

November 14, 2016 Regular Meeting

1. Meeting Agenda

Documents:

[CC161114_AGENDA.PDF](#)

2. Item 3B2

Warrant Register No. 583

Documents:

[CC161114_ITEM 3B2.PDF](#)

3. Item 3B3

Approval of Minutes - October 10, 2016

Documents:

[CC161114_ITEM 3B3.PDF](#)

4. Item 3B4

Amendment to Agreement with Access Information Management

Documents:

[CC161114_ITEM 3B4.PDF](#)

5. Item 3B5

Fiscal Year 2015-2016 Fourth Quarter Financial Report

Documents:

[CC161114_ITEM 3B5.PDF](#)

6. Item 3B6

Fiscal Year 2016-2017 First Quarter Financial Report

Documents:

[CC161114_ITEM 3B6.PDF](#)

7. Item 3B7

Amendments to Agreements for the Preparation of an Environmental Document for Malibu Memorial Park

Documents:

[CC161114_ITEM 3B7.PDF](#)

8. Item 3B8

Job Specifications for Media Technician and Information Systems Technician

Documents:

[CC161114_ITEM 3B8.PDF](#)

9. Item 4A
Amendments to Malibu Municipal Code Title 6 (Animals)

Documents:

[CC161114_ITEM 4A.PDF](#)

10. Item 4B
Polystyrene Foam Ordinance

Documents:

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11. Item 5A
Amendment to Agreement with Malibu Yellow Cab and Dial-A-Ride Program
Modifications

Documents:

[CC161114_ITEM 5A.PDF](#)

12. Item 5B
Harry Barovsky Memorial Youth Commission Structure and Appointment Process

Documents:

[CC161114_ITEM 5B.PDF](#)

13. Item 6A
Malibu Poet Laureate

Documents:

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14. Item 7A
Proposed 2017 Calendar of City Council Meetings

Documents:

[CC161114_ITEM 7A.PDF](#)

15. Item 7B
Cool Roofs (Councilmember Rosenthal)

Documents:

[CC161114_ITEM 7B.PDF](#)

16. Item 7C
Electric Vehicles Fleet (Mayor Pro Tem Peak)

Documents:

[CC161114_ITEM 7C.PDF](#)

Malibu City Council
Regular Meeting Agenda

Monday, November 14, 2016

6:30 P.M. – REGULAR CITY COUNCIL MEETING

**City Hall – Council Chambers
23825 Stuart Ranch Road**

Six-thirty p.m. Regular Session

Public Hearings will begin at 6:30 p.m., or as soon thereafter as possible, but in no event later than 7:30 p.m.

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – November 4, 2016

1. Ceremonial/Presentations

- A. Recognition of Meril May for his years of Service on the Public Safety Commission
- B. Proclamation Declaring November 15, 2016 as America Recycles Day
- C. Staff Update on the Civic Center Wastewater Treatment Facility Project

2. Written and Oral Communications from the Public

- A. Communications from the Public concerning matters which are not on the agenda but for which the City Council has subject matter jurisdiction. City Council may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.
- B. Commission / Committee / City Manager Updates
- C. City Council Subcommittee reports / Mayor and Councilmember meeting attendance, reports and inquiries

3. Consent Calendar

- 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.

Staff contact: City Attorney Hogin, 456-2489 ext. 228

2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 48781-48884 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. 583 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$3,120,818.10. City of Malibu payroll check numbers 4708-4716 and ACH deposits were issued in the amount of \$327,207.51.

Staff contact: Assistant City Manager Soghor, 456-2489 ext. 224

3. Approval of Minutes

Recommended Action: Approve the minutes for the October 10, 2016 Regular City Council meeting.

Staff contact: City Clerk Glaser, 456-2489 ext. 228

4. Amendment to Agreement with Access Information Management

Recommended Action: Authorize the City Manager to execute Amendment No. 3 to Professional Services Agreement with Access Information Management for storage of the City's offsite records, services and transportation pertaining to records management.

Staff contact: City Clerk Glaser, 456-2489 ext. 228

5. Fiscal Year 2015-2016 Fourth Quarter Financial Report

Recommended Action: Receive and file Fiscal Year 2015-2016 Fourth Quarter financial information.

Staff contact: Assistant City Manager Soghor, 456-2489 ext. 224

6. Fiscal Year 2016-2017 First Quarter Financial Report

Recommended Action: Receive and file Fiscal Year 2016-2017 First Quarter financial information.

Staff contact: Assistant City Manager Soghor, 456-2489 ext. 224

7. Amendments to Agreements for the Preparation of an Environmental Document for Malibu Memorial Park Project

Recommended Action: 1) Authorize the City Manager to execute Amendment No. 1 to Agreement with Impact Sciences, Inc. for the preparation of an initial study/mitigated negative declaration for the Malibu Memorial Park Project; and 2) Authorize the City Manager to execute Amendment No. 1 to Agreement with the Green Acres, LLC for the preparation of an initial study/mitigated negative declaration for the Project.

Staff contact: Planning Director Blue, 456-2489 ext. 258

8. Job Specifications for Media Technician and Information Systems Technician

Recommended Action: Adopt Resolution No. 16-47 rescinding Resolution No. 16-34 and approving the Authorized Positions and Salary Ranges for Fiscal Year 2016-2017 and approving the Media Technician and Information Technician job specifications.

Staff contact: Assistant City Manager Soghor, 456-2489 ext. 224

4. Ordinances and Public Hearings

A. Amendments to Malibu Municipal Code Title 6 (Animals)

Recommended Action: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 411 amending Chapter 6.04 (Animals) of Title 6 (Animals) of the Malibu Municipal Code to re-adopt by reference the current language of Title 10 (Animals) of the Los Angeles County Code; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 411 for the December 12, 2016 Adjourned Regular City Council meeting.

Staff contact: City Clerk Glaser, 456-2489 ext. 228

B. Polystyrene Foam Ordinance

Recommended Action: 1) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 412 determining the project is categorically exempt from the California Environmental Quality Act and amending Malibu Municipal Code Chapter 9.24 to prohibit food packaging, containers and food service ware made from polystyrene foam or other materials that are non-recyclable and non-compostable and repealing Ordinance No. 286; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 412 for the November 28, 2016 City Council meeting.

Staff contact: Environmental Sustainability Director George, 456-2489 ext. 229

5. Old Business**A. Amendment to Agreement with Malibu Yellow Cab and Dial-A-Ride Program Modifications**

Recommended Action: 1) Authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Malibu Yellow Cab to modify the Scope of Services for the Dial-A-Ride (DAR) program; 2) Amend Council Policy #42 for the DAR program to revise the program hours and use restrictions; 3) Receive update on the status of negotiations to upgrade DAR vehicles for safety and mileage; and 4) Provide direction to staff regarding the DAR contract terms and the potential issuance of a Request for Proposal.

Staff contact: Recreation Manager Crittenden, 456-2489 ext. 337

B. Harry Barovsky Memorial Youth Commission Structure and Appointment Process

Recommended Action: Adopt Resolution No. 16-46 approving the structure and appointment process of the Harry Barovsky Memorial Youth Commission and rescinding Resolution Nos. 10-38, 13-06, and 13-32.

Staff contact: Recreation Manager Riesgo, 456-2489 ext. 350

6. New Business**A. Malibu Poet Laureate**

Recommended Action: 1) Approve the recommendation from the Cultural Arts Commission to create a Poet Laureate position to represent Malibu for a two-year term; and 2) Approve the proposed selection process criteria associated with the Malibu Poet Laureate program.

Staff contact: Recreation Manager Crittenden, 456-2489 ext. 337

7. Council Items**A. Proposed 2017 Calendar of City Council Meetings**

Recommended Action: Approve the proposed 2017 Calendar of City Council meetings.

Staff contact: City Clerk Glaser, 456-2489 ext. 228

B. Cool Roofs (Councilmember Rosenthal)

Recommended Action: At the request of Councilmember Rosenthal, consider directing staff to bring back a cool roof ordinance.

Staff contact: City Manager Feldman, 456-2489 ext. 226

C. Electric Vehicles Fleet (Mayor Pro Tem Peak)

Recommended Action: At the request of Mayor Pro Tem Peak, direct staff to develop a plan to transition to an all-electric vehicle fleet by 2020.

Staff contact: City Manager Feldman, 456-2489 ext. 226

Adjournment

Future Meetings

| | | | |
|---------------------------|-----------|--|----------------------------|
| Monday, November 28, 2016 | 6:30 p.m. | Regular City Council Meeting | City Hall Council Chambers |
| Monday, December 12, 2016 | 4:30 p.m. | Adjourned Regular City Council Meeting | City Hall Council Chambers |
| Monday, December 12, 2016 | 6:30 p.m. | Regular City Council Meeting | City Hall Council Chambers |
| Monday, December 26, 2016 | CANCELLED | | |

Guide to the City Council Proceedings

The Oral Communication portion of the agenda is for members of the public to present items, which are not listed on the agenda but are under the subject matter jurisdiction of the City Council. No action may be taken under, except to direct staff unless the Council, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Council and staff will follow up, at an appropriate time, on those items needing response. Each speaker is limited to three (3) minutes. Time may be surrendered by deferring one (1) minute to another speaker, not to exceed a total of eight (8) minutes. The speaker wishing to defer time must be present when the item is heard. In order to be recognized and present an item, each speaker must complete and submit to the Recording Secretary a Request to Speak form prior to the beginning of the item being announced by the Mayor (forms are available outside the Council Chambers). Speakers are taken in the order slips are submitted.

Items in Consent Calendar Section A have already been considered by the Council at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

Items in Consent Calendar Section B have not been discussed previously by the Council. If discussion is desired, an item may be removed from the Consent Calendar for individual consideration. Councilmembers may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from the Consent Calendar will be taken up by the Council following the action on the Consent Calendar. The Council first will take up the items for which public speaker requests have been submitted. Public speakers shall follow the rules as set forth under Oral Communication.

For Public Hearings involving zoning matters the appellant and applicant will be given 15 minutes each to present their position to the City Council, including rebuttal time. All other testimony shall follow the rules as set forth under Oral Communication.

Old Business items have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment shall follow the rules as set forth under Oral Communication.

Items in New Business are items, which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

City Council Items are items, which individual members of the City Council may bring up for action, to propose future agenda items or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the City Council.

City Council meetings are aired live and replayed on City of Malibu Government Access Channel 3 and on the City's website at www.malibucity.org/video. Copies of the staff reports or other written documentation relating to each item of business

described above are on file in the office of the City Clerk, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, California, and are available for public inspection during regular office hours, which are 7:30 a.m. to 5:30 p.m. Monday through Thursday and 7:30 a.m. to 4:30 p.m. Friday. Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 23825 Stuart Ranch Road, Malibu, California (Government Code Section 54957.5.b.2). Copies of staff reports and written materials may be purchased for \$0.10 per page. Pursuant to State law, this agenda was posted at least 72 hours prior to the meeting.

The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Environmental Sustainability Director Craig George, (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II]. Requests for use of audio or video equipment during a Council meeting should be directed to Alex Montano at (310) 456-2489 ext. 227 or amontano@malibucity.org. Material must be submitted by 12:00 p.m. on the meeting day.

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 4th day of November 2016.


Heather Glaser, City Clerk

WARRANT REGISTER NO. 583

On November 14, 2016, the Malibu City Council allowed and approved the above warrant demand numbers 48781 – 48884 from the General Fund. The City Manager is hereby directed to pay out the funds named hereon to each of the claimants listed above, the amount appearing opposite their name for the purpose stated on the respective demands, making a total of \$3,120,818.10. City of Malibu payroll check numbers 4708 - 4716 and ACH deposits were issued in the amount of \$327,207.51.

PASSED, APPROVED and ADOPTED this 14th day of November 2016.

Lou La Monte
Mayor

ATTEST:

Heather Glaser
City Clerk

CERTIFICATE

In accordance with Government Code Section 37202, I certify that the above demands are accurate and that funds are available for payment thereof. This certification is based on an examination of source documents relating to randomly selected sample of transactions and analysis of cash flow reports.

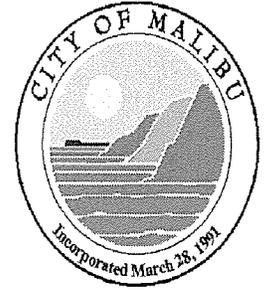
EXECUTED this 14th day of November 2016, AT MALIBU, CALIFORNIA

Reva Feldman
City Manager

Accounts Payable

Checks by Date - Summary By Check Number

User: jhand
Printed: 11/2/2016 - 10:17 AM



| Check Number | Vendor No | Vendor Name | Check Date | Check Amount |
|--------------|-----------|-----------------------------------|------------|--------------|
| 48781 | SOSCOMM | SOS Community Outreach | 10/13/2016 | 1,000.00 |
| 48782 | ACCOUNT | OfficeTeam A Robert Half Compa | 10/13/2016 | 3,157.70 |
| 48783 | ALERTCO | Affiliated Communications LLC c | 10/13/2016 | 109.37 |
| 48784 | ANAWALT | Anawalt Lumber Co., Inc | 10/13/2016 | 213.58 |
| 48785 | AQUACHEM | Aqua H2O Solutions Inc | 10/13/2016 | 348.89 |
| 48786 | BREEDD | Dusty Breeding | 10/13/2016 | 35.00 |
| 48787 | CABUILD | CA Building Standards Commis. | 10/13/2016 | 796.50 |
| 48788 | CONEJOA | Conejo Awards | 10/13/2016 | 76.50 |
| 48789 | COTTON | Cotton,Shires & Associates,Inc | 10/13/2016 | 49,662.50 |
| 48790 | DEPTCON | Dept. of Conservation | 10/13/2016 | 2,924.98 |
| 48791 | DIRECT | DirecTV, Inc. | 10/13/2016 | 59.99 |
| 48792 | ELYJRS | Hilario Simental Jr | 10/13/2016 | 460.00 |
| 48793 | EMPIRE | Empire Chemical Company Inc | 10/13/2016 | 409.93 |
| 48794 | FRONTIER | Frontier California Inc | 10/13/2016 | 2,182.42 |
| 48795 | Fugro | Fugro Consultants, Inc. | 10/13/2016 | 8,525.00 |
| 48796 | INTESCAN | Integrated Scanning of America | 10/13/2016 | 467.15 |
| 48797 | iRIS | Lorrie Feinberg | 10/13/2016 | 6,863.75 |
| 48798 | JENKINS | Jenkins & Hogin, LLP | 10/13/2016 | 40,911.80 |
| 48799 | KONICA | Konica Minolta Business Solution | 10/13/2016 | 13,739.00 |
| 48800 | KUSTOM | Kustom Signals, Inc | 10/13/2016 | 251.92 |
| 48801 | LACOCLE | LA County Registrar-Recorder LA | 10/13/2016 | 75.00 |
| 48802 | LACOCLE | LA County Registrar-Recorder LA | 10/13/2016 | 75.00 |
| 48803 | LACOFIR | LA Co Fire Department | 10/13/2016 | 17,694.00 |
| 48804 | MADSONK | Kevin Madson | 10/13/2016 | 3,853.50 |
| 48805 | MALICOM | Malibu Comm Labor Exchange | 10/13/2016 | 582.00 |
| 48806 | MALITIM | Malibu Times | 10/13/2016 | 1,211.50 |
| 48807 | MALITIM | Malibu Times | 10/13/2016 | 36.00 |
| 48808 | MALIWES | Malibu West Beach Club | 10/13/2016 | 195.00 |
| 48809 | MALIYEL | Khaled R. Karame | 10/13/2016 | 14,639.95 |
| 48810 | MASLOVS | Sonia Maslovskaya | 10/13/2016 | 110.00 |
| 48811 | MASTERCO | Master Cooling Corporation | 10/13/2016 | 1,881.17 |
| 48812 | MITCHMA | Maria de Lourdes Rivas Mitchell | 10/13/2016 | 28.00 |
| 48813 | MNS | MNS Engineers, Inc. | 10/13/2016 | 11,434.15 |
| 48814 | NAICKERV | Vasudevan Naicker | 10/13/2016 | 175.00 |
| 48815 | OHANIANA | Ara Ohanian | 10/13/2016 | 906.00 |
| 48816 | PITNEYP | Pitney Bowes Global Financial Se | 10/13/2016 | 760.52 |
| 48817 | PRECISI | Precision Business Machine Inc | 10/13/2016 | 847.10 |
| 48818 | RECTOR | Christy Rector | 10/13/2016 | 67.17 |
| 48819 | RMC | RMC Water & Environment | 10/13/2016 | 92,259.16 |
| 48820 | SCEDISO | Southern California Edison Comp | 10/13/2016 | 15,871.40 |
| 48821 | SELLERSO | Olivia Sellers | 10/13/2016 | 70.00 |
| 48822 | SMASH | Smash Athletics Inc | 10/13/2016 | 76.86 |
| 48823 | SOLIDWA | Solid Waste Solutions, Inc. | 10/13/2016 | 969.00 |
| 48824 | SOUTHEAS | Southeastern Security Consultants | 10/13/2016 | 18.50 |
| 48825 | SPIROVI | Ivo R Spirov | 10/13/2016 | 56.00 |

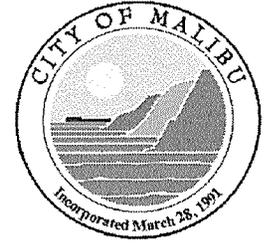
| Check Number | Vendor No | Vendor Name | Check Date | Check Amount |
|--------------|-----------|------------------------------------|------------|--------------|
| 48826 | SUPERAED | Cardiac Health Resorces LLC | 10/13/2016 | 6,270.91 |
| 48827 | TELECOM | Telecom Law Firm PC | 10/13/2016 | 2,471.60 |
| 48828 | TITANWPC | Titan Water Polo Club Inc | 10/13/2016 | 725.00 |
| 48829 | USBANK | U.S. Bank | 10/13/2016 | 22,797.48 |
| 48830 | VARSITY | Varsity Brands Holding Co Inc | 10/13/2016 | 2,413.22 |
| 48831 | Vaughan | Clifton Vaughan | 10/13/2016 | 120.00 |
| 48832 | VERIZONW | Verizon Wireless Services LLC | 10/13/2016 | 100.24 |
| 48833 | WOLSKIB | Becks Wolski | 10/13/2016 | 80.00 |
| 48834 | XEROX | Xerox Corporation | 10/13/2016 | 331.61 |
| 48835 | 22CENMED | Freedom Media LLC/ 22nd Centu | 10/20/2016 | 585.00 |
| 48836 | ACCOUNT | OfficeTeam A Robert Half Compa | 10/20/2016 | 5,495.42 |
| 48837 | ALLIANT2 | Alliant Insurance Services, Inc. | 10/20/2016 | 440.96 |
| 48838 | AMTECH | Pacific Coast Elevator Corp. | 10/20/2016 | 417.00 |
| 48839 | AQUATIC | Aquatic Bioassay & Consulting L | 10/20/2016 | 1,190.00 |
| 48840 | ARC | ARC Document Solutions LLC | 10/20/2016 | 72.50 |
| 48841 | B&HFOTO | B & H Foto & Electronics Corpor. | 10/20/2016 | 8,509.90 |
| 48842 | BANNER | Banner Bank | 10/20/2016 | 97,170.49 |
| 48843 | BRIGHTV | Brightview Landscape Services In | 10/20/2016 | 27,727.50 |
| 48844 | BURNS | Burns Pacific Construction Inc | 10/20/2016 | 89,331.58 |
| 48845 | CCAC1 | CCAC City Clerks Association of | 10/20/2016 | 200.00 |
| 48846 | CHENGY | Yvonne Cheng | 10/20/2016 | 160.00 |
| 48847 | CONEJOA | Concjo Awards | 10/20/2016 | 16.13 |
| 48848 | DIGITAL | Digital Map Products, Inc. | 10/20/2016 | 30,300.00 |
| 48849 | DIGITALT | Digital Telecommunications Corp | 10/20/2016 | 710.00 |
| 48850 | DISTORR | Rica Distor | 10/20/2016 | 120.00 |
| 48851 | ELYJRS | Hilario Simental Jr | 10/20/2016 | 460.00 |
| 48852 | FRONTIER | Frontier California Inc | 10/20/2016 | 872.56 |
| 48853 | Fugro | Fugro Consultants, Inc. | 10/20/2016 | 11,232.69 |
| 48854 | GARLAND | W Garland Illustrations | 10/20/2016 | 2,265.00 |
| 48855 | GOVCONN | GovConnection Inc | 10/20/2016 | 2,052.47 |
| 48856 | INTLDARK | International Dark-Sky Associatio | 10/20/2016 | 4,744.93 |
| 48857 | INVGATE | InvGate | 10/20/2016 | 2,250.00 |
| 48858 | IPC INC | Integrated Performance Consultan | 10/20/2016 | 525.00 |
| 48859 | JONESAC | Jones, Ackerman & Corman LLP | 10/20/2016 | 1,642.20 |
| 48860 | JWPLUMB | John Watkins | 10/20/2016 | 160.00 |
| 48861 | KUSTOM | Kustom Signals, Inc | 10/20/2016 | 599.86 |
| 48862 | LABCORP | Laboratory Corp. of America | 10/20/2016 | 29.50 |
| 48863 | LACOSHE | LA Co Sheriff'S Department | 10/20/2016 | 542,707.22 |
| 48864 | LACOWAT | LA Co MalibuTreasurer-Waterwo | 10/20/2016 | 17,746.07 |
| 48865 | LAMONTE | Lou La Monte | 10/20/2016 | 644.12 |
| 48866 | MADSONK | Kevin Madson | 10/20/2016 | 610.50 |
| 48867 | MALIRACQ | Malibu Racquet Club | 10/20/2016 | 638.00 |
| 48868 | MALITIM | Malibu Times | 10/20/2016 | 156.00 |
| 48869 | NAPOLN | Nigel Napolion | 10/20/2016 | 411.60 |
| 48870 | NATIONA | National Construction Rentals, Inc | 10/20/2016 | 382.60 |
| 48871 | OAKTREE | Oak Tree Construction, Inc. | 10/20/2016 | 56,918.16 |
| 48872 | OZONE | Ozone Water Systems, Inc. | 10/20/2016 | 4,000.00 |
| 48873 | PLAYCRAF | Playcraft Direct, Inc | 10/20/2016 | 266.63 |
| 48874 | RATZCHE | Chelsey Ratzlaff | 10/20/2016 | 300.00 |
| 48875 | RINCONC | Rincon Consultants, Inc | 10/20/2016 | 19,209.78 |
| 48876 | RIVERSI | Riverside Rubber Stamp & Engrav | 10/20/2016 | 51.72 |
| 48877 | SMASH | Smash Athletics Inc | 10/20/2016 | 320.43 |
| 48878 | SOUTHCOS | South Coast AQMD | 10/20/2016 | 479.21 |
| 48879 | STORAGE | StorageContainer.com | 10/20/2016 | 198.00 |
| 48880 | STOVER | Stover Seed Company | 10/20/2016 | 1,308.00 |

| Check Number | Vendor No | Vendor Name | Check Date | Check Amount |
|--------------|-----------|----------------------------------|---------------|--------------|
| 48881 | SWANK | Swank Motion Pictures, Inc. | 10/20/2016 | 353.00 |
| 48882 | UNITEDSI | United Site Services of CA Inc | 10/20/2016 | 264.14 |
| 48883 | VENCOPOW | Venco Power Sweeping, Inc | 10/20/2016 | 6,935.00 |
| 48884 | VIDO | Vido Artukovich & Son, Inc./Vidn | 10/20/2016 | 1,846,239.21 |
| | | | Report Total: | 3,120,818.10 |

Accounts Payable

Transactions by Account

User: jhand
 Printed: 11/02/2016 - 10:21AM
 Batch: 00000.00.0000



Checks from: 00048781 To: 00048884

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|------------------------|-----------------------|------------------------------------|----------|-----------|
| Fund: 100 | | | | | |
| Dept:0000 | | | | | |
| 100-0000-3202-00 | Film Permit Fees | LA Co Fire Department | Film Permit Fire District Fees Jul | 48803 | 17,694.00 |
| Vendor Subtotal for Dept:0000 | | | | | 17,694.00 |
| Dept:0000 | | | | | |
| 100-0000-3466-00 | Swim Use & Program Fee | Sonia Maslovskaya | Refund Swim-Guppies-Samson/S | 48810 | 110.00 |
| Vendor Subtotal for Dept:0000 | | | | | 110.00 |
| Dept:0000 | | | | | |
| 100-0000-3470-00 | Community Classes | Dusty Breeding | Refund Swing/Ballroom class-Ce | 48786 | 35.00 |
| Vendor Subtotal for Dept:0000 | | | | | 35.00 |
| Dept:0000 | | | | | |
| 100-0000-3470-00 | Community Classes | Olivia Sellers | Refund Salsa/Swing class-Michae | 48821 | 70.00 |
| Vendor Subtotal for Dept:0000 | | | | | 70.00 |
| Dept:0000 | | | | | |
| 100-0000-3470-00 | Community Classes | Clifton Vaughan | Refund Bu Camp-Stephanie-canc | 48831 | 120.00 |
| Vendor Subtotal for Dept:0000 | | | | | 120.00 |
| Dept:0000 | | | | | |
| 100-0000-3470-00 | Community Classes | Becks Wolski | Refund Imagine Art Class-Stach/ | 48833 | 80.00 |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|--------------------|------------------------------------|----------------------------------|-------------------------------|-----------|
| | | | | Vendor Subtotal for Dept:0000 | 80.00 |
| Dept:3001 | | | | | |
| 100-3001-5120-00 | Street Maintenance | Burns Pacific Construction Inc | Broad Beach Rd Culvert repair-S | 48844 | 6,880.00 |
| 100-3001-5120-00 | Street Maintenance | Burns Pacific Construction Inc | Routine Street Maint-Sep '16 | 48844 | 48,636.00 |
| 100-3001-5120-00 | Street Maintenance | Burns Pacific Construction Inc | Yard Rental-Sep '16 | 48844 | 2,600.00 |
| 100-3001-5120-00 | Street Maintenance | Burns Pacific Construction Inc | Homeless encampment cleanup-S | 48844 | 680.00 |
| | | | | Vendor Subtotal for Dept:3001 | 58,796.00 |
| Dept:3001 | | | | | |
| 100-3001-5121-01 | Street Sweeping | Venco Power Sweeping, Inc | Street Sweeping-Sep '16 | 48883 | 6,935.00 |
| | | | | Vendor Subtotal for Dept:3001 | 6,935.00 |
| Dept:3001 | | | | | |
| 100-3001-5123-01 | Culvert Cleaning | Burns Pacific Construction Inc | Culvert Cleaning-Sep '16 | 48844 | 6,120.00 |
| | | | | Vendor Subtotal for Dept:3001 | 6,120.00 |
| Dept:3001 | | | | | |
| 100-3001-5722-00 | Electricity | Southern California Edison Company | Broad Beach-Sep'16 | 48820 | 28.45 |
| 100-3001-5722-00 | Electricity | Southern California Edison Company | Cross Creek Rd Ped-Sep'16 | 48820 | 23.67 |
| 100-3001-5722-00 | Electricity | Southern California Edison Company | Rambla Light-Sep'16 | 48820 | 15.95 |
| 100-3001-5722-00 | Electricity | Southern California Edison Company | St Lighting-Sep'16 | 48820 | 1,542.48 |
| 100-3001-5722-00 | Electricity | Southern California Edison Company | Traffic Control-Sep'16 | 48820 | 78.87 |
| 100-3001-5722-00 | Electricity | Southern California Edison Company | Winter Cyn-Sep'16 | 48820 | 45.60 |
| | | | | Vendor Subtotal for Dept:3001 | 1,735.02 |
| Dept:3001 | | | | | |
| 100-3001-6160-00 | Operating Supplies | Burns Pacific Construction Inc | PW supplies-Sep '16-posts/concre | 48844 | 1,755.67 |
| | | | | Vendor Subtotal for Dept:3001 | 1,755.67 |
| Dept:3001 | | | | | |

| Account Number | description | Vendor | Description | Check No | Amount |
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| 100-3001-6160-00 | Operating Supplies | U.S. Bank | Hart T-PW Supplies-Flow meters | 48829 | 106.84 |
| 100-3001-6160-00 | Operating Supplies | U.S. Bank | Hart T-PW safety supplies-Hard h | 48829 | 75.17 |
| | | | Vendor Subtotal for Dept:3001 | | 182.01 |
| Dept:3007 | | | | | |
| 100-3007-5610-00 | Fac Maintenance-Civic Center | Ozone Water Systems, Inc. | CCSTF Equip Maint-Sep '16 | 48872 | 4,000.00 |
| | | | Vendor Subtotal for Dept:3007 | | 4,000.00 |
| Dept:3007 | | | | | |
| 100-3007-5610-01 | Fac Maintenance-Paradise Cove | Burns Pacific Construction Inc | PCSTF Maint-Sep '16-Cleared su | 48844 | 22,659.91 |
| | | | Vendor Subtotal for Dept:3007 | | 22,659.91 |
| Dept:3007 | | | | | |
| 100-3007-5655-00 | Stormwater Monitoring | Aquatic Bioassay & Consulting Labc | CCSTF-Testing/Monitoring-Sep ' | 48839 | 1,190.00 |
| | | | Vendor Subtotal for Dept:3007 | | 1,190.00 |
| Dept:3007 | | | | | |
| 100-3007-5721-00 | Telephone | Frontier California Inc | Phone-Civic Center STF | 48794 | 143.22 |
| | | | Vendor Subtotal for Dept:3007 | | 143.22 |
| Dept:3007 | | | | | |
| 100-3007-5722-00 | Electricity | Southern California Edison Compan | CCSTF-Sep'16 | 48820 | 1,586.42 |
| | | | Vendor Subtotal for Dept:3007 | | 1,586.42 |
| Dept:3008 | | | | | |
| 100-3008-5100-00 | Professional Services | MNS Engineers, Inc. | PM24070/6038 Ramirez Cyn/605 | 48813 | 2,500.00 |
| | | | Vendor Subtotal for Dept:3008 | | 2,500.00 |

| Account Number | description | Vendor | Description | Check No | Amount |
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| Dept:3008 | | | | | |
| 100-3008-5107-00 | Contract Personnel | OfficeTeam A Robert Half Company | Temp Staffing-PW-William W-W | 48782 | 1,080.00 |
| 100-3008-5107-00 | Contract Personnel | OfficeTeam A Robert Half Company | Temp Staffing-PW-William W-W | 48836 | 1,080.00 |
| Vendor Subtotal for Dept:3008 | | | | | 2,160.00 |
| Dept:3008 | | | | | |
| 100-3008-5300-00 | Travel and Training | U.S. Bank | Ayala B-APWA monthly meeting | 48829 | 30.00 |
| Vendor Subtotal for Dept:3008 | | | | | 30.00 |
| Dept:3008 | | | | | |
| 100-3008-6160-00 | Operating Supplies | U.S. Bank | DuBoux R-Interview Panel suppli | 48829 | 103.37 |
| Vendor Subtotal for Dept:3008 | | | | | 103.37 |
| Dept:4001 | | | | | |
| 100-4001-5721-00 | Telephone | Frontier California Inc | Phone-MHS Pool | 48794 | 222.90 |
| 100-4001-5721-00 | Telephone | Frontier California Inc | Bluffs Park Internet-Oct '16 | 48852 | 236.00 |
| Vendor Subtotal for Dept:4001 | | | | | 458.90 |
| Dept:4001 | | | | | |
| 100-4001-6160-00 | Operating Supplies | Conejo Awards | Name tags-P&R Rec Assistants | 48788 | 76.50 |
| 100-4001-6160-00 | Operating Supplies | Conejo Awards | Nameplate-Recreation Manager | 48847 | 16.13 |
| Vendor Subtotal for Dept:4001 | | | | | 92.63 |
| Dept:4001 | | | | | |
| 100-4001-6160-00 | Operating Supplies | Malibu West Beach Club | Fac Rental for Comm Outreach M | 48808 | 195.00 |
| Vendor Subtotal for Dept:4001 | | | | | 195.00 |
| Dept:4001 | | | | | |
| 100-4001-6160-00 | Operating Supplies | U.S. Bank | Gallo K-Shift Planning-Schedulin | 48829 | 85.00 |
| 100-4001-6160-00 | Operating Supplies | U.S. Bank | Gallo K-P&R PT Staff training su | 48829 | 14.97 |
| 100-4001-6160-00 | Operating Supplies | U.S. Bank | Frederiksen R-P&R tablecloths cl | 48829 | 89.55 |

| Account Number | description | Vendor | Description | Check No | Amount |
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| | | | | | Vendor Subtotal for Dept:4001 |
| | | | | | 189.52 |
| Dept:4001 | | | | | |
| 100-4001-6170-00 | Events | Alliant Insurance Services, Inc. | Insurance to cover Salon Series e | 48837 | 440.96 |
| | | | | | Vendor Subtotal for Dept:4001 |
| | | | | | 440.96 |
| Dept:4002 | | | | | |
| 100-4002-5330-00 | Dues & Memberships | Titan Water Polo Club Inc | 2016 Fall League-Youth Water Pc | 48828 | 725.00 |
| | | | | | Vendor Subtotal for Dept:4002 |
| | | | | | 725.00 |
| Dept:4002 | | | | | |
| 100-4002-6160-00 | Operating Supplies | U.S. Bank | Crittenden A-Lifeguard training e | 48829 | 279.08 |
| | | | | | Vendor Subtotal for Dept:4002 |
| | | | | | 279.08 |
| Dept:4003 | | | | | |
| 100-4003-6160-00 | Operating Supplies | U.S. Bank | Crittenden A-Legacy Volunteer W | 48829 | 44.94 |
| 100-4003-6160-00 | Operating Supplies | U.S. Bank | Crittenden A-Website Quarterly F | 48829 | 14.97 |
| | | | | | Vendor Subtotal for Dept:4003 |
| | | | | | 59.91 |
| Dept:4006 | | | | | |
| 100-4006-5107-00 | Contract Personnel | Yvonne Cheng | Sports instructor-Cheerleading-Y | 48846 | 160.00 |
| | | | | | Vendor Subtotal for Dept:4006 |
| | | | | | 160.00 |
| Dept:4006 | | | | | |
| 100-4006-5107-00 | Contract Personnel | Rica Distor | Sports instructor-Cheerleading-R | 48850 | 120.00 |
| | | | | | Vendor Subtotal for Dept:4006 |
| | | | | | 120.00 |
| Dept:4006 | | | | | |
| 100-4006-5107-00 | Contract Personnel | Chelsey Ratzlaff | Sports instructor-C Ratzlaff-Volle | 48874 | 120.00 |
| 100-4006-5107-00 | Contract Personnel | Chelsey Ratzlaff | Sports instructor-C Ratzlaff-Volle | 48874 | 180.00 |

| Account Number | description | Vendor | Description | Check No | Amount |
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| | | | | Vendor Subtotal for Dept:4006 | 300.00 |
| Dept:4006 | | | | | |
| 100-4006-6160-00 | Operating Supplies | Smash Athletics Inc | Uniforms-MS Volleyball extras | 48822 | 76.86 |
| 100-4006-6160-00 | Operating Supplies | Smash Athletics Inc | Basketball jerseys-Itty Bitty | 48877 | 152.69 |
| 100-4006-6160-00 | Operating Supplies | Smash Athletics Inc | Summer Adult Softball champ shi | 48877 | 167.74 |
| | | | | Vendor Subtotal for Dept:4006 | 397.29 |
| Dept:4006 | | | | | |
| 100-4006-6160-00 | Operating Supplies | Southeastern Security Consultants, I | Background checks-Sep '16 | 48824 | 18.50 |
| | | | | Vendor Subtotal for Dept:4006 | 18.50 |
| Dept:4006 | | | | | |
| 100-4006-6160-00 | Operating Supplies | U.S. Bank | Gallo K-Adult Softball awards | 48829 | 129.00 |
| | | | | Vendor Subtotal for Dept:4006 | 129.00 |
| Dept:4006 | | | | | |
| 100-4006-6160-00 | Operating Supplies | Varsity Brands Holding Co Inc | MS Cheer uniform packages/coac | 48830 | 2,413.22 |
| | | | | Vendor Subtotal for Dept:4006 | 2,413.22 |
| Dept:4007 | | | | | |
| 100-4007-5107-00 | Contract Personnel | Maria de Lourdes Rivas Mitchell | Class instructor-M Mitchell-Bu C | 48812 | 28.00 |
| | | | | Vendor Subtotal for Dept:4007 | 28.00 |
| Dept:4007 | | | | | |
| 100-4007-5107-00 | Contract Personnel | Nigel Napolion | Class instructor-N Napolion-Colo | 48869 | 254.80 |
| 100-4007-5107-00 | Contract Personnel | Nigel Napolion | Class instructor-N Napolion-Heal | 48869 | 156.80 |
| | | | | Vendor Subtotal for Dept:4007 | 411.60 |
| Dept:4007 | | | | | |
| 100-4007-5107-00 | Contract Personnel | Ivo R Spirov | Class instructor-I Spirov-Imagine | 48825 | 56.00 |
| | | | | Vendor Subtotal for Dept:4007 | 56.00 |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|----------------------------|-----------------------------|-----------------------------------|----------|----------|
| Dept:4007 | | | | | |
| 100-4007-6160-00 | Operating Supplies | U.S. Bank | Gallo K-P&R Bluffs Park supplie | 48829 | 46.12 |
| 100-4007-6160-00 | Operating Supplies | U.S. Bank | Reyna M-P&R SendGrid email se | 48829 | 9.95 |
| Vendor Subtotal for Dept:4007 | | | | | 56.07 |
| Dept:4008 | | | | | |
| 100-4008-6160-00 | Operating Supplies | U.S. Bank | Odello T-Senior Center supplies | 48829 | 350.99 |
| 100-4008-6160-00 | Operating Supplies | U.S. Bank | Odello T-Senior Center Luncheon | 48829 | 438.18 |
| 100-4008-6160-00 | Operating Supplies | U.S. Bank | Frederiksen R-Senior Ctr tableclo | 48829 | 159.20 |
| Vendor Subtotal for Dept:4008 | | | | | 948.37 |
| Dept:4008 | | | | | |
| 100-4008-6176-00 | Recreation Trip Admissions | U.S. Bank | Odello T-Senior Excursion expen: | 48829 | 2,021.82 |
| Vendor Subtotal for Dept:4008 | | | | | 2,021.82 |
| Dept:4009 | | | | | |
| 100-4009-5300-00 | Travel and Training | U.S. Bank | Riesgo K-Youth Comm-Team Bu | 48829 | 750.00 |
| 100-4009-5300-00 | Travel and Training | U.S. Bank | Gallo K-P&R Commisson trainin: | 48829 | 600.00 |
| Vendor Subtotal for Dept:4009 | | | | | 1,350.00 |
| Dept:4009 | | | | | |
| 100-4009-5330-00 | Dues & Memberships | Swank Motion Pictures, Inc. | Movie License-Teen Movie Night | 48881 | 353.00 |
| Vendor Subtotal for Dept:4009 | | | | | 353.00 |
| Dept:4009 | | | | | |
| 100-4009-6160-00 | Operating Supplies | U.S. Bank | Riesgo K-P&R events supplies-bt | 48829 | 76.28 |
| Vendor Subtotal for Dept:4009 | | | | | 76.28 |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|---------------------|-----------------------------------|------------------------------------|----------|-----------|
| Dept:4010 | | | | | |
| 100-4010-5130-00 | Parks Maintenance | Anawalt Lumber Co., Inc | P&R Park Maint supplies | 48784 | 97.62 |
| Vendor Subtotal for Dept:4010 | | | | | 97.62 |
| Dept:4010 | | | | | |
| 100-4010-5130-00 | Parks Maintenance | Brightview Landscape Services Inc | Trancas Park Retaining wall | 48843 | 4,485.00 |
| 100-4010-5130-00 | Parks Maintenance | Brightview Landscape Services Inc | Triangle Median -Mulch | 48843 | 2,700.00 |
| 100-4010-5130-00 | Parks Maintenance | Brightview Landscape Services Inc | Trancas Park -Mulching of plante | 48843 | 1,360.00 |
| 100-4010-5130-00 | Parks Maintenance | Brightview Landscape Services Inc | Las Flores Park - Mulch | 48843 | 1,360.00 |
| 100-4010-5130-00 | Parks Maintenance | Brightview Landscape Services Inc | Bluffs Park - exchanging of sand | 48843 | 4,001.00 |
| 100-4010-5130-00 | Parks Maintenance | Brightview Landscape Services Inc | PCH Median - Mulch | 48843 | 900.00 |
| 100-4010-5130-00 | Parks Maintenance | Brightview Landscape Services Inc | Bluffs Park-Mainline repair-drink | 48843 | 400.00 |
| 100-4010-5130-00 | Parks Maintenance | Brightview Landscape Services Inc | Las Flores Retaining wall | 48843 | 5,009.50 |
| Vendor Subtotal for Dept:4010 | | | | | 20,215.50 |
| Dept:4010 | | | | | |
| 100-4010-5130-00 | Parks Maintenance | Playcraft Direct, Inc | Bluffs Park-Repairs/Replacement | 48873 | 266.63 |
| Vendor Subtotal for Dept:4010 | | | | | 266.63 |
| Dept:4010 | | | | | |
| 100-4010-5130-00 | Parks Maintenance | Stover Seed Company | Trancas Park-Seed/Topper | 48880 | 1,308.00 |
| Vendor Subtotal for Dept:4010 | | | | | 1,308.00 |
| Dept:4010 | | | | | |
| 100-4010-5130-00 | Parks Maintenance | U.S. Bank | Delsi D-P&R Parks maint supplie | 48829 | 48.45 |
| 100-4010-5130-00 | Parks Maintenance | U.S. Bank | Belter A-Bluffs Park-Top soil | 48829 | 367.48 |
| Vendor Subtotal for Dept:4010 | | | | | 415.93 |
| Dept:4010 | | | | | |
| 100-4010-5300-00 | Travel and Training | U.S. Bank | Delsi D-Pesticide renewal certific | 48829 | 60.00 |
| 100-4010-5300-00 | Travel and Training | U.S. Bank | Belter A-WCISA-Arborist Certifi | 48829 | 80.00 |
| 100-4010-5300-00 | Travel and Training | U.S. Bank | Belter A-Pesticide renewal certifi | 48829 | 60.00 |
| Vendor Subtotal for Dept:4010 | | | | | 200.00 |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|-----------------------|------------------------------------|-------------------------------------|----------|-----------|
| Dept:4010 | | | | | |
| 100-4010-5610-00 | Facility Maintenance | John Watkins | Bluffs Park-plumbing repairs | 48860 | 160.00 |
| Vendor Subtotal for Dept:4010 | | | | | 160.00 |
| Dept:4010 | | | | | |
| 100-4010-5610-00 | Facility Maintenance | U.S. Bank | Delsi D-Duplicate keys made-Lar | 48829 | 90.00 |
| Vendor Subtotal for Dept:4010 | | | | | 90.00 |
| Dept:4010 | | | | | |
| 100-4010-5640-00 | Equipment Maintenance | U.S. Bank | Delsi D-P&R Parks equip maint | 48829 | 241.66 |
| Vendor Subtotal for Dept:4010 | | | | | 241.66 |
| Dept:4010 | | | | | |
| 100-4010-5710-00 | Facilities Rent | National Construction Rentals, Inc | Bluffs Portable Toilet rental -9/29 | 48870 | 382.60 |
| Vendor Subtotal for Dept:4010 | | | | | 382.60 |
| Dept:4010 | | | | | |
| 100-4010-5721-00 | Telephone | Frontier California Inc | Phone-PCH Median | 48794 | 46.99 |
| 100-4010-5721-00 | Telephone | Frontier California Inc | Phone-Las Flores/Bluffs/Trancas | 48794 | 422.19 |
| Vendor Subtotal for Dept:4010 | | | | | 469.18 |
| Dept:4010 | | | | | |
| 100-4010-5722-00 | Electricity | Southern California Edison Company | Parks/Recs-Sep'16 | 48820 | 767.11 |
| 100-4010-5722-00 | Electricity | Southern California Edison Company | PCH Median-Sep'16 | 48820 | 24.58 |
| 100-4010-5722-00 | Electricity | Southern California Edison Company | Rambla Pacifico-Sep'16 | 48820 | 24.44 |
| Vendor Subtotal for Dept:4010 | | | | | 816.13 |
| Dept:4010 | | | | | |
| 100-4010-5723-00 | Water | LA Co MalibuTreasurer-Waterworks | Water-Bluffs Park 7/25-9/22/16-B | 48864 | 17,746.07 |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|---------------------------|--------------------------------|----------------------------------|----------|-------------------------------|
| | | | | | Vendor Subtotal for Dept:4010 |
| | | | | | 17,746.07 |
| Dept:4010 | | | | | |
| 100-4010-6300-00 | Repair & Maint. Supplies | Anawalt Lumber Co., Inc | P&R Park Tools/equipment | 48784 | 35.94 |
| | | | | | Vendor Subtotal for Dept:4010 |
| | | | | | 35.94 |
| Dept:4010 | | | | | |
| 100-4010-6300-00 | Repair & Maint. Supplies | U.S. Bank | Delsi D-Maint staff tools | 48829 | 797.83 |
| | | | | | Vendor Subtotal for Dept:4010 |
| | | | | | 797.83 |
| Dept:4010 | | | | | |
| 100-4010-6400-00 | Clothing & Emergency Gear | Anawalt Lumber Co., Inc | P&R Park Clothing/emergency gc | 48784 | 47.91 |
| | | | | | Vendor Subtotal for Dept:4010 |
| | | | | | 47.91 |
| Dept:4010 | | | | | |
| 100-4010-6600-00 | Equipment Parts | U.S. Bank | Delsi D-Bluffs Park parts | 48829 | 55.53 |
| | | | | | Vendor Subtotal for Dept:4010 |
| | | | | | 55.53 |
| Dept:4011 | | | | | |
| 100-4011-6160-00 | Operating Supplies | United Site Services of CA Inc | P&R Event-Tiny Tot Olympics-Pt | 48882 | 264.14 |
| | | | | | Vendor Subtotal for Dept:4011 |
| | | | | | 264.14 |
| Dept:4011 | | | | | |
| 100-4011-6160-00 | Operating Supplies | U.S. Bank | Riesgo K-Halloween Carnival/Mz | 48829 | 337.05 |
| 100-4011-6160-00 | Operating Supplies | U.S. Bank | Riesgo K-Santa costume supplies | 48829 | 7.41 |
| 100-4011-6160-00 | Operating Supplies | U.S. Bank | Riesgo K-P&R Events-banner sup | 48829 | 36.27 |
| 100-4011-6160-00 | Operating Supplies | U.S. Bank | Gallo K-P&R event supplies-Tiny | 48829 | 379.38 |
| 100-4011-6160-00 | Operating Supplies | U.S. Bank | Gallo K-P&R Bluffs office suppli | 48829 | 11.98 |
| | | | | | Vendor Subtotal for Dept:4011 |
| | | | | | 772.09 |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|-----------------------|-----------------------------------|----------------------------------|----------|----------|
| Dept:7001 | | | | | |
| 100-7001-5300-00 | Travel and Training | Lou La Monte | Reimburse-Expenses/mileage-Mi: | 48865 | 644.12 |
| Vendor Subtotal for Dept:7001 | | | | | 644.12 |
| Dept:7001 | | | | | |
| 100-7001-5300-00 | Travel and Training | U.S. Bank | Linden M-LaMonte-Assembly Sp | 48829 | 53.74 |
| 100-7001-5300-00 | Travel and Training | U.S. Bank | Linden M-LaMonte-Indep Cities | 48829 | 27.37 |
| 100-7001-5300-00 | Travel and Training | U.S. Bank | Feldman R-CCCA Fall Conf expe | 48829 | -72.00 |
| 100-7001-5300-00 | Travel and Training | U.S. Bank | Feldman R-CCCA Fall Conf expe | 48829 | 504.88 |
| Vendor Subtotal for Dept:7001 | | | | | 513.99 |
| Dept:7001 | | | | | |
| 100-7001-5930-00 | Community Grants | SOS Community Outreach | FY 16/17 General Fund Grant-Sta | 48781 | 1,000.00 |
| Vendor Subtotal for Dept:7001 | | | | | 1,000.00 |
| Dept:7001 | | | | | |
| 100-7001-6160-00 | Operating Supplies | ARC Document Solutions LLC | Nameplate-Craig George | 48840 | 72.50 |
| Vendor Subtotal for Dept:7001 | | | | | 72.50 |
| Dept:7001 | | | | | |
| 100-7001-6160-00 | Operating Supplies | U.S. Bank | Linden M-Council office supplies | 48829 | 193.79 |
| Vendor Subtotal for Dept:7001 | | | | | 193.79 |
| Dept:7001 | | | | | |
| 100-7001-6170-00 | Events | U.S. Bank | Neermann R-CCCA Fall Educ Su | 48829 | 48.35 |
| 100-7001-6170-00 | Events | U.S. Bank | Linden M-Senator Pavley gift fro | 48829 | 107.38 |
| Vendor Subtotal for Dept:7001 | | | | | 155.73 |
| Dept:7002 | | | | | |
| 100-7002-5100-00 | Professional Services | Affiliated Communications LLC dba | Water Hotline-ACI-Sep '16 | 48783 | 109.37 |

