

DRAFT MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

September 24, 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 Tim Giles, Deputy City Clerk Sandra Delgado, 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, Deputy Public Works Director Nader Heydari, Senior Engineer Jorge Muñoz, Special Projects and Programs Coordinator/Legislative Affairs Manager Mina Layba, 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)
- D. CONFERENCE WITH LEGAL COUNSEL – Pending Litigation: *Ashraf Shahsawarzadeh vs. City of Thousand Oaks, et al.*, Ventura County Superior Court Case Number: 2023CUPP007741; Pursuant to Government Code Section 54956.9(a).

City Attorney Noonan announced Closed Session held at 5:00 p.m.

4. CLOSED SESSION REPORT:

City Attorney Noonan announced there was nothing to report at 6:04 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. Ventura County District Attorney's Office Informational Presentation

Mayor Adam introduced Deputy District Attorney Rikole Kelly to provide a presentation on Gun Violence Restraining Orders.

B. Ventura County Sheriff's Department Officer Recognition

Mayor Adam recognized Ventura County Sheriff's Department officers for successfully arresting a South American theft ring and presented a commendation of appreciation to Captain Kevin Lynch on behalf of the 16-member unit. Mayor Adam introduced Ventura County Supervisor Jeff Gorell to thank the unit on behalf of the Ventura County Board of Supervisors.

Councilmember McNamee asked Special Projects and Programs Coordinator/Legislative Affairs Manager Layba to provide more information on national efforts related to organized international crime.

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; Cristy Warner, Thousand Oaks; John, Thousand Oaks; Kat Selm, Thousand Oaks; Dan Twedt, Thousand Oaks.

Written Statements: None.

City Manager Powers addressed public comments.

9. CONSENT CALENDAR:

Additional information supplemental packet regarding Item 9E.

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

RECOMMENDATION:

Ratify September 11, 2024, and September 18, 2024; approve September 25, 2024, and October 2, 2024, subject to review and ratification

Motion by Councilmember Newman 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 September 10, 2024

## RECOMMENDATION:

Approve

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## C. Santa Monica Mountains Conservancy Advisory Committee Appointment

## RECOMMENDATION:

1. Approve the re-appointment of Kat Selm to serve as the City's representative to the Santa Monica Mountains Conservancy Advisory Committee for a two-year term ending September 2026.

2. Find that this action is not a project subject to the California Environmental Quality Act (CEQA).

LEVINE ACT ITEM: No

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## D. Cooperative Agreement for Repairs, Operations, and Supplies

## RECOMMENDATION:

1. Approve participation agreement with W.W. Grainger, Inc. (Lake Forest, IL), utilizing the Sourcewell (Staples, MN) cooperative agreement #091422-WWG, for facility maintenance, repair, and operations (MRO) and industrial supplies through November 8, 2026, and authorize City Manager to sign participation agreement in substantially the form as attached.

2. Authorize expenditure not to exceed \$150,000 annually from various General Fund, Water Fund, Wastewater Fund, Solid Waste Management Fund, and Transportation Fund accounts.

9. CONSENT CALENDAR: (Continued)

D. Cooperative Agreement for Repairs, Operations, and Supplies (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 Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

E. Square Maintenance Hole Replacements (CI 5757)

RECOMMENDATION:

1. Authorize staff to advertise for construction bids for the Square Maintenance Hole replacements project (CI 5757).

2. Approve budget transfer in the amount of \$20,935 in FY 2023-24 from A/C #624-8250-682-5500 (Wastewater Fund – Construction, MI 2645) to A/C #624-8250-682-8300 (Wastewater Fund – Capital Improvements, CI 5757) and \$200,000 in FY 2024-25 from A/C #624-8250-682-5500 (Wastewater Fund – Construction, MI 2645) to A/C #624-8250-682-8300 (Wastewater Fund – Capital Improvements, CI 5757).

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

LEVINE ACT ITEM: No

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## 9. CONSENT CALENDAR: (Continued)

## F. Thousand Oaks Alliance for the Arts 30th Anniversary Fundraising Celebration Event

## RECOMMENDATION:

1. Approve waiver of venue rental expenses, not to exceed \$25,000.
2. Find that this action is not a project as defined under the California Environmental Quality Act.

LEVINE ACT ITEM: Yes

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

## G. First Amendment to Cross Connection Services Agreement

## RECOMMENDATION:

1. Approve First Amendment to Contract No. 13520-2023 with F.L.C. Inc., dba Accurate Backflow Testing and Valve Repair (Accurate), of Van Nuys, CA, to add \$25,000 with a new total not-to-exceed amount of \$100,000 and adjust the term of the contract to expire on December 31, 2024.
2. Authorize staff to waive formal Request for Proposal/Qualifications (RFP/Q) process and amend the agreement to allow a not-to-exceed amount above the \$75,000 informal solicitation threshold, pursuant to Thousand Oaks Municipal Code (TOMC) Section 3-10.501.
3. Authorize additional expenditure in the amount of \$25,000 in FY 2024-25 from A/C #001-5630-632-5612 [Contracted Services (Private) / Backflow] and A/C #142-5630-632-5612 [Contracted Services (Private) / Backflow] as available.
4. Find that this action is not a project as defined under the California Environmental Quality Act.

