

## City Council

**REGULAR MEETING**  
**Tuesday, January 12, 2016, 6:00 P.M.**  
**Council Chambers**



**Joel R. Price, Mayor**  
**Claudia Bill-de la Peña, Mayor Pro Tem**  
**Andrew P. Fox, Councilmember**  
**Al Adam, Councilmember**  
**Rob McCoy, Councilmember**

### Executive Team

Scott Mitnick, City Manager  
Andrew Powers, Assistant City Manager  
John C. Prescott, Comm. Dev. Director  
Antoinette M. Mann, Interim City Clerk  
Barry McComb, Cultural Affairs Director  
Tim Hagel, Police Chief  
Jim Friedl, General Manager, CRPD

Tracy M. Noonan, City Attorney  
John F. Adams, Finance Director/City Treasurer  
Jay Spurgin, Public Works Director  
Gary Rogers, Human Resources Director  
Heather Cousin, Library Director  
Theodore E. Smith, Fire 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.

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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January 12, 2016

RES. NO. 2016-001  
ORD. NO. 1612-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Fox, Adam, McCoy, Bill-de la Peña, and Mayor Price
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
  - A. Proclamation – Caregiver Recognition Day January 30, 2016
  - B. Recognition – 2015 Urban Forestry Award to City for Exceptional Urban Forestry Program
  - C. Recognition – 2015 Cool Planet Award to City
  - D. 2016 Theatre Season Program Update
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 8 for Consent Calendar listing)
8. PUBLIC HEARINGS:
  - A. [Municipal Code Amendment MCA 2015-70582 adding regulations for Medical Marijuana](#)

ORDINANCE AMENDING SECTION 9-4.202, AND ADDING ARTICLE 42 OF TITLE 9, CHAPTER 4 OF MUNICIPAL CODE TO ADD SPECIFIC DEFINITIONS AND REGULATIONS CONCERNING CULTIVATION, TRANSPORTATION, DELIVERY, AND DISPENSING OF MEDICAL MARIJUANA WITHIN CITY OF THOUSAND OAKS (MCA 2015-70582)  
ORD.NO.1<sup>st</sup> Reading

RECOMMENDATION: Read ordinance in title only, further reading be waived, and if no objection introduce Ordinance to regulate the cultivation, transportation, dispensing and delivery of medical marijuana city-wide

## 9. DEPARTMENT REPORTS:

- A. [Manna Relocation Project – Request for relief from City Processing Fees; Allow concurrent processing of Special Use Permit application with Zone Change application; Located: 95 N. Oakview Drive](#)

## RECOMMENDATION:

1. Approve Manna request for concurrent processing; authorize General Fund to pay fees associated with Zone Change, Special Use Permit, Building Permit, plan check and associated fees, and any miscellaneous processing fees related to relocation of Manna facility from 3020 Crescent Way to 95 N. Oakview Drive, as well as future Zone Change application for 3020 Crescent Way to change from P-L to residential zone once Manna has vacated property
2. Approve budget appropriation and expenditure transfer in amount of \$14,100 FY 2015-16 and \$12,500 FY 2016-17 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-4010-641-5699 (General Fund – Contracted Services) dependent upon actual amount and timing of application fees incurred by Manna for relocation project

- B. [2014 Pavement Management Program \(MI 2102\)](#)

## RECOMMENDATION:

1. Approve Pavement Management Program report; direct staff to continue maintenance of City streets in accordance with Pavement Management Program and available budget
2. Authorize City Manager to approve Professional Services Agreement with Nichols Consulting Engineers, CHTD. in amount of \$22,780 for term from January 12, 2016 through December 31, 2016 with option to extend one year
3. Approve budget appropriation transfer and expenditure in amount of \$23,800 A/C 132-5310-631-8300 (CI 5231 Gas Tax/Pavement Rehabilitation FY 2015-17) to A/C 132-5310-631-5500 (MI 2102 Gas Tax/Pavement Management Program) in amount of \$22,800 and A/C 132-5310-631-3611 (MI 2102 Printing and Duplicating) in amount of \$1,000

9. DEPARTMENT REPORTS: (Continued)

C. [Flashing Yellow Arrow Left-Turn Operations at Traffic Signals \(CI 5259\)](#)

RECOMMENDATION:

