

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

April 24, 2018

1. CALL TO ORDER:

Mayor Andy Fox called the meeting to order at 6:07 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, Assistant City Attorney Patrick Hehir, Assistant to City Manager Rachel Wagner, Deputy City Clerk Laura Maguire, Senior Planner Jeff Specter, Revenue Manager Melissa Hurtado, Sustainability Manager Helen Cox, Cable Operations Supervisor Carl Jarecky, Assistant Analysts Sandra Delgado and Pam Romer, Senior Video Specialist Richard Swinger, Production Assistant Jaime Cawelti, Recording Secretary Dominga Zambrano, and Senior Recording Secretary Janis Daly.

4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM: Mayor Fox announced Consent Calendar Item 7.H. (Reimbursement Agreement between City and Academy Road, LLC) pulled from agenda.

5. SPECIAL PRESENTATIONS:

- A. Mayor Fox introduced Eric Sternad, Executive Director of Interface Children & Family Services to provide 2-1-1 Ventura County Update Report.

6. PUBLIC COMMENTS:

Thomas Adams, Thousand Oaks; Robert Hodson, Thousand Oaks; Margarita Assael, Westlake Village; David Assael, Westlake Village; Amy Chen, city of residence unknown; Mandy Jacob, Newbury Park; Michael Ubowski, Newbury Park; Dwight Moller, Thousand Oaks; Janey Schmitt, Newbury Park; Gail Hubbs, Newbury Park; Mary Gallegos, Agoura Hills; Deborah Shreffler, Newbury Park; Chaise Rasheed, Thousand Oaks; Michael Greer, Thousand Oaks; Colleen Bush, Thousand Oaks; Sandee Saurman, Thousand Oaks; Antonio Sabato, Jr., Thousand Oaks; Penny Foster, Newbury Park; Jon Cummings, Westlake Village;

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6. PUBLIC COMMENTS: (Continued)

Tony Dolz, Thousand Oaks; Deborah Baber, city of residence unknown; Jon Duncan, Thousand Oaks; Bruce Boyer, city of residence unknown; George Miller, city of residence unknown; Jeffrey Burum, city of residence unknown; Ginny Sand, city of residence unknown; Angela Nardone, Thousand Oaks; Ernesto Nardone, Thousand Oaks.

Written Statements: Lynn Bertucci, Thousand Oaks; Bob Bush, Thousand Oaks; Cathy Carlson, Thousand Oaks; John Colclough, Westlake Village; Tami Eckhart, Thousand Oaks; Carolyn Guillot, Thousand Oaks; Wayne Kerbaugh, Newbury Park; Bonnie Levine, Thousand Oaks; Darya Manzhos, Newbury Park; Vadim Manzhos, Newbury Park; T. Meyer, Thousand Oaks; D. Milligan, city of residence unknown; Gerald Pedrow, Newbury Park; Tim Saurman, Thousand Oaks; William Spangler, Thousand Oaks; Sharon Steen, Thousand Oaks; Debra/Tim Stevens, Thousand Oaks; Carl/Vicki Turnbull, Newbury Park; Lana Van Buren, Thousand Oaks, Jessica Weime, Newbury Park.

13. CITY MANAGER:

- *A. Follow-up items: City Manager Powers explained he addresses matters discussed by speakers during Public Comments because The Brown Act prohibits City Councilmembers from responding to issues not on the agenda, and thanked participants for sharing their perspectives, indicating that because a number of suggestions have legal implications he will confer with City Attorney.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

City Council recess 7:24 p.m.; reconvened 7:41 p.m.

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Amendments to General Plan Land Use Map and zoning for seven sites (LU 2017-70594 and Z 2017-70622) presented by Community Development Director Towne; City Attorney Noonan responded to questions; Deputy Community Development Director Gilli and Senior Planner Specter available for questions. Additional information supplemental packet.

