

MINUTES  
MALIBU PUBLIC SAFETY COMMISSION  
REGULAR MEETING  
MARCH 2, 2022  
TELECONFERENCED – VARIOUS LOCATIONS  
5:00 P.M.

**The following meeting was held pursuant to AB 361 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.**

CALL TO ORDER

Chair Frost called the meeting to order at 5:01 p.m.

ROLL CALL

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

PRESENT: Chair Chris Frost; Vice Chair Doug Stewart; Commissioners Daphne Anneet (arrived at 5:04 p.m.), Keegan Gibbs, and Joshua Spiegel; and Ex Officio Member Brent Woodworth

ALSO PRESENT: Susan Dueñas, Public Safety Manager; Rob DuBoux, Public Works Director; Sarah Kaplan, Public Safety Specialist; Gabe Etcheverry, Fire Safety Liaison; Luis Flores, Public Safety Liaison; Arthur Aladjajian, Public Works Superintendent; Brandie Ayala, Senior Administrative Assistant; Parker Davis, Media Technician; Lieutenant Chad Watters, Los Angeles County Sheriff's Department; and Mary Linden, Executive Assistant

PLEDGE OF ALLEGIANCE

Lieutenant Joseph Fender led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Chair Frost moved and Commissioner Gibbs seconded a motion to approve the agenda. The question was called, and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

Executive Assistant Linden reported that the agenda for the meeting was properly posted on February 25, 2022.

ITEM 1.A. PUBLIC COMMENTS

Ryan Embree discussed the joint meeting with the Public Works Commission. He stated the Public Works Commission considered matters outside of its

jurisdiction. He stated traffic engineering was the duty of the Public Safety Commission. He discussed bike lanes adjacent to diagonal parking.

In response to Mr. Embree, Chair Frost explained that the City Council directed the Commissions to consider the project together at a joint meeting.

#### ITEM 1.B. STAFF UPDATES

Public Safety Manager Dueñas discussed the recent County homeless count. She stated official results were not expected before the summer. She stated the City was invited to submit an application for funding for a program that would provide rebates to residents who implemented recommendations from a home hardening assessment. She discussed a meeting today with the State Office of Emergency Services (CalOES) regarding potential reimbursement for response to storms earlier this year. She discussed the status of flock cameras. She stated the process could begin while the Memorandum of Understanding (MOU) was being finalized.

Fire Safety Liaison Etcheverry discussed the home hardening rebate program. He stated live fuel moisture was still over 180 percent. He stated the City received its first Beacon Box, which was installed at Big Rock. He discussed problems with locations for further installations. He discussed the status of the Mountains Recreation and Conservation Authority (MRCA) grant and hazard tree removal.

Public Safety Liaison Flores discussed the homeless count and thanked the Commissioners who volunteered.

Public Safety Manager Dueñas announced that Fire Safety Liaison Chris Brossard left the City last week. She stated the City was recruiting for his replacement.

Public Works Director DuBoux thanked everyone for their participation in the joint meeting. He stated he would present the recommendations to the City Council at its March 28, 2022 meeting. He stated the City's maintenance crews were ready to respond to rain forecasted over the next few days.

Public Works Superintendent Aladjajian announced upcoming Caltrans pavement repair work between Webb Way and Corral Canyon Road.

#### ITEM 1.C. COMMISSIONER COMMENTS

Commissioner Spiegel discussed observations of souped-up cars and reckless driving in western Malibu. He requested additional Sheriff's enforcement. He discussed a fatal accident on Malibu Canyon Road that was the result of reckless driving. He welcomed Lieutenant Fender.

Ex Officio Member Woodworth discussed an article in today's Los Angeles Times about fire insurance relief initiated by the State Insurance Commissioner. He stated homeowners can truly benefit from an ignition zone risk assessment. He discussed fire brigade communication testing. He discussed an article in The Malibu Times about the Woolsey Fire. He recommended the Commissioners review the independent study done on the response to the Woolsey Fire. He welcomed Lieutenant Fender. He thanked the Sheriff's Department and California Highway Patrol for their efforts to enforce street racing.

Chair Frost agreed with Ex Officio Member Woodworth about the fire insurance relief offered for home hardening.

Commissioner Anneet discussed the Russian invasion of Ukraine. She stated many issues suggested in the Safer From Wildfire Framework could be addressed at this summer's Public Safety Expo. She expressed concern about dangerous driving on canyon roads, especially as summer approaches.

Commissioner Gibbs left the meeting at 5:24 p.m.

Vice Chair Stewart congratulated Lieutenant Fender for being named Acting Captain at the Malibu/Lost Hills Station. He stated the joint meeting was very successful in finding consensus so something could be done. He discussed the status of AM radio and FM Alerts to alert and advise. He suggested KBUU test the concept. He requested staff's assistance in getting the booster antenna installed at Bluffs Park. He stated the homeless count was enjoyable and informative. He agreed accident levels and speeding were a serious concern. He stated Chris Brossard would be hard to replace. He commended Fire Safety Liaison Etcheverry for the work he did. He encouraged everyone to attend Coffee with a Cop. He stated he attended the installation of the beacon box on Big Rock. He offered his assistance with finding locations for the remaining beacon boxes.

