

THOUSAND OAKS CITY COUNCIL



Supplemental Information Packet

**Agenda Related Items - Meeting of October 8, 2019
Supplemental Packet Date: October 8, 2019**

2:30 p.m.

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are 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 inspection in the City Clerk Department, 2100 E. Thousand Oaks Boulevard, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(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

Americans with Disabilities Act (ADA):

In compliance with the 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 at (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.

TO: Andrew P. Powers, City Manager
FROM: Jay T. Spurgin, Public Works Director
DATE: October 8, 2019
SUBJECT: **Agenda Item No. 7.I. Summary Vacation of Water Easement at Plaza Hillcrest, LLC**

Replace Attachments #3 and #4 with revised Attachments #3 and #4.

DPW: 821-60\etm\Common\Council\2019\100819\Summary Vacation of Portions of a Water Easement

TO COUNCIL: 10/8/2019
AGENDA ITEM NO.: 7.I.
MEETING DATE: 10/8/2019

EXHIBIT "A1"
WATER EASEMENT ABANDONMENT LEGAL DESCRIPTION

ABANDONMENT OF TWO PORTIONS OF THAT CERTAIN WATER EASEMENT IN THE CITY OF THOUSAND OAKS, COUNTY OF VENTURA, STATE OF CALIFORNIA, RECORDED IN THE OFFICE OF SAID COUNTY ON MARCH 20, 2003 AS DOCUMENT NO. 2003-0091931 OF OFFICIAL RECORDS, DESCRIBED AS PORTION 1 AND PORTION 2 AS FOLLOWS:

PORTION 1:

8.00 FOOT WIDE STRIP OF LAND, BEING A PORTION OF SAID WATER EASEMENT, RECORDED AS DOCUMENT NO. 2003-0091931 OF OFFICIAL RECORDS, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THAT CERTAIN POINT DESCRIBED AS POINT "B" ON SAID WATER EASEMENT; THENCE ALONG CENTERLINE OF THE 8.00 FOOT WIDE STRIP NORTH 80°44'55" WEST 7.50 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING WESTERLY ALONG SAID CENTERLINE

1ST NORTH 80°44'55" WEST 5.50 FEET TO ITS TERMINUS.

PORTION 2:

8.00 FOOT WIDE STRIP OF LAND, BEING A PORTION OF SAID WATER EASEMENT, RECORDED AS DOCUMENT NO. 2003-0091931 OF OFFICIAL RECORDS, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THAT CERTAIN POINT DESCRIBED AS POINT "C" ON SAID WATER EASEMENT; THENCE ALONG CENTERLINE OF THE 8.00 FOOT WIDE STRIP NORTH 80°44'55" WEST 7.50 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING WESTERLY ALONG SAID CENTERLINE

1ST NORTH 80°44'55" WEST 30.50 FEET TO ITS TERMINUS.

