MEETING CALL TO ORDER

Mayor Farrer called the meeting to order at 6:30 p.m.

ROLL CALL

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

PRESENT: Mayor Karen Farrer; Mayor Pro Tem Mikke Pierson; and Councilmembers Rick Mullen; Skylar Peak; and Jefferson Wagner

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Reva Feldman, City Manager; Lis Soghor, Assistant City Manager; Heather Glaser, City Clerk; Jesse Bobbett, Community Services Director; Yolanda Bundy, Environmental Sustainability Director; Bonnie Blue, Planning Director; Rob DuBoux, Public Works Director; Susan Dueñas, Public Safety Manager; Sarah Kaplan, Public Safety Specialist; Matt Myerhoff, Media Information Officer; Jerry Vandermeulen; Fire Safety Liaison; Christine Shen, Environmental Sustainability Analyst; Justine Kendall, Associate Planner; and Richard Mollica, Assistant Planning Director

APPROVAL OF AGENDA

MOTION Councilmember Mullen moved and Councilmember Wagner seconded a motion to approve the agenda. The motion carried unanimously.

PLEDGE OF ALLEGIANCE

Melissa Stallings led the Pledge of Allegiance.

REPORT ON POSTING OF AGENDA

City Clerk Glaser reported that the agenda for the meeting was properly posted on February 27, 2020.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Presentation by Los Angeles County Department of Public Health on Coronavirus

Dr. Jan King from the Los Angeles County Department of Public Health presented. She discussed the symptoms and transmission of coronavirus (COVID-19). She encouraged people to avoid others who may be sick and wash their hands regularly. She stated there was currently no treatment for COVID-19 and vaccines were being developed. She stated over 100 countries had confirmed...
cases of COVID-19. She stated there were 453 cases in the United States, 114 cases in California, and 16 cases in Los Angeles. She stated the Los Angeles County Department of Public Health was screening travelers from countries with ongoing transmissions, diagnosing individuals and identifying people who may have had contact with a diagnosed individual. She discussed travel advisories. She encouraged people to wash or sanitize their hands, stay home while sick, telecommute when possible, practice social distancing by remaining six feet away from other people, and cough or sneeze into a tissue.

In response to Councilmember Mullen, Dr. King stated the personal information of those infected with COVID-19 or in contact with an infected person was confidential. She stated public sites of exposure would be identified to authorities and the public.

In response to Councilmember Wagner, Dr. King stated each private laboratory worked with its network of providers to distribute testing kits. She stated new cases of COVID-19 were required to be reported to the Los Angeles County Department of Public Health.

Mayor Farrer thanked Dr. King and stated the information provided would be available on the City’s website.

B. Staff Update on Disaster Response and Recovery

Public Safety Manager Dueñas stated she was participating in regular conference calls with Los Angeles County Department of Public Health staff. She stated Department Heads would be going over the City’s Pandemic Response Plan. She stated 40 residents participated in a Preparedness for Seniors (55 and older) and People with Disabilities event. She stated the spring Community Emergency Response Team (CERT) class started on March 5, 2020 with 18 participants. She announced the Community Wildfire Protection Plan survey was available on the City’s website. She encouraged the community to sign up for disaster notifications.

Assistant Planning Director Mollica stated the Planning Department had approved 61 like-for-like, 139 like-for-like plus 10%, and 17 major change Woolsey Fire rebuild projects. He discussed the drop off in the number of applications received by the City in 2020. He stated $2.3 million in fees had been waived or refunded.

Environmental Sustainability Director Bundy stated 75 Woolsey Fire rebuild projects were in plan review, 81 had been approved, and two homes had been completed. She stated four more homes were about to receive their building permits. She stated staff was still reaching out to the 200 property owners with homes damaged or destroyed in the Woolsey Fire that had not yet contacted the City.
Assistant Planning Director Mollica stated Planning Department public notices could be requested by email to the City.

ITEM 2.A. PUBLIC COMMENTS

Susan Hahn stated she worked during the March 3, 2020 Presidential Primary election as a poll worker. She stated a reduction of locations and lack of staffing created long lines. She stated people did not take advantage of early voting.

Paul Grisanti reminded the community about upcoming Public Hearings to consider by-district elections.

John Mazza discussed parking problems at Nobu Malibu and Soho Little Beach House Malibu. He discussed the possibility of a shuttle service between the Civic Center area and local businesses and stated the City should set up an assessment district.

