



# 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: March 30, 2020 Meeting date: April 13, 2020

Subject: Approval of Minutes

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**RECOMMENDED ACTION:** Approve the minutes for the March 9, 2020 Malibu City Council Regular meeting and the March 12, 2020 and March 16, 2020 Malibu City Council Special meetings.

**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 March 9, 2020 Malibu City Council Regular meeting and the March 12, 2020 and March 16, 2020 Malibu City Council Special meetings.

**ATTACHMENTS:**

1. March 9, 2020 Malibu City Council Regular meeting minutes
2. March 12, 2020 Malibu City Council Special meeting minutes
3. March 16, 2020 Malibu City Council Special meeting minutes

MINUTES  
MALIBU CITY COUNCIL  
REGULAR MEETING  
MARCH 9, 2020  
COUNCIL CHAMBERS  
6:30 P.M.

**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: Trevor Rusin, Assistant City Attorney; Reva Feldman, City Manager; Lis Soghor, Assistant City Manager; Heather Glaser, City Clerk; Jesse Bobbett, Community Services Director; Yolanda Bundy, Environmental Sustainability Director; Bonnie Blue, Planning Director; Rob DuBoux, Public Works Director; Susan Dueñas, Public Safety Manager; Sarah Kaplan, Public Safety Specialist; Matt Myerhoff, Media Information Officer; Jerry Vandermuelen; Fire Safety Liaison; Christine Shen, Environmental Sustainability Analyst; Justine Kendall, Associate Planner; and Richard Mollica, Assistant Planning Director

**APPROVAL OF AGENDA**

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

**PLEDGE OF ALLEGIANCE**

Melissa Stallings led the Pledge of Allegiance.

**REPORT ON POSTING OF AGENDA**

City Clerk Glaser reported that the agenda for the meeting was properly posted on February 27, 2020.

**ITEM 1 CEREMONIAL/PRESENTATIONS**

A. Presentation by Los Angeles County Department of Public Health on Coronavirus

Dr. Jan King from the Los Angeles County Department of Public Health presented. She discussed the symptoms and transmission of coronavirus (COVID-19). She encouraged people to avoid others who may be sick and wash their hands regularly. She stated there was currently no treatment for COVID-19 and vaccines were being developed. She stated over 100 countries had confirmed

cases of COVID-19. She stated there were 453 cases in the United States, 114 cases in California, and 16 cases in Los Angeles. She stated the Los Angeles County Department of Public Health was screening travelers from countries with ongoing transmissions, diagnosing individuals and identifying people who may have had contact with a diagnosed individual. She discussed travel advisories. She encouraged people to wash or sanitize their hands, stay home while sick, telecommute when possible, practice social distancing by remaining six feet away from other people, and cough or sneeze into a tissue.

In response to Councilmember Mullen, Dr. King stated the personal information of those infected with COVID-19 or in contact with an infected person was confidential. She stated public sites of exposure would be identified to authorities and the public.

In response to Councilmember Wagner, Dr. King stated each private laboratory worked with its network of providers to distribute testing kits. She stated new cases of COVID-19 were required to be reported to the Los Angeles County Department of Public Health.

Mayor Farrer thanked Dr. King and stated the information provided would be available on the City's website.

B. Staff Update on Disaster Response and Recovery

Public Safety Manager Dueñas stated she was participating in regular conference calls with Los Angeles County Department of Public Health staff. She stated Department Heads would be going over the City's Pandemic Response Plan. She stated 40 residents participated in a Preparedness for Seniors (55 and older) and People with Disabilities event. She stated the spring Community Emergency Response Team (CERT) class started on March 5, 2020 with 18 participants. She announced the Community Wildfire Protection Plan survey was available on the City's website. She encouraged the community to sign up for disaster notifications.

Assistant Planning Director Mollica stated the Planning Department had approved 61 like-for-like, 139 like-for-like plus 10%, and 17 major change Woolsey Fire rebuild projects. He discussed the drop off in the number of applications received by the City in 2020. He stated \$2.3 million in fees had been waived or refunded.

Environmental Sustainability Director Bundy stated 75 Woolsey Fire rebuild projects were in plan review, 81 had been approved, and two homes had been completed. She stated four more homes were about to receive their building permits. She stated staff was still reaching out to the 200 property owners with homes damaged or destroyed in the Woolsey Fire that had not yet contacted the City.

Assistant Planning Director Mollica stated Planning Department public notices could be requested by email to the City.

**ITEM 2.A. PUBLIC COMMENTS**

Susan Hahn stated she worked during the March 3, 2020 Presidential Primary election as a poll worker. She stated a reduction of locations and lack of staffing created long lines. She stated people did not take advantage of early voting.

Paul Grisanti reminded the community about upcoming Public Hearings to consider by-district elections.

John Mazza discussed parking problems at Nobu Malibu and Soho Little Beach House Malibu. He discussed the possibility of a shuttle service between the Civic Center area and local businesses and stated the City should set up an assessment district.

