Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Heather Glaser, City Clerk

Approved by: Reva Feldman, City Manager

Date prepared: February 10, 2020  Meeting date: February 24, 2020

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the January 27, 2020 Malibu City Council Regular meeting.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2019-2020. This project is part of normal staff operations.

DISCUSSION: Staff has prepared draft minutes for the meeting of January 27, 2020.

ATTACHMENTS: January 27, 2020 Malibu City Council Regular meeting minutes
MEETING CALL TO ORDER

Mayor Farrer called the meeting to order at 6:30 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Mayor Karen Farrer; Mayor Pro Tem Mikke Pierson; and Councilmembers Rick Mullen; Skylar Peak; and Jefferson Wagner

ALSO PRESENT: Christi Hogin, City Attorney; Reva Feldman, City Manager; Lisa Soghor, Assistant City Manager; Jesse Bobbett, Community Services Director; Yolanda Bundy, Environmental Sustainability Director; Rob DuBoux, Public Works Director; Matt Myerhoff, Media Information Officer; Kelsey Pettijohn, Deputy City Clerk; Chris Orosz, Recreation Supervisor; and Christine Shen, Environmental Sustainability Analyst

APPROVAL OF AGENDA

MOTION    Councilmember Mullen moved and Councilmember Peak seconded a motion to approve the agenda. The motion carried unanimously.

PLEDGE OF ALLEGIANCE

Scott Dittrich led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

Deputy City Clerk Pettijohn reported that the agenda for the meeting was properly posted on January 16, 2020.

ITEM 1  CEREMONIAL/PRESENTATIONS

None.

ITEM 2.A.  PUBLIC COMMENTS

Benjamin Pollack thanked the City Council for waiving certain facility use fees for the Malibu Film Festival. He discussed his documentary on the Woolsey Fire. He announced his documentary would be screened for free during the Malibu Film Festival.
Mountains Recreation Conservation Authority (MRCA) Ranger Jewel Johnson provided an update on MRCA Ranger activities since June 2019. She questioned which agency would be appropriate to report dead or injured seals to. She encouraged people to report any issues at MRCA properties to the Rangers. She stated MRCA Rangers had cleared a homeless encampment in the Malibu Bluffs Parkland.

Lloyd Ahern thanked Ranger Johnson for providing an update. He discussed the MRCA Malibu Coastal Access Public Works Plan scoping meeting on January 22, 2020. He commended Planning Director Blue for her comments at the scoping meeting. He stated scoping meetings for projects in Malibu should be held in Malibu.

Elena Eger deferred her time to Jessica Nguyen.

Jessica Nguyen, MRCA, discussed the notice provided for the Malibu Coastal Access Public Works Plan scoping meeting. She stated without a Public Works Plan a Coastal Development Permit (CDP) would be required for each accessway improvement. She stated the Malibu Coastal Access Public Works Plan included 10 existing accessways and seven new accessways. She stated MRCA would continue to manage opening and closing accessways and maintenance. She stated the public scoping period was from December 9, 2019 through February 7, 2020.

**ITEM 2.B. COMMISSION / COMMITTEE / CITY MANAGER UPDATES**

Scott Dittrich, Public Works Commission, discussed the Planning Commission hearing for the Civic Center Way Improvements project’s CDP. He requested the City Council direct the project back to the Public Works Commission with the Planning Commission’s comments.