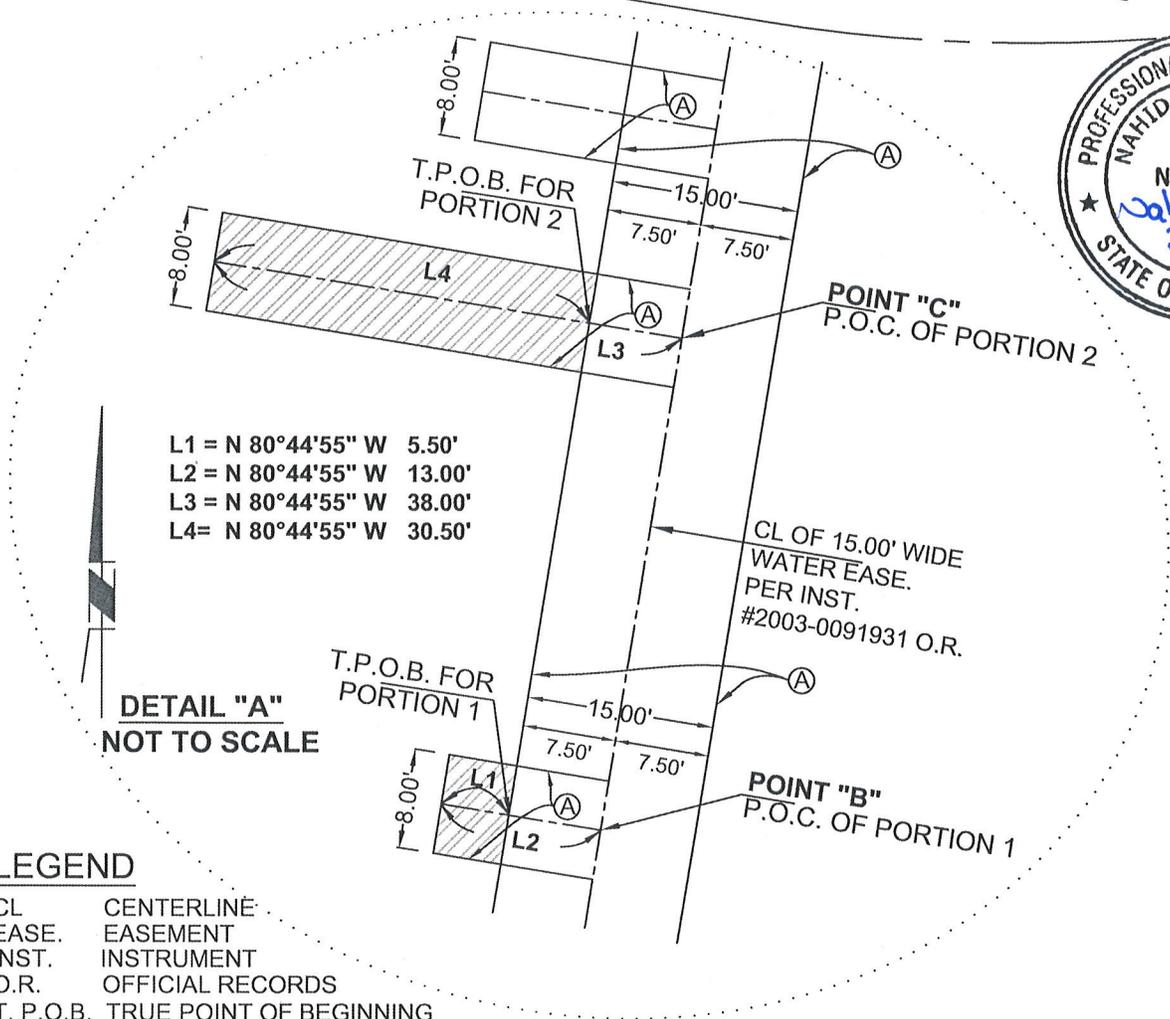
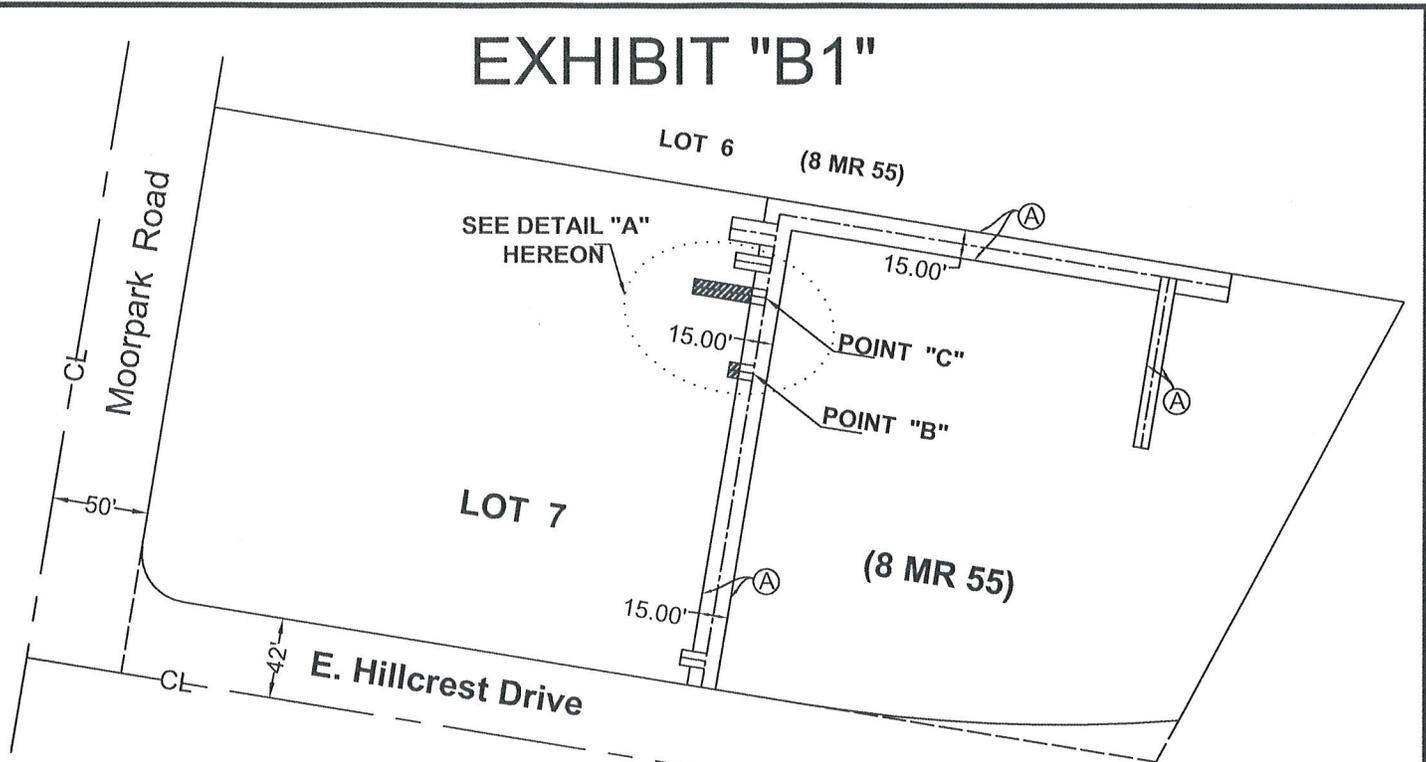
ABOVE DESCRIBED PORTION 1 AND PORTION 2 ARE SHOWN ON EXHIBIT "B1", ATTACHED HERETO AND MADE A PART THEREOF.