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

City Manager Feldman announced Public Hearings on March 12, 2020 and March 13, 2020 to consider by-district election draft maps. She stated the Planning Commission would discuss accessory dwelling units on March 16, 2020 and short-term rentals March 30, 2020. She stated the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) would discuss parking as a standalone use on March 17, 2020. She discussed parking as a standalone use. She discussed coordination between local businesses and the City to shuttle employees to a City lot on holiday weekends during the Summer of 2020. She stated the Civic Center Way Improvements Project had been appealed to the California Coastal Commission (CCC) and the appeal was scheduled to be heard in April 2020. She announced a bid opening for the temporary skate park asphalt. She stated the first public meeting to discuss the permanent skate park design would be on March 31, 2020. She stated City crews would monitor streets for any mudflow during the upcoming week or rain. She stated the California Highway Patrol issued 86 citations when five units provided additional enforcement on a weekend in February. She stated a special Los Angeles County Sheriff's Department suppression team would be in the City for 30 days to assist with complaints involving people experiencing homelessness and transients. She stated the suppression team had made 53 contacts and four arrests in the past week. She stated staff was cleaning public surfaces in City Hall between each visitor and making plans in the event City Hall had to temporarily close in response to the COVID-19 outbreak. She stated she had been in communication with local doctors, pharmacies, and Malibu Urgent Care. She stated official information from the City would mirror what Los Angeles County was putting out.

**ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS**

Councilmember Mullen indicated support for utilizing Pepperdine University students as student poll workers. He requested Ms. Hahn compile her observations into an email to the City Clerk to be shared with the Los Angeles County Clerk. He thanked Mr. Mazza and stated he would like to hear more about the shuttle proposal. He stated Mayor Farrer and he met with Santa Monica-Malibu Unified School District (SMMUSD) representatives regarding the SMMUSD parcel tax. He stated he spoke at an SMMUSD Board of Education meeting regarding legislation to resolve concerns regarding the parcel tax and school district separation. He stated he was planning meetings with Senator Henry Stern, Assemblymember Richard Bloom, and Senator Ben Allen on the parcel tax issue.

Councilmember Peak thanked Dr. King. He stated he attended a Clean Power Alliance meeting and discussed Public Safety Power Shutoff events.

Councilmember Wagner thanked Mr. Mazza. He discussed a shuttle service for local businesses. He discussed the March 9, 2020 Library Subcommittee meeting. He stated he wanted an agenda item to send a letter to Henry Stern supporting a property acquisition in Agoura Hills.

Mayor Pro Tem Pierson stated there were parts of the Vote Center experience that were not as intuitive as he thought they would be. He discussed a shuttle bus for local businesses. He stated some longtime residents would like to rebuild after the Woolsey Fire but were still struggling to begin the permit process before the fee waiver deadline. He stated he attended a legislative priorities scoping meeting with Senator Henry Stern. He stated Mayor Farrer and he met with Los Angeles County Sheriff's Department Malibu/Lost Hills Station Acting Captain Chuck Bacerra. He stated he attended the 4<sup>th</sup> Annual Homeless Initiative Conference. He read from a letter of appreciation received by the City from someone in the community experiencing homelessness. He discussed the steps the City was taking to address homelessness. He discussed the Malibu High School (MHS) MASQUE talent show. He announced the next City Manager Roundtable on March 12, 2020.

Mayor Farrer thanked Dr. King and Ms. Hahn. She stated she attended a Las Virgenes-Malibu Council of Governments (COG) Special meeting memorializing a meeting the COG had with Los Angeles County Sheriff Alex Villanueva. She stated she received a presentation by SMMUSD Superintendent Ben Drati regarding the financial state of SMMUSD. She stated she gave a presentation to the Pepperdine University student ambassadors. She stated she attended a meeting of the Los Angeles County Division of the League of California Cities. She discussed the recent Library Speaker Series event. She stated she attended a Parent Teacher Student Association (PTSA) meeting at MHS. She discussed SMMUSD intra-district permitting and it's budget. She stated she attended a meeting with Councilmember Mullen and representatives from SMMUSD. She

stated she met with Angeles County Sheriff's Department Malibu/Lost Hills Station Acting Captain Chuck Bacerra. She stated Mayor Pro Tem Pierson, Public Safety Manager Dueñas, Alex Gittinger from The People Concern, and she attended the 4<sup>th</sup> Annual Homeless Initiative Conference. She stated she attended the MHS MASQUE talent show and the memorial service for Phil Cott. She discussed the possibility of providing funding for a school resource officer. She discussed the March 9, 2020 Library Subcommittee meeting. She stated she wanted to resume the community input process on how to best utilize the properties acquired by the City in 2018. She stated the City was not selected for the State's 100-Day Challenge.

### **ITEM 3      CONSENT CALENDAR**

Item No. 3.B.4. was pulled by staff. Item No. 3.B.5. was pulled by the public.

**MOTION**      Councilmember Peak moved and Councilmember Mullen seconded a motion to approve the Consent Calendar, except for Item Nos. 3.B.4. and 3.B.5. The motion carried unanimously.

The Consent Calendar consisted of the following items:

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.

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.

3.      Approval of Minutes

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

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.

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.

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

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.

Assistant City Attorney Rusin read into the record changes to Section 2 of the Resolution No. 20-12 as follows:

“The City Council hereby approves and authorizes the acceptance of the Dedication of Roadway Easement from Malibu Development Company, LLC, to the City dedicating the property as described and depicted in Attachment 1, Dedication of Roadway Easement. As found in the adoption of the Development Agreement, the roadway easement dedication is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed roadway easement dedication will serve to enhance the Malibu General Plan Mission Statement and further the City's goal of a safe, environmentally sensitive and efficient transportation system.”

MOTION

Councilmember Wagner moved and Mayor Pro Tem Pierson seconded a motion to adopt Resolution No. 20-12, as amended, 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. The motion carried unanimously.

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.

Ryan Embree questioned which entity would be responsible for insurance for the vehicle. He discussed a radar trailer that was totaled and never replaced.

City Manager Feldman stated Volunteers on Patrol (VOP) were invaluable to the City.

