

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
MAY 13, 2019
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Mayor Wagner called the meeting to order at 6:33 p.m.

ROLL CALL

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

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

ALSO PRESENT: Christi Hogin, City Attorney; Reva Feldman, City Manager; Lisa Soghor, Assistant City Manager; Heather Glaser, City Clerk; Jesse Bobbett, Community Services Director; Craig George, Environmental Sustainability Director; Rob DuBoux, Public Works Director; Susan Dueñas, Public Safety Manager; Matt Myerhoff, Media Information Officer; Kelsey Pettijohn, Deputy City Clerk; Jerry Vandermeulen, Fire Safety Liaison; Christine Shen, Environmental Sustainability Analyst; Jessica Colvard, Associate Planner; Philip Coronel, Assistant Planner; and Richard Mollica, Senior Planner

APPROVAL OF AGENDA

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to approve the agenda, adjourning in memory of Tom Moore. The motion carried unanimously.

REPORT ON POSTING OF AGENDA

City Clerk Glaser reported that the agenda for the meeting was properly posted on May 2, 2019.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Commendation for Tim Biglow for Service to the Malibu Community

Mayor Wagner presented the commendation to Tim Biglow.

Mr. Biglow stated he was honored by the commendation. He thanked the Council and the community.

Dermot Stoker stated Mr. Biglow was amazing. He thanked Lieutenant Jim Royal and Walt Shirk for their work with the community as well as the members of the Malibu West Fire Brigade.

D. Proclamation Declaring May 2019 as Building Safety Month

Mayor Wagner presented the proclamation to Tom Harris from California Code Check.

Mr. Harris thanked the Council for recognizing the building safety community.

B. City of Malibu's Westside Energy Partnership Gold Tier Recognition

Mike Harriel, Southern California Gas Company (SoCalGas), and Rudolph Gonzales, Southern California Edison (SCE) presented the Westside Energy Partnership Gold Tier Recognition.

C. Southern California Edison Vegetation Management Program for Malibu

Rudolph Gonzales, SCE, presented information on the SCE Vegetation Management Program.

Councilmember Pierson thanked Mr. Gonzales and City staff for addressing the concerns of the community.

E. Staff update on Disaster Response and Recovery

Environmental Sustainability Director George stated debris removal was nearly complete. He stated submittals to the Planning Department had been slower than expected.

Senior Planner Mollica stated the Planning Department had issued 31 site approvals for temporary housing. He stated 91 Planning Verifications had been approved, of which 15 had entered the plan check process. He stated 19 Administrative Plan Reviews had been requested, of which one had entered the building safety plan check process, and five had been approved.

Environmental Sustainability Director George stated 97 of 227 sites in the opt out program for debris removal had been cleared. He stated 308 sites had been submitted into the California Office of Emergency Services debris removal program, but he did not know the number of sites cleared. He stated the two building permits issued were for buildings that were in process or nearly complete at the time of the Woolsey Fire. He announced upcoming Community Emergency Response Team trainings and a Rebuilding Resilience workshop on May 15, 2019.

ITEM 2.A. PUBLIC COMMENTS

Carolyn Carradine was not present at the time of the hearing.

Ken Luskin stated Management Partners had conflicts of interest and should not be allowed to continue its investigation of the City's performance during the Woolsey Fire. He stated he provided credible evidence to the City Attorney and Councilmembers that the City was performing illegal activities.

Kian Schulman deferred her time to Joel Schulman.

Joel Schulman requested the Council provide a date for approving a Local Coastal Program Amendment on pesticides. He stated first generation anticoagulants were not covered by Assembly Bill (AB) 1788. He discussed additional poisons and the active ingredient in Roundup.

Michael Epstein thanked the City for its work on recovery from the Woolsey Fire.

Julie Carmen stated Joe Edmiston, Executive Officer of Mountains Recreation and Conservation Authority (MRCA), had requested the California Coastal Commission (CCC) strip Malibu of its ability to put terms on MRCA projects.

Kelly McSpadden deferred her time to Ken Kearsley.

Cheryl Calbert deferred her time to Ken Kearsley.

Madeleine Ayvazian deferred her time to Ken Kearsley.

Nino Posella deferred his time to Ken Kearsley.

