MEETING CALL TO ORDER

Mayor Pro Tem 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 Jefferson Wagner (arrived at 7:07 p.m.); Mayor Pro Tem Karen Farrer; and Councilmembers Rick Mullen; Skylar Peak; and Mikke Pierson

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Reva Feldman, City Manager; Lisa Soghor, Assistant City Manager; Heather Glaser, City Clerk; Jesse Bobbett, Community Services Director; Andrew Sheldon, Acting Environmental Sustainability Director; Rob DuBoux, Public Works Director; Susan Duenas, Public Safety Manager; Jerry Vandermeulen, Fire Safety Liaison; and Mat Simpkins, Wastewater Management Program Specialist

PLEDGE OF ALLEGIANCE

Lloyd Ahern led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Councilmember Mullen moved and Councilmember Peak seconded a motion to approve the agenda. The motion carried 4-0, Mayor Wagner absent.

REPORT ON POSTING OF AGENDA

City Clerk Glaser reported that the agenda for the meeting was properly posted on August 29, 2019, with the amended agenda posted on September 5, 2019.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Proclamation Declaring September 16-20, 2019 as Septic Smart Week

Mayor Pro Tem Farrer presented the proclamation to Wastewater Management Program Specialist Simpkins.

Wastewater Management Program Specialist Simpkins thanked the Council. He encouraged the community to visit Environmental Health staff or the City website for answers to any questions about septic systems.
B. **Staff Update on Disaster Response and Recovery**

Planning Director Blue discussed Woolsey Fire rebuilding progress. She stated the Planning Department had issued approvals for 51 like-for-like, 68 for like-for-like +10%, and 12 major change projects. She stated 18 projects were under Planning Department review and 132 had been approved by the Planning Department. She stated the City had waived $486,474.70 in fees for Woolsey Fire rebuilds.

Acting Environmental Sustainability Director Sheldon stated 16 building permits had been issued.

Public Safety Manager Dueñas stated the fourth Community Emergency Response Team (CERT) class of 2019 had begun. She stated four Emergency Operations Center classes had been conducted for City staff. She stated the City participated in a Los Angeles County Sheriff’s Department Emergency Operations Bureau briefing. She stated Fire Safety Liaison Vandermeulen had conducted 27 Home Ignition Zone Assessments since June 2019. She stated she met with representatives of the Santa Monica-Malibu Unified School District (SMMUSD) to plan a joint disaster exercise. She stated a test of Everbridge, the City’s disaster notification system, had been conducted for eastern Malibu. She stated a draft of the Malibu Survival Guide had been completed and emergency preparedness cards would be mailed to residents within the week. She announced upcoming Everbridge tests for eastern central, western central, and western Malibu. She announced Preparing for Fire: Malibu Residents Share Their Experiences on September 11, 2019, a Fire Safe Council Workshop on September 19, 2019, and a Red-Flag Season Community Fire Briefing on September 21, 2019. She reminded the community to sign up for notifications and alerts.

ITEM 2.A. **PUBLIC COMMENTS**

Michael Brown, Los Angeles County Fire Department Acting Assistant Fire Chief, stated the Fire Department had completed over 4,000 inspections in Malibu. He discussed the importance of clearing rain gutters, inspecting rooftops, pruning trees back farther than normal, inspecting vents, installing double-paned windows, moving patio furniture away from homes, and practicing fire drills.

Bruce Silverstein questioned why Southern California Edison (SCE) had vacated the property adjacent to the Loki parcel after it had been granted approval to use the property until the end of 2019. He stated the basis for the need of the property had been misrepresented and SCE had only used the property for cost-savings and not public safety. He stated staff and some of the Councilmembers were not guided by the City Mission and Vision Statements.

Elizabeth Stephens discussed the troubles and lawsuits her neighborhood was dealing with from Mountains Recreation Conservation Authority (MRCA). She questioned whether an incentive program was being enacted by City staff. She
discussed Senate Bill 45 (SB45) and requested the Council weigh in on it.

