

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
FEBRUARY 27, 2017
COUNCIL CHAMBERS
6:30 P.M.

CALL TO ORDER

Mayor La Monte 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 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; Bonnie Blue, Planning Director; Bob Brager, Public Works Director; Matt Myerhoff, Media Information Officer; Andrew Sheldon, Environmental Sustainability Manager; Stephanie Hawner, Senior Planner; Amy Crittenden, Recreation Manager; and Kristin Riesgo, Recreation Manager

PLEDGE OF ALLEGIANCE

Joan House 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
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 Shulz
Under Negotiation: Price and terms of payment

Personnel Matters pursuant to Government Code Section 54957

3. Public Employee Performance Evaluation
Title: City Manager

CLOSED SESSION REPORT

City Attorney Hogin reported that the Regular meeting convened at 4:03 p.m. at which time the City Council recessed to a Closed Session pursuant to Government Code Sections 54956.8 and 54957 with all Councilmembers present. She stated the Council discussed each of the items listed on the Closed Session agenda and took no reportable action.

APPROVAL OF AGENDA

MOTION Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to approve the agenda, moving Item No. 6.A to be heard after the Consent Calendar and adjourning in memory of Lucky Schultz and Juan Castillo. The motion carried unanimously.

REPORT ON POSTING OF AGENDA

City Clerk Glaser reported that the agenda for the meeting was properly posted on February 16, 2017.

ITEM 1 CEREMONIAL/PRESENTATIONS

- A. Recognition of Malibu residents Ellen Reich and Florence Weinberger as Literary Treasures of the Mid-Coast

Mayor La Monte presented recognitions to Ellen Reich and Florence Weinberger.

Ms. Reich and Ms. Weinberger read poems.

- B. Staff Update on Water Monitoring

Environmental Sustainability Director George and Environmental Sustainability Manager Sheldon presented the update.

ITEM 2.A. PUBLIC COMMENTS

Diane Forte, Southern California Edison (SCE) Government Affairs, discussed a Los Angeles County project on Malibu Canyon Road from April 2017 through March 2018, between Harbor Vista Drive and Piuma Road. She stated work would occur at night and stop during summer months. She encouraged residents to visit www.sce.com/projects/lacounty for project updates. She discussed

infrastructure replacement programs. She stated coastal washing had been completed in December 2016 and ongoing cleaning had been calendared.

Councilmember Rosenthal expressed appreciation for SCE planning work on Malibu Canyon Road in the evening. In response to Councilmember Rosenthal, George Perez stated minimal lane closures would be necessary for safety reasons.

In response to Councilmember Wagner, Mr. Perez stated there were no new loads being added to the new poles.

Councilmember Wagner expressed appreciation for SCE's response to outages.

Mr. Perez thanked City staff for its help.

Ricardo Guerra stated he was a United States citizen that was homeless and unable to obtain employment.

Mikke Pierson discussed the Broad Beach Geologic Hazard Abatement District (GHAD). He expressed concern about sand erosion in front of Malibu West Beach Club.

Meril May discussed Pacific Coast Highway and Caltrans.

Paul Grisanti encouraged the community to attend the US Army Corps of Engineers public hearing regarding the Rindge Dam Draft Integrated Feasibility Study that would be held on March 1, 2017, at Las Virgenes Municipal Water District.

Norm Haynie stated the Planning Department was understaffed and underpaid. He indicated support for raising the pay of the Planning staff. He indicated support for raising the pay of the Council by 20%.

Deborah Bianco, on behalf of Cornucopia, discussed drinking fountains at Malibu schools. She stated they were negotiating with the County for a lease for the farmers market.

Craig Foster discussed the history of Malibu's separation from the Santa Monica-Malibu Unified School District. He stated the Malibu Unification Negotiations Committee had finalized an agreement for reconciling the financial matters of both communities.