1. Approve Traffic and Transportation Advisory Commission recommendation to install Flashing Yellow Arrow (FYA) operation at five selected intersections
2. Adopt City of Thousand Oaks Road Design and Construction Standard - Plate 7-15 (Standard Installation of Flashing Yellow Arrow Protected-Permissive Traffic Signal)
3. Approve expenditure in amount of \$80,000 (\$40,000 FY 2015-16; \$40,000 FY 2016-17) A/C 551-5570-631-8300 (CI 5259 FYA Traffic Signal Modifications)

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

13. CITY MANAGER:

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

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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January 12, 2016

14. CLOSED SESSION: City Council Conference Room 2<sup>nd</sup> floor

- A. CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation; Pursuant to Government Code Section 54956.9(d),(e)(3): Claimants: Dos Vientos Ranch East Master Community Association c/o The Emmons Company; Claim No. 1285-2015
- B. CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation; Pursuant to Government Code Section 54956.9(d),(e)(3): Claimants: Dos Vientos Ranch Community Association (West) c/o The Emmons Company; Claim No. 1286-2015

15. PUBLIC NOTICES:

Items listed under Public Notices are a matter of public record only. These items do not require City Council action.

- A. [Notice of Pending Final Map – Approval of Final Tract Map No. 5873; Residential Lot Subdivision; Location: Kanan Road, East of Upper Ranch Road; Developer: KSK Investments, LP](#)

16. ADJOURNMENT:

Annual adjournment in memory of:

- o Mayor Emeritus Alex Fiore who passed away January 3, 2002

to Regular Meeting January 26, 2016

Agenda Post Date/Time: January 7, 2016, 5:00 p.m.

## EXHIBIT A

### 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH E. ARE TO APPROVE  
RECOMMENDATIONS FOR ITEMS F. THROUGH G. ARE TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify December 23, 2015, December 30, 2015, and January 6, 2016; approve January 13, 2016; approve January 20, 2016, subject to review and ratification
- B. [Minutes of City Council meeting of December 15, 2015](#)
- C. [Financial Impact to be Determined: First Amendment to Contract No. 10908-2015 with J & H Engineering General Contractors, Inc., for On-Call Civil and Mechanical Repair Services to increase not-to-exceed amount to \\$400,000 for the fiscal year ending June 30, 2016, \\$200,000 per City fiscal year for remaining term \(to 6/30/18\), \\$45,000 per Task Order and \\$800,000 for term of the contract; revise indemnity and insurance language to City requirements; funding to be determined on case by case basis](#)
- D. [Approved Expenditure: Development Impact Fees; Receive and file Annual Review of Accounts as of June 30, 2015](#)
- E. [Additional Appropriation: Third Party Liability Claims Administration; Second Amendment to Contract No. 10530-2014 with Carl Warren & Company in amount of \\$25,000 to extend term to June 30, 2016; budget appropriation and expenditure in amount of \\$25,000 A/C 711-0000-341-9900 \(General Liability – Net Position\) to A/C 711-0520-686-5640 \(Claims Handling Fees\); revised contract total not-to-exceed \\$123,000](#)
- F. [No Appropriation/Expenditure Required: Reappointment of Treasurer; adoption of Investment Policy](#)

RESOLUTION RECONFIRMING JOHN F. ADAMS AS CITY  
TREASURER FROM FEBRUARY 1, 2016 THROUGH JANUARY 31,  
2017 AND ADOPTING UPDATED INVESTMENT POLICY

RES. NO. 2016-

7. CONSENT CALENDAR: (Continued)

- G. [No Appropriation/Expenditure Required: Confirming resolution granting Appeal of Planning Commission decision to approve second monument sign on Westlake Boulevard; Special Use Permit SUP 2015-70335 \(12/15/15, 3-1, Bill-de la Peña dissenting, Fox absent\)](#)

RESOLUTION APPROVING APPEAL OF PLANNING COMMISSION  
DECISION APPROVING IN PART SUP 2015-70335 LOCATED 101  
NORTH WESTLAKE BOULEVARD (APPLICANT/APPELLANT:  
WESTLAKE AF, LLC) RES. NO. 2016-