



City Council Meeting
08-08-22

**Item
3.B.3.**

Supplemental Council Agenda Report

To: Mayor Grisanti and the Honorable Members of the City Council

Prepared by: Kelsey Pettijohn, City Clerk

Approved by: Steve McClary, City Manager

Date prepared: August 1, 2022

Meeting date: August 8, 2022

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the November 8, 2021 Malibu City Council Regular meeting and the November 30, 2021 Malibu City Council Special meeting.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2022-2023. This is part of normal staff operations.

DISCUSSION: Attached to this report are draft minutes for the meetings of November 8, 2021 and November 30, 2021.

ATTACHMENTS:

1. November 8, 2021 Regular meeting
2. November 30, 2021 Special meeting

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
NOVEMBER 8, 2021
TELECONFERENCED - VARIOUS LOCATIONS
6:30 P.M.

The following meeting was held pursuant to the Governor’s AB 361 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

MEETING CALL TO ORDER

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

ROLL CALL

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

PRESENT: Mayor Paul Grisanti; Mayor Pro Tem Bruce Silverstein; and Councilmembers Karen Farrer, Mikke Pierson, and Steve Uhring

ALSO PRESENT: John Cotti, Interim City Attorney; Steve McClary, Interim City Manager; Lisa Soghor, Assistant City Manager; Kelsey Pettijohn, City Clerk; Jesse Bobbett, Community Services Director; Richard Mollica, Planning Director; Rob DuBoux, Public Works Director; Christine Wood, Deputy City Attorney; Susan Dueñas, Public Safety Manager; Christine Shen, Environmental Sustainability Analyst; and Julie Stuva, Deputy City Clerk

PLEDGE OF ALLEGIANCE

Mayor Grisanti led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Councilmember Farrer moved, and Councilmember Pierson seconded a motion to approve the agenda. The question was called, and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

City Clerk Pettijohn reported that the agenda for the meeting was properly posted on October 28, 2021, with the amended agenda posted November 4, 2021.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Presentation of Video Commemorating the Anniversary of the Woolsey Fire

City staff presented a video commemorating the third anniversary of the Woolsey Fire.

B. Proclamation Declaring November 2021 as Family Court Awareness Month

Mayor Grisanti presented the proclamation to Tina Swithin of One Mom's Battle.

Ms. Swithin thanked the Council for the proclamation and discussed the importance of supporting victims of domestic violence through the Family Court system.

C. Proclamation Declaring November 7-13, 2021 as Nurse Practitioners Week

Mayor Grisanti presented the proclamation to Dominique Delvecchio and Annette Korth of the American Association of Nurse Practitioners

Ms. Korth thanked the Council for the proclamation and discussed the history of Nurse Practitioners and their important role in the health care system.

D. Update on School District Separation

Deputy City Attorney Wood presented an update on school district separation. She discussed the Los Angeles County Office of Education County Committee (LACOE) hearing scheduled on November 10, 2021. She stated the LACOE hearing would allow 45 minutes of public comment. She encouraged all members of the public to attend and stated the City was requesting the Spanish speaking community be heard first at the hearing. She stated the school district separation team continued to work on the visioning process for the Malibu Unified School District and encouraged members of the public to complete the community survey to identify priorities for the Malibu residents.

The Council directed questions to staff.

ITEM 2.A. PUBLIC COMMENTS

Terry Davis, Big Rock Mesa Property Owners Association, stated she had submitted a request on November 4, 2021 to direct Public Works staff to meet with the Big Rock residents to discuss the landslide maintenance assessment district. She discussed the correspondence she submitted on the history of concerns regarding the Big Rock landslide.

Jenny Rusinko discussed COVID-19 vaccine mandates for students and asked if there was anything the City could do to prevent a mandate.

Joey Amini indicated opposition to COVID-19 vaccine mandates.

Hamish Patterson requested the Council send a letter opposing COVID-19 vaccine mandates for students.

Blythe Rifkin indicated opposition to COVID-19 vaccine mandates for students.