Assistant City Attorney Rusin stated the Los Angeles County was self-insured and pointed to the risk of loss provision that made any damage to the vehicle after the County's acceptance its responsibility.

**MOTION**

Councilmember Peak moved to 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.

Councilmember Wagner thanked Assistant City Attorney Rusin for his clarification.

Councilmember Wagner seconded the motion. The motion carried unanimously.

**ITEM 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.

Environmental Sustainability Director Bundy presented the staff report.

Ryan Embree stated the developer fee did not directly benefit the City.

In response to Councilmember Wagner, Councilmember Mullen stated the fee applied to new development so new fire stations could be funded. He stated there were four fire stations in Malibu. He stated Malibu had more fire stations per capita than most areas in the County.

Councilmember Wagner stated new subdivisions were not developed in Malibu.

In response to Councilmember Peak, Environmental Sustainability Director Bundy stated she did not know how much was paid into the program in the City each year. She stated there were very few new developments in the last year. She stated the La Paz commercial project was scheduled to be approved soon and that would be the largest development in the City in the last two years.

Councilmember Peak stated he wished the funding could be used in the City.

Councilmember Mullen stated it was possible fire stations in the City may be able to use this type of funding if they needed to be rebuilt.

MOTION Mayor Pro Tem Pierson moved and Councilmember Mullen seconded a motion to: 1) 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 and rescinding Resolution No. 19-11; and 2) direct staff to remain in the Consolidated Fire Protection District of Los Angeles County. The motion carried unanimously.

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.

Environmental Sustainability Analyst Shen presented the staff report.

Judy Villablanca stated inspections needed to happen more than twice a year. She suggested quarterly inspections. She indicated support for significant fines.

Joel Schulman indicated support for significant fines. He stated the City Council had previously discussed the importance of fines and enforcement.

Patt Healy, Malibu Coalition for Slow Growth, stated there was no definition for hardship in the ordinance and there was no fine schedule in the ordinance.

Georgia Goldfarb discussed how rodent poisons impacted wildlife and indicated support for significant fines.

In response to Councilmember Peak, Assistant City Attorney Rusin stated violations of the ordinance would be subject to the administrative fine schedule. He stated the Council could adjust the administrative fine schedule at any time.

In response to Councilmember Peak, Environmental Sustainability Director Bundy stated the Council could set specific fees in the ordinance, but it would require approving another ordinance if the Council ever wished to adjust the fees. She stated the administrative fine schedule could be adjusted as part of the annual Fiscal Year Fee Schedule.

Councilmember Peak indicated support for the ordinance being subject to administrative fines. He indicated support for issuing a warning before fining and requiring four inspections per year. He discussed the importance of public education.

Councilmember Wagner stated fines had been discussed at previous meetings but staff was not given specific direction.

In response to Mayor Pro Tem Pierson, Assistant City Attorney Rusin discussed franchise agreement negotiations with waste haulers in the City.

Mayor Pro Tem Pierson indicated support for the ordinance being subject to administrative fines and providing one warning. He expressed concern increased costs associated with locking dumpster lids may be a burden on small businesses.

Councilmember Wagner stated the process would only be expensive for businesses violating the law. He discussed the importance of fines.

In response to Councilmember Peak, Mike Smith, Waste Management, stated it was the goal of the waste haulers to be able to modify all dumpsters to have lock bars by the ordinance's implementation date. He stated they had been preparing for the change and had added lock bars proactively when possible. He stated they would start working with customers on compliance once an ordinance was approved.

In response to Councilmember Mullen, Assistant City Attorney Rusin stated violations of the ordinance would be subject to administrative fines.

In response to Councilmember Peak, Assistant City Attorney Rusin stated administrative citations were the standard practice for all violations of the Malibu Municipal Code (MMC).

MOTION

Councilmember Peak moved to: 1) 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; 2) direct staff to conduct quarterly inspections for the first year of implementation; and 3) direct staff to schedule second reading and adoption of Ordinance No. 462 for the March 23, 2020 City Council meeting.

Councilmember Wagner indicated support for quarterly inspections.

In response to Councilmember Peak, City Manager Feldman stated staff could budget and prepare for quarterly inspections.

In response to Mayor Pro Tem Pierson, Assistant City Attorney Rusin stated the Fiscal Year Fee Schedule would be brought to Council and administrative fines could be amended.

Mayor Farrer discussed the direction previously given to staff. She suggested making the administrative fines more readily available on the City's website.

Councilmember Mullen seconded the motion. The motion carried unanimously.

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.

Planning Director Blue presented the staff report. She stated further clarification could be added to the mulch regulations by adding “See also Section 17.53.090(C)(2) pertaining to mulch” to the end of Section 17.53.090(A)(11) and adding the word flammable to fourth sentence of Section 17.53.090(A)(11) so it read “Non-contiguous use of flammable mulch (excluding wood chips and shredded rubber) is allowed between five feet and 30 feet from a structure.”

Chris Frost deferred his time to Robert Kerbeck.

Robert Kerbeck thanked the staff. He questioned whether wood piles next to homes were going to be addressed. He suggested a change to Section 17.53.090(C)(1)(d) to state “except those in (a) and (c) above.”

Planning Director Blue stated that was a typographical error and Section 17.53.090(C)(1)(d) should state “except those in (a) and (c) above.”

Mr. Kerbeck stated he wanted to see more flammable plant species banned and that the changes should be applicable to all homes.

Patt Healy deferred her time to Georgia Goldfarb.

