

## MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

January 28, 2020

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### 1. CALL TO ORDER:

Mayor Al Adam called the meeting to order at 6:01 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

### 2. PLEDGE OF ALLEGIANCE: Mayor Adam led the pledge of allegiance, followed by a moment of silence in honor of the 9 passengers lost in the recent helicopter crash in nearby Calabasas.

### 3. ROLL CALL:

Present: Councilmembers Engler, Jones, McCoy, Bill-de la Peña, and Mayor Adam.

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Assistant City Manager Ingrid Hardy, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer Jaime Boscarino, Public Works Director Jay Spurgin, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Police Chief Jim Fryhoff, Fire Chief John Spykerman, Deputy Community Development Director Kelvin Parker, Deputy Community Development Director Michael Forbes, Associate Planner Don Nielsen, Deputy Public Works Director Cliff Finley, Sustainability Division Manager Helen Cox, 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 Adam introduced Library Director Cousin to announce 2020 One City One Book selection, *The Honey Bus*, *A Memoir of Loss*, *Courage and a Girl Saved by Bees* by Meredith May, and to highlight events planned for the program this year.

City Manager Powers and Councilmembers recognized Public Works Director Jay Spurgin in honor of his upcoming retirement.

### 6. PUBLIC COMMENTS:

Dan Garcia, Greater Conejo Valley Chamber of Commerce.

### 7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

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8. PUBLIC HEARINGS: None.

9. DEPARTMENT REPORTS:

- A. Thousand Oaks Alliance for the Arts (TOARTS) Operations and Programming Update presented by TOARTS Chair Leanne Neilson. Cultural Affairs Director McComb available for questions.

Speaker/Statement cards: None.

Report received.

- B. Residential Capacity Allocation and Initiation of General Plan Amendment and Rancho Conejo Specific Plan Amendment for Project Located Directly East of the Intersection of Rancho Conejo Boulevard and Corporate Center Drive (RCA 2019-70742 / LU 2020-70026 / SPA 2020-70027); Applicant: Shapell Properties, Inc. presented by Associate Planner Nielsen. Deputy Community Development Director Parker available for questions. Additional information supplemental packet.

RESOLUTION TO DECLARING INTENTION TO CONSIDER AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN, AN AMENDMENT TO THE RANCHO CONEJO SPECIFIC PLAN, AND ALLOWING CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS FOR LAND LOCATED EAST OF THE INTERSECTION OF RANCHO CONEJO BOULEVARD AND CORPORATE CENTER DRIVE (LU 2020-70026 AND SPA 2020-70027: Shapell Properties, Inc.)

RES. NO. 2020-004

Speakers: Doug Griffith, Applicant

Motion by Councilmember Bill-de la Peña to adopt resolution to Initiate a General Plan Amendment from "Industrial" to "High Density Residential" and a Specific Plan Amendment to change the zoning from "Employment Center" to "Residential Apartments;" allocate 48 dwelling units of citywide Measure E residential capacity to the project located directly east of the intersection of Rancho Conejo Boulevard and Corporate Center Drive, subject to submittal of a formal application within 12 months from the date of unit allocation; and allow concurrent processing of legislative actions and entitlements, carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; Noes - None.

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9. DEPARTMENT REPORTS: (Continued)

- C. Urgency Ordinance Amending Chapter 4 of Title 9 of the Thousand Oaks Municipal Code Relating to Regulations for Accessory Dwelling Units, and Resolution Initiating Municipal Code Amendment Relating to Accessory Dwelling Units (MCA 2019-70990) presented by Deputy Community Development Director Forbes. Deputy Community Development Director Parker, City Attorney Noonan responded to questions. Deputy Public Works Director Finley available for questions. Additional information supplemental packet.

URGENCY ORDINANCE AMENDING SECTIONS 9-4.202, 9-4.1802(c), 9-4.1803, 9-4.2104, 9-4.2501(a)(3), 9-4.2402(a)(7), 9-4.2509(a), 9-4.2509.5, AND 9-4.2521; AND DELETING IN ITS ENTIRETY SECTION 9-4.2521.1 OF CHAPTER 4 OF TITLE 9 OF THE THOUSAND OAKS MUNICIPAL CODE REGARDING REGULATIONS FOR ACCESSORY DWELLING UNITS (MCA 2019-70990) ORD. NO. 1678-NS

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENTS TO THE THOUSAND OAKS MUNICIPAL CODE RELATED TO ACCESSORY DWELLING UNITS RES. NO. 2020-005

Speaker/Statement cards: None.

Motion by Councilmember Jones to read ordinance in title only, further reading to be waived, and adopt urgency ordinance regulating accessory dwelling units (ADUs); adopt resolution initiating amendments to the Thousand Oaks Municipal Code concerning ADUs, carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; Noes - None.