Barry Haldeman stated the Santa Monica Mountains were subject to the Local Coastal Plan. He stated Los Angeles County Supervisor Sheila Kuehl was introducing an amendment to allow overnight camping in Environmentally Sensitive Habitat Areas (ESHA). He stated the amendment would increase the threat of fire. He requested the Council again oppose the amendment that would be introduced at the September 24, 2019 Los Angeles County Board of Supervisors meeting.

Lloyd Ahern discussed the Local Coastal Plan amendment that would be proposed by Supervisor Kuehl to allow overnight camping in ESHA. He requested the Council again oppose the amendment and suggested a large show of force from the Malibu community and City staff at the September 24, 2019 Los Angeles County Board of Supervisors meeting.

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

City Manager Feldman stated Woolsey Fire rebuild permit number 17 had been issued to Guy Blake. She thanked him and his son for their work during the Woolsey Fire. She announced the Malibu Smart Workshop: Firescaping on September 10, 2019, a Points of Information Distribution Demonstration September 14, 2019, and the Malibu Smart Workshop: Turf Replacement on September 21, 2019. She stated the Nautica Triathlon would take place during the upcoming weekend. She stated Assembly Bill 1788 had been turned into a two-year bill. She discussed meetings with Verizon Wireless regarding redundancy for cell communications in the City. She stated Malibu Towing had located a new site on Pacific Coast Highway. She stated the temporary skate park was moving forward and an online survey would be available on the City’s website regarding desired elements. She reminded the community to sign up for notifications and alerts on the City’s website. She stated an emergency preparedness postcard was being mailed to residents.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Peak thanked the Malibu Boys and Girls Club for putting on the Chili Cook-Off event. He stated he attended a Clean Power Alliance (CPA) Board meeting.

Councilmember Mullen thanked Mr. Blake and his son. He stated he attended the Chili Cook-Off event. He stated Mayor Pro Tem Farrer and he held a school separation meeting. He stated he met with Verizon Wireless representatives regarding the City’s desire to have a more robust system that would withstand the type of fires the City had.

Mayor Wagner arrived at 7:07 p.m.
Councilmember Mullen thanked Ms. Stephens for her support. He stated the City was welcoming to visitors. He stated the trail dedication program had been extinguished. He stated a lot of public accessways had been extracted by the California Coastal Commission (CCC) before cityhood. He thanked Mr. Haldeman for his comments. He discussed a crosswalk proposed by Caltrans near Malibu Seafood. He discussed Malibu Towing.

Councilmember Pierson thanked the community for its input.

In response to councilmember Pierson, City Manager Feldman stated Caltrans would hold another community meeting regarding a crosswalk near Malibu Seafood.

Councilmember Pierson discussed rebuilding in Malibu West after the Woolsey Fire. He stated nearly every house that burned in Malibu West was due to embers and not direct contact with flames. He encouraged the community to attend the Malibu Smart Workshop: Firescaping on September 10, 2019. He stated proper landscaping could save a home during a fire. He stated he met with the Homelessness Working Group in Malibu and encouraged the community to attend the next meeting on September 26, 2019. He stated he participated in a call with California Strategies & Advocacy, the City’s lobbyist, regarding homelessness. He stated he participated in a local arson watch training in his neighborhood. He discussed brush clearance and stated the recent fire at Sweetwater Mesa had been started by the use of a string trimmer. He stated he and Mayor Pro Tem Farrer met with Malibu/Lost Hills Sheriff’s Station Captain Vander Horck. He stated he attended the Malibu Chili Cook-Off. He stated City Manager Feldman and he met with the incoming chair of the Malibu Chamber of Commerce, Ian Roven. He stated Mayor Pro Tem Farrer and he met with Malibu Leading Education Advancement and Development (LEAD). He stated he attended the SurfAid Cup event.

