May 11, 2020 REGULAR MEETING

HTTPS://WWW.MALIBUCITY.ORG/VIRTUALMEETING

1. Meeting Agenda

   Documents:

   CC200511_AGENDA.PDF

2. Item 3B2
   Warrant Register No. 659

   Documents:

   CC200511_ITEM 3B2.PDF

3. Item 3B3
   Approval of Minutes - April 13, 2020

   Documents:

   CC200511_ITEM 3B3.PDF

4. Item 3B4
   Los Angeles County Measure R Funds

   Documents:

   CC200511_ITEM 3B4.PDF

5. Item 3B5
   Amendments to the Funding Agreements with Los Angeles County Metropolitan Transportation Authority and Los Angeles County

   Documents:

   CC200511_ITEM 3B5.PDF

6. Item 3B6
   Malibu Library Set Aside Funds for Fiscal Year 2020-2021

   Documents:

   CC200511_ITEM 3B6.PDF

7. Item 3B7
   Initiate Zoning Text Amendment Pertaining to Temporary Use Permits for Safe Parking Programs for People Experiencing Homelessness

   Documents:

   CC200511_ITEM 3B7.PDF

8. Item 4A
   Approval of Use of Community Development Block Grant (CDBG) Funds for CDBG Revolving Grant Fund

   Documents:

   CC200511_ITEM 4A.PDF

9. Item 6A
   Wastewater and Recycled Water Rates Study and Proposed Revised Rates

   Documents:

   CC200511_ITEM 6A.PDF

This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to the Governor's Executive Orders N-25-20 and N-29-20 and the County of Los Angeles Public Health Officer's Safer at Home Order (revised April 10, 2020). All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

HOW TO VIEW THE MEETING: No physical location from which members of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at https://malibucity.org/video and https://malibucity.org/VirtualMeeting.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence to citycouncil@malibucity.org before the meeting begins.

HOW TO PARTICIPATE DURING THE MEETING: Members of the public may also speak during the meeting through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Mayor and then you must be present in the Zoom conference to be recognized.

Please visit https://malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

Malibu City Council
Regular Meeting Agenda
(to be held during COVID-19 emergency)

Monday, May 11, 2020

6:30 P.M. – REGULAR CITY COUNCIL MEETING

Various Teleconference Locations

YOU MAY VIEW THIS MEETING LIVE OVER THE INTERNET AT

MALIBUCITY.ORG/VIDEO

Six-thirty p.m. **Regular Session**

Call to Order - Mayor

Roll Call - Recording Secretary

Approval of Agenda

Report on Posting of Agenda – May 8, 2020

1. Ceremonial/Presentations

A. Staff Update on COVID-19

2. Written and Oral Communications from the Public

A. Communications from the Public concerning matters which are not on the agenda but for which the City Council has subject matter jurisdiction. City Council may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.

B. Commission / Committee / City Manager Updates

C. City Council Subcommittee reports / Mayor and Councilmember meeting attendance, reports and inquiries

3. Consent Calendar

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.

Staff Contact: City Attorney Hogin, 456-2489, ext. 228

2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 60163-60199 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. 659 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $796,452.73. City of Malibu payroll check number 6100 and ACH deposits were issued in the amount of $211,738.69.

Staff Contact: Assistant City Manager Soghor, 456-2489, ext. 224

3. Approval of Minutes

Recommended Action: Approve the minutes for the April 13, 2020 Malibu City Council Regular meeting.

Staff Contact: City Clerk Glaser, 456-2489, ext. 228

4. Los Angeles County Measure R Funds

Recommended Action: Authorize the City Manager to take all actions necessary to cancel the Pacific Coast Highway Message System Project and amend certain agreements with Los Angeles County Metropolitan Transportation Authority.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339

5. Amendments to the Funding Agreements with Los Angeles County Metropolitan Transportation Authority and Los Angeles County

Recommended Action: 1) Authorize the City Manager to execute the amendment to the Funding Agreement with Los Angeles County Metropolitan Transportation Authority (Metro) and Los Angeles County for the purchase of vacant land for park and ride lots on Civic Center Way and Webb Way (APN 4458-020-015), at 23575 Civic Center Way (APN 4458-022-011) and Pacific Coast Highway and Heathercliff Road (APN 4466-021-028); and 2) Authorize the Mayor to execute the amendment to the Funding Agreement with Los Angeles County and authorize the City Manager to take all actions necessary to finalize the amendment.

Staff Contact: Assistant to the City Manager Shavelson, 456-2489, ext. 254

6. Malibu Library Set Aside Funds for Fiscal Year 2020-2021

Recommended Action: 1) Approve the use of Set Aside Funds for the Malibu Library for Fiscal Year 2020-2021; and 2) Approve the use of $12,000 from the Fiscal Year 2019-2020 Set Aside Funds to public schools in Malibu for library-related expenses in Fiscal Year 2019-2020.

Staff Contact: Assistant City Manager Soghor, 456-2489, ext. 224

7. Initiate Zoning Text Amendment Pertaining to Temporary Use Permits for Safe Parking Programs for People Experiencing Homelessness

Recommended Action: 1) Adopt Resolution No. 20-19 a resolution of the City Council of the City of Malibu initiating a zoning text amendment to Title 17 of the Malibu Municipal Code pertaining to temporary use permits and other related sections as necessary for safe parking programs for people experiencing homelessness; 2) Direct the Planning Commission to schedule a public hearing regarding the same; and 3) Direct staff whether to present the item for comment to the Zoning Ordinance Revision and Code Enforcement Subcommittee.

Staff Contact: Planning Director Blue, 456-2489, ext. 258

4. Ordinances and Public Hearings

A. Approval of Use of Community Development Block Grant (CDBG) Funds for the CDBG Revolving Grant Fund

Recommended Action: Continue the item to a date uncertain.

Staff Contact: Assistant to the City Manager Shavelson, 456-2489, ext. 254

5. Old Business

None.

6. New Business

A. Wastewater and Recycled Water Rates Study and Proposed Revised Rates

Recommended Action: 1) Receive presentation on the 2020 Wastewater and Recycled Water Rates; 2) Provide staff with direction on whether to proceed with revising the wastewater and recycled water service rates; 3) If proceeding with revising the rates, authorize the mailing of the Proposition 218 notices to the affected property owners; and 4) Direct staff to schedule a Public Hearing for the July 13, 2020 City Council meeting to establish wastewater and recycled water service charges for Fiscal Year 2020-2021, Fiscal Year 2021-2022, and Fiscal Year 2022-2023.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339

7. Council Items

None.

Adjournment

Future Meetings

Tuesday, May 26, 2020	6:30 p.m.	Regular City Council Meeting	Location to be determined
Monday, June 8, 2020	6:30 p.m.	Regular City Council Meeting	Location to be determined
Monday, June 22, 2020	6:30 p.m.	Regular City Council Meeting	Location to be determined

Guide to the City Council Proceedings

As a result of the Coronavirus (COVID-19) pandemic, the City is under a state of local emergency, as well as states of emergency that have been declared in the County of Los Angeles, state of California, and a federal emergency declared by the President of the United States. At the direction of the Governor, starting March 19, 2020, the entire state is subject to stay-at-home orders. These measures are imposed to reduce the risk of spreading COVID-19. To comply with these emergency measures, the City Council meeting will be open and public but conducted via teleconference only. This way the public, the staff, and the Council will not be physically in the same place.

The Oral Communication portion of the agenda is for members of the public to present items, which are not listed on the agenda but are under the subject matter jurisdiction of the City Council. No action may be taken under, except to direct staff unless the Council, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Council and staff will follow up, at an appropriate time, on those items needing response. Each speaker is limited to three (3) minutes. Members of the public wishing to speak during the meeting must participate through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Mayor and then you must be present in the Zoom conference to be recognized. Please visit https://malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

Items in Consent Calendar Section A have already been considered by the Council at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

Items in Consent Calendar Section B have not been discussed previously by the Council. If discussion is desired, an item may be removed from the Consent Calendar for individual consideration. Councilmembers may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from the Consent Calendar will be taken up by the Council following the action on the Consent Calendar. The Council first will take up the items for which public speaker requests have been submitted.

For Public Hearings involving zoning matters the appellant and applicant will be given 15 minutes each to present their position to the City Council, including rebuttal time. All other testimony shall follow the rules as set forth under Oral Communication. In order to speak, individuals must visit https://malibucity.org/VirtualMeeting and follow the directions for signing up to speak and downloading the Zoom application.

Old Business items have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment shall follow the rules as set forth under Oral Communication.

Items in New Business are items, which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

City Council Items are items, which individual members of the City Council may bring up for action, to propose future agenda items or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the City Council.

City Council meetings are aired live and replayed on City of Malibu Government Access Channel 3 and are available on demand on the City's website at www.malibucity.org/video. Copies of the staff reports or other written documentation relating to each item of business described above are on file in the office of the City Clerk and available upon request by emailing cityclerk@malibucity.org.

The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Environmental Sustainability Director Yolanda Bundy, (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II].

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 8th day of May 2020 at 1:30 p.m.

Heather Glaser, City Clerk

City Council Meeting
05-11-20
Item
3.B.2.

WARRANT REGISTER NO. 659

On May 11, 2020, the Malibu City Council allowed and approved the above warrant demand numbers 60163 – 60199 from the General Fund. The City Manager is hereby directed to pay out the funds named hereon to each of the claimants listed above, the amount appearing opposite their name for the purpose stated on the respective demands, making a total of $796,452.73. City of Malibu payroll check number 6100 and ACH deposits were issued in the amount of $211,738.69.

PASSED, APPROVED and ADOPTED this 11th day of May 2020.

Karen Farrer
Mayor

ATTEST:

Heather Glaser
City Clerk

CERTIFICATE

In accordance with Government Code Section 37202, I certify that the above demands are accurate and that funds are available for payment thereof. This certification is based on an examination of source documents relating to randomly selected sample of transactions and analysis of cash flow reports.

EXECUTED this 11th day of May 2020, AT MALIBU, CALIFORNIA

Reva Feldman
City Manager

Accounts Payable

Checks by Date - Summary by Check Number

User: bcho
Printed: 4/29/2020 11:05 AM

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
60163	4LEAF	4LEAF, Inc	04/24/2020	0.00	43,875.00
60164	ADVANTAN	MAP Communications, Inc.	04/24/2020	0.00	261.84
60165	AMCONSER	AM Conservation Group, Inc	04/24/2020	0.00	788.93
60166	AMEC	Wood Environment & Infrastructure Solutic	04/24/2020	0.00	438.60
60167	BURNS	Burns Pacific Construction Inc	04/24/2020	0.00	14,632.28
60168	CABUILDI	CA Building Standards Commis.	04/24/2020	0.00	2,535.30
60169	CDTFA	California Department of Tax & Fee Admin	04/24/2020	0.00	4,584.00
60170	CRPRINT	CR PRINT	04/24/2020	0.00	317.23
60171	DEPTCON	Dept. of Conservation	04/24/2020	0.00	9,484.43
60172	DUENASSU	Susan Duenas	04/24/2020	0.00	208.96
60173	EXCELOFF	Excel Office Services	04/24/2020	0.00	1,005.02
60174	FELDMAN	Reva Feldman	04/24/2020	0.00	73.57
60175	FRONTIER	Frontier California Inc	04/24/2020	0.00	3,788.13
60176	GFOA	Government Finance Officers Association	04/24/2020	0.00	190.00
60177	HOMEPRO	Home Depot USA	04/24/2020	0.00	658.92
60178	KAPLANSA	Sarah Kaplan	04/24/2020	0.00	183.80
60179	KARAS	Karas Enterprises	04/24/2020	0.00	332.50
60180	LACOSHE	LA Co Sheriff's Department	04/24/2020	0.00	621,657.11
60181	MALIMED	Malibu Medical Corporation	04/24/2020	0.00	150.00
60182	MALITIM	Malibu Times	04/24/2020	0.00	379.44
60183	MANIMBI	Mani MBI (DE) LLC	04/24/2020	0.00	108.60
60184	MISTROB	Wink Roberts	04/24/2020	0.00	4,229.72
60185	NEXTEL	Nextel / Sprint Communication	04/24/2020	0.00	188.58
60186	OVERHEAD	Overhead Door & Fireside Experts Inc	04/24/2020	0.00	4,690.00
60187	RINCONC	Rincon Consultants, Inc	04/24/2020	0.00	50,395.75
60188	SOCALED	Southern California Edison	04/24/2020	0.00	548.53
60189	STAPLES	Staples Contract & Commercial LLC	04/24/2020	0.00	537.82
60190	VANDERJ	Jerry Vandermeulen	04/24/2020	0.00	164.44
60191	VERIZON	Verizon Business	04/24/2020	0.00	0.29
60192	BlueShie	Blue Shield of California	04/27/2020	0.00	1,538.44
60193	DELTADE	Delta Dental of California	04/27/2020	0.00	9,107.61
60194	ICMA457	ICMA Retirement Trust 457 - 303615	04/27/2020	0.00	16,834.21
60195	ICMACM	ICMA 401-Plan # 108658	04/27/2020	0.00	572.31
60196	ICMADH	ICMA 401-Plan # 108650	04/27/2020	0.00	692.28
60197	MANAGED	Managed Health Network	04/27/2020	0.00	183.92
60198	STANDARD	Standard Insurance Company N2	04/27/2020	0.00	315.81
60199	USBANK2	U.S. Bank	04/27/2020	0.00	799.36
			Report Total (37 checks):	0.00	796,452.73

