

MINUTES OF THE CITY COUNCIL

Thousand Oaks, California

January 24, 2017

1. CALL TO ORDER:

Mayor Claudia Bill-de la Peña called the meeting to order at 6:06 p.m. in Council Chambers, 2100 Thousand Oaks Boulevard, Thousand Oaks, California.

2. PLEDGE OF ALLEGIANCE: Mayor Bill-de la Peña led the pledge of allegiance.

3. ROLL CALL:

Present: Councilmembers Joel Price, Al Adam, Rob McCoy, Andy Fox, and Mayor Claudia Bill-de la Peña.

Also Present: City Manager Andrew P. Powers, City Attorney Tracy Noonan, Deputy City Manager/Human Resources Director Gary Rogers, City Clerk Cynthia M. Rodriguez, Finance Director/City Treasurer John F. Adams, Community Development Director Mark Towne, Library Director Heather Cousin, Cultural Affairs Director Barry McComb, Public Works Director Jay Spurgin, Police Chief Tim Hagel, Fire Chief Theodore Smith, Assistant City Attorney Patrick Hehir, Economic Development Manager Haider Alawami, Deputy City Clerk Laura Maguire Permit Process Manager Marjan Behzadi, Assistant Analysts Sandra Delgado and Pam Romer, Senior Video Specialist Richard Swingler, and Senior Recording Secretary Janis Daly.

4. REQUESTS FOR CONTINUANCE OF ANY PUBLIC HEARING OR AGENDA ITEM: None.

5. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS:

- A. Mayor Bill-de la Peña introduced Cultural Affairs Director McComb to present Bank of America Performing Arts Center (BAPAC) Programming Update.

6. PUBLIC COMMENTS:

Linda Ong, Woodland Hills; Cheryl Marvin, city of residence unknown; Nick Quidwai, Newbury Park; Joe Salant, Thousand Oaks; Joe Kyle, Newbury Park.

13. CITY MANAGER:

- *A. Follow-up items: City Manager Powers indicated public hearing required for municipal code amendment relating to marijuana and commercial marijuana activities citywide scheduled for the next City Council Meeting, February 14, 2017, and update about internal discussions regarding the marijuana initiative may also be provided (Kyle).

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7. CONSENT CALENDAR:

(See Exhibit A for Consent Calendar Listing)

8. PUBLIC HEARINGS:

- A. Hearing, advertised as required by law, opened to consider: 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). Report presented by Community Development Director Towne; Assistant City Attorney Hehir available for questions.

Speakers: Applicant/Appellant Harry Selvin, Thousand Oaks, pro/rebuttal; Nick Quiwai, Newbury Park, pro; Chuck Cohen, Thousand Oaks, pro.

Written Statement: Steven Ortmann, Newbury Park, pro.

Mayor Bill-de la Peña closed public hearing.

Motion by Councilmember Adam to 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 (motion subsequently amended; therefore, no vote taken).

Motion by Councilmember Fox to amend motion to approve the appeal in part related to Building A and deny the appeal in part related to Building B without prejudice and allow Applicant to bring back the part of the project related to Building B to City Council for reconsideration with expedited processing only after completing construction of all Building A improvements approved in this permit; also add a condition of approval to increase landscape screening, prohibit removal of landscaping without City approval, and require replacement of any removed trees with mature trees at Building A, carried 4-1 by the following vote: Ayes - Price, McCoy, Fox, and Bill-de la Peña; Noes - Adam.

Motion by Councilmember Fox as amended above to approve the appeal in part, carried 4-1 by the following vote: Ayes - Price, McCoy, Fox, and Bill-de la Peña; Noes - Adam.

City Council in recess 8:22 p.m.; reconvened 8:27 p.m.

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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 presented by Community Development Director Towne; Assistant City Attorney Hehir and Permit Process Manager Behzadi available for questions.

RESOLUTION DECLARING INTENTION TO CONSIDER AMENDMENT TO MUNICIPAL CODE TO REVISE SECTION PERTAINING TO SECONDARY DWELLING UNITS (MCA 2016-70540) RES. NO. 2017-003

Speaker: Cathy Carlson, Thousand Oaks.

Motion by Councilmember Adam to adopt resolution, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- B. Downtown Revitalization Plan Update presented by Community Development Manager Towne and Larry Kosmont, Kosmont Companies President/CEO; Economic Development Manager Alawami available for questions. Additional information supplemental packet.

Speakers: Shawn Moradian, Thousand Oaks; Nick Quidwai, Newbury Park; Alicia Bleier, Thousand Oaks; Rick Lemmo, Newbury Park.

Update report received.

- C. California-American Water Company Proposed Rate Increase Update Report presented by Public Works Director Spurgin; City Manager Powers and City Attorney Noonan responded to questions. Additional information supplemental packet.

Speaker: Nick Quidwai, Newbury Park.

Motion by Councilmember Adam to receive update report; 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; 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), carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

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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 presented by Deputy City Manager/Human Resources Director Rogers.

Written Statement: Nick Quidwai, Newbury Park.

RESOLUTION APPROVING COMPENSATION AND THIRD AMENDMENT
TO EMPLOYMENT AGREEMENT FOR CITY ATTORNEY

RES. NO. 2017-004

Motion by Councilmember Adam to adopt resolution, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

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

1. United States Conference of Mayors January 17 – 19, 2017 presented by Mayor Bill-de la Peña. Additional information supplemental packet.

Report received.

2. League of California Cities (LCC) Public Safety Policy Committee January 19, 2017 presented by Councilmember Price. Additional information supplemental packet.

Report received.

13. CITY MANAGER: (Continued)

- A. Follow-up items: Nothing additional.

- B. Announcements and upcoming issues: City Manager Powers reviewed potential topics for the next regularly scheduled City Council Meeting February 14, 2017.

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14. CLOSED SESSIONS REQUESTED: City Council Conference Room 2nd floor.

City Attorney Noonan announced Closed Session held at 10:39 p.m.

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

City Attorney Noonan indicated no announcement is anticipated.

15. PUBLIC NOTICES: None.

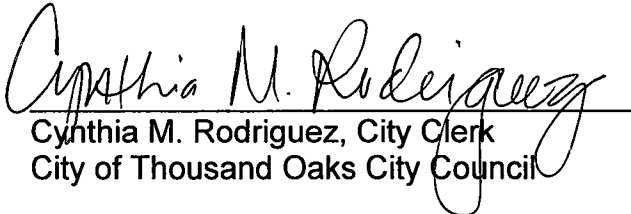
16. ADJOURNMENT:

City Council adjourned at 11:05 p.m. to Regular Meeting on Tuesday, February 14, 2017.



Claudia Bill-de la Peña, Mayor
City of Thousand Oaks City Council

Attest:



Cynthia M. Rodriguez, City Clerk
City of Thousand Oaks City Council

AGENDA POSTED: January 19, 2017
MINUTES APPROVED: February 14, 2017

*indicates item taken out of order

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EXHIBIT A

7. CONSENT CALENDAR:

RECOMMENDATIONS FOR ITEMS A. THROUGH F. ARE TO APPROVE

Motion by Councilmember Adam to approve Consent Calendar, carried 5-0 by the following vote: Ayes - Price, Adam, McCoy, Fox, and Bill-de la Peña; Noes - None.

- 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. 2017-002