

DRAFT MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

December 3, 2024

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, City Attorney Tracy M. Noonan, 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, Cultural and Community Services Director Jonathan Serret, Interim Human Resources Director Sharon Chen, Strategic Communications/Public Affairs Director Alexandra South, Police Chief Jeremy Paris, Chief Assistant City Attorney Patrick Hehir, Planning Division Manager Krystin Rice, Senior Planner Iain Holt, Deputy Cultural and Community Services Director Melissa Hurtado, Community Services Analyst Sarah Mailes, Deputy Public Works Director Nader Heydari, Associate Engineer Elaine Camia, Landscape Maintenance Supervisor David Chavez, Associate Analyst Paul Weinstein, Deputy City Clerk Sandra Delgado, Information Technology Supervisor Atanas Beltchev, 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).
 - C. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation: Initiation of litigation; Pursuant to Government Code Section 54956.9(d)(4). (1 Potential Case)

City Attorney Noonan announced Closed Session held at 5:00 p.m. and that Item No. 3.C. [CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation: Initiation of litigation; Pursuant to Government Code Section 54956.9(d)(4). (1 Potential Case)] is pulled from the agenda.

*5. PLEDGE OF ALLEGIANCE:

Mayor Adam led the pledge of allegiance.

4. CLOSED SESSION REPORT:

City Attorney Noonan announced there was nothing to report at 6:00 p.m.

6. AB 2449 ANNOUNCEMENTS/REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:

City Clerk Maguire announced Item Nos. 13.A. and 13.B. — City Investment Review Committee Annual Report and FY 2024-25 Community Sports Grant Recommendations — will be moved up to be heard following the Consent Calendar.

7. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

A. RECOGNITION OF 2024 T.O. CERT PROGRAM GRADUATES

Mayor Adam introduced Associate Analyst Weinstein to recognize Thousand Oaks Community Emergency Response Team (CERT) Program 2024 graduates.

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: Bob Ayers, Thousand Oaks.

Written Statements: Lisa Rodgers, Thousand Oaks.

City Manager Powers addressed public comments.

9. CONSENT CALENDAR:

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

RECOMMENDATION:

Ratify November 20, 2024, and November 27, 2024; approve December 4, 2024, subject to review and ratification

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

9. CONSENT CALENDAR: (Continued)

B. Minutes of City Council meeting of November 19, 2024

RECOMMENDATION:

Approve

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

C. General Banking and Custody/Safekeeping Agreements

RECOMMENDATION:

1. Award professional services contract for general banking services to Wells Fargo Bank, National Association (Wells Fargo) of San Francisco, CA and authorize City Manager to execute agreement for a five-year period beginning January 1, 2025, with one five-year option to renew, in substantially the same form as the draft agreement.

2. Award professional services contract for custody and safekeeping services to Bank of New York Mellon Trust Company, National Association (BONY) and authorize City Manager to execute agreement for a five-year period beginning January 1, 2025, with one five-year option to renew, in substantially the same form as the draft agreement.

3. Authorize City Treasurer to sign all other documents necessary to maintain banking and custody services.

4. Authorize expenditure in the amount of \$100,000 annually from various General Fund accounts for banking, custody, and safekeeping services.

5. 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)

D. Hill Canyon Treatment Plant Stormwater Diversion Project (CI 5427)

RECOMMENDATION:

1. Authorize staff to advertise for construction bids for Hill Canyon Treatment Plant (HCTP) Stormwater Diversion Project (CI 5427).
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 – Engler, McNamee, Taylor, Newman, AdamNoes – None

E. Polybutylene Service Replacement (CI 5646) and Valve Replacement (CI 5648) Projects

RECOMMENDATION:

1. Approve Change Order No. 2 to Contract No. 13483-2023 with J. Vega Engineering, Inc. (Camarillo, CA), for the Polybutylene Service and Valve Replacements Projects (CI 5646 and CI 5648) in the amount of \$269,246.91, for a revised contract amount of \$1,908,173.53.
2. Authorize expense in the amount of \$203,200 from A/C #613-8030-682-8300 (CI 5648, Valve Replacement) for construction Change Order No. 2 to J. Vega Engineering, Inc. for the Valve Replacements.
3. Find that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15302.