ITEM 2.B. COMMISSION / COMMITTEE / CITY MANAGER UPDATES

City Manager Feldman announced Public Hearings on March 12, 2020 and March 13, 2020 to consider by-district election draft maps. She stated the Planning Commission would discuss accessory dwelling units on March 16, 2020 and short-term rentals March 30, 2020. She stated the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) would discuss parking as a standalone use on March 17, 2020. She discussed parking as a standalone use. She discussed coordination between local businesses and the City to shuttle employees to a City lot on holiday weekends during the Summer of 2020. She stated the Civic Center Way Improvements Project had been appealed to the California Coastal Commission (CCC) and the appeal was scheduled to be heard in April 2020. She announced a bid opening for the temporary skate park asphalt. She stated the first public meeting to discuss the permanent skate park design would be on March 31, 2020. She stated City crews would monitor streets for any mudflow during the upcoming week or rain. She stated the California Highway Patrol issued 86 citations when five units provided additional enforcement on a weekend in February. She stated a special Los Angeles County Sheriff’s Department suppression team would be in the City for 30 days to assist with complaints involving people experiencing homelessness and transients. She stated the suppression team had made 53 contacts and four arrests in the past week. She stated staff was cleaning public surfaces in City Hall between each visitor and making plans in the event City Hall had to temporarily close in response to the COVID-19 outbreak. She stated she had been in communication with local doctors, pharmacies, and Malibu Urgent Care. She stated official information from the City would mirror what Los Angeles County was putting out.
ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Mullen indicated support for utilizing Pepperdine University students as student poll workers. He requested Ms. Hahn compile her observations into an email to the City Clerk to be shared with the Los Angeles County Clerk. He thanked Mr. Mazza and stated he would like to hear more about the shuttle proposal. He stated Mayor Farrer and he met with Santa Monica-Malibu Unified School District (SMMUSD) representatives regarding the SMMUSD parcel tax. He stated he spoke at an SMMUSD Board of Education meeting regarding legislation to resolve concerns regarding the parcel tax and school district separation. He stated he was planning meetings with Senator Henry Stern, Assemblymember Richard Bloom, and Senator Ben Allen on the parcel tax issue.

Councilmember Peak thanked Dr. King. He stated he attended a Clean Power Alliance meeting and discussed Public Safety Power Shutoff events.

Councilmember Wagner thanked Mr. Mazza. He discussed a shuttle service for local businesses. He discussed the March 9, 2020 Library Subcommittee meeting. He stated he wanted an agenda item to send a letter to Henry Stern supporting a property acquisition in Agoura Hills.

Mayor Pro Tem Pierson stated there were parts of the Vote Center experience that were not as intuitive as he thought they would be. He discussed a shuttle bus for local businesses. He stated some longtime residents would like to rebuild after the Woolsey Fire but were still struggling to begin the permit process before the fee waiver deadline. He stated he attended a legislative priorities scoping meeting with Senator Henry Stern. He stated Mayor Farrer and he met with Los Angeles County Sheriff’s Department Malibu/Lost Hills Station Acting Captain Chuck Bacerra. He stated he attended the 4th Annual Homeless Initiative Conference. He read from a letter of appreciation received by the City from someone in the community experiencing homelessness. He discussed the steps the City was taking to address homelessness. He discussed the Malibu High School (MHS) MASQUE talent show. He announced the next City Manager Roundtable on March 12, 2020.

Mayor Farrer thanked Dr. King and Ms. Hahn. She stated she attended a Las Virgenes-Malibu Council of Governments (COG) Special meeting memorializing a meeting the COG had with Los Angeles County Sheriff Alex Villanueva. She stated she received a presentation by SMMUSD Superintendent Ben Drati regarding the financial state of SMMUSD. She stated she gave a presentation to the Pepperdine University student ambassadors. She stated she attended a meeting of the Los Angeles County Division of the League of California Cities. She discussed the recent Library Speaker Series event. She stated she attended a Parent Teacher Student Association (PTSA) meeting at MHS. She discussed SMMUSD intra-district permitting and it's budget. She stated she attended a meeting with Councilmember Mullen and representatives from SMMUSD.
stated she met with Angeles County Sheriff’s Department Malibu/Lost Hills Station Acting Captain Chuck Bacerra. She stated Mayor Pro Tem Pierson, Public Safety Manager Dueñas, Alex Gittinger from The People Concern, and she attended the 4th Annual Homeless Initiative Conference. She stated she attended the MHS MASQUE talent show and the memorial service for Phil Cott. She discussed the possibility of providing funding for a school resource officer. She discussed the March 9, 2020 Library Subcommittee meeting. She stated she wanted to resume the community input process on how to best utilize the properties acquired by the City in 2018. She stated the City was not selected for the State’s 100-Day Challenge.

