

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

October 8, 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, 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, Finance Director/City Treasurer Jaime Boscarino, Public Works Director Jay Spurgin, Library Director Heather Cousin, Interim Human Resources Director Tim Giles, Cultural Affairs Director Barry McComb, Police Chief Tim Hagel, Fire Chief John Spykerman, Utilities Superintendent John Minkel, Revenue Operations Supervisor Sheri Johnson, Water Quality Supervisor Paul Jorgensen, Associate Planner Donald Nielsen, Deputy City Clerk Laura Maguire, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, Assistant Analyst Sandra Delgado, and Recording Secretary Dominga Zambrano.

4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
None.

5. SPECIAL PRESENTATIONS:

- A. Mayor McCoy introduced Laura Conway and Julie Spivak from Conejo Senior Volunteer Program and presented certificates of appreciation of their efforts on the Charity Karaoke Event.
- B. Mayor McCoy introduced Susan Whitewood from Ventura County Behavioral Health Department who made a presentation on the "No Place Like Home" program.
- C. 5-Star Theatricals Artistic Director Patrick Cassidy introduced cast members to perform song from the upcoming production of "The Music Man".

6. PUBLIC COMMENTS:

Sheriff Ayub, Thousand Oaks; Billy Martin, Thousand Oaks; Susan Weininger, Thousand Oaks; Madeline Harris, Newbury Park; Ivette Mikulasek, Newbury Park; Mandy Jacob, Newbury Park; Adam Haverstock, Greater Conejo Valley Chamber of Commerce; Kissmayoomohamed, Thousand Oaks; Christine Rhoades, Newbury Park; Vadim Manzhos, Newbury Park; Heather Swanson, Newbury Park; AnneMarie Winic, Thousand Oaks; Bruce Boyer, city of residence unknown; Cole Troxel, Thousand Oaks.

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6. PUBLIC COMMENTS: (Continued)

Written Statements: Kim B. Eyre, Oak Park; Carolyn Guillot, Thousand Oaks; Shawnee Harris, Newbury Park; Karen Schatz, Thousand Oaks; Dave Shirazi, Thousand Oaks; name unknown, Newbury Park.

13. CITY MANAGER:

*A. Follow-up items: City Manager Powers and City Attorney Noonan addressed comments regarding 5G, encouraging concerned citizens to continue focusing efforts for legislative change on the Federal Communications Commission and to visit www.toaks.org/wireless for further information.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

A. Hearing, advertised as required by law, opened to consider: 2019 Triennial Water Quality Public Health Goals Report presented by Water Quality Supervisor Jorgensen. Public Works Director Spurgin responded to questions. Utilities Superintendent Minkel available for questions.

Speakers/Statement Cards: None.

Mayor McCoy closed public hearing.

Motion by Councilmember Adam to receive Public Health Goals Report and accept public comments on the City of Thousand Oaks 2019 Triennial Water Quality Public Health Goals Report, carried 5-0 by the following vote: Ayes - Bill-de la Peña, Engler, Jones, Adam, and McCoy; Noes – None.

9. DEPARTMENT REPORTS:

A. Wastewater and Water Financial Plans and Proposed Rate Adjustments presented by Revenue Operations Supervisor Johnson. Public Works Director Spurgin responded to questions. Finance Director Boscarino and Raftelis Vice President Sanjay Gaur available for questions.

Speakers/Statement Cards: None.

Motion by Councilmember Adam to approve 2019 Wastewater Financial Plan, Wastewater Cost of Service Study, and Water Financial Plan and set December 10, 2019 as Public Hearing date to establish wastewater and water service charges to be effective February 13, 2020 and January 1, 2021, 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. 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 presented by Community Development Director Towne. Associate Planner Nielsen available for questions. Additional information supplemental packet including ex parte communications from five Councilmembers.

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 1872 NEWBURY ROAD (LU 2019-70504: DAYLIGHT THOUSAND OAKS, LLC) RES. NO. 2019-050

Speakers: Applicant representative Mark Sellers, Thousand Oaks; Applicant representative Tim Gallagher, Simi Valley; Applicant architect Brian Poliquin, Thousand Oaks; Robert Patterson, Newbury Park; Carmen Cheveres, Newbury Park; John Freeman, Newbury Park; William Maple, Newbury Park; Kathy Boone, Newbury Park; Alice Stewart, Newbury Park; Desiree Molnarsouthon, Newbury Park; Robert Williams, Newbury Park.

Written Statements: Marilyn Carpenter, Thousand Oaks; Veronica Haverbeck, Newbury Park; Beverly Molnar, Newbury Park; Keith Taylor, Newbury Park; Nancy Taylor, Newbury Park; Irene Seda, Thousand Oaks.