Mayor Pro Tem Farrer discussed the pain and suffering caused by MRCA. She discussed SB45 and stated she wanted to discuss it with California Strategies & Advocacy. She discussed camping in ESHA and stated she would attend the September 24, 2019 Los Angeles County Board of Supervisors meeting. She stated another community meeting regarding a crosswalk near Malibu Seafood had been requested by City Manager Feldman. She stated City Manager Feldman, Councilmember Pierson, and she met with Malibu/Lost Hills Sheriff’s Station Captain Vander Horck. She discussed partnering with the Malibu Chamber of Commerce to support local businesses. She stated school district separation negotiations continued. She thanked the Malibu Boys and Girls Club and everyone that volunteered and supported the Chili Cook-Off event. She stated Councilmember Pierson and she met with SCE regarding its plans to update and improve equipment. She discussed the recent fire at Sweetwater Mesa and thanked City Manager Feldman, Public Safety Manager Duenas, and CERT members who worked at City Hall while it was closed for the long weekend. She stated she volunteered at the Community Tent at the Chili Cook-Off. She thanked
Lieutenant Seetoo for organizing a presentation by the Los Angeles County Sheriff's Department Emergency Operations Bureau.

In response to Mayor Pro Tem Farrer, City Manager Feldman stated Lieutenant Seetoo, Public Safety Manager Duenas, and she were working to provide similar trainings on a quarterly basis.

Mayor Pro Tem Farrer discussed the meeting City Manager Feldman, Councilmember Pierson and she had with Verizon Wireless. She stated Malibu LEAD was replacing the Shark Fund and the fundraising money that was coming from the Santa Monica-Malibu Education Foundation. She stated the Foundation had formally dropped Malibu out of its organization. She discussed the school district separation efforts. She encouraged the community to take advantage of the programs the City was offering during Preparedness Month in September 2019.

Mayor Wagner announced he and Councilmember Peak had an Environmental Sustainability Subcommittee meeting. He thanked Mr. Simmens for his comments about the proposed crosswalk near Malibu Seafood. He stated he attended a meeting on fire safety at Public Safety Commissioner Doug Stewart's home.

ITEM 3 CONSENT CALENDAR

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to approve the Consent Calendar. The motion carried unanimously, except for Item 3.B.8., which carried 4-0, Councilmember Pierson recusing himself.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items
1. Second Reading and Adoption of Ordinance No. 448
   Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 448 adding Chapter 9.33 (Shared On-Demand Personal Mobility Devices) to Title 9 of the Malibu Municipal Code prohibiting electric rideshare scooters from being placed or operated in the public right-of-way and finding the same exempt from the provisions of the California Environmental Quality Act.

2. Second Reading and Adoption of Ordinance No. 449
   Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 449 implementing the 2008-2014 General Plan Housing Element by amending the Local Coastal Program Local Implementation Plan, Malibu Municipal Code Title 17 and Zoning Map to add an affordable housing overlay district for three specific sites (four lots): 28517 Pacific Coast Highway; 28401 Pacific Coast Highway; and a portion of 23465 Civic Center Way formerly known as 3700 La Paz Lane; acknowledging receipt of the California Coastal Commission Resolution of Certification for Local Coastal Program Amendment No. 12-002 with suggested modifications and adopting revisions to Local Coastal Program...
Amendment No. 12-002, Zoning Text Amendment No. 12- 002 and Zoning Map Amendment No. 13-002 to incorporate the California Coastal Commission’s suggested modifications; repealing Ordinance No. 375; and finding the same exempt from and properly studied under the California Environmental Quality Act.

3. **Second Reading and Adoption of Ordinance No. 450**
   Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 450 determining the project is exempt from the California Environmental Quality Act and amending Chapter 127.45 (Citywide View Preservation and Restoration Ordinance) of Malibu Municipal Code Title 17 (Zoning) to establish provisions to restrict primary view determinations within a 1,000-foot radius of the Woolsey Fire affected area and other disaster areas (Citywide).

**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 57836-57956 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. 644 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $1,103,576.04. City of Malibu payroll check numbers 5038-5042 and ACH deposits were issued in the amount of $231,208.21.

