

City Council
REGULAR MEETING - TELECONFERENCE/VIDEO CONFERENCE
Tuesday, April 27, 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 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. 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.

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. 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.

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

Thousand Oaks, California

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April 27, 2021

RES. NO. 2021-011
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. Autism Acceptance Month Proclamation
 - C. Community Commitment Award
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 9 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [Proposed 2021 Citywide User Fees, Fines, Penalties, Rates, and Assessments \(User Fees\), Traffic Development Impact Fees, and Police Facilities Development Fee](#)

RESOLUTION APPROVING AND ADOPTING THE 2021 USER FEES, FINES, PENALTIES, RATES, AND ASSESSMENTS, WHICH INCLUDES NON-COMPLIANCE FEES RES. NO. 2021-_____

RESOLUTION INCREASING TRAFFIC DEVELOPMENT IMPACT FEES BY THE CONSTRUCTION COST INDEX RES. NO. 2021-_____

RESOLUTION APPROVING AND ADOPTING THE 2021 POLICE FACILITIES DEVELOPMENT FEE RES. NO. 2021-_____

8. PUBLIC HEARINGS: (Continued)

- A. Proposed 2021 Citywide User Fees, Fines, Penalties, Rates, and Assessments (User Fees), Traffic Development Impact Fees, and Police Facilities Development Fee

RECOMMENDATION:

1. Adopt resolution approving the 2021 Citywide Fees, Fines, Penalties, Rates, and Assessments (User Fees) with Non-Compliance Fees
2. Adopt resolution approving Traffic Development Impact Fees
3. Adopt resolution approving Police Facilities Development Fee

9. DEPARTMENT REPORTS:

- A. [Residential Capacity Allocation and Initiation of General Plan Amendment for a Project Located at 2150 West Hillcrest Drive \(LU 2021-70169 / Prescreening RCA 2021-70168\); Applicant: AMGEN INC.](#)

RESOLUTION DECLARING INTENTION TO CONSIDER AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN, ALLOCATE 246 MEASURE E UNITS, AND ALLOWING CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS FOR LAND LOCATED AT 2150 WEST HILLCREST DRIVE (LU 2021-70169 / RCA 2021-70168: AMGEN INC.) RES. NO. 2021-

RECOMMENDATION:

Receive request and provide direction. Options include:

1. Adopt resolution to Initiate General Plan Amendment to change land use designation from Commercial to Commercial/Residential for an 8.2-acre site, allocate 246 dwelling units of Citywide Measure E capacity, and authorize concurrent processing of legislative actions and project entitlements for a proposed project located at 2150 West Hillcrest Drive;

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

9. DEPARTMENT REPORTS: (Continued)

- B. [Residential Capacity Allocation and Initiation of General Plan Amendment for a Project Located at 86 Long Court \(LU 2021-70182 /Prescreening RCA 2021-70181\); Applicant: SJG LONG INVESTMENT](#)

RESOLUTION DECLARING INTENTION TO CONSIDER AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN, ALLOCATING 55 MEASURE E UNITS FROM THE CITY-WIDE CAPACITY TO THE THOUSAND OAKS BOULEVARD SPECIFIC PLAN (SP 20), AND ALLOWING CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS FOR LAND LOCATED AT 86 LONG COURT (LU 2021-70182 / RCA 2021-70181: SJG LONG INVESTMENT)

RES. NO. 2021-_____

RECOMMENDATION:

Receive request and provide direction. Options include:

- 1. Adopt resolution to Initiate General Plan Amendment (GPA) to move 55 Measure E units into the Thousand Oaks Boulevard Specific Plan for the 1.86-acre site and authorize concurrent processing of legislative actions and project entitlements for a proposed project located at 86 Long Court;

or

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

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
 - 1. Update on Association of Water Agencies (AWA) of Ventura County Meeting, April 15, 2021 (McNamee)

RECOMMENDATION: Receive oral report

13. CITY MANAGER:

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

14. CLOSED SESSION: Teleconference

- A. CONFERENCE WITH LEGAL COUNSEL – Initiation of litigation; Pursuant to Government Code Section 54956.9(d)(4). (1 Potential Case)

15. PUBLIC NOTICES:

Items listed under Public Notices are a matter of public record only. These items do not require City Council action.

