

City Council

REGULAR MEETING

Tuesday, September 24, 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	Tracy M. Noonan, City Attorney
Ingrid Hardy, Assistant City Manager	Gary Rogers, Deputy City Manager
Mark A. Towne, Community Development Director	Jaime Boscarino, Finance Dir./City Treasurer
Cynthia M. Rodriguez, City Clerk	Jay T. Spurgin, Public Works Director
Barry McComb, Cultural Affairs Director	Tim Giles, Interim Human Resources Director
Jim Friedl, General Manager, CRPD	Heather Cousin, Library Director
John Spykerman, Fire Chief	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

3

September 24, 2019

RES. NO. 2019-048
ORD. NO. 1664-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. Proclamation – Red Cross – Emergency Preparedness Month
 - B. Ventura County Civic Alliance State of Region Report
 - C. Proclamation – Many Mansions 40th Anniversary
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 7 for Consent Calendar listing)
8. PUBLIC HEARINGS: None
9. DEPARTMENT REPORTS:
 - A. [Sustainability Strategic Plan Update](#)

RECOMMENDATION: Receive staff report and provide feedback

9. DEPARTMENT REPORTS: (Continued)

- B. [Consideration of Interim Urgency Ordinance Declaring a Moratorium](#) on Approval or Issuance of Any Permit, License, or Entitlement Relating to Applications for Cultivation, Processing, Drying, Storing, and Manufacturing of Industrial Hemp as well as Non-Incidental Retail Sale of Products Derived from Industrial Hemp

INTERIM URGENCY ORDINANCE DECLARING MORATORIUM ON APPROVAL OR ISSUANCE OF ANY PERMIT, LICENSE, OR ENTITLEMENT RELATING TO APPLICATIONS FOR CULTIVATION, PROCESSING, DRYING, STORING, AND MANUFACTURING OF INDUSTRIAL HEMP AS WELL AS NON-INCIDENTAL RETAIL SALE OF PRODUCTS DERIVED IN ANY PART FROM INDUSTRIAL HEMP SEEDS
ORD.NO. _____

RECOMMENDATION: Consider adoption of an interim urgency ordinance (“Urgency Ordinance”) declaring a moratorium on City approval or issuance of any permit, license, or entitlement relating to applications for the cultivation, processing, drying, storing, and manufacturing of industrial hemp as well as the non-incidental retail sale of products derived in any part from industrial hemp (requires four-fifths vote)

- C. [Elections Update](#) – Campaign Contributions and City Council Vacancies

RECOMMENDATION: Receive update and provide direction on both campaign contributions and City Council vacancies

10. COMMITTEE/COMMISSION/BOARD REPORTS: None

11. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None

12. COUNCIL ISSUES/RECOMMENDATIONS: None

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

13. CITY MANAGER:

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

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

5

September 24, 2019

14. CLOSED SESSION: None

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 of Pending Final Map – Approval of Final Map LD 15-70579](#); 10 Ac Sub-Division into 4 Residential Lots of Record; Location: Adjacent to Northeast Corner of Lynn Road & West Kelly Road; Developer: Jack Schakett

16. ADJOURNMENT:

Adjourn to Regular Meeting October 8, 2019

Agenda Post Date/Time: September 19, 2019, 5:00 p.m.

CCD:610-40\h:\common\agenda\09-24-19.docx

EXHIBIT A

7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH G. ARE TO APPROVE
RECOMMENDATION FOR ITEM H. IS TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify September 11, 2019 and September 18, 2019; approve September 25, 2019; approve October 2, 2019, subject to review and ratification
- B. [Minutes of City Council meeting of September 10, 2019](#)
- C. Approved Expenditure: [Thousand Oaks Transportation Center Bus Parking and Pedestrian Improvements Project \(CI 5269\)](#); project design, plans, specifications, and Addendum No. 1 for construction; award construction contract to C.A. Rasmussen, Inc. in amount of \$1,574,855, plus \$157,490 contingency; \$1,748,250 expenditure (\$1,574,855 construction contract, \$157,490 construction contingency, \$5,000 City furnished supplies and services, \$10,905 construction inspection/testing services) A/C 651-5310-682-8300 (CI 5269, Transportation Center Bus Parking and Pedestrian Improvements Project); First Amendment to Contract No. 11833-2018 with Kimley-Horn and Associates, Inc. for construction support services, not-to-exceed \$11,000 for updated contract not-to-exceed amount of \$202,909; delegate authority to City Engineer to approve changes to design, plans, specifications, and working details of project on work directives and change orders up to project approved contingency amount
- D. Approved Expenditure: [Dos Vientos Grading and Drainage Improvements – Lot 618 \(MI 2571\)](#); project design, specifications, and Addendum No. 1; waive minor inconsequential bid deviation per Public Contract Code 5103, award construction contract to MD Construction Co., Inc. in amount of \$298,000, plus \$29,800 contingency; \$375,000 budget appropriation transfer for FY 2019-20 and \$25,000 for FY 2020-21 A/C 001-5210-642-8310 (MI2571, Improvements Other than Buildings) to A/C 001-5210-642-5500 (MI2571, Construction); \$330,800 expenditure (\$298,000 construction contract, \$29,800 contingency, \$3,000 for City furnished materials and supplies) A/C 001-5210-642-5500 (General Fund); delegate authority to City Engineer to approve changes to design, plans, specifications, and working details of project on work directives and change orders up to project approved contingency amount

7. CONSENT CALENDAR: (Continued)

- E. Additional Appropriation: Conejo School Road Undergrounding Reimbursement Agreement (CI 5411) with Jemstreet Conejo School Road, LLC for undergrounding of overhead power, cable, telephone utility lines along Conejo School Road north of Thousand Oaks Boulevard in amount of \$901,219; \$580,100 budget appropriation A/C 541-0000-311-1000 (Developer Fee, Fund Balance) to A/C 541-5310-631-5500 (CI 5411, Citywide Undergrounding); \$660,091 expenditure A/C 541-5310-631-5500 (CI 5411, Citywide Undergrounding)
- F. No Appropriation/Expenditure Required: American National Red Cross Revocable License Agreement between City and American National Red Cross of Ventura County for storage space and emergency supplies trailer at 403 West Hillcrest Drive, effective 9/24/2019, with automatic annual renewals; authorize City Manager or designee to execute future amendments
- G. Additional Appropriation: Theatres Fund Reimbursement for Benefit and Community Events; \$142,800 budget appropriation and expenditure A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 681-0000-484-0000 (Theatres Fund – Special Events Reimbursements)

ORDINANCE FOR SECOND READING:

- H. ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE TO ADD OR MODIFY SECTIONS 9-4.202, 9-4.1601, 9-4.2105, AND 9-4.2402 TO DEFINE BIOTECHNOLOGY AND SIMILAR USES AS “TECHNOLOGY AND LIFE SCIENCES,” ADD TECHNOLOGY AND LIFE SCIENCES TO LIST OF USES ALLOWED IN INDUSTRIAL PARK (M-1) ZONE, AND ESTABLISH PARKING STANDARDS FOR TECHNOLOGY AND LIFE SCIENCE USES (MCA 2019-70572) (Introduced 9/10/19, 5-0)
ORD.NO. 1664-NS