

MINUTES
MALIBU PUBLIC SAFETY COMMISSION
REGULAR MEETING
JUNE 2, 2021
TELECONFERENCED – VARIOUS LOCATIONS
5:00 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.

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, Keegan Gibbs, and Joshua Spiegel; and Ex Officio Member Brent Woodworth

ALSO PRESENT: Susan Dueñas, Public Safety Manager; Rob DuBoux, Public Works Director; Chris Brossard, Fire Safety Liaison; Brandie Ayala, Senior Administrative Assistant; Parker Davis, Media Technician; Deputy Michael Cerveny, Los Angeles County Sheriff’s Department; and Mary Linden, Executive Assistant

PLEDGE OF ALLEGIANCE

Vice Chair Stewart led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Vice Chair Stewart 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 May 27, 2021.

ITEM 1.A. PUBLIC COMMENTS

None.

ITEM 1.B. STAFF UPDATES

Public Safety Manager Dueñas announced the City was awarded a \$324,000 grant from the Santa Monica Mountains Conservancy for a project to remove hazardous

trees. She stated City staff were working with the City's disaster notification system to allow people to sign up to receive alerts in Spanish. She stated training will be offered in partnership with the Malibu Labor Exchange and Malibu Foundation. She stated the annual multi-agency exercise will be held in August. She stated Assistant Fire Chief Drew Smith would like the exercise to include use of evacuation zones and the evacuation site at Zuma Beach.

Public Works Director DuBoux discussed street vendor program and permit process. He stated the City established a limit of three vendors currently permitted to sell at Trancas Canyon. He stated it was working well with the three vendors working closely together. He stated other non-permitted vendors were observed throughout City. He stated staff were working with the Sheriff's Department and Volunteers on Patrol (VOP) on a procedure for enforcement of the street vending ordinance. He stated a flyer was developed listing the permit requirements and consequences of unpermitted vending on PCH.

Fire Safety Liaison Brossard stated he had been touring the City with a map to determine locations for chipper days and placement of roll-off dumpsters. He stated he was also checking out trees requested by homeowners for removal.

ITEM 1.C. COMMISSIONER COMMENTS

Ex Officio Member Woodworth stated he was enthusiastic about the multiagency exercise in August and hoped to be able to participate.

Commissioner Gibbs asked for an update on home ignition zone assessments. Fire Safety Liaison Brossard stated assessments were steady with approximately two to three each Tuesday and Thursday. He stated homeowners were receiving feedback well. He noted there was a sharp upswing in requests after the Palisades Fire and each time it was promoted on social media.

Commissioner Spiegel requested an update on the Trancas Canyon signal. Public Works Director DuBoux stated he was reaching out this week regarding options. In response to Commissioner Spiegel, Public Safety Manager Dueñas stated she was informed that LexisNexis would be free to the City. She stated an agreement would go to Council in June.

Chair Frost thanked Commissioner Spiegel and Public Safety Manager Dueñas for staying on top of LexisNexis issue. Commissioner Gibbs thanked Commissioner Spiegel for pushing for that service even before being appointed to the Commission.

Commissioner Anneet stated she observed Sierra Towing operations on Memorial Day weekend, which went smoothly. She said the weekend was not as busy as expected due to milder weather. She stated towing operations may have impacted street vendors. Public Works Director DuBoux stated he would work with the

permitted vendors. She discussed incidents at Zuma Beach over the weekend. She stated there was a good public safety response from the Beach Team. She expressed appreciation for the Beach Team in what would probably be a very busy summer.

Vice Chair Stewart thanked Commissioner Spiegel for his work on LexisNexis. He commended Chair Frost for his dedicated service. Vice Chair Stewart requested updates on the Flock cameras and indoor warning system.

Public Safety Manager Dueñas stated Flock cameras were going to the City Council in July. She stated she was reviewing the siren consultant's draft report and a presentation would be scheduled for an upcoming Commission meeting. In response to Vice Chair Stewart, Public Safety Manager Dueñas stated she would work with Fire Safety Liaison Brossard on obtaining letters of agency needed from certain property owners. In response to Vice Chair Stewart, Public Safety Manager Dueñas stated signs for evacuation zones were on hold until directed by the City Council.

CONSENSUS

By consensus, the Commission requested discussion of evacuation zone signs on PCH be placed on an upcoming agenda.

Vice Chair Stewart requested an update on fire front following. Fire Safety Liaison Brossard stated they were moving forward and another meeting was scheduled on Friday. In response to Fire Safety Liaison Brossard, Commissioner Gibbs stated the name was being changed to Community Brigades. He stated it needed a few more sign-offs and training, all of which they hoped to complete by mid-September.

