

City Council

REGULAR MEETING

Tuesday, February 26, 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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February 26, 2019

RES. NO. 2019-004
ORD. NO. 1661-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. Recognition – Newbury Park High School Boys' Cross Country Team CIF Division II State Championships
 - B. Proclamation – Read Across America Day March 2, 2019
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 8 thru 9 for Consent Calendar listing)
8. PUBLIC HEARINGS:
9. DEPARTMENT REPORTS:
 - A. [General Plan and Housing Element Update \(MI 2592\)](#)

RECOMMENDATION:

1. Select one of the following options: comprehensive General Plan update, focused General Plan update, or Housing Element update

If comprehensive General Plan update is selected:

 - a. Approve budget appropriation and expenditure in amount not-to-exceed \$1,550,000 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-4010-641-5699 (Project MI 2592, Contracted Services)

9. DEPARTMENT REPORTS: (Continued)

- A. General Plan and Housing Element Update (MI 2592)
(Continued)

RECOMMENDATION: (Continued)

- b. Award professional services agreement with Raimi + Associates (Los Angeles, CA) in amount of \$1,549,880 for preparation of General Plan update
- c. Authorize City Manager to execute agreement for preparation of General Plan update with Raimi + Associates (Los Angeles, CA), subject to approval by City Attorney

If focused General Plan update is selected:

- d. Approve budget appropriation and expenditure in an amount not-to-exceed \$1,231,000 A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-4010-641-5699 (Project MI 2592, Contracted Services)
- e. Award professional services agreement with Raimi + Associates (Los Angeles, CA) in amount of \$1,230,829 for preparation of General Plan update
- f. Authorize City Manager to execute agreement for preparation of General Plan update with Raimi + Associates (Los Angeles, CA), subject to approval by City Attorney

If Housing Element update approach is selected, then no further action is necessary at this time

- 2. Consider and provide direction on following optional tasks for comprehensive or focused General Plan update:
 - a. Add an Arts & Culture Element to General Plan
 - b. Include statistically valid survey in General Plan process
 - c. Support 2022 ballot initiative

9. DEPARTMENT REPORTS: (Continued)

- B. [Allocation Approval \(“Pre-screening”\) Request Initiation of General Plan Amendment, and of Concurrent Processing for Residential Project at 3801 Maurice Drive \(RCA 2018-70458; LU 2018-70457\) Applicant: Cohan Family Partnership](#)

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 3801 MAURICE DRIVE (LU 2018-70457: COHAN FAMILY PARTNERSHIP)

RES. NO. 2019-_____

RECOMMENDATION:

Allocate 50 dwelling units to project from citywide Measure E residential capacity, subject to submittal of formal application within 12 months from date of unit allocation

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

1. Adopt resolution initiating General Plan Amendment to change land use designation from Commercial to High Density Residential for project site
2. Authorize concurrent processing of entitlements and legislative requests

10. STUDY SESSION

- A. [2019 Citywide User Fees, Fines, Penalties, Rates, and Assessments \(User Fees\), and Development Impact Fees](#)

RECOMMENDATION:

1. Receive information on User Fees and Police Facilities Fee as presented at Public Meeting/Study Session provide direction to staff
2. Schedule Public Hearing for April 23, 2019, with final decisions on User Fees adjustments to be made that evening

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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February 26, 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. [Motion to Rescind February 12, 2019 Vote Approving Planning Commission and Traffic and Transportation Advisory Commission Appointments \(Bill-de la Peña\)](#)

RECOMMENDATION:

1. Rescind February 12, 2019 vote approving Planning Commission and Traffic and Transportation Advisory Commission appointments

If approved:

2. Vote on the following Planning Commission appointments individually:

A. Kevin Kohan (Adam), for term ending December 2020

B. Nelson Buss (Jones), for term ending December 2022

C. David Newman (Bill de-la Peña), for term ending December 2022

D. Sharon McMahon (Engler), for term ending December 2022

3. Vote on Traffic and Transportation Advisory Commission appointments as a slate in one motion:

A. Appointment of Lawrence Imel (Jones), and re-appointments of Angie Simpson (Bill de-la Peña) and Rick Lemmo (Engler) to serve terms ending December 2022

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

14. 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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February 26, 2019

15. CLOSED SESSION: City Council Conference Room 2nd floor – None

16. PUBLIC NOTICES: None

17. ADJOURNMENT:

Adjourn to Regular Meeting March 5, 2019

Agenda Post Date/Time: February 21, 2019, 5:00 p.m.

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EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH I. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify February 13, 2019 and February 20, 2019; approve February 27, 2019, subject to review and ratification
- B. [Minutes of City Council meeting of February 12, 2019](#)
- C. No Appropriation/Expenditure Required: [Area Housing Authority of County of Ventura Committee](#); reappointments of Mark Lunn and Charles Lech for four-year terms ending March 2023
- D. Approved Expenditure: [Volunteer In Policing \(VIP\) Services; agreement to provide VIP services to County Service Area No. 4](#)
- E. No Appropriation/Expenditure Required: [Request for Letter of Public Convenience and Necessity \(LPCN\) for Type 48 alcohol license to sell beer, wine, distilled spirits for bar/nightclub or off-site consumption; Department of Alcoholic Beverage Control \(ABC\) requirement; authorize Community Development Director to send LPCN to ABC; Applicant: Oak & Iron, 2967 East Thousand Oaks Boulevard \(LPCN 2019-70093\)](#)
- F. No Appropriation/Expenditure Required: [Request for Letter of Public Convenience and Necessity \(LPCN\) for Type 20 alcohol license to sell beer and wine for off-site consumption in connection with take-out food sales; Department of Alcoholic Beverage Control \(ABC\) requirement; authorize Community Development Director to send LPCN to ABC; Applicant: Lazy Dog Restaurant, 172 West Hillcrest Drive \(LPCN 2018-70471\)](#)
- G. No Appropriation/Expenditure Required: [Sponsor Legislation for Helus Highway Dedication; sponsorship of Assembly Concurrent Resolution \(ACR\) 17 – Sergeant Ronald “Ron” Lee Helus Memorial Highway](#)
- H. No Appropriation/Expenditure Required: [Joint Use Agreement between Southern California Edison \(SCE\) and City of Thousand Oaks \(Lowe’s Project\); joint use agreement for electrical and communication systems conversion from overhead to underground](#)

7. CONSENT CALENDAR: (Continued)
 - I. Additional Appropriation: [Civic Arts Plaza \(CAP\) Mechanical System Upgrade \(CI 5086\)](#); project design plans, specifications, and working details; award construction contract to Bon Air, Inc. in amount of \$3,372,000, plus \$600,000 contingency; \$3,399,000 budget appropriation A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-3570-612-8200 (CI 5086, Building Improvements); \$4,040,000 expenditure for construction and project costs; delegate authority to City Engineer to approve changes in design, plans, specifications and working details of project on work directives and change orders up to project contingency amount