

City Council

REGULAR MEETING
Tuesday, February 9, 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 9, 2016

RES. NO. 2016-005
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. Recognition – Thousand Oaks Police Department for partnership/support of “Be the DD and Win” (ProjectSafer)
 - B. Presentation – “Arts & Economic Prosperity Study” – Cultural Affairs Commission Community Outreach Committee
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A page 8 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [Assisted Living Facility Consisting of 89-bed \(79 units\); Zone Change Z 2014-70551; Special Use Permit SUP 2014-70552; Parcel Map Waiver PMW 2014-70553; Oak Tree Permit OTP 2014-70554; Located: 400 E. Rolling Oaks Drive; Applicant: Oakmont Senior Living](#)

ORDINANCE AMENDING THOUSAND OAKS MUNICIPAL CODE RELATING TO ZONING MAPS AND CHANGES IN ZONING CLASSIFICATION OF PROPERTY, Z 2014-70551 (APPLICANT: OAKMONT SENIOR LIVING); LOCATED 400 E. ROLLING OAKS DRIVE
ORD.NO. 1st Reading

8. PUBLIC HEARINGS: (Continued)

A. Assisted Living Facility Consisting of 89-bed (79 units) (Continued)

RESOLUTION APPROVING SPECIAL USE PERMIT (SUP 2014-70552) AND ADOPTING FINAL MITIGATED NEGATIVE DECLARATION NO. 2014-70678 FOR LAND LOCATED 400 E. ROLLING OAKS DRIVE; (APPLICANT: OAKMONT SENIOR LIVING) RES. NO. 2016-

RESOLUTION APPROVING PARCEL MAP WAIVER (PMW 2014 70553), LOCATED 400 E. ROLLING OAKS DRIVE (APPLICANT: OAKMONT SENIOR LIVING) RES. NO. 2016-

RESOLUTION APPROVING OAK TREE PERMIT (OTP 2014-70554), LOCATED 400 E. ROLLING OAKS DRIVE (APPLICANT: OAKMONT SENIOR LIVING) RES. NO. 2016-

RECOMMENDATION:

1. Adopt Recirculated Mitigated Negative Declaration 2014-70678 and Mitigation Monitoring and Reporting Program
2. Read in title only, further reading be waived, and if no objection, introduce Ordinance to approve Zoning Application Z 2014-70551, to allow zone change from RE-1Ac. (Rural Exclusive, 1 acre minimum) to P-L (Public, Quasi-Public and Institutional Lands and Facilities Zone)
3. Adopt resolutions to approve Special Use Permit SUP 2014-70552, Parcel Map Waiver PMW 2014-70553 and Oak Tree Permit 2014-70554, all to become effective only upon effective date of zone change ordinance

9. DEPARTMENT REPORTS:

A. [Wastewater and Water Financial Plans and Proposed Rate Adjustments](#)

RECOMMENDATION: Approve 2016 Wastewater Financial Plan and Water Cost of Service Study and Financial Plan; set April 12, 2016 as Public Hearing Date to establish wastewater and water service charges for FY 2015-16 and FY 2016-17

9. DEPARTMENT REPORTS: (Continued)

B. [Thousand Oaks Boulevard Utility Undergrounding Construction Contract Award and Utility Agreements \(CI 5331\)](#)

RECOMMENDATION:

1. Approve project plans, specifications, and Addenda No. 1 and 2 and award construction contract for Thousand Oaks Boulevard Undergrounding Project (CI 5331) to Northwest Excavating, Inc., in amount of \$4,810,294.69, plus contingency of \$962,116.46; authorize City Manager to execute all associated documents
2. Approve Rule 20 Agreement and Joint Use Agreements with Southern California Edison(SCE) for Electrical and Communication Systems conversion from overhead to underground in amount of \$7,556,500; authorize City Manager to execute Agreements and all associated documents once City Attorney finalizes all terms with SCE
3. Approve Agreement with Time Warner Cable in amount of \$175,287.40 plus contingency of \$17,529.60 for Communication Systems conversion from overhead to underground; authorize City Manager to execute all associated documents
4. Approve Agreement with Crown Castle in amount of \$88,072.96 plus contingency of \$8,807.04 for Communication Systems conversion from overhead to underground; authorize City Manager to execute all associated documents
5. Approve Agreement with Stantec Consulting Services, Inc., in amount of \$89,000 plus contingency of \$5,000 for construction design and engineering support, field technical support and stormwater pollution prevention monitoring with term February 9, 2016 to December 31, 2017
6. Approve Agreement with Richard W. Campbell, Inc., in amount of \$5,670 plus contingency of \$2,000 for Oak and Landmark Tree monitoring services during construction with term February 9, 2016 to December 31, 2017; authorize City Manager to execute all associated documents

9. DEPARTMENT REPORTS: (Continued)

- B. Thousand Oaks Boulevard Utility Undergrounding Construction Contract Award and Utility Agreements (CI 5331) (Continued)

RECOMMENDATION: (Continued)

- 7. Approve \$2,000 for Oak and Landmark Tree Review by Community Development Department; authorize City Manager to execute all associated documents.
- 8. Approve \$25,000 for materials testing by future City service contract, and \$55,000 for City furnished materials, supplies, equipment and fees
- 9. Approve budget appropriation in amount of \$641,500.00 and expenditures in amount of \$13,802,278.15 (\$12,724,825.05 construction contract and agreements plus \$995,453.10 in contingencies plus \$82,000.00 for material testing, City furnished materials, supplies, equipment, and review fees) as detailed in the staff report

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

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

15. PUBLIC NOTICES:

Items listed under Public Notices are a matter of public record only. These items do not require City Council action

- A. [Approval of Final Map Tract 5951; Description of Subdivision: 9 Lots of Records, Commercial; Location: Conejo Center Drive and Conejo Spectrum Street; Developer: Conejo Mechant LTD](#)
- B. [Approval of Final Map Tract 4927-2; Description of Subdivision: 11 Lots of Records, Commercial; Location: Academy Drive and Grande Vista Drive; Developer: Seventh Day Adventists](#)
- C. [Approval of Final Map LD 04-71035; Description of Subdivision: Residential Lot Subdivision; Location: Sunset Drive and Royal Oaks Drive; Developer: Special Ks, LLC](#)

16. ADJOURNMENT:

Adjourn to Regular Meeting February 23, 2016

Agenda Post Date/Time: February 4, 2016, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH C. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify February 3, 2016; approve February 10, 2016; approve February 17, 2016, subject to review and ratification
- B. [Minutes of City Council meeting of January 26, 2016](#)
- C. [No Appropriation/Expenditure Required: WaterSMART Grant Application in amount up to \\$1,000,000; adopt resolution](#)

RESOLUTION SUPPORTING GRANT APPLICATION TO BUREAU OF RECLAMATION FOR WATERSMART WATER AND ENERGY EFFICIENCY GRANT FOR PURCHASE AND INSTALLATION OF AUTOMATED METER READING METERS RES. NO. 2016-_____