

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

December 6, 2016

1. CALL TO ORDER:

Mayor Joel Price 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 Price led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers Andy Fox, Al Adam, Claudia Bill-de la Peña, and Mayor Joel Price.

Absent: Councilmember Rob McCoy.

Also Present: Interim City Manager Andrew P. Powers, City Attorney Tracy Noonan, Deputy City Manager/Human Resources Director Gary Rogers, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer John F. Adams, Interim Community Development Director Mark Towne, Library Director Heather Cousin, Public Works Director Jay Spurgin, Assistant Police Chief Jim Freyhoff, Fire Chief Theodore Smith, Theatre House Supervisor Nancy Loncto, Assistant City Attorney Patrick Hehir, Deputy City Clerk Laura Maguire, Code Compliance Manager Geoff Ware, Disaster Services Coordinator Grahame Watts, Cable Operations Supervisor Carl Jarecky, Assistant Analysts Vanessa Pellegrino and Pam Romer, Senior Video Specialist Richard Swingler, and Senior Recording Secretary Janis Daly.

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

5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

- A. Mayor Price introduced Disaster Services Coordinator Watts to acknowledge Spring and Fall 2016 graduates of the Community Emergency Response Team (CERT) training program.
- B. Mayor Price introduced Assistant Police Chief Freyhoff to present certificates recognizing sponsors of the Inaugural Thousand Oaks Police Charitable Foundation (TOPCF) Glow 5k Run: Meghan Lopez representing Logix Credit Union, Heather Donley of Assisted Home Health & Hospice, and Tammie Helmuth representing Conejo Awards; Logix Credit Union representative Meghan Lopez presented \$15,000 check to TOPCF as Co-sponsor of this year's event and as Title Sponsor for next year's event.

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6. PUBLIC COMMENTS:

Billy Martin, Thousand Oaks; Eric Knight, city of residence unknown; Bonnie Clarfield-Bylin, Thousand Oaks; Tisha Greenwood, Thousand Oaks.

13. CITY MANAGER:

- *A. Follow-up items: Interim City Manager Powers indicated staff is following up with resident regarding brush clearance (Clarfield-Bylin) and confirmed California Museum of Art Thousand Oaks (CMATO) will make a Special Presentation at the first meeting in January (Greenwood).

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. FY 2016-17 Community Enhancement Grant Award Recommendations presented by Community Funding Review Committee Chair Margaret Ambrose.

Speakers: Victoria Juan, Newbury Park.

Motion by Councilmember Adam to approve Community Enhancement Grants totaling \$45,000 (Exhibit B); authorize City Manager to execute agreements with grantees; authorize expenditure of \$45,000 A/C 632-8420-682-5920 (NC0104 Enhancement Fund/Solid Waste Enhancement Grants), carried 4-0 by the following vote: Ayes - Fox, Adam, Bill-de la Peña, and Price; Noes - None; Absent - McCoy.

- B. City Investment Review Committee (CIRC) Annual Report presented by CIRC Chair Bill Berliner; Finance Director Adams responded to questions.

Motion by Councilmember Bill-de la Peña to receive and file report, carried 4-0 by the following vote: Ayes - Fox, Adam, Bill-de la Peña, and Price; Noes - None; Absent - McCoy.

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9. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Urgency Ordinance for regulations relating to Marijuana and Commercial Marijuana Activities (MCA 2016-70480) presented by Code Compliance Manager Ware; City Attorney Noonan, Assistant City Attorney Hehir, and Assistant Police Chief Freyhoff responded to questions; Interim Community Development Director Towne available for questions. Additional information supplemental packet.

URGENCY ORDINANCE AMENDING SECTION 9-4.202 AND ARTICLE 44 OF TITLE 9, CHAPTER 4 OF MUNICIPAL CODE TO MODIFY SPECIFIC DEFINITIONS AND REGULATIONS CONCERNING CULTIVATION, TRANSPORTATION, DELIVERY, MANUFACTURING AND DISPENSING OF MARIJUANA WITHIN CITY (MCA 2016-70480) ORD.NO. 1627-NS

Speakers: Evan Merat, Simi Valley, neutral; Craig Chretien, Westlake Village, pro; Graeme Davis, Newbury Park, con; Alessandro Neri, Thousand Oaks, con; Suzanne Duckett, Thousand Oaks, card not marked; Andrea Fletcher, Thousand Oaks, con.