Kim Calvert deferred her time to Ken Kearsley.

Ken Kearsley requested review of Zoning Code Interpretation No. 8 (Criteria for Entry Gates). He stated the community needed to protect its sense of community and security. He stated Sycamore Park had experienced three burglaries in three weeks. He discussed local control. He stated MRCA planned to buy land in Malibu for park placement. He indicated opposition to allowing spot zoning within the City.

Sue Dale deferred her time to Liz Stephens.

Suzan Cano deferred her time to Liz Stephens.

Ray Cano deferred his time to Liz Stephens.

Andrius Kirsonis deferred his time to Liz Stephens.

Liz Stephens stated former MRCA staff members working for the City could benefit the City. She requested local control be maintained.

Gary Hoffman stated the CCC and MRCA were state bodies and the City should not have to fight them alone.

Barbara Kearsley deferred her time to Craig Gold.

Hal Dale deferred his time to Craig Gold.

Liz Robinson deferred her time to Craig Gold.

Craig Gold stated zoning was for planning purposes as well as the welfare and safety of the community. He requested a gate be allowed in Sycamore Park.

Carl Randall deferred his time to Lloyd Ahern.

Carol Randall deferred her time to Lloyd Ahern.

Steve McLean deferred his time to Lloyd Ahern.

Lloyd Ahern played clips from KBUU regarding a CCC meeting. He suggested a class action lawsuit of coastal cities be filed against MRCA.

Brittany Stephens requested the Council place review of Zoning Code Interpretation No. 8 on a future agenda to allow Sycamore Park to put in a gate. She stated a consultant needed to be directed to attend all CCC meetings on the City's behalf.

Keegan Gibbs stated SCE had done a good job trimming trees on Bonsall Drive. He stated future trimming should be done at a different time of year to avoid any issues with nesting. He requested SCE give the same attention to detail to the rest of Malibu as it did to Bonsall Drive, and he thanked SCE and City staff.

Norm Haynie congratulated the City on its Westside Energy Partnership Gold Tier Recognition. He thanked former Public Works Director Bob Brager, Public Works Director DuBoux, and Environmental Sustainability Director George for their work for the City.

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

City Manager Feldman congratulated and thanked Mr. Biglow. She introduced Planning Technician Philip Coronel and Fire Safety Liaison Jerry Vandermeulen. She stated six raptor polls and four owl boxes had been installed in City parks. She announced the next Library Speaker Series event on May 15, 2019, and the Radical Beauty art installation at City Hall on May 22, 2019.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Peak stated he attended a funeral for Lori Kaye and discussed

public safety. He thanked SCE for its willingness to meet with the residents of Malibu regarding tree trimming. He stated he toured the Net Zero Plus Electrical Training Institute in the City of Commerce. He indicated support for making the renewable energy default 100% for the City.

Councilmember Pierson thanked the public speakers. He stated Mr. Biglow was an asset to the community. He stated he accompanied a group that toured with Congresswoman Tulsi Gabbard through Malibu. He stated Mayor Pro Tem Farrer and he had worked very hard on selecting a company to do an independent evaluation of the City's performance during the Woolsey Fire and he did not see any conflict of interest. He discussed AB 1788 and stated he wanted an item about pesticides on the agenda for the second Council meeting of June 2019. He stated additional paperwork was necessary for the Farmers Market parking. He thanked City staff for its work on the 2019 State of the City video.

Councilmember Mullen congratulated Mr. Biglow. He welcomed Fire Safety Liaison Vandermeulen. He indicated agreement with Senator Henry Stern's comments at the 2019 State of the City event and encouraged the community to come together in the wake of the Woolsey Fire. He discussed the importance of building safety codes. He thanked Mr. Epstein, Mr. Gibbs, and Mr. Haynie for their comments. He indicated support for bringing an item back regarding Zoning Code Interpretation No. 8.

In response to Councilmember Mullen, City Attorney Hogin discussed the reason for Conditional Use Permits (CUP) and Coastal Development Permits (CDP). She stated the CCC wrote into Malibu's Local Coastal Program (LCP) a requirement to obtain a CUP for placing a park in a residential neighborhood. She stated the City was park, trails, and visitor-friendly.

