

## MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

March 5, 2019

### 1. CALL TO ORDER:

Mayor Rob McCoy called the meeting to order at 6:02 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 Bill-de la Peña, Engler, Adam, and Mayor McCoy.

Absent: Councilmember Jones.

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, Fire Chief John Spykerman, Assistant Police Chief Don Aguilar, Deputy Community Development Director Kelvin Parker, Engineering Division Manager Nader Heydari, Engineer Associate Farnoush Levers, Senior Planner Jeffery Specter, Assistant City Attorney Patrick Hehir, Assistant City Attorney Felicia Liberman, Deputy City Clerk Laura Maguire, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, Assistant Analyst Pam Romer, Assistant Analyst Christy Glaubke, and Recording Secretary Dominga Zambrano.

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

Mayor McCoy announced Item 14. Closed Session (CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Initiation of Litigation; Pursuant to Government Code section 54956.9(d)(4): One Case) pulled from agenda.

### 5. SPECIAL PRESENTATIONS:

- A. 5-Star Theatricals Artistic Director Patrick Cassidy introduced cast members to perform song from its upcoming production of “Matilda.”

### 6. PUBLIC COMMENTS:

Donna Mortimer, Thousand Oaks; Ray McLaine, Westlake Village; Yagnesh Prajapati, Ventura (submitted document); Kyle Rohrbach, Thousand Oaks.

### 13. CITY MANAGER:

- \*A. Follow-up items: City Manager Powers indicated City will assist in promotion of upcoming Council on Aging Senior of the Year and Ronald McDonald House Walk for Kids community events (Mortimer, Prajapati); Deputy Community Development Director Parker to follow up with speaker about homeless issue (McLaine); recommendations regarding Planning

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13. CITY MANAGER: (Continued)

Commission appointment process to be taken into consideration (Rohrbach); emphasized opportunities for City service, including various committees, commissions, and the upcoming Comprehensive General Plan Update and encouraged interested community members to stay involved.

7. CONSENT CALENDAR:

(See Exhibit A 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 presented by Community Development Director Towne; Engineering Associate Levers responded to questions. City Manager Powers provided additional remarks.

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. 2019-004

Speakers/Statement cards: None.

Motion by Councilmember Adam to adopt resolution establishing expedited processing procedures and waiver of certain City fees as described in resolution, carried 4-0 by the following vote: Ayes - Bill-de la Peña, Engler, Adam, and McCoy; Noes - None; Absent - Jones.

- B. Thousand Oaks Boulevard Wastewater Main Extension (CI 5529) presented by Engineering Division Manager Heydari; Public Works Director Spurgin available for questions.

Speakers/Statement cards: None.

Motion by Councilmember Adam to 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; approve budget appropriation and expenditure in amount of \$320,569 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; delegate authority to City Engineer to approve all changes to design, plans, specifications, and working details of project, carried 4-0 by the following vote: Ayes - Bill-de la Peña, Engler, Adam, and McCoy; Noes - None; Absent - Jones.

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9. DEPARTMENT REPORTS: (Continued)

- C. 2018 General Plan/Housing Element Annual Progress Report (GPAR 2019-70031) presented by Community Development Director Towne; Senior Planner Specter available for questions. City Manager Powers provided concluding remarks.

Speakers/Statement Cards: None.

Motion by Councilmember Bill-de la Peña to receive 2018 General Plan/Housing Element Annual Progress Report; and 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, carried 4-0 by the following vote: Ayes - Bill-de la Peña, Engler, Adam, and McCoy; Noes - None; Absent - Jones.

- 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) presented by Community Development Director Towne; Dr. Jonathan Kramer, Founder/Principal Attorney Telecom Law Firm and Assistant City Attorney Hehir responded to questions; Senior Planner Specter available for questions.

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

RES. NO. 2019-005

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENTS TO THE THOUSAND OAKS MUNICIPAL CODE AND RELATED RESOLUTIONS CONCERNING WIRELESS COMMUNICATIONS FACILITIES (MCA 2018-70719)

RES. NO. 2019-006

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. 1661-NS

Speakers: Areej Rajput, California Wireless Association; Bill Lind, Ventura (submitted document).

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9. DEPARTMENT REPORTS: (Continued)

Motion by Councilmember Adam to read ordinance in title only, further reading be waived, and adopt urgency ordinance regulating wireless communications facilities; adopt resolution amending policies related to wireless communications facilities; and adopt resolution initiating amendments to Thousand Oaks Municipal Code and resolutions concerning wireless communications facilities, carried 4-0 by the following vote: Ayes - Bill-de la Peña, Engler, Adam, and McCoy; Noes - None; Absent - Jones.

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. None.

13. CITY MANAGER: (Continued)

- A. Follow-up items: Nothing additional.
- B. Announcements and upcoming issues: City Manager Powers announced the next regularly scheduled City Council Meeting on March 19, 2019 will be the annual Goals Session to be held in the Civic Arts Plaza Kavli Theatre Founder's Room at 6:00 p.m.

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

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

Item pulled from agenda.

15. PUBLIC NOTICES: None.

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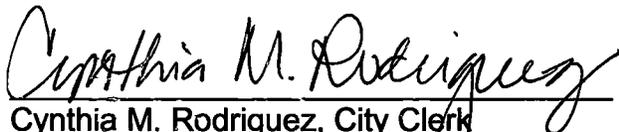
16. ADJOURNMENT:

City Council adjourned at 8:18 p.m. to Regular Meeting on Tuesday, March 19, 2019.



Robert McCoy, Mayor  
City of Thousand Oaks City Council

Attest:



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

AGENDA POSTED: February 28, 2019

MINUTES APPROVED: April 2, 2019

\*indicates item taken out of order

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**EXHIBIT A**

7. **CONSENT CALENDAR:**

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

Motion by Councilmember Engler to approve Consent Calendar carried 4-0 by the following vote: Ayes - Bill-de la Peña, Engler, Adam, and McCoy; Noes - None; Absent - Jones.

- 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)

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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)