ITEM 3 CONSENT CALENDAR

Item No. 3.B.4. was pulled by staff. Item No. 3.B.5. was pulled by the public.

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to approve the Consent Calendar, except for Item Nos. 3.B.4 and 3.B.5. The motion carried unanimously.

The Consent Calendar consisted of the following items:

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.

2. Approve Warrants
   Recommended Action: Allow and approve warrant demand numbers 59575-59717 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. 655 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $1,334,002.89. City of Malibu payroll check numbers 5081-5084 and ACH deposits were issued in the amount of $232,820.07.

3. Approval of Minutes
   Recommended Action: Approve the minutes for the January 29, 2020 Malibu City Council Special meeting.

6. Award Civic Center Way Storm Drain Repair Project
   Recommended Action: 1) Approve the award and authorize the City Manager to execute a construction contract with GMZ Engineering, Inc. in the amount of $132,501 for the Civic Center Way Storm Drain Repair Project, Specification No. 2082, and 2) Authorize the Public Works Director to approve potential change orders up to 25% of the Agreement amount.
7. Annual Progress Report Regarding the Implementation of the City’s Housing Element to the California Department of Housing and Community Development
Recommended Action: Direct staff to submit the 2019 Annual Housing Element Progress Report to the California Department of Housing and Community Development.

The following items were pulled from the Consent Calendar for individual consideration:

4. Dedication of Roadway Easement to the City from Malibu Development Company LLC
Recommended Action: Adopt Resolution No. 20-12 authorizing the acceptance of the Dedication of Roadway Easement from Malibu Development Company LLC, to the City dedicating the property as described, and finding the same exempt from the California Environmental Quality Act.

Assistant City Attorney Rusin read into the record changes to Section 2 of the Resolution No. 20-12 as follows:

“The City Council hereby approves and authorizes the acceptance of the Dedication of Roadway Easement from Malibu Development Company, LLC, to the City dedicating the property as described and depicted in Attachment 1, Dedication of Roadway Easement. As found in the adoption of the Development Agreement, the roadway easement dedication is consistent with the objectives, policies, general land uses and programs specified in the General Plan. The proposed roadway easement dedication will serve to enhance the Malibu General Plan Mission Statement and further the City’s goal of a safe, environmentally sensitive and efficient transportation system.”

MOTION
Councilmember Wagner moved and Mayor Pro Tem Pierson seconded a motion to adopt Resolution No. 20-12, as amended, authorizing the acceptance of the Dedication of Roadway Easement from Malibu Development Company LLC, to the City dedicating the property as described, and finding the same exempt from the California Environmental Quality Act. The motion carried unanimously.

5. Bailment Agreement with the County of Los Angeles
Recommended Action: Authorize the City Manager to negotiate and execute a bailment agreement with the County of Los Angeles to allow the Sheriff’s Department to use a new City vehicle for the Volunteers on Patrol program.

Ryan Embree questioned which entity would be responsible for insurance for the vehicle. He discussed a radar trailer that was totaled and never replaced.
City Manager Feldman stated Volunteers on Patrol (VOP) were invaluable to the City.

Assistant City Attorney Rusin stated the Los Angeles County was self-insured and pointed to the risk of loss provision that made any damage to the vehicle after the County’s acceptance its responsibility.

**MOTION**

Councilmember Peak moved to authorize the City Manager to negotiate and execute a bailment agreement with the County of Los Angeles to allow the Sheriff’s Department to use a new City vehicle for the Volunteers on Patrol program.

Councilmember Wagner thanked Assistant City Attorney Rusin for his clarification.

Councilmember Wagner seconded the motion. The motion carried unanimously.

