

MINUTES  
MALIBU CITY COUNCIL  
REGULAR MEETING  
OCTOBER 24, 2016  
COUNCIL CHAMBERS  
6:30 P.M.

**CALL TO ORDER**

Mayor La Monte called the meeting to order at 6:35 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: Trevor Rusin, Assistant City Attorney; Reva Feldman, City Manager; Heather Glaser, City Clerk; Craig George, Environmental Sustainability Director; Bonnie Blue, Planning Director; Bob Brager, Public Works Director; Matt Myerhoff, Media Information Officer; and Kristin Riesgo, Recreation Manager

**PLEDGE OF ALLEGIANCE**

Senator Fran Pavley led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

MOTION Councilmember House moved and Councilmember Rosenthal seconded a motion to approve the agenda, and adjourn in memory of Los Angeles County Sheriff Sergeant Alfonso Lopez.

**FRIENDLY AMENDMENT**

Mayor La Monte moved that the Council also adjourn in memory of Navy Chief Petty Officer Jason Finan. The maker and seconder accepted the amendment, and the amended motion carried unanimously.

**REPORT ON POSTING OF AGENDA**

City Clerk Glaser reported that the agenda for the meeting was properly posted on October 13, 2016.

**ITEM 1 CEREMONIAL/PRESENTATIONS**

A. Recognition of Senator Fran Pavley for her Years of Service to the Malibu Community and the State of California

Mayor La Monte discussed Senator Pavley's work for the City and the state and presented her with a gift from the Council.

Senator Pavley outlined her history with the City, including the Pacific Coast Highway Task Force, Legacy Park project, Malibu Bluffs Park, King Gillette Ranch, and the Malibu Library.

Councilmember Rosenthal thanked Senator Pavley for her work on the environment and climate change. She thanked her for teaching her and honoring her father.

Mayor Pro Tem Peak thanked Senator Pavley for making such a positive mark on the community and state.

Councilmember Sibert thanked Senator Pavley for her work on the environment.

Councilmember House stated she admired Senator Pavley's negotiating ability and thanked her for her service.

Mayor La Monte thanked Senator Pavley for being a champion of the City and the Santa Monica Mountains.

**ITEM 2.A. PUBLIC COMMENTS**

Jefferson Wagner discussed a solar powered recycling bin with wi-fi.

Erica MacVittie, race director of the Malibu half marathon and 5k, benefiting the Boys and Girls Club of Malibu and the Malibu High School Athletic Booster Club fundraiser. She announced the race would take place on November 6, 2016.

Hans Laetz stated there had been 12 pole fires and transformer explosions caused by buildup that becomes an issue when in contact with fog or light rain. He discussed the Malibu Area Safety Enforcement Protocol and stated Malibu was an area in which Southern California Edison (SCE) should take greater care.

Laureen Sills discussed a power pole explosion across the street from her home on October 16, 2016. She congratulated Senator Pavley. She discussed the potential for the City to purchase the upper Yamaguchi property.

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

City Manager Feldman congratulated Senator Pavley and stated she had been a tremendous asset for the community. She announced community workshops regarding potential uses of Trancas Field would be held on November 2 and November 30, 2016, and stated a survey was available on the City's website. She provided a brief update on the Civic Center Wastewater Treatment Facility

project. She announced that Media and Technology Technician George Gabriel would be leaving at the end of the week for a position with the City of Manhattan Beach.

**ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS**

Councilmember Rosenthal thanked Ms. MacVittie and Mr. Laetz. She stated a letter of interest should be sent to the upper Yamaguchi property owner regarding pricing. She discussed plans to request Council form a subcommittee for a bond measure in 2017. She stated she attended a Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) meeting, a Library Subcommittee meeting, a Las Virgenes-Malibu Council of Governments (COG) meeting, a Southern California Association of Governments (SCAG) housing summit, and the Water Harvest Festival hosted by West Basin Municipal Water District at which she received a Conservation Award from District Director Scott Houston. She stated she attended the Earth Now symposium at the UCLA Environmental Center regarding conservation and climate change. She announced it was the last day to register to vote in the November 8, 2016 Election. She announced the Waste to Waves event would start November 1, 2016, the Lost Hills Sheriff's Station Open House on November 5, 2016, and Election Day would be November 8, 2016. She announced that City Hall would be closed on November 11, 2016, in observance of Veterans Day, and that the next Library Speaker Series event would be held on November 2, 2016. She stated that she planned to attend the SCAG Earthquake Preparedness Seminar with Dr. Lucy Jones on October 27, 2016.

Councilmember Sibert thanked Mr. Laetz. In response to Councilmember Sibert, City Manager Feldman stated she had requested a meeting and reached out to California Strategies regarding SCE poles.

Councilmember Sibert stated a letter should be sent to the Yamaguchi property owner. He discussed Dr. Lucy Jones.

Councilmember House indicated support for sending a letter to the Public Utilities Commission regarding SCE poles. She indicated support for sending a letter to the Yamaguchi property owner regarding pricing.

In response to Councilmember House, Councilmember Rosenthal discussed the vote threshold for a single project bond measure versus a general purpose bond measure.

Mayor Pro Tem Peak thanked Mr. Laetz. He stated the letter to SCE should request that a representative attend a Council meeting to discuss the issues and their solution. He stated he attended the ZORACES meeting. He discussed the Yamaguchi property pricing and questioned available funds for purchasing the

property. He thanked Debbie Frank for a fundraiser that benefits youth. He stated he attended the 10th Annual Malibu Invitational.

