

City Council
REGULAR MEETING
Tuesday, July 18, 2023
Andrew P. Fox City Council Chambers
Closed Session: 5:00 PM
Regular Session: 6:00 PM



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

The Brown Act prohibits a person from having to register to attend a City Council meeting. The Zoom app requires registration if you would like to attend via video/teleconference. If you do not wish to register to attend the City Council meeting via Zoom, City Council chambers is open and accessible to the public. If you would like to speak on an agenda item REMOTELY (NOT in person), please complete the online [Speaker Form](#). Please see Public Input section below for more information.

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
Jeremy Paris, Police Chief

Tracy M. Noonan, City Attorney
Akbar Alikhan, Deputy City Manager
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.

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. Televised City Council Meetings are broadcast live and re-broadcast Thursdays at 6:00 p.m. and Sundays at 10:00 a.m. and 6:00 p.m. on TV (Frontier Channel 3, Spectrum Channel 10). Meeting videos are also available on YouTube (CTO Meetings) immediately following the live broadcast.

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 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. 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: Closed Session - 5:00 p.m.
2. ROLL CALL:
3. CLOSED SESSION:
 - A. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation: Significant Exposure to Litigation; Pursuant to Government Code Section 54956.9(d)(2); (Notice of Threatened Litigation CVRA).
4. CLOSED SESSION REPORT:
5. PLEDGE OF ALLEGIANCE:
6. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
7. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS: None
8. 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)
9. CONSENT CALENDAR:
 - A. General, Utilities, Golf Course, and Theatres Demands
RECOMMENDATION:
Ratify July 12, 2023; approve July 19, 2023, July 26, 2023, August 2, 2023, August 9, 2023, August 16, 2023, August 23, 2023, August, 30, 2023, and September 6, 2023, subject to review and ratification
 - B. Minutes of City Council meeting of July 11, 2023
RECOMMENDATION:
Approve
 - C. Electronic Claim Filing
RESOLUTION AUTHORIZING ELECTRONIC CLAIMS FILING
RECOMMENDATION:
 1. Adopt resolution regarding the electronic filing of claims pursuant to Government Code § 915(a)(3).
 2. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).
 - D. Ventura County Stormwater National Pollutant Discharge Elimination System Permit Implementation and Cost-Sharing Agreement
RECOMMENDATION:

1. Approve City's continued participation in the collective countywide cost-sharing program for stormwater National Pollutant Discharge Elimination System (NPDES) permit implementation.

2. Authorize City Manager to execute the 2023 NPDES Implementation and Cost-Sharing Agreement to develop, implement, and fund the Ventura Countywide Stormwater Quality Management Program to comply with Order No. R4-2021-0105 adopted on July 23, 2021.

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

E. Rectangular Rapid Flashing Beacons at Pedestrian Crosswalks (CI 5588)

RECOMMENDATION:

1. Authorize staff to advertise the Rectangular Rapid Flashing Beacons at Pedestrian Crosswalks (CI 5588) for construction bids.

2. Authorize acceptance of the Federal Highway Safety Improvement Program Cycle 10 Grant in the amount of \$179,000 from the Federal Highway Administration for the construction of Rectangular Rapid Flashing Beacons.

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

F. 2024 Pavement Management Program Update (MI 2608)

RECOMMENDATION:

1. Award Professional Services Agreement with Nichols Consulting Engineers (Fountain Valley, CA) in the not-to-exceed amount of \$217,500 for the 2024 Pavement Management Program (MI 2608), plus extra services of \$21,750, with a term ending June 30, 2024.

2. Approve expenditure in the amount of \$244,250 (\$217,500 agreement, plus \$21,750 extra services, and \$5,000 for City furnished materials and supplies) from A/C #133-5610-631-5500 (MI 2608 - 2024 Pavement Management Program Update).

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

G. Hill Canyon Treatment Plant Facility Exterior Painting Project Phase II (MI 2619)

RECOMMENDATION:

1. Authorize staff to advertise construction bids for the Hill Canyon Treatment Plant (HCTP) Facility Exterior Painting Project Phase II (MI 2619).