Georgia Goldfarb stated introducing the concept of roadway clearance was misleading. She stated native pollinators should not be removed from roadways. She stated native plants in the wild would be replaced by non-native flammable grasses. She suggested the landscape area should include the first 100-feet from the structure. She stated the mulch requirement was financially burdensome. She stated the tree height requirement was counterproductive because it limited the use of native trees. She stated it was important to underground utilities. She indicated opposition to prescribed burns.

In response to Councilmember Mullen, Planning Director Blue stated mulch was a requirement in the existing ordinance. She discussed the landscape water conservation ordinance the new ordinance was based on. She stated the landscape water conservation ordinance required mulch in many circumstances and the fire protection standards just modified and clarified non-contiguous use of flammable mulch.

Councilmember Wagner thanked staff for incorporating some of the comments from Kraig Hill.

Planning Director Blue stated the Fire Department had a standard for roadway clearance and staff had included the same requirements in the ordinance to be consistent.

Mayor Pro Tem Pierson stated the condition of plants was just as important for fire prevention as the type of plants. He stated the ordinance would likely be updated as time went on.

Planning Director Blue stated the ordinance was a starting point. She stated staff could address wood piles at a later time.

City Manager Feldman stated staff was eager to get something incorporated in the MMC. She discussed the history of the item.

Councilmember Mullen stated wood piles were not part of landscaping. He thanked the speakers for their comments. He stated the ordinance was a step in the direction of cultural change.

Assistant City Attorney Rusin stated the typographical correction to 17.53.090(C)(1)(d) should be included in a motion.

Planning Director Blue stated the second mulch reference clarification was not in the draft ordinance and could be incorporated at the direction of the Council.

**MOTION**

Councilmember Mullen moved and Councilmember Peak seconded a motion to introduce on first reading Ordinance No. 461, as amended to reflect corrections to Section 17.53.090(C)(d) to state “except those in (a) and (c) above” and Section 17.53.090(A)(11) to add a reference to additional mulch standards in 17.53.090(C)(3), 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.

In response to Planning Director Blue, Councilmember Peak stated he wanted to include Section 17.53.090(C)(3) as presented and written in the draft ordinance.

The motion carried unanimously.

Mayor Pro Tem Pierson stated pollinator gardens were important.

Councilmember Wagner discussed the importance of having setbacks for accessory dwelling units. He stated regulations regarding wood stacked near a structure could be considered in the future.

**ITEM 5 OLD BUSINESS**

None.

**ITEM 6 NEW BUSINESS**

None.

**ITEM 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.

Mayor Pro Tem Pierson appointed David Weil as his permanent replacement on the Planning Commission.

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.

Councilmember Mullen presented the report. He indicated support for seeing whether the donation was still needed before sending the case of masks.

Ariana Anderson stated exhausted mask resources were putting first responders at risk. She stated the masks should be donated locally. She questioned what resources the Council could donate to local first responders.

Councilmember Peak indicated support for Councilmember Mullen's recommendation.

Councilmember Mullen stated the situation was changing rapidly. He indicated support for seeing whether the donation was still needed before sending the case of masks.

In response to Mayor Farrer, City Manager Feldman stated no other requests for masks had been received by the City. She stated the City had a supply of masks that may be needed in the upcoming fire season.

In response to Mayor Farrer, Councilmember Mullen stated he would contact the person who asked for the donation to see if it was still needed.

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to 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, if needed. The motion carried unanimously.

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.

Mayor Pro Tem Pierson presented the report.

Judy Villablanca stated the letter had been supported by 46 organizations. She stated Malibu needed a community education program on how to live with wildlife. She stated potential prey animals needed to be protected. She indicated support for an Environmental Sustainability Commission.

Joel Schulman indicated support for the letter. He discussed the Center for Biological Diversity and the Mountain Lion Foundation’s efforts to have mountain lions declared endangered. He stated Ventura County had sent a letter, and the cities of Agoura Hills and Thousand Oaks were considering sending a letter. He stated Los Angeles County Supervisor Sheila Kuehl had sent a letter. He stated it was important cities in and around the Santa Monica Mountains send letters.

Councilmember Mullen stated the staff report’s recommended action was clearer than the letter Mayor Pro Tem Pierson wanted to support. He indicated support for ceasing the issuance of depredation permits.

In response to Mayor Pro Tem Pierson, Mr. Schulman stated depredation permits were complicated and it would be better to support the Center for Biological Diversity in a letter before the April 16, 2020 Fish and Game Commission meeting to consider listing mountain lions as endangered.

Judy Villablanca submitted the Center for Biological Diversity's letter for reference.

Councilmember Wagner indicated support for wildlife overpasses and an Environmental Sustainability Committee.

Assistant City Attorney Rusin stated the Council could direct the City Manager to work with Mayor Pro Tem Pierson to draft a letter.

Mayor Pro Tem Pierson indicated support for sending a letter similar to Senator Stern's letter and bringing an item back for the second letter.

Councilmember Mullen suggested authorizing the Mayor to draft a letter to send before the April 16, 2020 Fish and Game Commission meeting instead of bringing an item back.

Assistant City Attorney Rusin stated the second letter could be sent before the April 16, 2020 meeting if it was brought back on the next agenda.

MOTION

Councilmember Mullen moved and Councilmember Wagner seconded a motion to: 1) 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 similar to the Stern letter; and 2) direct staff to bring back an item for consideration of a letter similar to the Judy Villablanca letter. The motion carried unanimously.

Mayor Pro Tem Pierson stated he attended a talk on living with wildlife. He stated he learned an owl box could facilitate removing 4,000 rodents annually.

- 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.

