

## City Council

**REGULAR MEETING**  
**Tuesday, January 14, 2020, 6:00 P.M.**  
**Andrew P. Fox City Council Chambers**



**Al Adam, Mayor**  
**Claudia Bill-de la Peña, Mayor Pro Tem**  
**Bob Engler, Councilmember**  
**Ed Jones, Councilmember**  
**Rob McCoy, 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
Jonathan Serret, Acting Cultural Affairs Director	Tim Giles, Interim Human Resources Director
Jim Friedl, General Manager, CRPD	Heather Cousin, Library Director
John Spykerman, Fire Chief	Jim Fryhoff, 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](http://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

January 14, 2020

RES. NO. 2020-001  
ORD. NO. 1670-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Engler, Jones, McCoy, Bill-de la Peña, and Mayor Adam
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
  - A. Commendation – Thousand Oaks Police Chief Tim Hagel Retirement
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 9 for Consent Calendar listing)
8. PUBLIC HEARINGS:
  - A. [Municipal Code Amendment – Electrical Vehicle Charging Station \(MCA 2019-70991\)](#)

ORDINANCE AMENDING SECTION 8-1.26 OF THE MUNICIPAL CODE OF THE CITY OF THOUSAND OAKS REGARDING ELECTRICAL VEHICLE CHARGING STATIONS (MCA 2019-70991)

ORD.NO. 1<sup>st</sup> Reading

RECOMMENDATION: Read ordinance in title only, further reading be waived, and if no objection, introduce ordinance to amend Thousand Oaks Municipal Code Section 8-1.26 regarding electrical vehicle charging stations

8. PUBLIC HEARINGS: (Continued)

B. [Revised Solid Waste Recycling and Disposal Ordinance](#)

ORDINANCE AMENDING THE THOUSAND OAKS MUNICIPAL CODE REPEALING IN ITS ENTIRETY CHAPTER 2 TO TITLE 6 AND ADDING CHAPTER 2 TO TITLE 6 ADOPTING REGULATIONS FOR SOLID WASTE, ORGANIC WASTE AND RECYCLABLE MATERIALS COLLECTION PROCESSING AND DISPOSAL ORD.NO. 1<sup>st</sup> Reading

RECOMMENDATION: Read ordinance in title only, further reading be waived, and, if no objection, introduce ordinance repealing in its entirety Chapter 2 to Title 6 of the Thousand Oaks Municipal Code and adding Chapter 2 to Title 6 of the Thousand Oaks Municipal Code adopting regulations for solid waste, organic waste and recyclable materials collection, processing and disposal

C. [Appeal of Planning Commission Decision Approving a Proposed Wireless Communications Facility \(SUP 2014-70291/ LTP 2015-70174\)](#)

RESOLUTION DENYING THE APPEAL OF A PLANNING COMMISSION DECISION APPROVING SUP 2014-70291 AND LTP 2015-70174 FOR A WIRELESS COMMUNICATIONS FACILITY ON THE PROPERTY LOCATED AT 4588 SUNNYHILL STREET (APPELLANT: GREGORY TCHEJEYAN) RES. NO. 2020-\_\_\_\_\_

RECOMMENDATION: Adopt resolution denying the appeal, thereby upholding the decision of the Planning Commission to approve the proposed wireless communications facility and landmark tree encroachments on property located at 4588 Sunnyhill Street

9. DEPARTMENT REPORTS: 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. [Proposed 2020 City Councilmember Committee Assignments](#)

RECOMMENDATION: Approve proposed 2020 City Councilmember Committee Assignments

B. 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 2<sup>nd</sup> floor – None

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Annual adjournment in memory of:

- Mayor Emeritus Alex Fiore who passed away January 3, 2002

to Regular Meeting January 28, 2020

Agenda Post Date/Time: January 9, 2020, 5:00 p.m.