Samantha Binah discussed the potential side effects of the COVID-19 vaccines. She indicated opposition to COVID-19 vaccine mandates for students.

Don Schmitz indicated opposition to COVID-19 vaccine mandates for students.

Vince Muselli stated he would speak on Item No. 3.B.9.

Joy Wilcox stated her children had been injured by their 18-month vaccinations and had a medical exemption for future vaccinations. She discussed the potential side effects of the COVID-19 vaccines. She indicated opposition to COVID-19 vaccine mandates for students.

Marianne Bema the City may face a class action complaint if a COVID-19 vaccine mandate for students was implemented.

Norm Haynie indicated opposition to COVID-19 vaccine mandates for students. He stated the long-term effects of the COVID-19 vaccines were unknown.

Jake Lingo indicated opposition to COVID-19 vaccine mandates for students. He requested the Council send a letter opposing vaccine mandates for students.

Andy Lyon discussed his nephew who passed away from the effects of a vaccination. He indicated opposition to COVID-19 vaccine mandates for students. He requested the Council take action.

Jennifer Posey indicated opposition to COVID-19 vaccine mandates for students. She requested the Council send a letter opposing vaccine mandates for students.

Paula Murphy requested the Council send a letter opposing vaccine mandates for students.

Heather Alfano stated there was insufficient data to justify a COVID-19 vaccine mandate for students and new vaccine requirements for students could only be added by the state.

Babs discussed her reaction to the COVID-19 vaccine. She indicated opposition to COVID-19 vaccine mandates for students.

Ryan Morelli and Bradley Heinrich were not present at the time of the hearing.

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

Scott Dittrich, Public Works Commission, requested the Westward Beach Improvements Project be sent back to the Public Works Commission for further review.

Interim City Manager McClary stated the cleanup of the homeless encampment near Zuma Beach would be completed this week. He discussed the Civic Center Water Treatment Facility (CCWTF) Phase 2 project and stated the Regional Water Quality Control Board had extended the deadline to form the assessment district to June 30, 2022. He stated staff would bring back an item on the Westward Beach Improvements Project at the November 30, 2021 meeting. He announced the first public hearing on the Housing Element would be held at the November 15, 2021 Planning Commission meeting.

Interim City Attorney Cotti announced attorneys Evan Jenness and George Newhouse had completed their report on the investigation into the allegations in the Wagner Affidavit. He stated the report was protected by attorney-client privilege, but the Council could waive the privilege. He stated if the Council wanted to consider waiving the privilege that item could be brought back at a future meeting.

Lieutenant Braden, Los Angeles County Sheriff's Department, discussed the effort and resources required to clear out a homeless encampment. He discussed a protest last week on Malibu Pier and cautioned the public not to go onto Pacific Coast Highway during protests. He stated deputies had been called away from the protest to respond to an incident with an individual in a tiger costume carrying a loaded gun. He encouraged members of the public to look after each other. He stated the Sheriff would have a press conference soon to comment on homeless encampment cleanups throughout the Santa Monica Mountains.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Pierson discussed the three-year anniversary of the Woolsey Fire. He encouraged anyone who was frustrated with the rebuilding process to call him. He thanked Mr. Patterson for meeting with him to discuss vaccine mandates. He indicated support for bringing back an item to discuss sending a letter regarding vaccine mandates for students. He stated the school district separation team was forming focus groups for the visioning process and was seeking more participants for the business community focus group on November 12, 2021. He stated he attended a Clean Power Alliance meeting and community fire brigade meetings. He stated he met with Scott McCollough to discuss wireless issues. He indicated support for bringing back an item to consider waiving attorney-client privilege for the Wagner Affidavit investigation report.

Mayor Pro Tem Silverstein encouraged Public Works staff to schedule a meeting with Big Rock residents. He indicated support for sending the Westward Beach Improvements Project back to the Public Works Commission and stated it may be complicated since the approved project had been appealed to the California Coastal Commission (CCC). He discussed political divisions in the country and the importance of working together to resolve issues. He indicated support for bringing back an item to discuss COVID-19 vaccine mandates for students. He discussed the Woolsey Fire anniversary and stated it was not a time for self-congratulations.

