

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 Order N-08-21 and the County of Los Angeles Public Health Officer’s Order (revised June 15, 2021). 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. The meeting 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, June 28, 2021

6:30 P.M. –CITY COUNCIL REGULAR 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

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – June 17, 2021

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 CalendarA. Previously Discussed Items1. Second Reading and Adoption of Ordinance No. 487

Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 487 rescinding Ordinance No. 473 requiring the use of face coverings during the COVID-19 pandemic and finding the same exempt from the California Environmental Quality Act.

Staff Contact: Acting City Clerk Pettijohn, 456-2489, ext. 252

B. New Items1. 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: Interim City Attorney Cotti, 456-2489, ext. 228

2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 63278-63353 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. 684 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$ 1,021,869.15. City of Malibu payroll check numbers 5174-5175 and ACH deposits were issued in the amount of \$ \$211,702.20.

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

3. Approval of Minutes

Recommended Action: Approve the minutes for the February 8, 2021 Malibu City Council Regular meeting.

Staff Contact: Acting City Clerk Pettijohn, 456-2489, ext. 252

4. Amendments to Agreements with Solid Waste Solutions, Inc. and SCS Engineers to Provide Solid Waste Consulting Services

Recommended Action: 1) Authorize the Mayor to execute Amendment No. 1 to Agreement with Solid Waste Solutions, Inc. as a primary consultant to allow for a one-year extension of the existing agreement through June 30, 2022, and to update the hourly rate of professional staff; and 2) Authorize the Mayor to execute Amendment No. 1 to Agreement with SCS Engineers as a secondary consultant and to allow for a one-year extension of the existing agreement through June 30, 2022.

Staff Contact: Environmental Sustainability Director Bundy, 456-2489, ext. 229
5. Professional Services Agreement for Plan Check Consulting Services

Recommended Action: 1) Authorize the Mayor to execute a professional services agreement with True North Compliance Services to provide primary plan check consulting services; and 2) Authorize the Mayor to execute a professional services agreement with Bureau Veritas North America as a secondary consultant.

Staff Contact: Environmental Sustainability Director Bundy, 456-2489, ext. 229
6. Professional Services Agreement for Geotechnical Consulting Services

Recommended Action: Authorize the Mayor to execute a professional services agreement with Cotton, Shires and Associates to provide geotechnical consulting services.

Staff Contact: Environmental Sustainability Director Bundy, 456-2489, ext. 229
7. Professional Services Agreement for On-Call Environmental Consulting Services

Recommended Action: Authorize the Mayor to execute a professional services agreement with Rincon Consultants to provide on-call environmental consulting services.

Staff Contact: Environmental Sustainability Director Bundy, 456-2489, ext. 229
8. Professional Services Agreement and Memorandum of Understanding to Implement the Coordinated Integrated Monitoring Program

Recommended Action: 1) Authorize the Mayor to execute a Professional Services Agreement with Tetra Tech, Inc. in an amount not to exceed \$1,838,859 to provide a three-year program for water quality monitoring, technical assistance, and reporting for the North Santa Monica Bay Coastal Watersheds Coordinated Integrated Monitoring Program (CIMP) and comply with the municipal stormwater permit; and 2) Authorize the Mayor to execute a Memorandum of Understanding between the City of Malibu, Los Angeles County Flood Control District, and the County of Los Angeles for the administration and cost sharing to implement the CIMP.

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

9. Amendment to Professional Services Agreement with Kimley-Horn and Associates, Inc.

Recommended Action: Authorize the Mayor to execute Amendment No. 4 to the Professional Services Agreement with Kimley-Horn and Associates, Inc. extending the term of the agreement for an additional year to expire July 1, 2022, and increasing the Compensation for Services in the amount of \$40,000 for a total not to exceed \$408,000 for continued engineering plan check services on Woolsey Fire Rebuild projects.

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

10. Amendment to Professional Services Agreement with Michael Baker International, Inc.

Recommended Action: Authorize the Mayor to execute Amendment No. 2 to Professional Services Agreement with Michael Baker International, Inc. for additional engineering services support during construction, increasing the Compensation for Services in the amount of \$30,000 for a total not to exceed \$869,777.50 and extending the term of the agreement through March 31, 2023.

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

11. Community Crime Map

Recommended Action: At the recommendation of the Public Safety Commission, authorize staff to submit an application to LexisNexis to allow the Malibu community access to its Community Crime Map tool.

Staff Contact: Public Safety Manager Dueñas, 456-2489, ext. 313

12. Amendment to Professional Services Agreement with Karasch & Associates

Recommended Action: Authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Karasch & Associates for closed captioning services extending the term of agreement to September 30, 2021 and increasing the Compensation for Services an additional \$7,500 to not exceed \$50,000.

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

13. Malibu Library Set Aside Fund for Fiscal Year 2021-2022

Recommended Action: Approve the use of Set Aside Funds for the Malibu Library for Fiscal Year 2021-2022.

