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 Order (revised August 12, 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, August 24, 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

Six-thirty p.m.       Regular Session

Call to Order - Mayor

Roll Call - Recording Secretary

Approval of Agenda

Report on Posting of Agenda – August 13, 2020

1. Ceremonial/Presentations

None.
2. **Written and Oral Communications from the Public**

   A. Communications from the Public concerning matters which are not on the agenda but for which the City Council has subject matter jurisdiction. City Council may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.

   B. Commission / Committee / City Manager Updates

   C. City Council Subcommittee reports / Mayor and Councilmember meeting attendance, reports and inquiries

3. **Consent Calendar**

   A. Previously Discussed Items

      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 61135-61217 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. 665 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $354,728.61. City of Malibu payroll check number 5115-5118 and ACH deposits were issued in the amount of $219,134.16.

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

      3. **Approval of Minutes**

         Recommended Action: Approve the minutes for the July 13, 2020 Malibu City Council Regular meeting.

         Staff Contact: City Clerk Glaser, 456-2489, ext. 228
4. Professional Services Agreement for On-Call Traffic Engineering Services

Recommended Action: Authorize the City Manager to execute a Professional Services Agreement with Kimley-Horn and Associates, Inc. to provide On-Call Traffic Engineering Services.

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

5. Vacation and Sick Leave Cash-Out Provision

Recommended Action: Adopt Resolution No. 20-45 amending the Personnel System Rules and adopting a revised Vacation and Sick Leave Cash-Out Provision.

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

6. Community Development Block Grant Subrecipient Agreement Between the City of Malibu and the Boys and Girls Club Malibu

Recommended Action: Authorize the City Manager to execute Community Development Block Grant Subrecipient Agreement with Boys and Girls Club Malibu.

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

7. Las Virgenes-Malibu Council of Governments Amended Joint Exercise of Powers Agreement

Recommended Action: Adopt Resolution No. 20-44, approving the Las Virgenes-Malibu Council of Governments (COG) Amended and Restated Joint Exercise of Powers Agreement as recommended by the COG’s Governing Board.

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

4. Ordinances and Public Hearings

A. Appeal No. 20-009 - Appeal of Planning Commission Resolution No. 20-46 (29623 Cuthbert Road; Owner/Appellant, Colby Family Trust)

Recommended Action: Adopt Resolution No. 20-48, determining the project is categorically exempt from the California Environmental Quality Act; granting Appeal No. 20-009 and approving Coastal Development Permit No. 19-005 to allow for a new single-family residence, second unit, swimming pool/spa, and onsite wastewater treatment system, including Site Plan Review Nos. 19-072 and 20-013 for construction of the residence and second unit above 18 feet in height, and Minor Modification No. 19-010 for a 13 percent reduction of the rear yard setback to replace a home destroyed in the 2018 Woolsey Fire, located in the Rural Residential-Two Acre zoning district at 29623 Cuthbert Road (Colby Family Trust).

Staff Contact: Planning Director Blue, 456-2489, ext. 258
B. Amend Malibu Municipal Code to Authorize the Implementation of a Parking Management Plan Along Two Segments of Pacific Coast Highway (Corral Beach and Zuma Beach)

Recommended Action: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 469 determining the project is categorically exempt from the California Environmental Quality Act and amending Section 10.19.020 of Chapter 10.19 (Overnight Parking), Title 10 (Vehicles and Traffic) of the Malibu Municipal Code to create staggered overnight parking restrictions between 12:00 a.m. and 2:00 a.m. and between 2:00 a.m. and 4:00 a.m. daily in the Corral Beach and Zuma Beach areas of Pacific Coast Highway; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 469 for the September 14, 2020 Regular City Council meeting.

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

C. Amend Assessment District 2015-1 Civic Center Wastewater Treatment Facility – Phase One

Recommended Action: 1) Conduct a public hearing regarding the Report of Amended Assessments (Report) and Amended Assessment Diagram for Assessment District 2015-1; and 2) If Council overrules and denies any and all protest, objections and appeals from the public hearing, adopt Resolution No 20-43 approving the Report and the Amended Assessment Diagram for the Assessment District 2015-1 Civic Center Wastewater Treatment Facility – Phase One.

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

D. Appeal No. 19-006 - Appeal of Planning Commission Resolution No. 19-42 (19750 Pacific Coast Highway; Appellant: Benjamin Leeds; Applicant: Vitus Matare; Property Owner: Santa Barbara Land Company, LLC)

Recommended Action: Continue to a date uncertain.

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

5. Old Business

None.

6. New Business

A. 5G Wireless Technology and Small Cells

Recommended Action: Receive and file report.

Staff Contact: Planning Director Blue, 456-2489, ext. 258
B. **Review of Fiscal Year 2020-2021 Budget**

   Recommended Action: 1) Receive an update on status of Fiscal Year 2020-2021 Budget; 2) Adopt Resolution No. 20-46 amending the annual budget for Fiscal Year 2020-2021; and 3) Adopt Resolution No. 20-47 rescinding Section 2 of Resolution No. 20-36 and approving the Authorized Positions and Salary Ranges for Fiscal Year 2020-2021 and approving the Associate Civil Engineer – Building and Safety Division Job Specification.

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

7. **Council Items**

   A. **Funding for Property Acquisition in the Santa Monica Mountains National Recreation Area (Councilmember Farrer)**

   Recommended Action: At the request of Councilmember Farrer, authorize the Mayor to send a letter requesting that funds from the National Parks and Public Land Legacy Restoration Fund established by the Great American Outdoors Act be allocated for acquisition of high-priority properties in the Santa Monica Mountains National Recreation Area.

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

   B. **State Housing Bills – Opposition (Mayor Pierson)**

   Recommended Action: At the request of Mayor Pierson, authorize the Mayor to send a letter of opposition regarding Assembly Bill (AB) 1279, AB 725, AB 2345, AB 3040, AB 3107, Senate Bill (SB) 902, SB 995, SB 1085, and SB 1120, a range of housing bills being considered by the State legislature that would usurp the authority of local jurisdictions to determine land use policies that best fit the needs of their jurisdictions.

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

**Adjournment**

**Future Meetings**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Meeting Type</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday, September 14, 2020</td>
<td>6:30 p.m.</td>
<td>Regular City Council Meeting</td>
<td>TBD</td>
</tr>
<tr>
<td>Tuesday, September 29, 2020</td>
<td>6:30 p.m.</td>
<td>Adjourned Regular City Council Meeting</td>
<td>TBD</td>
</tr>
<tr>
<td>Monday, October 12, 2020</td>
<td>6:30 p.m.</td>
<td>Regular City Council Meeting</td>
<td>TBD</td>
</tr>
</tbody>
</table>

**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 13th day of August 2020 at 4:45 p.m.

Heather Glaser, City Clerk