| Account Number | description | Vendor | Description | Check No | Amount |
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| | | | | | 109.37 |
| | | | Vendor Subtotal for Dept:7002 | | |
| Dept:7002 | | | | | |
| 100-7002-5330-00 | Dues & Memberships | U.S. Bank | Myerhoff M-Renewal-Surveymor | 48829 | 52.00 |
| 100-7002-5330-00 | Dues & Memberships | U.S. Bank | Myerhoff M-Piktochart-online gra | 48829 | 15.00 |
| | | | | | 67.00 |
| | | | Vendor Subtotal for Dept:7002 | | |
| Dept:7002 | | | | | |
| 100-7002-5401-00 | Advertising & Noticing | U.S. Bank | Myerhoff M-Facebook advertisin | 48829 | 20.25 |
| | | | | | 20.25 |
| | | | Vendor Subtotal for Dept:7002 | | |
| Dept:7002 | | | | | |
| 100-7002-6170-00 | Events | U.S. Bank | Myerhoff M-Social committee me | 48829 | 6.28 |
| | | | | | 6.28 |
| | | | Vendor Subtotal for Dept:7002 | | |
| Dept:7002 | | | | | |
| 100-7002-7800-00 | Other Equipment | U.S. Bank | Montano A-Media supplies-new v | 48829 | 182.51 |
| | | | | | 182.51 |
| | | | Vendor Subtotal for Dept:7002 | | |
| Dept:7003 | | | | | |
| 100-7003-5300-00 | Travel and Training | U.S. Bank | Linden M-Feldman-Indep Cities / | 48829 | 27.37 |
| 100-7003-5300-00 | Travel and Training | U.S. Bank | Feldman R-CCCA Fall Conf expe | 48829 | 538.88 |
| | | | | | 566.25 |
| | | | Vendor Subtotal for Dept:7003 | | |
| Dept:7003 | | | | | |
| 100-7003-6160-00 | Operating Supplies | U.S. Bank | Shavelson E-Parking @ Caltrans : | 48829 | 2.75 |
| 100-7003-6160-00 | Operating Supplies | U.S. Bank | Linden M-Memorial planning me | 48829 | 71.41 |
| | | | | | 74.16 |
| | | | Vendor Subtotal for Dept:7003 | | |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|---------------------------|-------------------------------------|----------------------------------|----------|-----------|
| Dept:7005 | | | | | |
| 100-7005-5100-00 | Professional Services | Jones, Ackerman & Corman LLP | Trancas Land Acquisition Legal S | 48859 | 1,642.20 |
| Vendor Subtotal for Dept:7005 | | | | | 1,642.20 |
| Dept:7005 | | | | | |
| 100-7005-5100-00 | Professional Services | Telecom Law Firm PC | Litigation 5/13-7/15/16 | 48827 | 2,471.60 |
| Vendor Subtotal for Dept:7005 | | | | | 2,471.60 |
| Dept:7005 | | | | | |
| 100-7005-5101-00 | General Legal Counsel | Jenkins & Hogin, LLP | General Legal Svcs-Sep '16 | 48798 | 23,662.00 |
| Vendor Subtotal for Dept:7005 | | | | | 23,662.00 |
| Dept:7005 | | | | | |
| 100-7005-5102-00 | Litigation | Jenkins & Hogin, LLP | Litigation Svcs-Sep '16 | 48798 | 17,249.80 |
| Vendor Subtotal for Dept:7005 | | | | | 17,249.80 |
| Dept:7007 | | | | | |
| 100-7007-5100-00 | Professional Services | Konica Minolta Business Solutions U | OnBase Annual Maintenance 9/1/ | 48799 | 13,739.00 |
| Vendor Subtotal for Dept:7007 | | | | | 13,739.00 |
| Dept:7007 | | | | | |
| 100-7007-5100-00 | Professional Services | U.S. Bank | Glaser H-Veribook Online Passpo | 48829 | 35.00 |
| Vendor Subtotal for Dept:7007 | | | | | 35.00 |
| Dept:7007 | | | | | |
| 100-7007-5100-01 | Document Imaging Services | Lorrie Feinberg | Database updates-OnBase configi | 48797 | 2,042.50 |
| Vendor Subtotal for Dept:7007 | | | | | 2,042.50 |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|------------------------|----------------------------------|-----------------------------------|----------|----------|
| Dept:7007 | | | | | |
| 100-7007-5107-00 | Contract Personnel | OfficeTeam A Robert Half Company | Temp Staffing-CC-Kelsey P-WE | 48782 | 1,066.50 |
| 100-7007-5107-00 | Contract Personnel | OfficeTeam A Robert Half Company | Temp Staffing-CC-Kelsey P-WE | 48836 | 1,066.50 |
| Vendor Subtotal for Dept:7007 | | | | | 2,133.00 |
| Dept:7007 | | | | | |
| 100-7007-5150-00 | Elections | Malibu Times | Ad in Times-publication of notice | 48807 | 36.00 |
| Vendor Subtotal for Dept:7007 | | | | | 36.00 |
| Dept:7007 | | | | | |
| 100-7007-5401-00 | Advertising & Noticing | Malibu Times | Ad in Times-Ordinance No 409-2 | 48868 | 28.00 |
| Vendor Subtotal for Dept:7007 | | | | | 28.00 |
| Dept:7007 | | | | | |
| 100-7007-6160-00 | Operating Supplies | U.S. Bank | Glaser H-OnBase Agenda Mgmt 1 | 48829 | 13.58 |
| Vendor Subtotal for Dept:7007 | | | | | 13.58 |
| Dept:7021 | | | | | |
| 100-7021-5721-00 | Telephone | Frontier California Inc | Phone-Disaster Hot L/Tier/E911 | 48794 | 301.94 |
| Vendor Subtotal for Dept:7021 | | | | | 301.94 |
| Dept:7021 | | | | | |
| 100-7021-5721-00 | Telephone | Verizon Wireless Services LLC | WiFi Hot Spot-EOC-Oct '16 | 48832 | 33.41 |
| Vendor Subtotal for Dept:7021 | | | | | 33.41 |
| Dept:7021 | | | | | |
| 100-7021-6160-00 | Operating Supplies | DirecTV, Inc. | Directv-EOC-Oct '16 | 48791 | 59.99 |
| Vendor Subtotal for Dept:7021 | | | | | 59.99 |
| Dept:7021 | | | | | |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|--------------------------|-----------------------------------|---------------------------------|----------|------------|
| 100-7021-6160-00 | Operating Supplies | Cardiac Health Resorces LLC | 5 new AEDs/Trainers for City Ha | 48826 | 5,656.15 |
| 100-7021-6160-00 | Operating Supplies | Cardiac Health Resorces LLC | AED supplies | 48826 | 614.76 |
| | | | Vendor Subtotal for Dept:7021 | | 6,270.91 |
| Dept:7021 | | | | | |
| 100-7021-6160-00 | Operating Supplies | U.S. Bank | Davis B-EOC supplies/expenses | 48829 | 80.38 |
| | | | Vendor Subtotal for Dept:7021 | | 80.38 |
| Dept:7031 | | | | | |
| 100-7031-5115-00 | Law Enforcement Services | LA Co Sheriff'S Department | Law Enforce Svcs-Sep '16 | 48863 | 524,212.04 |
| 100-7031-5115-00 | Law Enforcement Services | LA Co Sheriff'S Department | Law Enforce Svcs-STAR-Sep '16 | 48863 | 2,442.24 |
| | | | Vendor Subtotal for Dept:7031 | | 526,654.28 |
| Dept:7031 | | | | | |
| 100-7031-5640-00 | Equipment Maintenance | Kustom Signals, Inc | Sheriff equipment repair | 48800 | 251.92 |
| 100-7031-5640-00 | Equipment Maintenance | Kustom Signals, Inc | Sheriff equipment repair | 48861 | 599.86 |
| | | | Vendor Subtotal for Dept:7031 | | 851.78 |
| Dept:7031 | | | | | |
| 100-7031-5640-00 | Equipment Maintenance | Southern California Edison Compan | Tier-Sep'16 | 48820 | 130.12 |
| | | | Vendor Subtotal for Dept:7031 | | 130.12 |
| Dept:7031 | | | | | |
| 100-7031-7800-00 | Public Safety Equipment | Verizon Wireless Services LLC | WiFi Hot Spot-VOP-Oct '16 | 48832 | 66.83 |
| | | | Vendor Subtotal for Dept:7031 | | 66.83 |
| Dept:7054 | | | | | |
| 100-7054-5117-00 | Film Permit Consultant | Frontier California Inc | Phone-Film Fax | 48794 | 35.13 |
| | | | Vendor Subtotal for Dept:7054 | | 35.13 |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|--------------------------|-----------------------------|----------------------------------|----------|--------|
| Dept:7054 | | | | | |
| 100-7054-5300-00 | Travel and Training | U.S. Bank | Piyaman R-MTA Audit workshop | 48829 | 23.00 |
| 100-7054-5300-00 | Travel and Training | U.S. Bank | Feldman R-CCCA Fall Conf expe | 48829 | 504.88 |
| Vendor Subtotal for Dept:7054 | | | | | 527.88 |
| Dept:7054 | | | | | |
| 100-7054-5340-00 | Transportation & Mileage | U.S. Bank | Soghor L-Parking expense for CC | 48829 | 34.00 |
| Vendor Subtotal for Dept:7054 | | | | | 34.00 |
| Dept:7054 | | | | | |
| 100-7054-6160-00 | Operating Supplies | U.S. Bank | Rector C-Finance expenses | 48829 | 114.45 |
| 100-7054-6160-00 | Operating Supplies | U.S. Bank | Montano A-Webex monthly fee | 48829 | 24.00 |
| Vendor Subtotal for Dept:7054 | | | | | 138.45 |
| Dept:7058 | | | | | |
| 100-7058-5320-00 | Recruitment Expense | Laboratory Corp. of America | PreEmployment Physical Lab Tes | 48862 | 29.50 |
| Vendor Subtotal for Dept:7058 | | | | | 29.50 |
| Dept:7058 | | | | | |
| 100-7058-5320-00 | Recruitment Expense | Malibu Times | Recruting Ad-Times-Aug '16 | 48806 | 131.50 |
| Vendor Subtotal for Dept:7058 | | | | | 131.50 |
| Dept:7058 | | | | | |
| 100-7058-5320-00 | Recruitment Expense | U.S. Bank | Walker J-HR Recruiting Ads | 48829 | 219.95 |
| 100-7058-5320-00 | Recruitment Expense | U.S. Bank | Walker J-HR Recruiting Interview | 48829 | 33.90 |
| Vendor Subtotal for Dept:7058 | | | | | 253.85 |
| Dept:7058 | | | | | |
| 100-7058-6170-00 | Events | U.S. Bank | Neermann R-Staff event expenses | 48829 | 462.00 |
| 100-7058-6170-00 | Events | U.S. Bank | Myerhoff M-Staff Picnic supplies | 48829 | 232.18 |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|---------------------|-------------------------------------|-----------------------------------|-------------------------------|----------|
| | | | | Vendor Subtotal for Dept:7058 | 694.18 |
| Dept:7059 | | | | | |
| 100-7059-5205-00 | Postage | U.S. Bank | Walker J-Postage | 48829 | 33.15 |
| 100-7059-5205-00 | Postage | U.S. Bank | Montano A-Postage | 48829 | 44.05 |
| 100-7059-5205-00 | Postage | U.S. Bank | Ernst J-Postage stamps for planni | 48829 | 940.00 |
| | | | | Vendor Subtotal for Dept:7059 | 1,017.20 |
| Dept:7059 | | | | | |
| 100-7059-5300-00 | Travel and Training | Christy Rector | Reimburse mileage-Trainings-Au | 48818 | 67.17 |
| | | | | Vendor Subtotal for Dept:7059 | 67.17 |
| Dept:7059 | | | | | |
| 100-7059-5721-00 | Telephone | Frontier California Inc | Phone-City Hall-Fac/Postage/Telc | 48794 | 527.27 |
| 100-7059-5721-00 | Telephone | Frontier California Inc | Security System 10/13-11/12/16 | 48852 | 51.23 |
| | | | | Vendor Subtotal for Dept:7059 | 578.50 |
| Dept:7059 | | | | | |
| 100-7059-5800-00 | Equipment Leases | Pitney Bowes Global Financial Servi | Postage Meter Rental 7/30-10/29/ | 48816 | 760.52 |
| | | | | Vendor Subtotal for Dept:7059 | 760.52 |
| Dept:7059 | | | | | |
| 100-7059-5800-00 | Equipment Leases | Xerox Corporation | Xerox Lease-C70EFI Hub 5 Port- | 48834 | 331.61 |
| | | | | Vendor Subtotal for Dept:7059 | 331.61 |
| Dept:7059 | | | | | |
| 100-7059-6160-00 | Operating Supplies | Precision Business Machine Inc | Printer Supplies | 48817 | 847.10 |
| | | | | Vendor Subtotal for Dept:7059 | 847.10 |
| Dept:7059 | | | | | |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|-----------------------------|------------------------------------|----------------------------------|----------|------------|
| 100-7059-6160-00 | Operating Supplies | U.S. Bank | Rector C-Kitchen supplies | 48829 | 61.01 |
| | | | Vendor Subtotal for Dept:7059 | | 61.01 |
| | | | Subtotal for Fund: 100 | | 790,284.40 |
| Fund: 101 | | | | | |
| Dept:0000 | | | | | |
| 101-0000-3421-00 | Planning Review Fees | W Garland Illustrations | Refund VRP 16-001-23812 Harbc | 48854 | 2,265.00 |
| | | | Vendor Subtotal for Dept:0000 | | 2,265.00 |
| Dept:0000 | | | | | |
| 101-0000-3421-00 | Planning Review Fees | Malibu Racquet Club | Refund-Event does not require TL | 48867 | 638.00 |
| | | | Vendor Subtotal for Dept:0000 | | 638.00 |
| Dept:0000 | | | | | |
| 101-0000-3421-00 | Planning Review Fees | Ara Ohanian | Refund 5253 Horizon Drive-APR | 48815 | 906.00 |
| | | | Vendor Subtotal for Dept:0000 | | 906.00 |
| Dept:0000 | | | | | |
| 101-0000-3425-00 | CA Bldg Standards Surcharge | CA Building Standards Commis. | Building Standards Admin Fee 3r | 48787 | 796.50 |
| | | | Vendor Subtotal for Dept:0000 | | 796.50 |
| Dept:2001 | | | | | |
| 101-2001-5100-00 | Professional Services | International Dark-Sky Association | Citywide Lighting -Dark Sky Ord | 48856 | 4,744.93 |
| | | | Vendor Subtotal for Dept:2001 | | 4,744.93 |
| Dept:2001 | | | | | |
| 101-2001-5100-00 | Professional Services | Lorrie Feinberg | Database updates-Planning-Sep '1 | 48797 | 3,265.63 |
| | | | Vendor Subtotal for Dept:2001 | | 3,265.63 |
| Dept:2001 | | | | | |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|------------------------|------------------------------------|----------------------------------|----------|-----------|
| 101-2001-5100-00 | Professional Services | Rincon Consultants, Inc | Contract Planners-Jul '16-Rincon | 48875 | 11.91 |
| 101-2001-5100-00 | Professional Services | Rincon Consultants, Inc | Contract Planners-Jul '16-Rincon | 48875 | 19,197.87 |
| | | | Vendor Subtotal for Dept:2001 | | 19,209.78 |
| Dept:2001 | | | | | |
| 101-2001-5107-00 | Contract Personnel | OfficeTeam A Robert Half Company | Temp Staffing-Plan-Caleb A-WE | 48782 | 1,011.20 |
| 101-2001-5107-00 | Contract Personnel | OfficeTeam A Robert Half Company | Temp Staffing-Plan-Caleb A-WE | 48836 | 985.92 |
| | | | Vendor Subtotal for Dept:2001 | | 1,997.12 |
| Dept:2001 | | | | | |
| 101-2001-5210-00 | Service Fees & Charges | LA County Registrar-Recorder LA Co | CEQA Filing-4940 Latigo Canyon | 48801 | 75.00 |
| 101-2001-5210-00 | Service Fees & Charges | LA County Registrar-Recorder LA Co | CEQA Filing-6075 Murphy Way | 48802 | 75.00 |
| | | | Vendor Subtotal for Dept:2001 | | 150.00 |
| Dept:2001 | | | | | |
| 101-2001-5300-00 | Travel and Training | CCAC City Clerks Association of CA | CCAC-Nuts & Bolts Workshop-E | 48845 | 200.00 |
| | | | Vendor Subtotal for Dept:2001 | | 200.00 |
| Dept:2001 | | | | | |
| 101-2001-5401-00 | Advertising & Noticing | Malibu Times | Ad in Times-Legal notices-09/22/ | 48868 | 128.00 |
| | | | Vendor Subtotal for Dept:2001 | | 128.00 |
| Dept:2001 | | | | | |
| 101-2001-6160-00 | Operating Supplies | Riverside Rubber Stamp & Engraving | Bio Approval stamp | 48876 | 51.72 |
| | | | Vendor Subtotal for Dept:2001 | | 51.72 |
| Dept:2004 | | | | | |
| 101-2004-5100-00 | Professional Services | Cotton,Shires & Associates,Inc | Counter hours-Geo/Coastal-Sep '1 | 48789 | 4,240.00 |
| 101-2004-5100-00 | Professional Services | Cotton,Shires & Associates,Inc | Counter hours-EH-Sep '16-CSA | 48789 | 1,452.00 |
| 101-2004-5100-00 | Professional Services | Cotton,Shires & Associates,Inc | Coastal Reviews-Sep '16-CSA | 48789 | 5,662.50 |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|-------------------------|--------------------------------|------------------------------------|----------|-----------|
| 101-2004-5100-00 | Professional Services | Cotton,Shires & Associates,Inc | Geo reviews-Sep '16-CSA | 48789 | 20,290.00 |
| | | | Vendor Subtotal for Dept:2004 | | 31,644.50 |
| Dept:2004 | | | | | |
| 101-2004-5100-00 | Professional Services | Fugro Consultants, Inc. | Geo Reviews-Sep '16-Fugro | 48795 | 8,525.00 |
| | | | Vendor Subtotal for Dept:2004 | | 8,525.00 |
| Dept:2004 | | | | | |
| 101-2004-5100-00 | Professional Services | Lorrie Feinberg | Database updates-Building Safety | 48797 | 1,365.62 |
| | | | Vendor Subtotal for Dept:2004 | | 1,365.62 |
| Dept:2004 | | | | | |
| 101-2004-5210-00 | Service Fees & Charges | Dept. of Conservation | Strong Motion Instrumentation/St | 48790 | 2,924.98 |
| | | | Vendor Subtotal for Dept:2004 | | 2,924.98 |
| Dept:2004 | | | | | |
| 101-2004-5300-00 | Travel and Training | U.S. Bank | George C-Offsite meeting-Craig/T | 48829 | 51.22 |
| 101-2004-5300-00 | Travel and Training | U.S. Bank | Rossine T-MMASC Conference e | 48829 | 544.00 |
| | | | Vendor Subtotal for Dept:2004 | | 595.22 |
| Dept:2004 | | | | | |
| 101-2004-5415-00 | Public Records Printing | U.S. Bank | Ernst J-Copies for records request | 48829 | 677.77 |
| | | | Vendor Subtotal for Dept:2004 | | 677.77 |
| Dept:2004 | | | | | |
| 101-2004-6130-00 | Records Retention | Integrated Scanning of America | Scanning-Sep '16-ISA | 48796 | 467.15 |
| | | | Vendor Subtotal for Dept:2004 | | 467.15 |
| Dept:2010 | | | | | |
| 101-2010-5100-00 | Professional Services | Cotton,Shires & Associates,Inc | EH reviews-Sep '16-CSA | 48789 | 18,018.00 |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|------------------------|------------------------------|---------------------------------|-------------------------------|-----------|
| | | | | Vendor Subtotal for Dept:2010 | 18,018.00 |
| Dept:2010 | | | | | |
| 101-2010-5721-00 | Telephones | Frontier California Inc | Phone-Annex Fax Line | 48794 | 51.40 |
| | | | | Vendor Subtotal for Dept:2010 | 51.40 |
| Dept:3003 | | | | | |
| 101-3003-5100-00 | Professional Services | Lorrie Feinberg | Database updates-Envir Programs | 48797 | 190.00 |
| | | | | Vendor Subtotal for Dept:3003 | 190.00 |
| Dept:3003 | | | | | |
| 101-3003-5300-00 | Travel & Training | U.S. Bank | Rossine T-MMASC Conference e | 48829 | 189.00 |
| | | | | Vendor Subtotal for Dept:3003 | 189.00 |
| Dept:3003 | | | | | |
| 101-3003-5401-00 | Advertising & Noticing | Malibu Times | Clean Bay Restaurant Ad-Times- | 48806 | 360.00 |
| | | | | Vendor Subtotal for Dept:3003 | 360.00 |
| | | | | Subtotal for Fund: 101 | 99,361.32 |
| Fund: 103 | | | | | |
| Dept:9050 | | | | | |
| 103-9050-5100-00 | Professional Services | Master Cooling Corporation | City Hall HVAC Maint-Oct '16 | 48811 | 1,881.17 |
| | | | | Vendor Subtotal for Dept:9050 | 1,881.17 |
| Dept:9050 | | | | | |
| 103-9050-5610-00 | Facilities Maintenance | Pacific Coast Elevator Corp. | Elevator repairs | 48838 | 417.00 |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|------------------------|-------------------------|------------------------------------|-------------------------------|----------|
| | | | | Vendor Subtotal for Dept:9050 | 417.00 |
| Dept:9050 | | | | | |
| 103-9050-5610-00 | Facilities Maintenance | Anawalt Lumber Co., Inc | City Hall Fac Maint supplies | 48784 | 32.11 |
| | | | | Vendor Subtotal for Dept:9050 | 32.11 |
| Dept:9050 | | | | | |
| 103-9050-5610-00 | Facilities Maintenance | Aqua H2O Solutions Inc | City Hall Water Treatment-Oct '16 | 48785 | 348.89 |
| | | | | Vendor Subtotal for Dept:9050 | 348.89 |
| Dept:9050 | | | | | |
| 103-9050-5610-00 | Facilities Maintenance | Kevin Madson | City Hall misc work-9/1-10/8/16 | 48804 | 3,853.50 |
| 103-9050-5610-00 | Facilities Maintenance | Kevin Madson | City Hall misc work-CCTV-10/11 | 48866 | 610.50 |
| | | | | Vendor Subtotal for Dept:9050 | 4,464.00 |
| Dept:9050 | | | | | |
| 103-9050-5610-00 | Facilities Maintenance | South Coast AQMD | FY 16-17 Emergency Generator F | 48878 | 354.86 |
| 103-9050-5610-00 | Facilities Maintenance | South Coast AQMD | FY 16-17 Emergency Generator F | 48878 | 124.35 |
| | | | | Vendor Subtotal for Dept:9050 | 479.21 |
| Dept:9050 | | | | | |
| 103-9050-5610-00 | Facilities Maintenance | StorageContainer.com | City Hall Storage Cont Rental 10/ | 48879 | 198.00 |
| | | | | Vendor Subtotal for Dept:9050 | 198.00 |
| Dept:9050 | | | | | |
| 103-9050-5610-00 | Facilities Maintenance | U.S. Bank | Frederiksen R-City Hall Fac Mair | 48829 | 261.21 |
| | | | | Vendor Subtotal for Dept:9050 | 261.21 |
| Dept:9050 | | | | | |
| 103-9050-5721-00 | Telephone | Frontier California Inc | Phone-City Hall-Septic/Irrig/Fire/ | 48794 | 315.63 |
| | | | | Vendor Subtotal for Dept:9050 | 315.63 |
| Dept:9050 | | | | | |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|---------------------------|------------------------------------|----------------------------------|----------|-----------|
| 103-9050-5722-00 | Electricity | Southern California Edison Company | City Hall-Sep'16 | 48820 | 7,257.47 |
| | | | Vendor Subtotal for Dept:9050 | | 7,257.47 |
| Dept:9050 | | | | | |
| 103-9050-6160-00 | Operating Supplies | Empire Chemical Company Inc | City Hall supplies-bathrooms | 48793 | 409.93 |
| | | | Vendor Subtotal for Dept:9050 | | 409.93 |
| Dept:9050 | | | | | |
| 103-9050-7800-00 | Other Equipment | U.S. Bank | Feldman R-City Council Chambe | 48829 | 1,799.99 |
| | | | Vendor Subtotal for Dept:9050 | | 1,799.99 |
| | | | Subtotal for Fund: 103 | | 17,864.61 |
| Fund: 203 | | | | | |
| Dept:3009 | | | | | |
| 203-3009-5145-00 | Dial A Ride Services | Khaled R. Karame | Dial-a-Ride - Sep '16 | 48809 | 14,639.95 |
| | | | Vendor Subtotal for Dept:3009 | | 14,639.95 |
| Dept:3009 | | | | | |
| 203-3009-5148-00 | Special Event Rec Transit | U.S. Bank | Odello T-Senior Excursion transp | 48829 | 385.00 |
| | | | Vendor Subtotal for Dept:3009 | | 385.00 |
| | | | Subtotal for Fund: 203 | | 15,024.95 |
| Fund: 207 | | | | | |
| Dept:3004 | | | | | |
| 207-3004-5100-00 | Professional Services | Solid Waste Solutions, Inc. | Solid Waste-SWS-Sep '16 | 48823 | 969.00 |
| | | | Vendor Subtotal for Dept:3004 | | 969.00 |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|--------------------------|------------------------------------|---------------------------------|----------|-------------------------------|
| | | | | | Subtotal for Fund: 207 |
| | | | | | 969.00 |
| Fund: 211 | | | | | |
| Dept:7031 | | | | | |
| 211-7031-5115-00 | Law Enforcement Services | LA Co Sheriff'S Department | Law Enforce Svcs-Brulte/Sttop-S | 48863 | 16,052.94 |
| | | | | | Vendor Subtotal for Dept:7031 |
| | | | | | 16,052.94 |
| | | | | | Subtotal for Fund: 211 |
| | | | | | 16,052.94 |
| Fund: 215 | | | | | |
| Dept:7070 | | | | | |
| 215-7070-5931-01 | Labor Exchange | Malibu Comm Labor Exchange | CDBG Day Labor Program-Sep '16 | 48805 | 582.00 |
| | | | | | Vendor Subtotal for Dept:7070 |
| | | | | | 582.00 |
| | | | | | Subtotal for Fund: 215 |
| | | | | | 582.00 |
| Fund: 290 | | | | | |
| Dept:6002 | | | | | |
| 290-6002-5722-00 | Electricity | Southern California Edison Company | Asmt Dist Big Rock-Sep'16 | 48820 | 990.56 |
| 290-6002-5722-00 | Electricity | Southern California Edison Company | Big Rock Inland Pump-Sep'16 | 48820 | 73.02 |
| | | | | | Vendor Subtotal for Dept:6002 |
| | | | | | 1,063.58 |
| | | | | | Subtotal for Fund: 290 |
| | | | | | 1,063.58 |
| Fund: 291 | | | | | |
| Dept:6003 | | | | | |
| 291-6003-5100-00 | Professional Services | Fugro Consultants, Inc. | Malibu Rd AD 98-3 Monitoring/1 | 48853 | 6,625.19 |
| | | | | | Vendor Subtotal for Dept:6003 |
| | | | | | 6,625.19 |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|-----------------------|-----------------------------------|----------------------------------|----------|-----------|
| Dept:6003 | | | | | |
| 291-6003-5722-00 | Electricity | Southern California Edison Compan | Asmt dst Malibu Rd-Sep'16 | 48820 | 100.01 |
| Vendor Subtotal for Dept:6003 | | | | | 100.01 |
| Subtotal for Fund: 291 | | | | | 6,725.20 |
| Fund: 292 | | | | | |
| Dept:6004 | | | | | |
| 292-6004-5100-00 | Professional Services | Fugro Consultants, Inc. | Calle del Barco AD 98-2 Monitor | 48853 | 4,607.50 |
| Vendor Subtotal for Dept:6004 | | | | | 4,607.50 |
| Dept:6004 | | | | | |
| 292-6004-5722-00 | Electricity | Southern California Edison Compan | Asmt Dist Calle Del-Sep'16 | 48820 | 26.42 |
| 292-6004-5722-00 | Electricity | Southern California Edison Compan | Asmt Dist Rambla-Sep'16 | 48820 | 25.34 |
| 292-6004-5722-00 | Electricity | Southern California Edison Compan | Calle Del Barco-Sep'16 | 48820 | 23.82 |
| Vendor Subtotal for Dept:6004 | | | | | 75.58 |
| Subtotal for Fund: 292 | | | | | 4,683.08 |
| Fund: 310 | | | | | |
| Dept:9049 | | | | | |
| 310-9049-5100-00 | Professional Services | Banner Bank | Vido's 5% retention of Est#3-CC\ | 48842 | 97,170.49 |
| Vendor Subtotal for Dept:9049 | | | | | 97,170.49 |
| Dept:9049 | | | | | |
| 310-9049-5100-00 | Professional Services | MNS Engineers, Inc. | ALTA-24000 Civic Center Way-A | 48813 | 2,049.15 |
| Vendor Subtotal for Dept:9049 | | | | | 2,049.15 |
| Dept:9049 | | | | | |
| 310-9049-5100-00 | Professional Services | RMC Water & Environment | CCWWTF-Support during constr | 48819 | 92,259.16 |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|-----------------------------|------------------------------------|----------------------------------|----------|--------------|
| | | | | | 92,259.16 |
| | | | Vendor Subtotal for Dept:9049 | | |
| Dept:9049 | | | | | |
| 310-9049-5100-00 | Professional Services | Vido Artukovich & Son, Inc./Vidmar | CCWWTF-Construction Pipeline: | 48884 | 1,846,239.21 |
| | | | | | 1,846,239.21 |
| | | | Vendor Subtotal for Dept:9049 | | |
| Dept:9049 | | | | | |
| 310-9049-6160-00 | Operating Supplies | U.S. Bank | Riesgo K-CCWWTF supplies-fen | 48829 | 791.35 |
| | | | | | 791.35 |
| | | | Vendor Subtotal for Dept:9049 | | |
| Dept:9069 | | | | | |
| 310-9069-5100-00 | Paradise Cove Media Filters | Oak Tree Construction, Inc. | Construction-PCSTF-Filter Media | 48871 | 56,918.16 |
| | | | | | 56,918.16 |
| | | | Vendor Subtotal for Dept:9069 | | |
| | | | | | 2,095,427.52 |
| | | | Subtotal for Fund: 310 | | |
| Fund: 500 | | | | | |
| Dept:7008 | | | | | |
| 500-7008-5130-00 | Park Maintenance | Brightview Landscape Services Inc | Legacy Park-Mulch-promenade p | 48843 | 5,440.00 |
| 500-7008-5130-00 | Park Maintenance | Brightview Landscape Services Inc | Legacy Park-Mainline repair | 48843 | 712.00 |
| 500-7008-5130-00 | Park Maintenance | Brightview Landscape Services Inc | Legacy Park - new mulch in plant | 48843 | 1,360.00 |
| | | | | | 7,512.00 |
| | | | Vendor Subtotal for Dept:7008 | | |
| Dept:7008 | | | | | |
| 500-7008-5610-00 | Facility Maintenance | Hilario Simental Jr | Septic pumping 23431 PCH-Anin | 48792 | 460.00 |
| 500-7008-5610-00 | Facility Maintenance | Hilario Simental Jr | Septic pumping 23431 PCH-Anin | 48851 | 460.00 |
| | | | | | 920.00 |
| | | | Vendor Subtotal for Dept:7008 | | |
| Dept:7008 | | | | | |
| 500-7008-5610-00 | Facility Maintenance | Integrated Performance Consultants | Fac Maint-23661 PCH-Sep'16 | 48858 | 525.00 |

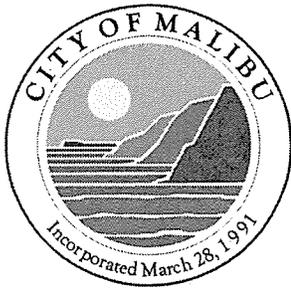
| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|------------------------------|------------------------------------|--------------------------------|-------------------------------|----------|
| | | | | Vendor Subtotal for Dept:7008 | 525.00 |
| Dept:7008 | | | | | |
| 500-7008-5722-00 | Electricity | Southern California Edison Company | 23661 PCH-Sep'16 | 48820 | 728.15 |
| | | | | Vendor Subtotal for Dept:7008 | 728.15 |
| | | | | Subtotal for Fund: 500 | 9,685.15 |
| Fund: 515 | | | | | |
| Dept:3010 | | | | | |
| 515-3010-5722-00 | Electricity | Southern California Edison Company | CCWWTF-Sep'16 | 48820 | 1,892.58 |
| | | | | Vendor Subtotal for Dept:3010 | 1,892.58 |
| | | | | Subtotal for Fund: 515 | 1,892.58 |
| Fund: 601 | | | | | |
| Dept:3005 | | | | | |
| 601-3005-5722-00 | Electricity | Southern California Edison Company | Electric Car Charger-Sep'16 | 48820 | 486.34 |
| | | | | Vendor Subtotal for Dept:3005 | 486.34 |
| Dept:3005 | | | | | |
| 601-3005-6330-00 | Vehicle Repair & Maintenance | Vasudevan Naicker | Car wash-City vehicles-10/6/16 | 48814 | 175.00 |
| | | | | Vendor Subtotal for Dept:3005 | 175.00 |
| Dept:3005 | | | | | |
| 601-3005-6330-00 | Vehicle Repair & Maintenance | U.S. Bank | Hart T-Fleet Maint-F016 | 48829 | 472.44 |
| 601-3005-6330-00 | Vehicle Repair & Maintenance | U.S. Bank | Belter A-Fleet Maintenance | 48829 | 96.72 |
| | | | | Vendor Subtotal for Dept:3005 | 569.16 |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|----------------------|------------------------------------|---------------------------------|----------|----------|
| Dept:3005 | | | | | |
| 601-3005-6500-00 | Motor Fuels | U.S. Bank | Piyaman R-Gas for city vehicle | 48829 | 38.00 |
| 601-3005-6500-00 | Motor Fuels | U.S. Bank | Brown J-Gas-City Vehicle | 48829 | 33.34 |
| 601-3005-6500-00 | Motor Fuels | U.S. Bank | Hart T-Fleet fuel | 48829 | 116.00 |
| 601-3005-6500-00 | Motor Fuels | U.S. Bank | Brown R-Gas for city vehicle | 48829 | 29.39 |
| 601-3005-6500-00 | Motor Fuels | U.S. Bank | Delsi D-Gas for City vehicle | 48829 | 367.03 |
| 601-3005-6500-00 | Motor Fuels | U.S. Bank | Belter A-Gas for City vehicle | 48829 | 106.22 |
| Vendor Subtotal for Dept:3005 | | | | | 689.98 |
| Subtotal for Fund: 601 | | | | | 1,920.48 |
| Fund: 602 | | | | | |
| Dept:7060 | | | | | |
| 602-7060-5107-00 | Contract Personnel | OfficeTeam A Robert Half Company | Temp Staffing-IS-Jelani W-WE 01 | 48836 | 1,173.00 |
| 602-7060-5107-00 | Contract Personnel | OfficeTeam A Robert Half Company | Temp Staffing-IS-Jelani W-WE 11 | 48836 | 1,190.00 |
| Vendor Subtotal for Dept:7060 | | | | | 2,363.00 |
| Dept:7060 | | | | | |
| 602-7060-5300-00 | Travel and Training | U.S. Bank | Reyna M-MS Office 2016 trainin | 48829 | 316.58 |
| Vendor Subtotal for Dept:7060 | | | | | 316.58 |
| Dept:7060 | | | | | |
| 602-7060-5330-00 | Dues & Memberships | U.S. Bank | Reyna M-Network Solutions-SSL | 48829 | 278.00 |
| Vendor Subtotal for Dept:7060 | | | | | 278.00 |
| Dept:7060 | | | | | |
| 602-7060-5630-00 | Computer Maintenance | U.S. Bank | Reyna M-Computer Maint suppli | 48829 | 86.72 |
| Vendor Subtotal for Dept:7060 | | | | | 86.72 |
| Dept:7060 | | | | | |
| 602-7060-5721-00 | Telephone | Digital Telecommunications Corpora | Phone system NEC Software Assu | 48849 | 710.00 |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|-----------------------------|------------------------------------|-----------------------------------|-------------------------------|----------|
| | | | | Vendor Subtotal for Dept:7060 | 710.00 |
| Dept:7060 | | | | | |
| 602-7060-5721-00 | Telephone | Frontier California Inc | Senior Ctr Internet10/13-11/12/16 | 48852 | 585.33 |
| | | | | Vendor Subtotal for Dept:7060 | 585.33 |
| Dept:7060 | | | | | |
| 602-7060-5721-00 | Telephone | U.S. Bank | Reyna M-Telephone Equipment | 48829 | 48.31 |
| | | | | Vendor Subtotal for Dept:7060 | 48.31 |
| Dept:7060 | | | | | |
| 602-7060-6120-00 | Computer Software < \$1,000 | B & H Foto & Electronics Corporati | Adobe Acrobat Software upgrade | 48841 | 4,250.00 |
| | | | | Vendor Subtotal for Dept:7060 | 4,250.00 |
| Dept:7060 | | | | | |
| 602-7060-6120-00 | Computer Software < \$1,000 | InvGate | Service Desk support software-IT | 48857 | 2,250.00 |
| | | | | Vendor Subtotal for Dept:7060 | 2,250.00 |
| Dept:7060 | | | | | |
| 602-7060-6120-00 | Computer Software < \$1,000 | U.S. Bank | Reyna M-Computer Software | 48829 | 1,873.93 |
| | | | | Vendor Subtotal for Dept:7060 | 1,873.93 |
| Dept:7060 | | | | | |
| 602-7060-6160-00 | Operating Supplies | U.S. Bank | Reyna M-Computer supplies | 48829 | 420.66 |
| | | | | Vendor Subtotal for Dept:7060 | 420.66 |
| Dept:7060 | | | | | |
| 602-7060-7400-00 | Computer Equipment | B & H Foto & Electronics Corporati | Samsung SSD drives 1TB for Onl | 48841 | 4,259.90 |
| | | | | Vendor Subtotal for Dept:7060 | 4,259.90 |
| Dept:7060 | | | | | |

| Account Number | description | Vendor | Description | Check No | Amount |
|------------------|--------------------------------|-----------------------------------|-----------------------------------|----------|-----------|
| 602-7060-7400-00 | Computer Equipment | GovConnection Inc | 5 new Intel NUC PCs-replaced D | 48855 | 2,052.47 |
| | | | Vendor Subtotal for Dept:7060 | | 2,052.47 |
| Dept:7060 | | | | | |
| 602-7060-7400-00 | Computer Equipment | U.S. Bank | Reyna M-Computer Equipment | 48829 | 1,005.89 |
| | | | Vendor Subtotal for Dept:7060 | | 1,005.89 |
| Dept:7060 | | | | | |
| 602-7060-7500-00 | Computer Software > \$1,000 | Digital Map Products, Inc. | City GIS Software Renewal Fee 1 | 48848 | 30,300.00 |
| | | | Vendor Subtotal for Dept:7060 | | 30,300.00 |
| | | | Subtotal for Fund: 602 | | 50,800.79 |
| Fund: 710 | | | | | |
| Dept:0000 | | | | | |
| 710-0000-2270-44 | Library Event | Freedom Media LLC/ 22nd Century I | Library Speaker Series Ad-Surfsic | 48835 | 585.00 |
| | | | Vendor Subtotal for Dept:0000 | | 585.00 |
| Dept:0000 | | | | | |
| 710-0000-2270-44 | Library Event | Malibu Times | Lib Speaker Series Ad-Times-Au | 48806 | 720.00 |
| | | | Vendor Subtotal for Dept:0000 | | 720.00 |
| Dept:0000 | | | | | |
| 710-0000-2270-44 | Library Event | U.S. Bank | Crittenden A-Library Speaker exp | 48829 | 174.75 |
| | | | Vendor Subtotal for Dept:0000 | | 174.75 |
| Dept:0000 | | | | | |
| 710-0000-2270-45 | CCW Treatment Facility Phase I | Frontier California Inc | Phone-CCWWTF-10/4-11/3/16 | 48794 | 115.75 |
| | | | Vendor Subtotal for Dept:0000 | | 115.75 |

| Account Number | description | Vendor | Description | Check No | Amount |
|-------------------------------|--------------------------------|---------------------|--------------------------------|----------|--------------|
| Dept:0000 | | | | | |
| 710-0000-2270-51 | Land Development Survey Review | MNS Engineers, Inc. | 6200 Porterdale CofC 16-005-Au | 48813 | 800.00 |
| 710-0000-2270-51 | Land Development Survey Review | MNS Engineers, Inc. | 27865 Winding Way CofC 16-006 | 48813 | 1,535.00 |
| 710-0000-2270-51 | Land Development Survey Review | MNS Engineers, Inc. | 5812 Ramirez Cyn CofC 16-007- | 48813 | 650.00 |
| 710-0000-2270-51 | Land Development Survey Review | MNS Engineers, Inc. | 31357 PCH CofC 16-009-Aug '16 | 48813 | 2,250.00 |
| 710-0000-2270-51 | Land Development Survey Review | MNS Engineers, Inc. | 31800 Broad Beach Rd-easement | 48813 | 1,650.00 |
| Vendor Subtotal for Dept:0000 | | | | | 6,885.00 |
| Subtotal for Fund: 710 | | | | | 8,480.50 |
| Report Total: | | | | | 3,120,818.10 |



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Heather Glaser, City Clerk

Approved by: Reva Feldman, City Manager 

Date prepared: October 31, 2016 Meeting date: November 14, 2016

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the October 10, 2016 Regular City Council meeting.

FISCAL IMPACT: None.

DISCUSSION: Staff has prepared draft minutes for the October 10, 2016 Regular City Council meeting. Staff hereby submits the minutes for Council's approval.

ATTACHMENTS: October 10, 2016 Regular City Council meeting

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
OCTOBER 10, 2016
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Mayor La Monte called the meeting to order at 6:34 p.m.

ROLL CALL

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

PRESENT: Mayor Lou La Monte; Mayor Pro Tem Skylar Peak; and Councilmembers Joan House, Laura Rosenthal and John Sibert

ALSO PRESENT: Christi Hogin, City Attorney; Reva Feldman, City Manager; Lisa Soghor, Assistant City Manager; Heather Glaser, City Clerk; Craig George, Environmental Sustainability Director; Bonnie Blue, Planning Director; Bob Brager, Public Works Director; Rob DuBoux, Assistant Public Works Director; Matt Myerhoff, Media Information Officer; and Kristin Riesgo, Recreation Manager

PLEDGE OF ALLEGIANCE

Kim Bonewitz led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Mayor La Monte moved and Councilmember Sibert seconded a motion to approve the agenda, adjourning in memory of Los Angeles County Sheriff Sergeant Steve Owen, and Palm Springs Police Officers Jose Gilbert Vega and Lesley Zerebny. The motion carried unanimously.

REPORT ON POSTING OF AGENDA

City Clerk Glaser reported that the agenda for the meeting was properly posted on September 30, 2016, with the amended agenda posted on October 7, 2016.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Presentation of City Tile to Robert DuBoux, Assistant Public Works Director, for Seven Years of Service to the City

Mayor La Monte presented the tile to Assistant Public Works Director DuBoux.

Assistant Public Works Director DuBoux thanked the Council and staff.

B. Presentation of Donation to the City by the Malibu Kiwanis Club

Kim Bonewitz, Malibu Kiwanis Club, presented a donation to the City.

ITEM 2.A. PUBLIC COMMENTS

Laureen Sills referenced an email to City Manager Feldman on September 30, 2016, regarding the potential to purchase property within the City.

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

City Manager Feldman thanked the Kiwanis Club for its donation and congratulated Assistant Public Works Director DuBoux on his seven-year tile. She indicated there would be closures on Civic Center Way due to the Civic Center Wastewater Treatment Facility project.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Rosenthal thanked Assistant Public Works Director DuBoux and stated she attended the League of California Cities Annual Conference. She announced a Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) meeting. She thanked the Kiwanis Club for its donation toward homelessness issues within the City and discussed the Fred Ward Retrospective Photography Exhibit on display at City Hall. She stated she attended a Los Angeles County Mayor's meeting in Cudahy and a Malibu Unification Negotiations Committee meeting. She announced a Pie Festival at Malibu Methodist Church on October 15, 2016, a Southern California Association of Governments Housing Conference on October 11, 2016, a Las Virgenes-Malibu Council of Governments (COG) meeting, a University of California Los Angeles symposium Earth Now, and the West Basin Municipal Water District Water Harvest Festival on October 22, 2016. She announced the next Library Speaker Series event on November 2, 2016, and stated there would be a secure Vote by Mail ballot drop-off box in City Hall through November 7, 2016.

Councilmember House congratulated Assistant Public Works Director DuBoux and thanked the Kiwanis Club for its donation toward the 160 homeless in the City. She thanked Ms. Sills.

Councilmember Sibert congratulated Assistant Public Works Director DuBoux and thanked the Kiwanis Club for its donation. He discussed housing issues and stormwater management.

Mayor Pro Tem Peak congratulated Assistant Public Works Director DuBoux. He stated he toured the Agromin facility, attended a ZORACES meeting, and a flag ceremony in honor of Los Angeles County Firefighter/Paramedic Scott LaRue.

Mayor La Monte thanked Assistant Public Works Director DuBoux and discussed the Chili Cook-off. He thanked the Ward family for the photographs displayed in the Fred Ward Retrospective Photography Exhibit and the Cultural Arts Commission for putting it together. He stated he attended the League of California Cities Annual Conference.

ITEM 3 CONSENT CALENDAR

Item No. 3.B.4. was pulled by the public.

MOTION Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to approve the Consent Calendar, except Item No. 3.B.4. 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 48539-48665 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. 581 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$2,714,358.13. City of Malibu payroll check numbers 4700-4703 and ACH deposits were issued in the amount of \$158,030.46.

3. Approval of Minutes

Recommended Action: Approve the minutes for the September 12, 2016 Regular City Council meeting.

5. Co-Sponsorship of the Annual Malibu Veterans Day Celebration

Recommended Action: Adopt Resolution No. 16-44 approving the City's co-sponsorship of the Annual Malibu Veterans Day Celebration on November 11, 2016.

The following item was pulled for individual consideration:

4. Amendment to Agreement with Venco Power Sweeping, Inc.

Recommended Action: Authorize the City Manager to execute Amendment No. 2 to Agreement with Venco Power Sweeping, Inc. for street sweeping services for the City's Annual Street Sweeping Program on City owned streets, City parking lots and Pacific Coast Highway

(PCH).

Jefferson Wagner discussed the feasibility of the City purchasing a street sweeper. He stated the vendor was not able to sweep Pacific Coast Highway (PCH) effectively.

Public Works Director Brager stated purchasing a street sweeper could be looked into and discussed the factors to consider.

Councilmember Rosenthal suggested working with Caltrans to place No Parking signs for street sweeping on PCH.

MOTION

Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to: 1) Authorized the City Manager to execute Amendment No. 2 to Agreement with Venco Power Sweeping, Inc. for street sweeping services for the City's Annual Street Sweeping Program on City owned streets, City parking lots and Pacific Coast Highway (PCH); and 2) directed staff to work with Caltrans on installing No Parking signs on PCH during street sweeping hours. The motion carried unanimously.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

None.

ITEM 5 OLD BUSINESS

A. Trancas Field Community Outreach Plan

Recommended Action: 1) Approve the Parks and Recreation Commission's recommendation for a public outreach plan regarding use of Trancas Field; and 2) Direct staff to hold a public workshop with the Harry Barovsky Memorial Youth Commission Meeting on October 17, 2016.

Parks and Recreation Manager Riesgo presented the staff report.

Jonathan Kaye declined to speak.

Carl Randall expressed concern with the speed with which the project was moving forward. He discussed the need for community support. He indicated support for dial-a-ride.

Parks and Recreation Manager Riesgo discussed the various avenues the community would be notified.

City Manager Feldman stated the community outreach was on hold until the Council had approved the Parks and Recreation Commission's recommendation.

MOTION Councilmember House moved and Mayor Pro Tem Peak seconded: 1) Approve the Parks and Recreation Commission's recommendation for a public outreach plan, as amended, regarding use of Trancas Field; and 2) Direct staff to hold a public workshop with the Harry Barovsky Memorial Youth Commission Meeting on October 17, 2016.

In response to Mayor Pro Tem Peak, Parks and Recreation Manager Riesgo stated the survey was set to go out before the end of the week. She stated staff was concerned with low community turnout due to the accelerated timeline.

Councilmember Sibert suggested staff come back to Council with a different timeline if the first few meetings were not well attended.

Councilmember Rosenthal expressed concern for the timeline and getting enough community involvement.

City Manager Feldman recommended moving the last two meetings back, one before thanksgiving and one in the first week of December.

The motion carried unanimously.

B. Short-term Residential Rentals

Recommended Action: 1) Review suggestions from staff on options for regulating short-term residential rentals; and 2) Provide guidance to staff.

Planning Director Blue presented the staff report.

Jonathan Kaye declined to speak.

Rosemary Sampson expressed frustration with the staff report and staff recommendation.

In response to Councilmember Rosenthal, City Manager Feldman clarified the total revenues in the staff report.

In response to Councilmember Sibert, City Attorney Hogin stated the Coastal Commission's position on banning short-term rentals was to reduce access to the beach to eliminate the potential for low-cost overnight accommodations. She stated the Council had the right to decide policy for the City as long as it was in line with the The Coastal Act. Councilmember Sibert stated it was not a source of revenue to protect.

Councilmember House indicated support for room rental when the property owner was onsite and discussed the importance of quality of life in the neighborhood.

In response to Mayor Pro Tem Peak, City Attorney Hogin stated the City did not assume any liability for what a homeowner did with their home. She stated the

current definition of hotels and motels precluded anyone from buying an apartment building and using it for short-term vacation rentals. She stated the definition could be emphasized and clarified in an amendment. She discussed pending litigation in other cities. Mayor Pro Tem Peak discussed limiting rentals to two-weeks and having a staff person specifically dedicated to handling short-term rental matters.

CONSENSUS

By consensus the Council directed staff to bring back a draft ordinance that included: 1) banning short-term rental properties, as well as the advertisement of such properties, with outstanding code enforcement violations, with each violation of the ban resulting in the ban extending an additional six months from the date the enforcement violation is cured; 2) expanding the definition of hotel/motel in the Malibu Municipal Code; 3) banning short-term rental of multi-family housing, except for homesharing (where the owner is present on the property during the stay); 4) limiting the number of days a property can be rented; 5) requiring proof of primary residence at the property, or that the host live at the property for a certain number of days a year; 6) requiring rentals to meet certain standards, e.g. annual inspections, on-site parking for all guests, handicapped access on the property and in the home, compliance with all fire safety and occupancy codes, requiring on-site manager or that the manager is available 24-7; and 7) requiring CC&Rs for future developments and/or major remodels in the City to include provisions banning short-term rentals.

In response to Councilmember House, City Attorney Hogin stated the single-family zone's primary use had to be a residence, with short-term vacation rental as an accessory use.

Councilmember Sibert questioned home exchange.

Mayor Pro Tem Peak stated it would be difficult to prove how many days a year a person lived in a home.

Councilmember House stated the community should be able to enjoy their neighborhoods.

Mayor Pro Tem Peak indicated support for banning short-term rentals.

Councilmember Rosenthal questioned whether banning short-terms rentals would actually stop short-term rentals from happening.

Mayor Pro Tem Peak suggested limiting short-term rentals to four times a year and unlimited when the property owner was onsite.

In response to Councilmember House, City Attorney Hogin stated she would return with information on how to address non-monetary home swaps.

Councilmember House stated the community would be in favor of protecting the quality of life. She stated code enforcement would not be a major issue.

In response to Mayor Pro Tem Peak, City Manager Feldman stated a Code Enforcement Officer was being hired that may be working an alternating schedule and available on weekends.

Councilmember Sibert expressed concern for overloaded septic systems.

Mayor Pro Tem Peak discussed adequate parking for properties being rented.

ITEM 6 NEW BUSINESS

None.

ITEM 7 COUNCIL ITEMS

A. Metro Measure M – Los Angeles County Traffic Improvement Plan – Support (Councilmember Sibert)

Recommended Action: At the request of Councilmember Sibert, authorize the Mayor to send a letter to the Los Angeles County Metropolitan Transportation Authority (Metro) indicating the City's support of Measure M, the Los Angeles County Traffic Improvement Plan, a sales tax measure on the November 8, 2016 ballot.

Councilmember Sibert presented the item.

Terry Dipple, Executive Director of Las Virgenes-Malibu COG, discussed Measure R and Measure M.

Karen Swift, Community Relations Manager for Metro, discussed the Measure M process.

Abdollah Ansari, Managing Executive Officer for Metro, discussed the recent needs assessment and proposed uses for Measure M funds.

In response to Councilmember House, Mr. Dipple stated Metro had allocated funds based upon population. He stated the COG had decided how funds would be allocated to the sub region.

Councilmember Sibert stated funds were allocated first to cities with shovel-ready projects.

In response to Councilmember Rosenthal, Mr. Dipple stated Measure M funds would be allocated based on employment and population. He discussed the allocations for Malibu. In response to Councilmember Rosenthal, Ms. Swift

stated part of the funding would be allocated to creative ideas for transportation options, including the Big Blue Bus and the Orange Line.

Mayor Pro Tem Peak expressed concern for safety improvements to the highway.

Mayor La Monte expressed indicated support for the Measure but stated there was very little in the Measure for Malibu.

MOTION Councilmember Sibert moved and Councilmember Rosenthal seconded a motion to authorize the Mayor to send a letter to the Los Angeles County Metropolitan Transportation Authority (Metro) indicating the City's support of Measure M, the Los Angeles County Traffic Improvement Plan, a sales tax measure on the November 8, 2016 ballot. The motion carried unanimously.

B. Support for Ordinance Banning or Restricting Oversized Vehicles, Non-Motorized Vehicles, and Recreational Vehicles Parking on City Streets (Councilmember Rosenthal)

Recommended Action: At the request of Councilmember Rosenthal, direct staff to research ordinances banning or restricting overnight parking on City streets and bring back a draft ordinance for Council consideration.

Councilmember Rosenthal presented the item.

Mayor La Monte stated the ordinance should be high on the Public Safety Commission's work plan.

Mayor Pro Tem Peak indicated support for seeing the item brought back to Council in January 2017.

Jonathan Kaye discussed kayaks stacked on PCH.

CONSENSUS

By consensus, the Council directed staff to research ordinances banning or restricting overnight parking on City streets and bring back a draft ordinance for Council consideration.

C. City Council Policy – Naming Rights (Councilmember House)

Recommended Action: At the request of Councilmember House, consider whether to direct staff to bring back a draft City Council Policy regarding naming rights of City facilities for Council consideration.

Councilmember House presented the item.

Jonathan Kaye stated the naming policy should include tiles and benches.

Councilmember House stated the new policy would be all-inclusive.

CONSENSUS

By consensus, the Council directed staff to bring back a draft City Council Policy regarding naming rights of City facilities for Council consideration.

D. Point Dume Speed Advisory Signs Project Change Order (Councilmember Rosenthal)

Recommended Action: At the request of Councilmember Rosenthal, 1) Consider authorizing the Public Works Director to negotiate and approve a change order to the Point Dume Speed Advisory Signs Project Agreement to upgrade the speed advisory signs; and 2) If authorized, authorize an increase to the Public Works Director change order approval authority to not exceed \$35,000 for the purchase of upgraded speed advisory signs.

Councilmember Rosenthal presented the item. She discussed custom text abilities of the different advisory signs.

MOTION Mayor Pro Tem Peak moved and Councilmember House seconded a motion to: 1) Consider authorizing the Public Works Director to negotiate and approve a change order to the Point Dume Speed Advisory Signs Project Agreement to upgrade the speed advisory signs; and 2) If authorized, authorize an increase to the Public Works Director change order approval authority to not exceed \$35,000 for the purchase of upgraded speed advisory signs. The motion carried unanimously.

ADJOURNMENT

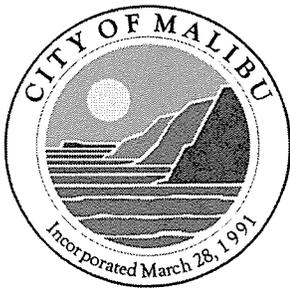
MOTION At 8:52 p.m., Mayor Pro Tem Peak moved and Mayor La Monte seconded a motion to adjourn in memory of Los Angeles County Sheriff Sergeant Steve Owen, and Palm Springs Police Officers Jose Gilbert Vega and Lesley Zerebny. The motion carried unanimously.

Approved and adopted by the City Council of the City of Malibu on _____, 2016.

LOU LA MONTE, Mayor

ATTEST:

HEATHER GLASER, City Clerk
(seal)



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Heather Glaser, City Clerk

Approved by: Reva Feldman, City Manager 

Date prepared: October 24, 2016 Meeting date: November 14, 2016

Subject: Amendment to Agreement with Access Information Management

RECOMMENDED ACTION: Authorize the City Manager to execute Amendment No. 3 to Professional Services Agreement with Access Information Management (Access) for storage of the City's offsite records, services and transportation pertaining to records management.

FISCAL IMPACT: Funding for this amendment was included in the Adopted Budget for Fiscal Year 2016-2017 in Account No. 100-7059-5720 (Off-site Storage).

DISCUSSION: The City has utilized offsite records storage since 1999. In 2005, the City of Malibu entered into a Professional Services Agreement with Fortress Records Management, purchased by Access in 2010, to store the City's offsite records and other records related services.

Access is currently providing offsite records storage for the City while staff continues to implement the City's adopted retention schedule and reduce offsite records. This amendment continues the existing offsite records storage services provided by Access Information Management and reflects the current scope of work and fee schedule.

ATTACHMENTS: Amendment No. 3 to Professional Services Agreement with Access

AMENDMENT NO. 3 TO AGREEMENT

THIS AMENDMENT NO. 3 TO AGREEMENT is made and entered in the City of Malibu on this 14th day of November 2016, by and between the CITY OF MALIBU, hereinafter referred to as City, and Access, hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

RECITALS

- A. On December 13, 2010, the City entered into an Agreement with Consultant for storage of the City's offsite records, record center services (i.e. destruction of requested records, retrieval of city files and containers and additions of new City files and containers), and transportations services pertaining to records management services (the "Agreement").
- B. On December 13, 2013, the City entered into Amendment No. 1 to the Agreement to extend the term to December 13, 2015, and update the fee schedule (Exhibit A).
- C. On December 13, 2015, the City entered into Amendment No. 2 to the Agreement to extend the term to December 13, 2016.
- D. The City desires to amend the Agreement to extend the term to December 13, 2017.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

- 1. Section 2.0 - Term of Agreement, is hereby amended to provide that the Agreement will remain in effect until December 13, 2017, unless otherwise terminated or extended as provided in the Agreement.
- 2. All terms and conditions of the Agreement not amended by this Amendment No. 3 remain in full force and effect.

This Agreement is executed on _____, 2016, at Malibu, California, and effective as of December 13, 2016.

CITY OF MALIBU:

REVA FELDMAN, City Manager

ATTEST:

HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

CONSULTANT:



By: Jerry Lopez
Title: Operations Manager



**SCHEDULE A - Records Management Services
City Of Malibu (Malibu)**

RECORD CENTER STORAGE

| | | |
|--|----|-------|
| Standard Container Storage - Per Cubic Ft. | \$ | 0.36 |
| Monthly Minimum | \$ | 85.00 |

RECORD CENTER SERVICES

| | | |
|---|----|------|
| Add New Container | \$ | 2.25 |
| Add New File - Per File | \$ | 2.00 |
| Retrieve / Shelve Container | \$ | 3.00 |
| Retrieve Container - Rush (Priority Surcharge) | \$ | 2.75 |
| Retrieve / Refile File - Per File | \$ | 3.50 |
| Retrieve File from Container - Rush (Priority Surcharge) - Per File | \$ | 3.00 |
| Inter-File Document - Per File | \$ | 4.50 |
| File Not Found - Per File | \$ | 4.00 |
| Permanent Removal | \$ | 4.50 |
| Destruction - Certified Shred | \$ | 5.00 |

TRANSPORTATION SERVICES

| | | |
|---|----|--------|
| STANDARD Delivery or Pick Up - Base Rate | \$ | 19.50 |
| Container | \$ | 1.75 |
| Per File | \$ | 1.50 |
| <i>Orders placed prior to 3:00pm will be delivered by 5:00pm the next business day.</i> | | |
| SAME DAY Delivery or Pick Up (Priority Surcharge) | \$ | 19.00 |
| <i>Orders placed prior to 9:00am will be delivered by 5:00pm the same business day.</i> | | |
| RUSH Delivery or Pick Up (Priority Surcharge) | \$ | 50.00 |
| <i>Orders placed from 8:00am to 2:00pm on business days will be delivered within 3 hours from the requested time.</i> | | |
| EMERGENCY Delivery or Pick Up (Priority Surcharge) | \$ | 132.00 |
| <i>Orders placed after hrs or for delivery after hours.</i> | | |

ADDITIONAL ITEMS - SERVICES

| | | |
|--|-------------------|-------|
| Access Storage Containers (10"x12"x15") | \$ | 3.25 |
| Container Re-boxing (Plus Cost of New Container) | \$ | 3.00 |
| Index File/Container information (Per File - up to 3 fields) | \$ | 0.50 |
| Dock Access | \$ | 1.50 |
| Transportation - Wait Time (Minimum 1/4 Hour) | \$15/ Quarter Hr. | |
| Standard Barcode Labels | No Charge | |
| Project or Staffing Labor (Per Hour) | \$ | 42.50 |
| Photo Copy (Per Page) | \$ | 0.75 |
| Facsimile (Per Page) | \$ | 1.00 |
| Digital Imaging / Scanning | Per Quote | |
| Scan-on-Demand (Set Up) | \$ | 15.00 |
| Scan-on-Demand (Per Page) | \$ | 0.05 |
| Shipping | Cost + 10% | |
| Access Online (Web-based Inventory Management) | No Charge | |
| System Reports - Standard | No Charge | |
| Electronic Inventory / Invoice | No Charge | |
| Monthly Administration Charge (per invoice) | \$ | 25.00 |

* Contact Access for the storage rate for non-standard size containers

* Storage charges are billed in advance, services billed in arrears

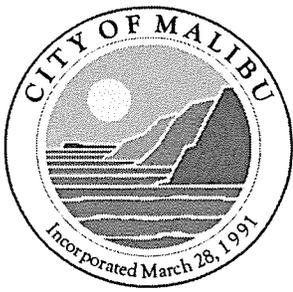
* Actual storage charges billed will be based on the number of days in the month.

* All storage, services and transportation billed per Cubic Foot unless otherwise noted

* Individual Service Items will be combined for workorder transactions, and invoiced independently.

* Any services not quoted will be charged at the standard rates which are available upon request.

*Prices Effective 3-1-2010



Council Agenda Report

To: Mayor La Monte and Honorable Members of the City Council

Prepared by: Lisa Soghor, Assistant City Manager 

Approved by: Reva Feldman, City Manager 

Date prepared: November 1, 2016 Meeting date: November 14, 2016

Subject: Fiscal Year 2015-2016 Fourth Quarter Financial Report

RECOMMENDED ACTION: Receive and file Fiscal Year 2015-2016 Fourth Quarter financial information.

DISCUSSION: The attached report provides revenue, expenditure and fund balance totals for the fourth quarter of Fiscal Year 2015-2016.

The Revenues by Fund Report (pages A1 - A4) reflects General Fund revenues of \$28.9 million or 113.7% of the annual budgeted amount for the fiscal year. Total revenue of all funds received through the fourth quarter is \$36.2 million or 43% of the annual budgeted amount. The Adopted Budget was amended mid-year to include the Civic Center Wastewater Treatment Facility, however construction did not commence until Fiscal Year 2016-2017. General Fund revenue exceeded budget expectations in most revenue categories. The City continues to experience strong General Fund Revenues indicating the City's financial stability and growth.

The Expenditures by Fund Report (pages A5 – A8) reflects budget carryovers from Fiscal Year 2014-2015, as well as budget changes approved by the City Council for the current fiscal year in the Amended Budget column. Budget Carryovers, Corrections and Council Appropriations total \$53.9 million. General Fund expenditures for the fiscal year total \$24.2 million or 98.5% of the annual budgeted amount. Expenditures for all funds total \$29.9 million or 35% of the annual budgeted amount. Pursuant to City policies, unexpended capital project funds have been re-budgeted in Fiscal Year 2016-2017.

Projected Fund Balances for the fiscal year end are reflected on page A-9. The unaudited

Undesignated General Fund Balance at June 30, 2016 includes all expenses appropriated as of June 30, 2016 by the Council. The City ended Fiscal Year 2015-2016 with \$23.3 million (unaudited) in the Undesignated General Fund Reserve. This amount is \$140,000 more than previously anticipated during the budget process for Fiscal Year 2016-2017.

The Projected Fund Balance report reflects \$239,320 in the CIP Designated Reserve, \$1.1 million in the Deferred Maintenance Reserve, \$250,000 in the Water Quality Settlement Reserve and \$1 million in the Landon Center Reserve.

Funds appropriated from the General Fund Undesignated Reserve and the Legacy Park Fund for the City's portion of the Civic Center Wastewater Treatment Facility Assessment District, as well as funds received from the County of Los Angeles, are now reflected in the CCWWTF Fund. The total of that fund as of June 30, 2016 was \$6.4 million, which will be used for construction costs.

The Treasurer's Cash and Investment Report is attached on page A-10.

On November 1, 2016, the Administration and Finance Subcommittee received and filed the Fiscal Year 2015-2016 Fourth Quarter financial information.

ATTACHMENTS:

1. Revenues by Fund Report
2. Expenditures by Fund Report
3. Schedule of Projected Fund Balances
4. Treasurer's Cash and Investment Report

REVENUES BY FUND

June 30, 2016

| Object | Description | 2015-2016 Adopted | Amended Budget | Received 6/30/2016 | Percentage Received | 2015-2016 Actual |
|--|---|----------------------|-------------------|-----------------------|------------------------|---------------------|
| 100, 101 & 103 General Fund | | | | | | |
| 3111 | Current Year Secured Property Tax | \$ 8,300,000 | \$ 8,300,000 | \$ 9,056,287 | 109.1% | \$ 9,056,287 |
| 3112 | Current Year Unsecured Property Tax | 300,000 | 300,000 | 375,052 | 125.0% | 375,052 |
| 3113 | Homeowner's Exemption | 60,000 | 60,000 | 62,925 | 104.9% | 62,925 |
| 3114 | Prior Year Secured Property Tax | 20,000 | 20,000 | - | 0.0% | - |
| 3115 | Prior Year Unsecured Property Tax | 10,000 | 10,000 | - | 0.0% | - |
| 3118 | Property Tax In-Lieu | 1,525,000 | 1,525,000 | 1,640,580 | 107.6% | 1,640,580 |
| | Revenue from Property Taxes | 10,215,000 | 10,215,000 | 11,134,844 | 109.00% | 11,134,844 |
| 3131 | Documentary Transfer Tax | 600,000 | 600,000 | 706,613 | 117.8% | 706,613 |
| 3132 | Utility User's Tax | 2,485,000 | 2,485,000 | 2,389,237 | 96.1% | 2,389,237 |
| 3133 | Transient Occupancy Tax | 1,250,000 | 1,250,000 | 1,268,840 | 101.5% | 1,268,840 |
| 3133-01 | Transient Occupancy Tax - Private Rentals | 550,000 | 550,000 | 1,351,017 | 245.6% | 1,351,017 |
| 3134 | Franchise Fees | 775,000 | 775,000 | 777,545 | 100.3% | 777,545 |
| 3137 | Sales and Use Tax | 3,690,000 | 3,690,000 | 3,723,057 | 100.9% | 3,723,057 |
| 3138 | Parking Tax | 310,000 | 310,000 | 390,892 | 126.1% | 390,892 |
| | Revenue From Other Taxes | 9,660,000 | 9,660,000 | 10,607,201 | 109.8% | 10,607,201 |
| 3201 | Alarm Permits | 25,000 | 25,000 | 33,626 | 134.5% | 33,626 |
| 3202 | Film Permits | 450,000 | 450,000 | 549,364 | 122.1% | 549,364 |
| 3203 | Building Permits | 500,000 | 500,000 | 614,697 | 122.9% | 614,697 |
| 3203-01 | Code Enforcement - Special Investigations | 15,000 | 15,000 | 15,418 | 102.8% | 15,418 |
| 3204 | Wastewater Treatment System Permits | 30,000 | 30,000 | 28,379 | 94.6% | 28,379 |
| 3205 | Plumbing Permits | 80,000 | 80,000 | 96,804 | 121.0% | 96,804 |
| 3207 | Mechanical Permits | 60,000 | 60,000 | 67,653 | 112.8% | 67,653 |
| 3208 | Electrical Permit Fees | 110,000 | 110,000 | 131,826 | 119.8% | 131,826 |
| 3209 | Grading/Drainage Permit Fees | 45,000 | 45,000 | 55,664 | 123.7% | 55,664 |
| 3210 | Misc. Permits | 30,000 | 30,000 | 27,489 | 91.6% | 27,489 |
| 3418 | OWTS Operating Permit Fees | 230,000 | 230,000 | 358,730 | 156.0% | 358,730 |
| 3420 | Parking Permits | 2,300 | 2,300 | 1,920 | 83.5% | 1,920 |
| 3421 | Planning Review Fees | 950,000 | 950,000 | 1,142,754 | 120.3% | 1,142,754 |
| | Revenue From Licenses and Permits | 2,527,300 | 2,527,300 | 3,124,324 | 123.6% | 3,124,324 |
| 3250 | Parking Citations Fines | 400,000 | 400,000 | 525,747 | 131.4% | 525,747 |
| | Revenue From Fines and Forfeitures | 400,000 | 400,000 | 525,747 | 131.4% | 525,747 |
| 3314 | State Mandated Cost Reimbursement | 10,000 | 78,540 | 78,540 | 100.0% | 78,540 |
| 3316 | Motor Vehicle License Fees | - | - | 5,219 | 0.0% | 5,219 |
| 3318 | Street Sweeping Reimbursements | 40,000 | 40,000 | 51,678 | 129.2% | 51,678 |
| 3373 | Proposition A Recreation | 25,000 | 65,625 | 65,625 | 100.0% | 65,625 |
| | Revenue From Other Governments | 75,000 | 184,165 | 201,062 | 109.2% | 201,062 |
| 3408 | Biology Review Fees | 80,000 | 80,000 | 97,925 | 122.4% | 97,925 |
| 3409 | Document Retention Fees | 12,000 | 12,000 | 13,336 | 111.1% | 13,336 |
| 3410 | Building Plan Check Fees | 250,000 | 250,000 | 553,159 | 221.3% | 553,159 |
| 3410-01 | Administrative Plan Check Processing Fee | 15,000 | 15,000 | 26,036 | 173.6% | 26,036 |
| 3411 | Inspector Plan Check Fees | 210,000 | 210,000 | 225,125 | 107.2% | 225,125 |
| 3412 | Geo Soils Engineering Fees | 425,000 | 425,000 | 546,082 | 128.5% | 546,082 |
| 3413 | Other Plan Check Fees | 30,000 | 30,000 | 49,289 | 164.3% | 49,289 |
| 3414 | Environmental Health Review Fees | 210,000 | 210,000 | 332,922 | 158.5% | 332,922 |
| 3415 | Grading/Drainage Plan Review Fees | 35,000 | 35,000 | 41,492 | 118.5% | 41,492 |
| 3416 | Code Enforcement Investigation Fees | 5,000 | 5,000 | 11,191 | 223.8% | 11,191 |
| 3419 | Credit Card Fees | 15,000 | 15,000 | 21,992 | 146.6% | 21,992 |
| 3422 | OWTS Practinoners Fees | 2,500 | 2,500 | 17,765 | 710.6% | 17,765 |
| 3425 | CA Building Standards Surcharge | 1,000 | 1,000 | 315 | 31.5% | 315 |
| 3426 | EIR Review Fees | 50,000 | 50,000 | 26,267 | 52.5% | 26,267 |
| 3427 | Technology Enhancement Fee | 8,500 | 8,500 | 10,069 | 118.5% | 10,069 |
| 3431 | Public Works/Engineering Fees | 185,000 | 185,000 | 354,078 | 191.4% | 354,078 |
| 3432 | SUSMP Fees | 13,000 | 13,000 | 15,776 | 121.4% | 15,776 |
| 3433 | Banner Hanging Fees | 500 | 500 | 460 | 92.0% | 460 |
| 3434 | TOT Registration Fees | 750 | 750 | 650 | 86.7% | 650 |
| 3435 | Admin Permit Processing Fees | 65,000 | 65,000 | 73,825 | 113.6% | 73,825 |
| 3436 | Electric Vehicle Charger Fees | 15,000 | 15,000 | - | 0.0% | - |
| 3441 | Sale of Publications and Materials | 9,000 | 9,000 | 7,232 | 80.4% | 7,232 |