## EXHIBIT A

### 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH N. ARE TO APPROVE  
RECOMMENDATIONS FOR ITEMS O. THROUGH T. ARE TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify December 11, 2019, December 18, 2019, December 25, 2019, January 1, 2020, and January 8, 2020; approve January 15, 2020; approve January 22, 2020, subject to review and ratification
- B. [Minutes of City Council meeting of December 3, 2019 and December 10, 2019](#)
- C. No Appropriation/Expenditure Required: [Investment Review Committee Appointments \(Engler/Jones\); reappointment of incumbents John Short III, Richard Law, and Mark Kroenke to serve two-year terms ending January 2022; appointment of Linda Cohen to serve remainder of two-year term ending January 2021](#)
- D. No Appropriation/Expenditure Required: [Ratification of Thousand Oaks Alliance for the Arts \(TOARTS\) Board Directors; ratify election of Eloise Cohen, Al Lowe, and Janet Scherr to serve three-year terms ending 12/31/22](#)
- E. Additional Appropriation: [Acquisition of Open Space Parcel in Skyline Area](#) (Located North of Skyline Drive, 400 Feet West of Fairview Fire Road); authorize City Manager, or designee, to execute all documents necessary to effectuate purchase of APN 676-0-090-110 (Owner: Frank and Kelly Akrey) by City, including authority to accept deed, subject to resolution of any liens and encumbrances affecting said parcel; \$22,000 budget appropriation and expenditure (\$20,000, plus closing costs not-to-exceed \$2,000) for one parcel (APN 676-0-090-110) A/C 512-0000-311-1000 (Community Recreation Facilities and Open Space Acquisition and Maintenance Endowment Fund – Fund Balance) to A/C 512-4410-679-8100 (CI 1227, Capital – Land); authorize subsequent transfer of APN 676-0-090-110 from City of Thousand Oaks to Conejo Open Space Conservation Agency (COSCA)

## 7. CONSENT CALENDAR: (Continued)

- F. Additional Appropriation: [Acquisition of Open Space Parcel in Skyline Area](#) (Located on Conejo Ridge Road, 440 Feet East of Conejo Ridge Road); authorize City Manager, or designee, to execute all documents necessary to effectuate purchase of APN 676-0-090-050 (Owner: Robert and Patricia Conlee) by City, including authority to accept deed, subject to resolution of any liens and encumbrances affecting said parcel; \$20,800 budget appropriation and expenditure (\$18,800, plus closing costs not-to-exceed \$2,000) A/C 512-0000-311-1000 (Community Recreation Facilities and Open Space Acquisition and Maintenance Endowment Fund – Fund Balance) to A/C 512-4410-679-8100 (CI 1227, Capital – Land); authorize subsequent transfer of APN 676-0-090-050 from City to Conejo Open Space Conservation Agency (COSCA)
- G. Approved Expenditure: [Direct Access Electricity Provider; amendment to Agreement](#) (Contract No. 11687-2018) with 3 Phases Renewables to provide electricity for 15 of City's metered electrical accounts under California's Direct Access Program, extending termination date from 2/14/20 to 2/14/21
- H. Additional Appropriation: [Thousand Oaks Boulevard Pedestrian Crossing at Oak Lane](#) (CI 5576); project design and plans; \$90,000 budget appropriation A/C 551-0000-311-1000 (Traffic Safety Developer Fee, Fund Balance) to A/C 551-5310-631-8300 (CI 5576, Thousand Oaks Boulevard at Oak Lane Pedestrian Crossing for FY 2019-20); \$90,000 expenditure (\$55,000 for in-house construction, \$30,000 for purchase of traffic safety equipment and signage, and \$5,000 for City furnished material and supplies) from A/C 551-5310-631-8300 (CI 5576, Thousand Oaks Boulevard at Oak Lane Pedestrian Crossing Project); Memorandum of Understanding (MOU) with Thousand Oaks Boulevard Association (TOBA) for \$125,000 contribution towards various Thousand Oaks Boulevard pedestrian and business improvements; delegate authority to City Engineer to approve changes to design, plans, specifications, and working details of project as required during construction
- I. Approved Expenditure: [Conejo School Road/Willow Lane Sidewalk and Bike Lanes Project](#) (CI 5492); acquisition and purchase of easements from property owners along Conejo School Road and Willow Lane, total amount \$67,807; \$67,807 expenditure [\$67,007 A/C 543-5310-631-8625 and \$800 A/C 543-5310-631-8620 (CI 5492, Conejo School Road and Willow Lane Sidewalk and Bike Lanes Project Non-Permanent and Permanent Easements)]; authorize City Engineer to execute all related easement acquisition documents