Mayor Pro Tem Farrer thanked all the public speakers. She thanked and congratulated Mr. Biglow. She thanked SoCalGas and SCE. She thanked City staff. She thanked the Schulmans. She thanked Mr. Epstein for his gratitude. She discussed the importance of local control and the importance of professional organizations. She stated Planning Department staff was doing an admirable job handling the Woolsey Fire rebuilds. She wished Tommy Moore her best in the wake of losing his family home during the Woolsey Fire and, more recently, his father, Tom Moore. She announced the next Library Speaker Series event on May 15, 2019. She discussed the 2019 State of the City event. She thanked Chris Frost for his assistance in selecting a new Public Safety Commissioner. She discussed the 33rd Annual Nautica Malibu Triathlon on September 14, 2019. She stated she attended the Rebuilding Resilience workshop on April 27, 2019. She stated she attended two Advocates for Malibu Public Schools (AMPS) meetings. She discussed a recent meeting regarding school district separation. She stated she attended the Topanga Emergency Fair. She discussed affordable housing in Malibu. She thanked Lieutenant Jennifer Seetoo for her work to bring the Sandy Hook Promise program to local schools. She discussed the last Disaster Response and Recovery Ad Hoc Committee community meeting. She stated

Councilmember Pierson, City Manager Feldman, and she attended a Sheriff Town Hall meeting in Agoura Hills. She thanked everyone who attended the 2019 State of the City event and thanked all involved in making the event happen.

Mayor Wagner discussed the Adamson House. He stated Councilmember Peak and he attended an Environmental Sustainability Subcommittee meeting.

ITEM 3 CONSENT CALENDAR

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

MOTION Councilmember Peak moved and Councilmember Pierson seconded a motion to approve the Consent Calendar, except Item No. 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 56661-56829 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. 637 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$1,602,306.67. City of Malibu payroll check numbers 5004-5011 and ACH deposits were issued in the amount of \$426,349.64.

3. Approval of Minutes

Recommended Action: Approve the minutes for the April 8, 2019 Malibu City Council Special meeting and the April 8, 2019 Malibu City Council Regular Meeting.

4. Jake Kuredjian Citizenship Award Nomination

Recommended Action: At the recommendation of the Parks and Recreation Commission, approve the nomination of Kasey Earnest and Steve Hotchkiss as the recipients of the 2019 Jake Kuredjian Citizenship Award.

6. Disposal of Surplus Equipment

Recommended Action: Approve the disposal of surplus City equipment.

7. Floodplain Variance – 23314 Malibu Colony Drive

Recommended Action: Adopt Resolution No. 19-18 granting a variance from the floodplain coastal high hazard requirements for the construction of a bulkhead within a coastal floodplain at 23314 Malibu Colony Drive.

8. Recommending the Ratification of the Baron & Budd Professional Service Agreement

Recommended Action: The City Attorney recommends that the City Council ratify the Professional Services Agreement, including the conflict waiver and the joint defense agreement, retaining the law firm Baron & Budd, P.C. to represent the City of Malibu in the Woolsey Fire litigation against Southern California Edison.

The following item was pulled from the Consent Calendar for individual consideration:

5. License Agreement for Rental of Property for City Radio Transmitter

Recommended Action: Authorize the City Manager to execute a license agreement with Communications Relay LLC for the rental of property to be utilized for the installation of City radio transmitter equipment.

Public Safety Manager Dueñas presented the staff report.

MOTION

Councilmember Peak moved and Mayor Wagner seconded a motion to authorize the City Manager to execute a license agreement with Communications Relay LLC for the rental of property to be utilized for the installation of City radio transmitter equipment.

Richard Garvey discussed the importance of a repeater system during emergencies.

Councilmember Peak discussed fire mapping with repeaters.

The motion carried unanimously.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

A. Appeal No. 19-001 - Appeal of Planning Commission Resolution No. 19-05 (5939 Busch Drive; Appellant/Applicant: Steve Bowker and EFI Hubschman; Property Owner: The Hubschman Family Trust)

Recommended Action: Continue the item to the May 28, 2019 Regular City Council meeting.

This item was continued to the May 28, 2019 Regular City Council meeting upon approval of the agenda.

B. Fiscal Year 2019-2020 Schedule of Fees

Recommended Action: Adopt Resolution No. 19-20 establishing the 2019-2020 schedule of fees.

