

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: City Manager Andrew P. Powers, Chief Assistant City Attorney Patrick Hehir, Assistant City Manager Ingrid Hardy, Deputy City Manager Akbar Alikhan, Deputy City Manager Tim Giles, City Clerk Laura B. Maguire, Finance Director Jaime Boscarino, Community Development Director Kelvin Parker, Public Works Director Cliff Finley, Interim Human Resources Director Sharon Chen, Strategic Communications/Public Affairs Director Alexandra South, Police Chief Jeremy Paris, Deputy Cultural and Community Services Director Marisa Hanke, Deputy Cultural and Community Services Director Melissa Hurtado, Planning Division Manager Krystin Rice, Community Development Analyst Lynn Oshita, Deputy City Clerk Sandra Delgado, Information Technology Analyst II David Johnson, Cable Operations Supervisor Carl Jarecky, Senior Video Production Specialist Richard Swingler, Senior Video Production Specialist Ryan Palmer, 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).

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

5. PLEDGE OF ALLEGIANCE: Remembrance of September 11, 2001

Flag Ceremony by Thousand Oaks Police Department and Ventura County Fire Department Honor Guards in remembrance of September 11, 2001. Mayor Adam led the pledge of allegiance.

- \*4. CLOSED SESSION REPORT:

Chief Assistant City Attorney Hehir announced there was nothing to report at 6:05 p.m.

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

## 7. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

## A. Proclamation of September as National Emergency Preparedness Month

Mayor Adam introduced Ventura County Voluntary Organizations Active in Disaster Chair Susan Englund and presented a proclamation declaring September as National Preparedness Month.

## 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: Peter Fehler, Agoura Hills; Nancy Frawley, Thousand Oaks.

Written Statements: None.

City Manager Powers addressed public comments.

## 9. CONSENT CALENDAR:

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

## RECOMMENDATION:

Ratify August 28, 2024, and September 4, 2024; approve September 11, 2024, and September 18, 2024, subject to review and ratification

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## B. Minutes of City Council meeting of August 27, 2024

## RECOMMENDATION:

Approve

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## 9. CONSENT CALENDAR: (Continued)

## C. Amendments to Transit Operator Agreements with MV Transportation, Inc.

## RECOMMENDATION:

1. Approve Fourth Amendment with MV Transportation, Inc. (MV) (Dallas, TX) for a two-year agreement extension through June 30, 2027, for Contract No. 12072-2019 Transit Operations for Fixed Route Bus and Dial-A-Ride (DAR) demand response services, increasing the not-to-exceed amount by \$14,859,914.75 for a total not-to-exceed amount of \$43,038,278.75.

2. Approve budget appropriation and expense in the amount of \$1,578,364 from A/C #651-0000-341-9900 (Transportation Fund, Net Position) as follows: \$500,000 to A/C #651-5550-682-5650 (Transportation Fund, Contracted Services, Private) and \$1,078,364 to A/C #651-5540-682-5650 (Transportation Fund, Contracted Services, Private) for FY 2024-25.

3. Approve Second Amendment to Thousand Oaks Transportation Center Lease with MV for a two-year lease extension through June 30, 2027, for Contract No. 12073-2019.

4. Approve Second Amendment to Municipal Service Center Ground Lease with MV for a two-year lease extension through June 30, 2027, for Contract No. 12074-2019, with MV.

5. 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 – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## D. Roadway Fence Replacement Project (CI 5435)

## RECOMMENDATION:

1. Approve the project design, plans, and specifications for the construction of the Roadway Fence Replacement Project (CI 5435).

2. Reject Guy Construction bid protest appeal dated August 8, 2024.

3. Award construction contract to Blackpointe Group Construction and Management, Inc. (Blackpointe) (Moorpark, CA), in the amount of \$213,505, plus a contingency of \$21,000.