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

14. Approval and Submittal of the Enhanced Watershed Management Program Update for the North Santa Monica Bay Coastal Watersheds to the Los Angeles Regional Water Quality Control Board

Recommended Action: Adopt Resolution No. 21-37 approving and authorizing the submittal of the North Santa Monica Bay Coastal Watersheds Enhanced Watershed Management Program Update to the Los Angeles Regional Water Quality Control Board

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

15. Agreement with The People Concern for Homeless Outreach and Housing Navigation Services

Recommended Action: Authorize the Mayor to execute a Professional Services Agreement with The People Concern for Homeless Outreach and Housing Navigation Services.

Staff Contact: Public Safety Manager Dueñas, 456-2489, ext. 313

16. Amendment to Bond Counsel Agreement with Stradling, Yocca, Carlson & Rauth

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to Bond Counsel Agreement with Stradling, Yocca, Carlson & Rauth.

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

4. Ordinances and Public Hearings

A. Assessment District 98-2 (Calle Del Barco)

Recommended Action: 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 21-34 levying an assessment for the maintenance, repair and improvements works, systems and facilities of Assessment District 98-2 (Calle Del Barco) for Fiscal Year 2021-2022.

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

B. Wastewater and Recycled Water Rates Study and Proposed Rates

Recommended Action: 1) Conduct a public hearing to receive public testimony and consider all protests concerning the adoption of the wastewater and recycled water rates; 2) Unless written protest from a majority of affected parcels are received, adopt Resolution No. 21-35 establishing the wastewater and recycled water service charges for Fiscal Years 2021-2022, 2022-2023 and 2023-2024; and 3) If Council adopts Resolution No. 21-35, conduct the Public Hearing to receive public testimony and consider all protest concerning the adoption of the Engineer's Report regarding the levy of wastewater services fees through property taxes; and 4) Unless protest from a majority of the effected property owners are received, adopt Resolution No. 21-36 approving the Engineer's Report and collection of wastewater services charges on the county tax roll for Fiscal Year 2021-2022 for City of Malibu Assessment District No. 2015-1 (Civic Water Treatment Facility – Phase I).

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

C. Local Coastal Program Amendment Pertaining to Citywide Prohibition of Pesticides

Recommended Action: 1) Adopt Resolution No. 21-32 amending the Local Coastal Program (LCP) Land Use Plan Policy 3.18 pertaining to a citywide prohibition of pesticides, acknowledging receipt of the California Coastal Commission (CCC) Resolution of Certification for Local Coastal Program Amendment No. 14-001 with suggested modifications and adopting revisions incorporating the CCC's suggested modifications, repealing Resolution No. 19-54, and determining the local coastal program amendment exempt from the California Environmental Quality Act; and 2) Adopt Resolution No. 21-33 initiating an amendment to the LCP Local Implementation Plan to add provisions to implement and enforce a citywide prohibition of pesticides.

Staff Contact: Planning Director Mollica, 456-2489, ext. 346

D. Second Reading and Adoption of Ordinance No. 486

Recommended Action: 1) Conduct the Public Hearing; and 2) Adopt Ordinance No. 486 adding Sections 5.08.015, 5.55.120, and 5.55.125 to Title 5 (Business Licenses and Regulations) of the Malibu Municipal Code to adopt by reference certain Los Angeles County Code Cannabis Licensing and Public Health Ordinances and finding the same exempt from the California Environmental Quality Act.

Staff Contact: Acting City Clerk Pettijohn, 456-2489, ext. 252

E. Proposed Budget for Fiscal Year 2021-2022

Recommended Action: 1) Adopt Resolution No. 21-38 adopting the Annual Budget for Fiscal Year 2021-2022; 2) Approve the Annual Work Plan for Fiscal Year 2021-2022; 3) Adopt Resolution No. 21-39 establishing the Appropriations Limit for Fiscal Year 2021-2022; and 4) Adopt Resolution No. 21-40 approving the Fiscal Year 2021-2022 Authorized Positions and Salary Ranges and the Grants Analyst and Public Safety Liaison Job Specifications.

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

5. Old Business

A. Consideration of the Resumption of In-Person Meetings

Recommended Action: 1) Receive an update on the current State and County public health regulations; and 2) Consider options for the resumption of in-person public meetings, including the formation of an Ad Hoc Committee to review regulations and make recommendations.

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

6. New Business

None.

7. Council Items

A. Senate Bill (SB) 9 – OPPOSITION (Mayor Grisanti)

Recommended Action: At the request of Mayor Grisanti, authorize the Mayor to submit a letter of opposition to SB 9, legislation that would increase density in single-family zones and disregard local government decision-making and community involvement in the housing planning and approval process.

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

Adjournment

Future Meetings

Monday, July 12, 2021	6:30 p.m. Regular City Council Meeting	Location TBD
Monday, July 26, 2021	CANCELLED	
Monday, August 9, 2021	6:30 p.m. Regular City Council Meeting	Location TBD

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. In order to reduce the risk of spreading COVID-19, consistent 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.

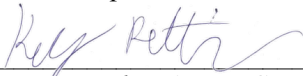
City Council Items are items, which individual members of the City Council may bring up for action, to propose future agenda items or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the City Council.

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].

Requests to show an audio or video presentation 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 17th day of June 2021 at 7:00 p.m.



Kelsey Pettijohn, Acting City Clerk