

**Malibu City Council**  
**Regular Meeting Agenda**

**Monday, August 12, 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 - August 1, 2019

**1. Ceremonial/Presentations**

- A. Presentation of commendation to Finance Manager Piyaman, upon her retirement, in recognition of her service to the City
- B. Recognition of former Los Angeles County Sheriff's Captain Josh Thai
- C. Staff update on Disaster Response and Recovery

**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

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 57321-57719 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. 642 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$4,420,164.94. City of Malibu payroll check numbers 5026-5034 and ACH deposits were issued in the amount of \$426,692.83.

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

3. Approval of Minutes

Recommended Action: Approve the minutes for the June 24, 2019 Malibu City Council Regular meeting and the July 8, 2019 Malibu City Council Regular meeting.

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

4. Amendment to Professional Services Agreement with Fugro Consultants, Inc.

Recommended Action: Authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Fugro Consultants, Inc. (Fugro) to extend the term of the agreement for maintenance and monitoring of the Big Rock Mesa, Malibu Road and Calle Del Barco Landslide Assessment Districts.

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

5. Amendment to Professional Services Agreement for Land Surveying Services

Recommended Action: Authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with MNS Engineers, Inc. to extend the term of the agreement to provide continued on-call land surveying services.

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

6. Amendment to Professional Services Agreements for On-Call Civil Engineering Services

Recommended Action: Authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Kimley Horn and Associates, Inc. and Amendment No. 1 to Jensen Design and Survey to extend the term of their agreements to provide continued on-call civil engineering services.

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

7. Amendment to Professional Services Agreement for On-Call Traffic Engineering Services

Recommended Action: Authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Kimley Horn and Associates, Inc. to extend the term of the agreement to provide continued on-call traffic engineering services.

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

8. Amendment to Agreement for Plan Check Services with California Code Check and JAS Pacific

Recommended Action: 1) Authorize the City Manager to execute Amendment No. 1 to Agreement with California Code Check; and 2) Authorize the City Manager to execute Amendment No. 1 to Agreement with JAS Pacific, for plan check services.

Staff Contact: Environmental Sustainability Manager Sheldon, 456-2489, ext. 251

9. Amendment to Agreement with Rincon Consultants, Inc.

Recommended Action: Authorize the City Manager to execute Amendment No. 3 to the Professional Services Agreement (PSA) with Rincon Consultants, Inc. to allow for a six-month extension of the existing agreement through December 31, 2019, and increase the Compensation for Services by \$140,000.

Staff Contact: Environmental Sustainability Manager Sheldon, 456-24859, ext. 251

10. Issuance Report: Emergency Coastal Development Permits

Recommended Action: Receive and file the report of emergency coastal development permits that were issued since the last report provided on July 23, 2018.

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

11. Professional Services Agreement with Woodard and Curran for the Engineering Design Services for the Civic Center Water Treatment Facility (CCWTF) Phase Two

Recommended Action: Authorize the City Manager to negotiate and execute a professional services agreement with Woodard and Curran for engineering design services for the CCWTF Phase Two in an amount not to exceed \$2,999,558.

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

12. California Public Utilities Commission Rule 20A Funding

Recommended Action: Authorize the Mayor to send a letter of support for the City of Rancho Palos Verdes' proposed resolution to be submitted for League of California Cities consideration at its annual conference in October 2019 to amend California Public Utilities Commission (CPUC) Rule 20A to add projects in Very High Fire Hazard Severity Zones to the list of criteria for eligibility.

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

13. Disposal of Surplus Equipment

Recommended Action: Approve the disposal of surplus City equipment.

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

14. Professional Services Agreement with American Guard Services, Inc.

Recommended Action: Authorize the City Manager to execute a Professional Services Agreement with American Guard Services, Inc. to provide professional park security services through August 22, 2022.

Staff Contact: Community Services Director Bobbett, 456-2489, ext. 225

15. Fiscal Year 2019-2020 Community Development Block Grant Program for the City of Malibu

Recommended Action: 1) Adopt Resolution No. 19-36 to approve the allocation of Fiscal Year 2019-2020 Community Development Block Grant Program funds to the City of Malibu (City); 2) Authorize the City Manager to execute an Amendment to the Agreement to Implement between the City and the Los Angeles County Development Agency relating to the Malibu Community Labor Exchange (MCLE) Day Laborer Exchange and Job Referral Program for Fiscal Year 2019-2020; and 3) Authorize the City Manager to execute an Amendment to the Trailer Use Agreement between the City and MCLE.

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

16. California for All Community Emergency Response Team Capacity Building Grant

Recommended Action: Accept \$13,500 of grant funds from CaliforniaVolunteers, Office of the Governor, for the 2019 Community Emergency Response Team (CERT) and Listos Capacity Building Grant.

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

**4. Ordinances and Public Hearings**

- A. Zoning Text Amendment No. 19-002 – An Ordinance to Temporarily Halt the Processing of Primary View Determinations within a 1,000-foot Radius of the Woolsey Fire Affected Area

Recommended Action: Continue this item to the August 26, 2019 Regular City Council meeting.

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

**5. Old Business**

None.

**6. New Business**

- A. Management Partners Report on City Response to the Woolsey Fire

Recommended Action: Receive report presented by Management Partners regarding the City's response to the Woolsey Fire.

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

**7. Council Items**

- A. Senate Bill (SB) 542 – Support (Councilmember Pierson)

Recommended Action: At the request of Councilmember Pierson, authorize the Mayor to send a letter of support for SB 542, a bill that would expand the definition of 'injury' for workers compensation benefits provided to firefighters and law enforcement personnel, for all claims filed or pending on or after January 1, 2017, to include a diagnosis of post-traumatic stress or mental health disorder that developed or manifested itself when the firefighter or peace officer was in the service of their department.

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

**Adjournment****Future Meetings**

Wednesday, August 21, 2019	4:00 p.m.	Special City Council Meeting	City Hall Council Chambers
Monday, August 26, 2019	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers
Monday, September 9, 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](http://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](mailto: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 1st day of August 2019, at 3:00 p.m.*

  
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Heather Glaser, City Clerk