Accounts Payable

Transactions by Account

User: bcho
Printed: 04/29/2020 - 11:05AM
Batch: 00000.00.0000

Checks from: 00060163 To: 00060199

Account Number	Description	Vendor	Description	Check No	Amount
Section 1: 100					
Section 2:0000					
100-0000-2021-00	COBRA Payable	Blue Shield of California	PR 16.04.2020 Vision Care-Cobra-Bol	60192	16.88
100-0000-2021-00	COBRA Payable	Blue Shield of California	PR 16.04.2020 Vision Care-Cobra-Sek	60192	27.83
100-0000-2021-00	COBRA Payable	Blue Shield of California	PR 16.04.2020 Vision Care-Cobra-Scl	60192	16.88
100-0000-2021-00	COBRA Payable	Blue Shield of California	PR 16.04.2020 Vision Care-Cobra-Ge	60192	9.45
100-0000-2021-00	COBRA Payable	Blue Shield of California	PR 16.04.2020 Vision Care-Cobra-Mil	60192	16.88
				Vendor Subtotal for Section 2:0000	87.92
Section 2:0000					
100-0000-2021-00	COBRA Payable	Delta Dental of California	PR 16.04.2020 Dental Insurance-Cobr	60193	102.15
100-0000-2021-00	COBRA Payable	Delta Dental of California	PR 16.04.2020 Dental Insurance-Cobr	60193	102.15
100-0000-2021-00	COBRA Payable	Delta Dental of California	PR 16.04.2020 Dental Insurance-Cobr	60193	52.69
100-0000-2021-00	COBRA Payable	Delta Dental of California	PR 16.04.2020 Dental Insurance-Cobr	60193	52.69
100-0000-2021-00	COBRA Payable	Delta Dental of California	PR 16.04.2020 Dental Insurance-Cobr	60193	166.06
				Vendor Subtotal for Section 2:0000	475.74
Section 2:0000					
100-0000-3133-00	Transient Occupancy Tax	Mani MBI (DE) LLC	Refund-Overpaid TOT-Feb '20-22878	60183	108.60
				Vendor Subtotal for Section 2:0000	108.60
Section 2:3007					
100-3007-5721-00	Telephone	Frontier California Inc	Phone-Civic Center STF	60175	154.42
				Vendor Subtotal for Section 2:3007	154.42

Account Number	Description	Vendor	Description	Check No	Amount
Section 2:4001					
100-4001-5721-00	Telephone	Frontier California Inc	Phone-MHS Pool	60175	230.68
				Vendor Subtotal for Section 2:4001	230.68
Section 2:4010					
100-4010-5610-00	Facility Maintenance	Overhead Door & Fireside Experts Ir	Garage door for Bluffs Park maintenar	60186	4,690.00
				Vendor Subtotal for Section 2:4010	4,690.00
Section 2:4010					
100-4010-5721-00	Telephone	Frontier California Inc	Phone-23641 PCH (Median)	60175	51.70
100-4010-5721-00	Telephone	Frontier California Inc	Phone-Las Flores/Las Flores Septic/Bl	60175	468.09
				Vendor Subtotal for Section 2:4010	519.79
Section 2:7001					
100-7001-5300-00	Travel and Training	Reva Feldman	Reissue Ck#59454-Reimb-Trans- Farr	60174	27.98
				Vendor Subtotal for Section 2:7001	27.98
Section 2:7002					
100-7002-5100-00	Professional Services	MAP Communications, Inc.	One Call Hotline - Apr '20	60164	261.84
				Vendor Subtotal for Section 2:7002	261.84
Section 2:7002					
100-7002-5100-00	Professional Services	Karas Enterprises	Remote Broadcast Captioning-3/23/20	60179	332.50
				Vendor Subtotal for Section 2:7002	332.50
Section 2:7003					
100-7003-5300-00	Travel and Training	Reva Feldman	Reissue Ck#59454-Reimb-Transport-I	60174	45.59
				Vendor Subtotal for Section 2:7003	45.59

Account Number	Description	Vendor	Description	Check No	Amount
Section 2:7003					
100-7003-6160-00	Operating Supplies	Staples Contract & Commercial LLC	Office Supplies-City Manager	60189	119.34
				Vendor Subtotal for Section 2:7003	119.34
Section 2:7021					
100-7021-5300-00	Travel and Training	Jerry Vandermeulen	Reimburse Mileage-Wildfire Conferen	60190	164.44
				Vendor Subtotal for Section 2:7021	164.44
Section 2:7021					
100-7021-5340-00	Transportation & Mileage	Susan Duenas	Reimbursement-Mileage-Mar '20	60172	208.96
				Vendor Subtotal for Section 2:7021	208.96
Section 2:7021					
100-7021-5721-00	Telephone	Frontier California Inc	Phone-Disaster Hotline/Tier/E911	60175	429.57
				Vendor Subtotal for Section 2:7021	429.57
Section 2:7021					
100-7021-5721-00	Telephone	Nextel / Sprint Communication	Cell Phone-3/13-4/12/20	60185	188.58
				Vendor Subtotal for Section 2:7021	188.58
Section 2:7021					
100-7021-6160-00	Operating Supplies	Staples Contract & Commercial LLC	Office Supplies-VOP/Sheriff's Office a	60189	22.26
				Vendor Subtotal for Section 2:7021	22.26
Section 2:7031					
100-7031-5115-00	Law Enforcement Services	LA Co Sheriff's Department	Law Enforcement Svcs-Mar '20	60180	608,412.20
100-7031-5115-00	Law Enforcement Services	LA Co Sheriff's Department	Sheriff's Fee-Crime Suppression-2/26-	60180	6,700.41
				Vendor Subtotal for Section 2:7031	615,112.61

Account Number	Description	Vendor	Description	Check No	Amount
Section 2:7054					
100-7054-5117-00	Film Permit Consultant	Frontier California Inc	Phone-Film Fax	60175	36.49
				Vendor Subtotal for Section 2:7054	36.49
Section 2:7054					
100-7054-5117-00	Film Permit Consultant	Verizon Business	FIlm Fax-Verizon Long Distance-Mar	60191	0.29
				Vendor Subtotal for Section 2:7054	0.29
Section 2:7054					
100-7054-5330-00	Dues & Memberships	Government Finance Officers Associ	Neermann-GFOA Annual Membership	60176	190.00
				Vendor Subtotal for Section 2:7054	190.00
Section 2:7058					
100-7058-5320-00	Recruitment Expense	Malibu Medical Corporation	Pre-Employment Physical-JL	60181	150.00
				Vendor Subtotal for Section 2:7058	150.00
Section 2:7059					
100-7059-5640-00	Equipment Maintenance	Excel Office Services	Coper Maint-XC60-E2B-652638-Plan	60173	248.85
100-7059-5640-00	Equipment Maintenance	Excel Office Services	Coper Maint-BGO968974-D110CP-Pl	60173	146.04
100-7059-5640-00	Equipment Maintenance	Excel Office Services	Coper Maint-W7845PT-MX4480656-:	60173	223.73
100-7059-5640-00	Equipment Maintenance	Excel Office Services	Coper Maint-C70-E2B109326-Comm	60173	240.36
100-7059-5640-00	Equipment Maintenance	Excel Office Services	Coper Maint-D110CP-BG0968514-A:	60173	146.04
				Vendor Subtotal for Section 2:7059	1,005.02
Section 2:7059					
100-7059-5721-00	Telephone	Frontier California Inc	Phone-City Hall Facility/Postage Mete	60175	675.11
100-7059-5721-00	Telephone	Frontier California Inc	Security System 4/13-5/12/20	60175	54.82
				Vendor Subtotal for Section 2:7059	729.93
Section 2:7059					
100-7059-6160-00	Operating Supplies	California Department of Tax & Fee	CA Use Tax on 2019 puchases from ot	60169	4,584.00

Account Number	Description	Vendor	Description	Check No	Amount
				Vendor Subtotal for Section 2:7059	4,584.00
Section 2:7059					
100-7059-6160-00	Operating Supplies	CR PRINT	Business Cards-JL/RC	60170	124.83
				Vendor Subtotal for Section 2:7059	124.83
Section 2:7059					
100-7059-6160-00	Operating Supplies	Staples Contract & Commercial LLC	Office Supplies-ASD-Supplies	60189	33.19
100-7059-6160-00	Operating Supplies	Staples Contract & Commercial LLC	Office Supplies-Non Departmental	60189	22.75
100-7059-6160-00	Operating Supplies	Staples Contract & Commercial LLC	Office Supplies-Non Departmental	60189	73.50
				Vendor Subtotal for Section 2:7059	129.44
			Subtotal for Section 1: 100		630,130.82
Section 1: 101					
Section 2:0000					
101-0000-3425-00	CA Bldg Standards Surcharge	CA Building Standards Commis.	Building Standards Admin Fee-1st Qu	60168	2,535.30
				Vendor Subtotal for Section 2:0000	2,535.30
Section 2:2001					
101-2001-5100-00	Professional Services	CR PRINT	Preparation of Legal Postcard Mailers	60170	192.40
				Vendor Subtotal for Section 2:2001	192.40
Section 2:2001					
101-2001-5100-00	Professional Services	Rincon Consultants, Inc	Planning Consulting Svcs-Mar '20	60187	24,558.75
				Vendor Subtotal for Section 2:2001	24,558.75
Section 2:2001					
101-2001-5401-00	Advertising & Noticing	Malibu Times	Legal Notices-4/9/20	60182	379.44
				Vendor Subtotal for Section 2:2001	379.44

Account Number	Description	Vendor	Description	Check No	Amount
Section 2:2004					
101-2004-4203-00	Vision Insurance	Blue Shield of California	PR 16.04.2020 Vision Care-Long-Apr	60192	27.83
				Vendor Subtotal for Section 2:2004	27.83
Section 2:2004					
101-2004-4204-00	Dental Insurance	Delta Dental of California	PR 16.04.2020 Dental Insurance-Long	60193	166.06
				Vendor Subtotal for Section 2:2004	166.06
Section 2:2004					
101-2004-5210-00	Service Fees & Charges	Dept. of Conservation	Strong Motion Instrumentation/Seismi	60171	9,484.43
				Vendor Subtotal for Section 2:2004	9,484.43
Section 2:2010					
101-2010-5721-00	Telephone	Frontier California Inc	Phone-Annex Fax Ln	60175	56.44
				Vendor Subtotal for Section 2:2010	56.44
Section 2:3003					
101-3003-5100-00	Professional Services	Rincon Consultants, Inc	On-call Environmental Services-Mar '	60187	6,830.94
				Vendor Subtotal for Section 2:3003	6,830.94
Section 2:3003					
101-3003-6160-00	Operating Supplies	AM Conservation Group, Inc	Enviro Program Supplies	60165	788.93
				Vendor Subtotal for Section 2:3003	788.93
			Subtotal for Section 1: 101		45,020.52
Section 1: 102					
Section 2:3002					

Account Number	Description	Vendor	Description	Check No	Amount
102-3002-5100-02	Fire Rebuilds - Planning	4LEAF, Inc	Woolsey Fire Contract Planner-Mar '2(	60163	43,875.00
				Vendor Subtotal for Section 2:3002	43,875.00
Section 2:3002					
102-3002-5100-19	Professional Svcs (COVID-19)	Sarah Kaplan	Reimburse-Spanish Group Charge-3/1	60178	183.80
				Vendor Subtotal for Section 2:3002	183.80
Section 2:3002					
102-3002-6160-19	Operating Supplies (COVID-19)	Home Depot USA	COVID-19 Gloves	60177	508.19
102-3002-6160-19	Operating Supplies (COVID-19)	Home Depot USA	COVID-19 Gloves	60177	150.73
				Vendor Subtotal for Section 2:3002	658.92
Section 2:3002					
102-3002-6160-19	Operating Supplies (COVID-19)	Staples Contract & Commercial LLC	Covid-19 EOC Supplies for Finance S	60189	243.06
102-3002-6160-19	Operating Supplies (COVID-19)	Staples Contract & Commercial LLC	Tape to secure COVID-19 posters thro	60189	23.72
				Vendor Subtotal for Section 2:3002	266.78
			Subtotal for Section 1: 102		44,984.50
Section 1: 103					
Section 2:9050					
103-9050-5610-00	Facilities Maintenance	Wink Roberts	Painting-Reception/MASD/Public Wo:	60184	4,229.72
				Vendor Subtotal for Section 2:9050	4,229.72
Section 2:9050					
103-9050-5721-00	Telephone	Frontier California Inc	Phone-City Hall Septic/Irrigation/Fire/	60175	343.59
				Vendor Subtotal for Section 2:9050	343.59
			Subtotal for Section 1: 103		4,573.31

