



**LAS VIRGENES - MALIBU
COUNCIL OF GOVERNMENTS
GOVERNING BOARD MEETING**

Tuesday, January 17, 2023, 8:30 AM

MEETING INFORMATION AND ACCOMMODATION

This meeting will take place remotely in accordance with Government Code section 54953(e) *et seq.* (AB 361) and Resolution 21-01, adopted by the Las Virgenes-Malibu Council of Governments Governing Board (COG Governing Board) on October 19, 2021.

To follow the provisions in AB 361 and ensure the safety of the COG Governing Board, staff and the public for the purpose of limiting the risk of COVID-19, in-person public participation at the meeting will not be allowed. To allow for public participation, the COG Governing Board will conduct its meeting through Zoom Video Communications. Members of the public can observe and participate in the meeting. To observe the meeting, download Zoom on any phone, tablet, or computer device and enter the following meeting link:

<https://us02web.zoom.us/j/88609752522?pwd=SDVoYWVhUk1hRTdJtTzFUSkU1UjQ2UT09>

Meeting ID: 886 0975 2522 • Passcode: 985031

A public agenda packet is available on the COG's website lvmcog.org. Members of the Public who wish to comment on matters before the Governing Board have two options: 1. Make comments limited to three minutes during the Public Comment Period, or 2. Submit an email with their written comments limited to 1,000 characters to terry@lvmcog.org no later than 12:00 p.m. on Monday, January 16, 2023. The email address will remain open during the meeting for providing public comment during the meeting. Emails received during the meeting will be read out loud at the appropriate time during the meeting provided they are received before the Board takes action on an item (or can be read during general public comment). For any questions regarding the virtual meeting, please contact terry@lvmcog.org.

AGENDA

1. CALL TO ORDER AND WELCOME NEW GOVERNING BOARD MEMBERS

Governing Board Roll Call:

Eniko Gold, Hidden Hills, Vice President
Paul Grisanti, Malibu
Kelly Honig, Westlake Village
Penny Sylvester, Agoura Hills
Alicia Weintraub, Calabasas

2. APPROVAL OF THE AGENDA

3. PUBLIC COMMENT PERIOD

Public comments are limited to three minutes per speaker. Pursuant to California Government Code Section 54954.2, the Governing Board is prohibited from discussing or taking immediate action on any item not on the agenda unless it can be demonstrated that the item is of an emergency nature, or the need to take action arose subsequent to the posting of the agenda.

4. ELECTION OF OFFICERS

The COG's Amended and Restated Joint Powers Agreement was approved by the Governing Board and subsequently confirmed by all of the member cities, in 2019. The Amended and Restated JPA states a Governing Board Representative shall be elected annually to the position of President and Vice President at the first regular meeting of the Governing Board held in January of each calendar year. The terms of office of the President and Vice President shall commence immediately following the elections and expire immediately following the elections which are conducted at the first regular meeting of the Governing Board held in January of the following calendar year. The City of Agoura Hills continues to serve as the COG Treasurer.

- Nominations for President
- Nominations for Vice President

5. CONSENT CALENDAR

Consent Calendar items will be approved in one motion unless removed for separate discussion or action.

- A. November 15, 2022 Draft Minutes – Attachment (page 4-5)
- B. January 2023 Financial Statement – Attachment (page 6-7)
- C. AB 361 Findings to Continue Teleconference Meetings (page 8-9)

Recommended Action: Approve Consent Calendar

6. INFORMATION ITEMS

- A. Executive Director's Report – Attachment (page 10-11)
- B. City Reports on Covid: Agoura Hills, Calabasas, Hidden Hills, Malibu and Westlake Village

7. PUBLIC SAFETY, LEGISLATIVE AND AGENCY PARTNER UPDATES

- A. Los Angeles County Sheriff's Department
- B. Los Angeles County Fire Department
- C. League of Cities
- D. Updates from Legislative Staff and Agency Partners (page 12-14)

8. DISCUSSION OF COG PRIORITIES

The Governing Board will discuss COG priorities and otherwise provide direction to staff. – Attachment (page 15)

9. GENERAL COMMENTS AND REQUEST FOR FUTURE AGENDA ITEM

10. FUTURE MEETING DATES

- Technical Advisory Committee: February 1, 2023, 8:30 AM
- Governing Board: February 21, 2023, 8:30 AM

11. ADJOURNMENT

**Draft Minutes
Governing Board Meeting
VIRTUAL MEETING - VARIOUS LOCATIONS
November 15, 2022**

The Governing Board conducted the virtual meeting, via Zoom, and in accordance with California Governor Newsom's Executive Orders N-20-20 and N-35-20 and COVID-19 pandemic protocols.