Written Statements: Kyle Collins, Thousand Oaks, con; Justin Daly, Thousand Oaks, con; Brian Pletcher, Thousand Oaks, con; Catherine Willott, Thousand Oaks, con.

Mayor Price closed public hearing.

Motion by Councilmember Adam that urgency ordinance regulating marijuana and commercial marijuana activities be read in title only, further reading waived, and adopted, carried 4-0 by the following vote: Ayes - Fox, Adam, Bill-de la Peña, and Price; Noes - None; Absent - McCoy.

10. DEPARTMENT 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.

Speaker: Joe Kyle, Newbury Park.

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12. COUNCIL ISSUES/RECOMMENDATIONS: (Continued)

1. Report on League of California Cities (LCC) League Leaders Meeting November 9 – 11, 2016 presented by Mayor Price.
2. Report on 2016 National League of Cities (NLC) City Summit Conference November 15 – 19, 2016 presented by Mayor Price.
3. Report on Channel Counties Division Meeting December 2, 2016 presented by Mayor Price. Additional information supplemental packet.

Motion by Councilmember Adam to receive reports, carried 4-0 by the following vote: Ayes - Fox, Adam, Bill-de la Peña, and Price; Noes - None; Absent - McCoy.

13. CITY MANAGER: (Continued)

- A. Follow-up items: Nothing additional.
- B. Announcements and upcoming issues: Interim City Manager Powers announced the last meeting of the year will be the Reorganization Meeting next Tuesday evening (December 13) at 6:30 p.m. and the State of City Address and Luncheon will be held at California Lutheran University, Tuesday, December 13, 2016, indicating tickets available on Greater Conejo Valley Chamber of Commerce website until December 9, 2016.

14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor.

City Attorney Noonan announced Closed Session held at 7:52 p.m.

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Title: City Attorney; Pursuant to Government Code Section 54957(b)(1)
- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Title: Interim City Manager; Pursuant to Government Code Section 54957(b)(1)

City Attorney Noonan indicated no announcement anticipated.

Motion by Councilmember Fox to continue Item 14.A. (PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Title: City Attorney) to future date, carried 4-0 by the following vote: Ayes - Fox, Adam, Bill-de la Peña, and Price; Noes - None; Absent - McCoy.

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15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

City Council adjourned at 8:15 p.m. to Reorganization Meeting on Tuesday, December 13, 2016, 6:30 p.m.


Joel R. Price, Mayor
City of Thousand Oaks City Council

Attest:

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

AGENDA POSTED: December 1, 2016

MINUTES APPROVED: January 10, 2017

*indicates item taken out of order

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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*

Speaker: Julianna Emanuel, Thousand Oaks.

Motion by Councilmember Adam to approve Consent Calendar with exception of Items 7 C. (Distribution of theater tickets and passes; rescind Resolution No. 94-45) and 7.O. (Conflict of Interest Resolution update), carried 4-0 by the following vote: Ayes - Fox, Adam, Bill-de la Peña, and Price; Noes - None; Absent - McCoy. (Items subsequently approved following discussion.)

City Attorney Noonan responded to questions regarding Items 7.C. and 7.O.

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

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

- A. General, Utilities, Golf Course, and Theatres Demands – ratify November 23, 2016 and November 30, 2016; approve December 7, 2016; approve December 14, 2016, December 21, 2016, December 28, 2016, and January 4, 2017, subject to review and ratification
- B. Minutes of City Council meeting of November 15, 2016
- C. No Appropriation/Expenditure Required: Distribution of theater tickets and passes; rescind Resolution No. 94-45
- D. Approved Expenditure: Fourth Amendment to Agreement No. 11030-2015 with PAX Water Technologies, Inc., in amount of \$50,000 for rental of water disinfectant boosting trailers to extend term to 6/30/17; total contract not-to-exceed \$195,000; budget appropriation and expenditure in amount of \$50,000 A/C 611-0000-341-9900 (Water Operating Fund/Net Position) to A/C 611-8050-686-6499 (Water Reservoirs/Rental Fees)

