Malibu City Council  
Regular Meeting Agenda  
Monday, March 9, 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 – February 27, 2020

1. Ceremonial/Presentations
  A. Presentation by Los Angeles County Department of Public Health on Coronavirus
  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

  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 59575-59717 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. 655 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $1,334,002.89. City of Malibu payroll check numbers 5081-5084 and ACH deposits were issued in the amount of $232,820.07.

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

3. **Approval of Minutes**

   Recommended Action: Approve the minutes for the January 29, 2020 Malibu City Council Special meeting.

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

4. **Dedication of Roadway Easement to the City from Malibu Development Company LLC**

   Recommended Action: Adopt Resolution No. 20-12 authorizing the acceptance of the Dedication of Roadway Easement from Malibu Development Company LLC, to the City dedicating the property as described, and finding the same exempt from the California Environmental Quality Act.

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

5. **Bailment Agreement with the County of Los Angeles**

   Recommended Action: Authorize the City Manager to negotiate and execute a bailment agreement with the County of Los Angeles to allow the Sheriff’s Department to use a new City vehicle for the Volunteers on Patrol program.

   Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339
6. **Award Civic Center Way Storm Drain Repair Project**

   Recommended Action: 1) Approve the award and authorize the City Manager to execute a construction contract with GMZ Engineering, Inc. in the amount of $132,501 for the Civic Center Way Storm Drain Repair Project, Specification No. 2082, and 2) Authorize the Public Works Director to approve potential change orders up to 25% of the Agreement amount.

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

7. **Annual Progress Report Regarding the Implementation of the City’s Housing Element to the California Department of Housing and Community Development**

   Recommended Action: Direct staff to submit the 2019 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. **Updated Developer Fee Program and Fire Station Program for the Consolidated Fire Protection District of Los Angeles County Area of Benefit 1**

      Recommended Action: 1) Conduct the public hearing; 2) Adopt Resolution No. 20-11 adopting the updated developer fee and fire station program for the benefit of the Consolidated Fire Protection District of Los Angeles County (District) and rescinding Resolution No. 19-11; and 3) either, a) Direct staff to remain in the Consolidated Fire Protection District of Los Angeles County; or b) Direct staff to bring back an item on the implementation of City fire and emergency services.

      Staff Contact: Environmental Sustainability Director Bundy, 456-2489, ext. 229

   B. **Locking Bin Ordinance**

      Recommended Action: 1) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 462 determining the project is categorically exempt from the California Environmental Quality Act and amending Chapter 8.32 to Title 8 of the Malibu Municipal Code to require locking lids on solid waste bins at all times for commercial solid waste, organic waste, and recycling; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 462 for the March 23, 2020 City Council meeting.

      Staff Contact: Environmental Sustainability Director Bundy, 456-2489, ext. 229
C. **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 Zoning Text Amendment No. 19-004 to be exempt from the California Environmental Quality Act, and amending the Local Coastal Program Local Implementation 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 (citywide); and 2) Direct staff to schedule second reading and adoption of Ordinance No. 461 for the March 23, 2020 Regular City Council meeting.

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

5. **Old Business**

None.

6. **New Business**

None.

7. **Council Items**

A. **Council Appointment to the Planning Commission**

Recommended Action: Mayor Pro Tem Pierson to make his permanent appointment to the Planning Commission.

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

B. **Donation of N95 Masks to China (Councilmember Mullen)**

Recommended Action: At the request of Councilmember Mullen, authorize staff to provide 160 N95 particulate respirator masks for inclusion in a donation package to be sent to China for medical personnel treating those affected by coronavirus.

Staff Contact: City Manager Feldman, 456-2489, ext. 226
C. Mountain Lion Protection (Mayor Pro Tem Pierson)

Recommended Action: At the request of Mayor Pro Tem Pierson, authorize the Mayor to send a letter requesting that the California Fish and Game Commission list Southern California and Central Coast mountain lions in sensitive areas, including the Santa Monica Mountains, as “threatened” under the California Endangered Species Act, and that the California Department of Fish and Wildlife cease the issuance of depredation permits in these areas.

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

D. Update on School District Separation (Mayor Farrer and Councilmember Mullen)

Recommended Action: At the request of Mayor Farrer and Councilmember Mullen: 1) Receive an update from the School District Separation Ad Hoc Committee; 2) Endorse legislation that provides for the continuation of the Measure R parcel tax after separation of the SMMUSD; and 3) Provide direction to staff.

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

Adjournment

Future Meetings

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<td>Monday, March 23, 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, April 13, 2020</td>
<td>6:30 p.m.</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 27th day of February 2020 at 3:30 p.m.

Heather Glaser, City Clerk