| Object | Description | 2015-2016 Adopted | Amended Budget | Received 6/30/2016 | Percentage Received | 2015-2016 Actual |
|--|--|----------------------|-------------------|-----------------------|------------------------|---------------------|
| General Fund (Continued) | | | | | | |
| 3443 | Emergency Preparedness Charges | 1,500 | 1,500 | 2,035 | 135.7% | 2,035 |
| 3444 | Returned Check Service Fees | 250 | 250 | 345 | 138.0% | 345 |
| 3446 | Vehicle Release Impound Fees | 30,000 | 30,000 | 9,510 | 31.7% | 9,510 |
| 3447 | Election Fees | 2,500 | 65,500 | 63,000 | 96.2% | 63,000 |
| 3448 | Subpoena Fees | 2,500 | 2,500 | 2,831 | 113.2% | 2,831 |
| 3449 | False Alarm Service Charge | 10,000 | 10,000 | 16,558 | 165.6% | 16,558 |
| 3450 | Residential Decals | 1,000 | 1,000 | 610 | 61.0% | 610 |
| 3451 | Passport Processing Fees | 40,000 | 40,000 | 44,175 | 110.4% | 44,175 |
| 3461 | Municipal Facility Use Fees | 63,000 | 63,000 | 77,849 | 123.6% | 77,849 |
| 3464 | Youth Sports Program | 78,000 | 78,000 | 91,893 | 117.8% | 91,893 |
| 3465 | Teen Program | 11,000 | 11,000 | 8,930 | 81.2% | 8,930 |
| 3466 | Aquatics Program | 125,000 | 125,000 | 137,778 | 110.2% | 137,778 |
| 3467 | Day Camp | 85,000 | 85,000 | 84,322 | 99.2% | 84,322 |
| 3468 | Senior Adult Program | 20,000 | 20,000 | 24,797 | 124.0% | 24,797 |
| 3463/3470 | Recreation/Community Class Registration | 100,000 | 100,000 | 98,242 | 98.2% | 98,242 |
| 3472 | Special Events | 13,000 | 13,000 | 13,028 | 100.2% | 13,028 |
| | Revenue From Service Charges | 2,220,000 | 2,283,000 | 3,100,889 | 135.8% | 3,100,889 |
| 3501 | Interest Earnings | 50,000 | 50,000 | 122,057 | 244.1% | 122,057 |
| 3505 | City Hall Use Fees | 15,000 | 15,000 | 21,517 | 143.4% | 21,517 |
| | Use of Money and Property | 65,000 | 65,000 | 143,574 | 220.9% | 143,574 |
| 3600 | Proceeds from Grants | 50,000 | 50,000 | - | 0.0% | - |
| 3901 | Settlements | 5,000 | 5,000 | 10,150 | 203.0% | 10,150 |
| 3902 | Legal Fees | 2,500 | 2,500 | - | 0.0% | - |
| 3904 | TOT Private Rental Penalties | 5,000 | 5,000 | 5,955 | 119.1% | 5,955 |
| 3905 | Miscellaneous Reimbursements | 5,000 | 5,000 | 32,935 | 658.7% | 32,935 |
| 3940 | Sale of Surplus Property | 500 | 500 | 6,649 | 1329.8% | 6,649 |
| 3943 | Miscellaneous Revenue | 5,000 | 5,000 | 4,926 | 98.5% | 4,926 |
| | Miscellaneous Revenue | 73,000 | 73,000 | 60,615 | 83.0% | 60,615 |
| Total General Fund | | 25,235,300 | 25,407,465 | 28,898,256 | 113.7% | 28,898,256 |
| 201 Gas Tax Fund | | | | | | |
| 3315 | Highway User's Fees | 301,356 | 301,356 | 284,026 | 94.2% | 284,026 |
| | Interest Earnings | 100 | 100 | 1,155 | 1155.0% | 1,155 |
| | Total Gas Tax Fund | 301,456 | 301,456 | 285,181 | 94.6% | 285,181 |
| 202 Traffic Safety Fund | | | | | | |
| 3312 | Fines & Forfeitures | 350,000 | 350,000 | 242,573 | 69.3% | 242,573 |
| | Interest Earnings | 200 | 200 | 1,093 | 546.5% | 1,093 |
| | Total Traffic Safety Fund | 350,200 | 350,200 | 243,666 | 69.6% | 243,666 |
| 203 Proposition A Fund | | | | | | |
| 3371 | Prop A Funds | 215,000 | 215,000 | 254,489 | 118.4% | 254,489 |
| 3501 | Interest Earnings | 100 | 100 | 1,479 | 1479.0% | 1,479 |
| | Total Proposition A Fund | 215,100 | 215,100 | 255,968 | 119.0% | 255,968 |
| 204 Proposition C Fund | | | | | | |
| 3372 | Prop C Funds | 175,000 | 175,000 | 193,087 | 110.3% | 193,087 |
| 3501 | Interest Earnings | 200 | 200 | 904 | 452.0% | 904 |
| | Total Proposition C Fund | 175,200 | 175,200 | 193,991 | 110.7% | 193,991 |
| 205 Measure R Fund | | | | | | |
| 3374 | Measure R Funds | 130,000 | 130,000 | 144,550 | 111.2% | 144,550 |
| 3501 | Interest Earnings | 250 | 250 | 603 | 241.2% | 603 |
| | Total Measure R Fund | 130,250 | 130,250 | 145,153 | 111.4% | 145,153 |
| 206 Air Quality Management Fund | | | | | | |
| 3377 | AQMD Funds | 15,000 | 15,000 | 16,345 | 109.0% | 16,345 |
| 3501 | Interest Earnings | 50 | 50 | 190 | 380.0% | 190 |
| | Total Air Quality Management Fund | 15,050 | 15,050 | 16,535 | 109.9% | 16,535 |

| Object | Description | 2015-2016 Adopted | Amended Budget | Received 6/30/2016 | Percentage Received | 2015-2016 Actual |
|---|--|----------------------|-------------------|-----------------------|------------------------|---------------------|
| Special Revenue Funds (Continued) | | | | | | |
| 207 Solid Waste Management Fund | | | | | | |
| 3311 | Solid Waste Management Surcharge | 120,000 | 120,000 | 115,434 | 96.2% | 115,434 |
| 3434 | Recycling Fees | 15,000 | 15,000 | 16,936 | 112.9% | 16,936 |
| 3501 | Interest Earnings | 100 | 100 | 84 | 84.0% | 84 |
| 3600 | Grant Proceeds | 5,000 | 5,000 | 5,000 | 100.0% | 5,000 |
| | Total Solid Waste Management Fund | 140,100 | 140,100 | 137,454 | 98.1% | 137,454 |
| 208 Parkland Development Fund | | | | | | |
| 3135 | Parkland Development Fees | 15,000 | 15,000 | 18,858 | 125.7% | 18,858 |
| 3501 | Interest Earnings | 250 | 250 | 143 | 57.2% | 143 |
| | Total Park Development Fund | 15,250 | 15,250 | 19,001 | 124.6% | 19,001 |
| 209 Quimby Fund | | | | | | |
| 3501 | Interest Earnings | 100 | 100 | 21 | 21.0% | 21 |
| | Total Quimby Fund | 100 | 100 | 21 | 21.0% | 21 |
| 211 COPS (Brulte) Grant Fund | | | | | | |
| 3600 | Proceeds From Grants (Brulte) | 100,000 | 114,618 | 114,618 | 100.0% | 114,618 |
| | Total COPS (Brulte) Fund | 100,000 | 114,618 | 114,618 | 100.0% | 114,618 |
| 215 Community Development Block Grant Fund | | | | | | |
| 3600 | Proceeds From Grants | 106,935 | 106,935 | 6,935 | 6.5% | 6,935 |
| | Total Comm. Dev. Block Grant Fund | 106,935 | 106,935 | 6,935 | 6.5% | 6,935 |
| 217 Traffic Safety Grant Funds | | | | | | |
| 3600 | Proceeds From Grants | 27,000 | 35,550 | 35,550 | 100.0% | 35,550 |
| | Total ARRA Fund | 27,000 | 35,550 | 35,550 | 100.0% | 35,550 |
| 225 Grants Fund | | | | | | |
| 3376 | TDA | - | - | - | 0.0% | - |
| 3600 | Proceeds From Grants | 2,290,834 | 11,440,834 | 55,153 | 0.5% | 55,153 |
| | Total Grants Fund | 2,290,834 | 11,440,834 | 55,153 | 0.5% | 55,153 |
| 290 Big Rock LMD Fund | | | | | | |
| 3116 | Big Rock Mesa Assessment | 281,014 | 281,014 | 278,876 | 99.2% | 278,876 |
| 3501 | Interest Earnings | 300 | 300 | 1,228 | 409.3% | 1,228 |
| | Total Big Rock LMD Fund | 281,314 | 281,314 | 280,104 | 99.6% | 280,104 |
| 291 Malibu Road LMD Fund | | | | | | |
| 3116 | Malibu Road Assessment | 50,951 | 50,951 | 47,945 | 94.1% | 47,945 |
| 3501 | Interest | 10 | 10 | 74 | 740.0% | 74 |
| | Total Malibu Road LMD Fund | 50,961 | 50,961 | 48,019 | 94.2% | 48,019 |
| 292 Calle Del Barco LMD Fund | | | | | | |
| 3116 | Calle Del Barco Assessment | 31,982 | 31,982 | 31,797 | 99.4% | 31,797 |
| 3501 | Interest | 200 | 200 | 610 | 305.0% | 610 |
| | Total Calle Del Barco LMD Fund | 32,182 | 32,182 | 32,407 | 100.7% | 32,407 |
| 712 Carbon Beach Undergrounding CFD Fund | | | | | | |
| 3915 | Carbon Beach Undergrounding Assessment | 287,139 | 287,244 | 286,480 | 99.7% | 286,480 |
| | Total Carbon Beach Undergrounding CFD | 287,139 | 287,244 | 286,480 | 99.7% | 286,480 |
| 713 Broad Beach Assessment District | | | | | | |
| 3915 | Broad Beach Undergrounding Assessment | 154,167 | 154,163 | 159,343 | 103.4% | 159,343 |
| | Total Broad Beach Undergrounding AD | 154,167 | 154,163 | 159,343 | 103.4% | 159,343 |
| 714 Civic Center Wastewater Treatment Facility CFD | | | | | | |
| 3915 | Civic Center Wastewater Treatment CFD | - | - | - | 0.0% | - |
| | Total Civic Center Wastewater Treatment | - | - | - | 0.0% | - |
| 715 Civic Center Wastewater Treatment Facility AD | | | | | | |
| 3915 | Civic Center Wastewater Treatment AD | - | 42,472,466 | 375,000 | 0.9% | 375,000 |
| | Total Civic Center Wastewater Treatment | - | 42,472,466 | 375,000 | 0.9% | 375,000 |
| Total Special Revenue Funds | | 4,673,238 | 56,318,973 | 2,690,579 | 4.8% | 2,690,579 |

| Object | Description | 2015-2016 Adopted | Amended Budget | Received 6/30/2016 | Percentage Received | 2015-2016 Actual |
|--|---------------------------------------|----------------------|----------------------|-----------------------|------------------------|----------------------|
| 500 Legacy Park Project Fund | | | | | | |
| 3501 | Interest Earnings | 2,500 | 2,500 | 11,040 | 441.6% | 11,040 |
| 3505 | Proceeds from Rent | 1,931,735 | 1,931,735 | 2,103,900 | 108.9% | 2,103,900 |
| 3905 | Miscellaneous Revenue | 40,000 | 40,000 | 78,888 | 197.2% | 78,888 |
| Total Legacy Park Project Fund | | 1,974,235 | 1,974,235 | 2,193,828 | 111.1% | 2,193,828 |
| Total Legacy Park Project Fund | | 1,974,235 | 1,974,235 | 2,193,828 | 111.1% | 2,193,828 |
| 515 Civic Center Wastewater Treatment Facility (CCWWTF) | | | | | | |
| 3915 | Contributions - City and County Share | - | - | 1,921,642 | 0.0% | 1,921,642 |
| 3510 | Sewer Service Fees | - | - | - | 0.0% | - |
| Total CCWWTF Fund | | - | - | 1,921,642 | 0.0% | 1,921,642 |
| Total Civic Center Wastewater Treatment Facility Fund | | - | - | 1,921,642 | 0.0% | 1,921,642 |
| Internal Service Funds | | | | | | |
| 601 Vehicle Fund | | | | | | |
| 3951 | Vehicle Charges | 60,000 | 60,000 | 60,000 | 100.0% | 60,000 |
| Total Vehicle Fund | | 60,000 | 60,000 | 60,000 | 100.0% | 60,000 |
| 602 Information Technology Fund | | | | | | |
| 3952 | Information Technology Charges | 423,500 | 475,500 | 475,500 | 100.0% | 475,500 |
| Total Information Technology Fund | | 423,500 | 475,500 | 475,500 | 100.0% | 475,500 |
| Total Internal Service Funds | | 483,500 | 535,500 | 535,500 | 100.0% | 535,500 |
| Total Revenue - All Funds | | \$ 32,366,273 | \$ 84,236,173 | \$ 36,239,805 | 43.0% | \$ 36,239,805 |

Reconciliation of adopted to amended budget

Total 2015-2016 Adopted budget:

\$ 32,366,273

| Account | Description | Amount | |
|-------------------------------|--|-------------------|-------------------|
| 100-0000-3447 | Election Fees | 63,000 | Budget Adjustment |
| 100-0000-3314 | Mandated Cost Reimbursements | 68,540 | Budget Adjustment |
| 217-0000-3600 | Office of Traffic Safety Federal Grant | 8,550 | Budget Adjustment |
| 602-0000-3952 | Information Technology Charges | 52,000 | Budget Adjustment |
| 712-0000-3915 | Carbon Beach Undergrounding Assessment | 105 | Budget Adjustment |
| 713-0000-3915 | Broad Beach Undergrounding Assessment | (4) | Budget Adjustment |
| 211-0000-3600 | Enhancing Law Enforcement Services (14/15) | 14,618 | Budget Adjustment |
| 100-0000-3373 | Proposition A - Recreation (Pool Office Trailer) | 40,625 | Budget Adjustment |
| 225-9066-3600 | PCH Signal Synchronization - Measure R Grt | 150,000 | Budget Adjustment |
| 225-9049-3600 | State Revolving Fund CCWWTF Grants | 9,000,000 | Budget Adjustment |
| 715-0000-3915 | State Revolving Fund Loan Recycled Water | 3,000,000 | Budget Adjustment |
| 715-0000-3915 | State Revolving Fund Loan Wastewater | 39,472,466 | Budget Adjustment |
| Total Amendments | | 51,869,900 | |
| Total Amendment Budget | | 84,236,173 | |

EXPENDITURES BY FUND

June 30, 2016

| | | Adopted Budget | Amended Budget (1) | YTD Actual | % Spent | 2015-16 Actual |
|---|--|-------------------|-----------------------|-------------------|---------------|-------------------|
| General Fund | | | | | | |
| Management Services | | | | | | |
| 7001 | City Council | \$ 516,842 | \$ 530,342 | \$ 487,389 | 91.9% | \$ 487,389 |
| 7003 | City Manager | 581,761 | 581,761 | 655,204 | 112.6% | 655,204 |
| 7005 | Legal Counsel | 649,777 | 649,777 | 780,562 | 120.1% | 780,562 |
| 7007 | City Clerk | 556,958 | 556,958 | 514,237 | 92.3% | 514,237 |
| Total Management Services | | 2,305,338 | 2,318,838 | 2,437,392 | 105.1% | 2,437,392 |
| Public Safety Services | | | | | | |
| 7021 | Emergency Preparedness | 209,417 | 209,417 | 207,662 | 99.2% | 207,662 |
| 7031 | Public Safety Services | 6,706,272 | 6,706,272 | 6,557,110 | 97.8% | 6,557,110 |
| Total Public Safety | | 6,915,689 | 6,915,689 | 6,764,772 | 97.8% | 6,764,772 |
| Administrative Services | | | | | | |
| 3010 | Civic Center Wastewater Treatment Facility | 206,000 | 206,000 | 109,993 | 53.4% | 109,993 |
| 7002 | Media Operations | 289,056 | 289,056 | 274,568 | 95.0% | 274,568 |
| 7054 | Finance | 1,098,130 | 1,132,030 | 1,194,659 | 105.5% | 1,194,659 |
| 7058 | Human Resources | 154,591 | 154,591 | 145,623 | 94.2% | 145,623 |
| 7059 | Non Departmental Services | 1,591,503 | 1,708,649 | 1,949,756 | 114.1% | 1,949,756 |
| 103-9050 | City Hall | 2,352,664 | 2,352,664 | 2,221,960 | 94.4% | 2,221,960 |
| Total Administrative Services | | 5,691,944 | 5,842,990 | 5,896,559 | 100.9% | 5,896,559 |
| Recreation Services | | | | | | |
| 4001 | General Recreation | 888,688 | 888,688 | 721,702 | 81.2% | 721,702 |
| 4002 | Aquatics | 253,875 | 271,475 | 258,475 | 95.2% | 258,475 |
| 4003 | Outdoor Recreation | 43,995 | 43,995 | 24,471 | 55.6% | 24,471 |
| 4004 | Day Camps | 95,798 | 95,798 | 90,137 | 94.1% | 90,137 |
| 4006 | Youth Sports | 124,004 | 124,004 | 121,264 | 97.8% | 121,264 |
| 4007 | Community Programs | 158,892 | 158,892 | 118,598 | 74.6% | 118,598 |
| 4008 | Senior Adult Programs | 136,471 | 136,471 | 146,277 | 107.2% | 146,277 |
| 4009 | Teen Programs | 68,340 | 68,340 | 63,902 | 93.5% | 63,902 |
| 4010 | Park Maintenance | 687,155 | 736,155 | 725,569 | 98.6% | 725,569 |
| 4011 | Special Events | 199,241 | 199,241 | 194,736 | 97.7% | 194,736 |
| Total Recreation Services | | 2,656,459 | 2,723,059 | 2,465,131 | 90.5% | 2,465,131 |
| Environmental & Sustainability Development | | | | | | |
| 2004 | Environmental & Building Safety | 1,570,994 | 1,578,494 | 1,963,648 | 124.4% | 1,963,648 |
| 2010 | Wastewater Management | 692,630 | 742,630 | 699,759 | 94.2% | 699,759 |
| 3003 | Clean Water Program | 170,715 | 186,881 | 200,221 | 107.1% | 200,221 |
| Total Env. & Community Development | | 2,434,339 | 2,508,005 | 2,863,628 | 114.2% | 2,863,628 |
| Planning Department | | | | | | |
| 2001 | Planning | 2,284,813 | 2,359,813 | 1,814,092 | 76.9% | 1,814,092 |
| 2012 | Code Enforcement | 217,768 | 217,768 | 191,868 | 88.1% | 191,868 |
| Total Planning Department | | 2,502,581 | 2,577,581 | 2,005,960 | 77.8% | 2,005,960 |
| Public Works/Engineering | | | | | | |
| 3001 | Street Maintenance | 596,578 | 631,578 | 811,324 | 128.5% | 811,324 |
| 3007 | City Facilities | 94,000 | 44,000 | - | 0.0% | - |
| 3008 | Public Works | 827,539 | 1,016,385 | 966,060 | 95.0% | 966,060 |
| Total Public Works | | 1,518,117 | 1,691,963 | 1,777,384 | 105.0% | 1,777,384 |
| Total General Fund | | 24,024,467 | 24,578,125 | 24,210,826 | 98.5% | 24,210,826 |

(1) The amended budget column includes the original budget amount plus encumbrance carryovers and any additional appropriations.

EXPENDITURES BY FUND

June 30, 2016

| | | Adopted Budget | Amended Budget (1) | YTD Actual | % Spent | 2015-16 Projected |
|--|--|-------------------|-----------------------|------------------|--------------|----------------------|
| Special Revenue Funds | | | | | | |
| 3001 | Street Maintenance | 720,000 | 720,000 | 522,000 | 72.5% | 522,000 |
| 3004 | Solid Waste Management | 145,779 | 147,363 | 140,183 | 95.1% | 140,183 |
| 3005 | Fleet Operations | 20,000 | 20,000 | - | 0.0% | - |
| 3008 | Public Works | 85,000 | 93,550 | 93,550 | 100.0% | 93,550 |
| 3009 | Transportation Services | 208,000 | 208,000 | 191,382 | 92.0% | 191,382 |
| 6002 | Big Rock Mesa LMD | 308,706 | 308,706 | 284,131 | 92.0% | 284,131 |
| 6003 | Malibu Road LMD | 52,970 | 52,970 | 48,952 | 92.4% | 48,952 |
| 6004 | Calle del Barco LMD | 66,604 | 66,604 | 53,505 | 80.3% | 53,505 |
| 9048 | Carbon Beach Undergrounding CFD | 287,244 | 287,244 | 286,480 | 99.7% | 286,480 |
| 9052 | Broad Beach Undergrounding AD | 154,163 | 154,163 | 159,343 | 103.4% | 159,343 |
| 7031 | Public Safety | 100,000 | 114,618 | 114,618 | 100.0% | 114,618 |
| 7070 | Community | 6,935 | 6,935 | 6,935 | 100.0% | 6,935 |
| Total Special Revenue Funds | | 2,155,401 | 2,180,153 | 1,901,079 | 87.2% | 1,901,079 |
| Capital Project Funds | | | | | | |
| 310 | Capital Improvement Fund | | | | | |
| | 9002 Annual Street Overlay | 650,000 | 699,469 | 642,292 | 91.8% | 642,292 |
| | 9025 Las Flores Creek Restoration | - | 473,082 | 44,326 | 9.4% | 44,326 |
| | 9049 Civic Center Wastewater Improvements | - | 51,497,466 | 369,108 | 0.7% | 369,108 |
| | 9053 Broad Beach Bioinfiltration Project | - | 108,118 | 47,842 | 44.2% | 47,842 |
| | 9054 Wildlife Road Treatment | 10,213 | 83,329 | - | 0.0% | - |
| | 9055 PCH Bike Route Improvements | - | 425,548 | 7,376 | 1.7% | 7,376 |
| | 9057 PCH Regional Traffic Messaging System | 275,000 | 300,000 | - | 0.0% | - |
| | 9058 PCH Intersection Improvements | 610,117 | 656,185 | 12,794 | 1.9% | 12,794 |
| | 9059 PCH Median Improvements | 400,000 | 400,000 | - | 0.0% | - |
| | 9060 PCH Bus Stop Improvements | - | 19,066 | - | 0.0% | - |
| | 9061 Civic Center Way Improvements | 375,000 | 375,000 | 5,747 | 1.5% | 5,747 |
| | 9063 Biofiltration Devices-Las Flores and Malibu | - | 156,259 | 70,261 | 45.0% | 70,261 |
| | 9065 Malibu Community Labor Exchange | 100,000 | 100,000 | - | 0.0% | - |
| | 9066 PCH Sign Synchronization Improvements | - | 150,000 | - | 0.0% | - |
| | 9067 Speed Advisory Signs | - | 100,000 | 5,484 | 5.5% | 5,484 |
| | 9068 Bus Stop Shelters | - | 60,000 | 5,057 | 8.4% | 5,057 |
| | 9069 Paradise Cove Equipment | - | 75,000 | 6,524 | 8.7% | 6,524 |
| | 9070 Stormwater Treatment Facilities | - | 25,000 | 6,422 | 25.7% | 6,422 |
| Total Capital Project Funds | | 2,420,330 | 55,703,522 | 1,223,233 | 2.2% | 1,223,233 |
| Legacy Park Project Fund | | | | | | |
| 500 | 3003 Clean Water Program | 375,000 | 375,000 | 375,000 | 100.0% | 375,000 |
| | 3007 Stormwater Treatment Facilities | 275,000 | 300,000 | 189,207 | 63.1% | 189,207 |
| | 7004 Legacy Park Debt Service | 1,099,220 | 1,099,220 | 1,099,220 | 100.0% | 1,099,220 |
| | 7008 Legacy Park Operations | 443,750 | 443,750 | 406,124 | 91.5% | 406,124 |
| Total Legacy Park Project Fund | | 2,192,970 | 2,217,970 | 2,069,551 | 93.3% | 2,069,551 |
| Civic Center Wastewater Treatment Facility Fund | | | | | | |
| 515 | 3010 CCWWTF Sewer Services | - | - | - | 0.0% | - |
| Total Legacy Park Project Fund | | - | - | - | 0.0% | - |

(1) The amended budget column includes the original budget amount plus encumbrance carryovers and any additional appropriations.

EXPENDITURES BY FUND

June 30, 2016

| | | Adopted Budget | Amended Budget (1) | YTD Actual | % Spent | 2015-16 Projected |
|-------------------------------------|------------------------|----------------------|-----------------------|----------------------|--------------|----------------------|
| Internal Service Funds | | | | | | |
| 3005 | Vehicle | 51,000 | 51,000 | 39,913 | 78.3% | 39,913 |
| 7060 | Information Technology | 419,758 | 471,758 | 447,236 | 94.8% | 447,236 |
| Total Internal Service Funds | | 470,758 | 522,758 | 487,149 | 93.2% | 487,149 |
| Total All Funds | | \$ 31,263,926 | \$ 85,202,528 | \$ 29,891,838 | 35.1% | \$ 29,891,838 |

(1) The amended budget column includes the original budget amount plus encumbrance carryovers and any additional appropriations.

EXPENDITURES BY FUND

June 30, 2016

Reconciliation of adopted to amended budget

Total 2015-2016 Adopted budget: 31,263,926

| Account | Description | Project | Amount | Comment | Date |
|---|--|-------------------|----------------------|-----------------------|------------|
| 310-9002-7901 | Annual Street Overlay | CIP Project | 49,469 | Budget Carryover | 7/1/2015 |
| 310-9025-7902 | Las Flores Creek Restoration Project | CIP Project | 473,082 | Budget Carryover | 7/1/2015 |
| 310-9053-5100 | Broad Beach Biofiltration Project | CIP Project | 108,118 | Budget Carryover | 7/1/2015 |
| 310-9054-5100 | Wildlife Road Treatment Project | CIP Project | 73,116 | Budget Carryover | 7/1/2015 |
| 310-9055-5100 | PCH Bike Route Improvements | CIP Project | 425,548 | Budget Carryover | 7/1/2015 |
| 310-9057-5100 | PCH Regional Traffic Message System | CIP Project | 25,000 | Budget Carryover | 7/1/2015 |
| 310-9058-5100 | PCH Intersection Improvements | CIP Project | 46,068 | Budget Carryover | 7/1/2015 |
| 310-9060-5100 | PCH Bus Stop Improvements | CIP Project | 19,066 | Budget Carryover | 7/1/2015 |
| 310-9063-5100 | Biofiltration Devices-Las Flores and Malibu Rd | CIP Project | 156,259 | Budget Carryover | 7/1/2015 |
| 217-3008-5100 | Portable Message Signs - Professional Svcs | OTS Fed Grant | 8,550 | Budget Carryover | 7/1/2015 |
| 217-3008-5100 | Public Works - Professional Services | OTS Fed Grant | 27,000 | Budget Carryover | 7/1/2015 |
| 100-7059-4218 | Non-Departmental - CalPERS | CalPERS | 124,646 | Budget Correction | 7/1/2015 |
| 100-3007-7800 | Stormwater Facilities - Equipmment | Paradise Cove | (75,000) | Budget Correction | 7/1/2015 |
| 310-9069-5100 | Paradise Cove Equipment | Paradise Cove | 75,000 | Budget Correction | 7/1/2015 |
| 602-7060-6120 | Information Technology - Software | LARIAC | 52,000 | Budget Carryover | 7/1/2015 |
| 100-7001-6201 | Community Rewards | Council Rewards | 5,000 | Budget Carryover | 7/1/2015 |
| 207-3004-5850 | Solid Waste Management - Recycling Supplies | Supplies | 1,584 | Budget Carryover | 7/1/2015 |
| 100-7054-5100 | Finance - Professional Services | Fee Study | 26,400 | Budget Carryover | 7/1/2015 |
| 100-3008-5125 | Public Works - Traffic Engineering | Traffic Eng. | 66,000 | Budget Carryover | 7/1/2015 |
| 100-3008-5100 | Public Works - Professional Services | Trancas AD 2014 | 45,846 | Budget Carryover | 7/1/2015 |
| 310-9049-5100 | Civic Center Wastewater Improvements | CCWWTF | 25,000 | Council Appropriation | 9/16/2015 |
| 101-3003-5100 | Clean Water - Professional Services | IRWM Grant | 16,166 | Council Appropriation | 9/28/2015 |
| 101-2004-5100 | Building Safety - Professional Services | Solar RFP | 7,500 | Council Appropriation | 10/27/2015 |
| 101-2010-4101 | Wastewater Management - FT Salaries | Move to 5100 | (40,000) | Budget Adjustment | 12/31/2015 |
| 101-2010-4101 | Wastewater Management - Prof Services | From 4101 | 40,000 | Budget Adjustment | 12/31/2015 |
| 100-7059-5510 | Non-Departmental - Insurance Premiums | Insurance | (7,500) | Budget Adjustment | 12/31/2015 |
| 100-7054-5300 | Finance - Travel and Training | Training | 6,000 | Budget Adjustment | 12/31/2015 |
| 100-7054-5330 | Finance - Dues | Dues | 1,500 | Budget Adjustment | 12/31/2015 |
| 100-3001-5120 | Public Works - Street Maintenance | El Nino Prep | 30,000 | Mid Year Budget | 2/8/2016 |
| 100-3001-6160 | Street Maintenance - Operating Supplies | El Nino Prep | 5,000 | Mid Year Budget | 2/8/2016 |
| 100-3007-5656 | Stormwater Treatment Facilities - Monitoring | El Nino Prep | 50,000 | Mid Year Budget | 2/8/2016 |
| 100-3008-5107 | Public Works/Engineering - Contract Personnel | Temp Staff | 25,000 | Mid Year Budget | 2/8/2016 |
| 100-3008-5125 | Public Works/Engineering - Traffic Engineering | Pt. Dume | 25,000 | Mid Year Budget | 2/8/2016 |
| 100-4010-5130 | Park Maintenance - Maintenance | Bluffs Park | 49,000 | Mid Year Budget | 2/8/2016 |
| 100-4002-7800 | Aquatics - Equipment | New Pool Trailer | 17,600 | Mid Year Budget | 2/8/2016 |
| 100-7001-6170 | City Council - Events/Advertising | 25th Anniversary | 7,500 | Mid Year Budget | 2/8/2016 |
| 101-2001-5100 | Planning - Professional Services | Contract Staff | 75,000 | Mid Year Budget | 2/8/2016 |
| 101-2010-5100 | Wastewater Management - Prof Services | WW Review | 50,000 | Mid Year Budget | 2/8/2016 |
| 310-9066-5100 | PCH Signal Synchronization Syst. Imp. | Measure R Fund | 150,000 | Mid Year Budget | 2/8/2016 |
| 310-9067-5100 | Speed Advisory Signs | Pt Dume/Busch | 100,000 | Mid Year Budget | 2/8/2016 |
| 310-9068-5100 | Bus Stop Shelters | Bus Stop Shelters | 60,000 | Mid Year Budget | 2/8/2016 |
| 310-9070-5100 | Stormwater Treatment Facilities - Equipment | Storm Drains | 25,000 | Mid Year Budget | 2/8/2016 |
| 211-7031-5115 | Law Enforcement Services - SLESF | Brulte | 14,618 | Budget Adjustment | 4/1/2016 |
| 100-7001-5930 | Community Grants | SMMUSD | 1,000 | Budget Adjustment | 4/1/2016 |
| 310-9049-5100 | State Revolving Fund CCWWTF Grants | CCWWTF | 9,000,000 | Budget Adjustment | 4/1/2016 |
| 310-9049-5100 | State Revolving Fund Loan Recycled Water | CCWWTF | 3,000,000 | Budget Adjustment | 4/1/2016 |
| 310-9049-5100 | State Revolving Fund Loan Wastewater | CCWWTF | 39,472,466 | Budget Adjustment | 4/1/2016 |
| | | | <u>53,938,602</u> | | |
| Total 2015-2016 current amended budget: | | | <u>\$ 85,202,528</u> | | |

PROJECTED FUND BALANCES

June 30, 2016

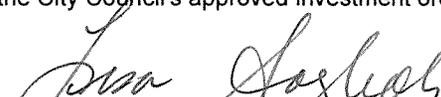
| FUND | Fund Balance July 1, 2015 (Audited) | Revenues Projected 6/30/2016 | Expenditures Projected 6/30/2016 | Transfers Budgeted 2015-2016 | Fund Balance Projected (Unaudited) |
|---|--|---|---|---|---|
| General Fund - Undesignated | \$ 20,824,288 | \$ 28,898,256 | \$ 24,210,826 | \$ (2,224,941) | 23,286,777 |
| General Fund - Designated for CIPs | 958,530 | - | - | (719,210) | 239,320 |
| Designated for Deferred Maintenance | 1,126,016 | - | - | (70,000) | 1,056,016 |
| Designated for Landon Center | 1,000,000 | - | - | - | 1,000,000 |
| Designated for Water Quality Settlement | 250,000 | - | - | - | 250,000 |
| Total General Fund | 24,158,834 | 28,898,256 | 24,210,826 | (3,014,151) | 25,832,113 |
| Gas Tax Fund | 34,411 | 285,181 | 310,000 | - | 9,592 |
| Traffic Safety Fund | 44,789 | 243,666 | 270,000 | - | 18,455 |
| Proposition A Fund | 204,570 | 255,968 | 191,382 | - | 269,156 |
| Proposition C Fund | 38,988 | 193,991 | - | (200,000) | 32,979 |
| Measure R Fund | 16,775 | 145,153 | - | (125,000) | 36,928 |
| Air Quality Management Fund | 27,970 | 16,535 | - | - | 44,505 |
| Solid Waste Management Fund | 38,074 | 137,454 | 140,183 | - | 35,345 |
| Parkland Development In-Lieu Fund | 10,516 | 19,001 | - | - | 29,517 |
| Quimby Fund | 3,498 | 21 | - | - | 3,519 |
| COPS Brulte Grant Fund | - | 114,618 | 114,618 | - | - |
| CDBG | - | 6,935 | 6,935 | - | - |
| Traffic Safety Grant Fund | - | 35,550 | 35,550 | - | - |
| Grants Fund | - | 55,153 | - | (55,153) | - |
| CCWWTF - CFD & AD | - | 375,000 | - | (375,000) | - |
| Big Rock LMD | 215,380 | 280,104 | 284,131 | - | 211,353 |
| Malibu Road LMD | 14,262 | 48,019 | 48,952 | - | 13,329 |
| Calle Del Barco LMD | 114,763 | 32,407 | 53,505 | - | 93,665 |
| Carbon Beach Undergrounding CFD | - | 286,480 | 286,480 | - | - |
| Broad Beach Assessment District | - | 159,343 | 159,343 | - | - |
| Total Special Revenue Funds | 763,996 | 2,690,579 | 1,901,079 | (755,153) | 798,343 |
| Capital Improvements | - | - | 1,223,233 | 1,223,233 | - |
| Total Cap. Imp. Funds | - | - | 1,223,233 | 1,223,233 | - |
| Legacy Park Project Fund | 2,744,455 | 2,193,828 | 2,069,551 | (1,978,628) | 890,104 |
| Total Legacy Fund | 2,744,455 | 2,193,828 | 2,069,551 | (1,978,628) | 890,104 |
| Civic Center Wastewater Treatment Facility Fund | - | 1,921,642 | - | 4,524,699 | 6,446,341 |
| Total Civic Center Wastewater Treatment Fac. | - | 1,921,642 | - | 4,524,699 | 6,446,341 |
| Vehicle | 17,003 | 60,000 | 39,913 | - | 37,090 |
| Information Technology | (7,259) | 475,500 | 447,236 | - | 21,005 |
| Total Internal Service Funds | 9,744 | 535,500 | 487,149 | - | 58,095 |
| Total All Funds | \$ 27,677,029 | \$ 36,239,805 | \$ 29,891,838 | \$ - | \$ 34,024,996 |

CITY OF MALIBU

CITY TREASURER'S CASH AND INVESTMENTS REPORT FOR THE QUARTER ENDING JUNE 30, 2016

| ACCOUNT | ISSUER | TYPE | AMOUNT | CURRENT YIELD | EARNINGS TO DATE* | MATURITY DATE |
|-----------------------------------|-------------------------------------|-------------------|-----------------------------|------------------|-------------------------|------------------|
| Cash Operating | Wells Fargo Bank | Checking | \$ 1,518,207 | N/A | | N/A |
| Revolving Cash Fund | Internal | Petty Cash | 700 | N/A | N/A | N/A |
| Investments | Local Agency Investment Fund (LAIF) | State of CA | 28,854,214 | 0.55% | \$ 38,853 | 1 day |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 2.05% | | 11/13/2018 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.90% | | 5/16/2019 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 2.20% | | 11/16/2020 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 2.30% | | 11/18/2020 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.75% | | 5/11/2021 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 0.70% | | 3/6/2017 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.05% | | 3/6/2018 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.20% | | 3/6/2018 |
| Investments | Wells Fargo Advisors | Federal Home Loan | <u>250,000</u> | 1.05% | | 3/7/2018 |
| TOTAL CASH AND INVESTMENTS | | | <u>\$ 32,623,121</u> | | <u>\$ 38,853</u> | |

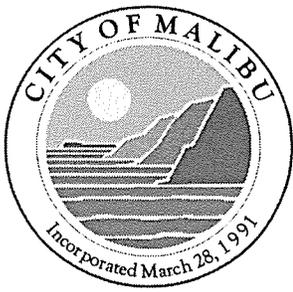
In compliance with Government Code Section 53646, the Treasurer hereby certifies that sufficient cash and anticipated revenues are available to meet the City's expenditure requirements for the next six months, and further, that all investments comply with the City Council's approved investment ordinances.

Prepared by: 
Lisa Soghor, Assistant City Manager

11/2/2016
Date

Reviewed by: 
Reva Feldman, City Manager

11/2/16
Date



Council Agenda Report

To: Mayor La Monte and Honorable Members of the City Council

Prepared by: Lisa Soghor, Assistant City Manager 

Approved by: Reva Feldman, City Manager 

Date prepared: November 1, 2016 Meeting date: November 14, 2016

Subject: Fiscal Year 2016-2017 First Quarter Financial Report

RECOMMENDED ACTION: Receive and file Fiscal Year 2016-2017 First Quarter financial information.

DISCUSSION: The attached report provides revenue, expenditure and fund balance totals for the first quarter of Fiscal Year 2016-2017.

The Revenues by Fund Report (pages A1 - A4) reflects General Fund revenues of \$3.6 million or 13.4% of the annual budgeted amount for the fiscal year. General Fund revenues are meeting budget estimates to date. Total revenue of all funds received during the first quarter is \$4.4 million or 5.4% of the annual budgeted amount for the fiscal year. Many revenue sources are received on a quarterly or annual basis and as such, will be reflected when the year-end report is presented.

The Expenditures by Fund Report (pages A5 – A8) reflects appropriations approved by the City Council for the current fiscal year in the Amended Budget column. Budget Carryovers and Corrections total \$287,221 and Council appropriations total \$196,300 as of September 30, 2016. General Fund expenditures for the first quarter total \$5.5 million or 20.6% of the annual budgeted amount. Expenditures for all funds total \$8.7 million or 10.6% of the annual budgeted amount.

Projected Fund Balances for the fiscal year end are reflected on page A-9. The projected Undesignated Fund Balance at June 30, 2017 includes all expenses appropriated as of September 30, 2016 by the Council. The City ended Fiscal Year 2015-2016 with \$23.3 million (unaudited) in the Undesignated General Fund Reserve. As of September 30, 2016, the projected General Fund Undesignated Reserve at June 30, 2017 is \$23.2

million.

Funds appropriated from the General Fund Undesignated Reserve and the Legacy Park Fund for the City's portion of the Civic Center Wastewater Treatment Facility Assessment District, as well as funds received from the County of Los Angeles, are now reflected in the CCWWTF Fund. The total of that fund as of June 30, 2016 was \$6.4 million, which will be used for construction costs.

The Treasurer's Cash and Investment Report is attached on page A-10.

On November 1, 2016, the Administration and Finance Subcommittee received and filed the Fiscal Year 2016-2017 First Quarter financial information

ATTACHMENTS:

1. Revenues by Fund Report
2. Expenditures by Fund Report
3. Schedule of Projected Fund Balances
4. Treasurer's Cash and Investment Report

REVENUES BY FUND

September 30, 2016

| Object | Description | 2016-2017 Adopted | Amended Budget | Received 9/30/2016 | Percentage Received | 2016-2017 Projected |
|--|---|----------------------|-------------------|-----------------------|------------------------|------------------------|
| 100, 101 & 103 General Fund | | | | | | |
| 3111 | Current Year Secured Property Tax | \$ 8,900,000 | \$ 8,900,000 | \$ - | 0.0% | \$ 8,900,000 |
| 3112 | Current Year Unsecured Property Tax | 350,000 | 350,000 | 273,866 | 78.2% | 350,000 |
| 3113 | Homeowner's Exemption | 60,000 | 60,000 | - | 0.0% | 60,000 |
| 3114 | Prior Year Secured Property Tax | 10,000 | 10,000 | - | 0.0% | 10,000 |
| 3115 | Prior Year Unsecured Property Tax | 10,000 | 10,000 | - | 0.0% | 10,000 |
| 3118 | Property Tax In-Lieu | 1,660,000 | 1,660,000 | - | 0.0% | 1,660,000 |
| | Revenue from Property Taxes | 10,990,000 | 10,990,000 | 273,866 | 2.5% | 10,990,000 |
| 3131 | Documentary Transfer Tax | 650,000 | 650,000 | 130,769 | 20.1% | 650,000 |
| 3132 | Utility User's Tax | 2,500,000 | 2,500,000 | 357,264 | 14.3% | 2,500,000 |
| 3133 | Transient Occupancy Tax | 1,250,000 | 1,250,000 | 288,198 | 23.1% | 1,250,000 |
| 3133-01 | Transient Occupancy Tax - Private Rentals | 900,000 | 900,000 | 11,843 | 1.3% | 900,000 |
| 3134 | Franchise Fees | 775,000 | 775,000 | 81,758 | 10.5% | 775,000 |
| 3137 | Sales and Use Tax | 3,600,000 | 3,600,000 | 259,435 | 7.2% | 3,600,000 |
| 3138 | Parking Tax | 350,000 | 350,000 | 58,411 | 16.7% | 350,000 |
| | Revenue From Other Taxes | 10,025,000 | 10,025,000 | 1,187,678 | 11.8% | 10,025,000 |
| 3201 | Alarm Permits | 30,000 | 30,000 | 7,579 | 25.3% | 30,000 |
| 3202 | Film Permits | 475,000 | 475,000 | 99,709 | 21.0% | 475,000 |
| 3203 | Building Permits | 550,000 | 550,000 | 216,411 | 39.3% | 550,000 |
| 3203-01 | Code Enforcement - Special Investigations | 20,000 | 20,000 | 6,078 | 30.4% | 20,000 |
| 3204 | Wastewater Treatment System Permits | 35,000 | 35,000 | 12,794 | 36.6% | 35,000 |
| 3205 | Plumbing Permits | 90,000 | 90,000 | 23,208 | 25.8% | 90,000 |
| 3207 | Mechanical Permits | 60,000 | 60,000 | 15,582 | 26.0% | 60,000 |
| 3208 | Electrical Permit Fees | 120,000 | 120,000 | 45,087 | 37.6% | 120,000 |
| 3209 | Grading/Drainage Permit Fees | 60,000 | 60,000 | 21,427 | 35.7% | 60,000 |
| 3210 | Misc. Permits | 30,000 | 30,000 | 6,048 | 20.2% | 30,000 |
| 3418 | OWTS Operating Permit Fees | 320,000 | 320,000 | 58,171 | 18.2% | 320,000 |
| 3420 | Parking Permits | 2,000 | 2,000 | 366 | 18.3% | 2,000 |
| 3421 | Planning Review Fees | 950,000 | 950,000 | 254,837 | 26.8% | 950,000 |
| | Revenue From Licenses and Permits | 2,742,000 | 2,742,000 | 767,297 | 28.0% | 2,742,000 |
| 3250 | Parking Citations Fines | 475,000 | 475,000 | 174,806 | 36.8% | 475,000 |
| | Revenue From Fines and Forfeitures | 475,000 | 475,000 | 174,806 | 36.8% | 475,000 |
| 3314 | State Mandated Cost Reimbursement | 10,000 | 10,000 | - | 0.0% | 10,000 |
| 3318 | Street Sweeping Reimbursements | 40,000 | 40,000 | - | 0.0% | 40,000 |
| 3373 | Proposition A Recreation | 25,000 | 25,000 | - | 0.0% | 25,000 |
| | Revenue From Other Governments | 75,000 | 75,000 | - | 0.0% | 75,000 |
| 3408 | Biology Review Fees | 80,000 | 80,000 | 19,169 | 24.0% | 80,000 |
| 3409 | Document Retention Fees | 12,000 | 12,000 | 3,627 | 30.2% | 12,000 |
| 3410 | Building Plan Check Fees | 340,000 | 340,000 | 139,720 | 41.1% | 340,000 |
| 3410-01 | Administrative Plan Check Processing Fee | 20,000 | 20,000 | 5,918 | 29.6% | 20,000 |
| 3411 | Inspector Plan Check Fees | 210,000 | 210,000 | 42,624 | 20.3% | 210,000 |
| 3412 | Geo Soils Engineering Fees | 450,000 | 450,000 | 142,096 | 31.6% | 450,000 |
| 3413 | Other Plan Check Fees | 30,000 | 30,000 | 8,732 | 29.1% | 30,000 |
| 3414 | Environmental Health Review Fees | 250,000 | 250,000 | 117,653 | 47.1% | 250,000 |
| 3415 | Grading/Drainage Plan Review Fees | 35,000 | 35,000 | 4,702 | 13.4% | 35,000 |
| 3416 | Code Enforcement Investigation Fees | 10,000 | 10,000 | 3,207 | 32.1% | 10,000 |
| 3419 | Credit Card Fees | 15,000 | 15,000 | 6,520 | 43.5% | 15,000 |
| 3422 | OWTS Practinoners Fees | 2,500 | 2,500 | 846 | 33.8% | 2,500 |
| 3425 | CA Building Standards Surcharge | 1,000 | 1,000 | 885 | 88.5% | 1,000 |
| 3426 | EIR Review Fees | 50,000 | 50,000 | - | 0.0% | 50,000 |
| 3427 | Technology Enhancement Fee | 8,500 | 8,500 | 3,250 | 38.2% | 8,500 |
| 3431 | Public Works/Engineering Fees | 250,000 | 250,000 | 50,946 | 20.4% | 250,000 |
| 3432 | SUSMP Fees | 13,000 | 13,000 | 7,191 | 55.3% | 13,000 |
| 3433 | Banner Hanging Fees | 500 | 500 | - | 0.0% | 500 |
| 3434 | TOT Registration Fees | 500 | 500 | 275 | 55.0% | 500 |
| 3435 | Admin Permit Processing Fees | 65,000 | 65,000 | 21,638 | 33.3% | 65,000 |
| 3436 | Electric Vehicle Charger Fees | 15,000 | 15,000 | - | 0.0% | 15,000 |
| 3441 | Sale of Publications and Materials | 9,000 | 9,000 | 2,042 | 22.7% | 9,000 |

| Object | Description | 2016-2017 Adopted | Amended Budget | Received 9/30/2016 | Percentage Received | 2016-2017 Projected |
|--|--|----------------------|-------------------|-----------------------|------------------------|------------------------|
| General Fund (Continued) | | | | | | |
| 3443 | Emergency Preparedness Charges | 1,500 | 1,500 | 1,100 | 73.3% | 1,500 |
| 3444 | Returned Check Service Fees | 250 | 250 | 250 | 100.0% | 250 |
| 3446 | Vehicle Release Impound Fees | 20,000 | 20,000 | 1,860 | 9.3% | 20,000 |
| 3447 | Election Fees | 2,500 | 2,500 | 2,508 | 100.3% | 2,500 |
| 3448 | Subpoena Fees | 2,500 | 2,500 | 681 | 27.2% | 2,500 |
| 3449 | False Alarm Service Charge | 12,000 | 12,000 | 2,172 | 18.1% | 12,000 |
| 3450 | Residential Decals | 500 | 500 | 250 | 50.0% | 500 |
| 3451 | Passport Processing Fees | 40,000 | 40,000 | 9,040 | 22.6% | 40,000 |
| 3461 | Municipal Facility Use Fees | 63,000 | 63,000 | 14,206 | 22.5% | 63,000 |
| 3464 | Youth Sports Program | 80,000 | 80,000 | 26,084 | 32.6% | 80,000 |
| 3465 | Teen Program | 11,500 | 11,500 | 2,055 | 17.9% | 11,500 |
| 3466 | Aquatics Program | 140,000 | 140,000 | 79,260 | 56.6% | 140,000 |
| 3467 | Day Camp | 84,000 | 84,000 | 17,664 | 21.0% | 84,000 |
| 3468 | Senior Adult Program | 21,000 | 21,000 | 6,442 | 30.7% | 21,000 |
| 3463/3470 | Recreation/Community Class Registration | 100,000 | 100,000 | 19,738 | 19.7% | 100,000 |
| 3472 | Special Events | 13,000 | 13,000 | 507 | 3.9% | 13,000 |
| | Revenue From Service Charges | 2,458,750 | 2,458,750 | 764,858 | 31.1% | 2,458,750 |
| 3501 | Interest Earnings | 60,000 | 60,000 | - | 0.0% | 60,000 |
| 3505 | City Hall Use Fees | 20,000 | 20,000 | 9,278 | 46.4% | 20,000 |
| | Use of Money and Property | 80,000 | 80,000 | 9,278 | 11.6% | 80,000 |
| 3600 | Proceeds from Grants | 50,000 | 50,000 | 425,436 | 850.9% | 50,000 |
| 3901 | Settlements | 5,000 | 5,000 | - | 0.0% | 5,000 |
| 3902 | Legal Fees | 2,500 | 2,500 | - | 0.0% | 2,500 |
| 3904 | TOT Private Rental Penalties | 5,000 | 5,000 | 198 | 4.0% | 5,000 |
| 3905 | Miscellaneous Reimbursements | 5,000 | 5,000 | 857 | 17.1% | 5,000 |
| 3940 | Sale of Surplus Property | 500 | 500 | - | 0.0% | 500 |
| 3943 | Miscellaneous Revenue | 5,000 | 5,000 | 1,147 | 22.9% | 5,000 |
| | Miscellaneous Revenue | 73,000 | 73,000 | 427,638 | 585.8% | 73,000 |
| Total General Fund | | 26,918,750 | 26,918,750 | 3,605,421 | 13.4% | 26,918,750 |
| 201 Gas Tax Fund | | | | | | |
| 3315 | Highway User's Fees | 275,216 | 275,216 | 69,169 | 25.1% | 275,216 |
| | Interest Earnings | 500 | 500 | - | 0.0% | 500 |
| | Total Gas Tax Fund | 275,716 | 275,716 | 69,169 | 25.1% | 275,716 |
| 202 Traffic Safety Fund | | | | | | |
| 3312 | Fines & Forfeitures | 300,000 | 300,000 | 32,441 | 10.8% | 300,000 |
| | Interest Earnings | 500 | 500 | - | 0.0% | 500 |
| | Total Traffic Safety Fund | 300,500 | 300,500 | 32,441 | 10.8% | 300,500 |
| 203 Proposition A Fund | | | | | | |
| 3371 | Prop A Funds | 220,000 | 220,000 | 58,162 | 26.4% | 220,000 |
| 3501 | Interest Earnings | 400 | 400 | - | 0.0% | 400 |
| | Total Proposition A Fund | 220,400 | 220,400 | 58,162 | 26.4% | 220,400 |
| 204 Proposition C Fund | | | | | | |
| 3372 | Prop C Funds | 175,000 | 175,000 | 48,248 | 27.6% | 175,000 |
| 3501 | Interest Earnings | 400 | 400 | - | 0.0% | 400 |
| | Total Proposition C Fund | 175,400 | 175,400 | 48,248 | 27.5% | 175,400 |
| 205 Measure R Fund | | | | | | |
| 3374 | Measure R Funds | 130,000 | 130,000 | 36,280 | 27.9% | 130,000 |
| 3501 | Interest Earnings | 300 | 300 | - | 0.0% | 300 |
| | Total Measure R fund | 130,300 | 130,300 | 36,280 | 27.8% | 130,300 |
| 206 Air Quality Management Fund | | | | | | |
| 3377 | AQMD Funds | 15,000 | 15,000 | - | 0.0% | 15,000 |
| 3501 | Interest Earnings | 50 | 50 | - | 0.0% | 50 |
| | Total Air Quality Management Fund | 15,050 | 15,050 | - | 0.0% | 15,050 |

| Object | Description | 2016-2017 Adopted | Amended Budget | Received 9/30/2016 | Percentage Received | 2016-2017 Projected |
|---|--|----------------------|-------------------|-----------------------|------------------------|------------------------|
| Special Revenue Funds (Continued) | | | | | | |
| 207 Solid Waste Management Fund | | | | | | |
| 3311 | Solid Waste Management Surcharge | 120,000 | 120,000 | 4,244 | 3.5% | 120,000 |
| 3434 | Recycling Fees | 15,000 | 15,000 | - | 0.0% | 15,000 |
| 3501 | Interest Earnings | 100 | 100 | - | 0.0% | 100 |
| 3600 | Grant Proceeds | 5,000 | 5,000 | - | 0.0% | 5,000 |
| | Total Solid Waste Management Fund | 140,100 | 140,100 | 4,244 | 3.0% | 140,100 |
| 208 Parkland Development Fund | | | | | | |
| 3135 | Parkland Development Fees | 15,000 | 15,000 | 21,404 | 142.7% | 15,000 |
| 3501 | Interest Earnings | 500 | 500 | - | 0.0% | 500 |
| | Total Park Development Fund | 15,500 | 15,500 | 21,404 | 138.1% | 15,500 |
| 209 Quimby Fund | | | | | | |
| 3501 | Interest Earnings | 100 | 100 | - | 0.0% | 100 |
| | Total Quimby Fund | 100 | 100 | - | 0.0% | 100 |
| 211 COPS (Brulte) Grant Fund | | | | | | |
| 3600 | Proceeds From Grants (Brulte) | 100,000 | 129,324 | - | 0.0% | 129,324 |
| | Total COPS (Brulte) Fund | 100,000 | 129,324 | - | 0.0% | 129,324 |
| 215 Community Development Block Grant Fund | | | | | | |
| 3600 | Proceeds From Grants | 106,979 | 106,979 | - | 0.0% | 106,979 |
| | Total Comm. Dev. Block Grant Fund | 106,979 | 106,979 | - | 0.0% | 106,979 |
| 225 Grants Fund | | | | | | |
| 3376 | TDA | - | - | - | 0.0% | - |
| 3600 | Proceeds From Grants | 11,604,894 | 11,604,894 | - | 0.0% | 11,604,894 |
| | Total Grants Fund | 11,604,894 | 11,604,894 | - | 0.0% | 11,604,894 |
| 290 Big Rock LMD Fund | | | | | | |
| 3116 | Big Rock Mesa Assessment | 284,311 | 284,311 | - | 0.0% | 284,311 |
| 3501 | Interest Earnings | 300 | 300 | - | 0.0% | 300 |
| | Total Big Rock LMD Fund | 284,611 | 284,611 | - | 0.0% | 284,611 |
| 291 Malibu Road LMD Fund | | | | | | |
| 3116 | Malibu Road Assessment | 51,549 | 51,549 | - | 0.0% | 51,549 |
| 3501 | Interest | 50 | 50 | - | 0.0% | 50 |
| | Total Malibu Road LMD Fund | 51,599 | 51,599 | - | 0.0% | 51,599 |
| 292 Calle Del Barco LMD Fund | | | | | | |
| 3116 | Calle Del Barco Assessment | 41,961 | 41,961 | - | 0.0% | 41,961 |
| 3501 | Interest | 200 | 200 | - | 0.0% | 200 |
| | Total Calle Del Barco LMD Fund | 42,161 | 42,161 | - | 0.0% | 42,161 |
| 712 Carbon Beach Undergrounding CFD Fund | | | | | | |
| 3915 | Carbon Beach Undergrounding Assessment | 240,657 | 240,657 | - | 0.0% | 240,657 |
| | Total Carbon Beach Undergrounding CFD | 240,657 | 240,657 | - | 0.0% | 240,657 |
| 713 Broad Beach Assessment District | | | | | | |
| 3915 | Broad Beach Undergrounding Assessment | 140,755 | 140,755 | - | 0.0% | 140,755 |
| | Total Broad Beach Undergrounding AD | 140,755 | 140,755 | - | 0.0% | 140,755 |
| 714 Civic Center Wastewater Treatment Facility CFD | | | | | | |
| 3915 | Bond Proceeds CFD 2012-1 | - | - | - | 0.0% | - |
| | Total CCWTF CFD | - | - | - | 0.0% | - |
| 715 Civic Center Wastewater Treatment Facility AD | | | | | | |
| 3915 | AD Proceeds 2015-1 | 37,815,757 | 37,815,757 | - | 0.0% | 37,815,757 |
| | Total CCWTF AD | 37,815,757 | 37,815,757 | - | 0.0% | 37,815,757 |
| Total Special Revenue Funds | | 51,660,479 | 51,689,803 | 269,948 | 0.5% | 51,689,803 |

| Object | Description | 2016-2017 Adopted | Amended Budget | Received 9/30/2016 | Percentage Received | 2016-2017 Projected |
|--|--------------------------------|----------------------|----------------------|-----------------------|------------------------|------------------------|
| 500 Legacy Park Project Fund | | | | | | |
| 3501 | Interest Earnings | 5,000 | 5,000 | - | 0.0% | 5,000 |
| 3505 | Proceeds from Rent | 2,096,219 | 2,096,219 | 461,450 | 22.0% | 2,096,219 |
| 3905 | Miscellaneous Revenue | 50,000 | 50,000 | - | 0.0% | 50,000 |
| Total Legacy Park Project Fund | | 2,151,219 | 2,151,219 | 461,450 | 21.5% | 2,151,219 |
| Total Legacy Park Project Fund | | 2,151,219 | 2,151,219 | 461,450 | 21.5% | 2,151,219 |
| 515 Civic Center Wastewater Treatment Facility (CCWWTF) | | | | | | |
| 3501 | Interest Earning | - | - | - | 0.0% | - |
| 3510 | Sewer Service Fees | - | - | 39,794 | 0.0% | 39,794 |
| Total Capital Improvements Fund | | - | - | 39,794 | 0.0% | 39,794 |
| Total Capital Projects Funds | | - | - | 39,794 | 0.0% | 39,794 |
| Internal Service Funds | | | | | | |
| 601 Vehicle Fund | | | | | | |
| 3951 | Vehicle Charges | 60,000 | 60,000 | - | 0.0% | 60,000 |
| Total Vehicle Fund | | 60,000 | 60,000 | - | 0.0% | 60,000 |
| 602 Information Technology Fund | | | | | | |
| 3952 | Information Technology Charges | 470,500 | 470,500 | - | 0.0% | 470,500 |
| Total Information Technology Fund | | 470,500 | 470,500 | - | 0.0% | 470,500 |
| Total Internal Service Funds | | 530,500 | 530,500 | - | 0.0% | 530,500 |
| Total Revenue - All Funds | | \$ 81,260,948 | \$ 81,290,272 | \$ 4,376,613 | 5.4% | \$ 81,330,066 |

Reconciliation of adopted to amended budget

Total 2015-2016 Adopted budget: \$ 81,260,948

| Account | Description | Amount | |
|---------------|---|--------|-------------------|
| 211-0000-3600 | Enhancing Law Enforcement Services (15/16) Brulte | 29,324 | Budget Adjustment |

Total Amendments 29,324

Total Amendment Budget **81,290,272**

EXPENDITURES BY FUND

September 30, 2016

| | | Adopted Budget | Amended Budget (1) | YTD Actual | % Spent | 2016-17 Projected |
|---|--|-------------------|-----------------------|------------------|--------------|----------------------|
| General Fund | | | | | | |
| Management Services | | | | | | |
| 7001 | City Council | \$ 526,550 | \$ 526,550 | \$ 248,321 | 47.2% | \$ 526,550 |
| 7003 | City Manager | 710,362 | 705,362 | 134,916 | 19.1% | 705,362 |
| 7005 | Legal Counsel | 705,273 | 705,273 | 102,266 | 14.5% | 705,273 |
| 7007 | City Clerk | 578,089 | 578,089 | 68,942 | 11.9% | 578,089 |
| Total Management Services | | 2,520,274 | 2,515,274 | 554,445 | 22.0% | 2,515,274 |
| Public Safety Services | | | | | | |
| 7021 | Emergency Preparedness | 212,008 | 234,008 | 35,140 | 15.0% | 234,008 |
| 7031 | Public Safety Services | 7,193,949 | 7,193,949 | 1,217,916 | 16.9% | 7,193,949 |
| Total Public Safety | | 7,405,957 | 7,427,957 | 1,253,056 | 16.9% | 7,427,957 |
| Administrative Services | | | | | | |
| 3010 | Civic Center Wastewater Treatment Facility | 126,000 | 126,000 | 4,222 | 3.4% | 126,000 |
| 7002 | Media Operations | 335,785 | 335,785 | 47,632 | 14.2% | 335,785 |
| 7054 | Finance | 1,164,675 | 1,164,675 | 207,497 | 17.8% | 1,164,675 |
| 7058 | Human Resources | 251,193 | 251,193 | 36,241 | 14.4% | 251,193 |
| 7059 | Non Departmental Services | 2,041,614 | 2,041,614 | 593,611 | 29.1% | 2,041,614 |
| 103-9050 | City Hall | 2,376,743 | 2,376,743 | 1,168,535 | 49.2% | 2,376,743 |
| Total Administrative Services | | 6,296,010 | 6,296,010 | 2,057,738 | 32.7% | 6,296,010 |
| Recreation Services | | | | | | |
| 4001 | General Recreation | 848,620 | 855,620 | 117,792 | 13.8% | 855,620 |
| 4002 | Aquatics | 265,326 | 265,326 | 64,888 | 24.5% | 265,326 |
| 4003 | Outdoor Recreation | 41,624 | 41,624 | 6,567 | 15.8% | 41,624 |
| 4004 | Day Camps | 94,979 | 94,979 | 39,450 | 41.5% | 94,979 |
| 4006 | Youth Sports | 127,677 | 127,677 | 15,492 | 12.1% | 127,677 |
| 4007 | Community Programs | 153,371 | 153,371 | 18,448 | 12.0% | 153,371 |
| 4008 | Senior Adult Programs | 148,984 | 148,984 | 30,821 | 20.7% | 148,984 |
| 4009 | Teen Programs | 69,322 | 69,322 | 12,082 | 17.4% | 69,322 |
| 4010 | Park Maintenance | 832,252 | 832,252 | 125,338 | 15.1% | 832,252 |
| 4011 | Special Events | 219,622 | 219,622 | 34,929 | 15.9% | 219,622 |
| Total Recreation Services | | 2,801,777 | 2,808,777 | 465,807 | 16.6% | 2,808,777 |
| Environmental & Sustainability Development | | | | | | |
| 2004 | Environmental & Building Safety | 1,790,105 | 1,790,105 | 367,650 | 20.5% | 1,790,105 |
| 2010 | Wastewater Management | 669,091 | 832,091 | 164,034 | 19.7% | 832,091 |
| 3003 | Clean Water Program | 245,159 | 245,159 | 65,674 | 26.8% | 245,159 |
| Total Env. & Community Development | | 2,704,355 | 2,867,355 | 597,358 | 20.8% | 2,867,355 |
| Planning Department | | | | | | |
| 2001 | Planning | 2,592,536 | 2,592,536 | 313,173 | 12.1% | 2,592,536 |
| 2012 | Code Enforcement | 225,486 | 225,486 | 39,904 | 17.7% | 225,486 |
| Total Planning Department | | 2,818,022 | 2,818,022 | 353,077 | 12.5% | 2,818,022 |
| Public Works/Engineering | | | | | | |
| 3001 | Street Maintenance | 875,961 | 875,961 | 86,753 | 9.9% | 875,961 |
| 3007 | City Facilities | 13,000 | 13,000 | 11,049 | 85.0% | 13,000 |
| 3008 | Public Works | 937,510 | 937,510 | 99,747 | 10.6% | 937,510 |
| Total Public Works | | 1,826,471 | 1,826,471 | 197,549 | 10.8% | 1,826,471 |
| Total General Fund | | 26,372,866 | 26,559,866 | 5,479,030 | 20.6% | 26,559,866 |

(1) The amended budget column includes the original budget amount plus encumbrance carryovers and any additional appropriations.