City Manager Feldman discussed the small sink hole on Civic Center Way caused by water from a storm drain. She stated Civic Center Way was open. She stated the holiday lighting period allowed by the Dark Skies Ordinance ended January 15, 2020. She stated the California Coastal Commission (CCC) would hear an appeal of the Point Dume Headlands Parking Gate project on February 13, 2020. She announced the deadline for MRCA Malibu Coastal Access Public Works Plan scoping comments was February 7, 2020. She stated staff would be submitting written comments on the Malibu Coastal Access Public Works Plan. She announced a Special City Council meeting on January 29, 2020, a Disaster Council meeting on January 30, 2020 to discuss the City’s evacuation plan, and a community workshop with California State Insurance Commissioner Ricardo Lara on January 30, 2020. She stated the Cultural Arts Commission meeting scheduled for January 28, 2020 had been canceled due to lack of a quorum. She stated 59 Woolsey Fire rebuild building permits had been issued and two houses had been completed. She presented a video of the reconstruction and ribbon cutting of a Woolsey Fire rebuild house.
ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Mullen stated he attended the ribbon cutting of a Woolsey Fire rebuild house.

In response to Councilmember Mullen, City Manager Feldman stated staff was working on written comments for the Malibu Coastal Access Public Works Plan.

Councilmember Mullen stated he attended meetings in Sacramento with Mayor Farrer and City Manager Feldman regarding school district separation.

In response to Councilmember Mullen, City Manager Feldman stated recommendations from the Planning Commission on a project would need to be directed to the City Council, and the City Council could direct the project appropriately.

Councilmember Peak stated he attended the ribbon cutting of a Woolsey Fire rebuild house. He suggested adjourning the meeting in memory of the victims in the Calabasas helicopter crash on January 26, 2020.

Councilmember Wagner thanked Ranger Johnson and expressed hope that she would provide regular updates to the City Council. He stated he visited the sinkhole on Civic Center Way. He thanked everyone for their work on the Civic Center Way Improvements project.

Mayor Pro Tem Pierson stated he attended the ribbon cutting of a Woolsey Fire rebuild house. He stated he attended a meeting regarding homelessness. He encouraged people to attend the Special City Council meeting on January 29, 2020 regarding homelessness. He stated he attended Supervisor Sheila Kuhl’s open house event. He stated he attended a meeting in Sacramento with Deputy Cabinet Secretary Mark Tollefson regarding homelessness, and meetings with Undersecretary of California State Transportation Agency Alicia Fowler and Secretary for Natural Resources Wade Crowfoot. He stated the City’s lobbyist consultant California Strategies helped the City build important political relationships.

Mayor Farrer stated she attended Supervisor Sheila Kuhl’s open house event. She stated she attended a Las Virgenes-Malibu Council of Governments (COG) meeting where it was announced that Measure H funds were being used to hire a homeless outreach coordinator for the COG. She stated she attended meetings in Sacramento. She stated she attended a League of California Cities conference. She stated the City’s lobbyist consultant California Strategies helped the City build important political relationships. She stated she attended the ribbon cutting of a Woolsey Fire rebuild house. She indicated support for MRCA holding scoping meetings at City Hall for projects that impacted the City.
In response to Mayor Farrer, Ranger Johnson stated MRCA had 1-2 rangers scheduled to patrol from Ventura County line to Pacific Palisades.

Mayor Farrer recommended the public submit comments to MRCA regarding the Malibu Coastal Access Public Works Plan by February 7, 2020.

ITEM 3 CONSENT CALENDAR

Item Nos. 3.A.1. and 3.B.5 were pulled by the public. Item Nos. 3.A.2. and 3.B.6. were pulled by the Council.


The Consent Calendar consisted of the following items:

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.

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.

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

   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.

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.


The following items were pulled from the Consent Calendar for individual consideration:

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.

   Councilmember Wagner recused himself and left the dais at 7:13 p.m.

   Barbara Lawrence stated some people living in recreational vehicles (RVs) on Pacific Coast Highway (PCH) had the resources to find permanent housing.

   Tina Saunders discussed problems created by people experiencing homelessness on the east side of the City.

   Ami Rushes discussed problems created by people experiencing homelessness parking their RVs near La Tunas. She described physical altercations involving people experiencing homelessness near Las Tunas.

   Michael Epstein indicated support for the ordinance. He recommended including parking restrictions near Zuma Beach. He indicated support for ticketing RVs on PCH under current laws as often as possible.

