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 5:01 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; Rob DuBoux, Public Works Director; Jerry Vandermeulen, Fire Safety Liaison; Richard Mollica, Planning Director; Sara Kaplan, Public Safety Specialist; Brandie Ayala, Senior Administrative Assistant; Lieutenant James Braden, Los Angeles County Sheriff’s Department; and Mary Linden, Executive Assistant

PLEDGE OF ALLEGIANCE

Fire Safety Liaison Vandermeulen led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Commissioner Gibbs moved and Vice Chair Stewart 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 February 24, 2021.

ITEM 1.A. PUBLIC COMMENTS

Ryan Embree commended staff for notifications sent through multiple platforms regarding the fire last Sunday. He asked about underlining conditions of the fire. He stated there were motorhomes evacuating from Winter Canyon whose occupants may have witnessed the fire or the origin. He suggested Sheriff patrols of private roads for possible encampments. He suggested the Commission discuss
the use of equipment that could detect encampments, such as drones or infrared cameras. He stated the Commission should get a report on the fire directly from the Fire Department.

ITEM 1.B. STAFF UPDATES

Public Safety Manager Dueñas stated the City Manager called her at 5:00 a.m. regarding the fire and the media communications team was immediately called. She stated the first Everbridge message was sent at 5:17 a.m. and other messaging at 5:18 a.m. She thanked Mr. Embree for acknowledging staff’s quick response. In response to Mr. Embree, she stated she had not been notified that the cause of the fire was yet determined. She stated she met today with a vendor of equipment that could potentially identify fires early through satellite imaging. She stated FlameMapper, a City consultant, partnered with another company that could detect a fire as it was happening. She stated the Vehicle Impound Fee increases recommended by the Commission had been scheduled to go to Council on March 22 but was pushed back to April 12, 2021 to allow time for required public noticing.

Public Works Director DuBoux discussed the Civic Center Way project. He stated the portion of the road closed to traffic with fences and gates was designed to be quickly opened for an emergency. He stated he was notified early Sunday morning about the fire and immediately dispatched staff and contacted the Sheriff’s Department to open the gates. He stated there were no access issues for the Fire Department. He stated the project was wrapping up, and the road would reopen to traffic within the next week.

Fire Safety Liaison Vandermeulen stated the Draft Community Wildfire Protection Plan (CWPP) was sent to the Commissioners. He stated the draft was still being edited. He stated the performance period for the funding grant would end on March 15. He announced a public meeting to present the Draft CWPP was scheduled for Wednesday, March 10, 2021, at 6:00 p.m. He displayed map of the new Evacuation Zone 11. He stated Zone 11 was revised in response to a request from Supervisor Kuehl’s office due to an overlap with the Topanga evacuation zone. He stated the Sunset Mesa neighborhood was included in Zone 11 at the request of the Sheriff’s Department. He stated with Coastline Drive removed from the City’s zone, the eastern boundary was now at the Malibu city limit. He stated Zone 11 included the homes along Topanga Beach and upper Las Flores. He stated the County Office of Emergency Management (OEM) was establishing evacuation zones throughout the unincorporated Santa Monica Mountains area and the northern part of Zone 11 would probably become part of the County zones. He stated the City’s new Zone 11 replaced the former Zone 11 East and Zone 11 West. He stated messaging about the new zone would be sent by the City. He explained Live Fuel Moistures (LFM) and exhibited a graph of LFM levels from 1981 to 2021. He stated LFM was administered by the Forestry Division of the Los Angeles County Fire Department.
Executive Assistant Linden announced the Joint Special Meeting of the Public Safety Commission and Public Works Commission scheduled for Thursday, March 11, 2021, at 5:00 p.m.

ITEM 1.C. COMMISSIONER COMMENTS

Ex Officio Member Woodworth stated he discussed with Public Safety Manager Dueñas various issues, including early fire warnings and satellite photos. He thanked Fire Safety Liaison Vandermeulen for the LFM details. He expressed concern about the trends. He stated mitigation, preparedness, and communication was important to the community. He stated he was pleased with the changes to the evacuation zones. He asked when the County would complete its zones. He stated evacuation zone support and mitigation communication should be discussed.

