

## City Council/Public Financing Authority (TOPFA)

### REGULAR MEETING

Tuesday, July 9, 2019, 6:00 P.M.

Andrew P. Fox City Council Chambers



**Rob McCoy, Mayor/Authority Chair**

**Al Adam, Mayor Pro Tem/Authority Vice Chair**

**Claudia Bill-de la Peña, Councilmember/Authority Director**

**Bob Engler, Councilmember/Authority Director**

**Ed Jones, Councilmember/Authority Director**

#### Executive Team

Andrew P. Powers, City Manager/Auth. Exec. Dir.

Ingrid Hardy, Assistant City Manager

Mark A. Towne, Community Development Director

Cynthia M. Rodriguez, City Clerk/Auth. Secretary

Barry McComb, Cultural Affairs Director

Jim Friedl, General Manager, CRPD

John Spykerman, Fire Chief

Tracy M. Noonan, City Attorney

Gary Rogers, Deputy City Manager

Jaime Boscarino, Fin. Director/City & Auth. Treasurer

Jay T. Spurgin, Public Works Director

Heather Cousin, Library Director

Tim Hagel, Police 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](http://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/TOPFA AGENDA

Thousand Oaks, California

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July 9, 2019

RES. NO. 2019-037  
ORD. NO. 1664-NS

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers/Directors Bill-de la Peña, Engler, Jones, Adam, and Mayor/Chair McCoy
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
  - A. Presentation – 2019 Ventura County Fair Poster
  - B. Southern California Edison – Public Safety Power Shutdown
  - C. 5-Star Theatricals – Westside Story
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A pages 7 thru 10 for Consent Calendar listing)
8. PUBLIC HEARINGS:
  - A. [Tax Equity and Fiscal Responsibility Act Public Hearing and Action](#)  
Related to Bella Vista Apartments (2011-2025 Los Feliz Drive)

RESOLUTION APPROVING ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR PURPOSE OF FINANCING ACQUISITION AND REHABILITATION OF A MULTIFAMILY RENTAL HOUSING FACILITY KNOWN AS BELLA VISTA APARTMENTS RES. NO. 2019-

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF RELEASE OF BOND REGULATORY AGREEMENT, FORGIVENESS OF GRANT, MODIFICATION OF LOAN DOCUMENTS, CONSENT TO PROPERTY TRANSFER AND ASSIGNMENT OF LOAN DOCUMENTS, AND SUBORDINATION OF CITY INTERESTS TO DEEDS OF TRUST SECURING NEW LOANS AND RELATED REGULATORY AGREEMENTS FOR REFINANCE OF BELLA VISTA APARTMENTS AND RELATED MATTERS RES. NO. 2019-

8. PUBLIC HEARINGS: (Continued)

- A. Tax Equity and Fiscal Responsibility Act Public Hearing and Action Related to Bella Vista Apartments (2011-2025 Los Feliz Drive)

RECOMMENDATION:

1. Conduct Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing
2. Adopt resolution to approve issuance of bonds by the California Municipal Finance Authority (CMFA) for the benefit of Many Mansions or its affiliates, not-to-exceed \$15,000,000, to provide for the financing of the acquisition and rehabilitation of the Bella Vista Apartment Project (Project). Such adoption is solely for the purpose of satisfying the requirements of TEFRA, which includes compliance with Federal and State-mandated processes
3. Adopt resolution approving and authorizing the City Manager to finalize and execute a termination agreement and related documents in connection with the redemption of the 2005 Multi-family Housing Revenue Refunding Bonds
4. Authorize City Manager to finalize and execute a Modification Agreement, Amended Affordability Agreement and Subordination Agreement in order to cancel the Promissory Note associated with the 2005 Redevelopment Agency (RDA) Grant to Many Mansions, and extend the term with a new interest rate for the existing loan from the former RDA
5. Authorize City Manager to approve and execute an Assignment and Assumption Agreement to allow transfer of the property from Many Mansions to the new Limited Partnership
6. Authorize City Manager to cancel the original RDA Grant Note of \$1,025,000, upon issuance of Tax Credit Reservation Letter and execute related documents

9. DEPARTMENT REPORTS:

- A. [Thousand Oaks Alliance for the Arts \(TOARTS\) Operations and Programming Update](#)

RECOMMENDATION: Receive and file TOARTS operations and programming update for the previous six months ending June 30, 2019

- B. [Initiation of Municipal Code Amendment MCA 2019-70572 to Update City Regulations for Biotechnology and Similar Uses in M-1 \(Industrial Park\) Zone](#)

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENTS TO THOUSAND OAKS MUNICIPAL CODE TO UPDATE REGULATIONS FOR BIOTECHNOLOGY AND SIMILAR USES IN INDUSTRIAL PARK (M-1) ZONE (MCA 2019-70572) RES. NO. 2019-

RECOMMENDATION: Adopt resolution declaring intention to consider a Municipal Code Amendment to update City regulations regarding biotechnology and similar uses in M-1 (Industrial Park) zone

10. COMMITTEE/COMMISSION/BOARD REPORTS:

- A. [Council on Aging Annual Report](#)

RECOMMENDATION: Receive report.

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 2<sup>nd</sup> floor – None

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15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn in memory of:

- Longtime community member Tim Hibbard  
to Regular Meeting August 27, 2019

Agenda Post Date/Time: July 3, 2019, 5:00 p.m.

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## EXHIBIT A

### 7. CONSENT CALENDAR:

*RECOMMENDATIONS FOR ITEMS A. THROUGH S. ARE TO APPROVE*

- A. General, Utilities, Golf Course, and Theatres Demands – ratify June 26, 2019, and July 3, 2019; approve July 10, 2019; approve July 17, 2019, July 24, 2019, July 31, 2019, August 7, 2019, August 14, 2019, and August 21, 2019, subject to review and ratification
- B. [Minutes of City Council meeting of June 25, 2019](#)
- C. No Appropriation/Expenditure Required: [Council on Aging Appointments](#) (Engler, Jones); re-appointments of Jeffrey Bert and John Posta to serve two-year terms ending July 2021; appointments of Rossanna Guerra and Karen Sylvester to serve two-year terms ending July 2021
- D. Additional Appropriation: [General Plan Update – Professional Services Agreement \(MI 2592\)](#); First Amendment to Professional Services Agreement (Contract No. 12045-2019) with Raimi + Associates in amount of \$93,850, new not-to-exceed total \$1,643,730; \$93,850 budget appropriation and expenditure A/C 001-0000-311-1000 (General Fund – Fund Balance) to A/C 001-4010-641-5699 (Project MI 2592, Contracted Services)
- E. Approved Expenditure: [Conejo Creek Park North Equestrian and Bike Path Improvements \(CI 5409\)](#); authorize staff to advertise for construction bids
- F. Additional Appropriation: [Thousand Oaks Boulevard Wastewater Main Extension \(CI 5529\)](#); Reimbursement Agreement with The Italian Ice King of California Leone’s Italian Ices in amount of \$75,000 for construction of improvements at 1690 Thousand Oaks Boulevard; \$75,000 budget appropriation to A/C 624-0000-484-9900 (CI 5529, Reimbursements)
- G. Financial Impact to be Determined: [On-Call Professional Services Agreements](#) for various services with 25 firms as outlined in report; each not-to-exceed \$200,000 for fiscal year; individual task orders not-to-exceed \$125,000; each term ending 6/30/20; funds to be identified on a case by case basis

