

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
JANUARY 23, 2017
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Mayor La Monte 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 Lou La Monte; Mayor Pro Tem Skylar Peak; and Councilmembers Rick Mullen, Laura Rosenthal and Jefferson Wagner

ALSO PRESENT: Christi Hogin, City Attorney; Reva Feldman, City Manager; Lisa Soghor, Assistant City Manager; Heather Glaser, City Clerk; Craig George, Environmental Sustainability Director; Jesse Bobbett, Parks and Recreation Director; Bonnie Blue, Planning Director; Bob Brager, Public Works Director; Elizabeth Shavelson, Assistant to the City Manager; Amy Crittenden, Recreation Manager; Rob DuBoux, Assistant Public Works Director; and Matt Myerhoff, Media Information Officer

PLEDGE OF ALLEGIANCE

Norm Haynie led the Pledge of Allegiance.

PUBLIC COMMENT ON CLOSED SESSION

None.

The following items were listed on the Closed Session agenda:

Real Property Negotiation Matters pursuant to Government Code Section 54956.8:

1. Property Address: 23801 Stuart Ranch Road (APN: 4458-022-012)
City Negotiator: City Manager Feldman or Designee
Property Negotiator: Ed Matevosian and Natalie Aghaei
Under Negotiation: Price and terms of payment
2. Property Address: 29243 Pacific Coast Highway (APN: 4467-022-009)
City Negotiator: City Manager Feldman or Designee
Property Negotiator: Shen Shul
Under Negotiation: Price and terms of payment

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

1. Wildlife II, LLC, Richard Sperber and Shawn Sperber v. City of Malibu
Los Angeles County Superior Court Case No. SC126470
2. City of Malibu v. Kent
Los Angeles County Superior Court Case No. BS154185, Second Appellate District,
Case No. B267162

CLOSED SESSION REPORT

City Attorney Hogin reported that the regular meeting convened at 5:00 p.m. at which time the City Council recessed to a Closed Session pursuant to Government Code Sections 54956.8 and 54956.9(d)(1) with all Councilmembers present. She stated the Council discussed each of the items listed on the Closed Session agenda. The Council took one reportable action in the matter of the City of Malibu v. Kent. She reported the Council had unanimously voted to authorize filing a petition with the Supreme Court to review the Court of Appeal's decision.

APPROVAL OF AGENDA

MOTION Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to approve the agenda, continuing Item No. 4.C. to the March 13, 2017 Regular City Council meeting. The motion carried unanimously.

REPORT ON POSTING OF AGENDA

City Clerk Glaser reported that the agenda for the meeting was properly posted on January 13, 2017.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Los Angeles County Measure R Update

Assistant to the City Manager Shavelson presented the update.

Councilmember Rosenthal congratulated the Public Works Department for moving the La Costa Crosswalk project forward.

CONSENSUS

By consensus the Council directed staff to bring back an item to discuss future Los Angeles County Measure R and Measure M projects.

ITEM 2.A. PUBLIC COMMENTS

David Rydman, Waterworks District 29 Area Engineer, stated November 2016 water usage in Malibu was higher than 2013, but December 2016 usage had dropped by 20% over 2013. He stated there was no damage from the recent storms.

Marianne Riggins stated she was looking forward to seeing proposals for Bluffs Park facilities, including an aquatic center, ball fields, and a skate park.

David Carvet deferred his time to Doug Burdge.

Nathan Jonas deferred his time to Doug Burdge.

Joseph Lezama deferred his time to Doug Burdge.

Doug Burdge stated the City's remodel policy needed to be revised. He discussed a December 2016 Planning Commission meeting and the matter of concurrent submittals.

Lester Tobias stated the remodel policy needed to be revised.

Norm Haynie stated the remodel policy needed to be revised.

Bill Sampson stated there was a motel being run on his street and street parking was a problem.

Tracy Wright discussed burgled vehicles in front of her apartment in Malibu.

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

City Manager Feldman thanked Public Works staff for their work through the recent storms. She stated Topanga Canyon Road was still closed.

Mayor La Monte stated City Manager Feldman did a spectacular job responding to the issues that arose due to the recent storms.

Carl Randall, Parks and Recreation Commission, discussed a Parks and Recreation Department refund policy and Trancas Field community outreach. He stated the Commission was concerned that the residents around Trancas Field were concerned about development. He stated the Commission felt a decision on Bluffs Park should be reached before discussing a direction for Trancas Field.