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7. CONSENT CALENDAR: (Continued)

- E. Approved Expenditure: Delivery of restaurant fats, oils, and grease (FOG) and food-beverage waste to Hill Canyon Treatment Plant (HCTP); agreements with Alpha Pumping, Inc., Buron's Preferred Pumping Company, Inc., Coastal Byproducts; ETP, Inc. dba Enviro-Tech Pumping; and Imperial Western Products, Inc., to deliver FOG and food-beverage waste to HCTP for treatment and recycling; terms ending 6/30/19
- F. Approved Expenditure: Civic Arts Plaza Theatres Janitorial Services; award contract to Ultimate Maintenance Services, Inc.; term: 1/1/17 – 12/31/19 with two one-year renewal options, total not-to-exceed \$1,271,353 over contract lifetime; expenditures not-to-exceed \$82,500 A/C 681-7710-682-5620 (Theatres/Contracted Janitorial) and \$35,400 A/C 681-7810-682-5620 (Theatres/Contracted Janitorial)
- G. Additional Appropriation: Newbury Park Library Roof and Electrical Renovation (CI 5248); award contract to Saifco Construction Co. in amount not-to-exceed \$849,900, plus \$128,000 contingency; expenditures in amount of \$187,760 A/C 110-7410-673-8200 (CI 5248 Capital Buildings) and \$85,000 A/C 110-7410-673-5500 (MI 2097 Contracted Construction); budget appropriation and expenditure in amount of \$705,140 as follows: \$671,140 A/C 001-0000-311-1000 (General Fund - Fund Balance) to A/C 110-7410-673-8200 (CI 5248 Capital Buildings) and \$34,000 A/C 001-0000-311-1000 (General Fund - Fund Balance) to A/C 110-7410-673-5500 (MI 2097 Contracted Construction); budget appropriation and expenditure in amount of \$21,860 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 110-7410-673-8200 (CI 5248 Capital Buildings) for miscellaneous engineering and construction costs; plan and design of improvements as shown on construction drawings and specifications for project as reasonable and appropriate
- H. Approved Expenditure: Water Treatment of Mechanical Cooling and Heating Systems at City Facilities; award service contract to Advanced Chemical Technology, Inc.; term: 12/15/16 – 12/31/19 with two options to extend for one year; contract not-to-exceed \$76,082 first year; total contract not-to-exceed \$172,610; not-to-exceed total includes \$3,000 per year for testing services and \$44,350 for initial repairs and installation at various facilities as deemed necessary by City; expenditure in amount of \$65,516 various General Fund (001) accounts as outlined in report for remaining FY 2016-17; funding for remaining term to be requested during upcoming biennial budget process

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7. CONSENT CALENDAR: (Continued)

- I. Approved Expenditure: Third Party Liability Claims Administration; First Amendment to Contract No. 11260-2016 with Carl Warren & Company in amount of \$43,000 to extend agreement twelve months; term: 1/1/17 – 12/31/17; revised total contract not-to-exceed \$92,000; expenditure of \$43,000 A/C 711-0520-686-5640 (Claim Handling Fees)
- J. No Appropriation/Expenditure Required: Receive Youth Commission Update Report; recommended projects: Reality Parties, Mental Health Awareness Forum for Parents, Mental Health Conference for Teens, Teen Nights at Art Trek, High School Spirit Night
- K. Additional Appropriation Fully Offset by Grant Revenue: Acceptance of Edward Byrne Memorial Justice Assistance Grant in amount of \$11,311 less five percent administration fee (\$566) for total grant award amount of \$10,745; ratify former City Manager signing Interlocal Agreement between City of Oxnard and County of Ventura, and Cities of Thousand Oaks and San Buenaventura; budget appropriation and expenditures of \$10,745 A/C 001-6610-438.99-00 (Grant revenue – LE0JG8) to A/C 001-6610-621.33-00 (Equipment less than \$5,000 – LE0JG8)
- L. Additional Appropriation Fully Offset by Fixed Asset Replacement: Acceptance of bid and award for purchase of three BMW motorcycles in amount of \$85,773.63 from BMW of Ventura County; budget appropriation in amount of \$23,488 and expenditure of \$85,774 A/C 001-6610-621-8400 (Equipment over \$5,000) fully offset by A/C 001-6610-621-8900 (Fixed Asset Replacement)
- M. No Appropriation/Expenditure Required: 2016 Posting of Boards, Commissions, and Committees Local Appointments List (Maddy Act)
- N. No Appropriation/Expenditure Required: Adopt resolution; refer to Planning Commission for recommendation to City Council