Account Number	Description	Vendor	Description	Check No	Amount
Section 1: 211					
Section 2:7031					
211-7031-5115-00	Law Enforcement Services	LA Co Sheriff's Department	Law Enforcement Svcs-Brulte/Sttop-N	60180	6,544.50
				Vendor Subtotal for Section 2:7031	6,544.50
			Subtotal for Section 1: 211		6,544.50
Section 1: 310					
Section 2:9091					
310-9091-5100-00	Civic Ctr Way Strmdrain Repair	Burns Pacific Construction Inc	Task 6-Other Maintenance Tasks-Jan '	60167	14,632.28
				Vendor Subtotal for Section 2:9091	14,632.28
			Subtotal for Section 1: 310		14,632.28
Section 1: 515					
Section 2:3010					
515-3010-5656-00	Water Quality Test/Monitoring	Rincon Consultants, Inc	CCWWTF water quality monitoring s	60187	19,006.06
				Vendor Subtotal for Section 2:3010	19,006.06
Section 2:3010					
515-3010-5721-00	Telephone	Frontier California Inc	Phone-CCWWTF-Apr '20	60175	127.94
515-3010-5721-00	Telephone	Frontier California Inc	Phone-CCWWTF-4/8-5/7/20	60175	435.68
				Vendor Subtotal for Section 2:3010	563.62
			Subtotal for Section 1: 515		19,569.68
Section 1: 602					
Section 2:7060					
602-7060-5721-00	Telephone	Frontier California Inc	Senior Center Internet 4/13-5/12/20	60175	723.60

Account Number	Description	Vendor	Description	Check No	Amount
				Vendor Subtotal for Section 2:7060	723.60
			Subtotal for Section 1: 602		723.60
Section 1: 710					
Section 2:0000					
710-0000-2270-06	Special Event Deposits	Southern California Edison	Reimb-Contribution for Malibu Comm	60188	548.53
				Vendor Subtotal for Section 2:0000	548.53
Section 2:0000					
710-0000-2271-26	Jewish Center & Synagogue	Wood Environment & Infrastructure	Initial Study-Malibu Jewish Center &	60166	438.60
				Vendor Subtotal for Section 2:0000	438.60
			Subtotal for Section 1: 710		987.13
Section 1: 900					
Section 2:0000					
900-0000-2023-00	Vision Insurance	Blue Shield of California	PR Batch 70016.04.2020 Vision Care	60192	1,422.69
				Vendor Subtotal for Section 2:0000	1,422.69
Section 2:0000					
900-0000-2024-00	Dental Insurance	Delta Dental of California	PR Batch 70016.04.2020 Dental Insur	60193	8,465.81
				Vendor Subtotal for Section 2:0000	8,465.81
Section 2:0000					
900-0000-2025-01	Additional Life Insurance	Standard Insurance Company N2	PR Batch 70016.04.2020 Additional L	60198	315.81
				Vendor Subtotal for Section 2:0000	315.81

Account Number	Description	Vendor	Description	Check No	Amount
Section 2:0000					
900-0000-2027-00	Employee Assistance	Managed Health Network	PR Batch 70016.04.2020 Employee A:	60197	186.01
900-0000-2027-00	Employee Assistance	Managed Health Network	PR 16.04.2020 Employee Assistance-I	60197	-2.09
				Vendor Subtotal for Section 2:0000	183.92
Section 2:0000					
900-0000-2041-00	PARS	U.S. Bank	PR Batch 70016.04.2020 PARS - EE S	60199	660.79
900-0000-2041-00	PARS	U.S. Bank	PR Batch 70016.04.2020 PARS - ER S	60199	138.57
				Vendor Subtotal for Section 2:0000	799.36
Section 2:0000					
900-0000-2042-00	Deferred Compensation 457	ICMA Retirement Trust 457 - 303615	PR Batch 70016.04.2020 ICMA Def C	60194	1,187.01
900-0000-2042-00	Deferred Compensation 457	ICMA Retirement Trust 457 - 303615	PR Batch 70016.04.2020 ICMA Def C	60194	10,664.00
900-0000-2042-00	Deferred Compensation 457	ICMA Retirement Trust 457 - 303615	PR Batch 70016.04.2020 ER Contribu	60194	3,300.00
				Vendor Subtotal for Section 2:0000	15,151.01
Section 2:0000					
900-0000-2042-01	ICMA Loan Program	ICMA Retirement Trust 457 - 303615	PR Batch 70016.04.2020 ICMA Loan	60194	1,683.20
				Vendor Subtotal for Section 2:0000	1,683.20
Section 2:0000					
900-0000-2043-00	Deferred Compensation 401	ICMA 401-Plan # 108658	PR Batch 70016.04.2020 ICMA - City	60195	572.31
				Vendor Subtotal for Section 2:0000	572.31
Section 2:0000					
900-0000-2043-00	Deferred Compensation 401	ICMA 401-Plan # 108650	PR Batch 70016.04.2020 ICMA - Dep	60196	692.28
				Vendor Subtotal for Section 2:0000	692.28
			Subtotal for Section 1: 900		29,286.39

Account Number	Description	Vendor	Description	Check No	Amount
			Report Total:		796,452.73

City Council Meeting
05-11-20
Item 3.B.3.

Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Heather Glaser, City Clerk

Approved by: Reva Feldman, City Manager

Date prepared: May 1, 2020 Meeting date: May 11, 2020

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the April 13, 2020 Malibu City Council Regular meeting.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2019-2020. This project is part of normal staff operations.

DISCUSSION: Staff has prepared draft minutes for the meeting of April 13, 2020.

ATTACHMENT: April 13, 2020 Malibu City Council Regular meeting minutes

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
APRIL 13, 2020
TELECONFERENCED - VARIOUS LOCATIONS
6:30 P.M.

The following meeting was held pursuant to the Governor's Executive Orders N-25-20 and N-29-20 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

MEETING CALL TO ORDER

Mayor Farrer called the meeting to order at 6:01 p.m.

PUBLIC COMMENT ON CLOSED SESSION

None.

RECESS TO CLOSED SESSION

At 6:01 p.m., on the advice of counsel and based on existing facts and circumstances, the Council recessed to Closed Session to discuss the following item listed on the Closed Session agenda:

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

1. Third Point Land Company LLC v. City of Malibu
   Los Angeles County Superior Court Case No. 198MCP00565

REGULAR SESSION CALL TO ORDER

Mayor Farrer called the meeting to order at 6:38 p.m.

ROLL CALL

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

PRESENT: Mayor Karen Farrer; Mayor Pro Tem Mikke Pierson; and Councilmembers Rick Mullen; Skylar Peak; and Jefferson Wagner (arrived at 6:48 p.m.)

ALSO PRESENT: Christi Hogin, City Attorney; Reva Feldman, City Manager; Heather Glaser, City Clerk; Jesse Bobbett, Community Services Director; Yolanda Bundy, Environmental Sustainability Director; Bonnie Blue, Planning Director; Rob DuBoux, Public Works Director; Trevor Rusin, Assistant City Attorney; Kelsey Pettijohn, Deputy City Clerk; Susan Dueñas, Public Safety Manager; and Kristin Riesgo, Community Services Deputy Director

CLOSED SESSION REPORT

Assistant City Attorney Rusin reported that the Regular meeting convened at 6:01 p.m. at which time the City Council recessed to a Closed Session pursuant to Government Code Sections 54956.9(d)(1), with all Councilmembers present. He stated the Council discussed the item listed on the Closed Session agenda and took no reportable action.

APPROVAL OF AGENDA

MOTION Councilmember Mullen moved and Mayor Pro Tem Pierson seconded a motion to approve the agenda. The question was called and the motion carried 4-0, Councilmember Wagner absent.

REPORT ON POSTING OF AGENDA

City Clerk Glaser reported that the agenda for the meeting was properly posted on April 10, 2020.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Staff Update on COVID-19

City Manager Feldman stated City Hall had been closed to the public for one month due to the COVID-19 pandemic. She stated the City was taking direction from the State of California and the County of Los Angeles to respond to the disaster. She stated stay-at-home orders had been issued by the Los Angeles County Department of Public Health and the State of California. She announced the Los Angeles County Department of Public Health had issued an order that by midnight April 15, 2020, essential businesses must provide employees with face masks and customers must wear face masks to enter essential businesses. She stated staff was working on messaging for businesses and the public regarding the new mask requirements. She stated the Los Angeles County Sheriff's Department was enforcing emergency orders. She stated the City's main phone line was being answered every day and could be answered remotely. She stated the majority of staff was working remotely and the Emergency Operations Center (EOC) was operating remotely. She stated the City was pushing out emergency messaging at 10:00 a.m. and 4:00 p.m. Monday through Friday and at 10:00 a.m. on Saturday and Sunday. She stated the City had pushed out over 2,000 messages since early March 2020. She stated the Wireless Emergency Alert (WEA) system had been used once. She stated the WEA system was only used for critical messaging because it was able to reach the City's visitor population. She stated the Community Emergency Response Team (CERT) had provided over 250 hours of volunteer services during the COVID-19 pandemic. She stated CERT posted physical notices at various locations in the City and provided traffic direction at the drive-up COVID-19 testing site at City Hall, which was hosted through a partnership of the City, Community Organized Relief Effort (CORE), and Malibu Medical Group. She stated 23 cases of COVID-19 had been diagnosed so far through the drive-up testing site, of which nine were Malibu

residents.

Councilmember Wagner joined the meeting at 6:48 p.m.

City Manager Feldman stated the availability of the COVID-19 antibody test was limited and staff was working on coordinating a drive-up testing site in the future. She stated she participated in regular briefings with all levels of government, other Westside cities, and Las Virgenes-Malibu Council of Governments (COG) cities.

ITEM 2.A. PUBLIC COMMENTS

Norm Haynie discussed his project to build a hotel. He stated the project would provide many benefits to the City including aesthetic visual improvements, improvements to public safety, transient occupancy tax revenue, and property tax revenue. He requested his project be considered at the next Council meeting.

Hamish Patterson commended the Council and City staff for its work during the COVID-19 pandemic. He recommended changing the language regarding maintaining distance from other people to prevent the spread of COVID-19 from social distancing to physical distancing.

Scott Dittrich commended the staff for its work supporting COVID-19 drive-up testing. He indicated support for the Council hearing Mr. Haynie's project proposal. He indicated support for lifting some of the restrictions in the State of California and Los Angeles County stay-at-home orders.

Barry Haldeman commended the Council and Citystaff for its work during the COVID-19 pandemic. He stated the Santa Monica Mountains Conservancy (SMMC) met at an emergency meeting April 6, 2020 and approved emergency executive powers for Joe Edmiston. He expressed concern those emergency powers may not be used appropriately.

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

Kraig Hill stated social distancing measures need to be maintained for several months. He expressed concern that lifting restrictions too quickly would lead to spikes in COVID-19 outbreaks. He recommended working with local non-profits and celebrities on messaging the importance of maintaining social distancing.

Marni Kamins expressed concern there were many people experiencing homelessness living close together during the COVID-19 pandemic. She expressed concern that Community Assistance Resource Team (CART) was providing meals to people experiencing homelessness, which were drawing more people to the City. She questioned why signage restricting overnight parking on Pacific Coast Highway (PCH) had not been posted.

Michael Lustig indicated support for the Council hearing Mr. Haynie's project

proposal. He discussed short-term rentals and questioned when a draft ordinance similar to the Santa Monica ordinance would be presented to the City Council.

Chris Frost commended the Council and City staff for its work during the COVID-19 pandemic. He indicated support for Mr. Patterson's comments. He read a letter on behalf of Dr. Chris Harris, which indicated support for restricting parking on PCH and encouraged the community to wear face masks in public. He expressed concern people were not respecting parking restrictions and the closure of the beaches.

Laura Eaton was not present at the time of the hearing.

Howard Rudzki commended the Council and City staff for its work during the COVID-19 pandemic. He commended grocery store employees and other essential workers for working during the COVID-19 pandemic.

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

City Manager Feldman commended staff for its work during the COVID-19 pandemic. She stated the agenda for the meeting was intentionally light since it was the first all teleconferenced City Council meeting. She stated it would be best to hear items that required a large number of public speakers once social distancing restrictions were lifted and meetings could be held in person. She stated The People Concern outreach workers and Los Angeles County Sheriff's Department Deputies were encouraging people experiencing homelessness to stay in emergency shelters. She stated she requested the Los Angeles County Sheriff's Department to perform frequent patrols in the Malibu Library parking lot. She stated signs restricting overnight parking along sections of PCH needed a Coastal Development Permit (CDP) and the California Coastal Commission (CCC) hearing on the CDP had been delayed due to the COVID-19 pandemic. She discussed staff operations. She stated Planning Department staff was working remotely on rebuild projects and projects in the queue. She stated Code Enforcement staff was performing field work, including public education on social distancing and wearing masks. She stated water quality monitoring and solid waste recycling functions were continuing. She stated Environmental Health staff was continuing work related to onsite wastewater treatment. She stated Public Works Department staff continued managing City facilities and infrastructure and responding to rain events. She stated Planning Commission and City Council meetings would continue to be held via teleconference during stay-at-home orders and all other public meetings were cancelled. She stated the Community Services Department offered virtual recreation programs online and on Channel 3 and continued reaching out to seniors to see if they needed assistance during the COVID-19 pandemic. She stated the Civic Center Way Storm Drain project had been completed. She stated the temporary skate park surface project began April 13, 2020. She stated people could request home fire insurance deadlines be extended an additional 12 months due to the COVID-19 pandemic. She stated 223 rebuild permits had been approved by the Planning Department. She stated 11 new building permits had been issued

while working remotely. She stated Building Safety staff was available by appointment at City Hall to issue permits and building inspectors were working in the field. She discussed the budget process for Fiscal Year 2020-2021. She stated revenues would be down in Fiscal Year 2019-2020 and Fiscal Year 2020-2021 due to the COVID-19 pandemic and staff was working to present a balanced budget at the Council Special meeting on April 29, 2020.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Mullen indicated support for adjourning the meeting in memory of John Bell. He commended staff for its work on the drive-up COVID-19 testing at City Hall. He stated it was important that the public be able to easily comment on significant agenda items. He commended City Manager Feldman and City staff.

