

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
APRIL 25, 2016
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Mayor Rosenthal called the meeting to order at 6:39 p.m.

ROLL CALL

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

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

ABSENT: Councilmember John Sibert

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Jim Thorsen, City Manager; Reva Feldman, Assistant City Manager; Lisa Pope, City Clerk; Craig George, Acting Environmental Sustainability Director; Bob Stallings, Parks and Recreation Director; Bonnie Blue, Planning Director; Rob DuBoux, Acting Public Works Director; Mary Linden, Executive Assistant; Amy Crittenden, Recreation Manager; and Jennifer Brown, Senior Environmental Programs Coordinator

PLEDGE OF ALLEGIANCE

City Manager Thorsen led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Mayor Pro Tem La Monte moved and Councilmember Peak seconded a motion to approve the agenda. The motion carried 4-0, Councilmember Sibert absent.

REPORT ON POSTING OF AGENDA

City Clerk Pope reported that the agenda for the meeting was properly posted on April 14, 2016, with the amended agenda posted on April 21, 2016.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Proclamation Recognizing May 1 - 7, 2016 as Municipal Clerk Week

Mayor Rosenthal presented the proclamation to City Clerk Pope.

B. Proclamation Declaring May 2016 as Building Safety Month

Mayor Rosenthal presented the proclamation to Senior Building Permit Technician Riggins.

C. Presentation of Commendation to Jim Thorsen in Recognition of his 10 years of Service as City Manager

Mayor Rosenthal presented the commendation and gifts to City Manager Thorsen.

Andy Stern discussed the success of City Manager Thorsen and thanked him for his service.

Mayor Pro Tem La Monte, on behalf of John Payne and the Malibu Navy League, presented a certificate of appreciation to City Manager Thorsen.

Tim Pershing, on behalf of Assemblymember Richard Bloom, presented a commendation to City Manager Thorsen.

Don Girard, Andrew Walzer and Katharine Muller, Santa Monica College, thanked City Manager Thorsen for his accomplishments and presented a commendation and gift.

Captain Patrick Davoren, Lieutenant Jim Royal and Deputy Mike Trenen, Malibu/Lost Hills Sheriff's Station, presented a plaque thanking City Manager Thorsen for his friendship, cooperation and mentorship.

Adam Arika, Los Angeles County Department of Public Works, thanked City Manager Thorsen for his service.

Assistant City Manager Feldman, on behalf of City staff, thanked City Manager Thorsen.

Craig Foster discussed City Manager Thorsen's professionalism and competence and thanked him for his service.

Robert Gold thanked City Manager Thorsen for his integrity and for all he has done for the City of Malibu.

Don Schmitz commended City Manager Thorsen for his successful dealings with tough issues in Malibu. He expressed gratitude on behalf of the Malibu Chamber of Commerce.

Mayor Pro Tem La Monte thanked City Manager Thorsen for supporting all his ideas and his work for the City.

Councilmember Peak thanked City Manager Thorsen and wished him luck in Colorado.

Councilmember House stated it had been a privilege being on the Council under City Manager Thorsen.

Mayor Rosenthal thanked City Manager Thorsen for a job well done.

City Manager Thorsen thanked his family and those recognizing him. He expressed his gratitude for his time here. He commended City staff for its hard work and thanked the current and past City Councils.

ITEM 2.A. PUBLIC COMMENTS

Norm Haynie commended City Manager Thorsen for his empathy.

Matt deNicola deferred his time to Jennifer deNicola.

Jennifer deNicola thanked City Manager Thorsen for his service and welcomed Assistant City Manager Feldman. She suggested the City enforce Malibu Municipal Code (MMC) Section 8.28 to protect school children.

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

Catherine Brickman, Cultural Arts Commission, announced the Concert on the Bluffs event on June 12, 2016.

Scott Hosfeld, Cultural Arts Commission, discussed the artists participating in the Concert on the Bluffs.

Ms. Brickman stated tickets were available through the City's website and at Vintage Grocers and PC Greens. She stated the concert was June 12, 2016, at 4:30 p.m.

City Manager Thorsen recognized Executive Assistant Mary Linden for her assistance. He announced the appointment of Makan Delrahim to the Malibu Unification Negotiations Committee.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Peak requested the Council explore the suggestion of Ms. deNicola.

Councilmember House concurred with looking into whether MMC Section 8.28 could be applied to Malibu High School.

Mayor Pro Tem La Monte stated the rehabilitation facility concentration bill passed the State Assembly's Health Committee by a vote of 15-0. He stated he and Assistant City Manager Feldman attended the California Contract Cities Board of Directors meeting where he was elected as president. He stated he attended the State of the City on April 22, 2016.

