

City Council
REGULAR MEETING - TELECONFERENCE/VIDEO CONFERENCE
Tuesday, May 11, 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. 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. Por favor, avísenos con al menos 48 horas de anticipación para que la ciudad pueda hacer los arreglos necesarios.

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. Public Works Week Proclamation
 - C. Conejo Recreation and Parks District - Adult, Teen, and Volunteer Programs Update
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 7 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [2021-22 Community Development Block Grant Action Plan](#)

RECOMMENDATION:

1. Approve FY 2021-22 Community Development Block Grant (CDBG) Action Plan totaling \$581,545 for submittal to U.S. Department of Housing and Urban Development (HUD)
2. Authorize City Manager to proportionately adjust the proposed allocations if HUD revises the amount of the City's FY 2021-22 CDBG grant; and authorize City Manager to finalize and execute grant agreements and related documents in connection with FY 2021-22 CDBG Action Plan

9. STUDY SESSIONS:

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

RECOMMENDATION:

1. Receive information on Proposed FY 2021-22 and FY 2022-23 Operating 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: None

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: *Katelyn Clint vs. Fred Gessler and City of Thousand Oaks*, Ventura County Superior Court Case Number: 56-2021-00551445-CU-PA-VTA; Pursuant to Government Code Section 54956.9(a)
- B. CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: *Martin Flores and Graciela Franco Reyes vs. Thomas Halub and City of Thousand Oaks*, Ventura County Superior Court Case Number: 56-2021-00551360-CU-PA-VTA; Pursuant to Government Code Section 54956.9(a)
- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 384 Erbes Road, Thousand Oaks, California 91362; NEGOTIATING ON BEHALF OF CITY: Andrew Powers, City Manager; Tracy Noonan, City Attorney; Gary Rogers, Deputy City Manager; Jaime Boscarino, Finance Director; and Haider Alawami, Economic Development Manager; NEGOTIATING ON BEHALF OF PROPERTY OWNER: Hillcrest Christian; UNDER NEGOTIATION: Price and Terms; Pursuant to Government Code Section 54956.8

16. PUBLIC NOTICES: None

17. ADJOURNMENT:

Adjourn in memory of:

- Phil Gatch, former Community Development Director and City Manager
to Special Meeting May 18, 2021

Agenda Post Date/Time: May 6, 2021, 5:00 p.m.

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EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH I. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify April 28, 2021, and May 5, 2021; approve May 12, 2021, and May 19, 2021, subject to review and ratification
- B. [Minutes of City Council meeting of April 27, 2021](#)
- C. [Approved Expenditure: One-Year Extension of Resident Company Status and Tenant Lease Agreements; interim one-year extension of Resident Company status for 5-Star Theatricals \(formerly Cabrillo Music Theatre\), New West Symphony Association, and Pacific Festival Ballet for term 07/01/2021 until 06/30/2022; First Amendment to office lease agreements between City and 5 Star Theatricals and New West Symphony Association, extending lease one-year for term 07/01/2021 until 06/30/2022](#)
- D. [Additional Appropriation: Tyler EnerGov Land Management System Project Management; agreement with Park Consulting Group for project management for period 06/01/2021 to 05/31/2023 with not-to-exceed amount \\$250,000 for term of agreement; authorize staff to waive formal Request for Proposal/Qualifications \(RFP/Q\) process pursuant to TOMC Section 3-10.501; authorize City Manager to execute professional services agreement subject to approval by City Attorney once all terms negotiated; authorize budget appropriation and expenditure in amount not-to-exceed \\$250,000 A/C 001-0000-311-1000 \(General Fund, fund balance\) to A/C 001-4010-641-5420 \(General Fund Consulting Services\)](#)
- E. [Additional Appropriation: Grant Deed of Portion of City-Owned Hill Canyon Road Parcel to Camrosa Water District \(APN 520-0-180-245\); sale of 2.47-acre portion of City-owned parcel portion at southeast corner of Hill Canyon Road and Santa Rosa Road to Camrosa Water District, using comparative appraised values as outlined in the staff report; authorize City Manager to sign Grant Deed and related documents; budget appropriation in amount of \\$217,000 to A/C 621-0000-512-0000 \(Sale of Property\) to increase revenue for the sale of property](#)
- F. [Approved Expenditure: Wendy Drive Pedestrian Crossing at Charlotte Street \(MI 2033\); project design, plans, and specifications; delegate authority to City Engineer to approve changes to design, plans, specifications, and working details of project as required during construction](#)

7. CONSENT CALENDAR: (Continued)

- G. [No Appropriation/Expenditure Required: Annual Transit Public Transportation Agency Safety Plan Review; adopt resolution](#)

RESOLUTION APPROVING AND CERTIFYING THE 2021 ANNUAL REVIEW OF THE CITY OF THOUSAND OAKS TRANSIT PUBLIC TRANSPORTATION AGENCY SAFETY PLAN RES. NO. 2021-_____

- H. [Approved Expenditure: Thousand Oaks Groundwater Utilization Project \(CI 5395\) Bureau of Reclamation WaterSmart, Water Infrastructure Improvements for the Nation \(WIIN\) Act Grant Program; adopt resolution designating Public Works Director or authorized designee to submit application, execute an agreement and any amendments, and certify funding disbursements with United States Bureau of Reclamation's 2021 WaterSmart, WIIN Act Grant Program for Los Robles Desalter Project \(Thousand Oaks Groundwater Utilization CI 5395\)](#)

RESOLUTION IN CONNECTION WITH THE CITY'S LOS ROBLES DESALTER PROJECT, APPROVING THE FILING OF AN APPLICATION AND EXECUTION OF A COOPERATIVE AGREEMENT WITH THE UNITED STATES BUREAU OF RECLAMATION FOR FUNDING OPPORTUNITIES PURSUANT TO 2021 WATERSMART DESALINATION CONSTRUCTION PROJECTS, UNDER THE WIIN ACT GRANT PROGRAM RES. NO. 2021-_____

- I. [Approved Expenditure: Fiscal Year 2020-21 Transportation Development Act Funds Additional Funding; adopt resolution authorizing staff to file claim with Ventura County Transportation Commission \(VCTC\) for additional Transportation Development Act \(TDA\) allocation of \\$1,023,180 from Local Transportation Fund \(LTF\) and estimated \\$26,000 from State Transit Assistance \(STA\) and State of Good Repair \(SGR\) funds](#)

RESOLUTION AUTHORIZING A CLAIM FOR ALLOCATION OF FY 2020-21 FUNDS FROM VENTURA COUNTY LOCAL TRANSPORTATION FUNDS AS OUTLINED IN THE 1971 TRANSPORTATION DEVELOPMENT ACT RES. NO. 2021-_____