**ITEM 4 ORDINANCES AND PUBLIC HEARINGS**

**A. Updated Developer Fee Program and Fire Station Program for the Consolidated Fire Protection District of Los Angeles County Area of Benefit 1**

Recommended Action: 1) Conduct the public hearing; 2) Adopt Resolution No. 20-11 adopting the updated developer fee and fire station program for the benefit of the Consolidated Fire Protection District of Los Angeles County (District) and rescinding Resolution No. 19-11; and 3) either, a) Direct staff to remain in the Consolidated Fire Protection District of Los Angeles County; or b) Direct staff to bring back an item on the implementation of City fire and emergency services.

Environmental Sustainability Director Bundy presented the staff report.

Ryan Embree stated the developer fee did not directly benefit the City.

In response to Councilmember Wagner, Councilmember Mullen stated the fee applied to new development so new fire stations could be funded. He stated there were four fire stations in Malibu. He stated Malibu had more fire stations per capita than most areas in the County.

Councilmember Wagner stated new subdivisions were not developed in Malibu.

In response to Councilmember Peak, Environmental Sustainability Director Bundy stated she did not know how much was paid into the program in the City each year. She stated there were very few new developments in the last year. She stated the La Paz commercial project was scheduled to be approved soon and that would be the largest development in the City in the last two years.

Councilmember Peak stated he wished the funding could be used in the City.
Councilmember Mullen stated it was possible fire stations in the City may be able to use this type of funding if they needed to be rebuilt.

**MOTION**

Mayor Pro Tem Pierson moved and Councilmember Mullen seconded a motion to: 1) adopt Resolution No. 20-11 adopting the updated developer fee and fire station program for the benefit of the Consolidated Fire Protection District of Los Angeles County and rescinding Resolution No. 19-11; and 2) direct staff to remain in the Consolidated Fire Protection District of Los Angeles County. The motion carried unanimously.

**B. Locking Bin Ordinance**

Recommended Action: 1) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 462 determining the project is categorically exempt from the California Environmental Quality Act and amending Chapter 8.32 to Title 8 of the Malibu Municipal Code to require locking lids on solid waste bins at all times for commercial solid waste, organic waste, and recycling; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 462 for the March 23, 2020 City Council meeting.

Environmental Sustainability Analyst Shen presented the staff report.

Judy Villablanca stated inspections needed to happen more than twice a year. She suggested quarterly inspections. She indicated support for significant fines.

Joel Schulman indicated support for significant fines. He stated the City Council had previously discussed the importance of fines and enforcement.

Patt Healy, Malibu Coalition for Slow Growth, stated there was no definition for hardship in the ordinance and there was no fine schedule in the ordinance.

Georgia Goldfarb discussed how rodent poisons impacted wildlife and indicated support for significant fines.

In response to Councilmember Peak, Assistant City Attorney Rusin stated violations of the ordinance would be subject to the administrative fine schedule. He stated the Council could adjust the administrative fine schedule at any time.

In response to Councilmember Peak, Environmental Sustainability Director Bundy stated the Council could set specific fees in the ordinance, but it would require approving another ordinance if the Council ever wished to adjust the fees. She stated the administrative fine schedule could be adjusted as part of the annual Fiscal Year Fee Schedule.

Councilmember Peak indicated support for the ordinance being subject to administrative fines. He indicated support for issuing a warning before fining and requiring four inspections per year. He discussed the importance of public education.
Councilmember Wagner stated fines had been discussed at previous meetings but staff was not given specific direction.

In response to Mayor Pro Tem Pierson, Assistant City Attorney Rusin discussed franchise agreement negotiations with waste haulers in the City.

Mayor Pro Tem Pierson indicated support for the ordinance being subject to administrative fines and providing one warning. He expressed concern increased costs associated with locking dumpster lids may be a burden on small businesses.

Councilmember Wagner stated the process would only be expensive for businesses violating the law. He discussed the importance of fines.

In response to Councilmember Peak, Mike Smith, Waste Management, stated it was the goal of the waste haulers to be able to modify all dumpsters to have lock bars by the ordinance’s implementation date. He stated they had been preparing for the change and had added lock bars proactively when possible. He stated they would start working with customers on compliance once an ordinance was approved.

In response to Councilmember Mullen, Assistant City Attorney Rusin stated violations of the ordinance would be subject to administrative fines.

In response to Councilmember Peak, Assistant City Attorney Rusin stated administrative citations were the standard practice for all violations of the Malibu Municipal Code (MMC).

