

MINUTES  
MALIBU PUBLIC SAFETY COMMISSION  
REGULAR MEETING  
MAY 5, 2021  
TELECONFERENCED – VARIOUS LOCATIONS  
5:00 P.M.

**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 5:04 p.m.

ROLL CALL

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

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

ABSENT: Commissioner Daphne Anneet

ALSO PRESENT: Susan Dueñas, Public Safety Manager; Rob DuBoux, Public Works Director; Chris Brossard, Fire Safety Liaison; Sarah Kaplan, Public Safety Specialist; Brandie Ayala, Senior Administrative Assistant; Parker Davis, Media Technician; Lieutenant James Braden, Los Angeles County Sheriff’s Department; and Mary Linden, Executive Assistant

PLEDGE OF ALLEGIANCE

Commissioner Gibbs led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Commissioner Gibbs moved and Chair Frost seconded a motion to approve the agenda. The question was called and the motion carried 4-0, Commissioner Anneet absent.

REPORT ON POSTING OF AGENDA

Executive Assistant Linden reported that the agenda for the meeting was properly posted on April 29, 2021.

ITEM 1.A. PUBLIC COMMENTS

Vice Chair Stewart requested members of the public only be called to speak if they were signed up to speak prior to the item being called.

Zach Fernandez was not present at the time of the hearing.

Bobby Milstein thanked the Commissioners for their time in service to the City. He discussed signs posted for oversized vehicles. He stated he understood the intent but expressed concern this might infringe on residents who own larger vehicles. He stated his pickup truck exceeded the height limit. He discussed how the two-hour time limit for commercial vehicle parking could impact contractors. He stated unattached trailer restrictions were already in place statewide.

Ryan Embree discussed the history of the oversized vehicle ordinance. He suggested the Commission recommend a permit program for residents with large vehicles. He stated the cost of the program would be recouped by citation fines. He expressed agreement with the Commission's recommendation for additional Sheriff patrol cars.

ITEM 1.B. STAFF UPDATES

Public Works Director DuBoux announced Civic Center Way was now open. He stated delivery of traffic signal equipment was expected soon. He discussed potential locations identified for installing a fire warning sign or a turnout for Corral Canyon as discussed in the Joint Special meeting with the Public Works Commission on March 11, 2021. He explained space requirements for a turnout. He announced Caltrans representatives would be at the June 2, 2021 meeting to present a safety project for the Pacific Coast Highway (PCH) intersections at Las Flores Canyon Road and Rambla Pacifico Street.

Public Safety Manager Dueñas stated staff was working with consultant on an indoor emergency warning system. She stated she was working with Southern California Edison (SCE) to establish the Michael Landon Center as a community resource center during an emergency. She stated the nuisance code amendment would come back at the June meeting. She announced the City-hosted site for second vaccines would be held at City Hall on Friday, May 7. She discussed State SB 85 funding available through the Mountains Recreation and Conservation Authority (MRCA) for fire preparedness and prevention in the Santa Monica Mountains area. She stated the City submitted request for \$324,000 for removal of 100 hazard trees on public or private property and to present 12 chipper days.

Fire Safety Liaison Brossard stated, if funding was awarded, chipper days would be offered by evacuation zone as a four-week project. He stated a green waste roll-off dumpster would be available for seven days per zone for items that could not be chipped. He discussed dead and dying trees in the Woolsey Fire scar zone and outside that area. He stated he would identify dead or dying trees and would contact the homeowners about removal.

ITEM 1.C. COMMISSIONER COMMENTS

Ex Officio Member Woodworth thanked the public speakers. He agreed parking restrictions might need additional review. He thanked Public Works Director DuBoux for information about a potential turnout on Corral Canyon Road. He stated he looked forward to Caltrans presenting safety enhancements for the Las Flores Canyon Road intersection. He thanked Assistant Fire Chief Drew Smith and his teams for hitting fires quickly. He stated risks of homeless encampments should be monitored. He stated local businesses were interested in working with the City regarding fire mitigation.

Commissioner Spiegel stated a resident contacted him regarding the incident at Zuma Beach where a person with a gun was arrested. He asked about progress to improve safety at El Matador Beach. He suggested a no parking zone on one side of PCH. Public Works Director DuBoux stated the Coastal Commission would not approve no parking zones on PCH without providing new nearby parking areas. In response to Commissioner Spiegel, he stated changeable message signs (CMS) were in place to warn motorists of pedestrians crossing the road. Commissioner Spiegel requested further investigation be conducted to make it safer. He agreed with Mr. Milstein about the need to modify the oversized vehicle ordinance.