MOTION Mayor Pro Tem Peak moved and Mayor La Monte seconded a motion to hear Item No. 6.A. before Item No. 2.C. The motion carried unanimously.

In response to Mayor La Monte, Los Angeles County Sheriff's Department Acting Captain Josh Thai and Lieutenant Jim Royal stated theft was up statewide.

ITEM 6 NEW BUSINESS

A. Mid-Year Commission Activity Reports

Recommended Action: 1) Receive and file mid-year activity reports from the Cultural Arts Commission, Harry Barovsky Memorial Youth Commission, Parks and Recreation Commission, Public Safety Commission, and Public Works Commission; and 2) Amend Commission assignments for Fiscal Year 2016-2017, if appropriate.

Carol Randall listed the activities of the Public Safety Commission.

Zita Suprenant listed the activities of the Harry Barovsky Memorial Youth Commission.

Paul Grisanti listed the activities of the Public Works Commission.

MOTION

Mayor Pro Tem Peak moved and Councilmember Rosenthal seconded a motion to receive and file mid-year activity reports from the Cultural Arts Commission, Harry Barovsky Memorial Youth Commission, Parks and Recreation Commission, Public Safety Commission, and Public Works Commission. The motion carried unanimously.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Mayor Pro Tem Peak stated the Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) should meet regarding an update to the remodel policy. He stated parking violations for short-term rentals should be addressed. He encouraged the community to lock their vehicles at night.

Councilmember Mullen stated he met with current and past Councilmembers. He discussed the recent storms. He stated short-term rentals needed to be addressed.

Councilmember Wagner stated short-term rental issues were not going unnoticed. He stated he was working with the community on establishing an Environmental Sustainability Committee and an Office of the Ombudsman.

Mayor La Monte stated Bluffs Park would be considered by the Council in the near future. He stated a short-term rental ordinance would be considered by Council soon. He stated he and Councilmember Mullen attended an Administration and Finance Subcommittee meeting. He stated he attended the United States Conference of Mayors winter meeting.

Councilmember Rosenthal stated Las Flores Park was an active park.

In response to Councilmember Rosenthal, City Manager Feldman stated vehicles connected with short-term rentals that were legally parked on City streets could not be cited.

Councilmember Rosenthal stated the Fred Ward Photography Exhibit had been extended to February 28, 2017. She announced the Tyrus Wong Kite Exhibit would start in March 2017 at City Hall. She announced the next Library Speaker Series event on January 31, 2017. She announced a Malibu Student Art Show on February 11, 2017. She expressed appreciation for staff and volunteers that went above and beyond during the recent storms. She stated she attended a Malibu Unification Negotiations Committee meeting, a Malibu-Las Virgenes Council of Governments meeting, a Los Angeles County Library Commission meeting, and that she would be joining the Southern California Association of Governments Environmental Committee. She stated she was in Sacramento for a League of California Cities Environmental Quality Policy Committee meeting.

Mayor Pro Tem Peak stated the Council needed to discuss Proposition 64 and local control over marijuana.

Councilmember Rosenthal stated she attended a Salon Series event. She thanked the Cultural Arts Commission for its work for the community.

ITEM 3 CONSENT CALENDAR

Item Nos. 3.B.2. and 3.B.6. were pulled by the public, and Item Nos. 3.B.7. and 3.B.8. were pulled by the Council.

MOTION Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to approve the Consent Calendar, except for Item Nos. 3.B.2., 3.B.6., 3.B.7., and 3.B.8. 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.

3. Annual Audit Report and Management Letter for Fiscal Year 2015-2016

Recommended Action: Receive and file the Comprehensive Annual Financial Report for Fiscal Year 2015-2016.

4. Parks and Recreation Program Cancellation and Refund Policy

Recommended Action: At the recommendation of the Parks and

- Recreation Commission, adopt Resolution No. 17-04 adopting the Parks and Recreation Department Program Cancellation and Refund Policy.
5. Annual Progress Report to the California Department of Housing and Community Development Regarding the Implementation of the City's Housing Element
Recommended Action: Direct staff to submit the Annual Housing Element Progress Report to the California Department of Housing and Community Development.

