

This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to the Governor’s Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer’s Safer at Home Order (revised March 21, 2020). All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

HOW TO VIEW THE MEETING: No physical location from which members of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at <https://malibucity.org/video> and <https://malibucity.org/VirtualMeeting>.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence to citycouncil@malibucity.org before the meeting begins.

HOW TO PARTICIPATE DURING THE MEETING: Members of the public may also speak during the meeting through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Mayor and then you must be present in the Zoom conference to be recognized.

Please visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

Malibu City Council
Regular Meeting Agenda
(to be held during COVID-19 emergency)

Monday, April 27, 2020

6:30 P.M. – REGULAR CITY COUNCIL MEETING

Various Teleconference Locations

YOU MAY VIEW THIS MEETING LIVE OVER THE INTERNET AT
[MALIBUCITY.ORG/VIDEO](https://malibucity.org/video)

Six-thirty p.m. **Regular Session**

Call to Order - Mayor

Roll Call - Recording Secretary

Approval of Agenda

Report on Posting of Agenda – April 24, 2020

1. Ceremonial/Presentations

A. Staff Update on COVID-19

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 60043-60162 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. 658 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$1,561,994.07. City of Malibu payroll check numbers 5096-5099 and ACH deposits were issued in the amount of \$241,407.85.

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

3. Senate Bill 1 Road Maintenance and Rehabilitation Account Funding and Project List

Recommended Action: Adopt Resolution No. 20-17 approving the Fiscal Year 2020-2021 project list for Senate Bill 1 (Road Repair and Accountability Act of 2017) Road Maintenance and Rehabilitation Account funding.

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

4. Ordinances and Public Hearings

A. Fiscal Year 2020-2021 Schedule of Fees

Recommended Action: 1) Adopt Resolution No. 20-18 establishing the Fiscal Year 2020-2021 schedule of fees; and 2) Provide recommendation on setting the fee for Planning Department appeals.

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

5. Old Business

None.

6. New Business

A. Direction on whether to Negotiate with Applicant on a Development Agreement Associated with a Proposed Hotel Development

Recommended Action: 1) Receive presentation by the property owner of 22729 and 22941 Pacific Coast Highway; and 2) Determine whether to direct staff and the City Attorney to negotiate a development agreement that would allow a new overlay zone with a 0.52 floor area ratio for the development of a hotel in exchange for public benefits.

Staff Contact: Planning Director Blue, 456-2489, ext.252

7. Council Items

A. Assembly Bills 2436, 3074 and 2367 – Support (Mayor Farrer)

Recommended Action: At the request of Mayor Farrer, authorize letters of support for: 1) Assembly Bill (AB) 2436, which will help consumers comply with applicable building codes in place after a major property loss; 2) AB 3074, which would require the California Department of Forestry and Fire Protection to update its guidance on or before January 1, 2023 to include creation of an ember-resistant zone within five feet of a structure; and 3) AB 2367, which would create the Wildfire Resilience Task Force, to establish minimum standards for fire-hardened homes and communities.

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

Adjournment

Future Meetings

Wednesday, April 29, 2020	6:00 p.m.	Special City Council Meeting	To Be Determined
Monday, May 11, 2020	6:30 p.m.	Regular City Council Meeting	To Be Determined
Tuesday, May 26, 2020	6:30 p.m.	Regular City Council Meeting	To Be Determined

Guide to the City Council Proceedings

As a result of the Coronavirus (COVID-19) pandemic, the City is under a state of local emergency, as well as states of emergency that have been declared in the County of Los Angeles, state of California, and a federal emergency declared by the President of the United States. At the direction of the Governor, starting March 19, 2020, the entire state is subject to stay-at-home orders. These measures are imposed to reduce the risk of spreading COVID-19. To comply with these emergency measures, the City Council meeting will be open and public but conducted via teleconference only. This way the public, the staff, and the Council will not be physically in the same place.

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. Members of the public wishing to speak during the meeting must participate through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Mayor and then you must be present in the Zoom conference to be recognized. Please visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

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.

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. In order to speak, individuals must visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

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.

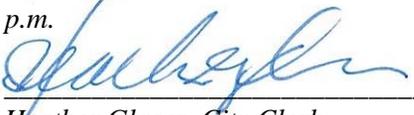
Items in New Business are items, which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

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 are available on demand 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 and available upon request by emailing cityclerk@malibucity.org.

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 Environmental Sustainability Director Yolanda Bundy, (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].

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 24th day of April 2020 at 3:30 p.m.



Heather Glaser, City Clerk