

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

April 26, 2016

1. CALL TO ORDER:

Mayor Joel Price called the meeting to order at 6:04 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, Rob McCoy, and Mayor Joel Price. Councilmember Claudia Bill-de la Peña arrived 6:08 p.m.

Also Present: City Manager Scott Mitnick, City Attorney Tracy Noonan, Assistant City Manager Andrew Powers, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer John F. Adams, Community Development Director John Prescott, Human Resources Director Gary Rogers, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Chief Theodore Smith, Deputy City Clerk Antoinette Mann, Deputy Community Development Director Mark Towne, Engineering Division Manager Mohammad Fatemi, Planning Division Manager Jonathan Shepherd, COSCA Manager Shelly Mason, Senior Analyst Caroline Milton, Senior Planners Richard Burgess and Claudia Pedroso, Maintenance Superintendent Kevin Wilson, Utilities Superintendent John Minkel, Community Development Tech II Stephen Barragan, Cable Operations Supervisor Carl Jarecky, Executive Secretary Pam Romer, Senior Video Specialist Richard Swingler, Production Assistant Christian Phelps, 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 presented Proclamation to Public Works Director Spurgin and staff declaring May 15 -21, 2016 Public Works Week.

C. Mayor Price introduced California Association for Coordinated Transportation (CalACT) Executive Director Jacklyn Montgomery to present Outstanding Transportation Program/Outstanding Coordination Award to City.

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6. PUBLIC COMMENTS:

Public Works Director Jay Spurgin introduced new Maintenance Superintendent Kevin Wilson and new Utilities Superintendent John Minkel; Kathleen Mallory, city of residence unknown; Darlene Goodrich, Thousand Oaks; Deborah de Souza, Thousand Oaks; Karen Drees, Thousand Oaks; Trina Harris, city of residence unknown (submitted document); Scott Berman, Thousand Oaks; Janice Kamenir-Reznik, Encino; Michael Nigh, city of residence unknown (submitted document); Tedd Smith, Newbury Park; Anne La Fianza, Thousand Oaks; Adam Haverstock, Greater Conejo Valley Chamber of Commerce; Matthew Glienke, Newbury Park; Abigail Carter, Thousand Oaks.

13. CITY MANAGER:

- *A. Follow-up items: City Manager Mitnick encouraged everyone to participate in Landscape and Forestry Master Plan Survey (Mallory); indicated staff and City Council were unaware of situation with Head Start Program, will follow up with Many Mansions President Rick Schroeder regarding options, and report back to City Council (Goodrich, de Souza, Drees, Harris).

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: FY 2016-17 Community Development Block Grant (CDBG) Action Plan and FY 2016-17 Social Services Ad Hoc Committee Grant Recommendations presented by Senior Analyst Milton, 2016 Social Services Ad Hoc Committee Chair Clyde Doheney and Vice Chair Wilfred Garand; Community Development Director Prescott responded to questions. Additional information supplemental packet.

Speakers: Trina Harris, Thousand Oaks, con; Kathy Goodspeed, Thousand Oaks, pro; George McGehee, Thousand Oaks, pro; Steve Dwyer, Thousand Oaks, con; Susan Muratta, Simi Valley, pro; Rick Schroeder, city of residence unknown, pro; Nick Quidwai, Newbury Park, card not marked.

Written Statement: Lynn Bertucci, Thousand Oaks, con.

Mayor Price closed public hearing.

