

City Council
REGULAR MEETING -TELECONFERENCE
Tuesday, March 31, 2020, 6:00 P.M.
Andrew P. Fox City Council Chambers

Public advisory: The City of Thousand Oaks facilities are closed to the public.



Pursuant to the Governor's Executive Order N-29-20, the March 31, 2020 meeting of the City Council will be conducted telephonically and broadcast live on the TV (Frontier Channel 3, Spectrum Channel 10), the City's website, and YouTube. City Councilmembers will be participating telephonically and will not be physically present in the City Council Chambers.

You may participate in the meeting by submitting your comments by email to cityclerk@toaks.org (please indicate the agenda number in the subject line). To give the City Clerk adequate time to provide your comments to the City Councilmembers at the meeting, please submit your comments prior to 2:00 p.m. the day of the meeting.

If you would like to speak on an agenda item, please advise the City Clerk Department at cityclerk@toaks.org or by calling the City Clerk Department at (805) 449-2151 no later than 5:00 p.m. the day before the meeting. Please see page two for more information.

Pursuant to the Executive Order, and 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.

Al Adam, Mayor
Claudia Bill-de la Peña, Mayor Pro Tem
Bob Engler, Councilmember
Ed Jones, Councilmember
Rob McCoy, Councilmember

Executive Team

Andrew P. Powers, City Manager	Tracy M. Noonan, City Attorney
Ingrid Hardy, Assistant City Manager	Gary Rogers, Deputy City Manager
Mark A. Towne, Community Development Director	Jaime Boscarino, Finance Dir./City Treasurer
Cynthia M. Rodriguez, City Clerk	Clifford G. Finley, Public Works Director
Jonathan Serret, Deputy Cultural Affairs Director	Tim Giles, Human Resources Director
Jim Friedl, General Manager, CRPD	Heather Cousin, Library Director
John Spykerman, Fire Chief	Jim Fryhoff, Police Chief

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 re-broadcast Thursday and Sunday (following meeting) at 10:00 a.m. and 6:00 p.m. on TV (Frontier Channel 3, Spectrum Channel 10).

Public Input: Please submit your comments via email to the cityclerk@toaks.org prior to 2:00 p.m. the day of the meeting or advise the City Clerk Department if you would like to speak on an agenda item during the meeting no later than 5:00 p.m. the day before the meeting. If you would like to speak during the meeting, you will be asked to provide a telephone number where you may be reached when the item is being discussed at the City Council meeting. Persons addressing the City Council are requested to state their name and community of residence for the record.

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; will be printed/posted as submitted.

Special Meeting Public Input: Only issues listed on a special meeting agenda may be addressed pursuant to the Brown Act/Special Meetings.

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.

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

3

March 31, 2020

RES. NO. 2020-011
ORD. NO. 1679-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Engler, Jones, McCoy, Bill-de la Peña, and Mayor Adam
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 10 for Consent Calendar listing)
8. PUBLIC HEARINGS: None
9. DEPARTMENT REPORTS:

A. [2020 Pavement Overlay \(CI 5503 & 5504\) and Slurry Program \(MI 2549\)](#)

RECOMMENDATION:

1. Approve project plans, specifications, Addenda Nos. 1 and 2, for the 2020 Pavement Overlay and Resurfacing Program (CI 5503 & CI 5504)
2. Award construction contract to Sully-Miller of Brea, CA for the 2020 Pavement Overlay and Resurfacing Program (CI 5503 & CI 5504) in the amount of \$13,329,895.90; \$12,995,708.03 Base Bid, and \$334,187.87 Additional Bid Schedules, plus a contingency of \$666,495
3. Approve project plans and specifications for the 2020 Pavement Slurry Program (MI 2549)

9. DEPARTMENT REPORTS: (Continued)

A. 2020 Pavement Overlay (CI 5503 & 5504) and Slurry Program (MI 2549)
(Continued)

RECOMMENDATION: (Continued)