He discussed the strain on residents whose homes had been destroyed by the Woolsey Fire and had not been able to finish rebuilding. He discussed the fire preparedness measures that had been taken since the Woolsey Fire and the dangers still posed by future fires. He suggested identifying temporary evacuation sites for residents during a fire that would allow them to return to their homes to extinguish embers once the initial blaze had passed. He indicated support for the Public Safety Commission continuing to explore fire follower programs. He stated the City had adopted better rules to address fire danger associated with people living unhoused. He discussed the importance of working with the utility companies to underground utility lines. He recommended pursuing a drone program to identify fires in remote areas. He recommended improving water and power sources to extinguish fires if power was lost or shutoff. He indicated support for pursuing fire brakes if they provided significant protection. He stated the entire City was designated as a very high fire hazard severity zone and there would be wildfires again in the future. He encouraged the public to continue to support their friends and neighbors during their rebuild efforts.

Councilmember Uhring encouraged Public Works staff to schedule a meeting with Big Rock residents.

In response to Councilmember Uhring, Public Works Director DuBoux stated the tentative date for the vote for the formation of the CCWTF Phase 2 assessment district was in June 2022. He stated staff would send out a letter to properties in Phase 2 with the new timeline.

Councilmember Uhring indicated support for bringing back an item to discuss COVID-19 vaccine mandates for students. He stated he got calls every week from people who were struggling to rebuild their houses and he tried to help move the process forward. He indicated support for bringing back an item to consider waiving attorney-client privilege for the Wagner Affidavit investigation report. He stated the Pacific Coast Highway Signal Sync Project would require trenching to underground a cable and questioned if that project could include undergrounding utility lines. He indicated support for bringing back an item to provide feedback on the Westward Beach Improvements Project and consider sending it back to the Public Works Commission. He stated the Federal Aviation Administration (FAA) had put a hold on development of 5G systems that interfered with airplane navigation systems.

Councilmember Farrer discussed anniversaries of the Woolsey Fire and Borderline shooting. She expressed concern for everyone still in the rebuilding process and stated Environmental Sustainability Manager Bundy would work one-on-one with anyone having difficulties in the permit process. She encouraged Public Works staff to schedule a meeting with Big Rock residents. She stated she visited the Westward Beach Improvements Project site and the water was much closer to the road than it was when the project was initially proposed. She stated the Westward Beach Improvements Project needed to be reconsidered. She indicated support for bringing back an item to discuss COVID-19 vaccine mandates for students. She

indicated support for bringing back an item to consider waiving attorney-client privilege for the Wagner Affidavit investigation report. She stated the school district separation team continued to meet every week and the first LACOE hearing would be on November 10, 2021. She encouraged members of the public to complete the school district survey and participate in the visioning focus group meetings. She stated the Library Speaker Series had resumed virtually. She stated Arnold York and Karen York introduced the new Malibu Times owners at the last Business Roundtable meeting. She thanked Deputy City Attorney Wood and Assistant to the City Manager Shavelson for their work on the school district separation. She thanked Lieutenant Braden and the Sheriff's Department for their work clearing out the homeless encampment near Zuma Beach. She stated tomorrow was the annual day of preparedness in honor of the Woolsey Fire and encouraged everyone to continue preparing for potential wildfires. She discussed the artificial intelligence fire detection system Pano and stated the installation on Castro Peak had sent two alerts in the last month.

Mayor Grisanti stated he had visited the Westward Beach Improvement Project site several times and planned to visit again to see the beach at low and high tide. He stated he had taken the school district survey and encouraged the public to complete it as well. He stated Water District No. 29 was planning improvements to the system next year that would put the City in a better position to face a fire. He stated the Los Angeles Times published an article on a control burn study that showed controlled burns were very effective at preventing large fires. He stated he hoped the Fire Department would consider implementing controlled burns. He indicated support for bringing back an item to consider waiving attorney-client privilege for the Wagner Affidavit investigation report. He thanked Environmental Sustainability Manager Bundy for supporting rebuild projects. He indicated support for bringing back an item to discuss COVID-19 vaccine mandates for students. He thanked Lieutenant Braden and the Sheriff's Department for interceding with the man in the tiger costume and preventing whatever incident may have occurred.