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8. PUBLIC HEARINGS: (Continued)

Motion by Councilmember Fox to approve FY 2016-17 CDBG Action Plan totaling \$645,124 (\$599,524 2016 funds; \$45,600 unexpended funds from prior years) for submittal to U.S. Department of Housing and Urban Development (HUD) excluding allocation for Many Mansions Richmond Terrace Apartments; as recommended by 2016 Social Services Ad Hoc Committee, approve FY 2016-17 social services grants budget totaling \$193,399, including \$89,928 in federal CDBG funds and \$103,471 from City's Social Services Endowment Fund (SSEF) excluding allocation for Many Mansions Case Management Program; authorize City Manager to proportionately adjust proposed allocations should HUD revise amount of City's 2016 CDBG grant, carried 5-0 by the following vote: Ayes – Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

Motion by Councilmember Fox that the two items relating to Many Mansions [Richmond Terrace Apartments (HS 9945) and Case Management Program], return to City Council for approval after discussions between staff and Many Mansions regarding Head Start Program, carried 4-1 by the following vote: Ayes – Fox, McCoy, Bill-de la Peña, and Price; Noes - Adam.

- B. Hearing, advertised as required by law, opened to consider: Appeal of Planning Commission decision that denied modifications to Uniform Sign Program (USP) and denied on-building signs that exceeded maximum size allowed by approved USP and Municipal Code (Special Use Permit Major Modification SUMJ 2015-70629); Located: northwest corner Grande Vista Drive and Academy Drive; Applicant/Appellant: Academy Road LLC (Continued from 4/12/16). Report presented by Senior Planner Pedroso, Community Development Director Prescott available for questions. Additional information supplemental packet including ex parte communications from two Councilmembers.

Speakers: Applicant/Appellant representative Tom Cohen, Thousand Oaks, pro/rebuttal; L.A. Fitness representative Gregg Gill, Laguna Niguel, pro; Applicant/Appellant representative Michelle Alfieri, city of residence unknown, pro (submitted document); Lowe's Real Estate Group representative Clair Griffith, city of residence unknown, pro; Paul Sandman, Newbury Park, pro; Velino Salazar, Glendale, pro; Nick Quidwai, Newbury Park, card not marked; Tom Harkins, failed to appear.

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8. PUBLIC HEARINGS: (Continued)

Written Statements: Exhibit B

Mayor Price closed public hearing.

Motion by Councilmember Fox to grant appeal in part to allow two signs with maximum letter height of 60" facing Academy Road and Grande Vista for Lowe's and sign with maximum letter height of 34" facing Grande Vista for L.A. Fitness, carried 5-0 by the following vote: Ayes – Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes – None.

City Council recess 8:55 p.m.; reconvened 9:10 p.m.

- C. Hearing, advertised as required by law, opened to consider: Amendment to Specific Plan No. 16 (Amgen Center) remove Planning Unit "U" (SPA 2015-70410); Located: 2150 West Hillcrest Drive and 518 Rancho Conejo Boulevard; Applicant: Amgen, Inc. presented by Planning Division Manager Shepherd; Community Development Tech II Barragan available for questions. Additional information supplemental packet.

ORDINANCE ADOPTING AMENDMENT 1 TO SPECIFIC PLAN NO. 16 (AMGEN CENTER) TO DETACH PROPERTY ON SOUTHEAST CORNER OF RANCHO CONEJO BOULEVARD AND HILLCREST DRIVE (PLANNING UNIT "U") (SPA 2015-70410) ORD.NO. 1st Reading

Speakers: Andrew Fogg, city of residence unknown; Nick Quidwai, failed to appear.

Written Statements: None.

Mayor Price closed public hearing.

Motion by Councilmember Adam that ordinance be read in title only, further reading be waived, and if no objection introduced, carried 5-0 by the following vote: Ayes – Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

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8. PUBLIC HEARINGS: (Continued)

- D. Hearing, advertised as required by law, opened to consider: Appeal of Planning Commission decision to deny request to subdivide approximately 24 acres into three residential lots, establish development standards for future residences, allow encroachment into protected zone of three oak trees, and pruning of two oak trees; Tentative Tract Map TTM 2014-70149; Residential Planned Development RPD 2015-70666; Oak Tree Permit OTP 2014-70306; Located: approximately 400' south of 2123 Highgate Road; Applicant/Appellant: Jemstreet Properties. Report presented by Senior Planner Pedroso, Community Development Director Prescott and Senior Planner Burgess responded to questions; Engineering Division Manager Fatemi available for questions. Additional information supplemental packet including ex parte communications from three Councilmembers.