## 7. CONSENT CALENDAR: (Continued)

- H. Approved Expenditure: [Tara Reservoir Improvements Project \(CI 5290\)](#); authorize staff to advertise for construction bids
- I. Approved Expenditure: [Thousand Oaks Boulevard \(Phase I\) Streetscape Improvements \(CI 5391\)](#); Third Amendment to Professional Services Agreement with MNS Engineers, Inc. (Contract No. 11556-2017) in amount of \$73,657, plus \$10,000 for extra services; term extended to 9/30/20, and new not-to-exceed total \$557,989; \$83,657 expenditure (\$73,657 Third Amendment, \$10,000 extra services) A/C 001-5310-631-8300 (CI 5391, Thousand Oaks Boulevard (TOB) Streetscape Improvements)
- J. Approved Expenditure: [Grading and Drainage Improvements for Dos Vientos Lot 618 \(MI 2571\)](#); authorize staff to advertise for construction bids
- K. Approved Expenditure: [Hill Canyon Treatment Plant \(HCTP\) Digester No. 2 Rehabilitation Project \(MI 2563\)](#); Second Amendment to Professional Services Agreement with HDR Engineering, Inc. (Contract No. 11737-2018) for design phase services on HCTP Digester No. 2 in amount of \$66,054, new not-to-exceed amount \$338,310; \$72,704 (\$66,054 for design services and \$6,650 contract contingency) expenditure A/C 624-8250-682-5500 (MI 2563 HCTP Digester No. 2 Rehabilitation); delegate authority to City Engineer to approve changes in design, plans, specifications and working details of project on work directives and change orders up to project approved contingency amount
- L. Approved Expenditure: [Southern California Edison \(SCE\) Underground Easement](#); grant deed of easement to SCE; authorize City Engineer to execute all necessary documents for dedication of underground easement of City property (APN 667-0-080-105) at 1205 Lawrence Drive, for amount equal to \$6,100; revenue in amount of \$6,100 to A/C 001-5210-486-0000 (Development Services, Misc. Revenues)
- M. No Appropriation/Expenditure Required: [Thousand Oaks Public Financing Authority Annual Update](#); receive and file
- N. Approved Expenditure: [Boys and Girls Club Matching Capital Improvement Grant \(John L. Notter Family Club\)](#); \$250,000 expenditure of available funds A/C 001-1120-611-5920 (MI 2506, Grants and Donations) to Boys & Girls Clubs of Greater Conejo Valley, Inc. (BGC)

7. CONSENT CALENDAR: (Continued)

O. Additional Appropriation: [Security Systems Maintenance and Service at Various City Facilities](#); agreement for security systems maintenance and service to Siemens Industry, Inc., in amount not-to-exceed \$616,000 over lifetime of contract, including \$316,000 for regular maintenance services and \$300,000 for unscheduled repairs and services (extra services); term: 7/9/19 – 6/30/22 with two additional one-year options to extend; \$247,662 expenditures for FY 2019-20 and FY 2020-21 as follows: \$179,000 from various General Fund accounts and \$68,662 from various Library Fund accounts; \$91,000 budget appropriation for FY 2019-20 and FY 2020-21 A/C 001-0000-311-1000 (General Fund - Fund Balance) as follows: \$42,000 to A/C 001-3570-612-5660 (Facility Maintenance – City Hall), \$13,000 to A/C 001-3575-673-5660 (Facility Maintenance – Newbury Park Library), \$17,000 to A/C 001-3576-673-5660 (Facility Maintenance – Thousand Oaks Library), and \$19,000 A/C 001-3582-612-5660 (Facility Maintenance – Transportation Center)

P. No Appropriation/Expenditure Required: [Grand Jury Response; authorize Mayor to provide written response to May 2, 2019, Ventura County Grand Jury report “Drug and Sharps Disposal Report”](#); forward response to Grand Jury

Q. No Appropriation/Expenditure Required: [City Manager Authority During Summer Recess](#); adopt resolution

RESOLUTION DELEGATING CERTAIN INTERIM AUTHORITY TO CITY MANAGER RES. NO. 2019-\_\_\_\_\_

R. Approved Expenditure: [Stop Sign Installation at Six Intersections \(MI 2033\)](#); adopt resolution; \$4,500 expenditure AC 001-5560-631-5699 (MI 2033, Construction)

RESOLUTION ESTABLISHING STOP SIGNS AT THE INTERSECTIONS OF CALLE GLICINA AT CALLE DURAZNO, CALLE GLICINA AT CALLE VIOLETA, HARTGLEN AVENUE, AND LINDENGROVE STREET, LAMONT AVENUE AND SAPRA STREET, CAMPBELL AVENUE AT BETHANY STREET, AND CAMPBELL AVENUE AT QUEENSBURY STREET RES. NO. 2019-\_\_\_\_\_

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7. CONSENT CALENDAR: (Continued)

- S. Approved Expenditure: [Rancho Road Sidewalks and Bike Lanes Project](#)  
(CI 5308); adopt resolution

RESOLUTION APPROVING LANDSCAPE MAINTENANCE  
AGREEMENT NO. 717-NMC-2695 WITH STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION FOR RANCHO ROAD  
SIDEWALKS AND BIKE LANES PROJECT RES. NO. 2019-\_\_\_\_\_