

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

February 23, 2016

1. CALL TO ORDER:

Mayor Joel Price called the meeting to order at 6:00 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor Price led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers Andy Fox, Al Adam, Rob McCoy, Claudia Bill-de la Peña, and Mayor Joel Price.

Also Present: City Manager Scott Mitnick, City Attorney Tracy Noonan, Assistant City Manager Andrew Powers, Interim City Clerk Antoinette M. Mann, Finance Director/City Treasurer John F. Adams, Community Development Director John Prescott, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Chief Theodore Smith, Assistant City Attorney Patrick Hehir, Senior Engineer Mike Tohidian, Senior Planner Jeffrey Specter, Cable Operations Supervisor Carl Jarecky, Assistant Analyst Laura Maguire, Executive Secretary Pam Romer, Senior Video Specialist Richard Swingler, Records Management Specialist Melissa L'Engle, Production Assistant Christian Phelps, and Senior Recording Secretary Janis Daly.

4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:  
None.

5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

- A. Mayor Price presented Proclamation designating March 2, 2016 "Read Across America Day" in recognition of Dr. Seuss' 112<sup>th</sup> birthday on behalf of Conejo Valley Unified School District and United Association of Conejo Teachers (UACT) to UACT representative Colleen Briner-Schmidt, accompanied by Weathersfield Elementary School teacher Jill Raff and her TK class; students recited pledge to read.

6. PUBLIC COMMENTS:

Nick Quidwai, Newbury Park; Tedd Smith, Newbury Park; Patrissha Booker, Thousand Oaks; Greg Sincock, Thousand Oaks; John Fonti, Thousand Oaks.

Written Statements: Marcy Gerstenberger, Thousand Oaks; Terry Vrakelos, Thousand Oaks.

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13. CITY MANAGER:

- \*A. Follow-up items: City Manager Mitnick explained staff will work with individual about concerns regarding signage (Quidwai); indicated all three water purveyors in Thousand Oaks periodically hold water rate hearings, City monitors, and staff will follow up with speaker to provide hearing dates (Fonti); further explained there have been several discussions at City Council Meetings regarding roads and staff will share that information with resident (Fonti).

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: Municipal Code Amendment MCA 2015-70320 establishing or revising definitions and zoning regulations for substance abuse treatment facilities (with 7 or more beds), assisted living facilities, residential care facilities (large), boarding houses and lodging houses; Applicant: City of Thousand Oaks. Report presented by Senior Planner Specter; City Attorney and Assistant City Attorney Hehir responded to questions; Community Development Director Prescott and Police Chief Tim Hagel available for questions. Additional information supplemental packet.

ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE TITLE 9, CHAPTER 4; ADDING OR REVISING DEFINITIONS AND ZONING REGULATIONS CONCERNING SUBSTANCE ABUSE TREATMENT FACILITIES, RESIDENTIAL CARE FACILITIES (LARGE), ASSISTED LIVING FACILITIES, BOARDING HOUSES, LODGING HOUSES AND SUPPORTIVE HOUSING (MCA 2015-70320)                      ORD.NO. 1<sup>st</sup> Reading

Speakers: Lynn Burdick, Thousand Oaks, con; Lynn Jurss, Thousand Oaks, pro; Pete Gomez, Thousand Oaks, con; Suzanne Emanuel, Thousand Oaks, pro; Sharon Sincock, Thousand Oaks, con; John Krochmal, Thousand Oaks, pro; Brian Briggs, Thousand Oaks, pro; John Fonti, Thousand Oaks, con; Chaise Rasheed, Thousand Oaks, pro.

Written Statements: Douglas Burdick, Thousand Oaks, con; Donna Rae Caccavo, Thousand Oaks, con; Marcy Gerstenberger, Thousand Oaks, pro; Diane Gomez, Thousand Oaks, con; Gordon/Lisa Goodwin, Thousand Oaks, con; Susan Gulbrandsen, Thousand Oaks, con; George/Patricia Jones, Thousand Oaks, con; Bela/Livia Keresztes-Fischer, con; Robert Maron, Thousand Oaks, con; Nancy Nicoletti, Thousand Oaks, con; Greg Sincock, Thousand Oaks, con.

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8. PUBLIC HEARINGS: (Continued)

Mayor Price closed public hearing.