RESOLUTION GRANTING APPEAL OF PLANNING COMMISSION DECISION THAT DENIED TTM 2014-70149, FOR LAND LOCATED APPROXIMATELY 400 FEET SOUTH OF 2123 HIGHGATE ROAD, AND APPROVING SAID APPLICATIONS AS SET FORTH HEREIN (APPLICANT/APPELLANT: JEMSTREET PROPERTIES)

RES. NO. 2016-017

RESOLUTION GRANTING APPEAL OF PLANNING COMMISSION DECISION THAT DENIED RPD 2015-70666, FOR LAND LOCATED APPROXIMATELY 400 FEET SOUTH OF 2123 HIGHGATE ROAD, AND APPROVING SAID APPLICATION AS SET FORTH HEREIN (APPLICANT /APPELLANT: JEMSTREET PROPERTIES)

RES. NO. 2016-018

RESOLUTION GRANTING APPEAL OF PLANNING COMMISSION DECISION THAT DENIED OTP 2014-70306, FOR LAND LOCATED APPROXIMATELY 400 FEET SOUTH OF 2123 HIGHGATE ROAD, AND APPROVING SAID APPLICATION AS SET FORTH HEREIN (APPLICANT /APPELLANT: JEMSTREET PROPERTIES)

RES. NO. 2016-019

Speakers: Applicant Representative Tom Cohen, Thousand Oaks, pro; Applicant John Friedman, Thousand Oaks, pro/rebuttal; Project Biologist Travis Cullen, Agoura Hills, pro; Faith Grant, Thousand Oaks, con; Joan Edwards, Westlake Village, con; John Rosenberg, Westlake Village, con; Ellen Rosenberg, Westlake Village, con; Ben Phillips, Thousand Oaks, con; Frank Bonvino, Westlake Village, con; Emily Mason, Thousand Oaks, con; Nick Quidwai, Newbury Park, card not marked.

Written Statements: Don Johnson, Thousand Oaks, con; Eric Kates, Westlake Village, con; Ed Manser, Thousand Oaks, con.

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8. PUBLIC HEARINGS: (Continued)

Mayor Price closed public hearing.

Motion by Councilmember Fox to adopt resolutions to approve appeal, including revised Tentative Tract Map and revised conditions, thereby reversing Planning Commission's decision, carried 3-2 by the following vote: Ayes – Fox, McCoy, and Price; Noes – Adam and Bill-de la Peña.

9. DEPARTMENT REPORTS: None.

10. COMMITTEE/COMMISSION/BOARD 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.

1. Report on League of California Cities (LCC) Channel Counties Division Meeting April 15, 2016, presented by Mayor Price.

Report received.

13. CITY MANAGER:

A. Follow-up items: Nothing additional.

B. Announcements and upcoming issues: City Manager Mitnick announced next regularly scheduled City Council Meeting is Goals Study Session to be held at 6:00 p.m. at Grant R. Brimhall Library - Marvin E. Smith Meeting Room.

14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor – None.

15. PUBLIC NOTICES: None.

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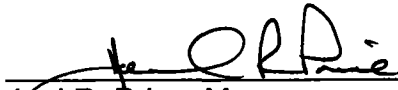
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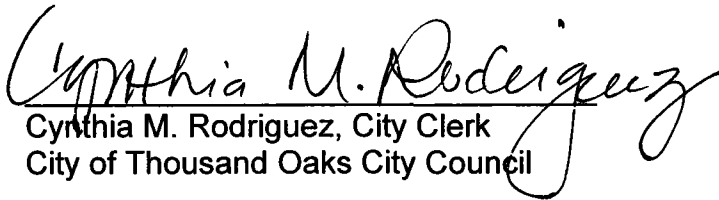
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16. ADJOURNMENT:

City Council adjourned at 11:09 p.m. to Regular Meeting (Goals Setting) on Tuesday, May 10, 2016.


