

HOW TO VIEW THE MEETING: The meeting will be live streamed at www.malibucity.org/video and via Zoom Webinar.

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 IN-PERSON DURING THE MEETING: Members of the public may speak during the meeting in-person or through the Zoom application. In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form.

HOW TO PARTICIPATE REMOTELY DURING THE MEETING: Members of the public may speak during the meeting in-person or through the Zoom application. In order to participate remotely, you must be present in the Zoom Webinar during the item that you would like to speak on and use the Raise Hand feature to request to speak when the Mayor calls the item. When you join the Zoom Webinar you may see a pop-up asking you to enter an email address, but valid email address is not required. Be advised that those participating via Zoom do so at their own risk; remote participants should not expect the meeting to be cancelled or continued due the inability of some members of the public to access the remote meeting.

Amended¹ Malibu City Council **Regular Meeting Agenda**

Monday, April 10, 2023

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

**City Hall – Council Chambers
23825 Stuart Ranch Road**

Zoom Webinar Link:

<https://us02web.zoom.us/j/87253620545>

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

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Report on Posting of Agenda – March 30, 2023; *Amended Agenda posted April 7, 2023*

Approval of Agenda

¹ See the addition of Consent Calendar Item No. 3.B.9.

1. Ceremonial/Presentations

- A. Presentation on Santa Monica College Malibu Campus
- B. Presentation on 2022 Environmental Programs Accomplishments (OUTREACH AND EVENTS)

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 Items

None.

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 Rusin, 456-2489, ext. 228

2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 68589-68726 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. 722 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$2,335,026.96. City of Malibu payroll check number 5327-5332 and ACH deposits were issued in the amount of \$247,095.15.

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

3. Approval of Minutes

Recommended Action: Approve the minutes for the March 11, 2022 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. 23-14, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.

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

5. Amendment No. 2 to Professional Services Agreement with Center for Municipal Solutions

Recommended Action: Authorize the Mayor to execute the Professional Services Agreement Amendment No. 2 with Center for Municipal Solutions to extend the term of the agreement to June 30, 2023.

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

6. Professional Services Agreement with Aanko Technologies, Inc.

Recommended Action: Authorize the City Manager to execute a Professional Services Agreement with Aanko Technologies, Inc. for the update of the City's Emergency Operations Plan.

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

7. Jake Kuredjian Citizenship Award

Recommended Action: At the recommendation of the Parks and Recreation Commission, approve the nomination of Sara Wan as the recipient of the 2023 Jake Kuredjian Citizenship Award.

Staff Contact: Acting Community Services Director Riesgo, 456-2489, ext. 350

8. Resolution Extending the Declaration of the COVID-19 Local Emergency

Recommended Action: Adopt Resolution No. 23-15 extending the declaration of the existence of a local emergency.

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

9. Consider Opting into Settlement Agreements with the following Defendants who have entered into National Opioid settlements: Teva; Allergan; Walmart; Walgreens; and CVS

Recommended Action: 1) Opt into settlement agreement with three pharmacy chains—CVS, Walgreens, and Walmart and direct the City Manager to execute any documents necessary to implement the action and, when possible allocate the City's designated share of settlement funds to the County of Los Angeles; and

2) Opt into settlement agreement with two opioid manufacturers—Allergan and Teva and direct the City Manager to execute any documents necessary to implement the action and, when possible allocate the City's designated share of settlement funds to the County of Los Angeles.

Staff Contact: Interim City Attorney Rusin, 456-2489, ext. 228

4. **Ordinances and Public Hearings**

- A. Adoption of Ordinance No. 504 - Los Angeles County Fire Code

Recommended Action: 1) Conduct the Public Hearing; and 2) Conduct the second reading, unless waived, and adopt Ordinance No. 504, adopting by reference Title 32 of the Los Angeles County Code, which incorporates the California Fire Code, 2022 Edition, as amended; adopting local amendments to said code; ratifying the Consolidated Fire Protection District of Los Angeles County's Building Standards contained in Title 32, as amended; and finding the action exempt from the California Environmental Quality Act.

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

5. **Old Business**

None.

6. **New Business**

- A. Homelessness Task Force Recommendations Regarding Public Safety and Public Outreach

Recommended Action: 1) Review a report from the Homelessness Task Force that includes recommendations for public safety and public outreach; and 2) Provide direction to staff.

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

- B. Review of Homelessness Task Force Charter Progress

Recommended Action: 1) Review the Homelessness Task Force Charter progress on completing the Charter assignments; 2) Review options to address issues the Task Force is having to meet quorum; and 3) Identify next steps.

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

C. Malibu Farmers Market Fee Waiver

Recommended Action: Consider whether to approve the request from the Cornucopia Foundation to waive the facility use and permit fees for Malibu Farmers Market parking at the Ioki Property.

Staff Contact: Acting Community Services Director Riesgo, 456-2489, ext. 350

D. Initiate Amendments to MMC and LCP to Address Home Sharing

Recommended Action: 1) Receive a report from staff; and 2) Adopt Resolution No. 23-16 initiating an amendment to the Malibu Municipal Code and initiating an amendment to the Local Coastal Program Local Implementation Plan to address timeshare use in the City and finding the action exempt from the California Environmental Quality Act.

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

E. Assembly Bill (AB) 1500 – Property Taxation: Application of Base Year Value: Disaster Relief: SUPPORT

Recommended Action: Authorize the Mayor to send a letter of support for AB 1500, which would extend the five-year time period for property tax exemption for homes that were substantially damaged or destroyed by the 2018 Woolsey Fire.

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

7. Council Items

None.

Adjournment

Future Meetings

Monday, April 24, 2023	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers
Wednesday, April 26, 2023	6:00 p.m.	Special City Council Meeting	City Hall Council Chambers
Monday, May 8, 2023	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers

Guide to the City Council Proceedings

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 may speak during the meeting in-person or through the Zoom application. In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form. In order to participate remotely, you must be present in the Zoom Webinar during the item that you would like to speak on and use the Raise Hand feature to request to speak when the Mayor calls the item. Speakers are taken in the order slips are submitted or hands are raised.

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. Public speakers shall follow the rules as set forth under Oral Communication

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.

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.

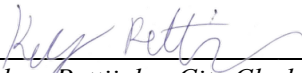
No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the City Council.

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, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, California, and are available for public inspection during regular office hours, which are 7:30 a.m. to 5:30 p.m. Monday through Thursday and 7:30 a.m. to 4:30 p.m. Friday. Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 23825 Stuart Ranch Road, Malibu, California (Government Code Section 54957.5.b.2). Copies of staff reports and written materials may be purchased for \$0.10 per page.

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 7th day of April 2023 at 3:00 p.m.



Kelsey Pettijohn, City Clerk