2. Find that the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301.

H. 2023 League of California Cities Annual Conference Business Meeting

RECOMMENDATION:

1. Designate Councilmember Bob Engler as Voting Delegate and designate Legislative Affairs Manager Mina Layba as Alternate Voting Delegate to represent the City at the 2023 League of California Cities (Cal Cities) Annual Conference Business Meeting, scheduled for September 22, 2023.

2. City Clerk to affirm and sign the 2023 Annual Conference Voting Delegate Alternate Form for City Manager's Office staff to submit to Cal Cities by the August 28, 2023 deadline.

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

I. Thousand Oaks Boulevard Wastewater Pipe and Maintenance Hole Lining Project (CI 5686)

RECOMMENDATION:

1. Authorize staff to advertise the Thousand Oaks Boulevard Wastewater Pipe and Maintenance Hole Lining Project (CI 5686) for construction bids.

2. Find that the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301.

J. Zero Emission Bus Rollout and Implementation Plan

RESOLUTION ADOPTING THOUSAND OAKS TRANSIT ZERO EMISSION BUS ROLLOUT AND IMPLEMENTATION PLAN

RECOMMENDATION:

1. Adopt resolution approving the Thousand Oaks Transit Zero Emission Bus Rollout and Implementation Plan as is required by State regulations 13 CCR § 2023 and § 2023.1 – 2023.11.

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

K. South Branch Arroyo Conejo Floodplain Improvements Study (MI 2527)

RECOMMENDATION:

1. Approve a Memorandum of Agreement between the City of Thousand Oaks and the Ventura County Public Works Watershed Protection District to manage the completion of a Hydrology Deficiency Study of the South Branch Arroyo Conejo.

2. Contingent upon approval of Memorandum of Agreement by Ventura County, approve a Professional Services Agreement with Kasraie Consulting (Ventura, CA), in an amount not-to-exceed \$262,402 for the preparation of a drainage and hydrology study for the South Branch Arroyo Conejo Project, plus extra services of \$26,240, with a term ending June 30, 2026.

3. Authorize expenditure in the amount of \$288,642 (\$262,402 agreement plus extra services of \$26,240) from A/C #001-5210-642-5500 (MI 2527, South Branch Arroyo Conejo Study).

4. Find that this action is not a project as defined under the California Environmental

Quality Act.

L. City Manager Authority During Summer Recess

RESOLUTION DELEGATING CERTAIN INTERIM AUTHORITY TO CITY MANAGER

RECOMMENDATION:

1. Adopt resolution granting City Manager authority for designated actions during summer recess, July 19, 2023, through September 11, 2023.
2. Find that this action is not a project as defined in the California Environmental Quality Act.

M. Arroyo Conejo Open Space Acquisition (865 W. Hillcrest Drive)

RECOMMENDATION:

1. Approve Purchase and Sale Agreement with Escrow Instructions for Assessor Parcel Number 663-0-093-225 between the City of Thousand Oaks and Zada Susan W TR et al, and authorize City Manager, or designee, to execute the Purchase and Sale Agreement and all other documents necessary to effectuate the purchase of APN 663-0-093-225 (Owner: ZADA SUSAN W TR ET AL) by the City of Thousand Oaks, including the authority to accept the deed, subject to resolution of any liens and encumbrances affecting said parcel.
2. Approve budget appropriation and expenditure of funds in the amount of \$620,000 (\$610,000, plus closing costs not-to-exceed \$10,000) for APN 663-0-093-225 from A/C #512-0000-311-10-00 (Community Recreation and Open Space Endowment Fund – Fund Balance) to A/C #512-4410-679-81-00 (CI 1227, Capital – Land).
3. Find this real property acquisition is consistent with the General Plan as to location and purpose.
4. Find that this action is categorically exempt from California Environmental Quality Act pursuant to CEQA Guidelines, 14 CCR Sections 15313 and 15325).

