The following meeting was held pursuant to the Governor’s Executive Orders N-25-20 and N-29-20 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

CALL TO ORDER

Chair Frost called the meeting to order at 5:03 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Chair Chris Frost; Vice Chair Doug Stewart; Commissioners Daphne Anneet, Keegan Gibbs, and Joshua Spiegel; and Ex Officio Member Brent Woodworth

ALSO PRESENT: Susan Dueñas, Public Safety Manager; Jerry Vandermeulen, Fire Safety Liaison; Arthur Aladjadjian, Public Works Superintendent; Brandie Ayala, Senior Administrative Assistant; Deputy Michael Cerveny, Los Angeles County Sheriff’s Department; and Mary Linden, Executive Assistant

PLEDGE OF ALLEGIANCE

Ex Officio Member Woodworth led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Chair Frost moved and Commissioner Gibbs seconded a motion to approve the agenda. The question was called and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

Executive Assistant Linden reported that the agenda for the meeting was properly posted on January 28, 2021.

CEREMONIAL/PRESENTATIONS

A. Administration of Oath of Office to Newly Appointed Commissioners

Executive Assistant Linden administered the Oath of Office to Commissioner Anneet, Commissioner Spiegel, and Ex Officio Member Woodworth.
B. Election of Chair and Vice Chair

MOTION Commissioner Gibbs nominated Chris Frost as Chair. There were no further nominations. The question was called and Chris Frost was unanimously elected Chair.

MOTION Chair Frost nominated Doug Stewart as Vice Chair. There were no further nominations. The question was called and Doug Stewart was unanimously elected Vice Chair.

ITEM 1.A. PUBLIC COMMENTS

None.

ITEM 1.B. STAFF UPDATES

Public Works Superintendent Aladjadjian provided an update on the City’s response to a recent storm event. He stated there had been no major issues to report. He stated equipment for the new Volunteers on Patrol (VOP) vehicle had arrived and was scheduled to be installed, after which the vehicle could be put into service.

Public Safety Manager Dueñas discussed two large encampments on private property on Civic Center Way. She stated she coordinated with the Sheriff’s Department and property owners to clean up the encampments. She discussed stated eight strong applicants for the Fire Safety Liaison position would be interviewed next week.

Fire Safety Liaison Vandermeulen reported he received the first draft of the Community Wildfire Protection Plan (CWPP). He stated it was very detailed and included very focused remediation efforts, which would help the City to be eligible for grants. He stated the CWPP broke the City into three sections of west, central and east. He stated he provided suggested edits to the consultant and a public presentation would be offered in the near future, either at a stakeholder meeting or at a City Council meeting. He stated the City fared well in the recent fire season.

Chair Frost suggested a roll-out of the draft CWPP during a City Council meeting would be beneficial to the community.

In response to Commissioner Gibbs, Fire Safety Liaison Vandermeulen stated the draft CWPP would be available to the Commissioners soon.

Commissioner Anneet asked who would make the decision about how the CWPP would be presented. Fire Safety Liaison Vandermeulen stated he would review that with Public Safety Manager Dueñas, the consultant, and the City Manager. Commissioner Anneet stated Council meetings were running quite late, which might lead to some residents
missing the presentation. Public Safety Manager Dueñas stated it was more likely it would first be presented in a separate public meeting before going to the City Council.

Public Safety Manager Dueñas stated the Homelessness Working Group (HWG) was working on updating the Homelessness Strategic Plan. She announced a public meeting on homelessness was scheduled for February 25. She stated the HWG would organize a homeless count before that meeting since the County’s annual homeless count was cancelled due to COVID-19. She stated the City’s count would be conducted a week from Friday, so the information would be ready for the public meeting.

ITEM 1.C. COMMISSIONER COMMENTS

In response to Commissioner Anneet, Public Safety Commission stated Chair Frost represented the Public Safety Commission on the HWG. She stated homeless issues had become a major part of the City workload. She explained how the City addressed the issues. She discussed an ordinance that allowed for people to be removed from public property during Red Flag Warnings.