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8. PUBLIC HEARINGS: (Continued)

RESOLUTION APPROVING AMENDMENT TO LAND USE ELEMENT OF
THOUSAND OAKS GENERAL PLAN FOR SEVEN SITES (LU 2017-70594:
CITY OF THOUSAND OAKS) RES. NO. 2018-017

ORDINANCE AMENDING MUNICIPAL CODE RELATING TO OFFICIAL
ZONING MAP AND CHANGING ZONING CLASSIFICATION OF FOUR
SITES; (Z 2017-70622; APPLICANT: CITY OF THOUSAND OAKS)
ORD.NO. 1stReading

Speakers: Exhibit B

Written Statements: Exhibit C

City Council recess 9:47 p.m.; reconvened 9:56 p.m.

Mayor Fox closed public hearing.

Motion by Councilmember Price to adopt resolution amending General Plan
Land Use Map to reduce residential densities for seven sites to more closely
match existing densities; ordinance approving zone changes to reduce
residential densities for four sites to be read in title only, further reading be
waived, and if no objection, introduced, carried 4-1 by the following vote: Ayes
-Price, Adam, McCoy, and Fox, Noes - Bill-de la Peña.

Motion by Councilmember Bill-de la Peña to continue meeting past 11:00 p.m.,
carried 5-0 by the following vote: Ayes - Bill-de la Peña, Price, Adam, McCoy, and
Fox, Noes – None.

9. DEPARTMENT REPORTS:

- A. Cannabis Tax Measure presented by Revenue Manager Hurtado; Finance Director Adams, Assistant City Attorney Hehir, and David McPherson, Cannabis Compliance Director HdL Companies available for questions.

Written Statement: Chuck Cohen, Thousand Oaks.

Motion by Councilmember Bill-de la Peña to receive report; directed staff to
return in June to introduce a ballot measure and ordinance incorporating a
General Tax, inclusive of all state-permitted cannabis business activities, with
a maximum tax amount giving City Council flexibility to adjust rates, carried 5-
0 by the following vote: Ayes - Bill-de la Peña, Price, Adam, McCoy, and Fox,
Noes – None.

City Attorney Noonan indicated no announcement anticipated.

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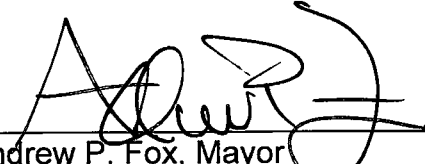
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15. PUBLIC NOTICES: None.

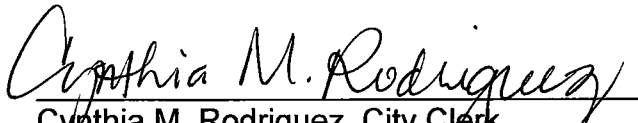
16. ADJOURNMENT:

City Council adjourned at 11:17 p.m. to Regular Meeting on Tuesday, May 1, 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 19, 2018

MINUTES APPROVED: May 15, 2018

*indicates item taken out of order

CCD:610-60/jld/h:/common/minutes/2018/20180424.docx

EXHIBIT A

7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH M. ARE TO APPROVE
RECOMMENDATION FOR ITEM N. IS TO ADOPT*

Additional information supplemental packet regarding Item 7.H.

Item 7.H. (Reimbursement Agreement between City and Academy Road, LLC)
pulled at beginning of meeting.

Motion by Councilmember Price 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 – ratify April 18, 2018; approve April 25, 2018; approve May 2, 2018 and May 9, 2018, subject to review and ratification
- B. Minutes of City Council Regular Meeting of April 10, 2018
- C. Additional Appropriation: Pop-Up Arts & Music Festival – June 2018; expenditure of \$75,000 A/C 001-1240-674-5699 (General Fund – Special Events); budget appropriation not-to-exceed \$10,000 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-1240-674-5699 (General Fund – Special Events)
- D. Approved Expenditure: 2018 Southern California Association of Governments General Assembly; designate Councilmember Albert C. Adam as Delegate Representative of City at Southern California Association of Governments (SCAG) General Assembly May 3 - 4, 2018; staff to send copy of staff report reflecting delegation of Councilmember Adam to SCAG
- E. Approved Expenditure: Spalding Street Storm Drain and Channel Repair (MI 2547); Change Order No. 1 to Contract No. 11634-2017 with Granite Construction Co. in amount of \$47,614.29 for extra work; revised contract total \$237,429.29; quitclaim to Ventura County Watershed Protection District for 60-foot by 50-foot section of Lang Creek Storm Drain Channel at east end of Spalding Drive Tract 1406-1; authorize City Engineer to execute all necessary documents; expenditure of \$47,615 A/C 001-5310-631-5500 (MI 2547 Spalding Street Storm Drain and Channel Repair)