4. Award construction contract to Petrochem Material Innovation, LLC of Carlsbad, CA for the 2020 Pavement Slurry Program (MI 2549) in the amount of \$1,240,341.30, plus a contingency of \$124,034
5. Approve deductive change order in the amount of -\$2,097,538.03 with Sully-Miller Contracting Company
6. Approve Reimbursement Agreements in the total amount of \$752,155; \$693,635 from the Conejo Recreation and Park District (CRPD) (\$630,577.01 contract, plus \$63,057.99 contingency); \$47,025 from Triunfo Water and Sanitation District (Triunfo) (\$42,750 contract, plus \$4,275 contingency); and \$11,495 from Calleguas Municipal Water District (Calleguas) (\$10,450 contract, plus \$1,045 contingency) and authorize the City Manager to execute the agreements
7. Approve budget appropriation increase to FY 2019-20 and FY 2020-21 General Fund, Gas Tax, Water and Wastewater Fund Budgets in the amount of \$1,717,258, \$693,635 from A/C 001-0000-437-9900 (CRPD Reimbursement, CI 5503); \$1,000,000 from A/C 138-000-311-1000 (Gas Tax Fund Balance), \$385,000 decrease from A/C 132-5610-631-8300 (Gas Tax Fund Balance); \$615,000 decrease from A/C 135-5610-611-8300 (Gas Tax Fund Balance); \$50,000 from A/C 133-0000-311-1000 (Gas Tax, Fund Balance); \$11,495 from A/C 613-0000-437-9900 (Calleguas Reimbursement, CI 5503); \$11,615 from A/C 613-0000-341-9900 (Water Fund, Net Position); \$47,025 from A/C 624-0000-437-9900 (Triunfo Reimbursement, CI 5503); \$97,852 from A/C 624-0000-341-9900 (Wastewater Fund, Net Position); and \$221,150 from A/C 539-0000-311-9900 (Developer Fee, Fund Balance) as outlined in the budget appropriations and expenditures summary
8. Approve budget transfers in the amount of \$584,486 from A/C 137-5310-631-5500 (2020 Pavement Slurry - MI 2549) to A/C 137-5610-631-8300 (2020 Pavement Overlay - CI 5503)

9. DEPARTMENT REPORTS: (Continued)

- A. 2020 Pavement Overlay (CI 5503 & 5504) and Slurry Program (MI 2549) (Continued)

RECOMMENDATION: (Continued)

- 9. Authorize expenditures in the amount of \$11,898,842.38 for the 2020 Pavement Overlay Program; \$11,098,842.38 (CI 5503) and \$800,000 (CI 5504) and \$1,364,375.43 for the 2020 Pavement Slurry Program (MI 2549) as outlined in the budget appropriations and expenditures summary
- 10. Delegate authority to the City Engineer to approve changes to the design, plans, specifications, and working details of the projects on work directives and change orders up to the project approved contingency amount

10. COMMITTEE/COMMISSION/BOARD REPORTS: None

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

12. COUNCIL ISSUES/RECOMMENDATIONS:

- A. Follow-up reports on meetings/conferences attended by Councilmembers

13. CITY MANAGER:

- A. Follow-up items
- B. Announcements and upcoming issues

14. CLOSED SESSION: City Council Conference Room 2nd floor – None

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to Regular Meeting April 21, 2020

Agenda Post Date/Time: March 27, 2020, 4:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH S. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify February 26, 2020, March 4, 2020, and March 11, 2020; approve March 18, 2020, March 25, 2020, April 1, 2020, April 8, 2020, April 15, 2020, subject to review and ratification
- B. [Minutes of City Council meetings of February 25, 2020 and March 17, 2020](#)
- C. [No Appropriation/Expenditure Required: 2020 National League of Cities \(NLC\) Congressional Cities Conference and Annual Meetings March 4 – 11, 2020 \(Adam/Engler\); receive report](#)
- D. [No Appropriation/Expenditure Required: 2019 General Plan/Housing Element Annual Progress Report and Housing Successor Agency Annual Report \(GPAR 2020-70141\); receive reports](#)
- E. [No Appropriation/Expenditure Required: Request for Letter of Public Convenience and Necessity \(LPCN\) for Type 20 alcohol license to sell beer and wine for off-site consumption; Department of Alcohol Beverage Control \(ABC\) requirement; authorize Community Development Director to send LPCN to ABC; Applicant: Aldi Inc., 179 North Moorpark Road \(LPCN 2020-70069\)](#)
- F. [Approved Expenditure: Professional Planning Services; agreement for professional planning services between City and Michael Baker International, Inc., effective 04/01/2020 through 06/30/2021, not-to-exceed \\$371,000 over lifetime of contract; authorize staff to waive formal RFP/Q process pursuant to TOMC Section 3-10.501; \\$371,000 budget appropriation transfer and authorize expenditure A/C 001-4210-641-1010 \(Community Development, Salary\) to A/C 001-4210-641-5010 \(Community Development, Planning, Temporary Help/Temporary Agency Services\)](#)