Vice Chair Stewart requested an update on alternating parking restrictions on PCH at the Trancas Canyon and Latigo Shore areas. Public Works Director DuBoux stated Planning was working on it, and he would follow up then report back.

Chair Frost stated the law enforcement presence over Memorial Day weekend was the best he had ever seen. He stated street vendors at Trancas had been notified of the temporary tow yard. He stated they did not seem to be impacted. He stated he handed out several street vendor flyers. He stated permits specified the location where the vendor could sell. He discussed how locked trash bins were being opened. He explained the bins were rummaged through and unwanted material was left on the ground. He thanked Ex Officio Member Woodworth and Commissioner Gibbs for their work on the fire brigades. He stated he met with the Fire Department union about the brigades. He discussed citations for alcohol on the beach. He suggested it be changed to a City infraction to minimize County court costs and bring the fines back to the City. He suggested the fine for oversized vehicles be increased to become more of a deterrent. He stated he observed generators and gas cans along the beach areas. He discussed his conversation with Senator Stern about the need to get homeless out of the brush areas. He stated he rode to Venice Beach

with Lieutenant Braden to better understand the homeless issues, and it was far worse there than he expected.

ITEM 2 CONSENT CALENDAR

MOTION Commissioner Gibbs moved and Commissioner Spiegel seconded a motion to approve the Consent Calendar. 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 – May 5, 2021

Staff recommendation: Approve minutes of the Public Safety Commission Regular meeting of May 5, 2021.

ITEM 3 OLD BUSINESS

A. Nuisance Abatement (Continued from April 7, 2021)

Recommended Action: 1) Receive a report on the City's Nuisance Abatement Code (Malibu Municipal Code (MMC) Chapter 8.28); 2) Discuss possible amendments to the Code; and 3) Provide a recommendation to the City Council on any amendment(s) to MMC Chapter 8.28, if appropriate.

Public Safety Manager Dueñas presented the report. She explained the Public Safety office needed to be able to abate immediately and legally obtain reimbursement for City costs. She stated she would work with the City Attorney's office for appropriate language based on the Commission's recommendation. She stated summary abatement required City Council authorization while other cities delegated that authority to the City Manager or its designee. She stated the City Manager should have authority when there was a safety threat on private property that needed to be immediately addressed. She stated the modifications to the ordinance would provide legal standing for the City to clean up and collect reimbursement when the property owner could not be contacted or refused to cooperate.

Fire Safety Liaison Brossard discussed a fire of suspicious origin last week on property between the Civic Center Water Treatment Facility and Pepperdine University. He stated that property appeared to have several encampments, remains from parties, evidence of campfires or barbecues, and drug paraphernalia. He discussed increased foot traffic along Tuna Canyon just north of the city limit.

Public Safety Manager Dueñas stated the encampment area described by Fire Safety Liaison Brossard was a perfect example of the need for an enhanced nuisance abatement ordinance.

Vice Chair Stewart agreed with the suggested amendments to the ordinance. He asked what the appeal process would include and what constituted an emergency. Public Safety Manager Dueñas stated the City Attorney would work out that language. She stated the Commission was asked to provide a recommendation on the spirit of the suggested amendments.

Vice Chair Stewart suggested a homeowner who disagreed should meet with the City Manager and one member of the City Council. Public Safety Manager Dueñas stated no other city involved the City Council for summary abatements. She stated if approved by Council, she would send letters to all owners of undeveloped properties of changes to the City's abatement rules. Vice Chair Stewart suggested a quick appeal process be considered. Public Safety Manager Dueñas stated that would be addressed by the City Attorney.

Vice Chair Stewart stated large open spaces on partially developed properties should be included. Public Safety Manager Dueñas confirmed it would apply to any private property.

Commissioner Anneet stated she agreed with empowering the City Manager to allow the City to take necessary immediate action to the full extent permissible due process. She stated it was not necessary to have a Councilmember involved if the Council empowered the City Manager to make the decision. She agreed the City Manager should have that authority.

Commissioner Gibbs agreed with Commissioner Anneet. He stated an immediate response was necessary for it to be a true abatement tool.

Chair Frost agreed with Commissioner Anneet.

Commissioner Spiegel stated every resident should have the opportunity to address the situation before the City took action.

MOTION Vice Chair Stewart moved and Commissioner Gibbs seconded a motion to provide a recommendation to the City Council to amend MMC Chapter 8.28: 1) to amend the definition of nuisance to include language that also identifies a nuisance as a condition that impacts adjacent properties and the welfare of the general population; 2) to delegate authority to the City Manager or his/her designee to implement a summary abatement. The question was called, and the motion carried unanimously.

