

City Council

REGULAR MEETING

Tuesday, September 15, 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
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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September 15, 2015

RES. NO. 2015-056
ORD. NO. 1609-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:
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 6 thru 7 for Consent Calendar listing)

8. PUBLIC HEARINGS:
 - A. [Community Development Block Grant Program: Fiscal Year 2014-15 Consolidated Annual Performance and Evaluation Report \(CAPER\)](#)

RECOMMENDATION: Approve FY 2014-15 [U.S. Department of Housing and Urban Development (HUD) Program Year 2014] CAPER for submittal to HUD

9. DEPARTMENT REPORTS:
 - A. [Request to Initiate amendment to General Plan Land Use Element \(LU 2015-70334\) from "Industrial" to "Commercial" and allow concurrent processing of entitlement applications to establish hotel; Located: southeast corner of Thousand Oaks Boulevard and Lakeview Canyon Road; Applicant: LBA Realty Fund III](#)

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT TO GENERAL PLAN LAND USE ELEMENT AND ALLOW CONCURRENT PROCESSING OF ENTITLEMENT APPLICATIONS FOR LAND LOCATED AT SOUTHEAST CORNER OF THOUSAND OAKS BOULEVARD AND LAKEVIEW CANYON ROAD (LU 2015-70334: LBA REALTY FUND III) RES. NO. 2015-

RECOMMENDATION: Adopt resolution

9. DEPARTMENT REPORTS: (Continued)

B. [Water Conservation Update](#)

RECOMMENDATION: Receive report

10. COMMITTEE/COMMISSION/BOARD REPORTS: None

11. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS:

A. [Thousand Oaks Redevelopment Agency Bond Refunding](#)

RESOLUTION OF SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY APPROVING ISSUANCE OF REFUNDING BONDS IN ORDER TO REFUND OUTSTANDING BONDS OF DISSOLVED THOUSAND OAKS REDEVELOPMENT AGENCY, APPROVING EXECUTION AND DELIVERY OF INDENTURE OF TRUST, FIRST SUPPLEMENT TO INDENTURE OF TRUST AND OTHER DOCUMENTS RELATING THERETO, REQUESTING OVERSIGHT BOARD APPROVAL OF ISSUANCE OF REFUNDING BONDS, REQUESTING CERTAIN DETERMINATIONS BY OVERSIGHT BOARD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO RES. NO. 2015-

RECOMMENDATION:

1. Adopt resolution
2. Authorize City Manager to execute contracts with financing team inclusive of Jones Hall as Bond/Disclosure Counsel, Fieldman, Rolapp & Associates as Financial Advisor, Stifel Financial Corporation as Underwriter/Placement Agent, and HdL Coren & Cone as Fiscal Consultant

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: *CASTRO, et al. v CITY OF THOUSAND OAKS*; Second Appellate District Case No. B258649; VCSC Case No. 56-2013-00432039-CU-PA-VTA; Pursuant to Government Code Section 54956.9(a)
 - B. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation: *LEO RAMPERSAD (MONTANA/SAFE) v CITY OF THOUSAND OAKS*; Case No. 56-2011-00408151-CU-WM-SIM; Pursuant to Government Code Section 54956.9(a)
15. PUBLIC NOTICES: None
16. ADJOURNMENT:

Adjournment in memory of:

 - Fred Wilson, long-time City resident

to Regular Meeting October 6, 2015

Agenda Post Date/Time: September 10, 2015, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH G. ARE TO APPROVE
RECOMMENDATION FOR ITEM H. IS TO ADOPT*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify September 9, 2015 ; approve September 16, 2015; approve September 23, 2015 and September 30, 2015, subject to review and ratification
- B. [Minutes of City Council meeting of September 1, 2015](#)
- C. [No Appropriation/Expenditure Required: Council on Aging Appointment \(Bill-de la Peña\); appointment to fill unscheduled vacancy for term ending July 2016; report to be provided](#)
- D. [No Appropriation/Expenditure Required: Lease Agreements with Crown Castle NG West, LLC for wireless communications facilities in sum of \\$1,000 annually for first 10 years, increased starting year 11 per formula in contract; term: 9/15/15 – 9/15/25 with two five-year extensions; in accordance with Special Use Permits SUP 2015-70016, SUP 2015-70017 and SUP 2015-70101; located: 1350 North Westlake Boulevard \(southwest corner of Westlake Boulevard/Peacock Court\), adjacent to 4103 Hillcrest Drive \(near northeast corner of Westlake Boulevard/Hillcrest Drive\), adjacent to 4103 Hillcrest Drive, west side of Westlake Boulevard, approximately 600' north of Cresthaven Drive, respectively](#)
- E. [Financial Impact to be Determined: On Call Professional Services Agreements for various services with firms enumerated in Master On-Call Consultant Listing outlined in report; each in amount not-to-exceed \\$200,000 per year; individual task orders not-to-exceed \\$125,000; each term ending 6/30/18; funds to be identified on case by case basis](#)
- F. [No Appropriation/Expenditure Required: Hill Canyon Wastewater Treatment Plant \(HCTP\) miscellaneous repairs – coating \(MI 2055\); authorize advertisement for construction bids](#)
- G. [No Appropriation/Expenditure Required: Fix Our Roads Coalition membership; adopt resolution](#)

RESOLUTION URGING STATE OF CALIFORNIA TO PROVIDE NEW
SUSTAINABLE FUNDING FOR STATE AND LOCAL TRANSPORTATION
INFRASTRUCTURE
RES. NO. 2015-

7. CONSENT CALENDAR: (Continued)

ORDINANCE FOR SECOND READING:

- H. [ORDINANCE AMENDING SECTIONS OF MUNICIPAL CODE ADJUSTING CAMPAIGN CONTRIBUTION LIMITS TO REFLECT CHANGES IN CALIFORNIA CONSUMER PRICE INDEX \(CPI\)](#)
(Introduced 9/1/15, 5-0) ORD.NO. 1609-NS