Commissioner Spiegel thanked Mark Russo and the Volunteers on Patrol (VOP) for always being there where needed. He commended the Fire Department for its quick response to Sunday’s fire. He stated a transformer that services the Civic Center blew out after the fire. He stated traffic signals flashed then went out when the battery power ran out. He stated things moved more slowly than he would like. He requested an interactive community crime map, such as LexisNexis, be put on an agenda.

Executive Assistant Linden explained the budget process. She stated it could be added to the April agenda. In response to Commissioner Gibbs, she clarified that LexisNexis was free to end users but there may be a cost to the City.

In response to Commissioner Gibbs, Public Works Director DuBoux stated speed data for where speed humps were installed in Point Dume would on the March 11 joint meeting agenda.

Vice Chair Stewart thanked Public Works Director DuBoux, Planning Director Mollica, and City Manager Feldman for bringing Ordinance No. 427 back to life to deal with oversized vehicles parked all over town. He stated Mark Russo, VOP, was able to identify fire hydrants for firefighters on Sunday thanks to blue Botts dots on the road. He thanked Public Works Director DuBoux and Fire Safety Liaison Vandermeulen for getting those installed. He commended Public Safety Manager Dueñas for her presentation on homelessness at the Special City Council meeting on February 25. He asked for an update on signage for evacuation zones. He stated the fuel moisture levels were eye-opening.

In response to Vice Chair Stewart, Public Safety Manager Dueñas stated she was in the process of preparing a purchase order for beacon boxes. She stated evacuation zone signage would be the next step now that the City’s evacuation zones have been revised.
In response to Vice Chair Stewart, Public Safety Manager Dueñas stated she would report back on the status of automated license plate readers (ALPR). Vice Chair Stewart requested the Fire Department be invited to the next meeting. He suggested placing items for public safety services earlier in the meeting.

Chair Frost stated ALPR was supposed to come back to the Commission for further discussion with input from the Sheriff’s Department. He stated the oversized vehicle ordinance was being finalized by the City Attorney’s office in coordination with the Coastal Commission. He stated he looked forward to seeing lidar in the City to cut down on street racers. He stated he never saw moisture levels so low so early in the year. Fire Safety Liaison Vandermeulen agreed with Chair Frost and stated it would be a very long spring and summer. Chair Frost stated Mark Russo and another VOP reported the fire on Sunday when they observed it while fueling their vehicles.

ITEM 2 CONSENT CALENDAR

Vice Chair Stewart requested page two of the minutes be corrected to name him elected as Vice Chair.

MOTION Chair Frost moved and Vice Chair Stewart 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 – February 3, 2021
      Staff recommendation: Approve minutes of the Public Safety Commission Regular meeting of February 3, 2021.

ITEM 3 OLD BUSINESS

A. 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 invited Chair Frost and Commissioner Spiegel to present the report.

   Chair Frost stated he and Commissioner Spiegel met with Kami Winter of Sierra Towing and toured potential sites for a temporary tow yard. He stated she
confirmed all non-retrieved vehicles would be moved to Sierra Towing’s lot at 8:00 or 9:00 p.m. each night, so no cars would be left in Malibu overnight.

Commissioner Spiegel stated the west end was more active area. He stated City Manager Feldman provided a list of properties with proper zoning. He stated Public Safety Manager Dueñas submitted an application with Santa Monica-Malibu Unified School District (SMMUSD) for use of the Malibu High School back parking lot. He stated he inquired about using the Malibu Methodist Nursery School lot and would attend a meeting there this week. He stated the Malibu Equestrian Park, which is owned by SMMUSD and leased by the City for recreation purposes. Would have to amend use agreement to allow towing on weekends. He stated staff at SMMUSD informed him the Facility Use Agreement between the City and SMMUSD would need to amended for use of the Equestrian Park. He suggested focusing there since it was not used on weekends. He stated there needed to be a firm commitment from the Sheriff’s Department that there would be personnel dedicated to issuing tow citations. He suggested modifying the VOP program to allow them to issue tow citations.