MOTION Councilmember Peak moved to: 1) introduce on first reading Ordinance No. 462 determining the project is categorically exempt from the California Environmental Quality Act and amending Chapter 8.32 to Title 8 of the Malibu Municipal Code to require locking lids on solid waste bins at all times for commercial solid waste, organic waste, and recycling; 2) direct staff to conduct quarterly inspections for the first year of implementation; and 3) direct staff to schedule second reading and adoption of Ordinance No. 462 for the March 23, 2020 City Council meeting.

Councilmember Wagner indicated support for quarterly inspections.

In response to Councilmember Peak, City Manager Feldman stated staff could budget and prepare for quarterly inspections.

In response to Mayor Pro Tem Pierson, Assistant City Attorney Rusin stated the Fiscal Year Fee Schedule would be brought to Council and administrative fines could be amended.

Mayor Farrer discussed the direction previously given to staff. She suggested making the administrative fines more readily available on the City’s website.
Councilmember Mullen seconded the motion. The motion carried unanimously.

C. Amendments to the Local Coastal Program and Malibu Municipal Code to Foster Fire-Resistant Landscapes Citywide

Recommended Action: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 461 determining Zoning Text Amendment No. 19-004 to be exempt from the California Environmental Quality Act, and amending the Local Coastal Program Local Implementation Chapter 3 (Zoning Designations and Permitted Uses) and Chapter 2 (Definitions) and Malibu Municipal Code (MMC) Title 17 (Zoning) to foster the creation of fire-resistant landscapes and repealing Ordinance Nos. 343 and 356, deleting MMC Chapter 9.22 (Landscape Water Conservation), establishing MMC Chapter 17.53 (Landscape Water Conservation and Fire Protection), and amending MMC Section 16.24.020 (Subdivision Design Standards) to eliminate reference to MMC Chapter 9.22 (citywide); and 2) Direct staff to schedule second reading and adoption of Ordinance No. 461 for the March 23, 2020 Regular City Council meeting.

Planning Director Blue presented the staff report. She stated further clarification could be added to the mulch regulations by adding “See also Section 17.53.090(C)(2) pertaining to mulch” to the end of Section 17.53.090(A)(11) and adding the word flammable to fourth sentence of Section 17.53.090(A)(11) so it read “Non-contiguous use of flammable mulch (excluding wood ships and shredded rubber) is allowed between five feet and 30 feet from a structure.”

Chris Frost deferred his time to Robert Kerbeck.

Robert Kerbeck thanked the staff. He questioned whether wood piles next to homes were going to be addressed. He suggested a change to Section 17.53.090(C)(1)(d) to state “except those in (a) and (c) above.”

Planning Director Blue stated that was a typographical error and Section 17.53.090(C)(1)(d) should state “except those in (a) and (c) above.”

Mr. Kerbeck stated he wanted to see more flammable plant species banned and that the changes should be applicable to all homes.

Patt Healy deferred her time to Georgia Goldfarb.

Georgia Goldfarb stated introducing the concept of roadway clearance was misleading. She stated native pollinators should not be removed from roadways. She stated native plants in the wild would be replaced by non-native flammable grasses. She suggested the landscape area should include the first 100-feet from the structure. She stated the mulch requirement was financially burdensome. She stated the tree height requirement was counterproductive because it limited the use of native trees. She stated it was important to underground utilities. She indicated opposition to prescribed burns.
In response to Councilmember Mullen, Planning Director Blue stated mulch was a requirement in the existing ordinance. She discussed the landscape water conservation ordinance the new ordinance was based on. She stated the landscape water conservation ordinance required mulch in many circumstances and the fire protection standards just modified and clarified non-contiguous use of flammable mulch.

Councilmember Wagner thanked staff for incorporating some of the comments from Kraig Hill.

Planning Director Blue stated the Fire Department had a standard for roadway clearance and staff had included the same requirements in the ordinance to be consistent.

Mayor Pro Tem Pierson stated the condition of plants was just as important for fire prevention as the type of plants. He stated the ordinance would likely be updated as time went on.

Planning Director Blue stated the ordinance was a starting point. She stated staff could address wood piles at a later time.

City Manager Feldman stated staff was eager to get something incorporated in the MMC. She discussed the history of the item.

Councilmember Mullen stated wood piles were not part of landscaping. He thanked the speakers for their comments. He stated the ordinance was a step in the direction of cultural change.

