

DRAFT MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

February 14, 2023

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1. CALL TO ORDER: Mayor Kevin McNamee called the Special Meeting to order at 5:01 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, Chief Assistant City Attorney Patrick J. Hehir, Assistant City Manager Ingrid Hardy, City Clerk Laura B. Maguire, Human Resources Director Tim Giles, Assistant City Attorney David Womack, and Acting Deputy City Clerk Sandra Delgado.

3. PUBLIC COMMENTS: (Note: Only issues listed on this agenda may be addressed pursuant to the Brown Act/Special Meetings)

Speakers/Written Statements: None.

4. CLOSED SESSION:

- A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *G I Industries vs. City of Thousand Oaks, et al.*; Ventura County Superior Court Case No. 56-2021-00553340-CU-WM-VTA. Pursuant to Government Code Section 54956.9(a).
- B. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *G I Industries vs. City of Thousand Oaks, et al.*; Ventura County Superior Court Case No. 56-2021-00554581-CU-WM-VTA. Pursuant to Government Code Section 54956.9(a).
- C. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *Bonnie Bean vs. Gerardo Rodriguez, et al.*; Ventura County Superior Court Case No. 56-2021-00561100-CU-PO-VTA. Pursuant to Government Code Section 54956.9(a).
- D. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation: There is a significant exposure to litigation pursuant to Cal. Gov't. Code Section 54956.9(d)(2) (2 cases). A City wastewater line blockage created an incident which resulted in property damage at two residential addresses on Kingston Circle.

Chief Assistant City Attorney Hehir announced Closed Session held at 5:02 p.m.

Chief Assistant City Attorney Hehir announced that there was nothing to report.

5. ADJOURNMENT: City Council Special Meeting adjourned at 5:28 p.m. to Regular Meeting on February 14, 2023.

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Kevin McNamee, Mayor  
City of Thousand Oaks City Council

Attest:

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

AGENDA POSTED: February 9, 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.*

DRAFT MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

February 14, 2023

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1. CALL TO ORDER: Mayor Kevin McNamee called the meeting to order at 6:00 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

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

3. ROLL CALL:

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

Also present: City Manager Andrew P. Powers, Chief Assistant City Attorney Patrick J. Hehir, Assistant City Manager Ingrid Hardy, 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, Community Services Analyst Sarah Mailes, Detective Captain Kevin Lynch, Assistant City Attorney Noel Doran, Deputy Public Works Director Nader Heydari, Senior Engineer Ayda Forouzan, Transit Program Manager Mike Houser, Assistant to the City Manager Melissa Hurtado, Acting 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.

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

Mayor McNamee announced Item No. 11A – FY 2022-23 Community Environmental Enhancement Grant Recommendations – will be moved up to be heard following the Consent Calendar.

5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS: None.

6. 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: Douglas Wain, Thousand Oaks; Zabrina Tipton, Small Business Administration (submitted document).

Written Statements: None.

City Manager Powers addressed public comments.

## 7. CONSENT CALENDAR:

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

## RECOMMENDATION:

Ratify January 25, 2023, February 1, 2023, and February 8, 2023; approve February 15, 2023, and February 22, 2023, subject to review and ratification

Motion by Councilmember Engler to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

## B. Minutes of Special and Regular City Council meetings of January 24, 2023

## RECOMMENDATION:

Approve

Motion by Councilmember Engler to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

## C. Rancho Road Sidewalks and Bike Lanes Project (CI 5308)

## RECOMMENDATION:

1. Approve Change Order No. 8 to Contract No. 12656-2021 with Sully-Miller Contracting Company (Brea, CA), in the amount of \$139,757.94 for a new not-to-exceed amount of \$1,989,343.03.

2. Approve budget appropriation in the amount of \$126,000 from A/C #543-0000-311-1000 (Developer Fees, Fund Balance) to A/C #543-5310-631-8300 (Developer Fees, Rancho Road Sidewalk, CI 5308).

3. Authorize expenditure in the amount of \$139,757.94 for construction contract Change Order No. 8 to Sully Miller Contracting Company for the Rancho Road Sidewalks and Bike Lanes Project (CI 5308), which includes \$3,700 from A/C #183-5310-631-8300 (Grants, Improvements other than Buildings), \$10,057.94 from A/C #001-5310-631-8300 (General Fund, Improvements other than Buildings), and \$126,000.00 from A/C #543-5310-631-8300 (Developer Fees, Rancho Road Sidewalk, CI 5308).

## 7. CONSENT CALENDAR: (Continued)

## C. Rancho Road Sidewalks and Bike Lanes Project (CI 5308) (Continued)

4. Find that the Project is Categorically Exempt from the California Environmental Quality Act pursuant to 14 CCR 15301 (repair/maintenance of an existing facility).

Motion by Councilmember Engler to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

## D. 2023 Southern California Association of Governments General Assembly - Delegate Representative

## RECOMMENDATION:

1. Designate Al Adam, Mayor Pro Tem, as the Delegate Representative and Councilmember Bob Engler as the Alternate Representative for the City at the Southern California Association of Governments (SCAG) Regional Conference and General Assembly, which will take place May 4-5, 2023.

2. Find that designating a delegate is not a “project” under the California Environmental Quality Act pursuant to CEQA Guideline Section 15378(b)(5).

