

City Council

REGULAR MEETING
Tuesday, February 23, 2016, 6:00 P.M.
Council Chambers



Joel R. Price, Mayor
Claudia Bill-de la Peña, Mayor Pro Tem
Andrew P. Fox, Councilmember
Al Adam, Councilmember
Rob McCoy, Councilmember

Executive Team

Scott Mitnick, City Manager
Andrew Powers, Assistant City Manager
John C. Prescott, Comm. Dev. Director
Antoinette M. Mann, Interim City Clerk
Barry McComb, Cultural Affairs Director
Tim Hagel, Police Chief
Jim Friedl, General Manager, CRPD

Tracy M. Noonan, City Attorney
John F. Adams, Finance Director/City Treasurer
Jay Spurgin, Public Works Director
Gary Rogers, Human Resources Director
Heather Cousin, Library Director
Theodore E. Smith, Fire Chief

MISSION STATEMENT:
Extraordinary Service to the Citizens We Serve is Our Purpose

Americans with Disabilities Act (ADA): In compliance with ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk Department, (805) 449-2151. Assisted listening devices are available at this meeting. Ask City Clerk staff if you desire to use this device. Upon request, the agenda and documents in this agenda packet can be made available in appropriate alternative formats to persons with a disability. Notification at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring reasonable arrangements can be made to provide accessibility to the meeting or service.

The following is provided to assist with public participation:

Agenda Availability: The City Council Agenda is posted at the entry to the Civic Arts Plaza/City Hall, 2100 E. Thousand Oaks Boulevard, Thousand Oaks [main posting location pursuant to the Brown Act, G.C. 54954.2(a)]. City Council Agenda Packets are available for review at the City Clerk Department, 2100 E. Thousand Oaks Boulevard, Thousand Oaks. Agenda packet and “Live and Archived” meetings and minutes are available on the City’s website at www.toaks.org. Televised City Council Meetings are re-broadcast Thursday and Sunday (following meeting) at 10:00 a.m. and 6:00 p.m. on TOTV, Channel 10.

Supplemental Information: Any agenda related information received and distributed to the City Council after the Agenda Packet is printed is included in Supplemental Packets. Supplemental Packets are produced as needed, typically a minimum of two—one available on the Thursday preceding the City Council meeting and the second on Tuesday at the meeting. The Thursday Supplemental Packet is available for public review in the City Clerk Department, 2100 E. Thousand Oaks Boulevard, during normal business hours (main posting location pursuant to the Brown Act, G.C. 54957.5(b)(2)). Both the Thursday and Tuesday Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2100 E. Thousand Oaks Boulevard and on the City’s website.

Please be advised that communications directed to the City Council are public records, and are subject to disclosure pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under the applicable law. Communications will NOT be edited for redactions; will be printed/posted as submitted.

Public Input: Any person who wishes to speak regarding an item on the regular agenda or on a subject within the City’s jurisdiction during “Public Comments” is requested to file a “Public Speaker” card with City Clerk staff before that portion of the Agenda is called. Any person who wishes to speak on a specific agenda item is requested to file a “Public Speaker” card before the specific item is called. Any person who wishes to speak on a Public Hearing is requested to file a “Public Speaker” card before the Hearing is called. Persons addressing the City Council are requested to state their name and community of residence for the record. Any supporting materials should be submitted to the City Clerk before addressing the Council. These materials are also considered a public record pursuant to the California Public Records Act and Brown Act unless exempt from disclosure under the applicable law.

Special Meeting Public Input: Only issues listed on a special meeting agenda may be addressed pursuant to the Brown Act/Special Meetings.

Consent Calendar: Matters listed on Consent Calendar that do not require significant reporting and/or discussion for decision or considered to be routine, will be approved by one motion as recommended. There will be no separate discussion unless Councilmember or staff member requests separate discussion prior to approval.

Judicial Review: Any legal action by an applicant seeking to obtain a judicial review of the City Council’s decision on a Hearing or issue listed on this Agenda may be subject to the 90-day filing period, of and governed by, Code of Civil Procedure Section 1094.6. Also refer to TOMC Section 1-4.05.

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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February 23, 2016

RES. NO. 2016-007
ORD. NO. 1613-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Fox, Adam, McCoy, Bill-de la Peña, and Mayor Price
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
 - A. Proclamation – Read Across America Day March 2, 2016
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 8 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [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](#)

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. 1st Reading

RECOMMENDATION: Ordinance to be read in title only, further reading be waived, and if no objection introduced.

8. PUBLIC HEARINGS: (Continued)

- B. [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](#)

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-

RECOMMENDATION:

1. Conduct TEFRA Public Hearing
2. 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
3. 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
4. Authorize City Manager to approve Assignment and Assumption Agreement to allow transfer of property from Many Mansions to Shadow Hills LLC
5. 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

9. DEPARTMENT REPORTS:

A. [Conejo Valley Groundwater Study \(MI 2104\)](#)

RECOMMENDATION: Approve Conejo Valley Groundwater Study (MI 2104)

B. [Westlake Boulevard Sidewalk Project – Concept Plans – Triunfo Canyon Road to 101 Freeway \(CI 5337\)](#)

RECOMMENDATION:

1. Receive Westlake Boulevard Sidewalk (CI 5337) project update; provide comments on design concept alternatives
2. 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, for Westlake Boulevard Sidewalk project, increasing agreement not-to-exceed amount to \$187,637
3. 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
4. Approve budget appropriation and expenditure in amount \$69,400 A/C 183-0000-438-9900 (CI 5337 Federal Grant Revenue/ Westlake Sidewalks Project) to A/C 183-5310-631-8300 (CI 5337 Federal Grants/Westlake Sidewalk Project)

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

13. CITY MANAGER:

- A. Follow-up items
- B. Announcements and upcoming issues

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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February 23, 2016

14. CLOSED SESSION: City Council Conference Room 2nd floor – None

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to Regular Meeting March 22, 2016 (March 1, 2016 City Council Meeting canceled)

Agenda Post Date/Time: February 18, 2016, 5:00 p.m.

CCD:610-40/h:/common/agenda/ 2016/02-23-2016/02-23-16.docx

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*

- 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 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)

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 LogRythm 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-_____

- 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. 1stReading