



# AGENDA

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362  
Phone 805/449.2151 • Fax 805/449.2150 • www.toaks.org

**City Council**  
**REGULAR MEETING**  
**Tuesday, May 09, 2023**  
**Andrew P. Fox City Council Chambers**  
**Closed Session: 5:00 PM**  
**Regular Session: 6:00 PM**



**You may view the City Council meeting broadcast live on TV  
(Frontier Channel 3, Spectrum Channel 10), and YouTube (CTO Meetings).**

If you would like to submit a written comment, please complete the online [Comment Form](#). Please see Public Input section below for more information.

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In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in the City Council meeting, please contact the City Clerk Department (805) 449-2151 within 48 hours of the meeting.

**Kevin McNamee, Mayor**

**Al Adam, Mayor Pro Tem**

**Bob Engler, Councilmember**

**David Newman, Councilmember**

**Mikey Taylor, Councilmember**

Executive Team

Andrew P. Powers, City Manager

Ingrid Hardy, Assistant City Manager

Kelvin Parker, Community Development Director

Laura B. Maguire, City Clerk

Jonathan Serret, Cultural Affairs Director

Jim Friedl, General Manager, CRPD

Jeff Shea, Fire Chief

Tracy M. Noonan, City Attorney

Jaime Boscarino, Finance Dir./City Treasurer

Clifford G. Finley, Public Works Director

Tim Giles, Human Resources Director

Jennifer Patterson, Library Services Director

Alexandra South, Strategic Communications/Public Affairs Dir.

Jeremy Paris, Police Chief

**MISSION STATEMENT:**

**Extraordinary Service to the Citizens We Serve is Our Purpose**

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)]. 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 TV (Frontier Channel 3, Spectrum Channel 10).

**PUBLIC INPUT:** To provide your comments to the City Councilmembers please submit comments via the online [Comment Form](#). Written comment cards will also be available for submission at the meeting. If you would like to speak REMOTELY (NOT in person) on an agenda item during the meeting, please complete the online [Speaker Form](#) (you will be asked to provide an email address and telephone number). Be advised that those participating via Zoom do so at their own risk. The City Council meeting will not be cancelled if any technical issues occur during the meeting. If you would like to speak IN PERSON, speaker cards will be available at the meeting and MUST be submitted in person. Doors open half an hour before meeting start time. Persons addressing the City Council are requested to state their name and community of residence for the record. If you need further assistance, please email the City Clerk Department at [cityclerk@toaks.org](mailto:cityclerk@toaks.org) or call (805) 449-2151. 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 and will be printed/posted as submitted.

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**INTERPRETACIÓN AL ESPAÑOL:** Si necesita una interpretación del español al inglés para sus comunicaciones al Consejo de la Ciudad, comuníquese con el Departamento del Secretario Municipal al (805) 449-2151 o por correo electrónico a [cityclerk@toaks.org](mailto:cityclerk@toaks.org). Por favor, avísenos con al menos 48 horas de anticipación para que la ciudad pueda hacer los arreglos necesarios.

**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.

**SUPPLEMENTAL INFORMATION:** Any agenda related information received and distributed to the City Council after the Agenda Packet is produced 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. Both the Thursday and Tuesday Supplemental Packets are available for public review on the City’s website.

**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.

1. CALL TO ORDER: 5:00 p.m.
2. ROLL CALL:
3. PUBLIC COMMENTS: Comments on Closed Session items only
4. CLOSED SESSION:
  - A. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation: Initiation of litigation; Pursuant to Government Code Section 54956.9(d)(4). (1 Potential Case)
5. CLOSED SESSION REPORT:
6. PLEDGE OF ALLEGIANCE:
7. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
8. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
  - A. Ventura County Continuum of Care 2022 Point in Time Count
  - B. American Public Works Association (APWA) Projects of the Year Award and Public Works Week Proclamation
9. PUBLIC COMMENTS: To be heard before 6:45 p.m. If additional speakers for public comments remain at 6:45 p.m., remainder of speakers may be called at the end of the meeting. (Resolution Nos. 2011-066/067)
10. CONSENT CALENDAR:
  - A. General, Utilities, Golf Course, and Theatres Demands  
RECOMMENDATION:  
Ratify April 26, 2023, and May 3, 2023; approve May 10, 2023, subject to review and ratification
  - B. Minutes of City Council meeting of April 25, 2023  
RECOMMENDATION:  
Approve
  - C. Microsoft Licensing Renewal  
RECOMMENDATION:
    1. Approve “piggy-back” onto County of Riverside’s agreement #8084445 for renewal of annual Microsoft licensing maintenance agreement with award to Dell Technologies for the period of June 1, 2023, to May 31, 2026, in a not-to-exceed amount of \$770,000 for the term of the agreement.
    2. Authorize expenditure in an amount not-to-exceed \$770,000 from A/C #001-3410-612-4300 (General Fund, Computer Software Maintenance) to pay for licenses in FY

2022-23, FY 2023-24, FY 2024-25, and FY 2025-26.