NAHID SAFAIE-DEY, P.L.S. 8949

9/13/2019



EXHIBIT "B1"

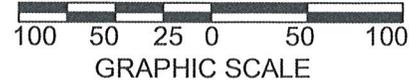


- L1 = N 80°44'55" W 5.50'
- L2 = N 80°44'55" W 13.00'
- L3 = N 80°44'55" W 38.00'
- L4 = N 80°44'55" W 30.50'

CL OF 15.00' WIDE
WATER EASE.
PER INST.
#2003-0091931 O.R.

LEGEND

- CL CENTERLINE
- EASE. EASEMENT
- INST. INSTRUMENT
- O.R. OFFICIAL RECORDS
- T. P.O.B. TRUE POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- (A) WATER EASE. OF CITY OF THOUSAND OAKS PER INST. 2003-0091931 O.R.
- (Hatched Box) AREA TO BE QUITCLAIMED



RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF THOUSAND OAKS SUMMARILY
VACATING PORTIONS OF A PUBLIC SERVICE
WATER EASEMENT AT THE NORTHEAST CORNER
OF MOORPARK ROAD AND HILLCREST DRIVE

WHEREAS, Plaza Hillcrest, LLC, the owner of the property with an APN of 669-0-030-265, requests the summary vacation of portions of a public service water easement located under its property; and

WHEREAS, Chapter 4 of the Public Streets, Highways, and Service Easements Vacation Law, commencing with Streets and Highways Code section 8333, provides for summary vacation of public service easements upon certain conditions being met; and

WHEREAS, there exists a deed recorded in document No. 2003-0091931 of the Official Records of Ventura County describing a public service water easement providing for the construction and maintenance of water facilities; and

WHEREAS, in 2004, an addition to the existing building on the owner's property was constructed, requiring the relocation of two water meters, the easements of which were never adjusted, resulting in the building being built over portions of the easement held by the City; and

WHEREAS, as a result of the water meter relocations, portions of the public service water easement located under the building are no longer required for the public benefit; and

WHEREAS, the proposed abandonment areas of this public service water easement have not been used for the purpose for which it was dedicated for more than five consecutive years immediately preceding the proposed vacation and there are no existing utilities or public improvements located within the proposed abandonment areas of said public service water easement; and

WHEREAS, Section 8333 of the Streets and Highways Code authorizes the City Council to summarily vacate easements for public service purposes which have not been used for the purpose for which they were dedicated for more than five consecutive years immediately preceding the proposed vacation; and

WHEREAS, the City Council intends to summarily vacate portions of the public service water easement, as described in recorded document No. 2003-0091931 of the Official Records of Ventura County.

NOW, THEREFORE, the City Council of the City of Thousand Oaks does hereby resolve as follows:

SECTION 1. Incorporation of Recitals

The City Council hereby finds and determines that the Recitals of this Resolution are true and correct and are hereby incorporated into this Resolution as though fully set forth herein.

SECTION 2. Declaration of Vacation

The City Council of the City of Thousand Oaks finds and declares that portions of the public service water easement proposed to be vacated is an excess easement and is made under the authority of California Streets and Highways Code Chapter 4 of part 3 of Division 9, commencing at Section 8333 et. seq.

- (a) The proposed abandonment areas of the public service water easement are not required for public service purposes and have not been used for the purpose of which it was dedicated for more than five consecutive years.
- (b) There are no public utility facilities located within the proposed abandonment areas of the public service water easement.

Based upon the findings made in Section 1 of this Resolution and the provisions of Streets and Highways Code section 8333 et. seq., the City Council does hereby order the proposed abandonment areas of the public service water easement for public use purposes as described in recorded document No. 2003-0091931 of the Official Records of Ventura County shall be and hereby is summarily vacated.

SECTION 3. Designation of Public Service Water Easement to be Vacated

The subject public service water easement to be vacated is described as follows:

- (a) portions of the public service water easement located on 11 East Hillcrest Drive, APN 669-0-030-265
- (b) portions of the public service easement to be vacated is further identified on the map in Exhibit A to this Resolution.

SECTION 4. Recordation of Resolution

Upon recordation by the City Clerk of this Resolution, the area shown on the attached map (Exhibit A) is hereby vacated and the vacated portions reverts back to the owner of the property.

SECTION 5. Adoption of Resolution

That the City Clerk shall certify to the passage and adoption of this Resolution and shall cause the same to be possessed in the manner required by law. This resolution shall become effective upon its adoption. Upon the recordation of this Resolution, the vacation is complete, and the vacated portions of the public service water easement will no longer constitute a City owned and maintained public service water easement.

PASSED AND ADOPTED this 8th day of October, 2019.