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT TO
MUNICIPAL CODE CONCERNING MARIJUANA AND COMMERCIAL
MARIJUANA ACTIVITIES (MCA 2016-70489) RES. NO. 2016-068

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7. CONSENT CALENDAR: (Continued)

- O. No Appropriation/Expenditure Required: Conflict of Interest Resolution update

RESOLUTION UPDATING DESIGNATED EMPLOYEES, OFFICERS, AND DISCLOSURE CATEGORY LIST FOR FAIR POLITICAL PRACTICES ACT REQUIREMENTS (CONFLICT OF INTEREST) AND RESCINDING RESOLUTION NO. 2015-077 RES. NO. 2016-069

ORDINANCES FOR SECOND READING:

- P. ORDINANCE ADJUSTING AND SETTING RATES, FEES AND DISCHARGE LIMITS OF CITY WASTEWATER DIVISION (UNCODIFIED) (Introduced 11/15/16, 4-0, JP absent) ORD.NO. 1625-NS
- Q. ORDINANCE ADJUSTING AND SETTING RATES AND FEES OF CITY WATER DIVISION (UNCODIFIED) (Introduced 11/15/16, 4-0, JP absent) ORD.NO. 1626-NS

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EXHIBIT B

Item 8.A.

FY 2016-17 Community Enhancement Grant Award Recommendations

<i>Applicants Recommended for Community Enhancement Grant Awards 2016-2017</i>					
	Group Name	Amount Requested	Amount Recommended	Total Score	Project Description
1	Manna	\$5,000	\$5,000	95	Project: Food waste diversion program picking up donations from retailers and distribute to homeless shelters or meal programs. Funding: truck expenses, electrical expenses, refrigeration maintenance.
2	Harvest Food Program	\$5,000	\$5,000	91	Project: Food waste diversion program picking up donations from restaurants, grocery stores and farmers market and distribute to needy families. Funding: freezer
3	New Life Mission Church	\$5,000	\$5,000	91	Project: purchase refrigerator and freezer for space for food for needy families and homebound seniors. Funding: freezer and refrigerator
4	Calvary Community Church	\$5,000	\$5,000	88	Project: Food waste diversion project to repurpose 131,000 lbs of food to local population. Funding: refrigeration unit, restructuring of facility including electrical work
5	Community Conscience	\$4,995	\$3,000	80	Project: remove diseased oleander, add new irrigation system, mulch and new CA native plants added to an area that borders a public thoroughfare Funding: mulch, plants, irrigation labor

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EXHIBIT B (Continued)

6	Conejo Open Space Foundation	\$3,800	\$3,800	80	Project: a) Trail Work day and other trail work events b) Habitat restoration of Conejo open space land and creek drainages. Funding: printing and mailing, tools and supplies, food for volunteers, equipment and supplies including cutting tools, shirts and badges, sprayer tanks, herbicides, soil amendments, native seeds and plants.
7	City Corps of the Central Coast	\$5,000	\$5,000	71	Project: add plants, shade trees and mulch to Discovery Center outdoor classroom in Thousand Oaks. Funding: plants and materials
8	Thousand Oaks Girls Softball Association	\$4,000	\$2,000	71	Project: permanent trash and recycle cans near dugout fields at Los Cerritos Middle School. Plant trees along fenceline. Funding: recycle and trash cans, trees and planting
9	Conejo Valley Botanic Garden	\$5,000	\$5,000	68	Project: Interpretive signage in botanical garden. Funding: signage costs
10	NPHS Panther Prowler	\$2,100	\$2,100	67	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.
11	Carden Conejo Parents Assoc.	\$5,000	\$4,100	66	Project: replace tree that fell with a drought tolerant shade tree for the children. Funding: tree, labor, irrigation system installation, benches under tree
	Total =	\$49,895	\$45,000		