3. **Approval of Minutes**
   Recommended Action: Approve the minutes for the August 12, 2019 Malibu City Council Regular meeting.

4. **Woolsey Fire One-Year Anniversary Observance**
   Recommended Action: 1) Adopt Resolution No. 19-39 declaring November 9th as Malibu’s Annual Day of Preparedness; and 2) Receive and file report on plans to recognize the one-year anniversary of the Woolsey Fire.

5. **Legacy Park Artwork Pedestal Foundation Project Completion and Acceptance of Work**
   Recommended Action: 1) Accept the work performed by Zusser Company, Inc. for the Legacy Park Artwork Pedestal Foundation Project (Specification No. 2075) as complete; and 2) Authorize the Public Works Director to submit for recordation a Notice of Completion for the project.

6. **Updates to the Emergency Operations Plan**

7. **City of Malibu Participation in the California Coastal Commission Local Coastal Program Planning Grant Program**
   Recommended Action: Adopt Resolution No. 19-41 authorizing staff to
submit a grant application up to $400,000 California Coastal Commission Local Coastal Program Planning Grant Program.

8. Appeal No. 18-009 - Appeal of Planning Commission Resolution No. 18-75 (20222 Pacific Coast Highway; Appellant/Applicant: Dorinne Graves; Property Owner: CKGD Heritage Trust)

Recommended Action: Adopt findings in the staff report, determine the project is categorically exempt from the California Environmental Quality Act, deny Appeal No. 18-009 and approve Coastal Development Permit No. 15-042 to construct a new 2,536-square foot, two-story, single-family residence, with an attached two-car garage with roof deck, retaining walls, landscaping, hardscaping, and seawall, and construction of a new onsite wastewater treatment system, including Variance (VAR) No. 15-021 to reduce the required amount of unenclosed parking to one space, VAR No. 15-022 to reduce the required geotechnical factor of safety related to the underlying landslide, VAR No. 18-042 for construction on slopes steeper than 2.5 to 1, and Offer to Dedicate No. 18-002 to dedicate a lateral access easement along the shoreline at the rear of the property located in the Single-Family Medium Density zoning district at 20222 Pacific Coast Highway (CKGD Heritage Trust).

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

A. Ordinance Banning Self-Regenerating Water Softeners

Recommended Action: 1) After the City Attorney reads the title of the ordinance, introduce on first reading and conduct public hearing on Ordinance No. 451 determining the project is categorically exempt from the California Environmental Quality Act and adding Chapter 9.40 to Title 9 of the Malibu Municipal Code (MMC) prohibiting the installation or use of self-regenerating water for properties connected to the Civic Center Water Treatment Facility; and amending Section 1.10.040 of Chapter 1.10 (Administrative Citations and Penalties) of Title 1 (General Provisions) of the Malibu Municipal Code to reflect that violations of Chapter 9.40 shall be subject to the City’s administrative penalty provisions; and 2) Direct staff to schedule a second reading and adoption of Ordinance No. 451 for the October 28, 2019 Regular City Council meeting.

Acting Environmental Sustainability Director Sheldon presented the staff report.

Bill Riggs, Culligan Water, indicated opposition to the recommended action. He stated the ban would not help meet the objective.

Carlos Mireles, Culligan Water, stated removal of water softeners would not result in reduced salinity levels.

In response to Councilmember Peak, Acting Environmental Sustainability Director Sheldon stated the ordinance applied to any property that was connected
to the Civic Center Water Treatment Facility (CCWTF). He stated the residential properties that would be affected had not yet been developed and, therefore, did not have any water softeners to remove.

In response to Councilmember Mullen, Public Works Director stated salinity could adversely affect the operation of CCWTF and it could lead to compliance issues. Acting Environmental Sustainability Director Sheldon stated the City wanted to head off any future compliance issues. He stated the CCWTF design engineer was very experienced.

Councilmember Mullen suggested including industry professionals in future discussions.

Mayor Wagner indicated support for the recommended action.