Assistant City Manager Soghor presented the staff report. She stated waiving fees for certain Woolsey Fire rebuilds would be brought back as a separate item.

Councilmember Pierson thanked staff.

MOTION Councilmember Peak moved and Councilmember Pierson seconded a motion to adopt Resolution No. 19-20 establishing the Fiscal Year 2019-2020 schedule of fees. The motion carried unanimously.

Councilmember Peak thanked staff.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS

A. Application Process for Participation in the Civic Center Water Treatment Facility (CCWTF) Phase Two

Recommended Action: Authorize an application process for properties that were not included in the CCWTF Phase Two or Phase Three boundaries to participate in the CCWTF Phase Two Project.

City Manager Feldman presented the staff report.

Chris Huddleston indicated support for the recommended action.

Taylor Megdal indicated support for the recommended action.

Councilmember Peak stated the application process made sense for properties in the prohibition area that could not be built on unless they could be connected to the CCWTF.

Mayor Pro Tem Farrer indicated support for the recommended action.

In response to Councilmember Mullen, City Manager Feldman confirmed applications would be brought to the Council for review.

In response to Councilmember Peak, City Manager Feldman explained there were property owners in Phase Three or not in the prohibition area at all that would like to be able to apply for inclusion in Phase Two.

Councilmember Peak expressed concern for additional development.

City Manager Feldman stated any inclusion in Phase Two would need to be settled by a date certain.

Councilmember Mullen thanked staff for bringing forward a methodology to consider what would be included in Phase Two.

In response to Mayor Wagner, City Manager Feldman stated the capacity of the CCWTF had already been set.

MOTION Councilmember Pierson moved and Councilmember Mullen seconded a motion to authorize an application process for properties that were not included in the CCWTF Phase Two or Phase Three boundaries to participate in the CCWTF Phase Two Project. The motion carried unanimously.

- B. Primary View Determinations for Areas Affected by the Woolsey Fire
Recommended Action: 1) Receive report on the Woolsey Fire affected primary view determinations; 2) Adopt Resolution No. 19-19 initiating a zoning text amendment to temporarily halt the processing of primary view determinations over the areas affected by the Woolsey Fire; and 3) Provide direction regarding recommendations for any code amendments or establish a new policy, and refer such items to the Zoning Ordinance Revisions and Code Enforcement Subcommittee and Planning Commission for recommendation.

Assistant Planner Colvard presented the staff report.

Councilmember Peak indicated support for placing a temporary hold on processing primary view determinations over the areas affected by the Woolsey Fire. He stated the City needed to be proactive about the type of landscaping that should be allowed for Woolsey Fire rebuilds.

In response to Councilmember Mullen, Assistant Planner Colvard stated it was hard to estimate when property owners would replant.

Councilmember Mullen indicated support for halting the processing of primary view determinations over the areas affected by the Woolsey Fire.

Mayor Pro Tem Farrer indicated support for halting the process of primary view determinations within a 1000-foot radius affected by the Woolsey Fire area for two years.

Councilmember Pierson indicated support for halting the process of primary view determinations within a 1,000-foot radius affected by the Woolsey Fire burn area for a year from June 1, 2019.

Councilmember Peak suggested that staff come back in June 2020 to provide an update on the progress of landscaping in the Woolsey Fire burn area. He stated the temporary hold should not apply to a property where no area between it and the ocean burned.

MOTION Councilmember Peak and Mayor Pro Tem Farrer seconded a motion to: 1) adopt Resolution No. 19-19 initiating a zoning text amendment to temporarily halt the processing of primary view determinations within a 1,000-foot radius of the areas affected by the Woolsey Fire; and 2) direct staff to bring back an update in June

2020. The motion carried unanimously.

ITEM 7 COUNCIL ITEMS

- A. Council Appointment to the Public Safety Commission
Recommended Action: Mayor Pro Tem Farrer to make her appointment to the Public Safety Commission.

Mayor Pro Tem Farrer appointed Doug Stewart to the Public Safety Commission.