   MOTION

   Councilmember Peak moved and Councilmember Mullen seconded a motion to 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.

   Mayor Pro Tem Pierson stated the City was working on the challenges created by people living out of their vehicles on public streets. He stated the number of RVs parked along Zuma Beach had increased.
Councilmember Peak stated this ordinance targeted problematic parking areas in the City.

The motion carried 4-0, Councilmember Wagner absent.

Councilmember Wagner returned to dais at 7:25 p.m.

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).

Councilmember Wagner discussed Kraig Hill’s letter on this item. He recommended incorporating the County’s 10-foot growth restrictions into the Malibu Municipal Code (MMC). He also recommended considering requiring Accessory Dwelling Units and primary structures to be farther apart.

Councilmember Peak indicated support for bringing the ordinance back for first reading and discussion.

In response to Mayor Farrer, City Attorney Hogin stated staff could bring this ordinance back with more analysis.

CONSENSUS By consensus, the Council direct staff to: 1) analyze the suggested revisions to Ordinance No. 461 in Kraig Hill’s letter dated January 24, 2020; and 2) bring Ordinance No. 461 back for first reading.

B. New Items
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.

Graeme Clifford discussed the maintenance needed for the benches in Legacy Park. He stated $46,501 seemed expensive for the amount of labor needed. He suggested hiring day workers from the Malibu
Community Labor Exchange to lacquer the benches. He stated the owl boxes and raptor poles in the park looked good.

City Attorney Hogin stated the City was obligated to publicly bid Public Works projects over a certain size and then award the contract to the lowest responsible bidder.

**MOTION**

Councilmember Peak moved and Councilmember Mullen seconded a motion to: 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. The motion carried unanimously.

In response to Mayor Pro Tem Pierson, Community Services Director Bobbett stated 34 benches would be dismantled, sanded, lacquered, and reinstalled as part of this project.

City Manager Feldman stated staff looked into replacing the benches, but it was more expensive.

Councilmember Wagner discussed health concerns regarding sanding.

**ITEM 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.

Assistant City Manager Soghor presented the staff report.
MOTION  Councilmember Peak moved and Councilmember Wagner seconded a motion to 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 to be distributed to seniors along with preparedness training. The motion carried unanimously.

ITEM 5  OLD BUSINESS

None.

ITEM 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.

Environmental Sustainability Analyst Shen presented the staff report.

Graeme Clifford stated he was concerned about the increased costs associated with option B in the staff report. He questioned whether the City could off-set the increased costs for small business owners.

Jimmy Chavez, Duke’s Restaurant, commended the Council for its commitment to environmental sustainability. He discussed sustainability programs at Duke’s. He indicated support for option A in the staff report.

James Roberson, Nobu, discussed sustainability programs at Nobu. He indicated support for option A in the staff report. He stated people could leave trash next to the dumpster if it was locked.

Gabriel Chavez, Universal Waste Systems, stated his organization was a for-profit organization. He stated his staff would work hard to get the job done under whatever ordinance the City required. He stated he was an advocate for his clients. He stated it was possible to manage trash responsibly without locking dumpster lids. He stated his commercial clients spent thousands of dollars on trash every month. He indicated support for option A in the staff report. He stated the Malibu Country Mart had 15 bins collected six days a week.

Steve Lee, Waste Management, stated there were best management practices for trash and it was important to have the correct service level for each customer. He
stated locking bins could not solve all the problems. He stated Waste Management would work with its customers based on the Council’s direction.

Keegan Gibbs deferred his time to Kian Schulman.

Lance Simmens deferred his time to Kian Schulman.

Judy Villablanca deferred her time to Kian Schulman.

Patt Healy deferred her time to Kian Schulman.

