

## MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

January 14, 2020

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### 1. CALL TO ORDER:

Mayor Al Adam called the meeting to order at 6:04 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

### 2. PLEDGE OF ALLEGIANCE: Mayor Adam led the pledge of allegiance.

### 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, Community Development Director Mark Towne, Finance Director/City Treasurer Jaime Boscarino, Public Works Director Jay Spurgin, Library Director Heather Cousin, Police Chief Jim Fryhoff, Fire Chief John Spykerman, Deputy Community Development Director Kelvin Parker, Interim Building Official/Code Compliance Manager Geoff Ware, Deputy Public Works Director Cliff Finley, Assistant Analyst Rod Cordova, Planning Division Manager Stephen Kearns, Sustainability Division Manager Helen Cox, Assistant to the City Manager Melissa Hurtado, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, Assistant Analyst Sandra Delgado, Assistant Analyst Christy Glaubke, and Recording Secretary Dominga Zambrano.

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

### 5. SPECIAL PRESENTATIONS:

- A. Mayor Adam and Councilmembers acknowledged retiring Thousand Oaks Police Chief Tim Hagel's 33 years of service to the Ventura County Sheriff's Office (VCSO) with his last 6 years as the City's Police Chief. Mayor Adam presented Commendation to Police Chief Hagel recognizing his service to the VCSO and the City.

### 6. PUBLIC COMMENTS:

Adam Haverstock, Greater Conejo Valley Chamber of Commerce; Matthew Mitnick, Thousand Oaks; Avi Kapur, Westlake Village; Brett Fornatoro, Thousand Oaks; Patrissha Booker, Thousand Oaks.

### 7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

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8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Municipal Code Amendment – Electrical Vehicle Charging Station (MCA 2019-70991) presented by Deputy Community Development Director Parker. Interim Building Official Ware available for questions.

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

Speaker/Statement Cards: None.

Mayor Adam closed public hearing.

Motion by Councilmember Engler to 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, carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; Noes - None.

- B. Hearing, advertised as required by law, opened to consider: Revised Solid Waste Recycling and Disposal Ordinance presented by Assistant Analyst Cordova. Sustainability Division Manager Cox available for questions.

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

Speaker/Statement Cards: None.

Mayor Adam closed public hearing.

Motion by Councilmember Engler to 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 TOMC and adding Chapter 2 to Title 6 of TOMC adopting regulations for solid waste, organic waste and recyclable materials collection, processing and disposal, carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; Noes - None.

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8. PUBLIC HEARINGS: (Continued)

- C. Hearing, advertised as required by law, opened to consider: Appeal of Planning Commission Decision Approving a Proposed Wireless Communications Facility (SUP 2014-70291/ LTP 2015-70174) presented by Planning Division Manager Kearns. Community Development Director Towne, Consultant Jonathan Kramer responded to questions. Deputy Community Development Director Parker available for questions. City Attorney Noonan provided comment. Additional information supplemental packet.

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. 2020-002

Speakers: Appellant representative Harry Lehmann, Novato, con; Appellant Greg Tchejeyan, Westlake Village, con; Appellant representative Mark Sellers, Thousand Oaks, con/rebuttal; Applicant representative Kevin Sullivan, city of residence unknown, pro/rebuttal; Applicant representative Emran Elyas, city of residence unknown, pro/questions only; Jim Duncan, Santa Rosa Valley, con; Gary Rodich, Westlake Village, con; Madison Tchejeyan, Westlake Village, con; Kristine Koplan, Westlake Village, con; Tomi Tchejeyan, Westlake Village, con; Marshall Haraden, Westlake Village, con; Ben Koplan, Westlake Village, con; Joy Dupuis, Thousand Oaks, con; Robert Dirks, Westlake Village, con; Lucie Walsh, Thousand Oaks, con; Tim Walsh, Thousand Oaks, con; Diane Lerner, Thousand Oaks, con; Judy Bruce, city of residence unknown, con; Mandy Jacob, Newbury Park, con; Cole Troxel, Thousand Oaks, con; Scott Ehrich, Agoura Hills, con; Peggy Rosenberg, Thousand Oaks, con; Megan Tchejeyan, Westlake Village, con; Audrey Bruckner, Thousand Oaks, con; Craig Wolchover, Westlake Village, con; Feri Afshar, Thousand Oaks, con; Samuel Tardif, Newbury Park, no position indicated; Hosein Afshar, Westlake Village, con; Ashok Desai, Thousand Oaks, con; Brandon Doolittle, Thousand Oaks, con; Gloria Krause, Newbury Park, con; Susan McCray, Westlake Village, con; James Lin, Westlake Village, con; Lorena Saruwatari, Camarillo, con; Chris Just, Thousand Oaks, con; Bob Bekian, Thousand Oaks, con; James Dean, Thousand Oaks, con; Ken Ungar, Thousand Oaks, con; Cathy Schutz, Thousand Oaks, pro; Brett Fornatoro, Thousand Oaks, pro; Matthew Mitnick, Thousand Oaks, pro; Brett Saunders, Agoura Hills, con; Sadhana Sharma, Agoura Hills, con.

