Amended¹ Malibu City Council
Regular Meeting Agenda

Monday, January 13, 2020

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 – January 2, 2020; Amended Agenda Posted January 10, 2020

1.  Ceremonial/Presentations
   A.  Presentation by Los Angeles County Registrar-Recorder/County Clerk on the 2020 Voting Experience
   B.  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

¹ See addition of New Business Item No. 6.A.
1. **Second Reading and Adoption of Ordinance No. 457**


   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 58839-59208 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. 651 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $3,146,095.08. City of Malibu payroll check numbers 5064-5070 and ACH deposits were issued in the amount of $446,813.19.

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

3. **Approval of Minutes**

   Recommended Action: Approve the minutes for the November 12, 2019 Malibu City Council Regular meeting, November 14, 2019 Malibu City Council Special meeting, November 25, 2019 Malibu City Council Regular meeting, December 3, 2019 Malibu City Council Special meeting, and December 9, 2019 Malibu City Council Regular meeting.

   Staff Contact: City Clerk Glaser, 456-2489, ext. 228
4. **Third Amendment to Ground Lease for 3939 Cross Creek Road (Malibu Lumber Yard)**

Recommended Action: Approve Third Amendment to Ground Lease for 3939 Cross Creek Road (Malibu Lumber Yard).

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

5. **Professional Services Agreement with American Ramp Company**

Recommended Action: Authorize the City Manager to execute a Professional Services Agreement with American Ramp Company for design services for the Temporary Skate Park Project.

Staff Contact: Community Services Deputy Director Riesgo, 456-2489, ext. 350

6. **Community Services Department Program Cancellation and Refund Policy**

Recommended Action: At the recommendation of the Parks and Recreation Commission, adopt Resolution No. 20-01 updating the Community Services Department Program Cancellation and Refund Policy and rescinding Resolution No. 17-04.

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

7. **La Costa Area Pedestrian Improvements Project Completion and Acceptance of Work**

Recommended Action: 1) Accept the work performed by PTM General Engineering Services, Inc. for the La Costa Area Pedestrian Improvements Project (Specification No. 2054) as complete; and 2) Authorize the Public Works Director to submit for recordation a Notice of Completion for the project.

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

8. **Electric Vehicle Charging Stations Upgrades**

Recommended Action: 1) Reject all bids received for the Electric Vehicle Charging Stations Upgrades Project, Specification No. 2069; and 2) Direct staff to return all bid bonds to the bidders.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339
4. **Ordinances and Public Hearings**

   A. **Amend Malibu Municipal Code to Authorize the Implementation of a Parking Management Plan Along Two Segments of Pacific Coast Highway**

   Recommended Action: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 460 determining the project is categorically exempt from the California Environmental Quality Act and adding Chapter 10.19 to Title 10 (Vehicles and Traffic) of the Malibu Municipal Code to prohibit parking on portions of the landward side of Pacific Coast Highway (PCH) between 12:00 am and 2:00 am and seaward side of PCH between 2:00 am and 4:00 am daily on two segments of PCH; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 460 for the January 27, 2020 Regular City Council meeting.

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

   B. **Amendments to the Local Coastal Program and Malibu Municipal Code to Foster Fire-Resistant Landscapes Citywide**

   Recommended Action: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 461 determining the project is exempt from the California Environmental Quality Act and amending Local Coastal Program Local Implementation Plan Chapter 3 (Zoning Designations and Permitted Uses) and Chapter 2 (Definitions) and Malibu Municipal Code (MMC) Title 17 (Zoning) to foster the creation of fire-resistant landscapes and repealing Ordinance Nos. 343 and 356, deleting MMC Chapter 9.22 (Landscape Water Conservation), establishing MMC Chapter 17.53 (Landscape Water Conservation and Fire Protection), and amending MMC Section 16.24.020 (Subdivision Design Standards) to eliminate reference to MMC Chapter 9.22; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 461 for the January 27, 2020 Regular City Council meeting.

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

5. **Old Business**

   None.

6. **New Business**

   A. **Resolution of Intention Regarding Potential Transition to District-Based Elections**

   Recommended Action: Provide direction to staff regarding Milton Grimes demand letter dated October 25, 2019, and either: 1) Adopt Resolution 20-02 finding the project exempt from California Environmental Quality Act, directing the retention of a demographer and directing a schedule be brought back to take actions related to district-based elections in accordance with Elections Code section 10010(a), and either: a) declaring its intention to adopt an ordinance pursuant to Government Code section 34886 to transition the election of its City Councilmembers from an at-large electoral system to a district-based system; or b) declaring its intention to place a binding initiative on the ballot for the 2020 General Municipal Election as to whether to transition to district-based elections; or 2) Take no action.

   Staff Contact: City Attorney Hogin, 456-2489, ext. 228
7. **Council Items**

A. **Council Appointment to the Parks and Recreation Commission**

   Recommended Action: Councilmember Peak to make his appointment to the Parks and Recreation Commission.

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

B. **Special City Council Meeting Regarding Homelessness (Mayor Pro Tem Pierson)**

   Recommended Action: At the request of Mayor Pro Tem Pierson, consider scheduling a Special City Council meeting to discuss homelessness issues and solutions.

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

C. **Malibu Film Festival Fee Waiver (Councilmember Mullen)**

   Recommended Action: At the request of Councilmember Mullen, consider waiving the fees for the Malibu Film Festival to be held at City Hall on February 14-15, 2020.

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

**Adjournment**

**Future Meetings**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Meeting Type</th>
<th>Location</th>
</tr>
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<tbody>
<tr>
<td>Monday, January 27, 2020</td>
<td>6:30 p.m.</td>
<td>Regular City Council Meeting</td>
<td>City Hall Council Chambers</td>
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<tr>
<td>Monday, February 10, 2020</td>
<td>6:30 p.m.</td>
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<tr>
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<td>Regular City Council Meeting</td>
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**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 Yolanda Bundy, Environmental Sustainability Director, (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 10th day of January 2020, at 11:30 a.m.

Heather Glaser, City Clerk