Robert McCoy, Mayor
City of Thousand Oaks, California

ATTEST:

Cynthia M. Rodriguez, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Felicia Liberman, Assistant City Attorney

APPROVED AS TO ADMINISTRATION:

Andrew P. Powers, City Manager

EXHIBIT A

EXHIBIT "A1"
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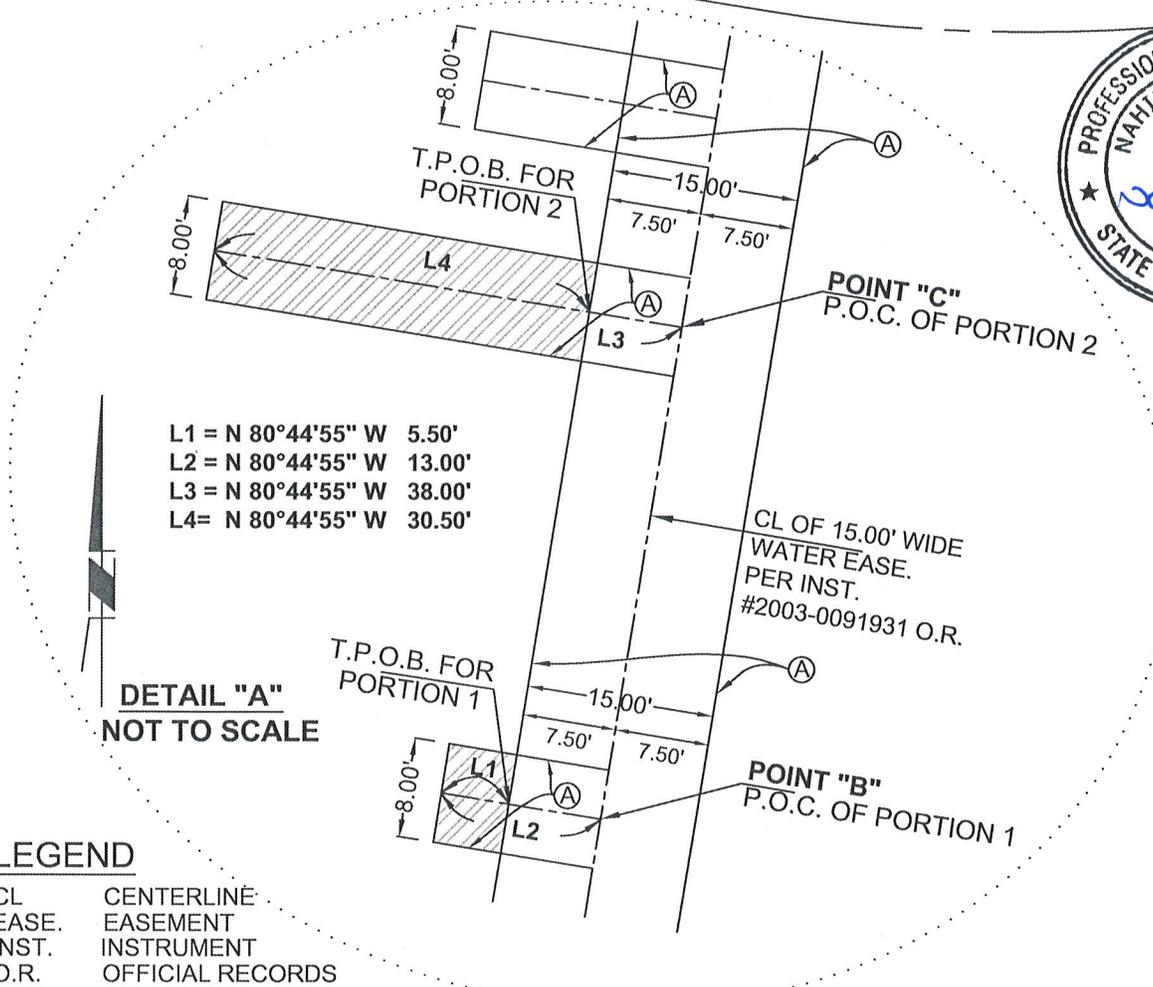
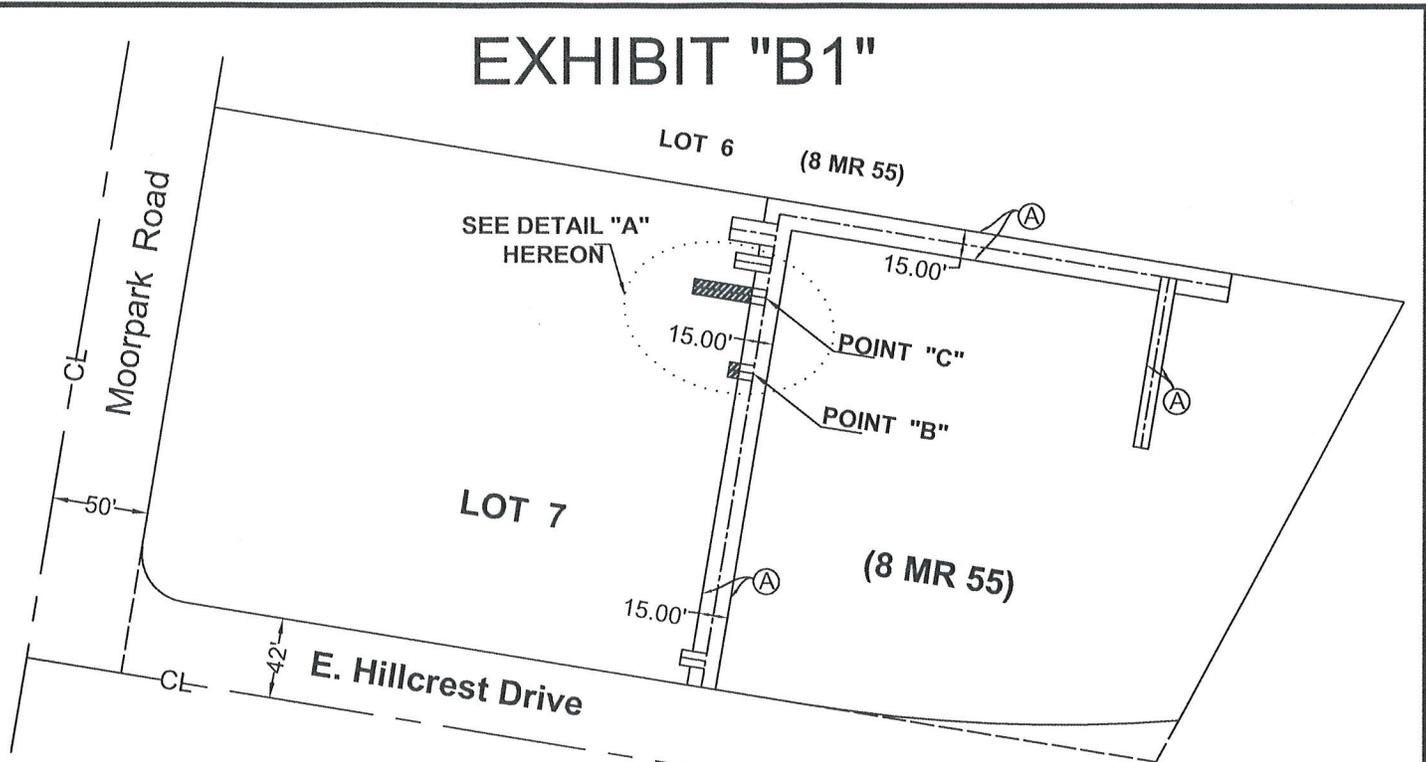
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9/13/2019



