

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

May 21, 2019

1. CALL TO ORDER:

Mayor Rob McCoy called the meeting to order at 6:01 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, Jones, Adam, and Mayor McCoy.

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, Public Works Director Jay Spurgin, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Police Chief Tim Hagel, Battalion Chief Israel Gutierrez, Assistant City Attorney Felicia Liberman, Deputy Public Works Director Cliff Finley, Planning Division Manager Kari Finley, Deputy City Clerk Laura Maguire, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swinger, Assistant Analyst Christy Glaubke, Records Management Specialist Judy Freeman, and Recording Secretary Dominga Zambrano.

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

None.

5. SPECIAL PRESENTATIONS:

- A. Mayor McCoy introduced Elayne Haggan, Conejo Open Space Foundation board member, to explain the Conejo Open Space Trails Education Days program and recognize the winners of the Letter Writing Contest.

6. PUBLIC COMMENTS:

Paige Nielsen, Westlake Village; Vitaliy Gisin, Thousand Oaks; Audrey Bruckner, Thousand Oaks; Michael Hernandez, Newbury Park (submitted document); Ellen, city of residence unknown; Tania, Newbury Park; Mandy Jacob, Newbury Park; Krista Pederson, Thousand Oaks; Wanda Caliau, Thousand Oaks; Chaise Rasheed, Thousand Oaks; Vadim Manzhos, Newbury Park; Carol Taccetta, Thousand Oaks; Lorena Saruwatari, city of residence unknown; Angela Cordero, Thousand Oaks.

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13. CITY MANAGER:

- *A. Follow-up items: City Manager Powers encouraged participation in the upcoming charity karaoke fundraising event (Rasheed); commented on 5G concerns and encouraged residents to continue to lobby State and Federal legislators; referred public to City's website for updated information www.toaks.org/wireless. City Attorney Noonan addressed legal issues related to 5G and clarified limitations established by 1996 Federal Communications Act.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Municipal Code Amendment to Amend Certain Sections of Title 5 Regarding Camping and Prohibition on Sitting and Lying in Certain Public Places presented by Assistant City Attorney Liberman and Assistant City Manager Hardy. Police Chief Hagel responded to questions. City Attorney Noonan provided comment.

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

Speakers: Angeline Krolnik, North Hills West, pro; Karin Ralston, Thousand Oaks, con; Sayeh Roberts, Newbury Park, con; Nick Pavich, Thousand Oaks, con; Joe Gelinas, Thousand Oaks, card not marked; Timothy Corbett, Thousand Oaks, card not marked.

Written Statements: Teagan Clive, Westlake Village, card not marked; Diane Hunn, Thousand Oaks, card not marked; Denise Rigby, North Hills, pro.

Mayor McCoy closed public hearing.

Motion by Councilmember Adam to 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, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None.

City Council recess at 8:15 p.m.; reconvened 8:28 p.m.

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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) presented by Community Development Director Towne; Planning Division Manager Finley available for questions.

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-_____

Speakers: Applicant Representative Chuck Cohen, city of residence unknown; Applicant Representative Tim Gallagher, Somis; Applicant Albert Cohan, city of residence unknown; Marcella Ocampo, Newbury Park; Loghman-Adham, Newbury Park (submitted document); Robert Filiault, Newbury Park; Ron Rich, Newbury Park; Melanie Rudas, Newbury Park; Jeff Steinkuhler, Newbury Park; Mickey Reiser, Newbury Park; Carrol Lucas, Newbury Park; Jeff Moss, Newbury Park; Jared Freilich, Newbury Park; Kris Arnaud, Newbury Park; Muriel Adams, Newbury Park; Leanne Tapper, Newbury Park; Denise Coulter, Newbury Park; Niles Kaplan, Newbury Park; Samantha Bork, Newbury Park; Mr. Kennedy, Newbury Park; Wayne Baldwin, Newbury Park; Leonard Levine, Newbury Park; Sayeh Roberts, Newbury Park; Darin Hansen, Newbury Park; Brett T. Boynton, Newbury Park; Aaron Schwarcz, Newbury Park; Eric Trembly, Newbury Park; Kilmar Martinez, Reseda; Michael Hawkins, Newbury Park.

Written Statements: Sara Applebaum, Newbury Park; Angela Ling, Newbury Park; Vivian Rhoe, Newbury Park; Aleida Steinkuhler, Newbury Park; Kavitha Velu, Newbury Park.

Motion by Councilmember Bill-de la Peña to direct applicant to develop medium density plan and return to a date uncertain, carried 4-1 by the following vote: Ayes - Bill-de la Peña, Jones, Adam, and McCoy; Noes - Engler.

Motion by Councilmember Adam to continue meeting past 11:00 p.m., carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes – None.

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9. DEPARTMENT REPORTS: (Continued)

- B. Transit Operations Agreement and Program Modifications presented by Senior Transit Analyst Houser; Deputy Public Works Director Finley responded to questions.

Speaker: Jim Schultzman, Senior Vice President MV Transportation.

Motion by Councilmember Bill-de la Peña to 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; Approve concurrent lease agreement with MV Transportation, Inc. in amount of \$4,082 per month for office space at Thousand Oaks Transportation Center; approve concurrent lease agreement with MV in amount of \$1,440 per month for office trailer ground lease space at Municipal Service Center; approve fare adjustments, service hours adjustments, and program policy changes to address farebox shortfall requirements of Transportation Development Act; 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), carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None.

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)

Report received.

13. CITY MANAGER: (Continued)

- A. Follow-up items: Nothing additional.

- B. Announcements and upcoming issues: City Manager Powers reviewed potential topics for the next regularly scheduled City Council Meeting June 11, 2019.

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14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor.

City Attorney Noonan announced Closed Session held at 11:21 p.m.

- 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)

City Attorney Noonan indicated no announcement anticipated.

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

16. ADJOURNMENT:

City Council adjourned at 11:37 p.m. to Regular Meeting on Tuesday, June 11, 2019.


Robert McCoy, Mayor
City of Thousand Oaks City Council

Attest:


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

AGENDA POSTED: May 16, 2019
MINUTES APPROVED: June 11, 2019

*indicates item taken out of order

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EXHIBIT A7. **CONSENT CALENDAR:**

RECOMMENDATIONS FOR ITEMS A. THROUGH H. ARE TO APPROVE

Additional information supplemental packet regarding Items 7.C. and 7.G.

Motion by Councilmember Adam to approve Consent Calendar, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes - None.

- 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)]

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7. CONSENT CALENDAR: (Continued)

- 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)
- 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. 2019-018

- 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. 2019-019

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. 2019-020

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. 2019-021