Ex Officio Member Woodworth asked about the capacity of the Equestrian Park. Commissioner Spiegel stated it was ideal since it was made for horse trailers.

Planning Director Mollica stated any site must meet be appropriately zoned. He stated the permit would be publicly noticed before going to the Planning commission. In response to Chair Frost, Planning Director Mollica explained that a temporary use permit (TUP) could be issued in commercial areas and was limited to events outside the location’s normal operations. He stated a TUP was good for 14 days and there was a limit of five TUP per year per site. He stated a better option would be a conditional use permit (CUP), which could be written for the full time it would be used as a tow yard.

In response to Commissioner Anneet, Planning Director Mollica explained a CUP required 21-day public notice before the Planning Commission hearing. He stated the application included a basic site plan, hours of operation and projected traffic information. He stated a CUP was appealable to the City Council. He stated the entire process, including a possible appeal, would take a couple of months.

In response to Commissioner Spiegel, Planning Director Mollica stated the City’s Local Coastal Program (LCP) and Malibu Municipal Code required a tow yard to have a CUP. Commissioner Spiegel inquired if a TUP could be issued while waiting for the CUP to be processed.

Chair Frost thanked Planning Director Mollica for being available to answer questions. He asked about the use of the Equestrian Park by Malibu Ropers & Riders. He stated it was important to avoid conflicts with weekend events. He asked
if they had to get TUPs for their events. Planning Director Mollica stated he did not know about their permitting.

Commissioner Spiegel stated City Manager Feldman advised him the City needed to amend the Joint Use Agreement with SMMUSD. He said this was the first he heard about a CUP being required. He asked if the City’s property at PCH and Heathercliff could be paved for use as a tow yard.

Chair Frost stated Ms. Winter advised him Sierra Towing had environmentally-friendly pads to place under cars on dirt lots. Commissioner Spiegel stated it would be a tough sell due to community concern about environmental impacts.

Commissioner Anneet stated she did not see the CUP as a hurdle. In response to Commissioner Anneet, Planning Director Mollica stated the second Planning Commission meeting in April was possible. He stated the Heathercliff lot was not zoned for a tow yard. He stated a paved lot would be better since a dirt lot would require dust and erosion control measures. Commissioner Anneet stated there would be a lot of community objection to using the Heathercliff lot.

Commissioner Spiegel stated it was important to find a long-term solution so this process was not required every year. He stated the least objectionable location would be the high school lot and least resistance would be the equestrian center.

Vice Chair Stewart stated the lot was needed from Memorial Day through Labor Day. He agreed with Commissioner Anneet that the Heathercliff property would not be accepted by the community as a tow yard. He stated the Equestrian Park would be easiest. He requested Lieutenant Braden comment on the Sheriff’s Department’s perspective.

Lieutenant Braden stated his plan would be to add two people on weekend days for towing issues. He confirmed the VOP could not have a vehicle towed. He stated people should be able to walk to retrieve their car. He stated the Equestrian Park and the high school were convenient to walk to from Zuma Beach. He stated it would be nice to have it in place by Memorial Day, but June was slower due to weather. He stated parking violations picked up in July and August.

Vice Chair Stewart thanked Lieutenant Braden for offering additional Community Service Community Services Officers (CSO) dedicated to parking issues.

Chair Frost stated he did not understand why VOPs could not have vehicles towed. He stated VIPs in Thousand Oaks, similar to Malibu’s VOP, could do that. Lieutenant Braden confirmed it was not included in the VOP duties.
Commissioner Spiegel asked if the two extra CSOs would be for all of Malibu or just in the Zuma Beach and Broad Beach area. Lieutenant Braden stated they would be dedicated to the west end.

Ryan Embree stated the Commission was violating the Brown Act by discussing the item before hearing from public speakers. He suggested the City consider placing a boot on cars, a procedure used by other cities. He stated a temporary facility was not a true definition of tow yard.