EXPENDITURES BY FUND

September 30, 2016

| | | Adopted Budget | Amended Budget (1) | YTD Actual | % Spent | 2016-17 Projected |
|--|--|-------------------|-----------------------|------------------|--------------|----------------------|
| Special Revenue Funds | | | | | | |
| 3001 | Street Maintenance | 530,000 | 530,000 | 132,500 | 25.0% | 530,000 |
| 3004 | Solid Waste Management | 133,190 | 133,190 | 15,005 | 11.3% | 133,190 |
| 3008 | Public Works | 270,000 | 270,000 | 67,500 | 25.0% | 270,000 |
| 3009 | Transportation Services | 209,000 | 209,000 | 31,553 | 15.1% | 209,000 |
| 6002 | Big Rock Mesa LMD | 416,361 | 416,361 | 26,141 | 6.3% | 416,361 |
| 6003 | Malibu Road LMD | 60,122 | 60,122 | 4,177 | 6.9% | 60,122 |
| 6004 | Calle del Barco LMD | 81,638 | 81,638 | 4,673 | 5.7% | 81,638 |
| 6005 | Carbon Beach Undergrounding CFD | 240,657 | 240,657 | 5,485 | 2.3% | 240,657 |
| 6006 | Broad Beach Undergrounding AD | 140,755 | 140,755 | 4,628 | 3.3% | 140,755 |
| 9049 | Civic Center Wastewater | - | - | - | 0.0% | - |
| 7031 | Public Safety | 100,000 | 129,324 | 32,106 | 24.8% | 129,324 |
| 7070 | Community | 6,979 | 6,979 | 1,164 | 16.7% | 6,979 |
| Total Special Revenue Funds | | 2,188,702 | 2,218,026 | 324,932 | 14.6% | 2,218,026 |
| Capital Project Funds | | | | | | |
| 310 | Capital Improvement Fund | | | | | |
| | 9002 Annual Street Overlay | 625,000 | 646,384 | - | 0.0% | 646,384 |
| | 9049 Civic Center Wastewater Improvements | 47,372,466 | 47,372,466 | 2,679,840 | 5.7% | 47,372,466 |
| | 9057 PCH Regional Traffic Messaging System | 300,000 | 300,000 | - | 0.0% | 300,000 |
| | 9058 PCH Intersection Improvements | 631,185 | 631,185 | - | 0.0% | 631,185 |
| | 9059 PCH Median Improvements | 350,000 | 350,000 | - | 0.0% | 350,000 |
| | 9061 Civic Center Way Improvements | 300,000 | 300,000 | - | 0.0% | 300,000 |
| | 9065 Malibu Community Labor Exchange | 125,000 | 125,000 | - | 0.0% | 125,000 |
| | 9066 PCH Signal Synchronization Imp. | 180,000 | 180,000 | - | 0.0% | 180,000 |
| | 9067 Speed Advisory Signs | 50,000 | 144,516 | - | 0.0% | 144,516 |
| | 9068 Bus Stop Shelters | 30,000 | 84,943 | 238 | 0.3% | 84,943 |
| | 9069 Paradise Cove Media Filters | 45,000 | 113,476 | - | 0.0% | 113,476 |
| | 9070 Civic Center Stormdrain Improvements | 100,000 | 118,578 | - | 0.0% | 118,578 |
| | 9071 PCH Shoulder Enhancements | 75,000 | 75,000 | - | 0.0% | 75,000 |
| | 9072 Marie Canyon Green Streets | 25,000 | 25,000 | - | 0.0% | 25,000 |
| | 9073 Stormdrain Trash Screens | 35,000 | 35,000 | - | 0.0% | 35,000 |
| Total Capital Project Funds | | 50,243,651 | 50,501,548 | 2,680,078 | 5.3% | 50,501,548 |
| Legacy Park Project Fund | | | | | | |
| 500 | 3003 Clean Water Program | 300,000 | 300,000 | - | 0.0% | 300,000 |
| | 3007 Stormwater Treatment Facilities | 300,000 | 300,000 | - | 0.0% | 300,000 |
| | 7004 Legacy Park Debt Service | 1,094,135 | 1,094,135 | - | 0.0% | 1,094,135 |
| | 7008 Legacy Park Operations | 384,750 | 394,050 | 148,217 | 37.6% | 394,050 |
| Total Legacy Park Project Fund | | 2,078,885 | 2,088,185 | 148,217 | 7.1% | 2,088,185 |
| Civic Center Wastewater Treatment Facility Fund | | | | | | |
| 515 | 3010 CCWWTF Sewer Services | - | - | 233 | 0.0% | 233 |
| Total Legacy Park Project Fund | | - | - | 233 | 0.0% | 233 |

(1) The amended budget column includes the original budget amount plus encumbrance carryovers and any additional appropriations.

EXPENDITURES BY FUND

September 30, 2016

| | | Adopted Budget | Amended Budget (1) | YTD Actual | % Spent | 2016-17 Projected |
|-------------------------------------|------------------------|----------------------|-----------------------|---------------------|--------------|----------------------|
| Internal Service Funds | | | | | | |
| 3005 | Vehicle | 86,000 | 86,000 | 9,006 | 10.5% | 86,000 |
| 7060 | Information Technology | 488,294 | 488,294 | 82,664 | 16.9% | 488,294 |
| Total Internal Service Funds | | 574,294 | 574,294 | 91,670 | 16.0% | \$ 574,294 |
| Total All Funds | | \$ 81,458,398 | \$ 81,941,919 | \$ 8,724,160 | 10.6% | \$ 81,942,152 |

(1) The amended budget column includes the original budget amount plus encumbrance carryovers and any additional appropriations.

PROJECTED FUND BALANCES

September 30, 2016

| FUND | Fund Balance July 1, 2016 (Unaudited) | Revenues Projected 9/30/2016 | Expenditures Projected 9/30/2016 | Transfers Budgeted 2016-2017 | Fund Balance Projected (Unaudited) |
|---|---|------------------------------------|--|------------------------------------|--|
| General Fund - Undesignated | \$ 23,286,777 | \$ 26,918,750 | \$ 26,559,866 | \$ (410,000) | \$ 23,235,661 |
| General Fund - Designated for CIPs | 239,320 | - | - | (239,320) | - |
| Designated for Deferred Maintenance | 1,056,016 | - | - | (70,000) | 986,016 |
| Designated for Landon Center | 1,000,000 | - | - | - | 1,000,000 |
| Designated for Water Quality Settlement | 250,000 | - | - | - | 250,000 |
| Total General Fund | 25,832,113 | 26,918,750 | 26,559,866 | (719,320) | 25,471,677 |
| Gas Tax Fund | 9,592 | 275,716 | 285,000 | - | 308 |
| Traffic Safety Fund | 18,455 | 300,500 | 273,000 | (50,000) | (4,045) |
| Proposition A Fund | 269,156 | 220,400 | 209,000 | - | 280,556 |
| Proposition C Fund | 32,979 | 175,400 | - | (175,000) | 33,379 |
| Measure R Fund | 36,928 | 130,300 | - | (130,000) | 37,228 |
| Air Quality Management Fund | 44,505 | 15,050 | - | - | 59,555 |
| Solid Waste Management Fund | 35,345 | 140,100 | 163,190 | - | 12,255 |
| Parkland Development In-Lieu Fund | 29,517 | 15,500 | - | - | 45,017 |
| Quimby Fund | 3,519 | 100 | - | - | 3,619 |
| COPS Brulte Grant Fund | - | 129,324 | 129,324 | - | - |
| CDBG | - | 106,979 | 6,979 | (100,000) | - |
| Grants Fund | - | 11,604,894 | 212,000 | (11,392,894) | - |
| Civic Center Wastewater Treatment Facility CFD | - | - | - | - | - |
| Civic Center Wastewater Treatment Facility AD | - | 37,815,757 | - | (37,815,757) | - |
| Big Rock LMD | 211,353 | 284,611 | 416,361 | - | 79,603 |
| Malibu Road LMD | 13,329 | 51,599 | 60,122 | - | 4,806 |
| Calle Del Barco LMD | 93,665 | 42,161 | 81,638 | - | 54,188 |
| Carbon Beach Undergrounding CFD | - | 240,657 | 240,657 | - | - |
| Broad Beach Assessment District | - | 140,755 | 140,755 | - | - |
| Total Special Revenue Funds | 798,343 | 51,689,803 | 2,218,026 | (49,663,651) | 606,469 |
| Capital Improvements | - | - | 50,501,548 | 50,501,548 | - |
| Total Cap. Imp. Funds | - | - | 50,501,548 | 50,501,548 | - |
| Legacy Park Project Fund | 890,104 | 2,151,219 | 2,088,185 | (118,577) | 834,561 |
| Total Legacy Fund | 890,104 | 2,151,219 | 2,088,185 | (118,577) | 834,561 |
| Civic Center Wastewater Treatment Facility | 6,446,341 | 39,794 | 233 | - | 6,485,902 |
| Total Civic Center Wastewater Treatment Fac. | 6,446,341 | 39,794 | 233 | - | 6,485,902 |
| Vehicle | 37,090 | 60,000 | 86,000 | - | 11,090 |
| Information Technology | 21,005 | 470,500 | 488,294 | - | 3,211 |
| Total Internal Service Funds | 58,095 | 530,500 | 574,294 | - | 14,301 |
| Total All Funds | \$ 34,024,996 | \$ 81,330,066 | \$ 81,942,152 | \$ - | \$ 33,412,910 |

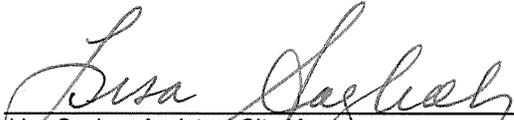
CITY OF MALIBU

**CITY TREASURER'S CASH AND INVESTMENTS REPORT
FOR THE QUARTER ENDING SEPTEMBER 30, 2016**

| <u>ACCOUNT</u> | <u>ISSUER</u> | <u>TYPE</u> | <u>AMOUNT</u> | <u>CURRENT YIELD</u> | <u>EARNINGS TO DATE*</u> | <u>MATURITY DATE</u> |
|-----------------------------------|-------------------------------------|-------------------|-----------------------------|----------------------|--------------------------|----------------------|
| Cash Operating | Wells Fargo Bank | Checking | \$ 1,624,827 | N/A | | N/A |
| Revolving Cash Fund | Internal | Petty Cash | 700 | N/A | N/A | N/A |
| Investments | Local Agency Investment Fund (LAIF) | State of CA | 24,893,067 | 0.60% | \$ 42,662 | 1 day |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 2.05% | | 11/13/2018 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.90% | | 5/16/2019 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 2.20% | | 11/16/2020 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.05% | | 11/18/2020 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.20% | | 5/11/2021 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 0.70% | | 3/6/2017 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.05% | | 3/6/2018 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.20% | | 3/6/2018 |
| Investments | Wells Fargo Advisors | Federal Home Loan | 250,000 | 1.05% | | 3/7/2018 |
| TOTAL CASH AND INVESTMENTS | | | <u>\$ 28,768,594</u> | | <u>\$ 42,662</u> | |

* LAIF Interest amount and yield for the quarter was not available as of the date of this report.

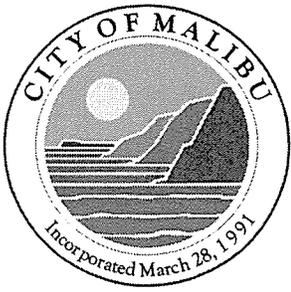
In compliance with Government Code Section 53646, the Treasurer hereby certifies that sufficient cash and anticipated revenues are available to meet the City's expenditure requirements for the next six months, and further, that all investments comply with the City Council's approved investment ordinances.

Prepared by: 
Lisa Soghor, Assistant City Manager

11/2/2016
Date

Reviewed by: 
Reva Feldman, City Manager

11/3/16
Date



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Adrian Fernandez, Senior Planner

Reviewed by: Bonnie Blue, Planning Director

Approved by: Reva Feldman, City Manager 

Date prepared: October 26, 2015 Meeting date: November 14, 2016

Subject: Amendments to Agreements for the Preparation of an Environmental Document for Malibu Memorial Park Project

RECOMMENDED ACTION: 1) Authorize the City Manager to execute Amendment No. 1 to Agreement (Attachment 1) with Impact Sciences, Inc. for the preparation of an initial study/mitigated negative declaration for the Malibu Memorial Park Project (Project); and 2) Authorize the City Manager to execute Amendment No. 1 to Agreement (Attachment 2) with the Green Acres, LLC (Developer) for the preparation of an initial study/mitigated negative declaration for the Project.

FISCAL IMPACT: There is no fiscal impact associated with approval of these amendments. The costs for the services are being paid from funds deposited by the applicant in Account No. 710-0000-2271-24 (Malibu Memorial Park and Chapel).

DISCUSSION: On February 4, 2016, the Council approved two agreements related to the Project: one with Impact Sciences, Inc. (Consultant) to prepare an initial study/mitigated negative declaration, and one with the Developer for reimbursement of the cost for the Consultant to prepare these documents. On September 30, 2016, the Consultant provided a proposed amendment to the Agreement with Impact Sciences, Inc. for additional revisions to the draft initial study due to project revisions. The original cost was estimated at \$23,450.00. The proposed amendment will add \$10,355.00 for a total of \$33,805.00.

In addition to amending the Agreement with Impact Sciences, Inc., it is necessary to also amend the Developer Reimbursement Agreement to reflect the increase in the Project budget, since the Developer pays the costs of the initial study/mitigated negative declaration.

A detailed breakdown of the agreement and amendment is provided in Table 1 below. A \$5,000 contingency has been included.

| Table 1 – Initial Study Agreements | |
|---|--------------------|
| AGREEMENTS | AMOUNT |
| Original Agreement | |
| Consultant Fee | \$23,450.00 |
| 30% City Administrative Fee | + \$ 7,035.00 |
| Subtotal | \$30,485.00 |
| Amendment | |
| Consultant Fee | \$ 5,355.00 |
| Contingency | \$ 5,000.00 |
| 30% City Administrative Fee | + \$ 1,606.50 |
| Subtotal | \$11,961.50 |
| Total | \$42,446.50 |

STAFF FOLLOW-UP: Upon City Council approval, the amendments to the agreements will be executed.

ATTACHMENTS:

1. Amendment No. 1 to Professional Services Agreement with Impact Sciences, Inc.
2. Amendment No. 1 to Developer Reimbursement Agreement with the Green Acres, LLC

AMENDMENT NO. 1 TO AGREEMENT

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on the 14th of November 2016, by and between the CITY OF MALIBU (hereinafter referred to as "City"), and IMPACT SCIENCES, INC. (hereinafter referred to as "Consultant").

The City and the Consultant agree as follows:

RECITALS

A. On February 4, 2016, the City entered into an Agreement with Consultant for the preparation of an initial study/mitigated negative declaration for the Malibu Memorial Park Project (the "Agreement") in the amount of \$23,450.

B. The City desires to amend the Agreement to cover the costs associated with additional revisions to the draft initial study/mitigated negative declaration and to carry out the rest of the Scope of Work.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree to amend the Agreement as follows:

- 1. Section 1.0 - Scope of the Consultant's Services is hereby amended as set forth in Exhibit A attached hereto.
- 2. Section 4.0 - Compensation for Services is hereby amended to increase the compensation by \$10,355 (including a \$5,000 contingency), bringing the total agreement amount to \$33,805.
- 3. All terms and conditions of the Agreement not amended by this Amendment remain in full force and effect.

This Agreement is executed on _____, 2016, at Malibu, California, and effective as of November 14, 2016.

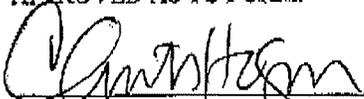
CITY OF MALIBU:

REVA FELDMAN, City Manager

ATTEST:

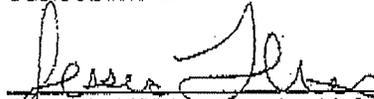
HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

CONSULTANT:



By: JESSICA KIRCHNER FLORES
Title: Managing Principal



28 North Marengo Avenue
Pasadena, California 91101
(626) 564-1500
www.impactsciences.com

VIA EMAIL

September 30, 2016

Mr. Adrian Fernandez, Senior Planner

City of Malibu

Planning Department

23825 Stuart Ranch Road

Malibu, California 90265

Re: Contract Amendment 1 for Malibu Memorial Park MND

Dear Mr. Fernandez:

As discussed, we have carefully reviewed amount of work left to complete the project, and the remaining budget. The primary purpose of this correspondence is to present an outline of the work remaining, along with a request for a contract amendment, to complete the required CEQA process.

As outlined in our original cost proposal, the CEQA process for the proposed project includes the following tasks:

- Task 1:** Technical Studies/Kickoff Meeting
- Task 2:** Prepare Admin Draft IS/MND
- Task 3:** Prepare and Circulate IS/MND
- Task 4:** Response to Comments/Final IS/MND
- Task 5:** Project Coordination

Our records indicate that the original budget for the project was \$23,450, which included one round of revisions in response to City comments on the Draft IS/MND and an allowance of \$250 for direct expenses.

To date, we have completed two rounds of revisions in response to City comments on the Draft IS/MND. At the City's request, we will undertake one additional round of review and revisions (outside of our original scope of work) in response to changes in

Exhibit A

Mr. Adrian Fernandez
City of Malibu, Planning Department
September 30, 2016
Page 2

the project description. We will also conduct a comprehensive review of the entire IS/MND. We have calculated the hours to complete this task as follows:

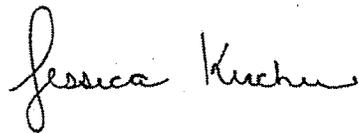
| | | |
|---------------------|-----------------------|-----------------|
| Managing Principal | 6 hours @ 185/hour | \$1,110 |
| Associate Principal | 16 hours @ 165/hour | \$2,640 |
| Staff Planner | 12 hours @ \$105/hour | \$1,260 |
| Graphics | 3 hours @ \$115/hour | \$345 |
| <i>Contingency</i> | | \$5,000 |
| TOTAL: | | \$10,355 |

Mr. Fernandez, we appreciate the opportunity to be of service to you and the City of Malibu, and we want to reiterate our commitment to assisting you in successfully completing the environmental review process for this project in as timely a manner as possible.

If you have any questions please do not hesitate to contact us.

Sincerely,

Impact Sciences, Inc.



Jessica Kirchner Flores, AICP
Managing Principal



Lynn Kaufman
Associate Principal

AMENDMENT NO. 1 TO AGREEMENT

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on the 14th of November 2016, by and between the CITY OF MALIBU (hereinafter referred to as "City"), and GREEN ACRES, LLC. (hereinafter referred to as "Developer").

The City and the Developer agree as follows:

RECITALS

A. On February 4, 2016, the City entered into an Agreement with Impact Sciences, Inc. (hereinafter referred to as "Consultant") for the preparation of initial study/mitigated negative declaration for the Malibu Memorial Park Project (hereinafter referred to as the "Project") in the amount of \$23,355.

B. The City desires to amend the Agreement to cover the costs associated with additional revisions to the draft initial study/mitigated negative declaration and to carry out the rest of the Scope of Work. The Consultant submitted a proposal dated September 30, 2016, attached hereto as Exhibit A, to amend the Scope of Work and increase the compensation by \$10,355 (including a \$5,000 contingency).

C. The Parties have agreed to amend the deposit under Agreement such that the total Agreement deposit will be \$42,446.50.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

1. Section 1 of the Agreement is amended to read as follows:

PAYMENT. Developer agrees to pay City in full for all costs and expenses incurred pursuant to the agreement between City and Consultant, selected by City to prepare the necessary documents for Developer's project. Developer agrees to pay City in full for all Consultant personnel (full-time, part-time and contract positions). The City estimates that the cost will be approximately \$33,805, plus thirty (30) percent management and administration fee to compensate for all City staff costs incurred in managing the agreement with Consultant in the amount of \$8,640.50. The total deposit amount of \$42,446.50 represents City's best estimate of Developer's ultimate obligations hereunder. To date, Developer has deposited the sum of \$30,485.00 and the Developer shall deposit the sum of \$11,961.50 upon execution of this amendment.

In the event City determines, based on the actual expense to complete the initial study/mitigated negative declaration for the Project, that its actual costs will exceed \$42,446.50, Developer shall pay to City upon demand in a lump sum the estimated cost of the excess. Work on the initial study/mitigated negative declaration for the Project shall be suspended until and unless said payment is made to City and, in such event, Developer shall be responsible for all costs incurred as a result of the suspension of work. If payment is not made within 30 days of written demand by the City, the coastal development permit application for the Project shall be deemed withdrawn by the Developer unless such time period is waived in writing by the City Manager.

After a final action is taken on the Project by the Planning Commission or City Council, or upon abandonment by Developer pursuant to Section 2 below, and satisfaction of all liabilities to Consultant and reimbursement of all City staff expense, City shall refund Developer any amount of Developer's payments which remain unexpended. If the

Agreement to Agreement
Green Acres, LLC
Page 2 of 2

deposit(s) is insufficient to meet City's obligations to Consultant, Developer shall pay any remaining amounts due.

- 2. All terms and conditions of the Agreement not amended by this Amendment remain in full force and effect.

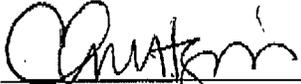
This Agreement is executed on _____, 2016, at Malibu, California, and effective as of November 14, 2016.

CITY OF MALIBU:

ATTEST:

HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:

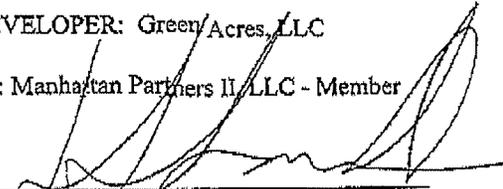


CHRISTI HOGIN, City Attorney

REVA FELDMAN, City Manager

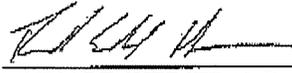
DEVELOPER: Green Acres, LLC

By: Manhattan Partners II, LLC - Member



HUSAMAND SOHAILI, Manager

By: RM REW, LLC - Member



RICHARD WEINTRAUB, Manager



28 North Marengo Avenue
Pasadena, California 91101
(626) 564-1500
www.impactsciences.com

VIA EMAIL

September 30, 2016

Mr. Adrian Fernandez, Senior Planner

City of Malibu

Planning Department

23825 Stuart Ranch Road

Malibu, California 90265

Re: Contract Amendment 1 for Malibu Memorial Park MND

Dear Mr. Fernandez:

As discussed, we have carefully reviewed amount of work left to complete the project, and the remaining budget. The primary purpose of this correspondence is to present an outline of the work remaining, along with a request for a contract amendment, to complete the required CEQA process.

As outlined in our original cost proposal, the CEQA process for the proposed project includes the following tasks:

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Exhibit A

Mr. Adrian Fernandez
City of Malibu, Planning Department
September 30, 2016
Page 2

the project description. We will also conduct a comprehensive review of the entire IS/MND. We have calculated the hours to complete this task as follows:

| | | |
|---------------------|-----------------------|-----------------|
| Managing Principal | 6 hours @ 185/hour | \$1,110 |
| Associate Principal | 16 hours @ 165/hour | \$2,640 |
| Staff Planner | 12 hours @ \$105/hour | \$1,260 |
| Graphics | 3 hours @ \$115/hour | \$345 |
| <i>Contingency</i> | | \$5,000 |
| TOTAL: | | \$10,355 |

Mr. Fernandez, we appreciate the opportunity to be of service to you and the City of Malibu, and we want to reiterate our commitment to assisting you in successfully completing the environmental review process for this project in as timely a manner as possible.

If you have any questions please do not hesitate to contact us.

Sincerely,

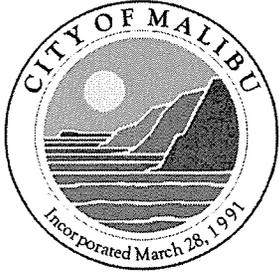
Impact Sciences, Inc.



Jessica Kirchner Flores, AICP
Managing Principal



Lynn Kaufman
Associate Principal



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Lisa Soghor, Assistant City Manager

Reviewed by: Reva Feldman, City Manager *RF*

Date prepared: November 1, 2016

Meeting date: November 14, 2016

Subject: Job Specifications for Media Technician and Information Systems Technician

RECOMMENDED ACTION: Adopt Resolution No. 16-47 rescinding Resolution No. 16-34 and approving the Authorized Positions and Salary Ranges for Fiscal Year 2016-2017 and approving the Media Technician and Information Technician job specifications.

FISCAL IMPACT: Funding for the revised job specifications was included in the Adopted Budget for Fiscal Year 2016-2017 in Account Nos. 100-7002 (Media Information) and 602-7060 (Information Systems).

DISCUSSION: On August 8, 2016, the Council adopted Resolution No. 16-34 approving the Authorized Positions and Salary Ranges for Fiscal Year 2016-2017.

Since that time, staff has determined that changes are needed to the Authorized Positions and Salary Ranges. Currently, the City has a job specification for a Media and Technology Technician. Staff is proposing re-titling the position and separating the duties of the Media Information Office and the Information Systems Division to more accurately reflect the needs of the City.

Media Technician: The proposed salary range for the Media Technician will remain at the same level as the previously titled position of Media and Technology Technician at \$49,494 to \$64,342 a year. For Fiscal Year 2016-2017, the City has two budgeted positions of Media and Technology Technicians. One position is currently vacant. If the job specification is approved by Council, a recruitment will be conducted for a Media Technician.

Information Systems Technician: The Media and Technology Technician has previously provided support to both the Information Systems Division and the Media Information Office. As the City's information systems have expanded, it is now necessary to establish a position that provides support to just the Information Systems Division. The proposed salary for the Information Systems Technician is \$49,494 to \$64,342 a year. These services are currently being provided by contract personnel.

The A&F Subcommittee discussed the proposed revisions on November 1, 2016, and recommended that the Council approve the recommended action.

ATTACHMENTS: Resolution No. 16-47

RESOLUTION NO. 16-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU RESCINDING RESOLUTION NO. 16-34, APPROVING THE AUTHORIZED POSITIONS AND SALARY RANGES FOR FISCAL YEAR 2016-2017 AND APPROVING THE MEDIA TECHNICIAN AND INFORMATION TECHNICIAN JOB SPECIFICATIONS

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. On June 27, 2016, the City Council adopted Resolution No. 16-34 approving the Authorized Positions and Salary Ranges for Fiscal Year 2016-2017.

SECTION 2. Since June 27, 2016, changes to the Authorized Positions and Salary Ranges for Fiscal Year 2016-2017 are needed.

SECTION 3. Resolution No. 16-34 is hereby rescinded.

SECTION 4. The Media Technician and Information Systems Technician Job Specifications, as set forth in Exhibit A, are hereby approved.

SECTION 5. The City Council has reviewed the updated Authorized Positions and Salary Ranges for Fiscal Year 2016-2017 as set forth in Exhibit B.

SECTION 6. The Authorized Positions and Salary Ranges for Fiscal Year 2016-2017 incorporated herein by this reference are hereby approved.

SECTION 7. This resolution shall become effective on November 14, 2016.

SECTION 8. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

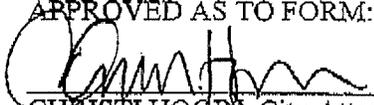
PASSED, APPROVED AND ADOPTED this 14th day of November 2016.

LOU LA MONTE, Mayor

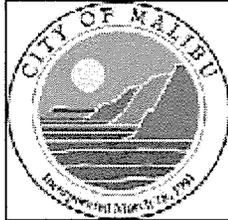
ATTEST:

HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney



CITY OF MALIBU

MEDIA TECHNICIAN

Class Description
November 2016
FLSA: Non-exempt

DEFINITION

Under general supervision, assists with the City's Media Information Office, including television broadcasting, website, and social media programs; implements and produces the City's television activities; assists with information dissemination, public relation activities, website and municipal cable television channel content, telecommunications activities; and performs related duties as required.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision by the Assistant City Manager. May exercise functional supervision over technical staff.

CLASS CHARACTERISTICS

This position assists with the City's cable television activities and media information programs as needed. The incumbent must be able to work closely with all operating departments of the City, representatives of other organizations, and be able to work independently in a productive and efficient manner without direct supervision. The incumbent is accountable for accomplishing unit planning and operational goals and objectives and for furthering City goals and objectives within general policy guidelines. Assignments allow for a high degree of administrative discretion in the day-to-day operations of the assigned function.

EXAMPLES OF ESSENTIAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Assists with the development and implementation of City television production facilities, activities and services
- Assists with recording City-sponsored and community events, including City Council, Commissions and School District meetings
- Assists with the broadcasts on the City's government television station
- Monitors technical, operational and other performance standards pursuant to franchise agreements between the City and cable corporations
- Monitors programs on the City's government cable channel, website and social media outlets for technical and/or production problems
- Creates, updates and maintains community calendar, station identification announcements and the graphic programming portion of the City's government cable channel and website
- Programs County and State public service announcements, and creates public service announcements for Malibu-related public service for the City's government television channel, website and social media outlets
- Promotes television, website and social media outlets to residents, non-profit organizations, educators, businesses, potential users and viewers

Media Technician
Page 2

- Performs digital duplication services for public requests of City meetings or public hearings and collects duplication fees payable to the City
- Helps maintain digital archive library of City meetings
- Responds to and investigates citizen and subscriber complaints and inquiries
- Assists with broadcasting for Emergency Alert System and content for City's Emergency Notification System
- Represents the City in meetings with members of the City Council, various governmental agencies and local public and private organizations
- Maintains and cleans video, audio and other equipment as needed
- Assists with the City's media information program including website design, development and analytics
- Prepares and creates a variety of written correspondence, detailed reports, procedures, and other written materials
- Attends training and professional development seminars related to the work
- Monitors changes in laws, regulations and technology that may affect unit operations; implements policy and procedural changes as required
- Maintains on-call status for emergency situations
- Performs other duties as assigned

QUALIFICATIONS

Knowledge of:

- Principles and practices of television production, camera systems, editing systems, web page design, FTP, computer graphics and digital photography
- Operation of audio, video and a variety of related equipment
- Current principles, techniques and objectives of public information and media relations programs including social networking
- English usage, spelling, grammar and punctuation
- Computer operation and software programs, including graphic design programs
- Techniques for effectively representing the City in contacts with governmental agencies, community groups and various business, professional, educational and governmental organizations
- Techniques for dealing effectively with the public, vendors, contractors and City staff, in person and over the telephone
- Techniques for providing a high level of customer service to the public and City staff, in person and over the telephone

Skill in:

- Developing, implementing and evaluating comprehensive cable television and telecommunications programs, websites and operations
- Performing difficult cable television and telecommunication system and computer operation, installation, repair, and maintenance work involving the use of independent judgment and personal initiative
- Knowledge of computer technology
- Wireless network management including mobile devices
- Operating, installing, maintaining, configuring, and troubleshooting a variety of highly technical computer equipment and peripherals
- Preparing and maintaining accurate and complete records

Media Technician
Page 3

- Preparing clear and concise reports
- Effectively representing the department and the City in meetings with governmental agencies, community groups and various business, professional, educational and governmental organizations
- Exercising good judgment, flexibility, creativity, and sensitivity in response to changing situations and needs
- Using English effectively to communicate in person, over the telephone and in writing
- Using tact, initiative, prudence and independent judgment within general policy, procedural and legal guidelines
- Establishing and maintaining effective working relationships with those contacted in the course of the work

Education and Experience:

Any combination of training and experience that would provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required qualifications would be:

Bachelor of Arts degree in journalism, public relations, public affairs, communications, television, information technology or related field, and three (3) years of experience performing information systems support, television production or media operations.

License:

Must possess and maintain a valid California Class C driver's license and have a satisfactory driving record.

PHYSICAL DEMANDS

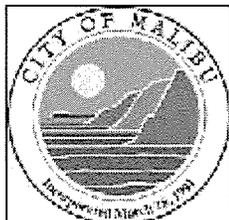
Must possess mobility to work in a production/office setting and use standard office and cable television equipment, including a computer; to operate a motor vehicle and to visit various City sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups and over the telephone. This is primarily a sedentary office classification, although standing in work areas and walking between work areas may be required. Finger dexterity is needed to access, enter and retrieve data using a computer keyboard, typewriter keyboard or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push and pull drawers open and closed to retrieve and file information. Positions in this classification occasionally lift and carry office and production materials, cable, telecommunications and other equipment, reports and records that typically weigh less than 50 pounds.

ENVIRONMENTAL ELEMENTS

Employees work in an office environment with moderate noise levels, controlled temperature conditions and no direct exposure to hazardous physical substances. May work out-of-doors in all weather conditions to direct the operation of telecasts and operate equipment. May travel to sites outside of the City. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

WORKING CONDITIONS

May be required to work evening, weekend and holiday hours, special events and overtime.



CITY OF MALIBU

INFORMATION SYSTEMS TECHNICIAN

Class Description
November 2016
FLSA: Non-exempt

DEFINITION

Under general supervision, plans, coordinates and implements the activities, operations and duties in support of the City's information systems and networking infrastructure; coordinates assigned activities with other departments and divisions, outside agencies, and the general public; provides complex professional staff assistance in areas of expertise; and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision by the Information Systems Manager. May exercise functional supervision over technical and clerical staff.

CLASS CHARACTERISTICS

This single-position class assists with the implementation and maintenance of the City's computer network infrastructure, including hardware, operating systems, and desktop/network applications. Responsibilities include assisting with the maintenance of network fire walls, routers and switches, administering the e-mail system, and providing technical support to City staff and City Councilmembers.

EXAMPLES OF ESSENTIAL JOB FUNCTIONS(Illustrative Only)

Management reserves the right to add, modify, change or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Under direction from the Information Systems Manager, provides support to the City's information systems program
- Assists with the day-to-day operations of the City's technology needs; implements system upgrades; installs new and additional hardware and software as required; replaces, repairs, upgrades, and maintains system hardware and software
- Assists with the administration and management of the City's Windows and Linux base network environment, such as the MS Exchange 2000 server, SQL2000 server, ColdFusion Server, MySQL, Apache server, MS Project 2000 server, Intranet, SpringBrook (finance application server that runs on PROGRESS V9 SQL server), print server, and fax server; provides direct support and training for network users
- Provides support and training for remote users (VPN)
- Provides support for fire wall appliances, web server, mail server, VPN connections, and wireless network
- Assists with disaster recovery plans and procedures

Information Systems Technician
Page 2

- Monitors the performance of the information systems; tracks possible problem areas affecting response time, and provides for correction of problems and improvement in performance
- Assists with administering and maintaining City-wide telephone system, including cellular and wireless phones, and a variety of other office automation, communications, and equipment; performs diagnostic testing and analysis in troubleshooting and repair of the City phone system (PBX), voicemail server and phone extensions
- Assists in developing and implementing back-up policies and procedures; performs system back-ups
- Assists in developing, implementing, maintaining, and enforcing policies and procedures for information technology operations
- Assists with the configuration, installation and maintenance of personal computers, cabling, and peripherals
- Conducts formal and informal training programs on the use and operation of various telecommunications and computer systems hardware and software
- Maintains and compiles an electronic documentation library of user procedures manuals, technical references, training manuals, handbooks and guides; maintains logs, charts, diagrams and testing data for City's data, voice and video networks
- Responds to and resolves difficult inquiries and complaints
- Attends and participates in professional group meetings; stays abreast of new trends, innovations, equipment, and languages used in computer systems, information technology, word processing, spreadsheets, databases, graphics, and desktop publishing
- Provides emergency response to reduce downtime, corrects errors, monitors vendor activity, off-hours scheduled maintenance and system failures or on as-needed basis
- Provides support consistent with IEEE 802.16 standards
- Assists in developing, planning, implementing and administering division goals, objectives, policies and procedures; assists with the preparation and implementation of the IS budget
- Performs other duties as assigned

QUALIFICATIONS

Knowledge of:

- Enterprise systems, including engineering and administration
- Operational characteristics, services, and activities of information systems
- Modern and complex principles and practices of computer systems management, analysis, design, programming, and maintenance
- Design, operations, properties, and capabilities of networks and network cabling
- Various software packages, including word processing, spreadsheet, data processing, graphics and desktop publishing applications and programs
- Principles of telecommunications, including basic telephone wiring and telephone configurations, database, data communication, and operating systems
- Operation and care of computer equipment
- Procedures for repairing microcomputers, computer networks, peripheral devices, and telecommunications equipment
- Data processing management and general administration practices and techniques
- Operating characteristics, capabilities, capacities, and limitations of computer-related peripheral equipment

Information Systems Technician
Page 3

- Modern office practices, methods, and equipment
- Principles and procedures of recordkeeping and reporting
- Research techniques, methods, and procedures
- Occupational hazards and standard safety practices necessary in the area of computer operations
- Techniques for dealing effectively with the public, vendors, contractors and City staff, in person and over the telephone
- Techniques for providing a high level of customer service to public and City staff, in person and over the telephone

Skill in:

- Implementing comprehensive computer and telecommunications operations-related projects and training programs
- Performing telecommunications and computer information system operation, installation, repair, and maintenance work involving the use of independent judgment and personal initiative
- Computer technology awareness and evaluations
- Wireless network management, including mobile devices
- Operating, installing, maintaining, configuring, and troubleshooting a variety of technical computer equipment and peripherals
- Training individuals or groups in using computer system hardware and software in an easy-to-understand manner
- Monitoring and supporting networks
- Responding to requests and inquiries from end-users
- Exercising good judgment, flexibility, creativity, and sensitivity in response to changing situations and needs
- Using English effectively to communicate in person, over the telephone and in writing
- Using tact, initiative, prudence and independent judgment within general policy, procedural and legal guidelines
- Establishing and maintaining effective working relationships with those contacted in the course of the work

Education and Experience:

Any combination of training and experience that would provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required qualifications would be:

Equivalent to graduation from an accredited four-year college or university with major coursework in computer science, information technology, business administration, or a related field, and three (3) years of recent related responsible computer systems, systems analysis, network management, or related experience.

License:

Must possess and maintain a valid California Class C driver's license and have a satisfactory driving record. Microsoft Certified Software Engineer or Certified Netware Engineer is desirable.

Information Systems Technician
Page 4

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; to operate a motor vehicle and to visit various City sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups and over the telephone. This is primarily a sedentary office classification, although standing in work areas and walking between work areas may be required. Finger dexterity is needed to access, enter and retrieve data using a computer keyboard, typewriter keyboard or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push and pull drawers open and closed to retrieve and file information. Positions in this classification occasionally lift and carry computer and other equipment, reports and records that typically weigh less than 40 pounds.

ENVIRONMENTAL ELEMENTS

Employees work in an office environment with moderate noise levels, controlled temperature conditions and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

WORKING CONDITIONS

May be required to work on evenings, weekends and holidays.

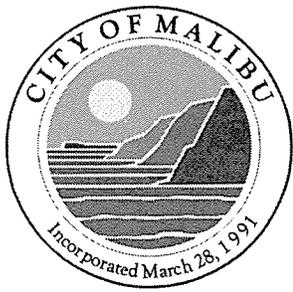
**CITY OF MALIBU
AUTHORIZED PERSONNEL
FY 2016 - 2017**

| | 2015-2016 Adopted | 2016-2017 Proposed |
|---------------------------------------|----------------------|-----------------------|
| MANAGEMENT SERVICES | | |
| City Manager | 1.00 | 1.00 |
| Assistant to the City Manager | 0.00 | 1.00 |
| Executive Assistant | 1.00 | 1.00 |
| City Clerk | 1.00 | 1.00 |
| Human Resources Manager | 0.00 | 1.00 |
| Human Resources Analyst | 1.00 | 0.00 |
| Human Resources Technician | 0.00 | 1.00 |
| Media Information Officer | 1.00 | 1.00 |
| Media Technician | 2.00 | 1.00 |
| Information Systems Technician | 0.00 | 1.00 |
| Emergency Services Coordinator | 1.00 | 1.00 |
| Deputy City Clerk | 1.00 | 1.00 |
| Intern (Graphic Design) | 0.50 | 0.50 |
| Student Interns | 3.43 | 3.43 |
| Total | 14.93 | 14.93 |
| ADMINISTRATIVE SERVICES | | |
| Assistant City Manager | 1.00 | 1.00 |
| Finance Manager | 1.00 | 1.00 |
| Information Systems Manager | 0.00 | 1.00 |
| Information Systems Administrator | 1.00 | 0.00 |
| Financial Analyst | 0.00 | 1.00 |
| Sr. Accounting Technician | 1.00 | 0.00 |
| Sr. Accounting Clerk | 1.00 | 1.00 |
| Accounting Clerk | 0.00 | 1.00 |
| PW Maintenance Worker | 1.00 | 1.00 |
| Office Assistant/Receptionist | 1.00 | 1.00 |
| Office Assistant | 1.00 | 1.00 |
| Total | 8.00 | 9.00 |
| ENVIRONMENTAL SUSTAINABILITY | | |
| ESD Director/Building Official | 1.00 | 1.00 |
| ESD Manager/Deputy Building Official | 1.00 | 1.00 |
| Environmental Programs Manager | 1.00 | 0.00 |
| Environmental Health Administrator | 0.00 | 1.00 |
| Certified Plans Examiner | 1.00 | 1.00 |
| Sr. Building Inspector | 1.00 | 1.00 |
| Building Inspector | 2.00 | 2.00 |
| Sr. Environmental Program Coordinator | 1.00 | 1.00 |
| Environmental Programs Specialist | 1.00 | 1.00 |
| Sr. Administrative Assistant | 1.00 | 1.00 |
| Administrative Assistant | 1.00 | 1.00 |
| Sr. Permit Services Technician | 2.00 | 2.00 |
| Wastewater Man. Program Analyst | 1.00 | 1.00 |
| Office Assistant | 1.00 | 1.00 |
| Office Assistant (Part-time) | 0.50 | 0.50 |
| Total | 15.50 | 15.50 |

**CITY OF MALIBU
AUTHORIZED PERSONNEL
FY 2016 - 2017**

| | 2015-2016 Adopted | 2016-2017 Proposed |
|---|----------------------|-----------------------|
| PLANNING DEPARTMENT | | |
| Planning Director | 1.00 | 1.00 |
| Planning Manager | 1.00 | 1.00 |
| Senior Planner | 2.00 | 3.00 |
| Associate Planner | 4.00 | 3.00 |
| Assistant Planner | 2.00 | 2.00 |
| Planning Technician | 2.00 | 2.00 |
| Senior Code Enforcement Officer | 1.00 | 1.00 |
| Code Enforcement Officer | 1.00 | 1.00 |
| Senior Administrative Analyst | 1.00 | 1.00 |
| Senior Administrative Assistant | 1.00 | 1.00 |
| Office Assistant | 3.00 | 3.00 |
| Planning Intern (Part-time) | 0.50 | 0.50 |
| | <u>19.50</u> | <u>19.50</u> |
| PUBLIC WORKS | | |
| Public Works Director/City Engineer | 1.00 | 1.00 |
| Assistant Public Works Director/City Engineer | 1.00 | 1.00 |
| Associate Civil Engineer | 0.00 | 1.00 |
| Assistant Civil Engineer | 1.00 | 2.00 |
| Public Works Superintendent | 1.00 | 1.00 |
| Public Works Inspector | 1.00 | 1.00 |
| Administrative Analyst | 1.00 | 1.00 |
| Administrative Assistant | 1.00 | 1.00 |
| Total | <u>7.00</u> | <u>9.00</u> |
| RECREATION SERVICES | | |
| Recreation Director | 1.00 | 1.00 |
| Recreation Manager | 1.00 | 1.00 |
| Recreation Supervisor | 1.00 | 1.00 |
| Parks Supervisor | 1.00 | 1.00 |
| Administrative Assistant | 1.00 | 1.00 |
| Recreation Coordinator | 3.00 | 3.00 |
| Parks Maintenance Worker | 1.00 | 1.00 |
| Lifeguards (Part-time) | 3.07 | 3.01 |
| Recreation Assistants (Part-time) | 7.37 | 7.36 |
| Total | <u>19.44</u> | <u>19.37</u> |
| TOTAL EMPLOYEES | <u>69.44</u> | <u>87.30</u> |

| CITY OF MALIBU AUTHORIZED POSITIONS AND SALARY RANGES | | |
|--|--------------|---------|
| 2016-2017 | | |
| Classification | Salary Range | |
| City Manager | 215,000 | |
| Assistant City Manager | 144,758 | 188,185 |
| Public Works Director/City Engineer | 137,897 | 179,266 |
| Environmental Sustainability Department Director/Building Official | 137,897 | 179,266 |
| Parks & Recreation Director | 128,198 | 166,658 |
| Planning Director | 128,198 | 166,658 |
| Assistant Public Works Director/City Engineer | 110,749 | 143,974 |
| Planning Manager | 110,749 | 143,974 |
| ESD Manager/Deputy Building Official | 110,749 | 143,974 |
| Finance/Accounting Manager | 108,045 | 140,459 |
| Permit Services & Code Enforcement Manager | 100,447 | 130,581 |
| Senior Civil Engineer | 100,447 | 130,581 |
| City Clerk | 100,447 | 130,581 |
| Environmental Programs Manager | 97,628 | 126,917 |
| Public Works Superintendent | 97,623 | 126,909 |
| Information Systems Manager | 95,667 | 124,367 |
| Associate Civil Engineer | 86,767 | 112,798 |
| Environmental Health Administrator | 86,767 | 112,798 |
| Information Systems Administrator | 86,767 | 112,798 |
| Principal Planner | 86,767 | 112,798 |
| Senior Planner | 82,995 | 107,894 |
| Assistant to City Manager | 82,995 | 107,894 |
| Recreation Manager | 81,362 | 105,771 |
| Certified Plans Examiner | 79,046 | 102,760 |
| Senior Environmental Programs Coordinator | 79,046 | 102,760 |
| Human Resources Manager | 79,046 | 102,760 |
| Senior Administrative Analyst | 76,779 | 99,812 |
| Assistant Civil Engineer | 74,957 | 97,445 |
| Executive Assistant | 72,870 | 94,730 |
| Environmental Programs Coordinator | 71,384 | 92,800 |
| Financial Analyst | 71,384 | 92,800 |
| Associate Planner | 71,222 | 92,588 |
| Media Information Officer | 70,747 | 91,971 |
| Recreation Supervisor | 70,747 | 91,971 |
| Parks Supervisor | 69,770 | 90,701 |
| Senior Building Inspector | 69,644 | 90,537 |
| Senior Code Enforcement Officer | 69,643 | 90,536 |
| Senior Public Works Inspector | 69,555 | 90,421 |
| Emergency Services Coordinator | 68,316 | 88,810 |
| Administrative Analyst | 66,326 | 86,224 |
| Human Resources Analyst | 66,326 | 86,224 |
| Senior Accounting Technician | 62,758 | 81,586 |
| Senior Recreation Coordinator | 61,522 | 79,979 |
| Assistant Planner | 60,703 | 78,914 |
| Building Inspector | 60,166 | 78,216 |
| Code Enforcement Officer | 60,166 | 78,216 |
| Deputy City Clerk | 60,166 | 78,216 |
| Environmental Programs Specialist | 59,866 | 77,826 |
| Public Works Inspector | 58,727 | 76,345 |
| Senior Parks Maintenance Worker - Resident* | 58,247 | 75,721 |
| Senior Public Works Maintenance Worker | 57,301 | 74,492 |
| Senior Permit Services Technician | 57,301 | 74,492 |
| Senior Administrative Assistant | 57,301 | 74,492 |
| Planning Technician | 57,301 | 74,492 |
| Recreation Coordinator | 55,931 | 72,710 |
| Accounting Technician | 54,573 | 70,945 |
| Human Resources Technician | 54,170 | 70,421 |
| Public Works Maintenance Worker | 50,383 | 65,497 |
| Administrative Assistant | 50,383 | 65,497 |
| Parks Maintenance Worker | 50,383 | 65,497 |
| Permit Services Technician | 49,494 | 64,342 |
| Media Technician | 49,494 | 64,342 |
| Information Systems Technician | 49,494 | 64,342 |
| Records Management Specialist | 47,304 | 61,495 |
| Wastewater Management Program Analyst | 47,184 | 61,339 |
| Senior Accounting Clerk | 46,013 | 59,817 |
| Senior Office Assistant | 43,832 | 56,981 |
| Accounting Clerk | 43,090 | 56,017 |
| Office Assistant | 37,856 | 49,213 |
| Pool Manager | 33,493 | 43,541 |
| Part-Time Positions - Hourly Rates | | |
| Recreation Assistants I (Part-time) | 11.89 | 15.45 |
| Recreation Assistants II (Part-time) | 15.46 | 20.10 |
| Office Assistant (Part-time) | 13.91 | 18.08 |
| Intern (Part-time) | 12.88 | 16.74 |
| Lifeguards (Part-time) | 11.63 | 15.12 |
| Student Intern | 10.50 | 13.65 |
| * Housing provided and salary adjusted accordingly | | |



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Heather Glaser, City Clerk

Approved by: Reva Feldman, City Manager 

Date prepared: October 26, 2016 Meeting date: November 14, 2016

Subject: Amendments to Malibu Municipal Code Title 6 (Animals)

RECOMMENDED ACTION: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 411 amending Chapter 6.04 (Animals) of Title 6 (Animals) of the Malibu Municipal Code to re-adopt by reference the current language of Title 10 (Animals) of the Los Angeles County Code; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 411 for the December 12, 2016 Adjourned Regular City Council meeting.

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

DISCUSSION: On January 14, 2005, Council adopted Ordinance No. 272 amending Sections 6.04.010 and 6.04.020 of the Malibu Municipal Code (MMC), adopting by reference, Title 10, Animals, of the Los Angeles County (County) Code. On September 6, 2016, the County Board of Supervisors adopted many improvements to the County Code Title 10, Animals, which became effective on October 6, 2016. The changes adopted by the County removed unnecessary and redundant language and improved the excessive animal noise provision, implementing a fine process to resolve excessive animal noise complaints. A redline version of County Code Title 10 is included as Attachment 1 to this report.

The City contracts with the County of Los Angeles Department of Animal Care and Control for animal control services. Since the County has begun enforcing the revised Title 10, adoption of Ordinance No. 411 (Attachment 2) would bring the MMC up to date with the revised County Code Title 10 (MMC Section 6.04.010), and amend some of the language in MMC Section 6.04.020. Amendments to MMC Section 6.04.020 are outlined as follows:

10.08.031 Animal facility.

“Animal facility” means any animal related business or organization, including a non-profit humane organization¹ (as defined in Section 10.08.175), which is required to be licensed under Section 10.28.060.

For purposes of the animal facility grading program (Sections 10.08.032, 10.08.033, 10.08.155, 10.12.220, 10.20.045, 10.28.020, 10.28.040, 10.28.050, 10.28.060, 10.28.061, 10.28.090, ~~10.28.150~~², 10.28.160, 10.28.175, 10.28.270, 10.28.280, 10.28.290, 10.90.010) the following definitions shall apply:

- a. “Stables³” means any property, premises, building or structure maintained for the commercial lodging, feeding, or rental of horses and cattle.
- b. “Hobby breeder⁴” is any person, except for a person possessing a valid kennel license, who owns and breeds a female dog or cat and sells, two or more litters per calendar year for pay or for other compensation.
- c. “Pygmy pig breeder” is any person, who owns and breeds a pygmy pig (as defined in Section 10.08.205⁵) and sells two or more litters per calendar year for pay or for other compensation.
- d. “Dog kennel” means any lot, building, structure, enclosure or premises whereupon or wherein four or more dogs, over four months of age, are boarded, kept for sale, or kept for hire. For purposes of this section, a service dog licensed under Section 10.20.090 and serving a person who is disabled within the meaning of Government Code section 12926 subsection (i)⁶ or (j)⁷ is not counted toward the number of dogs kept or maintained, ~~while such dog is serving a person who is disabled within the meaning of Government Code Section 12926(i) or Government Code Section 12926(k)⁸.~~

¹ The County has amended the definition of non-profit humane organization in Section 10.08.175 to read: “an animal facility operating under section 501(c)(3) of the Internal Revenue Code, where animals are kept for redemption by owners, adoption, or sanctuary.”

² This section has been deleted in its entirety by the County because it duplicates section 10.28.050.

³ The definition of stables has been deleted from the County Code because the Department of Animal Care and Control does not license them.

⁴ The County defines “Hobby breeder” as a person who owns and breeds a dog or cat and sells the offspring for money or other consideration, and does not have an animal facility license.

⁵ The County defines “Pygmy pig” as a pig or hog commonly referred to as a Vietnamese pot-bellied pig, pygmy pig or mini-pig, that stands no higher than 20 inches at the shoulder and is no longer than 40 inches from the tip of the head to the end of the buttocks, and weighs no more than 120 pounds.

⁶ A person with a mental condition.

⁷ A person with a mental disability.

⁸ This section refers to persons who possess “military and veteran status;” the County has addressed “disabled veterans” by defining that term and by reducing pet licensing fees for these individuals.

e. ~~Cat Kennel:~~ “Cat kennel” means any lot, building, structure, enclosure or premises whereupon or wherein four or more cats, over four months of age, are boarded, kept for sale, or kept for hire. Up to five cats may be kept at any residence without a kennel license, provided the cats’ owner or custodian licenses each individual animal, has each animal spayed or neutered⁹ and keeps all cats primarily indoors. (~~10.08.090 L.A. County Code~~¹⁰)

10.12.190 Refusing to show license or certificate unlawful.

~~Any person upon whom any demand is made under authority of this Division 1 for the exhibition of any who refuses a request by an authorized Department employee to produce a dog rabies vaccination certificate, or any dog license or tag, who fails or refuses to exhibit the same if he has it in his possession, is guilty of a violation of this Division 1, which shall be punishable as herein provided misdemeanor.~~

10.20.040 Kennel Animal Facility for dogs and cats—Individual license required when.

An individual license shall must be obtained for each dog, in addition to a kennel license, when such the dog is not kept exclusively in a kennel run or cage. No individual license shall be required for any dog or cat in transit, or when attending a dog or cat show in the care of a kennel representative.

10.20.180 Tag to be worn by dog or cat.¹¹

A license tag for an individual dog shall must be securely ~~affixed~~ attached to a collar, harness or other device ~~which that shall at all times must be worn at all times~~ by such dog except while such dog remains indoors or in any enclosed yard or pen. The license tag attached to the dog must be the tag issued by the Department for that dog. A cat may wear any form of identification approved under ~~Chapter 10.90 by the Department.~~

10.20.190 Keeping unlicensed dogs, or cats, or other service animals prohibited.

A person, shall may not harbor or keep, ~~or cause or permit to be harbored or kept,~~ any unlicensed dog, cat or other service animal in the unincorporated territory of the county of Los Angeles, ~~or in any city in Los Angeles County which has adopted this Title 10 Department’s jurisdiction.~~

10.28.061 Keeping and breeding pygmy pigs—License required.

Any person who breeds pygmy pigs, as defined in this title, for pay or other compensation, shall first pay a fee and obtain an animal license or animal facility license from the department, except that no such license shall be issued unless:

⁹ The County has deleted this requirement.

¹⁰ This section references the definition for the term “Contact Information” in the County Code and is not applicable.

¹¹ The County has amended this provision to apply to all animals. The County defines “animals” as any mammal, bird, reptile, fish or amphibian.

A. ~~The person owning or having custody and care~~ owner or custodian of the animal provides written confirmation to the Department that he or she has obtained ~~any and all~~ licenses and zoning permits required ~~pursuant to~~ under this county code or any other ordinance or statute ~~and has submitted proof of such to the department.~~

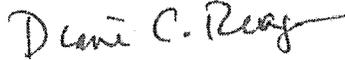
ATTACHMENT:

1. County Code Title 10, Animals – redline version
2. Ordinance No. 411

ANALYSIS

This ordinance amends Title 10 – Animals of the Los Angeles County Code for the following purposes: to update and streamline Title 10; to add provisions regulating excessive animal noise; and to revise animal nuisance provisions. Additionally, in accordance with the County's *Plain Language Initiative*, this ordinance amends various sections using plain language to make this Title more understandable.

MARY C. WICKHAM
County Counsel



By DIANE C. REAGAN
Principal Deputy County Counsel
Law Enforcement Division

DCR:cn

Requested 01/02/15

Revised 06/24/16

ORDINANCE NO. _____

An ordinance amending Title 10 - Animals of the Los Angeles County Code to update and streamline Title 10, to add provisions regulating excessive animal noise, and to revise animal nuisance provisions.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 10.04.010 is hereby deleted in its entirety:

~~10.04.010 Title of Division 1 provisions.~~

~~The ordinance set forth in Division 1 of this Title 10 shall be known as, and may be cited and referred to as, "the animal control ordinance."~~

SECTION 2. Section 10.04.020 is hereby amended to read as follows:

10.04.020. References to aAmendments and aAdditions.

~~Whenever Any reference is made to any portion section of this Division 1, such reference applies to all amendments and additions thereto now or hereafter made.~~

SECTION 3. Section 10.04.030 is hereby deleted in its entirety:

~~10.04.030 Repealed ordinances not revived.~~

~~No ordinance repealed by Ordinance 4729 as originally adopted is revived by the amendment of Ordinance 4729 by Ordinance 9454.~~

SECTION 4. Section 10.04.040 is hereby amended to read as follows:

10.04.040. Interpretation of ILanguage.

~~The present tense includes the past and future tenses; and the future, the present.~~

~~B. Each gender includes both genders unless otherwise stated.~~

~~C. The singular number includes the plural and the plural the singular.~~

SECTION 5. Section 10.04.050 is hereby amended to read as follows:

10.04.050. Powers of ~~d~~Deputies.

~~Whenever a~~ power is granted to or a duty is imposed upon the ~~d~~Director or other public officer, ~~the power may be exercised or the duty may be performed by a deputy of the officer or by a~~ legally authorized person authorized, pursuant to law, by the officer, unless this Division 1 expressly provides otherwise.

SECTION 6. Section 10.04.055 is hereby amended to read as follows:

10.04.055. Authorization to ~~i~~ssue ~~n~~otices to ~~a~~ppear—Qualifications of ~~e~~Officers.

~~The d~~Director may in his~~s~~ discretion to authorize any animal control officer who has the qualifications of a humane officer as set forth in Civil Code Section ~~607~~g completed the requirements of Penal Code section 832 to issue notices to appear in court pursuant to under Penal Code ~~S~~section 853.5, et seq. ~~Such animal control officers shall not be authorized to take any person into custody even though the person to whom the notice is delivered does not give his or her written promise to appear in court.~~ An animal control officer is not authorized to take a person into custody.

SECTION 7. Section 10.04.060 is hereby amended to read as follows:

10.04.060. Violation—Penalty.

~~A. Any person violating~~who violates any of the provisions of this title is guilty of an infraction, unless another penalty is ~~provided for in this title~~stated. Misdemeanors are punishable under Penal Code section 19.

~~B. Violation of Sections.~~

~~10.12.190~~

~~10.12.200~~

~~10.20.280~~

~~10.20.310~~

~~10.28.060~~

~~10.28.280(C)~~

~~10.32.020~~

~~10.32.070~~

~~10.32.080~~

~~10.37.030~~

~~10.37.050(C)~~

~~10.37.060(F)~~

~~10.40.010~~

~~10.40.040~~

~~10.86.010~~

~~of this title is a misdemeanor, punishable as set forth in Penal Code Section 19.~~

SECTION 8. Section 10.04.065 is hereby amended to read as follows:

10.04.065. Fees for sServices.

The fees and costs for animal-related services shallwill be determined annually by the Auditor-Controller, and will be posted in each ~~shelter~~animal care center and on the ~~d~~Department's website.

SECTION 9. Section 10.04.070 is hereby added to read as follows:

10.04.070. Department Jurisdiction—Enforcement of Title 10.

Title 10 of the Los Angeles County Code is enforced in all unincorporated areas of the County of Los Angeles. Title 10, or portions of Title 10, will be enforced in contract cities as applicable.

SECTION 10. Section 10.08.010 is hereby amended to read as follows:

10.08.010. Application of Definitions.

~~Whenever in Title 10 the following terms are used, they shall have the meaning ascribed to them in this chapter unless it is apparent from the context thereof that some other meaning is intended.~~ Key terms used in Title 10 are defined in this chapter.

SECTION 11. Section 10.08.020 is hereby amended to read as follows:

10.08.020. Animal.

~~"Animal" means any animal, poultry, mammal, bird, reptile, fish, or any other dumb creature~~ amphibian.

SECTION 12. Section 10.08.021 is hereby amended to read as follows:

10.08.021. Small aAnimal.

"Small animal" means any animal that weighs less than 250 pounds.

SECTION 13. Section 10.08.022 is hereby amended to read as follows:

10.08.022. Large aAnimal.

"Large animal" means any animal that weighs 250 pounds or more.

SECTION 14. Section 10.08.030 is hereby amended to read as follows:

10.08.030. Animal eExhibition.

"Animal exhibition" means any display ~~containing one or more domestic or wild animals which are exposed to public view for entertainment, instruction or advertisement~~the use of a domestic or wild animal for public entertainment, instruction, or advertisement.

SECTION 15. Section 10.08.031 is hereby amended to read as follows:

10.08.031. Animal fFacility.

"Animal facility" means any lot, building, structure, enclosure or premises ~~for~~used by any animal-related business or organization, including, ~~but not limited to,~~ a non-profit humane organization, animal facility (as defined in Section 10.08.175), a grooming shop, a pet shop, a boarding facility, ~~and~~or a breeding facility, ~~which is required to be licensed under Section 10.28.060.~~

SECTION 16. Section 10.08.032 is hereby amended to read as follows:

10.08.032. Animal Facility Grade Card.

"Animal Facility Grade Card" means a card issued by the ~~d~~Department, showing the letter grade earned by an animal facility, as ~~reflected~~stated in the most recent Animal Facility Inspection Report. ~~The Animal Facility Grade Card must be displayed in accordance with the provisions of Section 10.28.280.~~

SECTION 17. Section 10.08.033 is hereby amended to read as follows:

10.08.033. Animal Facility Inspection Report.

"Animal Facility Inspection Report" ~~is~~means the report of the ~~d~~Department ~~reflecting~~stating the conditions existing at the facility at the time of the inspection. The letter grade received by the facility is based on the final score ~~set forth~~stated in the Animal Facility Inspection Report.