## 9. CONSENT CALENDAR: (Continued)

## D. Roadway Fence Replacement Project (CI 5435) (Continued)

## RECOMMENDATION: (Continued)

4. Authorize expenditure in the amount of \$237,505 (\$213,505 construction contract; \$21,000 construction contingency; and \$3,000 for City furnished materials and supplies) from A/C #142-5630-632-8300 Roadway Fence Replacement Project (CI 5435).

5. Delegate authority to the City Engineer to approve changes to the design, plans, specifications, and working details of the project on work directives and change orders up to the project approved contingency amount.

6. 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 – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## E. Westlake Boulevard Flood Damage Mitigation Project (CI 5590)

## RECOMMENDATION:

1. Approve the project design, plans, specifications, and Addendum No. 1 for the construction of the Westlake Boulevard Flood Mitigation Project (CI 5590).

2. Award construction contract for Westlake Boulevard Flood Damage Mitigation Project to Beador Construction Company, Inc. (Beador) (Costa Mesa, CA) in the amount of \$1,094,700, plus a contingency of \$110,000.

3. Approve Third Amendment to Professional Services Agreement (Contract No. 13168-2023) with NextGen Engineers, Inc. (NextGen) (Tucson, AZ) for engineering support services during construction of the Westlake Boulevard Flood Damage Mitigation Project (CI 5590) in the amount of \$40,765, for a revised not-to-exceed amount of \$228,304, plus \$4,100 for extra services, and agreement time extension to December 31, 2025.

4. Authorize expenditure in the amount of \$1,284,565 (\$1,094,700 construction contract; \$110,000 construction contingency; \$40,765 third amendment for construction phase support services; \$4,100 for extra services; \$35,000 for material testing and inspection (future task order); as follows: \$321,141 from A/C #001-5210-631-8300; \$963,424 from A/C #183-5210-631-8300.

## 9. CONSENT CALENDAR: (Continued)

## E. Westlake Boulevard Flood Damage Mitigation Project (CI 5590) (Continued)

## RECOMMENDATION: (Continued)

5. Delegate authority to the City Engineer to approve changes to the design, plans, specifications, and working details of the project on work directives and change orders up to the project contingency amount.

6. Find that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15303(d).

LEVINE ACT ITEM: Yes

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## F. Thousand Oaks Boulevard Wastewater Pipe and Maintenance Hole Lining Project (CI 5686)

## RECOMMENDATION:

1. Approve the project design, plans, specifications, and Addendum No. 1 for the construction of the Thousand Oaks Boulevard (TOB) Wastewater Pipe and Maintenance Hole Lining Project (CI 5686).

2. Award construction contract to Southwest Pipeline and Trenchless Corp. (Southwest) (Torrance, CA) in the amount of \$4,034,427, plus a contingency of \$400,000.

3. Authorize expense in the amount of \$4,439,427 (\$4,034,427 construction contract; \$400,000 construction contingency; and \$5,000 City furnished materials and supplies) from A/C #624-8220-682-8300 (Wastewater Capital Improvements, CI 5686).

4. Delegate authority to the City Engineer to approve changes to the design, plans, specifications, and working details of the project on work directives and change orders up to the project contingency amount.

5. Find that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301.

LEVINE ACT ITEM: No

## 9. CONSENT CALENDAR: (Continued)

## F. Thousand Oaks Boulevard Wastewater Pipe and Maintenance Hole Lining Project (CI 5686) (Continued)

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## G. Citywide Bus Shelter Enhancements (CI 5607)

## RECOMMENDATION:

1. Authorize the purchase of transit bus shelters and accessory equipment (CI 5607) for the Thousand Oaks Transit (TOT) Program in an amount not to exceed \$689,703.30 from Tolar Manufacturing (Tolar) (Corona, CA).

2. Authorize expense in the amount of \$689,703.30 from A/C #651-5540-685-8400 (Transportation Fund - Equipment \$5,000 or More, CI 5607) for FY 2024-25.

