

## MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

October 26, 2021

1. CALL TO ORDER:

Mayor Claudia Bill-de la Peña called the meeting to order at 6:03 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor Bill-de la Peña led the pledge of allegiance.3. ROLL CALL:

Present: Councilmembers Adam, Jones, McNamee, and Engler present via video conference, Mayor Bill-de la Peña present in chambers.

Also present in person and via video conference: City Manager Andrew P. Powers, City Attorney Tracy M. Noonan, Assistant City Manager Ingrid Hardy, City Clerk Cynthia M. Rodriguez, Finance Director Jaime Boscarino, Community Development Director Kelvin Parker, Public Works Director Cliff Finley, Cultural Affairs Director Jonathan Serret, Human Resources Director Tim Giles, Police Chief Jeremy Paris, Fire Chief Jeff Shea, Sustainability Division Manager Helen Cox, Deputy City Clerk Laura Maguire, Information Technology Supervisor Atanas Beltchev, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, and Assistant Analysts Sandra Delgado and Christy Glaubke.

4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:  
Mayor Bill-de la Peña announced Item 11A - Council on Aging Annual Report will be moved up on the agenda to be heard following the Public Hearing.5. SPECIAL PRESENTATIONS:

A. Mayor Bill-de la Peña presented proclamation and announced upcoming Borderline Citywide Day of Remembrance, November 7, 2021.

B. Mayor Bill-de la Peña presented a video on the recipient of the Community Commitment Award, Michael Morisette, and encouraged submission of nominations at [www.toaks.org/cca](http://www.toaks.org/cca).

6. PUBLIC COMMENTS:

Speakers: Silvia Collins, Newbury Park; Kris Dukes, Newbury Park; David Patt, Thousand Oaks; Anita Garatie, Newbury Park; Adam Haverstock, Greater Conejo Valley Chamber of Commerce; George Naugles, city of residence unknown.

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7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Revised Solid Waste Recycling and Disposal Ordinance presented by Sustainability Division Manager Cox.

ORDINANCE AMENDING THE THOUSAND OAKS MUNICIPAL CODE REPEALING IN ITS ENTIRETY TITLE 6, CHAPTER 2 AND ADDING TITLE 6, CHAPTER 2 ADOPTING REGULATIONS FOR SOLID WASTE, ORGANIC WASTE AND RECYCLABLE MATERIALS COLLECTION PROCESSING AND DISPOSAL, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA IN CONNECTION THEREWITH ORD. NO. 1<sup>st</sup> Reading

Speakers/Written Statements: None.

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

\*11. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. Council on Aging Annual Report and Survey Update presented by COA Chair Rossanna Guerra and COA Vice-Chair Stephanie Belding.

Speakers/Written Statements: None.

Motion by Councilmember Jones to receive report; direct staff to explore report considerations; direct Council on Aging (COA) to update and repeat survey or conduct public input forum in 2023, carried 5-0 by the following vote: Ayes - Adam, Jones, McNamee, Engler, and Bill-de la Peña; Noes - None.

9. STUDY SESSIONS: None.

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10. DEPARTMENT REPORTS:

- A. Climate and Environmental Action Plan (CEAP) Draft Strategies (MI 2606) presented by Sustainability Division Manager Cox. Additional information supplemental packet.

Speakers: Barbara Leighton, Newbury Park; Jennifer Burke, Newbury Park; Katie Davis, city of residence unknown; Kat Selm, Thousand Oaks; Rose Ann Witt, Thousand Oaks; Clint Fultz, Thousand Oaks; Faith Grant, Westlake Village; Kathleen Wheeler, Ventura; Frances Lee, Moorpark; Gordon Clint, Newbury Park; Kristen Kessler, Ventura; Todd Collart, Ventura; Dan Beeson, Newbury Park.

Written Statements: None.

Motion by Councilmember Jones to receive report and provide feedback on proposed strategies for the City's Climate and Environmental Action Plan, carried 5-0 by the following vote: Ayes - Adam, Jones, McNamee, Engler, and Bill-de la Peña; Noes - None.

12. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None.13. COUNCIL ISSUES/RECOMMENDATIONS: None.14. CITY MANAGER:

- A. Announcements and upcoming issues: City Manager Powers provided an update on the November 9, 2021, City Council Meeting.

Mayor Bill-de la Peña announced the Day of Remembrance event will be held at the Healing Garden on November 7, 2021, at 1 p.m.

15. CLOSED SESSIONS REQUESTED:

City Attorney Noonan announced Closed Session held at 9:26 p.m.

- A. CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: *Mario Corral v. City of Thousand Oaks*, Workers Compensation Appeals Board Case Number: ADJ12832858; Pursuant to Government Code Section 54956.9(a).
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 2200 East Thousand Oaks Boulevard, Thousand Oaks, California 91362; NEGOTIATING ON BEHALF OF CITY: Andrew Powers, City Manager; Tracy Noonan, City Attorney; Gary Rogers, Deputy City Manager; and Jaime Boscarino, Finance Director; NEGOTIATING ON BEHALF OF PROPERTY OWNER: T.O. Lakes, LLC, UNDER NEGOTIATION: Price and Terms; Pursuant to Government Code Section 54956.8.