Motion by Councilmember Adam that ordinance be read in title only, further reading be waived, and if no objection introduced, carried 5-0 by the following vote: Ayes - Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

- B. Hearing, advertised as required by law, opened to consider: Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing for issuance of Tax Exempt Multi-family Housing Revenue Bonds for acquisition and rehabilitation of Shadow Hills Apartments; Located: 277 E. Wilbur Road. Report presented by Community Development Director Prescott.

RESOLUTION APPROVING ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR PURPOSE OF FINANCING ACQUISITION AND REHABILITATION OF MULTIFAMILY RENTAL HOUSING FACILITY KNOWN AS SHADOW HILLS APARTMENTS AND APPROVING MODIFICATION AGREEMENT AND ASSIGNMENT AND ASSUMPTION AGREEMENT FOR SAID PROJECT  
RES. NO. 2016-008

Speaker: Rick Schroeder, city of residence unknown, pro (questions only).

Written Statements: None.

Mayor Price closed public hearing.

Motion by Councilmember Adam to adopt resolution to approve issuance of bonds by California Municipal Finance Authority (CMFA) not-to-exceed \$19,000,000 for benefit of Many Mansions or its affiliates, to provide for financing of acquisition and rehabilitation of Shadow Hills Apartment Project. such adoption is solely for purposes of satisfying requirements of TEFRA, which includes compliance with federal- and state-mandated processes; authorize City Manager to approve Modification Agreement in order to cancel Promissory Note associated with 1998 Redevelopment Agency (RDA) Grant to Many Mansions, to remove the reference to the two (2) childcare units, to clarify that manager's unit is not income-restricted, and to remove provision requiring increase to bond service fee; authorize City Manager to approve Assignment and Assumption Agreement to allow transfer of property from Many Mansions to Shadow Hills LLC; authorize City Manager to execute reconveyance of Deed of Trust securing Promissory Note associated with 1998 RDA Grant and to cancel original Note of \$5,476,100 upon issuance of Tax Credit Reservation Letter, carried 5-0 by the following vote: Ayes - Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

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9. DEPARTMENT REPORTS:

- A. Conejo Valley Groundwater Study (MI 2104) presented by Public Works Director Spurgin and Dave Ebersold, CDM Smith representative.

Written Statement: Yvonne Brockwell, Westlake Village.

Motion by Councilmember Fox to approve Conejo Valley Groundwater Study (MI 2104), carried 5-0 by the following vote: Ayes - Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

- B. Westlake Boulevard Sidewalk Project – Concept Plans – Triunfo Canyon Road to 101 Freeway (CI 5337) presented by Senior Engineer Tohidian; Deputy Public Works Director Finley available for questions. Additional information supplemental packet.

Motion by Councilmember Bill-de la Peña to receive Westlake Boulevard Sidewalk (CI 5337) project update; approve Second Amendment to Professional Services Agreement No. 10687-2014 with MNS Engineers, Inc., in amount of \$65,550 for additional engineering and outreach support services, increasing agreement not-to-exceed amount to \$187,637; authorize acceptance of additional Federal Highway Safety Improvement Program Cycle 6 Grant in amount of \$69,400 from Federal Highway Administration for additional design services; approve budget appropriation and expenditure in amount \$69,400 A/C183-0000-438-9900 (CI 5337 Federal Grant Revenue/Westlake Sidewalks Project) to A/C 183-5310-631-8300 (CI 5337 Federal Grants/Westlake Sidewalk Project), carried 5-0 by the following vote: Ayes - Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

10. COMMITTEE/COMMISSION/BOARD REPORTS: None.

11. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None.

12. COUNCIL ISSUES/RECOMMENDATIONS:

- A. Follow-up reports on meetings/conferences attended by Councilmembers. None.

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13. CITY MANAGER:

A. Follow-up items: Nothing additional.

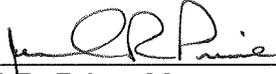
B. Announcements and upcoming issues: City Manager Mitnick announced March 1, 2016 City Council Meeting canceled and reviewed potential topics for the next regularly scheduled City Council Meeting March 22, 2016.

14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2<sup>nd</sup> floor. None.

15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

City Council adjourned at 8:32 p.m. to Regular Meeting on Tuesday, March 22, 2016 (March 1, 2016 City Council Meeting canceled).

