

City Council

REGULAR MEETING
Tuesday, May 14, 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

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May 14, 2019

RES. NO. 2019-013
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. Public Works Re-Accreditation
 - B. Awards for Tree City USA and Bee City USA
 - C. Public Works Week Proclamation
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 9 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [Municipal Code Amendment to Modify Existing Regulations to Cannabis Deliveries and Resolution to Establish Application Process for Cannabis Testing Laboratory](#)

ORDINANCE AMENDING TITLE 5, CHAPTER 29, SECTIONS 5-29.01, 5-29.06, 5-29.07, 5-29.08, 5-29.09, 5-29.12, 5-29.18, 5-29.22, 5-29.24, 5-29.27, 5-29.34, AND 5-29.35 OF THE MUNICIPAL CODE OF THE CITY OF THOUSAND OAKS REGARDING COMMERCIAL CANNABIS AND PERSONAL CANNABIS CULTIVATION ORD.NO. 1st Reading

RESOLUTION ADOPTING APPLICATION PROCEDURES AND GUIDELINES FOR COMMERCIAL CANNABIS TESTING LABORATORY
RES. NO. 2019-

8. PUBLIC HEARINGS: (Continued)

- A. Municipal Code Amendment to Modify Existing Regulations to Cannabis Deliveries and Resolution to Establish Application Process for Cannabis Testing Laboratory (Continued)

RECOMMENDATION:

1. Ordinance amending Chapter 29 of Title 5 to add regulations for cannabis deliveries in response to adopted changes in state law to be read in title only, further reading be waived, and if no objection, introduced
2. Adopt resolution approving application process for cannabis testing laboratory

- B. [FY 2019-20 Community Development Block Grant Action Plan](#), FY 2019-20 Social Services Funding and Ventura County HOME Consortium

RESOLUTION AUTHORIZING CITY OF THOUSAND OAKS TO PARTICIPATE IN VENTURA COUNTY HOME CONSORTIUM AND APPROVE COOPERATION AGREEMENT FOR VENTURA COUNTY HOME CONSORTIUM
RES. NO. 2019-_____

RECOMMENDATION:

1. Approve FY 2019-20 Community Development Block Grant (CDBG) Action Plan totaling \$870,091.54 (\$593,053 in 2019 funds and \$277,038.54 in prior years' surplus funds) for submittal to U.S. Department of Housing and Urban Development (HUD)
2. Approve FY 2019-20 social services grants budget to allocate a total of \$186,126 consisting of \$86,126 in CDBG funds and \$100,000 from City's Social Services Endowment Fund (SSEF) for 25 social services grants
3. Authorize City Manager to proportionately adjust proposed allocations if HUD revises amount of City's FY 2019-20 CDBG grant; and authorize City Manager to finalize and execute grant agreements and related documents in connection with FY 2019-20 CDBG Action Plan and Social Service Endowment Fund
4. Adopt resolution approving and authorizing City Manager to execute Cooperation Agreement for Ventura County HOME Consortium and finalize and execute related documents in connection with Ventura County HOME Consortium

9. DEPARTMENT REPORTS:

A. [Cultural Affairs Commission Update](#)

RESOLUTION ESTABLISHING THE THOUSAND OAKS ARTS AND CULTURE ROUNDTABLE TO SERVE AS AN ADVISORY COMMITTEE TO CITY COUNCIL ON MATTERS DEALING WITH ARTS AND CULTURAL PROGRAMS AND ACTIVITIES IN THE COMMUNITY

RES. NO. 2019-_____

RECOMMENDATION:

1. Rescind Resolution No. 2017-030, dissolving Cultural Affairs Commission, effective immediately
2. Adopt resolution establishing Arts and Culture Roundtable, effective July 1, 2019

10. STUDY SESSION:

A. [Proposed FY 2019-20 and FY 2020-21 Operating Budget](#) Study Session

RECOMMENDATIONS:

1. Receive information on Proposed FY 2019-20 and FY 2020-21 Operating Budget
2. Schedule public hearing for City Council review and adoption of FY 2019-20 and FY 2020-21 Operating and CIP Budget on June 11, 2019

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 Southern California Association of Governments \(SCAG\) General Assembly May 1 – 3, 2019 \(Adam\)](#)

RECOMMENDATION: Receive report

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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May 14, 2019

14. CITY MANAGER:

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

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

- A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *Kahler v. City of Thousand Oaks*; Workers' Compensation Appeals Board, EAMS Case Number: ADJ10900548; Pursuant to Government Code Section 54956.9(d)(1)

16. PUBLIC NOTICES: None

17. ADJOURNMENT:

Adjourn in memory of:

- Municipal Service Center City Employee Mike Campbell

to Regular Meeting May 21, 2019

Agenda Post Date/Time: May 9, 2019, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH M. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify April 24, 2019; May 1, 2019, and May 7, 2019; approve May 15, 2019, subject to review and ratification
- B. [Minutes of City Council meeting of April 23, 2019](#)
- C. Approved Expenditure: [Request for Waiver from City Processing Fees for 95 N. Oakview Drive](#); \$8,303 fee waivers for Manna’s expansion at 95 N. Oakview Drive
- D. Additional Appropriation: [Participation in Ventura County 2020 Census Complete Count Committee Fund](#); authorize City’s participation on 2020 Census Complete Count Committee; \$25,000 budget appropriation and expenditure A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-0410-612-5699 (Contracted Services – Other)
- E. Approved Expenditure: [Municipal Service Center \(MSC\) Flat Roofs Renovation \(CI 5458\)](#); authorize staff to advertise for construction bids
- F. Approved Expenditure: [Undergrounding Reimbursement Agreement](#) – Newbury Road East of Ventu Park Road (CI 4501); reimbursement agreement in amount of \$158,621 with 1200 Newbury, LLC, for undergrounding of overhead power, cable, and telephone utility lines; \$158,621 expenditures A/C 532-5310-631-8300 (CI 4501, Newbury Road East of Ventu Park Road Widening and Improvements) in FY 2019-20
- G. Approved Expenditure: [Meadows Reservoir Altitude Valve \(CI 5382\)](#); authorize staff to advertise for construction bids
- H. Approved Expenditure: [Amgen Wastewater Flow Agreement](#) for wastewater connection and service charges

7. CONSENT CALENDAR: (Continued)

- I. Additional Appropriation: [Thousand Oaks Boulevard Wastewater Main Extension \(CI 5529\)](#); third amendment to reimbursement agreement with GL Development LLC (Cont. No. 11894-2018) in amount of \$158,521.59, revised not-to-exceed total \$1,168,714.49; \$68,715 budget appropriation and expenditure A/C 624-0000-341-9900 (Wastewater – Net Position) to A/C 624-8220-682-8300 (CI 5529, Thousand Oaks Boulevard Wastewater Main Extension); delegate authority to City Engineer to approve all changes to design, plans, specifications, and working details
- J. Additional Appropriation: [Conejo Creek North Park Waterline Rehabilitation Project \(CI 5519\)](#); project design, plans, specifications, and Addendum No. 1; award of construction contract to J&H Engineering, in amount of \$811,739, plus \$121,000 contingency; \$330,000 budget appropriation and transfer A/C 612-8030-682-8300 (CI 5519, Conejo Creek North Park Waterline Rehabilitation Project) to A/C 613-8030-682-8300 (CI 5519, Conejo Creek North Park Waterline Rehabilitation Project); \$676,000 additional budget appropriation A/C 613-0000-341-9900 (Water Capital Facilities – Net Position) to A/C 613-8030-682-8300 (CI 5519, Conejo Creek North Park Waterline Rehabilitation Project); \$937,739 expenditure (\$811,739 construction contract; \$121,000 contingency; \$5,000 City furnished materials and supplies) A/C 613-8030-682-8300 (CI 5519, Conejo Creek North Park Waterline Rehabilitation Project); delegate authority to City Engineer to approve changes to design, plans, specifications, and working details of project up to approved contingency
- K. Approved Expenditure: [California State Library Grant](#) – “Maximizing Learning Spaces, or How to MacGyver Your Library”; acceptance of \$10,000 California State Library grant to be paid directly to vendor for purchase, acquisition, and installation of new furniture, fixtures, décor, and creation of a teen space at the Grant R. Brimhall Thousand Oaks Library; \$30,883 expenditure A/C 110-7010-673-3300 (MI 2538, Furniture/Fixtures under \$5000)
- L. No Appropriation/Expenditure Required: [Appointment of Angela Bradley as Resident Commissioner to Area Housing Authority](#) of County of Ventura Board of Commissioners for two-year term expiring May 31, 2021; adopt resolution

RESOLUTION CONFIRMING APPOINTMENT OF ANGELA BRADLEY
AS RESIDENT COMMISSIONER TO AREA HOUSING AUTHORITY OF
COUNTY OF VENTURA BOARD OF COMMISSIONERS

RES. NO. 2019-_____

7. CONSENT CALENDAR: (Continued)

- M. Approved Expenditure: [Citywide Records Management Program Policy](#) and Records Retention Schedule Update; adopt resolution

RESOLUTION UPDATING CITYWIDE RECORDS MANAGEMENT PROGRAM POLICY AND RECORDS RETENTION SCHEDULE, AND RESCINDING RESOLUTION NO. 2015-009 RES. NO. 2019-_____