SECTION 18. Section 10.08.040 is hereby amended to read as follows:

10.08.040. Animal menagerie.

"Animal menagerie" means a place where wild animals are kept or maintained for any ~~commercial~~purpose, including places where wild animals are boarded, trained, or kept for hire.

SECTION 19. Section 10.08.050 is hereby amended to read as follows:

10.08.050. Animal shelterCare Center.

"Animal sheltercare center" means a place where animals impounded by the ~~d~~Department are placed for their humane care and keeping.

SECTION 20. Section 10.08.060 is hereby amended to read as follows:

10.08.060. Approved ~~r~~Rabies ~~v~~Vaccine.

"Approved rabies vaccine" means a rabies vaccine ~~which is approved for use by~~ the State of California Department of Public Health.

SECTION 21. Section 10.08.065 is hereby amended to read as follows:

10.08.065. Boarding fFacility.

"Boarding facility" means an animal facility used for the care and temporary boarding, (including day care,) of dogs, and cats, and other animals normally kept as pets, in return for money or other consideration, not including. Boarding facility does not include an animal hospital whichthat only boards animals receiving medical treatment.

SECTION 22. Section 10.08.070 is hereby amended to read as follows:

10.08.070. Breeding fFacility.

"Breeding facility" means an animal facility ~~engaged in the business of breeding~~ that breeds dogs, and cats, or other animals normally kept as pets, for sale or exchange, ~~in return for consideration.~~

SECTION 23. Section 10.08.075 is hereby amended to read as follows:

10.08.075. Business dDays.

"Business days" for purposes of Title 10, Division 1, are all days other than Sunday and legal holidays.

SECTION 24. Section 10.08.090 is hereby added to read as follows:

10.08.090. Contact Information.

"Contact information" means any available way used to contact a person or business, including address, phone number, facsimile number, and email address.

SECTION 25. Section 10.08.100 is hereby amended to read as follows:

10.08.100. Department.

"Department" means the County of Los Angeles County Department of Animal Care and Control.

SECTION 26. Section 10.08.115 is hereby added to read as follows:

10.08.115. Disabled Veteran.

"Disabled veteran" means a veteran with a disability resulting from a disease or injury incurred or aggravated during military service.

SECTION 27. Section 10.08.140 is hereby amended to read as follows:

10.08.140. Grooming ~~p~~Parlor/m~~Mobile.~~

"Grooming parlor/mobile" means any place of business, ~~whether or not such business is regularly conducted by the operator within a building or other structure, permanent or otherwise, or within a van, truck or other movable vehicle, where for consideration animals are groomed, clipped, bathed or otherwise conditioned as pets and/or for show.~~ vehicle where animals are groomed for consideration.

SECTION 28. Section 10.08.145 is hereby deleted in its entirety:

~~**10.08.145. Stables.**~~

~~"Stables" means any property, premises, building or structure maintained for the lodging, feeding, or rental of horses and cattle.~~

SECTION 29. Section 10.08.150 is hereby amended to read as follows:

10.08.150. Guard or Attack dDog.

"Guard or attack dog" means ~~a dog rented by the owner to another person for guard duty~~ a dog, not residing in a private residence, that is used to protect a person or property.

SECTION 30. Section 10.08.155 is hereby amended to read as follows:

10.08.155. Hobby bBreeder.

"Hobby breeder" ~~is any person, except for~~ means a person ~~possessing a valid animal facility license, who owns and breeds a dog or cat and sells the offspring for pay or for other compensation. A hobby breeder is required to obtain a license pursuant to Section 10.20.045~~ money or other consideration, and does not have an animal facility license.

SECTION 31. Section 10.08.160 is hereby amended to read as follows:

10.08.160. Impounded.

~~If any~~ "Impounded" means an animal that has been received into the custody of the ~~d~~Department director ~~pursuant to the provisions of this Division 1 or any state statute, such animal will have been "impounded" as that word is used in this Division 1.~~

SECTION 32. Section 10.08.170 is hereby amended to read as follows:

10.08.170. Livestock.

"Livestock" includes, but is not limited to, the following: ~~any pig, pygmy pig, hog, swine, cow, bull, steer, horse, mule, jack, jenny, hinnycattle, equines, sheep, goats, llamas, alpacas, domestic fowl (including poultry) or~~ poultry, and rabbits.

SECTION 33. Section 10.08.175 is hereby amended to read as follows:

10.08.175. Nonprofit humane organization animal facility.

"Nonprofit humane organization animal facility" means an animal facility operated by a bona fide charity in good standing operating under the provisions of Section 501(c)(3) of the Internal Revenue Code, where animals are kept for redemption by owners, adoption, or sanctuary.

SECTION 34. Section 10.08.190 is hereby amended to read as follows:

10.08.190. Person.

"Person" means and includes an individual, a company, firm, partnership, corporation, trust, limited liability company, and any association of persons an association of individuals, or other legal entity.

SECTION 35. Section 10.08.200 is hereby amended to read as follows:

10.08.200. Pet shop.

"Pet shop" means any place of business where dogs under four months of age, or cats, monkeys, birds, reptiles, fish, or any other animals to be used are sold as pets, are kept for sale.

SECTION 36. Section 10.08.205 is hereby amended to read as follows:

10.08.205. Pygmy pig.

"Pygmy pig" means a pig or hog classified as Sus scrofa jubatus Muller, or Sus scrofa (cristatus) vittatus, and commonly referred to as a Vietnamese pot-bellied pig, pygmy pig, or mini-pig, which that stands no higher than 20 inches at the shoulder and is

no longer than 40 inches from the tip of the head to the end of the buttocks, and weighs no more than 120 pounds.

SECTION 37. Section 10.08.210 is hereby amended to read as follows:

10.08.210. Section.

"Section" means a section of Title 10 of the Los Angeles County Code, as set forth in this Division 1, unless some other ordinance or statute is ~~mentioned~~referenced.

SECTION 38. Section 10.08.215 is hereby added to read as follows:

10.08.215. Senior Citizen.

A "senior citizen" for purposes of this Division 1, means a person who is 60 years of age or older.

SECTION 39. Section 10.08.220 is hereby added to read as follows:

10.08.220. Service Animal.

"Service Animal" is a guide dog or seeing-eye dog trained by a person licensed under Business and Professions Code section 7200, et seq., including a signal dog, other dog, or miniature horse, trained to do work or perform tasks for the benefit of a person with a disability, including, but not limited to, guiding persons with impaired vision, alerting persons with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

SECTION 40. Section 10.08.225 is hereby amended to read as follows:

10.08.225. Unaltered.

"Unaltered" means an animal ~~which~~that has not been spayed or neutered.

SECTION 41. Section 10.08.230 is hereby amended to read as follows:

10.08.230. Unlicensed ~~d~~Dog or ~~e~~Cat.

"Unlicensed dog or cat" means any dog or cat ~~for which the license for the current year has not been paid, or to which the tag for the current year, provided for in this Division 1, is not attached~~that is not currently licensed.

SECTION 42. Section 10.08.240 is hereby amended to read as follows:

10.08.240. ~~Wholesale w~~Wild ~~a~~Animal ~~d~~Dealer.

"Wholesale wild animal dealer" means a person engaged ~~in the business of selling~~who sells wild animals ~~for the purpose of resale, or who sells wild animals to persons for use other than as pets.~~

SECTION 43. Section 10.08.250 is hereby amended to read as follows:

10.08.250. Wild ~~a~~Animal.

"Wild animal" is ~~any~~a nondomestic, exotic, or dangerous animal, including, but not limited to, ~~the following: wild animal dog/domestic animal hybrids, and other mammals, wildfowl, fish, and reptiles.~~

SECTION 44. Section 10.12.010 is hereby deleted in its entirety:

~~10.12.010. Continuation.~~

~~The county department of animal care and control under the administrative management of the director, and the office of the director, are both hereby continued.~~

SECTION 45. Section 10.12.020 is hereby amended to read as follows:

10.12.020. ~~Director—License duties generally~~Licensing Duties.

~~The director shall issue all licenses required by this Division 1, and shall maintain those records required by this Division 1, and handle all fees in such a manner as prescribed by the Los Angeles County auditor-controller. The Director or a Department employee who is assigned to issue licenses, to maintain licensing records, and to collect licensing fees, is deemed a deputy county tax collector, to serve without additional pay.~~

SECTION 46. Section 10.12.030 is hereby deleted in its entirety:

~~10.12.030. Director and other employees~~ Tax collector responsibilities.

~~For the purpose of issuing all other licenses required by this Division 1 and for no other purpose, the director and each employee designated by the director shall be appointed as a deputy county tax collector, to serve without additional pay as such.~~

SECTION 47. Section 10.12.040 is hereby amended to read as follows:

10.12.040. Director's pPowers of deputies and Duties.

~~Whenever a power is granted to, or a duty is imposed upon, a public officer, the power may be exercised or the duty may be performed by a deputy of the officer or by a person authorized, pursuant to law, by the officer, unless this Division 1 expressly provides otherwise. The Director's powers and duties may be exercised and performed by designated Department employees.~~

SECTION 48. Section 10.12.050 is hereby amended to read as follows:

10.12.050. Authority to ~~a~~Accept ~~n~~Negotiable ~~p~~Paper.

The ~~d~~Director and the tax collector, in their discretion, may accept negotiable paper as provided in Ordinance 4099, the Administrative Code, and subject to all of the provisions of Sections ~~25303.1 and 25303.2, 25303.3, 25303.4, 25303.5 and 25203.6~~ of the Government Code applicable statutes.

SECTION 49. Section 10.12.060 is hereby amended to read as follows:

**10.12.060. Public ~~s~~Pay and ~~n~~Neuter ~~e~~Clinic—Establishment—
Services and ~~f~~Fees.**

A. The ~~d~~Director may establish a clinic, ~~at which members of the public may have~~ where dogs and cats can be spayed or neutered in a humane manner upon payment of the applicable fees.

B. A person submitting a dog or cat for the above service shall sign a consent form certifying thereon under penalty of perjury requesting that a dog or cat be spayed or neutered must provide written consent to the procedure and confirm in writing that he is the owner of the animals, or setting forth facts showing that he is otherwise authorized to present the animal for the above operation and such person may be required to furnish proof of such ownership or authority. A custodian who is not the owner of the dog or cat must provide written authorization from the owner of the dog or cat. Such consent shall The owner's written authorization must contain a waiver of any and all liability of the eCounty, the dDepartment of aAnimal eCare and eControl, and any eCounty employees for any injury or death to an animal arising out of the

~~aforementioned operation or from the requested procedure, or any related services provided incidental thereto.~~

C. ~~The department shall establish a return date by which a person submitting an animal for the above operation shall pick up such animal~~The owner or custodian of the animal must pick up the animal on the return date stated by the Department or be subject to a reasonable ~~board and care fee to commence~~starting the day after such ~~the~~ return date. ~~Failure to pick up an animal within 15 days of the return date shall be deemed abandonment of such animal,~~ An animal that is not picked up within 15 days after the return date is deemed abandoned and the ~~d~~Director may dispose of it by ~~sale adoption or destruction~~other disposition.

SECTION 50. Section 10.12.070 is hereby amended to read as follows:

10.12.070. Public ~~e~~Education ~~p~~Programs.

The ~~d~~Director may establish ~~public education programs as deemed necessary to carry out the department's duties and responsibilities for~~ educate the public about the humane treatment of animals.

SECTION 51. Section 10.12.075 is hereby amended to read as follows:

10.12.075. Incentive ~~p~~Programs.

The ~~d~~Director ~~at his or her~~has discretion, ~~may to~~ offer incentive programs to encourage compliance with the dog and cat licensing requirements.

SECTION 52. Section 10.12.080 is hereby amended to read as follows:

10.12.080. Animals ~~h~~Held for ~~e~~Observation for department of public health by County Public Health Officer.

When authorized by law, ~~T~~the ~~d~~Director shall ~~may~~ pick up or accept and care for any animal to be held for observation by the ~~director of public health.~~County public health officer.

SECTION 53. Section 10.12.090 is hereby amended to read as follows:

10.12.090. Capture and ~~e~~Custody of ~~a~~Animals, ~~required when.~~

The ~~d~~Director is authorized to capture and take into custody:

~~A.~~ All unlicensed dogs;

~~BA.~~ Any other unlicensed animal, wild or domestic, which is by this Division 4 required to be licensed, but which is unlicensed; that is required to be licensed;

~~CB.~~ Any animal being kept or maintained ~~contrary to the provisions of this Division 1, the Animal Control Ordinance, or any other ordinance or state statute;~~in violation of a state statute or local ordinance;

~~DC.~~ Dogs and other animals running at large ~~contrary to the provisions of the Food and Agricultural Code or any other state statute or of this Division 1~~in violation of a state statute or local ordinance;

~~ED.~~ Sick, injured, stray, unwanted or abandoned animals;

~~FE.~~ Unvaccinated ~~d~~Dogs which are unvaccinated in violation of this Division 1;

~~GF.~~ Animals delivered by the owners to the director, ~~all title and interest in which is abandoned by such owners;~~relinquished to the Department;

HG. Animals for which the owner or custodian is unable to care because of imprisonment, illness, bankruptcy litigation, or other contingency, or in cases in which the owner or custodian cannot be found.

SECTION 54. Section 10.12.100 is hereby amended to read as follows:

10.12.100. Animals ~~k~~Kept in aAnimal SheltersCare Centers.

~~The director shall place animals taken into custody in the~~Animals taken into custody by the Department must be placed in eCounty animal shelterscare centers or other appropriate facilities.

SECTION 55. Section 10.12.110 is hereby amended to read as follows:

10.12.110. Charges and ~~f~~Fees for ~~taking u~~Unwanted aAnimals.

~~The Department shall charge the fees prescribed for the taking up or relinquishing of an unwanted animal when requested to do so by the animal's owner or other person having custody or control over said animal.~~An owner or custodian who relinquishes an animal or asks the Department to pick up an unwanted animal will be charged an owner-surrender fee. An owner or custodian who later redeems the animal will be charged board and care costs.

SECTION 56. Section 10.12.120 is hereby amended to read as follows:

10.12.120. Removing aAnimals from eCustody-Requirements.

~~A person shall not remove any animal from the custody of the director, nor shall any person remove any animal from a county animal shelter, vehicle or trailer without first paying the necessary fees as set forth in this Division 1 or without receiving~~

permission from the director to do so must receive permission from the Director, and pay the required fees and charges, before removing an animal from the Director's custody.

SECTION 57. Section 10.12.130 is hereby amended to read as follows:

10.12.130. Dead aAnimals and dDead lLivestock—Pickup from pPublic and pPrivate pProperty—Fee—Exceptions.

The ~~d~~Director shall will pick up and dispose of all dead animals and livestock on public highways and on public and private property within the unincorporated areas of Los Angeles County, ~~where~~when the owner is unknown, or at the request of the animal's owner or other person having custody or control over the animal. The fees for such removal services shall ~~be~~are determined annually as provided in Section 10.04.065. However, Tthe dDirector shallis not required to pick up any dead animals:

A. In Garbage Disposal Districts where contractors are required pursuant to ~~contract;~~by contract to perform suchthat service.

B. In beach areas ~~which are maintained by the department of beaches and harbors.~~if the animal weighs more than 150 pounds;

C. Where a large number of animals have died requiring specialized equipment and/or skills beyond the capability of the Department;

D. In areas that are not reasonably accessible to Department staff or equipment.

SECTION 58. Section 10.12.140 is hereby amended to read as follows:

10.12.140. Dead animals—Pickup from bBusinesses or eOther fFacilities.

~~For each pickup or receiving of dead animals from any~~An animal-related business, such as a pet hospital, nonprofit humane organization animal facility, stable, or veterinary ~~establishment~~business, or any commercial, industrial, educational, medical, or other facility that deals with animals in connection with its operation, must pay the required fee for the pick up or delivery of a dead animal.~~the director shall collect the fees determined annually as provided in Section 10.04.065~~

SECTION 59. Section 10.12.150 is hereby amended to read as follows:

10.12.150. Tranquilizer gGun eEquipment—Authorized whenAuthorized uUse-

~~The~~dDirector may designate supervisory ~~and selected animal control officers who will be~~employees who are authorized to transport and operate tranquilizer gun equipment for use in the capture and seizure of animals.

SECTION 60. Section 10.12.160 is hereby amended to read as follows:

10.12.160. Inhumane tTreatment—Enforcement of sState ILaw.

~~It shall be the duty of the~~The ~~d~~dDirector ~~to~~will enforce these sections of the California Penal Code of the state of California pertainingprovisions relating to the inhumane treatment of animals, ~~and to take possession of so abandoned or neglected~~ abandoned or neglected animals, and care for or dispose of same ~~as provided for in the~~

~~Penal Code of the state of California or this Division 1.~~ the animals in accordance with law.

SECTION 61. Section 10.12.161 is hereby deleted in its entirety:

~~**10.12.161. Stealing or driving cats away from owners prohibited when.**~~

~~A person shall not steal, take, carry, lead or drive away the cat of another, with intent to permanently or temporarily deprive the owner or possessor thereof.~~

SECTION 62. Section 10.12.170 is hereby deleted in its entirety:

~~**10.12.170. Complaint investigation authority.**~~

~~The director shall receive, investigate and report to other county officers and county departments complaints concerning disturbing or offensive noises or conduct of animals or fowl kept or maintained in the unincorporated territory of the county of Los Angeles.~~

SECTION 63. Section 10.12.180 is hereby deleted in its entirety:

~~**10.12.180. Unlicensed or unvaccinated dogs or cats—Right of entry for enforcement.**~~

~~For the purpose of discharging the duties imposed upon him by this Division 1, the director, in order to enforce the provisions hereof to take up and impound any unlicensed or unvaccinated dog or cat, may enter any real property upon which any dog or cat is kept or harbored or upon which he has reason to believe any dog or cat is kept or harbored and demand the exhibition by the person owning or having charge or control of any such dog or cat, of the dog or cat, the required rabies vaccination certificate, and the license or license tag for such dog or cat for the current year~~

~~provided for by this Division 1. This section does not permit any person to enter any private dwelling, except where necessary to rescue an animal.~~

SECTION 64. Section 10.12.190 is hereby amended to read as follows:

10.12.190. Refusing to sShow ILicense or eCertificate uUnlawful.

~~Any person upon whom any demand is made under authority of this Division 1 for the exhibition of any~~who refuses a request by an authorized Department employee to produce a dog or cat, rabies vaccination certificate, or any dog or cat license or tag, who fails or refuses to exhibit the same if he has it in his possession, is guilty of a violation of this Division 1, which shall be punishable as herein provided.~~misdemeanor.~~

SECTION 65. Section 10.12.200 is hereby amended to read as follows:

10.12.200. Interfering with dDepartment eOfficers pProhibited.

~~A person shall not~~who ~~interferes~~ interferes with, ~~opposes~~ opposes, or ~~resists~~ resists the dDirector or an employee of the dDepartment, ~~such person is engaged in the performance of any act authorized by this Division 1.~~while the Director or employee is performing his or her duties is guilty of a misdemeanor.

SECTION 66. Section 10.12.210 is hereby amended to read as follows:

10.12.210. Right of eEntry for ~~Enforcement~~ Conditions Inspection.

A. ~~The director, any officer or employee thereof, or other duly designated representative of the county, and any police officer shall have the right to make an inspection to enforce the provisions of this Division 1 or other applicable law by entering into any building or upon any property within the unincorporated territory of the county of Los Angeles when said person has reasonable cause to believe that there exists in any~~

~~building and/or upon any property any violation of the provisions of this Division 1 or other applicable law, provided that:~~An authorized County employee or a law enforcement officer may enter a building or property to inspect the premises only if:

1. ~~If such building and/or property is occupied, he shall first present proper credentials to the occupant and request entry, explaining his reasons therefor; and if such building and/or property is unoccupied, he shall first make a reasonable effort to locate the owner thereof or other persons having authority over the building and/or property and request entry, explaining his reasons therefor;~~The owner or occupant of the building or property consents to the entry and inspection after the authorized County employee or law enforcement officer presents his credentials and explains the reasons for the entry and inspection; or

2. ~~If entry into said building or upon said property be refused, the director, any officer or employee thereof, or other duly designated representative of the county, and any police officer shall obtain an inspection warrant pursuant to the provisions of the Code of Civil Procedure (Sections 1822.50—1822.57), for the entry and inspection of said building and/or said property;~~The authorized County employee or law enforcement officer obtains a warrant for the entry and inspection of the building or property under sections 1822.50 to 1822.57 of the Code of Civil Procedure; or

3. ~~Notwithstanding the foregoing, if the director, any officer or employee thereof, or other duly designated representative of the county, and any police officer has reasonable cause to believe that the keeping or the maintaining of any animal is so hazardous, unsafe or dangerous as to require immediate inspection to~~

~~safeguard the animal or the public health or safety, he shall have the right to immediately enter and inspect such building and/or property, and may use any reasonable means required to effect such entry and make such inspection, whether such building and/or property is occupied or unoccupied, and whether or not permission to inspect has been obtained. If the building and/or property is occupied, he shall first present proper credentials to the occupant and request entry, explaining his reasons therefor.~~The authorized County employee or law enforcement officer has reasonable cause to believe that the keeping of an animal on the property is so hazardous, unsafe, or dangerous that an immediate inspection is necessary to safeguard an animal or public health and safety. Under these circumstances, the employee or officer may use reasonable means to immediately enter and inspect the building or property after presenting his credentials to the owner or occupant and requesting entry, if possible under the circumstances.

B. ~~This section shall not prohibit the director, any officer or employee thereof, and any police officer from entering upon any public or private property in the unincorporated territory of the county of Los Angeles for the purpose of capturing an animal running at large in violation of this Division 1 or other applicable law. Any person who denies or prevents, obstructs, or attempts to deny, prevent or obstruct said capture is guilty of a misdemeanor.~~This section does not prohibit an authorized County employee or law enforcement officer from entering property in the Department's jurisdiction for the purpose of capturing an animal running at large in violation of this

Division 1 or other applicable law. A person who prevents or obstructs the capture of an animal running at large is guilty of a misdemeanor.

SECTION 67. Section 10.12.220 is hereby amended to read as follows:

10.12.220. Animal fFacility inspection and gGrading authority.

~~The director, or his or her duly authorized representative, shall~~A designated Department employee is authorized to inspect everyan animal annuallyfacility as provided~~stated~~ in Section 10.28.050150, and shallmust report on the findings of said inspection in an animal facility inspection report. The letter grade issued by the ~~d~~Department shall be based on the most recent animal facility inspection report of the facility. The ~~d~~Director is authorized to recommend appropriate licensing or other legal action as set ~~forth~~stated in Section 10.28.290.

SECTION 68. Section 10.16.010 is hereby deleted in its entirety:

~~10.16.010 ——— Created.~~

~~There is hereby created the department of animal care and control volunteer program, hereinafter referred to in this chapter as the "volunteer program."~~

SECTION 69. Section 10.16.020 is hereby amended to read as follows:

10.16.020. Administration.

The ~~d~~Director shall ~~have ultimate responsibility and~~has authority over the volunteer program, ~~and shall~~The Director establishes suchrules, regulations, staff supportpolicies and provides staffing and the equipment as may be necessary for such volunteers to adequately carry out the duties ~~enumerated~~listed in Section 10.16.0760.

SECTION 70. Section 10.16.030 is hereby amended to read as follows:

10.16.030. ~~Personnel~~Volunteers—~~Recruitment and c~~Compensation.

A. ~~The d~~Director of the department of animal care and control shall have the responsibility for the selection and assignment of~~selects and assigns~~ personnel under ~~this~~for the volunteer program. All ~~personnel within this program~~Volunteers may be recruited from citizens and other lawful residents ~~with a general concern for the humane treatment of~~who care about animals and, ~~who support the and philosophy of the department.~~Department's mission.

B. All positions within ~~this~~the volunteer program ~~shall be on a volunteer and~~are unpaid, ~~and their status as county employees shall be governed by the salary ordinance set out at~~as provided in Title 6 of this code, under the heading of Volunteer Worker, W/O Comp.

SECTION 71. Section 10.16.040 is hereby amended to read as follows:

10.16.040. ~~Tenure of Personnel~~Release of Volunteer.

~~The personnel within this volunteer program shall~~Volunteers serve at the pleasure of the ~~d~~Director of the department of animal care and control and may be ~~terminated~~released from service at any time for any reason.

SECTION 72. Section 10.16.050 is hereby amended to read as follows:

10.16.050. ~~Expense~~ Reimbursement.

~~Each~~A volunteer shall ~~shall~~will be reimbursed for his actual and necessary travel expenses if he is required and authorized to travel in the performance of his duties.

~~Reimbursement may include, including transportation, meals, and lodging, in accordance with the provisions of Ordinance 4099, the Administrative Code.~~

SECTION 73. Section 10.16.060 is hereby amended to read as follows:

10.16.060. Duties.

A. ~~All volunteers participating in this volunteer program shall be responsible to and are required to take direction from the dDirector and such of his designated dDepartment employees deputies as he shall authorize.~~

B. ~~The Volunteer duties of the volunteers consist of~~ include, but are not limited to, the following:

1. ~~To a~~Assist the department in reuniting lost pets with their rightful owners; through the use of lost-and-found newspaper ads, stray animal lists of each center, telephone calls regarding lost-and-found animals and information sheets of other shelters and other possible means of locating lost pets;

2. ~~To a~~Assist the department in escorting elementary school classes, civic groups, and 4-H Clubs through conducting tours of the animal control care centers;

3. ~~To a~~Assist ~~the department of animal care and control~~ in promoting the low-cost spay and neuter clinics;

4. ~~To a~~Assist in promoting the adoption of animals; ~~from the department of animal care and control centers;~~ and

5. Other duties assigned by designated employees.

C. Volunteers are required to complete volunteer training and to be familiar and comply with County and dDepartment policies ~~In addition to the duties designated~~

~~in subsection B of this section, each volunteer shall have such additional duties as the director shall prescribe.~~

SECTION 74. Chapter 10.20 is hereby amended to read as follows:

10.20. DOGS, AND CATS, AND SERVICE ANIMALS.

SECTION 75. Section 10.20.010 is hereby amended to read as follows:

10.20.010. ~~License Tags—Issuance—Fee.~~

~~Pursuant to Chapter 3 (commencing with Section 30801) of Divisions 14 and 14.5 of the Food and Agricultural Code, the~~The dDirector shall~~will~~ issue serially numbered permanent dog and cat license tags marked with the name of the "eCounty of Los Angeles."

SECTION 76. Section 10.20.011 is hereby deleted in its entirety:

~~**10.20.011.** License—Issuance by veterinarians and other qualified persons in unincorporated areas of the county—Conditions.~~

~~The director may authorize the issuance of dog and cat licenses, as required by Section 10.20.010, by persons practicing veterinary medicine in the unincorporated territory of Los Angeles County, or other persons approved by the director who meet the qualifications established by the department. Said persons shall transmit records and negotiable papers to the department of animal care and control at intervals as established by the director, and shall collect and transmit to the director the fees required by this chapter for the issuance of such licenses. The director may reimburse these businesses for such fees.~~

SECTION 77. Section 10.20.020 is hereby deleted in its entirety:

~~**10.20.020 Person deemed custodian when.**~~

~~Any person keeping or harboring any dog or cat for 15 consecutive days shall be deemed to be the custodian thereof and subject to licensing provisions within the meaning of this Division 1.~~

SECTION 78. Section 10.20.030 is hereby amended to read as follows:

10.20.030. License—Required—Fees and Other Charges.

~~Every person owning or having custody or control of any dog or cat over the age of four months in the unincorporated territory of the county of Los Angeles shall An animal owner or custodian residing in the Department's jurisdiction must obtain an annual license from the director for each dog and cat and shall older than four months. The owner or custodian must pay the fee for the licenses including, and any applicable delinquency charges and field enforcement fees, as set forth in Sections 10.20.130 and 10.90.010. The owner or custodian of an animal found unlicensed by a department employee in the field will be charged a field enforcement fee.~~

SECTION 79. Section 10.20.035 is hereby amended to read as follows:

10.20.035. Senior Citizen —Defined—and Disabled Veteran Reduced Dog and Cat License Rates.

~~A reduced fee, as set out in Section 10.90.010, shall be charged to persons presenting proof of and qualifying for senior citizen status. For purposes of this section, persons over 60 years of age qualify for senior citizen status. This reduced fee shall apply only to persons whose dogs have been spayed or neutered by a licensed~~

~~veterinarian and can present a certificate of such sterilization. A senior citizen or disabled veteran, as defined in this Division 1, will be charged a reduced dog or cat license fee if written proof is provided that the dog or cat has been sterilized or is exempt under Section 10.20.350, et seq.~~

SECTION 80. Section 10.20.038 is hereby amended to read as follows:

10.20.038. Residential ~~d~~Dogs and ~~e~~Cats—Limitations.

A. ~~Up to~~ It is unlawful to keep more than three dogs may be kept at any residence without an animal facility license, ~~provided the dogs' owner or custodian licenses each individual dog and complies with the Mandatory Spay and Neuter Program for Dogs, 10.20.350 et seq.~~ Each dog must be licensed. For purposes of this section, a service dog licensed under Section 10.20.090, and serving a person who is disabled within the meaning of Government Code section 12926 subsection (i) or (j) is not counted toward the number of dogs kept or maintained, ~~while such dog is serving a person who is disabled within the meaning of Government Code Section 12926 (i) or (j).~~ Government Code Section 12926(k).

B. ~~Up to~~ It is unlawful to keep more than five cats may be kept at any residence without an animal facility license, ~~provided the cats' owner or custodian licenses e~~ Each individual cat, must be licensed, and kept has each cat spayed or neutered and keeps all cats primarily indoors.

SECTION 81. Section 10.20.040 is hereby amended to read as follows:

10.20.040. Animal Facility for Dogs and Cats—When Individual Dog or Cat Licenses are Required.

An individual license ~~shall~~must be obtained for each dog or cat when ~~such~~the dog or cat is kept as a pet at an animal facility and is not kept exclusively in a kennel run or cage.

SECTION 82. Section 10.20.045 is hereby amended to read as follows:

10.20.045. Hobby Breeding—License Required—Fees.

A person who is a hobby breeder, as defined in Section 10.08.155, shall ~~obtain~~must pay the fee for a hobby breeding license ~~in the amount set forth in~~under Section 10.90.010. Each license ~~shall authorize~~the birth of no more than one litter per female dog or cat ~~in any 12-month period and no more than one litter per domestic household in any 12-month period. Breeding in excess of that authorized under this Section requires a breeding facility license (See 10.08.065 and 10.40.200 et seq.) and may result in further penalties.~~more than one litter per year will result in penalties.

SECTION 83. Section 10.20.050 is hereby amended to read as follows:

10.20.050. Exceptions from Los Angeles County Licensing Requirement.

A. ~~The provisions of this Division 1 do not require either a tag or a license.~~A Los Angeles County license is not required for:

1. Any dog or cat that is currently licensed in another jurisdiction;
~~found within the unincorporated territory of the county when the owner thereof resides in~~

~~any municipality within the county, and such dog or cat is wearing or has attached to it a license tag for the current year issued by such municipality;~~

2. ~~Any dog or cat owned by or in the charge of any person who is a nonresident~~not a resident of the ~~€County, and is in the County for less than 30 days.~~ and is ~~traveling through the county or temporarily sojourning therein for a period of not exceeding 30 days;~~

3. ~~Any dog or cat brought into the county and kept therein for not to exceed 30 days for the exclusive purpose of entering the same in any bench show, or dog or cat exhibition, or field trials or competition;~~

4. ~~Any dog or cat brought or sent into the unincorporated territory of the county from any point outside thereof for the exclusive purpose of receiving veterinary care in any dog or cat hospital, in the event that such dog or cat is kept at all times strictly confined within such hospital;~~

5. ~~Any dog or cat wearing or having attached to it a license tag for the current year issued by a municipality within the county when the owner thereof has, within one year last past, moved his principal place of residence from such municipality to the unincorporated territory of the county; provided, that such municipality similarly exempts from tag and license requirements dogs or cat wearing current county license tags and owned by persons who have moved from the unincorporated territory of the county to such municipality.~~

B. ~~Except, that each~~But every guard or attack dog found within the unincorporated territory of the ~~€County, regardless of where the owner may reside, must~~

have a Los Angeles County dog license; and the license tag must be securely affixed to the dog's collar while it is being used as a guard or attack dog within the unincorporated territory of the eCounty of Los Angeles.

SECTION 84. Section 10.20.060 is hereby amended to read as follows:

10.20.060. Unvaccinated dDogs or eCats—Acceptance of Payment for License~~Licensing permitted when.~~

The dDirector may accept ~~the payment of the fee for a license tag and a license payment for the license fee~~ for a dog or cat whethat has not been vaccinated against rabies, if the owner ~~of such dog or cat, within five days thereafter, have such~~ or custodian has the dog or cat vaccinated within five days of payment and submits written the required veterinarian's certificate proof of vaccination to the dDirector. Upon receipt of such certificate, tThe dDirector shall will not issue the license tag and license until proof of rabies vaccination is received.

SECTION 85. Section 10.20.070 is hereby amended to read as follows:

10.20.070. Vaccination Requirements and Unvaccinated dog or cat—Time ILimit for vVaccination wWhen dDog or eCat is dDisabled.

A dog or cat must be vaccinated against rabies before a license is issued unless one of the following exemptions applies:

A. Cat. A license may be issued for an unvaccinated cat if the owner or custodian submits to the Director a written confirmation from a licensed veterinarian stating that a rabies vaccination would endanger the animal's life because of disease or other disability. The cat must be vaccinated within ten days after the disability ends.

~~A person who obtains a license without submitting a certificate of vaccination because of the infirmity or disability of the dog or cat shall, within 10 days after the termination of such infirmity or disability, cause such dog or cat to be vaccinated as required by Part 2 of this chapter.~~

B. Dog. A license may be issued for an unvaccinated dog if the owner or custodian obtains the exemption permitted under Health and Safety Code section 121690 from the local public health officer. The dog must be vaccinated within ten days after the disability ends.

SECTION 86. Section 10.20.080 is hereby amended to read as follows:

10.20.080. License and ILicense ~~†~~Tag—Period of vValidity—Dogs ~~d~~Discharged from mMilitary sService.

~~Each~~A license and each dog license tag provided for in this chapter for a dog that has been honorably discharged from the armed forces of the United States ~~shall be of indefinite duration~~ is valid for the dog's lifetime, the same individual owns or harbors the same dog so long as the owner or custodian of the dog keeps its vaccination against rabies current. ~~The fee shall be that specified in Chapter 10.90.~~

SECTION 87. Section 10.20.090 is hereby amended to read as follows:

10.20.090. Service ~~Dog~~ Defined—Animal License and ILicense ~~†~~Tag—Requirements—Period of vValidity.

~~A. "Service Dog" is a guide dog or seeing-eye dog which was trained by a person licensed under Chapter 9.5 (commencing with Section 7200) of Division 3 of the Business and Professions Code, a signal dog or other dog individually trained to do~~

~~work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped items.~~

B. ~~Every~~A person owning or having custody or control of a ~~dog over the age of four months~~service animal, ~~whom~~must obtain a service animal license and tag. The Director will issue a license and tag after receiving ~~submits proof to the director that such dog~~the animal has been successfully trained as a service animal. ~~dog as defined above in subsection A, shall procure a service dog license and a service dog license tag, which~~ The license and tag shall~~will~~ be valid while the ~~dog~~animal is acting as a service dog, animal and is owned and kept by the same person. The tag ~~shall~~must be returned to the ~~d~~Department by the owner or ~~keeper~~custodian of the ~~dog~~animal upon transfer of ownership or possession of the ~~dog~~animal, or upon the retirement or death of the ~~dog~~animal.

SECTION 88. Section 10.20.110 is hereby deleted in its entirety:

~~10.20.110. License tag—Fee for spayed or neutered animals.~~

~~Pursuant to Section 30804.5 of the Food and Agricultural Code, any dog or cat license tag issued pursuant to Section 10.20.030 of this Part 1 shall be issued for one-half or less of the fee required if a certificate is presented from a licensed veterinarian that the dog or cat has been spayed or neutered.~~

SECTION 89. Section 10.20.120 is hereby amended to read as follows:

10.20.120. Fees ~~p~~Payable ~~a~~Annually—~~Delinquency c~~Charge.

A. ~~The l~~License fees provided for in this chapter shall ~~shall~~must be paid annually, to the director in the amount set forth in Section 10.90.010 B. A delinquency charge as provided in Section 10.90.010 shall ~~shall~~will be assessed ~~applied~~applied when the license fees provided for in this chapter are not paid within ~~ten~~10 days after the expiration date or the date the license is required to be obtained by the provisions of this title. license fee is due.

SECTION 90. Section 10.20.125 is hereby deleted in its entirety:

~~10.20.125. License fee not refundable.~~

~~No part of the license fee is refundable in any case.~~

SECTION 91. Section 10.20.130 is hereby amended to read as follows:

10.20.130. Recordkeeping and Procurement of ~~t~~Tags and

~~Receipts~~Licenses.

The ~~d~~Director shall ~~procure the number of license receipts and dog or cat license tags needed each year, and shall keep a register wherein shall be entered the name and address of each person to whom any dog or cat license tag is issued, the number of such tag, the date of issuance thereof and a description of the dog or cat for which issued.~~will keep a record of the name and address of the animal owner or custodian and the date each license and tag is issued.

SECTION 92. Section 10.20.140 is hereby deleted in its entirety:

~~10.20.140. License—Vaccination requirements and conditions.~~

~~The director shall not issue a dog or cat license unless the applicant exhibits a certificate signed by a veterinarian, licensed either by the state of California or by any other state to practice veterinary medicine, that:~~

~~A. The period elapsing from the date of vaccination with approved rabies vaccine to the date of expiration of the license being issued does not exceed the time as established by the state; or~~

~~B. Such dog or cat should not be vaccinated with rabies vaccine because such vaccination would jeopardize the health of such dog or cat due to infirmity or other disability, which infirmity or other disability, and the estimated date of termination thereof, is shown on the face of the certificate to the satisfaction of the director.~~

SECTION 93. Section 10.20.150 is hereby amended to read as follows:

10.20.150. License—Information to be shown on receipt.

~~When the director issues a dog or cat license, he shall show on the receipt~~The following information must appear on the license receipt: ~~the age of the dog or cat animal,~~ the age of the dog or cat animal, ~~the date of the last rabies vaccination,~~ the date of the last rabies vaccination, ~~and, if the license was issued without proof of vaccination, the reason therefor~~and, if the license was issued without proof of vaccination, the reason therefor the exemption.

SECTION 94. Section 10.20.160 is hereby amended to read as follows:

10.20.160. License and ILicense ~~†~~Tag—Transfer pPermitted wWhen—

Fee.

~~If, during a license period, a dog or cat is sold or title to the dog or cat is otherwise transferred to a new owner, such new owner may apply to the director for a transfer of such dog's or cat's tag and license and pay a transfer fee as specified under Chapter 10.90. Upon receipt of such application and fee, the director shall record the name and address of the new owner. A new owner of a dog or cat that is currently licensed may transfer the existing license to his name upon payment of a transfer fee, but a license for a service animal is not transferable.~~

SECTION 95. Section 10.20.170 is hereby amended to read as follows:

10.20.170. Replacement of ILost or Destroyed ~~†~~Tags.

~~In case any license tag for an individual dog or cat is lost or destroyed, a duplicate thereof may be procured from the director upon the submission to the director of such proof as he may require and upon the payment therefor as specified under Chapter 10.90.~~ An animal owner may purchase a replacement license tag if the animal's tag is lost or destroyed.

SECTION 96. Section 10.20.180 is hereby amended to read as follows:

10.20.180. Tag to be Wworn by Dog or CatAnimal.

~~A license tag for an individual dog or cat~~ animal shall must be securely affixed attached to a collar, harness, or other device which that shall at all times must be worn at all times by such dog or cat the animal except while such dog or cat the animal is

remains indoors or in any enclosed yard or pen. The license tag attached to an animal must be the tag issued by the Department for that animal. Alternatively, a cat may wear any form of identification approved under ~~Chapter 10.90~~ by the Department.

SECTION 97. Section 10.20.190 is hereby amended to read as follows:

10.20.190. Keeping uUnlicensed dDogs or eCats or Other Service Animals pProhibited.

A person shall ~~not~~ may not, harbor or keep, ~~or cause or permit to be harbored or kept,~~ any unlicensed dog, cat, or other service animal in the unincorporated territory of the county of Los Angeles, or in any city in Los Angeles County which has adopted this Title ~~10~~ Department's jurisdiction.

SECTION 98. Section 10.20.200 is hereby deleted in its entirety:

~~**10.20.200. Counterfeit or imitation tags prohibited.**~~

~~A person shall not attach to or keep upon any dog or cat, or cause or permit to be attached to or kept upon any dog or cat, any tag provided for in Section 10.20.010 of this chapter except a tag issued for such dog or cat under the provisions of this chapter, or attach or keep upon or cause or permit to be attached to or kept upon any dog or cat, or make or cause or permit to be made or have in possession, any counterfeit or imitation of any tag provided for in this chapter.~~

SECTION 99. Section 10.20.210 is hereby amended to read as follows:

10.20.210. Removing Tag and Identification from collar Prohibited.

~~It is unlawful for an~~ unauthorized person shall ~~not~~ remove from any dog or cat any collar or harness or other device to which is attached ~~at the~~ license tag, or remove such tag or other identification therefrom ~~from an animal~~.

SECTION 100. Section 10.20.211 is hereby deleted in its entirety:

~~10.20.211. Spaying or neutering—Condition of sale—Deposit required.~~

~~As a condition to the sale or giving away of any cat that has not been spayed or neutered, the purchaser or recipient shall deposit with the department of animal care and control, at the time of the sale or giving away, an amount determined by the director to be sufficient to cover the costs of neutering or spaying the cat, but in no event shall such deposit exceed \$30.00. Such deposit is to be paid to a licensed veterinarian upon proof that he has performed the required neutering or spaying operation within the time period as set forth in Section 10.20.214, and may include an amount necessary to recover any additional costs to the department under this chapter.~~

SECTION 101. Section 10.20.212 is hereby deleted in its entirety:

~~10.20.212. Spaying or neutering—Disposition of funds by director.~~

~~Whenever, in connection with the sale of any cat, the director shall receive a deposit to cover the costs of spaying or neutering, the money so received shall be deposited in a trust fund in the county treasury.~~

SECTION 102. Section 10.20.213 is hereby deleted in its entirety:

~~10.20.213. Spaying or neutering—Deposit paid to veterinarian.~~

~~Whenever a cat has been spayed or neutered as provided herein, the depositor shall be entitled to have the deposit paid to the licensed veterinarian performing the above operation, or the director may return the deposit to the person purchasing or receiving the cat upon written statement or receipt from the licensed veterinarian that the cat has been spayed or neutered, and the director shall draw the necessary demand on the auditor therefor.~~

SECTION 103. Section 10.20.214 is hereby deleted in its entirety:

~~10.20.214. Spaying or neutering—Deposit forfeited without proof of operation—Conditions.~~

~~Any cat over six months of age at the time it is sold or given away shall be spayed or neutered within 60 days, or the deposit shall be deemed forfeited. Any cat under six months of age at the time it is sold or given away shall be spayed or neutered within 60 days after reaching the age of six months or the deposit shall be deemed forfeited. The director may extend such time periods in writing upon the showing of good cause therefor. The age of the cat for purposes of this chapter shall be determined by the department. At least 30 days before the end of the said 60-day period, or any written extensions thereof, the department shall send the purchaser notice by mail to the address on file with the department, informing the purchaser that failure to furnish satisfactory proof of performance of the operation prior to the end of the 60-day period or its extension shall result in forfeiture of the deposit. If the notice has been sent and~~

~~the allotted time has elapsed without satisfactory proof of performance of the operation, the deposit shall be forfeited and the director shall transfer such money from the trust fund to the county treasury.~~

SECTION 104. Section 10.20.215 is hereby deleted in its entirety:

~~**10.20.215. Spaying or neutering—Deposit refund conditions.**~~

~~Whenever any cat which has been purchased from the department of animal care and control, while it was under the age of six months, dies or is destroyed prior to being spayed or neutered as required in this chapter, the purchaser shall be entitled to a refund upon presenting satisfactory proof to the director of such death or destruction, and the director shall draw the necessary demand on the auditor therefor. No refund shall be made, however, where death or destruction occurs following the time within which the aforementioned operation was required to be performed.~~

SECTION 105. Section 10.20.220 is hereby amended to read as follows:

Section 10.20.220. Vaccination Requirements generally.

~~A. Every~~A person keeping, ~~or~~ harboring, ~~or~~ having any a dog or cat over four months of age in the unincorporated territory shall ~~cause~~Department's jurisdiction ~~such~~must have the dog or cat to be vaccinated with ~~against~~rabies vaccine, by a person licensed by the state of California, ~~or other state, to practice veterinary medicine,~~veterinarian on or before the latest of the following dates:

A.1.—15 days after first acquiring ~~such~~the dog or cat;

B.2.—15 days after bringing ~~such~~the dog or cat into the unincorporated territory ~~of the county of Los Angeles~~Department's jurisdiction.

~~B. No person shall cause a dog or cat under the age of four months to be vaccinated with an approved rabies vaccine unless a veterinarian licensed by the state of California, or other state, determines that such vaccination is required to preserve the health or prevent the disability of such dog or cat.~~

SECTION 106. Section 10.20.230 is hereby amended to read as follows:

10.20.230. Revaccination ~~t~~Time—Rabies vVaccine.

~~Every~~A person keeping ~~,or~~ harboring, ~~or having~~ a dog or cat in the unincorporated territory of the county which Department's jurisdiction that has been vaccinated with an approved against rabies vaccine shall cause such is required to have the dog or cat to be revaccinated within a period of not more than:

- A. 12 months after the dog's or cat's initial vaccination if the dog or cat was between ~~four~~three months and one year ~~in~~of age at the time of such vaccination; and
- B. 36 months after each ~~prior~~subsequent vaccination.

SECTION 107. Section 10.20.250 is hereby amended to read as follows:

10.20.250. Certificate of vVaccination—Information to be sShown.

~~Every person practicing veterinary medicine in the unincorporated territory of the county of Los Angeles~~A licensed veterinarian in the Department's jurisdiction who vaccinates a dog or cat ~~with~~against rabies vaccine shall must immediately issue a certificate of vaccination signed by the veterinarian to the ~~person to whom he delivers the dog or cat~~ the original, and monthly to the director a duplicate, of a certificate signed by the veterinarian which states owner or custodian of the dog or cat, and a duplicate certificate to the Director, stating:

A. The name and address of the owner or ~~harborer~~custodian of the vaccinated dogs or cats;

B. The ~~kind~~type of vaccine used, the name of the manufacturer, ~~and the~~ manufacturer's serial or lot number, and the date of the vaccinations; and

C. The breed, age, color, and sex of the vaccinated dogs or cats.

SECTION 108. Section 10.20.262 is hereby amended to read as follows:

10.20.262. County ~~a~~Assistance to l~~Low-c~~ost v~~Vaccination e~~Clinics.

The ~~d~~Director may direct ~~d~~Department personnel to provide low-cost vaccination clinics or assist at low-cost vaccination clinics operated by veterinary associations ~~as an~~ adjunct in addition to clinics operated by the ~~d~~Department. The ~~d~~Director may charge for the services of ~~e~~County personnel at low-cost vaccination clinics operated by veterinary associations. ~~This charge shall not include the time actually spent in the issuance of licenses. Rates shall be those. The rate charged for each vaccination will be the amount~~ established by the ~~e~~County ~~a~~Auditor-~~e~~Controller.

SECTION 109. Section 10.20.270 is hereby amended to read as follows:

10.20.270. Licensing of ~~b~~Businesses using ~~d~~Dogs for ~~p~~Protection.

Every~~A~~ business establishment that uses a guard or attack dog ~~or dogs to work~~ without supervision to deter and protect the business from unauthorized persons entering said business, as defined in Section 10.08.150, is required to obtain under this part, other than sentry dog companies having dogs registered pursuant to Health and Safety Code Section 121910. ~~Businesses registered under Health and Safety Code~~

~~Section 121910 are also required to obtain an animal facility license under Section 10.28.060 an animal facility license.~~

SECTION 110. Section 10.20.280 is hereby amended to read as follows:

10.20.280. Licensing of ~~d~~Dogs used by businesses for ~~p~~Protection.

Every business establishment or person using a guard or attack dog must shall license; each dog with the Los Angeles County ~~d~~Department of animal care and control; failure to license a guard or attack dog is a misdemeanor, ~~each and every dog subject to this Part 3.~~

SECTION 111. Section 10.20.290 is hereby amended to read as follows:

10.20.290. Inspection of ~~business~~ ~~p~~Premises ~~r~~Required ~~a~~Annually—

Fee.

~~Prior to~~Before the licensing of a dog; and business subject to this Part 3; the county~~Department~~ shallmust inspect the ~~business establishment premises so as where~~ the dog is working to assureensure the adequate housing and care of the dog. The inspection fee set forth in ~~Section 10.90.010-II.C.3~~ shallmust be paid annually ~~upon~~ inspection.

SECTION 112. Section 10.20.300 is hereby amended to read as follows:

10.20.300. Licensing—Information Required.

A. The license issued to a business or person subject to this Part 3 shallwill include the following information:

A.1. ~~The name, address and telephone number of both contact~~ information, as defined in Section 10.08.095, ~~the business establishment for the~~

premises where the dog is working ~~the business establishment~~ and the name and contact information of the dog's responsible owner, custodian, or handler;

B~~2~~. The name of the dog;

C~~3~~. The license identification number and the microchip number of the dog;

D~~B~~. ~~The time at which the owner, custodian, or handler shall~~must inspect visit the dog's physical condition, its surroundings, and to assure its where it is working at least twice in every 24-hour period to ensure the health of the dog, that the food and water supply are adequate, and compliance with all other requirements of Section 10.40.010. ~~Said inspection shall be twice in any 24-hour period, with each inspection no more than 15 hours from the previous inspection. A visit may not be more than 12 hours after the last visit.~~

SECTION 113. Section 10.20.310 is hereby amended to read as follows:

10.20.310. Sign ~~r~~Required on pPremises—Contents.

Clear and legible signs shall must be posted at each of the entrances to the ~~business establishment~~premises having where dogs are licensed pursuant to ~~under~~ this Part 3, ~~which shall state~~stating that the dog and the ~~business~~location are licensed with the Los Angeles County ~~d~~Department of aAnimal Care and eControl and the location and telephone number of the nearest eCounty animal sheltercare center. Failure to post the required sign is a misdemeanor.

SECTION 114. Section 10.20.320 is hereby added to read as follow:

10.20.320. Guard and Attack Dogs—Fenced or Walled Premises

Required.

A person owning or having charge, care, custody, or control of any guard or attack dog as defined in Section 10.08.150 is required to confine the dog in an enclosed structure or on property that is enclosed by a fence or wall that is at least five feet high.

SECTION 115. Section 10.28.010 is hereby amended to read as follows:

10.28.010. Application of Chapter 10.28 pProvisions.

This chapter 28 applies to all licenses ~~required by this Division 1~~ except licenses ~~for individual dogs and cats.~~ licenses required for animal facilities and wild animals.

SECTION 116. Section 10.28.020 is hereby amended to read as follows:

10.28.020. Initial lLicense—Application rRequired.

~~Every person desiring a license~~ A person who seeks to operate an animal facility or to keep a wild animal under Section 10.28.060, ~~shall~~ must file an application with the ~~d~~Department and ~~upon a form to be provided by the department, and at such time pay the required fee, and any applicable penalty as set forth in Section 10.90.010.II.~~ A person who possessed or owned a wild animal or who operated an animal facility without the required license, ~~shall~~ must pay the penalty ~~set forth in~~ owed under Section 10.90.010.II.C.4, in addition to the license fee. When a person applies for licenses for different purposes for animals at the same premises at the same time, the cost of the licenses ~~shall~~ will be reduced by ~~the amount set forth in~~ in accordance with the provisions of Section 10.90.010.II.A.1.k.

SECTION 117. Section 10.28.030 is hereby deleted in its entirety:

~~10.28.030. License Form and information required.~~

~~Each application for any license covered by this chapter shall be upon a form to be furnished by the department, and shall contain such information as the director may require.~~

SECTION 118. Section 10.28.040 is hereby amended to read as follows:

10.28.040. License fFee nNot rRefundable.

~~No part of the license fee is refundable in any case.~~ Fees for animal facility licenses and wild animal licenses are not refundable.

SECTION 119. Section 10.28.050 is hereby amended to read as follows:

10.28.050. License rRequirements—Prerequisites to iIssuance and rRenewal.

~~Upon the filing of any license or renewal application covered by this chapter, tThe dDirector shall will inspect the premises and make such investigation as he deems proper. conduct an investigation, at his discretion, related to the filing of any license or renewal application. A license will be issued or renewed The director may issue a new license or renew the license if the following requirements are met:~~

A. The maintenance of the animal or animals at the specified location set forth in the application will not violate any federal law, state law, or ordinance of the eCounty of Los Angeles, federal law or any law of the state of California, or constitute a menace to the health, peace, or safety of the community; and

B. The applicant has received approval from the ~~d~~Director of the ~~department~~ Department of Regional Planning that the maintenance of the animal or animals as defined in this chapter, at the specified location specified in the application for the license therefore, will not violate any provision of any zoning ordinance or other specific plan of land use; land-use plan; and

C. The applicant has not had an animal facility or wild animal license, covered by this chapter, denied or revoked within the ~~e~~County of Los Angeles within ~~twelve~~the 12-months prior to period before the date of the application. However, the ~~d~~Director may issue a license within the ~~twelve~~that 12-month waiting period if the applicant is ~~able to~~can show that the grounds of the denial or revocation no longer exist. ~~make the showing required by Section 10.28.150.~~

SECTION 120. Section 10.28.060 is hereby amended to read as follows:

**10.28.060. License—Required for ~~e~~Certain ~~a~~Activities and ~~a~~Animals—
Certain ~~a~~Animals ~~e~~Exempt.**

Any person, including a new owner of an existing organization or business, ~~shall not~~cannot conduct or operate any animal facility listed in ~~Section 10.90.010,~~ or keep any wild animal, within the ~~unincorporated area of Los Angeles,~~ Department's jurisdiction without first obtaining a license from the ~~d~~Department, and any other applicable agency. Failure to obtain a license for an animal facility or a wild animal is a misdemeanor, ~~except as otherwise provided in this Section 10.28.060.~~ Any person who has not applied for a license within ~~30 days after the expiration date of a license~~ must obtain a new

~~license, in place of a renewal license. A license is not required for the keeping of the following animals for personal use as pets:~~

- ~~1. Canaries;~~
- ~~2. Chinchillas;~~
- ~~3. Chipmunks;~~
- ~~4. Finches;~~
- ~~5. Gopher snakes;~~
- ~~6. Guinea pigs;~~
- ~~7. Hamsters;~~
- ~~8. Hawks;~~
- ~~9. King snakes;~~
- ~~10. Marmoset monkeys;~~
- ~~11. Mynah birds;~~
- ~~12. Parrots, parakeets, amazons, cockatiels, cockatoos, lories, lorikeets, love birds, macaws, and similar birds of the psittacine family;~~
- ~~13. Pigeons;~~
- ~~14. Ravens;~~
- ~~15. Squirrel monkeys;~~
- ~~16. Steppe eagles;~~
- ~~17. Toucans;~~
- ~~18. Turtles;~~
- ~~19. White doves;~~

~~20. Tropical fish excluding caribe;~~

~~21. Domesticated mice and rats.~~

1. Birds;

2. Domestic rodents (pet mice, rats, guinea pigs, hamsters, and chinchillas);

3. Fish;

4. Non-venomous reptiles less than six feet in length;

5. Rabbits.

SECTION 121. Section 10.28.061 is hereby amended to read as follows:

10.28.061. Keeping and ~~b~~Breeding ~~p~~Pygmy pigs—License ~~r~~Required.

~~Anyperson owning or having the custody, care or control~~ application for an animal license or an animal facility license filed by the owner or custodian of one or more a pygmy pigs as defined in this title who keeps or maintains any such pig, whether as a pet or for personal use, or breeds such pig for pay or other compensation, shall first pay a fee and will be issued if the following requirements are met: ~~obtain an animal license or animal facility license from the department, except that no such license shall be issued unless:~~

A. ~~The person keeping or maintaining~~ owner or custodian of a pygmy pig kept in a residential area, as permitted in Los Angeles County Code Section 22.20.030 as a pet or for personal use, has provided ~~proof~~ written confirmation to the Department from a licensed veterinarian that the pig has been neutered or spayed ~~and such proof has been submitted to the department;~~ and

B. ~~The person owning or having custody and care~~owner or custodian of the animal provides written confirmation to the Department that he or she has obtained any and all licenses and zoning permits required pursuant to ~~under~~ this eCounty eCode or any other ordinance or statute, ~~and has submitted proof of such to the department.~~

SECTION 122. Section 10.28.062 is hereby amended to read as follows:

10.28.062. Pygmy pPigs—Breeding pProhibited in Residential Zone.~~when.~~

~~Any person owning or having the custody, care or control of any pygmy pig, and who keeps and maintains a pygmy pig in any residential zone, shall not engage in the breeding of such animals.~~Breeding of a pygmy pig is prohibited in a residential zone.

SECTION 123. Section 10.28.090 is hereby amended to read as follows:

10.28.090. License—Expiration dateTerm.

~~All~~The term of a licenses covered by this chapter ~~shall automatically expire twelve (12) months following the date of issue, unless sooner revoked or terminated by the Director, or by any of the following actions: the licensee changes the location of the animal facility or the animal for which the license was issued, or the licensee sells, assigns, transfers, or otherwise disposes of the animal facility or animal or his or her interest therein.~~in the animal facility or animal.

SECTION 124. Section 10.28.100 is hereby amended to read as follows:

10.28.100. Display of ILicense.

~~Every person having a license issued pursuant to the provisions of this chapter shall keep such license posted and exhibited, while in force,~~The holder of an animal

~~facility license must post the current license in some~~ conspicuous part of such establishment or, in the case of a the premises. The holder of a wild animal license ~~,affixed to~~ must attach the current license to the cage or enclosure wherein the animal is kept, ~~or in the case of a~~ A pygmy pig such license shall ~~be affixed~~ must be affixed attached to a harness or other device and worn by the animal at all times.

SECTION 125. Section 10.28.120 is hereby amended to read as follows:

10.28.120. License—Issued sSubject to e**Conditions when.**

~~If the director finds that the facts are such that any one or more of the provisions of this Division 1 relating to the denial of the license under consideration would apply if the license is issued without conditions, but that conditions can be imposed which will eliminate any such ground for denial, the director shall direct that the license be issued, subject to such conditions.~~ If a ground exists to deny a license, the Director, in his discretion, may issue the license subject to conditions instead of denying the license.

SECTION 126. Section 10.28.130 is hereby amended to read as follows:

10.28.130. Denial or eConditional g**Grant—Notice to a**Applicant of r**Right to h**Hearing.

~~Before the director denies any license, either new or renewal, or grants any license subject to conditions, except the renewal of a license containing only those conditions to which the license renewed was subject, or conditions to which the applicant has agreed, he shall notify the applicant in writing that he intends to deny the license or to grant the license subject to conditions, which conditions shall be specified in the notice,~~ The Director must mail a written notice to a licensee stating his intention

to deny a license or grant it subject to new or additional conditions, which will be specified in the notice. The notice must also state and that if the applicant, if dissatisfied with the decision of the director may, in writing, request wishes to appeal the Director's decision, he must submit a written request for a hearing before the bBusiness lLicense eCommission within five days after receipt of such notice. 14 days after the date the notice was mailed.

SECTION 127. Section 10.28.140 is hereby amended to read as follows:

10.28.140. Denial or eConditional gGrant—Hearing pProcedure.

If anyWhen an applicant requests a hearing, the dDirector shallwill prepare and file an accusation in the manner prescribedas described in Section 7.10.210 of this code, onrelating to business licenses. The parties will then be notified and a hearing will be held by the bBusiness lLicense eCommission in the manner prescribed inunder Sections 7.04.280 and 7.10.200 through 7.10.390 of this code. At such hearing, allAll parties maywill be given an opportunity to provide documentary evidence and witness testimony at the hearing. The heard and the bBusiness lLicense eCommission shallwill determine whether the license should be issued, issued subject to conditions, or denied.

SECTION 128. Section 10.28.150 is hereby deleted in its entirety:

10.28.150. ———Exception to waiting period following license denial or revocation.

If a license has been denied or revoked, the director shall not accept a new application by the same person for a license for the same activity at the same location less than twelve months after such denial or revocation unless the applicant

~~affirmatively shows, and the director finds, that the grounds upon which the first application was denied or the license was revoked no longer exist.~~

SECTION 129. Section 10.28.160 is hereby amended to read as follows:

10.28.160. Animal Facility License – Renewal procedure.

~~Within 30 days after the expiration of any license or prior to the expiration of the license, the licensee shall apply for a renewal of the license and, with his application, pay the required fee set forth in Section 10.90.010.II.B. When a person applies for more than one renewal, for animals at the same premises at the same time, the cost of the renewals shall be reduced by the amount set forth in Section 10.90.010.II.B.1.i.~~
An animal facility licensee is required to apply for a renewal license and to pay the fee under Section 10.90.010 before the license expires. A licensee who has ~~An animal facility which has not applied for a renewal within the 30 days grace period~~after the license has expired must obtain a new license in place of a renewal license, and pay the ~~applicable fees applicable to an initial license. If the applicant has not applied for a renewal within six months after the expiration date, the penalty provided in Section 10.90.010.II.C.4 must also be paid and penalties.~~

SECTION 130. Section 10.28.170 is hereby amended to read as follows:

10.28.170. License Suspension or Revocation Procedure.
~~As condition of license grant—Procedure.~~

~~Every license granted is granted and accepted by all the parties with the express understanding that the dDirector may prepare and file an accusation, and cause the parties to be notified, and a hearing held before the business license commission as~~

~~prescribed~~ suspend or revoke the license if warranted, in accordance with the procedure described in Section 10.28.140. If, ~~from the evidence introduced at such hearing,~~ the ~~Business License Commission~~ finds that any ground ~~for~~ revocation exists, it may revoke or suspend ~~such~~ the license. ~~Pending such hearing and decision,~~ the ~~Director~~ may ~~suspend such license for not more than 60 days.~~ the license for up to 60 days before the hearing is held and the decision is made by the Business License Commission.

