

1. CALL TO ORDER: Mayor Al Adam called the meeting to order at 5:00 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. ROLL CALL:

Present: Councilmembers Engler, McNamee, Taylor, Newman, and Mayor Adam present in chambers.

Also present in person and via video conference: City Manager Andrew P. Powers, Chief Assistant City Attorney Patrick Hehir, Deputy City Manager Akbar Alikhan, City Clerk Laura B. Maguire, Finance Director Jaime Boscarino, Community Development Director Kelvin Parker, Public Works Director Cliff Finley, Cultural Affairs Director Jonathan Serret, Human Resources Director Tim Giles, Strategic Communications/Public Affairs Director Alexandra South, Police Chief Jeremy Paris, Deputy Cultural Affairs Director Marisa Hanke, Economic Development Analyst Dusty Russell, Deputy Community Development Director Fabiola Zelaya Melicher, Senior Planner Carlos Contreras, Deputy Public Works Director/City Engineer Nader Heydari, Engineering Division Manager Mohammad Fatemi, Associate Engineer Mark Bueno, Special Projects and Programs Coordinator Mina Layba, Assistant to the City Manager Melissa Hurtado, Deputy City Clerk Sandra Delgado, Information Technology Supervisor Atanas Beltchev, Cable Operations Supervisor Carl Jarecky, Senior Video Production Specialist Richard Swinger, Assistant Analyst Christy Glaubke, and Senior Recording Secretary Dominga Zambrano.

3. CLOSED SESSION:

- A. CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: *California Department of Housing and Community Development vs. Shangri-La Industries, et al.*, Los Angeles County Superior Court Case Number: 24STCV00629; Pursuant to Government Code Section 54956.9(a).
- B. CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: *F. Roberts Construction Inc. vs. Shangri-La Industries, LLC, et al.*, Ventura County Superior Court Case Number: 2023CUBC018021; Pursuant to Government Code Section 54956.9(a).
- C. CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: *Consolidated Electric Distributors, Inc. et al. vs. Keough Electric Corp, et al.*, Ventura County Superior Court Case Number: 2024CLBC022986; Pursuant to Government Code Section 54956.9(a).
- D. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation: Initiation of litigation; Pursuant to Government Code Section 54956.9(d)(4). (1 Potential Case)

Chief Assistant City Attorney Hehir announced Closed Session held at 5:00 p.m.

4. CLOSED SESSION REPORT:

Chief Assistant City Attorney Hehir announced there was nothing to report at 6:01 p.m.

5. PLEDGE OF ALLEGIANCE:

Mayor Adam led the pledge of allegiance.

6. AB 2449 ANNOUNCEMENTS/REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM: None.

7. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

A. K1 Speed 2024 California State Go Cart Championship Winners

Mayor Adam introduced Jake Kriegisch and Oliver Mockridge and presented certificates recognizing their first and third place finishes in the K-1 Speed California State Go Cart Championship.

B. Business Recognition Program

Mayor Adam introduced Economic Development Analyst Russell to announce Business Recognition Program award recipient Boulderdash Indoor Rock Climbing, and presented certificate owner Christiaan Luneberg.

C. 2-1-1 Update

Mayor Adam introduced 2-1-1 Program Director at Interface Children & Family Services Lohanna Almanza to provide an update on the agency and program.

8. PUBLIC COMMENTS: To be heard before 6:45 p.m. If additional speakers for public comments remain at 6:45 p.m., remainder of speakers may be called at the end of the meeting. (Resolution Nos. 2011-067/2023-008): To be heard before 6:45 p.m. If additional speakers for public comments remain at 6:45 p.m., remainder of speakers may be called at the end of the meeting. (Resolution Nos. 2011-066/067)

Speakers: Marisa Hanke, Deputy Cultural Affairs Director; Lang Martinez, city of residence unknown.

Written Statements: None.

City Manager Powers addressed public comments.