Judi Pace of Trancas Riders and Ropers expressed disappointment she was not notified of a discussion about using the Equestrian Park as a tow yard. She stated the only reason the park was not currently in use was COVID-19. She stated all the traffic would spook the horses. She stated it would be extremely unsafe with possible injuries to riders and horses. She stated there was a large population of riders in the City who used the Equestrian Park. She stated summer was when most shows took place. She discussed time needed to prepare before a show. She stated there would be serious damage to the trust between the City and the riders if the Equestrian Park was used as a tow yard.

Commissioner Spiegel stated his first choice would be the upper parking lot at the high school and his second choice would be the Equestrian Park.

Commissioner Anneet stated she respectfully disagreed. She stated she was under the impression the Equestrian Park was not being used. She suggested Mrs. Pace’s concerns and reports of activities on hold only due to COVID-19 should be investigated further.

Vice Chair Stewart agreed with Commissioner Anneet. He stated everyone agreed Malibu High School was the best option. He stated he would be in favor of moving forward with the high school and bring back the Equestrian Park only if that could not be done.

Ex Officio Member Woodworth agreed with Commissioner Anneet and Vice Chair Stewart. He stated additional research of a secondary site should only be necessary if arrangements to use the high school could not be done.

**MOTION** Commissioner Spiegel moved and Commissioner Anneet seconded a motion to revise the Commission’s February 3, 2021 recommendation to pursue the Malibu High School upper student parking lot as the first choice for a temporary tow yard through an amendment of the City’s Joint Use Agreement with Santa Monica-Malibu Unified School District. The question was called and the motion carried unanimously.
Commissioner Spiegel stated he would continue discussion with Malibu Methodist Nursery School. He stated the second choice should be the Malibu Equestrian Park through issuance of a CUP.

Commissioner Anneet thanked Commissioner Spiegel for his efforts on this item and for bringing options to be considered. Commissioner Spiegel stated he wished there were more options.

ITEM 4 NEW BUSINESS

A. Public Safety and Preparedness Expo
Recommended Action: 1) Receive and file report on the annual Public Safety and Preparedness Expo; 2) Discuss dates and options for holding a COVID-safe event; and 3) Appoint two Commissioners to a Public Safety Expo Ad Hoc Committee to work with staff on planning and coordination of the 2021 Expo.

Public Safety Manager Dueñas presented the report. She stated she was optimistic that this year’s event could be scheduled if held outdoors and COVID-safe in September.

Chair Frost asked if Ex Officio Member Woodworth could participate on an ad hoc committee. Executive Assistant Linden stated she would check with the City Clerk.

In response to Ex Officio Member Woodworth, Public Safety Manager Dueñas stated past events had a couple hundred participants.

Public Safety Manager Dueñas explained the extra expenses required for the event held at Trancas Market. In response to Ex Officio Member Woodworth, Public Safety Manager Dueñas confirmed there was a food truck and Los Angeles County Fire Department and many other public safety agencies participated.

Executive Assistant Linden stated it was not recommended that an Ex Officio Member be part of an ad hoc committee.

Commissioner Anneet asked if staff had reached out to the schools to encourage student participation. Executive Assistant Linden stated staff had considered reaching out to the Youth Commission in 2019, but the event date was changed to June. She stated it would be possible to coordinate with Community Services staff to see if the 2021-2022 Youth Commission could assist with the expo if it was scheduled in September.

Commissioner Anneet volunteered to help with planning for the event.

MOTION Vice Chair Stewart moved and Chair Frost seconded a motion to appoint Commissioner Anneet to work with staff on planning and coordination of the 2021
Expo to be scheduled in September 2021 as part of National Preparedness Month. The question was called and the motion carried unanimously.

B. 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.

Ryan Embree stated Commissioner discussion should begin after public comment on an item. He requested to be heard after the report.