SECTION 131. Section 10.28.175 is hereby amended to read as follows:

10.28.175. Re-inspection.

~~When a~~ an initial license or renewal fee has been paid within the preceding 12 months, and a re-inspection of the premises is necessary to determine compliance with all licensing requirements, or when a person requests a reinspection in order to improve a grade, or for any reason, requested for any reason, ~~he shall pay the reinspection fee set forth in Section 10.90.010.II.C.1, provided that any applicable initial license fee or renewal fee has been already paid within the preceding twelve months.~~ a re-inspection fee will be charged.

SECTION 132. Section 10.28.180 is hereby amended to read as follows:

10.28.180. Suspension and Revocation—Grounds.

A license may be suspended or ~~revoked~~ on any one or more of the following grounds:

A. ~~Any facts exist because of which a denial of the license would be authorized;~~ Denial of the license would be authorized under existing facts.;

B. The licensee, or any agent or employee of the licensee, has violated or ~~has been convicted of violating of the provisions of the ordinance codified in this chapter or any other county ordinance, or of any regulation adopted pursuant thereto, or of any law, statute, rule, order or regulation of the state now or hereafter in force regulating the occupation or other activity for which the license was issued;~~ any municipal ordinance or a state or federal law or regulation relating to the operation of an animal related business.

C. The licensee obtained the license by fraudulent misrepresentation(s);

D. ~~The licensee has conducted the occupation or other activity licensed in an immoral or disorderly manner;~~

E. ~~The licensee is an unfit person to be entrusted with the privileges granted by the license.~~

SECTION 133. Section 10.28.190 is hereby deleted in its entirety:

~~10.28.190. Revocation—Notice to tax collector.~~

~~The director shall give notice of such revocation to the tax collector.~~

SECTION 134. Section 10.28.200 is hereby deleted in its entirety:

~~10.28.200. Revocation—Forfeiture of fee.~~

~~On revocation of the license, no part of the money in the hands of the tax collector shall be returned, but the said license fee shall be forfeited to the county.~~

SECTION 135. Section 10.28.210 is hereby amended to read as follows:

10.28.210. Imposition of When aAdditional eConditions authorized whenMay be Imposed.

A. ~~If, at any time, it appears to the director that there are grounds for the revocation of a license, but that such grounds could be eliminated by the imposition of conditions, or of additional conditions, or by the amendment of any existing condition to such license, he may notify the licensee in writing that he intends to impose or amend such conditions and that the licensee may, within five days after receipt of such notice, request in writing a hearing before the business license commission.~~ The Director may impose or amend license conditions if grounds exist for the revocation of the license. The Director will give written notice to the licensee of his intention to impose or amend conditions. Within 14 days after the notice is mailed, the licensee may submit a written request for hearing before the Business License Commission.

B. ~~If, from the evidence at a revocation hearing or at a hearing held pursuant to this section, it appears to the business license commission that there are grounds for revocation which can be eliminated by the imposition of, or amendment of, conditions, the business license commission may impose or amend such conditions.~~ The Business License Commission may impose or amend conditions based on evidence presented at the hearing.

SECTION 136. Section 10.28.220 is hereby amended to read as follows:

10.28.220. Change of ~~Conditions~~ at ~~Licensee's~~ Request.

~~If a licensee applies in writing to the director for a change in the conditions to which his license is subject, the director may grant such application in whole or in part, or may deny such application, based upon facts found by him. The Director may grant or deny all or part of a licensee's application to change license conditions as warranted by the facts.~~

SECTION 137. Section 10.28.230 is hereby deleted in its entirety:

~~**10.28.230. License Preparation, numbering, recordkeeping and other procedures.**~~

~~Each license issued pursuant to the provisions of this chapter shall be prepared, numbered, signed, delivered and accounted for in the manner provided by law for other licenses.~~

SECTION 138. Section 10.28.240 is hereby amended to read as follows:

10.28.240. License—~~Information to be Shown~~.

~~In addition to any other matter required by law, each~~The license shall~~must~~ state the name and residence address of the person to whom such license is issued,licensee, the address where the animals will be kept, the amount paid therefor and the character thereof,for the license, the date ~~when~~the license was issued, and the expiration date, on which such license shall expire, and shall specify the address at which the license permits the maintenance of the animal or animals.

SECTION 139. Section 10.28.250 is hereby amended to read as follows:

10.28.250. ~~Renewal procedure—Report from regional planning commission required when.~~ Animal Facility License – Report From Zoning Authority.

If the ~~tax collector~~Director has not received any ~~protest against~~complaint regarding the issuance or ~~its renewal of an animal facility license~~, he may issue a ~~or~~ renew ~~al of an existing~~the license covered by this chapter ~~for~~ at the same location stated on the license, without any report from the ~~d~~Director of the ~~d~~Department of ~~r~~Regional ~~p~~Planning commission, or other applicable zoning authority. If a complaint has been received, approval ~~Otherwise, the tax collector shall not issue any license until he obtains from the dDirector of the Department of rRegional pPlanning commission a statement signed by such director is required to confirm that the maintenance of keeping the animal(s) or animals, at the location specified in the application for the license therefor, will not violate any provision of anythe applicable zoning ordinance or official plan of a master plan offor land use.~~

SECTION 140. Section 10.28.260 is hereby deleted in its entirety:

10.28.260. ~~Report of zoning land use regulation violations required when—Contents.~~

~~If the director of the regional planning commission finds that the holder of any license covered by ordinance or official plan of land use, or has done, is doing or threatens to do any act, because of the doing of which no license should be issued or renewed, or any other circumstance because of which such license should not be~~

~~renewed, he shall report such fact in writing to the tax collector. In such report he shall give the number of the license, the name and address of the licensee, the location of the animal or animals, the reasons why such license should not be renewed, and such other facts as the tax collector may require.~~

SECTION 141. Section 10.28.270 is hereby amended to read as follows:

10.28.270. Animal ~~f~~Facility ~~g~~Grading—Bases for ~~g~~Grading.

A. The purpose of the Animal Facility Grade Card is to provide notice to the public of the grade earned by an animal facility at the time of the most recent inspection of the facility. The grading standards are ~~set forth~~stated in the Animal Facility Inspection Report, which is available upon request from any ~~e~~County shelter~~animal care center.~~

B. The letter grade reflected in the Animal Facility Inspection Report is based on the facility's level of compliance with applicable state statutes, and local ordinances, and policies relating to the care of animals. The grade ~~shall be issued~~is based on the animal facility's final score as follows:

1. Grade of A: ~~Final score of 90% and above;~~
2. Grade of B: ~~Final score of 80% to 89%;~~
3. Grade of C: ~~Final score of 70% to 79%. A final score of 70% is the minimum grade required to maintain a license in good standing. A score of less than 70% will result in recommendations by the~~ d~~Department~~ regarding licensing or legal action to be taken as set forth in Section 10.28.290.

SECTION 142. Section 10.28.280 is hereby amended to read as follows:

10.28.280. Display of gGrading eCard—Violation.

A. ~~Upon issuance by the director, the facility shall~~The facility is required to post the Animal Facility Grade Card at everythe animal facility, ~~so as to be clearly visible to the general public and to patrons entering the facility. For purposes of this section, "clearly visible to the general public and to patrons" shall mean:~~as follows:

1. Posted in the front window of the facility within five feet of the front door or;

2. Posted in a display case mounted on the outside front wall of the facility within five feet of the front door; or

3. Posted in a location as directed and determined in the discretion of the dDirector to ensure proper notice to the general public and to patrons.

B. ~~In the event that~~If an animal facility is operated in the same building or space or shares a common customer entrance as a separately licensed or permitted business, or in the event that an animal facility shares a common patron entrance with such a separately owned or permitted business, or in the event of both, the facility shallmust post the Animal Facility Grade Card(s) in the initial patroncustomer contact area, or in a location as ~~determined in the discretion of~~by the dDirector.

C. The Animal Facility Grade Card shallmust not be defaced, marred, camouflaged, hidden, or removed. Except as provided in subsection D of this section, it shall beis unlawful to operate an animal facility unless the Animal Facility Grade Card is

displayed as required by this Section ~~10.28.280~~. A violation of this subsection C is a misdemeanor, and is punishable as a misdemeanor under Penal Code Section 19.

D. The ~~d~~Director may waive posting of the Animal Facility Grade Card when the animal facility consists of animals maintained solely as personal pets ~~which~~that are not used to breed, show, sell, adopt, or to transfer ownership or custody of the animals by any other method.

SECTION 143. Section 10.28.290 is hereby amended to read as follows:

10.28.290. Consequences of ~~f~~Failure to ~~a~~Achieve ~~m~~Minimum ~~g~~Grade.

The ~~d~~Department ~~shall make recommendations as to licensing or legal action to be taken when~~will take one or more of the following actions if an animal facility does not earn a final score of at least 70%:

1. ~~Licensing Consequences. Licensing consequences of an animal facility's failure to attain a final score of at least 70% include the impose of conditions, denial, revocation or non-renewal of the license.~~Deny, revoke, impose conditions on, or not renew the animal facility license.

2. ~~Other Consequences. Other consequences include referrals~~Refer the matter to local prosecuting authorities for criminal prosecution under local ordinances or state statutes.

SECTION 144. Section 10.32.010 is hereby amended to read as follows:

10.32.010. Dogs—Running at ~~l~~Large ~~p~~Prohibited—Exceptions.

~~No person owning or having charge, care, custody or control of any dog shall cause, permit or allow the same to be or to run at large upon any highway, street, lane,~~

~~alley, court or other public place, or upon any private property or premises other than those of the person owning or having charge, care, custody or control of such dog, in the unincorporated area of the county of Los Angeles, unless such dog be restrained by a substantial chain or leash not exceeding six feet in length and is in the charge, care, custody or control of a competent person.~~A dog must be restrained on a substantial leash not exceeding six feet in length by a person capable of controlling the dog, while on public property or common areas of private property. An owner or custodian of a dog may allow the dog to be unrestrained on private property with the owner's or lessor's consent.

SECTION 145. Section 10.32.020 is hereby deleted in its entirety:

~~**10.32.020. Attack dogs—Fenced or walled premises required when.**~~

~~Notwithstanding the provisions of Section 10.32.010, no person owning or having charge, care, custody, or control of any dog which has been trained to attack persons or animals, or an attack dog that behaves in a threatening or menacing manner, shall, within the unincorporated area of the county of Los Angeles, cause, permit or allow the same to be or run at large upon any private property or premises, including those of the person owning or having charge, care or custody of such dog, except within such portion of such property or premises which are enclosed by a structure, fence or wall not less than five feet in height. The fence, wall or structure shall conform to requirements of Chapter 11.50 of this code.~~

SECTION 146. Section 10.32.030 is hereby deleted in its entirety:

~~10.32.030. Dogs—Running at large permitted on private property—~~

Conditions.

~~The provisions of this chapter do not prohibit permitting or allowing dogs to run at large on the premises of the owner or person having charge, care, custody or control of such dogs when the property is a ranch or similar undeveloped property, or prohibit permitting or allowing dogs, other than unspayed female dogs during the copulative season, to run at large on any ranch or similar undeveloped property with the permission of the owner of such ranch or similar undeveloped property; provided such dog is under reasonable control of a competent person.~~

SECTION 147. Section 10.32.040 is hereby amended to read as follows:

10.32.040. Livestock and poultry Wild Animal at Large — deemed

Misdemeanor—Exceptions.

~~A. Every person owning or having charge, care, custody or control It is unlawful for an owner or custodian of any pig, pygmy pig, hog, cow, bull, steer, horse, mule, jack, jenny, hinny, sheep or other livestock, including poultry, is guilty of a misdemeanor, who wilfully or knowingly permits or, through failure to exercise due care or control, a wild animal or livestock to allows:~~

~~1.A. The same Such an animal to run at large upon any highway, street, lane, alley, court or other public place on public property; or~~

~~2.B. Such an animal To enter or remain in or upon any land private property owned by any person, other than the owner or custodian of such the animal, unless the~~

~~person in charge of such animal has in his possession the consent in writing without the written consent of the property owner or lessee of such land.~~

~~C. A violation of this section is a misdemeanor.~~

~~B. This section does not apply to any recreational use upon uncultivated or unimproved land.~~

SECTION 148. Section 10.32.050 is hereby amended to read as follows:

10.32.050. Livestock—Owner Liability for Service Charges.

~~The owner or other person having custody or control over custodian of livestock shall be liable to must pay the County for the salary, costs personnel costs and other expenses incurred by the Department's personnel when used for the restraining, capturing or rescuing of said animals. The salary, costs and expenses shall be determined by the director with the concurrence of the county auditor-controller. to restrain, capture, or rescue livestock.~~

SECTION 149. Section 10.32.060 is hereby deleted in its entirety:

~~10.32.060. Leading animals along public highways permitted.~~

~~This chapter does not prohibit the leading, driving or conducting of animals under adequate supervision along a public highway.~~

SECTION 150. Section 10.32.070 is hereby deleted in its entirety:

~~10.32.070. Requirements for animal facility keeping cats.~~

~~Every person owning or operating any animal facility used to keep cats, shall keep all cats therein under proper confinement on the premises and shall not cause, permit or allow such cats to be or to run at large.~~

SECTION 151. Section 10.32.080 is hereby amended to read as follows:

10.32.080. Wild aAnimal(s). ~~Establishment regulations.~~

~~Every~~A person ~~owning any~~who owns a wild animal or ~~operating any~~operates a wild animal establishment shall ~~keep all animals under proper confinement~~facility must properly confine the animal(s) on the premises and shall ~~not cause, permit or~~must not allow suchthe animal(s) to be ~~or to run at large, or maintain any such animal upon any private property on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises.~~ A wild animal is not allowed to be taken to any place where it would endanger any person. A violation of this section is a misdemeanor.

SECTION 152. Section 10.32.090 is hereby amended to read as follows:

10.32.090. Animals aAllowed to be at ILarge—~~Permit r~~Required—

Conditions.

~~A.——If the director finds that it is necessary to permit an animal, wild or domestic, to run at large in order to accomplish any legitimate purpose by the use of such animal, and that the animal will be so supervised and guarded that it will not leave the premises where used and will not endanger in any way the public health, safety or general welfare of any person, he may permit such animal to run at large under such conditions as the director finds necessary or expedient to protect the safety of the public.~~The Director may issue a license to allow a domestic or wild animal to run at large for a legitimate purpose so long as the animal is properly supervised and guarded so that it cannot leave the premises where it is used, and to ensure the public safety.

~~B. Such permit may be for one occasion or for a period of time or until revoked. It may include one or more animals or may permit any animal under the control of the permittee to run at large as provided in subsection B.~~

~~C. Such permit may be revoked for the reasons and pursuant to the procedures provided by this Division 1 for the revocation of licenses.~~

SECTION 153. Section 10.36.010 is hereby amended to read as follows:

10.36.010. Taking uUp aAnimals—Permitted when.

Any person finding any stray domestic animal or any such animal which is running at large contrary to the provisions of this Division 1 livestock may take up such the animal if he complies with the applicable provisions of this Division 1. Within four hours, the person must make reasonable efforts to locate the owner, call an animal care center to report the finding of the animal and to ask that it be picked up, or take the animal to an animal care center. The animal must be surrendered to the Director upon demand.

SECTION 154. Section 10.36.020 is hereby deleted in its entirety:

~~**10.36.020. Surrendering animals to authorized representative required when.**~~

~~Any person taking up any stray domestic animal or any such animal found running at large contrary to the provisions of this Division 1 shall surrender such animal to the director or to his duly authorized representative upon demand.~~

SECTION 155. Section 10.36.040 is hereby deleted in its entirety:

~~10.36.040. Taking up animals—Notice to director or sheriff required.~~

~~Every person, except the director, taking up any stray animal or any such animal which is running at large contrary to the provisions of this Division 1 shall, within four hours thereafter, give notice to the director or to the sheriff of:~~

~~A. The fact that he has such animal in his possession;~~

~~B. The complete description of such animal;~~

~~C. The license number of such animal, if any, and by what county or municipal corporation issued. If such animal has no license he shall so state;~~

~~D. The place where such animal is confined.~~

SECTION 156. Section 10.36.050 is hereby deleted in its entirety:

~~10.36.050. Taking up animals—Sheriff's officers' notice responsibility.~~

~~In case the notice provided for in Section 10.36.040 is given to any member of the sheriff's office, such officer shall immediately notify the director and shall furnish him all the information which has been obtained regarding such animal.~~

SECTION 157. Section 10.36.060 is hereby deleted in its entirety:

~~10.36.060. Animals delivered to shelter.~~

~~The director shall deliver to an animal shelter operated by the department those animals picked up by the department in accordance with this Division 1.~~

SECTION 158. Section 10.36.080 is hereby deleted in its entirety:

~~**10.36.080. Impounded animals—Recordkeeping requirements.**~~

~~The director shall keep a record of each animal impounded, the date of impound, the date and name and address of the person who redeemed, reclaimed or purchased the animal, and the amount of all fees received or collected for or because of the impounding, reclaiming or purchasing of the animal. When a dog or cat is redeemed by an owner or is adopted, the director shall keep a record of the dog or cat license number or the animal facility license number under which the dog or cat was released.~~

SECTION 159. Section 10.36.090 is hereby amended to read as follows:

~~**10.36.090. Impounded dogs and cats**~~**Animals —Notice to oOwner required when.**

~~When any dog or cat wearing a current, valid license tag issued by the county of Los Angeles, or any municipality within the county of Los Angeles~~an animal who has traceable identification is impounded pursuant to this Division 1, the dDirector shall, within 48 hours, excluding week-ends and holidays, after receiving such dog or cat, notify either by telephone or letter, with postage fully prepaid thereon, the person to whom the current license for such dog or cat was issued, of the whereabouts of such dog or cat.must notify the owner of the whereabouts of the animal within 48 hours after receiving the animal. The notification may be made by telephone, letter, or other available means. The owner or custodian of the animal will not be liable for any board or care charges if the Director does not give the timely notice required by this section, provided the animal is reclaimed within 24 hours after receiving notice.

SECTION 160. Section 10.36.100 is hereby deleted in its entirety:

~~10.36.100. Impounded dogs or cats—Failure to give notice—Charging fee prohibited when.~~

~~If the director does not comply with Section 10.36.090, he shall charge no fee of any kind for any board or care of such dog or cat, until such time as the required notice is given.~~

SECTION 161. Section 10.36.110 is hereby deleted in its entirety:

~~10.36.110. Impounded animals—Newspaper notices authorized.~~

~~The director may, upon impounding of any animal, cause to be published, in any newspaper circulated within the community wherein any such animal was taken up, a notice of description of such animal, the date of such taking up and impounding, and the address of the animal shelter wherein such animal is being held.~~

SECTION 162. Section 10.36.120 is hereby amended to read as follows:

10.36.120. Impounded dogs and cats wearing current, valid license tag
Animals with Traceable Identification —DestructionAdoption or eOther
dDisposition, conditions.

~~Dogs and cats wearing current, valid license tag, issued by the county of Los Angeles or any municipality within the county of Los Angeles, impounded pursuant to this Division 1, shall not be destroyed or otherwise disposed of unless: The Department will hold an animal with traceable identification, before adopting it out or otherwise disposing of it, for six business days after it mails or otherwise notifies the owner or~~

custodian of where the animal is. An animal that is irremediably suffering or is ordered to be destroyed by the public health officer will not be held for six business days.

~~A. The person to whom the current license for such dog or cat was issued so directs; or~~

~~B. Six business days have elapsed since such person was notified of the whereabouts of his dog or cat by telephone; or~~

~~C. Six business days have elapsed since a letter, postage fully prepaid, addressed to such person at his last known address and informing such person of the whereabouts of his dog or cat, has been deposited in the United States mail.~~

~~Notwithstanding the foregoing, a dog or cat which is irremediably suffering from a serious illness or severe injury shall not be held for owner redemption or for adoption. Any stray animal that is impounded pursuant to this Division 1, shall, prior to the killing of the animal for any reason other than irremediable suffering, be released to a nonprofit humane organization, as defined in Section 501(c)(3) of the Internal Revenue Code, animal rescue or adoption organization if requested by the organization prior to the scheduled killing of the animal. In addition to the required spay or neuter deposit, the Department may assess the standard adoption fee for animals released.~~

SECTION 163. Section 10.36.130 is hereby amended to read as follows:

**10.36.130. Redemption of impounded animals—Conditions
Generally.**

~~The owner or person entitled to the custody of any animal taken up and impounded under the provisions of this Division 1 may, at any time before the sale or~~

~~disposal thereof as herein provided, redeem such animal by paying to the director the fees and charges prescribed by this Division 1 accruing up to the time of such redemption.~~ custodian of an impounded animal may redeem it by paying the fees and charges against it before the adoption or other disposition of the animal.

SECTION 164. Section 10.36.160 is hereby amended to read as follows:

10.36.160. Impounding fFees—Described.

The impounding fee ~~does not include any~~includes the cost of feeding ~~or~~and caring for any dog or cat except during the day on which it is impounded, but the fee for such care and feeding may be collected for each day, except the day on which it is impounded, during which such dog or cat is in the custody of the director.an animal on the day it was impounded. The owner or custodian will be charged daily board and care costs for each day after the day of impound.

SECTION 165. Section 10.36.170 is hereby deleted in its entirety:

~~10.36.170. Impounding fees—Cost of giving notice included.~~

~~For giving notice of the impounding of any animal, the actual cost of the publication of any notice published for such animal shall be collected.~~

SECTION 166. Section 10.36.180 is hereby deleted in its entirety:

~~10.36.180. Impounding fees—For rabbits, poultry and other animals.~~

~~The estimated cost of impounding, feeding and caring for rabbits, birds, poultry, fowls, livestock or other animals not otherwise provided for in Division 1 shall be collected.~~

SECTION 167. Section 10.36.190 is hereby amended to read as follows:

10.36.190. Impounding ~~f~~Fees ~~and~~ Care Costs—~~Veterinary~~ eCare.

A. The ~~d~~Director may employ a private veterinarian, ~~if~~as necessary, to properly care for and maintain any animal.

B. When a veterinarian's fee has been ~~paid or~~ incurred for the care or treatment of an animal, ~~such~~the animal shall ~~not~~will be redeemed without payment by the owner of all fees and costs. released to the owner or custodian until all fees and care costs have been paid.

SECTION 168. Section 10.36.200 is hereby amended to read as follows:

10.36.200. Impoundment ~~f~~Fees—~~Not~~ eCharged ~~w~~When ~~a~~An Animal ~~t~~Taken ~~u~~Up ~~u~~Unlawfully.

~~A charge shall not be collected for any animal which has been unlawfully taken up and impounded. Such animal shall be immediately delivered upon demand to the owner or person entitled to the custody thereof.~~ An animal unlawfully taken up and impounded will be returned to its owner or custodian without charge or delay.

SECTION 169. Section 10.36.210 is hereby amended to read as follows:

10.36.210. ~~Dog or~~ Cat—~~Release~~ eConditions.

~~The director shall not release any dog which has been redeemed by the owner unless such~~ A dog does not have rabies, or cat may be released to its owner or custodian if it is not under observation for rabies if:

A. ~~The owner exhibits a certificate signed by a veterinarian licensed either by the state of California or by any other state to practice veterinary medicine that:~~

~~1. Such dog has been vaccinated with approved rabies vaccine within a period of not more than 12 months after the dog's initial vaccination if the dog was between four months and one year in age at the time of such initial vaccination; or~~

~~2. Such dog has been vaccinated with approved vaccine within the past 36 months; or~~

~~3. Such dog should not be vaccinated with rabies vaccine because such vaccination would jeopardize the health of such dog due to infirmity or other disability, which infirmity or disability and the estimated date of termination is shown on the face of the certificate; or~~

~~4. A department veterinarian has so vaccinated such dog within the times specified in subsection A of this section.~~

A. The dog or cat has been microchipped and vaccinated against rabies; or

B. The owner or custodian has complied with Section 10.20.070; or

C. The owner signs an order to comply, agreeing to have the dog or cat vaccinated against rabies within 10 calendar days.

SECTION 170. Section 10.36.220 is hereby amended to read as follows:

10.36.220. Dogs—~~Nonpayment of impound fees and charges—~~

Abandonment of Impounded Animals.

~~The refusal or failure of the owner of any impounded dog to pay the fee and charges after due notification shall be held to be an abandonment of the dog by the owner.~~
An animal is abandoned to the Department if the owner or custodian has not paid the fees and charges against the animal and has not taken possession of it within six

business days after the Department's mailing or notifying the owner or custodian of the animal's availability.

SECTION 171. Section 10.36.230 is hereby amended to read as follows:

10.36.230. Release of aAnimals—Proof of proper eCare rRequired.

The ~~d~~Director shall will not release a lawfully impounded animal to its owner or custodian, or ~~sell~~, any animal that has been impounded in accordance with the provisions of this Division 1, adopt out an animal unless the person to whom the animal is released or sold provides satisfactory proof that the animal will be maintained in accordance with the provisions of the ordinance codified in this Division 1 or any other ordinance or statute. agrees to comply with all applicable laws and demonstrates to the satisfaction of the Department that the animal will receive the necessary care.

SECTION 172. Section 10.36.240 is hereby deleted in its entirety:

~~**10.36.240. Purchase of animals without current, valid tag—Waiver of liability for unhealthy animals.**~~

~~Notwithstanding any other section of this Division 1, any diseased, ill, unwell or unhealthy animal may be purchased not less than four business days after impoundment, at the discretion of the director, provided the purchaser signs a waiver of liability as to any existing disease, illness or injury.~~

SECTION 173. Section 10.36.245 is hereby amended to read as follows:

10.36.245. Animal nNot suitable for placement.Adoption.

~~The director may declare an individual animal not suitable for placement~~
whichThe Director may find that an animal is not suitable for adoption if it demonstrates

aggressive behavior, has a prior history of such aggressive behavior, or is irremediably suffering from a serious illness or severe injury.⁴

SECTION 174. Section 10.36.250 is hereby amended to read as follows:

10.36.250. ~~Purchase~~Adoption of aAnimals—~~Exchange following sale permitted when or~~ Refund.

~~Any purchaser of a dog or cat, other than at auction, within seven days after such purchase (excluding the day of purchase) may exchange +such dog or cat for another dog or cat. A person who adopts a dog or cat may exchange the dog or cat, or apply for a refund, within 14 days after adoption. If the amount which the director would charge adoption fee for the value of the substituted dog or cat is greater than the amount paid for the original dog or cat, the purchaser shall adopter must pay the difference. In no event will any part of the purchase price of the original dog or cat be refunded, even though the price of the substituted dog or cat is less than the price paid for the original dog or cat.~~

SECTION 175. Section 10.36.260 is hereby amended to read as follows:

10.36.260. ~~Dogs and cats—Vaccination a~~Authorized when.

~~If tThe dDirector finds that any dog or cat impounded in a county animal shelter probably can be sold, or that in order to protect the public health such dog or cat should be vaccinated, he may order the vaccination of such dog or cat with an approved rabies vaccine. is authorized to provide medical care for impounded animals, including all necessary vaccinations.~~

SECTION 176. Section 10.36.270 is hereby amended to read as follows:

10.36.270. Examination for ~~r~~Rabies ~~a~~Authorized-when.

~~If the director suspects that any animal impounded has rabies, he shall hold such animal for inspection by, and shall notify, the director of public health. If the Director suspects that an impounded animal has rabies, he must notify the public health officer and hold the animal for examination. If the director suspects that any animal impounded has rabies, he shall hold such animal for inspection by, and shall notify, the director of public health. The director of~~After examining the animal, the public health shall examine such animal, and if he believes such animal should be held for further observation, he shall so inform the director, who shall hold such animal as directed.officer may advise the Director to hold the animal for further observation.

SECTION 177. Section 10.36.280 is hereby amended to read as follows:

10.36.280. Release ~~w~~When no ~~r~~Rabies ~~f~~Found.

~~If the director of public health officer finds that such~~the animal examined under Section 10.36.270 does not have rabies, the ~~d~~Director shallmay release it or lawfully dispose of it as provided in this Division 4.

SECTION 178. Section 10.36.290 is hereby amended to read as follows:

10.36.290. Confinement ~~w~~When ~~r~~Rabies ~~f~~Found.

~~If the director of public health officer finds that such~~the animal examined under Section 10.36.270 is afflicted withhas rabies, the ~~d~~Director shallmust confine it as directedinstructed by the director of public health officer.

SECTION 179. Section 10.36.300 is hereby deleted in its entirety:

~~10.36.300. Examination of animals suspected of rabies—Limitation on acts authorized.~~

~~Nothing in Sections 10.36.270, 10.36.280 or 10.36.290, or any other portion of this Division 1, shall be construed to either authorize or require any person, other than a person having a California State Veterinary License, to practice veterinary medicine, or to do any act in violation of the Business and Professions Code.~~

SECTION 180. Section 10.36.310 is hereby deleted in its entirety:

~~10.36.310. Destruction or other disposition—Animals running at large or maintained illegally.~~

~~Not less than four business days after taking up and impounding any animal found running at large without a current, valid identification issued by the department or other municipality in the county of Los Angeles, or which is otherwise being maintained contrary to the provisions of this Division 1, unless it sooner be redeemed by its owner, or is not suitable for adoption pursuant to Section 10.36.240 of this code, the director may destroy, or sell or give such animal to any entity, unless the disposition of such animal is covered by some other section of this Division 1.~~

SECTION 181. Section 10.36.340 is hereby deleted in its entirety:

~~10.36.340. Spaying or neutering—Condition of sale—Deposit required.~~

~~As a condition to the sale or giving away of any dog that has not been spayed or neutered, the purchaser or recipient shall deposit with the department of animal care and control, at the time of the sale or giving away, an amount determined by the director~~

~~to be sufficient to cover the costs of neutering or spaying the dog but in no event shall such deposit exceed \$40.00. Such deposit is to be paid to a licensed veterinarian upon proof that he has performed the required neutering or spaying operation within the time period as set forth in Section 10.36.370, and may include an amount necessary to recover any additional costs to the department under this chapter.~~

SECTION 182. Section 10.36.350 is hereby amended to read as follows:

10.36.350. Spaying or nNeutering—Condition of sSale—Deposit of mMoneys.

~~Whenever, in connection with the sale of any dog, the director shall receive a deposit to cover the cost of spaying or neutering, the money so received shall be deposited in a trust fund in the county treasury.~~ A person who adopts a dog or cat must pay the spay or neuter deposit required under state law. The Department will deposit the money received in a trust fund in the County treasury. After the adopted dog or cat has been spayed or neutered, the Director will refund the deposit to the adopter upon request. The deposit is forfeited if it is not claimed within 60 days

SECTION 183. Section 10.36.360 is hereby deleted in its entirety:

~~**10.36.360. Spaying of neutering—Deposit paid to veterinarian.**~~

~~Whenever a dog has been spayed or neutered as provided herein, the depositor shall be entitled to have the deposit paid to the licensed veterinarian performing the above operation, or the director may return the deposit to the person purchasing or receiving the dog upon written statement or receipt from the licensed veterinarian that~~

~~the dog has been spayed or neutered, and the director shall draw the necessary demand on the auditor therefor.~~

SECTION 184. Section 10.36.370 is hereby deleted in its entirety:

~~**10.36.370. Spaying or neutering—Deposit forfeited without proof of operation—Conditions.**~~

~~Any dog over six months of age at the time it is sold or given away shall be spayed or neutered within 60 days or the deposit shall be deemed forfeited. Any dog under six months of age at the time it is sold or given away shall be spayed or neutered within 60 days after reaching the age of six months or the deposit shall be deemed forfeited. The director may extend such time periods in writing upon the showing of good cause therefor. The age of the dog for purposes of this chapter shall be determined by the department. At least 30 days before the end of the said 60-day period, or any written extension thereof, the department shall send the purchaser notice by mail to the address on file with the department, informing the purchaser that failure to furnish satisfactory proof of performance of the operation prior to the end of the 60-day period or its extension shall result in forfeiture of the deposit. If said notice has been sent and the allotted time has elapsed without satisfactory proof of performance of the operation, the deposit shall be forfeited and the director shall transfer such money from the trust fund to the county treasury.~~

SECTION 185. Section 10.36.380 is hereby deleted in its entirety:

~~**10.36.380. Spaying or neutering—Deposit refund conditions.**~~

~~Whenever any dog which has been purchased from the department of animal care and control, while it was under the age of six months, dies or is destroyed prior to being spayed or neutered as required in this chapter, the purchaser shall be entitled to a refund upon presenting satisfactory proof to the director of such death or destruction, and the director shall draw the necessary demand on the auditor therefor. No refund shall be made, however, where death or destruction occurs following the time within which the aforementioned operation was required to be performed.~~

SECTION 186. Section 10.37.010 is hereby amended to read as follows:

10.37.010. Purpose of this eChapter.

Within the eCounty of Los Angeles there are potentially dangerous and vicious dogs that have become a serious and widespread threat to the safety and welfare of the citizens of the eCounty, which should be abated. The provisions of this chapter set forth the procedures by which the Department can find a dog is found to be a potentially dangerous dog or a vicious dog, and the consequences of such a finding. This chapter is intended to supplement rather than supplant any other remedy available under state statute or eCounty ordinance.

SECTION 187. Section 10.37.020 is hereby amended to read as follows:

10.37.020. Potentially dDangerous dDog—Definition.

Potentially dangerous dog means any of the following:

A. Any dog ~~which when unprovoked, that~~ on two separate occasions within the prior 36-month period, engages in any unprovoked behavior that requires a defensive action by any person to prevent bodily injury to any person, domestic animal, or livestock, off the property of the owner or custodian of the dog;

B. Any dog ~~which, that,~~ when unprovoked, bites a person or otherwise engages in aggressive behavior, causing a less severe injury than as defined in Section 10.37.040;

C. Any dog ~~which, that,~~ when unprovoked, has killed, seriously bitten, inflicted injury, or otherwise caused injury to a domestic animal or livestock off the property of the owner or custodian of the dog.

SECTION 188. Section 10.37.030 is hereby amended to read as follows:

10.37.030. Vicious ~~d~~Dog—Definition.

"Vicious dog" means any of the following:

A. Any dog ~~which that~~ engages in or has been found to have been bred or trained to engage in exhibitions of fighting;

B. Any dog ~~which that,~~ when unprovoked, in an aggressive manner, inflicts severe injury on or kills a person;

C. Any dog previously ~~determined to be~~ designated as and currently listed as a potentially dangerous dog in Los Angeles County, or to be a dangerous or vicious dog in another jurisdiction, which, after its owner or custodian has been notified of this ~~determination that designation,~~ continues the behavior described in Section 10.37.020 or

is maintained in violation of Section 10.37.130, a stipulation, an administrative decision, a court order, or restrictions placed upon it by another jurisdiction.

SECTION 189. Section 10.37.040 is hereby amended to read as follows:

10.37.040. Severe Injury—Definition.

"Severe" injury means any physical harm to a human being that results in a serious illness or injury, including but not limited to a major fracture, muscle tears, or disfiguring lacerations requiring multiple sutures or corrective or cosmetic surgery.

SECTION 190. Section 10.37.050 is hereby amended to read as follows:

10.37.050. Enclosure—Definition.

"Enclosure" means a fence or structure ~~suitable to~~ that will prevent the entry of young children, and ~~is suitable to~~ that will confine a potentially dangerous or a vicious dog, in conjunction with other measures ~~which~~ that may be required to be taken by the owner or custodian of the dog. The enclosure shall must be designed to prevent the animal from escaping. ~~The animal shall be housed pursuant to section 597t of the Penal Code.~~

SECTION 191. Section 10.37.060 is hereby deleted in its entirety:

~~10.37.060. Department—Definition.~~

~~"Department" means the department of animal care and control.~~

SECTION 192. Section 10.37.070 is hereby deleted in its entirety:

~~10.37.070. Impounded—Definition.~~

~~"Impounded" means taken into the custody of the department.~~

administrative decision, a court order, or restrictions placed upon it by another jurisdiction.

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SECTION 191. Section 10.37.060 is hereby deleted in its entirety:

~~**10.37.060. Department—Definition.**~~

~~"Department" means the department of animal care and control.~~

SECTION 192. Section 10.37.070 is hereby deleted in its entirety:

~~**10.37.070. Impounded—Definition.**~~

~~"Impounded" means taken into the custody of the department.~~

SECTION 193. Section 10.37.080 is hereby amended to read as follows:

10.37.080. Exemptions.

This chapter does not apply to humane society shelters, public animal control facilities, or care centers or shelters, veterinarians, or to dogs while ~~utilized~~used by any police department or any law enforcement officer in the performance of police work.

SECTION 194. Section 10.37.090 is hereby amended to read as follows:

10.37.090. Right of eEntry and inspection.

An duly authorized employee or agent of the dDepartment or any law enforcement officer may enter and inspect private property in the manner as set forth in Section 10.12.210. Upon inspection, the dDepartment may act to enforce the provisions of this chapter.

SECTION 195. Section 10.37.100 is hereby amended to read as follows:

10.37.100. Authority to sSeize and impound a animal posing an immEDIATE threat to public ssafety.

A. ~~If upon investigation it is determined by the animal control officer or law enforcement officer that probable cause exists that the dog in question poses an immediate threat to public safety, then the animal control officer or law enforcement officer may seize and impound the dog pending the hearing to be held pursuant to this chapter.~~ An animal control or law enforcement officer may seize and impound a dog at large when probable cause exists that the dog poses an immediate threat to public safety. The owner or custodian of the dog shall be ~~is~~ liable for the ~~and~~ expenses of keeping the dog impounded impound fee and costs if the dog is later

~~adjudicated~~determined to be potentially dangerous or vicious. ~~Such~~The fees and costs
~~and expenses shall~~must be paid ~~prior to~~before the release of the dog, but no later than
14 days after the dog is available to be released.

B. When a dog has been impounded ~~pursuant to~~under subsection A and it is not contrary to public safety, the ~~d~~Director of the department of animal care and control shall ~~permit~~may allow the animal to be confined at the owner's expense in a ~~d~~Department-approved animal or veterinary facility.

SECTION 196. Section 10.37.105 is hereby added to read as follows:

10.37.105. Initial Administrative Review by Director of Potentially Dangerous Dog.

If grounds exist, the Director may impose conditions on the keeping of a potentially dangerous dog in lieu of serving a petition to determine if the dog is potentially dangerous. The Director will give written notice to the dog owner or custodian of his intention to impose conditions on the keeping of the dog. Within 14 days, the owner or custodian may agree to the designation of potentially dangerous dog and to the conditions or may submit a written request for a hearing as provided in Section 10.37.110.

SECTION 197. Section 10.37.110 is hereby amended to read as follows:

10.37.110. Potentially d~~D~~angerous or v~~V~~icious d~~D~~og h~~H~~earing.

A. Hearing.

If an animal control ~~officer~~ or a law enforcement officer has investigated and determined that there is probable cause that a dog is potentially dangerous or vicious,

the ~~d~~Director of the department of animal care and control ~~shall~~may petition the Superior Court, within the judicial district wherein the dog is owned or kept, for a hearing, or ~~shall~~ serve a petition for an administrative hearing, to determine whether or ~~not~~ the dog in question should be declared potentially dangerous or vicious.

B. Notice of Hearing and Petition.

Whenever possible, a complaint ~~received~~ from a member of the public ~~which~~that serves as the evidentiary basis for the animal control officer or law enforcement officer to find probable cause ~~shall~~will be sworn to and verified by the complainant and ~~shall~~ be attached to the petition. The ~~d~~Director of the department of animal care and control ~~shall~~must notify the owner or custodian of the dog that a hearing ~~will be held by~~in the Superior Court, or ~~that~~ an administrative hearing will be held, at which time ~~he or she~~ the owner or custodian may present evidence as to why the dog should not be declared potentially dangerous or vicious. The Director will serve ~~¶~~ the owner or custodian of the dog ~~shall be served~~ with notice of the hearing and a copy of the petition, either personally or by first class mail. The hearing ~~shall~~will be held promptly ~~within no less than five (5) between 5 working days nor more than ten (10) and 10 working days~~ after the service of the notice upon the owner or custodian of the dog. For purposes of this chapter, service is complete upon deposit of the document(s) in the mail or when the documents are personally served.

C. Conduct of Hearing.

The hearing ~~shall~~will be conducted as an administrative hearing, or a limited civil case ~~pursuant to~~under Code of Civil Procedure Section 85, et seq., open to the public.

The judicial officer or administrative hearing officer ~~may~~will admit into evidence all relevant evidence, including incident reports and the affidavits of witnesses, ~~limit the scope of discovery, and may shorten the time to produce records or witnesses.~~ A jury ~~shall~~will not be available. The judicial officer or administrative hearing officer may find, upon a preponderance of the evidence, that the dog is potentially dangerous or vicious and ~~shall~~will make other orders or findings required or authorized by this chapter. The judicial officer or administrative hearing officer may decide all issues for or against the owner or custodian of the dog even if the owner or custodian fails to appear at the hearing.

D. Administrative Hearing Officer.

~~If the dog owner or custodian is notified that an administrative hearing will be held, the hearing shall~~will be conducted by a neutral hearing officer. The ~~d~~dDepartment may authorize its own ~~officer or employee~~ to conduct the hearing if the hearing officer is not the same person who signed the petition or directed the seizure or impoundment of the dog, and is not junior in rank to that person(s). In the alternative, the ~~d~~dDepartment may ~~utilize~~use the services of a hearing officer from outside the ~~d~~dDepartment.

SECTION 198. Section 10.37.120 is hereby amended to read as follows:

10.37.120. Notice of ~~d~~dDetermination and ~~a~~aAppeal from ~~c~~cCourt

hHearing.

A. Following a court hearing ~~conducted pursuant to Section 10.37.110,~~ the owner or custodian of the dog ~~shall~~parties will be notified in writing of the determination and order issued, either personally or by first class mail, postage prepaid by the court.

If ~~the petitioner or the owner or custodian of the dog~~either party contests the determination, he or she may, within ~~fourteen (14)~~ calendar days after the mailing of the notice of determination, appeal the decision, ~~which appeal shall be made to the Superior Court,~~ before a judge other than the judge who originally heard the petition. The fee for filing an appeal ~~shall be~~is the fee provided for ~~by~~in ~~S~~section 31622(a) of the Food and Agricultural Code, ~~and shall be payable to the C~~eounty clerk. The ~~petitioner or the owner or custodian of the dog~~party appealing ~~shall~~must serve notice of the appeal upon the other party personally or by first class mail, postage prepaid.

B. The court hearing the appeal ~~shall~~must conduct a hearing de novo, without a jury, and make its own determination as to ~~the~~the potential danger ~~and or~~and viciousness, ~~of the dog,~~ and make any orders authorized by this ~~e~~Chapter, based upon the evidence presented. The hearing ~~shall~~will be conducted in the same manner and within the time periods set forth in Section 10.37.110. The court may admit all relevant evidence, including incident reports, ~~and the affidavits of witnesses,~~ limit the scope of discovery, ~~and may shorten the time to produce records or witnesses.~~ The issue ~~shall~~will be decided upon the preponderance of the evidence.

C. The court hearing the appeal may decide all issues for or against the owner or custodian of the dog even if the owner or custodian fails to appear at the hearing.

D. The determination of the court hearing the appeal ~~shall be~~is final and conclusive upon all parties.

SECTION 199. Section 10.37.121 is hereby amended to read as follows:

**10.37.121. Notice of ~~d~~Decision and ~~j~~Judicial ~~r~~Review of
~~a~~Administrative ~~d~~Decision.**

Following an administrative hearing conducted pursuant to Section 10.37.110, a written notice of the decision ~~shall~~must be served on the ~~d~~Department and the owner or custodian of the dog either personally or by first class mail within 10 calendar days after the hearing. If the ~~department or the owner or custodian of the dog~~either party desires to contest the decision, the ~~department or the owner/custodian~~the appealing party ~~shall~~must notify the other party, in writing, within ~~fourteen~~(14) calendar days after the decision is served, of the intention to seek judicial review of the decision. The party seeking judicial review by the Superior Court ~~shall~~must comply with all requirements of Code of Civil Procedure ~~S~~section 1094.5, et seq.

SECTION 200. Section 10.37.130 is hereby amended to read as follows:

**10.37.130. Consequences of ~~p~~Potentially ~~d~~Dangerous ~~d~~Dog
~~d~~Determination.**

The following conditions apply to a dog determined to be potentially dangerous:

A. The dog ~~shall~~must be properly licensed, microchipped, and vaccinated at the owner or custodian's expense, ~~prior to release~~before it is released to the dog's owner or custodian. If the dog was not impounded, the dog owner or custodian ~~shall~~must provide proof that the dog is licensed, microchipped, and vaccinated within ~~fourteen~~(14) calendar days after the decision or court order declaring the dog to be potentially dangerous is served on the dog owner or custodian. The ~~d~~Department may

include the designation in the registration records of the dog, after the court or the hearing officer has determined that the designation applies to the dog.

B. The dog, while on the owner or custodian's property, shall, ~~at all times,~~ must be kept indoors, or in a securely fenced yard or enclosure from which the dog cannot escape, and into which children cannot ~~trespass~~ enter. The Department must inspect and give written approval of the yard or enclosure ~~shall be inspected and approved in writing by the department prior to release of the dog~~ before the dog is released to its owner or custodian. If the dog was not impounded, the Department must inspect and give written approval of the yard ~~shall be inspected and approved in writing by the department~~ or enclosure within ~~fourteen~~ (14) calendar days after the decision or court order declaring the dog to be potentially dangerous is served on the dog owner or custodian.

C. The dog may be off the owner or custodian's premises only if it is muzzled and restrained by a substantial leash, not exceeding six ~~(6)~~ feet in length, and if it is under the control of an adult capable of restraining and controlling the dog. At no time may the dog be left unattended while off the owner or custodian's premises.

D. The owner or custodian of the dog shall must notify the ~~d~~Department immediately if the dog is at large, or has committed an attack on any person, domestic animal, or livestock. If the dog no longer resides with the owner or custodian ~~of record,~~ or, the dog is transferred to another person(s), the owner or custodian shall must advise the ~~d~~Department of the dog's new location, in writing under penalty ~~of~~ perjury, and provide a copy of the administrative decision or court order declaring the dog to be

potentially dangerous, to the new owner and custodian. Each subsequent owner or custodian ~~shall~~must provide each new owner and custodian with a copy of the administrative decision or court order during the effective period of the decision or court order. Likewise, if the dog is moved to another jurisdiction, the owner or custodian is required to provide the animal control authorities in the new jurisdiction with a copy of the administrative decision or court order during the effective period of the decision or court order.

E. The owner or custodian of the dog ~~shall~~must complete an obedience course for a minimum of ten ~~(10)~~ hours of training with the dog, at the owner or custodian's ~~at his or her~~ expense within ~~sixty (60)~~ calendar days after release of the dog to ~~its~~the owner or custodian. The course ~~shall~~must be ~~a course~~ approved by the department ~~prior to~~before the release of the dog to the owner or custodian. If the dog was not impounded, the dog owner or custodian ~~shall~~must obtain approval of the course by the ~~d~~Department within ~~fourteen (14)~~ calendar days after the decision or court order declaring the dog to be potentially dangerous is served on the dog owner or custodian.

F. The dog ~~shall~~must be spayed or neutered at the expense of the owner or custodian ~~prior to~~before the release of the dog to its owner or custodian. If the dog was not impounded, the dog owner or custodian ~~shall~~must provide proof that the dog has been spayed or neutered within ~~thirty (30)~~ calendar days after the decision or court order declaring the dog to be potentially dangerous is served on the dog owner or custodian.

~~G.~~ The dog may be required to wear a bright reflective collar visible at 50 feet in normal daylight, which will be provided by the department at the owner or custodian's expense.

H.G. The owner or custodian of the dog may be required to maintain general liability insurance covering property damage and bodily injury caused by a potentially dangerous or vicious dog, with a combined single limit of \$300,000.00 per occurrence. If required to maintain such insurance, the owner or custodian ~~is required to~~ must show proof of insurance within ~~fourteen (14)~~ calendar days after the decision or court order declaring the dog to be potentially dangerous is served on the dog owner or custodian.

I.H. All charges for services performed by the ~~d~~Department pursuant to this ~~Section 10.37.430~~ and all fines ~~shall~~ must be paid ~~prior to~~ before the release of the dog to its owner or custodian or within ~~fourteen (14)~~ calendar days after the services are performed or the charges and fines are ordered to be paid. ~~If said~~ the owner or custodian does not take possession of the dog and pay the charges and fines are ~~not paid within fourteen (14) calendar days after the services are performed or the fines are ordered to be paid, the dog shall~~ will be deemed ~~to be~~ abandoned and may be disposed of by the ~~d~~Department.

J.I. If the determination that a dog is potentially dangerous under Section 10.37.020, is made ~~pursuant to a court hearing,~~ after a court hearing, the judicial officer ~~shall~~ must impose a fine on the owner and/or custodian ~~not to exceed~~ of up to \$500.00 for each separate basis upon which the determination was made. The fine ~~shall~~ will be

paid to the ~~d~~Department for the ~~purpose of~~to defraying the costs of the implementation of this chapter.

~~K-J.~~ A judicial officer or administrative hearing officer may impose such other reasonable conditions ~~as~~that are deemed necessary to protect the public safety and welfare.

SECTION 201. Section 10.37.140 is hereby amended to read as follows:

10.37.140. Consequences of ~~v~~Vicious ~~d~~Dog ~~d~~Determination.

A. A dog determined to be a vicious dog may be destroyed by the ~~d~~Department when it is found, after ~~proceedings~~a hearing conducted under Section 10.37.110, that the release of the dog would create a significant threat to the public health, safety, ~~and~~or welfare.

B. If it is determined that a dog found to be vicious ~~shall~~will not be destroyed, the judicial officer or administrative hearing officer ~~shall~~must impose the conditions on an owner and custodian of potentially dangerous dogs required by Section 10.37.130, the conditions required by this section, and any other conditions necessary to protect the public health, safety, ~~and~~or welfare.

C. The enclosure that is required ~~pursuant to~~by subsection B of Section 10.37.130 ~~shall~~must be an enclosure ~~which~~that is enclosed on all sides, and ~~which~~is locked by a padlock. It may be required to have a top and a cement floor. The enclosure ~~shall~~must be approved ~~in writing by~~ the ~~d~~Department ~~prior to~~in writing before the release of the dog to the owner or custodian. If the dog was not impounded, the dog owner or custodian ~~shall~~must obtain the written approval ~~by~~of the ~~d~~Department

within ~~fourteen-(14)~~ calendar days after the decision or court order declaring the dog to be vicious is served on the dog owner or custodian.

D. The owner or custodian of a vicious dog shall must give written notice of the vicious dog determination to the United States Post Office (local branch) and to all utility companies which ~~provide~~ providing services to the premises where the dog is kept. The owner or custodian shall must provide a copy of the notices to the ~~d~~Department prior ~~to~~ before the release of the dog from impound. If the dog was not impounded, the dog owner or custodian shall must provide a copy of the required notices to the ~~d~~Department within ~~fourteen-(14)~~ calendar days after the administrative hearing or court determination declaring ~~that~~ the dog is vicious.

E. The owner or custodian of the dog shall must post one or more signs on the premises, at a location(s), approved by the ~~d~~Department, stating that a vicious dog which has been determined to be vicious resides on the premises. The sign(s) shall must be posted within ~~fourteen-(14)~~ calendar days after the decision or court order declaring the dog to be vicious is served on the owner or custodian.

F. If the determination that a dog is vicious under Section 10.37.030, is made pursuant ~~to~~ after a court hearing, the judicial officer shall must impose a fine on the owner and/or custodian ~~not to exceed~~ of up to \$1,000.00 for each separate basis upon which said ~~the~~ determination was made. The fine shall must be paid to the ~~d~~Department for the ~~purpose of~~ to defraying the cost of the implementation of this chapter.

G. The owner or custodian of a dog determined to be a vicious dog may be prohibited from owning, keeping, possessing, controlling, or having custody of any dog

for a period of up to three years, if it is found at the hearing ~~conducted pursuant to the~~
~~petition to declare the dog vicious~~, that ownership or possession of a dog by that person
would create a significant threat to the public health, safety, and or welfare.

SECTION 202. Section 10.37.150 is hereby amended to read as follows:

**10.37.150. Compliance with eConditions and eConsequences of
violation of eConditions.**

A. The hearing officer or judicial officer who heard the petition to determine if
a dog is potentially dangerous or vicious may schedule follow-up hearing dates to
ensure compliance with all conditions imposed.

B. Consequences that may result from the failure of an owner or custodian of
a dog released after a hearing pursuant to Section 10.37.110 or Section 10.37.120 to
comply with any of the conditions imposed under Section 10.37.130 or
Section 10.37.140 include, but are not limited to, the following:

1. The failure to comply with any condition is a misdemeanor
punishable by a fine not exceeding \$1,000-00 or by imprisonment in the County Jail for
a period not to exceeding six months, or by both ~~such~~the fine and imprisonment;

2. A violation of any part of an administrative decision or court order
may be the subject of a civil action for injunctive relief to enjoin the person who violated
the decision or order. The filing and prosecution of an action for injunctive relief
~~shall~~does not limit the authority or ability of the County to take any other action
permitted by law;

3. A violation of an administrative decision or court order following a determination that a dog is potentially dangerous, may result in the filing of an action to determine if the dog is vicious under Section 10.37.030_C.

SECTION 203. Section 10.37.160 is hereby amended to read as follows:

10.37.160. Removal of ~~d~~Designation.

A. Potentially Dangerous Dog.

If there are no additional instances of the behavior described in Section 10.37.020 within a 36-month period from the date of designation as a potentially dangerous dog, the dog ~~shall~~will be removed from the list of potentially dangerous dogs. The dog may, but is not required to be, removed from the list of potentially dangerous dogs ~~prior to~~before the expiration of the 36-month period if the owner or custodian of the dog demonstrates to the ~~department~~Director that changes in circumstances or measures taken by the owner or custodian, such as the training of the dog, have ~~mitigated~~reduced the risk to ~~the~~ public safety.

B. Vicious Dog.

A vicious dog determination based on Section 10.37.030.A. may be removed after one year if the dog is two years of age or older and the owner or custodian demonstrates to the Director that the dog poses no threat to people or animals.

SECTION 204. Section 10.37.170 is hereby amended to read as follows:

10.37.170. Exceptions.

~~A.——~~No dog may be declared potentially dangerous or vicious if:

~~A. The any injury or damage is sustained by a person who, at the time the injury or damage was sustained, was committing a willful trespass or other tort upon premises occupied by the owner or custodian of the dog, or was teasing, tormenting, abusing, or assaulting the dog, or was committing or attempting to commit a crime;~~

~~B. No dog may be declared potentially dangerous or vicious if Ithe dog was protecting or defending a person from an unjustified attack or assault within the immediate vicinity of the dog from an unjustified attack or assault;~~

~~C. No dog may be declared potentially dangerous or vicious if Ithe injury or damage was sustained by an domestic animal or livestock which at the time of the injury or damage was sustained was teasing, tormenting, abusing or assaulting that, at the time of the injury, initiated an attack against the dog;~~

~~B.D. No dog may be declared potentially dangerous or vicious if Ithe injury or damage to a domestic animal or livestock was sustained by an animal while the dog was working as a hunting dog, herding dog, or predator control dog on the property of, or while under the control of, its owner or custodian; and the damage or injury was to a species or type of domestic animal or livestock appropriate to the work of the dog.~~

SECTION 205. Section 10.37.180 is hereby amended to read as follows:

10.37.180. Infraction/~~m~~Misdemeanor ~~p~~Penalty for ~~d~~Dog ~~b~~Bites.

~~In addition to the conditions and restrictions imposed on the ownership of potentially dangerous and vicious dogs set forth in this chapter, an An owner or custodian of a dog who permits, allows or causes a dog to run, stray or be uncontrolled or at large on public property, ~~or on~~ in or upon the private property of another person, or~~

~~on common areas of private property is guilty of a public offense punishable as an~~
~~infraction, or a misdemeanor if such~~the dog bites, attacks or causes injury to any~~injures~~
~~a person or to a domestic animal or livestock.~~

SECTION 206. Section 10.39.010 is hereby amended to read as follows:

10.39.010. Rodeos—Purpose of sSection—Permit rRequired.

A. ~~The purpose of this section is to provide the department with a method to~~
~~supervise and enforce minimum safety standards in the care and conduct of animals~~
~~used in rodeos. The department shall establish standard rules and safety regulations~~
~~for the general conduct of rodeos in order to accomplish such purpose. The~~
Department is authorized to establish and enforce standard rules and safety regulations
relating to the use of animals in rodeos.

B. ~~Notwithstanding~~In addition to complying with the provisions of
Section 7.90.590 of this code, any applicant for a rodeo permit shallmust furnish the
~~d~~Department with the following:

1. A list of all proposed events and acts, including the dates, times,
and locations of ~~all events and acts~~each;
2. A detailed diagram of the arena indicating the location of chutes,
catch chutes, and pens for all events and acts; and
3. A copy of the applicant's rules and regulations ~~which will~~
governgoverning the conduct of the contestants and events, ~~except that such rules shall~~
~~be consistent with the standard rules and regulations for rodeos established by the~~
~~department~~demonstrating compliance with the Department's regulations.

C. No person shall one may intentionally trip or fell any equine animal by the legs or by any means whatsoever for the purpose of entertainment or sport.

SECTION 207. Section 10.40.010 is hereby amended to read as follows:

10.40.010. Animal Care—Requirements for aAnimal eOwners and aAnimal fFacilities.

Every A person, ~~within the county of Los Angeles,~~ who owns any animal or who owns, conducts, manages or operates any animal facility ~~for which a license is required by this Division 4,~~ shall must comply with each of the following conditions, the failure of which is a misdemeanor:

A. Housing facilities for animals shall must be structurally sound and shall be maintained in good repair, to protect the animals from injury, ~~to contain the animals, and to restrict the entrance of other animals.~~

B. All animals must ~~shall be~~ supplied with sufficient good and wholesome food and water suitable for the age, species, and nutritional requirements of the animal. ~~and Animals must have access at all times to potable water that is free from debris, unless otherwise directed by a veterinarian. and is readily accessible and available as often as the feeding habits of the respective animals require.~~ All animal food must be properly stored to prevent contamination, infestation by vermin, and exposure to the elements.

C. Animals shall must be groomed and kept in a manner ~~which~~ that is not injurious to their health. All animal buildings or enclosures shall must be maintained in a clean and sanitary condition to control odors and ~~to prevent the spread of disease.~~

D. All animals ~~shall~~must be so-maintained ~~as~~in a manner to eliminate excessive and nighttime noise.

E. No animals ~~shall~~may be without attention ~~for~~more than 12 consecutive hours; whenever an animal is left unattended at a commercial animal facility, the telephone number of the ~~e~~Department of animal care and control, or the name, address, and telephone number of the responsible person, ~~shall~~must be posted in a conspicuous place at the front of the property. Animal facilities that breed dogs ~~shall~~must comply with the applicable minimum staffing requirements set forth in Section 10.40.200.

F. Animals ~~shall~~may not be neglected, teased, abused, mistreated, annoyed, tormented, or in any manner made to suffer ~~by any person or means~~.

G. No condition ~~shall~~may be maintained or permitted that is or could be injurious to the animals.

H. Tethering of animals is prohibited except as permitted under California Health and Safety Code ~~S~~section 122335.

HI. Animal buildings and enclosures ~~shall~~must be so constructed and maintained ~~as to prevent escape of animals~~. All reasonable precautions ~~shall~~must be taken to protect the animals and the public ~~from the animals and the animals from the public~~.

IJ. Every ~~An~~An animal facility ~~shall~~must isolate sick animals so as ~~to not to~~ endanger the health of other animals.

JK. Every ~~A~~A building or enclosure ~~where animals are maintained~~for animals must be kept in a sanitary condition and in good repair, and shall~~must~~ be constructed of

material easily cleaned and shall be kept in a sanitary condition and in good repair. The building shall must be properly ventilated to prevent drafts and to remove odors. Heating and cooling shall must be provided as required, ~~according to~~ to meet the physical need of the animals, with sufficient light to allow observation of the animals and proper sanitation. An animal facility housing animals must be equipped with working smoke alarms and have means of fire suppression, such as a sprinkler system in each room where animals are kept, or functioning fire extinguishers.

KL. An animal shall must be taken to a veterinarian for examination or treatment; ~~if the director finds it necessary to maintain the health of the animal, and~~ the Director orders the owner or custodian to do so.

LM. All animal enclosures, including, but not limited to, rooms, cages, and kennel runs, shall must be of sufficient size to provide adequate and proper accommodations for the animals kept therein. housed there. An enclosure with a wire bottom may ~~only be used temporarily~~ for dogs, and be in compliance only if it complies with Health and Safety Code ~~Sections~~ §sections 122065 and 122065.5. If enclosures, such as crates and other mobile enclosures, are stacked upon one another, or on a surface other than the floor, the crates/enclosures must be securely fastened and designed and arranged so that: there is no danger of an enclosure falling; the animals do not have direct access to one another; and waste from one ~~(1)~~ enclosure cannot be transmitted to another enclosure. Food and water containers must be secured to prevent spillage. Crates may be stacked no more than two ~~(2)~~ crates high.

MN. ~~Every~~ A violation of an applicable regulation ordinance shall must be corrected within a ~~reasonable~~ the time ~~to be specified~~ by the ~~d~~ Director.

NO. Proper shelter and protection from the weather shall must be provided at all times.

OP. An animal shall must not be given any alcoholic beverage, unless prescribed by a veterinarian.

PQ. Animals ~~which~~ that are natural enemies, temperamentally unsuited, or otherwise incompatible, shall must not be ~~quartered~~ housed together, or so near each other as to cause injury, fear, or torment. ~~If two~~ Two or more animals are ~~so trained that they can be placed together and do not attack each other or perform or attempt any hostile act to the others, such animals shall be deemed not to be natural enemies.~~ can be housed together if they do not harm each other.

QR. Any tack, equipment, device, substance, or material that is, or could be, injurious or cause unnecessary cruelty to any animal shall ~~not~~ may not be used.