In response to Mr. Milstein's comments, Commissioner Gibbs stated he previously expressed concern that non-egregious offenders would be impacted by parking restrictions. He expressed concern that the law may unequally be enforced. He stated a permit program could be difficult for transient workers. He discussed burglaries in Malibu West. He stated those crimes supported the Commission's recommendation for increased Sheriff's patrols at night.

Vice Chair Stewart thanked the public speakers. He discussed Ordinance No. 427. He stated the ordinance included exemptions, including for large pickup trucks without campers and certain delivery and other commercial vehicles. He discussed permit allowances for residents. He thanked Public Safety Manager Dueñas for looking into an indoor alert system. He stated a resident had suggested a traffic constable in the Civic Center on weekends. He suggested using Beach Team members to patrol the Civic Center area. He suggested adjusting speed limits on PCH between Malibu Road and Las Flores Canyon Road.

In response to Vice Chair Stewart, Public Safety Manager Dueñas stated evacuation zone signs were not yet ordered. She stated Lexis Nexis had not provided the requested cost proposal. She stated beacon boxes were on order and expected to be delivered in June. She stated the Conditional Use Permit (CUP) for the temporary tow yard was going to the Planning Commission next Monday. She stated she hoped the tow yard would be ready by Memorial Day weekend. She stated an MOU with Sierra Tow would be necessary.

Chair Frost thanked the public speakers. He thanked Vice Chair Stewart for the summary of Ordinance No. 427. He agreed the ordinance should be revisited and edited. He stated the City worked with Caltrans over the last six months to modify the Trancas Canyon Road crosswalk to be safer. He stated red lines should be painted in front of fire hydrants to delineate them and the hydrants should be cleared of brush. He discussed trailers parked in Malibu Park. He commended Assistant Fire Chief Drew Smith for his work on a new video put out by the Los Angeles County Fire Department regarding 69Bravo. He agreed with Commissioner Spiegel about safety concerns at El Matador Beach. He said the primary problems were speeding and illegal parking. He agreed that additional deputies were needed, especially at night. He discussed problems in the Civic Center area and the previous use of a bike patrol. He stated there were no speed limit signs on Cross Creek Road.

ITEM 2        CONSENT CALENDAR

MOTION        Commissioner Gibbs moved and Vice Chair Stewart seconded a motion to approve the Consent Calendar. The question was called and the motion carried 4-0, Commissioner Anneet absent.

The Consent Calendar consisted of the following items:

- A.        Previously Discussed Items
  - 1.        Approval of Minutes – March 3, 2021  
Staff recommendation: Approve minutes of the Public Safety Commission Regular meeting of March 3, 2021.
  
- B.        New Items
  - 1.        Approval of Minutes – April 7, 2021  
Staff recommendation: Approve minutes of the Public Safety Commission Regular meeting of April 7, 2021.

ITEM 3        OLD BUSINESS

None.

ITEM 4        NEW BUSINESS

- A.        Los Angeles County Sheriff's Department Contract  
Recommended Action: 1) Receive a report on the Los Angeles County Sheriff's Department contract; and 2) Provide a recommendation to the City Council for any changes in service level, if appropriate.

Public Safety Manager Dueñas presented the report. She displayed a summary page of what was included in the contract. She explained the one-half motor position was to cover the regular motor deputies' overtime. She displayed a chart breaking down

the current patrol coverage. She stated the pilot program was 40-hour car working # days. She stated the Administration and Finance Subcommittee (A&F) requested the Commission make a recommendation of two cars. She stated Councilmember Uhring suggested including the crime suppression car and a new car from 11:00 p.m. to 7:00 a.m. She discussed the cost differences between five-day and seven-day vehicles. She stated two seven-day cars would increase the contract by approximately \$1.5 million annually plus the one-time cost of \$183,000 to purchase the vehicles. She stated the contract would increase from \$7.9 million to \$9.5 million. She stated Lieutenant Braden also suggested an additional motor deputy, which would increase personnel cost plus the purchase of a motorcycle. She stated A&F requested the Public Safety Commission consider 40-hour cars, which would reduce the cost by approximately \$.5 million. She stated the quotation was based on a growth deputy, which was a discounted rate for the first year. She stated the higher full rate would be charged in future years.