- A. [Notice of Pending Final Map – Approval of Final Map TR5932; 23.77 Ac 7 Lot Residential Sub-Division for SFR Purposes; Location: West of Hillsbury Rd. \(Vta Co.\) & North of Grandoaks Dr. \(LA Co.\); Developer: Highgate Estates, LLC](#)

16. ADJOURNMENT:

Adjourn in memory of:

- o Karen Olson Guetschoff, distinguished community volunteer

to Regular Meeting May 11, 2021

Agenda Post Date/Time: April 22, 2021, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH J. ARE TO APPROVE
RECOMMENDATIONS FOR ITEMS K. THROUGH L. ARE TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify April 14, 2021, and April 21, 2021; approve April 28, 2021, and May 5, 2021, subject to review and ratification
- B. [Minutes of Regular City Council meeting of April 13, 2021, and Special City Council meeting of April 20, 2021](#)
- C. [Additional Appropriation: Legislative Management Software; “piggyback” agreement using City of Los Angeles, CA legislative management system contract with PrimeGov for agenda management/viewing, meeting management, video streaming/archiving, community engagement, board and commission management, and other related services for not-to-exceed amount of \\$319,866.86, term 05/01/2021 – 07/31/2023, with option to extend; budget appropriation in amount of \\$33,500 A/C 883-0000-241-9900 \[Public Educational, Government \(PEG\) funds\]; \\$23,500 to A/C 001-2110-611-3300 \(Equipment less than \\$5,000\), \\$10,000 to A/C 001-2110-611-8400 \(Equipment \\$5,000 or more\); budget appropriation in amount of \\$73,700 A/C 001-0000-311-1000 \(General Fund, Fund Balance\); \\$53,900 to A/C 001-2110-611-4300 \(Repairs and Maintenance - Software Maintenance\) and \\$19,800 to A/C 001-2110-611-5699 \(Contracted Services/Other\); authorize expenditures in amount of \\$107,200 for FY 2020-21: \\$23,500 A/C 001-2110-611-3300 \(Equipment less than \\$5,000\); \\$53,900 A/C 001-2110-611-4300 \(Repairs and Maintenance - Software Maintenance\); \\$19,800 A/C 001-2110-611-5699 \(Contracted Services/Other\); \\$10,000 A/C 001-2110-611-8400 \(Equipment \\$5,000 or more\)](#)
- D. [No Appropriation/Expenditure Required: FY 2021-22 Top Ten Priorities & Citywide Goals for FY 2021-22 & 2022-23 and reaffirm City Council Norms](#)
- E. [Approved Expenditure: On-Call Electrical Contractor Services; contracts for on-call electrical contractor services at various City facilities to the following: Caltex Electric, Inc.; Lead Builders, Inc.; Oilfield Electric Company \(DBA Oilfield Electric & Motor\); Taft Electric Company; and Waisman Construction, Inc., for three-years each \(05/01/2021 through 04/30/2024\), with a maximum limit of \\$60,000 per task order \(or maximum allowed limit as authorized under Section 22020 of the Public Contract Code\), and total contract not-to-exceed amount of \\$150,000 per contractor](#)

