

## City Council

### REGULAR MEETING

**Tuesday, October 8, 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	Tracy M. Noonan, City Attorney
Ingrid Hardy, Assistant City Manager	Gary Rogers, Deputy City Manager
Mark A. Towne, Community Development Director	Jaime Boscarino, Finance Dir./City Treasurer
Cynthia M. Rodriguez, City Clerk	Jay T. Spurgin, Public Works Director
Barry McComb, Cultural Affairs Director	Tim Giles, Interim Human Resources Director
Jim Friedl, General Manager, CRPD	Heather Cousin, Library Director
John Spykerman, Fire Chief	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](http://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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October 8, 2019

RES. NO. 2019-048  
ORD. NO. 1666-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. 5-Star Theatricals – The Music Man
  - B. Recognition – Conejo Senior Volunteer Program Charity Karaoke Event
  - C. Ventura County Behavioral Health Department – No Place Like Home
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 7 for Consent Calendar listing)
8. PUBLIC HEARINGS:
  - A. 2019 Triennial Water Quality Public Health Goals Report  

RECOMMENDATION: Receive Public Health Goals Report and accept public comments on the City of Thousand Oaks 2019 Triennial Water Quality Public Health Goals Report
9. DEPARTMENT REPORTS:
  - A. [Wastewater and Water Financial Plans and Proposed Rate Adjustments](#)  

RECOMMENDATION: Approve the 2019 Wastewater Financial Plan, Wastewater Cost of Service Study, and Water Financial Plan and set December 10, 2019 as the Public Hearing date to establish wastewater and water service charges to be effective February 13, 2020 and January 1, 2021

9. DEPARTMENT REPORTS: (Continued)

- B. [Residential Capacity Allocation and Initiation of General Plan Amendment](#) for a Project at 1872 Newbury Road (RCA 2019-70505 / LU 2019-70504); Applicant: Daylight Thousand Oaks, LLC

RESOLUTION DECLARING INTENTION TO CONSIDER AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN AND ALLOWING CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS FOR LAND LOCATED AT 1872 NEWBURY ROAD (LU 2019-70504: DAYLIGHT THOUSAND OAKS, LLC) RES. NO. 2019-\_\_\_\_\_

RECOMMENDATION: Initiate a General Plan Amendment to allocate 218 dwelling units of citywide Measure E residential capacity to the project at 1872 Newbury Road, subject to submittal of a formal application within 12 months from the date of unit allocation

Should City Council allocate units, then staff further recommends the following actions:

1. Adopt a resolution initiating a General Plan Amendment to change the land use designation from Commercial to Commercial/Residential; and
2. Authorize concurrent processing of entitlements and legislative requests

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

13. CITY MANAGER:

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

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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October 8, 2019

14. CLOSED SESSION: City Council Conference Room 2<sup>nd</sup> floor

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: City of Thousand Oaks v. Southern California Edison; Case No.: 56-2019-00533120-CU-MT-VTA; Pursuant to Government Code Section 54956.9(d)(1)

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn in memory of:

- Educational leader Albert “Bud” Marley  
to Regular Meeting October 22, 2019

Agenda Post Date/Time: October 3, 2019, 5:00 p.m.

## EXHIBIT A

### 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH J. ARE TO APPROVE*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify September 25, 2019 and October 2, 2019; approve October 9, 2019; approve October 16, 2019, subject to review and ratification
- B. [Minutes of City Council meeting of September 24, 2019](#)
- C. Approved Expenditure: [Municipal Service Center \(MSC\) and Hill Canyon Treatment Plant \(HCTP\) Fueling Station Upgrade \(CI 5372\)](#); authorize staff to advertise for construction bids
- D. Approved Expenditure: [California Water/Wastewater Agency Response Network – Mutual Assistance Agreement in accordance with California Emergency Services Act and Civil Defense Master Mutual Aid Agreement](#)
- E. Approved Expenditure: [Inter-Agency Transit Agreement with City of Agoura Hills](#) in not-to-exceed amount of \$497,000, to run concurrently with Transit Operations Services Contract No. 12072-2019
- F. Approved Expenditure: [Thousand Oaks Groundwater Utilization Project \(CI 5395\)](#); Fourth Amendment to Professional Services Agreement with Kennedy/Jenks Consultants, Contract No. 11614-2017, in amount of \$104,343 to provide additional services related to preparation of Grant Applications and Environmental Review; \$104,343 expenditure A/C 613-5310-682-8300 (CI 5395, Thousand Oaks Groundwater Utilization Project)
- G. Additional Appropriation: [California American Water company Proposed Rate Increase – Legal Services](#); \$50,000 budget appropriation and expenditure for initial legal services with Downey Brand LLP pertaining to California American Water Company’s Rate Case A.19-07-004, A/C 001-0000-311-1000 (General Fund, Fund Balance) to A/C 001-5010-631-5199 (Legal Services)

7. CONSENT CALENDAR: (Continued)

- H. Approved Expenditure: [Renewal of Maintenance Agreement with Questica, Inc.](#); third amendment to Contract No. 10619-2014 for budget software maintenance, in amount of \$160,000 for revised not-to-exceed amount of \$360,000, term: 10/28/2019 through 10/27/2023, with option for one two-year extension; expenditure in amount not-to-exceed \$25,000 for FY 2019-20 A/C 001-3410-612-4300 (Computer Software Maintenance)
  
- I. Approved Expenditure: [Summary Vacation of Water Easement at Plaza Hillcrest, LLC](#); adopt resolution summarily vacating portions of water easement at Plaza Hillcrest, LLC, and authorize City Engineer to execute necessary documents

RESOLUTION SUMMARILY VACATING PORTIONS OF A PUBLIC SERVICE WATER EASEMENT AT NORTHEAST CORNER OF MOORPARK ROAD AND HILLCREST DRIVE RES. NO. 2019-

- J. Approved Expenditure: [Grande Vista Drive – Vacating Right-of-Way](#); adopt resolution summarily vacating portions of right-of-way and portions of slope at 3499 Grande Vista Drive and transferring ownership to Willis Development and California American Water Company and transferring portions of slope adjacent to 3499 Grande Vista Drive to Conejo Open Space Conservancy Agency (COSCA); authorize City Engineer, or designee, to execute all documents necessary to complete transfers

RESOLUTION VACATING A PORTION OF RIGHT-OF-WAY AND TRANSFERRING OWNERSHIP TO WILLIS DEVELOPMENT, CALIFORNIA AMERICAN WATER COMPANY, AND CONEJO OPEN SPACE CONSERVANCY AGENCY AT 3499 GRANDE VISTA DRIVE RES. NO. 2019-