Assistant City Attorney Rusin stated the typographical correction to 17.53.090(C)(1)(d) should be included in a motion.

Planning Director Blue stated the second mulch reference clarification was not in the draft ordinance and could be incorporated at the direction of the Council.

MOTION 
Councilmember Mullen moved and Councilmember Peak seconded a motion to introduce on first reading Ordinance No. 461, as amended to reflect corrections to Section 17.53.090(C)(d) to state “except those in (a) and (c) above” and Section 17.53.090(A)(11) to add a reference to additional mulch standards in 17.53.090(C)(3), determining Zoning Text Amendment No. 19-004 to be exempt from the California Environmental Quality Act, and amending the Local Coastal Program Local Implementation Chapter 3 (Zoning Designations and Permitted Uses) and Chapter 2 (Definitions) and Malibu Municipal Code (MMC) Title 17 (Zoning) to foster the creation of fire-resistant landscapes and repealing Ordinance Nos. 343 and 356, deleting MMC Chapter 9.22 (Landscape Water Conservation), establishing MMC Chapter 17.53 (Landscape Water Conservation and Fire Protection), and amending MMC Section 16.24.020 (Subdivision Design
Standards) to eliminate reference to MMC Chapter 9.22 (citywide); and 2) direct staff to schedule second reading and adoption of Ordinance No. 461 for the March 23, 2020 Regular City Council meeting.

In response to Planning Director Blue, Councilmember Peak stated he wanted to include Section 17.53.090(C)(3) as presented and written in the draft ordinance.

The motion carried unanimously.

Mayor Pro Tem Pierson stated pollinator gardens were important.

Councilmember Wagner discussed the importance of having setbacks for accessory dwelling units. He stated regulations regarding wood stacked near a structure could be considered in the future.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS

None.

ITEM 7 COUNCIL ITEMS

A. Council Appointment to the Planning Commission

Recommended Action: Mayor Pro Tem Pierson to make his permanent appointment to the Planning Commission.

Mayor Pro Tem Pierson appointed David Weil as his permanent replacement on the Planning Commission.

B. Donation of N95 Masks to China (Councilmember Mullen)

Recommended Action: At the request of Councilmember Mullen, authorize staff to provide 160 N95 particulate respirator masks for inclusion in a donation package to be sent to China for medical personnel treating those affected by coronavirus.

Councilmember Mullen presented the report. He indicated support for seeing whether the donation was still needed before sending the case of masks.

Ariana Anderson stated exhausted mask resources were putting first responders at risk. She stated the masks should be donated locally. She questioned what resources the Council could donate to local first responders.

Councilmember Peak indicated support for Councilmember Mullen’s recommendation.
Councilmember Mullen stated the situation was changing rapidly. He indicated support for seeing whether the donation was still needed before sending the case of masks.

In response to Mayor Farrer, City Manager Feldman stated no other requests for masks had been received by the City. She stated the City had a supply of masks that may be needed in the upcoming fire season.

In response to Mayor Farrer, Councilmember Mullen stated he would contact the person who asked for the donation to see if it was still needed.

**MOTION**

Councilmember Peak moved and Councilmember Mullen seconded a motion to authorize staff to provide 160 N95 particulate respirator masks for inclusion in a donation package to be sent to China for medical personnel treating those affected by coronavirus, if needed. The motion carried unanimously.

**C. Mountain Lion Protection (Mayor Pro Tem Pierson)**

Recommended Action: At the request of Mayor Pro Tem Pierson, authorize the Mayor to send a letter requesting that the California Fish and Game Commission list Southern California and Central Coast mountain lions in sensitive areas, including the Santa Monica Mountains, as “threatened” under the California Endangered Species Act, and that the California Department of Fish and Wildlife cease the issuance of depredation permits in these areas.

Mayor Pro Tem Pierson presented the report.

Judy Villablanca stated the letter had been supported by 46 organizations. She stated Malibu needed a community education program on how to live with wildlife. She stated potential prey animals needed to be protected. She indicated support for an Environmental Sustainability Commission.

Joel Schulman indicated support for the letter. He discussed the Center for Biological Diversity and the Mountain Lion Foundation’s efforts to have mountain lions declared endangered. He stated Ventura County had sent a letter, and the cities of Agoura Hills and Thousand Oaks were considering sending a letter. He stated Los Angeles County Supervisor Sheila Kuehl had sent a letter. He stated it was important cities in and around the Santa Monica Mountains send letters.