**MOTION** Councilmember Pierson moved and Mayor Pro Tem Wagner seconded a motion to: 1) introduce on first reading and conduct public hearing on Ordinance No. 451 determining the project is categorically exempt from the California Environmental Quality Act and adding Chapter 9.40 to Title 9 of the Malibu Municipal Code (MMC) prohibiting the installation or use of self-regenerating water softeners for properties connected to the Civic Center Water Treatment Facility; and amending Section 1.10.040 of Chapter 1.10 (Administrative Citations and Penalties) of Title 1 (General Provisions) of the Malibu Municipal Code to reflect that violations of Chapter 9.40 shall be subject to the City’s administrative penalty provisions; and 2) direct staff to schedule a second reading and adoption of Ordinance No. 451 for the October 28, 2019 Regular City Council meeting. The motion carried unanimously.

**RECESS** At 8:01 p.m., Mayor Wagner called a recess. The meeting reconvened at 8:12 p.m. with all Councilmembers present.

**ITEM 5  OLD BUSINESS**

None.

**ITEM 6  NEW BUSINESS**

Mayor Wagner recused himself and left the dais at 8:14 p.m.

Assistant City Attorney Rusin stated Mayor Wagner would recuse himself since he had a property located within Civic Center Water Treatment Facility Phase Two area.

**A. Review of Applications for Participation in the Civic Center Water Treatment Facility (CCWTF) Phase Two Update**

Recommended Action: 1) If the City Engineer determines there is available capacity, determine whether to allow additional properties to connect and, if
so, determine the priority order of properties requesting to connect to CCWTF; and 2) Provide direction to staff.

City Manager Feldman stated the City fought the requirement of the Regional Water Quality Control Board (RWQCB) to construct the CCWTF. She stated she was sensitive to the community’s reluctance to see sewers in the City. She stated the Council had directed staff to bring back applications for properties requesting to be included in CCWTF Phase Two, which was mandated to be completed by November 2024.

Public Works Director DuBoux presented the staff report.

City Manager Feldman stated any decision the Council made regarding wastewater would still have to go through an entitlement process. She stated the City’s Bond Counsel was concerned about the inclusion of CCWTF Phase Three properties and the impact it would have on eligibility for State Revolving Fund loans.

Chris Deleau, Schmitz and Associates on behalf of 23907 Malibu Road, which was application number 14, stated the property was assessed in CCWTF Phase One and was requesting 722 gallons per day.

Beatrix Zilinskas deferred her time to Bruce Silverstein.

Bruce Silverstein questioned why City staff could not deny applications for properties to be included in CCWTF Phase Two. He discussed the City’s Vision Statement and City’s Mission Statement. He stated applicants were asking for special treatment. He stated the applicants should demonstrate the properties were actually able to connect within the environmental constraints.

Nicole Farnoush, Schmitz and Associates on behalf of 23704 Harbor Vista Drive, which was application number 5, stated the property owner would like to connect in Phase Two instead of Phase Three. She stated the property did not pose an additional allocation because total capacity of the CCTWF was allocated for all three phases.

Chris Hudulston deferred his time to Taylor Megdal.

Taylor Megdal stated adding properties to connect to CCTWF was environmentally sound. He stated he was representing the properties of 24051, 24041, and 24057 Malibu Road, application numbers 1-3. He indicated support for allowing single-family homes allocated in Phase Three to connect in Phase Two.

Eric Geier, Glaser Weil on behalf of Perenchio, which was application number 12, discussed property rights. He stated flow had been allocated to the property in Phase Three. He requested the item be continued.
Bryan Gordon, on behalf of application number 13, stated the application was for additional allocation to support the desire to increase the restaurant use from 10,000 feet to 20,000 feet, which would be just over 15 percent of the property.

Richard Lawrence deferred his time to John Mazza.

John Mazza, on behalf of the Malibu Township Council, discussed the reasons for cityhood, the City’s fight with RWQCB, and Measure M. He stated Phase Three would not move forward. He stated the wetlands were specifically excluded from the prohibition area.