RS. Working animals shall must be given adequate rest periods. Confined or restrained animals shall must be given appropriate exercise ~~appropriate for the individual animal under particular conditions.~~

ST. An animal ~~which~~ that is overheated, weakened, exhausted, sick, injured, diseased, lame, or otherwise unfit shall may not be worked, or ~~used or rented.~~

TU. Any animal ~~which~~ that the ~~d~~ Department has suspended from use may not be worked or used until released by the ~~d~~ Department.

~~UV.~~ Animals bearing evidence of malnutrition, ill health, unhealed injury, or having been kept in an unsanitary condition ~~shall~~may not be displayed.

~~VW.~~ Any animal whose appearance is or may be offensive or contrary to public decency ~~shall~~may not be displayed.

~~WX.~~ No animal ~~shall~~may be allowed to constitute or cause a hazard, or be a menace to the health, peace, or safety of the community.

~~XY.~~ A person ~~shall not~~may not violate any condition imposed by the ~~d~~dDirector on any license issued by the ~~d~~dDepartment.

SECTION 208. Section 10.40.015 is hereby amended to read as follows:

10.40.015. Sale of ~~l~~Live ~~a~~Animals—Prohibited at ~~s~~Swap ~~m~~Meet.

~~Any person who maintains, operates, leases, rents or lends space at a swap meet shall not permit, cause, display for, or promote the sale of live animals at such swap meet. Live animals may not be displayed, sold, or promoted for sale at a swap meet. "Live animal" as defined by this section shall includes, but is not limited to, dogs, cats, birds, fish, poultry, rabbits, and livestock.~~

SECTION 209. Section 10.40.016 is hereby amended to read as follows:

10.40.016. Sale of ~~a~~Animals on ~~s~~Shelter ~~p~~Property.

~~No person shall sell, barter, give away or accept animals on shelter property~~
Animals may not be sold or otherwise transferred to another person at County animal care centers unless authorized by the ~~d~~dDirector.

SECTION 210. Section 10.40.020 is hereby deleted in its entirety:

~~10.40.020. Young rabbits or fowl—Certain acts prohibited.~~

~~A. A person shall not:~~

~~1. Sell, offer for sale, barter, or give away, as pets, toys, premiums or novelties any baby chickens, ducklings or other fowl under three months of age, or rabbits under two months of age; or~~

~~2. Color, dye, stain or otherwise change the natural color of the above-described fowl or rabbits; or~~

~~3. Bring or transport the above-described fowl or rabbits into the county of Los Angeles.~~

~~B. This section does not prohibit any act prohibited by, or permitted by, Section 599 of the Penal Code or any other statute.~~

SECTION 211. Section 10.40.030 is hereby deleted in its entirety:

~~10.40.030. Young rabbits or fowl—Display, maintenance or sale permitted when.~~

~~This chapter does not prohibit the sale or display of any of the fowls or rabbits described herein, in proper facilities by breeders or stores engaged in the business of selling for commercial breeding or raising, or for food, or their exhibition at any fair, show or exhibit where such fowls or animals are displayed for commercial purposes and in the interest of improving agriculture or industry.~~

SECTION 212. Section 10.40.040 is hereby amended to read as follows:

10.40.040. Animal ~~f~~Facilities—Records ~~r~~Required for ~~e~~Each ~~a~~Animal.

A. ~~The holder of~~A person who has an animal facility license shall ~~maintain~~must keep available for inspection on the premises the following ~~current~~ records; ~~which shall be available for inspection on the premises:~~

1. ~~The name, and current address and telephone number~~contact information of the owner of each animal kept at the animal facility;
2. ~~The date the animal entered and left the animal facility, including the records of animals that die~~any animal that died while at the facility;
3. ~~The reason for the animal being~~that the animal was at the animal facility, such as for boarding, sale, breeding, or grooming;
4. The description of the animal, including its age, breed, sex, color, and other available identifying information, such as an animal license number, tattoo, or microchip registration number.

B. A current, valid rabies certificate ~~shall~~must be maintained for every dog ~~over and cat older than~~ four months of age while the dog ~~or cat~~ is kept at the animal facility.

C. Any animal facility selling dogs and/or cats to the public shall ~~must~~ post a ~~conspicuous notice containing the following information~~breeder's name, address, and license number on each dog or cat's cage. ~~the breeder's name, address and license number~~ If the breeder's name is not known, ~~then~~ the name and address of the person from whom the dog or cat was obtained ~~shall~~must be displayed.

D. A violation of any requirement of this section is a misdemeanor.

SECTION 213. Section 10.40.050 is hereby deleted in its entirety:

~~10.40.050. Dog kennels—Surfacing and sanitation of dog runs.~~

~~Dog kennel runs shall be of concrete, provided with adequate draining for proper sanitation, or, if sand or pea gravel is used, droppings must be picked up and disposed of and the runs treated periodically with an effective disinfectant.~~

SECTION 214. Section 10.40.060 is hereby amended to read as follows:

10.40.060. Animal nuisances prohibited where Excessive Animal

Noise.

~~A. A person having custody of any dog or animal shall not permit, either wilfully or through failure to exercise due care or control, any such dog or animal to commit any nuisance upon the sidewalk of any public highway; or upon the floor of any common hall in any apartment house, tenement house, hotel or other multiple dwelling; or upon any entranceway, stairway or wall immediately abutting on a public sidewalk; or upon the floor of any theater, shop, store, office building or other building used in common by the public; or upon the floor or stairway of any depot or station or public waiting room; or upon the floor, stairway, entranceway, office, lobby or patio used in common by the public; or, without the consent of the owner or person in lawful occupation thereof, any lawn, yard, or any other private property whatever, which is either improved or occupied.~~

~~B. It is unlawful for the owner or person having custody of any dog or other animal to permit, either wilfully or through failure to exercise due care or control, any~~

~~such dog or animal to commit any nuisance and to allow such nuisance to thereafter remain upon any public or private property not owned or possessed by the owner or person in control of said animal, provided that the person who owns, harbors, keeps or has charge or control of a dog (other than a sightless person who has charge or control of a guide dog) shall immediately and securely enclose all feces deposited by such dog in a bag, wrapper or other container and dispose of the same in a sanitary manner. Any person (other than a sightless person with a guide dog) who has charge or control of a dog in a location other than on the property of such person or the property of the owner of the dog, shall have in his or her possession a suitable wrapper, bag or container (other than articles of personal clothing) for the purpose of complying with the requirements of this section. Failure of such person to carry such wrapper, bag or container when in charge or control of a dog in a location other than on property of such person or the property of the owner of the dog or animal shall constitute a violation of this section.~~

~~C. For the purpose of this section a "nuisance" committed by a dog or animal shall mean defecation by said animal.~~

A. Excessive Noise. It is unlawful for an owner or custodian of an animal to allow the animal to emit any excessive noise after the Department has issued a written notice of an excessive noise complaint. For purposes of this section, the term "excessive noise" means a noise that is unreasonably annoying, disturbing, offensive, or which unreasonably interferes with the comfortable enjoyment of life or property. The provisions of this section do not apply to an animal facility permitted by zoning law.

B. Complaints. All complaints to the Department regarding violations of subdivision A. must be made in writing, signed under penalty of perjury, and must include the name, address, and telephone number of the complainant(s), as well as the address of the animal owner or custodian and a description of the noise, including the date(s) and approximate times of the excessive noise.

C. Violations.

1. First Violation. The Department will issue a written notice to the owner or custodian of the animal advising of the noise complaint, after it receives a written complaint of excessive noise based on verifiable information. The notice will order the owner or custodian to abate the excessive noise within 10 days of the notice ("compliance date").

2. Second Violation. A second violation occurs if the animal owner or custodian fails to stop the excessive noise by the compliance date. A second violation is an infraction punishable by a fine of up to \$100.

3. Third Violation. A third violation occurs after a second violation if the animal owner or custodian fails to stop the excessive noise within 10 days after the notice of the second violation is mailed. A third violation is an infraction punishable by a fine of up to \$200.

4. Subsequent Violations. Each subsequent violation after the third violation within one year of the original complaint is an additional infraction punishable by a fine of up to \$500.

SECTION 215. Section 10.40.065 is hereby amended to read as follows:

10.40.065. Animal Public nNuisance.

~~A. Any animal (or animals) which molests passersby or passing vehicles, attacks other animals, trespasses on school grounds, is repeatedly at large, damages and or trespasses on private or public property, barks, whines or howls in a continuous or untimely fashion, shall be considered a public nuisance.~~

~~B. Every person who maintains, permits or allows a public nuisance to exist upon his or her property or premises, and every person occupying or leasing the property or premises of another and who maintains, permits or allows a public nuisance as described above to exist thereon, after reasonable notice in writing from the department of animal care and control has been served upon such person to cease such nuisance, is guilty of a misdemeanor. The existence of such nuisance for each and every day after the service of such notice shall be deemed a separate and distinct offense.~~

A. Definition. An animal nuisance arises when an animal bites or otherwise injures a person, attacks other animals, is repeatedly at large, damages and/or strays on private or public property, or otherwise interferes with the comfortable enjoyment of life or property.

B. Violation. When the Department receives a complaint of an animal nuisance, it will issue a written notice to the owner or custodian of the animal advising of the nuisance, and ordering the owner to correct the nuisance. An animal owner or

custodian who fails to immediately correct the animal nuisance after receiving written notice from the Department is guilty of a misdemeanor.

SECTION 216. Section 10.40.66 is hereby added to read as follows:

10.40.066. Waste Removal.

A person who owns or has custody of a dog (except a visually-impaired person with a guide dog) is required to remove the dog's feces immediately from public property or private property not owned or possessed by the owner or custodian of the dog. The dog's feces must be disposed of in a sanitary manner. A violation of this section is an infraction punishable by a fine of up to \$100.

SECTION 217. Section 10.40.070 is hereby amended to read as follows:

10.40.070. Wild animals—Enclosure Requirements.

~~All~~Wild animals shallmust be maintained in buildings, enclosed yards, paddocks, or cages, as specified by the ~~d~~Director, and such shallmust be kept at distances from adjacent buildings as specified in ~~Los Angeles County Zoning Ordinance 1494, codified at Title 22, and Los Angeles County Public Health Code Ordinance 7583, codified at Title 11~~in applicable zoning and health code laws.

SECTION 218. Section 10.40.080 is hereby amended to read as follows:

10.40.080. Wild animals—Transportation Exemptions to applicability of Division 1 regulations.

~~The provisions of this Division 1 shall not apply to any person keeping or maintaining in his possession or control any wild animal when such person is only transporting such animal through the county and has taken adequate safeguards to~~

~~protect the public, and has notified the Los Angeles County sheriff's department and the director of the proposed route of transportation and time thereof.~~ A person transporting a wild animal through the County of Los Angeles must take adequate precautions to protect the public, and must notify the Los Angeles County Sheriff's Department and the Department if an animal escapes.

SECTION 219. Section 10.40.090 is hereby amended to read as follows:

10.40.090. Liability of ILicensees for aActs of employees.

Any act or omission of any employee of an animal care facility in caring for the animals is assumed to be an act or omission of the licensee.

SECTION 220. Section 10.40.100 is hereby amended to read as follows:

10.40.100. Animal facility Iicense holders to provide Ilists of animals sold—Adsvertisement and vaccination requirements.

A. ~~Each holder of~~ A person who has an animal facility license within the authority of Los Angeles County shall provide must complete a form provided by the ~~d~~ Department of animal care and control with a regular listing of all animals sold, including the name and address of the owner, according to the procedure and form as provided by the director, and submit it to the Department upon demand.

B. An advertisement for the sale or adoption of an animal shall must include the animal facility license number or breeding license number of the seller.

C. ~~Every~~ An animal facility must ~~shall~~ maintain records confirming that each dog and cat in its custody and control has received a rabies vaccination, as required by this code ~~obtain a rabies vaccination for each dog within its custody or control in~~

~~accordance with the provisions of Section 10.20.220, and provide the vaccination records to a new owner. Upon the sale of any dog for which an animal facility has obtained a vaccination pursuant to this section, the owner of the animal facility shall provide the purchaser of the dog with the certificate of vaccination.~~

SECTION 221. Section 10.40.200 is hereby amended to read as follows:

10.40.200. Breeding License, rRestrictions and rRequirements.

A. General Requirements.

1. Dog Breeding License. A dog breeding license is an animal facility license issued to a person who breeds dogs commercially. A person, as defined in Section 10.08.190, applying for a dog breeding license ~~shall~~must comply with all licensing requirements set forth in Section 10.28.050, all other applicable ordinances, and all federal and ~~S~~state laws, including, but not limited to, Health and Safety Code ~~S~~section 122045, et seq. Approval from the ~~Veterinary Public Health division, Environmental Health division, or any other division of the Department of Public Health~~ public health officer may be required, if necessary, ~~due to~~because of health concerns. The size category of the dog to be bred (Adult size: 1-20 lbs.; 21-50 lbs.; 51-100 lbs.; and 101+ lbs.) and the number of dogs to be housed at the facility ~~shall~~will be ~~noted~~stated on the license. A change in the size category of dogs bred requires re-inspection and a new license application.

2. Breeding Facilities Housing ~~Fifty (50)~~ or Fewer Sexually Intact Dogs Over the Age of One ~~(1)~~ Year. An animal facility may not have more than a total of ~~fifty (50)~~ sexually intact dogs over the age of one ~~(1)~~ year, unless it meets the requirements

of Subsection A.3. below. An animal facility having ~~fifty (50)~~ or fewer dogs ~~shall~~must have adequate staffing on the premises of the animal facility to attend to the dogs at least eight ~~(8)~~ hours in every ~~twenty-four (24)~~ hour period, so long as the dogs are not left unattended for longer than ~~twelve (12)~~ continuous hours. Whenever the dogs are left unattended, the telephone number of the ~~e~~Department of animal care and control, or the name, address, and telephone number of the responsible person, ~~shall~~must be posted in a conspicuous place at the front of the property.

3. Breeding Facilities Housing ~~Fifty-One (51)~~ or More Sexually Intact Dogs Over the Age of One ~~(1)~~ Year. The ~~e~~Director may approve an application for ~~fifty-one (51)~~ or more dogs if the applicant complies with the following additional requirements:

a. Facilities with ~~fifty-one (51)~~ or more sexually intact dogs over the age of one ~~(1)~~ year will be re-inspected more frequently. The number of re-inspections per year is determined by the number of dogs housed in the facility:

- 51-75 dogs: one ~~(1)~~ annual re-inspection;
- 76-100 dogs: two ~~(2)~~ annual re-inspections;
- 101-125 dogs: three ~~(3)~~ annual re-inspections;
- 126-150 dogs: four ~~(4)~~ annual re-inspections;
- 151 + dogs: five ~~(5)~~ annual re-inspections.

b. The animal facility demonstrates that it is able to house and care for the number of dogs in compliance with the requirements of this section and all applicable requirements of Title 10;

c. The animal facility provides a written medical program, approved by a California licensed veterinarian, to prevent and control illness and parasitism. The program must include a regular de-worming schedule and a regular vaccination schedule against commonly transmitted canine diseases, and must be updated annually;

d. The animal facility maintains records on site, demonstrating that an annual veterinary examination has been performed on each intact male or female dog over one (1) year of age. The record of each exam must reflect that a physical exam consisting of auscultation and palpation, and a visual evaluation of the dog including eyes, ears, mouth and general body condition was performed. The record of each exam must also include the weight, temperature, heart rate, respiration, any significant medical findings relating to the dog's condition, and any recommendations for treatment;

e. The animal facility obtains approval from the ~~d~~Director of an emergency response plan, which is updated annually; and

f. The animal facility maintains adequate staffing at the facility ~~eighteen~~(18)-hours a day to attend to the animals. Whenever an animal is left unattended, the telephone number of the ~~d~~Department of animal care and control, or the name, address and telephone number of the responsible person, ~~shall~~must be posted in a conspicuous place at the front of the property.

B. Health of Breeding Dogs.

1. A female unaltered dog shall must be at least ~~twelve~~ (12) months old before being bred. Records of litters birthed are required to be maintained pursuant to Subsection D, below;

2. Offspring shall may not be removed from the premises earlier than eight (8) weeks of age except for medical reasons ordered by a California licensed veterinarian. The order shall must be in writing, state the medical reason for early separation, and be provided to the Department, if requested, up to two (2) years after its issuance.

C. Housing Requirements.

1. The housing for the animals shall be housed in accordance must comply with Section 10.40.010;

2. Each pregnant dog shall must be housed separately at least three (3) days before giving birth and be monitored at reasonable intervals;

3. A dog who has just given birth shall must be provided with a contained nesting area and housed with her litter in their own run or enclosure until the newborns are weaned.

D. Dog Identification and Recordkeeping.

1. The following current records shall must be maintained and produced upon request to determine licensing compliance or for any other purpose relating to the public health, safety, or welfare. These records shall must be provided to a purchaser of any dog sold or transferred to another person by the facility:

a. All dogs shallmust be microchipped or tattooed upon reaching the age of four (4) months or prior to sale or transfer, whichever is earlier. Microchip and tattoo records shallmust be kept for all dogs.

b. In addition to the records required by California Health and Safety Code ~~S~~sections 122050 and 122055 relating to dogs, breeding facilities shallmust keep the following records for all dogs: the date and from whom the dog was acquired; the date of each litter birthed by each female animal; veterinary records; and the cause of death and the method of disposal.

2. Knowingly providing false information or records relating to any animal is a misdemeanor.

E. Reasonable Restrictions on the Breeding of Animals Other Than Dogs. Breeders of animals, other than dogs, which~~that~~ are normally kept as pets for sale or exchange in return for consideration, shallmust comply with all applicable requirements of Section 10.40.010. In addition, the ~~d~~Director may impose reasonable conditions on a breeding license, including a limitation on the number of animals permitted at a facility, and may impose recordkeeping requirements, in the interest of the health and safety of the public and of the animals.

F. Noncompliance—Penalties. The penalties for violations of any provision of this Section 10.40.200 are as follows:

1. First Violation. A first violation shall ~~be~~is an infraction punishable by a fine ~~not to exceed two hundred fifty dollars~~ of up to (\$250). If the owner or custodian

fails to correct the underlying cause of the violation within ~~thirty (30)~~ days after being notified of the violation, it shall ~~be deemed~~ is a second violation.

2. Second Violation. A violation within a year of a first violation shall ~~be deemed~~ is a second violation. A second violation is a misdemeanor punishable by imprisonment in the eCounty jail for a ~~period not to exceed~~ up to six (6) months or by a fine ~~not to exceed one thousand dollars of up to~~ (\$1,000), or both. Each subsequent violation within one (1) year ~~shall be considered~~ of the first violation is an additional misdemeanor.

G. Noncompliance—Injunctive Relief. Any act or failure to act ~~which is a~~ in violation of this Section ~~10.40.200~~ may be the subject of a civil action to enjoin the person ~~so acting or failing to act to conform his or her conduct to the provisions of this Section 10.40.200~~ ensure compliance. The filing and prosecution of ~~such an action shall, in no way~~ will not limit the authority or ability of the County to enforce the requirements of Section 10.40.200 or to impose penalties or take any other action permitted by law.

SECTION 222. Section 10.80.010 is hereby amended to read as follows:

10.80.010. Transporting ~~d~~Dogs in ~~e~~Open ~~v~~ehicles ~~p~~Prohibited ~~w~~When.

A. ~~No person shall~~ It is unlawful for a person to transport any dog in or on the back or bed of any open truck or other open vehicle while traveling on any eCounty road, street, highway, lane, or alley, unless the dog is cross tethered to a harness or the back or bed of the vehicle is partially enclosed by stakes, racks, or other similar devices

that rise at least two feet, nine inches above the tops of the sides and back of the vehicle, and are designed to prevent the dog from falling or escaping from the vehicle.

A violation of this section is a misdemeanor.

~~B. This section shall not apply to any person who transports a dog in any open truck or other open vehicle which is partially enclosed by stakes, racks or other similar devices which rise at least two feet, nine inches above the tops of the sides and back of the vehicle, and which are designed to prevent the dog from falling or escaping from the vehicle.~~

SECTION 223. Section 10.80.020 is hereby deleted in its entirety:

~~**10.80.020. Violation—Penalty.**~~

~~Violation of any provision of this chapter is a misdemeanor.~~

SECTION 224. Section 10.84.010 is hereby amended to read as follows:

**10.84.010. Providing fFood for eCertain rRodents or pPredator
aAnimals pProhibited.**

A. ~~Except as otherwise provided for herein, no person shall feed or in any manner provide food to a nondomesticated rodent or a nondomesticated mammalian predator.~~It is unlawful to feed a nondomesticated rodent or nondomesticated mammalian predator as defined in this section, unless:

1. The person is the owner of the animal and the animal is kept in accordance with the requirements of the State Department of Fish and Wildlife; or
2. After notifying the responsible agency to pick up the animal, the person provides food to a trapped or injured animal.

B. For purposes of this chapter:

1. "Rodent" includes ground squirrels;
2. "Mammalian predators" includes coyotes, raccoons, foxes, and

opossums.

C. A violation of this section is a misdemeanor.

SECTION 225. Section 10.84.020 is hereby deleted in its entirety:

~~10.84.020. Feeding animals permitted when.~~

~~A person may feed or provide food to a nondomesticated rodent or a nondomesticated mammalian predator under the following instances:~~

~~A. When the person is the owner of such a rodent or mammalian predator, and such rodent or predator is kept under a valid certificate or permit issued by the State of California Department of Fish and Game;~~

~~B. When the person feeds or provides food to a trapped, injured or unweaned nondomesticated rodent or predator between the time the agency in charge of animal control or its designated agent is notified and picked up by said agency.~~

SECTION 226. Section 10.84.030 is hereby deleted in its entirety:

~~10.84.030. Violation Penalty.~~

~~A violation of any provision of this chapter shall be an infraction.~~

SECTION 227. Section 10.86.010 is hereby deleted in its entirety:

~~10.86.010. Interference with police dogs.~~

~~It is unlawful for any person to wilfully tease, torment, agitate, provoke, beat, kick, strike, injure, maim, disable, kill, or in any way interfere with any dog being used in a police function by law enforcement officers.~~

SECTION 228. Section 10.86.020 is hereby deleted in its entirety:

~~10.86.020. Violation—Penalty.~~

~~Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor,~~

SECTION 229. Section 10.90.010 is hereby amended to read as follows:

10.90.010. Licensing fFees sSchedule.

The license fees required to be paid are as follows, except that the dDirector may ~~waive any, reduce, or refund fees in cases of~~or undue hardship:

| I. Individual Animal Licenses. | Fees |
|--|------|
| Every owning a dog or cat over the age of four months shall obtain an annual license and tag for each such dog or cat; except, there shall be a one-time-only fee for registration of discharged military dogs, for guide dogs or Seeing Eye dogs, for signal dogs trained to assist the hearing impaired, and for service dogs trained to perform tasks to assist the physically handicapped, upon payment of the following fees: <u>Except for discharged military dogs and service animals, a person who owns a dog or cat over the age of four months</u> | |

| | |
|---|---------|
| and pays the license fee required under this section will be issued a tag and license that must be renewed annually. | |
| A. Dog license and tag fees: | |
| Dogs over four months: | |
| 1. Unaltered (Unspayed/unneutered) (\$5 of each fee received is designated for low cost spay/neuter program) | \$60.00 |
| 2. Altered (Spayed/neutered) (\$5 of each fee received is designated for low cost spay/neuter program) | \$20.00 |
| 3. Senior citizen—Spayed/neutered dog | \$7.50 |
| 4. Disabled Veteran | \$7.50 |
| 45. A Delinquency charge for annual license renewal equivalent to the cost of the license, will be added to the license fee if the renewal application is submitted more than 10 calendar days past the expiration date of a license, or if a license application was not otherwise timely submitted. equal to the cost of the license will be added if the license application or renewal is not submitted within 30 days after the due date. | |
| 56. Replacement of tag or official license receipt | \$5.00 |
| 67. Transfer of ownership | \$5.00 |
| 78. Discharged military dogs (one-time registration fee) | \$5.00 |

| | |
|---|---------|
| 8. Guide dogs or Seeing Eye dogs, signal dogs, and service dogs (one-time registration fee) | \$5.00 |
| 9. Field enforcement fee: The owner or custodian of a dog found unlicensed by a d Department employee in the field will be charged a field enforcement fee. | \$40.00 |
| B. Cat license fees: | |
| 1. Unspayed/unneutered | \$10.00 |
| 2. Spayed/neutered | \$5.00 |
| 3. Replacement cat tag | \$5.00 |
| 4. Transfer of ownership | \$5.00 |
| 5. A <u>Delinquency charge for annual license renewal equivalent to the cost of the license, will be added to the license fee if the renewal is submitted more than 10 calendar days past the expiration date of a license, or if a license application was not otherwise timely submitted. equal to the cost of the license will be added if the license application or renewal is not submitted within 30 days after the due date.</u> | |
| 6. Field enforcement fee: The owner or custodian of a cat found unlicensed by a d Department employee in the field will be charged a field enforcement fee. | \$40.00 |

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|---|---------------|
| C. Other animals—Licenses required: | |
| 1. Pygmy pigs | \$50.00 |
| 2. Wild animals | \$100.00 |
| <u>3. Service animals – one time registration fee.</u> | <u>\$5.00</u> |
| 34. A <u>Delinquency</u> charge for annual license renewal equivalent to the cost of the license, will be added to the license fee if the renewal is submitted more than 10 calendar days past the expiration date of a license, or if a license application was not otherwise timely submitted. | |
| 45. Field enforcement fee: The owner or custodian of an animal found unlicensed by a department employee in the field will be charged a field enforcement fee. | \$40.00 |
| D. Voluntary identification and registration: | |
| Any dog or cat animal may be registered in the Department's Voluntary Identification Program. shall be assigned an identification number by tattoo, microchip or other available means of identification, at the owner's request <u>Such at the owner's request, if the animal is microchipped and upon the</u> payment of the following fees: | |
| 1. Initial identification and registration | \$20.00 |
| 2. Annual renewal | \$10.00 |

| | |
|---|----------|
| 3. Transfer of ownership | \$5.00 |
| II. Animal Facility Licenses. | Fees |
| Licenses for the animal facilities listed below are required to be obtained annually. | |
| A. Initial animal facility license fees (including inspection): | |
| 1. License fees: | |
| a. Pet shop | \$250.00 |
| b. Grooming parlor/mobile | \$250.00 |
| c. Animal menagerie | \$250.00 |
| d. Wholesale W wild animal dealer | \$250.00 |
| e. Hobby breeder (See Section 10.20.045) | \$250.00 |
| f. Rodeo | |
| (i) First day or one day event | \$250.00 |
| (ii) Each additional day | \$25.00 |
| g. Animal exhibition | |
| (i) First day or one day event | \$250.00 |
| (ii) Each additional day | \$25.00 |
| h. Pygmy pig breeder | \$250.00 |

| | |
|---|----------|
| i. Non-profit humane organization facility | \$250.00 |
| j. Dog and cat breeding and/or boarding facility: | |
| For purposes of license fee computation, fee is based on 75 percent of the total capacity of the facility or the actual animal population housed at the time of the inspection, whichever is greater. | |
| (i) 4-20 dogs or cats | \$300.00 |
| (ii) 21-50 dogs or cats | \$350.00 |
| (iii) 51-75 dogs or cats | \$400.00 |
| (iv) 76-100 dogs or cats | \$450.00 |
| (v) Over 100 dogs or cats | \$525.00 |
| 2. Penalty for operation of an animal facility without license. A penalty equivalent to the cost of the license will be added to the license fee if a facility operates without a license. | |
| 3. Fee reduction for each additional animal facility application made at the same location at the same time. | \$125.00 |
| B. Renewal animal facility license fees (including inspection): | |
| 1. All animal facilities: | |
| a. Pet shop | \$175.00 |
| b. Grooming parlor/mobile | \$175.00 |

| | |
|--|----------|
| c. Animal menagerie | \$175.00 |
| d. Wholesale wild animal dealer | \$175.00 |
| e. Hobby breeder (defined in Section 10.20.045) | \$175.00 |
| f. Pygmy pig breeder | \$175.00 |
| g. Non-profit humane organization | \$175.00 |
| h. Dog and cat breeding and/or boarding facility: | |
| For purposes of license fee computation, fee is based on 75 percent of the total capacity of the animal facility or the actual animal population housed at the time of the inspection, whichever is greater. | |
| (i) 4-20 dogs or cats | \$225.00 |
| (ii) 21-50 dogs or cats | \$275.00 |
| (iii) 51-75 dogs or cats | \$325.00 |
| (iv) 76-100 dogs or cats | \$375.00 |
| (v) over 100 dogs or cats | \$450.00 |
| 2. A Delinquency charge for annual license renewal equivalent to the cost of the license, will be added to the license fee if the renewal is submitted more than 10 calendar days past the expiration date of a license, or if a license application was not otherwise timely submitted equal to the cost of the license will be added if the license application or renewal is not submitted within 30 | |

| | |
|--|----------|
| <u>days after the due date.</u> | |
| 3. Fee reduction for each additional animal facility renewal application made at the same location at the same time. | \$50.00 |
| C. Miscellaneous fee provisions: | |
| 1. Re-inspection | \$40.00 |
| 2. Inspection fee for animal permits under Los Angeles County Code Sections 22.52.330 and 22.56.420—22.56.530 | \$50.00 |
| 3. Businesses using dogs for protection (Sections 10.20.280 and 10.20.290) | \$50.00 |
| 4. Penalty for ownership of wild animal without license | \$100.00 |

FOOTNOTES FOR TITLE 10

11. For statutory provisions on animal diseases, see Food and Agric. Code § 9101 et seq.

13. Editor's note: Ordinance 1415, on animal health, was expanded and amended in its entirety by Ord. 8397; however, some sections originally found in Ord. 1415 were not carried forward by Ord. 8397, as follows:

| Section | Ordinance History |
|---------|--------------------------|
| 1.5 | Added by 5842 § 1, 1952. |
| 7 | In 1415. |

| | |
|-------|---|
| 8 | In 1415. |
| 10 | In 1415. |
| 111/2 | Added by 1570 § 2, 1928; amended by 1865 § 1, 1930; 4501 § 1, 1945; 5860 § 10002, 1951. |
| 17 | In 1415. |
| 17B | Added by 1436 § 1, 1926. |
| 31 | Renumbered from § 19 by 4442 § 1, 1945. |

These section numbers and the ordinances affecting them have never been repealed. For sections carried forward by Ord. 8397, for example § 2 of Ord. 1415, the legislative history note incorporates all ordinances affecting that section, whether or not the subject matter is the same.

15. For statutory provisions on bovine tuberculosis, see Food and Agric. Code § 9901 et seq.

17. For statutory provisions on reports of animal diseases, see Food and Agric. Code § 9101.

19. For statutory provisions on the identification of apiaries, see Food and Agric. Code § 29245.

[TITLE10DRCC]

ORDINANCE NO. 411

AN ORDINANCE OF THE CITY OF MALIBU AMENDING CHAPTER 6.04 (ANIMALS) OF TITLE 6 (ANIMALS) OF THE MALIBU MUNICIPAL CODE TO RE-ADOPT BY REFERENCE THE CURRENT LANGUAGE OF TITLE 10 (ANIMALS) OF THE LOS ANGELES COUNTY CODE

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

SECTION 1. Section 6.04.010, of Chapter 6.04, of Title 6 of the Malibu Municipal Code is hereby amended to read as follows:

6.04.010 Adoption of animal control ordinance.

Title 10, Animals, of the Los Angeles County Code, as in effect on October 6, 2016, is hereby adopted by reference as the animal control ordinance of the City of Malibu.

A copy of the animal control ordinance has been deposited in the office of the City Clerk of the City of Malibu, and shall be at all times maintained by the City Clerk for use and examination by the public.

SECTION 2. Section 6.04.020, of Chapter 6.04, of Title 6 of the Malibu Municipal Code is hereby amended to read as follows:

6.04.020 Amendments.

Notwithstanding the provisions of Section 6.04.010, the animal control ordinance is amended as follows:

10.08.031 Animal facility.

“Animal facility” means any animal related business or organization, including a non-profit humane organization (as defined in Section 10.08.175), which is required to be licensed under Section 10.28.060.

For purposes of the animal facility grading program (Sections 10.08.032, 10.08.033, 10.08.155, 10.12.220, 10.20.045, 10.28.020, 10.28.040, 10.28.050, 10.28.060, 10.28.061, 10.28.090, 10.28.160, 10.28.175, 10.28.270, 10.28.280, 10.28.290, 10.90.010) the following definitions shall apply:

a. “Stables” means any property, premises, building or structure maintained for the commercial lodging, feeding, or rental of horses and cattle.

b. “Hobby breeder” is any person, except for a person possessing a valid kennel license, who owns and breeds a female dog or cat and sells, two or more litters per calendar year for pay or for other compensation.

c. “Pygmy pig breeder” is any person, who owns and breeds a pygmy pig (as defined in Section 10.08.205) and sells two or more litters per calendar year for pay or for other compensation.

d. “Dog kennel” means any lot, building, structure, enclosure or premises whereupon or wherein four or more dogs, over four months of age, are boarded, kept for sale, or kept for hire. For purposes of this section, a service dog licensed under Section 10.20.090 and serving a person who is disabled within the meaning of Government Code section 12926 subsection (i) or (j) is not counted toward the number of dogs kept or maintained.

e. “Cat kennel” means any lot, building, structure, enclosure or premises whereupon or wherein four or more cats, over four months of age, are boarded, kept for sale, or kept for hire. Up to five cats may be kept at any residence without a kennel license, provided the cats’ owner or custodian licenses each individual animal, has each animal spayed or neutered and keeps all cats primarily indoors.

10.12.190 Refusing to show license or certificate unlawful.

Any person who refuses a request by an authorized Department employee to produce a dog rabies vaccination certificate, license or tag is guilty of a misdemeanor.

10.20.040 Animal Facility for dogs and cats—Individual license required when.

An individual license must be obtained for each dog, in addition to a kennel license, when the dog is not kept exclusively in a kennel run or cage. No individual license shall be required for any dog or cat in transit, or when attending a dog or cat show in the care of a kennel representative.

10.20.180 Tag to be worn by dog or cat.

A license tag for an individual dog must be securely attached to a collar, harness or other device that must be worn at all times by such dog except while such dog remains indoors or in any enclosed yard or pen. The license tag attached to the dog must be the tag issued by the Department for that dog. A cat may wear any form of identification approved under Chapter 10.90 by the Department.

10.20.190 Keeping unlicensed dogs, cats, or other service animals prohibited.

A person may not harbor or keep an unlicensed dog, cat or other service animal in the Department’s jurisdiction.

10.28.061 Keeping and breeding pygmy pigs—License required.

Any person who breeds pygmy pigs, as defined in this title, for pay or other compensation, shall first pay a fee and obtain an animal license or animal facility license from the department, except that no such license shall be issued unless:

A. The owner or custodian of the animal provides written confirmation to the Department that he or she has obtained all licenses and zoning permits required under this county code or any other ordinance or statute.

SECTION 3. The City Clerk shall certify the adoption of this ordinance.

PASSED, APPROVED AND ADOPTED this ____ day of ____ 2016.

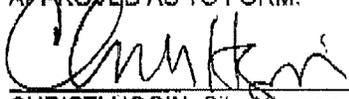
LOU LA MONTE, Mayor

ATTEST:

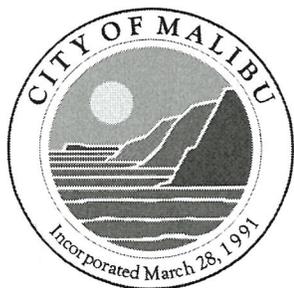
HEATHER GLASER, City Clerk

Date: _____

APPROVED AS TO FORM:



CHRISTI HUGIN, City Attorney



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Craig George, Environmental Sustainability Director

Approved by: Reva Feldman, City Manager 

Date prepared: October 26, 2016 Meeting date: November 14, 2016

Subject: Polystyrene Foam Ordinance

RECOMMENDED ACTION: 1) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 412 determining the project is categorically exempt from the California Environmental Quality Act and amending Malibu Municipal Code (MMC) Chapter 9.24 to prohibit food packaging, containers and food service ware made from polystyrene foam or other materials that are non-recyclable and non-compostable and repealing Ordinance No. 286; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 412 for the November 28, 2016 City Council meeting.

FISCAL IMPACT: There is sufficient funding available for costs related to the educational and outreach programs in Account No. 101-2004-5405 (Building Safety Printing).

DISCUSSION: On September 26, 2016, Council directed staff to bring back a draft ordinance banning the sale of expanded polystyrene products. Staff reviewed the ordinances of over 20 cities, specifically targeting coastal cities where the impacts of expanded polystyrene debris are the most significant due to the sensitivity of surrounding water bodies and the potential to quickly spread the resultant pollutant via wind, wave, and tidal vectors.

A recent report by the World Economic Forum finds there is an increasing rate of plastic entering the oceans. The report predicts that, without significant action to reduce that flow, by 2050, the weight of plastic in the world's oceans will be greater than the weight of fish found there. The report also states most of these plastics come from packaging, including food and beverage containers, made primarily from polystyrene foam.

To address these global concerns, Ordinance No. 412 (Attachment 1) amends the MMC's current prohibitions to prohibit the sale of polystyrene foam food service ware, restrict its use in the City and require that the products be replaced with less-hazardous, compostable or recyclable alternatives. Prohibiting polystyrene products, which cannot be placed in recycle bins for collection, will protect the public health and safety of Malibu's citizens, as well as the natural environment, waterways and wildlife.

Ordinance No. 412 replaces the term "Expanded Polystyrene" with "Polystyrene Foam." Polystyrene is manufactured into a foam material, which can be further manufactured into two distinct categories of products: expanded polystyrene and extruded polystyrene. Expanded polystyrene is a rigid and tough, closed cell foam used in many applications, such as trays, plates, bowls and packing peanuts. Extruded polystyrene foam, consisting of closed cells with increased roughness and higher stiffness, is typically used in crafts, modeling and packaging.

Council directed staff to draft the polystyrene foam prohibition to specifically address the sale and use of all polystyrene foam within the City. The draft ordinance achieves these directives in the following sections:

- Section 9.24.020 prohibits the sale and distribution of polystyrene foam food service ware products within the City
- Section 9.24.030 prohibits the use of polystyrene foam food service ware products within the City
- Section 9.24.040(A) prohibits "other" polystyrene foam products for sale or distribution within the City, including:
 - Coolers and ice chests
 - Packing materials, including packing peanuts
 - Pool and beach toys
 - Dock floats, buoys and similar maritime products
- Section 9.24.040(B) prohibits any polystyrene product listed in Section 9.24.040 on any beach within the City

On September 26, 2016, Council directed staff to develop a fine structure for the polystyrene foam prohibition. Fines will be developed and included in the City's Fee Schedule.

Council also directed staff to develop an outreach and educational plan to inform businesses and the public about the new ordinance. Staff proposes sending informational correspondence to inform City businesses of the new requirements of the ordinance, using the City of San Francisco's letter to business owners (Attachment 2) as a template. Staff will also collaborate with the Malibu Chamber of Commerce and members of the Business Roundtable to inform the business community of the ordinance

requirements. For public education, staff proposes to develop handouts similar to the City of San Francisco Fact Sheet (Attachment 3) and the City of Calabasas Fact Sheet (Attachment 4). The cost for the letter and handout will be funded from the current Environmental Sustainability Department budget.

Staff also proposes to develop an informational page on the City's website to explain what products the ordinance addresses, when the new regulations take effect, what alternatives are acceptable and why the polystyrene foam prohibition was adopted. The webpage will also address who is responsible for enforcement and whether waivers are available from the City.

ATTACHMENTS:

1. Ordinance No. 412
2. San Francisco letter to business owners
3. City of San Francisco Fact Sheet
4. City of Calabasas Fact Sheet

ORDINANCE NO. 412

AN ORDINANCE OF THE CITY OF MALIBU DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AMENDING MALIBU MUNICIPAL CODE CHAPTER 9.24 TO PROHIBIT FOOD PACKAGING, CONTAINERS AND FOOD SERVICE WARE MADE FROM POLYSTYRENE FOAM OR OTHER MATERIALS THAT ARE NON-RECYCLABLE AND NON-COMPOSTABLE AND REPEALING ORDINANCE NO. 286

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

SECTION 1. Amendments

Title 9, Chapter 9.24 of the Malibu Municipal Code is hereby amended to read as follows:

“Chapter 9.24 Ban on Polystyrene Foam Food Packaging”

Section 9.24.010 Definitions

For purposes of this chapter, the following terms shall have the following meanings:

“ASTM Standard Specifications” means Standard Specifications for Compostable Plastics D6400 or Standard Specifications for Biodegradable Plastics D6868, as adopted or subsequently amended by the American Society for Testing and Materials (ASTM)

“City Facility” means any building, structure, park or vehicle owned and operated by the City of Malibu.

“City Facility Food Provider” means an entity that provides, but does not sell, Prepared Food at any City Facility.

“Compostable” means material that can be broken down into, or otherwise become part of usable compost in a safe and timely manner. “Compostable” also includes a plastic-like material if the material meets the ASTM Standard Specifications for compostability and the product is labelled in accordance with California Public Resources Code Section 42357 et seq. and Department of the Environment regulations for easy identification of Compostable products meeting ASTM Standard Specification for compostable plastics.

“Customer” means any person obtaining food or beverages from a restaurant or retail food vendor.

“City Manager” means the City Manager and/or his/her designees.

“Distribute” means the sale, offer for sale, or other transfer of possession of an item for compensation, either as a separate transaction or as part of the sale, offer for sale, or other transfer of possession of another item for compensation.

“Egg Carton” means a carton for raw eggs sold to consumers from a refrigerator case or similar appliance.

“Food Packager” means any person, located within the City of Malibu, who places meat, eggs, baked products, or other food in packaging materials for the purpose of retail sale of those products.

“Food Packaging” means all bags, sacks, wrapping, containers, bowls, plates, trays, cartons, cups, straws and lids which are made from Polystyrene Foam, on or in which any foods or beverages are placed or packaged on a restaurant’s or retail food vendor’s premises.

“Food Service Ware” means all containers, bowls, plates, trays, cups, lids, straws, forks, spoons, knives, napkins, and other like items that are designed for one-time use for prepared foods, including without limitation, service ware for takeout foods and/or leftovers from partially consumed meals prepared by food vendors. The term “Food Service Ware” does not include items composed of aluminium.

“Food Vendor” means any restaurant or retail food vendor located or operating within the City.

“Meat and Fish Tray” means any tray for raw meat, fish, or poultry sold to consumers from a refrigerator case or similar retail appliance.

“Non-Profit Food Provider” means a recognized tax exempt organization which provides food as a part of its services.

“Packing Material” means material used to hold, cushion, or protect items packed in a container for shipping, transport, or storage.

“Person” means any natural person, firm, corporation, partnership, or other organization or group however organized.

“Polystyrene Foam” means blown polystyrene and expanded and extruded foams which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion polymer spheres (expanded bead polystyrene), injection molding, foam -molding, and extrusion-blown molding (extruded foam polystyrene). Polystyrene foam is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays, and egg cartons.

“Prepared Food” means food or beverages which are served on the Food Vendor's premises and are prepared on the Food Vendor's premises or within the City of Malibu by packaging, cooking, chopping, slicing, mixing, brewing, freezing or squeezing. Prepared Food does not include any uncooked meat or eggs. Prepared Food may be eaten either on or off the premises.

“Recyclable” means material that can be sorted, cleansed, and reconstituted using the City’s available recycling collection programs for the purpose of using the altered form in the

manufacture of a new product. Recycling does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

"Restaurant" means any establishment located within the City that sells prepared food for consumption on, near, or off its premises. The term includes a restaurant operating from a temporary facility, cart, vehicle, or mobile unit.

"Retail Food Vendor", "Vendor" means any store, shop, sales outlet or other establishment, including a grocery store or a delicatessen, located within the City of Malibu, which provides Prepared Food.

9.24.020 Sale or Distribution of Non-Compliant Food Service Ware Prohibited

- A. No person may sell, offer for sale, or otherwise Distribute within the City
 1. Any Food Service Ware that is not either Compostable or Recyclable.
 2. Any Food Service Ware made, in whole or in part, from Polystyrene Foam.
- B. The City shall maintain a list of acceptable Compostable or Recyclable Food Service Ware products.

9.24.030 Use of Non-Compliant Food Service Ware Prohibited.

- A. Food Vendors may not sell, offer for sale, or otherwise Distribute Prepared Food
 1. In Food Service Ware made, in whole or part, from Polystyrene Foam, or
 2. In Food Service Ware that is not Compostable or Recyclable.
- B. City Facility Food Providers may not provide Prepared Food to City Facilities
 1. In Food Service Ware made, in whole or part, from Polystyrene Foam, or
 2. In Food Service Ware that is not Compostable or Recyclable
- C. City Departments may not purchase, acquire, or use Food Service Ware for Prepared Food
 1. Where the Food Service Ware is made, in whole or in part, from Polystyrene Foam
 2. Where the Food Service Ware is not Compostable or Recyclable
- D. City contractors and lessees may not use Food Service Ware for Prepared Foods in City Facilities or while performing under a City contract or lease
 1. Where the Food Service Ware is made, in whole or in part, from Polystyrene Foam
 2. Where the Food Service Ware is not Compostable or Recyclable
- E. The use or distribution of Non-Compliant Food Service Ware at special events sponsored or co-sponsored by the City of Malibu shall be prohibited. This prohibition shall apply to the event organizers, agents of the event organizers, event Food Vendors and any other party (including non-profit organizations) who enter into an agreement with one or more of the co-sponsors of the event to sell Prepared Food at the event or otherwise provide an event related service.

- F. All facilities rental agreements for any City Owned property or facility shall include a provision requiring contracting parties to assume responsibility for preventing the utilization and/or distribution of Non-Compliant Food Service Ware. The facility rental agreement shall indicate that the violating contractor's security deposit will be forfeited if the City Manager determines that Non-Compliant Food Service Ware was utilized in the violation of the rental agreement.
- G. It shall not be a violation of this section 9.24.030 to sell, provide, or purchase Prepared Food packaged in Food Service Ware otherwise prohibited by subsection (A) through (D) if the Prepared Food is packaged outside the City and is sold or otherwise provided to the consumer in the same Food Service Ware in which it is originally packaged. Businesses packaging Prepared Food outside the City are encouraged to use Food Service Ware that is compostable or Recyclable and in not made, in whole or in part, from Polystyrene Foam.

9.24.040 Other Polystyrene Foam Products

- A. No person may sell, offer for sale, or otherwise Distribute within the City the following materials if they are made in whole or in part from Polystyrene Foam, unless they are wholly encapsulated or encased within a more durable material:
 - 1. Packing Materials, including shipping boxes and packing peanuts;
 - 2. Coolers, ice chests, or similar containers;
 - 3. Pool or beach toys; or
 - 4. Dock floats, mooring buoys, or anchor or navigational markers.
- B. No Polystyrene Foam product listed in Section 9.24.040(A) shall be allowed on any beach within the City.
- C. For purposes of Section 9.24.040(A)(1), Distribution of Packing Materials shall include using such materials to hold, cushion, or protect items to be packed in a container for shipping, transport, or storage, for compensation, where the packing takes place within the City. But it shall not include:
 - 1. Receiving shipments within the City that include Polystyrene Foam, or some other non-compostable and non-Recyclable product, used as Packing Material;
 - 2. Re-using Packing Materials for shipping, transport, or storage within the same distribution system, where the Packing Materials are not sent to a consumer or end user;
 - 3. Donating used Packing Materials to another person, where the donor receives nothing of value for the donated Packing Materials; or
 - 4. Using Packing Materials donated under Section 9.24.040(C)(3) for shipping, transport, or storage, where the person using the Packing Materials receives nothing of value for the donated Packing Materials.
- D. After January 1, 2018, no person may sell, offer for sale, or otherwise Distribute for compensation within the City Meat and Fish Trays or Egg Cartons made, in whole or in

part, from Polystyrene Foam, or that are not Compostable or Recyclable, either as separate items or as part of the sale of raw meat, fish, poultry, or eggs sold to consumers from a refrigerator case or similar retail appliance.

9.24.050 Implementation

- A. The City Manager may waive the provisions of Sections 9.24.020, 9.24.030, 9.24.040 if:
1. The applicant demonstrates a feasibility based hardship. The person seeking the waiver must demonstrate to the City Manager's satisfaction that no reasonably feasible alternative exists to a specific non-compliant product.
 2. The applicant demonstrates compliance is unreasonably financially prohibitive. The person seeking the exemption must demonstrate to the City Manager's satisfaction that with respect to each specific non-compliant product, there is no suitable and reasonably affordable alternative product available.
 3. Strict application of the specific requirement would create an undue hardship, or practical difficulty, not generally applicable to other persons in similar circumstances, and good cause is shown.
- B. A person seeking a waiver under 9.24.050(A) must submit a written application on a form approved by the City Manager. The City Manager may require the applicant to submit additional information or documentation to make a determination regarding the waiver requested. The City Manager shall review requests for waivers on a case-by-case basis, and may grant the waiver in whole or in part, with or without conditions, for a period of up to 12 months. An applicant for renewal of a waiver must apply for a new waiver period no later than 60 days prior to the expiration of the then-current period to preserve a continuous waiver status. The City Manager shall review each application anew and base his or her determination on the most current information available. In no case shall a waiver be retroactive or continue past January 1, 2020.
- C. Any determination made by the City Manager pursuant to this section shall be appealable to the City Council. Any appeal must be in writing, filed with the City within five (5) calendar days of the at-issue City Manager decision, and shall specifically set forth the grounds for the appeal.

9.24.060 Enforcement and Penalties.

- A. The City Manager shall have primary responsibility for enforcement of this chapter. The City Manager is authorized to promulgate regulations and to take any and all other actions reasonable and necessary to enforce this chapter, including, but not limited to, inspecting any Vendor's premises to verify compliance.
- B. In addition to any criminal, civil or other legal remedy established by law that may be pursued to address violations of the municipal code, violations of the provisions of this chapter are subject to the administrative penalty provisions of Chapter 1.10.

- C. The City Attorney may seek legal, injunctive, or other equitable relief to enforce this chapter.
- D. The remedies and penalties provided in this section are cumulative and not exclusive of one another.

SECTION 2. Environmental Review.

This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines (the Guidelines), and the environmental regulations of the City. The City Council hereby finds that under Section 15061(b)(3) of the State CEQA Guidelines, this Ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment.

SECTION 3. Severability.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

SECTION 4. The City Council hereby repeals Ordinance No. 286.

SECTION 5. The City Clerk shall certify the adoption of this ordinance.

PASSED, APPROVED AND ADOPTED this _____ day of November 2016.

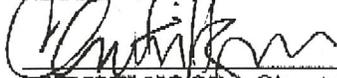
LOU LA MONTE, Mayor

ATTEST:

HEATHER GLASER, City Clerk

Date: _____

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney



SF Environment

Our home. Our city. Our planet.

A Department of the City and County of San Francisco

Edwin M. Lee
Mayor

Deborah O. Raphael
Director

Attention San Francisco Business Owners and Managers NEW LAW TAKES EFFECT ON JANUARY 1, 2017

The City and County of San Francisco approved a new law, amending Chapter 16 of the Environment Code, prohibiting the sale or distribution of food service ware, packing materials, and other specified products that are made from **polystyrene foam, commonly referred to as Styrofoam™**.

Effective January 1, 2017, the Food Service and Packaging Waste Reduction Ordinance bans the sale or distribution of the following products made, in whole or in part, from polystyrene foam:

- Food ware (including cups, plates, clamshells, and other containers)
- Meat and fish trays (as of July 1, 2017), and egg cartons
- Packing materials* (including the sale of "peanuts" and shipping containers, or when used to package in San Francisco items for sale, unless packing materials were donated or reused and not sent to end user)
- Coolers, ice chests or similar containers*
- Pool or beach toys*
- Dock floats, mooring buoys, or anchor or navigational markers*

** Unless they are wholly encased within a more durable material*

The ordinance also requires that packing materials and disposable food ware sold or distributed must be accepted as compostable or recyclable in San Francisco's collection programs.

Compliance

This ordinance applies to **businesses that sell or distribute food ware, packing materials, and other specified products in San Francisco or package products for sale within San Francisco.**

The San Francisco Department of Environment is responsible for enforcement of the Ordinance and is committed to working with businesses to ensure a smooth transition to alternative products. Penalties for non-compliance will be issued only as a last resort and may result in fines.

To help your business comply, the Department will adopt, post on its website, and regularly update a list of the types of acceptable alternative products that are compostable and recyclable and permissible under the Ordinance. A product list is currently available at SFEnvironment.org/no-foam

Enclosed with this letter you'll find a **Food Service and Packaging Waste Reduction Ordinance FAQ**, examples of acceptable alternative products, as well as a placard to post in your business.

To find out more about the Ordinance, and acceptable alternatives for sale and distribution, please visit: **SFEnvironment.org/no-foam** or call **(415) 295-6266**.



San Francisco Polystyrene Foam Ban Waste Reduction Law

EFFECTIVE JANUARY 1, 2017

Who has to follow the new Food Service and Packaging Waste Reduction Ordinance?

The Ordinance applies to anyone who sells or distributes polystyrene foam food ware, packing materials, and other specified products, or anyone packaging products for sale within San Francisco.

What are the requirements of the new law?

As of January 1, 2017, the law bans the sale or distribution of the following products made, in whole or in part, from polystyrene foam (so called Styrofoam™ and expanded, extruded or blown polystyrene):



- Food ware including cups, plates, clamshells, and other containers
- Meat and fish trays (as of July 1, 2017), and egg cartons
- Packing materials* including peanuts and shipping containers, and their use to pack within San Francisco products sold
- Coolers, ice chests or similar containers*
- Pool or beach toys*
- Dock floats, mooring buoys, or anchor or navigational markers*

* Unless they are wholly encased within a more durable material

The law also requires that packing materials and disposable food ware sold or distributed must be accepted as compostable or recyclable in San Francisco's collection programs.

What products are acceptable alternatives to polystyrene foam?

Packing materials and disposable food ware sold or distributed in San Francisco must be compostable or recyclable in the City's collection programs. This includes those made with paper, cardboard, molded or rigid pulp or plastic, or certified compostable "starch peanuts", loose fill or foam. The Department of the Environment will post on its website, and regularly update the types of acceptable products at: SFEnvironment.org/no-foam

How does the law apply to food and goods packaged outside of San Francisco?

Polystyrene foam materials used to package items purchased outside of San Francisco and shipped into San Francisco are still permissible by law, with the exception of polystyrene foam meat trays, fish trays and egg cartons. Polystyrene foam trays or cartons sold as part of the sale of raw meat, fish, poultry, or eggs and that are packaged outside of San Francisco and shipped in are prohibited.

How will the law be enforced?

The Department of Environment is responsible for enforcement of the Ordinance. The Department is committed to assisting businesses to ensure a smooth transition to acceptable alternatives. Businesses found non-compliant may be issued an initial warning and subsequent fines from \$100 to \$500.

Are waivers available?

The Department of Environment may waive provisions of the ordinance in the following circumstances:

- If no feasible alternative exists for a specific product or product category.
- If a business has less than \$500,000 annual income and there is no affordable product available

Requests for waivers must be submitted on a written application on a form approved by the Department. Waivers may be granted in whole or in part for up to 36 months. For questions about waivers, please call: (415) 295-6266



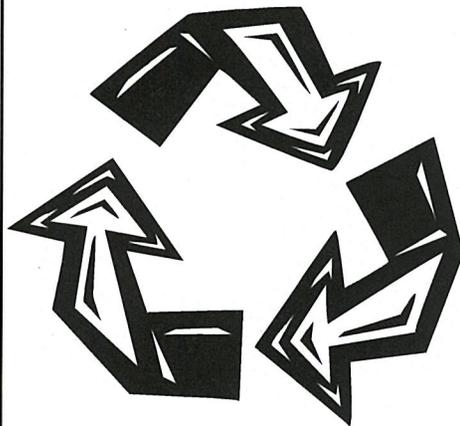
Expanded Polystyrene (EPS) Ban

When does the ordinance go into effect?

Compliance must begin by March 31, 2008.

What does the ordinance say?

Retail food establishments and nonprofit providers in Calabasas may no longer use food packaging made of polystyrene (Styrofoam™) for prepared food, and must use environmentally acceptable food packaging.



What is Environmentally Acceptable Packaging?

Food packaging should be *returnable*, meaning capable for being returned to the distributor for reuse. It should be *recyclable*. The packaging should be recycled, salvaged, composted, processed, or marketed by any means other than land-filling or burning

**Polystyrene bears the recycling symbol #6. Acceptable plastics have recycling symbols #1-5 and include PET or PETE, HDPE, LDPE, and PP plastics

What is considered prepared food?

Food or beverages which are: served, packaged, cooked, chopped sliced, mixed, brewed, frozen, squeezed, or otherwise prepared for consumption.

What are my responsibilities as a business owner?

- Use only environmentally acceptable food packaging after March 31, 2008.
- Comply with annual certification, awareness and compliance of the ordinance must be reported on the first business day of every calendar year via written certification.

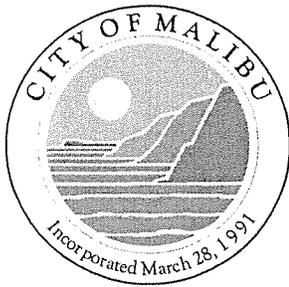
What are the alternatives?

- Uncoated paper
- Coated paper
- Cardboard
- Other plastics
- Aluminum foil
- Bioplastics– made from corn, potato, etc.
- Bagasse– made from plant pulp



City of Calabasas
Public Works Department
Environmental Services
26135 Mureau Rd.
Calabasas, CA 91302
(818)878-4225
www.cityofcalabasas.com

City of Calabasas



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Amy Crittenden, Recreation Manager *AC*

Approved by: Reva Feldman, City Manager *RF*

Date prepared: October 20, 2016 Meeting date: November 14, 2016

Subject: Amendment to Agreement with Malibu Yellow Cab and Dial-A-Ride Program Modifications

RECOMMENDED ACTION: 1) Authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with Malibu Yellow Cab to modify the Scope of Services for the Dial-A-Ride (DAR) program; 2) Amend Council Policy #42 for the DAR program to revise the program hours and use restrictions; 3) Receive update on the status of negotiations to upgrade DAR vehicles for safety and mileage; and 4) Provide direction to staff regarding the DAR contract terms and the potential issuance of a Request for Proposal.

FISCAL IMPACT: There is no fiscal impact with this recommendation. Funding for DAR services is included in the Adopted Budget for Fiscal Year 2016-2017 under Account No. 203-3009-5145 (Transportation Services).

DISCUSSION: Since 1993, the City has provided DAR services to eligible Malibu residents. The DAR program is a subsidized taxi service intended to provide transportation to senior and disabled residents who would not otherwise have a means of transportation.

On June 12, 2013, Council approved the Professional Services Agreement (Agreement) with Malibu Yellow Cab to provide DAR services for a three-year term. On June 13, 2016, Council approved Amendment No. 1, which extended the Agreement with Malibu Yellow Cab for another three-year term. Program services are identified in the Scope of Services (Exhibit A).

On August 22, 2016, Council discussed the approval of Amendment No. 2, which proposed to modify the Scope of Services by extending Dial-A-Ride hours of operation, number of trips allowed per day and changing restrictions on trips to Santa Monica. The proposed modifications to the current DAR services are developed based on feedback staff received from DAR participants who expressed concern that services were too limited and requested that the program be re-evaluated. In response, staff developed and circulated a needs assessment survey, which was mailed out to 500 DAR and Senior Center participants. 89 surveys were returned.

Based on the survey responses, the following DAR service modifications are recommended:

- Change hours of service for Malibu to 8:00 AM to 5:30 PM on Monday, Tuesday and Wednesday (current services end at 4:30 PM)
- Allow riders three (3) one-way trips per day (currently limited to one (1) round trip daily)
- Permit DAR passengers to go to Santa Monica for non-medical related appointments (currently restricted to medical appointments only)

Extending the service hours will make the DAR program consistent with current Senior Center programming hours. Increasing the number of trips per day will enable participants to run multiple errands in one day, and removing the restrictions on trips to Santa Monica gives DAR users more opportunities to enjoy services not available in Malibu.

At the August 22, 2016, meeting, Council raised concerns about the vehicles currently used for the DAR program and directed staff to negotiate upgrading the fleet to address the safety standards and gas mileage of the vehicles. Staff notified Malibu Yellow Cab about the City's concerns and the company has agreed to replace several older vehicles in the current DAR fleet. The information below includes a detailed list of the current fleet vehicles and identifies those being replaced:

Current Fleet Vehicles:

| Model | Make | Type | Model Year | Removal Date |
|--------------|----------------|--------------------------------|-------------------|---------------------|
| *Lincoln | Town Car | Sedan | 1997 | 10/17/16 |
| *Lincoln | Town Car | Sedan | 1998 | 10/17/16 |
| *Lincoln | Town Car | Sedan | 2004 | 10/17/16 |
| Chrysler | Town & Country | Sedan | 2005 | |
| Honda | Odyssey | Mini Van | 2005 | |
| Chevrolet | | Van (wheelchair accessible) | 2007 | |
| Toyota | Scion XB | Sedan | 2004 | |

***Removing from fleet**

Replacement Vehicles:

| Model | Make | Type | Model Year |
|--------------|----------------|-------------|-------------------|
| Lincoln | Town & Country | Van | 2008 |
| Toyota | Prius | Hybrid | 2009 |
| Lincoln | Town Car | Sedan | 2008 |

Staff was also told that an additional 2007 Prius could be placed back into service for DAR. Use of the Prius was discontinued because DAR passengers had previously complained about the lack of space in the backseat and challenges of getting in and out of the vehicle.

Malibu Yellow Cab has stated it is unable to make additional changes to the DAR fleet vehicles at this time. The Agreement with Malibu Yellow Cab is set to expire in June 2019. A Request for Proposals for DAR services will be released prior to the Malibu Yellow Cab agreement end date.

Since the Agreement with Malibu Yellow Cab was instituted in June 2013, the average cost to provide DAR services has been \$178,709 per year. The approved contract Agreement amount with Malibu Yellow Cab is \$200,000. Staff will closely monitor the DAR costs and if the modification of services are projected to exceed the budgeted amount, staff will submit a new budget to the Metropolitan Transit Authority (MTA) for approval and then to City Council for final approval during the Fiscal Year budget review process.

