

# THOUSAND OAKS CITY COUNCIL



## Supplemental Information Packet

**Agenda Related Items - Meeting of December 14, 2021  
Supplemental Packet Date: December 14, 2021**

**2:30 p.m.**

### **Supplemental Information:**

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TO COUNCIL: 12/14/2021  
AGENDA ITEM: 10.A.  
MEETING DATE: 12/14/2021

**From:** Claudia Bill-de la Peña <[claudia4slowgrowth@gmail.com](mailto:claudia4slowgrowth@gmail.com)>  
**Sent:** Tuesday, December 14, 2021 12:12 PM  
**To:** City Clerk's Office <[cityclerk@toaks.org](mailto:cityclerk@toaks.org)>  
**Subject:** Fwd: Agenda item 10A: Automatic License Plate Reading technology 12-14-2021

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**From:** Lisa Evans Powell <[lisaesings@hotmail.com](mailto:lisaesings@hotmail.com)>  
**Date:** Tue, Dec 14, 2021 at 11:52  
**Subject:** Agenda item 10A: Automatic License Plate Reading technology 12-14-2021  
**To:** Bob Engler <[BEngler@toaks.org](mailto:BEngler@toaks.org)>, Claudia Bill-de la Peña <[claudia4slowgrowth@gmail.com](mailto:claudia4slowgrowth@gmail.com)>, AAdam@toaks.org <[AAdam@toaks.org](mailto:AAdam@toaks.org)>, Ed Jones <[EJones@toaks.org](mailto:EJones@toaks.org)>, Kevin McNamee <[KMcNamee@toaks.org](mailto:KMcNamee@toaks.org)>, City Manager's Office <[CityManager@toaks.org](mailto:CityManager@toaks.org)>

Dear Councilmembers,

I wanted to write with some concerns about the ALPR item on the agenda tonight, which asks for additional funding to expand ALPR technology here in Thousand Oaks.

There is a lot of information that exists that should caution us about the use of this type of technology. The ACLU has some grave concerns about it as well as the vendor we use, Vigilant Solutions.

I know our City is already utilizing ALPR technology - but I hope that serious and thoughtful consideration will go into whether we expand it further (and spend a hefty amount of public funds on it). The city needs to ensure there are controls in place to address privacy and safety concerns. Examples of policies may be: Ensure that any data collected has restricted use for ongoing criminal investigations, erase data on people who have not engaged in wrongdoing, limit access to data by law enforcement and keep records on who does access it, provide a way for residents to find out if their data is being stored, and offer regular public reports on how our local law enforcement is utilizing these data.

This article may be helpful as you ponder this issue:

<https://www.nytimes.com/2019/04/23/opinion/when-license-plate-surveillance-goes-horribly-wrong.html>

I think it is important that Thousand Oaks residents understand that our movements in Thousand Oaks are being tracked and recorded by the government. I hope that the City will be transparent in whatever decisions and policies it has/creates on this issue.

Truly Yours,

Lisa Powell  
Thousand Oaks resident

Name	City	Item #	In favor/ Opposed	Comment
		6	N/A	<p>Public Comment 12/14/21</p> <p>Trapping and killing coyotes by North Pointe HOA (within the City of Thousand Oaks) is an ill-conceived approach that is ecologically, ethically and economically indefensible.</p> <p>This HOA community was built into open space, which has always been home to many wildlife habitats.</p> <p>Scientific studies show that trapping will ultimately prove ineffective and can exacerbate the problem, as coyote populations will rebound—often within weeks or months.</p> <p>Instead, North Pointe HOA should choose a more humane, effective and ecologically sound approach, one that emphasizes public safety, education and reduction of coyote/wildlife attractants.</p> <p>Unexploited coyote populations naturally limit their population density by establishing and defending non-overlapping territories and behaviorally suppressing breeding among subordinate members of their extended family group.</p> <p>This prevents overpopulation in any given area and ensures sustainable prey resources for the group. Efforts to reduce their numbers have largely been unsuccessful because coyotes exhibit strong compensatory population responses to lethal control.</p> <p>While lethal control may result in short-term reductions in the number of coyotes in a specific area, the vacuum is soon filled by coyotes emigrating from surrounding areas.</p> <p>Disruption of family groups allows more subordinate females to breed, and the increase in prey availability results in increased pup survival. The result can be an increase in regional coyote populations following trapping.</p> <p>Coyotes play a vital role in maintaining healthy and viable ecosystems in urbanized environments. In addition, these urban coyotes directly regulate the abundance of small rodents, including rats and gophers.</p> <p>The California Department of Fish and Wildlife offers a Wildlife Watch program that empowers residents to address and resolve human-wildlife conflicts in their own community. Communities are provided with the support and training needed to develop integrated wildlife management plans specific to their constituent needs.</p> <p>This would be a solution and an excellent alternative to trapping.</p> <p>Randi Feilich  Calabasas  Humane Policy Volunteer, Humane Society of the United States</p>

