

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

April 2, 2019

1. CALL TO ORDER:

Mayor Rob McCoy called the meeting to order at 6:00 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor McCoy led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers Bill-de la Peña, Engler, Jones, Adam, and Mayor McCoy.

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Deputy City Manager/HR Director Gary Rogers, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer Jaime Boscarino, Community Development Director Mark Towne, Library Director Heather Cousin, Deputy Public Works Director Cliff Finley, Police Chief Tim Hagel, Battalion Chief Jeff Pike, Budget Officer Brent Sakaida, Assistant to the City Manager Melissa Hurtado, Assistant City Attorney Felicia Liberman, Assistant City Attorney Patrick Hehir, Assistant City Attorney David Womack, Facilities Manager Elizabeth Perez, Deputy City Clerk Laura Maguire, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, Assistant Analyst Sandra Delgado, and Recording Secretary Dominga Zambrano.

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

5. SPECIAL PRESENTATIONS:

A. Mayor McCoy presented proclamation to the Belko family in honor of DMV/Donate Life California Donor Month.

B. Mayor McCoy introduced Betsy Cooper of APWA to present the Project of the Year Award for the Westlake Boulevard Sidewalk and Bicycle Lane Improvements project to Engineering Division Manager Nader Heydari and Senior Engineer Mike Tohidian.

C. Mayor McCoy presented proclamation to Senior Sustainability Analyst John Brooks in honor of Arbor/Earth Day, April 27, 2019.

6. PUBLIC COMMENTS:

Dr. Trevor Marshall, Thousand Oaks (submitted document); Michael Ballmann, Simi Valley; Linda Pore, Westlake Village; Stephanie Wilson, Simi Valley; Judy Bruce, Simi Valley; Gary Schwimmer, Simi Valley; Mike King, Thousand Oaks; Mike T., Newbury Park; Ellen Frank, Thousand Oaks; Paige Nielsen, Westlake Village (submitted document); Nicholas Daugherty, Newbury Park;

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6. PUBLIC COMMENTS: (Continued)

Susan Weininger, Thousand Oaks; Warren Wolf, Thousand Oaks; Vadim Manzhos, Newbury Park; Joshua Perigo, Newbury Park; Ryan Shepherd, Simi Valley; Lorena Saruwatari, Camarillo; Mandy Jacob, Newbury Park; Robert DiSanto, Thousand Oaks; Samuel Tardif, Newbury Park.

Written Statements: Eric Ewing, Westlake Village; Robert Heatherly, Westlake Village; Karl Kuhn, Thousand Oaks; Alisa Marcarelli, Thousand Oaks; Joseph Panzarello, Simi Valley.

14. CITY MANAGER:

- *A. Follow-up items: City Manager Powers acknowledged comments regarding 5G technology and encouraged speakers and residents to lobby legislative representatives to express concerns at the federal level, directed public to City website for further information - toaks.org/wireless.

7. CONSENT CALENDAR:

(See Exhibit A 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 presented by Finance Director Boscarino; Deputy Public Works Director Finley responded to questions. Budget Officer Sakaida available for questions.

Speakers/Statement cards: None.

Motion by Councilmember Bill-de la Peña to receive information on Proposed FY 2019-20 and FY 2020-21 Capital Improvement Program (CIP) budget; schedule public hearing for June 11, 2019 City Council meeting, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None.

11. COMMITTEE/COMMISSION/BOARD REPORTS: None.

12. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None.

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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 presented by Councilmember Engler; Mayor McCoy responded to questions.

Report received.

14. 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 April 23, 2019.

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

City Attorney Noonan announced Closed Session held at 8:21 p.m.

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

City Attorney Noonan indicated no announcement anticipated.

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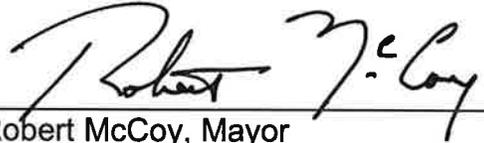
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16. PUBLIC NOTICES: None.

17. ADJOURNMENT:

City Council adjourned at 8:53 p.m. to Regular Meeting on Tuesday, April 23, 2019.



Robert McCoy, Mayor
City of Thousand Oaks City Council

Attest:



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

AGENDA POSTED: March 28, 2019

MINUTES APPROVED: April 23, 2019

*indicates item taken out of order

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EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH L. ARE TO APPROVE

Additional information supplemental packet regarding Items 7.D. and 7.L.

Motion by Councilmember Bill-de la Peña to approve Consent Calendar with exception of Item 7.L. (Initiation of Municipal Code Amendment to Modify Existing Regulations to Allow for Cannabis Deliveries), carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None. (Item subsequently approved following discussion.)

City Manager Powers and City Attorney Noonan responded to questions regarding Item 7.L.

Motion by Councilmember Bill-de la Peña to approve Item 7.L., carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None.

- A. General, Utilities, Golf Course, 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)

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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

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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. 2019-007

- 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. 2019-008