The following items were pulled from the Consent Calendar for individual consideration:

2. Approve Warrants
Recommended Action: Allow and approve warrant demand numbers 49322-49517 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. 587 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$3,274,383.56. City of Malibu payroll check numbers 4732-4742 and ACH deposits were issued in the amount of \$337,264.66.

Ryan Embree questioned whether the City Treasurer was reviewing the Warrant Register and payments for the Civic Center Wastewater Treatment Facility (CCWTF) property. He stated the two-year limitation on service contracts needed to be enforced. He questioned why the City was paying for a property manager for the CCWTF. He questioned payments to California Strategies.

City Manager Feldman stated the City Treasurer reviewed the Warrant Register each cycle even though he did not physically sign. She stated the property manager for the CCWTF property was necessary to maintain existing facility operations. She stated California Strategies was the lobbyist firm for the City.

In response to Councilmember Wagner, City Manager Feldman stated contracts were regularly put out to bid.

MOTION

Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to allow and approve warrant demand numbers 49322-49517 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. 587 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$3,274,383.56. City of Malibu payroll check numbers 4732-4742 and ACH deposits were issued in the amount of \$337,264.66. The motion carried unanimously.

6. Professional Services Agreement with Integrated Performance Consultants, Inc. for Operation, Maintenance, and Management of the Civic Center Wastewater Treatment Facility

Recommended Action: Authorize the City Manager to negotiate and execute a Professional Services Agreement with Integrated Performance Consultants, Inc. for the operation, maintenance, and management of the Civic Center Wastewater Treatment Facility.

Ryan Embree questioned various costs in the Professional Services Agreement.

City Manager Feldman stated it was important to make sure the CCWTF was operated correctly

MOTION

Councilmember Rosenthal moved and Councilmember Mullen seconded a motion to authorize the City Manager to negotiate and execute a Professional Services Agreement with Integrated Performance Consultants, Inc. for the operation, maintenance, and management of the Civic Center Wastewater Treatment Facility. The motion carried unanimously.

7. Professional Services Agreement with Raftelis Financial Consultants, Inc. for the Wastewater and Recycled Water Rate Study

Recommended Action: Authorize the City Manager to negotiate and execute a Professional Services Agreement with Raftelis Financial Consultants, Inc. for the Wastewater and Recycled Water Rate Study for the Civic Center Wastewater Treatment Facility.

Councilmember Wagner questioned the rate structures and modeling process. He suggested the Council consider: 1) the rate structure for the returned water; 2) whether the rate structure should be tiered; 3) whether the amount of water purchased would impact the purchase rate; 4) whether reclaimed water contributors would get a better purchase rate than non-contributors; and 5) whether there should be incentives for retrofitting toilets.

He stated stakeholder meetings needed to be held during construction of the CCWTF.

City Manager Feldman stated the rate study that would be conducted by the consultant would answer the majority of those questions.

Public Works Director Brager stated the consultant was present to answer any questions.

In response to Councilmember Wagner, City Manager Feldman stated the

public was welcome to attend stakeholder meetings.

In response to Councilmember Mullen, Assistant Public Works Director DuBoux stated the selection panel was comprised of members of the Public Works Department and various agencies.

MOTION

Mayor Pro Tem Peak moved and Councilmember Wagner seconded a motion to authorize the City Manager to negotiate and execute a Professional Services Agreement with Raftelis Financial Consultants, Inc. for the Wastewater and Recycled Water Rate Study for the Civic Center Wastewater Treatment Facility. The motion carried unanimously.

8. Job Specifications and Organizational Chart

Recommended Action: 1) Adopt Resolution No. 17-03 rescinding Section 6 of Resolution No. 16-47 and approving the authorized positions and salary ranges for Fiscal Year 2016-2017 and approving the Senior Media Technician and Public Safety Manager job specifications; and 2) Receive and file the proposed Organizational Chart for Fiscal Year 2016-2017.

Councilmember Wagner indicated support to add communications with the KBU radio station to the Public Safety Manager Job Specification.

Councilmember Rosenthal suggested waiting until someone was hired.

MOTION

Councilmember Wagner moved and Councilmember Mullen seconded a motion to add communication with KBU radio to the Public Safety Manager Job Specification. The motion carried unanimously.