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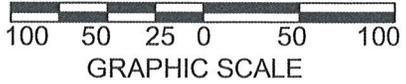


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LEGEND

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- (A) WATER EASE. OF CITY OF THOUSAND OAKS PER INST. 2003-0091931 O.R.

AREA TO BE QUITCLAIMED



TO: Mayor & City Council

FROM: Al Adam, Mayor Pro Tem

DATE: October 8, 2019

SUBJECT: **Ex Parte Communication, Agenda Item 9B- Residential Capacity Allocation and Initiation of General Plan Amendment for a Project at 1872 Newbury Road (RCA 2019-70505/ LU 2019-70504); Applicant: Daylight Thousand Oaks, LLC**

In compliance with Thousand Oaks Municipal Code Section 1-10.08, the purpose of this memo is to convey that I met as shown below regarding the subject agenda item:

I met with various representatives related to the project at 1872 Newbury Road, including Tim Gallagher and Mark Sellers, to discuss their project.

TO COUNCIL: 10/8/19
AGENDA ITEM NO.: 9.B.
MEETING DATE: 10/8/19

TO: Mayor & City Council

FROM: Claudia Bill-de la Peña, Councilmember

DATE: October 8, 2019

SUBJECT: **Ex Parte Communication, Agenda Item 9B- Residential Capacity Allocation and Initiation of General Plan Amendment for a Project at 1872 Newbury Road (RCA 2019-70505/ LU 2019-70504); Applicant: Daylight Thousand Oaks, LLC**

In compliance with Thousand Oaks Municipal Code Section 1-10.08, the purpose of this memo is to convey that I met as shown below regarding the subject agenda item:

I met with various representatives related to the project at 1872 Newbury Road. They explained their project and how they would preserve Timber School.

TO COUNCIL: 10/8/19
AGENDA ITEM NO.: 9.B.
MEETING DATE: 10/8/19

TO: Mayor & City Council

FROM: Bob Engler, Councilmember

DATE: October 8, 2019

SUBJECT: **Ex Parte Communication, Agenda Item 9B- Residential Capacity Allocation and Initiation of General Plan Amendment for a Project at 1872 Newbury Road (RCA 2019-70505/ LU 2019-70504); Applicant: Daylight Thousand Oaks, LLC**

In compliance with Thousand Oaks Municipal Code Section 1-10.08, the purpose of this memo is to convey that I met as shown below regarding the subject agenda item:

I met with various representatives related to the project at 1872 Newbury Road to discuss the details of their project.

TO COUNCIL: 10/8/19
AGENDA ITEM NO.: 9.B.
MEETING DATE: 10/8/19

TO: Mayor & City Council

FROM: Ed Jones, Councilmember

DATE: October 8, 2019

SUBJECT: **Ex Parte Communication, Agenda Item 9B- Residential Capacity Allocation and Initiation of General Plan Amendment for a Project at 1872 Newbury Road (RCA 2019-70505/ LU 2019-70504); Applicant: Daylight Thousand Oaks, LLC**

In compliance with Thousand Oaks Municipal Code Section 1-10.08, the purpose of this memo is to convey that I met as shown below regarding the subject agenda item:

I met with various representatives related to the project at 1872 Newbury Road, including Tim Gallagher and Mark Sellers, to discuss their project.

TO COUNCIL: 10/8/19
AGENDA ITEM NO.: 9.B.
MEETING DATE: 10/8/19

TO: City Council

FROM: Rob McCoy, Mayor

DATE: October 8, 2019

SUBJECT: **Ex Parte Communication, Agenda Item 9B- Residential Capacity Allocation and Initiation of General Plan Amendment for a Project at 1872 Newbury Road (RCA 2019-70505/ LU 2019-70504); Applicant: Daylight Thousand Oaks, LLC**

In compliance with Thousand Oaks Municipal Code Section 1-10.08, the purpose of this memo is to convey that I met as shown below regarding the subject agenda item:

I met with various representatives related to the project at 1872 Newbury Road to discuss the details of their project.

TO COUNCIL: 10/8/19
AGENDA ITEM NO.: 9.B.
MEETING DATE: 10/8/19