MINUTES OF THE CITY COUNCIL

Thousand Oaks, California July 14, 2015

1. CALL TO ORDER:

Mayor Al Adam called the meeting to order at 6:03 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor Adam, accompanied by Cabrillo Music Theatre Artistic Director Lewis Wilkenfeld led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers Andy Fox, Rob McCoy, Joel Price, and Mayor Al Adam.

Absent: Councilmember Claudia Bill-de la Peña.

Also Present: City Manager Scott Mitnick, Assistant City Attorney Patrick Hehir, Assistant City Manager Andrew Powers, City Clerk Linda Lawrence, Community Development Director John Prescott, Human Resources Director Gary Rogers, Interim Library Director Nancy Schram, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Chief Theodore Smith, Deputy City Clerk Antoinette Mann, Deputy Cultural Affairs Director Stacy Park, COSCA Manager Shelly Mason, Economic Development Manager Haider Alawami, Senior Planner Jeff Specter, Cable Operations Supervisor Carl Jarecky, Assistant Analyst Laura Maguire, Senior Video Specialist Richard Swingler, Production Assistant Andrea Baltazar, 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 Adam introduced Ventura County Fairgrounds Junior Board representatives Andrew Geib, Elizabeth Fernandez, and Megan Garcia to present 2015 Ventura County Fair Poster and highlight Fair Schedule.

B. Mayor Adam presented Proclamation recognizing Americans with Disabilities Act (ADA) 25th Anniversary to Dani Anderson, Executive Director for Independent Living Resource Center, Inc.

C. Cabrillo Music Theatre Artistic Director Lewis Wilkenfeld introduced cast members to perform a song from its upcoming production "Oklahoma."

6. PUBLIC COMMENTS:

Public Works Director Jay Spurgin, Thousand Oaks; Economic Development Manager Haider Alawami, Thousand Oaks; Elke Brooks, Newbury Park; Mary Harris, Thousand Oaks; Billy Martin, Thousand Oaks; Jim Wolf, Thousand Oaks (submitted document); Kathryn Goodspeed, Thousand Oaks; Victor Abrunzo, Thousand Oaks (submitted document); Valerie Hopkins, Thousand Oaks; James Ross, city of residence unknown; Kay Sikra, Thousand Oaks; Barbara Shamoon, Thousand Oaks; Chaise Rasheed, Thousand Oaks.

13. CITY MANAGER:

*A. Follow-up items: City Manager Mitnick indicated with regard to Pathpoint, staff is in communication with speaker and Pathpoint will work to find positions for those impacted (Brooks); explained City Council has been updated and providing direction in Closed Sessions regarding lawsuit filed by Ranch Mobilehome Park (Wolf, Goodspeed, Abrunzo, Hopkins, Sikra, Shamoon); and indicated Public Works Director Spurgin will follow up with individual regarding green energy project (Ross).

7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

A. 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 by Many Mansions for Villa Garcia Apartment Project; Located: 1379-1419 East Thousand Oaks Boulevard. 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 VILLA GARCIA APARTMENTS AND APPROVING ASSIGNMENT AND ASSUMPTION AGREEMENT AND LOAN MODIFICATION AGREEMENT FOR SAID PROJECT
RES. NO. 2015-050

Speaker: Rick Schroeder, Thousand Oaks, pro (questions only).

Written Statements: None.

8. PUBLIC HEARINGS: (Continued)

Public hearing closed.

Motion by Councilmember Fox to adopt resolution to approve issuance of bonds by California Municipal Finance Authority (CMFA) not to exceed $12,000,000 for benefit of Many Mansions to provide for financing of project; such adoption is solely for purposes of satisfying requirements of TEFRA which includes compliance with federal- and state-mandated processes with City having no responsibility or liability with respect to repayment or administration of these bonds; authorize City Manager to approve Assignment and Assumption Agreement to allow transfer of property from Thousand Oaks Gardens, LP to Villa Garcia LP; authorize City Manager to approve Loan Modification Agreement resetting interest rate and extending term and affordability covenants, carried 4-0 by the following vote: Ayes - Fox, McCoy, Price, and Adam; Noes - None; Absent - Bill-de la Peña.

9. DEPARTMENT REPORTS:

A. Acquisition of three open space parcels in Skyline Area; Located: South of Willow Lane between Fairview Road and Conejo Ridge Road presented by COSCA Manager Mason.