- B. Support for Fire-Related Legislation: Senate Bill (SB) 45, SB 130, Assembly Bill (AB) 291, and AB 1144 (Councilmember Mullen)

Recommended Action: At the request of Councilmember Mullen, authorize the Mayor to send letters of support for: 1) SB 45, a bill to enact the Wildfire, Drought, and Flood Protection Bond Act of 2020 that would, if approved by the voters, authorize the issuance of \$4.3 billion to finance fire restoration and protection projects; 2) SB 130, a bill that would require the California Department of Forestry and Fire Protection to establish a grant program to provide grants to cities located in very high fire hazard severity zones to be used for the installation and implementation of an emergency fire siren warning system; 3) AB 291, a bill that would establish a Local Emergency Preparedness and Hazard Mitigation Fund in the amount of \$500 million to support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency management, preparedness, readiness, and resilience goals and require the Office of Emergency Services (OES) to establish a committee to adopt guidelines for the eligible uses of the funds; and 4) AB 1144, a bill that would require the California Public Utilities Commission (CPUC) to allocate 10% of its self-generation incentive program in the 2020 calendar year for the installation of energy storage and other distributed energy resources for customers that provide critical infrastructure to communities in high fire threat districts.

Councilmember Mullen presented the item.

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to authorize the Mayor to send letters of support for: 1) SB 45, a bill to enact the Wildfire, Drought, and Flood Protection Bond Act of 2020 that would, if approved by the voters, authorize the issuance of \$4.3 billion to finance fire restoration and protection projects; 2) SB 130, a bill that would require the California Department of Forestry and Fire Protection to establish a grant program to provide grants to cities located in very high fire hazard severity zones to be used for the installation and implementation of an emergency fire siren warning system; 3) AB 291, a bill that would establish a Local Emergency Preparedness and Hazard Mitigation Fund in the amount of \$500 million to support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency management, preparedness, readiness, and resilience goals and require the Office of Emergency Services (OES) to establish a committee to adopt guidelines for the eligible uses of the funds; and 4) AB

1144, a bill that would require the California Public Utilities Commission (CPUC) to allocate 10% of its self-generation incentive program in the 2020 calendar year for the installation of energy storage and other distributed energy resources for customers that provide critical infrastructure to communities in high fire threat districts.

Mayor Wagner discussed AB 1144.

The motion carried unanimously.

C. NextGen Bus Study (Councilmember Peak)

Recommended Action: At the request of Councilmember Peak, authorize the Mayor to send a letter to the Board of Directors of the Los Angeles County Metropolitan Transportation Authority regarding the NextGen Bus Study.

Councilmember Peak presented the item.

In response to Councilmember Mullen, Councilmember Peak stated public transit that went passed Trancas Canyon Road and through the canyons came out of a needs assessment done by Metro.

Marianne Riggins stated Z traffic needed to be lessened. She discussed the importance of connecting Malibu to the San Fernando Valley.

MOTION

Councilmember Pierson moved and Councilmember Mullen seconded a motion to authorize the Mayor to send a letter to the Board of Directors of the Los Angeles County Metropolitan Transportation Authority regarding the NextGen Bus Study. The motion carried unanimously.

D. Los Angeles County Waterworks District No. 29 Water Pump Back-Up Power (Councilmember Pierson)

Recommended Action: At the request of Councilmember Pierson, authorize the Mayor to send a letter to Los Angeles County Waterworks District No. 29 urging it to provide back-up power to all water pumps in Malibu to ensure consistent water pressure and flow at all times.

Councilmember Pierson presented the item. He stated he would like to pull the recommendation back and come back with a more complete solution.

Norm Haynie stated he would save his comments until the item came back to Council.

CONSENSUS

By consensus, the Council tabled authorizing the Mayor to send a letter to Los Angeles County Waterworks District No. 29 urging it to provide back-up power to all water pumps in Malibu to ensure consistent water pressure and flow at all times.

RECESS At 9:33 p.m., Mayor Wagner recessed the meeting. The meeting reconvened at 9:41 p.m., with Councilmember Mullen, Mayor Pro Tem Farrer, and Mayor Wagner present.

E. Opposition to County Ordinance Allowing Camping in Environmentally Sensitive Habitat Areas (Mayor Pro Tem Farrer)

Recommended Action: At the request of Mayor Pro Tem Farrer, authorize the Mayor to send a letter to the Los Angeles County Board of Supervisors opposing the proposed ordinance to amend the Land Use Plan and Local Implementation Plan that would allow camping in environmentally sensitive habitat areas.