MOTION

Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to: 1) adopt Resolution No. 17-03 rescinding Section 6 of Resolution No. 16-47 and approving the authorized positions and salary ranges for Fiscal Year 2016-2017 and approving the Senior Media Technician and Public Safety Manager job specifications; and 2) receive and file the proposed Organizational Chart for Fiscal Year 2016-2017. The motion carried unanimously.

In response to Councilmember Wagner, City Manager Feldman stated the Parks and Recreation Department handled cultural arts, a robust senior program and other community needs, in addition to parks and recreation, which could be better identified as Community Services rather than Parks and Recreation.

MOTION

Mayor Pro Tem Peak moved and Councilmember Wagner seconded a motion to keep the name Parks and Recreation Department. The motion failed 2-3, Councilmembers Mullen and Rosenthal and Mayor La Monte dissenting.

MOTION Mayor Pro Tem Peak moved and Councilmember Rosenthal seconded a motion to change the name of the Parks and Recreation Department to Community Services. The motion carried 4-1, Councilmember Wagner dissenting.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

- A. Updated Developer Fee Program for the Benefit of the Consolidated Fire Protection District of Los Angeles County
Recommended Action: Adopt Resolution No. 17-01, adopting the updated developer fee and fire station plan for the benefit of the Consolidated Fire Protection District of Los Angeles County and rescinding Resolution No. 16-04.

Environmental Sustainability Director George presented the staff report.

MOTION Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to adopt Resolution No. 17-01, adopting the updated developer fee and fire station plan for the benefit of the Consolidated Fire Protection District of Los Angeles County and rescinding Resolution No. 16-04.

In response to Councilmember Mullen, Environmental Sustainability Director George stated the rates were based on growth of the service area.

The motion carried unanimously.

- B. Award of Community Development Block Grants (CDBG) for Fiscal Year 2017-18
Recommended Action: 1) Conduct the public hearing; 2) Award \$6,703 in CDBG funds to the Malibu Community Day Labor Exchange Program; and 3) Adopt Resolution No. 17-02 authorizing and approving the Fiscal Year 2017-18 CDBG Program funding for the City of Malibu.

Assistant City Manager Soghor presented the staff report.

MOTION Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to: 1) Award \$6,703 in CDBG funds to the Malibu Community Day Labor Exchange Program; and 2) Adopt Resolution No. 17-02 authorizing and approving the Fiscal Year 2017-18 CDBG Program funding for the City of Malibu.

In response to Mayor Pro Tem Peak, Assistant City Manager Soghor stated there were no other eligible organizations within the City.

The motion carried unanimously.

- C. Appeal Nos. 16-008, 16-009 and 16-010 – Regarding Wireless Telecommunications Facility No. 16-001 (29970.5 Harvester Road; Appellants: Dana Christiaansen, Robert LaMasney and Robert Kirk Odian; Applicant: Crown Castle NG West, Inc.) (Continued from December 12, 2016)

Recommended Action: Adopt Resolution No. 17-05 denying Appeal Nos. 16-008, 16-009 and 16-010, determining the project is categorically exempt from the California Environmental Quality Act, and approving Wireless Telecommunications Facility No. 16-001 and Site Plan Review No. 16-026 to allow the collocation of a new wireless telecommunications facility at an existing Sprint PCS facility, including a new antenna attached to an existing 34-foot tall utility pole at a height of 38 feet, 8 inches and electrical support equipment in a new underground vault with two above ground vents, located in the public right-of-way at 29970.5 Harvester Road (Crown Castle NG West, Inc.).

This item was continued to the March 13, 2017 Regular City Council meeting upon approval of the agenda.

- D. Sewer Lateral Connection to Civic Center Wastewater Treatment Facility – Phase I

Recommended Action: 1) After the City Attorney reads the title of the ordinance, adopt Ordinance No. 414 adding Chapter 13.30 to the Malibu Municipal Code and establishing requirements for building sanitary sewer lateral connections to the Civic Center Wastewater Treatment Facility; and 2) Direct staff to schedule a second reading and adoption of Ordinance No. 414 for the February 13, 2017 City Council meeting.

Environmental Sustainability Director George presented the staff report.

MOTION Councilmember Rosenthal moved and Mayor Pro tem Peak seconded a motion to: 1) introduce on first reading Ordinance No. 414 adding Chapter 13.30 to the Malibu Municipal Code and establishing requirements for building sanitary sewer lateral connections to the Civic Center Wastewater Treatment Facility; and 2) direct staff to schedule a second reading and adoption of Ordinance No. 414 for the February 13, 2017 City Council meeting.