Motion by Councilmember Engler to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

## E. 2023 City Council Meeting Schedule Revision

RESOLUTION REVISING CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2023 AND RESCINDING RESOLUTION 2022-046

**RES. NO. 2023-003**

## RECOMMENDATION:

1. Adopt resolution revising City Council meeting schedule for calendar year 2023.

2. Find that this is not a project under the California Environmental Quality Act Guidelines.

Motion by Councilmember Engler to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

7. CONSENT CALENDAR: (Continued)

F. ORDINANCE FOR SECOND READING:

ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE RELATING TO OFFICIAL ZONING MAP BY CHANGING ZONING CLASSIFICATION OF PROPERTY LOCATED AT 3020 CRESCENT WAY; (ZONE CHANGE 2022-70828-Z ) (Introduced 1/24/23; 5-0)

**ORD. NO. 1709-NS**

RECOMMENDATION:

Adopt

Motion by Councilmember Engler to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

G. ORDINANCE FOR SECOND READING:

ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE ARTICLE 21 TO TITLE 9, CHAPTER 4 TO ALLOW COLUMBARIUM USE ANCILLARY TO A PERMITTED RELIGIOUS FACILITY IN RESIDENTIAL ZONES AND ESTABLISH NEW DEVELOPMENT AND ZONING STANDARDS RELATED TO COLUMBARIUM USE IN RESIDENTIAL ZONES (2020-70180-MCA) (Introduced 1/24/23; 4-0, Newman recused)

**ORD. NO. 1710-NS**

RECOMMENDATION:

Adopt

Motion by Councilmember Engler to approve staff's recommendation.

5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

\*11. COMMITTEE/COMISSION/BOARD REPORTS:

A. FY 2022-23 Community Environmental Enhancement Grant Recommendations

RECOMMENDATION:

1. Approve FY 2022-23 Community Environmental Enhancement Grants totaling \$45,000.

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

3. Authorize expenditure in the amount of \$45,000 from A/C #632-8420-682-5920 (NC0104, Community Enhancement Fund/Grants) for Community Environmental Enhancement Grants.

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

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

Speaker: Carole Shelton, Thousand Oaks.

Written Statements: None.

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

Noes – None

8. PUBLIC HEARINGS: None.

9. STUDY SESSIONS: None.

10. DEPARTMENT REPORTS:

A. Public Safety Update

RECOMMENDATION:

Receive verbal report.

Presented by Police Chief Paris. Detective Captain Lynch responded to questions.

Speaker/Written Statement: None.

## 10. DEPARTMENT REPORTS: (Continued)

## B. School Crossing Guard Program Standards and Policies

**RESOLUTION ESTABLISHING CROSSING GUARD PROGRAM STANDARDS  
RES. NO. 2023-004**

## RECOMMENDATION:

1. Adopt resolution establishing the City of Thousand Oaks School Crossing Guard Program Standards and Policies.
2. Approve budget transfer in an amount not to exceed \$18,340 from A/C #001-5580-612-1210 (Crossing Guard, Regular Pay - Hourly) to A/C #001-5580-612-5699 (Crossing Guard, Consultant Services – Other).
3. Find that this action is not a project as defined under the California Environmental Quality Act.

Presented by Transit Program Manager Houser. City Manager Powers, Public Works Director Finley, Chief Assistant City Attorney Hehir, Strategic Communications/Public Affairs Director South, Assistant City Attorney Doran, and Public Works Deputy Director Heydari responded to questions. Additional information supplemental packets.

Speakers: Jackson Piper, Newbury Park; Clint Fultz, Thousand Oaks; Janie Ahlberg, city of residence unknown; Rosanna Guerra, Thousand Oaks; Bill Gorback, Thousand Oaks; Carole Shelton, Thousand Oaks; Lauren Gill, Newbury Park; Nelson Buss, Thousand Oaks; Barbara Sponsler, Newbury Park; Lee Ann Holland, Newbury Park; Betsy Connolly, Unincorporated Thousand Oaks; Lisa Powell, Thousand Oaks; Meghann O'Weger, Newbury Park.

Written Statements: None.

Councilmember Engler absent 7:30 p.m.; present 7:31 p.m.

Councilmember Newman announced ex-parte communication with three parties regarding this agenda item.

Motion by Mayor Pro Tem Adam to approve staff's recommendation as clarified by the Public Works Director regarding counts, changing the timing outlined in the resolution, and adding an additional recital as to the purpose.

Passed 4-1 by the following vote:

Ayes – Engler, Taylor, Adam, McNamee

Noes – Newman



## 10. DEPARTMENT REPORTS: (Continued)

## C. Meadows Reservoir Emergency Repairs (CI 5663)

## RECOMMENDATION:

1. Approve Change Order No. 4 to Contract No. 12990-2022 with Spiess Construction Company, Inc., on a Time and Material basis, to perform final site restoration in connection with Meadows Reservoir Emergency Repairs Project (CI 5663) in the amount not to exceed \$58,965, for a new not-to-exceed amount of \$2,458,965.
2. Approve budget appropriation in the amount of \$58,965 from A/C #613-0000-341-9900 (Water Capital Fund – Net Position) to A/C #613-8030-682-5500 (CI 5663, Meadows Reservoir Emergency Repairs).
3. Authorize expenditure in the amount of \$58,965 from A/C #613-8030-682-5500 (CI 5663, Meadows Reservoir Emergency Repairs).
4. Approve the project design, plans, and specifications for the construction of the Meadows Reservoir Project (CI 5663).
5. Find that the Project is Categorically Exempt from the California Environmental Quality Act pursuant to 14 CCR 15301.

Presented by Senior Engineer Forouzan. Deputy Public Works Director Heydari responded to questions.

Speaker/Written Statement: None.

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, Newman, Taylor, Adam, McNamee

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 February 28, 2023, City Council meeting.

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February 14, 2023

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15. CLOSED SESSION: None.
16. PUBLIC NOTICES: None.
17. ADJOURNMENT: City Council adjourned at 9:18 p.m. to Regular Meeting on February 28, 2023.

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Kevin McNamee, Mayor  
City of Thousand Oaks City Council

Attest:

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

AGENDA POSTED: February 9, 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.*