

City Council

REGULAR MEETING

Tuesday, May 21, 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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May 21, 2019

RES. NO. 2019-018
ORD. NO. 1662-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. Conejo Open Space Trails Education Day Writing Contest Winners
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 8 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [Municipal Code Amendment to Amend Certain Sections of Title 5 Regarding Camping and Prohibition on Sitting and Lying in Certain Public Places](#)

ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE SECTIONS 5-8.08 & 5-8.09 OF TITLE 5, CHAPTER 8 MISCELLANEOUS OFFENSES REGARDING CAMPING AND SITTING AND STANDING IN PUBLIC PLACES
ORD.NO. 1st Reading

RECOMMENDATION: Read ordinance in title only, further reading be waived, and if no objection, introduce Ordinance to approve amendment of the Thousand Oaks Municipal Code Title 5, Chapter 8, Section 08 Regulation of Camping and Title 5, Chapter 8, Section 09 Prohibition on Sitting and Lying in Certain Public Places

9. DEPARTMENT REPORTS:

- A. [Allocation Approval \("Pre-screening"\); Initiation of General Plan Amendment, and Concurrent Processing for Residential Project at 3801 Maurice Drive \(RCA 2018-70458; LU 2018-70457\) Applicant: Cohan Family Partnership \(Continued from February 26, 2019\)](#)

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:

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

- B. [Transit Operations Agreement](#) and Program Modifications

RECOMMENDATION:

1. Award four-year Transit Operations Agreement with two, two-year extension options, to MV Transportation, Inc. in amount not-to-exceed \$6,300,000 for FY 2019-20, and \$26,600,000 for four-year term ending 6/30/23
2. Approve concurrent lease agreement with MV Transportation, Inc. in amount of \$4,082 per month for office space at Thousand Oaks Transportation Center
3. Approve concurrent lease agreement with MV in amount of \$1,440 per month for office trailer ground lease space at Municipal Service Center
4. Approve fare adjustments, service hours adjustments, and program policy changes to address farebox shortfall requirements of Transportation Development Act
5. Approve expenditures in amount of \$1,200,000 A/C 651-5540-682-5650 (Transit Bus Contracted Services), \$2,425,000 A/C 651-5550-682-5650 (DAR/ADA Contracted Services), \$975,000 A/C 652-5540-682-5650 (Transit Bus Contracted Services-Other), \$500,000 A/C 652-5550-682-5650 (DAR/ADA Contracted Services-Other), and \$1,200,000 A/C 121-5550-634-5650 (ECTA Contracted Services)

- 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. [Update on League of California Cities \(LCC\) Channel Counties Division Meeting, May 17, 2019 \(Engler\)](#)

RECOMMENDATION: Receive Report

- 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 – Existing Litigation: *CITY OF THOUSAND OAKS v. VALENCIA CIRCLE K RIDING STABLES, INC. et al.*; Case No. 56-2019-00526124-CU-UD-VTA; Pursuant to Government Code Section 54956.9(a)
 - B. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *VALENCIA CIRCLE K RIDING STABLES, INC., et al. v. CITY OF THOUSAND OAKS*; Case No. 56-2019-00524543-CU-CO-VTA; Pursuant to Government Code Section 54956.9(a)
- 15. PUBLIC NOTICES:

Items listed under Public Notices are a matter of public record only. These items do not require City Council action.

 - A. [Notice – Approval of Final Map Tract 4927-3](#)
Location: Northwest Corner of Grande Vista Drive and Academy Drive
Developer: Seventh Day Adventist Church
Description: 356Ac Sub-Division into 1 Open Space Lot and 3 Commercial Lots of Record

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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May 21, 2019

16. ADJOURNMENT:

Adjourn to Regular Meeting June 11, 2019

Agenda Post Date/Time: May 23, 2019, 5:00 p.m.

