

**City Council**  
**REGULAR MEETING - TELECONFERENCE/VIDEO CONFERENCE**  
**Tuesday, April 13, 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](http://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 Director/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](http://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](mailto: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.

**SPANISH INTERPRETATION:** If you need interpretation of your communications to the City Council from Spanish into English, please contact the City Clerk Department at (805) 449-2151 or by email at [cityclerk@toaks.org](mailto:cityclerk@toaks.org). Notification of at least 48 hours will usually enable the City to make arrangements.

**INTERPRETACIÓN AL ESPAÑOL:** Si necesita una interpretación del español al inglés para sus comunicaciones al Consejo de la Ciudad, comuníquese con el Departamento del Secretario Municipal al (805) 449-2151 o por correo electrónico a [cityclerk@toaks.org](mailto:cityclerk@toaks.org).

**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.

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. Arbor Earth Day Proclamation
  - C. Donate Life Month Proclamation
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 8 for Consent Calendar listing)
8. PUBLIC HEARINGS:
  - A. [Collection of Residential Wastewater Service Charges on Ventura County Secured Property Tax Roll](#)

ORDINANCE AMENDING SECTIONS 10-1.703, 10-1.901, 10-1.902, 10-1.908, AND 10-1.909 OF THE THOUSAND OAKS MUNICIPAL CODE REGARDING BILLING AND PAYMENT REGULATIONS GOVERNING THE CITY'S WASTEWATER SERVICE CHARGES

ORD. NO. 1st Reading

RESOLUTION APPROVING REPORT OF RESIDENTIAL WASTEWATER SERVICE CHARGES FOR FISCAL YEAR 2021-22 AND DIRECTING FILING OF CHARGES FOR COLLECTION BY COUNTY TAX COLLECTOR

RES. NO. 2021-

8. PUBLIC HEARINGS: (Continued)

- A. Collection of Residential Wastewater Service Charges on Ventura County Secured Property Tax Roll (Continued)

RECOMMENDATION:

1. Ordinance amending Thousand Oaks Municipal Code (TOMC) sections 10-1.703, 10-1.901, 10-1.902, 10-1.908, and 10-1.909, regarding wastewater service charges and billing to be read in title only, further reading to be waived, and if no objection, introduced (Proposition 218 public hearing applies)
2. Adopt resolution approving the report of residential wastewater service charges and authorizing the County of Ventura to collect residential wastewater service charges via direct assessment on the Ventura County secured tax roll for FY 2021-22. Two-thirds vote required

B. [Public Franchise to California American Water Company](#)

ORDINANCE GRANTING TO CALIFORNIA AMERICAN WATER COMPANY THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, USE, MAINTAIN AND OPERATE PIPELINES AND APPURTENANCES FOR THE TRANSMISSION AND DISTRIBUTION OF WATER FOR ANY AND ALL PURPOSES IN, ALONG, ACROSS, UPON AND UNDER THE PUBLIC STREETS AND RIGHTS-OF-WAY AS THE SAME NOW OR MAY HEREAFTER EXIST WITHIN THE CITY OF THOUSAND OAKS

ORD. NO. 1st Reading

RECOMMENDATION:

1. Receive staff report and public comments
2. Read ordinance regarding granting public franchise to California American Water Company in title only, waive further reading, and if no objection, introduce ordinance

9. STUDY SESSIONS:

A. [Proposed FY 2021-22 and FY 2022-23 Capital Improvement Program Budget Study Session](#)

RECOMMENDATION:

1. Receive information on Proposed FY 2021-22 and FY 2022-23 Capital Improvement Program (CIP) budget
2. Schedule a public hearing for City Council review and adoption of the FY 2021-22 and FY 2022-23 Operating and CIP Budget on June 8, 2021

10. DEPARTMENT REPORTS:

A. [Retired Annuitant Appointment](#)

RECOMMENDATION:

1. Approve appointment of Mark Towne as a retired annuitant hourly employee
2. Authorize expenditure from A/C #001-4010-641-1210 (Community Development Temporary/Hourly Employee/ Regular Pay)

11. COMMITTEE/COMMISSION/BOARD REPORTS: None

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

13. COUNCIL ISSUES/RECOMMENDATIONS:

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

14. CITY MANAGER:

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

15. CLOSED SESSION: Teleconference
  - A. CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: Claims of Christopher Breaux, et al., City Claim # 1589-2021; and Claim of Rochelle Bishop, City Claim # 1587-2021. Pursuant to Government Code Section 54956.9(d)(2)
  - B. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *Blanca Soto vs. City of Thousand Oaks, et al.*, Ventura County Superior Court Case No: 56-2020-00541950-CU-PO-VTA; Pursuant to Government Code Section 54956.9(a)
16. PUBLIC NOTICES: None
17. ADJOURNMENT:

Adjourn to Regular Meeting April 27, 2021

Agenda Post Date/Time: April 8, 2021, 5:00 p.m.