  
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Joel R. Price, Mayor  
City of Thousand Oaks City Council/

Attest:

  
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Antoinette M. Mann, Interim City Clerk  
City of Thousand Oaks City Council

AGENDA POSTED: February 18, 2016  
MINUTES APPROVED: March 23, 2016

\*indicates item taken out of order

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**EXHIBIT A**7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH G. ARE TO APPROVE  
RECOMMENDATION FOR ITEM H. IS THAT ORDINANCE BE READ IN TITLE ONLY,  
FURTHER READING BE WAIVED, AND IF NO OBJECTION INTRODUCED*

Speaker: Nick Quidwai, Newbury Park.

Motion by Councilmember Fox to approve Consent Calendar carried 5-0 by the following vote: Ayes - Fox, Adam, McCoy, Bill-de la Peña, and Price; Noes - None.

- A. General, Utilities, Golf Course, and Theatres Demands – ratify February 17, 2016; approve February 24, 2016; approve March 2, 2016, March 9, 2016, and March 16, 2016, subject to review and ratification
- B. Minutes of City Council Regular meeting of February 9, 2016
- C. No Appropriation/Expenditure Required: Disabled Access Appeals and Advisory Board (DAAAB) appointments (Price); reappointments of Ryan Rose (Public Member) and Gerald Nehring (Construction) and appointment of Annemarie Storrs (Construction) to fill three scheduled vacancies for terms ending February 2018
- D. Additional Appropriation: Second Amendment to Agreement No. 11030-2015 with PAX Water Technologies, Inc., in amount of \$95,000 for rental of water disinfectant boosting trailers and mixers to extend term to 7/31/16 and increase not-to-exceed contract total to \$145,000; budget appropriation and expenditure in amount of \$95,000 A/C 611-0000-341-9900 (Water Operating Fund/Net Position) to A/C 611-8050-686-6499 (Water Reservoirs /Rental Fees)
- E. No Appropriation/Expenditure Required: Out of Agency Service Agreement between Thang Van Nguyen and City for water and wastewater services for new single family residence at 115 Acacia Road in unincorporated Ventu Park area of Thousand Oaks
- F. Additional Appropriation Fully Offset by Grant Revenue: Grant for Disaster Assistance Response Team (DART); acceptance of County of Ventura's Homeland Security Grant in amount of \$10,000 to be received by Thousand Oaks Police Department's DART; additional budget appropriation and expenditure of \$10,000 A/C 001-6740-438-9900 (OES009 Grant Revenue) to A/C 001-6740-627-3300 (OES009 DART Equipment less than \$5,000)

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7. CONSENT CALENDAR: (Continued)

- G. Additional Appropriation Partially Offset by Grant Revenue and Fixed Asset Replacement: Acceptance of 2015 Emergency Management Performance Grant (EMPG) from State Office of Emergency Services; adopt resolution designating Public Works Director Jay Spurgin, Deputy Public Works Director Cliff Finley, and Finance Director John F. Adams as authorized agents of City to sign EMPG related documents; authorize staff to complete application for EMPG funding in amount up to \$33,626 to be used for purchase and installation of Cyber Security enhancing equipment (i.e. iBoss Secure Web Gateway and LogRhythm appliance); authorize purchase of Cyber Security enhancing equipment from BorderLAN Security and NovaCoast, in amount not-to-exceed \$67,252.84; budget appropriation in amount of \$37,260; expenditure in amount not-to-exceed \$67,253 as outlined in staff report

RESOLUTION DESIGNATING AUTHORIZED AGENTS OF CITY TO SEEK STATE AND FEDERAL EMERGENCY AND HAZARD MITIGATION FUNDING ASSISTANCE  
RES. NO. 2016-007

- H. No Appropriation/Expenditure Required: Title 10 (Utilities) Municipal Code Amendment; Groundwater Wells

ORDINANCE REPEALING CHAPTER 2 ARTICLE 10 OF TITLE 10 OF MUNICIPAL CODE AND THEREAFTER READOPTING CHAPTER 2 ARTICLE 10 OF TITLE 10 OF MUNICIPAL CODE RELATING TO UPDATED CONSTRUCTION DEFINITIONS, STANDARDS AND USE OF GROUNDWATER WELLS WITHIN CITY BOUNDARIES

ORD.NO. 1<sup>st</sup> Reading