

City Council

REGULAR MEETING
Tuesday, March 5, 2019, 6:00 P.M.
Andrew P. Fox City Council Chambers

Revised Agenda
Posted 3/1/19 to
add Item 14.A.



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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March 5, 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. 5-Star Theatricals – Matilda the Musical
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 8 for Consent Calendar listing)
8. PUBLIC HEARINGS: None
9. DEPARTMENT REPORTS:
 - A. [Resolution to Expedite Permit Processing and Waive Certain Fees for Properties Damaged During Hill and Woolsey Fires](#)

RESOLUTION ESTABLISHING PERMIT FEE POLICIES AND AUTHORIZING FEE WAIVERS FOR CERTAIN COMMUNITY DEVELOPMENT AND PUBLIC WORKS FEES FOR RE-BUILDING OF STRUCTURES THAT WERE WHOLLY OR PARTIALLY DESTROYED IN THE HILL OR WOOLSEY FIRES

RES. NO. 2019-

RECOMMENDATION: Adopt resolution establishing expedited processing procedures and waiver of certain City fees as described in attached resolution

9. DEPARTMENT REPORTS: (Continued)

B. [Thousand Oaks Boulevard Wastewater Main Extension \(CI 5529\)](#)

RECOMMENDATION:

1. Authorize City Manager to execute future amendments to reimbursement agreement with GL Development, LLC, for a total not-to-exceed amount of \$1,100,000
2. Approve budget appropriation and expenditure in amount of \$320,569 from A/C 624-0000-341-9900 (Wastewater – Net Position) to A/C 624-8220-682-8300 (CI 5529, Thousand Oaks Boulevard Wastewater Main Extension) for reimbursement agreement with GL Development LLC
3. Delegate authority to the City Engineer to approve all changes to the design, plans, specifications, and working details of the project

C. [2018 General Plan/Housing Element Annual Progress Report \(GPAR 2019-70031\)](#)

RECOMMENDATION:

1. Receive 2018 General Plan/Housing Element Annual Progress Report
2. Direct Community Development Director to provide copies of 2018 General Plan/Housing Element Annual Progress Report to State Office of Planning and Research and Department of Housing and Community Development

D. [Urgency Ordinance and Resolution Amending Regulations and Policies Related to Wireless Communications Facilities and Resolution Initiating Amendments to Regulations and Policies Concerning Wireless Communications Facilities \(MCA 2018-70719\)](#)

RESOLUTION ADOPTING POLICIES REGULATING SMALL WIRELESS FACILITIES AND ELIGIBLE FACILITIES REQUESTS PURSUANT TO THOUSAND OAKS MUNICIPAL CODE ARTICLE 44

RES. NO. 2019-_____

9. DEPARTMENT REPORTS: (Continued)

- D. Urgency Ordinance and Resolution Amending Regulations and Policies Related to Wireless Communications Facilities and Resolution Initiating Amendments to Regulations and Policies Concerning Wireless Communications Facilities (MCA 2018-70719) (Continued)

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENTS TO THE THOUSAND OAKS MUNICIPAL CODE AND RELATED RESOLUTIONS CONCERNING WIRELESS COMMUNICATIONS FACILITIES (MCA 2018-70719) RES. NO. 2019-_____

URGENCY ORDINANCE ADDING ARTICLE 44 AND AMENDING SECTION 9-4.202, SECTION 9-4.2104 AND SECTION 9-4.2105 OF THE THOUSAND OAKS MUNICIPAL CODE REGULATING WIRELESS COMMUNICATIONS FACILITIES PURSUANT TO APPLICABLE FEDERAL LAWS ORD.NO. _____

RECOMMENDATION:

1. Read ordinance in title only, further reading be waived, and adopt urgency ordinance regulating wireless communications facilities (requires four-fifths vote)
2. Adopt resolution amending policies related to wireless communications facilities
3. Adopt resolution initiating amendments to Thousand Oaks Municipal Code and resolutions concerning wireless communications facilities

10. COMMITTEE/COMMISSION/BOARD REPORTS: None

11. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS:

12. COUNCIL ISSUES/RECOMMENDATIONS:

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

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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March 5, 2019

13. CITY MANAGER:

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

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

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
Initiation of Litigation; Pursuant to Government Code section 54956.9(d)(4):
One Case

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to Regular Meeting March 19, 2019

Agenda Post Date/Time: February 28, 2019, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH H. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify February 27, 2019; approve March 6, 2019; approve March 13, 2019, subject to review and ratification
- B. Minutes of City Council meeting of February 26, 2019
- C. No Appropriation/Expenditure Required: [Council on Aging \(COA\) Representative Members to Ventura County Area Agency on Aging Advisory Council \(VCAAA\)](#); confirm COA Vice Chair Loretta Allen and Commissioner John Posta for terms ending June 30, 2020
- D. Approved Expenditure: [2019 Southern California Association of Governments \(SCAG\) General Assembly](#); designate Councilmember Albert C. Adam as Delegate Representative of City at SCAG General Assembly May 2–3, 2019, staff to send copy of staff report reflecting delegation of Councilmember Adam to SCAG
- E. Additional Appropriation: [Thousand Oaks Boulevard \(TOB\) \(Phase I\) Streetscape Improvements \(CI 5391\)](#); second amendment to professional services agreement with MNS Engineers, Inc. (Cont. No. 11556-2017) in amount of \$55,000, revised not-to-exceed total \$484,332; \$25,000 budget appropriation A/C 613-0000-341-9900 (Water Capital Fund) to A/C 613-5310-631-8300 (CI 5391 – TOB Streetscape Improvements); \$55,000 expenditure [\$25,000 A/C 613-5310-631-8300 (CI 5391 – TOB Streetscape Improvements), \$30,000 A/C 001-5310-631-8300 (CI 5391 – TOB Streetscape Improvements)]
- F. Approved Expenditure: [Purchase of Two Utility Trucks](#); purchase in amount of \$80,204.20 from Vista Ford of Oxnard; expenditure of \$40,110 A/C 001-5610-631-8900 (Street Maintenance Use of Fixed Asset Replacement) to A/C 001-5610-631-8400 (Street Maintenance Equipment Over \$5,000), \$40,110 A/C 611-8030-685-8900 (Water Fund Use of Fixed Asset Replacement) to A/C 611-8030-685-8400 (Water Fund Equipment Over \$5,000)

7. CONSENT CALENDAR: (Continued)

- G. Additional Appropriation: [Reimbursement Agreement Amendment with Academy Road, LLC \(Lowe's Project\); first amendment to Cont. No. 11744-2018](#) for not-to-exceed total \$474,670.28; \$29,530 budget appropriation and expenditure A/C 001-0000-311-1000 (General Fund/Fund Balance) to A/C 001-5210-642-8310 (CI 5185, General Fund/Undergrounding Grande Vista and Academy Drive)

- H. Approved Expenditure: [Los Robles Golf Course \(LRGC\) Groundwater Utilization Project \(CI 5395\); second amendment to professional services agreement with Kennedy/Jenks Consultants \(Cont. No. 11614-2017\)](#) in amount of \$139,000 for Environmental Documentation; \$139,000 expenditure A/C 613-5310-682-8300 (CI 5395, Los Robles Golf Course Groundwater Utilization Project)