Councilmember Peak extended condolences to the family of John Bell. He thanked the community for following stay-at-home orders. He commended City staff and Dr. Benya for work on the drive-up COVID-19 testing.

City Manager Feldman thanked Public Safety Manager Dueñas for her work.

Mayor Pro Tem Pierson thanked the public for their comments and emails. He thanked the community for following stay-at-home orders.

Councilmember Wagner encouraged people to respect speed limits. He indicated support for hearing Mr. Haynie's hotel project proposal soon. He expressed concern that people experiencing homelessness were not practicing social distancing.

Mayor Pro Tem Pierson stated the Los Angeles County Sheriff's Department Deputies were doing regular patrols and doing their best to enforce social distancing. He encouraged everyone to take care of themselves. He stated there would be significant financial impacts from the COVID-19 pandemic. He indicated support for considering whether to extend the rebuild fee waiver program. He thanked Los Angeles County Sheriff's Department Deputies, Volunteers on Patrol, CERT, health care workers and grocery store workers for their service. He commended City Manager Feldman for her work. He encouraged everyone to continue following stay-at-home orders.

Mayor Farrer thanked the community for practicing physical distancing and obeying the stay-at-home orders. She commended City Manager Feldman and staff, including Public Safety Manager Dueñas, Fire Safety Liaison Vandermuelen, Media Information Officer Myerhoff, Executive Assistant Linden, Assistant to the City Manager Shavelson and the media team. She stated the Los Angeles County Sheriff's Department Deputies were working to enforce the stay-at-home orders. She discussed new restrictions from the Los Angeles County Department of Public Health regarding face masks and stated employers were required to provide face masks to essential workers. She commended CERT for its work supporting drive-

up COVID-19 testing at City Hall. She thanked Community Services Director Bobbett and Community Services staff for providing the virtual recreation center. She indicated support for hearing Mr. Haynie's hotel project soon. She stated there would be major budget impacts from the COVID-19 pandemic. She extended condolences to the family of John Bell.

Councilmember Peak stated CORE was accepting donations at www.coreresponse.org.

ITEM 3 CONSENT CALENDAR

Item Nos. 3.A.2. and 3.B.5. were pulled by the public.

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to approve the Consent Calendar, except for Item Nos. 3.A.2. and 3.B.5. The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

1. Second Reading and Adoption of Ordinance No. 461
   Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 461 determining Zoning Text Amendment No. 19-004 to be categorically exempt from the California Environmental Quality Act and amending the Local Coastal Program Local Implementation Plan Chapter 3 (Zoning Designations and Permitted Uses) and Chapter 2 (Definitions) and Malibu Municipal Code Title 17 (Zoning) to foster the creation of fire-resistant landscapes and repealing Ordinance Nos. 343 and 356, deleting Malibu Municipal Code Chapter 9.22 (Landscape Water Conservation), establishing Malibu Municipal Code Chapter 17.53 (Landscape Water Conservation and Fire Protection) and amending Malibu Municipal Code Section 16.24.020 to eliminate reference to Malibu Municipal Code Chapter 9.22 (citywide).

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 59860-60042 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. 657 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $2,415,951.49. City of Malibu payroll check numbers 5089-5095 and ACH deposits were issued in the amount of $463,917.64.

3. Approval of Minutes
Recommended Action: Approve the minutes for the March 9, 2020 Malibu City Council Regular meeting and the March 12, 2020 and March 16, 2020 Malibu City Council Special meetings.

4. Delegation of Staff to Execute Federal and State Documents
Recommended Action: Adopt Resolution No. 20-16 authorizing the City Manager, the Assistant City Manager and the Public Works Director to execute documents pertaining to Federal and State disaster documents, including applications with the State of California Office of Emergency (Cal OES) and Federal Emergency Management Agency (FEMA) on behalf of the City of Malibu.

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

A. Previously Discussed Items

2. Second Reading and Adoption of Ordinance No. 462
Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 462 determining the project is categorically exempt from the California Environmental Quality Act and amending Malibu Municipal Code Sections 8.32.020 (Definitions), 8.32.600 (Containers For Garbage, Market Refuse, and Rendering Waste), 8.32.660 (Containers-Commercial and Industrial), and 8.32.720 (Violation-Penalty) and adding Section 8.32.665 (Implementation) to Chapter 8.32 (Solid Waste And Recyclable Materials) in Title 8 (Health And Safety) to require commercial/industrial property occupants to lock solid waste containers, bins and other equipment.

Joel Schulman stated the teleconference software used in this meeting worked well. He stated the motion from the Council when the item was last heard included requiring quarterly inspections.

Assistant City Attorney Rusin stated the number of inspections was direction to staff and did not need to be included in the ordinance.

MOTION

Councilmember Peak moved and Mayor Pro Tem Pierson seconded a motion to adopt Ordinance No. 462 determining the project is categorically exempt from the California Environmental Quality Act and amending Malibu Municipal Code Sections 8.32.020 (Definitions), 8.32.600 (Containers For Garbage, Market Refuse, and Rendering Waste), 8.32.660 (Containers-Commercial and Industrial), and 8.32.720 (Violation-Penalty) and adding Section 8.32.665 (Implementation) to Chapter 8.32 (Solid Waste And Recyclable Materials) in Title 8 (Health And Safety) to require commercial/industrial property occupants to lock solid waste containers, bins and other equipment.

In response to Mayor Pro Tem Pierson, City Manager Feldman stated the administrative fines were included in the Malibu Municipal Code (MMC) and did not need to be listed in the ordinance.

The question was called and the motion carried unanimously.

B. New Items

5. Award Temporary Skate Park Equipment Installation Project

Recommended Action: 1) Approve the award and authorize the City Manager to execute a construction contract with California Skateparks, in the amount of $269,301 for the Temporary Skate Park Equipment Installation Project, Specification No. 2079; 2) Authorize the Public Works Director to approve potential change orders up to 20% of the Agreement amount; and 3) Appropriate an additional $350,000 from the $1 million Case/Crummer Designated Reserve to Account No. 310-9089 for the Temporary Skate Park.

Hamish Patterson indicated support for the recommended action to get the temporary skate park in place as soon as possible. He stated the additional funds being appropriated came from a designated fund. He stated the project gave the community something to look forward to during stay-at-home orders. He commended Community Services Director Bobbett and Community Services Deputy Director Riesgo for their work.

Layla Polito suggested the developer of the Case/Crummer Property donate funds towards the temporary skate park. She stated the skating community was very social and social distancing had been hard. She stated the skate park was something to look forward to. She indicated support for appropriating additional funding to maintain all of the features in the design. She stated community fundraising could help fund the permanent skate park.

Finn Murphy indicated support for approving the recommended action. He stated California Skateparks built elements for the Vans Park Series and the Olympics. He stated many kids were looking forward to the temporary skate park during stay-at-home orders. He indicated support for appropriating additional funding to maintain all of the features in the design.

Paula Murphy was not present at the time of the hearing.

Judy Villablanca indicated support for the temporary skate park and the contract with California Skateparks. She stated $23,000 had been donated for a skate park. She stated community fund raising could help raise money for the permanent skate park.

Councilmember Peak moved and Mayor Pro Tem Pierson seconded a motion to: 1) approve the award and authorize the City Manager to execute a construction contract with California Skateparks, in the amount of $269,301 for the Temporary Skate Park Equipment Installation Project, Specification No. 2079; 2) authorize the Public Works Director to approve potential change orders up to 20% of the Agreement amount; and 3)

appropriate an additional $350,000 from the $1 million Case/Crummer Designated Reserve to Account No. 310-9089 for the Temporary Skate Park.

In response to Mayor Pro Tem Pierson, Community Services Director Bobbett stated there was a five to six-week delay in the production of the Skatelite material needed for the skate elements. He stated as much work would be completed on the park as possible until the Skatelite was available. He stated staff was estimating a six to eight-week delay for the project completion.

The question was called and the motion carried unanimously.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

A. Temporary Moratorium on Foreclosures and Residential and Commercial Evictions for Nonpayment of Rent During COVID-19 Pandemic
Recommended Action: Adopt Ordinance No. 463U enacting a temporary moratorium on foreclosures and evictions due to nonpayment of rent by residential and commercial tenants impacted by the COVID-19 virus, finding the same exempt from the California Environmental Quality Act and setting forth the facts constituting such urgency; a four-fifths vote of the City Council is required and, if approved, it will take effect immediately.

Assistant City Attorney Rusin presented the staff report.

Mayor Pro Tem Pierson stated it would be challenging for businesses to pay back rent within six months once the state of emergency was lifted. He recommended businesses look into all resources available including disaster loans and make a plan for repayment with their landlord. He stated residential renters should work with their landlords on a repayment plan.

City Attorney Hogin stated the purpose of the urgency ordinance was to keep everyone in place. She stated the City had limited ability to help with the economic impacts of the COVID-19 pandemic. She stated the City could not interfere with rental or mortgage contracts but creating the six-month repayment provision in the ordinance allowed some flexibility. She stated the City was encouraging people to work with their landlords and make a repayment plan.

Mayor Pro Tem Pierson stated the City and the Malibu Chamber of Commerce had information about resources for businesses.

Councilmember Wagner discussed Economic Injury Disaster Loans and the Paycheck Protection Program.

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to adopt Ordinance No. 463U enacting a temporary moratorium on foreclosures and

evictions due to nonpayment of rent by residential and commercial tenants impacted by the COVID-19 virus, finding the same exempt from the California Environmental Quality Act and setting forth the facts constituting such urgency; a four-fifths vote of the City Council is required and, if approved, it will take effect immediately.

Councilmember Mullen thanked Mayor Pro Tem Pierson and Councilmember Wagner for their comments as experienced small business owners.

The question was called and the motion carried unanimously.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS

A. Malibu Community Assistance Resource Team (CART) General Fund Grant
Recommended Action: Consider whether to allow a change of scope for the Fiscal Year 2019-2020 General Fund Grant to Malibu CART.

City Manager Feldman presented the report.

MOTION Councilmember Peak moved and Mayor Pro Tem Pierson seconded a motion to allow a change of scope for the Fiscal Year 2019-2020 General Fund Grant to Malibu CART.

In response to Councilmember Peak, City Manager Feldman stated staff would work with CART and monitor the situation with meal deliveries to people experiencing homelessness during the COVID-19 pandemic.

The question was called and the motion carried unanimously.

ITEM 7 COUNCIL ITEMS

A. Census 2020 – Support (Mayor Farrer)
Recommended Action: At the request of Mayor Farrer, 1) Adopt Resolution No. 20-15 recognizing the importance of the 2020 U.S. Census and supporting helping to ensure a complete, fair, and accurate count of all Californians; and 2) Direct staff to use the City's communications network to urge residents to complete the Census online according to the instructions provided in the Census 2020 questionnaire that was mailed to each Malibu residence by the U.S. Census Bureau.

Mayor Farrer presented the report. She stated Census field work was suspended due to the COVID-19 pandemic.

Ben Suber thanked Mayor Farrer for bringing the item forward. He stated he was

working with Ventura County on its complete count project. He expressed concern the current response rate in Malibu was very low. He stated the response rate in west Malibu was especially low. He encouraged the City look at the response rate by tract and the hard to count maps to identify neighborhoods that needed more outreach.

Councilmember Peak thanked Mayor Farrer for bringing the item forward.

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to:1) adopt Resolution No. 20-15 recognizing the importance of the 2020 U.S. Census and supporting helping to ensure a complete, fair, and accurate count of all Californians; and 2) direct staff to use the City's communications network to urge residents to complete the Census online according to the instructions provided in the Census 2020 questionnaire that was mailed to each Malibu residence by the U.S. Census Bureau.

Mayor Pro Tem Pierson questioned if reporting was low in west Malibu because so many houses were destroyed by the Woolsey Fire.

Councilmember Wagner stated the Census was quick and easy and encouraged everyone to be counted.

The question was called and the motion carried unanimously.

B. Support for State Funding for the Purchase of Triangle Ranch Property at US-101 and Kanan Dume Road (Councilmember Wagner)
Recommended Action: At the request of Councilmember Wagner, authorize the Mayor to send a letter to Senator Henry Stern and Assemblymember Richard Bloom in support of their request for a General Fund budget item of $14,500,000 to the Santa Monica Mountains Conservancy for the purchase of 150 remaining acres of the Triangle Ranch property located at the US-101 and Kanan Dume Road corridor.

Councilmember Wagner presented the report.

MOTION Councilmember Peak moved and Councilmember Mullen seconded a motion to authorize the Mayor to send a letter to Senator Henry Stern and Assemblymember Richard Bloom in support of their request for a General Fund budget item of $14,500,000 to the Santa Monica Mountains Conservancy for the purchase of 150 remaining acres of the Triangle Ranch property located at the US-101 and Kanan Dume Road corridor.

In response to Mayor Pro Tem Pierson, Councilmember Wagner stated the letter encouraged the State Senate and State Assembly to allocate funding for the purchase of the Triangle Ranch Property. He stated the other COG cities were also considering sending letters.

City Manager Feldman stated funding was originally scheduled to be considered for appropriation as part of the next State budget. She stated the State budget was being revised due to the COVID-19 pandemic and would be available in a few weeks.

The question was called and the motion carried unanimously.

ADJOURNMENT

At 8:26 p.m., Mayor Farrer adjourned the meeting in memory of John Bell.

Approved and adopted by the City Council of the City of Malibu on _____.

_____
KAREN FARRER, Mayor

ATTEST:

_____
HEATHER GLASER, City Clerk
(seal)

City Council Meeting
05-11-20
Item 3.B.4.

Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Elizabeth Shavelson, Assistant to the City Manager

Reviewed by: Rob Duboux, Public Works Director

Approved by: Reva Feldman, City Manager

Date prepared: May 4, 2020 Meeting date: May 11, 2020

Subject: Los Angeles County Measure R Funds

RECOMMENDED ACTION: Authorize the City Manager to take all actions necessary to cancel the Pacific Coast Highway Message System Project and amend certain agreements with Los Angeles County Metropolitan Transportation Authority.

FISCAL IMPACT: Los Angeles County Measure R was approved by voters in 2008. The City's allocation from Measure R is $26.3 million. The County of Los Angeles provided the City with an additional $12 million for a total allocation to the City of $38.3 million. There is no impact to the General Fund associated with the expenditure of Los Angeles County Measure R funding.

WORK PLAN: The City's Measure R funded capital improvements are included in the Adopted Work Plan for Fiscal Year 2019-2020 including the Civic Center Way Improvement Project and the PCH Signal System Improvement Project.

DISCUSSION: The City has developed a list of Measure R Projects approved by the Los Angeles County Metropolitan Transportation Authority (Metro) Board based on Council direction and the recommendations of the Pacific Coast Highway (PCH) Safety Study approved by Council in June 2015.

The following is a list of the City's approved projects funded with Los Angeles County Measure R:

Project	Budget*	Status
Kanan Dume Arrester Bed Imp.	$900,000	Completed
PCH & Big Rock Intersection Imp.	$450,000	Completed
PCH Bike Route Improvements	$500,000	Completed
Park and Ride Land Acquisition	$3,500,000	Completed
PCH at La Costa Pedestrian Imp.	$500,000	Completed
Civic Center Way Imp.	$5,200,000	Contract Award Pending CCC
PCH Signal System Imp. Topanga Canyon to John Tyler Drive	$13,700,000	In Design
PCH Raised Median	$6,950,000	In Design
PCH Regional Message System	$1,300,000	On Hold
PCH Intersection Improvements Project	$1,000,000	On Hold
Total	**$34,000,000**	

*Project budgets may include but are not limited to planning, permitting, engineering, coordination with Caltrans, staff-time, construction and construction management.

The Metro Board typically reviews and approves adjustments to the Measure R project lists twice a year. Metro staff is currently preparing to take an item to the Metro Board on Measure R adjustments countywide in early summer and has requested that cities submit their proposed adjustments this month. All changes to the Malibu Measure R project list must be approved by the City Council and presented to the Las Virgenes-Malibu Council of Governments (COGs) for approval before being submitted to Metro for final review and approval.

As part of the budget process for Fiscal Year 2019-2020, the PCH Regional Message System Project was put on hold to accommodate other City priorities. The project was originally intended to be a joint project with Los Angeles County to install permanent changeable message signs along the County canyon roads and along PCH. At this time, Los Angeles County no longer wishes to move forward with this project.

Staff recommends canceling the PCH Regional Message System Project and allocating the majority of the project funds into the PCH Signal System Improvement Project. The City has been working on the design of the PCH Signal System Improvements Project and has the opportunity to incorporate changeable message signs into the project. Allocating $900,000 to the PCH Signal System Improvements Project will enable the City to

accomplish the goal of the PCH Message System Project, to improve communication along PCH, without diverting the time and resources required to develop a separate capital project. Staff recommends that the remaining funds be allocated to the Civic Center Way Improvements Project to provide funds for construction management services including staff time.

If Council approves canceling the PCH Message System Project, staff will work with the Executive Director of the Las Virgenes-Malibu COGs to place an item on the COG's May 19 agenda to review and approve the City's proposed Measure R project adjustments.

ATTACHMENTS: None.

City Council Meeting
05-11-20
Item 3.B.5.

Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Elizabeth Shavelson, Assistant to the City Manager

Approved by: Reva Feldman, City Manager

Date prepared: May 1, 2020 Meeting date: May 11, 2020

Subject: Amendments to the Funding Agreements with Los Angeles County Metropolitan Transportation Authority and Los Angeles County

---

RECOMMENDED ACTION: 1) Authorize the City Manager to execute the amendment to the Funding Agreement with Los Angeles County Metropolitan Transportation Authority (Metro) and Los Angeles County for the purchase of vacant land for park and ride lots on Civic Center Way and Webb Way (APN 4458-020-015), at 23575 Civic Center Way (APN 4458-022-011) and Pacific Coast Highway and Heathercliff Road (APN 4466-021-028); and 2) Authorize the Mayor to execute the amendment to the Funding Agreement with Los Angeles County and authorize the City Manager to take all actions necessary to finalize the amendment.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2019-2020. This project is part of normal staff operations.

DISCUSSION: On April 23, 2018, the Council approved a funding plan of $42,500,000 to purchase three vacant properties. The funding included $12,000,000 of General Fund Undesignated Reserves, $1,000,000 of General Fund Designated Reserves, $22,143,775 of Certificates of Participation and $7,356,225 of Los Angeles County Measure R and M funds.

Los Angeles County Measure R and Measure M are sales tax measures approved by Los Angeles County voters to fund transportation projects throughout the region. Los Angeles County Measure R was approved by voters in 2008 and Los Angeles County Measure M was approved by voters in 2016. Both measures are administered by Metro. Funds from both measures may be used for transportation related purposes, including parking for park and ride facilities. All three properties are located along an established Metro bus route

In WITNESS WHEREOF, COUNTY and CITY hereto have caused this Amendment to be executed by their respective officers as of the date first written above.

COUNTY OF LOS ANGELES

By _____
Mark Pestrella
Director of Public Works

APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By Julia Weissman
Deputy

CITY OF MALIBU

By _____
Mayor

ATTEST:

By _____
City Clerk

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

By _____
City Attorney

AMENDMENT No.1
TO MEASURE R FUNDING AGREEMENT with MEASURE M FUNDS BETWEEN CITY OF MALIBU AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

This Amendment No. 1 to the Funding Agreement (this "Amendment"), is dated as of January 31, 2020 by and between the City of Malibu ("Grantee") and the Los Angeles County Metropolitan Transportation Authority ("LACMTA").

RECITALS:

A. Grantee and LACMTA entered into that certain Funding Agreement No. 920000000M31135, dated August 1, 2018 (the "Existing FA"), which Existing FA provides for Park and Ride Lots on Civic Center Way and/or PCH Project, (the "Project"); and

B. WHERAS, LACMTA adopted Ordinance #16-01, the Los Angeles County Traffic Improvement Plan, on June 23, 2016 (the "Ordinance"), which Ordinance was approved by the voters of Los Angeles County on November 8, 2016 as "Measure M" and became effective on July 1, 2017.

C. WHEREAS, this Project is eligible for funding under Line 57 of the Measure M Expenditure Plan; and

D. WHEREAS, the LACMTA Board, at its January 23, 2019 meeting, programmed $3,100,000, in Measure M funds to GRANTEE for Highway Efficiency Category project, Project Number MM5503.04 for Right of Way to add to the existing Measure R funds that have been programmed for the Project subject to the terms and conditions contained in this FA; and

E. WHEREAS, the Funds are currently programmed for the Project as follows $2,000,000 in Measure R funds in Fiscal Year (FY) 2016-17; $1,500,000 in Measure R funds in FY 2017-18 and $3,100,000 in Measure M funds in FY 2018-19. The total designated LACMTA programming amount for the Project is $6,600,000; and

F. Grantee and LACMTA desire to amend the Existing FA as provided herein.

AGREEMENT:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereby agree as follows:

1. Part I, Paragraph 2.1 is hereby deleted in its entirety and is hereby amended by replacing it with the following: "Programmed funds for the Project consist of Measure R funds and Measure M funds."

2. Part I, Paragraph 2.2 of the Existing FA is hereby amended by deleting it in its entirety and replacing it with the following: "To the extent the Measure R funds are available, LACMTA shall make to GRANTEE a grant of the Measure R funds in the amount of $3,500,000 and a grant of the Measure M funds in the amount of $3,100,000 (the "Funds") for the Project. LACMTA Board of Directors actions on December July 26, 2018 granted the Measure R Funds for the Project and on January 23, 2019 granted Measure M funds for the project. The Measure R Funds are programmed over two Fiscal Years (FY): $2,000,000 in FY 2016-17 and $1,500,000 in FY 2017-18. The Measure M funds are programmed over one FY: $3,100,000 in FY 2018-19."

3. Part I, Paragraph 12 is hereby deleted it in its entirety and replacing it with the following:

"Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012
Attention: Roberto Machuca
Mail Stop: 99-18-02
Phone: (213) 418-3467
Email: MachucaR@metro.net"

4. Part II, Section 9.1 (v) of the Existing FA is hereby amended by deleting it in its entirely and replacing it with the following: "(vii) Measure R funds are to be expended within **five years or 60 months** from July 1 of the Fiscal Year in which the Funds are programmed, unless otherwise stated in this FA. All Measure R Funds programmed for this Project for FY 2016-17 and FY 2017-18 have been expended and are no longer available. The Measure M funds are to be expended within **three years or 36 months** from July 1 of the Fiscal Year in which the Funds are programmed, unless otherwise stated in this FA. All Measure M funds programmed for FY 2018-19 are subject to lapse by June 30, 2021."

5. Part II, Paragraph 3 of the Existing FA is hereby amended by deleting it in its entirety and replacing it with the following:

"3. INVOICE BY GRANTEE

Unless otherwise stated in this FA, the Quarterly Expenditure Report, with supporting documentation of expenses, Project progress and other documents as required, which has been pre-approved by LACMTA, all as described in Part II, Section 6.1 of this FA, shall satisfy LACMTA invoicing requirements. Grantee shall only submit for payment, the LACMTA pre-approved Quarterly Expenditure Report Packets to the LACMTA Project Manager at the email address shown in Part I and to LACMTA Account Payable Department as shown below.

Submit invoice with supporting documentation to:
ACCOUNTSPAYABLE@METRO.NET (preferable)
or
mail to:
Los Angeles County Metropolitan Transportation Authority
Accounts Payable
P. O. Box 512296
Los Angeles, CA 90051-0296
All invoice material must contain the following information:
Re: LACMTA Project ID# MR311.35/MM5503.04 and FA# 920000000MR311.35
LACMTA Project Manager: Roberto Machuca, MS: 99-18-2"

6. Attachment A of the Existing FA is hereby replaced by Attachment A-1, attached.

7. Attachment B1 of the Existing FA is hereby replaced by Attachment B1-1, attached.

8. Attachment C of the Existing FA is hereby replaced by Attachment C-1, attached.

9. Except as expressly amended hereby, the Existing FA remains in full force and effect as originally executed. All rights and obligations of the parties under the Existing FA that are not expressly amended by this Amendment shall remain unchanged.

IN WITNESS WHEREOF, the parties have caused this Amendment No. 1 to the FA to be executed by their duly authorized representatives as of the dates indicated below:

LACMTA:

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____ Date: _____
Phillip A. Washington
Chief Executive Officer

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By: _____ Date: 4/1/2020
Deputy

GRANTEE:

CITY OF MALIBU

By: _____ Date: _____
Reva Feldman
City Manager

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED BY THE CITY ATTORNEY'S OFFICE

By: _____ Date: _____
Christi Hogin
City Attorney

ATTACHMENT A-1 - PROJECT FUNDING

Measure R Program and Measure M MSP - Highway Efficiency Program - Funding Agreement Projects - FA# 920000000MR311.35

Project Title: Park and Ride Lots on Civic Center Way and/or PCH Project Project#: MR311.35 and MM5503.04

PROGRAMMED BUDGET - SOURCES OF FUNDS

SOURCES OF FUNDS	FY2015-16	FY2016-17	FY2017-18	FY 2018-19	FY2019-20	FY2020-21	Total Budget	% of Budget
LACMTA PROGRAMMED FUNDING								
MEASURE M MSP FUNDS				$ 3,100,000			$ 3,100,000	47%
MEASURE R FUNDS		$ 2,000,000	$ 1,500,000				$ 3,500,000	53%
SUM PROG LACMTA FUNDS	$ -	$ 2,000,000	$ 1,500,000	$ 3,100,000	$ -	$ -	$ 6,600,000	**100%**
OTHER NON LACMTA FUNDING:								
LOCAL:							$ -	0%
STATE:							$ -	0%
FEDERAL:							$ -	0%
PRIVATE OR OTHER:							$ -	0%
SUM NON-LACMTA FUNDS	$ -	$ -	$ -	$ -	$ -	$ -	$ -	**0**
TOTAL PROJECT FUNDS	$ -	$ 2,000,000	$ 1,500,000	$ 3,100,000	$ -	$ -	$ 6,600,000	**100%**

Use Actual $$$

ATTACHMENT B-1-1 - EXPENDITURE PLAN COST & CASH FLOW BUDGET

Measure R Program and Measure M MSP - Highway Efficiency Program - Funding Agreement Projects - FA# 920000000MR311.35
Project Title: Park and Ride Lots on Civic Center Way and/or PCH Project Project#: MR311.35 and MM5503.04

PROGRAMMED SOURCES OF FUNDS

SOURCES OF FUNDS	FY 2018-19 Qtr 1	FY 2018-19 Qtr 2	FY 2018-19 Qtr 3	FY 2018-19 Qtr 4	FY 2019-20 Qtr 1	FY 2019-20 Qtr 2	FY 2019-20 Qtr 3	FY 2019-20 Qtr 4	TOTAL BUDGET
LACMTA PROGRAMMED FUNDS:									
MEASURE M MSP FUNDS:									
Planning Activities/Prog Dev									$0
Environmental									$0
Design and PS&E									$0
Right-of-Way								$3,100,000	$3,100,000
Construction									$0
Total Measure M	$0	$0	$0	$0	$0	$0	$0	$0	$3,100,000
MEASURE R SUBREGIONAL									
Planning Activities/Prog Dev									$0
Environmental									$0
Design and PS&E									$0
Right-of-Way	$3,500,000	$0	$0	$0					$3,500,000
Construction									$0
Total Measure R	$3,500,000	$0	$0	$0	$0	$0	$0	$0	$3,500,000
SUM PROG LACMTA FUNDS:	$3,500,000	$0	$0	$0	$0	$0	$0	$0	$6,600,000
OTHER NON LACMTA FUNDING:									
LOCAL:									
Planning Activities/Prog Dev									$0
Environmental									$0
Design and PS&E									$0
Right-of-Way									$0
Construction									$0
Total LOCAL	$0	$0	$0	$0	$0	$0	$0	$0	$0
STATE:									
Planning Activities/Prog Dev									$0
Environmental									$0
Design and PS&E									$0
Right-of-Way Acquisition									$0
Construction									$0
Total STATE	$0	$0	$0	$0	$0	$0	$0	$0	$0
FEDERAL:									
Planning Activities/Prog Dev									$0
Environmental									$0
Design and PS&E									$0
Right-of-Way Acquisition									$0
Construction									$0
Total FEDERAL	$0	$0	$0	$0	$0	$0	$0	$0	$0
SUM NON-LACMTA FUNDS :	$0	$0	$0	$0	$0	$0	$0	$0	$0
PROJECT FUNDING Prior, FY2019-20 and FY2020-21	$3,500,000	$0	$0	$0	$0	$0	$0	$0	$3,500,000
TOTAL LACMTA FUNDS	$3,500,000	$0	$0	$0	$0	$0	$0	$0	$6,600,000
TOTAL NON-LACMTA FUNDS	$0	$0	$0	$0	$0	$0	$0	$0	$0
TOTAL PROJECT FUNDING	$3,500,000	$0	$0	$0	$0	$0	$0	$0	$3,500,000

MEASURE R FUNDING PROGRAM
ATTACHMENT C-1
SCOPE OF WORK

Project Title: Park and Ride Lots on Civic Center Way and/or PCH

Project Limits:
The Malibu Park and Ride Lots will be located on portions of the parcels located at:

- Intersection of Civic Center Way and Webb Way (APN 4458-020-015)
- Intersection of Pacific Coast Highway and Heathercliff Road (APN 4466-021-028)
- 23575 Civic Center Way (APN 4458-022-011)

Project Need:
The Pacific Coast Highway/State Route 1 (PCH/SR-1) corridor in Malibu connects Los Angeles to Ventura County along the coast. It is a conventional highway that is used daily by commuters and residents. In addition, it serves the over 15 million visitors that Malibu receives annually. Metro operates local Bus Route 534 providing transit service between Trancas Canyon Road in Malibu and downtown Santa Monica. There is a need to promote the existing transit service and carpooling. Increasing transit ridership and carpooling will reduce congestion along the highway, improve traffic flow and reduce travel times. A lack of parking that is available for carpooling and park and ride purposes near metro stops limits the ability of the City, Metro and Caltrans to reduce this congestion.

PCH/SR-1 is a four lane conventional highway and there are no parallel facilities to alleviate traffic congestion. According to Caltrans' 2016 traffic counts, the average daily traffic at Civic Center Way and PCH is 43,000 vehicles, the average daily traffic at Topanga Canyon Road and PCH is 53,000 vehicles and it gets increasingly more congested as one travels towards Santa Monica. According to a recent Metro study, congestion on PCH is comparable to freeways when the number of lanes is taken into account.

Due to Malibu's unique topography, the highway is highly constrained rendering the addition of travel lanes for capacity enhancement infeasible. As a result, residents, commuters and visitors must rely more and more on the expansion of transit to reduce congestion. Metro operates local Bus Route 534, providing transit service between Trancas Canyon Road in Malibu and Downtown Santa Monica with stops at many popular Malibu destinations, including major beaches, recreation and commercial areas. Residents cite lack of parking and inaccessibility of transit stops as common reasons for not using public transportation.

Project Scope:
The project consists of the purchase of vacant land (3 parcels with a total of 29.24 acres) in the Civic Center and Point Dume areas adjacent to existing Metro 534 bus stops, a portion of which will be reserved for shared use park and ride or other transportation purposes. The City completed the purchase in September 2018. The City used Measure R funds as part of the escrow payment and is seeking Measure M funds to repay other funds used for the purchase of the portion of the parcels intended for shared use park and ride or other transportation purposes. In exchange for use of these funds the City will reserve a total of 4.11 acres to serve as shared use Park and Ride lots or for

other transportation purposes approved by Las Virgenes Malibu Council of Governments and the Metro Board. The creation of shared use Park and Ride lots will allow residents and visitors to use public transportation to access destinations in Malibu and the surrounding areas. It will also encourage commuters to use transit or carpool to reach their destinations. Of the 4.11 acres proposed to be reserved for shared use Park and Ride or transportation purposes, 1.4146 acres are the subject of the original scope of work of this is Funding Agreement and will be located as follows in Attachment 1. The remaining 2.6954 acres identified for shared use Park and Ride or transportation purposes are proposed to be purchased with Measure M or other local transportation funds and are the subject to this amendment to Funding Agreement No. 92000000031135.

An estimate of the number of shared use Park and Ride Lot Spaces anticipated at each location is as follows:

Approximately 100 Spaces at Civic Center Way and Webb Way (APN 4458-020-015)
Approximately 200 Spaces at Pacific Coast Highway and Heathercliff Road (APN 4466-021-028)
Approximately 100 Spaces at 23575 Civic Center Way (APN 4458-022-011)

See tables on the next page with details of all the locations, total acquisition costs, Measure R funds used, Measure M funds used, other local transportation funds used and transportation reserved acres for the acquired parcels.

The table below details the locations, acquisition costs, and transportation reserved acres for the parcels acquired with Measure R funds.

Location	APN	Total Acres	Cost Per Acre	Total Cost Per Parcel	Park & Ride/ Trans. Acres Measure R	Measure R Funds
Civic Center Way and Webb Way	4458-020-015	1.11	$2,882,883	$3.2 Million	1.11	$3,200,000
PCH and Heathercliff Road	4466-021-028	18.48	$ 984,848	$18.2 Million	0.3046	$300,000
				Subtotal	1.4146	$3,500,000

The table below details the location, acquisition costs, transportation reserved acres for the parcels acquired with Measure M and other location transportation funds.

Location	APN	Total Acres	Cost Per Acre	Total Cost Per Parcel	Park & Ride/ Trans. Acres Measure M	Measure M Funds	Park & Ride/ Trans. Acres Other Local Trans. Funds	Other Local Trans. Funds
PCH and Heathercliff Road	4466-021-028	18.48	$ 984,848	$18.2 Million	1.6954	$1,669,697	0	
23575 Civic Center Way	4458-022-011	9.65	$2,186,528	$21.1 Million	.6541	$1,430,303	0.3459	$756,225
				Subtotal	2.6954	$3,100,000		$756,225

The table below details the location, total acquisition costs, total transportation reserved acres for all the parcels acquired with Measure R, Measure M and other location transportation funds.

Location	APN	Total Acres	Cost Per Acre	Total Cost Per Parcel	Park & Ride/ Trans. Acres	Measure R	Measure M	Other Local Trans. Funds	Total Cost for Park and Ride/Trans. Land
Civic Center Way and Webb Way	4458-020-015	1.11	$2,882,883	$3.2 Million	1.11	$3,200,000			$3,200,000
PCH and Heathercliff Road	4466-021-028	18.48	$ 984,848	$18.2 Million	2.0	$300,000	$1,669,697		$1,969,697
23575 Civic Center Way	4458-022-011	9.65	$2,186,528	$21.1 Million	1.0		$1,430,303	$756,225	$2,186,528
Subtotal		29.24	n/a	42.5 million	4.11	$3,500,000	$3,100,000	$756,225	$7,356,225

BUDGET:

Component	Measure R	Measure M	Other Local Trans. Funds	Total
Right of Way Capital	3,500,000	3,100,000	$756,225	7,356,225
Total	3,500,000	3,100,000	$756,225	7,356,225

The total costs to purchase the 3 parcels was $42.5 million. The total costs for the acquisition of the properties intended for the shared use Park and Ride lots/transportation projects was $7,356,225. This includes $3,500,000 in Measure R funding, $3,100,000 in Measure M funding and $756,225 in other local transportation funding.

The Measure R funding was wired into the escrow account prior to the close of escrow per the escrow instructions. The County of Los Angeles provided $3,856,225 for the close of escrow. The City will repay the County the $3,100,000 it receives in Measure M funds.

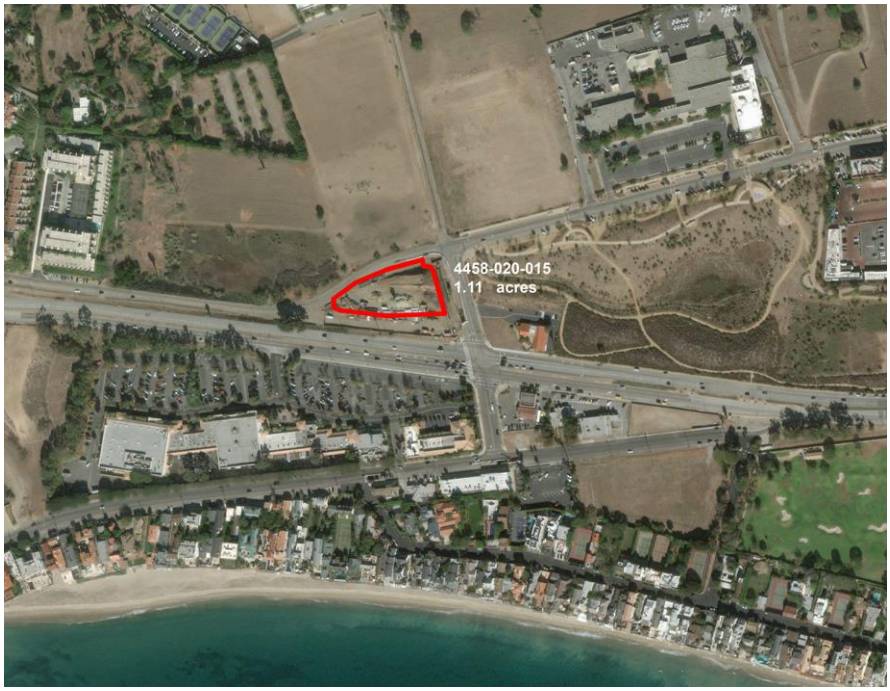
MILESTONES:

	Milestone	Estimated Timeframe
(a)	City Council Approved the Agreement for Purchase and Escrow Instructions	July 9, 2018
(b)	Close of Escrow	September 6, 2018

ATTACHMENT 1

PROPERTY LOCATIONS:

Civic Center Way and Webb Way (APN 4458-020-015)



Pacific Coast Highway and Heathercliff Road (APN 4466-021-028)

23575 Civic Center Way (APN 4458-022-011)

The location of the acres reserved for shared use park and ride or transportation purposes on Pacific Coast Highway and Heathercliff Road (APN 4466-021-028) and 23575 Civic Center Way (APN 4458-022-011) shall be chosen by the City so long as it is feasible to use the designed location for shared use park and ride or other transportation purposes.

AMENDMENT NO. 1 TO THE AGREEMENT DATED AUGUST 28, 2018

BETWEEN THE COUNTY OF LOS ANGELES AND THE CITY OF MALIBU

REGARDING THE CONTRIBUTION OF FUNDS FOR THE MALIBU PARK AND RIDE

This Amendment is made and entered into on _____, 2020 by and between the County of Los Angeles (COUNTY) and the City of Malibu (CITY).