Richard Gibbs stated he could not be part of the Cultural Arts Commission if the City was prosecuting Mr. Bell regarding Big Clay. He stated Big Clay was not a structure. He requested the Council stay the City Prosecutor's lawsuit

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

City Manager Feldman thanked the Public Works Department and street maintenance crews for their work through the recent rain storms. She stated the Civic Center Wastewater Treatment Facility (CCWTF) project would move in to the Cross Creek area on March 9, 2017, and continue through the end of April 2017. She encouraged the community to attend the US Army Corps of Engineers public hearing regarding the Rindge Dam Draft Integrated Feasibility Study that would be held on March 1, 2017, at Las Virgenes Municipal Water District.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Rosenthal announced the Santa Monica-Malibu Unified School District Board of Education would hear the Malibu Unification Negotiations Committee's agreement presentation on March 7, 2017, and the Malibu City Council would host a town hall at its March 27, 2017 Regular meeting at 7:00 p.m. She reminded the community to vote on March 7, 2017, on Measure H, a sales tax increase to benefit the homeless. She announced the next Library Speaker Series event on March 14, 2017.

Mayor Pro Tem Peak discussed the importance of voting on March 7, 2017, hopefully in support of Measure H. He discussed the Broad Beach GHAD. He urged the community to participate in the process of deciding the future of students in the Malibu community.

Councilmember Mullen discussed possible elimination of the ex officio member allowed in certain Commissions.

CONSENSUS

By consensus the Council directed staff to bring back an item discussing the purpose of ex officio members on Commissions.

Councilmember Wagner stated he attended a Santa Monica Bay Restoration Commission meeting. He discussed the Broad Beach GHAD.

Mayor La Monte stated Senator Tony Mendoza introduced Senate Bill No. 786, co-authored by Senator Ben Allen, regarding the overconcentration of alcoholism or drug abuse recovery or treatment facilities. He stated he attended a meeting with Congressman Ted Lieu and received an update on the homelessness issue as it pertained to Veterans Affairs.

ITEM 3 CONSENT CALENDAR

Item No. 3.B.7. was pulled by the public.

MOTION Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to approve the Consent Calendar, except for Item No. 3.B.7. 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 49670-49780 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. 589 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$523,187.36. City of Malibu payroll check numbers 4747-4752 and ACH deposits were issued in the amount of \$172,428.42.
 - 3. Approval of Minutes
Recommended Action: Approve the minutes for the January 23, 2017 Regular City Council meeting.
 - 4. Amendment to Professional Services Agreement with All City Management Services
Recommended Action: Authorize the City Manager to negotiate and execute Amendment No. 1 to the Professional Services Agreement with All City Management Services (All City) for an additional crossing guard along Morning View Drive at Malibu High School and Juan Cabrillo Elementary School.
 - 5. License Agreement with Malibu Bay Company
Recommended Action: Authorize the City Manager to enter into a substantially similar agreement with the Malibu Bay Company to utilize the property up to three times per year as overflow parking through June 2021.
 - 6. Amendment to Agreement with Governmental Financial Services
Recommended Action: Authorize the City Manager to execute Amendment No. 4 to the agreement with Governmental Financial Services for bookkeeping and accounting services.

The following item was pulled for individual consideration:

- 7. Venice Japanese American Memorial Monument
Recommended Action: 1) Consider awarding a grant of \$5,000 toward the cost of the Venice Japanese American Memorial Monument to be installed

at the corner of Venice and Lincoln Boulevards to honor approximately 1,000 people of Japanese ancestry from Venice, Santa Monica, and Malibu who were taken to the Manzanar War Relocation Center in April 1942 for internment through the duration of World War II; and 2) Appropriate \$5,000 from the General Fund Undesignated Reserve to Account No. 100-7001-5930 (City Council Community Grants).

Suzanne Thompson discussed the Venice Japanese American Memorial Monument.

Brian Maeda discussed the Venice Japanese American Memorial Monument. He stated his family had been take to the Manzanar War Relocation Center.

Arnold Maeda stated his family spent many years in Santa Monica before being taken to the Manzanar War Relocation Center where he spent 40 months.

Emily Winters indicated support for the recommended action.

MOTION

Councilmember Rosenthal moved and Mayor Pro Tem Peak seconded a motion to: 1) award a grant of \$5,000 toward the cost of the Venice Japanese American Memorial Monument to be installed at the corner of Venice and Lincoln Boulevards to honor approximately 1,000 people of Japanese ancestry from Venice, Santa Monica, and Malibu who were taken to the Manzanar War Relocation Center in April 1942 for internment through the duration of World War II; and 2) appropriate \$5,000 from the General Fund Undesignated Reserve to Account No. 100-7001-5930 (City Council Community Grants). The question was called and the motion carried unanimously.