ITEM 4 NEW BUSINESS

A. Pacific Coast Highway Safety Improvements Project – Las Flores Canyon Road and Rambla Pacifico Street

Recommended Action: 1) Receive presentation from Caltrans regarding a proposed safety improvement project on Pacific Coast Highway (PCH) at the intersections of Las Flores Canyon Road and Rambla Pacifico Street; and 2) Provide feedback to Caltrans representatives.

Public Works Superintendent Aladjadjian introduced himself and Osama Megalla, Caltrans District 7 Supervising Transportation Engineer. He stated Mr. Megalla would provide the presentation after which he, other Caltrans staff and City staff would be available to answer questions after the presentation.

Mr. Megalla thanked Public Works Director DuBoux, Public Works Superintendent Aladjadjian, and the Commission for the opportunity to make the presentation. He introduced himself and members of the project team, including Abdi Saghafi, Traffic Operations, Amir Elsharief, Traffic Design, Oswald Elizondo, Electrical Design, Anh Ngyuen, Civil Design, and Ohannes Anserlian, Electrical Engineer.

Mr. Megalla provided a presentation about the project. He stated funding was provided through the State Highway Operation and Protection Program (SHOPP), a statewide fund for projects where the project cost was lower than the benefit it provided. He stated construction would begin in Fall 2022. He stated the City would participate by providing an Americans with Disabilities Act (ADA) curb ramp at the intersections. He stated another SHOPP project in 2024 would rehabilitate the Las Flores Creek Bridge to include further safety improvements.

Ex Officio Member Woodworth stated many accidents occurred when northbound motorists on PCH ran through red lights. He discussed confusion when customers exiting Duke's without signaling in which direction they were turning. He asked if motorists could still turn left into the gas station after the left turn lane was removed.

Mr. Saghafi stated plastic channelizers could be installed to prevent illegal left turns. He stated Caltrans could not always prevent illegal turns but would do what it could to discourage illegal turns. In response to Ex Officio Member Woodworth, Mr. Saghafi stated either channelizers or double-double yellow lines should reduce illegal turns. Ex Officio Member Woodworth asked if the project had been discussed with the owners of the gas station. He questioned where the nearest location was for a U-turn from northbound PCH. Mr. Saghafi stated the gas station owner had been notified. He stated he was unsure of the earliest legal U-turn location.

Ex Officio Member Woodworth expressed concern about illegal turns into the gas station. He expressed support for the project to expand the Las Flores Creek Bridge. He discussed flooding and debris flow following past storms. Mr. Saghafi stated the bridge was identified as historic and was in need of upgrades.

Chair Frost stated the first legal U-turn on northbound PCH was in a residential area past Carbon Canyon. In response to Chair Frost, Mr. Saghafi confirmed left turns from Rambla Pacifico Street onto PCH would be allowed. Anh Win confirmed that the channelizers could be installed to prevent illegal left turns from PCH but still allow the left turn from Rambla Pacifico Street.

Chair Frost stated prohibiting the left turn into the gas station and allowing turns from Rambla Pacifico Street could not both be accomplished.

Commissioner Gibbs displayed a photo of the intersections indicating problems that needed to be immediately remedied. He stated cars turning left from eastbound PCH onto Rambla Pacifico Street triggered a red light only on westbound lanes leaving westbound traffic at risk of a collision if turning into the gas station. He stated even the elimination of the left turn lane would not stop people from making that turn.

Ex Officio Member Woodworth agreed with Commissioner Gibbs. He stated the best solution would be to indicate the earliest location to make a legal U-turn. He discussed impacts to businesses on the north side of PCH at Rambla Pacifico Street.

Chair Frost agreed with Commissioner Gibbs and Ex Officio Member Woodworth. He stated the timing of the signals should be adjusted.

Commissioner Gibbs requested someone from Caltrans meet him at the site to demonstrate the problem. Mr. Saghafi discussed similar situations in other locations. In response to Commissioner Gibbs, he stated Caltrans staff could meet with him at the location. In response to Mr. Saghafi, Commissioner Gibbs confirmed that was the only intersection with that particular problem.

Chair Frost stated all developments approved on a State highway required Caltrans approval for ingress and egress. Mr. Saghafi agreed with Chair Frost that all such projects required intergovernmental review. Chair Frost suggested timing of the signals allow extra time between the Las Flores Canyon Road red signal and PCH green signals because vehicles often ran the red light.

Commissioner Gibbs suggested including an acceleration lane from the Duke's parking lot onto eastbound PCH.