- D. Exclusive Franchise Solid Waste Agreements presented by Sustainability Division Manager Cox and Consultant Richard Tagore Irwin. Deputy Public Works Director Finley responded to questions. City Manager Powers and City Attorney Noonan provided comments. Additional information supplemental packet.

Speakers: Steve Lee, Newbury Park; Sandra Pursley, Waste Management Representative; Fred Fukunaga, Thousand Oaks; Bill Barrett, Ojai; Mark Jacobsen, Thousand Oaks; Bill Camarillo, Camarillo; Nan Drake, Ventura.

Written Statements: Ronny Barrios, Pacoima; Arihanna Casillas, Simi Valley; Joanne Delgado, Moorpark; Lisa Hemenway, Simi Valley; Alexa Ramirez, Simi Valley; Eddie Rivas, Canyon Country; Guardado Ruben, Camarillo; Martha Sanchez, Simi Valley; Kathleen Sherman, Simi Valley.

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9. DEPARTMENT REPORTS: (Continued)

Motion by Councilmember Bill-de la Peña to authorize staff to issue notices of non-extension prior to January 31, 2020 to USA Waste of California, Inc., a Waste Management Company and Newbury Disposal Company (E.J. Harrison and Sons, Inc.) to avoid automatic extension of the respective Franchise Agreements per Section 3.2 of those Agreements (Contract Nos. 6769-2004A5 and 6770-2004A5), and proceed with Request for Proposal process, carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; 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:

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

1. League of California Cities (LCC) Transportation, Communications, and Public Works Policy Committee January 23, 2020 presented by Councilmember Engler. Additional information supplemental packet.

Report received.

13. CITY MANAGER:

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 February 11, 2020, and provided update on General Plan series of speakers.

14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2<sup>nd</sup> floor.

City Attorney Noonan announced Closed Session held at 8:33 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: Dos Vientos Community Preservation Association v. City of Thousand Oaks; Pursuant to Government Code Section 54956.9(a)

Councilmember McCoy recused himself from Agenda Item 14.A.

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14. CLOSED SESSIONS REQUESTED: (Continued)

- B. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation: Initiation of litigation; Pursuant to Government Code Section 54956.9(d)(4). (1 Case)

City Attorney Noonan announced authorization to initiate litigation was approved by City Council. Information regarding this litigation will be available to the public upon request once service of process has been effectuated.

15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

City Council adjourned at 8:56 p.m. in memory of Ed Lawrence, distinguished community member and photo historian of the Conejo Valley, to Regular Meeting on Tuesday, February 11, 2020.



Al Adam, Mayor  
City of Thousand Oaks City Council

Attest:



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

AGENDA POSTED: January 23, 2020

MINUTES APPROVED: February 11, 2020

\*indicates item taken out of order

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**EXHIBIT A**

7. **CONSENT CALENDAR:**

*RECOMMENDATIONS FOR ITEMS A. THROUGH K. ARE TO APPROVE  
RECOMMENDATIONS FOR ITEMS L. THROUGH M. ARE TO ADOPT*

Additional information supplemental packet regarding Item 7.I.

Speaker: Barbara Thomas, Thousand Oaks.

Written Statements: Debra Carter, Newbury Park; Kimberly Destler, Thousand Oaks; Jeannette Welling, Thousand Oaks.

Motion by Councilmember Jones to approve Consent Calendar with exception of Item 7 K. (2020 City Council Meeting Schedule Revisions), carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; Noes - None.

Motion by Councilmember Bill-de la Peña to approve changing April 7, 2020 meeting date to April 28, 2020 and return to City Council to consider moving December reorganization meeting from December 1, 2020 to December 8, 2020, carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; Noes - None.

- A. General, Utilities, Golf Course, and Theatres Demands – ratify January 15, 2020 and January 22, 2020; approve January 29, 2020; approve February 5, 2020, subject to review and ratification
- B. Minutes of City Council meeting of January 14, 2020
- C. Approved Expenditure: Conejo Open Space Conservation Agency (COSCA) Board of Directors Appointment; appoint Rorie Skei to fill scheduled private citizen vacancy on COSCA Board of Directors, subject to concurrence of Conejo Recreation and Park District (CRPD) Board of Directors

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7. CONSENT CALENDAR: (Continued)