7. CONSENT CALENDAR: (Continued)

- F. Approved Expenditure: 2021 Concrete Replacement and Sidewalk Repair Program (MI 2550); project design, plans, and specifications, including Addendum No. 1 for construction; award construction contract to FS Contractors, Inc. in amount of \$395,000, plus contingency of \$39,500; authorize expenditure in amount of \$444,500 (\$395,000 construction contract; \$39,500 construction contingency; \$10,000 City furnished materials and supplies), A/C 133-5310-631-5500 (MI 2550, Concrete Replacement and Sidewalk Repair Program - Construction); 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
- G. \$1,032,839 Reallocation to FY 2020-21 Capital Budget, Unappropriated Funding Fully Offset by Increase in Grant Revenue: Additional Congestion Mitigation Air Quality (CMAQ) Grant Funding for Capital Improvement Projects (CI 5492 and CI 5308); authorize acceptance of CMAQ Grant in amount of \$1,014,973; \$666,127 for Conejo School Road/Willow Lane Sidewalk (CI 5492) project, \$348,846 for Rancho Road Sidewalk and Bike Lanes (CI 5308) project; unappropriate budget in amount of \$73,526 A/C 001-5310-631-8300 (CI 5308 Rancho Road Sidewalk and Bike Lanes), return to Fund 001 fund balance; unappropriate budget in amount of \$926,555; \$651,235 A/C 543-5310-631-8300 (CI 5492, Conejo School Road/Willow Lane Sidewalk), \$275,320 A/C 543-5310-631-8300 (CI 5308, Rancho Road Sidewalk and Bike Lanes), return to Fund 543 fund balance; unappropriate budget in amount of \$14,892 A/C 537-5310-631-8300 (CI 5492, Conejo School Road/Willow Lane Sidewalk), return to Fund 537 fund balance; unappropriate budget in amount of \$73,526 A/C 001-5310-631-8300 (CI 5308 Rancho Road Sidewalk and Bike Lanes), return to Fund 001 fund balance; budget appropriation and authorize expenditure in amount of \$1,014,973 A/C 183-0000-311-1000 (Grant Fund, Fund Balance); \$666,127 to A/C 183-5310-631-8300 (CI 5492, Conejo School Road/ Willow Lane Sidewalk), \$348,846 to A/C 183-5310-631-8300 (CI 5308, Rancho Road Sidewalk and Bike Lanes); budget appropriation and authorize expenditure in the amount of \$17,866 A/C 136-0000-311-1000 (Bicycle & Pedestrian Gas Tax Fund, Fund Balance) to A/C 136-5310-631-8300 (CI 5492, Conejo School Road/Willow Lane Sidewalk)

7. CONSENT CALENDAR: (Continued)

- H. Additional Appropriation: Hill Canyon Treatment Plant Fats, Oils and Grease Facility Improvements (CI 5441); Professional Services Agreement with MKN & Associates in amount not-to-exceed \$333,826 for preparation of condition assessment, plans and specifications, plus \$33,000 extra services, term ending 06/30/2022; budget appropriation in amount of \$72,000 A/C 624-0000-341-9900 (Wastewater Fund, Net Position) to A/C 624-8250-682-8300 (CI 5441, HCTP Fats, Oils, and Grease Facility Improvements Project for FY 2020-21); authorize expenditure in amount of \$366,826 (\$333,826 agreement, plus extra services of \$33,000) A/C 624-8250-682-8300 (CI 5441, HCTP Fats, Oils, and Grease Facility Improvements Project)
- I. No Appropriation/Expenditure Required: Low Carbon Fuel Standard Credits (LCFS); sale of 636 metric tons equivalent LCFS credits in California Air Resources Board (CARB) Credit Clearance Market (CCM) at competitive bid amount up to maximum price of \$221.67 per LCFS credit, for maximum total revenue of \$140,982.12; authorize City Manager to execute all necessary documents related to sale of LCFS credits
- J. Approved Expenditure: Acceptance of the Homeland Security Grant for the Disaster Assistance Response Team; authorize acceptance of County of Ventura's Homeland Security grant in amount of \$10,000 to be received by Thousand Oaks Police Department's Disaster Assistance Response Team (DART); expenditure in amount of \$10,000 A/C 001-6740-627-3300 (OES015, DART Equipment less than \$5,000)

ORDINANCES FOR SECOND READING:

- K. 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 (Introduced 4/13/21, 5-0)
- ORD. NO. 1684-NS
- L. 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 (Introduced 4/13/21, 5-0)
- ORD. NO. 1685-NS