Mayor Pro Tem Farrer presented the item.

Councilmember Pierson returned to the dais at 9:42 p.m.

Councilmember Peak returned to the dais at 9:45 p.m.

Christopher Carradine was not present at the time of the hearing.

Deborah Frankel indicated support for the recommended action. She stated MRCA was not a good steward of Malibu land.

Julie Carmen indicated support for the recommended action. She expressed concern for runoff from a pig farm.

Beatrix Zilinskas indicated support for the recommended action.

Liz Robins deferred her time to Ken Kearsley.

Sue Dale deferred her time to Ken Kearsley.

Suzan Cano deferred her time to Ken Kearsley.

Laura Voyder deferred her time to Ken Kearsley.

Ken Kearsley stated another burglary happened in Sycamore Park during the course of the Council meeting. He stated MRCA was demonstrating hypocrisy.

Nino Posella deferred his time to Elizabeth Stephens.

Kelly McSpadden deferred her time to Elizabeth Stephens.

Elizabeth Stephens stated MRCA had weaponized the CCC against the Malibu community.

Gary Hoffman stated it was important to prevent fires rather than focusing on how to fight them better.

Cheryl Calvert deferred her time to Craig Gold.

Rey Cano deferred his time to Craig Gold.

Hal Dale deferred his time to Craig Gold.

Andrius Kirsonis deferred his time to Craig Gold.

Craig Gold indicated support for the recommended action.

Alan Armstrong deferred his time to E. Barry Haldeman.

E. Barry Haldeman stated the Los County Board of Supervisors could amend its LCP. He expressed concern for dangerous fires that could be caused by allowing camping in Environmentally Sensitive Habitat Areas (ESHA). He indicated support for the recommended action.

Elena Eger deferred her time to Angelica Ochoa.

Angelica Ochoa, on behalf of MRCA, indicated opposition to the recommended action. She stated the City's Land Use Plan supported camping. She stated camping in ESHA was allowed as long as there was only a negligible impact on ESHA.

John Gooden indicated support for the recommended action.

Anita Hoffman indicated support for the recommended action.

Lloyd Ahern indicated support for the recommended action.

Lotte Cherin was not present at the time of the hearing.

Brittany Stephens stated MRCA was spending its money on litigation instead of conservation.

Daniel M. Cislo stated land in the care of MRCA had not been well-managed.

Councilmember Peak thanked the speakers. He encouraged the speakers to voice their concerns to the Los Angeles County Board of Supervisors, CCC, and State legislature.

Councilmember Pierson thanked the speakers. He encouraged the speakers to make their voices heard by the Los Angeles County Board of Supervisors.

Councilmember Mullen stated the Santa Monica Mountains Land Use Plan (LUP) allowed certain things, including low impact camping and parking lots, in ESHA. He stated a judge had directed the CCC to amend the language of the LUP so

there was no use allowed that would disturb ESHA. He thanked Ms. Ochoa for attending the meeting. He read the following statement from the judgment in *Ramirez Canyon Preservation Fund v. California Coastal Commission*: "If the LCP permits the County, in the course of its case-by-case evaluation of permit applications for low-impact campgrounds, to approve a low-impact campground that would significantly disrupt ESHA habitat values, then the LCP violates section 30240." He indicated support for sending a letter to the County supporting the 2017 judgment.

Mayor Wagner thanked Councilmember Mullen. He discussed the stop work order issued to MRCA by the City.

MOTION Councilmember Peak moved and Mayor Pro Tem Farrer seconded a motion to authorize the Mayor to send a letter to the Los Angeles County Board of Supervisors supporting the protection of ESHA from any significant disruptions and encouraging the County to follow the final decision in the case *Ramirez Canyon Preservation Fund vs. California Coastal Commission*. The motion carried unanimously.

ADJOURNMENT

At 10:43 p.m., Mayor Wagner adjourned the meeting in memory of Tom Moore.

Approved and adopted by the City Council of the
City of Malibu on June 10, 2019.



JEFFERSON WAGNER, Mayor

ATTEST:



HEATHER GLASER, City Clerk
(seal)