**EXHIBIT A**

## 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH N. ARE TO APPROVE*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify March 10, 2021, March 17, 2021, March 24, 2021, March 31, 2021, and April 7, 2021; approve April 14, 2021, and April 21, 2021, subject to review and ratification
- B. [Minutes of Regular City Council meeting of March 16, 2021, and Special City Council meeting of March 30, 2021](#)
- C. No Appropriation/Expenditure Required: Request for Letter of Public Convenience and Necessity LPCN 2020-70657; California Department of Alcohol Beverage Control (ABC) Requirement, located at 1865-1867 East Thousand Oaks Boulevard; Applicant: West Tasting Room LLC; authorize Community Development Director to send LPCN to ABC
- D. No Appropriation/Expenditure Required: Request for Letter of Public Convenience and Necessity LPCN 2021-70100; California Department of Alcohol Beverage Control (ABC) Requirement, located at 215 North Moorpark Road; Applicant: The Mighty Axe; authorize Community Development Director to send LPCN to ABC
- E. No Appropriation/Expenditure Required: Request for Letter of Public Convenience and Necessity LPCN 2021-70064; California Department of Alcohol Beverage Control (ABC) Requirement, located at 101 South Westlake Boulevard; Applicant: Wild Fork Food; authorize Community Development Director to send LPCN to the ABC
- F. Approved Expenditure: Transfer of City-Owned Open Space Parcel to Conejo Open Space Conservation Agency (COSCA) for Long-Term Ownership and Management; authorize City Manager, or designee, to execute all documents necessary to transfer one City-owned 0.29-acre open space parcel (APN 673-0-270-120) to COSCA for long-term ownership and management
- G. Approved Expenditure: Hill Canyon Treatment Plant (HCTP) Secondary Clarifier No. 3 Coating/Concrete Rehabilitation Project (MI 2588); authorize staff to advertise for construction bids

## 7. CONSENT CALENDAR: (Continued)

- H. Approved Expenditure: Hill Canyon Treatment Plant (HCTP) Digester No. 1 Rehabilitation Project (MI 2564); authorize staff to advertise for construction bids
- I. Approved Expenditure: Pressure Reducing Station Project (CI 5454); authorize staff to advertise for construction bids
- J. Approved Expenditure: Transit Mutual Aid Compact Agreement; City joining California Statewide Transit Mutual Aid Compact (TransMAC); authorize City Manager or designee to be "authorized official" to sign Agreement and related documents
- K. Approved Expenditure: Hill Canyon Treatment Plant (HCTP) Digester No. 1 Rehabilitation Project – Purchase of Valves (MI 2564); ratify decision to cancel Purchase Order #76568 awarded to Water Technology Resources (WTR) for 27 valves in amount not-to-exceed \$103,539.15; authorize purchase of 27 valves in amount not-to-exceed \$111,916.45 from CS-Amsco; authorize expenditure of \$111,920 A/C 624-8250-682-5500 (MI 2564, Contract Services/Construction)
- L. Approved Expenditure: On-call General Building Contractor Services; agreements with: AJ Fistes Corp.; Ardan Construction Co., Inc.; Bird Pacific, Inc.; Bodagger Enterprises, Inc.; G2K Construction, Inc.; Lead Builders, Inc.; Omega Construction Co., Inc.; Sturdy Built, Inc.; and Waisman Construction, Inc., 3-year terms 05/01/2021 through 04/30/2024, with maximum limit of \$60,000 per task order (or maximum allowed limit as authorized under Section 22020 of Public Contract Code), total contract not-to-exceed amounts \$300,000 per contractor
- M. Approved Expenditure: Mail Room Equipment Lease Agreement; amendment to Contract No. 11160-2016 with Quadiant Leasing, USA, Inc., (formerly MailFinance, A Neopost USA Company), to add \$85,000, with not-to-exceed amount of \$325,660 over lifetime of contract and extend expiration date to 09/05/2022
- N. No Appropriation/Expenditure Required: Joint Application with County of Ventura for 2018 CDBG-DR Multifamily Housing Program Funding; adopt resolution; authorize City Manager to finalize and execute Cooperation Agreement with County of Ventura and related documents in connection with CDBG-DR-MHP

RESOLUTION AUTHORIZING RESOLUTION FOR PROJECTS UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY MULTIFAMILY HOUSING PROGRAM (CDBG-DR-MHP) FUNDS  
RES. NO. 2021-