Chair Frost agreed with Commissioner Gibbs. He suggested the project be vetted for additional safety enhancements.

In response to Commissioner Gibbs, Mr. Saghafi stated a coastal development permit (CDP) from the City was required for the Corral Canyon crosswalk, and a community meeting would be held before construction began after Labor Day.

Chair Frost asked if an overhead signal would be installed to advise drivers when they had the right of way to exit the gas station. Mr. Elizondo stated there would be a traffic signal for exiting the gas station.

Vice Chair Stewart displayed a photo of the intersections. He discussed the need for pedestrian safety enhancements, especially on the eastbound area by the bridge. Mr. Saghafi discussed challenges due to the limited width of the highway in the area. He discussed safety aspects considered by Caltrans in the approval process.

Public Works Director DuBoux stated an item would be placed on a future agenda to discuss further potential safety projects.

Vice Chair Stewart suggested new striping of crosswalks could increase safety. He thanked Caltrans for new frames around traffic signals that were helpful to individuals with color blindness.

Deputy Cerveney stated most crashes he responded to in the area involved vehicles entering or exiting Duke's.

Mr. Elizondo corrected an earlier statement. He stated signage would be installed advising motorists of a right turn only out of the gas station onto eastbound PCH.

Deputy Cerveney stated at least four deputies were required to provide traffic control when the signals malfunctioned.

In response to Chair Frost, Mr. Saghafi stated the signals would have battery backup. In response to Commissioner Gibbs, Public Safety Manager Dueñas stated the evacuation plan did not including using Duke's for overflow or safe refuge.

Public Works Superintendent Aladjadjian thanked the Caltrans representatives for attending and sharing this project information with the community.

B. 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.

Deputy Cerveney stated a crime upshift should be expected over the summer following last year's shutdown due to the pandemic. He discussed crime statistics over the past month. He stated he monitored the Sheriff's Department's Emergency

Operations Center during the Palisades Fire. He announced the Beach Team would be at full force beginning in July.

Chair Frost commended the efforts of the Crime Suppression car deputies. He stated they enforced activities during the night that were previously unknown. Deputy Cervený stated the community was valuable in reporting crime.

Commissioner Anneet discussed observing someone picking up trash in the Broad Beach area in early morning hours. She stated it seemed unusual and wondered if it the person might be casing homes. Deputy Cervený stated residents can report anyone suspicious to the Sheriff's station to request a deputy come to the area. He stated a drive-through could be a deterrent to potential criminal activity.

Commissioner Anneet requested Deputy Cervený provide general tips that could be included in a public safety newsletter. Deputy Cervený agreed that would be helpful to the community.

Chair Frost stated the west end of Malibu currently had better coverage than ever. He stated the increased presence was resulting in preventing crime before it started.

Commissioner Anneet commended the Sheriff's Department for proactively protecting residents.

Vice Chair Stewart thanked Deputy Cervený for attending. He asked for updates on three rapes in April and a homicide in May. Deputy Cervený explained how those types of crimes were processed. He stated those investigations were protected and could not be discussed. In response to Vice Chair Stewart, Deputy Cervený stated the investigation bureaus would advise the station of any perceived patterns.

C. Fiscal Year 2021-2022 Public Safety Commission Assignments

Recommended Action: Receive and file Fiscal Year 2021-2022 Public Safety Commission Assignments approved by the City Council on May 24, 2021.

Commissioner Anneet stated she volunteered to work with Public Safety Manager Dueñas on the Public Safety Expo and offered to help with the newsletter.

In response to Chair Frost, Vice Chair Stewart stated he was happy to have Commissioner Anneet work on the newsletter.

Executive Assistant Linden presented the report. She stated that only approved assignments would be added to agendas. She explained the City's Work Plan and that the Council had agreed not to add new items to the Work Plan.

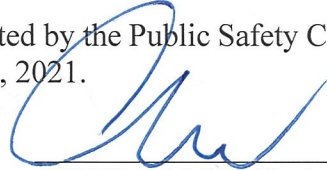
In response to Chair Frost, Executive Assistant Linden stated additions to the assignments list had to be approved by the City Council. She suggested

Commissioners discuss potential additions with their appointing Councilmembers, who could bring the item to Council.

ADJOURNMENT

MOTION At 7:30 p.m., Chair Frost moved and Commissioner Gibbs seconded a motion to adjourn the meeting. The question was called, and the motion carried unanimously.

Approved and adopted by the Public Safety Commission of the City of Malibu on July 7, 2021.



CHRIS FROST, Chair

ATTEST:



MARY LINDEN, Executive Assistant