Councilmember Mullen stated the staff report’s recommended action was clearer than the letter Mayor Pro Tem Pierson wanted to support. He indicated support for ceasing the issuance of depredation permits.

In response to Mayor Pro Tem Pierson, Mr. Schulman stated depredation permits were complicated and it would be better to support the Center for Biological Diversity in a letter before the April 16, 2020 Fish and Game Commission meeting to consider listing mountain lions as endangered.
Judy Villablanca submitted the Center for Biological Diversity’s letter for reference.

Councilmember Wagner indicated support for wildlife overpasses and an Environmental Sustainability Committee.

Assistant City Attorney Rusin stated the Council could direct the City Manager to work with Mayor Pro Tem Pierson to draft a letter.

Mayor Pro Tem Pierson indicated support for sending a letter similar to Senator Stern’s letter and bringing an item back for the second letter.

Councilmember Mullen suggested authorizing the Mayor to draft a letter to send before the April 16, 2020 Fish and Game Commission meeting instead of bringing an item back.

Assistant City Attorney Rusin stated the second letter could be sent before the April 16, 2020 meeting if it was brought back on the next agenda.

MOTION

Councilmember Mullen moved and Councilmember Wagner seconded a motion to: 1) authorize the Mayor to send a letter requesting that the California Fish and Game Commission list Southern California and Central Coast mountain lions in sensitive areas, including the Santa Monica Mountains, as “threatened” under the California Endangered Species Act, and that the California Department of Fish and Wildlife cease the issuance of depredation permits in these areas similar to the Stern letter; and 2) direct staff to bring back an item for consideration of a letter similar to the Judy Villablanca letter. The motion carried unanimously.

Mayor Pro Tem Pierson stated he attended a talk on living with wildlife. He stated he learned an owl box could facilitate removing 4,000 rodents annually.

D. Update on School District Separation (Mayor Farrer and Councilmember Mullen)

Recommended Action: At the request of Mayor Farrer and Councilmember Mullen: 1) Receive an update from the School District Separation Ad Hoc Committee; 2) Endorse legislation that provides for the continuation of the Measure R parcel tax after separation of the SMMUSD; and 3) Provide direction to staff.

Councilmember Mullen presented the report. He discussed the parcel tax for SMMUSD. He stated the School District Separation Ad Hoc Committee was planning meetings with State officials to facilitate legislative efforts to ensure the parcel tax would remain in place if SMMUSD separated.

Mayor Farrer stated the existing parcel tax had no sunset clause. She stated special legislation was necessary to ensure the parcel tax would continue if SMMUSD separated. She stated the SMMUSD Board of Education discussed the parcel tax legislation at a recent meeting but took no action. She expressed hope
the SMMUSD Board of Education would consider the item again soon.

Craig Foster indicated support for the parcel tax legislation. He stated he would do his best to get SMMUSD on board. He thanked the City for its work on school district separation. He suggested continuing to narrow the negotiations down to specific items to promote progress.

Ryan Embree discussed the history of school district separation. He stated delays in negotiations benefitted the Santa Monica. He recommended the City pursue separation through the Los Angeles County office of Education (LACOE). He indicated support for the parcel tax legislation.

Mayor Farrer stated the City could go to LACOE without an agreement from Santa Monica. She read a letter from SMMUSD School Board President John Keene.

Councilmember Mullen stated school district separation was a difficult process, but he had hope for a positive outcome. He thanked City Manager Feldman and City Attorney Hogin for working on the negotiations.

MOTION Councilmember Mullen moved and Mayor Farrer seconded a motion to endorse legislation that provides for the continuation of the Measure R parcel tax after separation of the Santa Monica-Malibu Unified School District. The motion carried unanimously.

Councilmember Wagner thanked Mr. Foster for his service.

Mayor Farrer thanked Mr. Foster for his service.

ADJOURNMENT

MOTION At 9:27 p.m., Councilmember Mullen moved and Mayor Pro Tem Pierson second a motion to adjourn the meeting in memory of Charles de Garmo. The motion carried unanimously.

Approved and adopted by the City Council of the City of Malibu on April 13, 2020.

KAREN FARRER, Mayor

ATTEST:

HEATHER GLASER, City Clerk
(seal)