In response to Mayor Pro Tem Peak, Environmental Sustainability Director George clarified that penalties differed from cost recovery for damages.

In response to Councilmember Wagner, Environmental Sustainability Director George discussed future workshops for possible repurposing of unused onsite wastewater treatment facilities.

The motion carried unanimously.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS (continued)

B. Fiscal Year 2016-2017 Second Quarter Financial Report and Mid-Year Budget Amendments

Recommended Action: 1) Receive and file FY 2016-2017 Mid-Year Financial Report; and 2) Adopt Resolution No. 17-06 amending the annual budget for Fiscal Year 2016-2017.

Assistant City Manager Soghor presented the staff report.

Ryan Embree questioned requests for funding allocation from the General Fund.

City Manager Feldman stated Legacy Park revenue from commercial tenants went into an enterprise fund, which went to debt service, maintenance of Legacy Park, and clean water. She discussed Excel Branding and the difficulties with trademarks.

In response to Councilmember Wagner, Environmental Sustainability Director George stated the One Water logo was created and owned by the City. City Manager Feldman stated the agreement with Excel Branding had expired.

In response to Mayor Pro Tem Peak, Environmental Sustainability Director George discussed the lack of grant funding for clean water programs and solar power systems.

In response to Councilmember Rosenthal, Assistant City Manager Feldman stated the expense for Cultural Arts Commission events was specific to the Tyrus Wong Kite Exhibit at City Hall.

MOTION Mayor Pro Tem Peak moved and Councilmember Rosenthal seconded a motion to: 1) receive and file FY 2016-2017 Mid-Year Financial Report; and 2) adopt Resolution No. 17-06 amending the annual budget for Fiscal Year 2016-2017. The motion carried unanimously.

Assistant City Manager presented additional points in the staff report.

In response to Councilmember Mullen, City Manager Feldman discussed the purchase of signs on behalf of Caltrans. Councilmember Rosenthal stated it was the responsibility of Caltrans to pay for the signs, but it was in the interest of public safety for the City to bear the burden of the cost of the signs in light of the fact that Caltrans was not making them a priority.

Mayor Pro Tem Peak stated the City made the right decision.

Councilmember Mullen stated California Strategies should assist the City in holding Caltrans responsible for their costs.

Assistant City Manager discussed the cost of a solar carport for City Hall.

Councilmember Rosenthal and Mayor La Monte indicated support for issuing another request for proposals for a solar carport.

Mayor Pro Tem Peak indicated support for issuing a request for proposals for a solar carport with electric vehicle charging.

Councilmember Wagner stated there were still state grants for solar power systems.

MOTION Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to direct staff to issue a request for proposals for the purchase of a solar carport for City Hall. The motion carried unanimously.

ITEM 7 COUNCIL ITEMS

- A. City Council Appointments to City Commissions and Committees
Recommended Action: 1) Council to consider disbanding or creating any Commissions or Committees and provide direction to staff; 2) Councilmembers Mullen and Wagner and Mayor Pro Tem Peak to each make an appointment to the Cultural Arts Commission; 3) Council may appoint the Cultural Arts Commission's ex officio member; 4) Council to appoint members to the Mobilehome Park Rent Stabilization Commission; 5) Councilmembers Mullen and Wagner and Mayor Pro Tem Peak to each make an appointment to the Parks and Recreation Commission; 6) Council may appoint an ex officio member to Parks and Recreation Commission; 7) Councilmembers Mullen and Wagner and Mayor Pro Tem Peak to each make an appointment to the Planning Commission; 8) Councilmembers Mullen and Wagner and Mayor Pro Tem Peak to each make an appointment to the Public Safety Commission; 9) Council may appoint an ex officio member to the Public Safety Commission; 10) Councilmembers Mullen and Wagner and Mayor Pro Tem Peak to each make an appointment to the Public Works Commission; 11) Councilmembers Mullen and Wagner and Mayor Pro Tem Peak to each make two appointments to the Civic Center Design Standards Task Force; 12) Councilmembers Mullen and Wagner and Mayor Pro Tem Peak to each make an appointment to the Wastewater Advisory Committee; 13) Council to appoint the members of the Wastewater Advisory Committee; and 14) Council to appoint the five members and alternate to the Building Board of Appeals and appoint a second alternate.

