

City Council

REGULAR MEETING

Tuesday, April 2, 2019, 6:00 P.M.

Andrew P. Fox City Council Chambers



Rob McCoy, Mayor

Al Adam, Mayor Pro Tem

Claudia Bill-de la Peña, Councilmember

Bob Engler, Councilmember

Ed Jones, Councilmember

Executive Team

Andrew P. Powers, City Manager

Ingrid Hardy, Assistant City Manager

Mark A. Towne, Community Development Director

Cynthia M. Rodriguez, City Clerk

Barry McComb, Cultural Affairs Director

Jim Friedl, General Manager, CRPD

John Spykerman, Fire Chief

Tracy M. Noonan, City Attorney

Gary Rogers, Deputy City Manager/HR Director

Jaime Boscarino, Finance Dir./City Treasurer

Jay T. Spurgin, Public Works Director

Heather Cousin, Library Director

Tim Hagel, Police 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. 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

3

April 2, 2019

RES. NO. 2019-007
ORD. NO. 1662-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Bill-de la Peña, Engler, Jones, Adam, and Mayor McCoy
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
 - A. Proclamation – April as National Donate Life Month
 - B. Presentation – American Public Works Association (APWA) Project of the Year – Westlake Boulevard Sidewalk and Bicycle Lane Improvements
 - C. Proclamation – 2019 Arbor Earth Day
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 5 thru 7 for Consent Calendar listing)
8. PUBLIC HEARINGS: None
9. DEPARTMENT REPORTS: None
10. STUDY SESSION:
 - A. [Proposed FY 2019-20 and FY 2020-21 Capital Improvement Program Budget](#)

RECOMMENDATION:

 1. Receive information on Proposed FY 2019-20 and FY 2020-21 Capital Improvement Program (CIP) budget
 2. Schedule public hearing for June 11, 2019 City Council meeting
11. COMMITTEE/COMMISSION/BOARD REPORTS: None
12. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None

13. COUNCIL ISSUES/RECOMMENDATIONS:

A. Follow-up reports on meetings/conferences attended by Councilmembers

1. [2019 National League of Cities \(NLC\) Congressional Cities Conference and Annual Meetings with Congressional Representatives and Federal Agencies March 6 – 13, 2019 \(Engler/McCoy\)](#)

RECOMMENDATION: Receive report

14. CITY MANAGER:

A. Follow-up items

B. Announcements and upcoming issues

15. CLOSED SESSION: City Council Conference Room 2nd floor

A. CONFERENCE WITH LABOR NEGOTIATORS – City designated representatives: City Manager Andrew Powers; City Attorney Tracy Noonan; Assistant City Manager Ingrid Hardy; and Deputy City Manager/Human Resources Director Gary Rogers; Employee Organizations: Thousand Oaks City Employees Association (TOCEA); Senior Management Association (SMA); Thousand Oaks Management Association (TOMA); and Executive Managers (Assistant City Manager, Finance Director, Community Development Director, Public Works Director, City Clerk, Deputy City Manager/Human Resources Director, Cultural Affairs Director, Library Director); Pursuant to Government Code Section 54957.6

B. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: Alison Piazza, et al. v. Tony Reveles, et al.; Case No. 56-2018-00513538-CU-PA-VTA. Pursuant to Government Code Section 54956.9(a)

C. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation: Initiation of Litigation; Pursuant to Government Code Section 54956.9(d)(4). (1 Potential Case)

16. PUBLIC NOTICES: None

17. ADJOURNMENT:

Adjourn to Regular Meeting April 23, 2019

Agenda Post Date/Time: March 28, 2019, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH L. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify March 6, 2019 and March 13, 2019; approve March 20, 2019, and March 27, 2019; approve April 3, 2019, April 10, 2019 and April 17, 2019, subject to review and ratification
- B. [Minutes of City Council meetings of March 5, 2019 and March 19, 2019](#)
- C. Additional Appropriation: Government Channel Equipment Purchase in the amount of \$20,245.71 for Harmonic MediaPort Module from DigitalGlue; \$20,300 budget appropriation and expenditure A/C 883-0000-241-9900 (MSVEZ, Public Educational Government Capital Trust Account) to A/C 001-1210-484-0000 (Other/Reimbursements) to offset expenditure in A/C 001-1210-647-8400 (Equipment over \$5,000)
- D. Approved Expenditure: Hill Canyon Treatment Plant (HCTP) Secondary Clarifier Coating/Concrete Rehabilitation (MI 2532); professional services agreement with AECOM, Inc., not-to-exceed \$75,000 for preparation of condition assessment, plans and specifications, plus \$10,000 for extra services; term ending 06/30/20; \$85,000 expenditure A/C 624-8250-682-5500 (MI 2532, HCTP Coating/Concrete Rehabilitation)
- E. Approved Expenditure: Hill Canyon Treatment Plant (HCTP) Wastewater Interceptor Capital Improvement Project Unit Y2 (CI 5328); professional services agreement with HDR Engineering, Inc., not-to-exceed \$147,500 for preparation of condition assessment, plans and specifications, plus \$15,000 for extra services; term ending 06/30/20; \$162,500 expenditure A/C 624-8250-682-5500 (CI 5328, Wastewater Interceptor Capital Improvement Project Unit Y2)

