

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

May 14, 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 Engler, Jones, Adam, and Mayor McCoy. Councilmember Bill-de la Peña arrived at 6:09 p.m.

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Assistant City Manager Ingrid Hardy, City Clerk Cynthia M. Rodriguez, Community Development Director Mark Towne, Finance Director/City Treasurer Jaime Boscarino, Public Works Director Jay Spurgin, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Police Captain Denise Sliva, Fire Chief John Spykerman, Deputy Community Development Director Peter Gilli, Assistant City Attorney Patrick Hehir, Assistant to the City Manager Melissa Hurtado, Deputy Cultural Affairs Director Jonathan Serret, Budget Officer Brent Sakaida, Housing Coordinator Lynn Oshita, Landscape Maintenance Supervisor Garrett Crawford, Deputy City Clerk Laura Maguire, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, Assistant Analyst Sandra Delgado, Records Management Specialist Judy Freeman, and Recording Secretary Dominga Zambrano.

4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:

Mayor McCoy announced Consent Calendar Item 7.G. [Meadows Reservoir Altitude Valve (CI 5382)] pulled from agenda.

5. SPECIAL PRESENTATIONS:

- A. Mayor McCoy introduced Mary Joyce Ivers, American Public Works Association (APWA) President-Elect, who presented Public Works Director Spurgin with APWA Re-Accreditation Certificate.
- B. Mayor McCoy introduced Landscape Maintenance Supervisor Crawford who presented Tree City USA and Bee City USA awards.
- C. Mayor McCoy presented proclamation to Public Works Director Spurgin in honor of Public Works Week.

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6. PUBLIC COMMENTS:

Kathy Naoum, Thousand Oaks; Cristy Warner, Thousand Oaks; Adam Haverstock, Greater Conejo Valley Chamber of Commerce; Dr. Rebecca Tatum, Newbury Park; Judy Bruce, Simi Valley; Nancy J. Smeets-Tkachenko, Westlake Village; Shawnee Harris, Newbury Park; Susan Murata, Hospice of the Conejo; Elizabeth Barris, Topanga (submitted document); William Lind, Ventura; Sean Coyle, Thousand Oaks; Bill Spangler, Westlake Village; Paige Nielsen, Westlake Village; Michael Ballmann, city of residence unknown; Julie Levine, Thousand Oaks; Marin Lutz, Thousand Oaks; Anne Marquart, Thousand Oaks; Leslie Morava, Thousand Oaks; Janice Wise, ArtTrek (submitted document); Annaliza Spiga, city of residence unknown; Mike King, Thousand Oaks; Madeline Altman, Newbury Park; Carol Taccetta, Newbury Park; Stefanie Sellars-Adam, Simi Valley; Syd Schultz, Camarillo; Warren Wolf, Thousand Oaks; Lee Lewis, Thousand Oaks; Robert D., Thousand Oaks; Audrey Bruckner, Thousand Oaks; Mandy Jacob, Newbury Park; Wanda Calliau, Thousand Oaks; Bruce Boyer, Chatsworth (submitted document); Paul Huebl, Los Angeles; Linda Pore, Thousand Oaks; Ellen Frank, Thousand Oaks; Lorena Saruwatari, city of residence unknown; Vadim Manzhos, Newbury Park.

Written Statements: Alvin Gerlach, Newbury Park; Sherri Robidoux, Thousand Oaks; Maleea Usell, Thousand Oaks.

14. CITY MANAGER:

- *A. Follow-up items: City Manager Powers and City Attorney Noonan addressed impacts of Federal regulations on local jurisdictions and clarified City's position regarding legislation pertaining to 5G technology deployment. Concerned citizens were encouraged to continue reaching out to State and Federal legislators; reference made to City's website www.toaks.org/wireless for updated information.

City Council recess 7:52 p.m.; reconvened 8:06 p.m.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

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8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Municipal Code Amendment to Modify Existing Regulations to Cannabis Deliveries and Resolution to Establish Application Process for Cannabis Testing Laboratory presented by Assistant to the City Manager Hurtado. Assistant City Attorney Hehir and HdL Consultant Tim Cromartie responded to questions.

