

City Council
REGULAR MEETING
Tuesday, July 14, 2015, 6:00 P.M.
Council Chambers



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

Executive Team

Scott Mitnick, City Manager
Andrew Powers, Assistant City Manager
John C. Prescott, Comm. Dev. Director
Linda D. Lawrence, 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
Nancy Schram, Interim 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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July 14, 2015

RES. NO. 2015-046
ORD. NO. 1608-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Fox, Bill-de la Peña, McCoy, Price, and Mayor Adam
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
 - A. Presentation – 2015 Ventura County Fair Poster
 - B. Proclamation – Americans with Disabilities Act (ADA) 25th Anniversary
 - C. Performance – Cabrillo Music Theatre “Oklahoma”
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 10 for Consent Calendar listing)
8. PUBLIC HEARINGS:
 - A. [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](#)

RESOLUTION APPROVING ISSUANCE OF MULTI-FAMILY HOUSING REVENUE BONDS BY CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR PURPOSE OF FINANCING ACQUISITION AND REHABILITATION OF MULTI-FAMILY RENTAL HOUSING FACILITY KNOWN AS VILLA GARCIA APARTMENTS AND APPROVING ASSIGNMENT AND ASSUMPTION AGREEMENT AND LOAN MODIFICATION AGREEMENT FOR SAID PROJECT

RES. NO. 2015-_____

8. PUBLIC HEARINGS: (Continued)

A. Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing (Continued)

RECOMMENDATION:

1. Conduct TEFRA Public Hearing.
2. 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
3. Authorize City Manager to approve Assignment and Assumption Agreement to allow transfer of property from Thousand Oaks Gardens, LP to Villa Garcia LP.
4. Authorize City Manager to approve Loan Modification Agreement resetting interest rate and extending term and affordability covenants

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](#)

RECOMMENDATION:

1. 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
2. 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)
3. 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)

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](#)

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT TO MUNICIPAL CODE CONCERNING ZONING REQUIREMENTS FOR SUBSTANCE ABUSE TREATMENT FACILITIES (MCA 2015-70320)

RES. NO. 2015-_____

RECOMMENDATION: Adopt resolution

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

- 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)

15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

Adjourn to Regular Meeting September 1, 2015. City Council in summer recess the month of August.

Agenda Post Date/Time: July 9, 2015, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

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

- 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 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
- 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

7. CONSENT CALENDAR: (Continued)

- 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-_____