Commissioner Spiegel thanked former Commissioner Dane Skophammer for his work on the Commission. He thanked other Commissioners and staff for helping him get prepared. He thanked Mayor Pro Tem Grisanti for appointing him.

Commissioner Gibbs welcomed the new Commission members. He asked if a revised speed assessment report could be presented at an upcoming meeting to compare before and after statistics on streets where speed humps were recently installed. Public Works Superintendent Aladjadjian stated he would coordinate bringing that to the Commission. He stated the City would soon begin a citywide speed survey on every City street.

Commissioner Gibbs thanked Fire Safety Liaison Vandermeulen for pulling together the draft CWPP. He recommended a documentary, “Bring Your Own Brigade,” which focused on the 2018 Camp and Woolsey Fires. He stated watching it led to him making a goal to empower Malibu citizens through education. He stated it was more important to make them aware and more prepared than the City trying to solve problems.

Commissioner Anneet stated she felt privileged to serve on this Commission. She thanked Councilmember Silverstein for appointing her. She discussed her more than 25 years of experience working with police and fire departments and representing public agencies. She stated she hoped to help with consensus-building and communication. She expressed interest in seeing the CWPP. She thanked the other Commissioners for a warm welcome. She commended Ex Officio Member Woodworth for a report he prepared after the Woolsey Fire.

Ex Officio Member Woodworth stated he was honored to be on this Commission. He commended the other Commissioners for their dedication. He stated he was interested in
innovative, collaborative, long-term sustainable, measurable, and repeatable programs. He discussed potential actions that would allow certain businesses to continue operations in evacuations. He discussed using incentives to mitigate fires by motivating residents.

Vice Chair Stewart welcomed the new members. He commended the work of previous Commissioners Dane Skophammer, Fred Roberts and Andy Cohen. He commended Chair Frost for his tremendous work on behalf of the City and the Commission. He displayed a list of open items he used to keep track of issues brought up in previous meetings. He recommended the Commissioners attend the homeless meeting on February 25. He thanked Commissioner Gibbs for recommending the documentary. He discussed the tremendous job done by Fire Safety Liaison Vandermeulen and how difficult it will be to fill his shoes. He discussed Santa Clarita’s public information request asking the Sheriff’s Department to show how many people arrested this year had previous arrests that might indicate they were serial offenders. He suggested the City submit the same type of information request.

Chair Frost stated the Commission had much to do in the coming year, including homeless issues, traffic enforcement, fire, floods, support of the VOP, and placement of a temporary tow yard. He stated the Commission had a lot of valuable experience. He agreed with Vice Chair Stewart that follow-up was very important. In response to Commissioner Gibbs, he agreed the speed humps were working very well to slow speeding. He discussed how the documentary showed that communities were resistant to zoning changes suggested in fire areas. He discussed differences between the Galahad and Cuthbert Circuits that influenced how Southern California Edison (SCE) selected areas for public safety power shut-offs (PSPS).

In response to Vice Chair Stewart, Deputy Cerveny stated a company monitored the information requested by Santa Clarita, and he and Lieutenant Braden had looked into those records.

ITEM 2 CONSENT CALENDAR

Vice Chair Stewart stated former Commissioner Skophammer’s name was misspelled in the minutes.

MOTION Vice Chair Stewart moved and Commissioner Gibbs seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items
   None.

B. New Items
   1. Approval of Minutes – January 6, 2021
Staff recommendation: Approve minutes of the Public Safety Commission Regular meeting of January 6, 2021.

ITEM 3 OLD BUSINESS

None.

ITEM 4 NEW BUSINESS

A. Public Safety Programs Overview

Recommended Action: Receive and file report regarding public safety programs and provide feedback to staff.

Public Safety Manager Dueñas presented the report and provided a presentation on the City’s public safety programs. She discussed the Malibu Disaster Council. She stated the Disaster Council would meet in Spring 2021 to review the evacuation plan. She discussed the virtual Emergency Operation Center (EOC). She stated the Community Emergency Response Team (CERT) was an essential part of the communications program. She stated the City Council had directed staff to continue looking into an outdoor siren warning system. She discussed the roles of the City Council and appointed commissioners during a disaster. She described Public Safety staff’s responsibilities, including Home Ignition Assessments, CERT training, and producing an annual safety fair. She explained the various methods used by the City to communicate emergency information. She invited the Commissioners to get involved with any of the programs presented.