ITEM 6 NEW BUSINESS

- A. Malibu Bluffs Parkland Project Design
Recommended Action: 1) Review the revised design for the Malibu Bluffs Parkland Project; and 2) Provide direction to staff.

Mayor La Monte requested the public limit their comments to two minutes each.

Assistant City Manager Soghor and Parks and Recreation Director Bobbett presented the staff report.

CONSENSUS

By consensus the Council continued to the March 13, 2017 Regular City Council meeting Item No. 4.B., Appeal No. 16-012 - Appeal of Planning Commission Resolution No. 16-85 (5664 Calpine Drive; Appellant: Victor and Kathleen

Marmon; Applicant: Avalon Construction Corporation; Property Owner: Eagle Pass Nest, LLC).

Amanda Parks indicated support for more sports fields at Malibu Bluffs Park.

Tyler Button indicated support for more sports fields and an aquatic center at Malibu Bluffs Park.

Gage Alger indicated support for a skate park and sports fields at Malibu Bluffs Park.

Garen Harper indicated support for sports fields at Malibu Bluffs Park.

Everett Brady indicated support for an aquatic center at Malibu Bluffs Park.

Tea Petretti indicated support for sports fields at Malibu Bluffs Park.

Joan House discussed the need for active parks in the City of Malibu.

Steve Parks indicated support for additional sports fields at Malibu Bluffs Park.

Justine Petretti asked everyone in the audience to stand up if they were interested in the discussed amenities at Malibu Bluffs Park. She indicated support for enhancing the landscape at Malibu Bluffs Park and pushing the California Coastal Commission (CCC) to accept allowing more amenities.

Russ Purteu discussed girls' softball. He indicated support for additional sports fields at Malibu Bluffs Park.

Ken Button deferred his time to Royce Clayton.

Royce Clayton stated sports facilities for children made for better communities.

Marissa Coughlan stated there had been no biological assessment of Malibu Bluffs Park.

Scott Dittrich stated a dog park should go Las Flores Creek Park.

Lloyd Ahern stated it was within the Council's power to put amenities at Malibu Bluffs Park.

David Brotman discussed the lease agreement between the City and the Santa Monica Mountains Conservancy (SMMC) for Malibu Bluffs Park.

Richard Lawrence expressed concern for unsupervised camping in Charmlee Wilderness Park if the City were to develop and acquire Malibu Bluffs Park.

Craig Foster stated it would take creativity to convince the CCC amenities were needed at Malibu Bluffs Park.

Geoff Stern indicated support for additional sports fields at Malibu Bluffs Park. He discussed the importance of social development through sports.

Ryan Silverman deferred his time to Curtis Angspurger.

Curtis Angspurger discussed AYSO. He indicated support for additional sports fields at Malibu Bluffs Park.

Paul Grisanti indicated support for additional sports fields at Malibu Bluffs Park and Trancas Field.

Brian Goldberg was not present at the time of the hearing.

Kari Cole was not present at the time of the hearing.

Audra Lembertas Hotchkiss indicated support for an aquatic center at Malibu Bluffs Park.

Carl Randall indicated support for giving the community a space to gather. He indicated support for having an amphitheater and dog park at Malibu Bluffs Park.

Carol Randall discussed former sports fields at the Malibu Lagoon. She indicated support for additional sports fields, a dog park, and other amenities at Malibu Bluffs Park.

Paul Hurtubise indicated support for an aquatic center at Malibu Bluffs Park.

Michael Burke indicated support for an aquatic center at Malibu Bluffs Park.

Steve Hotchkiss indicated support for an aquatic center at Malibu Bluffs Park.

Kenna Hotchkiss deferred her time to Jim McConica.

Jim McConica indicated support for an aquatic center at Malibu Bluffs Park for public health and safety, a financial benefit to the City, and to decrease overuse of the Malibu High School pool.

Kian Schulman indicated support for keeping Malibu Bluffs Park as open space.

Rachel Atkins deferred her time to Robert Kerbeck.

Robert Kerbeck discussed overuse of the Malibu High School pool. He indicated support for an aquatic center at Malibu Bluffs Park.

Andrea Hurtubise deferred her time to Max Jaben.

