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 16, 2020

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.

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. 460

   Recommended Action: Conduct second reading, unless waived, and adopt 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 between 12:00 a.m. and 2:00 a.m. and seaward side of Pacific Coast Highway between 2:00 a.m. and 4:00 a.m. daily on two segments of Pacific Coast Highway.

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

2. Second Reading and Adoption of Ordinance No. 461

   Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 461 determining the project is categorically exempt from the California Environmental Quality Act and amending the Local Coastal Program Local Implementation Plan Chapter 3 (Zoning Designations and Permitted Uses) and Chapter 2 (Definitions) and Malibu Municipal Code Title 17 (Zoning) to foster the creation of fire-resistant landscapes and repealing Ordinance Nos. 343 and 356, deleting Malibu Municipal Code Chapter 9.22 (Landscape Water Conservation), establishing Malibu Municipal Code Chapter 17.53 (Landscape Water Conservation and Fire Protection) and amending Malibu Municipal Code Section 16.24.020 to eliminate reference to Malibu Municipal Code Chapter 9.22 (citywide).

   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 59209-59318 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. 652 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $392,436.66. City of Malibu payroll check numbers 5071-5073 and ACH deposits were issued in the amount of $222,270.91.

   Staff Contact: Assistant City Manager Soghor, 456-2489, ext. 224
3. **Approval of Minutes**

   Recommended Action: Approve the minutes for the January 7, 2020 Malibu City Council Special meeting.

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

4. **Amendment to Professional Services Agreement with Kimley-Horn and Associates, Inc.**

   Recommended Action: Authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Kimley-Horn and Associates, Inc. in the amount of $48,500 for additional engineering plan check services to provide Woolsey Fire Rebuild Public Works Services.

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

5. **Award Legacy Park Bench Refurbishment Project**

   Recommended Action: 1) Approve the award and authorize the City Manager to execute a construction contract with JEC, Inc. in the amount of $46,501 for the Legacy Park Refurbishment Project, Specification No. 2080; and 2) Authorize the Public Works Director to approve potential change orders up to 20% of the Agreement amount.

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

6. **Malibu Living Shoreline Project Planning Review Fee Waiver**

   Recommended Action: Approve the request from The Bay Foundation to waive review fees for the Malibu Living Shoreline Project.

   Staff Contact: Environmental Sustainability Analyst Shen, 456-2489, ext. 376

7. **Floodplain Variance – 22000 Pacific Coast Highway**

   Recommended Action: Adopt Resolution No. 20-03 granting a variance from the floodplain coastal high hazard requirements for the construction of a bulkhead within a coastal floodplain at 22000 Pacific Coast Highway.

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


   Staff Contact: Assistant City Manager Soghor, 456-2489, ext. 224
4. **Ordinances and Public Hearings**

A. **Approval of Use of Community Development Block Grant (CDBG) funds for Fiscal Year 2020-2021**

   Recommended Action: 1) Conduct the public hearing; and 2) Adopt Resolution No. 20-04 authorizing and approving the use of $20,000 in CDBG funds for the Malibu Community Labor Exchange and $44,000 in CDBG funds for preparedness equipment for potential Public Safety Power Shutoff (PSPS) to be distributed to seniors along with preparedness training.

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

5. **Old Business**

   None.

6. **New Business**

A. **Enhanced Dumpster Enforcement Program Update and Locking Bin Ordinance**

   Recommended Action: 1) Receive and file report on the Enhanced Dumpster Enforcement Program to address the issue of sanitary conditions in and around trash enclosure areas; and 2) Provide direction to staff on whether to: a) Amend Malibu Municipal Code Chapter 8.32 to specify when the City should require locking lids on solid waste bins for businesses that receive multiple violations; or b) Amend Malibu Municipal Code Chapter 8.32 to require locking lids on dumpster bins at all times for commercial solid waste, organic waste, and recycling.

   Staff Contact: Environmental Sustainability Analyst Shen, 456-2489, ext. 376

B. **Fiscal Year 2019-2020 Second Quarter Financial Report and Mid-Year Budget Amendments**


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

C. **Mid-Year Commission Activity Reports**


   Staff Contact: City Manager Feldman, 456-2489, ext. 226
7. **Council Items**

   A. **California Strong Celebrity Softball Game Parking Fee Waiver**

   Recommended Action: Consider whether to approve the request from California Strong to waive the facility use fees for the Ioki Property for parking related to the California Strong Celebrity Softball Game on Sunday, January 12, 2020.

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

**Adjournment**

**Future Meetings**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wednesday, January 29</td>
<td>6:00 p.m.</td>
<td>Special City Council Meeting</td>
<td>City Hall Council Chambers</td>
</tr>
<tr>
<td>Monday, February 10</td>
<td>6:30 p.m.</td>
<td>Regular City Council Meeting</td>
<td>City Hall Council Chambers</td>
</tr>
<tr>
<td>Monday, February 24</td>
<td>6:30 p.m.</td>
<td>Regular City Council Meeting</td>
<td>City Hall Council Chambers</td>
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</tbody>
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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 16th day of January 2020, at 2:45 p.m.

______________________________
Heather Glaser, City Clerk