3. Find that this action is not a project as defined under the California Environmental Quality Act.

D. Residential Wastewater Service Charges on Property Tax Roll

RESOLUTION APPROVING REPORT OF RESIDENTIAL WASTEWATER SERVICE CHARGES FOR FISCAL YEAR 2023-24 AND DIRECTING FILING OF CHARGES FOR COLLECTION BY COUNTY TAX COLLECTOR

RECOMMENDATION:

1. Adopt resolution approving the report of residential wastewater service charges and authorizing the County of Ventura to collect residential wastewater service charges via direct assessment on the Ventura County secured tax roll for FY 2023-24. Two-thirds vote required.

2. Find that this action is not a project as defined under the California Environmental Quality Act.

E. Wireless Telecommunications Consultant Services

RECOMMENDATION:

1. Approve the first amendment to Contract No. 13056-2022 for professional wireless telecommunications consulting services with Telecom Law Firm, P.C., effective through June 30, 2023, to add \$50,000 with a revised not-to-exceed amount of \$135,000 for FY 2022-23 and \$305,000 over the lifetime of the agreement.

2. Authorize expenditure in the amount of \$50,000 from A/C #001-4210-641-5947 (Planning, Consultant Services / Billable Time).

3. Find that this action is not a project as defined under the California Environmental Quality Act.

F. Additional Budget Appropriation for Utility Costs

RECOMMENDATION:

1. Authorize budget appropriation and expenditure in the amount of \$271,500 (\$79,500 for natural gas and \$192,000 for electricity) from A/C #001-0000-311-1000 (General Fund – Fund Balance) to various department accounts for natural gas (6130) and electricity (6140) utility costs.

2. Find that this action is not a project as defined under the California Environmental Quality Act.

G. Landscape and Lighting Assessment District No. 79-2 FY 2023-24 Initiating Assessments and Annexations

RESOLUTION INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2023-24)

RESOLUTION DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO.

79-2 (FISCAL YEAR 2023-24)

RESOLUTION APPROVING PRELIMINARY ENGINEER'S REPORT FOR ANNUAL LEVY OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2023-24)

RESOLUTION DECLARING INTENTION TO ANNEX TERRITORY TO THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 AND LEVY AND COLLECTION OF ASSESSMENTS RELATED THERETO COMMENCING WITH FISCAL YEAR 2023-24

RESOLUTION APPROVING PRELIMINARY ANNEXATION ENGINEER'S REPORT FOR ANNEXATION OF TERRITORY TO THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 AND ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2023-24

RECOMMENDATION:

1. Adopt resolutions to initiate assessment proceedings, declare intention to levy annual assessments, approve Preliminary Engineer's Report, and set public hearing date of June 6, 2023, for Landscape and Lighting Assessment District No. 79-2 FY 2023-24 Assessments.
2. Adopt resolutions declaring intention to annex parcels to Lighting Assessment District No. 79-2 and approving Preliminary Annexation Engineer's Report.
3. Approve and Authorize the City Engineer to execute the agreement with Ventura County Auditor-Controller to place Landscape and Lighting Assessment District assessments on the Secured Tax Rolls and distribute Collections to the City for \$0.21 per assessment per parcel, plus administration and collection fees.
4. Find that this action is not a project as defined under the California Environmental Quality Act.

H. Cancellation of EV Bus Purchase Contract

RECOMMENDATION:

1. Ratify staff's decision to cancel purchase order with Creative Bus Sales (Chino, CA) in the amount of \$601,107.83 for the purchase of two electrically powered (EV), light-duty, cutaway transit buses due to vendor's and dealer's inability to deliver the buses per contract terms.
2. Find that this action is not a project as defined under the California Environmental Quality Act.

I. Woolsey Fire Landscape Restoration - La Granada Reservoir Site (MI 2593)

RESOLUTION DESIGNATING AUTHORIZED AGENTS OF THE CITY TO SEEK STATE AND FEDERAL EMERGENCY AND HAZARD MITIGATION FUNDING ASSISTANCE

RECOMMENDATION:

1. Approve the project design and specifications, including Addenda Nos. 1, 2, 3, and 4 for construction of the Woolsey Fire Landscape Restoration – La Granada Reservoir Site (MI 2593).