Colin Simon deferred his time to Max Jaben.

Max Jaben indicated support for an aquatic center at Malibu Bluffs Park. He discussed the Malibu Aquatics Foundation.

Joel Schulman deferred his time to Patt Healy.

Judy Fogel deferred her time to Patt Healy.

Dru Ann Jacobson deferred her time to Patt Healy.

Patt Healy, Malibu Coalition for Slow Growth, discussed the CCC history of the Malibu Bluffs Park parcels. She stated the 84-acre portion of Malibu Bluffs Park could not be developed.

Sara Wan indicated opposition to development at Malibu Bluffs Park.

Jae Flora Katz deferred her time to Ann Doneen.

Ann Doneen, on behalf of Malibu Open Space Alliance, indicated support for keeping Malibu Bluffs Park as open space.

Lyn Konheim indicated opposition to an amphitheater at Malibu Bluffs Park.

Barbara Gentile-Crary indicated support for an aquatic center at Malibu Bluffs Park.

Ryan Embree discussed obtaining other sites for recreational use.

Anya Jessum discussed the Malibu Monarch Project and questioned whether Malibu Bluffs Park should be developed for active recreation. She indicated support for keeping Malibu Bluffs Park as open space.

Juan Garcia was not present at the time of the hearing.

Marianne Riggins indicated support for active recreation at Malibu Bluffs Park.

Kim Caplimio was not present at the time of the hearing.

Karin Al Hardan was not present at the time of the hearing.

Robert Gold express concern for Malibu Bluffs Park ingress and egress. He discussed traffic concerns at the intersection of Pacific Coast Highway and Malibu Canyon Road.

Julie Clark De Blasio, California Native Plant Society, questioned the California Environmental Quality Act impact on the Malibu Bluffs Park project.

At 10:11 p.m., Councilmember Mullen left the dais.

Larry Green requested a Malibu Bluffs Park design to come back to Council with an aquatic center.

At 10:15 p.m., Councilmember Mullen returned to the dais.

Julie Merrick deferred her time to Brian Merrick.

Brian Merrick indicated support for amenities at Malibu Bluffs Park. He stated the area had long been land-farmed and otherwise disturbed before the CCC.

Georgia Goldfarb indicated support for keeping Malibu Bluffs Park as open space.

Lucile Keller indicated opposition to swapping Charmlee Wilderness Park with SMMC.

Elizabeth Anthony deferred her time to Pete Anthony.

Pete Anthony indicated support for additional sports fields and amenities for citizens of all ages at Malibu Bluffs Park.

Remy O'Neill indicated support for keeping Malibu Bluffs Park as open space.

Rusty Anderson expressed concern for his view from Malibu Country Estates.

Carole Bush indicated support for facilities at Malibu Bluffs Park.

Chris Muller was not present at the time of the hearing.

Ken House was not present at the time of the hearing.

Patrick Murdhee was not present at the time of the hearing.

Andrew Nickerson was not present at the time of the hearing.

Norm Haynie was not present at the time of the hearing.

Annie Ellis was not present at the time of the hearing.

RECESS

Mayor La Monte called a recess at 10:33 p.m. The meeting reconvened at 10:43 p.m. with all Councilmembers present.

CONSENSUS

By consensus the Council continued to the March 13, 2017 Regular City Council meeting Item No. 6.A., Declaration of Malibu as a Sanctuary City and Prohibiting the Use of City Funds or Resources to Enforce Federal Civil Immigration Law.

In response to Mayor La Monte, City Attorney Hogin stated the CCC could not change the City's Local Coastal Program (LCP) without the City's consent. She stated the LCP allowed camping in open space areas and SMMC could get direct approval from the CCC for a public work program to establish camping Bluffs Park.

In response to Councilmember Rosenthal, Assistant City Manager Soghor stated SMMC had proposed around 10 campsites in Charmlee Wilderness Park and that a full-time ranger station was stationed in the Park.

Councilmember Mullen stated SMMC had proposed 10-19 campsites in Charmlee Wilderness Park near the ranger station.

City Attorney Hogin discussed some conditions of the swap, including the requirement that SMMC keep a ranger onsite at Charmlee Wilderness Park at all times, that any camping only take place in the unincorporated Los Angeles County portion of the park, and that it be cold camping only.