Motion by Councilmember McCoy to authorize City Manager, or designee, to execute all documents necessary to effectuate purchases of APNs 676-0-090-040 (Aida Yegiazaryan), 676-0-090-080 (Judith Angius Trust), and 676-0-130-480 (Grace Badovinac Trust) by City, including authority to accept deeds, subject to resolution of any liens and encumbrances affecting said parcels; approve budget appropriation and expenditure of funds in amount of $72,000 ($66,000 plus closing costs not-to-exceed $6,000) for three parcels (APNs 676-0-090-040, 676-0-090-080, and 676-0-130-480) A/C 512-0000-311-1000 (Community Recreation Facilities and Open Space Acquisition and Maintenance Endowment Fund – Fund Balance) to A/C 512-4410-679-8100 (CI 1227 Capital – Land);authorize subsequent transfers of APNs 676-0-090-040, 676-0-090-080, and 676-0-130-480 from City to Conejo Open Space Conservation Agency (COSCA) carried 4-0 by the following vote: Ayes - Fox, McCoy, Price, and Adam; Noes - None; Absent - Bill-de la Peña.

9. DEPARTMENT REPORTS: (Continued)

B. Initiation of Municipal Code Amendment MCA 2015-70320 to establish zoning regulations for substance abuse treatment facilities; Applicant: City of Thousand Oaks presented by Senior Planner Specter; Community Development Director Prescott available for questions.

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT TO MUNICIPAL CODE CONCERNING ZONING REQUIREMENTS FOR SUBSTANCE ABUSE TREATMENT FACILITIES (MCA 2015-70320)
RES. NO. 2015-051

Motion by Councilmember Price to adopt resolution, carried 4-0 by the following vote: Ayes - Fox, McCoy, Price, and Adam; Noes - None; Absent - Bill-de la Peña.

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.

13. CITY MANAGER:

A. Follow-up items: Nothing additional.

B. Announcements and upcoming issues: City Manager Mitnick announced City Council in summer recess during month of August and reviewed potential topics for the next regularly scheduled City Council Meeting September 1, 2015.

14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor.

Assistant City Attorney Hehir announced Closed Session held at 7:21 p.m.

A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: URIBE v CITY OF THOUSAND OAKS; Ventura Superior Court Case No. 56-2014-00451727-CU-PO-VTA; Pursuant to Government Code Section 54956.9(a)

Assistant City Attorney Hehir indicated no announcement anticipated.

15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

City Council adjourned at 7:47 p.m. to Regular Meeting September 1, 2015. City Council in summer recess the month of August.

Al Adam, Mayor
City of Thousand Oaks City Council

Attest:

Linda D. Lawrence, City Clerk
City of Thousand Oaks City Council

AGENDA POSTED: July 9, 2015
MINUTES APPROVED: September 1, 2015

*indicates item taken out of order
CCD:610-60/jld/h:/common/minutes/2015/20140714.docx

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH Y. ARE TO APPROVE RECOMMENDATIONs FOR ITEMS Z. THROUGH BB. ARE TO ADOPT

Additional information supplemental packet regarding Items 7.B., 7.C., 7.D., 7.E., 7.H., 7.K., 7.S., 7.W., and 7.AA.

Motion by Councilmember Price to approve Consent Calendar, carried 4-0 by the following vote: Ayes - Fox, McCoy, Price, and Adam; Noes - None; Absent - Bill-de la Peña.

A. General, Utilities, Golf Course, and Theatres Demands – ratify July 1, 2015 and July 8, 2015; approve July 15, 2015; approve July 22, 2015, July 29, 2015, August 5, 2015, August 12, 2015, August 19, 2015, and August 26, 2015, subject to ratification

B. Minutes of City Council Regular Meeting of June 23, 2015.

C. No Appropriation/Expenditure Required: Grand Jury Report response; authorize Mayor to provide written response to June 1, 2015 Ventura County Grand Jury report "Countywide Bicycle Safety" and forward response to Grand Jury

D. No Appropriation/Expenditure Required: Grand Jury Report response; authorize Mayor to provide written response to May 28, 2015 Ventura County Grand Jury report "Panhandling and Charity Soliciting in the City of Thousand Oaks" and forward response to Grand Jury

E. No Appropriation/Expenditure Required: Grand Jury Report response; authorize Mayor to provide written response to June 1, 2015 Ventura County Grand Jury report "Detention Facilities and Related law Enforcement Issues" and forward response to Grand Jury

F. No Appropriation/Expenditure Required: Youth Commission Appointments (Price); reappointment of George McGuigan to serve a one-year term ending July 2016; reappointment of Douglas Shao and appointments of Julianna Emanuel, Hannah Gross, Melissa Kern, Peyton Tovey and Tian Ye to serve two-year terms ending July 2017