Chair Frost stated Commissioner Gibbs was certified to conduct Home Ignition Assessments. He discussed the last Public Safety Expo coordinated by former Commissioner Andy Cohen. He suggested commissioners go on a ride-along with the VOP.

Ex Officio Member Woodworth thanked Public Safety Manager Dueñas for a comprehensive report. He requested a copy of the slideshow and a demonstration of the virtual EOC.

Vice Chair Stewart asked about the status of CERT fingerprinting. Public Safety Manager Dueñas stated the City received a grant to bring CERT to a more established level, including low level background checks and fingerprinting. She stated she would report back on the status of fingerprinting that had been delayed due to COVID-19. Vice Chair Stewart recommended the Commissioners all get certified through a CERT training course.

In response to Vice Chair Stewart, Public Safety Manager Dueñas explained the lines of communication between the City’s EOC, Fire Department command post,
and other agencies during an emergency. She stated that in large events, such as the Woolsey Fire, the Fire and Sheriff’s Departments would send representatives to the EOC, and the City would send liaisons to Incident Command.

Vice Chair Stewart offered to assist with the City’s homeless count on Friday, February 12. Public Safety Manager Dueñas discussed plans for the count.

Commissioner Spiegel asked how many letters of agency (LOA) were on file. Public Safety Manager Dueñas estimated there were a few dozen. She stated Chair Frost and Fire Safety Liaison Vandermeulen had identified additional properties to be contacted. Commissioner Spiegel stated local realtors were underutilized tools. He stated he could talk to the Malibu Association of Realtors (MAR) Board to have realtors include LOA with property sale closing documents. He offered to help with contacting owners of properties identified for submitting a LOA. Public Safety Manager Dueñas discussed the process for obtaining the LOA. She stated the most difficult to obtain were from owners of undeveloped property.

Chair Frost agreed with Commissioner Spiegel that realtors could be helpful. He stated many properties were repeat offenders. He stated expiration dates on LOA should be extended to at least three years.

Deputy Cerveny stated LOA must be renewed every year, and notices were regularly emailed to property owners. He stated the annual renewal requirement was probably a County policy. In response to Chair Frost, Deputy Cerveny stated all LOA he had seen indicated physical addresses, but APN could be used if identified with a property owner and physical boundaries of the property. Chair Frost stated realtors could immediately provide boundary information for any APN.

B. Temporary Tow Yard

Recommended Action: Discuss options and provide a recommendation to the City Council regarding a temporary location for a tow yard site to be used during the summer.

Public Safety Manager Dueñas presented the report. She stated the current tow yard’s location in Thousand Oaks was problematic because it put the tow trucks out of service for an extended period of time. She stated the Commission was asked to identify potential sites for a temporary holding location where vehicles could be held until moved to the impound yard.

In response to Commissioner Spiegel, Deputy Cerveny stated the ratio of cars towed in eastern Malibu versus western Malibu depended on the time of year. He stated more were towed from the beach areas in warmer months. Public Safety Manager Dueñas stated 187 total vehicles were towed from Malibu last year. She stated that number would increase if there was a temporary tow yard in Malibu.
Vice Chair Stewart provided a history of towing in Malibu. He stated the previous tow company contracted with the school district to use the high school parking lot as a temporary location. He stated a localized facility during peak visitor times required additional Sheriff’s coverage since VOP could not issue towing citations. He stated additional community service officers would be required. He stated enforcement would improve if deputies knew a tow truck and tow yard were available. He confirmed vehicles would not be held in Malibu overnight.

Chair Frost stated Sierra Towing could not drive trucks back and forth between Malibu and Thousand Oaks. He discussed the previous agreement to use the high school parking lot. He stated Planning Director Mollica had confirmed the high school was appropriately zoned and could be considered.

Vice Chair Stewart stated the City Manager had been helpful in identifying locations with the same zoning. He agreed the high school was the best location.