Councilmember Mullen presented the report. He discussed the parcel tax for SMMUSD. He stated the School District Separation Ad Hoc Committee was planning meetings with State officials to facilitate legislative efforts to ensure the parcel tax would remain in place if SMMUSD separated.

Mayor Farrer stated the existing parcel tax had no sunset clause. She stated special legislation was necessary to ensure the parcel tax would continue if SMMUSD separated. She stated the SMMUSD Board of Education discussed the parcel tax legislation at a recent meeting but took no action. She expressed hope

the SMMUSD Board of Education would consider the item again soon.

Craig Foster indicated support for the parcel tax legislation. He stated he would do his best to get SMMUSD on board. He thanked the City for its work on school district separation. He suggested continuing to narrow the negotiations down to specific items to promote progress.

Ryan Embree discussed the history of school district separation. He stated delays in negotiations benefitted the Santa Monica. He recommended the City pursue separation through the Los Angeles County office of Education (LACOE). He indicated support for the parcel tax legislation.

Mayor Farrer stated the City could go to LACOE without an agreement from Santa Monica. She read a letter from SMMUSD School Board President John Keene.

Councilmember Mullen stated school district separation was a difficult process, but he had hope for a positive outcome. He thanked City Manager Feldman and City Attorney Hogin for working on the negotiations.

**MOTION** Councilmember Mullen moved and Mayor Farrer seconded a motion to endorse legislation that provides for the continuation of the Measure R parcel tax after separation of the Santa Monica-Malibu Unified School District. The motion carried unanimously.

Councilmember Wagner thanked Mr. Foster for his service.

Mayor Farrer thanked Mr. Foster for his service.

## **ADJOURNMENT**

**MOTION** At 9:27 p.m., Councilmember Mullen moved and Mayor Pro Tem Pierson second a motion to adjourn the meeting in memory of Charles de Garmo. The motion carried unanimously.

Approved and adopted by the City Council of the  
City of Malibu on \_\_\_\_\_.

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KAREN FARRER, Mayor

**ATTEST:**

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HEATHER GLASER, City Clerk  
(seal)

MINUTES  
MALIBU CITY COUNCIL  
SPECIAL MEETING  
MARCH 12, 2020  
COUNCIL CHAMBERS  
6:00 P.M.

**MEETING CALL TO ORDER**

Mayor Farrer called the meeting to order at 6:00 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; John Natalizio, Deputy City Attorney; Alicia Tang, Graphic Artist; Kelsey Pettijohn, Deputy City Clerk; and Kathleen Stecko, Administrative Assistant

**PLEDGE OF ALLEGIANCE**

Doug Stewart led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

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

**REPORT ON POSTING OF AGENDA**

Deputy City Clerk Pettijohn reported that the agenda for the meeting was properly posted on March 10, 2020.

**ITEM 1 ORDINANCES AND PUBLIC HEARINGS**

A. Third Public Hearing to Consider Composition of Districts and Proposed Draft Maps for Potential By-District Elections

Recommended Action: 1) Conduct the third public hearing to receive and consider input from the public regarding the composition of potential City Council districts and sequencing of elections; and 2) Provide direction and guidance to staff and demographer regarding further drafting and composition of draft maps.

City Attorney Hogin discussed the coronavirus (COVID-19) outbreak. She announced the Special meeting scheduled for March 13, 2020 had been cancelled. She encouraged the public to practice social distancing and wash their hands regularly. She stated the video of the demographer's presentation would be

available online and public comment could be submitted by email.

City Attorney Hogin and Contract Demographer David Ely presented the staff report. Contract Demographer Ely stated revised draft maps for the April 2, 2020 public hearing would be published on March 26, 2020. He stated public comments need to be received by March 19, 2020 to be considered for the revised draft maps scheduled to be published March 26, 2020. He discussed how the draft maps were developed and the population distribution of the districts. He requested the public try to be specific in their suggestions on changes to the draft maps.

Lance Simmens expressed frustration that the City was considering switching to district elections while still recovering from the Woolsey Fire and in the middle of the COVID-19 outbreak. He stated there was not a history of racially polarized voting in the City. He stated the California Voting Rights Act (CVRA) was poorly written. He expressed concern the City would be sued for gerrymandering if it switched to district elections.

Hashi Clark deferred her time to Kraig Hill.

Kraig Hill stated the City of Malibu was not in violation of the CVRA. He recommended drafting maps for four or six districts with an elected Mayor. He stated all of the draft maps divided neighborhoods. He expressed concern draft maps three and four reflected gerrymandering. He stated all beach front properties had common interests. He recommended having one or two beach front districts.

Doug Stewart indicated support for at-large elections. He stated the CVRA was poorly drafted and the City may have to switch to district elections. He recommended the ballot measure to consider switching to district elections be non-binding so the next City Council could make the final decision.

Scott Dittrich stated there was no support in the community for district elections. He expressed concern the draft maps appeared to reflect gerrymandering. He stated it was impossible for the City to create a minority-majority district. He stated there was not discrimination based on race in the City. He stated beach front properties had common interests. He indicated opposition to switching to district elections.

City Manager Feldman stated all of City Hall was being disinfected multiple times a day.

John Mazza indicated opposition to draft maps two, three and four because they divided the Point Dume neighborhood. He discussed draft map one and suggested including the Paradise Cove Mobile Home Park in district four and including all of Ramirez Canyon in district two.

Norm Haynie stated Councilmembers represented all the residents and neighborhoods in the City. He indicated support for draft map one and Mr. Mazza's comments.

