

Malibu City Council Regular Meeting Agenda

Monday, March 25, 2019

6:30 P.M. REGULAR CITY COUNCIL MEETING

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

Six-thirty p.m. Regular Session

Public Hearings will begin at 6:30 p.m., or as soon thereafter as possible, but in no event later than 7:30 p.m

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda - March 14, 2019

1. Ceremonial/Presentations

- A. Presentation to Outgoing Poet Laureate Ricardo Means Ybarra
- B. Presentation to Incoming Poet Laureate Ellen Reich
- C. Proclamation Declaring March 30, 2019 - April 30, 2019 as “Earth Month” in the City of Malibu
- D. Staff Update on Disaster Responses and Recovery
- E. Presentation by Los Angeles County Public Works Director Mark Pestrella and Fire Chief Daryl Osby Regarding Fire Flow Capacity for Fire Rebuilds

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.
- 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

1. Second Reading and Adoption of Ordinance No. 446

Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 446 determining the project is categorically exempt from the California Environmental Quality Act and adding Chapter 13.60 (Recycled Water Requirements) to Title 13 of the Malibu Municipal Code and amending Section 1.10.040 of Chapter 1.10 of Title 1 to reflect violations of Chapter 13.60.

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

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 56282-56389 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. 634 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$352,777.81. City of Malibu payroll check numbers 4993-4996 and ACH deposits were issued in the amount of \$211,936.30.

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

3. Approval of Minutes

Recommended Action: Approve the minutes for the February 25, 2019 Malibu City Council Regular meeting.

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

4. 2018 Multi-Jurisdictional Hazard Mitigation Plan

Recommended Action: Adopt Resolution No. 19-15 adopting the Las Virgenes-Malibu Council of Governments 2018 Multi-Jurisdictional Hazard Mitigation Plan.

Staff Contact: Public Safety Manager Duenas, 456-2489, ext. 313

5. Disposal of Surplus Equipment

Recommended Action: Approve the disposal of surplus City equipment.

Staff Contact: Assistant to the City Manager Shavelson, 456-2489, ext. 254

6. Amendment to Professional Services Agreement with Moffatt & Nichol

Recommended Action: 1) Authorize the City Manager to execute Amendment No. 3 to the Professional Services Agreement with Moffatt & Nichol in the amount of \$15,000 for professional engineering services to prepare an additional response regarding the Federal Emergency Management Agency Preliminary Coastal Flood Maps; and 2) Appropriate \$15,000 from the General Fund Undesignated Reserve.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339.

7. Award Legacy Park Artwork Pedestal Foundation Project to Zusser Company Inc.

Recommended Action: 1) Approve the award and authorize the City Manager to execute a construction contract with Zusser Company Inc in the amount of \$42,801 for the Legacy Park Artwork Pedestal Foundation Project, Specification No. 2075; and 2) Authorize the Public Works Director to approve any potential change orders up to 20% of the contract amount.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339.

8. Amendment to Professional Services Agreement with Raftelis Financial Consultants, Inc.

Recommended Action: Authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Raftelis Financial Consultants, Inc. to extend the term of the agreement consulting services with wastewater and recycled water utility rates.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339.

9. Amendment to Professional Services Agreement with Lorrie Feinberg

Recommended Action: Authorize the City Manager to execute Amendment No. 2 to Professional Services Agreement with Lorrie Feinberg, dba Iris Consulting, for development and database management services related to the Woolsey Fire.

Staff Contact: Planning Director Blue, 456-2489, ext. 258

10. Annual Progress Report Regarding the Implementation of the City's Housing Element to the California Department of Housing and Community Development

Staff Recommendation: Direct staff to submit the 2018 Annual Housing Element Progress Report to the California Department of Housing and Community Development.

Staff Contact: Planning Director Blue, 456-2489, ext. 258

4. **Ordinances and Public Hearings**

A. Approval of Use of Community Development Block Grant Funds (CDBG) for the CDBG Revolving Grant Fund

Recommended Action: 1) Conduct the public hearing; 2) Adopt Resolution No. 19-14 authorizing and approving the transfer of the City's Community Development Block Grant (CDBG) for Fiscal Year 2019-2020 and prior year unallocated funds to the CDBG Revolving Grant Fund; and 3) Authorize the City Manager to execute the Agreement between the City of Malibu and the Community Development Commission of Los Angeles County to transfer CDBG Funds to the CDBG Revolving Grant Fund for later use in Malibu CDBG-eligible projects.

Staff Contact: Assistant to the City Manager Shavelson, 456-2489, ext. 254

5. **Old Business**

A. Civic Center Way Improvements Project Update

Recommended Action: Receive and file an update on the Civic Center Way Improvements project.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339

6. **New Business**

A. Update on Woolsey Fire and Storm Damage Costs

Recommended Action: Receive and file an update of costs associated with the Woolsey Fire and the subsequent winter storms.

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

7. Council Items

A. Senate Bill (SB) 584 and Assembly Bill (AB) 1788 – Support (Councilmember Mullen)

Recommended Action: At the request of Councilmember Mullen, authorize the Mayor to send letters of support for: 1) SB 584, a bill that would require electrical corporations to develop and administer programs to provide matching funds to local jurisdictions for conversion projects to underground power lines in Tier 3 fire-threat districts and require electrical corporations to replace overhead electrical infrastructure destroyed as a result of fire in those high fire-threat districts with underground electrical infrastructure; and 2) AB 1788, a bill that would expand current regulations prohibiting the use of pesticides containing one or more anticoagulants to the entire state, including State-owned property, unless the Department of Public Health determines there is a public health emergency or California Environmental Protection Agency determines there is an environmental emergency.

Staff Contact: City Manager Feldman, 456-2489, ext. 226

Adjournment

Future Meetings

Monday, April 8, 2019	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers
Monday, April 22, 2019	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers
Monday, April 24, 2019	6:00 p.m.	Special 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 14th day of March 2019.



Heather Glaser, City Clerk