

City Council

REGULAR MEETING

Tuesday, November 5, 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

Jaime Boscarino, Finance Dir./City Treasurer

Jay T. Spurgin, Public Works Director

Tim Giles, Interim Human Resources 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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November 5, 2019

RES. NO. 2019-055
ORD. NO. 1666-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: None
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 8 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [Public Hearing Continuance Request for Municipal Code Amendment to Adopt 2019 California State Building Codes with Local Amendments \(MCA 2019-70485\)](#)

RECOMMENDATION: Continue hearing to November 19, 2019

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

INTERIM URGENCY ORDINANCE EXTENDING ORDINANCE NO. 1665-NS, WHICH DECLARED A MORATORIUM ON THE 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

ORD.NO. _____

8. PUBLIC HEARINGS: (Continued)

- B. Extension of Interim Urgency Ordinance Regarding Moratorium on Approval or Issuance of Any Permit, License, Or Entitlement Relating to Applications for Cultivation, Processing, Drying, Storing, and Manufacturing of Industrial Hemp and Non-Incidental Retail Sale of Products Derived from Industrial Hemp (Continued)

RECOMMENDATION:

1. Receive report on measures taken during moratorium
2. Adopt urgency ordinance extending for an additional 10 months and 15 days a moratorium on the 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-incident retail sale of products derived from industrial hemp (requires four-fifths vote)
3. Clarify for purposes of the moratorium that Research and Development (R & D) companies use of minor amounts of CBD (cannabidiol) oil derived from hemp for the purpose of developing potential products is permitted

9. DEPARTMENT REPORTS:

- A. [Civic Arts Plaza Campus Master Plan Ad Hoc Committee Update](#)

RECOMMENDATION:

1. Receive and provide feedback regarding Civic Arts Plaza Campus Master Plan
2. Endorse "Main Street Concept" and direct AECOM to prepare comprehensive report and conceptual plans for site, grading, roadway orientation, architecture and landscaping, and interior campus layout
3. Direct staff to initiate formal outreach with key stakeholders/partners regarding implementation of Civic Arts Plaza Campus Master Plan, including, but not limited to, institutional and business partners such as Cal Lutheran University, Ventura County, Conejo Recreation and Park District, California Museum of Art Thousand Oaks, resident companies, Thousand Oaks Boulevard Association, Caruso Affiliated, and Greater Conejo Valley Chamber of Commerce

9. DEPARTMENT REPORTS: (Continued)

- A. Civic Arts Plaza Campus Master Plan Ad Hoc Committee Update (Continued)

RECOMMENDATION: (Continued)

4. Direct staff to continue to further explore a comprehensive design mix that is aligned with established objectives of Downtown Core Master Plan and "Main Street Concept"
5. Direct staff to initiate thorough review of financing options for various aspects of Campus Master Plan including, but not limited to, site preparation and capital infrastructure improvements

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

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. Southern California Edison; Case No.: 56-2019-00533120-CU-MT-VTA; Pursuant to Government Code Section 54956.9(d)(1)

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn in memory of:

- John Rogers "Roger" Lazar, long-time community member and husband of former Mayor and Councilmember Judy Lazar
- Victims of Borderline Shooting

to Regular Meeting November 19, 2019

Agenda Post Date/Time: October 31, 2019, 5:00 p.m.

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 October 23, 2019 and October 30, 2019; approve November 6, 2019; approve November 13, 2019, subject to review and ratification
- B. [Minutes of City Council meeting of October 22, 2019](#)
- C. Additional Appropriation: [Conejo Valley Groundwater Management Plan](#) (MI 2104); professional services agreement with Woodard & Curran, Inc. not-to-exceed \$188,608 for preparation of Groundwater Management/ Sustainability Plan for Conejo Valley Groundwater Basin, plus extra services of \$10,000; term ending 12/31/2020; \$98,808 budget appropriation A/C 612-0000-341-9900 (Water Capital, Net Position) to A/C 612-8060-682-5699 (MI 2104, Conejo Valley Groundwater Management Plan); \$198,608 expenditure (\$188,608 agreement plus extra services of \$10,000) A/C 612-8060-682-5699 (MI 2104, Conejo Valley Groundwater Management Plan)
- D. Approved Expenditure: [Out of Agency Water Service Agreement between Barry and Sabrina Carlisi and City for water services for new detached accessory dwelling unit \(ADU\) at 1295 Mountain View Drive, APN 673-0-160-130 in unincorporated Ventu Park area of Thousand Oaks](#); authorize City Engineer to submit Application for Out of Agency Service Agreement with Ventura Local Agency Formation Commission (LAFCo) and all required documentation; authorize City Manager to execute Indemnity Agreement with Ventura LAFCo
- E. Additional Appropriation: [First Amendment to Security Systems Maintenance Agreement](#); Contract No. 12098-2019 with Siemens Industry, Inc., to add \$80,000, revised not-to-exceed amount of \$696,000 over lifetime of contract; \$80,000 budget appropriation and expenditure A/C 001-0000-311-1000 (General Fund - Fund Balance) to A/C 001-3570-612-8400 (General Fund – Capital Outlay/Equipment over \$5,000)

7. CONSENT CALENDAR: (Continued)

F. Approved Expenditure: 1994-1 Community Facilities District Annual Report; receive and file Annual Report (Marketplace Public Pedestrian, Traffic Circulation, and Parking Facilities) in compliance with Local Agency Special Tax Bond and Accountability Act

G. Additional Appropriation: Initiation of Refinancing Proceedings for 2010 Library Refunding Lease Revenue Bond; adopt resolution authorizing staff to evaluate feasibility of refinancing 2010 Library Refunding Lease Revenue Bond (2010 Bonds) and appoint consultants; additional budget appropriation and expenditure not-to-exceed \$20,000 A/C 001-9720-612-9121 (transfer to Thousand Oaks Public Financing Authority) to A/C 210-3220-612-5299 (Thousand Oaks Public Financing Authority Debt Service Administration Management and Support)

RESOLUTION DIRECTING INITIATION OF PROCEEDINGS FOR REFINANCING OF THOUSAND OAKS PUBLIC FINANCING AUTHORITY 2010 REFUNDING LEASE REVENUE BONDS (MUNICIPAL FACILITIES PROJECTS), PROVIDING FOR PROFESSIONAL SERVICES RELATING THERETO, AND APPROVING AND DIRECTING OTHER RELATED MATTERS

RES. NO. 2019-

ORDINANCE FOR SECOND READING:

H. ORDINANCE AMENDING SECTIONS OF MUNICIPAL CODE ADJUSTING CAMPAIGN CONTRIBUTION LIMITS TO REFLECT CHANGES IN CALIFORNIA CONSUMER PRICE INDEX (CPI) AND SETTING RE-EVALUATION TIMEFRAME FOR BASE LIMIT (Introduced 10/22/19, 5-0) ORD.NO. 1666-NS