In response to Councilmember Mullen, Parks and Recreation Director Bobbett discussed usage of the ballfield and the field adjacent to the ballfield currently at Malibu Bluffs Park.

Councilmember Mullen questioned the quantifiable need of the community.

Mayor Pro Tem Peak requested an outline of field use based on the available hours.

Councilmember Mullen questioned how the number of City ballfields compared to other cities of similar size and population. He questioned the needs versus desires of the community.

Councilmember Rosenthal discussed the past few parks needs assessments done in the City.

In response to Mayor Pro Tem Peak, Mr. Parks discussed the field use for softball and baseball. He stated the field was stretched thin and Malibu Little League had to send 60 Malibu kids to another city to play in the fall.

In response to Mayor Pro Tem Peak, City Attorney Hogin stated nothing could be built in Environmentally Sensitive Habitat Area (ESHA).

Assistant City Manager Soghor stated the CCC indicated an access road, but not a parking lot, could possibly be considered and allowed as a resource dependent use.

Mayor Pro Tem Peak expressed concern over the CCC's reaction to building near the currently shown ESHA buffer boundaries, but stated there was a need for recreation facilities.

City Attorney Hogin encouraged the Council to compare the City's LCP to the Coastal Act.

In response to Councilmember Mullen, City Attorney Hogin stated the City was not obligated to develop Malibu Bluffs Park if it was permanently swapped and there was no indication from SMMC that the swap would be undone.

Mayor Pro Tem Peak stated SMMC was set to acquire a parcel adjacent to Charmlee Wilderness Park in unincorporated Los Angeles County.

City Manager Feldman clarified the items presented in Option C included the entire wish list of items for Malibu Bluffs Park, as scaled down by the CCC, and was merely an illustrative concept for the Council to consider.

In response to Councilmember Mullen, Assistant City Manager Soghor stated CCC staff had indicated even a scaled back project would be a difficult battle to win. She stated the CCC staff felt an aquatic center was more municipal than regional-serving. Councilmember Mullen discussed pursuing development on the City-owned portion instead.

In response to Councilmember Mullen, City Attorney Hogin clarified the terms of the swap.

Councilmember Mullen stated there was no hurry to do anything with Malibu Bluffs Park. He indicated support for preserving the natural environment.

In response to Mayor Pro Tem Peak, City Attorney Hogin stated an environmental impact report (EIR) would be required for any parking added to the Crummer property, and the City was not in control of the timing of acquisition of the Crummer property. Mayor Pro Tem Peak indicated support for approaching Mr. Gold to enter into a temporary lease agreement for additional parking at Malibu Bluffs Park.

Councilmember Mullen stated preservation and development had to be balanced.

Councilmember Wagner questioned the fiscal impact of pursuing a project on Malibu Bluffs Park.

Councilmember Mullen discussed his childhood.

Mayor La Monte stated the entire reason for the swap was to consider the area for recreational purposes. He stated there were already ballfields at Malibu Bluffs Park.

Mayor Pro Tem Peak stated there was a sense of urgency, not because of the swap terms, but because there was a need in the community for recreational purposes. He expressed concern for taking a project to the CCC without an idea of how much it would cost.

Councilmember Wagner stated the project needed a soils analysis.

Mayor Pro Tem Peak stated years of parks needs assessment had been done that showed the need for additional recreational areas. He questioned whether the Council wanted to spend money on figuring out the geology issues of Malibu Bluffs Park.

In response to Councilmember Rosenthal, Parks and Recreation Director Bobbett stated a site analysis of opportunities and constraints had been done, but he was unaware of whether soil samples had been taken.

City Manager Feldman clarified the initial step had been design services and outreach services, which was now before the Council.

In response to Councilmember Rosenthal and Mayor Pro Tem Peak, City Manager Feldman stated she would research what studies had already been done on the site.

In response to Councilmember Rosenthal, Assistant City Manager Soghor discussed the lack of use of the western portion of Malibu Bluffs Park. Councilmember Rosenthal stated the need was urgent and questioned moving forward with the swap if there was not going to be recreation development at Malibu Bluffs Park.

In response to Councilmember Rosenthal, City Attorney Hogin stated camping at Malibu Bluffs Park had not formally been taken before the CCC. She stated the Coastal Act defined even disturbed ESHA as ESHA.

