

DRAFT MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

June 6, 2023

1. CALL TO ORDER: Mayor Kevin McNamee called the meeting to order at 5:00 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. ROLL CALL:

Present: Councilmembers Engler, Newman, Taylor, Adam, and Mayor McNamee present in chambers.

Also present: City Manager Andrew P. Powers, City Attorney Tracy M. Noonan, Assistant City Manager Ingrid Hardy, City Clerk Laura B. Maguire, Finance Director Jaime Boscarino, Public Works Director Cliff Finley, Cultural Affairs Director Jonathan Serret, Human Resources Director Tim Giles, Strategic Communications/Public Affairs Director Alexandra South, Police Chief Jeremy Paris, Transit Program Manager Mike Houser, Acting Budget Officer Ryan Roman, Deputy Public Works Director Nader Heydari, Community Services Analyst Sarah Mailes, Assistant City Attorney David Womack, Assistant to the City Manager Melissa Hurtado, Deputy City Clerk Sandra Delgado, Information Technology Supervisor Atanas Beltchev, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, Senior Video Specialist Ryan Palmer, and Senior Recording Secretary Dominga Zambrano.

3. PUBLIC COMMENTS: Comments on Closed Session items only

Speakers: Laura Holtan, Woodland Hills (submitted document); Drew Cronin, Camarillo; Chris Meske, Simi Valley; Kim Sherman, Camarillo.

Written Statements: None.

4. CLOSED SESSION:

A. CONFERENCE WITH LABOR NEGOTIATORS – City designated representatives: Assistant City Manager Ingrid Hardy; Finance Director Jaime Boscarino; Human Resources Director Tim Giles; Deputy Human Resources Director Sharon Chen; Deputy Finance Director Carrie Matson; Employee Organizations: Thousand Oaks City Employees Association (TOCEA); Thousand Oaks Management Association (TOMA); Senior Management Association (SMA); and Executive Managers (Assistant City Manager, Deputy City Manager, Finance Director, Community Development Director, Public Works Director, City Clerk, Human Resources Director, Cultural Affairs Director, Library Director, Strategic Communications Director); Pursuant to California Government Code section 54957.6.

B. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *Brit Nicole Marie Tsumpes vs. City of Thousand Oaks*; Ventura County Superior Court Case No. 202000539890CUPO. Pursuant to Government Code Section 54956.9(a).

5. CLOSED SESSION REPORT: City Attorney Noonan announced there was nothing to report at 6:00 p.m.

6. PLEDGE OF ALLEGIANCE: Mayor McNamee led the pledge of allegiance.

7. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:

Mayor McNamee announced Item No. 14A – FY 2023-24 Community Social Service Grant Recommendations – will be moved up to be heard following the Consent Calendar.

8. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

A. Trails Education Days

Mayor McNamee introduced Elayne Haggan, Conejo Open Space Foundation board member, to explain the Conejo Open Space Trails Education Days program and recognize the winners of the Letter Writing Contest.

B. Commendation – Captain Plumb

Mayor McNamee presented Commendation to Vietnam War veteran, POW, and 31-year U.S. Navy veteran Captain Charlie Plumb for his service to the country and his work motivating others.

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)

Speakers: Mike Houser, Transit Program Manager; Ramon Moreno, Thousand Oaks; Kinsie Flame, Newbury Park.

Written Statements: None.

10. CONSENT CALENDAR:

Speakers: Sally Hibbits, Thousand Oaks; Nelson Buss, Thousand Oaks; C.J. Keavney, Newbury Park.

Written Statements: None.

Greater Conejo Valley Chamber of Commerce CEO Danielle Borja responded to questions. Additional information supplemental packet pertaining to Item 10F.

10. CONSENT CALENDAR: (Continued)

A. General, Utilities, Golf Course, and Theatres Demands

RECOMMENDATION:

Ratify May 17, 2023, May 24, 2023, and May 31, 2023; approve June 7, 2023, and June 14, 2023, subject to review and ratification

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

B. Minutes of City Council meetings of May 16, 2023, and May 23, 2023

RECOMMENDATION:

Approve

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

C. Community Funding Review Committee Appointments

RECOMMENDATION:

1. Approve Community Funding Review Committee appointments of Roseannah MillsGrassin, Tamara Lindberg, and Kyle Rohrbach to fill the unscheduled vacancies and serve the remainder of term ending July 2024.

