

City Council
REGULAR MEETING - TELECONFERENCE/VIDEO CONFERENCE
Tuesday, February 23, 2021, 6:00 P.M.
Andrew P. Fox City Council Chambers



Public advisory: The City Council facilities are closed to the public.
You may view the City Council meeting broadcast live on TV
(Frontier Channel 3, Spectrum Channel 10), the City's website
(www.toaks.org/TOTV), and YouTube (CTO Meetings).

Pursuant to the Governor's Executive Order N-29-20, City Councilmembers will be participating via teleconference and/or video conference.

You may participate in the meeting by submitting written comments or requesting to speak no later than 5:00 p.m. the day of the meeting.

If you would like to submit a written comment, please complete the online [Comment Form](#). Please see page two for more information.

If you would like to speak on an agenda item, please complete the online [Speaker Form](#). 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.

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

Executive Team

Andrew P. Powers, City Manager	Tracy M. Noonan, City Attorney
Ingrid Hardy, Assistant City Manager	Gary Rogers, Deputy City Manager
Kelvin Parker, Community Development Director	Jaime Boscarino, Finance Dir./City Treasurer
Cynthia M. Rodriguez, City Clerk	Clifford G. Finley, Public Works Director
Jonathan Serret, 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: To allow adequate time to provide your comments to the City Councilmembers please submit your comments via the online [Comment Form](#) no later than 5:00 p.m. the day of the meeting. If you would like to speak on an agenda item during the meeting, please complete the online [Speaker Form](#) no later than 5:00 p.m. the day of the meeting. If you would like to speak during the meeting, you will be asked to provide an email address and/or 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. If you need further assistance, please email the City Clerk Department at cityclerk@toaks.org or call (805) 449-2151.

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

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February 23, 2021

RES. NO. 2021-004
ORD. NO. 1684-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Adam, Jones, McNamee, Engler, and Mayor Bill-de la Peña
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
 - A. COVID-19 Update
 - B. Community Commitment Award
 - C. Black History Month Proclamation
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 7 for Consent Calendar listing)
8. PUBLIC HEARING: None
9. DEPARTMENT REPORTS:
 - A. [Residential Capacity Allocation and Initiation of General Plan Amendment for a Project Located at 1 Baxter Way \(LU 2019-70563/Prescreening \(RCA\) 2019-70561\); Applicant: ONE BAXTER WAY LP](#)

RESOLUTION DECLARING INTENTION TO CONSIDER AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN AND ALLOWING CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS FOR LAND LOCATED AT 1 BAXTER WAY (LU 2019-70563 / RCA 2019-70561: ONE BAXTER WAY LP) RES. NO. 2021-

9. DEPARTMENT REPORTS: (Continued)

- A. Residential Capacity Allocation and Initiation of General Plan Amendment for a Project Located at 1 Baxter Way (LU 2019-70563/Prescreening (RCA) 2019-70561); Applicant: ONE BAXTER WAY LP (Continued)

RECOMMENDATION:

Receive request and provide direction. Options include:

1. Adopt resolution (Attachment #1) to Initiate General Plan Amendment to change land use designation from Industrial to High Density Residential for an 8.8-acre portion of a 42.9-acre site, allocate 264 dwelling units of Citywide Measure E capacity, and authorize concurrent processing of legislative actions and project entitlements for a proposed project located at 1 Baxter Way;

or

2. Deny the initiation of the General Plan Amendment and allocation of residential units for the proposed project

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. [Planning Commission and Traffic and Transportation Advisory Commission Appointments \(Adam\)](#)

RECOMMENDATION:

1. Approve re-appointment to the Planning Commission of Don Lanson to serve a term ending December 2024
2. Approve appointment to the Traffic and Transportation Advisory Commission of Andrew Pletcher to serve a term ending in December 2024

- B. [Planning Commission and Traffic and Transportation Advisory Commission Appointments \(McNamee\)](#)

RECOMMENDATION:

1. Approve appointment to the Planning Commission of Justin Link to serve a term ending December 2024
2. Approve appointment to the Traffic and Transportation Advisory Commission of Victor Hayek to serve a term ending in December 2024

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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February 23, 2021

