Malibu City Council
Amended[1] Quarterly Review Agenda

Wednesday, October 28, 2009

6:00 P.M. – City Council Quarterly Review Meeting
City Hall, Council Chambers
23815 Stuart Ranch Road

Six p.m. **Regular Session**

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – October 22, 2009; *Amended Agenda posted October 27, 2009*

Public Comments

Council Comments

1. New Business

A. First Quarter Fiscal Year 2009-2010 Work Program Status Reports

1. Environmental and Community Development Department
2. Parks and Recreation Department
3. Public Works/Engineering Department and Capital Improvement Projects Status Report
4. City Attorney
5. City Clerk
6. Administrative Services Department
7. City Manager

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1 *See new Consent Calendar Item No. 2.B.2.*
See new Councilmember Item No. 3.A.

B. Recommendation from the Public Safety Commission to require Seismic Automatic Gas Shut-Off Valves

Staff recommendation: Determine whether or not to direct staff to draft an ordinance amending the Municipal Code to require seismic automatic gas shut-off valves.

Staff contact: Staff contact: Community Development Director Peterson, 456-2489 ext. 251

C. Fiscal Year (FY) 2008-2009 Year End Financial Report

Staff recommendation: Receive and file Fiscal Year 2008-2009 Year End Financial Report.

Staff contact: Administrative Services Director Feldman, 456-2489 ext. 224

D. Fiscal Year (FY) 2009-2010 First Quarter Financial Report

Staff recommendation: Receive and file FY 2009-2010 First Quarter Financial Report.

Staff contact: Administrative Services Director Feldman, 456-2489 ext. 224

2. Consent Calendar

A. Previously Discussed Items

None.

B. New Items

1. Amendment No. 2 to Agreement with Geosyntec Consultants

Staff recommendation: Authorize the City Manager to execute Amendment No. 2 to Agreement with Geosyntec Consultants to provide legal consulting services related to the Santa Monica Baykeeper/Natural Defense Resources Council (Baykeeper/NRDC) lawsuit and the Notice of Violation issued by the Los Angeles Regional Water Quality Control Board and allocate $80,000 from the General Fund Reserve to the City Attorney's Professional Services account (100-7005-5100).

Staff contact: City Manager Thorsen, 456-2489 ext. 226

2. *Community Reward*

Staff recommendation: 1) Adopt Resolution No. 09-63 establishing a $15,000 reward for information leading to the arrest and conviction of the person or persons responsible for the disappearance of Mitrice Richardson; and 2) Appropriate $15,000 from the General Fund Undesignated Reserve to Account No. 100-7001-6201 (City Council Community Rewards).

Staff contact: Administrative Services Director Feldman, 456-2489 ext. 224

3. Council Items

A. *Production of Music Video to Support Water Quality Programs (Councilmember Conley Ulich)*

Requested Action: At the request of Councilmember Conley Ulich, consider authorizing the professional production of an audio and video recording of a song intended to generate revenues for the City's water quality programs.

Staff contact: City Manager Thorsen, 456-2489 ext. 226

Adjournment

Future Meetings

Mon., November 9, 2009	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers
Mon., November 23, 2009	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers
Mon., December 14, 2009	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers

Guide to the City Council Proceedings

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 this section 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 on these non agenda items, the Council and staff will follow up, at an appropriate time, on those items needing response. Each speaker is limited to (3) three minutes. Time may be surrendered by deferring (1) one minute to another speaker, on the same item, not to exceed a total of (8) eight minutes. The speaker wishing to defer time must be present when the item is heard. In order to be recognized and present an item, each speaker must complete and submit to the Recording Secretary a Request to Speak form prior to the beginning of the item being announced by the Mayor (forms are available on the counter in the hallway outside the Council Chambers). Speakers are taken in the order slips are submitted.

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 and will be considered individually. 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. Public speakers are limited to (3) three minutes each. If a speaker slip is submitted late the speaker's time will be limited to (2) minutes. If more than 10 speaker slips are submitted each speaker's time will be limited to (2) two minutes each.

Items set for Public Hearing will begin at 6:30 p.m., or as soon thereafter as possible, but in no event later than 7:30 p.m. 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 be limited to (3) three minutes per person and follow the rules as set forth under Oral Communication.

Items in Old Business are items which have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment on any item is permitted under the public comment rules. Speakers should address whether they are supportive or opposed to either the recommended action or the motion before the City Council for decision.

Items in New Business are items which are appearing for the first time for formal action. Public comment on any item is permitted under the public comment rules. Speakers should address whether they are supportive or opposed to either the recommended action or the motion before the City Council for decision.

City Council Items are items which individual members of the City Council may bring up in terms of reporting to other members of the City Council, to propose future agenda items or to suggest future staff assignments. Items discussed under City Council Items follow the same rules as set forth under Oral Communications in terms of the actions the City Council may take on any item brought up under this portion of the agenda. Each Councilmember's oral item presentations are limited to four minutes. 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 on City of Malibu Government Access Channel 3 and on the City's website at www.ci.malibu.ca.us. Repeat broadcasts on Channel 3 occur at 8:00 a.m. and 8:00 p.m. Monday, Wednesday and Friday, at 8:00 p.m. Tuesday and Thursday, and at 2:00 p.m. on Saturday and Sunday. Video archives remain on the City's website for two years.

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, Malibu City Hall, 23815 Stuart Ranch Road, Malibu, California and are available for public inspection during regular office hours which are 8:00 a.m. to 5:00 p.m., Monday through Thursday and 8:00 a.m. to 4:30 p.m., Friday. Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 23815 Stuart Ranch Road, Malibu, California (Government Code Section 54957.5(b)(2). Copies of staff reports and written materials may be purchased for $0.25 per page. Pursuant to State law, this agenda was posted at least 72 hours prior to the meeting.

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 Community Development Director Victor Peterson, (310) 456-2489, ext. 251. 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]. Requests for use of audio or video equipment during a Council meeting should be directed to Jena Chanel at (310) 456-2489 ext. 278 or jchanel@ci.malibu.ca.us at least 48 hours prior to the meeting.

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. Dated this 27th day of October 2009.

Lisa Pope

Lisa Pope, City Clerk