

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

March 31, 2020

1. CALL TO ORDER:

Mayor Al Adam 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 Adam led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers Engler, Jones, McCoy, and Bill-de la Peña present via teleconference, and Mayor Adam present in chambers.

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Assistant City Manager Ingrid Hardy, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer Jaime Boscarino (via teleconference), Public Works Director Clifford G. Finley, Deputy Public Works Director Nader Heydari, Sustainability Division Manager Helen Cox, Information Technology Supervisor Atanas Beltchev, Cable Operations Supervisor Carl Jarecky, Senior Video Specialist Richard Swingler, Assistant Analyst Sandra Delgado, and Records Management Specialist Judy Freeman.

4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
None.

5. SPECIAL PRESENTATIONS:

City Manager Powers provided COVID-19 update; City Attorney Noonan provided update on new Executive Order regarding definition of essential business.

6. PUBLIC COMMENTS: None.

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS: None.

9. DEPARTMENT REPORTS:

- A. 2020 Pavement Overlay (CI 5503 & 5504) and Slurry Program (MI 2549) presented by Deputy Public Works Director Heydari. Public Works Director Finley available for questions.

Mayor Pro Tem Bill-de la Peña recused herself due to conflict of interest with residence located within 500 feet of project area; absent 6:35 p.m.

Speaker/Statement Cards: None.

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9. DEPARTMENT REPORTS: (Continued)

Motion by Councilmember Jones to approve project plans, specifications, Addenda Nos. 1 and 2 for 2020 Pavement Overlay and Resurfacing Program (CI 5503 & CI 5504); award construction contract to Sully-Miller in amount of \$13,329,895.90; \$12,995,708.03 Base Bid, \$334,187.87 Additional Bid Schedules, plus \$666,495 contingency; approve project plans and specifications for 2020 Pavement Slurry Program (MI 2549); award construction contract to Petrochem Material Innovation, LLC for 2020 Pavement Slurry Program (MI 2549) in amount of \$1,240,341.30, plus \$124,034 contingency; approve deductive change order in amount of -\$2,097,538.03 with Sully-Miller Contracting Company; approve Reimbursement Agreements in total amount of \$752,155; \$693,635 from 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); authorize City Manager to execute agreements; approve budget appropriation increase to FY 2019-20 and FY 2020-21 General Fund, Gas Tax, Water and Wastewater Fund Budgets in amount of \$1,717,258, \$693,635, A/C 001-0000-437-9900 (CRPD Reimbursement, CI 5503); \$1,000,000, A/C 138-000-311-1000 (Gas Tax Fund Balance); \$385,000 decrease, A/C 132-5610-631-8300 (Gas Tax Fund Balance); \$615,000 decrease, A/C 135-5610-611-8300 (Gas Tax Fund Balance); \$50,000, A/C 133-0000-311-1000 (Gas Tax, Fund Balance); \$11,495, A/C 613-0000-437-9900 (Calleguas Reimbursement, CI 5503); \$11,615, A/C 613-0000-341-9900 (Water Fund, Net Position); \$47,025, A/C 624-0000-437-9900 (Triunfo Reimbursement, CI 5503); \$97,852, A/C 624-0000-341-9900 (Wastewater Fund, Net Position); \$221,150, A/C 539-0000-311-9900 (Developer Fee, Fund Balance) as outlined in budget appropriations and expenditures summary; approve budget transfers in amount of \$584,486, A/C 137-5310-631-5500 (2020 Pavement Slurry - MI 2549) to A/C 137-5610-631-8300 (2020 Pavement Overlay - CI 5503); authorize expenditures in amount of \$11,898,842.38 for 2020 Pavement Overlay Program; \$11,098,842.38 (CI 5503), \$800,000 (CI 5504), \$1,364,375.43 for 2020 Pavement Slurry Program (MI 2549) as outlined in budget appropriations and expenditures summary; delegate authority to City Engineer to approve changes to design, plans, specifications, and working details of projects on work directives and change orders up to project approved contingency amount, carried 4-0 by the following vote: Ayes - Engler, Jones, McCoy, and Adam; Absent/Recused - Bill-de la Peña, Noes - None.

Mayor Pro Tem Bill-de la Peña present 6:46 p.m.

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10. COMMITTEE/COMMISSION/BOARD REPORTS: None.
11. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None.
12. COUNCIL ISSUES/RECOMMENDATIONS: None.
 - A. Follow-up reports on meetings/conferences attended by Councilmembers.
13. CITY MANAGER:
 - A. Follow-up items: Nothing additional.
 - B. Announcements and upcoming issues: City Manager Powers reviewed potential topics for the next regularly scheduled City Council Meeting April 21, 2020.
14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor – None.
15. PUBLIC NOTICES: None.
16. ADJOURNMENT:

City Council adjourned at 7:01 p.m. to Regular Meeting on Tuesday, April 21, 2020.



Al Adam, Mayor
City of Thousand Oaks City Council

Attest:



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

AGENDA POSTED: March 27, 2020
MINUTES APPROVED: April 21, 2020

EXHIBIT A7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH S. ARE TO APPROVE

Sustainability Division Manager Cox responded to questions regarding Item 7.K.

Finance Director Boscarino responded to questions regarding Item 7.R.

Motion by Councilmember Bill-de la Peña to approve Consent Calendar with exception of Items 7.K. (Assistance with Solid Waste Franchise Request for Proposal Process) and 7.R. (Late Payment Policies and Processes During COVID-19), carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; Noes - None; Absent - None. (Items subsequently approved following discussion.)

Motion by Councilmember Jones to approve Items 7.K. and 7.R., carried 5-0 by the following vote: Ayes - Engler, Jones, McCoy, Bill-de la Peña, and Adam; Noes - None; Absent - None.

- 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)

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7. CONSENT CALENDAR: (Continued)

- 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)
- 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 532-531-631-8300 (CI 5297, Lawrence Drive and Teller Road Intersection Improvements Project)

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7. CONSENT CALENDAR: (Continued)

- 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)
- 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)

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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)]

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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. 2020-011

- 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. 2020-012