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: Teleconference
 - A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: Before the Public Utilities Commission of the State of California: *Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$34,559,200 or 16.29% in the year 2018, by \$8,478,500 or 3.43% in the year 2019, and by \$7,742,600 or 3.03% in the year 2020; Application No. 16-07-002; City of Thousand Oaks, Party of Interest; Pursuant to Government Code Section 54956.9(a)*
15. PUBLIC NOTICES: None
16. ADJOURNMENT:

Adjourn to Regular Meeting March 9, 2021

Agenda Post Date/Time: February 18, 2021, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH H. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify February 10, 2021 and February 17, 2021; approve February 24, 2021, and March 3, 2021, subject to review and ratification
- B. [Minutes of City Council meeting of February 9, 2021](#)
- C. Approved Expenditure: [2021 Sidewalk and Concrete Replacement Program \(MI 2550\)](#); authorize staff to advertise for construction bids
- D. Additional Appropriation: [Supervisory Control and Data Acquisition Upgrades/Replacements Project \(CI 5284\)](#); project design, plans, specifications, and Addenda Nos. 1, 2, and 3; award construction contract to CDM Constructors, Inc., in amount of \$3,467,497, plus \$346,750 contingency; Third Amendment to Professional Services Agreement (Cont. No. 12091-2019) with AECOM Technical Services, Inc., to provide engineering support services during construction in amount of \$420,203, for revised not-to-exceed amount of \$779,103, plus \$42,000 extra services, extend term to 12/31/2022; authorize budget appropriation in amount of \$724,360; \$512,000 A/C 613-0000-341-9900 (Water Capital Fund – Net Position) to A/C 613-8030-682-8300 (CI 5284, SCADA Upgrades/Replacements Project), \$212,360 A/C 624-0000-341-9900 (Wastewater Capital Fund – Net Position) to A/C 624-8030-682-8300 (CI 5284, SCADA Upgrades/ Replacements Project); authorize expense in amount of \$4,281,450 (\$3,467,497 construction contract; \$346,750 construction contingency; \$420,203 Third Amendment; \$42,000 extra services; \$5,000 City furnished supplies and materials) from SCADA Upgrades/Replacements Project (CI 5284), which includes \$1,995,156 from A/C 612-8030-682-8300, \$2,073,934 from A/C 613-5310-682-8300, and \$212,360 from A/C 624-8030-682-8300; delegate authority to City Engineer to approve changes to design, plans, specifications, and working details of project on work directives and change orders up to project approved contingency amount

7. CONSENT CALENDAR: (Continued)

- E. Approved Expenditure: Hill Canyon Treatment Plant Program Manager Agreement; Second Amendment to Professional Services Agreement (Cont. No. 11772-2018) with Phoenix Engineering, Inc. in amount of \$200,000, revised not-to-exceed amount \$650,000; authorize expenditure in amount of \$200,000 to be paid by Capital Improvement/Maintenance Improvement Budget under approved Capital Improvement Program, as services are rendered
- F. Approved Expenditure: Library Circulating Materials; authorize expenditures in amount not-to-exceed \$600,000 in FY 2020-21 for Library circulating materials (books, databases, periodicals, electronic books, audio books, etc.) from A/C 110-7220-673-3231 (Materials, Circulating Books) for the following vendors: Ingram Library Services LLC, Overdrive Inc., Gale Cengage Learning Inc., and Baker & Taylor Inc.
- G. No Appropriation/Expenditure Required: 2021 City Council Meeting Schedule Revision; adopt resolution

RESOLUTION REVISING CITY COUNCIL MEETING SCHEDULE FOR
CALENDAR YEAR 2021 AND RESCINDING RESOLUTION 2020-041
RES. NO. 2021-_____

- H. Approved Expenditure: State Community Development Block Grant Mitigation Program; authorize staff to apply for State Community Development Block Grant Mitigation funding with Cities of Moorpark and Simi Valley, for amount up to \$500,000 to be shared equally to enhance each City's Virtual Emergency Operations Center capabilities, purchase communications equipment, fund personnel costs, and conduct public outreach and emergency program training; adopt resolution authorizing submittal of joint application with Cities of Moorpark and Simi Valley and authorizing City Manager or designee to enter into and execute the grant agreement and all subsequent amendments with the State

RESOLUTION APPROVING APPLICATION FOR FUNDING AND
EXECUTION OF GRANT AGREEMENT AND AMENDMENTS THERETO
FROM 2019-20 FUNDING YEAR OF STATE CDBG MITIGATION
PROGRAM
RES. NO. 2021-_____