7. CONSENT CALENDAR: (Continued)

- G. Additional Appropriation: La Granada Pump Station Project (CI 8082); project design, plans, specifications, and Addendum No. 1; award construction contract to Pacific Hydrotech Corporation in amount of \$5,169,600, plus \$500,000 contingency; eighth amendment to professional services agreement with Perliter and Ingalsbe Consulting Engineers (Contract No. 10519-2014) for construction phase support services in amount of \$745,400, plus \$45,000 extra services, for revised not-to-exceed amount of \$1,453,400, extending term to 08/31/2021; \$1,500,000 budget appropriation A/C 613-0000-341-9900 (Water Capital Facilities – Net Position) to A/C 613-8040-685-8300 (CI 8082, La Granada Pump Station Project); authorize \$6,465,000 expenditure (\$745,400 eighth amendment; \$45,000 extra services; \$5,169,600 construction contract; \$500,000 construction contingency; \$5,000 City furnished supplies and materials) A/C 613-8040-685-8300 (CI 8082, La Granada Pump Station Project); grant of easement to Southern California Edison (SCE), authorize City Engineer to execute all necessary documents for dedication of access and underground utility easement over City property (APN 671-0-360-325) at southerly 10.00 feet of 590 N. Conejo School Road; delegate authority to City Engineer to approve changes in design, plans, specifications, and working details of project on work directives and change orders up to project approved contingency amount
- H. Approved Expenditure: Lawrence Drive and Teller Road Intersection Improvements (CI 5297); professional services agreement with Kimley-Horn and Associates, Inc., in amount of \$212,000, plus \$21,000 extra services, for design and engineering services with term ending 06/30/2021; \$88,000 budget transfer from FY 2020-21 to 2019-20 A/C 532-5570-631-8300 (CI 5297, Lawrence Drive and Teller Road Intersection Improvements Project) to A/C 532-5310-631-8300 (CI 5297, Lawrence Drive and Teller Road Intersection Improvements Project); authorize \$238,000 expenditure (\$212,000 Professional Services Agreement; \$21,000 extra services; \$5,000 City furnished materials and services) A/C 532-5310-631-8300 (CI 5297, Lawrence Drive and Teller Road Intersection Improvements Project)
- I. Additional Appropriation: Newbury Road Widening and Improvements (CI 4501); first amendment to reimbursement agreement with 1200 Newbury, LLC (Contract No. 11210-2016) in amount of \$111,340, revising not-to-exceed total to \$367,640; \$112,000 budget appropriation, authorize \$111,340 expenditure A/C 532-0000-311-1000 (Developer Fee Road Improvement Fund, Fund Balance) to A/C 532-5310-631-8300 (CI 4501, Newbury Road East of Ventu Park Road Widening and Improvements)

7. CONSENT CALENDAR: (Continued)

- J. Additional Appropriation: Hill Canyon Treatment Plant Digester No. 2 Rehabilitation Project (MI 2563); project design, specifications, and Addenda Nos. 1 and 2 for construction; award construction contract to Cushman Contracting Corporation, Inc. in amount of \$1,023,380, plus \$102,338 contingency; \$375,000 budget appropriation A/C 624-0000-341-9900 (Wastewater Fund, Net Position) to A/C 624-8250-682-5500 (MI 2563, HCTP Digester No. 2 Rehabilitation Project); third amendment to professional services agreement with HDR Engineering, Inc. (Contract No. 11737-2018) for Construction Phase Support Services in amount of \$109,858, for revised not-to-exceed amount of \$448,168; authorize \$1,235,576 expenditure (\$1,023,380 construction contract, \$109,858 construction support services and testing, \$102,338 construction contract contingency) A/C 624-8250-682-5500 (MI 2563, HCTP Digester No. 2 Rehabilitation Project); delegate authority to City Engineer to approve changes in design, plans, specifications, and working details of project on work directives and change orders up to project approved contingency amount
- K. Additional Appropriation: Assistance with Solid Waste Franchise Request for Proposal Process; authorize staff to waive formal RFP/Q process for assistance with solid waste franchise RFP process, approve R3 Consulting Group, Inc. pursuant to TOMC Section 3-10.501; award professional consulting services agreement to R3 for not-to-exceed amount of \$134,500; \$134,500 budget appropriation and authorize expenditures A/C 631-0000-341-9900 (Solid Waste, Net Position) to A/C 631-8420-682-5699 (NC0165, Solid Waste Contracted Services)
- L. Additional Appropriation: Dial-A-Ride Vehicle Purchase; "piggyback" purchase agreement using California Association for Coordinated Transportation/Morongo Basin Transit Authority contract and award to Creative Bus Sales, Inc. for purchase of six new Compressed Natural Gas (CNG) fueled Dial-A-Ride (DAR) vehicles in amount of \$680,251, funded by Transportation Development Act (TDA) funds; \$680,251 budget appropriation and authorize expenditures A/C 651-0000-341-9900 (TDA Deferred Revenue, Net Position) to A/C 651-5550-685-8400 (Dial-A-Ride/Equipment Over \$5,000)