2. Award construction contract to American Landscape, Inc. (Canoga Park, CA), in the amount of \$748,911.10, plus a contingency of \$75,000.

3. Authorize expenditure in the amount of \$828,911.10 (\$748,911.10 construction contract, \$75,000 construction contingency, and \$5,000 for City furnished materials and supplies) from A/C #613-8030-682-8300 (Water Capital Fund - MI 2593, Woolsey Fire Landscape Restoration).

4. Delegate authority to the City Engineer to approve changes to the design, specifications, and working details of the project on work directives and change orders up to the project approved contingency amount.

5. Find that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301.

6. Adopt resolution designating authorized agents of the City to seek state and federal emergency and hazard mitigation funding assistance.

J. Wastewater Interceptor Capital Improvement Project Unit Y2 (CI 5328)

RECOMMENDATION:

1. Approve Fourth Amendment to Professional Services Contract No. 13039-2022 with Padre Associates, Inc. (Ventura, CA) for additional Construction Phase Environmental Monitoring and Regulatory Permit Five-Year Mitigation Monitoring Services on the Wastewater Interceptor Capital Improvement Project Unit Y2 (CI 5328) in the amount of \$28,521.50, plus extra services of \$2,600 for a new not-to-exceed amount of \$118,981.50.

2. Find that this action is not a project as defined under the California Environmental Quality Act.

K. Authorization to Purchase a Trailer Mounted Jetter

RECOMMENDATION:

1. Approve "piggyback" purchase of one Mongoose Trailer Mounted Jetter from Nixon-Egli Equipment Co. (Ontario, CA) through Sourcewell Cooperative Contract #101221-SCA.

2. Approve budget appropriation and expenditure in the amount of \$121,340 from A/C #621-0000-341-9900 (Wastewater Fund - Fund Balance) to A/C #621-8220-685-8400 (Equipment \$5,000 or More) for FY 2022-23 capital equipment purchase.

3. Find that this action is not a project as defined under the California Environmental Quality Act.

L. ORDINANCE FOR SECOND READING:

ORDINANCE APPROVING DEVELOPMENT AGREEMENT WITH SJG LONG INVESTMENT, RELATING TO DEVELOPMENT OF PROPERTY LOCATED AT 88 LONG COURT (APN 669-0-202-260), THOUSAND OAKS, CALIFORNIA (DEVELOPMENT AGREEMENT 2022-70822-DAGR) (Introduced 4/25/2023; 5-0)  
ORD. NO. 1714-NS

RECOMMENDATION:

Adopt

11. PUBLIC HEARINGS:

A. Transition to District Elections - Map Criteria Hearing #1

RECOMMENDATION:

1. Receive report from National Demographics Corporation (NDC) on districting process and permissible criteria to be considered should district boundaries be created.
2. Conduct public hearing to receive public input on district boundaries.
3. Find that this action is not a project as defined in the California Environmental Quality Act.

B. 2023 Transit Title VI Plan Update

RESOLUTION APPROVING 2023 UPDATE TO TITLE VI PLAN FOR THOUSAND OAKS TRANSIT

RECOMMENDATION:

1. Approve update to Title VI Non-Discrimination Plan for City-operated transit services.
2. Adopt resolution of approval, required as a condition of Federal Transit Administration funding.
3. Find that this action is not a project as defined under the California Environmental Quality Act.

12. STUDY SESSIONS:

A. Proposed FY 2023-24 and FY 2024-25 Operating Budget Study Session

RECOMMENDATION:

1. Receive information on the Proposed FY 2023-24 and FY 2024-25 Operating Budget.
2. Schedule a public hearing for City Council review and adoption of the FY 2023-24 and FY 2024-25 Operating and Capital Improvement Program Budget on June 6, 2023.
3. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

13. DEPARTMENT REPORTS: None

14. COMMITTEE/COMMISSION/BOARD REPORTS: None

15. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None

16. COUNCIL ISSUES/RECOMMENDATIONS:

- A. League of California Cities Leaders Summit - April 12-14, 2023

RECOMMENDATION:

1. Receive report.
2. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

- B. League of California Cities Channel Counties Division Meeting - April 28, 2023

RECOMMENDATION:

1. Receive report.
2. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

17. CITY MANAGER:

- A. Announcements and upcoming issues

18. PUBLIC NOTICES: None

19. ADJOURNMENT: Adjourn in memory of Cindy Paterson, City Crossing Guard Supervisor, to Regular Meeting May 16, 2023.

Agenda Post Date/Time: May 04, 2023, 5:00P.M.

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