Chair Frost discussed the permit required for a temporary tow yard.

Commissioner Anneet stated gates had been installed on the roadway leading to the high school. She stated the property would remain with a new Malibu Unified School District after separation from Santa Monica-Malibu Unified School District.

Commissioner Gibbs read from correspondence submitted by Mari Stanley in support of adding a temporary tow yard. He stated she recommended the City Hall parking lot be considered since it was usually empty on holidays and weekends.

In response to Commissioner Gibbs, Public Safety Manager Dueñas stated the City Hall parking lots were often rented on weekends and events were occasionally scheduled. She stated she would discuss it with the City Manager.

Chair Frost discussed environmental concerns with damaged vehicles leaking hazardous fluids. He stated Sierra Towing could take those vehicles to its tow yard.

Commissioner Gibbs agreed with the suggestion of using the City Hall lots. He stated it might be a good to have two locations on opposite ends of the City. He suggested the City Hall lot in the east and somewhere near Zuma Beach in the west.

In response to Public Safety Manager Dueñas, Commissioner Gibbs suggested a limited number of parking spots in the City Hall parking lot could be reserved for towed vehicles when the lot was rented.
In response to Ex Officio Member Woodworth, Chair Frost stated approximately 1,200 cars were towed per year in the past. He stated there could be up to 50 cars or more towed in one day on a busy weekend.

In response to Commissioner Anneet, Chair Frost stated he thought the towing company was liable for protecting the vehicles. Commissioner Anneet expressed concern that the City might be liable for damage to vehicles stored on City property.

Commissioner Anneet asked about the length of the contract with Sierra Towing and why an out-of-town company was selected. Chair Frost confirmed the towing company was contracted by the Sheriff’s Department. Public Safety Manager Dueñas stated there was currently no towing company located in Malibu.

Commissioner Spiegel stated tow yards at Zuma Beach or City Hall would not solve logistical problems. He stated two temporary tow yards would definitely be more efficient. He suggested using the gravel-filled property just south of City Hall, the City’s property on PCH at Heathercliff, or the Equestrian Center.

Chair Frost stated the Equestrian Center parking lot was used heavily on weekends. He stated the gravel-filled property was not owned by the City. Commissioner Spiegel stated the City’s property on Civic Center Way, formerly known as the Chili-Cook Off site, could be considered.

Chair Frost stated all the suggested locations were good options.

Commissioner Anneet discussed current controversy regarding the use of the City’s lots in the Civic Center area. She stated the Point Dume community might not like using the Heathercliff property.

Chair Frost stated Sierra Towing would need sufficient staffing to provide security and process payments for release of vehicles wherever the lots were located.

Commissioner Anneet expressed concern about the community’s acceptance of adding a tow yard in the Civic Center area in full view of the public.

Commissioner Gibbs agreed with Commissioner Anneet that it would be better to find a location out of public view, such as City Hall. He suggested considering the lot by Malibu Urgent Care.

Chair Frost stated the Equestrian Center parking lot was used heavily on weekends. He stated the gravel-filled property was not owned by the City. Commissioner Spiegel stated the City’s property on Civic Center Way, formerly known as the Chili-Cook Off site, could be considered.

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Chair Frost stated all the suggested locations were good options.
Vice Chair Stewart stated the Commission needed to approve a concept to increase the number of towed vehicles. He agreed with Chair Frost that staffing was important. He agreed with using the high school lot because it was less visible, and a paved parking lot avoided environmental issues. He stated locations should be closer to where the most violations occurred. He agreed with recommending Malibu High School since it worked before. He stated the City Hall parking lot was a viable secondary location.

Ex Officio Member Woodworth agreed with Vice Chair Stewart. He asked if the highest volume location could be easily determined. He stated the high school lot would be best if the highest volume area was Zuma Beach. He agreed an area that was paved and out of public view would be the best option. He agreed with Commissioner Gibbs that a smaller staging area would be good to consider.

In response to Ex Officio Member Woodworth, Public Safety Manager Dueñas stated the Commission should recommend potential sites and could include certain parameters to be investigated in determining the best locations.