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, AdamNoes – None

9. CONSENT CALENDAR: (Continued)

- F. Hill Canyon Treatment Plant Electrical Classification and Compliance Upgrades (CI 5622)

RECOMMENDATION:

1. Approve Second Amendment to Professional Services Agreement No. 13406-2023 with P2S, Inc. (Long Beach, CA) for preparation of construction-ready plans and specifications for the Hill Canyon Treatment Plant (HCTP) Electrical Classification and Compliance Upgrades Project (CI 5622), in the amount of \$135,000, for a revised amount not to exceed \$209,081, plus \$13,500 for extra services, and extend the term of the agreement to December 31, 2025.
2. Authorize expense in the amount of \$148,500 (\$135,000 for the Second Amendment, plus extra services of \$13,500) from A/C #624-8250-682-8300 (Wastewater Fund – Capital Improvements, CI 5622).
3. 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

- G. Energy Information System Agreement Amendment

RECOMMENDATION:

1. Approve Fourth Amendment to Professional Services Agreement No. 12649-2021 with SitelogIQ, Inc. for integrating Building Automation System (BAS), electricity, gas, and solar photovoltaic (PV) data from Los Robles Golf Course (LRGC) into the Energy Information System (EIS), extending the term of the Agreement to January 25, 2026, and increasing the amount of the Agreement by \$32,022.08 for a revised not-to-exceed amount of \$144,059.80.
2. Authorize expenditure in FY 2024-25 in the amount of \$32,022.08 as follows: \$10,700 from A/C #001-5060-612-5699 (General Fund, Contracted Services) and \$21,322.08 from A/C #001-5060-612-4300 (General Fund, Software Maintenance).
3. 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

9. CONSENT CALENDAR: (Continued)

H. ORDINANCE FOR SECOND READING:

ORDINANCE AMENDING TITLE 9, CHAPTER 4, ARTICLE 2, SECTION 9-4.202 DEFINITIONS, ARTICLE 21, SECTIONS 9-4.2104 PERMITTED USE MATRIX - RESIDENTIAL ZONES, 9-4.2104.5 PERMITTED USE MATRIX - MIXED-USE ZONES AND MIXED-USE OVERLAY ZONES, AND 9-4.2105 PERMITTED USE MATRIX-NON-RESIDENTIAL ZONES, AND ARTICLE 25, SECTIONS 9-4.2525 EMERGENCY SHELTERS, AND 9-4.2527 TRANSITIONAL AND SUPPORTIVE HOUSING, AND TITLE 9, CHAPTER 10, ARTICLE 5, DENSITY BONUS PROGRAM; OF THE THOUSAND OAKS MUNICIPAL CODE TO IMPLEMENT THE 2021-2029 HOUSING ELEMENT PROGRAM 8 FOR ZONING CODE AMENDMENTS ADDRESSING STATE HOUSING AND LAND USE MANDATES RELATED TO MANUFACTURED HOMES, DENSITY BONUS, EMERGENCY SHELTERS, RESIDENTIAL CARE FACILITIES, AND TRANSITIONAL, SUPPORTIVE, FARMWORKER AND EMPLOYEE HOUSING (MCA 2024-70003) (Introduced 11/19/2024; 5-0)

ORD. NO. 1733-NS

RECOMMENDATION:

Adopt

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

*13. COMMITTEE/COMISSION/BOARD REPORTS:

A. City Investment Review Committee Annual Report

RECOMMENDATION:

1. Receive and file report.

2. Find that this action is not a project as defined under section 15378(b)(5) of the California Environmental Quality Act Guidelines.

Presented by City Investment Review Committee Chair Davin Carey. Finance Director Boscarino available for questions.

Speaker/Written Statement: None.