CONSENSUS

By consensus, the Council: 1) directed staff to schedule a Special meeting to address the California Department of Public Health's decision to add COVID-19 to the list of vaccines required to attend public schools; and 2) directed staff to bring back an item to discuss the report from the investigation into the Wagner Affidavit and consider waiving attorney-client privilege to publish the report.

ITEM 3 **CONSENT CALENDAR**

Item Nos. 3.B.4. and 3.B.9. were pulled by the public. Item Nos. 3.B.7. and 3.B.8. were pulled by the Council.

MOTION Councilmember Farrer moved, and Councilmember Pierson seconded a motion to approve the Consent Calendar, pulling Item Nos. 3.B.4., 3.B.7., 3.B.8, and 3.B.9. The question was called, and the motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. 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 64386-64507 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. 692 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$2,493,372.21. City of Malibu payroll check numbers 5194 and ACH deposits were issued in the amount of \$223,235.63.

3. Approval of Minutes

Recommended Action: Approve the minutes for the April 12, 2021 Malibu City Council Regular meeting and the April 14, 2021 Malibu City Council Special meeting.

5. Amendment to Professional Services Agreement with Ventura Transit System for Dial-A-Ride Services

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with Ventura Transit System extending the term and geographical service area of the Agreement for three years through December 31, 2024.

6. Woolsey Fire Art Donation

Recommended Action: Approve the recommendation from the Malibu Arts Commission to accept Artist Anna Kelly's *Saving Malibu* painting on loan for one year to be displayed in the Multipurpose Room at City Hall.

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

4. Findings to Hold Virtual City Council, Commission, Committee, Board and Other City Bodies, Meetings Under AB 361

Recommended Action: Consider a motion to reaffirm Resolution No. 21-61, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.

Mayor Grisanti opened the floor for public comment.

Speaker: Norm Haynie

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION

Mayor Pro Tem Silverstein moved, and Councilmember Pierson seconded a motion to adopt a resolution modifying the language of Resolution No. 21-61 to remove “and because of the ongoing threat of COVID-19, meeting in person would present imminent risks to the health and safety of attendees” from paragraph D of Section 1, and making findings and determinations under AB 361 for the continuation of virtual meetings and authorizing virtual City Council, Commission, Board, and other city meetings pursuant to AB 361. The question was called, and the motion carried unanimously.

RECESS

At 8:43 p.m., Mayor Grisanti recessed the meeting. The meeting reconvened at 8:53 p.m. with all Councilmembers present.

7. Fiscal Year 2020-2021 Fourth Quarter Financial Report
Recommended Action: Receive and file Fiscal Year 2020-2021 Fourth Quarter financial information.

Assistant City Manager Soghor presented the staff report.

The Council discussed the item and directed questions to staff.

CONSENSUS

By consensus, the Council received and filed Fiscal Year 2020-2021 Fourth Quarter financial information.

8. Fiscal Year 2021-2022 First Quarter Financial Report
Recommended Action: Receive and file Fiscal Year 2020-2021 First Quarter financial information.

Assistant City Manager Soghor presented the staff report.

The Council discussed the item and directed questions to staff.

CONSENSUS

By consensus, the Council received and filed Fiscal Year 2020-2021 First Quarter financial information.

9. Woolsey Fire Fee Waiver Program
Recommended Action: Adopt Resolution No. 21-62 superseding and replacing Resolution No. 21-10, directing the City Manager to waive certain fees related to the rebuilding of structures that were damaged or destroyed by the Woolsey Fire on a property used as a primary residence

Mayor Grisanti opened the floor for public comment.

Speakers: Vince Muselli, Lloyd Ahern

Dennis Smith was not present at the time of the hearing.