Paul Grisanti questioned if vacation homes were considered populated in the census. He questioned why no City had won a CVRA lawsuit yet. He indicated support for draft map one.

Graeme Clifford indicated support for draft map one. He stated many people in the public felt the City should not have to switch to district elections. He indicated support for Mr. Haynie's comments. He stated he felt he could talk to all of the Councilmembers about problems in the eastern end of the City. He indicated support for Mr. Mazza's recommended changes to draft map one.

Kevin Shenkman recommended relying on the City Attorney for legal advice regarding the CVRA. He stated the City was not being accused of racial discrimination. He stated he agreed with Mr. Mazza's comments regarding modifying draft map one.

City Attorney Hogin stated the Council could make comments on the draft maps at this meeting. She stated the decision to have a binding or advisory ballot measure would be discussed at a future meeting.

Councilmember Mullen thanked Contract Demographer Ely for his work. He thanked the public speakers for their comments.

Councilmember Wagner thanked the public speakers for their comments. He thanked Mr. Hill for his comments and correspondence. He expressed interest in focusing on draft map one.

Councilmember Peak indicated support for draft map two. He stated it was important each district include beachfront and mountain properties.

Mayor Pro Tem Pierson thanked the public speakers for their comments. He encouraged people to submit written comments. He indicated opposition to dividing the Point Dume neighborhood. He indicated support for draft map one and Mr. Mazza's comments. He indicated opposition to including both mobile home parks in one district. He suggested moving the western boundary of dDistrict four slightly east so it would have more central Malibu neighborhoods.

In response to Mayor Farrer, City Attorney Hogin stated the law required district maps be reevaluated after each census.

Mayor Farrer indicated support for draft map one. She stated public comments need to be received by March 19, 2020 to be considered for the revised draft maps scheduled to be published on March 26, 2020. She requested the public submit specific comments.

City Attorney Hogin stated the March 13, 2020 City Council meeting had been cancelled in response to the COVID-19 outbreak.

Councilmember Mullen stated it was important to include beachfront and mountain properties in each district. He stated there were many issues that could bring neighborhoods together. He indicated support for considering draft map two. He encouraged the public to submit correspondence by March 19, 2020.

Mayor Pro Tem Pierson expressed concern maps created based on census data after the Woolsey Fire would not reflect the City's actual population once rebuilding was complete.

In response to Mayor Pro Tem Pierson, City Attorney Hogin stated where you are registered to vote is where you intend to vote and that was not changed by a temporary displacement under the California Elections Code. She stated the demographics of the City had changed over the years and it was important to revisit districts regularly to keep up with changing demographics.

Mayor Pro Tem Pierson expressed concern many people may not be rebuilding after the Woolsey Fire.

Mayor Farrer stated she was not sure draft map two was the best option. She stated properties with homes destroyed by the Woolsey Fire were still zoned residential and would have homes again someday.

Councilmember Wagner discussed the importance of transparency. He stated the Council decided it was important for the voters to have input on the form of governance. He encouraged the public to submit written correspondence.

## **ADJOURNMENT**

**MOTION** At 7:14 p.m., Mayor Pro Tem Pierson moved and Councilmember Mullen seconded a motion to adjourn the meeting in memory of William Poole. The motion carried unanimously.

Approved and adopted by the City Council of the  
City of Malibu on \_\_\_\_\_.

\_\_\_\_\_  
KAREN FARRER, Mayor

ATTEST:

\_\_\_\_\_  
HEATHER GLASER, City Clerk  
(seal)

MINUTES  
MALIBU CITY COUNCIL  
SPECIAL MEETING  
MARCH 16, 2020  
COUNCIL CHAMBERS  
1:00 P.M.

**MEETING CALL TO ORDER**

Mayor Farrer called the meeting to order at 1:00 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; Heather Glaser, City Clerk; and Yolanda Bundy, Environmental Sustainability Manager

**PLEDGE OF ALLEGIANCE**

Norm Haynie led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

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

**REPORT ON POSTING OF AGENDA**

City Clerk Glaser reported that the agenda for the meeting was properly posted on March 15, 2020.

**ITEM 1 CEREMONIAL/PRESENTATIONS**

None.

**ITEM 2.A. PUBLIC COMMENTS**

Jeff Peterson stated it was important to get clear direction for the businesses in the City. He expressed concern about visitors in the City.

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

None.

**ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS**

None.

**ITEM 3 CONSENT CALENDAR**

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

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.

2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 59718-59859 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. 656 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$890,664.76. City of Malibu payroll check numbers 5085-5088 and ACH deposits were issued in the amount of \$234,911.13.

3. Approval of Minutes

Recommended Action: Approve the minutes for the February 10, 2020 and February 24, 2020 Malibu City Council Regular meetings.

4. Professional Services Agreement with Ultimate Maintenance Services, Inc.

Recommended Action: Authorize the City Manager to execute a Professional Services Agreement with Ultimate Maintenance Service, Inc. for custodial services at City parks.

5. Amendment to Professional Services Agreement with Raftelis Financial Consultants, Inc.

Recommended Action: Authorize the City Manager to execute Amendment No. 3 to the Professional Services Agreement with Raftelis Financial Consultants, Inc. to review and update the wastewater and recycled water service rates and to extend the term of the agreement.

6. Professional Services Agreement with Lance, Soll & Lunghard, LLP

Recommended Action: Authorize the City Manager to execute a Professional Services Agreement with Lance, Soll & Lunghard LLP (LSL) for financial auditing services.