2. Approve Community Funding Review Committee appointment of Bree von Faith to fill the unscheduled vacancy and serve the remainder of the term ending July 2025.

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

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

10. CONSENT CALENDAR: (Continued)

D. Guard Rail Project (MI 2574)

RECOMMENDATION:

1. Authorize staff to advertise the Guard Rail Project (MI 2574) for construction bids.
2. Authorize acceptance of Federal Highway Safety Improvement Program Cycle 10 Grant in the amount of \$512,500 from the Federal Highway Administration for construction of Guard Rail Project.
3. Find that the Project is categorically exempt from the California Environmental Quality Act pursuant to 14 CCR 15301.

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

E. Expenditure Plan for Supplemental Law Enforcement Services Fund for FY 2022-23

RECOMMENDATION:

1. Approve the expenditure plan of grant funds pursuant to Supplemental Law Enforcement Services Fund (SLESF) guidelines, so the City may continue to benefit from grant funds under SLESF to partially offset the contract costs of the following positions:
 - One Misdemeanor Detective Deputy (contract costs: \$270,968) in A/C #001-6640-621-5730 (General Fund, Contracted Services – Law Enforcement).
 - Two Directed Enforcement Team (formerly referred to as Bike Patrol) Deputies (contract costs: \$487,978) in A/C #001-6650-621-5730 (General Fund, Contracted Services – Law Enforcement).
2. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

10. CONSENT CALENDAR: (Continued)

F. Greater Conejo Valley Chamber of Commerce Services

RECOMMENDATION:

1. Approve agreement with Greater Conejo Valley Chamber of Commerce for business-related services in a not-to-exceed amount of \$240,000 for a two-year period beginning July 1, 2023, through June 30, 2025.

2. Authorize expenditure in the amount of \$120,000 for FY 2023-24 and \$120,000 for FY 2024-25 from A/C #001-0810-612-5723 (Contracted Services – Chamber of Commerce).

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

Motion by Councilmember Newman to approve staff's recommendation with modification to contract regarding legislative roundtable and candidate forum as discussed.

Failed 1-4 by the following vote:

Ayes – Newman

Noes – Engler, Taylor, Adam, McNamee

Motion by Councilmember Engler to approve staff's recommendation with modification to contract regarding the candidate forum as discussed.

Failed 2-3 by the following vote:

Ayes – Engler, Newman

Noes – Taylor, Adam, McNamee

Motion by Mayor Pro Tem Adam to approve staff's recommendation.

Passed 3-2 by the following vote:

Ayes – Taylor, Adam, McNamee

Noes – Engler, Newman

10. CONSENT CALENDAR: (Continued)

G. Hill Canyon Treatment Plant MCC Bioreactor Project (CI 5440)

RECOMMENDATION:

1. Authorize staff to advertise the Hill Canyon Treatment Plant MCC Bioreactor Project (CI 5440) for construction bids.

2. Find that the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15302.

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

H. Fire System Upgrades (CI 5483, CI 5574, CI 5582, CI 5584)

RECOMMENDATION:

1. Approve project design plans, specifications, and working details for fire system upgrades at various facilities (CI 5483, CI 5574, CI 5582, CI 5584).

2. Award construction contract to Cal Building Systems, Inc., of Yorba Linda, CA in the amount of \$1,163,980 plus a construction contingency of \$175,000 for fire system upgrades at various facilities (CI 5483, CI 5574, CI 5582, CI 5584), and authorize expenditure in the amount of \$1,142,549 for costs to complete project.

3. Approve budget appropriation in the amount of: \$356,866 from A/C #110-0000-311-1000 (Library Fund Balance) to A/C #110-7310-673-8200 (CI 5483, Building Improvements); and \$50,818 from A/C #110-0000-311-1000 (Library Fund Balance) to A/C #110-7410-673-8200 (CI 5574 Building Improvements).

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

5. Find that the project is Categorically Exempt from California Environmental Quality Act (CEQA) pursuant to Article 19, Class 1 Existing Buildings and involves no expansion of use to the existing buildings impacted.