1 – Call to Order: President Karen Farrer called the meeting to order at 8:30 AM.

Roll Call of Governing Board members/alternates present:

Karen Farrer, Malibu, President
Eniko Gold, Hidden Hills, Vice President
Chris Anstead, Alternate, Agoura Hills
Kelly Honig, Westlake Village
Alicia Weintraub, Calabasas

The following non-voting Governing Board Alternate members participated in the meeting:

Ray Pearl, Westlake Village
Denis Weber, Agoura Hills

2 – Approval of Agenda:

ACTION: Kelly Honig moved to approve the Agenda. Chris Anstead seconded. The Motion carried 5-0, by the following roll call vote:

AYES: President Farrer, Vice President Gold and Governing Board members, Anstead, Honig, and Weintraub.

NOES: None.

3 – Public Comment Period: The Executive Director stated that he had not received any electronic public comments and no one participating in the meeting offered public comments.

4 – Consent Calendar:

ACTION: Alicia Weintraub moved to approve the Consent Calendar. Chris Anstead seconded. The Motion carried 5-0, by the following roll call vote:

AYES: President Farrer, Vice President Gold and Governing Board members, Anstead, Honig, and Weintraub.

NOES: None.

5.A – Executive Director’s Report: The Executive Director highlighted his report. No action was taken by the Governing Board.

5.B – City Reports on Covid 19: The city managers and Governing Board provided an update from their respective cities. No action was taken by the Governing Board.

6.A – Los Angeles County Sheriff’s Department: Captain Seetoo provided an update from the Lost Hills/Malibu Station.

6.B – Los Angeles County Fire Department: Chief Smith and Megan Currier provided an update from County Fire.

6.C – Cal Cities: Jeff Kiernan provided a legislative update.

6.D – Updates from Area Legislators and Agencies: Aurelia Freidman, Congressman Lieu and Rachel Wagner, SCAG, each provided an update.

7.A – Homeless Grant Funding: The Executive Director provided an overview of the recommendation to allocate \$86,400 in County Homeless Grant Funds to The People Concern to reserve three shelter beds for people experiencing homelessness, in Malibu.

ACTION: President Farrer moved to approve the recommendation to allocate \$86,400 in County Homeless Grant Funds to The People Concern to reserve three shelter beds for people experiencing homelessness, in Malibu. Alicia Weintraub seconded. The Motion carried 5-0, by the following roll call vote:

AYES: President Farrer, Vice President Gold and Governing Board members, Anstead, Honig, and Weintraub.

NOES: None.

7.B – Returning to In-Person Meetings: There was a consensus to continue meeting remotely until further action is taken by the Governing Board.

8. – Comments and Request for Future Agenda Items: The Executive Director thanked retiring Governing Board members Karen Farrer, Stuart Siegel and Denis Weber for their leadership and service on the COG. The other Governing Board members also expressed their appreciation.

9. – Future Meeting Dates: President Farrer noted the TAC and Governing Board meeting dates for January 2023.

10. – Adjournment: President Farrer adjourned the meeting at 9:25 AM.

Respectfully submitted,

Terry Dipple
Executive Director

***Agenda Item 5.B
(Consent Calendar)***

Governing Board Agenda Report

DATE: January 17, 2023
TO: Governing Board Delegates and Alternates
FROM: Terry Dipple, Executive Director
SUBJECT: AB 361 Findings to Continue Teleconference Meetings

OVERVIEW

This report addresses the AB 361 (2021) findings that again must be made for the Governing Board to continue to be able to conduct teleconference meetings pursuant to special Brown Act requirements.

RECOMMENDATION

It is recommended that the Governing Board again make the AB 361 findings so that the COG will continue to have greater flexibility to conduct teleconference meetings during the COVID-19 state of emergency.

