

DRAFT MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

July 18, 2023

1. CALL TO ORDER: Mayor Pro Tem Adam 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, and Adam present in chambers. Mayor McNamee arrived at 5:07 p.m.

Also present: City Manager Andrew P. Powers, City Attorney Tracy M. Noonan, Assistant City Manager Ingrid Hardy, Deputy City Manager Akbar Alikhan, City Clerk Laura B. Maguire, Finance Director Jaime Boscarino, Community Development Director Kelvin Parker, Public Works Director Cliff Finley, Cultural Affairs Director Jonathan Serret, Human Resources Director Tim Giles, Library Services Director Jennifer Patterson, Strategic Communications/Public Affairs Director Alexandra South, Police Chief Jeremy Paris, Fire Chief Jeff Shea, Chief Assistant City Attorney Patrick J. Hehir, Assistant to the City Manager Melissa Hurtado, Deputy City Clerk Sandra Delgado, Information Technology Supervisor Atanas Beltchev, Legislative Affairs Manager Mina Layba, Cable Operations Supervisor Carl Jarecky, Senior Video Production Specialist Richard Swingler, Senior Video Production Specialist Ryan Palmer, and Senior Recording Secretary Lori Goor.

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).

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City Attorney Noonan announced Closed Session held at 5:01 p.m.

4. CLOSED SESSION REPORT: City Attorney Noonan announced there was nothing to report at 6:00 p.m.
5. PLEDGE OF ALLEGIANCE: Mayor McNamee led the pledge of allegiance.
6. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM: None.
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)

Speakers: Meena Venkatraman, Thousand Oaks.

Written Statements: None.

City Manager Powers addressed public comments.

9. CONSENT CALENDAR:

Additional information supplemental packet pertaining to Item Nos. 9P, 9Q, and 9R.

Speakers: Pedro Toscano, Fillmore; Rossanna Guerra, Thousand Oaks; Bonnie Shubb, Newbury Park; Sally Hibbitts, Westlake Village; Diane Birchman, Thousand Oaks; Chaise Rasheed, Thousand Oaks (submitted document); Patrissha, Thousand Oaks.

Written Statements: None.

- 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

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

- B. Minutes of City Council meeting of July 11, 2023

RECOMMENDATION:

Approve

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

9. CONSENT CALENDAR: (Continued)

C. Electronic Claim Filing

RESOLUTION AUTHORIZING ELECTRONIC CLAIMS FILING
RES. NO. 2023-045

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).

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

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).

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

9. CONSENT CALENDAR: (Continued)

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.

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

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.

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

9. CONSENT CALENDAR: (Continued)

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.

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

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).

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

9. CONSENT CALENDAR: (Continued)

- 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.

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

- J. Zero Emission Bus Rollout and Implementation Plan

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

RES. NO. 2023-046

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.

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

9. CONSENT CALENDAR: (Continued)

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.

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

L. City Manager Authority During Summer Recess

RESOLUTION DELEGATING CERTAIN INTERIM AUTHORITY TO CITY MANAGER

RES. NO. 2023-047

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.

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

9. CONSENT CALENDAR: (Continued)

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).

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

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).

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

9. CONSENT CALENDAR: (Continued)

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.

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

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

Motion by Councilmember Newman to approve staff's recommendation.

4-1 by the following vote:

Ayes – Engler, Taylor, Adam, McNamee

Noes – Newman

9. CONSENT CALENDAR: (Continued)

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

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

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

Motion by Councilmember Newman to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

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).

Presented by Legislative Affairs Manager Layba. City Manager Powers and Assistant City Manager Hardy responded to 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

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
RES. NO. 2023-048

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.

Presented by Human Resources Director Giles.

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

15. COUNCIL ISSUES/RECOMMENDATIONS: (Continued)

B. City Manager Compensation and Employment Agreement Amendment

RESOLUTION APPROVING COMPENSATION AND SEVENTH AMENDMENT
TO EMPLOYMENT AGREEMENT FOR CITY MANAGER
RES. NO. 2023-049

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.

Presented by Human Resources Director Giles.

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

16. CITY MANAGER:

A. Announcements and upcoming issues

City Manager Powers provided an update on the September 12, 2023, City Council meeting.

17. PUBLIC NOTICES: None.

18. ADJOURNMENT: City Council adjourned at 6:48 p.m. to Regular Meeting on September 12, 2023.

Kevin McNamee, Mayor
City of Thousand Oaks City Council

Attest:

Laura B. Maguire, City Clerk
City of Thousand Oaks City Council
AGENDA POSTED: July 14, 2023
MINUTES APPROVED:

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.

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