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION Mayor Grisanti moved, and Councilmember Pierson seconded a motion to adopt Resolution No. 21-62, as amended to remove point 7 from Section 2, superseding and replacing Resolution No. 21-10, directing the City Manager to waive certain fees related to the rebuilding of structures that were damaged or destroyed by the Woolsey Fire on a property used as a primary residence. The question was called, and the motion carried 3-2, Councilmember Uhring and Mayor Pro Tem Silverstein opposed.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

- A. State Model Water Efficient Landscape Ordinance (MWELo)
Recommended Action: 1) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 494 adding Section 17.53.100 to title 17 of the Malibu Municipal Code Chapter 17.53 (Landscape Water Conservation and Fire Protection) regarding compliance with the State Model Water Efficient Landscape Ordinance and finding the action exempt for the California Environmental Quality Act; 2) Direct staff to schedule second reading and adoption of Ordinance No. 494 for the November 22, 2021 Regular City Council meeting; and 3) Direct staff to manage violations in accordance with Council Policy No. 43.

Environmental Sustainability Analyst Shen presented the staff report.

Mayor Grisanti opened the floor for public comment. As there were no speakers present, he returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION Mayor Pro Tem Silverstein moved, and Mayor Grisanti seconded a motion to: 1) introduce on first reading Ordinance No. 494 adding Section 17.53.100 to title 17 of the Malibu Municipal Code Chapter 17.53 (Landscape Water Conservation and Fire Protection) regarding compliance with the State Model Water Efficient Landscape Ordinance and finding the action exempt for the California Environmental Quality Act; 2) direct staff to schedule second reading and adoption of Ordinance No. 494 for the November 22, 2021 Regular City Council meeting; and 3) direct staff to manage violations in accordance with Council Policy No. 43.

Interim City Attorney Cotti read the title of the ordinance.

The question was called, and the motion carried unanimously.

ITEM 5 OLD BUSINESS

A. Consideration of the Resumption of In-Person Meetings

Recommended Action: 1) Receive an update on the current State and County public health regulations; and 2) Consider options for the resumption of in-person public meetings, and give direction to staff as needed.

Interim City Manager McClary presented the staff report.

Mayor Grisanti opened the floor for public comment. As there were no speakers present, he returned the matter to the table for discussion.

The Council discussed the item.

B. Automatic License Plate Readers

Recommended Action: Receive a report on the implementation of Automatic License Plate Readers for use by the Sheriff's Department and provide direction to staff.

Public Safety Manager Dueñas presented the staff report.

Mayor Grisanti opened the floor for public comment. As there were no speakers present, he returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION Mayor Pro Tem Silverstein moved, and Councilmember Uhring seconded a motion to direct staff to, upon receipt of the document, take the Memorandum of Understanding with the Los Angeles County Sheriff's Department for administration of Automatic License Plate Readers to the Public Safety Commission and bring the final document back to the City Council for approval. The question was called, and the motion carried unanimously.

ITEM 6 NEW BUSINESS

A. Community Christmas Tree Lot Fee Waiver

Recommended Action: Approve the request from the Malibu High School Athletic Booster Club to waive the facility use and staffing fees for the Ioki Property for the Annual Community Christmas Tree Lot.

Community Services Director Bobbett presented the staff report.

Mayor Grisanti opened the floor for public comment. As there were no speakers present, he returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION Councilmember Farrer moved, and Mayor Pro Tem Silverstein seconded a motion to approve the request from the Malibu High School Athletic Booster Club to waive the facility use and staffing fees for the Ioki Property for the Annual Community Christmas Tree Lot. The question was called, and the motion carried unanimously.

- B. Consideration of Potential Revenue Measures
Recommended Action: 1) Consider recommendations from the Administration and Finance Subcommittee regarding potential revenue-generating measures; and 2) Provide direction to staff.

Assistant City Manager Soghor presented the staff report.

Mayor Grisanti opened the floor for public comment. As there were no speakers present, he returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

CONSENSUS

By consensus, the Council directed staff to explore tax measures for District Sales Tax, Documentary Transfer Tax, Parking Occupancy Tax.