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

Attest:


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

AGENDA POSTED: April 21, 2016
MINUTES APPROVED: May 24, 2016

*indicates item taken out of order

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EXHIBIT A

7. **CONSENT CALENDAR:**

*RECOMMENDATIONS FOR ITEMS A. THROUGH G. ARE TO APPROVE
RECOMMENDATIONS FOR ITEMS H. THROUGH I. ARE TO ADOPT*

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

- A. General, Utilities, Golf Course, and Theatres Demands – ratify April 20, 2016; approve April 27 2016; approve May 4, 2016, May 11, 2016, and May 18, 2016, subject to review and ratification
- B. Minutes of City Council Regular Meeting of April 12, 2016
- C. No Appropriation/Expenditure Required: Accept fine art donations of metal sculpture titled “Liquid Blue” by artist Shannon Lundberg and 12 historic Picture Records from Barbara and Ken Kilbourne
- D. Approved Expenditure: First Amendment to Public Utilities Easement; authorize City Engineer to accept easement deed; Wastewater Facilities Transfer Agreement at Victoria Lane with Viceroy Trust (RPMN 12-70534); authorize City Clerk to execute and record documents
- E. Approved Expenditure: 2016 Overlay and Re-Surfacing Program (CI 5231); authorize staff to advertise construction bids contingent upon approval of expending Federal funding from Caltrans
- F. Approved Expenditure: 2016 Pavement Slurry Program (MI 2526); authorize staff to advertise construction bids
- G. Additional Appropriation Increasing Water Revenue Fund: Verizon Wireless Access Easement Agreement in amount of \$5,000; authorize City Engineer to execute necessary documents for dedication of access easement over City property (APN 570-0-080-275); Located: Erbes Road Pump Station, 2106 Erbes Road; budget appropriation in amount of \$5,000 A/C 611-0000-486-0000 (Water – Miscellaneous Revenue)

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7. CONSENT CALENDAR: (Continued)

ORDINANCES FOR SECOND READING:

- H. ORDINANCE ADJUSTING AND SETTING RATES, FEES AND DISCHARGE LIMITS OF CITY WASTEWATER DIVISION (UNCODIFIED) (Introduced 4/12/16, 3-0, AF, RM absent) ORD.NO.1615-NS
- I. ORDINANCE ADJUSTING AND SETTING RATES AND FEES OF CITY WATER DIVISION (UNCODIFIED) (Introduced 4/12/16, 3-0, AF, RM absent) ORD.NO.1616-NS

EXHIBIT B

Item 8.B.

Appeal of Planning Commission Decision
Special Use Permit Major Modification (SUMJ 2015-70629)

Written Statements (all pro)

Judy Ayars, Thousand Oaks
Victor Caballero, Thousand Oaks
Jonathon Cherne, Newbury Park
Karla Cota, Thousand Oaks
Harold Crook, Newbury Park
Glen Fung, Thousand Oaks
April Ibarra, Westlake Village
Josh / Kira / Lydol / Mary James,
Newbury Park
Doyoon Kim, Newbury Park
Vivian Kim, Thousand Oaks
Stephen Laing, Thousand Oaks

Jennifer Lew, Newbury Park
Simon Liversidge, Newbury Park
Ruth McConnehey, Newbury Park
Aaron Ramirez, Thousand Oaks
Benjamin Ramos, Thousand Oaks
Alan Reinach, Thousand Oaks
Barbara Ricketts, Newbury Park
Richard Roethler, city of residence
unknown
Lynn Sandman, Newbury Park
Frank / Joyce Thomsen, Newbury Park
Sherri Treible, Santa Rosa Valley