

## City Council

### REGULAR MEETING

**Tuesday, November 1, 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

Andrew P. Powers, Interim City Manager  
Gary Rogers, Deputy City Manager/HR Director  
Mark A. Towne, Interim Community Dev. Director  
Cynthia M. Rodriguez, City Clerk  
Barry McComb, Cultural Affairs Director  
Jim Friedl, General Manager, CRPD

Tracy M. Noonan, City Attorney  
John F. Adams, Finance Director/City Treasurer  
Jay Spurgin, Public Works Director  
Heather Cousin, Library Director  
Tim Hagel, Police Chief  
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](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 AGENDA

Thousand Oaks, California

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November 1, 2016

RES. NO. 2016-064  
ORD. NO. 1624-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. Beacon Award
  - B. National Association of Clean Water Agencies Gold Peak Performance Award
  - C. "Rolling Thunder Chair of Honor"
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:  
(See Exhibit A pages 6 thru 7 for Consent Calendar listing)
8. PUBLIC HEARINGS:
  - A. [Municipal Code Amendment \(MCA 2016-70340\) to adopt 2016 California State Building Code with Local Amendments](#)

TITLE ORDINANCE ADDING TO THOUSAND OAKS MUNICIPAL CODE NEW CHAPTERS 1 (BUILDING CODE), 6 (MECHANICAL CODE), 7 (RESIDENTIAL CODE), 8 (PLUMBING CODE), 10 (ELECTRICAL WIRING CODE), 14 (UNIFORM SOLAR ENERGY CODE), 16 (GREEN BUILDING STANDARDS CODE) AND 17 (EXISTING BUILDING CODE) OF TITLE 8 RELATING TO BUILDING DIVISION AND ADOPTING CALIFORNIA BUILDING, RESIDENTIAL, GREEN BUILDING STANDARDS, MECHANICAL, PLUMBING, ELECTRICAL AND EXISTING BUILDING CODES (2016 EDITION) AND UNIFORM SOLAR ENERGY CODE (2015 EDITION) BY REFERENCE AND REPEALING EXISTING CHAPTERS 1, 6, 7, 8, 10, 14 AND 16 OF TITLE 8 OF MUNICIPAL CODE (MCA 2016-70340) ORD.NO.1<sup>st</sup>Reading

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

8. PUBLIC HEARINGS: (Continued)

B. [2016 Triennial Water Quality Report](#)

RECOMMENDATION: Receive report; accept public comments

9. DEPARTMENT REPORTS: None

10. COMMITTEE/COMMISSION/BOARD REPORTS:

A. [Traffic and Transportation Advisory Commission Appointment](#) (Fox)

RECOMMENDATION: Appoint Rick Lemmo to fill unscheduled vacancy to serve unexpired term ending December 2018

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

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: *JENNIFER MILES v. CITY OF THOUSAND OAKS*; Case No. 56-2015-00474830-CU-PO-VTA; Pursuant to Government Code Section 54956.9(a)

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: *CONNIE REED v. CITY OF THOUSAND OAKS, et al.*; Case No. 56-2015-00468137-CU-PO-VTA; Pursuant to Government Code Section 54956.9(a)

CITY OF THOUSAND OAKS CITY COUNCIL AGENDA

Thousand Oaks, California

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November 1, 2016

15. PUBLIC NOTICES: None

16. ADJOURNMENT:

Adjourn to Regular Meeting November 15, 2016

Agenda Post Date/Time: October 27, 2016, 5:00 p.m.

CCD:610-40/h:/common/agenda/2016/11-01-2016/11-01-16.docx

## EXHIBIT A

### 7. CONSENT CALENDAR:

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

- A. General, Utilities, Golf Course, and Theatres Demands – ratify October 19, 2016 and October 26, 2016; approve November 2, 2016; approve November 9, 2016 subject to review and ratification
- B. [Minutes of City Council meeting of October 11, 2016](#)
- C. Approved Expenditure: Municipal Service Center (MSC) Bus Parking Canopy Design Services and Construction Phase Support (CI 5265); Task Order No. 1 with Huitt-Zollars, Inc., in amount of \$80,560, plus \$12,000 contingency; \$750,000 carry-over from Transportation Fund FY 2015-16 to FY 2016-17; \$95,560 expenditure (\$80,560 for Task Order No. 1, \$12,000 contingency, plus \$3,000 for City-furnished materials and services) FY 2016-17 A/C 651-5540-685-8305 (CI 5265 Transportation Capital Improvement Design)
- D. Additional Appropriation Increasing Revenue: Agreement with Southern California Conference of Seventh-Day Adventists (SDA) for construction of utility undergrounding along Academy Drive and Grande Vista Drive; budget appropriation increasing revenue in amount of \$670,000 to A/C 001-0000-484-9900 (CI 5185 Reimbursements) from SDA in lieu of relocation of existing Southern California Edison (SCE) overhead transmission systems and increasing expenditures in amount of \$291,000 to A/C 001-5210-642-8310 (CI 5185 Undergrounding Utilities) to cover increase in project estimate
- E. Additional Appropriation: Write-off outstanding balances in Theatres; past due theatre rental fees in amount of \$43,310.75 A/C 681-7710-686-7400 (Bad Debt Expense); budget appropriation and operating transfer in amount not-to-exceed \$43,400 General Fund A/C 001-9720-677-9168 (Operating Transfers Out) to Theatres Fund A/C 681-0000-561-0100 (Operating Transfers In)
- F. Financial Impact to be Determined: Thousand Oaks Library Food for Fines Program; implementation of annual Food for Fines Program at Grant R. Brimhall and Newbury Park Libraries beginning Saturday after Thanksgiving through following Friday; authorize Library to waive fines consistent with Food for Fines program criteria; donation of all food items collected to Manna Food Bank

7. CONSENT CALENDAR: (Continued)

- G. No Appropriation/Expenditure Required: [Adopt resolution; provide copy to "No on 57" campaign consultant](#)

RESOLUTION OPPOSING PROPOSITION 57, "THE PUBLIC SAFETY AND REHABILITATION ACT OF 2016" RES. NO. 2016-

- H. No Appropriation/Expenditure Required: [Adopt resolution; direct staff to file copy of Ventura County Fire Protection District \(VCFD\) findings with copy of Ordinance 30, Chapter 9 with California Department of Housing and Community Development and California Building Standards Commission](#)

RESOLUTION RATIFYING VENTURA COUNTY FIRE PROTECTION DISTRICT ORDINANCE NO. 30, CHAPTER 9 PERTAINING TO BUILDING STANDARDS FOR APPLICATION WITHIN JURISDICTIONAL BOUNDARIES OF CITY RES. NO. 2016-