9. CONSENT CALENDAR:

A. General, Utilities, Golf Course, and Theatres Demands

RECOMMENDATION:

Ratify May 8, 2024, and May 15, 2024; approve May 22, 2024, and May 29, 2024, subject to review and ratification

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

B. Minutes of City Council meeting of May 7, 2024

RECOMMENDATION:

Approve

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

C. Purchase of Vehicles

RECOMMENDATION:

1. Approve “piggyback” purchase of one Ford F-350 Stake Bed Truck and one Ford F-450 Stake Bed Truck from Rush Truck Center (Whittier, CA) through BuyBoard Contract #724-23 for replacement of assets #5630-265 and #5610-318 for a total cost of \$155,328.17.

2. Authorize expenditure in the amount of \$155,328.17 as follows: \$76,566.38 from A/C #001-5630-632-8400 (General Fund - Landscape Equipment Over \$5,000) partially offset in the amount of \$38,877.00 from A/C #001-5630-632-8900 (General Fund - Landscape Fixed Asset Replacement); and \$78,761.79 from A/C #001-5610-631-8400 (General Fund - Street Equipment Over \$5,000) partially offset in the amount of \$19,476.00 from A/C #001-5610-631-8900 (General Fund - Street Fixed Asset Replacement)

3. Find that this action is not a project as defined under the California Environmental Quality Act.

LEVINE ACT ITEM: Yes

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

9. CONSENT CALENDAR: (Continued)

D. Westlake Boulevard (CI 5590) and Erbes Road (CI 5655) Flood Mitigation Projects

RECOMMENDATION:

1. Authorize staff to advertise the Westlake Boulevard (CI 5590) and Erbes Road (CI 5655) Flood Mitigation Projects for construction bids.

2. Find that the projects are Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15304.

LEVINE ACT ITEM: No

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

E. Woodcrete Fence Replacement Project (CI 5435)

RECOMMENDATION:

1. Authorize staff to advertise the Woodcrete Fence Replacement Project (CI 5435) for construction bids.

2. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15302.

LEVINE ACT ITEM: No

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

9. CONSENT CALENDAR: (Continued)

F. Environmental Consulting Services Agreement Amendment

RECOMMENDATION:

1. Approve Second Amendment to Task Order No. 3 (On-Call Contract No. 12520-2020) with Dudek Consulting of Santa Barbara, CA, for the environmental documents prepared for the Los Robles Comprehensive Cancer Center Project at 400 East Rolling Oaks Drive and zoning and land use designation changes at 355 West Janss Road, in the amount of \$54,825, increasing the total not-to-exceed amount to \$349,352.
2. Authorize staff to waive formal Request for Proposal/Qualifications (RFP/Q) process and amend the task order to allow a not-to-exceed amount above the \$125,000 task order threshold, pursuant to Thousand Oaks Municipal Code (TOMC) Section 3-10.501.
3. Authorize expenditure in the amount of \$54,825 from A/C #001-4210-641-5947 (General Fund - Contracted Services, Reimbursable).
4. Find that the approval of a professional services agreement is not a project under California Environmental Quality Act (CEQA) Guideline Section 15378(b)(5) (CCR, Title 14, Chapter 3, Article 20).

LEVINE ACT ITEM: Yes

Motion by Councilmember Engler to approve staff's recommendation.Passed 5-0 by the following vote:Ayes – McNamee, Engler, Taylor, Newman, AdamNoes – None

G. Grant Underground Easement to Southern California Edison Adjacent to Brossard Drive – APN 669-0-161-075

RECOMMENDATION:

1. Approve Grant Deed of Easement to Southern California Edison Company (SCE) and authorize the City Engineer to execute all necessary documents for dedication of the easement on City property (APN 669-0-161-075).
2. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

LEVINE ACT ITEM: No

Motion by Councilmember Engler to approve staff's recommendation.Passed 5-0 by the following vote:Ayes – McNamee, Engler, Taylor, Newman, AdamNoes – None

9. CONSENT CALENDAR: (Continued)

H. 2024 Pavement Overlay Program (CI 5594)

RESOLUTION ADOPTING LIST OF PROJECTS FOR FY 2024-25 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017
RES. NO. 2024-011

RECOMMENDATION:

1. Adopt resolution approving list of streets that will be funded in part with FY 2024-25 SB1 Road Maintenance and Rehabilitation Account revenue for construction of the 2024 Pavement Overlay Program (CI 5594).

2. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

LEVINE ACT ITEM: No

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

I. Lynn Road Class IV Bike Lane and Pedestrian Improvements (CI 5660)

RESOLUTION RESCINDING RESOLUTION NO. 2023-017 APPROVING COOPERATIVE AGREEMENT NO. 07-5302 WITH STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR CONSTRUCTION OF SEPARATED CLASS IV BIKE LANES AND PEDESTRIAN IMPROVEMENTS PROJECT (CI 5660)

RES. NO. 2024-012

RECOMMENDATION:

1. Adopt resolution rescinding Resolution No. 2023-017 approving Cooperative Agreement No. 07-5302 with the State of California Department of Transportation (Caltrans) for the Lynn Road Bike Lanes and Pedestrian Improvements Project (CI 5660).

2. Execute Caltrans Cooperative Agreement No. 07-5302 Termination Statement.

3. Approve budget appropriation and expenditure in FY 2023-24 in the amount of \$724 from A/C #136-0000-433-0000 (Intergovernmental Revenue/Gas Tax) to A/C #136-5310-631-8300 (CI 5660, Lynn Road Bike Lanes and Pedestrian Improvements project).

4. Authorize transfer of expenditure in FY 2023-24 in the amount of \$150,724 (\$123,348 for MNS Engineers Inc. agreement, plus extra services of \$14,852, and \$12,524 for City Furnished Materials and Supplies) from A/C #001-5310-631-8300 (General Fund, Lynn Road Class IV Bike Lane and Pedestrian Improvements Project, CI 5660) to A/C #136-5310-631-8300 (CI 5660, Lynn Road Bike Lane and Pedestrian Improvements Project).

9. CONSENT CALENDAR: (Continued)

- I. Lynn Road Class IV Bike Lane and Pedestrian Improvements (CI 5660)
(Continued)

RECOMMENDATION: (Continued)

5. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

LEVINE ACT ITEM: No

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

- J. Celebration of the City's 60th Anniversary through the Arts

RECOMMENDATION:

1. Approve budget appropriation and authorize expenditure in FY 2023-24 in the amount of \$25,000 from A/C #001-0000-311-1000 (General Fund, Fund Balance) to A/C #001-1240-674-5699 (General Fund, Special Events – Contracted Services).

2. Approve budget appropriation and authorize expenditure in FY 2024-25 in the amount of \$35,000 from A/C #001-0000-311-1000 (General Fund, Fund Balance) to #001-1240-674-5699 (General Fund, Special Events – Contracted Services).

3. Find that this action is not a project as defined under the California Environmental Quality Act.

LEVINE ACT ITEM: No

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

9. CONSENT CALENDAR: (Continued)

K. Crowd Control Security Services for Bank of America Performing Arts Center

RECOMMENDATION:

1. Approve contract for Crowd Control Security Services to Allied Universal Event Services, based in Westminster, California, in an amount not to exceed \$2.5 million for event security services for the Bank of America Performing Arts Center (BAPAC) with an initial term running from July 1, 2024, through June 30, 2027, with two optional one-year extensions.

2. Approve budget appropriation in the amount of \$242,500 from A/C #681-0000-341-9900 (Theatres Fund Retained Earning/Undesignated) for FY 2024-25 as follows: \$150,000 to A/C #681-7710-682-5660 (Kavli Security) and \$92,500 to A/C #681-7810-682-5660 (Scherr Security).

3. Authorize expense in the amount of \$350,000 from A/C #681-7710-682-5660 (Kavli Security) and \$150,000 from A/C #681-7810-682-5660 (Scherr Security) for FY 2024-25.

4. Find that this action is not a project as defined under the California Environmental Quality Act.

LEVINE ACT ITEM: Yes

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

L. FY 2024-25 Top Ten Priorities

RECOMMENDATION:

1. Approve City Council Top Ten Priorities for FY 2024-25.

2. Find that this action is not a project as defined under the California Environmental Quality Act.

LEVINE ACT ITEM: No

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

9. CONSENT CALENDAR: (Continued)

- M. Conejo Recreation and Park District License Agreement to Use City Facility – 401 West Hillcrest Drive

RECOMMENDATION:

1. Approve the execution of a license agreement with Conejo Recreation and Park District (Thousand Oaks, CA), for use of 4,800 square feet of the City-owned 401 West Hillcrest Drive building from May 22 to November 18, 2024.
2. Find that this action is not a project as defined under the California Environmental Quality Act.