Vice Chair Stewart agreed with Ex Officio Member Woodworth that the Commission could make its recommendation to the City Council and also form an ad hoc committee to investigate some of the Commission’s concerns. He stated the ad hoc committee could provide a report to the City Council when it considered the Commission’s recommendation.

Commissioner Anneet suggested the ad hoc committee investigate ease of tow and pickup and the potential for minimizing environmental concerns.

Vice Chair Stewart suggested the ad hoc committee look into the proximity to areas where most vehicles would be towed so retrieval of vehicles was easier.

Commissioner Anneet agreed with Vice Chair Stewart’s suggestion.

**MOTION**

Vice Chair Stewart moved and Chair Frost seconded a motion to provide a recommendation to the City Council that the new Malibu High School upper parking lot be considered as the preferred, primary location for a temporary tow yard site during the summer with the City’s properties on PCH at Heathercliff and/or the City Hall parking lot be considered secondary options. The question was called and the motion carried unanimously.

Commissioner Anneet asked what an ad hoc committee could evaluate if the sites were already recommended to the Council.

Ex Officio Member Woodworth stated the committee could be prepared to answer questions from the City Council.
Vice Chair Stewart agreed with Commissioner Spiegel that the Commission could go above and beyond what was asked in order to facilitate a discussion. He agreed that an ad hoc committee could provide additional information to the Council in support of the recommendation.

In response to Commissioner Spiegel, Chair Frost stated he could invite a representative from Sierra Towing to attend a future meeting when the topic was to be discussed.

Commissioner Anneet stated ease of access, proximity to likely tow areas, environmental concerns, security considerations, and historical usage should be considered by an ad hoc committee.

Ex Officio Member Woodworth asked if community acceptance should be considered.

**MOTION** Commissioner Anneet moved and Commissioner Gibbs seconded a motion to form a Temporary Tow Yard Ad Hoc Committee, comprised of Chair Frost and Commissioner Spiegel, to evaluate ease of access, proximity to areas from where vehicles would likely be towed, environmental concerns, security considerations, and historical usage related to recommended locations and report back to the Commission, time permitting, and be prepared to make a presentation to the City Council. The question was called and the motion carried unanimously.

Vice Chair Stewart commended the Commissioners for accomplishing this task so efficiently.

**C. Public Safety Agency Activity**

**Recommended Action:** Discuss recent Public Safety Agency activities and receive and file monthly activity reports from the County of Los Angeles Sheriff’s Department, Fire Department and Lifeguards.

Deputy Cerveny noted that year-to-date numbers in the Sheriff’s Department reports represented the full year statistics for 2020. He stated part one crimes dropped approximately 14%. He stated theft from unlocked vehicles continued to increase. He discussed other statistical trends in 2020.

Vice Chair Stewart asked if rape statistics in Malibu were related to disputes at rehabilitation centers. Deputy Cerveny discussed the time difference that often occurred between when a crime was reported and when an arrest might be made.

Chair Frost discussed recent fires that occurred at Corral Canyon and Point Dume within minutes of each other. Deputy Cerveny stated the arson and explosive unit
investigated all fires. He stated he would report back on the status of those investigations.

Chair Frost expressed concern that the length of time taken to process VOP recruits was leading to some potential members dropping out. Deputy Cerveny stated he would discuss Chair Frost’s concern with the deputy who processed the applications to see if the process could be sped up.

Commissioner Spiegel discussed the use of Lexis Nexis in other communities. Deputy Cerveny stated he had used the site and that numbers were available for a fee.

Ex Officio Member Woodworth requested the Fire Department be asked to attend every other Commission meeting. He stated it would be helpful to get their perspective.

In response to Commissioner Anneet, Executive Assistant Linden discussed the process for developing the Commission’s agendas.

ADJOURNMENT

MOTION At 8:06 p.m., Chair Frost moved and Commissioner Gibbs seconded a motion to adjourn. The question was called and the motion carried unanimously.

Approved and adopted by the Public Safety Commission of the City of Malibu on March 3, 2021.

CHRIS FROST, Chair

MARY LINDEN, Executive Assistant