7. CONSENT CALENDAR: (Continued)

- F. Approved Expenditure: [Hill Canyon Treatment Plant \(HCTP\) Digester No. 3 Rehabilitation Project \(MI 2533\)](#); project design, plans, specifications, and Addenda Nos. 1 and 2; award construction contract to Cushman Contracting Corporation, \$495,400, plus \$49,540 contingency; first amendment to professional services agreement (Cont. No. 11737-2018) with HDR Engineering, Inc. for construction phase support services, \$110,456 for revised not-to-exceed amount \$272,256, extended term ending: 06/30/20; \$655,396 expenditure (\$495,400 construction contract; \$110,456 construction support services and testing; \$49,540 construction contract contingency) A/C 624-8250-682-5500 (MI 2533, HCTP Digester No. 3 Rehabilitation); delegate authority to City Engineer to approve changes to design, plans, specifications and working details of project on work directives and change orders up to project contingency
- G. Approved Expenditure: [Concrete Replacement and Sidewalk Repair Program \(MI 2543\)](#); authorize staff to advertise for construction bids
- H. Additional Appropriation: [Landscaping Upgrades – Forestry Master Plan Demonstration Sites \(MI 2545\)](#); professional services agreement with SWA Group, not-to-exceed \$69,000 for engineering and architectural support services during construction, plus extra services of \$15,000; term ending 12/31/19; \$110,000 budget appropriation A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-5310-631-5500 (MI 2545, Landscaping Upgrades FMP Demonstration Sites); \$89,000 expenditure (\$69,000 agreement, \$15,000 extra services, \$5,000 City furnished materials and supplies); \$33,540 A/C 001-5310-631-5500 and \$55,460 A/C 142-5310-632-5500 (MI 2545, Landscaping Upgrades FMP Demonstration Sites)
- I. Additional Appropriation: [Kavli Theatre Renovation \(MI 2088\)](#); project design plans, specifications and working details; award construction contract to Waisman Construction, Inc., \$2,117,000, plus \$250,000 contingency, potential \$100,000 bonus; \$2,312,000 budget appropriation A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-3570-612-8200 (MI 2088, Building Improvements); \$2,472,000 expenditure for construction and project costs; authorize staff to issue purchase order to Irwin Seating Company for seating fabric, not-to-exceed \$100,000; delegate authority to City Engineer to approve changes in design, plans, specifications and working details on work directives and change orders up to project contingency

7. CONSENT CALENDAR: (Continued)

J. Approved Expenditure: [FY 2018-19 Expenditure Plan of grant funds pursuant to Supplemental Law Enforcement Services Fund \(SLESF\)](#) guidelines to allow City to continue to benefit under SLESF partially offsetting contract costs of following positions: two Directed Enforcement Team (formerly Bike Patrol) deputies (contract costs: \$468,880) A/C 001-6650-621-5730 (Contracted Services – Law Enforcement); one misdemeanor detective (contract costs: \$260,371) A/C 001-6640-621-5730 (Contracted Services – Law Enforcement)

K. Approved Expenditure: [2020 Pavement Overlay Program \(CI 5503\); adopt resolution](#)

RESOLUTION ADOPTING LIST OF PROJECTS FOR FY 2019-20 AND
FY 2020-21 FUNDED BY SB 1: THE ROAD REPAIR AND
ACCOUNTABILITY ACT OF 2017 RES. NO. 2019-_____

L. No Appropriation/Expenditure Required: [Initiation of Municipal Code Amendment to Modify Existing Regulations to Allow for Cannabis Deliveries](#); adopt resolution

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT
TO THOUSAND OAKS MUNICIPAL CODE TITLE 5 CHAPTER 29
CONCERNING MEDICAL CANNABIS DELIVERY REGULATIONS
RES. NO. 2019-_____