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. 2019-015

Speaker/Statement cards: None.

Mayor McCoy closed public hearing.

Motion by Councilmember Adam for 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; and adopt resolution approving application process for cannabis testing laboratory, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None.

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8. PUBLIC HEARINGS: (Continued)

- B. Hearing, advertised as required by law, opened to consider: FY 2019-20 Community Development Block Grant Action Plan, FY 2019-20 Social Services Funding and Ventura County HOME Consortium presented by Deputy Community Development Director Gilli, Housing Coordinator Oshita responded to questions.

RESOLUTION AUTHORIZING CITY OF THOUSAND OAKS TO PARTICIPATE IN VENTURA COUNTY HOME CONSORTIUM AND APPROVE COOPERATION AGREEMENT FOR VENTURA COUNTY HOME CONSORTIUM RES. NO. 2019-016

Speakers: George McGehee, Thousand Oaks, pro; Jacqueline Jimenez, Oxnard, pro.

Written Statement: Kathy Goodspeed, Thousand Oaks, pro.

Mayor McCoy closed public hearing.

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

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9. DEPARTMENT REPORTS:

- A. Cultural Affairs Commission Update provided by Deputy Cultural Affairs Director Serret, Cultural Affairs Director McComb available for questions.

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. 2019-017

Speaker/Statement cards: None.

Motion by Councilmember Bill-de la Peña to rescind Resolution No. 2017-030, dissolving Cultural Affairs Commission, effective immediately; and adopt resolution establishing Arts and Culture Roundtable, effective July 1, 2019, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None.

10. STUDY SESSION:

- A. Proposed FY 2019-20 and FY 2020-21 Operating Budget Study Session presented by Finance Director Boscarino, Budget Officer Sakaida available for questions.

Speaker/Statement cards: None.

Motion by Councilmember Bill-de la Peña to receive information on Proposed FY 2019-20 and FY 2020-21 Operating Budget; 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, 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

13. COUNCIL ISSUES/RECOMMENDATIONS:

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

1. Update on 2019 Southern California Association of Governments (SCAG) General Assembly May 1 – 3, 2019 presented by Councilmember Adam.

Report received.

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14. CITY MANAGER: (Continued)

- A. Follow-up items: Nothing additional.
- B. Announcements and upcoming issues: City Manager Powers announced "Be Prepared" safety fair hosted in conjunction with Assemblymember Jacqui Irwin to be held Saturday, May 18, 2019; reviewed potential topics for the next regularly scheduled City Council Meeting May 21, 2019.

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

City Attorney Noonan announced Closed Session held at 9:50 p.m.

- 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)

City Attorney Noonan indicated no announcement anticipated.

16. PUBLIC NOTICES: None.

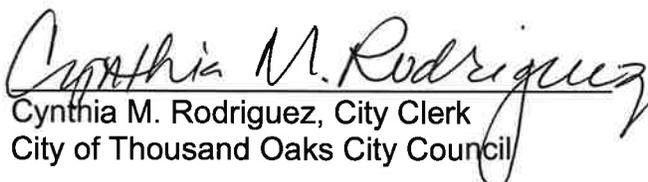
17. ADJOURNMENT:

City Council adjourned at 10:04 p.m. in memory of City Employee Mike Campbell to Regular Meeting on Tuesday, May 21, 2019.



Robert McCoy, Mayor
City of Thousand Oaks City Council

Attest:



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

AGENDA POSTED: May 9, 2019

MINUTES APPROVED: June 11, 2019

*indicates item taken out of order

EXHIBIT A7. **CONSENT CALENDAR:**

RECOMMENDATIONS FOR ITEMS A. THROUGH M. ARE TO APPROVE

Additional information supplemental packet regarding Item 7.G.

Item 7.G. [Meadows Reservoir Altitude Valve (CI 5382)] pulled at beginning of meeting.

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

- 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

Item pulled from agenda earlier in meeting.

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7. CONSENT CALENDAR: (Continued)

- H. Approved Expenditure: Amgen Wastewater Flow Agreement for wastewater connection and service charges
- 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. 2019-013

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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. 2019-014