7. CONSENT CALENDAR: (Continued)

- M. Approved Expenditure: Rancho Road Sidewalks and Bike Lane Project (CI 5308); fourth amendment to professional services agreement with Kimley-Horn and Associates, Inc. (Contract No. 11302-2016), increases not-to-exceed amount by \$29,655.19, for revised amount of \$324,506; authorize \$29,656 expenditure [\$16,952 A/C 001-5310-631-8300 (CI 5308, Rancho Road Sidewalk) and \$12,704 A/C 543-5310-631-8300 (CI 5308, Rancho Road Sidewalk)]
- N. Additional Appropriation: Roofing and Mechanical Improvements at Various City-Owned Locations (CI 5387 & CI 5418); project design plans, specifications, and working details; award construction contract to Bon Air, Inc. in amount of \$3,260,000, plus \$490,000 construction contingency; \$1,682,166 budget appropriation A/C 001-0000-311-1000 (General Fund - Fund Balance) to A/C 001-3570-612-8200 (CI 5387, Building Improvements) \$309,333, A/C 001-3577-612-8200 (CI 5387, Building Improvements) \$309,332, A/C 001-3573-677-8200 (CI 5418, Building Improvements) \$400,000, A/C 001-3574-677-8200 (CI 5418, Building Improvements) \$663,501, and authorize \$3,780,000 expenditures (\$3,260,000 construction contract, \$490,000 construction contingency, \$29,000 engineering/project contingency, \$1,000 for City furnished materials and supplies); delegate authority to City Engineer to approve changes in design, plans, specifications and working details of project on work directives and change orders up to project contingency amount
- O. Approved Expenditure: Annual Contribution to Conejo Senior Volunteer Program (CSVP); agreement with Conejo Recreation and Park District for \$10,000 Annual Contribution to CSVP; authorize expenditure in amount of \$10,000 A/C 001-0920-677-5920 (Grants & Donations)
- P. Approved Expenditure: Library Services Platform; five-year subscription license agreement with Innovative Interfaces, Inc. for Sierra Library Services Platform (Sierra), cloud-hosted library services platform, with not-to-exceed amount of \$500,000 to furnish, migrate, and maintain Sierra; term 07/01/2020 through 06/30/2025; authorize \$102,000 expenditures in for FY 2020-21 [\$82,300 A/C 110-7330-673-3122 (Library Fund computer software license), \$19,700 A/C 110-7330-673-5420 (Library Fund consulting services)]

7. CONSENT CALENDAR: (Continued)

Q. [Approved Expenditure: FY 2019-20 Expenditure Plan of grant funds pursuant to Supplemental Law Enforcement Services Fund \(SLESF\) guidelines to allow City to continue to benefit under SLESF partially offsetting contract costs of following positions: two Directed Enforcement Team \(formerly Bike Patrol\) deputies \(contract costs: \\$482,355\) A/C 001-6650-621-5730 \(Contracted Services – Law Enforcement\); one misdemeanor detective \(contract costs: \\$267,758\) A/C 001-6640-621-5730 \(Contracted Services – Law Enforcement\)](#)

R. [Financial Impact to be Determined: Late Payment Policies and Processes During COVID-19; adopt resolution](#)

RESOLUTION AUTHORIZING CITY STAFF TO TEMPORARILY SUSPEND COLLECTION OF CERTAIN LATE FEES AND FINES DURING LOCAL EMERGENCY RELATED TO COVID-19 PANDEMIC

RES. NO. 2020-_____

S. [Approved Expenditure: Conejo School Road/Willow Lane Sidewalk and Bike Lanes Project \(CI 5492\); adopt resolution; delegate authority to Community Development Director to approve and process Oak Tree Permit for removal of four oak trees as identified in project Oak Tree and Landmark Tree Report prepared by L. Newman Design Group, Inc. in February 2020; fourth amendment to professional services agreement with MNS Engineers, Inc. \(Contract No. 11658-2017\), in amount of \\$89,241 for new not-to-exceed total of \\$787,827; \\$89,241 expenditures \[\\$85,137 A/C 543-5310-631-8300 \(CI 5492, Conejo School Road/Willow Lane Sidewalk\), \\$4,104 A/C 613-5310-682-8300 \(CI 5492, Conejo School Road/Willow Lane Sidewalk\)\]](#)

RESOLUTION ADOPTING MITIGATED NEGATIVE DECLARATION FOR CONEJO SCHOOL ROAD AND WILLOW LANE SIDEWALK AND BIKE LANES PROJECT (CI 5492); AND ADOPTING MITIGATION MONITORING PROGRAM

RES. NO. 2020-_____