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7. CONSENT CALENDAR: (Continued)

- F. Approved Expenditure: Ventura County Probation Agency Work Release Program; agreement with Ventura County Probation Agency (VCPA) for Work Release labor in amount not-to-exceed \$65,000 per year; term: 4/24/18 – 6/30/21; expenditure of \$65,000 as follows: \$41,600 A/C 001-5630-632-5731 (General Fund Work Release Program); \$23,400 A/C 142-5630-632-5731 (Lighting and Landscape District Work Release Program)
- G. Approved Expenditure: Supply and delivery of Polymer Products to Hill Canyon Wastewater Treatment Plant (HCTP); award service agreement to Solenis LLC in amount not-to-exceed \$728,500; term ending 6/30/19 with option to extend two one-year terms; expenditures of \$100,000 FY 2017-18 and \$628,500 FY 2018-19 A/C 621-8250-685-3242 (HCTP/Wastewater Chemical Supplies)
- H. Approved Expenditure: Reimbursement Agreement between City and Academy Road, LLC for construction of 66 kV undergrounding within lots 6 and 20 of Tract 4927-2 located northeast corner Academy Drive and Grande Vista Drive

Item pulled from agenda earlier in meeting.
- I. Approved Expenditure: Hill Canyon Wastewater Treatment Plant Digester Cleaning Project (MI 2533); authorize staff to advertise for construction bids
- J. Approved Expenditure: City External Financial Auditors; award professional services agreement in amount not-to-exceed \$562,790 to Rogers, Anderson, Malody & Scott; term: 4/24/18 – 4/30/24; expenditure of \$79,980 FY 2017-18 as follows: \$60,480 A/C 001-3110-612-5210 (General Fund – Accounting Financial Audits), \$5,000 A/C 001-4410-641-5210 (General Fund – COSCA Financial Audits), \$1,430 A/C 165-4630-644-5210 (Housing Successor – Financial Audits), \$9,070 A/C 681-7790-681-5210 (Theatres TOARTS – Financial Audits), \$2,000 A/C 651-5540-682-5210 (Transportation Fund – Financial Audits), and \$2,000 A/C 651-5550-682-5210 (Transportation Fund – Financial Audit)
- K. Approved Expenditure: Window and Solar Cleaning Services Agreement; Fifth Amendment to Contract No. 10329-2014 with Ellis Enterprises in amount of \$15,000 for scheduled window cleaning and extra services as needed at various Citywide locations; expenditure of \$15,000; revised total not-to-exceed \$129,000 FY 2018-19 from various General Fund, Water Fund and Wastewater Fund accounts

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7. CONSENT CALENDAR: (Continued)

- L. Approved Expenditure: On-Call Electrical Contractor Services at various City facilities; contracts with Caltec Electric, Inc., Coleman-Pacific, Inc., Econolite Systems, Inc., GA Technical Services, Inc., Oilfield Electric Company (DBA Oilfield Electric & Motor), Taft Electric Company, and Waisman Construction, Inc.; each term: 4/24/18 – 4/30/21; each with maximum limit of \$45,000 per task order/work authorization and contract total not-to-exceed \$150,000
- M. No Appropriation/Expenditure Required: Adopt resolution modifying language relating to criminal history access for cannabis businesses

RESOLUTION AUTHORIZING ACCESS TO STATE AND FEDERAL
CRIMINAL HISTORY INFORMATION FOR EMPLOYMENT, VOLUNTEERS,
AND CONTRACTORS, LICENSING OR CERTIFICATION PURPOSES AND
RESCINDING RESOLUTION NO. 2017-056 RES. NO. 2018-016

ORDINANCE FOR SECOND READING:

- N. ORDINANCE AMENDING SECTION 5-29.24 OF MUNICIPAL CODE
REGARDING LOCATION OF COMMERCIAL CANNABIS BUSINESSES
(MCA 2018-70141) (Introduced 4/10/18, 5-0) ORD.NO. 1644-NS

EXHIBIT B

Item 8.A.

