

Malibu City Council
Regular Meeting Agenda

Monday, December 10, 2018

6:30 P.M. – CITY COUNCIL REORGANIZATION MEETING

**City Hall – Council Chambers
23825 Stuart Ranch Road**

Six-thirty p.m. **Regular Session**

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – December 5, 2018

1. Ceremonial/Presentations

None.

2. Written and Oral Communications from the Public

A. Communications from the Public concerning matters which are not on the agenda but for which the City Council has subject matter jurisdiction. City Council may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda. (THIS ITEM WILL BE HEARD AT THE END OF THE AGENDA)

B. Commission / Committee / City Manager Updates

C. City Council Subcommittee reports / Mayor and Councilmember meeting attendance, reports and inquiries

3. Consent Calendar

A. Previously Discussed Items

None.

B. New Items

1. Waive Further Reading

Recommended Action: After the City Attorney has read the title, waive full reading of ordinances considered on this agenda for introduction on first reading and/or second reading and adoption.

Staff Contact: City Attorney Hogin, 456-2489, ext. 228

2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 55230-55339 listed on the register from the General Fund and direct the City Manager to pay out the funds to each of the claimants listed in Warrant Register No. 627 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$778,125.05. City of Malibu payroll check numbers 4974-4977 and ACH deposits were issued in the amount of \$449,821.69.

Staff Contact: Assistant City Manager Soghor, 456-2489, ext. 224

3. Approval of Minutes

Recommended Action: Approve the minutes for the October 22, 2018 Malibu Regular City Council meeting and November 20, 2018 Malibu City Council Special meeting.

Staff Contact: City Clerk Glaser, 456-2489, ext. 228

4. November 6, 2018 General Municipal Election Results

Recommended Action: Adopt Resolution No. 18-67 reciting the facts of the General Municipal Election held on November 6, 2018, and declaring the result and such other matters as provided by law.

Staff Contact: City Clerk Glaser, 456-2489, ext. 228

5. Proclamation of Existence of a Local Emergency

Recommended Action: Adopt Resolution No. 18-68 extending a proclamation of local emergency.

Staff Contact: City Clerk Glaser, 456-2489, ext. 228

4. Ordinances and Public Hearings

None.

5. Old Business

None.

6. New Business

None.

7. Council Items

None.

Presentations to Outgoing Councilmembers

Remarks by Outgoing Councilmembers

Adjournment of 14th City Council

Reconvene 15th City Council

Remarks by Newly Elected Councilmembers

Presentations to Outgoing Mayor

Remarks by Outgoing Mayor

Election of Mayor

Election of Mayor Pro Tem

Administration of Oath of Office to Newly Elected Mayor, Mayor Pro Tem, and Councilmembers

Remarks by Newly Elected Mayor

Communications from the Public concerning Closed Session item and matters which are not on the agenda but for which the City Council has subject matter jurisdiction. City Council may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.

Recess to Closed Session (to be held in the Westward Room)

This time has been set aside for the City Council to meet in a closed session to discuss matters pursuant to Government Code Section 54956.9(d)(1). Based on the advice of the City Attorney, discussion in open session concerning these matters would prejudice the position of the City in this litigation. The City Attorney will give an additional oral report regarding the Closed Session at the beginning of the next regular City Council meeting. At the conclusion of the Closed Session, the Council may continue any item listed on the Closed Session agenda to the Open Session agenda for discussion or to take formal action as it may deem appropriate.

Conference with Legal Counsel – Existing litigation pursuant to Government Code Section 54956.9(d)(1):

1. Malibu Township Council, Inc. v. City Council of Malibu, et al.
Los Angeles County Superior Court Case No. BS142420

Closed Session Report

Adjournment – Reception in the City Hall Multi-Purpose Room

Future Meetings

Monday, December 24, 2018	6:30 p.m.	CANCELLED	
Monday, January 14, 2019	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers
Monday, January 28, 2019	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers

Guide to the City Council Proceedings

The Oral Communication portion of the agenda is for members of the public to present items, which are not listed on the agenda but are under the subject matter jurisdiction of the City Council. No action may be taken under, except to direct staff unless the Council, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Council and staff will follow up, at an appropriate time, on those items needing response. Each speaker is limited to three (3) minutes. Time may be surrendered by deferring one (1) minute to another speaker, not to exceed a total of eight (8) minutes. The speaker wishing to defer time must be present when the item is heard. In order to be recognized and present an item, each speaker must complete and submit to the Recording Secretary a Request to Speak form prior to the beginning of the item being announced by the Mayor (forms are available outside the Council Chambers) and must be accompanied by all forms deferring time at the time of submission. Speakers are taken in the order slips are submitted.

Items in Consent Calendar Section A have already been considered by the Council at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

Items in Consent Calendar Section B have not been discussed previously by the Council. If discussion is desired, an item may be removed from the Consent Calendar for individual consideration. Councilmembers may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from the Consent Calendar will be taken up by the Council following the action on the Consent Calendar. The Council first will take up the items for which public speaker requests have been submitted. Public speakers shall follow the rules as set forth under Oral Communication.

For Public Hearings involving zoning matters the appellant and applicant will be given 15 minutes each to present their position to the City Council, including rebuttal time. All other testimony shall follow the rules as set forth under Oral Communication.

Old Business items have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment shall follow the rules as set forth under Oral Communication.

Items in New Business are items, which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

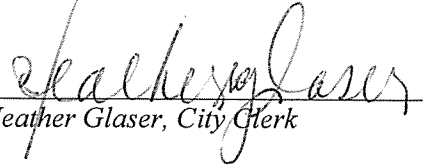
City Council Items are items, which individual members of the City Council may bring up for action, to propose future agenda items or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the City Council.

City Council meetings are aired live and replayed on City of Malibu Government Access Channel 3 and on the City's website at www.malibucity.org/video. Copies of the staff reports or other written documentation relating to each item of business described above are on file in the office of the City Clerk, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, California, and are available for public inspection during regular office hours, which are 7:30 a.m. to 5:30 p.m. Monday through Thursday and 7:30 a.m. to 4:30 p.m. Friday. Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 23825 Stuart Ranch Road, Malibu, California (Government Code Section 54957.5.b.2). Copies of staff reports and written materials may be purchased for \$0.10 per page. Pursuant to State law, this agenda was posted at least 72 hours prior to the meeting.

The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with

Disabilities Act, if you need special assistance to participate in this meeting, please contact Environmental Sustainability Director Craig George, (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II]. Requests for use of audio or video equipment during a Council meeting should be directed to Alex Montano at (310) 456-2489 ext. 227 or amontano@malibucity.org. Material must be submitted by 12:00 p.m. on the meeting day.

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 5th day of December 2018.


Heather Glaser, City Clerk