Lieutenant Braden stated this topic had not been considered for many years, and the need had increased in the past several years. He stated Malibu's law enforcement budget was light compared to other cities. He suggested adding the suppression car for 40 hours and an additional new patrol vehicle for 40 hours on the early morning shift, and increase the one-half motor to a full motor deputy.

Public Safety Manager Dueñas stated the two additional cars requested would be special assignment deputy cars under Lieutenant Braden's direction. Lieutenant Braden stated they would respond to emergent calls but not regular service calls. He discussed the expected impact of short-term rental enforcement. Public Safety Manager Dueñas stated the coverage could be revisited at mid-year.

In response to Commissioner Gibbs, Lieutenant Braden recommended keeping the suppression car on the evening (PM) shift, adding the second car on the early shift, and upgrading to a full motor. He stated any reductions should be in the number of hours.

Chair Frost discussed the one-time cost to purchase vehicles. In response to Chair Frost, Lieutenant Braden stated the motor would work the morning shift during rush hour. Chair Frost suggested varying the times for the new motor. In response to Chair Frost, Lieutenant Braden stated motors did not usually work night hours but could work until dusk. He discussed motor schedules used by other cities. Chair Frost asked who would determine what days would be scheduled for a forty-hour schedule. He suggested Sunday coverage was needed.

Ex Officio Member Woodworth asked what the impact would be on incident statistics if a car was added in the early morning. Lieutenant Braden stated statistic impacts would be hard to determine. He stated visibility had its own impact. He discussed impacts of the crime suppression car. In response to Ex Officio Member Woodworth, Lieutenant Braden discussed the differences based on time of day.

Chair Frost discussed excessive speeding and crimes occurring in early morning hours. He agreed with Lieutenant Braden that additional coverage would provide residents with peace of mind.

Public Safety Manager Dueñas stated the contract cost would increase about five percent each year. She discussed the addition of \$3 million per year to the contract when the new Sheriff substation opens.

Commissioner Spiegel asked if additional two-person car in the early morning could be used as a crime suppression vehicle. Lieutenant Braden stated it would be a similar assignment.

In response to Ex Officio Member Woodworth, Public Safety Manager Dueñas stated the City will have a balanced budget regardless of the recommendation. She discussed concerns about rising annual costs. She stated future financial obligations had to be considered.

Vice Chair Stewart agreed with Lieutenant Braden that this discussion had been put off far too long. He stated the information provided was extremely helpful. He stated nearly one-third of the City's budget went to the Sheriff's contract. He stated public safety was the primary priority. He asked why motors were not deployed in the afternoons. Lieutenant Braden stated morning hours had more incidents with a greater impact on the City. He stated afternoon commutes were more staggered.

MOTION Vice Chair Stewart moved and Commissioner Spiegel seconded a motion to provide a recommendation to the City Council to: 1) approve the Los Angeles County Sheriff's Department Contract; 2) retain the two-person Crime Suppression vehicle for the PM shift, 40-hours per week, four days a week; 3) add a second two-person crime suppression vehicle, 40-hours per week in the early morning shift, four days per week; and 4) increase the current one-half motor to a full motorcycle deputy for weekday hours. The question was called and the motion carried 4-0, Commissioner Anneet absent.

Lieutenant Braden commended the Commission for an excellent recommendation.

- B. 2021 Summer Enforcement Team Proposal  
Recommended Action: 1) Review the Sheriff's Department proposal for the 2021 Summer Enforcement Team deployment; and 2) Provide a recommendation to the City Council to approve the proposal as part of the Sheriff's Budget for Fiscal Year 2021-2022.

Public Safety Manager Dueñas presented the report. She stated A&F discussed the cost increase for the Beach Team. She stated Beach Team costs were originally

covered by the County by sending a percentage of parking fees to the City. She stated that no longer covered the full cost.

In response to Vice Chair Stewart Lieutenant Braden discussed additional patrols provided with funding from Supervisor Kuehl's office. He suggested raising fines that had not been raised in years.

Public Safety Manager Dueñas clarified the funds sent from the County were a percentage of the beach parking fees. She stated the COVID-19 pandemic and the recent loosening of restrictions led to the decision during a meeting with partner agencies to start Beach Team coverage on May 1. Lieutenant Braden stated he agreed with the decision based on large crowds at local beaches last weekend. He discussed the varied backgrounds of Beach Team personnel. He stated deployment was the same as in previous years. He stated deployment on holiday weekends was approximately triple that of other weekends. He stated beach area residents appreciated the extra coverage. He suggested the City request a portion of parking citation fines.

