



Council Agenda Report

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

Prepared by: Heather Glaser, City Clerk

Approved by: Reva Feldman, City Manager

Date prepared: July 22, 2020 Meeting date: August 10, 2020

Subject: Second Reading and Adoption of Ordinance No. 467

RECOMMENDED ACTION: Conduct second reading, unless waived, and adopt Ordinance No. 467 amending Section 2.52.040 (Disaster Council Powers and Duties) in Chapter 2.52 (Emergency Services Organization) of Title 2 (Administration and Personnel) of the Malibu Municipal Code to require the Disaster Council to comply with the California Emergency Services Act and to meet at least once annually and finding the same exempt from the California Environmental Quality Act.

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

WORK PLAN: This item was included as item 1c in the Adopted Work Plan for Fiscal Year 2020-2021.

DISCUSSION: On July 13, 2020, the Council introduced on first reading Ordinance No. 467.

ATTACHMENT: Ordinance No. 467

ORDINANCE NO. 467

AN ORDINANCE OF THE CITY OF MALIBU AMENDING SECTION 2.52.040 (DISASTER COUNCIL POWERS AND DUTIES) IN CHAPTER 2.52 (EMERGENCY SERVICES ORGANIZATION) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE MALIBU MUNICIPAL CODE TO REQUIRE THE DISASTER COUNCIL TO COMPLY WITH THE CALIFORNIA EMERGENCY SERVICES ACT AND TO MEET AT LEAST ONCE ANNUALLY AND FINDING THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council of the City of Malibu does ordain as follows:

SECTION 1. Recitals.

A. The California Emergency Services Act sets forth the range of disaster and emergency powers and responsibilities of state and local governments dealing with any natural or manmade disasters or state of war. The California Emergency Services Act created the California Office of Emergency Services, which recently updated its requirements for disaster council accreditation.

B. The City's Disaster Council is responsible for developing and recommending for adoption to the City Council emergency and mutual aid plans and agreements for the effective mobilization of all City resources to meet any condition constituting an emergency. It is also responsible for developing and recommending for adoption to the City Council any ordinances, resolutions, rules, and regulations as are necessary to implement such emergency and mutual aid plans and agreements.

C. The City desires to amend its municipal code to require the City's Disaster Council to comply with the California Emergency Services Act and to meet at least once per calendar year.

SECTION 2. Section 2.52.040 (Disaster council powers and duties) in Chapter 52 (Emergency Services Organization) of Title 2 (Administration and Personnel) of the Malibu Municipal Code is amended to read as follows:

2.52.040 Disaster council powers and duties.

A. The disaster council shall comply with the California Emergency Services Act.

B. It shall be the duty of the city disaster council, and it is empowered, to develop and recommend for adoption by the city council, emergency and mutual aid plans and agreements and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements. The disaster council shall meet at least once per calendar year upon call of the chairperson or, in his or her absence from the city or inability to call such meeting, upon call of the vice-chairperson.

SECTION 3. Environmental Review.

The City Council finds that adoption and implementation of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment, and Section 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 4. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published or posted in the same manner required by law.

PASSED, APPROVED AND ADOPTED this 10th day of August 2020.

MIKKE PIERSON, Mayor

ATTEST:

HEATHER GLASER, City Clerk
(seal)

Date: _____

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

CHRISTI HOGIN, City Attorney