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

*13. COMMITTEE/COMMISSION/BOARD REPORTS: (Continued)

B. Fiscal Year 2024-25 Community Sports Grants Recommendations

RECOMMENDATION:

1. Approve the award of Community Sports Grants totaling \$74,394.25.
2. Authorize the City Manager or designee to execute Community Sports Grants agreements with grantees.
3. Authorize expenditure in the amount of \$74,394.25 from A/C #001-1120-611-5920 (SF2025 - General Fund, Grants and Donations) for Community Sports Grants.
4. Find that this action is not a project as defined under the California Environmental Quality Act.

Presented by Community Funding Review Chair Denise Monden and Vice Chair Kyle Rohrbach. Community Services Analyst Mailes responded to questions.

Speaker/Written Statement: None.

Motion by Councilmember Taylor to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

10. PUBLIC HEARINGS:

A. Housing Element Program Implementation Programs 4 and 6 – Municipal Code Amendment (MCA 2024-70004)

ORDINANCE AMENDING TITLE 9, CHAPTER 3, ARTICLE 12, TO ADD SECTION 9-3.1218 VOLUNTARY LOT MERGERS; AMENDING TITLE 9, CHAPTER 4, ARTICLE 28, SECTION 9-4.2816 EXEMPT HOUSING PROJECTS TO ADD 9-4.2816 (b) AND RENUMBERING (b) TO (c); AMENDING TITLE 9, CHAPTER 10, TO ADD ARTICLE 8 INCENTIVES FOR AFFORDABLE HOUSING WITH LOT CONSOLIDATION, SECTIONS 9-10.801 THROUGH 9-10.804 TO THE THOUSAND OAKS MUNICIPAL CODE TO ESTABLISH A MINISTERIAL PROCESS FOR VOLUNTARY LOT MERGERS, INCENTIVES FOR QUALIFYING AFFORDABLE HOUSING PROJECTS, AND MINISTERIAL APPROVAL FOR SENATE BILL 35 PROJECTS AS REQUIRED BY THE 2021-2029 HOUSING ELEMENT (MCA-2024-70004)

1ST READING

10. PUBLIC HEARINGS: (Continued)

A. Housing Element Program Implementation Programs 4 and 6 – Municipal Code Amendment (MCA 2024-70004) (Continued)

RECOMMENDATION:

1. Find that the proposed action requires no further environmental document pursuant to Sections 15183 and 15168(c)(2)(5) of the California Environmental Quality Act (CEQA) because the proposed actions are consistent with the City's goals, policies and programs contained in the adopted General Plan and Housing Element under a certified Program Environmental Impact Report (EIR).

2. Read in title only, further reading be waived, and if no objection, introduce ordinance approving MCA 2024-70004 amending Title 9, Chapter 3, Article 12 to add Section 9-3.1218 Voluntary Lot Mergers; amending Title 9, Chapter 4, Article 28, Section 9-4.2816 Exempt Housing Projects to add 9-4.2816 (b) and renumbering (b) to (c); and amending Title 9, Chapter 10, to add Article 8 Incentives for Affordable Housing with Lot Consolidation, Sections 9-10.801 through 9-10.804 to the Thousand Oaks Municipal Code.

Hearing, advertised as required by law, opened to consider item. Presented by Sr. Planner Holt. City Attorney Noonan and Community Development Director Parker responded to questions. City Manager Powers provided clarifying comments. 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:

A. East County Family Justice Center

RECOMMENDATION:

1. Receive report and provide direction related to City Council's interest in locating the County's East County Family Justice Center in the City of Thousand Oaks.
2. Find that this action is not a project as defined under the California Environmental Quality Act.

Presented by Deputy Cultural and Community Services Director Hurtado. Police Chief Paris, Chief Deputy District Attorney Mike Jump, and City Manager Powers responded to questions. Additional information supplemental packet.

Speaker: Dianne McKay, Thousand Oaks.

Written Statements: None.