Kian Schulman discussed the letters sent by the City in September 2019 to business owners regarding the importance of closing dumpsters. She indicated support for option B in the staff report. She stated the ordinance would be simple to enforce. She discussed damaged dumpsters that allowed rodents to get inside and stated many dumpsters had bait boxes nearby because of rodent problems. She stated Clean Bay Certified restaurants were not living up to the standards of the program. She presented photos of damaged and open dumpsters in the City.

Joel Schulman discussed the history of Council consideration of dumpster ordinances. He indicated support for option B in the staff report because it was simple. He recommended only providing one warning before fining businesses. He stated Boulder, Colorado did not provide any warnings about dumpster violations.

Councilmember Peak stated the Environmental Sustainability Subcommittee meeting had directed staff to bring both these options back to Council. He stated the businesses that were most successful at trash management seemed to have locking lids. He expressed concern regarding the cost of locking lids.

Councilmember Wagner stated waste vendors had spoken at the Environmental Sustainability Subcommittee meeting when this item had been considered. He discussed bear-proof lids as a more durable option for dumpster lids. He stated businesses might have to pass the increased costs onto customers. He stated some businesses used better trash management practices than others. He stated a fine could help off-set Code Enforcement costs and motivate businesses to comply.

Mayor Pro Tem Pierson indicated support for bear-proof lids. He stated there needed to be a culture shift in how people managed their trash.

In response to Councilmember Mullen, Mayor Pro Tem Pierson stated his business in Santa Monica used locking lids in a locked enclosure.

In response to Councilmember Peak, Mr. Gabriel Chavez stated bear-proof lids could be used on existing dumpsters in the City. He stated many of the open bins in the photos Ms. Schulman presented had lock bars that were not being properly used. He stated it was important to train staff to manage trash properly.
Councilmember Peak suggested requiring dumpsters to have a locking lid or a bear-proof lid.

Mayor Farrer expressed frustration that many businesses were not using best trash management practices. She stated businesses needed to train their staff. She stated City resources were limited. She indicated support for requiring dumpsters to have a locking lid or a bear-proof lid. She stated many of the businesses with poor trash management were local businesses.

In response to Councilmember Peak, Mr. Gabriel Chavez stated locking lids were readily available but they were more labor intensive, whereas bear-proof lids were not as readily available but were less labor intensive.

Councilmember Peak indicated support for option B in the staff report, modified to require dumpsters to have a locking lid or a bear-proof lid.

In response to Councilmember Peak, Mr. Schulman stated the Boulder, Colorado website had a definition of bear-proof lids.

In response to Councilmember Mullen, Ms. Schulman stated bear-proof lids would not have cracks to allow rodents in but they still allowed overstuffing. She indicated support for requiring locking bear-proof lids.

Councilmember Peak indicated support for allowing bear-proof lids or locking lids.

Mayor Pro Tem Pierson stated bear-proof lids could be locked.

Councilmember Peak stated the ordinance should prohibit leaving dumpster lids open. He recommended allowing one warning before issuing citations.

In response to Councilmember Peak, Councilmember Wagner indicated support for providing one warning when dumpster bins were left open or unlocked. He commended Environmental Analyst Shen’s work on this item. He stated bear-proof lids could cause dumpsters to fill up more quickly due to the narrower lid.

Mayor Farrer indicated support Councilmember Peak’s suggestions.

Mayor Pro Tem Pierson indicated support Councilmember Peak’s suggestions. He stated it was important to have a fine system for violations.

In response to Councilmember Mullen, Councilmember Peak indicated support for requiring dumpsters to have a locking lid or a bear-proof lid by summer 2020.

Councilmember Wagner recommended the most damaged dumpster lids be replaced first. He stated other cities in the area may begin adopting similar ordinances.
Councilmember Peak indicated support for directing staff to bring back an ordinance requiring dumpsters to have a locking lid or a bear-proof lid.

City Manager Feldman questioned whether waste vendors would be able to replace all of the dumpster lids in the City by summer 2020.