ATTACHMENTS:

1. Amendment No. 2 to Agreement with Malibu Yellow Cab
2. Amended Council Policy #42

ok

AMENDMENT NO. 2 TO AGREEMENT

THIS AMENDMENT NO. 2 TO AGREEMENT is made and entered in the City of Malibu on November 14, 2016, by and between the CITY OF MALIBU, hereinafter referred to as City, and Malibu Yellow Cab, hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

RECITALS

- A. On June 12, 2013, the City entered into an Agreement with Consultant for Dial-A-Ride Services.
- B. On June 13, 2016, the City approved Amendment No. 1, extending the Agreement for another three year term.
- C. The City desires to amend the Agreement by modifying the Scope of Services (Exhibit A), changing the service hours for Dial-A-Ride Services.
- D. The City requested the Consultant replace older model vehicles which are identified in the Scope of Services (Exhibit A) under Section II. E. 1.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

- 1. Section 1.0 – Scope of the Consultant’s Services, of the Agreement, is hereby amended as set forth in Exhibit A attached hereto.
- 2. All terms and conditions of the Agreement not amended by this Amendment No. 2 remain in full force and effect.

This Agreement is executed on _____ 2016, at Malibu, California, and effective as of November 14, 2016.

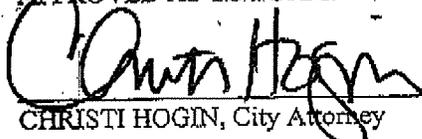
CITY OF MALIBU:

REVA FELDMAN, City Manager

ATTEST:

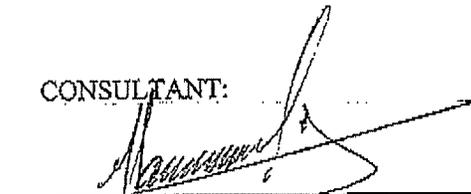
HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:



CHRISTI HOGIN, City Attorney

CONSULTANT:



By: Khaled R. Karame
Title: Owner

SCOPE OF WORK

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SECTION I

A. Demand-Response System (Dial-A-Ride) Specific Requirements

1. Provide daily (Monday through Friday except listed holidays) transportation to eligible City residents - The operator will be expected to provide trips scheduled one or more days in advance. Same day service may be offered on a space-available basis.
2. Eligible users are the City's senior (60+) and disabled population. Eligible users will register with the City of Malibu Department of Parks and Recreation. The City will maintain a list of eligible riders for the transit operator.
3. Hours of Service – The City provides service to clients Monday, Tuesday and Wednesday from 8:00 am – 5:30 pm (Malibu area only) and Thursday and Friday from 8:00 am – 4:30 pm.
4. Fares – \$1 per trip each way for trips to and from the Malibu Senior Center, \$2 per trip each way for trips within the Malibu city limits, \$4 each way for destinations outside of the Malibu city limits. These fees will be collected by the driver and credited to the City as part of the monthly billing. The City reserves the right to increase or decrease fares at its sole discretion.
5. Service Area – The Dial-A-Ride will provide service within the boundaries of the City of Malibu. Additionally, trips will be provided to designated locations outside of the City. Service to West Los Angeles and Santa Monica is provided at scheduled times. Specific locations and the number and timing of out of town trips may be adjusted periodically by the Director of Parks and Recreation to meet changing customer needs and City budgetary requirements. The current service area includes the City of Malibu, Woodland Hills Kaiser Permanente, West L.A. Veteran's Hospital, UCLA Medical Center and Santa Monica destinations between Ocean Avenue and 26 Street South of California Avenue, and North of Colorado Avenue. The service schedule is Malibu/Santa Monica/West L.A. (8:30am, 9:30am, 10:30am, noon and 3:00pm) and West L.A./Santa Monica/Malibu (11:00am, 1:00pm, 3:00pm and 4:30pm).
6. Shared Rides - Shared rides, in which more than one passenger is picked up, are encouraged. Personal care attendants, friends, family, and other companions accompanying passengers are required to pay full Dial-A-Ride fare.

7. Passenger Packages – Passengers traveling from shopping (grocery or otherwise) shall be limited to the number and size of packages that can be safely transported during the trip.
8. Vehicles – Because this program serves the elderly and limited mobility clients, a priority is placed on the availability of accessible vehicles for those customers who have wheelchairs, scooters or other physical limitations or special needs. Vehicles will be provided and maintained by the operator. If not new, vehicles should be replaced according to a schedule so that they do not exceed the Federal Transit Administration (FTA) approved useful life in terms of miles during the term of this agreement. The City of Malibu reserves the right to inspect and accept or reject any vehicles to be used as part of this program. The vehicles and their maintenance must meet all Federal, State, and local requirements as well as industry standards for public transportation vehicles.
9. Program Funding – This program is funded through Los Angeles County Proposition A Transportation funds. As such, the vendor will be required to assist the City in record keeping to meet all Metro and National Transportation Database (NTD) requirements. This may include preparation of monthly and annual reports as well as participation in the City's annual NTD audit. If the City is penalized for a failure on the part of the Contractor, the amount of the penalty will be deducted by the City from monies due to the Contractor.
10. Additional funding for this program may be received from grants or other outside funding sources. The vendor will be required to assist in preparation and implementation of any grants as needed. Grants or additional work which increases the original scope of work will be negotiated and addressed as an amendment to the initial agreement.
11. Overall program limits shall be subject to annual allocation of funds by the City Council. Future reductions in funding may require additional restrictions or limitations on the program not currently in place. Contractor will be required to cooperate with the implementation of any such program changes. The level of service provided under this contract may be increased or decreased by the City by up to 15% with no change in the rate charged the City by the Contractor unless the City opts to ask the Contractor to negotiate a different rate. Any other program changes which would alter the terms of this agreement shall be negotiated.
12. Contractor will cooperate with the City's marketing and evaluation efforts without additional charge as requested by the City. This may include distribution and collection of survey forms or other tasks as requested.

SECTION II

The Contractor shall coordinate, manage, and control all necessary program activities which shall include operating the services, dispatch, vehicle maintenance and management personnel; providing driver and other personnel training; developing administrative procedures, performance statistics, and financial records; and developing methods to maximize service efficiency. The Contractor shall provide all equipment and personnel necessary to provide a safe and efficient service.

In performance of the services described herein, Contractor shall be responsible to comply with all applicable Federal, State and Local requirements.

A. Contractor's Personnel

The Contractor shall be solely responsible for the satisfactory work performance of all employees and independent contractors as described in this scope of work or any reasonable performance standard established by the City. The Contractor shall be solely responsible for payment of all employees' wages and benefits and subcontractors' costs. Without any additional expense to the City, the Contractor shall comply with the requirements of employee liability, worker's compensation, employment insurance, and Social Security. The Contractor shall hold the City harmless from any liability, damages, claims, costs, and expenses of any nature arising from alleged violations of personnel practices.

During the performance of this contract, the contractor warrants that it will provide equal opportunities, and that the contractor will take affirmative action to ensure that its employment practices are such that persons are employed and employees are treated equally and without regard to, or because of race, creed, color, national origin, sex, sexual orientation, age, physical handicap, or medical condition.

The Project Manager will provide supervision and the management of the project's accounts and operating records and will report directly to and coordinate closely with the City.

The Project Manager shall be available by telephone or in person during all hours of the operational day to make decisions or provide coordination as necessary at the request of the City. At other times, or in the event of the Project Manager's absence, another responsible person shall be identified so that there is someone with the authority to make decisions at any time during the operational hours.

Contractor shall notify the City in writing when the Project Manager is replaced. If Project Manager is to be replaced, Contractor shall submit the resume and qualifications of an acceptable replacement no later than fifteen (15) working days prior to the departure of

B. Vehicle Operators

Vehicle operators shall work on a schedule that will ensure a consistent and overall high quality of service. Vehicle operators must have all appropriate California Driver's Licenses and certificates as well as any other licenses, certificates or training required by applicable Federal, State, and local regulations. All vehicle operators must meet the minimum standards listed below. At a minimum, employee qualifications should include:

1. Not have been convicted of driving while intoxicated or under the influence of controlled substances within the preceding five years, or not have criminal charges pending for an offense for driving while intoxicated or under the influence of controlled substances.
2. No citations within the last three years for speeding or driving unsafely.
3. Not be addicted to the use of alcohol or controlled substances.
4. Not be subject to outstanding warrants for arrest.
5. Able to read, write and speak English.
6. Thorough knowledge of the service area street network.
7. Sensitivity to passengers' needs, including assisting passengers, upon their request.
8. Able to address complaints and problems as required.

Vehicle operators must be trained in all operational procedures relating to the system. Training must include customer service techniques for interacting with the public in a helpful and courteous manner, basic information about the service and the City of Malibu, and sensitivity and empathy training directed towards the needs of elderly and passengers with limited mobility, in compliance with the Americans with Disabilities Act.

Vehicle operators shall be trained to operate all types of vehicles, wheelchair lifts, ramps, and securement systems, as well as other equipment which they may be expected to use in the Dial-A-Ride services. This requirement pertains to all vehicle operators, both regularly assigned and relief vehicle operators.

While performing their duties, vehicle operators must maintain a clean and neat appearance. Operators shall wear nametags clearly displaying their names while performing their duties. If jackets are worn, they should display the drivers' nametag.

The Contractor shall conduct pre-employment DMV (Department of Motor Vehicles) checks of all personnel hired for service and shall join the California DMV Pull Notice

Program, whereby the Contractor shall be notified of any activity on a vehicle operator's driving record. Any operator exceeding the California DMV point system or with a revoked or suspended license will not be allowed to operate a vehicle as part of the City's service. Contractor shall notify the City of the results of these checks and whatever corrective actions taken, if any. Any drug testing and/or surveillance efforts on the part of the Contractor shall be described explained to vehicle operators.

Vehicle operators may not request or in any way solicit tips from customers. Tips may be accepted if offered; however, any operator receiving more than one complaint for solicitation of tips will be removed from the program.

C. Maintenance Staff

Contractor shall supply a sufficient number of properly qualified personnel to maintain and service all Contractor-provided equipment used for the City's service. If a maintenance contractor is to be used, proposer should list the name, address of the contractor, and describe its qualifications in the proposal.

Contractor shall ensure all mechanics are properly trained in the operation and maintenance of the vehicles and equipment specified in the scope of the program. Contractor shall provide mechanics with ongoing training in order to keep abreast of new maintenance techniques and equipment. The total number of annual training hours required for each mechanic shall be specified in the proposal.

D. Dispatching and Service Information Personnel

Contractor shall have capable and courteous personnel who are responsible for taking Dial-A-Ride requests, accurately recording appointments, properly managing complaints and customer service requests and responding to telephone inquiries regarding transportation services.

E. Vehicles/Equipment

All vehicles and vehicle equipment shall be maintained by the Contractor in good repair and in a condition satisfactory to the City.* Contractor shall assume all responsibility for the proper maintenance of the vehicles. It shall be the expressed responsibility of the Contractor to assume all coordination with the original manufacturer of the vehicles if necessary to keep the vehicles in safe and good operating condition. This shall include negotiating and processing all vehicle warranty claims through the manufacturer's own warranty department, and is responsible for collection of any monies, extended warranties, or credits as a result, for the length of time the warranty is in effect.

Each vehicle must receive a daily pre-trip inspection by the operator prior to being placed in service. Daily pre-trip inspections must be supplemented by regular time and mileage maintenance inspections to ensure safe and proper operating condition of vehicles. A record of all such inspections shall be kept by Contractor and made available to the City upon request.

For the Dial-A-Ride vehicles, preventive maintenance inspections and servicing shall occur not less than every 3,000 miles or thirty days, whichever is less.

Regular inspection of each vehicle shall be performed to ensure all lights are functioning, all seating is secure and that all tires, wheels, lugs, air brake systems (if applicable), wheelchair lifts and exit doors are in proper operating condition.

1. *Vehicle Replacement

Per Amendment No. 2: As requested by the City of Malibu, the Contractor agrees to replace three fleet vehicles used for the DAR program. These vehicles are identified as:

| Vehicle number | Model | Make | Type | Year |
|-----------------------|--------------|-------------|-------------|-------------|
| Vehicle #1805 | Lincoln | Town Car | Sedan | 1997 |
| Vehicle #1806 | Lincoln | Town Car | Sedan | 1998 |
| Vehicle #1808 | Lincoln | Town Car | Sedan | 2004 |

The vehicles above shall be replaced with the following vehicles identified by the Contractor:

| Model | Make | Type | Year |
|--------------|----------------|-------------|-------------|
| Lincoln | Town & Country | Van | 2008 |
| Toyota | Prius | Hybrid | 2009 |
| Lincoln | Town Car | Sedan | 2008 |

F. Applicable Codes and Regulations

All vehicles used for Malibu services shall be safe for operation on public streets and meet all the appropriate requirements in the California Vehicle Code. All parts of the vehicle and all equipment mounted on or in the vehicle shall conform to the Federal Vehicle Safety Standards and the California Code of Regulation, Title 13. Particular attention shall be directed to the California Highway Patrol Motor Carrier Safety Regulations. The Contractor shall participate in and comply with the DMV Pull Notice Program. Contractor shall pay for all applicable license fees for drivers, other personnel, and vehicles.

Each vehicle, at minimum, must be inspected at the frequencies required by State law. The City may also inspect the vehicles. The City shall be notified of inspections performed by a governmental agency other than the City which meet or exceed the criteria for inspection established by the City. The results of those inspections shall be transmitted to the City.

G. Vehicle Maintenance

At all times, the Contractor shall maintain all components of each vehicle including its body, frame, wheelchair lift, furnishing, mechanical, electrical, hydraulic or other operating systems in proper working condition free from damage and malfunction. The Contractor shall replace and repair immediately any vehicle damaged in any accident or otherwise damaged which impairs the proper and safe mechanical operation of the vehicle.

Recognizing that the safety of the passengers is paramount, the Contractor's maintenance staff shall not:

1. Install mismatched tires.
2. Perform partial brake relines without determining the cause of abnormal or premature wear.
3. Allow tires to wear more than 3/32 tread depth.
4. Replace a dead battery without testing charging system to ensure the battery will not go dead due to system malfunction.
5. Fail to ensure on a daily basis that each vehicle is in proper condition to pass all scheduled and unscheduled inspections.
6. Allow any reported wear item to go un-repaired that would not hold up until the next scheduled inspection. The emphasis must be on preventing breakdowns.

The Contractor, at its sole cost and expense, shall maintain a supply inventory and provide lubricants, repairs, parts and supplies required for the maintenance and operation of all vehicles utilized in providing services.

Vehicles must be kept clean including exterior washing at least once weekly and after every rain, with the vehicle interiors swept or vacuumed daily to remove all dirt and debris. All painted graffiti must be removed each day so that no vehicle leaves the storage facility with any graffiti. Etching on windows must be removed and replaced as soon as practical but no later than one month.

Contractor shall maintain an individual file for each revenue vehicle to include date of action and all preventive maintenance functions including warranty work and any other pertinent maintenance data, including but not limited to fuel, lubricants and other fluid use.

The Contractor shall dispatch a spare vehicle in the event of a vehicle breakdown. The maximum allowable response time from the moment a trouble call is received until a substitute vehicle arrives shall not exceed 30 minutes. The Contractor shall maintain a two-way communications system for the Dial-A-Ride vehicles that will allow for the timely and efficient dispatching, coordinating and responding to service calls. The system may be of the Contractor's choice. The communication system must cover the routes of service.

The Contractor shall notify the City of all Dial-A-Ride related accidents, both by telephone (within one hour) and in writing (by the close of the next business day).

H. Operational Emergencies

The Contractor shall be responsible for the enforcement of policies with regard to operational emergencies. The City may revise or establish additional policies. Contractor shall be responsible for the handling and resolution of all operational emergencies and contingencies including, but not limited to, the following:

1. Hazardous Conditions

During Dial-A-Ride service hours, vehicle operators shall report all hazardous road conditions (i.e., downed trees, potholes and uneven road surfaces, malfunctioning signals, etc.) in the City to the Contractor's supervisor. Contractor, in turn, shall immediately notify the City of such conditions and shall take necessary precautions to safeguard passengers and personnel.

2. In-Service Vehicle Failures

Contractor shall require the vehicle operators to report any in-service vehicle failure to the Contractor's supervisor. The supervisor will attempt to ascertain the problem, use good judgment, and instruct the vehicle operator to take appropriate corrective action. If necessary, the supervisor will immediately send a spare vehicle to the location and the operator and passengers will change vehicle and continue in service. Contractor, if necessary, shall send a mechanic to the location in order to take corrective measures and/or supervise the towing of the vehicle. Contractor shall report any in-service vehicle failures to the City immediately and not later than the start of the next service day.

3. Wheelchair Lift Failure

Contractor shall be responsible for the proper operation and maintenance of all wheelchair lifts. Contractor shall require vehicle operators to report all in-service lift failures to the Contractor's supervisor. If the lift fails while attempting to board a wheelchair passenger, the supervisor shall promptly arrange for alternate transportation for the passenger in the wheelchair inconvenienced by the lift breakdown. If the lift fails while attempting discharge of a wheelchair passenger, the operator shall manually operate the lift and notify the supervisor. The supervisor shall arrange a vehicle change as quickly as reasonably possible following any lift failure. Contractor shall report all in-service lift failures to the City no later than the start of the next service day.

4. Passenger Disturbances

Contractor shall instruct vehicle operators to report nonpayment of fares; graffiti or other vandalism on the vehicles; pushing, shoving and other disturbing or dangerous conduct; and other serious passenger disturbances to the vehicle operator's supervisor or dispatcher. The supervisor shall use good judgment in managing the passenger disturbance by appraising the situation, discharge of appropriate instructions from the operator and request law enforcement assistance if necessary.

5. Medical Assistance to Passengers

Contractor's employees shall use good judgment in responding to passenger accidents, injuries, or illnesses occurring on the vehicles. In the event of a passenger requiring medical assistance, the vehicle operator shall immediately advise the Contractor's supervisor by phone/radio of the situation and location of the vehicle and the supervisor shall notify 911 or the County Fire Department/Paramedics for assistance as applicable. An incident report shall be completed documenting the incident with a copy to the City no later than the start of the next service day.

6. Accidents

Contractor shall require all in-service vehicle operators to report any accident or incident involving the vehicle to the Contractor's supervisor. The supervisor shall use good judgment in the situation, and shall immediately call 911 if necessary. The supervisor shall report all accidents to City by telephone immediately. Both the operator and supervisor will complete an accident report approved by City with copy to the City no later than the start of the next service day. The Contractor shall submit all accident-related reports to the DMV as required.

I. Management

The Contractor shall be responsible for program management according to specified operating procedures. The City may establish additional requirements which are reasonable for operation of this service after consultation with the Contractor.

1. Operating Performance Standards

The Contractor shall operate vehicles with due regard for the safety, comfort and convenience of passengers and the public.

In the event that the Contractor fails to meet certain performance levels, including, but not limited to the service standards agreed upon, the City may deduct from sums due the Contractor as detailed below. Damages that would be suffered by the City cannot be ascertained with certainty, so the City and the Contractor agree liquidated damages of \$100 shall be assessed for failure to meet the on-time performance standards (90%) during any monthly service period.

Contractor and the City shall meet periodically to evaluate performance of the system based upon on-time service and customer complaints. If the standards are not fulfilling their intended purpose, they will be adjusted based upon recommendations made by Contractor with the concurrence and final decision by the City. Should it be found that the Contractor's performance has contributed to Contractor's failure to achieve these standards, Contractor shall take all reasonable actions requested by the City to correct deficiencies in performance. Should deficiencies persist, the City may assess liquidated damages. All liquidated damages assessed against the Contractor will be deducted from the monthly invoices by the same amount. The City's Director of Parks and Recreation shall maintain the right to assess liquidated damages against the Contractor, as set forth herein, based on the Contractor's failure to meet the established standards. Circumstances beyond the control of the Contractor, causing the Contractor to fail to comply with the stated performance requirement, will be considered as just cause on the part of the City not to assess liquidated damages against the Contractor.

Service should be provided as scheduled or according to any adjusted schedule established by the City, including route modifications required because of special events or a declared emergency. Contractor shall not be held responsible for the failure to provide on time service due to weather or traffic conditions, unavoidable vehicle malfunctions, and/or naturally occurring disasters.

Notwithstanding the above caveat, the City may impose liquidated damages on the following basis:

- a. Customer service is very important in building ridership and support for this service. Therefore, the fourth (and any additional) justified complaint about service in any 30-day period shall result in the Contractor paying a penalty \$100 per substantiated complaint except late pick-ups or trip delays covered below.
- b. The City reserves the right, at its sole discretion, to inspect and reject temporarily or permanently by notice to the Contractor, any vehicle the Contractor utilizes which the City deems unacceptable. In the event any revenue vehicle is rejected permanently by the City because of the vehicle's conditions, Contractor shall replace the vehicle with one that is acceptable to the City.
- c. If any regulatory agency or funding source penalizes the City for late, incomplete or inaccurate data which was the Contractor's responsibility to collect and/or provide to the City, the liquidated damages shall be the amount of the penalty and any administrative costs incurred by the City.
- d. For the purpose of performance evaluation, on-time performance is defined as follows:
 - 1) On time service for prescheduled trips means passengers are picked up within 30 minutes before or after the prearranged time of pick-up.
 - 2) Reasonable response time for same day service shall be within 30 minutes of the arranged pick-up time.
 - 3) Failure to meet any on-time performance standards (90%) shall result liquidated damages as specified above.
- e. If a trip request has been verified to be lost by dispatch and no vehicle was dispatched, the liquidated damages shall be \$100 per incident.
- f. Contractor must have sufficient telephone lines to handle calls from Malibu residents. Contractor shall provide a Customer Service telephone line which shall be a toll-free call from anywhere within the City of Malibu, to provide information and take Dial-A-Ride service requests. One TDD phone must also be provided for persons with hearing impairments. All personnel should be trained to respond accurately and professionally. All comments and complaints shall be received by the City and logged on a mutually agreed upon complaint form and referred to the Contractor who shall respond the next working day with a description of any follow-up action taken or anticipated. Contractor must have a facsimile machine compatible with the City's and email capabilities.

2. Personnel Performance Standards

Regularly assigned drivers or a trained back up must be available and on time to ensure consistent and reliable service.

All personnel are responsible for knowledge of the service system design, the City of Malibu, and route destinations. Project personnel must maintain a courteous attitude, answering to the best of their ability any passenger questions regarding the provision of service. Personnel must also report all passenger-complaints, as well as, operational and maintenance problems promptly to the Project Manager who shall forward the information to the City.

3. Fare Collection and Accountability

The cash fare for the Dial-A-Ride service will be \$1.00, \$2.00, and \$4.00 as previously described. The City reserves the right to change the fare or to issue passes, discount coupons, or tickets to be used in lieu of cash fares. The Contractor will be responsible for collecting fares per trip unless the City agrees to a prepay fare system. The Contractor shall ensure that all drivers are aware of and adhere to the fare structure.

Total fare box revenues are to be retained by the contractor, reported to City of Malibu, and deducted from the monthly cost of the service. Fare collection training shall be conducted by the Contractor, and proper fare collection shall be enforced by all project personnel.

4. Program Operational Records

Records and reports should be consistent with all National Transit Database (NTD) requirements, as well as, all other reporting required by the Los Angeles County Metropolitan Transportation Authority (Metro). In addition, the Contractor may be required to provide additional statistical information as requested in order to assist the City in complying with other grant and legislative requirements. The City will use the information requested in this section to monitor and evaluate the productivity of the service. Information must be submitted to the City according to the reporting schedule to be established by the City. All reports shall be submitted to the City in a format approved by the City. The Program Manager will prepare and submit to the City, with appropriate back up, no later than the sixth working day of each month, a summary report of operations for the service which will include at least:

- a. Daily totals of passenger counts, revenue hours, total hours, revenue miles, total miles, fare box revenue, passenger types (PCA or shared ride) any other operating data collected, documenting any discrepancies in the reported number of passengers carried and the amount of fares collected by the operator.

- b. Passenger pick-up and drop-off times and locations for the Dial-A-Ride service.
- c. Operational problems, accidents, incidents, passenger complaints, and any actions taken regarding the aforementioned events. Passenger complaints related to safety or serious operational deficiencies shall be reported by phone to the City no later than the next working day following Contractor's receipt of complaint.

Results of documentation may indicate the need for changes in the level of service or in operational or routing modifications. The provider shall cooperate with the City to improve the transportation operation and maintain flexibility so that service modifications may be implemented quickly.

5. City Access to Records

The City, or any of its duly authorized representatives, upon reasonable written notice, shall have access without charge, for the purpose of audit and investigation, to all original books, documents, log sheets, and records of the Contractor which pertains to the contract. Said original books, documents, log sheets and records must be retained by the Contractor in the Southern California Region for four years following final payment under the contract.

6. Marketing/Public Outreach

The City shall be responsible for public relations as well as the production of schedules and marketing and other promotional materials, therefore, these costs should not be included in the proposal.

Contractor must refer all media requests to the City and may not provide any information without prior approval by the City. Contractor shall cause drivers and supervisors to cooperate and comply with reasonable requests by the City to distribute notices, schedules or other promotional materials to passengers in connection with the services provided. The City may also request the Contractor's personnel to collect data from passengers by handing out survey forms.

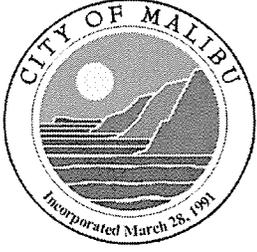
The Contractor may participate in the City's special events as requested by the City. These events may require the Contractor to display service vehicles in addition to providing manpower for a display booth for distributing brochures regarding the City's transit services.

Vehicles used in the program represent the City and therefore, the City will reserve the right to refuse any advertising on program vehicles which it determines to be offensive or inappropriate.

7. Operating During a Declared Emergency

As applicable, upon declaration of any emergency by the City Manager or his designated representative, the Contractor may be responsible for a number of transportation-related activities, including the development of emergency travel routes and the coordination with other agencies supplying common carrier services. In the event of a declared emergency, the Contractor may make available all program vehicles to the City, report to a designated City parking area immediately, and deploy vehicles in a manner described by the Director of Public Works or his designee as part of the City's Emergency Response Plan.

The City shall be obligated to compensate the Contractor for services which significantly exceeds the normal expense of operating the service during such period of declared emergency. The Contractor shall be required to document and maintain all emergency-related services as requested by the City and provide these documents to the City at the declared conclusion of the emergency.



City of Malibu

City Council Policy

Policy #42

Title: Dial-a-Ride Program

Purpose: To establish regulations as to the use of the Dial-a-Ride program by City residents

Policy Statement:

The City Council, through the budget process, may allocate funds to provide transportation services to City residents. This program is commonly referred to as the "Dial-a-Ride" program.

To ensure proper use of these services, the following regulations are to be followed in the use of this program.

Implementation:

Use of this program is restricted to City residents. The Parks and Recreation Director will be the administrator of the program and will coordinate the service of the transportation provider and the residents who use the program.

The program is open to residents who are either 60 years of age or older or disabled which prevents them from operating a vehicle.

To correspond with Senior Center programming hours, the hours of operation for trips within the Malibu City limits will be from 8:00 AM to 5:30 PM, Monday, Tuesday and Wednesday and from 8:00 AM to 4:00 PM on Thursday and Friday.

Program will include transportation Monday – Friday from 8:30 AM to 4:30 PM outside of Malibu City limits to the following locations:

- Geographical area of Santa Monica that includes the area between the ocean and 26th Street that is south of California Avenue and north of Colorado Avenue.
- UCLA Medical Center in West Los Angeles
- Kaiser Permanente Medical Centers in Woodland Hills and West Los Angeles
- Veterans Hospital in West Los Angeles

The City will subsidize all costs of the program, except as follows:

- Riders will be required to pay \$1.00 per one-way trip to the Malibu Senior Center, and \$2.00 per one-way trip to all locations within the City limits of Malibu.



- Riders will be required to pay \$4.00 per one-way trip to all locations outside the City limits of Malibu.

All persons who desire to use this program will be required to pre-register at the Malibu Senior Center. Registration will be available at no charge.

All trips outside of Malibu will be on a scheduled basis.

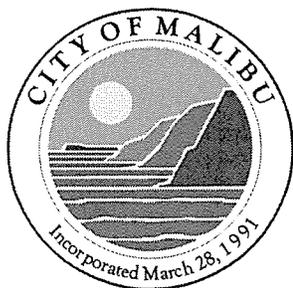
Date Adopted:

February 14, 2000

Date Amended:

June 12, 2013

November 14, 2016



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Katie Gallo, Recreation Supervisor

Reviewed by: Kristin Riesgo, Recreation Manager

Approved by: Reva Feldman, City Manager 

Date prepared: October 25, 2016

Meeting date: November 14, 2016

Subject: Harry Barovsky Memorial Youth Commission Structure and Appointment Process

RECOMMENDED ACTION: Adopt Resolution No. 16-46 approving the structure and appointment process of the Harry Barovsky Memorial Youth Commission (Commission) and rescinding Resolution Nos. 10-38, 13-06, and 13-32.

FISCAL IMPACT: None.

DISCUSSION: On June 13, 2016, Council assigned the Commission to review and evaluate the structure and appointment process of the Commission to ensure productive meetings were being held and tasks were evenly distributed among all members.

The 2016-2017 application period resulted in 32 applicants, the highest number of applicants to date. The number of applicants has steadily increased over the course of the last six (6) years from 18 in 2010 to 32 in 2016.

The structure and appointment process in 2010 included a minimum membership of seven (7) members and a maximum membership of 18 members. If members of the Commission were absent from three (3) successive regular meetings, without being excused by the Commission, or were absent for any reason for more than four (4) regular meetings in a 12-month period, the office of the member was deemed vacated.

The current membership structure changed in 2013 to include a five (5) person Executive Board without a maximum number of Commissioners incorporated into the membership. A quorum consists of seven (7) members or two-thirds of the members,

whichever is less, where at least three (3) of the members present were Executive Board Members. The absence policy has remained the same since 2010.

The Commission application process for 2016-2017 includes a single-page application in which the applicants respond to two statements:

- 1) Provide detailed information that demonstrates your experience or background applicable to serving on the Youth Commission (including education, work experience, volunteer experience etc.).
- 2) Give a brief statement as to why you are interested in serving on the Commission.

On September 19, 2016, and October 17, 2016, the Commission discussed the City Council's assignment and were given a variety of appointment and application examples from municipal youth commissions and teen coalition/council groups.

The Commission is recommending the following:

- A maximum number of 25 appointments from students in grades seven through twelve.
- Require students to participate in an interview that can be completed in person or applicants may submit a multi-media film.
- During a 12-month period, Commissioners may not miss more than three (3) meetings.
- During a 12-month period, Commissioners must attend one (1) Commission sponsored event.

The Commission is recommending that the City Council adopt Resolution No. 16-46 implementing the proposed changes that will become effective for the 2017-2018 term.

ATTACHMENT: Resolution No. 16-46

RESOLUTION NO. 16-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU RECONSTITUTING THE HARRY BAROVSKY MEMORIAL YOUTH COMMISSION AND RESCINDING RESOLUTION NOS. 10-38, 13-06, AND 13-32.

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

- A. The City Council established the Harry Barovsky Memorial Youth Commission in 1999 by adoption of Resolution No. 99-94.
- B. On several occasions, the City Council modified the membership of the Commission.
- C. The City Council desires to establish the membership of the Youth Commission as up to twenty-five (25) members but at least seven (7) members, with representation from grades seven (7) through twelve (12).
- D. The City Council desires to modify the absence policy allowing a member of the Youth Commission to be absent from three (3) regular meetings during a twelve (12) month period. Commissioners will be required to attend one (1) Youth Commission sponsored event.

SECTION 2.

1. **Creation of Youth Commission.** A Youth Commission is hereby created and established for the City of Malibu. The Youth Commission may be known and referred to, among other things as the "Harry Barovsky Memorial Youth Commission" or the "Youth Commission."

2. **Members.** The Youth Commission may consist of no less than seven (7) members and no more than twenty-five (25) members. Five Youth Commission members shall serve as the Executive Board. The Executive Board members shall be elected by Commission members. The Executive Board has final approval of Commission decisions and acts by majority vote. All Commission members shall be appointed by City Council and must reside within the City of Malibu or attend Malibu schools. Notwithstanding the number of members appointed, a quorum of the Youth Commission shall consist of seven (7) members or two-thirds of the members, whichever is less, where at least (3) three of the members present are Executive Board Members. All decisions on votes taken shall require a majority of the quorum present.

3. **Appointments.** The members of the Youth Commission will be appointed by a majority vote of the members of the City Council. Applicants must participate in an interview process in order to be considered as a Youth Commission applicant. Appointments shall be made at a regular City Council meeting.

4. **Terms.** Each member of the Youth Commission shall serve a one-year term

commencing on July 1st for the ensuing school year. Effort shall be made for the members to represent grades seven through twelve. Following expiration of the term of office, each commissioner shall continue to serve until his or her successor is appointed and qualified. Notwithstanding any provision of this code, each commissioner shall serve at the pleasure of the City Council and may be removed by the Council at a regular City Council meeting.

5. **Vacancies.** Vacancies on the Youth Commission shall be filled by appointment through a majority vote of the City Council.

6. **Absence from Meetings & Events.** If a member of the Youth Commission is absent from three (3) regular meetings in a twelve-month period without being excused or if a member does not attend one (1) Commission sponsored event, the office of such member shall be deemed vacated and the Chair will immediately notify the City Manager, who shall notify the City Council that that office is vacant. A successor for the remainder of the term of such absent member will be appointed as provided under Section 3. Appointments.

7. **Regular Meetings.** Regular meeting days of the Youth Commission shall be determined by resolution of the Youth Commission, except that the Commission's regular meetings will be at least once monthly.

8. **Duties.** The Youth Commission may make recommendations to the City Council with respect to matters concerning the City's programs and projects targeted to serve youth people in the community. The Youth Commission will have the authority and responsibility to plan, organize and implement, with the assistance of appropriate members of the City staff and within budget limits, events, programs and activities for the young people of the community and to hold fundraising events to further the work of the Youth Commission. All money raised will be restricted so that it is used exclusively to support the work of the Commission, its events, programs and activities.

9. **Records.** Accurate and permanent records of the actions of the Commission shall be kept, and such records shall have the same status as records of other administrative departments of the City.

10. **Organization.** The Youth Commission will elect one (1) of its members to serve as Chair. The election will be held at least annually at the Commission's regular meeting in September of each year. The Chair will be a member of either grade eleven or twelve. The Chair will serve at the pleasure of the Commission. The Commission may adopt such rules and regulations as it deems necessary to provide for its other officers and their method of selection, and for other matters relative to its work and administration. Minutes, resolutions and official records of the Commission will be filed with the City Clerk.

11. **Compensation.** Members of the Youth Commission will serve without compensation. Expenses incurred by members of the Commission in the performance of their duties will be authorized in advance by the City Manager or his or her designee and will be consistent with the adopted budget of the City. Claims for expenses will be filed with the Administrative Services Department and will be subject to audit and to the approval of the City

Resolution No. 16-46
Page 3 of 3

Council.

SECTION 3. Resolution Nos. 10-38, 13-06, and 13-32 are hereby rescinded.

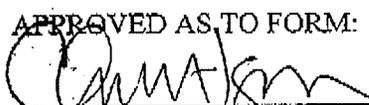
SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this 14th day of November 2016.

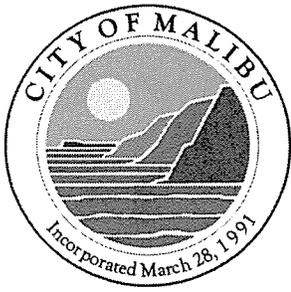
LOU LAMONTE, Mayor

ATTEST:

HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:


CHRISTI HOGIN, City Attorney



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Amy Crittenden, Recreation Manager

Approved by: Reva Feldman, City Manager 

Date prepared: October 31, 2016 Meeting date: November 14, 2016

Subject: Malibu Poet Laureate

RECOMMENDED ACTION: 1) Approve the recommendation from the Cultural Arts Commission to create a Poet Laureate position to represent Malibu for a two-year term; and 2) Approve the proposed selection process criteria associated with the Malibu Poet Laureate program.

FISCAL IMPACT: There is no funding needed at this time, but a stipend for the selected candidate will be included in a future budget for Cultural Arts Programs.

DISCUSSION: On September 27, 2016, the Cultural Arts Commission discussed establishing a Malibu Poet Laureate program. The idea was proposed by Malibu resident and Tales by the Sea organizer, Ann Buxie, as well as several representatives from Pepperdine University. The program intent is to keep the spoken and written word alive in Malibu and to bring the art of poetry to the forefront.

Many communities throughout California are establishing their own laureateships to promote community awareness of the literary arts and to encourage community members to develop their own creative interests. The Cultural Arts Commission believes that the creation of a Poet Laureate program in Malibu will keep poetry as an integral piece in Malibu's artistic landscape.

The responsibilities of the Poet Laureate position will include, but are not limited to, working with local schools and the library to promote poetry, and participating in and/or creating one Invitational each year. A poetry invitational hosts invited poets that read their own poetry and other poets work. The Malibu Poetry Invitational will address timely themes and include music and visual art to reflect and enhance the content of the selected poems and themes.

The Cultural Arts Commission recommended the following selection process for the Poet Laureate position:

- Any Malibu resident, or someone affiliated with Malibu (defined as those who take the City of Malibu and its mission to heart) is eligible to submit
- City staff will be the program administrator responsible for overseeing the open call, application and selection processes (the proposed open call application period is six weeks)
- Based on his level of experience and accreditation, Dr. John Struloeff, Department Chair of Creating Writing at Pepperdine University, will be responsible for selecting members of the Selection Panel
- The Malibu Poet Laureate Selection Panel will include the head of Pepperdine's Creative Writing Department, one member of the Pepperdine University Poetry Society, one member from the Malibu Friends of the Library, and up to two members of the Malibu community at large. Depending on the number of submissions, there will be a minimum of five judges and a maximum of seven
- Selection panelists will not be related in any way to applicants and if there are any potential conflicts, the panelist would be replaced
- Submissions will be presented to the selection panel in a blind submission format; no names are attached to the application or written submission materials
- The final candidate will be recommended to the Cultural Arts Commission and then sent for final approval by the City Council

Submission formats and qualifications for the Poet Laureate candidates are outlined in the Selection Criteria (Attachment 1). The recommended open submission period will be November 16, 2016 - January 3, 2017.

ATTACHMENTS: Malibu Poet Laureate Selection Criteria

Malibu Poet Laureate Selection Criteria

The following outlines the selection process and responsibilities for the Malibu Poet Laureate:

A. Selection Panel

1. The selection panel will include qualified Pepperdine students/faculty, including the head of Pepperdine's Creative Writing Department, one member of the Pepperdine University Poetry Society, one member of the Malibu Friends of the Library, and up to two Malibu community members at large.
2. Depending on the number of submissions, there will be a minimum of five judges and a maximum of seven.
3. Selection panelists are not to be related in any way to applicants and if there are any potential conflicts, the panelist should be replaced.

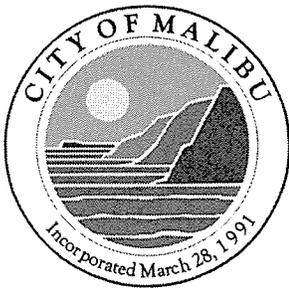
B. Submission Process

1. Submissions for Malibu Poet Laureate will be solicited by an open Call to the Community, which will run for a six-week period.
2. A cover letter must be submitted that addresses these questions:
 - a. In what ways do you see yourself engaging with the Malibu community as an ambassador of poetry?
 - b. A statement regarding your affiliation with Malibu.
3. Each applicant shall submit five poems.
4. Entries are not to exceed three pages of verse per poem, and must be submitted in 12pt Times New Roman, single-spaced format.
5. All information is given to the panel in a blind format, without including names of the authors.
6. Candidates will apply to the call through the Cultural Arts website and all poems will be uploaded in a confidential and secure manner.
7. All works submitted shall be considered copyrighted and may not be copied or duplicated without the author's prior, written consent. All submission packages will be securely destroyed and recycled and/or made available for applicants to pick up.

C. Candidate Selection and Commitment

1. The open call is for Malibu citizens, and those who live in nearby communities who have some involvement and established relationship with Malibu.
2. The selected Laureate will hold his or her position for a two-year term that shall commence on the date of the official appointment.
3. The Laureate will be formally recognized by the City Council in a presentation during a determined City Council meeting.
4. The Laureate will receive a stipend of \$1,000 annually.
5. The selected candidate will represent the City of Malibu at selected cultural community events.
6. Duties will include, but not be limited to, participating in and/or creating one invitational each year, working with Malibu schools and the Library to promote poetry, and meeting with the Laureate Committee¹ as needed.

¹ The Laureate Committee is an independent group not affiliated with the City of Malibu Cultural Arts Commission and will be composed of representatives from Poetry by the Sea, the Pepperdine University Poetry Society, members of the community, and a representative from the Malibu Cultural Arts Commission. The Laureate Committee will meet as needed.



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Heather Glaser, City Clerk

Approved by: Reva Feldman, City Manager 

Date prepared: October 24, 2016

Meeting date: November 14, 2016

Subject: Proposed 2017 Calendar of City Council Meetings

RECOMMENDED ACTION: Approve the proposed 2017 Calendar of City Council meetings.

FISCAL IMPACT: None.

DISCUSSION: Staff has prepared the proposed 2017 Calendar of City Council Meetings for Council consideration and adoption. Budget meetings and holidays have been incorporated into this proposed calendar.

ATTACHMENTS: Proposed 2017 Calendar of City Council Meetings

2017 Calendar of City Council Meetings

| | | | |
|--|-----------------|----------------------------|-----------------|
| JANUARY | | JULY | |
| Monday, January 9, 2017 | Regular Meeting | Monday, July 10, 2017 | Regular Meeting |
| Monday, January 23, 2017 ¹ | Regular Meeting | Monday, July 24, 2017* | Cancelled |
| FEBRUARY | | AUGUST | |
| Monday, February 13, 2017 | Regular Meeting | Monday, August 14, 2017 | Regular Meeting |
| Monday, February 27, 2017 | Regular Meeting | Monday, August 28, 2017 | Regular Meeting |
| MARCH | | SEPTEMBER | |
| Monday, March 13, 2017 | Regular Meeting | Monday, September 11, 2017 | Regular Meeting |
| Monday, March 27, 2017 | Regular Meeting | Monday, September 25, 2017 | Regular Meeting |
| APRIL | | OCTOBER | |
| Wednesday, April 12, 2017 ² | Regular Meeting | Monday, October 9, 2017 | Regular Meeting |
| Monday, April 24, 2017 ³ | Regular Meeting | Monday, October 23, 2017 | Regular Meeting |
| Wednesday, April 26, 2017 ⁴ | Special Meeting | NOVEMBER | |
| MAY | | Monday, November 13, 2017 | Regular Meeting |
| Monday, May 8, 2017 | Regular Meeting | Monday, November 27, 2017 | Regular Meeting |
| Monday, May 22, 2017 | Regular Meeting | DECEMBER | |
| JUNE | | Monday, December 11, 2017 | Regular Meeting |
| Monday, June 12, 2017 | Regular Meeting | Monday, December 25, 2017* | Cancelled |
| Monday, June 26, 2017 | Regular Meeting | | |

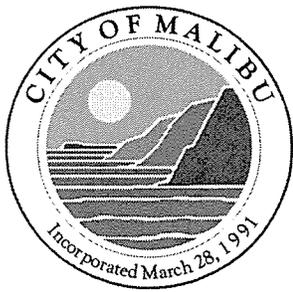
¹ Mid-year Budget Review

² Schedule Modified due to Holiday

³ City Council Reorganization Meeting

⁴ Budget Workshop

* Traditional Dark Meeting



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Mary Linden, Executive Assistant

Approved by: Reva Feldman, City Manager *RF*

Date prepared: October 27, 2016 Meeting date: November 14, 2016

Subject: Cool Roofs (Councilmember Rosenthal)

RECOMMENDED ACTION: At the request of Councilmember Rosenthal, consider directing staff to bring back a cool roof ordinance.

FISCAL IMPACT: None.

DISCUSSION: A cool roof is a roof made from materials, including highly reflective paint, a sheet covering, or highly reflective tiles or shingles, which effectively reflect more sunlight and absorb less heat than a standard roof. Cool roofs can reduce a roof's surface temperature by many degrees, resulting in a reduction of heat transferred into the building below. This helps to reduce energy costs, improve occupant comfort, cut maintenance costs and increase the life cycle of the roof.

Some known benefits of cool roofs include:

- Save on annual electricity bills by reducing the need for air conditioning
- Improve indoor comfort for spaces that are not air conditioned, such as garages or covered patios
- Save peak electricity demand costs for homes that use time-of-use metering
- Reduce roof maintenance and replacement expenses by extending roof life
- Increase indoor comfort during warm days by reducing infrared conversion from visible light
- Reduce the "heat island effect" in cities and suburbs
- Reduce air pollution and smog formation
- Reduce roofing waste added to landfills
- Help builders and building managers meet California's Title 24 Energy Efficiency Building Standards

Beyond the building itself, cool roofs can also benefit the environment, especially when many buildings in a community have them by reducing local air temperatures (sometimes referred to as the urban heat island effect) and lowering peak electricity demand, which can help prevent power outages.

It is also important to note that cool roofs achieve the greatest cooling savings in hot climates, but can increase energy costs in colder temperatures due to reduced beneficial wintertime heat gains.

Councilmember Rosenthal is requesting the Council consider directing staff to bring back an ordinance requiring cool roofs in all new buildings. Council may also wish to include the cool roof requirement for any major building alterations or roof replacement permits. A copy of the cool roof ordinance adopted by the Los Angeles City Council on July 2, 2014, is attached for reference, as well as the City of Los Angeles Cool Roof Ordinance FAQ sheet.

ATTACHMENTS:

1. City of Los Angeles Ordinance No. 183149
2. City of Los Angeles Cool Roof Ordinance FAQ

ORDINANCE NO. 183149

An ordinance amending sections 99.01.101.3 and 99.04.106.5 of Article 9, Chapter IX of the Los Angeles Municipal Code to reflect local administrative changes and incorporate by reference a portion of the California Energy Code.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection 99.01.101.3 of the Los Angeles Municipal Code is amended to read as follows:

99.01.101.3. Scope. The provisions of this code shall apply to the construction of every new building, every building alteration with a building permit valuation of \$200,000 or more, and every building addition, unless otherwise indicated in this code, throughout the City of Los Angeles.

EXCEPTION: Roof replacements of any value are subject to Subsection 99.04.106.5.

Sec. 2. Subsection 99.04.106.5 of the Los Angeles Municipal Code is amended to read as follows:

99.04.106.5. Cool Roof for Reduction of Heat Island Effect. Roofing material shall comply with both Subsections 99.04.106.5.1 and 99.04.106.5.2, or comply with Subsection 99.04.106.5.3 of this code.

EXCEPTIONS:

1. Roof repair as defined in Section 100.1(b) of the California Energy Code; or
2. Roof replacement when the roof area being replaced is equal to or less than 50% of the total roof area; or
3. Building-Integrated Photovoltaics (BIPV); or
4. Application for a building permit with full payment of all fees prior to October 1, 2014; or
5. Application for a building permit with full payment of all fees prior to January 1, 2015, for the replacement of an existing roof with asphalt roof shingles or asphalt composition roll roofing.

99.04.106.5.1. Solar Reflectance. Roofing material shall have a minimum 3-year aged solar reflectance equal to or greater than the values specified in Table 4.106.5 of

this code. Solar reflectance shall be determined by testing by an approved agency in accordance with ASTM C1549, ASTM E1918 or CRRC-1. Solar reflectance values shall be based on the aged reflectance value of the roofing product or the equation in Section A4.106.5.1 of this code if aged solar reflectance values are not available.

99.04.106.5.2. Thermal Emittance. Roofing materials shall have an emittance value equal to or greater than those specified in Table 4.106.5 of this code. Thermal emittance shall be determined by testing by an approved agency in accordance with ASTM C1371, ASTM E408 or CRRC-1.

99.04.106.5.3. Solar Reflectance Index. Roofing materials shall have an aged solar reflectance index equal to or greater than those specified in Table 4.106.5 of this code. Solar Reflectance Index (SRI) shall be determined in accordance with ASTM E1980. Calculation of aged SRI shall be based on aged tested values of solar reflectance and on thermal emittance. Calculation of initial SRI shall be based on initial tested values of solar reflectance and on thermal emittance.

TABLE 4.106.5

| ROOF SLOPE | MINIMUM 3-YEAR AGED SOLAR REFLECTANCE | THERMAL EMITTANCE | SOLAR REFLECTANCE INDEX SRI |
|------------|---------------------------------------|-------------------|-----------------------------|
| < 2:12 | 0.63 | 0.75 | 75 |
| ≥ 2:12 | 0.20 | 0.75 | 16 |

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of JUL 2 2014.

HOLLY L. WOLCOTT, Interim City Clerk

By  Deputy

Approved JUL 07 2014


Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
KIM RODGERS-WESTHOFF
Deputy City Attorney

Date June 30, 2014

File No. CF 14-0675

DECLARATION OF POSTING ORDINANCE

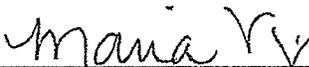
I, MARIA VIZCARRA, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 183149 – Amending Sections 99.01.101.3 and 99.04.106.5 of Article 9, Chapter IX of the Los Angeles Municipal Code to reflect local administrative changes to and incorporate by reference a portion of the California Energy Code - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on July 2, 2014, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on July 11, 2014 I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on July 11, 2014 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 11th day of July, 2014 at Los Angeles, California.



Maria Vizcarra, Deputy City Clerk

Ordinance Effective Date: August 20, 2014
Rev. (2/21/06)

Council File No. 14-0675



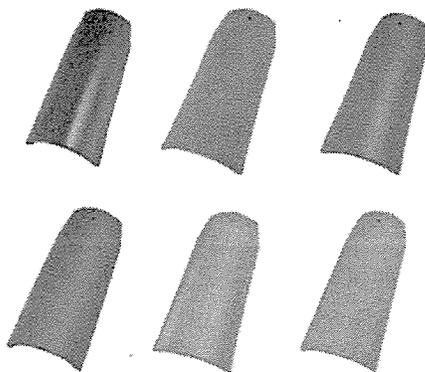
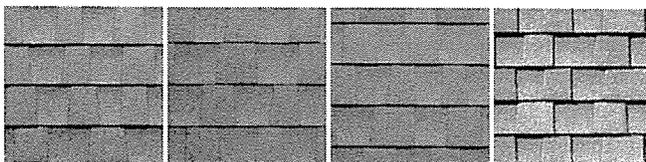
City of Los Angeles Cool Roof Ordinance FAQ

Why did the City pass the Cool Roof Ordinance?

In March 2013, the City helped convene a cool roofs conference where researchers, policy makers, industry representatives, and other stakeholders gathered to exchange information about cool roofs. The conference identified a number of benefits that cool roofs would bring to Los Angeles, including reduced smog formation, reduced heat-related illness/death, and increased energy savings. Recognizing the array of benefits and the untapped potential for residential roofs, the City Council unanimously approved a residential cool roof requirement as part of the Los Angeles Green Building Code. After a grace period for the roofing industry to prepare for enforcement, the code went into full effect on January 1, 2015. The Department of Building and Safety is responsible for permitting and inspection, and LADWP broadened its residential cool roof incentives to support the transition to the new requirement. (See reverse for information on the incentive program.)

What cool roofing products are available to comply with the ordinance?

There are hundreds of products that comply with the ordinance which can be searched on the Cool Roofs Rating Council's (CRRC's) website at www.coolroofs.org/products. These products occur in a variety of colors across all types of roofs, including, asphalt shingles, tiles, flat roofs and coatings. Additionally, the City has been working with the roofing manufacturers and suppliers to provide easy to understand information about key compliant product types. Here are just a few sample images of compliant roof products:



Do cool roofs cost more?

Most types of compliant roofs (such as tiles, flat roofs, and coatings) have little or no increased costs over non-cool roofs.* Costs can increase for asphalt shingle roofing products when purchasing a color other than white. To offset increased costs, LADWP has enhanced its cool roof rebate to offer between \$0.20 and \$0.30 per square foot of roofing, found at www.ladwp.com/rebatesandprograms (click on "Building Products"). Additionally, the building owner should realize reduced energy consumption, better indoor comfort, and increased life expectancy of the roof.

How do I find compliant roofing products?

As noted in a previous section, to see the entire array of cool roof options, one can search www.coolroofs.org/products. Each search result links to product websites where you can inquire about local distributors. If you need further help identifying product options, you can also contact the CRRC at info@coolroofs.org or (866) 465-2523. The nonprofit organization Climate Resolve features guidance on its website <http://climateresolve.org/hot-city-cool-roofs>. Of course, your local contractor can often best advise on the right roof for you.

What about historic buildings or zones?

For historic buildings and zones, the approval process for cool roofs is the same as for any other roof. Cool clay tile products, in particular, are offered in a wide variety of colors and styles.

Do other efficiency measures, like increased insulation and radiant barriers, provide the same benefits as cool roofs?

No. While other measures may also cost-effectively save energy within a building, they do not provide the area wide cooling of cool roofs which helps reduce Los Angeles' pronounced urban heat island effect. In this era of rising temperatures, the additional benefits of cool roofs above and beyond energy savings include: reducing heat-related illness and death, reducing smog formation, and reducing cooling loads for all buildings in the City.

Where can I learn more about cool roofs and their benefits, along with the urban heat island effect?

The Global Cool Cities Alliance is a good place to learn about the science behind cool surfaces and benefits cool roofs bring to cities and their residents. The California Energy Commission's Consumer Energy Center is a good place to learn about the basics of cool roofs, in particular their role in saving consumers money on their energy bills.

For more information, please visit www.coolroofstoolkit.org or www.consumerenergycenter.org

*Energy Cost-Effectiveness Study for Cool Roofs, July 2014. TRC Solutions, Inc. Approved by the California Energy Commission.



Cool Roofs

What You Need to Know About LADWP Rebates and Building Code Requirements

What is a Cool Roof?

A cool roof is a roofing product that reflects sunlight and absorbs less heat than traditional roofs. Cool roofs lower roof temperatures on hot sunny days and therefore keep homes cooler inside, saving energy by reducing the need for running air conditioning systems.

Although often light in color, cool roofs come in a wide variety of colors ranging from white to black and including blues, grays, greens, oranges, browns, and tans.

Cool roofs also are available in a variety of styles: shingle, shake, tile, membrane, and spray-on liquid coatings.

"Coolness" Factors

The "coolness" of a roof is determined by several properties of roofing materials and their combined effects on temperature. The primary factor is the material's ability to reflect the sun's energy back into the atmosphere ("solar reflectance"). A higher "solar reflectance" factor means the roof will stay cooler. Also the "solar reflectance" is measured by how long it retains its effectiveness ("aged solar reflectance"). If the product is new and the "aged solar reflectance" value is unavailable, it can be calculated using the following formula:

Formula:

$$3\text{-year Aged Solar Reflectance} = [0.2 + 0.7 \times [\rho_{\text{initial}} - 0.2]]$$

(where ρ_{initial} = Initial Solar Reflectance)

In addition to "solar reflectance" a secondary factor used is known as "thermal emittance," which measures the material's ability to release heat. The Solar Reflectance Index (SRI) combines these two factors into a simple to use index value.

Building Code Requirements

Starting Oct.1, 2014, the 2014 Los Angeles Green Building Code requires that roofing material used in residential buildings meet certain values for the "aged solar reflectance" and "thermal emittance", or for "SRI".

| | Min. 3-yr Aged Solar Reflectance | Min. Thermal Emittance | SRI |
|-----------------------|----------------------------------|------------------------|-----|
| Low-slope \leq 2:12 | 0.63 | 0.75 | 75 |
| Steep-slope $>$ 2:12 | 0.20 | 0.75 | 16 |

Exceptions... Cool roof is NOT required for:

- Roof repair; or
- Roof replacement when the roof area being replaced is equal to or less than 50% of the total roof area; or
- Where building-integrated photovoltaics (BIPV) are installed
- Permits issued prior to January 1, 2015, for the replacement of an existing roof with asphalt roof shingles or asphalt composition roll roofing.

LADWP Rebates

LADWP's cool roof rebates are available to single-family and multi-family residential customers, and are part of the Consumer Rebate Program.

Rebate Levels

- The base rebate for qualifying roofs is \$0.20 per square foot
- The enhanced rebate is \$0.30 per square foot

Roofing products must be tested and labeled by the Cool Roof Rating Council. A listing of rated products using the CRRC Rated Products Directory can be found at www.coolroofs.org/products/search.php

Qualifying Cool Roofs

To qualify as a cool roof under the LADWP Consumer Rebate Program, the roofing material must:

- Have CRRC 3-year SRI value \geq 75 for low-slope (\leq 2:12) or \geq 16 for steep-slope ($>$ 2:12) roofs
- For the enhanced rebate, have CRRC 3-year SRI value \geq 85 for low-slope (\leq 2:12) or \geq 35 for steep-slope ($>$ 2:12) roofs

How to Apply

LADWP advises customers to confirm rebate eligibility before making your purchase. Complete the Consumer Rebate Program application (available online at www.ladwp.com/rebatesandprograms) after purchasing and installing the product. All applications must be postmarked within 12 months of the purchase date. For your convenience, you may submit your application online or by mail.

Funds are available on a first-come, first-served basis. LADWP reserves the right to inspect and verify the installation of your products prior to releasing your rebate check. Rebates will be processed within six months of application submittal.

Documentation

Please include the following documentation with your application:

- Original Proof of Purchase or Original Home Improvement Contract Invoice (with manufacturer, product make and model number)
- A copy of your LADWP bill (Page 1)
- A copy of the roofing permit

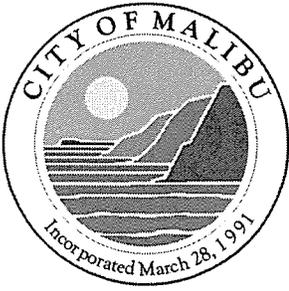
For More Information about LADWP Rebates:

Visit: www.ladwp.com/rebatesandprograms (click on "Building Products") or **Call:** 1 800 DIAL DWP

For More Information about the 2014 Green Building Requirements:

Visit: www.ladbs.org or **Call:** LADBS at 3-1-1

Please note: Funding is limited and rebates are not guaranteed. This program shall at all times be subject to change or termination without notice.



Council Agenda Report

To: Mayor La Monte and the Honorable Members of the City Council

Prepared by: Mary Linden, Executive Assistant *ML*

Approved by: Reva Feldman, City Manager *RF*

Date prepared: October 27, 2016 Meeting date: November 14, 2016

Subject: Electric Vehicles Fleet (Mayor Pro Tem Peak)

RECOMMENDED ACTION: At the request of Mayor Pro Tem Peak, direct staff to develop a plan to transition to an all-electric vehicle fleet by 2020.

FISCAL IMPACT: There is no fiscal impact to have staff begin investigating options for transitioning to an all-electric vehicle fleet. There could be a significant fiscal impact if all vehicles are replaced with an electric fleet.

DISCUSSION: The City currently owns a fleet of 13 vehicles for use by staff to conduct the regular business of the City. Of the 13 vehicles in the current fleet, five are hybrids. Included in the fleet are trucks, SUVs and passenger vehicles used for transportation of staff, equipment and materials to events, project sites, and inspections. The City must also maintain at least two pick-up trucks with tow hitches in its fleet for staff to tow trailers between parks and facilities for regular maintenance.

In keeping with the City's commitment to proactive environmental awareness, Mayor Pro Tem Peak is suggesting the City consider converting its fleet to all electric vehicles by 2020.

The attached list details the current fleet inventory with the year, make, model, type (gas/hybrid) and approximate mileage of each vehicle. Most vehicles in the fleet were purchased brand new and, in recent years, many hybrid vehicles have been purchased, resulting in lowering the City's carbon footprint through reduced emissions, as well as reducing the City's fuel expenditures.

Once a vehicle passes 100,000 miles, Public Works staff closely monitors the reliability and maintenance costs to determine when the vehicle will need to be replaced.

The next vehicle scheduled for replacement is the 2002 Ford Explorer. Staff will soon begin the new vehicle purchase process as this vehicle's replacement was included in the Fiscal Year 2016-2017 budget. Currently, there are limited options for hybrid and/or electric SUVs.

Also to be considered is the need for installing charging stations at City Hall should the City transition to an electric fleet. This would include the charging stations themselves (a single charger costs approximately \$3,000 and dual vehicle chargers are approximately \$5,000 each). In order to support the charging stations, trenching, installation of underground conduits and wiring, backfill, paving, etc. would also be required. Finally, it is critical that any City vehicle has sufficient range on a full charge to allow staff to perform their duties and return the vehicles to City Hall.

ATTACHMENTS: City Fleet Vehicle List

CITY OF MALIBU FLEET

| Vehicle # | Year | Make | Model | Fuel | Vehicle Type | Mileage @ 9/1/2016 |
|-----------|------|--------|-----------------|--------|--------------|--------------------|
| F-008 | 2002 | Ford | Explorer | Gas | SUV | 158,568 |
| F-014 | 2009 | Ford | Escape | Hybrid | SUV | 82,896 |
| F-015 | 2010 | Toyota | Prius | Hybrid | Passenger | 34,823 |
| F-016 | 2009 | Ford | F-150 | Gas | Truck | 48,246 |
| F-018 | 2012 | Ford | Focus | Gas | Passenger | 25,876 |
| F-019 | 2013 | Ford | Escape | Gas | SUV | 14,820 |
| F-020 | 2013 | Ford | Escape | Gas | SUV | 27,860 |
| F-021 | 2013 | Ford | F-150 | Gas | Truck | 46,754 |
| F-022 | 2013 | Ford | C-Max | Hybrid | Passenger | 15,032 |
| F-023 | 2013 | Ford | Fusion | Hybrid | Passenger | 13,367 |
| F-024 | 2011 | Ford | Crown Victoria* | Gas | Passenger | 39,425 |
| F-025 | 2013 | Ford | C-Max | Hybrid | Passenger | 10,271 |
| F-026 | 2015 | Ford | Explorer* | Gas | SUV | 16,302 |

* Modified patrol vehicles for use by the VOPs