Chair Frost agreed that Chris Brossard had been a great asset to the City and would be missed. He discussed the increase in car clubs, racing, and speeding. He stated the fatal collision in Malibu Canyon last weekend was unnecessary and charges should be filed. He discussed trucks and tractor trailers driving through Malibu on Pacific Coast Highway (PCH) and Kanan Dume Road.

Commissioner Gibbs returned to the meeting at 5:42 p.m.

Chair Frost stated he hoped deputies assigned to the new Sheriff's substation would become known in the community.

Commissioner Gibbs discussed the fatal accident on Malibu Canyon. He stated the detour took him to Stunt Road where he saw numerous cars speeding through the area. He discussed numerous speeding vehicles on Rambla Pacifico the next day. He requested this be brought back for discussion at a future meeting.

#### CONSENSUS

By consensus, the Commission agreed to request that street racing and speeding be brought back for discussion at a future meeting.

Commissioner Gibbs asked if the City or Sheriff's Department had a heat map noting accident locations, fatalities, and details about those involved. Lieutenant Fender stated he would work with Lieutenant Watters to pull that data together.

#### ITEM 2 CONSENT CALENDAR

Item No. 2.B.1. was pulled by the public.

Commissioner Gibbs left the meeting at 5:52 p.m.

Ryan Embree stated Public Works Director DuBoux's discussion of a project by Moonshadows on page 5 of the minutes was not thorough enough. He suggested the project be described.

**MOTION** Chair Frost moved and Commissioner Anneet seconded a motion to continue Approval of Minutes – February 2, 2022 to the next meeting. The question was called, and the motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

None.

B. New Items

1. Approval of Minutes – February 2, 2022

Staff recommendation: Approve minutes of the Public Safety Commission Regular meeting of February 2, 2022.

#### ITEM 3 OLD BUSINESS

None.

#### ITEM 4 NEW BUSINESS

- A. 2022 Public Safety and Preparedness Expo  
Recommended Action: Receive and file report on the 2022 Public Safety and Preparedness Expo and provide feedback to staff.

Public Safety Specialist Kaplan presented the report. She requested Commissioners send her any vendor recommendations.

In response to Chair Frost, Public Safety Specialist Kaplan stated they were looking into having food trucks at the event.

- B. Temporary Day-Use Impound Yard  
Recommended Action: Discuss options and provide a recommendation to the City Council regarding a temporary day-use impound yard to be used during the summer and other peak visitor times.

Public Safety Manager Dueñas presented the report. She stated the Commission was asked to consider the Heathercliff site.

Bill Sampson stated he had mixed feelings about this. He suggested considering the turnout on Lunita Road. He stated it would be difficult to get to Heathercliff from Zuma Beach on busy summer days. He suggested using a location in mid-Malibu or the City Hall parking lot. He suggested contracting more tow companies.

Scott Dittrich suggested conducting a trial at Heathercliff to see how it worked. He discussed illegal parking due to a lack of parking spaces. He suggested charging for parking at shopping center lots on Cross Creek Road.

Ryan Embree stated Heathercliff should be considered as a temporary facility. He discussed the purchase of the Heathercliff property and the cost for using school district properties. He stated tow companies should pay all fees. He suggested the City Hall parking lot and the back lot at the Santa Monica College campus in construction be considered. He stated tow operators should attend meetings to request fee waivers.

John Mazza stated either a temporary use permit (TUP) or conditional use permit (CUP) would be required. He stated nearby residents might appeal the application. He stated the City Council previously banned full-time parking lots. He suggested discussing this with Planning staff. He asked if tow companies would go through Point Dume neighborhood streets. He stated the Planning Commission would discuss accessory dwelling units on Monday. He stated that might affect evacuations.

Jo Drummond suggested using the end of the Zuma parking lot. She agreed with Mr. Embree about charging rent and fees since tow companies were for-profit entities.

In response to Mr. Mazza, Public Safety Manager Dueñas stated she was working with the Planning Department to ensure TUP requirements were met. She stated Planning Director Mollica suggested this be publicly vetted. She stated no permit fees were being waived. She stated this was being pursued to support the Sheriff's Department.

Chair Frost stated tow truck companies paid an amount to the City per vehicle. He stated there was no ideal location in Malibu. He stated good weather days could result in 30 to 50 cars towed. He stated there were two companies serving Malibu.

Lieutenant Watters stated this was to eliminate a public safety hazard. He stated both tow companies were on board with a temporary site to avoid having to leave the City. He stated the Heathercliff site was the closest and safest location identified. He stated 30 to 45 minutes would be required of a deputy if there was no location in the City. He stated an in-City tow site reduced that to less than 15 minutes.

Chair Frost stated that, without a local temporary site, the deputy would also be pulled out of service while waiting for the tow truck to return.

In response to Commissioner Anneet, Public Safety Manager Dueñas stated the Bailard Road location was not considered an official use and would require Coastal Commission approval. Commissioner Anneet stated Cross Creek Road was an ongoing problem due to insufficient parking. She asked if there would be a second lot for tows in eastern Malibu. Chair Frost stated more than 80 percent of tows last year were in western Malibu.

