

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
JULY 11, 2016
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Mayor Rosenthal called the meeting to order at 6:32 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 John Sibert

ABSENT: Councilmember Skylar Peak

ALSO PRESENT: Christi Hogin, City Attorney; Reva Feldman, City Manager; Heather Glaser, Acting City Clerk; Craig George, Environmental Sustainability Director; Bonnie Blue, Planning Director; Bob Brager, Public Works Director; and Amy Crittenden, Recreation Manager

PLEDGE OF ALLEGIANCE

Merril May led the Pledge of Allegiance.

PUBLIC COMMENT ON CLOSED SESSION

Bob LaMasney questioned whether Crown Castle's new project would be allowed to violate United States Code Section 332(c)(7)(B).

Dana Christiaansen questioned why all Crown Castle equipment was not being consolidated into one underground vault.

Kirk Odian stated Crown Castle's current proposed design was illegal.

City Attorney Hogin stated Crown Castle had been given the opportunity to make a new application for a wireless telecommunication facility. She stated her office was awaiting technical feedback on whether the Sprint vault was eligible to be utilized by Crown Castle, and that anything else would only be allowed on proof of ineligibility. She stated her office was grateful to the neighborhood for its vigilance.

The following items were listed on the Closed Session agenda:

Conference with Legal Counsel – Existing litigation pursuant to Government Code Section 54956.9(d)(1):

1. Crown Castle NG West LLC v. City of Malibu,
United States District Court Case No. 2:15-cv-06089-DSF (SSx)
2. Trancas-PCH v. City of Malibu (Housing Element case)
Los Angeles County Superior Court Case No. BS145311

CLOSED SESSION REPORT

City Attorney Hogin reported that the Regular meeting convened at 5:45 p.m. at which time the City Council recessed to a Closed Session pursuant to Government Code Section 54956.9(d)(1) with all Councilmembers present, except Councilmember Peak. She stated the Council discussed the items listed on the Closed Session agenda and took no reportable action.

APPROVAL OF AGENDA

MOTION Councilmember House moved and Councilmember Sibert seconded a motion to approve the agenda.

FRIENDLY AMENDMENT

Mayor Rosenthal moved to adjourn in memory of those who lost their lives throughout the country over the previous week. Councilmember House and Councilmember Sibert accepted the amendment. The motion carried 4-0, Councilmember Peak absent.

REPORT ON POSTING OF AGENDA

Acting City Clerk Glaser reported that the agenda for the meeting was properly posted on July 1, 2016, with the amended agenda posted July 7, 2016.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. City Council Reorganization

1. Presentations to Outgoing Mayor

Mayor Pro Tem La Monte commended Mayor Rosenthal and presented her with a Malibu wave award.

2. Remarks by Outgoing Mayor

Mayor Rosenthal thanked the Council. She discussed the job of the Mayor

and Malibu's form of local government. She discussed the need for respect among community members. She stated she loved serving the City.

3. Election of Mayor

MOTION

Councilmember House moved and Councilmember Sibert seconded a motion to nominate Mayor Pro Tem La Monte as Mayor. The question was called and the motion carried 4-0, Councilmember Peak absent.

4. Election of Mayor Pro Tem

MOTION

Councilmember House moved and Councilmember Sibert seconded a motion to nominate Councilmember Peak as Mayor Pro Tem. The question was called and the motion carried 4-0, Councilmember Peak absent.

5. Administration of Oath of Office to Newly Elected Mayor and Mayor Pro Tem

Laraine La Monte swore in Lou La Monte as Mayor.

6. Remarks by Newly Elected Mayor

Mayor La Monte thanked the Council. He stated he would continue his work to get the drug and rehabilitation facility overconcentration bill passed in Sacramento. He stated he would work to establish more ball fields in the City, make Pacific Coast Highway safer, work with other cities to bring down the cost of the Sheriff's liability trust fund, and resolve the Point Dume controversy.

ITEM 2.A. PUBLIC COMMENTS

Gary Daly discussed the Point Dume Traffic Management Plan Survey, traffic congestion on Point Dume, and the cost of landscape removal.

Marianne Riggins discussed fireworks set off from the headlands at Point Dume and requested California State Parks staff the headlands for the next July 4th holiday. She indicated support for pedestrian walkways on Point Dume.

Pam deferred her time to Joseph.

Joseph discussed his home in Ramirez Canyon.

Charlie Stiegler congratulated Mayor La Monte. He read the Malibu Vision Statement.

Lydia Stiegler was not present at the time of the hearing.

Peggy Hall Kaplan deferred her time to Sam Hall Kaplan.

Sam Hall Kaplan stated the Point Dume Traffic Management Plan Survey was flawed. He indicated opposition for removal of encroachments.

Thomas Kosch deferred his time to Sam Seelig.

Sam Seelig discussed traffic on Point Dume and suggested speed humps be placed on Grasswood Avenue. He indicated opposition to encroachment removal.

Laureen Sills indicated opposition to encroachment removal on Point Dume.