7. Award Temporary Skate Park Surfacing Project

Recommended Action: 1) Approve the award and authorize the City Manager to execute a construction contract with Superior Paving Company dba United Paving Co., in the amount of \$244,412.51 for the Temporary Skate Park Surfacing Project, Specification No. 2079, and 2) Authorize the

Public Works Director to approve potential change orders up to 25% of the Agreement amount.

**ITEM 4      ORDINANCES AND PUBLIC HEARINGS**

None.

**ITEM 5      OLD BUSINESS**

None.

**ITEM 6      NEW BUSINESS**

- A.      Adoption of Resolution No. 20-14, Ratifying the Director of Emergency Services' Proclamation of Existence of a Local Emergency  
Recommended Action: Adopt Resolution No. 20-14 ratifying the proclamation of existence of a local emergency by the Director of Emergency Services.

City Manager presented the staff report. She stated since the posting of the agenda, Governor Newsom had closed certain businesses and limited gatherings. She stated the City of Los Angeles had issued an order closing all restaurants except for takeout and delivery and closing gyms. She stated she was in contact with the City Managers of Santa Monica, Beverly Hill, Culver City, and West Hollywood and they were all recommending their City Councils also order closures in line with the City of Los Angeles. She suggested limiting coffee houses to pickup or delivery only. She announced all City facilities and parks had been closed, including restrooms. She recommended requesting Los Angeles County close beaches in its jurisdiction. She announced State Parks facilities were closed. She stated Emergency Operations Center (EOC) operations were active and City Hall phones were being answered 24 hours a day. She stated she had requested the State Insurance Commissioner and the City's lobbyist work on extensions for those rebuilding after the Woolsey Fire. She stated staff was working on tolling agreements and extensions for all projects in the development queue. She suggested considering extending the Woolsey Fire fee waiver program. She stated the City of Los Angeles had placed a moratorium on evictions for people who could demonstrate they lost their income due to the coronavirus (COVID-19) emergency. She suggested the Council discuss a possible moratorium on evictions for commercial and residential rentals.

Dr. Dan Katz, Malibu Urgent Care, stated those well with COVID-19 should stay home if not short of breath or vomiting. He stated there was not capacity for adequate care for COVID-19 patients in Malibu. He stated only testing would accurately tell if someone was infected and needed to quarantine. He stated testing availability was very limited. He recommended setting up a testing tent with necessary equipment when testing became more readily available. He stated medical professionals in Malibu needed to stay healthy and active to treat those that had other common ailments.

Tim Morris, Paradise Cove Beach Café, stated the Café was happy to distribute food to anyone in need.

Mike Anderson, CrossFit Malibu, recommended not closing beaches and trails so people could safely be outside and maintain social distancing of at least six feet.

Dr. Lisa Benya indicated support for Dr. Katz comments. She stated community fear needed to be managed. She suggested setting up a phone bank to screen potential COVID-19 cases. She stated her office could offer home visits to those in need.

Reni Williams stated local businesses were concerned they would need to close. She stated insurance brokers needed additional information to provide their clients.

Mayor Pro Tem Pierson stated Malibu was a popular destination and it was very likely there was already community spread in Malibu. He stated Malibu needed to follow in the footsteps of the City of Los Angeles. He recommended local businesses close. He stated employees and business owners needed resources to get through this difficult time. He stated all basic City services needed to be halted to keep City staff healthy. He indicated support for a moratorium on evictions for commercial and residential properties. He stated residents still needed to enjoy the outdoors but indicated support for limiting all large gatherings outside. He recommended all household help be asked to stay home with pay. He stated extreme measures were necessary to slow down the spread of COVID-19. He stated it was important to stay active while social distancing. He stated restaurants needed to arrange for delivery and safe pickup. He stated markets, gas stations, and pharmacies needed to stay open. He stated local medical professionals needed to plan for things to get worse. He discussed the importance of continuing to keep tabs on vulnerable populations. He stated it was important to plan ahead. He indicated support for asking all non-essential local business to close.

City Attorney Hogin stated the City Manager was looking for direction to impose the same restrictions as the City of Los Angeles and the other westside cities.

Mayor Pro Tem Pierson stated local businesses needed to close.

City Attorney Hogin stated the City could encourage business to maintain social distancing and there were legal implications in shutting down a business.

Councilmember Mullen stated City Manager Feldman had been calm during this crisis and communicated well with the public. He stated the declaration of an emergency gave the City Manager the flexibility to respond to an emergency. He stated specifics did not need to be tackled at the moment as she would act in consultation with the Council. He stated caution was warranted and it was better to take strong actions that could be seen as an overreaction in the hindsight, but specifics did not need to be outlined at the moment. He thanked staff for providing clear information to the public.

MOTION Councilmember Peak and Mayor Pro Tem Pierson seconded a motion to adopt Resolution No. 20-14 ratifying the proclamation of existence of a local emergency by the Director of Emergency Services.

Councilmember Peak indicated support for the comments of the Council and taking actions consistent with the westside and neighboring cities.

Councilmember Wagner stated he was alarmed by the behavior he saw at Ralphs market. He stated guidelines needed to be set for the City. He encouraged people to take care of their neighbors. He discussed fiat money and seigniorage. He discussed financial and health ramifications of this emergency.

In response to Councilmember Peak, City Manager Feldman stated she had no insurance information to provide.

The motion carried unanimously.

In response to City Attorney Hogin, Councilmember Mullen stated the City Manager should be able to take actions as necessary to protect public health during this emergency.

City Attorney Hogin stated this emergency required extreme measures and the City Manager was requesting the Council authorize her to order closures consistent with the City of Los Angeles.