Mayor Rosenthal announced the next Library Speaker Series event on May 11, 2016, the next Zoning Ordinance Revisions and Code Enforcement Subcommittee meeting on April 26, 2016, the April 27, 2016 Special City Council meeting regarding the budget, the Malibu Guitar Festival on April 28, 2016, the Malibu Teen Film Festival on April 29, 2016, a Santa Monica-Malibu Unified School District Board meeting on May 5, 2016, the Concert on the Bluffs on June 12, 2016, and the Water Expo on June 19, 2016. She discussed the Malibu Unification Negotiations Committee (MUNC). She suggested the Council consider impacts on MUNC negotiations before taking action regarding Malibu schools.

ITEM 3 CONSENT CALENDAR

MOTION Mayor Pro Tem La Monte moved and Councilmember Peak seconded a motion to approve the Consent Calendar. The motion carried 4-0, Councilmember Sibert absent.

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 47102-47241 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. 571 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$799,926.65. City of Malibu payroll check numbers 4653-4655 and ACH deposits were issued in the amount of \$155,485.62.

3. Approval of Minutes

Recommended Action: Approve the minutes for the March 28, 2016 Adjourned Regular City Council meeting.

4. Amendment to Agreement with Rincon Consultants, Inc.

Recommended Action: Authorize the City Manager to execute

Amendment No. 1 to the Professional Services Agreement with Rincon Consultants, Inc. to increase the compensation by \$50,000 for additional storm water quality testing, for a total of \$61,000.

5. Appoint City Manager and Approve Employment Agreement

Recommended Action: 1) Appoint Reva Feldman as City Manager under the terms of the employment agreement; and 2) Approve the agreement and authorize the Mayor to execute the Agreement on behalf of the City Council.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

A. Approval of Issuance of Bonds for City of Malibu Assessment District (AD) No. 2015-1 (Civic Center Wastewater Treatment Facility – Phase 1)

Recommended Action: 1) Adopt Resolution No. 16-15 authorizing and providing for the issuance of bonds pursuant to the provisions of the Improvement Bond Act of 1915 in the principal amount not to exceed \$6,495,000 for City of Malibu AD No. 2015-1 (Civic Center Wastewater Treatment Facility - Phase 1) and approving certain documents and authorizing certain actions in connection therewith; 2) Approve Bond Counsel Agreement with Stradling, Yocca, Carlson & Rauth for bond counsel services; and 3) Approve Professional Services Agreement with Stifel Nicolaus for Bond Underwriting Services.

Assistant City Manager Feldman presented the staff report.

MOTION Mayor Pro Tem La Monte moved and Councilmember Peak seconded a motion to: 1) adopt Resolution No. 16-15 authorizing and providing for the issuance of bonds pursuant to the provisions of the Improvement Bond Act of 1915 in the principal amount not to exceed \$6,495,000 for City of Malibu AD No. 2015-1 (Civic Center Wastewater Treatment Facility - Phase 1) and approving certain documents and authorizing certain actions in connection therewith; 2) approve Bond Counsel Agreement with Stradling, Yocca, Carlson & Rauth for bond counsel services; and 3) approve Professional Services Agreement with Stifel Nicolaus for Bond Underwriting Services. The motion carried 4-0, Councilmember Sibert absent.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS

None.

ITEM 7 COUNCIL ITEMS

A. Malibu Historic District (Surfing Area for Surfrider) Nomination to the National Register of Historic Places (Councilmember Peak)

Recommended Action: At the request of Councilmember Peak, authorize the Mayor to send letters of support for the nomination of the surfing area from Malibu Pier through Malibu Lagoon State Beach, designated as the Malibu Historic District: 1) to the National Register of Historic Places; 2) as a State Marina Cultural Preservation Area; and 3) as a State Marine Recreational Management Area.

Michael Blum discussed the nomination of the surfing area from the Malibu Pier through Malibu Lagoon. He requested the Council authorize the Mayor to send a letter to National Register of Historic Places and to postpone recommendations 2 and 3.

Karen Martin addressed the Council in support of the Malibu Historic District. She reminded the Council of the importance of the area to surfers and marine wildlife and research.

John Mazza discussed the importance of recognizing the surf break as the first surfing center. He stated a surfing book just received the Pulitzer Prize. He stated Malibu surfing culture should be recognized.

Richard Wilken indicated support for the recommended action. He discussed the early surf pioneers and Surfrider Beach.

Councilmember Peak discussed the surfing culture in Malibu and the need to preserve it.

MOTION Councilmember Peak moved and Councilmember House seconded a motion to authorize the Mayor to send a letter of support for nomination of the surfing area from Malibu Pier through Malibu Lagoon State Beach, designated as the Malibu Historic District, to the National Register of Historic Places.

Mayor Rosenthal indicated support for the motion.

Mayor Pro Tem La Monte concurred and expressed delight to support the motion.

The motion carried 4-0, Councilmember Sibert absent.

ADJOURNMENT

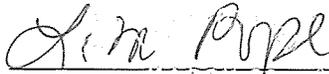
At 8:12 p.m., Mayor Rosenthal adjourned the meeting in memory of Will Karges.

Approved and adopted by the City Council of the
City of Malibu on May 23, 2016.



LAURA ROSENTHAL, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)