Mayor La Monte thanked Mr. Laetz. He thanked Media and Technology Technician Gabriel for his work for the City. He stated he attended the California Contract Cities Association (CCCA) Executive Board meeting and discussed the election of city managers to the Contract Cities Liability Trust Fund Oversight Committee. He stated he attended funeral services for Los Angeles County Sheriff Sergeant Steve Owen, a meeting with Senator Tony Mendoza, a Los Angeles County Sheriff's Deputies training meeting, a press conference in opposition to Proposition 57, the Big Rock Block Party, and the 26<sup>th</sup> Annual Malibu Pie Festival at which he was a judge.

**CONSENSUS**

By consensus, the Council directed the City Manager to obtain additional information about the property for sale at 23801 Stuart Ranch Road.

**CONSENSUS**

By consensus, the Council directed the City Manager to write a letter to Southern California Edison regarding recent power outages and the maintenance of poles within the City.

**ITEM 3      CONSENT CALENDAR**

**MOTION**      Councilmember Rosenthal moved and Councilmember Sibert seconded a motion to approve the Consent Calendar. 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 48666-48780 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. 582 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$1,214,750.32. City of Malibu payroll check numbers 4704-4707 and ACH deposits were issued in the amount of \$154,007.03.

3. Approval of Minutes  
Recommended Action: Approve the minutes for the September 26, 2016 Regular City Council meeting.
4. Improvement Bond Release for Tract Map No. 68861  
Recommended Action: Authorize staff to notify Philadelphia Indemnity Insurance Company that the Faithful Performance and Payment Bond Number PB03010401172, posted for Tract Map No. 68861, is hereby released with no further obligation or responsibility for public improvements on Malibu Road.
5. Award Contract for the Bus Stop Shelters Pilot Project  
Recommended Action: 1) Approve the award and authorize the City Manager to execute a construction contract with J & H Engineering General Contractors, Inc. in the amount of \$38,201 for the construction of the Bus Stop Shelters Pilot Project, Specification No. 2063; and 2) Authorize the Public Works Director to approve any potential change orders up to 25% of the contract amount.
6. Memorandum of Understanding for the Integrated Regional Water Management Malibu Comprehensive Water Conservation Project  
Recommended Action: Authorize the City Manager to execute a Memorandum of Understanding with West Basin Municipal Water District and Los Angeles County Waterworks District No. 29 regarding the Proposition 84 Integrated Regional Water Management Malibu Comprehensive Water Conservation Project.
7. Memorandum of Understanding with Los Angeles County Flood Control District for a Comprehensive Water Conservation Project  
Recommended Action: Authorize the City Manager to execute a Memorandum of Understanding with the Los Angeles County Flood Control District regarding the Proposition 84 Integrated Regional Water Management Malibu Comprehensive Water Conservation Project.

#### **ITEM 4 ORDINANCES AND PUBLIC HEARINGS**

- A. Beachfront and Non-Beachfront Lots Development Standards  
Recommended Action: 1) Adopt Resolution No. 16-45 initiating amendments to Title 17 of the Malibu Municipal Code (MMC) and Local Coastal Program (LCP) to consider adding definitions for beachfront and non-beachfront lots and adding development standards for non-beachfront lots that are located along the shore; and 2) Direct the Planning Commission to schedule a public hearing for review and recommendation to the City Council regarding MMC and LCP amendments.

Planning Director Blue indicated the item was inadvertently placed under public hearings. She presented the staff report.

Norm Haynie thanked the Council for its work in the community. He discussed beachfront development standards as related to zoning.

In response to Councilmember House, Planning Director Blue discussed the possibility of creating a maximum building size for beachfront lots. Councilmember House indicated support for total development square footage standard for beachfront lots going to ZORACES.

Councilmember Sibert stated the language needed to be simplified.

In response to Mayor Pro Tem Peak, Planning Director Blue stated the amendment would address beachfront multi-family zoning.

MOTION Councilmember Rosenthal moved and Councilmember Sibert seconded a motion to: 1) Adopt Resolution No. 16-45 initiating amendments to Title 17 of the Malibu Municipal Code (MMC) and Local Coastal Program (LCP) to consider adding definitions for beachfront and non-beachfront lots and adding development standards for non-beachfront lots that are located along the shore; and 2) Direct the Planning Commission to schedule a public hearing for review and recommendation to the City Council regarding MMC and LCP amendments. The motion carried unanimously.

**ITEM 5 OLD BUSINESS**

None.

**ITEM 6 NEW BUSINESS**

- A. Pavement Management Plan Update  
Recommended Action: 1) Review the updated Pavement Management Plan; and 2) Provide direction to staff regarding implementation of the Plan.

Public Works Director Brager presented the staff report.

In response to Councilmember House, Public Works Director Brager discussed the difference between major and minor pavement repair. He stated very few roads in the City needed major repair.

MOTION Councilmember Rosenthal moved and Councilmember Sibert seconded a motion approve implementation of the updated Pavement Management Plan. The motion carried unanimously.

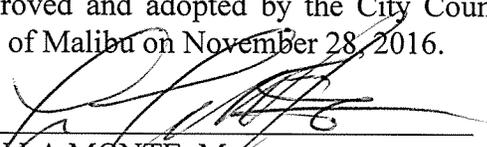
**ITEM 7 COUNCIL ITEMS**

None.

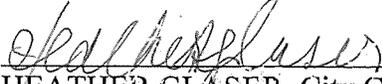
**ADJOURNMENT**

At 7:47 p.m., Mayor La Monte adjourned in memory of Los Angeles County Sheriff Sergeant Alfonso Lopez and Navy Chief Petty Officer Jason Finan.

Approved and adopted by the City Council of the  
City of Malibu on November 28, 2016.

  
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LOU LA MONTE, Mayor

ATTEST:

  
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HEATHER GLASER, City Clerk  
(seal)