Commissioner Anneet stated the Heathercliff location would be controversial. She thanked Lieutenant Watters for explaining why that location was best for public safety. In response to Commissioner Anneet, Lieutenant Watters explained how the tow trucks would exit the lot.

In response to Commissioner Anneet, Chair Frost discussed other locations that were considered. He stated the focus was on ingress and egress for the tow trucks. He confirmed tow trucks would not travel through Point Dume neighborhood streets unless responding to a call for a tow in those neighborhoods. He stated damaged cars would be taken straight to the tow company lots.

Commissioner Spiegel discussed the Commission's history of researching temporary tow sites. He stated Malibu High School was no longer viable due to

construction at the school, fees and restrictions imposed by the school district, and the beginning of the school year in August. He discussed safety concerns with the Bailard Road location. He expressed support for investigating a separate tow operation in eastern Malibu. He requested that be brought back to the Commission in the summer. In response to Mr. Embree, he confirmed Heathercliff was being considered only as a temporary facility. He stated if some fees needed to be waived to get the tow companies into Malibu, it was worth the cost. He stated the proximity of Heathercliff Road to Zuma Beach was beneficial to deputies. In response to Mr. Mazza, he agreed with Public Safety Manager Dueñas that a TUP amendment could be presented to the City Council. He stated Heathercliff was the least bad option.

Vice Chair Stewart stated he agreed with Commissioner Spiegel that Heathercliff was the least bad option. He stated Malibu Towing used to tow approximately 1,500 cars in the summer. He discussed illegal parking that required towing, such as parking in red zones and in front of driveways or fire hydrants. He stated Sheriff's Community Service Officers (CSO) or deputies were required to issue citations for a tow.

Commissioner Gibbs returned to the meeting at 6:40 p.m.

Commissioner Gibbs agreed with all the comments. He stated using the City's lot was a good use of currently unused City property.

MOTION Vice Chair Stewart moved, and Chair Frost seconded a motion to provide a recommendation to the City Council that it approve the use of the City's property at Pacific Coast Highway and Heathercliff Road as a temporary, day-use impound yard to be used during the summer and other peak visitor times of 2022. The question was called, and the motion carried 4-1, Commissioner Anneet dissenting.

In response to Vice Chair Stewart, Commissioner Anneet stated her concern was that the Heathercliff lot might be considered for use as a tow lot into the future. She stated an ongoing solution needed to be determined.

Commissioner Gibbs agreed with Commissioner Anneet. He stated determining the use of the City's undeveloped properties was important. He stated a more permanent solution should not be delayed simply because a temporary site was identified for this year.

Commissioner Spiegel requested an item be brought back in the summer to form an ad hoc committee to explore more permanent tow lot solutions for both western and eastern Malibu.

Vice Chair Stewart stated it was the Commission's responsibility to continue working on this issue for the future.

Public Safety Manager Dueñas stated she would bring the discussion back to the Commission in September. She stated Interim City Manager McClary agreed that a more permanent site needed to be identified. She stated the amendment to the TUP ordinance would first be taken to the Planning Commission before this recommendation would go to the City Council.

C. Public Safety Agency Activity

Recommended Action: Discuss recent Public Safety Agency activities and receive and file activity reports from the County of Los Angeles Sheriff's Department, Fire Department, and Lifeguard Division.

Chair Frost introduced and welcomed Lieutenant Fender.

Lieutenant Fender discussed his experience at the Lost Hills Station. He stated Lieutenant Watters was an excellent replacement as the Detective Lieutenant. He expressed appreciation for the Malibu community's involvement in the City. He stated racing and speeding in the canyons was brought up by Interim City Manager McClary at this morning's COG meeting. He discussed funding found to beef up enforcement on speeding and racing. He stated he wanted to make a significant impact on safety issues facing Malibu.

Lieutenant Watters stated he was investigating grants and programs at other stations to address street racing. He discussed challenges in the canyons due to multiple agency jurisdictions. He discussed a recent operation where individuals were arranging on social media to meet in Malibu. He discussed citations issued to several of those individuals. He discussed statistics for January. He stated seven motorhomes and one trailer were towed in the past two weeks.

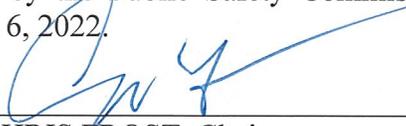
Ryan Embree stated the Sheriff's report should not be approved due to many mistakes. He suggested it be continued to next month to allow for corrections.

Scott Dittrich discussed the lack of California Highway Patrol (CHP) on PCH. He stated the Sheriff's Department had an impossible task enforcing PCH and the canyons.

## ADJOURNMENT

MOTION At 7:19 p.m., Chair Frost moved and Commissioner Anneet seconded a motion to adjourn in memory and support of the people of Ukraine. The question was called, and the motion carried 4-0, Commissioner Gibbs absent.

Approved and adopted by the Public Safety Commission of the  
City of Malibu on April 6, 2022.

  
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CHRIS FROST, Chair

ATTEST:

  
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MARY LINDEN, Executive Assistant