Lieutenant Braden discussed statistics in January 2021 compared to prior years. He discussed recent mail thefts and vehicle break-ins by groups targeting Malibu.

Vice Chair Stewart stated it sounded like a pattern and a group of rings. He stated this was organized crime.

Lieutenant Braden stated he would have Detective Bureau Lieutenant Joey Fender attend the next Commission meeting to provide a presentation about ALPR. He stated there would be a cost to the City for LexisNexis, but it would be free to residents. He explained that crime information was entered to the system daily.

Chair Frost read from a note he received from Mark Russo, VOP, after the fire. He stated the note indicated a fire engineer asked him to find fire hydrant, which he found when his flashlight illuminated a blue reflector, and, in his opinion, blue reflectors should be installed in all areas of Malibu. Chair Frost stated Mr. Russo indicated this would have been a perfect opportunity for sirens in addition to the public address system, that he suggested adding siren tone capability to Sheriff vehicles, and that the City conduct a public awareness campaign to educate the public about what the sirens meant. Chair Frost stated the VOPs have been an invaluable asset. He suggested the community thank the VOPs at any opportunity.

Vice Chair Stewart stated the January fire activity report appeared to have more events than in the past. Fire Safety Liaison Vandermeulen stated the National Weather Service had predicted high winds but had not issued a Red Flag Warning. He said adjacent areas were in Red Flag conditions.

Acting Assistant Chief Drew Smith, Los Angeles County Fire Department, stated the fire looked preliminarily to be electrical in nature. He stated Red Flag conditions were not necessary for a significant fire. He explained how and why Red Flag Warnings were issued. He stated he had been in contact with the City Manager regarding the fire and possible evacuations. He stated he determined the safest option was to have residents shelter in place since adequate resources were available to combat the fire.
Ex Officio Member Woodworth thanked Acting Assistant Chief Smith for excellent job addressing the fire and providing resources to quickly put it out. He stated communication was a challenge. He asked if there were recommendations about how much and what type of messaging should go out to the public. He stated warning systems were good but there needed to be standardized messaging.

Acting Assistant Chief Smith stated standards needed to be set for warning systems and the public educated about what they mean. He discussed sirens and how they could compromise fire response if people who heard a siren got on the roads. He stated he talked to City Manager Feldman and Public Safety Manager Dueñas about what type of notifications should be made. He stated notifications must come from unified source. He discussed multiple sources where people find and share information that is sometimes inaccurate. He stated a unified approach is necessary for consistency. He discussed coordination of evacuations between the Fire Department and law enforcement. He stated sirens can be good but must come with education so people know what it means and how they should react.

Lieutenant Braden stated the Sheriff’s Department’s initial response is to create a unified command with the Fire Department for a coordinated effort with the goal to preserve life.

Chair Frost commended the Fire and Sheriff’s Departments for their response to the fire with no loss of life or homes.

Acting Assistant Chief Smith discussed the Woolsey Fire. He stated 250,000 people were evacuated, which was more than anywhere ever before. He stated the Knolls Fire was a small fire but had significant complexity with a nearby Southern California Edison plant, schools, and an apartment complex immediately threatened. He stated the excellent working relationship between the Sheriff’s and Fire Departments resulted in success with a small but complex fire.

Commissioner Gibbs commended the Fire and Sheriff’s Departments. In response to Commissioner Gibbs, Acting Assistant Chief Smith stated Code D (Determination) was called to have Fire and Sheriff’s arson investigators determine the cause of the fire.

Ryan Embree requested more information about armed robberies. He stated many thefts in wealthy communities were not reported. He suggested organizing a sting to investigate mail theft in Malibu. He stated at least two fire hydrants near Webster Elementary School needed blue dots. He discussed difficulties waking people up when a fire occurred at night. He stated the public could use their car horns in lieu of pulling a fire alarm.
ADJOURNMENT

MOTION  At 7:30 p.m., Commissioner Spiegel moved and Chair Frost 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 April 7, 2021.

CHRIS FROST, Chair

ATTEST:

MARY LINDEN, Executive Assistant