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

10. CONSENT CALENDAR: (Continued)

I. 2023 Sidewalk and Concrete Replacement Program (MI 2557)

RECOMMENDATION:

1. Approve project design, plans, and specifications, including Addendum No. 1 for construction of the 2023 Sidewalk and Concrete Replacement Program (MI 2557).
2. Award construction contract to FS Contractors, Inc. (Sylmar, CA) in the amount of \$352,852 plus a contingency of \$35,300.
3. Approve budget appropriation in the amount of \$44,600 from A/C #133-0000-311-1000 (Gas Tax, Fund Balance) to A/C #133-5310-631-5500 (MI 2557).
4. Authorize expenditure in the amount of \$393,152 (\$352,852 construction contract; \$35,300 construction contingency; \$5,000 for City furnished materials and supplies) from A/C #133-5310-631-5500 (MI 2557 Concrete Replacement and Sidewalk Repair Program).
5. Find that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301.
6. Delegate authority to the City Engineer to approve changes in the design, plans, specifications, and working details of the project on work directives and change orders up to the project approved contingency amount.

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

J. Amendments to Transit Operator Agreements with MV Transportation, Inc.

RECOMMENDATION:

1. Approve two-year contract extension with MV Transportation, Inc. (Dallas, TX) through June 30, 2025.
2. Approve Third Amendment to Contractor Operating Agreement, Contract No. 12072-2019, with MV Transportation, Inc. (MV), for services related to the operation of Thousand Oaks Transit Fixed Route and Demand Response Public Transit services.

10. CONSENT CALENDAR: (Continued)

J. Amendments to Transit Operator Agreements with MV Transportation, Inc. (Continued)

RECOMMENDATION: (Continued)

3. Approve First Amendment to Thousand Oaks Transportation Center Lease, Contract No. 12073-2019, with MV, intended to run concurrently with Contract No. 12072-2019.

4. Approve First Amendment to Municipal Service Center Ground Lease, Contract No. 12074-2019, with MV, intended to run concurrently with Contract No. 12072-2019.

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

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

K. FY 2023-24 Community Events Grant Recommendations

RECOMMENDATION:

1. Approve Community Events Grants totaling \$83,073.50.

2. Authorize the City Manager or designee to execute Community Events Grant agreements with grantees.

3. Authorize expenditure in the amount of \$83,073.50 in FY 2023-24 from A/C #001-1120-611-5920 (CF2024, CEF Grants/Donations) for Community Events Grants.

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

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

10. CONSENT CALENDAR: (Continued)

L. Work Program Groups

RECOMMENDATION:

1. Waive the Request for Proposal/Qualifications (RFP/Q) selection process for the provider of the Work Program Groups.
2. Award service agreement for provision of work program groups of adults with developmental disabilities at the Civic Arts Plaza to PathPoint of Thousand Oaks, CA, for three years at an approximate cost of \$55,000 per year (subject to authorized annual increases) with two one-year extension options, not to exceed \$275,000 over the lifetime of the agreement.
3. Authorize expenditure in the amount of approximately \$55,000 per year from A/C #001-3570-612-5620 (Contracted Services – Janitorial).
4. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

*14. COMMITTEE/COMISSION/BOARD REPORTS:

A. FY 2023-24 Community Social Service Grant Recommendations

RECOMMENDATION:

1. Approve Community Social Service Grants totaling \$100,000.
2. Authorize the City Manager or designee to execute Community Social Service Grant agreements with grantees.
3. Authorize expenditure in the amount of \$100,000 from A/C #001-1120-611-5920 (SS2024, Community Endowment Grant Account) for Community Social Service Grants.
4. Find that this action is not a project as defined under the California Environmental Quality Act.

Presented by Clyde Doheney, Chair, Community Funding Review Committee.
Community Services Analyst Mailes available for questions.

Speaker/Written Statement: None.