Councilmember Rosenthal questioned why SMMC development for camping did not follow the same ESHA restrictions.

MOTION

Councilmember Mullen moved and Mayor Pro Tem Peak seconded a motion to direct staff to bring back in-house done quantifiable work on what can be done in the existing City-owned portion of Malibu Bluffs Park based on need, and provide information on possible uses of the Yamaguchi property.

Mayor Pro Tem Peak stated the Yamaguchi property was not currently owned by the City, and Trancas Field did not have community support for development.

Councilmember Rosenthal stated the needs were obvious.

FRIENDLY AMENDMENT

Mayor Pro Tem Peak moved to direct staff to bring back an item with a cost assessment of geological and geotechnical studies needed for the western and central area of Malibu Bluffs Park, and a cost assessment for an environmental impact report for the revised Malibu Bluffs Park Plan, including an aquatic center in the east area. The maker of the motion accepted the amendment.

Mayor Pro Tem Peak indicated concern over a recent slide from Malibu Bluffs Park onto Malibu Road.

Councilmember Wagner stated the City would eventually own the Crummer property.

Councilmember Mullen stated Malibu Bluffs Park was better in the City's hands than SMMC's.

The question was called and the motion carried 3-2, Councilmember Wagner and Councilmember Rosenthal dissenting.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

A. Approval of Use of Community Development Block Grant Funds for Los Angeles County Homeless Initiatives

Recommended Action: 1) Conduct a public hearing; 2) Adopt Resolution No. 17-09 authorizing and approving the use of \$100,000 in Community Development Block Grant funds for two Los Angeles County Homeless Initiatives to be split evenly between Rapid Rehousing and Shelter Partnership; and 3) Authorize the City Manager to execute the Agreement between the City of Malibu and the Community Development Commission of the County of Los Angeles to Transfer Community Development Block Grant Funds for Homeless Activities.

Assistant City Manager Soghor presented the staff report.

MOTION

Councilmember Rosenthal moved and Councilmember Mullen seconded a motion to: 1) adopt Resolution No. 17-09 authorizing and approving the use of \$100,000 in Community Development Block Grant funds for two Los Angeles County Homeless Initiatives to be split evenly between Rapid Rehousing and Shelter Partnership; and 2) Authorize the City Manager to execute the Agreement between the City of Malibu and the Community Development Commission of the County of Los Angeles to Transfer Community Development Block Grant Funds for Homeless Activities. The motion carried unanimously.

- B. Appeal No. 16-012 - Appeal of Planning Commission Resolution No. 16-85 (5664 Calpine Drive; Appellant: Victor and Kathleen Marmon; Applicant: Avalon Construction Corporation; Property Owner: Eagle Pass Nest, LLC)

Recommended Action: Adopt Resolution No. 17-10, determining the project is categorically exempt from the California Environmental Quality Act, denying Appeal No. 16-012 and approving Coastal Development Permit Amendment No. 15-015 amending Coastal Development Permit No. 06-108 and Minor Modification No. 06-078 to revise the rear yard grading with retaining walls, relocate the backyard amenities, including swimming pool and drainage device, add a basement with lightwells, and increase the square footage of the approved single-family residence in the Rural Residential-Two Acre zoning district located at 5664 Calpine Drive.

By consensus of the Council, this item was continued to the March 13, 2017 Regular City Council meeting.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS (continued)

- A. Declaration of Malibu as a Sanctuary City and Prohibiting the Use of City Funds or Resources to Enforce Federal Civil Immigration Law

Recommended Action: Consider whether to adopt Resolution No. 17-08 declaring Malibu a sanctuary city and barring City resources from being used to enforce federal immigration laws.

By consensus of the Council, this item was continued to the March 13, 2017 Regular City Council meeting.

ITEM 7 COUNCIL ITEMS

None.

ADJOURNMENT

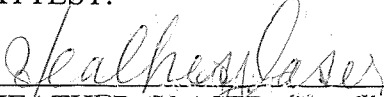
At 12:18 p.m., Mayor La Monte adjourned the meeting in memory of Lucky Schultz and Juan Castillo.

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



LOU LA MONTE, Mayor

ATTEST:



HEATHER GLASER, City Clerk
(seal)