William Rollano discussed parking on Point Dume and indicated opposition to encroachment removal.

Don Richstone indicated opposition to encroachment removal on Point Dume and stated a new traffic study should be conducted.

Mark DiPaola played video from previous City Council meetings.

Oscar Victoria, Mountains Recreation and Conservation Authority (MRCA) Counsel, stated MRCA would be requesting permission from the City to install a temporary restroom near Escondido Falls

John Mazza deferred his time to Jeff Mazzarella.

Jeff Mazzarella stated traffic calming measures and safety were important. He indicated opposition to encroachment removal on Point Dume. He discussed the Point Dume Traffic Management Plan Survey.

Martha Fling stated encroachment removal would affect home values on Point Dume. She stated a new traffic study needed to be done for Point Dume.

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

City Manager Feldman thanked Los Angeles County Sheriff's Lieutenant Jim Royal for assistance with traffic conditions during the holiday weekend.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

In response to Mayor La Monte, City Attorney Hogin stated the City Prosecutor was handling Mr. DiPaola's case.

Councilmember Rosenthal thanked City Manager Feldman and Los Angeles County Sheriff's Lieutenant Jim Royal for assistance with traffic conditions during the holiday weekend. She stated she attended the Civic Center Wastewater Treatment Facility Groundbreaking Ceremony. She discussed the Point Dume issues. She announced the City's Adopt a Park Program to assist with maintenance at Legacy Park and Bluffs Park, a CPR class at City Hall on July 20, 2016, and the next Malibu Library Speaker Series event on August 30, 2016.

City Attorney Hogin admonished the Council to refrain from speaking about the Point Dume issues since the matter was not on the Council's agenda. She stated staff would take it as direction to report to the Council on an upcoming agenda the results of the Point Dume Traffic Management Plan Survey, when available, and include in that item reconsideration of the plan's contemplated removal of some landscape encroachments in the public right-of-way

Councilmember Sibert stated he lived on Point Dume and discussed the issues. He discussed the uses for water from stormwater treatment plants and recycled water treatment plants.

Councilmember House congratulated Mayor La Monte and thanked Councilmember Rosenthal for her work. She stated everyone in Malibu was impacted by visitors. She discussed the Point Dume issues.

ITEM 3 CONSENT CALENDAR

MOTION Councilmember Rosenthal moved and Councilmember Sibert moved to approve the consent calendar. The motion carried 4-0, Councilmember Peak absent.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

1. Second Reading and Adoption of Ordinance No. 406
Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 406 determining the project is categorically exempt from the California Environmental Quality Act and amending Malibu Municipal Code Chapter 5.34 (Special Events).
2. Second Reading and Adoption of Ordinance No. 407
Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 407 adding Chapter 9.38 to Title 9 (Public Peace and Safety) to the Malibu Municipal Code requiring valet parking attendants to

wear high-visibility safety apparel while providing valet services in any public rights-of-way within the City limits; and amending Section 1.10.040 of Chapter 1.10 (Administrative Citations and Penalties) of Title 1 (General Provisions) of the Malibu Municipal Code to reflect that violations of Chapter 9.38 shall be subject to the City's administrative penalty provisions.

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 47769-47901 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. 576 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$1,437,059.85. City of Malibu payroll check numbers 4673-4679 and ACH deposits were issued in the amount of \$166,997.95.
3. Approval of Minutes
Recommended Action: Approve the minutes for the June 13, 2016 Regular City Council meeting.
4. Amendment to Joint Use Agreement with Santa Monica-Malibu Unified School District
Recommended Action: Authorize the City Manager to execute Amendment No. 1 with Santa Monica-Malibu Unified School District to extend the 2013-2016 Joint Use Agreement for an additional three-year period.
5. Amendment to Agreement with Lorrie Feinberg
Recommended Action: Authorize the City Manager to execute Amendment No. 4 to Agreement with Lorrie Feinberg, dba Iris Consulting, for development and database management services and document imaging services.
6. Amendment to Agreement with Rincon, Inc.
Recommended Action: Authorize the City Manager to execute Amendment No. 4 to Agreement with Rincon Consultants, Inc. for planning consultant services.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

None.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS

None.

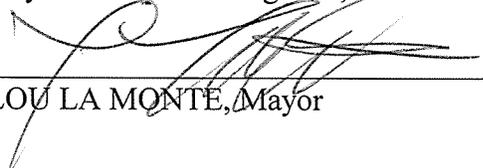
ITEM 7 COUNCIL ITEMS

None.

ADJOURNMENT

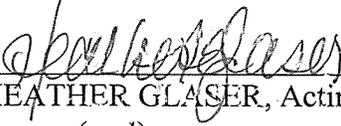
MOTION At 7:49 p.m. Councilmember Rosenthal moved and Councilmember Sibert seconded a motion to adjourn the meeting in memory of those who lost their lives throughout the country over the previous week.

Approved and adopted by the City Council of the
City of Malibu on August 8, 2016.



LOU LA MONTE, Mayor

ATTEST:



HEATHER GLASER, Acting City Clerk
(seal)