- C. Los Angeles County Measure R and M Transportation Funding Update (Continued from November 2, 2021)
Recommended Action: 1) Receive an update on Los Angeles County Measure R and Measure M Transportation Funding; and 2) Provide direction to staff regarding the development of future projects using Los Angeles County Measure R and Measure M transportation funds.

Public Works Director DuBoux presented the staff report.

Mayor Grisanti opened the floor for public comment. As there were no speakers present, he returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

CONSENSUS

By consensus, the Council directed staff to: 1) identify projects to improve safety on Pacific Coast Highway and the canyon roads using Measure R and Measure M Transportation Funds; 2) present potential projects to the Public Works and Public Safety Commissions; 3) post a list of potential projects on the City's website to solicit public feedback; and 4) bring back options for the use of Measure R and Measure M funds to the City Council.

ITEM 7 COUNCIL ITEMS

A. Proposed 2022 Calendar of City Council Meetings

Recommended Action: Approve the proposed 2022 Calendar of City Council meetings.

Mayor Grisanti opened the floor for public comment. As there were no speakers present, he returned the matter to the table for discussion.

MOTION Mayor Pro Tem Silverstein moved, Councilmember Pierson seconded a motion to approve the proposed 2022 Calendar of City Council meetings. The question was called, and the motion carried unanimously.

ADJOURNMENT

At 11:31 p.m., Mayor Grisanti adjourned the meeting.

Approved and adopted by the City Council of the
City of Malibu on _____.

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

MINUTES
MALIBU CITY COUNCIL
SPECIAL MEETING
NOVEMBER 30, 2021
TELECONFERENCED - VARIOUS LOCATIONS
4:30 P.M.

The following meeting was held pursuant to the Governor's AB361 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

SPECIAL SESSION CALL TO ORDER

Mayor Grisanti called the meeting to order at 4:32 p.m.

ROLL CALL

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

PRESENT: Mayor Paul Grisanti; Mayor Pro Tem Bruce Silverstein; and Councilmembers Karen Farrer, Mikke Pierson and Steve Uhring

ALSO PRESENT: John Cotti, Interim City Attorney; Steve McClary, City Manager; Lisa Soghor, Assistant City Manager; Kelsey Pettijohn, City Clerk; Jesse Bobbett, Community Services Director; Rob DuBoux, Public Works Director; Chris Brossard, Fire Safety Liaison; Susan Dueñas, Public Safety Manager; Mary Linden, Executive Assistant; Elizabeth Shavelson, Assistant to the City Manager; and Julie Stuva, Deputy City Clerk

PLEDGE OF ALLEGIANCE

Mayor Grisanti led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Councilmember Farrer moved, and Councilmember Pierson seconded a motion to approve the agenda.

FRIENDLY AMENDMENT

Councilmember Uhring moved to hear Item No. 1.B.5. and Item No. 2.A. concurrently.

The maker and the seconder accepted the amendment.

The question was called, and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

City Clerk Pettijohn reported that the agenda for the meeting was properly posted on November 24, 2021.

ITEM 1 CONSENT CALENDAR

Item No. 1.B.5 was pulled by Council. Item Nos. 1.B.2., 1.B.4. and 1.B.7. were pulled by the public.

MOTION Mayor Pro Tem Silverstein moved, and Councilmember Farrer seconded a motion to approve the Consent Calendar, except Items Nos. 1.B.2, 1.B.4, 1.B.5, and 1.B.7. The question was called, and the motion carried 5-0.

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.

3. Approval of Minutes

Recommended Action: Approve the minutes for the April 14, 2021 Malibu City Council Special meeting, the April 19, 2021 Malibu City Council Special meeting, and the April 22, 2021 Malibu City Council Special meeting.

6. Acceptance of Department of Forestry and Fire Protection (CAL FIRE) Grant

Recommended Action: Authorize the Interim City Manager to execute a Grant Agreement with CAL FIRE for funding of City fire prevention and education projects.