7. CONSENT CALENDAR: (Continued)

G. No Appropriation/Expenditure Required: Disabled Access and Appeals Advisory Board (DAAAB) Appointments (Price); appointment of Ryan Rose to fill unscheduled vacancy (Public Member) for term ending February 2016

H. Approved Expenditure: Legal Research Service Contract in amount not-to-exceed $109,788 with Thomas Reuters/West Publishing for subscription services to Westlaw legal research database for City Attorney's Office; term: 7/1/15 – 6/30/18 with two optional one-year extensions; expenditure in amount of $24,133 ($20,688 plus $3,445 contingency) FY 2015-16, $24,745 ($21,300, plus $3,445 contingency) FY 2016-17 A/C 001-1610-611-3237 (Other Library Materials); funding for remaining years to be requested during biennial budget process

I. Approved Expenditure: Community Development Block Grant (CDBG) funded Multi-Family Rehabilitation Contract with Area Housing Authority of County of Ventura (AHAVC) in amount not-to-exceed $160,000 for improvements at low-income Los Arboles Apartments, 801-866 Calle Haya; term: 7/1/15 – 12/31/16; FY 2015-16 expenditure in amount of $160,000 A/C120-1010-644-5920 (HS9944 CDBG Fund)

J. Approved Expenditure: Community Development Block Grant (CDBG) funded Multi-Family Rehabilitation Contract with local, non-profit, affordable housing provider Many Mansions for improvements at low-income, supportive housing Richmond Terrace Apartments, 760 Warwick Avenue in amount not-to-exceed $70,000; term: 7/1/15 – 12/31/16; FY 2016 expenditure $70,000 A/C 120-1010-644-5920 (HS9945, CDBG Fund)

K. Approved Expenditure: Economic Development Strategic Plan preparation; authorize City Manager to execute professional services contract, subject to City Attorney approval, with Kosmont Companies in amount not-to-exceed $99,000; expenditure of $99,000 A/C 001-0810-612-5750 (Contracted Services)

L. Approved Expenditure: Forestry and Landscape Master Plan (MI 2107); professional services agreement in amount not-to-exceed $222,285 with SWA Group for term ending 7/31/16; budget transfer in amount of $105,000 A/C 001-5310-631-8300 (CI 5115 Existing Landscaping Upgrades) to A/C 001-5630-632-5699 (MI 2107 Forestry Master Plan); expenditures totaling $270,000 ($222,285 agreement plus $30,000 contingency, plus $17,715 City furnished materials and services) as follows: $245,000 A/C 001-5630-632-5699 (MI 2107 Forestry Master Plan); $25,000 A/C 142-5630-632-5699 (MI 2107 Forestry Master Plan)

7. CONSENT CALENDAR: (Continued)

M. Approved Expenditure: Deed Transfer for Lang Creek Debris and Retention Basin; authorize City Engineer to execute all documents necessary to complete transfer of a portion of Parcel 17 of Parcel Map LD 60 (APN 569-0-070-355) from City to Ventura County Watershed Protection Agency

N. Additional Appropriation Fully Offset by Grant Revenue: Erbes Road Widening grant fund acceptance and project closeout (CI 1236); accept $999,000 in Congestion Mitigation and Air Quality (CMAQ) grant funds from Ventura County Transportation Commission (VCTC); Change Order No. 64 to Contract No. 10097-2013 with Toro Enterprises, Inc., in amount of $569,025.45; budget appropriations and expenditures as outlined in staff report as follows: $999,000 fully offset by $999,000 in CMAQ grant revenue; expenditure of $569,026

O. No Appropriation/Expenditure Required: Westlake Boulevard/Valley Spring Drive Yield Sign; receive status report

P. Approved Expenditure: Water Master Plan Update (MI 2225); agreement in amount not-to-exceed $268,700 with Kennedy/Jenks Consultants for professional engineering services to update 2005 Water Master Plan; term ending 12/31/16; expenditure in amount of $300,000 ($268,700 Agreement, plus $30,300 contingency and $1,000 for City furnished materials and supplies) A/C 612-5310-682-5500 (MI 2225 Water Master Plan Update)

Q. Approved Expenditure: Blanket Purchase Orders for hot mix asphalt material with Vulcan Materials Company and Granite Construction, Inc., in amounts not-to-exceed $150,000 per fiscal year per vendor, FY's 2015-16, 2016-17; funding to be identified on case-by-case basis

R. Approved Expenditure: Laboratory Services Hill Canyon Wastewater Treatment Plant (HCTP); three-year service agreement in amount not-to-exceed $125,000 with Weck Laboratories, Inc.; term: 7/14/15 – 8/31/18 with option to extend additional two-years; annual expenditure in amount of $56,091 ($41,666, plus $14,425 contingency) FY's 2015-16 and 2016-17 A/C 621-8250-682-5699 (Wastewater HCTP Contracted Services)

S. No Appropriation/Expenditure Required: Gold Coast Transit District Sphere of Influence; authorize Mayor to sign letter to Ventura Local Agency Formation Commission requesting proposed Gold Coast Transit District "Sphere of Influence" be limited to its existing service area

7. CONSENT CALENDAR: (Continued)

T. Approved Expenditure: Thousand Oaks Library Furniture Design and Installation (MI 2099); agreement in amount not-to-exceed $268,153 with CSI Fullmer; term ending 6/30/16; expenditure in amount of $268,153 A/C 110-7310-673-3300 (MI 2099 Improvements)

U. Approved Expenditure: Software Maintenance Agreement; renewal of existing City Contract 5195-2001 with SunGard Public Sector (previously SunGard HTE Inc.) in amount up to $158,000; term: 7/1/15 – 6/30/16; expenditure up to $158,000 A/C 001-3410-612-4300 (Computer Software Maintenance)

V. Approved Expenditure: Library Broadband Upgrade Project; participation in California Public Library Broadband Grant Program; receive equipment in amount of $24,000 as part of program; participation in 2015-16 Universal Service Program for Schools and Libraries (E-Rate Program); accept discounted Internet access pricing as part of program; expenditure in amount of $116,000 FY 2015-16 as follows: $52,000 A/C 110-7330-673-6115 (Telephone Data Link); $20,000 A/C 110-7330-673-5420 (Consulting Services); $44,000 A/C 110-7330-673-8400 (Equipment $5000 or more) to be offset by A/C 110-7330-673-8900 (Fixed Asset Replacement – Retired Equipment Reserves)

W. Approved Expenditure: Government Channel (TOTV) Automation Server purchase from TBC Integration, Inc., dba DigitalGlue in amount of $64,933; transfer $64,933 A/C 883-0000-241-9900 (MSVEZ–Public Educational Government Capital Trust Account) to A/C 001-1210-484-9900 Other/Reimbursements); expenditure in amount of $64,933 A/C 001-1210-647-8400 (Equipment over $5,000) offset by $64,933 A/C 001-1210-484-9900 (Other/Reimbursements)

X. No Appropriation/Expenditure Required: Abandonment of West Chalon Street Right-of-Way; authorize City Engineer to execute quitclaim slope easement at southwest corner of 91 Ocatillo Avenue; adopt resolution

RESOLUTION ABANDONING WEST CHALON STREET RIGHT-OF-WAY WEST OF OCATILLO AVENUE AND RESCINDING RESOLUTION NO. 2013-090 RES. NO. 2015-046

Y. Approved Expenditure: Initiate proceedings for LLAD 79-2; set public hearing date for September 1, 2015 adopt resolution

RESOLUTION INITIATING PROCEEDINGS FOR ANNEXATION OF TERRITORY FOR THOUSAND OAKS LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 79-2 (FISCAL YEAR 2016-17)

RES. NO. 2015-047

7. CONSENT CALENDAR: (Continued)

Z. Approved Expenditure: US 101/Wendy Drive Interchange Improvements Caltrans Maintenance Agreement (CI 5050)

RESOLUTION APPROVING MAINTENANCE AGREEMENT NO. TR# 07-04-0019 WITH STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR COMPLETION OF CONSTRUCTION FOR ROUTE 101 AT WENDY DRIVE INTERCHANGE IMPROVEMENTS PROJECT RES. NO. 2015-048

AA. No Appropriation/Expenditure Required: City Manager approval authority during summer recess; report of actions taken to City Council for ratification in September

RESOLUTION DELEGATING CERTAIN INTERIM AUTHORITY TO CITY MANAGER RES. NO. 2015-049

ORDINANCE FOR SECOND READING:

BB. ORDINANCE ADDING SECTION 8-1.26 (SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEM REVIEW PROCESS) TO MUNICIPAL CODE IN ORDER TO PROVIDE EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS IN COMPLIANCE WITH STATE LAW (MCA 2015-70107) (Introduced 6/23/15, 5-0) ORD.NO.1608-NS