City Attorney Hogin stated the ordinance could include a provision for business owners to request a waiver if, after due diligence, they could not have their dumpster lid replaced in time.

In response to Councilmember Peak, Mr. Gabriel Chavez stated businesses would need time to decide if they wanted to use locking lids or bear-proof lids.

In response to Mayor Farrer, Mr. Lee stated he did not have inventory of bear-proof lids. He stated it was more realistic to expect all lids to be replaced by the end of 2020.

City Attorney Hogin stated staff would bring back an ordinance with analysis of how the ordinance could be implemented.

Councilmember Peak stated a plastic lid would not have as tight a seal as a metal lid. He stated he suggested bear-proof lids as an alternative for businesses where locking lids were less practical. He recommended requiring all dumpster lids to be locking lids if bear-proof lids were not a realistic alternative for the City.

In response to Mayor Farrer and Mayor Pro Tem Pierson, Mr. Lee stated he did not have inventory of bear-proof lids. He stated all dumpsters used to have metal lids, but most switched to plastic because metal was too heavy for some users. He stated double-walled plastic lids were more durable than single-walled plastic lids. He stated his organization generally preferred double-walled plastic lids. He stated some single-walled and double-walled lids showed rodent wear in Ms. Schulman’s photos. He stated dumpsters were heavily used and could be damaged.

Councilmember Mullen stated importing bear-proof lids may be too complicated and suggested requiring locking double-walled plastic lids.

In response to Mayor Pro Tem Pierson, Councilmember Peak stated staff would bring back information on fines. He suggested allowing one warning.

Councilmember Mullen stated trash vendors had been preparing to install locking lids in the City in anticipation of new regulations and it would complicate plans if they had to import bear-proof lids.

In response to Councilmember Wagner, City Attorney Hogin stated violations of this ordinance would be subject to administrative citations.
Mayor Farrer discussed the importance of public outreach.

Councilmember Peak stated the Enhanced Dumpster Enforcement Program included extensive public outreach.

Mayor Pro Tem Pierson stated managers at businesses changed. He stated there needed to be culture shift in how people managed their trash.

Councilmember Peak stated all businesses would be notified when an ordinance was approved.

**MOTION** Councilmember Peak moved and Councilmember Mullen seconded a motion to direct staff to bring back an ordinance to amend Malibu Municipal Code Chapter 8.32 to require locking lids on dumpster bins that are kept locked at all times for commercial solid waste, organic waste, and recycling.

**FRIENDLY AMENDMENT**

Mayor Pro Tem Pierson moved to direct staff to bring back an ordinance to amend Malibu Municipal Code Chapter 8.32 to require locking double-walled plastic lids on dumpster bins that are kept locked at all times for commercial solid waste, organic waste, and recycling.

Councilmember Wagner indicated support for requiring double-walled plastic lids.

In response to Mayor Farrer, Deputy City Clerk Pettijohn read the motion and friendly amendment.

The maker and seconder accepted the amendment.

The amended motion carried unanimously.

Councilmember Mullen stated the options in this item had been brought back to the Council at the direction of the Environmental Sustainability Subcommittee.

**RECESS** Mayor Farrer recessed the meeting at 8:47 p.m. The meeting reconvened at 8:58 p.m. with all Councilmembers present.

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

Recommended Action: 1) Receive and file Fiscal Year 2019-2020 Second Quarter Financial Report; 2) Provide direction on Fiscal Year 2019-2020 City Council Priorities and Departmental Tasks; 3) Adopt Resolution No. 20-05 amending the annual budget for Fiscal Year 2019-2020; and 4) Adopt Resolution No. 20-06 rescinding Section 2 of Resolution No. 19-29 and approving the Authorized Positions and Salary Ranges for Fiscal Year 2019-2020
Assistant City Manager Soghor presented the staff report. She stated staff was seeking direction on how to address fee waivers for Woolsey Fire rebuild projects that began the application process before June 30, 2020 but would not be complete by June 30, 2020.

