

City Council
REGULAR MEETING
Tuesday, January 24, 2017, 6:00 P.M.
Council Chambers



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

Executive Team

Andrew P. Powers, City Manager
Gary Rogers, Deputy City Manager/HR Director
Mark A. Towne, Community Development 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. 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.

1. CALL TO ORDER: 6:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL: Councilmembers Price, Adam, McCoy, Fox, and Mayor Bill-de la Peña
4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM:
5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:
 - A. Bank of America Performing Arts Center (BAPAC) Programming Update
6. PUBLIC COMMENTS:
7. CONSENT CALENDAR:

(See Exhibit A page 6 for Consent Calendar listing)
8. PUBLIC HEARINGS:

- A. [Appeal of Planning Commission decision regarding deletion of solar awnings and solar mansard roofs on patio covers at two office buildings; Residential Planned Development Permit Major Modification \(RPMJ 2016-70123\); Located: 4165 East Thousand Oaks Boulevard; Applicant/Appellant: Selvin Properties](#) (Continued from 1/10/17)

RESOLUTION DENYING APPEAL OF PLANNING COMMISSION DECISION THAT APPROVED, IN PART, RPMJ 2016-70123 LOCATED 4165 EAST THOUSAND OAKS BOULEVARD (APPLICANT/APPELLANT: SELVIN PROPERTIES) RES. NO. 2017-_____

RECOMMENDATION: Adopt resolution to deny appeal, thereby upholding Planning Commission's decision to approve project in part, without solar awnings on building and without solar mansard roofs on patio covers

9. DEPARTMENT REPORTS:

- A. [Initiation of Municipal Code Amendment \(MCA 2016-70540\) to modify existing Secondary Dwelling Unit Section of Municipal Code](#) (TOMC 9-4.2521) to comply with new State legislation on Accessory Dwelling Units and Junior Accessory Dwelling Units

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT TO MUNICIPAL CODE TO REVISE SECTION PERTAINING TO SECONDARY DWELLING UNITS (MCA 2016-70540) RES. NO. 2017-

RECOMMENDATION: Adopt resolution

- B. [Downtown Revitalization Plan Update](#) – Report to be provided

RECOMMENDATION: Receive update

- C. [California-American Water Company Proposed Rate Increase Update Report](#)

RECOMMENDATION:

1. Receive update report
2. Ratify City Attorney's agreement with Downey Brand LLP in amount not-to-exceed \$100,000 for legal services pertaining to California American Water Rate Case A1607002
3. Approve budget appropriation and expenditure in amount of \$100,000 A/C 001-0000-311-1000 (General Fund/Fund Balance) to A/C 001-5010-631-5199 (General Fund/Public Works Administration/Legal Services)

10. COMMITTEE/COMMISSION/BOARD REPORTS: None

11. CITY COUNCIL AS SUCCESSOR AGENCY TO THOUSAND OAKS REDEVELOPMENT AGENCY REPORTS: None

12. COUNCIL ISSUES/RECOMMENDATIONS:

- A. [Compensation and Third Amendment to Employment Agreement \(Contract No. 9799-2012\) for City Attorney](#)

RESOLUTION APPROVING COMPENSATION AND THIRD
AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY ATTORNEY
RES. NO. 2017-_____

RECOMMENDATION: Adopt resolution

- B. Follow-up reports on meetings/conferences attended by Councilmembers

1. [United States Conference of Mayors January 17 – 19, 2017](#) (Bill-de la Peña) – Report to be provided

RECOMMENDATION: Receive report

2. [League of California Cities \(LCC\) Public Safety Policy Committee January 19, 2017](#) (Price) – Report to be provided

RECOMMENDATION: Receive report

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: *BELL v CITY OF THOUSAND OAKS*; Case No. 56-2015-00475739-CU-EI-VTA; Pursuant to Government Code Section 54956.9(a)
B. CONFERENCE WITH LEGAL COUNSEL - Existing Litigation; Pursuant to Government Code Section 54956.9(a): Claimant: Michael L. Hines; Workers' Compensation Claim No. THWC-2034; WCAB No. ADJ6639631

15. PUBLIC NOTICES: None.

16. ADJOURNMENT:

Adjourn to Regular Meeting February 14, 2017

Agenda Post Date/Time: January 19, 2017, 5:00 p.m.

EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH F. ARE TO APPROVE

- A. General, Utilities, Golf Course, and Theatres Demands – ratify January 18, 2017; approve January 25, 2017; approve February 1, 2017 and February 8, 2017, subject to review and ratification
- B. [Minutes of Special and Regular City Council meetings of January 10, 2017](#)
- C. No Appropriation/Expenditure Required: [Ventura County Citizens Transportation Advisory Committee Appointment](#) (VCCTAC); appointment of Chaise Rasheed to fill scheduled vacancy to serve term ending December 2018
- D. Approved Expenditure: [Thousand Oaks Plan to Assist School Sites \(TOPASS\) Annual Project List](#) FY 2016-17 totaling \$1,003,942 submitted by Conejo Valley Unified School District (CVUSD)
- E. Approved Expenditure: [Development Impact Fees: Annual Review of Accounts](#) as of June 30, 2016; receive and file report
- F. Additional Appropriation Fully Offset by Grant Revenue: [Adopt resolution authorizing application for 2016 State of California Housing-Related Parks Program \(HRPP\) Grant](#); authorize City Manager or designee to submit application to California State Department of Housing and Community Development and execute contract with the State upon award of grant and related agreements with Conejo Recreation and Park District (CRPD); budget appropriation and expenditure for park renovations in amount of \$432,000 A/C 001-4010-434-3015 (HRPP16 State Grant – Grant Revenue) to A/C 001-4010-671-5500 (HRPP16 Parks Construction)

RESOLUTION AUTHORIZING APPLICATION FOR HOUSING RELATED
PARKS GRANT FUNDING FROM STATE OF CALIFORNIA

RES. NO. 2017-