LEVINE ACT ITEM: No

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

- N. Transportation Management System Software Upgrade

RECOMMENDATION:

1. Approve a single source designation and the purchase of a centralized computer software system upgrade and maintenance agreement, Centrac's Advanced Transportation Management System and Centrac's Mobility System Service, from Econolite Control Products, Anaheim, CA in the amount of \$141,221, with a term ending June 30, 2027.
2. Authorize expenditure in the amount of \$141,221 in FY 2023-24 as follows: \$112,650 from A/C #141-5570-631-8640 (Lighting Fund – Signal Maintenance, Subscription Lease) and \$28,571 from A/C #141-5570-631-4300 (Lighting Fund – Signal Maintenance, Software Maintenance).
3. Approve budget appropriation transfer in the amount of \$141,221 in FY 2023-24 from A/C #141-5570-631-3122 as follows: \$112,650 to A/C #141-5570-631-8640 (Lighting Fund – Signal Maintenance, Subscription Lease) and \$28,571 to A/C #141-5570-631-4300 (Lighting Fund – Signal Maintenance, Software Maintenance).
4. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

LEVINE ACT ITEM: Yes

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

10. PUBLIC HEARINGS:

A. Proposed Mixed-Use Development (500 East Thousand Oaks Boulevard)

RESOLUTION TO CONSIDER ADDENDUM TO ENVIRONMENTAL IMPACT REPORT (EIR) NO. 327 AND APPROVE SPECIAL USE PERMIT; DEVELOPMENT AGREEMENT; AND PROTECTED TREE PERMIT FOR USE OF CERTAIN PROPERTY WITHIN SAID CITY AT 500 EAST THOUSAND OAKS BOULEVARD (APPLICANT: CHERRY TREE DEVELOPMENT, LLC)
RES. NO. 2024-013

ORDINANCE APPROVING DEVELOPMENT AGREEMENT WITH CHERRY TREE DEVELOPMENT, LLC, RELATING TO DEVELOPMENT OF PROPERTY LOCATED AT 500 EAST THOUSAND OAKS BOULEVARD (APN: 525-0-012-230, 669-0-201-030, 669-0-201-040, 669-0-201-050, and 669-0-201-105), THOUSAND OAKS, CALIFORNIA (Development Agreement (DAGR) 2023-70001)

1ST READING

RECOMMENDATION:

1. Adopt resolution finding that following review and consideration of the Addendum to Thousand Oaks Boulevard Specific Plan Environmental Impact Report (EIR) No. 327 prepared for the project, and in accordance with the California Environmental Quality Act (CEQA), there are no new or increased impacts to the environment beyond what was analyzed in the EIR.

2. Approve Special Use Permit (SUP) 2023-70011 and Protected Tree Permit (PTP) 2023-70067 based on the findings and subject to the recommended conditions of approval included in the resolution.

3. Read ordinance in title only, waive further reading, and if no objection, introduce ordinance to approve Development Agreement (DAGR) 2023-70001.

4. Authorize expenditure in the amount of \$100,000 to Southern California Edison (SCE) from A/C #541-5310-631-5500 (MI 2652, Undergrounding Citywide Private Development) for preliminary engineering of the City's portion of the utility undergrounding on Hodencamp Road.

LEVINE ACT ITEM: Yes

10. PUBLIC HEARINGS: (Continued)

A. Proposed Mixed-Use Development (500 East Thousand Oaks Boulevard)
(Continued)

Hearing, advertised as required by law, opened to consider item. Presented by Senior Planner Contreras. Chief Assistant City Attorney Hehir, Community Development Director Parker, Deputy Public Works Director/City Engineer Heydari, Engineering Division Manager Fatemi, and Associate Engineer Bueno responded to questions. Deputy Community Development Director Zelaya Melicher available for questions.