Councilmember Mullen recommended waiving fees for applications received by June 2020 as long as building permits were issued by December 31, 2020.

Councilmember Peak stated the Administration and Finance Subcommittee recommended extending fee waivers for applications received by June 2020 if building permits were issued by December 31, 2020 to encourage people to begin rebuilding.

Mayor Pro Tem Pierson stated some people might not be able to start rebuild because they were in litigation with their insurance company.

In response to Councilmember Peak, Mayor Pro Tem Pierson stated some people in litigation were not applying for permits because they were not sure if they could afford to rebuild in the City.

Councilmember Wagner stated property owners could start the application process before they had all the funds to rebuild.

In response to Mayor Pro Tem Pierson, Councilmember Peak stated only the primary resident at the time of the Woolsey Fire was eligible for fee waivers. He stated staff was verifying who the current property owner was.

City Manager Feldman stated Malibu was the only city that had waived rebuilding fees in response to 2018 fires.

Assistant City Manager Soghor stated staff would like to bring back a resolution clarifying the fee waiver program.

CONSENSUS

By consensus, the Council directed staff to bring back a resolution clarifying the Woolsey Fire fee waiver should be applied to any application received by June 30, 2020 as long as building permits have been issued prior to December 31, 2020.

City Manager Feldman stated district-based elections would require significant staff time.

Mayor Pro Tem Pierson discussed the importance of addressing homelessness in the City.

Councilmember Wagner stated it was important to create an Environmental Commission.
Mayor Pro Tem Pierson stated an Environmental Commission was important and recommended the Council reconsider it in six months.

City Manager Feldman stated staff was developing the Fiscal Year 2020-2021 Proposed Budget and Work Plan.

Mayor Pro Tem Pierson commended staff for its work on the projects it had accomplished since the Woolsey Fire.

Councilmember Mullen indicated support for Mayor Pro Tem Pierson’s comments.

Mayor Farrer stated staff had also worked on projects not related to the Woolsey Fire.

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to: 1) receive and file Fiscal Year 2019-2020 Second Quarter Financial Report; 2) adopt Resolution No. 20-05 amending the annual budget for Fiscal Year 2019-2020; and 3) adopt Resolution No. 20-06 rescinding Section 2 of Resolution No. 19-29 and approving the Authorized Positions and Salary Ranges for Fiscal Year 2019-2020. The motion carried unanimously.

C. Mid-Year Commission Activity Reports


City Manager Feldman stated this was an opportunity for the Council to review Commission activities and amend the Commission assignments, if appropriate.


Mayor Pro Tem Pierson, Councilmember Mullen, and Mayor Farrer thanked Mr. Frost for his service.

MOTION Councilmember Peak moved and Mayor Pro Tem Pierson seconded a motion to: 1) receive and file mid-year activity reports from the Cultural Arts Commission, Harry Barovsky Memorial Youth Commission, Parks and Recreation Commission, Public Safety Commission, and Public Works Commission; and 2) amend the Parks and Recreation Commission and Cultural Arts Commission assignments as requested by the Commissions.
ITEM 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.

Community Services Director Bobbett presented the staff report.

In response to Mayor Farrer, Michelle Spears stated California Strong had raised $3 million in 2019 and many of the funds were distributed to victims of the Woolsey Fire. She stated California Strong focused on immediate disaster relief. She stated Woolsey Fire victims received funds through an application process.

MOTION  Councilmember Peak moved and Mayor Pro Tem Pierson seconded a motion 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. The motion carried unanimously.

ADJOURNMENT

At 9:30 p.m., Mayor Farrer adjourned the meeting in memory of the victims in the Calabasas helicopter crash on January 26, 2020.

Approved and adopted by the City Council of the City of Malibu on ________________.

_________________________________
KAREN FARRER, Mayor

ATTEST:

_________________________________
HEATHER GLASER, City Clerk
(seal)