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EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH H. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify May 15, 2019; approve May 22, 2019, and May 29, 2019; approve June 5, 2019, subject to review and ratification
- B. Approved Expenditure: [Environmental Permitting Assistance for Wastewater Interceptor Projects – Unit Y2 \(CI 5328\) and Unit W \(CI 5445\)](#); Task Order #1 with Padre Associates, Inc., not-to-exceed \$111,953 for preparation of environmental documents, permit applications, and regulatory agency coordination for rehabilitation of Unit Y and Unit W Interceptor pipelines; term ending 12/31/20; \$111,953 expenditure [\$44,781 A/C 624-8250-682-8300 (CI 5328, Wastewater Interceptor Capital Improvement Project Unit Y2), \$67,172 A/C 624-8250-682-8300 (CI 5445, Wastewater Interceptor Capital Improvement Project Unit W)]
- C. Approved Expenditure: [Amendment to Exclusive Franchise Solid Waste Agreements](#); second amendment to Fifth Amended Exclusive Solid Waste Franchise Agreements with USA Waste of California, Inc. (Waste Management) and Newbury Disposal Company (Harrison Industries). (Contract Nos. 6769-2004A5 and 6770-2004) to delay automatic extension notice date from 6/30/19 to 12/31/19 and to delay expiration date from 6/30/21 to 12/31/21; continue to negotiate terms of new agreement
- D. \$10,100 Increase to FY 2018-19 Library Fund Budget, with Offsetting Grant Revenue: [California State Library Funding Opportunity for Mental Health Initiatives](#); authorize acceptance of grant to purchase \$7,500 in mental health materials to add to Library’s circulating collection and \$2,600 to host community mental health fair; \$10,100 budget appropriation and expenditure A/C 110-0000-435-9900 (Other Revenue from State, Other Reimbursements) [\$7,500 to A/C 110-7210-673-3231 (Library, Materials, Circulating Books), \$2,600 to A/C 110-7010-673-6930 (Library, Other Services, Special Programs)]
- E. \$6,000 Increase to the Library Fund Budget, Fully Offset by Grant Funding: [California Library Association and California State Library Pop-Up Library Grant](#); authorize acceptance of \$6,000 grant to participate in pop-up events in collaboration with Conejo Valley Unified School District (CVUSD); \$6,000 budget appropriation and expenditure A/C 110-0000-435-9900 (Other Revenue from State, Other Reimbursements) to A/C 110-7010-673-6930 CS2019 (Library, Other Services, Special Programs)

7. CONSENT CALENDAR: (Continued)

F. Approved Expenditure: FARO Forensic Scene Reconstruction Investigative Software System; purchase and service agreement with FARO Technologies, Inc. in amount of \$77,441.37 for one FARO forensic scene reconstruction investigative software system, including one laser scanner, four-year software license, maintenance, equipment, training, installation; term ending 6/30/23; \$77,442 expenditure [\$60,107 A/C 185-6610-621-3300 (LE0FSF, Equipment Less than \$5,000), \$8,205 A/C 185-6610-621-3122 (LE0FSF, PC Software Licensing), \$9,130 A/C 185-6610-621-5699 (LE0FSF, Contracted Services)]

G. Approved Expenditure: Request to Allow Concurrent Processing of Development Applications in Conjunction with Zone Change; Location: Conejo Creek Southwest Park, Paige Lane (Z 2019-70298) Applicant: Conejo Recreation and Park District (CRPD); adopt resolution

RESOLUTION DECLARING INTENTION TO CONSIDER ZONE CHANGE AND ALLOWING CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS FOR LAND LOCATED AT CONEJO CREEK SOUTHWEST PARK ON PAIGE LANE (Z 2019-70298: CONEJO RECREATION AND PARK DISTRICT) RES. NO. 2019-_____

H. Approved Expenditure: Landscape and Lighting Assessment District (LLAD) No. 79-2 FY 2019-20 Assessments; adopt resolutions; set public hearing for June 11, 2019; agreement with Ventura County Auditor-Controller

RESOLUTION INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2019-20) RES. NO. 2019-_____

RESOLUTION DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2019-20) RES. NO. 2019-_____

RESOLUTION CONFIRMING PRELIMINARY ENGINEER'S REPORT FOR ANNUAL LEVY OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2019-20) RES. NO. 2019-_____