8. Third Revision to the Memorandum of Understanding (MOU) for the Phased Implementation of the Basin Plan Amendment for the Malibu Civic Center Area Prohibition

Recommended Action: 1) Approve the Third Revision to the MOU between the City and the Regional Water Quality Control Board, Los Angeles Region, and the State Water Resources Control Board for the phased implementation of the Basin Plan Amendment for the Malibu Civic Center Area Prohibition; and 2) Authorize the Mayor to execute the revised MOU on behalf of the City.

9. Resolution Extending the Declaration of the Existence of a Local Emergency and Continuing a Program for Reducing the Risk of Fires Associated with Individuals Living Unhoused and Otherwise Engaged in Unpermitted and Unregulated Camping

Recommended Action: Adopt Resolution No. 21-63 extending the declaration of the existence of a local emergency and continuing a program for reducing the risk of fires associated with individuals living unhoused and otherwise engaged in unpermitted and unregulated camping.

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

2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 64508-64625 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. 693 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$2,539,337.73. City of Malibu payroll check numbers 5195-5196 and ACH deposits were issued in the amount of \$224,430.09.

Mayor Grisanti opened the floor for public comment.

Speaker: Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION

Councilmember Pierson moved, and Councilmember Farrer seconded a motion to allow and approve warrant demand numbers 64508-64625 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. 693 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$2,539,337.73. City of Malibu payroll check numbers 5195-5196 and ACH deposits were issued in the amount of \$224,430.09. The question was called, and the motion carried unanimously.

4. Findings to Hold Virtual City Council, Commission, Committee, Board and Other City Bodies, Meetings Under AB 361

Recommended Action: Consider a motion to reaffirm Resolution No. 21-64, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.

Mayor Grisanti opened the floor for public comment.

Speaker: Norm Haynie

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION

Mayor Pro Tem Silverstein moved, and Councilmember Farrer seconded a motion to reaffirm Resolution No. 21-64, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361. The question was

called, and the motion carried unanimously. The question was called, and the motion carried unanimously.

7. Amendment to Professional Services Agreement with Landscape Development Inc. for Additional Landscape Maintenance Services
Recommended Action: 1) Authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Landscape Development Inc. to provide additional landscape maintenance services at City Hall, Civic Center Way, and Malibu Bluffs Park; and 2) Appropriate \$51,268 from the General Fund Undesignated Reserve.

Mayor Grisanti opened the floor for public comment.

Speaker: Norm Haynie

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION

Councilmember Uhring moved, and Councilmember Pierson seconded a motion to: 1) authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Landscape Development Inc. to provide additional landscape maintenance services at City Hall, Civic Center Way, and Malibu Bluffs Park; and 2) appropriate \$51,268 from the General Fund Undesignated Reserve. The question was called, and the motion carried unanimously.

Item Nos. 3.B.5. and 2.A. were heard concurrently.

5. Professional Services Agreement with Acoustic Technology Inc.
Recommended Action: Authorize the Mayor to execute Professional Services Agreement with Acoustic Technology Incorporated for engineering design services for the Outdoor Warning Siren system design in an amount not to exceed \$198,000

ITEM 2 NEW BUSINESS

- A. Indoor Warning Systems
Recommended Action: 1) Review options for indoor emergency warning systems; and 2) Provide direction to staff if appropriate.

Public Safety Manager Dueñas presented the staff report.

Mayor Grisanti opened the floor for public comment.

Speakers: Hans Laetz and Doug Stewart Sr.

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the items and directed questions to staff.

MOTION Councilmember Pierson moved, and Mayor Grisanti seconded a motion to authorize the Mayor to execute Professional Services Agreement with Acoustic Technology Incorporated for engineering design services for the Outdoor Warning Siren system design in an amount not to exceed \$198,000. The question was called, and the motion carried unanimously.

The Council discussed the items and directed questions to staff.

MOTION Councilmember Pierson moved, and Mayor Grisanti seconded a motion to direct the Public Safety Commission to study options for indoor emergency warning systems and provide recommendations. The question was called, and the motion carried unanimously.

ADJOURNMENT

At 5:46 p.m., Mayor Grisanti adjourned the meeting.

Approved and adopted by the City Council of the City of Malibu on _____.

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk