

MINUTES
MALIBU CITY COUNCIL
SPECIAL MEETING
MARCH 12, 2020
COUNCIL CHAMBERS
6:00 P.M.

MEETING CALL TO ORDER

Mayor Farrer called the meeting to order at 6:00 p.m.

ROLL CALL

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

PRESENT: Mayor Karen Farrer; Mayor Pro Tem Mikke Pierson; and Councilmembers Rick Mullen; Skylar Peak; and Jefferson Wagner

ALSO PRESENT: Christi Hogin, City Attorney; Reva Feldman, City Manager; Lisa Soghor, Assistant City Manager; John Natalizio, Deputy City Attorney; Alicia Tang, Graphic Artist; Kelsey Pettijohn, Deputy City Clerk; and Kathleen Stecko, Administrative Assistant

PLEDGE OF ALLEGIANCE

Doug Stewart led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Councilmember Mullen moved and Councilmember Peak seconded a motion to approve the agenda. The motion carried unanimously.

REPORT ON POSTING OF AGENDA

Deputy City Clerk Pettijohn reported that the agenda for the meeting was properly posted on March 10, 2020.

ITEM 1 ORDINANCES AND PUBLIC HEARINGS

A. Third Public Hearing to Consider Composition of Districts and Proposed Draft Maps for Potential By-District Elections

Recommended Action: 1) Conduct the third public hearing to receive and consider input from the public regarding the composition of potential City Council districts and sequencing of elections; and 2) Provide direction and guidance to staff and demographer regarding further drafting and composition of draft maps.

City Attorney Hogin discussed the coronavirus (COVID-19) outbreak. She announced the Special meeting scheduled for March 13, 2020 had been cancelled. She encouraged the public to practice social distancing and wash their hands regularly. She stated the video of the demographer's presentation would be

available online and public comment could be submitted by email.

City Attorney Hogin and Contract Demographer David Ely presented the staff report. Contract Demographer Ely stated revised draft maps for the April 2, 2020 public hearing would be published on March 26, 2020. He stated public comments need to be received by March 19, 2020 to be considered for the revised draft maps scheduled to be published March 26, 2020. He discussed how the draft maps were developed and the population distribution of the districts. He requested the public try to be specific in their suggestions on changes to the draft maps.

Lance Simmens expressed frustration that the City was considering switching to district elections while still recovering from the Woolsey Fire and in the middle of the COVID-19 outbreak. He stated there was not a history of racially polarized voting in the City. He stated the California Voting Rights Act (CVRA) was poorly written. He expressed concern the City would be sued for gerrymandering if it switched to district elections.

Hashi Clark deferred her time to Kraig Hill.

Kraig Hill stated the City of Malibu was not in violation of the CVRA. He recommended drafting maps for four or six districts with an elected Mayor. He stated all of the draft maps divided neighborhoods. He expressed concern draft maps three and four reflected gerrymandering. He stated all beach front properties had common interests. He recommended having one or two beach front districts.

Doug Stewart indicated support for at-large elections. He stated the CVRA was poorly drafted and the City may have to switch to district elections. He recommended the ballot measure to consider switching to district elections be non-binding so the next City Council could make the final decision.

Scott Dittrich stated there was no support in the community for district elections. He expressed concern the draft maps appeared to reflect gerrymandering. He stated it was impossible for the City to create a minority-majority district. He stated there was not discrimination based on race in the City. He stated beach front properties had common interests. He indicated opposition to switching to district elections.

City Manager Feldman stated all of City Hall was being disinfected multiple times a day.

John Mazza indicated opposition to draft maps two, three and four because they divided the Point Dume neighborhood. He discussed draft map one and suggested including the Paradise Cove Mobile Home Park in district four and including all of Ramirez Canyon in district two.

Norm Haynie stated Councilmembers represented all the residents and neighborhoods in the City. He indicated support for draft map one and Mr. Mazza's comments.

Paul Grisanti questioned if vacation homes were considered populated in the census. He questioned why no City had won a CVRA lawsuit yet. He indicated support for draft map one.

Graeme Clifford indicated support for draft map one. He stated many people in the public felt the City should not have to switch to district elections. He indicated support for Mr. Haynie's comments. He stated he felt he could talk to all of the Councilmembers about problems in the eastern end of the City. He indicated support for Mr. Mazza's recommended changes to draft map one.

Kevin Sherkman recommended relying on the City Attorney for legal advice regarding the CVRA. He stated the City was not being accused of racial discrimination. He stated he agreed with Mr. Mazza's comments regarding modifying draft map one.

City Attorney Hogin stated the Council could make comments on the draft maps at this meeting. She stated the decision to have a binding or advisory ballot measure would be discussed at a future meeting.

Councilmember Mullen thanked Contract Demographer Ely for his work. He thanked the public speakers for their comments.

Councilmember Wagner thanked the public speakers for their comments. He thanked Mr. Hill for his comments and correspondence. He expressed interest in focusing on draft map one.

Councilmember Peak indicated support for draft map two. He stated it was important each district include beachfront and mountain properties.

Mayor Pro Tem Pierson thanked the public speakers for their comments. He encouraged people to submit written comments. He indicated opposition to dividing the Point Dume neighborhood. He indicated support for draft map one and Mr. Mazza's comments. He indicated opposition to including both mobile home parks in one district. He suggested moving the western boundary of dDistrict four slightly east so it would have more central Malibu neighborhoods.

In response to Mayor Farrer, City Attorney Hogin stated the law required district maps be reevaluated after each census.

Mayor Farrer indicated support for draft map one. She stated public comments need to be received by March 19, 2020 to be considered for the revised draft maps scheduled to be published on March 26, 2020. She requested the public submit specific comments.

City Attorney Hogin stated the March 13, 2020 City Council meeting had been cancelled in response to the COVID-19 outbreak.

Councilmember Mullen stated it was important to include beachfront and mountain properties in each district. He stated there were many issues that could bring neighborhoods together. He indicated support for considering draft map two. He encouraged the public to submit correspondence by March 19, 2020.

Mayor Pro Tem Pierson expressed concern maps created based on census data after the Woolsey Fire would not reflect the City's actual population once rebuilding was complete.

In response to Mayor Pro Tem Pierson, City Attorney Hogin stated where you are registered to vote is where you intend to vote and that was not changed by a temporary displacement under the California Elections Code. She stated the demographics of the City had changed over the years and it was important to revisit districts regularly to keep up with changing demographics.

Mayor Pro Tem Pierson expressed concern many people may not be rebuilding after the Woolsey Fire.

Mayor Farrer stated she was not sure draft map two was the best option. She stated properties with homes destroyed by the Woolsey Fire were still zoned residential and would have homes again someday.

Councilmember Wagner discussed the importance of transparency. He stated the Council decided it was important for the voters to have input on the form of governance. He encouraged the public to submit written correspondence.

ADJOURNMENT

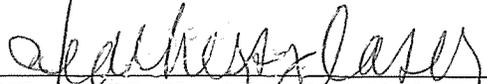
MOTION At 7:14 p.m., Mayor Pro Tem Pierson moved and Councilmember Mullen seconded a motion to adjourn the meeting in memory of William Poole. The motion carried unanimously.

Approved and adopted by the City Council of the
City of Malibu on April 13, 2020.



KAREN FARRER, Mayor

ATTEST:



HEATHER GLASER, City Clerk
(seal)