- D. Additional Appropriation: Tara Reservoir Award Construction Contract (CI 5290); project design, plans, and specifications, including Addendum No. 1; award construction contract to Spiess Construction Co., Inc., \$1,911,995, plus \$190,000 contingency; sixth amendment to Contract No. 10402-2014 with HDR Engineering, Inc., \$162,795, plus \$15,000 extra services, revising total not-to-exceed amount to \$305,695, and extending term date to 07/30/2021; \$110,000 budget appropriation A/C 613-0000-341-9900 (Water Capital Facilities – Net Position) to A/C 613-8050-682-8300 (CI 5290, Tara Reservoir Improvements Project); \$2,284,790 expenditure (\$1,911,995 construction contract; \$190,000 contingency; \$5,000 City furnished materials and supplies; \$162,795 sixth amendment, \$15,000 extra services) A/C 613-8050-682-8300 (CI 5290, Tara Reservoir Improvements Project); 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 approved contingency
- E. Approved Expenditure: Authorization to Purchase Valves for Digester 2 (MI 2563); authorize purchase of 31 valves not-to-exceed \$130,519.54 from CS-Amsco; \$130,519.54 expenditure A/C 624-8250-682-5500 (MI 2563, Contracted Services – Construction)
- F. Approved Expenditure: Energy Information System Contract Amendment; amendment to Contract No. 11686-2018 with EcoVox, Inc. to extend termination date from 02/19/2020 to 08/19/2020, expand scope of work to integrate additional accounts into Energy Information System, and increase not-to-exceed total by \$16,995 to \$116,387; authorize expenditure in amount of \$16,995 from Water Fund and General Fund as follows: \$11,595 for addition of water usage and water pumping accounts to Energy Information System A/C 611-8025-685-31-22 (P.C. Software Licenses), and \$5,400 A/C 001-5060-612-56-99 (SUSADM, Contracted Services – Other) for extended period of monitoring support
- G. Approved Expenditure: Local Road Safety Plan (MI 2598); Task Order No. 1 to On-Call Professional Services Agreement (Contract No. 11469-2017) with KOA Corporation, not-to-exceed \$79,990; \$79,990 expenditure [\$72,000 A/C 183-5610-631-5500 (MI 2598, Contracted Services – Construction), \$8,000 A/C 132-5610-631-5500 (MI 2598, Contracted Services – Construction)]

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7. CONSENT CALENDAR: (Continued)

- H. Additional Appropriation: Engineering Services for Emergency Generators at Various City Facilities (CI 5541, CI 5547 & CI 5577); professional services contract with Salas O'Brien Engineers, Inc., DBA Salas O'Brien, effective 01/28/2020 thru 06/30/2022, not-to-exceed \$233,634 over lifetime of contract (includes \$208,634 for regular services, \$25,000 for extra services); \$13,800 budget appropriation and expenditure A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-3573-677-3499 (CI 5577, Improvements, Not Capitalized); authorize expenditure in total amount of \$34,000 for FY 2019-20 from General Fund and Library Fund as follows: \$17,000 A/C 001-3570-612-3499 (CI 5541, Improvements, Not Capitalized), and \$17,000 A/C 110-7310-673-3499 (CI 5547, Improvements, Not Capitalized)
- I. Additional Appropriation: Rancho Potrero Community Equestrian Center; third amendment to Interim Memorandum of Understanding between City and Ride On LA for Operation of Rancho Potrero Equestrian Center (Contract No. 11980-2019); authorize staff to enter negotiations to secure long-term operation of Rancho Potrero Community Equestrian Center under appropriate public agency oversight; authorize staff to waive formal bid procedure process for purchase of mechanical equipment and approve Diamond A Equipment pursuant to TOMC Section 3-10.501; approve purchase of mechanical equipment from Diamond A in amount not-to-exceed \$45,000; \$350,000 budget appropriation and expenditure A/C 001-0000-311-1000 (General Fund Fund Balance) with \$150,000 to A/C 001-3591-671-8400 (Equipment over \$5,000) and \$200,000 to A/C 001-3591-671-8300 (Improvements other than Buildings) for both equipment purchases and capital improvements
- J. Approved Expenditure: Library Circulating Materials; authorize expenditures not-to-exceed \$600,000 in FY 2019-20 for Library circulating materials (books, electronic books, databases, periodicals, etc.) A/C 110-7220-673-32-31 (Materials, Circulating Books) from following vendors: Ingram Library Services LLC, Gale Cengage Learning Inc, Overdrive Inc., Baker & Taylor Inc.
- K. Approved Expenditure: 2020 City Council Meeting Schedule Revisions; adopt resolution

RESOLUTION REVISING CITY COUNCIL MEETING SCHEDULE FOR  
CALENDAR YEAR 2020 AND RESCINDING RESOLUTION 2019-043

RES. NO. 2020-003

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7. CONSENT CALENDAR: (Continued)

ORDINANCES FOR SECOND READING:

- L. ORDINANCE AMENDING SECTION 8-1.26 OF THE MUNICIPAL CODE OF THE CITY OF THOUSAND OAKS REGARDING ELECTRICAL VEHICLE CHARGING STATIONS (MCA 2019-70991) (Introduced 01/14/20, 5-0)  
ORD. NO. 1676-NS
  
- M. 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 (Introduced 01/14/20, 5-0)  
ORD. NO. 1677-NS

