

This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to AB 361 and the County of Los Angeles Public Health Officer's Order (revised March 23, 2022). 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. The City requests that you 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.

Amended¹ Malibu City Council
Regular Meeting Agenda
(to be held during COVID-19 emergency)

Monday, April 25, 2022

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 – April 15, 2022; *Amended Agenda posted April 18, 2022*

1. Ceremonial/Presentations

A. Presentation on Co-Existing with Mountain Lions

¹ See addition of Council Item No. 7.B.

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

- 2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 65585-65704 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. 702 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$698,062.80. City of Malibu payroll check numbers 5221-5222 and ACH deposits were issued in the amount of \$234,971.39.

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

- 3. Approval of Minutes

Recommended Action: Approve the minutes for the September 13, 2021 Malibu City Council Special meeting.

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

- 4. Findings to Hold Virtual City Council, Commission, Committee, Board and Other City Bodies, Meetings Under AB 361

Recommended Action: Consider a motion to reaffirm Resolution No. 21-64, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.

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

5. Professional Services Agreement for Dark Sky Outreach and Implementation Consulting Services

Recommended Action: Authorize the Mayor to execute a professional services agreement with Design Services, Inc. dba Benya Burnett Consultancy to provide Dark Sky Outreach and Implementation consulting services.

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

6. Professional Services Agreement with 30 Three Sixty Public Finance, Inc.

Recommended Action: Authorize the Mayor to execute Professional Services Agreement with 30 Three Sixty Public Finance, Inc. for assessment district administrative service on the various assessment districts within the City.

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

4. **Ordinances and Public Hearings**

A. Schedule of Fees Fiscal Year 2022-2023

Recommended Action: 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 22-13 establishing the Schedule of Fees for Fiscal Year 2022-2023.

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

5. **Old Business**

None.

6. **New Business**

A. Potential Tax Measures

Recommended Action: 1) Receive report on potential tax measures previously identified by the City Council, 2) Direct staff to bring back resolutions to submit the question to the voters, setting priorities for arguments and rebuttals, and 3) Direct the City Attorney to prepare an impartial analysis.

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

B. Temporary Day-Use Impound Yard

Recommended Action: 1) Review a recommendation by the Public Safety Commission regarding establishing a temporary day-use impound yard; and 2) Provide direction to staff.

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

7. Council Items

A. Council Appointment to the Parks and Recreation Commission

Recommended Action: Mayor Pro Tem Silverstein may make a new appointment to the Parks and Recreation Commission.

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

B. In-Person Meetings (Mayor Pro Tem Silverstein)

Recommended Action: At the request of Mayor Pro Tem Silverstein, either reaffirm or reverse the Council’s action at its Regular meeting on March 28, 2022 to resume in-person City Council, Commission, Committee and Board meetings starting May 9, 2022 and provide direction to staff as needed.

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

Adjournment

Future Meetings

Wednesday, April 27, 2022	6:00 p.m. Special City Council Meeting	Location TBD
Monday, May 9, 2022	6:30 p.m. Regular City Council Meeting	City Hall Council Chambers
Monday, May 23, 2022	6:30 p.m. Regular City Council Meeting	City Hall Council Chambers

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, the City Council meeting will be open and public but conducted virtually because meeting in person would present imminent risks to the health or safety of attendees. 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. The City requests that you 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 18th day of April 2022 at 5:30 p.m.



Kelsey Pettijohn, City Clerk