Motion by Councilmember Taylor to support locating the East County Family Justice Center in the City of Thousand Oaks, including consideration of up to \$2,000,000 in financial support, and find that this action is not a project as defined under the California Environmental Quality Act.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

B. Thousand Oaks Boulevard Landscape Improvements Phase 2 (CI 5653)

RECOMMENDATION:

1. Authorize staff to advertise the Thousand Oaks Boulevard Landscape Improvements Project Phase 2 (CI 5653) for construction bids.
2. Find that this action is not a project as defined under the California Environmental Quality Act.

Presented by Associate Engineer Camia. Landscape Maintenance Supervisor Chavez responded to questions. Deputy Public Works Director Heydari available for questions.

Speaker/Written Statement: None.

Motion by Councilmember Taylor to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

12. DEPARTMENT REPORTS: (Continued)

C. Project Design Services for Downtown Thousand Oaks Project (CI 5540)

RECOMMENDATION:

1. Approve Professional Services Agreement with RRM Design Group, Inc. of San Luis Obispo, CA, for architectural/engineering design and entitlement services for the Downtown Thousand Oaks Project (CI 5540) in the amount of \$4,105,727, plus additional services of \$525,172, for a total not-to-exceed amount of \$4,630,899 for a term ending December 31, 2029.

2. Approve Professional Services Agreement with HR&A Advisors, Inc. of Los Angeles, CA, for financial and public-private partnership advisory services for the Downtown Thousand Oaks Project (CI 5540) in the amount of \$794,034 and additional services during project implementation of \$205,966, for a total not-to-exceed amount of \$1,000,000 for a term ending December 31, 2029, with two one-year options for extension.

3. Authorize legal fees in the Legal Consultation Agreement (Contract No. 13571-2024) with Best, Best & Krieger of Los Angeles, CA, for the Downtown Thousand Oaks Project (CI 5540) in the additional amount of \$300,000 for a total agreement not-to-exceed amount of \$350,000.

4. Authorize expenditure in the amount of \$5,930,899 from A/C #001-3570-612-8300 (CI 5540, Improvements Other than Buildings).

5. Approve budget appropriation and expenditure in an amount not to exceed \$5,430,899 from A/C #001-0000-311-1000 (General Fund – Fund Balance) to A/C #001-3570-612-8300 (CI 5540, General Fund – Improvements Other than Buildings).

6. Authorize City Manager and City Attorney to make minor clarifying and conforming changes to the two Professional Services Agreements, if needed, before the execution of the agreements.

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

Presented by Deputy City Manager Alikhan. City Manager Powers provided comments. Public Works Director Finley, Finance Director Boscarino, and Chief Assistant City Attorney Hehir available for questions. Additional information supplemental packet.

Speakers: Kyle Rohrbach, Thousand Oaks; Amy Commans, Oak Park; Rick Lemmo, Newbury Park; Dianne McKay, Thousand Oaks; Stella Zaringhalam, Thousand Oaks; Sangeeta Prabhakar, Thousand Oaks; Danielle Borja, President and Chief Executive Officer, Greater Conejo Valley Chamber of Commerce; Kat Selms, Thousand Oaks; Yann Dacquay, Moorpark.

Written Statements: None.

Motion by Councilmember Engler to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

14. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None.
15. COUNCIL ISSUES/RECOMMENDATIONS
- A. 2024 National League of Cities City Summit Conference
- RECOMMENDATION:
1. Receive report.
 2. Find that this action is not a project as defined by the California Environmental Quality Act Guidelines.
- Presented by Mayor Pro Tem Newman, Councilmember Engler, and Councilmember McNamee.
- Speaker/Written Statement: None.
- 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
16. CITY MANAGER:
- A. Announcements and upcoming issues
- City Manager Powers provided an update on the December 10, 2024, City Council Reorganization meeting.
17. PUBLIC NOTICES: None.
18. ADJOURNMENT: City Council adjourned at 8:58 p.m. to the City Council Reorganization Meeting on December 10, 2024.

Al Adam, Mayor
City of Thousand Oaks City Council

Attest:

Laura B. Maguire, City Clerk
City of Thousand Oaks City Council
AGENDA POSTED: November 27, 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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