City Attorney Noonan indicated no announcement anticipated.

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16. PUBLIC NOTICES: None.

17. ADJOURNMENT:

City Council adjourned at 11:43 p.m. in memory of JoAnne Kelly, retired City employee, to Regular Meeting on Tuesday, October 26, 2021.

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Claudia Bill-de la Peña, Mayor  
City of Thousand Oaks City Council

Attest:

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

AGENDA POSTED: October 21, 2021  
MINUTES APPROVED: November 9, 2021

\*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.*

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**EXHIBIT A**7. CONSENT CALENDAR:*RECOMMENDATIONS FOR ITEMS A. THROUGH K. ARE TO APPROVE*

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

- A. General, Utilities, Golf Course, and Theatres Demands – ratify October 13, 2021, and October 20, 2021; and approve October 27, 2021, and November 3, 2021, subject to review and ratification
- B. Minutes of City Council meeting of October 12, 2021
- C. No Appropriation/Expenditure Required: Investment Review Committee Appointments (Bill-de la Peña/Engler); reappointment of incumbent John Short III, and appointments of Davin Carey and Anthony Gonzales to serve two-year terms ending December 2023
- D. No Appropriation/Expenditure Required: Borderline Remembrance One-Time Temporary Art Installation and exhibit of Borderline memorial sculptures adjacent to City Hall, in Mary and Richard Carpenter Plaza Park, to be available for public viewing 10/30/2021 through 11/28/2021; authorize City Manager to execute an agreement with artist, Mohammad “Ali” Alinejad, subject to approval by City Attorney once all terms have been negotiated
- E. Approved Expenditure: Citywide Records Storage, Retrieval, and Destruction Services; “piggyback” agreement using Port of Portland, Oregon document and information lifecycle management agreement through OMNIA partners with Iron Mountain Information Management, LLC for records management and secure document shredding services for term 12/01/2021 - 11/30/2026, in amount not to exceed \$174,000; authorize expenditures of available funds totaling \$174,000 A/C #001-2310-612-6420 (Rental Fees, Storage Space) for term of agreement

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## 7. CONSENT CALENDAR: (Continued)

- F. \$168,193 Budget Increase to Adopted FY 2021-22 General Fund Budget, Fully Offset by Applicant Fee Revenue: Project Environmental Impact Report Consultant; agreement with Environmental Science Associates (ESA), for preparation of Environmental Impact Report (EIR) for period of 10/26/2021 to 08/30/2022, not-to-exceed amount of \$168,193 for term of agreement; authorize staff to waive formal Request for Proposal/Qualifications (RFP/Q) process for preparation of EIR for proposed multi-family development at 1 Baxter Way and approve ESA pursuant to TOMC Section 3-10.501; authorize City Manager to execute professional services agreement subject to approval by City Attorney once all terms have been negotiated; budget appropriation and authorize expenditure in amount not-to-exceed \$168,193 A/C #001-4210-447-4000 (Charges for Services - Planning Fees/Permit) to A/C #001-4210-641-5947 (Contracted Services, Reimbursable)
- G. Approved Expenditure: Request for Letter of Public Convenience and Necessity LPCN 2021-70485; Department of Alcoholic Beverage Control Requirement, located at 25 East Hillcrest Drive; Applicant: Grocery Outlet; authorize Community Development Director to send Letter of Public Convenience and Necessity (LPCN) to California Department of Alcoholic Beverage Control (ABC) for Grocery Outlet located at 25 East Hillcrest Drive
- H. Approved Expenditure: Southern California Edison Easement and Conveyance of Facilities; grant deed of easement to Southern California Edison Company and authorize City Engineer to execute all necessary documents for dedication of easement on City property (APN 570-0-080-275) at 2106 Erbes Road; agreement for Installation and Conveyance of Facilities
- I. \$300,330 Increase to Adopted FY 2021-22 Water Fund Capital Budget Fully Offset by \$300,330 Decrease to Adopted FY 2022-23 Water Fund Capital Budget: Polybutylene Service Line Replacement (CI 5533) and Valve Replacements (CI 5554) Projects; budget appropriation transfer from FY 2022-23 to FY 2021-22 in amount of \$300,330 A/C #613-8030-682-8300 (CI 5554, Valve Replacement Program) to A/C #613-8030-682-8300 (CI 5554, Valve Replacement Program)
- J. Approved Expenditure: 2021 City Council Meeting Schedule Revision; adopt resolution

RESOLUTION REVISING CITY COUNCIL MEETING SCHEDULE FOR  
CALENDAR YEAR 2021 AND RESCINDING RESOLUTION 2021-004

RES. NO. 2021-057

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7. CONSENT CALENDAR: (Continued)

- K. Approved Expenditure: Reaffirmed Assembly Bill 361 Findings; adopt resolution

RESOLUTION REAFFIRMING FINDINGS IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE SECTION 54953(e), AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ALL SUBORDINATE BODIES OF THE CITY OF THOUSAND OAKS

RES. NO. 2021-058