Amendments to General Plan Land Use Map and zoning for seven sites

Speakers

Matthew Fienup, city of residence unknown, pro
Lori Mahoney, Thousand Oaks, con
Steven Dwyer, Thousand Oaks, pro
Janey Schmitt, Newbury Park, con
John Reid, Thousand Oaks, con
Linda Fisher-Helton, city of residence unknown, pro
Sean Paroski, Ventura, pro
Fred Fukunaga, Thousand Oaks, con
Nick Quidwai, Newbury Park, con
Sandy Smith, Ventura, pro
Lucas Nuttall, city of residence unknown, pro
Tim Gallagher, city of residence unknown, pro
Yvonne Brockwell, Thousand Oaks, con
Lorrie Dingman, Newbury Park, con
Scott McNeal, Thousand Oaks, con
Tom Cohen, Newbury Park, pro
Jon Duncan, Thousand Oaks, con
Mark Sellers, Thousand Oaks, pro
Janet Miller Wall, Thousand Oaks, con
Marilyn Carpenter, Thousand Oaks, con
Rick Schroeder, Thousand Oaks, pro
David Newman, Thousand Oaks, con
Rosemary Allison, city of residence unknown, pro
Nancy Smeets, Westlake Village, card not marked
Tina Frugoli, Thousand Oaks, con
Silvana Zucca, Thousand Oaks, con
Shawn Moradian, Thousand Oaks, pro

EXHIBIT C

Item 8.A.

Amendments to General Plan Land Use Map and zoning for seven sites

Written Statements – Pro

Anonymous, city of residence unknown
Cara Chen, Newbury Park,
Chuck Cohen, Thousand Oaks
Holly Grzywacz, Thousand Oaks
Robert Heatherly, Westlake Village
Sherry Heatherly, Westlake Village
Steven Kasten, city of residence unknown
Deb Kernahan, Thousand Oaks
Gina Knowles, Thousand Oaks
Sara Lakato, Thousand Oaks
Greg Lampert, Thousand Oaks
Jill Lederer, Thousand Oaks
Lonnie McDermott, city of residence unknown
Marla Manfredi, Thousand Oaks
Sam Manfredi, Thousand Oaks
Mark Marow, Thousand Oaks
Doug Menges, Westlake Village
Rosie Moradian, Thousand Oaks
Sharon Moradian, Thousand Oaks
Wadar Moradian, Thousand Oaks
Wasser Moradian, Thousand Oaks
Evan Murray, Thousand Oaks
Michele Murray, Thousand Oaks
Henry Nazarbekian, Thousand Oaks
Evelyn Schultz, Thousand Oaks
Greg Van Ness, Westlake Village
Joshua Wright, Thousand Oaks
Kimberly Wright, Thousand Oaks

EXHIBIT C (Continued)

Item 8.A.

Amendments to General Plan Land Use Map and zoning for seven sites

Written Statements – Con

Tami Eckhart, Thousand Oaks
Joan Edwards, Thousand Oaks
Michael Egan, Newbury Park
Dave/Paula Getting, Thousand Oaks
Brenda Gibson, Newbury Park
Ray Hinton, Jr., Thousand Oaks
Frankie Hornick, Thousand Oaks
Diane McEvoy, Thousand Oaks
Giovanni/Matthew Long, Thousand Oaks
Madison Long, Thousand Oaks
Susan Malone, Thousand Oaks
Jo Matthes, Thousand Oaks
Frank Millar, Thousand Oaks
Dwight Moller, city of residence unknown
Kelly Murphy, Thousand Oaks
Kurt Sauter, Thousand Oaks
Ronald/Susan Tansky, Thousand Oaks
Hal Vick, Thousand Oaks
Lesly Vick, city of residence unknown
William Watson, Newbury Park
Michele Winer, Thousand Oaks