Chair Frost complimented Beach Team member Scott Gold for providing a lot of confidence. Lieutenant Braden agreed that he was doing a stellar job.

Ryan Embree stated he addressed the A&F Subcommittee earlier today. He stated the Commission does not report back to a subcommittee. He stated accolades were for last year's Beach Team, and the Commission should focus on the upcoming season. He discussed the history of the Beach Team. He stated parking tax increases had to be on a ballot. He discussed Beach Team activities during foggy weather.

Chair Frost stated no Councilmember influenced his decision.

Vice Chair Stewart stated Councilmembers did not influence his decisions.

MOTION Commissioner Gibbs moved and Chair Frost seconded a motion to recommend that the City Council approve the 2021 Summer Enforcement Team deployment proposal as part of the Sheriff's Budget for Fiscal Year 2021-2022. The question was called, and the motion carried 4-0, Commissioner Anneet absent.

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.

Ryan Embree requested details about a recent traffic collision where a transient was killed. He stated a concern was raised in social media about the need for streetlights. He thanked Lieutenant Braden for the crime suppression detailed reports. He suggested the City track calls for service that were transient-related.

In response to Mr. Embree, Lieutenant Braden provided details of the fatal collision.

Lieutenant Braden stated statistics over the next several months may appear skewed in comparison to last year's statistics during the pandemic. He stated additional vehicles would improve the statistics. He suggested modifying the oversized vehicle ordinance to be more like the Redondo Beach ordinance. He stated signs were not required for enforcement. He stated the oversized vehicle ordinance could be very impactful for the City.

In response to Vice Chair Stewart, Lieutenant Braden stated the Automated License Plate Reader (ALPR) car activity report could be included in future monthly Sheriff reports.

Commissioner Gibbs stated Vice Chair Stewart's explanation of the oversized vehicle ordinance addressed some of his concerns. He agreed with Lieutenant Braden that the oversized vehicle ordinance was very impactful. Lieutenant Braden discussed changes on Corral Canyon Road that was previously filled with motorhomes.

In response to Chair Frost, Lieutenant Braden stated the ALPR car was assigned only to Malibu and was deployed both day and night. He stated the visibility of fixed ALPR would be a deterrent.

Commissioner Spiegel requested an update on the homeless individual arrested on Zuma Beach. He stated someone informed him he had called the Lost Hills Station two days earlier about the same individual. Lieutenant Braden stated that person called the station several times a week and provided insufficient information. He discussed the details provided by the subsequent reporting individual that led to the arrest. He described the Sheriff's Department's investigation process.

Commissioner Spiegel stated communication needed to improve either from Sheriff's Department or the City. He stated Lexis Nexis might help provide information the City could communicate to neighborhoods. He discussed a growing number of break-ins in Malibu West. Lieutenant Braden stated he was meeting with residents of Malibu West tomorrow evening. Public Safety Manager Dueñas stated the Lexis Nexis map will be useful to neighborhoods. She stated crime analysis would be a full-time job. Commissioner Spiegel stated he hoped to see improved communication.

Commissioner Spiegel stated the State was going to grant 76,000 inmates early release. He stated a significant percentage would end up on the street. Lieutenant Braden agreed it could have a significant negative impact on any community. He discussed the connection between non-criminalization of low-level crimes and the increase in crime rates. He suggested Commissioners write to State legislators in

opposition to a plan to close down the California Youth Authority starting in June 2021. He stated it would be kicked back to Counties.

Chair Frost thanked staff in attendance.

ADJOURNMENT

MOTION At 7:31 p.m., Commissioner Spiegel moved and Commissioner Gibbs seconded a motion to adjourn the meeting. The question was called and the motion carried 4-0, Commissioner Anneet absent.

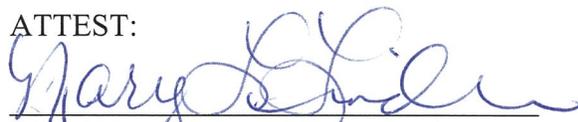
Approved and adopted by the Public Safety Commission of the City of Malibu on June 2, 2021.



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CHRIS FROST, Chair

ATTEST:



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MARY LINDEN, Executive Assistant