Kraig Hill questioned whether allowing additional properties to connect in Phase Two would encourage additional growth. He stated more study on availability would be necessary.

Elizabeth Stephens indicated support for slow growth. She stated denial of the applications did not deny anyone the use of their property.

Tibor Kelemen deferred his time to Don Schmitz.

Don Schmitz, on behalf of the Smith parcel, stated the parcel was a wetland inside the prohibition area. He stated total buildout of the CCWTF was 517,000 gallons per day (gpd). He stated Phase Three was already allocated. He stated a total of 26,255 gpd was being requested outside of Malibu Country Estates. He stated assimilative capacity was 711,000 gpd. He requested the item be continued.

Keegan Gibbs indicated opposition to allowing additional properties to connect in Phase Two.

Linda Gibbs discussed climate, hydrology, and soil. She stated the next 10 years would determine the next 1,000. She expressed concern about the Smith parcel wetland. She indicated opposition to allowing additional properties to connect in Phase Two.

Dru Ann Jacobson was not present at the time of the hearing.

Ryan Embree discussed the Memorandum of Understanding (MOU) with the RWQCB. He indicated opposition to allowing additional properties to connect in Phase Two for economic gain.

Lyn Konheim, on behalf of 24157 Malibu Road, stated he considered connecting to Phase Two as being better for the environment.

In response to Councilmember Mullen, City Manager Feldman stated HRL requested to participate in Phase Two, which had been approved by the Council since it was able to take a large amount of clean water back from the system. She
stated the CCWTF was limited in clean water storage. She stated HRL was called out in the MOU as having flexibility to move between phases.

Councilmember Mullen stated the CCWTF was complicated and had been imposed on the City. He stated the Mission Statement of the City needed to be considered. He stated no compelling need or benefit to the City overall had been presented that would warrant overriding the original plan.

Councilmember Pierson thanked Ms. Gibbs for her comments. He indicated agreement with Councilmember Mullen. He stated it was clear there was no desire by the City to expand capacity. He stated he did not run for Council to see development in the Civic Center area increase. He stated he would only consider adding City-owned properties to Phase Two.

Councilmember Peak stated the City-owned properties had adequate allocation. He indicated opposition to an increase in development or usage of existing sites.

**MOTION**

Councilmember Peak moved to disallow additional properties to connect or additional allocations in CCWTF Phase Two.

Councilmember Peak discussed the timeline of the phases and the need to comply with the MOU the City had with the RWQCB. He expressed concern for altering the engineering of the CCWTF.

Assistant City Attorney Rusin clarified the motion was to not allow additional properties to connect to the CCWTF at this time.

Councilmember Mullen and Councilmember Pierson seconded the motion.

Mayor Pro Tem Farrer agreed with the Council and indicated opposition to maxing out capacity of the CCWTF. She indicated support for staying with the existing boundaries mandated by the RWQCB.

Councilmember Peak stated properties that wanted additional capacity should have requested it before allocations were made.

The motion carried 4-0, Mayor Wagner absent.

Councilmember Peak clarified the item was not from Councilmember Pierson or him.

Mayor Wagner returned to the dais at 9:30 p.m.

**B. KBUU-FM Booster Antenna at Malibu Bluffs Park**

Recommended Action: Authorize the City Manager to enter into a license agreement with KBUU-FM Malibu to utilize Malibu Bluffs Park as the location for an FM booster station, pending required permits.
Community Services Director Bobbett presented the staff report.

Scott Tallal was not present at the time of the hearing.

Hans Laetz stated an 18-foot tower would not get as much transmission as a 28-foot tower. He discussed radiation.

Norm Hanyie indicated support for a 35-foot tower.

Ryan Embree questioned the height of the antenna. He indicated concern that the antenna would be in the way of helicopter use of Malibu Bluffs Park.

Councilmember Peak stated the antenna would not be in an area where a helicopter would land.

In response to Councilmember Peak, Mr. Laetz stated he was requesting the antenna be two feet above the building height. He stated he did not want to trigger a site plan review.