7. CONSENT CALENDAR: (Continued)

- J. Additional Appropriation: [Purchase of 21 Chevrolet Colorado Trucks from Winner Chevrolet not-to-exceed \\$717,641.36; \\$12,020 budget appropriation and \\$717,642 expenditure](#)
- K. Approved Expenditure: [Financial Reports for Fiscal Year Ended June 30, 2019; receive and file](#)
- L. Approved Expenditure: [Thousand Oaks Plan to Assist School Sites \(TOPASS\) Annual Project List FY 2019-20 totaling \\$598,815 submitted by Conejo Valley Unified School District \(CVUSD\)](#)
- M. Approved Expenditure: [Development Impact Fees: Annual Review of Accounts as of June 30, 2019; receive and file](#)
- N. Approved Expenditure: [Annual Appointment of Treasurer and Adoption of Investment Policy; adopt resolution](#)

RESOLUTION RECONFIRMING JAIME BOSCARINO AS CITY TREASURER FROM FEBRUARY 1, 2020 THROUGH JANUARY 31, 2021 AND ADOPTING UPDATED INVESTMENT POLICY

RES. NO. 2020-

ORDINANCES FOR SECOND READING:

- O. [ORDINANCE ADJUSTING AND SETTING RATES, FEES AND DISCHARGE LIMITS OF THE CITY WASTEWATER DIVISION \(UNCODIFIED\) \(Introduced 12/10/19, 5-0\)](#) ORD.NO. 1670-NS
- P. [ORDINANCE ADJUSTING AND SETTING RATES AND FEES OF THE CITY WATER DIVISION \(UNCODIFIED\) \(Introduced 12/10/19, 5-0\)](#) ORD.NO. 1671-NS
- Q. [ORDINANCE AMENDING SECTIONS 10-2.902 AND 10-2.909 OF THE THOUSAND OAKS MUNICIPAL CODE OF THE CITY OF THOUSAND OAKS REGARDING ADMINISTRATIVE PRINCIPLES GOVERNING THE CITY'S WATER SYSTEM \(Introduced 12/10/19, 5-0\)](#) ORD.NO. 1672-NS

7. CONSENT CALENDAR: (Continued)

- R. ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE TITLE 5, CHAPTER 29, SECTIONS 5-29.08(a), 5-29.08(b), 5-29.12(a), 5-29.12(d)(1), 5-29.24, 5-29.34(a)(2), 5-29.34(a)(3), AND 5-29.34(b) REGARDING ALLOWING NUMBER OF CANNABIS DISPENSARIES AND TESTING LABORATORIES IN THE CITY, DELIVERY OF CANNABIS, APPOINTMENT REQUIREMENT, AND HOURS OF OPERATION FOR ALL CANNABIS BUSINESSES IN THOUSAND OAKS (MCA 2019-70879) (Introduced 12/10/19, 5-0) ORD.NO. 1673-NS
- S. ORDINANCE AMENDING THE THOUSAND OAKS MUNICIPAL CODE RELATING TO OFFICIAL ZONING BY CHANGING THE ZONING CLASSIFICATION OF FIVE PARCELS LOCATED AT 901 PAIGE LANE AND 835 COMBES AVENUE; (ZONE CHANGE Z 2019-70298; APPLICANT: CONEJO RECREATION AND PARK DISTRICT) (Introduced 12/10/19, 5-0) ORD.NO. 1674-NS
- T. ORDINANCE PRE-ZONING TWO SEPARATE PROPERTIES, ONE ON THE WEST SIDE OF SOUTH VENTU PARK ROAD AT THE TERMINUS OF PEPPER ROAD (APN 673-0-110-310), AND THE OTHER ON THE EAST SIDE OF EDWARD ROAD APPROXIMATELY 350-FEET NORTH OF KATHLEEN DRIVE (APN 673-0-120-070) PRIOR TO ANNEXATION; (Z-2019-70199) (APPLICANTS: DAN DRISCOLL AND BILL VLACHOS) (Introduced 12/10/19, 5-0) ORD.NO. 1675-NS