#### CONSENSUS

By consensus, the Council: 1) expressed support for the City Manager imposing restrictions that mirror the restrictions imposed by the City of Los Angeles; and 2) directed staff to continue coordination with other agencies.

Councilmember Wagner stated Los Angeles County may not want to close beaches.

Councilmember Peak stated beaches and parks should not be closed.

City Attorney stated the City of Hermosa Beach was considering prohibiting pick-up games during this emergency.

City Manager Feldman stated she was concerned about the cleanliness of park restrooms and playgrounds. She expressed concern for the ease of maintaining social distancing while at a park. She stated some other cities were taking similar actions.

Mayor Farrer stated nonessential meetings had been cancelled and City Hall was closed to the public. She stated the beaches were not run by the City.

Mayor Pro Tem Pierson stated San Francisco was sheltering in place for three weeks. He indicated support for strong measures to prevent the spread of COVID-19.

Councilmember Wagner stated all agencies were responsible for making the wisest decisions possible within their purview.

In response to Councilmember Wagner, Dr. Katz stated there were bacteria that thrived in saltwater. He stated he was unsure whether COVID-19 would survive in saltwater.

Councilmember Mullen stated the Council was behind the City Manager.

In response to Mayor Farrer, City Attorney Hogin stated staff would come to the Council again when there were new questions regarding fee waivers and development projects.

B. Emergency Staffing Procedures and Employee Classifications

Recommended Action: 1) Discuss continuity of essential and non-essential City services during the Coronavirus emergency; 2) Identify essential and non-essential personnel needed for Emergency Operations Center operations, storm response and rebuilding efforts; 3) Authorize paid administrative leave for non-essential personnel; and 4) Authorize a temporary 5% pay increase to essential personnel during the local emergency.

City Manager Feldman presented the staff report. She stated 30-40 staff members were set up to work remotely. She stated she was requesting paid administrative leave for staff members that had a job that could not be done remotely. She stated she was requesting a temporary 5% salary increase for staff working through the pandemic. She stated this temporary salary increase would cost approximately \$15,000 per month. She stated the temporary increase would be reimbursed by the Federal Emergency Management Agency (FEMA). She stated the City was posting a 10:00 a.m. and 4:00 p.m. update for the community each day. She encouraged the public to sign up for alerts. She stated the Community Emergency Response Team (CERT) was active identifying those elderly or ill in the community and those who may need assistance during this emergency. She stated she was coordinating with grocery stores and had Los Angeles County Sheriff Department Deputies performing foot patrols at grocery stores. She stated staff was working on finding a location for a disaster assistance center.

MOTION Councilmember Peak moved to: 1) authorize the City Manager to identify essential and non-essential personnel needed for Emergency Operations Center operations, storm response and rebuilding efforts; 2) authorize paid administrative leave for non-essential personnel; and 3) authorize a temporary 5% pay increase to essential personnel during the local emergency.

City Manager Feldman requested direction from the Council on how to prioritize Woolsey Fire rebuilding activities. She stated Building Inspectors were necessary for continued building efforts in the City.

Councilmember Peak stated it would be appropriate to pause building during this emergency.

In response to Councilmember Mullen, City Manager Feldman stated construction required Building Inspectors and Building Safety support staff. She stated devoting staff to rebuilding would limit the resources available to respond to the emergency. She stated mutual aid was not available during this emergency.

Mayor Pro Tem Pierson indicated support for Councilmember Peak's comments.

City Manager Feldman stated staff will continue working on rebuild projects as feasible.

Councilmember Mullen suggested suspending building activities for a specific time period.

Councilmember Wagner indicated support for Councilmember Mullen's comments.

Councilmember Peak suggested giving people a few days of notice before suspending building activities.

Environmental Sustainability Director Bundy stated caution was required and revisiting the decision often was advisable. She stated she was asking staff to practice social distancing. She stated Building Safety received around 12 requests for inspections per day. She requested the Council allow staff to use good judgement.

Councilmember Peak stated public health needed to be the priority.

City Manager Feldman stated staff would work on doing as much rebuilding work as possible while maintaining a safe environment for staff.

Environmental Sustainability Director Bundy stated staff needed the support of the Council to suspend building activities as necessary. She stated she was trying to avoid unnecessary public contact.

Councilmember Mullen stated it was important to triage which rebuilding activities were most important.

Environmental Sustainability Director Yolanda stated she was encouraging applicants to stay home and she was committed to working with applicants and property owners remotely.

Mayor Pro Tem Pierson stated commended Environmental Sustainability Director Yolanda for her work. He stated the situation was fluid and it was important to be flexible.

Councilmember Peak indicated support for considering extending fee waiver program for Woolsey Fire rebuild projects.

City Manager Feldman stated staff would continue working on rebuild projects as feasible but all other regular City business would be paused.

Councilmember Mullen seconded the motion. The motion carried unanimously.

Councilmember Mullen thanked everyone for attending the meeting and providing input.

In response to Councilmember Wagner, Mayor Farrer stated it was important to stay nimble.

City Attorney Hogin stated the Council would need to make other decisions during this emergency.

**ITEM 7 COUNCIL ITEMS**

None.

**ADJOURNMENT**

**MOTION** At 1:59 p.m., Councilmember Mullen moved and Councilmember Wagner seconded a motion to adjourn the meeting. The motion carried unanimously.

Approved and adopted by the City Council of the  
City of Malibu on \_\_\_\_\_.

\_\_\_\_\_  
KAREN FARRER, Mayor

ATTEST:

\_\_\_\_\_  
HEATHER GLASER, City Clerk  
(seal)