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8. PUBLIC HEARINGS: (Continued)

Written Statements: Valli, Westlake Village, con; Astrid Conte-Williams, Newbury Park, con; Chana Sarah Frank, Thousand Oaks, con; John Friel, Westlake Village, con; Michele Funk, Camarillo, con; Anna G., Westlake Village, con; Anita Garatie, Newbury Park, con; Christa Harrill, Thousand Oaks, con; Chet Huffman, Westlake Village, con; Cindy Huffman, Westlake Village, con; Brian Lerman, Thousand Oaks, con; Vadim Manzhos, Newbury Park, con; Paige Nielsen, Westlake Village, con; Orquidea Pollack, Westlake Village, con; Wally Saman, Oak Park, con; Mary Sanguedolce, Thousand Oaks, con; Sadhana Sharma, Agoura Hills, con; Eric Schauwecker, Thousand Oaks, con; Sheri Schauwecker, Thousand Oaks, con; Makena Tchejeyan, Westlake Village, con; Susan Weininger, Thousand Oaks, con.

City Council recess 9:18; reconvened 9:38.

Mayor Adam closed public hearing.

Motion by Councilmember Jones to adopt resolution denying appeal, thereby upholding decision of Planning Commission to approve proposed wireless communications facility and landmark tree encroachments on property located at 4588 Sunnyhill Street, carried 3-2 by the following vote: Ayes - Engler, Jones, Adam; Noes - McCoy, Bill-de la Peña.

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 presented by Mayor Adam.

Motion by Councilmember Bill-de la Peña to approve proposed 2020 City Councilmember Committee Assignments, carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; Noes - None.

- B. Follow-up reports on meetings/conferences attended by Councilmembers. None.

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13. CITY MANAGER:

A. Follow-up items: None.

B. Announcements and upcoming issues: City Manager Powers reviewed potential topics for the next regularly scheduled City Council Meeting January 28, 2020.

14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2<sup>nd</sup> floor. None.

15. PUBLIC NOTICES: None.

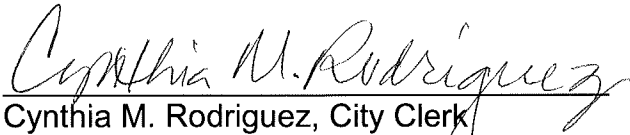
16. ADJOURNMENT:

City Council adjourned at 11:12 p.m. with annual adjournment in memory of Mayor Emeritus Alex Fiore who passed away January 3, 2002 to Regular Meeting on Tuesday, January 28, 2020.



Al Adam, Mayor  
City of Thousand Oaks City Council

Attest:



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

AGENDA POSTED: January 9, 2020

MINUTES APPROVED: January 28, 2020

\*indicates item taken out of order

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**EXHIBIT A**

7. CONSENT CALENDAR:

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

Additional information supplemental packet regarding Item 7.G.

Motion by Councilmember Bill-de la Peña to approve Consent Calendar, 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 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)

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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

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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. 2020-001

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



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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