3. Find that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15311.

LEVINE ACT ITEM: No

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## H. Cooperative Purchasing Agreement for Tires, Tubes, and Services

## RECOMMENDATION:

1. Approve use of cooperative purchasing agreement and execute the Participating Addendum with National Association of State Procurement Officials (NASPO) ValuePoint Cooperative Master Agreement No. 24155 for Tires, Tubes, and Services from Goodyear Tire & Rubber Company's authorized dealer, Daniel's Tire Service (Oxnard, CA). Contract term is through June 30, 2027, with three one-year automatic extensions through June 30, 2030.

2. Authorize expenditure of a not-to-exceed amount of \$200,000 annually from A/C #001-5640-631-3512 (General Fund/Fleet Parts and Materials).

## 9. CONSENT CALENDAR: (Continued)

## H. Cooperative Purchasing Agreement for Tires, Tubes, and Services (Continued)

## RECOMMENDATION: (Continued)

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 – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## I. Water and Wastewater Rate Consultant Agreement

## RECOMMENDATION:

1. Award six-year agreement with two optional, two-year extensions to Water Resources Economics (Culver City, CA), beginning September 10, 2024, through December 31, 2030, with two two-year options to extend the agreement through December 31, 2034, for a not-to-exceed amount of \$415,000.

2. Authorize expense in the amount of \$104,320 in FY 2024-25 as follows: \$38,720 from A/C #611-5010-682-5299 (Water Fund, Financial) and \$65,600 from A/C #621-5010-682-5299 (Wastewater Fund, Financial).

3. Approve budget appropriation in FY 2024-25 in the amount of \$89,320 as follows: \$33,720 from A/C #611-0000-341-9900 (Water Fund, Net Position) to A/C #611-5010-682-5299 (Water Fund, Financial) and \$55,600 from A/C #621-0000-341-9900 (Wastewater Fund, Net Position) to A/C #621-5010-682-5299 (Wastewater Fund, Financial) for consultant contract costs.

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 – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## 9. CONSENT CALENDAR: (Continued)

## J. Arts and Culture Roundtable Appointments

## RECOMMENDATION:

1. Approve reappointment of Ed Smart to the Arts and Culture Roundtable for a two-year term, expiring June 30, 2026.
2. Approve appointment of Jessica Murphy to the Arts and Culture Roundtable for a two-year term, expiring June 30, 2026.
3. Find that this action is not a project 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 – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## 10. PUBLIC HEARINGS:

## A. CDBG Program Year 2023-24 Consolidated Annual Performance and Evaluation Report

## RECOMMENDATION:

1. Find that the Program Year (PY) 2023-24 Consolidated Annual Performance and Evaluation Report (CAPER) qualifies for a Categorical Exemption under the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061(b)(3), Common Sense Exemption.
2. Approve PY 2023-24 CAPER for submittal to the U.S. Department of Housing and Urban Development (HUD).

LEVINE ACT ITEM: No

Hearing, advertised as required by law, opened to consider item. Presented by Community Development Analyst Oshita. Community Development Director Parker and Planning Division Manager Rice available for questions.

Speaker/Written Statement: None.

Mayor Adam closed the public hearing.

Motion by Mayor Pro Tem Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None



11. STUDY SESSIONS: None.
12. DEPARTMENT REPORTS: None.
13. COMMITTEE/COMMISSION/BOARD REPORTS: None.
14. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None.
15. COUNCIL ISSUES/RECOMMENDATIONS: None.
16. CITY MANAGER:
  - A. Announcements and upcoming issues

City Manager Powers provided an update on the September 24, 2024, City Council meeting.
17. PUBLIC NOTICES: None.
18. ADJOURNMENT: City Council adjourned at 6:29 p.m. to Regular Meeting on September 24, 2024.

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Al Adam, Mayor  
City of Thousand Oaks City Council

Attest:

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

AGENDA POSTED: September 5, 2024  
MINUTES APPROVED:

\*Indicates item taken out of order.

*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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