Name	City	Item #	In favor/ Opposed	Comment
Willard Lubka	Thousand Oaks	10A	Opposed	<p>Dear Councilmembers, Automatic License Plate Reading is a surveillance technology designed to track and record the movements of every passing driver. Each scan captures the license plate number and the date, time, and location, and stores the information in a database. License plate readers can serve a legitimate law enforcement purpose when they alert police to the location of a car associated with a criminal investigation. But those cases account for a tiny fraction of license plate scans. The overwhelming majority of records being captured and stored apply to drivers who have done nothing wrong. License plate scan databases can create extensive records of when and where any of us has been. Ordinary people have the right to expect that their movements will not be surveilled and logged by the government. But Automatic License Plate Reading technology is doing exactly that. It is a major invasion of privacy. License plate reader data is used not only by law enforcement agencies but also by private companies who maintain proprietary databases containing the location information of Americans. Those companies decide who can access the data and for what purposes. A report by the California State Auditor found that license plate data can be enhanced by adding personal information such as names, addresses, dates of birth, and physical descriptions. License plate readers have also been known to capture private information such as photos of children exiting cars or activity inside an open garage. An investigation by the Associated Press found that police officers across the country have abused confidential databases to spy on people and stalk ex-girlfriends. In August 2012, the Minneapolis Star Tribune published a map displaying the locations, obtained through a public records request, of the 41 times their mayor's car had been recorded by a license plate reader in the prior year. After discovering that a law-abiding citizen's location history could be revealed so easily, the mayor directed the city chief of police to create a new policy regarding license plate data. We should have a policy regarding license plate data too. I find it chilling that my movements in Thousand Oaks are being tracked and recorded by the government. I hope that concerns you too. As you consider Agenda Item 10A, I urge you to require that a solid and transparent policy on the use of license plate data be implemented as a condition for budget approval. The policy should include:</p> <ul style="list-style-type: none"> <li>•Access to stored license plate reader data should be restricted to circumstances where the data is relevant to a specific ongoing criminal investigation. It should not be accessed for any other purpose.</li> <li>•Government agencies must not store data about people who have done nothing wrong for any lengthy period of time. The retention period for license plate data should be a short number of days. The data should be erased after that period of time.</li> <li>•License plate data should be accessible on a strict "need to know" basis. Logs should be maintained to track every time an officer accesses the data.</li> <li>•Individuals should be able to find out if location data for license plates of vehicles registered in their names is being stored in a government database.</li> <li>•Law enforcement agencies should be required to disclose any party they share license plate reader data with.</li> <li>•Sharing of license plate reader data with any third party that does not conform to all of the policies above should be prohibited.</li> <li>•An agency using license plate readers should be required to report publicly its usage on at least once a year.</li> </ul> <p>Thank you for considering my input.</p>

Name	City	Item #	In favor/ Opposed	Comment
Wendy Zimmerman	Newbury Park	8A	Opposed	<p>Re: Opposition To Wastewater Rates December 14, 2021 Through the incorporation of Proposition 218 into the California Constitution, wastewater rates to each classification of customers (parcel) must be the same, no more, no less ,and based on a proportional share of actual costs. As such, City of Thousand Oaks' pattern and practice of charging single family homes that are in the wastewater district, but not in the City Limits more for the same service is unconstitutional and needs to be abolished. Homeowners and other customers have no say about who processes their wastewater. Addresses are assigned, there is NO choice. We all flush and wash dishes. The sewer system is built in, the infrastructure is not flexible. I live in Newbury Park, I can't send my sewer water to Camarillo because I don't like what happens at the Hill Canyon treatment plant or City's unfair and improper overcharging of me and my neighbors for wastewater service even though homeowners less than a block away with similar usage pay less. Every waste water district (district being the operative term) is required under Prop 218 to determine what its actual costs are and to bill equitably. City's consultants, Raftelis, know this. Why they haven't made this evident to Thousand Oaks, I do not know. Raftelis made this very clear in a letter to another client, City of Vista , in their 2017 report. I quote here from the Raftelis 2017 report which provides a nice summary of the law. 2.4 LEGAL REQUIREMENTS California Constitution - Article XIII D, Section 6 (Proposition 218) Proposition 218, reflected in the California Constitution as Article XIII D, was enacted in 1996 to ensure that rates and fees are reasonable and proportional to the cost of providing service. The principal requirements for fairness of the fees, as they relate to public water service are as follows: 1. A property-related charge (such as water and wastewater rates) imposed by a public agency on a parcel shall not exceed the costs required to provide the property related service. 2. Revenues derived by the charge shall not be used for any purpose other than that for which the charge was imposed. 3. The amount of the charge imposed upon any parcel shall not exceed the proportional cost of service attributable to the parcel. 4. No charge may be imposed for a service unless that service is actually used or immediately available to the owner of property. 5. A written notice of the proposed charge shall be mailed to the record owner of each parcel at least 45 days prior to the public hearing, when the agency considers all written protests against the charge. <a href="https://www.cityofvista.com/home/showpublisheddocument/13777/636474750163370000">https://www.cityofvista.com/home/showpublisheddocument/13777/636474750163370000</a> City MUST tell the finance department to fix the math so that ALL SINGLE FAMILY RESIDENCES in the wastewater district pay the SAME rate. City does not have to right to put a surcharge on parcels in the district that are not in the City limits. All have to pay their proportional share of actual costs. No more, no less. It is bad enough that City has allowed the finance department to impose requirements for protests in writing (not electronic) in an effort to avoid objections to this unfair, unconstitutional, discriminatory, price gouging practice. Prop 218 has been upheld in case law. Wastewater processing is a necessity, not a luxury. The onerous tactics that are designed to deter objections smack of greed, discrimination, an attempt to hide the unfair practice in setting wastewater rates, and are environmentally unsound and archaic. It's one thing to charge non-residents more to enter the TO Tiddlywinks Tournament because City wants to encourage residents to participate and have fun playing a game. It is quite another, and against California law, to charge residents who live in the wastewater district, but not in the City limits more for wastewater. As such, you must vote NO on the wastewater rates as presented.</p>