Motion by Councilmember Adam to initiate a General Plan Amendment to allocate 218 dwelling units of citywide Measure E residential capacity to the project at 1872 Newbury Road, subject to submittal of a formal application within 12 months from the date of unit allocation; adopt resolution initiating a General Plan Amendment to change the land use designation from Commercial to Commercial/ Residential; and authorize concurrent processing of entitlements and legislative requests, 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: None.

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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 October 22, 2019.

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

City Attorney Noonan announced Closed Session held at 8:54 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: City of Thousand Oaks v. Southern California Edison; Case No.: 56-2019-00533120-CU-MT-VTA; Pursuant to Government Code Section 54956.9(d)(1)

City Attorney Noonan indicated no announcement anticipated.

15. PUBLIC NOTICES: None.

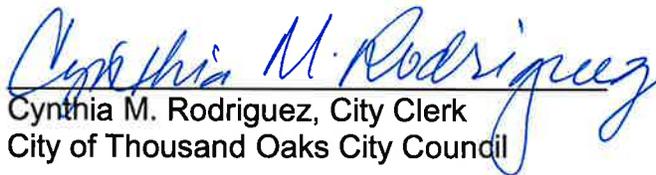
16. ADJOURNMENT:

City Council adjourned at 9:09 p.m. in memory of Albert “Bud” Marley to Regular Meeting on Tuesday, October 22, 2019.



Robert McCoy, Mayor
City of Thousand Oaks City Council

Attest:



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

AGENDA POSTED: October 3, 2019

MINUTES APPROVED: October 22, 2019

*indicates item taken out of order

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EXHIBIT A7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH J. ARE TO APPROVE

Additional information supplemental packet regarding Item 7.I.

Motion by Councilmember Engler 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 September 25, 2019 and October 2, 2019; approve October 9, 2019; approve October 16, 2019, subject to review and ratification
- B. Minutes of City Council meeting of September 24, 2019
- C. Approved Expenditure: Municipal Service Center (MSC) and Hill Canyon Treatment Plant (HCTP) Fueling Station Upgrade (CI 5372); authorize staff to advertise for construction bids
- D. Approved Expenditure: California Water/Wastewater Agency Response Network – Mutual Assistance Agreement in accordance with California Emergency Services Act and Civil Defense Master Mutual Aid Agreement
- E. Approved Expenditure: Inter-Agency Transit Agreement with City of Agoura Hills in not-to-exceed amount of \$497,000, to run concurrently with Transit Operations Services Contract No. 12072-2019
- F. Approved Expenditure: Thousand Oaks Groundwater Utilization Project (CI 5395); Fourth Amendment to Professional Services Agreement with Kennedy/Jenks Consultants, Contract No. 11614-2017, in amount of \$104,343 to provide additional services related to preparation of Grant Applications and Environmental Review; \$104,343 expenditure A/C 613-5310-682-8300 (CI 5395, Thousand Oaks Groundwater Utilization Project)
- G. Additional Appropriation: California American Water company Proposed Rate Increase – Legal Services; \$50,000 budget appropriation and expenditure for initial legal services with Downey Brand LLP pertaining to California American Water Company's Rate Case A.19-07-004, A/C 001-0000-311-1000 (General Fund, Fund Balance) to A/C 001-5010-631-5199 (Legal Services)

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7. CONSENT CALENDAR: (Continued)

- H. Approved Expenditure: Renewal of Maintenance Agreement with Questica, Inc.; third amendment to Contract No. 10619-2014 for budget software maintenance, in amount of \$160,000 for revised not-to-exceed amount of \$360,000, term: 10/28/2019 through 10/27/2023, with option for one two-year extension; expenditure in amount not-to-exceed \$25,000 for FY 2019-20 A/C 001-3410-612-4300 (Computer Software Maintenance)
- I. Approved Expenditure: Summary Vacation of Water Easement at Plaza Hillcrest, LLC; adopt resolution summarily vacating portions of water easement at Plaza Hillcrest, LLC, and authorize City Engineer to execute necessary documents

RESOLUTION SUMMARILY VACATING PORTIONS OF A PUBLIC SERVICE WATER EASEMENT AT NORTHEAST CORNER OF MOORPARK ROAD AND HILLCREST DRIVE RES. NO. 2019-048

- J. Approved Expenditure: Grande Vista Drive – Vacating Right-of-Way; adopt resolution summarily vacating portions of right-of-way and portions of slope at 3499 Grande Vista Drive and transferring ownership to Willis Development and California American Water Company and transferring portions of slope adjacent to 3499 Grande Vista Drive to Conejo Open Space Conservancy Agency (COSCA); authorize City Engineer, or designee, to execute all documents necessary to complete transfers

RESOLUTION VACATING A PORTION OF RIGHT-OF-WAY AND TRANSFERRING OWNERSHIP TO WILLIS DEVELOPMENT, CALIFORNIA AMERICAN WATER COMPANY, AND CONEJO OPEN SPACE CONSERVANCY AGENCY AT 3499 GRANDE VISTA DRIVE
RES. NO. 2019-049