WITNESSETH:

WHEREAS, on August 28, 2018, the COUNTY and CITY entered into an agreement whereby the COUNTY agreed to contribute up to $4,000,000 in Proposition C Local Return funds for the Malibu Park and Ride (PROJECT), and the CITY agreed to cooperate with the COUNTY in allocating sufficient funds from eligible funds within the Las Virgenes-Malibu Measure M Multi-Year Subregional Program or other eligible funds to repay the COUNTY for its contribution to the PROJECT; and

WHEREAS, the COUNTY actually contributed $3,856,225 to the PROJECT, and the CITY will receive $3,100,000 in Los Angeles County Metropolitan Transportation Authority Measure M Multi-year Subregional Program funds for the PROJECT, which will be transferred the COUNTY; and

WHEREAS, the COUNTY will not seek repayment for the remaining $756,225 of its contribution for the PROJECT that has not been repaid, and will not require the CITY to allocate other eligible funds to repay this amount.

AMENDMENT:

Now, therefore, the COUNTY and CITY mutually agree as follows:

1. Section 2 of the AGREEMENT, Repayment of Funds, shall be deleted and replaced with the following:

   The CITY shall cooperate with the COUNTY in allocating eligible funds within the Las Virgenes-Malibu Subregion's allocation of Measure M Multi-Year Subregional Program funds and execute any funding agreements with the Los Angeles County Metropolitan Transportation Authority to repay the COUNTY for its contribution to PROJECT funds. The COUNTY will not seek repayment for any amount contributed beyond the amount allocated from the Measure M Multi-Year Subregional Program.

2. Except as modified by this AMENDMENT, all other terms, conditions, requirements, and specifications of this agreement shall remain in full force and effect.

In WITNESS WHEREOF, COUNTY and CITY hereto have caused this Amendment to be executed by their respective officers as of the date first written above.

COUNTY OF LOS ANGELES

By _____
Mark Pestrella
Director of Public Works

APPROVED AS TO FORM:
MARY C. WICKHAM
County Counsel

By Julia Weissman
Deputy

CITY OF MALIBU

By _____
Mayor

ATTEST:

By _____
City Clerk

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

By _____
City Attorney

City Council Meeting
05-11-20
Item 3.B.6.

Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Elizabeth Shavelson, Assistant to the City Manager

Reviewed by: Lisa Soghor, Assistant City Manager

Approved by: Reva Feldman, City Manager

Date prepared: April 29, 2020 Meeting date: May 11, 2020

Subject: Malibu Library Set Aside Funds for Fiscal Year 2020-2021

RECOMMENDED ACTION: 1) Approve the use of Set Aside Funds for the Malibu Library for Fiscal Year 2020-2021; and 2) Approve the use of $12,000 from the Fiscal Year 2019-2020 Set Aside Funds to public schools in Malibu for library-related expenses in Fiscal Year 2019-2020.

FISCAL IMPACT: There is no fiscal impact to the City with this action. Services for the Malibu Public Library are paid for from a portion of property tax. Every year the County of Los Angeles sets aside the difference between the City's library portion of the property tax revenue and the Malibu Library expenses into a designated fund. As of June 30, 2019, the Set Aside Fund totaled approximately $10.4 million. At this time, Malibu's property tax revenue is not anticipated to be impacted by the COVID-19 pandemic. It is expected that approximately $1 million will be added annually to this fund through the life of the MOU.

WORK PLAN: This item was included in the Adopted Work Plan for Fiscal Year 2019-2020 as item 7.a.

DISCUSSION: The Malibu Library was established in 1970 by the County of Los Angeles and is located on the County-owned Civic Center property.

In September 2008, the City and County executed a Memorandum of Understanding (MOU) that identified the use of the Set Aside Funds. The MOU established a structure in which the expenditure of the excess funds generated from the taxes that Malibu residents pay could be spent on the Malibu Library. On March 26, 2018, the City and the

County executed an amendment to the MOU which extended the term until 2044, with two possible five-year extensions. In 2005, the City completed a needs assessment in order to optimize the allocation of local property tax dollars and provide the maximum benefit to the Malibu community. The Malibu Library Needs Assessment (2005 Needs Assessment) was approved by the City Council on August 8, 2005. The 2005 Needs Assessment established community-specific goals for the Malibu Library that were primarily focused on the large-scale renovation of the existing library and the purchase of furniture and equipment to serve the library program. The City and the County cooperatively used the Set Aside Funds to renovate the Malibu Library. The renovations were completed in April 2012. Since that time, Set Aside Funds have been used for the Library Speaker Series, to enhance service hours, establish a deferred maintenance fund, hire additional library staff, hire a full-time security guard, and enhance library collections and materials.

In 2017, an update to the 2005 Needs Assessment was conducted to establish new service goals to guide the management of Malibu Library funding in subsequent calendar years. The process included extensive community input as well as analysis of demographic trends and current service levels. On October 22, 2019, the City Council accepted the findings of the 2018 Malibu Library Needs Assessment (2018 Needs Assessment) and authorized staff to work with the Los Angeles County Library using Library Set Aside funds to: a) implement the immediate and short-term recommendations of the 2018 Needs Assessment where feasible; b) develop conceptual plans to relocate the main entrance of the Malibu Library; c) analyze the feasibility of expanding library services on the west side of Malibu; and d) analyze the resources needed to develop a Malibu historical archive.

In the aftermath of the Woolsey Fire, the City established rebuilding and public safety as the City's top priorities and adopted a Work Plan to manage the City's other priority tasks. The Malibu Library Projects are not on the City's Approved Work Plan for Fiscal Year 2019-2020.

On March 9, 2020, the Library Subcommittee discussed the City's annual library set aside funding allocations and recommended continuing all the City's previous annual allocations for ongoing operations. In addition, the Subcommittee recommended allocating an additional $12,000 of the City's Fiscal Year 2019-2020 library set aside funds and $12,000 of the City's Fiscal Year 2020-2021 library set aside funds to Malibu public schools for books and other library-related expenses.

Here is the complete list of the Subcommittee's recommendations for Fiscal Year 2020-2021:

Increased service hours of 50 hours a week..... $100,000
Two dedicated security guards..... $260,000

Fund the deferred maintenance reserve	$100,000
Full-time Teen Librarian	$100,000
Malibu Library Speaker Series program	$125,000
Outreach Librarian	$116,000
Management Fellow for Education Programs	$140,000
Family Place Programs throughout the County library system	$50,000
Boys & Girls Club of Malibu*	$50,000
Malibu Public Schools*	$12,000
Total Proposed Allocations for Fiscal Year 2020-2021	$1,053,000

*books and other library-related supplies and services

Since the Subcommittee met on March 9, 2020, the outbreak of the COVID-19 pandemic has significantly disrupted regular library services. The library facility remains closed to the public at this time; however, the Malibu Library staff continues to work, and the County Library system continues to provide a wide variety of remote library services. Considering these changed conditions, City staff recently reached out to library representatives to inquire if additional funds were needed to assist the Malibu Library respond to the pandemic. At this time, no specific needs were identified; however, once the Library reopens additional supplies or equipment may be needed for the delivery of library services. Staff is recommending that $50,000 of the FY 2020-2021 library set aside funds be allocated towards future COVID-19 related expenses which would bring the total allocation of set aside funds for Fiscal Year 2020-2021 to $1,103,000.

Staff recommends the Council approve the Library Subcommittee's recommendation: 1) to allocate $1,053,000 of the City's library set aside funds for Fiscal Year 2020-2021 for ongoing operations expenses (including $12,000 for Malibu public schools); and 2) to allocate $12,000 of the City's library set aside funds for Fiscal Year 2019-2020 to public schools in Malibu. Staff also recommends that the Council consider allocating an additional $50,000 towards future COVID-19 related expenses in Fiscal Year 2020-2021.

ATTACHMENTS: None.

City Council Meeting
05-11-20
Item 3.B.7.

Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Bonnie Blue, Planning Director

Approved by: Reva Feldman, City Manager

Date prepared: May 6, 2020 Meeting date: May 11, 2020

Subject: Initiate Zoning Text Amendment Pertaining to Temporary Use Permits for Safe Parking Programs for People Experiencing Homelessness

---

RECOMMENDED ACTION: 1) Adopt Resolution No. 20-19 a resolution of the City Council of the City of Malibu initiating a zoning text amendment (ZTA) to Title 17 of the Malibu Municipal Code (MMC) pertaining to temporary use permits (TUPs) and other related sections as necessary for safe parking programs for people experiencing homelessness; 2) Direct the Planning Commission to schedule a public hearing regarding the same; and 3) Direct staff whether to present the item for comment to the Zoning Ordinance Revision and Code Enforcement Subcommittee (ZORACES).

FISCAL IMPACT: There is no fiscal impact with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal year 2019-2020.

DISCUSSION: In order to consider a change in the text of the Zoning Ordinance (MMC Title 17) on its own initiative, the City Council must adopt a resolution of intention. *See* MMC §17.74.040. The resolution gives notice that the City Council will consider a particular change and directs the Planning Commission to hold a public hearing (also required by the MMC) and to make a recommendation.

The proposed ZTA pertains to allowing the temporary establishment of a safe parking program to serve people experiencing homelessness. A safe parking program would be operated by a vendor and offer a secure place for individuals sleep in their vehicles overnight between designated hours provided they are registered for the program.

The City's emergency shelter provisions only allow emergency shelter uses in the Commercial General and Institutional zones, and do not address overnight parking lots, only structured shelters. The ZTA would provide a path for a permitting a safe parking program on a temporary basis in the City, subject to conditions.

The County of Los Angeles Department of Beaches and Harbors, in cooperation with the City, intends to apply for a TUP and coastal development permit to allow temporary placement of a safe parking program at a portion of the Zuma Beach parking lot. The Zuma Beach property is zoned Public Open Space (OS) and such uses are not listed as a permitted use.

MMC Chapter 17.68 addresses TUPs. In order to make a portion of the Zuma Beach parking lot available for a temporary safe parking program, a ZTA is proposed that would add an appropriate use to the list in MMC Section 17.68.040 to accommodate this temporary use and update any other related sections of Title 17 as necessary.

Because the proposed ZTA deals only with the TUP section of the Zoning Ordinance, and not to the permitted uses, amendment to the Malibu Local Coastal Program is not necessary. The ZTA would be drafted to ensure consistency with the Local Coastal Program provisions pertaining to temporary uses.

It is also noted that in order to use the Zuma Beach parking lot property for a safe parking program between Memorial Day and Labor Day, the LCP requires a coastal development permit in conjunction with the TUP.

In addition to recommending adoption of the attached resolution, staff requests direction from Council regarding whether to include review by ZORACES of the proposed ZTA or to take the ZTA straight to Planning Commission.

STAFF FOLLOW-UP: If approved, staff will prepare a staff report and proposed ordinance, including any environmental review required, submit to the Zoning Ordinance Revisions and Code Enforcement Subcommittee for consideration (if directed), and notice the matter for public hearing before the Planning Commission.

ATTACHMENT: Resolution No. 20-19

RESOLUTION NO. 20-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU INITIATING A ZONING TEXT AMENDMENT TO TITLE 17 (ZONING) OF THE MALIBU MUNICIPAL CODE PERTAINING TO TEMPORARY USE PERMITS AND OTHER RELATED SECTIONS AS NECESSARY FOR SAFE PARKING PROGRAMS TO SERVE PEOPLE EXPERIENCING HOMELESSNESS

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Initiation.

Pursuant to Malibu Municipal Code (MMC) Chapter 17.74, the City Council hereby initiates an amendment to MMC Title 17 (Zoning) pertaining to temporary use permits and other related sections as necessary to accommodate safe parking programs to serve people experiencing homelessness.

SECTION 2. Planning Commission Hearing.

The Planning Commission is hereby directed to conduct a duly noticed public hearing in accordance with the provisions of MMC Chapter 17.74. Following the public hearing, the Planning Commission shall recommend to the City Council whether it should approve, modify or deny the proposed amendment. The Planning Commission's recommendation shall be made by resolution carried by the affirmative vote of not less than the majority of the entire Planning Commission.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED and ADOPTED this 11th day of May 2020.

_____
KAREN FARRER, Mayor

ATTEST:

_____
HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:

_____
CHRISTI HOGIN, City Attorney

City Council Meeting
05-11-20
Item 4.A.

Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Elizabeth Shavelson, Assistant to the City Manager

Approved by: Reva Feldman, City Manager

Date prepared: May 4, 2020 Meeting date: May 11, 2020

Subject: Approval of Use of Community Development Block Grant (CDBG) Funds for the CDBG Revolving Grant Fund

---

RECOMMENDED ACTION: Continue the item to a date uncertain.

DISCUSSION: On April 2, 2020, the City published a notice of public hearing for the May 11 Regular City Council Meeting regarding the approval of the City of Malibu's proposed allocation of CDBG funds in the amount of $88,000 to the CDBG Revolving Grant Fund.

The City of Malibu currently has an unallocated balance of $88,000 in CDBG funds from prior years. The CDBG program guidelines developed by the Department of Housing and Urban Development (HUD) and the Los Angeles County Development Authority (CDA) stipulates the eligible uses and expenditures deadlines of CDBG funds.