The Council discussed the commissions and committees.

CONSENSUS

By consensus, the Council formally disbanded the Civic Center Design Standards Task Force.

Norm Haynie stated that while he may disagree with staff on specific matters the staff worked very hard for the community. He discussed the Wastewater Advisory Committee.

Ryan Embree requested an appointment to the Public Safety Commission.

Councilmember Mullen appointed Lotte Cherin, Councilmember Wagner appointed Alan Roderick-Jones, and Mayor Pro Tem Peak appointed Richard Gibbs to the Cultural Arts Commission.

The Council affirmed Graeme Clifford as ex officio member to the Cultural Arts Commission.

The Council deferred appointments to the Mobilehome Park Rent Stabilization Commission.

Councilmember Mullen appointed Judy Villablanca, Councilmember Wagner appointed Suzanne Guldemann, and Mayor Pro Tem Peak appointed Laurie Principe to the Parks and Recreation Commission.

Councilmembers Mullen and Wagner voted for Lance Simmens to be appointed as ex officio member to the Parks and Recreation Commission.

Councilmember Rosenthal, Mayor Pro Tem Peak, and Mayor La Monte voted for Carl Randall to be appointed as ex officio member to the Parks and Recreation Commission. Carl Randall was appointed as ex officio member to the Parks and Recreation Commission.

Councilmember Mullen appointed Chris Marx, Councilmember Wagner appointed John Mazza, and Mayor Pro Tem Peak appointed Steve Uhring to the Planning Commission.

Councilmember Mullen appointed Christian Hanson, Councilmember Wagner appointed Tracy Wright, and Mayor Pro Tem Peak appointed Ryan Addison to the Public Safety Commission.

Councilmember Rosenthal and Mayor La Monte voted for Marlene Matlow to be appointed as ex officio member to the Public Safety Commission.

Councilmembers Mullen and Wagner and Mayor Pro Tem Peak voted for Lance Simmens to be appointed as ex officio member to the Public Safety Commission. Lance Simmens was appointed as ex officio member to the Public Safety

Commission.

Councilmember Mullen appointed James Palmer, Councilmember Wagner appointed Scott Dittrich, and Mayor Pro Tem Peak appointed Brian Merrick to the Public Works Commission.

Councilmember Mullen appointed Steve Braband, Councilmember Wagner appointed Richard Sherman, and Mayor Pro Tem Peak appointed Bart Slutske to the Wastewater Advisory Committee.

MOTION Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to affirm the Council at-large appointments of Barbara Bradley and John Yaroslaski to the Wastewater Advisory Committee. The motion carried unanimously.

Mayor La Monte indicated that John Wall, the alternate appointment John Wall to the Building Board of Appeals, was deceased.

MOTION Mayor Pro Tem Peak moved and Councilmember Mullen seconded a motion to defer appointments to the Building Board of Appeals. The motion carried unanimously.

B. Ban on Plastic-Based Sandbags (Councilmember Wagner)

Recommended Action: At the request of Councilmember Wagner, direct staff to bring back an ordinance banning the sale and use of plastic-based sandbags in Malibu, and requiring that only burlap or jute sandbags be permitted.

Councilmember Wagner presented the item.

Councilmember Rosenthal and Mayor La Monte expressed concern regarding the lifespan of burlap sandbags.

Councilmember Mullen stated burlap sandbags disintegrated more quickly when stored in the elements, and plastic sandbags deteriorated more quickly when stored in dry, hot areas.

Councilmember Wagner stated sandbags are intended for short-term use.

Mayor Pro Tem Peak stated he had recently picked a deteriorated plastic sandbag out of the ocean.

MOTION Mayor Pro Tem Peak moved and Councilmember Wagner seconded a motion to direct staff to bring back an ordinance banning the sale and use of plastic-based sandbags in Malibu. The motion carried unanimously.

ADJOURNMENT

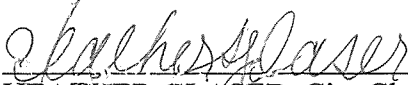
At 9:32 p.m., Mayor La Monte adjourned the meeting.

Approved and adopted by the City Council of the
City of Malibu on February 27, 2017.



LOU LA MONTE, Mayor

ATTEST:



HEATHER GLASER, City Clerk
(seal)