N. Surety Bond Claim for Hanover Insurance Company against Thousand Oaks Fitness LLC DBA Athletic Society

RECOMMENDATION:

1. Approve settlement of surety bond claim with Hanover Insurance Company relating to Thousand Oaks Fitness LLC DBA Athletic Society in the amount of \$43,645.17 and execute the Full & Final Release and Assignment related to the claim.
2. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

O. Security Patrol and Guard Services at Royal Oaks Site

RECOMMENDATION:

1. Award service contract for security guard and patrol services at the city-owned Royal Oaks site to Taurus Protection, Inc. (Taurus), of Thousand Oaks, CA, effective August 1, 2023 and ending July 31, 2026 with two annual options to extend, with a not-to-exceed amount of \$378,000 over the lifetime of the contract. Contract not-to-

exceed total includes \$343,827 for regular services and \$34,173 for additional/as-requested services.

2. Authorize expenditure in the total amount of \$132,000 from A/C #001-3583-671-5660 (General Fund, Contracted Services – Security), for FY 2023-24 and FY 2024-25.

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

P. ORDINANCE FOR SECOND READING:

ORDINANCE AMENDING TITLE 1, “GENERAL PROVISIONS,” BY ADDING CHAPTER 16, “DISTRICT-BASED ELECTIONS,” OF THOUSAND OAKS MUNICIPAL CODE TO ESTABLISH DISTRICT-BASED ELECTORAL SYSTEM, ADOPT MAP DESCRIBING BOUNDARIES OF EACH DISTRICT, AND IDENTIFY DISTRICTS TO HOLD DISTRICT-BASED ELECTION IN 2024 AND 2026 TO IMPLEMENT DISTRICT-BASED ELECTIONS (ELECTIONS CODE § 10010) (Introduced 7/11/2023; 4-1, Newman dissenting)

ORD. NO. 1715-NS

RECOMMENDATION:

Adopt

Q. ORDINANCE FOR SECOND READING:

ORDINANCE ADOPTING SPECIFIC PLAN NO. 24 (2150 WEST HILLCREST DRIVE), AND ITS ASSOCIATED ZONE CHANGE; AND AUTHORIZING LAND USES AND DEVELOPMENT STANDARDS IN SAID SPECIFIC PLAN (APPLICANT: LATIGO HILLCREST LLC) (Introduced 7/11/2023; 5-0)

ORD. NO. 1716-NS

RECOMMENDATION:

Adopt

R. ORDINANCE FOR SECOND READING:

ORDINANCE APPROVING DEVELOPMENT AGREEMENT WITH LATIGO HILLCREST, LLC, RELATING TO DEVELOPMENT OF PROPERTY LOCATED AT 2150 WEST HILLCREST DRIVE (APN #667-0-113-075), THOUSAND OAKS, CALIFORNIA (DEVELOPMENT AGREEMENT 2022-70777-DAGR) (Introduced 7/11/2023; 5-0)

ORD. NO. 1717-NS

RECOMMENDATION:

Adopt

10. PUBLIC HEARINGS: None

11. STUDY SESSIONS: None

12. DEPARTMENT REPORTS:

- A. City of Thousand Oaks FY 2023-24 and FY 2024-25 Legislative Platform

RECOMMENDATION:

1. Receive report and approve FY 2023-24 and FY 2024-25 Legislative Platform.
2. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

- 13. COMMITTEE/COMMISSION/BOARD REPORTS: None

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

- 15. COUNCIL ISSUES/RECOMMENDATIONS:

- A. City Attorney Compensation and Employment Agreement Amendment

RESOLUTION APPROVING COMPENSATION AND TENTH AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY ATTORNEY

RECOMMENDATION:

1. Adopt resolution approving compensation and tenth amendment to employment agreement for City Attorney (Contract No. 9799-2012).
2. Find that this is not a project as defined by the California Environmental Quality Act.

- B. City Manager Compensation and Employment Agreement Amendment

RESOLUTION APPROVING COMPENSATION AND SEVENTH AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY MANAGER

RECOMMENDATION:

1. Adopt resolution approving compensation and seventh amendment to employment agreement for City Manager (Contract No. 11382-2017).
2. Find that this is not a project as defined by the California Environmental Quality Act.

- 16. CITY MANAGER:

- A. Announcements and upcoming issues

- 17. PUBLIC NOTICES: None

- 18. ADJOURNMENT: Adjourn to Regular Meeting September 12, 2023

Agenda Post Date/Time: Jul 13, 2023, 5:00P.M.

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