Recently in response to the COVID-19 pandemic, HUD has made changes to the CDBG program guidelines and CDA recently notified the City that the program's funding deadlines have been extended and the City can use its unallocated funds for certain eligible COVID-19 related activities for senior and/or low- and moderate-income individuals. Staff will continue to work with CDA representatives to develop potential projects for eligible Malibu residents and will return to Council for consideration.

ATTACHMENT: Notice of Public Hearing

NOTICE OF PUBLIC HEARING
CITY OF MALIBU
CITY COUNCIL

The Malibu City Council will hold a public hearing on **Monday, May 11, 2020, at 6:30 p.m. in the City Council Chambers at Malibu City Hall**, located at 23825 Stuart Ranch Road, Malibu, CA, for:

Approval of the City of Malibu's proposed allocation of Community Development Block Grants (CDBG) funds in the amount of $88,000 to the CDBG Revolving Grant Fund. This proposed allocation will use the City's prior year unallocated funds.

If there are any questions regarding this notice, please contact Lisa Soghor, Assistant City Manager at (310) 456-2489, ext. 224. Copies of all related documents can be reviewed by any interested person at City Hall during normal business hours, Monday through Friday. Oral and written comments may be presented to the City Council on, or before, the date of the meeting.

_____
LISA SOGHOR, Assistant City Manager

Publish Date: Thursday, April 2, 2020

Council Agenda Report

City Council Meeting
05-11-2020
Item 6.A.

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Robert DuBoux, Public Works Director

Approved by: Reva Feldman, City Manager

Date prepared: April 28, 2020 Meeting date: May 11, 2020

Subject: Wastewater and Recycled Water Rates Study and Proposed Revised Rates

---

RECOMMENDED ACTION: 1) Receive presentation on the 2020 Wastewater and Recycled Water Rates; 2) Provide staff with direction on whether to proceed with revising the wastewater and recycled water service rates; 3) If proceeding with revising the rates, authorize the mailing of the Proposition 218 notices to the affected property owners; and 4) Direct staff to schedule a Public Hearing for the July 13, 2020 City Council meeting to establish wastewater and recycled water service charges for Fiscal Year 2020-2021, Fiscal Year 2021-2022, and Fiscal Year 2022-2023.

FISCAL IMPACT: All operation and maintenance costs associated with the Civic Center Wastewater Treatment Facility (CCWTF) are to be paid by revenue generated by the wastewater and recycled water service fees. When the wastewater rates were first developed, they were based on estimated costs for running the facility. After almost two years of operation, it is evident that some costs are higher than originally anticipated. The adopted wastewater rates generate $1,610,964 based on the properties that are currently connected in Phase One. In Fiscal Year 2018-2019, General Funds in the amount of $105,182 were used to cover the additional expenses. For the current fiscal year, staff has projected that $197,752 will be needed from the General Fund to cover expenses. The projected $302,934 exists as a loan from the General Fund that will be repaid by the CCWTF Fund over time. It is recommended that interest of 2% be charged on the loan.

The Proposed Budget for Fiscal Year 2020-2021 anticipates expenditures of $1,915,200 for the CCWTF. If new rates are not adopted, the projected revenue

of $1,610,964 will result in an additional $304,236 that will need to be loaned from the General Fund.

WORK PLAN: This item was included as item 5a in the Adopted Work Plan for Fiscal Year 2019-2020.

DISCUSSION: In October 2018, Phase 1 of the Civic Center Wastewater Treatment Facility (CCWTF), wastewater collection system, recycled water distribution system, and the groundwater injection wells was completed. The properties within the Civic Center area connected their private wastewater lines to the City's new wastewater collection system, and the City started collecting wastewater and recycled water service fees. These wastewater and recycled water service rates were set in July 2017 to provide enough revenue to offset the associated operation, maintenance, and management costs.

The original wastewater and recycled water service rates were developed based upon assumptions for the operation and maintenance costs of the CCWTF. The CCWTF has been operating almost two years, and the City has collected the actual operation and maintenance costs. Unfortunately, the original assumptions made to develop the original wastewater and recycled water service rates were not sufficient to cover the actual expenses. The City used a loan of General Funds to cover the deficit. The wastewater and recycled water rates need to be adjusted to collect the correct amount of revenue to offset the actual operation and maintenance costs and to refund the loan from the General Fund.

On January 23, 2017, the City contracted with Raftelis Financial Consultants, Inc. (RFC) to develop the original wastewater and recycled water service rates. The wastewater and recycled water rates were developed to provide a fair and equitable rate structure that would provide sufficient revenue to operate and maintain the systems.

On March 23, 2020, the City amended RFC's agreement to review and update the wastewater and recycled water service rates.

Budget

An analysis of the actual operation and maintenance costs are required to provide adequate wastewater and recycled water service rates. RFC reviewed the data and has developed a revised operation and maintenance budget. The revised budget will provide the framework for the City's operating, maintenance, and capital budgets, and will be used to develop the wastewater and recycled water rates. Developing the budget includes identifying the costs associated with operating and maintaining the wastewater and recycled water systems.

The proposed budget includes the following:

1. **Contract Costs**: Actual costs for the operation and maintenance identified in the City's contract with Integrated Performance Consultants, Inc., the City's contracted operator for the CCWTF. Generally, these costs include the actual labor to operate the systems.
2. **Pass-through Costs**: Reimbursable expenses by the CCWTF operator and not included in the Contract Costs. These items include chemicals, electricity, and replacement of equipment, fuel for the backup generators, and the biosolids removal and disposal.
3. **Direct Costs**: Additional expenses the City will incur operating and maintaining the CCWTF including utilities, insurance, operating supplies, and water quality monitoring.

The projected total annual budget for Fiscal Year 2020-2021 is $1,915,200.

Wastewater Rates

The objectives used in developing the recommended rates were based on an equitable sharing of the wastewater costs and actual services provided.

In January 2016, the City established Assessment District No. 2015-1 (Assessment District). This Assessment District provided a method of equitable distribution of the design and construction costs based on the estimated flow and strength of the wastewater contributed by each parcel. To be consistent, the wastewater and recycled water rates were developed using the same methodology used in the Assessment District. This ensures a fair and equitable distribution of the operation and maintenance of the wastewater, recycled water and injection wells systems.

Equivalent Dwelling Units (EDUs) allows the development of a base unit to which all parcels are compared and rates to be established. For example, a standard home is represented by the number of fixtures, wastewater flow and strength. A restaurant is then defined by how many standard homes, or EDUs, its flow is equal to. An analysis was created to arrive at a standard EDU for wastewater rates using a similar methodology used in the Assessment District. Each parcel would pay a monthly service rate based on how many EDUs the parcel's flow and strength would be equal to. For example, City Hall has a total of 6.36 EDUs. The following table shows the calculated EDUs for Phase 1:

	EDUs	**Percent**
Developed Parcels	335	63%
Undeveloped Parcels	197	37%
Total	**532**	**100%**

Since vacant parcels will not be using wastewater and recycled water services until they are developed, the vacant parcels will not be factored into the development of the wastewater rates under Proposition 218. The total annual

budget was divided by developed EDUs to calculate the monthly cost per EDU (Annual Budget / 335 EDU / 12 months).

Budget Category	Total Category Cost* [A]	Monthly Cost per EDU* [B=A/335 EDUs/ 12 months]
Contract	$1,155,000	$287.31
Pass-through	$284,000	$70.65
Direct Costs	$476,200	$118.41
Wastewater Rate per EDU	**$1,915,200**	**$476.38**

The total monthly charge for each parcel is determined by multiplying the EDU rate by the total EDUs for each parcel. Each developed parcel's monthly service charge is included in Attachment 1. The proposed wastewater rate will remain in place until July 2024. At that time, Phase 2 of the project will be almost complete, and the City will refine the budget as well as adjust the rates based upon the number of developed parcels in Phase 1 and in Phase 2.

General Fund Repayment

During the first two years of operating the CCWTF, the City used a loan of General Funds to cover the additional operating and maintenance expenses. The additional expenses include additional electrical and treatment costs, insurance, and water quality monitoring. An estimated total of $302,934 of General Funds was used during Fiscal Year 2018-2019 and Fiscal Year 2019-2020. This amount must be reimbursed by the connected property owners in the Civic Center area. It is recommended that an interest rate of 2% be used for the repayment of the General Fund.

Staff has worked with RFC to develop two options for a rate increase to cover the actual costs of operating the CCWTF and repayment of the General Fund loan:

- Option 1 – Increase rates to cover costs in Fiscal Year 2020-2021
    - Defer repayment of General Fund loan until Fiscal Year 2023-2024
    - Repay General Fund loan over 3 years
    - Repay General Fund loan over 5 years
- Option 2 – Defer rate increase to Fiscal Year 2021-2022
    - Repay General Fund loan over 3 years
    - Repay General Fund loan over 5 years

In Option 1, the monthly loan repayment amount is $26.81 per EDU for the 3-year repayment or $16.40 per EDU for the 5-year repayment.

It is important to note that the General Fund loan amount increases by $304,236 in Option 2. The monthly loan repayment amount is $55.03 per EDU for the 3-year repayment or $32.44 for the 5-year repayment.

The following table shows the comparison of the different options:

Wastewater Rate ($ / EDU)	Current	FY 2020-2021	FY 2021-2022	FY 2022-2023
Option 1 Defer repayment	$400.34	$476.38	$494.33	$513.55
Option 1 3-year repayment	$400.34	$502.76	$521.14	$540.36
Option 1 5-year repayment	$400.34	$492.35	$510.73	$529.96
Option 2 3-year repayment	$400.34	$400.34	$547.36	$566.58
Option 2 5-year repayment	$400.34	$400.34	$526.77	$546.00

Staff is seeking direction from Council on which scenario to implement.

Recycled Water Rates

The CCWTF treats wastewater to a level at which it can be used for recycled water. The treated wastewater is disinfected and sent to the recycled water system. If there is a surplus, the recycled water will be injected into the ground through the injection wells. There is a minimal difference in operation and maintenance costs between groundwater injection and recycled water distribution costs. Based upon this analysis and input from stakeholders, property owners within Phase1 would receive their wastewater flow back as recycled water (minus a 5% loss in the treatment process) at no additional cost. However, recycled water rates need to be established based on those property owners who exceed their allocations and for those property owners outside the Phase 1 boundary who wish to purchase recycled water.

The recycled water rates will be split up into the following categories and tiers:

- **Inside Assessment District –** This rate includes those properties located within the boundary of Phase 1.
    - **Tier 1 -** Recycled water equal to the Phase 1 property owner's wastewater flow minus 5-percent due to water loss
    - **Tier 2 -** Excess usage by Phase 1 property owners beyond their wastewater flow.
- **Outside Assessment District –** Those property owners who seek to purchase recycled water outside the boundary of Phase 1.

The recycled water rates are calculated to recover the capital, operations and maintenance costs associated with the wastewater to meet the requirements for recycled water. Under the Inside Assessment District category, rates were calculated to be $2.23 per hundred cubic feet.

Since those properties located outside the Assessment District did not contribute to the capital costs, those costs as well as the operation and maintenance costs will need to be recovered under the Outside Assessment District category. Those rates were calculated to be $5.81 per hundred cubic feet. This rate is lower than Los Angeles County Waterworks District No. 29 usage rate of $6.41.

These recycled water rates will be in effect through Fiscal Year 2023-2024.

	FY 2021	**FY 2022**	**FY 2023**
Inside District			
Tier 1	$0.00	$0.00	$0.00
Tier 2	$2.23	$2.31	$2.38
Outside District	$5.81	$5.88	$5.95

Any additional revenue generated by the recycled water rates will offset future operation and maintenance budgets and could reduce the need for future rate increases.

Postponing Revised Rates

The City Council may elect to postpone the revised wastewater and recycled water service rates due to the COVID-19 pandemic. On March 4, 2020, Governor Newsom issued a Stay at Home Order. The State ordered all individuals living in the State of California to stay at home or at their place of residence. The order also closed most commercial businesses, including those in the Civic Center area. This has caused a substantial financial impact to those businesses.

In an effort to assist in the recovery of these commercial properties, Council may elect to postpone revising the wastewater and recycled water service rates. Any additional funds needed to cover the operation and maintenance costs could be loaned from the General Funds. It is estimated that $304,236 would be required to fund the additional expenses for Fiscal Year 2020-2021. These funds would be required to be repaid by the property owners.

Proposition 218

If the Council elects to proceed with revising the wastewater and recycled water service rates, the City would be required to follow the procedures in Proposition 218 regarding revising the rates.

In July 2006, the California Supreme Court determined that water and wastewater service charges are property related charges and therefore are

subject to Proposition 218 procedural requirements. Proposition 218 procedures require notices to be mailed to each property owner 45 days prior to a public hearing on any proposed fee increase. Proposition 218 prohibits the adoption of a fee increase if a majority of property owners protest in writing. Under Proposition 218, the fee must not exceed the proportional cost of the service attributable to the property.

A detailed notice of the proposed water and wastewater rate adjustments will be mailed to all property owners in the City service areas 45 days before the July 13, 2020 Public Hearing date.

Staff is seeking direction on whether to proceed with revising the wastewater and recycled water service rates.

STAFF FOLLOW UP: If Council elects to proceed with revising the wastewater and recycled water service rates, staff will prepare and send out the Proposition 218 notices to the affected property owners.

ATTACHMENTS: None.