In response to Assistant City Attorney Rusin, Community Services Director stated the Council was only being asked to approve the location of the antenna at Malibu Bluffs Park.

Councilmember Mullen indicated support for a tower height that was necessary for appropriate coverage in support of public safety.

Councilmember Pierson indicated support for a tower height that was necessary for appropriate coverage in support of public safety.

Mr. Laetz stated he would try to get a good signal at 18 feet but would request 28 feet if it was necessary.

In response to Mayor Wagner, Mr. Laetz stated a light in the Council Chambers would put out more radiation than the antenna.

**MOTION**

Councilmember Peak moved and Councilmember Pierson seconded a motion to direct staff to negotiate a license agreement with KBUU for an FM booster station antenna up to 28 feet at Malibu Bluffs Park. The motion carried unanimously.

**ITEM 7 COUNCIL ITEMS**

A. **Declaration of Climate Emergency (Councilmember Peak and Councilmember Pierson)**

Recommended Action: At the request of Councilmember Peak and Councilmember Pierson, adopt Resolution No. 19-42 endorsing the declaration of a climate emergency and requesting regional collaboration on an immediate just transition and emergency mobilization effort to restore a safe climate.
Councilmember Peak stated there was a worldwide climate emergency.

Councilmember Pierson stated the declaration made a statement the City wanted to join 950 other cities around the world in setting a direction for environmental stewardship.

Chris Frost deferred his time to Kraig Hill.

Kraig Hill stated the climate problem called for permanent societal remodeling and a deliberate process. He indicated support for the Council creating a diverse body charged with doing research and making recommendations to the Council. He stated the citywide default for the CPA should be 100% renewable energy. He discussed building to accommodate sea level rise. He questioned whether the City’s portfolio was green.

Lance Simmens stated we were beyond mitigation. He stated we would have to adapt for humans to survive.

Keegan Gibbs indicated support for the recommended action. He stated he hoped it was not just a gesture but that the City would form a Commission and take it seriously.

Councilmember Pierson stated the resolution was a step toward how an Environmental Commission would operate.

In response to Councilmember Mullen, Councilmember Peak stated the climate emergency had been brought up at a recent Council meeting.

Councilmember Pierson stated the issue had been on his mind before he ran for Council. He stated there was a global movement.

Councilmember Peak stated the City could set an even better example in how it addressed climate change.

Councilmember Pierson stated the United Nations Secretary-General’s Climate Action Summit would be held on September 23, 2019. He stated climate was being addressed worldwide in September and October 2019.

In response to Councilmember Mullen, Councilmember Pierson stated there were a lot of people discussing the climate emergency.

Mayor Pro Tem Farrer stated the resolution requested regional collaboration. She indicated support for the resolution.

Councilmember Mullen discussed the land donated by Barbara Streisand for environmental studies, which was never used in that capacity by MRCA. He expressed concern that the climate doomsday had overshadowed the
improvements made over the years. He commended Councilmember Peak for taking the lead on environmental issues in the City. He stated it was better to set an example by action. He stated the City was setting an example and he indicated opposition to the term “climate emergency.” He stated change was a way of life.

Councilmember Peak requested an item come back to consider making the CPA default 100% citywide.

Mayor Wagner indicated appreciation for the efforts of Councilmember Peak and Councilmember Pierson. He suggested collaboration with the Las Virgenes-Malibu Council of Governments.

**MOTION**

Councilmember Peak moved and Councilmember Pierson seconded a motion to adopt Resolution No. 19-42 endorsing the declaration of a climate emergency and requesting regional collaboration on an immediate just transition and emergency mobilization effort to restore a safe climate. The motion carried 4-1, Councilmember Mullen dissenting.

**ADJOURNMENT**

At 10:05 p.m., Mayor Wagner adjourned the meeting in memory of Dick Schreiber.

Approved and adopted by the City Council of the City of Malibu on October 14, 2019.

KAREN FARRER, Mayor

ATTEST:

HEATHER GLASER, City Clerk

( seal)