LEVINE ACT ITEM: Yes

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

## 9. CONSENT CALENDAR: (Continued)

## H. Electric Vehicle Charging Stations at Grant Brimhall and Newbury Park Libraries Project (CI 5569)

## RECOMMENDATION:

1. Approve Change Order No. 3 to Contract No. 13182-2023 with Preferred Power Solutions, Inc. (Bakersfield, CA) for Electric Vehicle Charging at Libraries Project (CI 5569) in the amount of \$29,701 for a revised not-to-exceed amount of \$285,044.

2. Authorize expenditure in the amount of \$29,701 from A/C #110-7410-673-8300 (CI 5569 - Library Fund, Capital Improvements) for construction contract Change Order No. 3 to Preferred Power Solutions, Inc. for the Electric Vehicle Charging Stations at Newbury Park Library.

3. Find that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301, and 14 CCR Section 15311.

LEVINE ACT ITEM: Yes

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## I. Fiscal Year 2024-25 Transportation Development Act Allocation Claim

RESOLUTION AUTHORIZING CLAIM FOR ALLOCATION OF FY 2024-25 FUNDS FROM VENTURA COUNTY LOCAL TRANSPORTATION FUNDS AS OUTLINED IN THE 1971 TRANSPORTATION DEVELOPMENT ACT  
RES. NO. 2024-029

## RECOMMENDATION:

1. Adopt resolution authorizing staff to file a claim with Ventura County Transportation Commission (VCTC) for the Transportation Development Act (TDA) allocation of \$5,958,559 from the Local Transportation Fund (LTF) and an estimated \$46,000 from the State Transit Assistance (STA) and State of Good Repair (SGR) funds.

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

LEVINE ACT ITEM: No

Motion by Councilmember Newman 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. Cost Allocation and User Fee Study Consulting Services Agreement

## RECOMMENDATION:

1. Approve Professional Services Agreement with Matrix Consulting Group (San Mateo, CA) for Cost Allocation Plan and User Fee Study Consulting Services, in an amount of \$166,600, plus extra services of \$17,000, for a total not-to exceed amount of \$183,600, for a three-year period beginning September 24, 2024, through August 31, 2027, with two one-year options to extend the agreement through August 31, 2029.

2. Authorize expenditure in the amount of \$73,700 in FY 2024-25 as follows: \$17,700 from A/C #001-3110-612-5640 (General Fund - Contracted Services/Management Fees), and \$56,000, from A/C #001-3010-612-5640 (General Fund - Contracted Services/Management Fees).

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

LEVINE ACT ITEM: Yes

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

## K. 2025 City Council Meeting Schedule

RESOLUTION SETTING CITY COUNCIL MEETING SCHEDULE FOR  
CALENDAR YEAR 2025

RES. NO. 2024-030

## RECOMMENDATION:

1. Adopt resolution establishing City Council meeting schedule for calendar year 2025.

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

LEVINE ACT ITEM: No

Motion by Councilmember Newman to approve staff's recommendation.

Passed 5-0 by the following vote:

Ayes – Engler, McNamee, Taylor, Newman, Adam

Noes – None

10. PUBLIC HEARINGS: None.

11. STUDY SESSIONS: None.

12. DEPARTMENT REPORTS:

- A. 2024 Citywide Pavement Overlay Program and Curb Ramps (CI 5594 and CI 5595), and Slurry Programs (MI 2610)

RECOMMENDATION:

1. Receive and file the Pavement Overlay Program update report.
2. Find that this action is not a project as defined under the California Environmental Quality Act.

LEVINE ACT ITEM: No

Presented by Deputy Public Works Director Heydari. City Manager Powers responded to questions. Senior Engineer Muñoz 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

- B. Navigation Center Progress Update

RECOMMENDATION:

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

LEVINE ACT ITEM: No

Presented by City Consultant Jay Spurgin. City Manager Powers, Assistant City Manager Hardy, and Many Mansions President Rick Schroeder responded to questions. Public Works Director Finley and Finance Director Boscarino available for questions.

Speaker/Written Statement: None.

Motion by Councilmember McNamee 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: 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 October 8, 2024, City Council meeting.
17. PUBLIC NOTICES: None.
18. ADJOURNMENT: City Council adjourned at 7:27 p.m. to Regular Meeting on October 8, 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 19, 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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