet regarding Item 7.D.

Motion by Councilmember Adam to approve Consent Calendar (including revised recommendation #2 - Item 7.D. as outlined in supplemental packet) 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 – ratify March 28, 2018 and April 4, 2018; approve April 11, 2018; approve April 18, 2018, subject to review and ratification
- B. Minutes of City Council meeting of March 20, 2018
- C. Approved Expenditure: County of Ventura Dial-A-Ride (DAR) Services; waiver of excess ride fees not-to-exceed \$2,500 FY 2017-18; Second Amendment to Contract No. 10509-2014 with County of Ventura for County DAR and Americans with Disabilities Act (ADA) Services modifying Schedule of Fees to raise excess ride fee from base of 300 to 420 rides per month
- D. Additional Appropriation: Supervisory Control and Data Acquisition Master Plan and Programmable Logic Controllers (CI 5284); Professional Services Agreement with AECOM in amount not-to-exceed \$152,000 for preparation of update of 2004 Supervisory Control and Data Acquisition Master Plan (SCADA), plus contingency of \$16,000; term ending June 30, 2019; expenditure of \$173,000 (\$152,000 agreement plus \$16,000 contingency and \$5,000 for City furnished materials and supplies) as follows: \$155,700 A/C 612-5310-682-5699 (CI 5284 SCADA Master Plan and Programmable Logic Controllers); \$17,300 A/C 624-5310-682-5699 (CI 5284 SCADA Master Plan and Programmable Logic Controllers); \$17,300 budget appropriation A/C 624-0000-341-9900 (Wastewater Capital – Net Position) to A/C 624-5310-682-5699 (CI 5284 SCADA Master Plan and Programmable Logic Controllers)

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7. CONSENT CALENDAR: (Continued)

- E. Approved Expenditure: Participation in Memorandum of Understanding (MOU) between Southern California Association of Governments (SCAG), Ventura County Transportation Commission (VCTC), and Ventura County Transit Operators for planning and coordination activities as required as condition of receiving Federal 5307 Formula Funding for transit services
- F. Additional Appropriation: Polybutylene Service Replacement (CI 5455); Change Order No. 1 to Contract No. 11692-2018 with J. Vega Engineering, Inc., in amount of \$60,420 plus additional contingency of \$9,000; budget appropriation and expenditure of \$69,420 (\$60,420 Change Order No. 1 and \$9,000 contingency) A/C 613-0000-341-9900 (Water Capital Fund - Net Position) to A/C 613-8030-685-8300 (CI 5455 Polybutylene Service Replacement); revised contract total not-to-exceed \$299,270; revised contingency total not to-exceed \$44,500
- G. Approved Expenditure: Hill Canyon Wastewater Treatment Plant (HCTP) Landscape Services Agreement; First Amendment to Contract No. 10888-2015 with Mycol, Inc., dba Quality Landscape Care in amount of \$34,000 to extend agreement two years; term: 7/1/18 – 6/30/20; revised total not-to-exceed \$80,140; expenditure of \$34,000 A/C 621-8250-682-5610 (Wastewater Fund - Landscape)
- H. Approved Expenditure: Hill Canyon Wastewater Treatment Plant (HCTP) Biosolids Hauling and Recycling Program; Second Amendment to Contract No. 10910-2015 with Holloway Environmental Solutions, LLC., in amount of \$1,570,000 to extend agreement two years; term: 7/1/18 – 6/30/20; revised total not-to-exceed \$3,925,000; expenditure of \$1,570,000 A/C 621-8250-682-5698 (Biosolids)
- I. Approved Expenditure: North Moorpark Road Sidewalk and Bike Lane Improvements (CI 5170); authorize staff to advertise for construction bids
- J. Approved Expenditure: Building Mechanical and Energy Management Services; Fifth Amendment to Contract No. 10281-2013 with Mesa Energy Systems, Inc. dba EMCOR Services in amount of \$50,000 for extra services to include additional repairs to aging equipment at various City facilities; revised not-to-exceed amount for extra services \$500,000; revised total contract not-to-exceed \$1,413,861; expenditure of \$50,000 various General Fund (001) accounts (Improvements/Other than Buildings)

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7. CONSENT CALENDAR: (Continued)

- K. Approved Expenditure: On-Call General Building Contractor Services various City facilities; award contracts to Ardalan Construction Co., Inc.; Bodagger Enterprises, Inc.; Bird Pacific, Inc.; JEC, Inc. (DBA J. Evans Construction); Master Craftsmen Construction, Inc.; Omega Construction Co., Inc.; and South City Construction, Inc.; each with limit of \$45,000 per task order/work authorization; each total contract not-to-exceed \$300,000; each term: 4/10/18 – 4/30/21.
- L. Approved Expenditure: 2018 Pavement Overlay and Resurfacing Program (CI 5256); adopt resolution

RESOLUTION ADOPTING LIST OF STREETS RECEIVING OVERLAY AND RESURFACING DURING FISCAL YEAR 2018-19 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 RES. NO. 2018-014