Speakers: Tom Cohen, Applicant Representative, Thousand Oaks, pro; Keith McCloskey, Applicant Architect, Thousand Oaks, pro; Duane Border, Applicant Landscape Architect, Los Angeles, pro; Tim Stanley, Applicant, Newport Beach, pro; Albert Chrikjian, Thousand Oaks, pro; Shawn Moradian, Thousand Oaks, pro; Danielle Borja, President and Chief Executive Officer, Greater Conejo Valley Chamber of Commerce, pro; Jackson Piper, Newbury Park, pro; Alex Perez, Thousand Oaks, position not marked; Clint Fultz, Thousand Oaks, pro.

Written Statements: None.

Mayor Adam closed the public hearing.

Motion by Councilmember McNamee to approve staff's recommendation with the minor modification of condition #88 as discussed.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

11. STUDY SESSIONS: None.

12. DEPARTMENT REPORTS:

- A. November 5, 2024 General Municipal Election and League of Women Voters City Council Candidate Forum

RESOLUTION CALLING AND GIVING NOTICE OF HOLDING OF GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR ELECTION OF TWO COUNCILMEMBERS FOR FOUR-YEAR TERMS REPRESENTING DISTRICTS 4 AND 5 AS REQUIRED BY LAWS OF STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES
RES. NO. 2024-014

RESOLUTION REQUESTING VENTURA COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 5, 2024, WITH STATEWIDE PRESIDENTIAL GENERAL ELECTION TO BE HELD ON SAME DATE PURSUANT TO CALIFORNIA ELECTIONS CODE § 10403
RES. NO. 2024-015

RESOLUTION ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO VOTERS AT ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024
RES. NO. 2024-016

RECOMMENDATION:

1. Adopt resolution Calling for the General Municipal Election for November 5, 2024, for election of two Councilmembers (Districts 4 and 5).
2. Adopt resolution Consolidating General Municipal Election with the Statewide Presidential General Election (including contract with Ventura County for Election Services).
3. Adopt resolution Adopting Candidate Statement Guidelines and Costs.
4. Authorize expenditure in an amount not to exceed \$33,000 in FY 2024-25 from A/C #001-2110-611-6910 (General Fund - Election Costs) for contract services with Ventura County Elections Division.
5. Authorize expenditure of \$3,000 in FY 2024-25 from A/C #001-2110-611-6910 (General Fund - Election Costs) and approve League of Women Voters' (LWV) request for use of the Scherr Forum Theatre and Thousand Oaks Television (TOTV) for a televised City Council Candidate Forum on a date to be determined if so requested by LWV and contingent on theatre availability.
6. Find that this is not a project as defined by the California Environmental Quality Act.

LEVINE ACT ITEM: No

Presented by City Clerk Maguire. Deputy City Clerk Delgado available for/ responded to questions.

Speaker/Written Statement: None.

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – McNamee, Engler, Taylor, Newman, Adam

Noes – None

13. COMMITTEE/COMMISSION/BOARD REPORTS: None.
14. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None.
15. COUNCIL ISSUES/RECOMMENDATIONS:
- A. 2024 Southern California Association of Governments General Assembly - Update
- RECOMMENDATION:
1. Receive report.
2. Find that receiving said report is not a project as defined by the California Environmental Quality Act Guidelines.
- LEVINE ACT ITEM: No
- Presented by Mayor Adam and Councilmember Engler.
- Speaker/Written Statement: None.
- Motion by Mayor Pro Tem Newman to approve staff's recommendation.
- Passed 5-0 by the following vote:
Ayes – McNamee, Engler, Taylor, Newman, Adam
Noes – None
16. CITY MANAGER:
- A. Announcements and upcoming issues
- City Manager Powers provided an update on the June 4, 2024, City Council meeting.
17. PUBLIC NOTICES: None.

18. ADJOURNMENT: City Council adjourned at 8:53 p.m. to Regular Meeting on June 4, 2024.

Al Adam, Mayor
City of Thousand Oaks City Council

Attest:

Laura B. Maguire, City Clerk
City of Thousand Oaks City Council

AGENDA POSTED: May 16, 2024

MINUTES APPROVED:

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the City of Thousand Oaks City Council on the date cited above.

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