Motion by Mayor Pro Tem Adam to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

11. PUBLIC HEARINGS:

A. Proposed FY 2023-24 and FY 2024-25 Operating and Capital Improvement Program Budgets

RESOLUTION ADOPTING THE ANNUAL CITY OF THOUSAND OAKS OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGETS FOR FISCAL YEARS 2023-2024 AND 2024-2025; AND ADOPTING FINANCIAL POLICIES

RES. NO. 2023-027

RECOMMENDATION:

1. Adopt resolution approving proposed Operating and Capital Improvement Program (CIP) Budgets for FY 2023-24 and FY 2024-25.
2. Adopt updated Financial and Budget Policies, including Governmental Fund balances and designations.
3. Authorize City Manager to carry over funds from FY 2022-23 to FY 2023-24 and from FY 2023-24 to FY 2024-25 for projects listed as requiring carryover included in the CIP Budget, Grants, and Project-Related Maintenance and Operations budgets.
4. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

Hearing, advertised as required by law, opened to consider item. Presented by Finance Director Boscarino. City Manager Powers responded to questions. Additional information supplemental packet.

Speaker/Written Statement: None.

Mayor McNamee closed the public hearing.

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

11. PUBLIC HEARINGS: (Continued)

B. Landscape and Lighting Assessment District No. 79-2 Annual Levy

RESOLUTION APPROVING THE ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2, AND ANNUAL LEVY OF ASSESSMENTS RELATED THERETO COMMENCING IN FISCAL YEAR 2023-24

RES. NO. 2023-028

RESOLUTION ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 FOR FISCAL YEAR 2023-24

RES. NO. 2023-029

RESOLUTION APPROVING THE ANNEXATION ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2

RES. NO. 2023-030

RESOLUTION ORDERING THE ANNEXATION OF PROPERTY (HYDAM HOMES, LLC, 2080 HILLCREST DRIVE AND VOGEL PROPERTIES, INC., 1515 RANCHO CONEJO BOULEVARD AND 1489 LAWRENCE DRIVE) TO THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 AND LEVYING ASSESSMENTS FOR FISCAL YEAR 2023-24

RES. NO. 2023-031

RECOMMENDATION:

1. Approve Final Engineer's Report for Landscape and Lighting Assessment District No. 79-2 FY 2023-24 Assessments.
2. Adopt resolutions approving Engineer's Report and Ordering Annual Levy of Assessments for FY 2023-24.
3. Approve Final Annexation Engineer's Report for Landscape and Lighting Assessment District No. 79-2 FY 2023-24 Annexation Territory.
4. Tabulate the assessment ballots submitted, and not withdrawn, in support of, or in opposition to the proposed Annexation, and declare the results.
5. If no majority protest, then adopt resolution Ordering the Annexation of territory to Landscape and Lighting Assessment District No. 79-2 and the Annual Levy of Assessments for FY 2023-24.
6. Find that this action is not a project as defined under the California Environmental Quality Act.

11. PUBLIC HEARINGS: (Continued)

B. Landscape and Lighting Assessment District No. 79-2 Annual Levy (Continued)

Hearing, advertised as required by law, opened to consider item. Presented by Acting Budget Officer Roman. Deputy Public Works Director Heydari responded to questions. Consultant Nadia Benali, Webb Municipal Finance, LLC, available for questions.

Speaker/Written Statement: None.

Mayor McNamee closed the public hearing.

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

12. STUDY SESSIONS: None

13. DEPARTMENT REPORTS: None

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

16. COUNCIL ISSUES/RECOMMENDATIONS:

A. 2023 Southern California Association of Governments General Assembly Update

RECOMMENDATION:

1. Receive report.

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

Presented by Mayor Pro Tem Adam and Councilmember Engler.

Speaker/Written Statement: None.

Motion by Councilmember Taylor to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

17. CITY MANAGER:

A. Announcements and upcoming issues

City Manager Powers provided an update on the June 20, 2023, City Council meeting.

18. PUBLIC NOTICES: None

19. ADJOURNMENT: City Council adjourned at 7:42 p.m. to Regular Meeting on June 20, 2023.

Kevin McNamee, Mayor
City of Thousand Oaks City Council

Attest:

Laura B. Maguire, City Clerk
City of Thousand Oaks City Council

AGENDA POSTED: June 1, 2023
MINUTES APPROVED:

*indicates item taken out of order

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the City of Thousand Oaks City Council on the date cited above.