BACKGROUND

On March 4, 2020, Governor Newsom proclaimed a state of emergency to exist in California due to the spread of COVID-19. The Governor subsequently issued numerous executive orders suspending or modifying state laws to facilitate the response to the emergency. Among other things, these executive orders superseded certain Brown Act requirements and established special rules to give local public agencies greater flexibility to conduct teleconference meetings. The special rules included provisions allowing local public agencies to conduct teleconference meetings without having to provide a physical location from which the public may attend or comment, without having to use teleconference locations that are publicly accessible, and without having to identify teleconference locations on the agenda. Those special rules expired on September 30, 2021.

On September 16, 2021, in anticipation of the then-imminent expiration of his special rules for teleconference meetings, the Governor signed AB 361. In key part, this bill amended the Brown Act to establish special requirements for teleconference meetings if a legislative body of a local public agency makes two findings pursuant to Government Code Section 54953(e)(3). Like the special rules in the Governor's executive orders, the special Brown Act requirements in AB 361 include provisions allowing public agencies to conduct teleconference meetings without having to provide a physical location from which the public may attend or comment, without having to use teleconference locations that are publicly accessible, and without having to identify teleconference locations on the

agenda. The AB 361 special Brown Act requirements are scheduled be repealed on January 1, 2024.

In order for a local public agency to be subject to the AB 361 special Brown Act requirements for teleconference meetings, a legislative body of a local public agency first must make a finding that it has “reconsidered” the circumstances of a declared state of emergency. Second, the legislative body must find that such emergency continues to directly impact the ability of the legislative body’s members to meet in person. Alternatively, for the second finding, the legislative body must find that state or local officials continue to impose or recommend social distancing measures. These findings must be made within 30 days after the legislative body teleconferences for the first time under AB 361 and every 30 days thereafter. The Governing Board last made these findings on November 2022.

FINDINGS

Governor Newsom is rolling back his COVID-19 Executive Orders in phases, but he has left his COVID-19 state of emergency declaration in effect. Furthermore, the State of California and the County of Los Angeles have recommended measures to promote social distancing. Thus, the California Division of Occupational Safety and Health still requires that employers provide training on the effectiveness of physical distancing in the workplace. Additionally, the Los Angeles County Department of Public Health continues to recommend that employers take steps to reduce indoor crowding and to enable employees and visitors to physically distance themselves from each other.

Governing Board Agenda Report

DATE: January 17, 2023
TO: Governing Board and Alternates
FROM: Terry Dipple, Executive Director
SUBJECT: Executive Director's Report

OVERVIEW

The purpose of this report is to update the Governing Board on the status of COG projects and other items of interest.

Homeless Count – The Los Angeles County Homeless Count is being held Tuesday, January 24, 2023, 6:00 PM – 10:00 PM, in Calabasas and Wednesday, January 25, 2023, 6:30 AM – 9:30 AM, in Malibu. Alicia, Gabriel and I have signed up as a team at the Calabasas location. Please let me know if you are interested in participating in the Homeless Count.

Supervisor Lindsey Horvath – Supervisor Horvath has agreed to participate in the COG's February 21, 2023 Governing Board meeting.

Senator Ben Allen – Senator Allen has agreed to participate in the COG's February 21, 2023 Governing Board meeting.

Assemblymember Jacqui Irwin – Assemblymember Irwin has agreed to participate in the COG's March 21, 2023 Governing Board meeting.

COG Highway Working Group – I continue to coordinate with Metro staff regarding the Measure R project list that was approved by the COG. It will be on the January 26, 2023 Metro Board agenda for approval. One other Measure R project will be scheduled for the February Board meeting along with the COG's Measure M project list, as previously approved by the Governing Board. In the next month or so, I call a meeting of the COG's Highway Working Group to discuss the Measure M 10th year allocation of \$13,574,070.

Metro Measure M Planning Funds – Metro provides the COG with funding for Measure M planning, which allows the COG to be reimbursed by Metro for my time spent on working with the cities on Measure M project planning. The allocation for the first five years was \$289,000. The funds are used by the COG to offset my contract. For example, the COG Budget includes \$55,000-60,000/year for the reimbursement. Metro recently amended our Funding Agreement to add the second 5-year allocation in the amount of \$326,021, which covers the current fiscal year through 26-27.

Sharing Cost of a Grant Writer with Las Virgenes Municipal Water District – Dave Pedersen reached out to me regarding the possibility of LVMWD and the COG contracting with a grant writing firm and sharing the cost. Madelyn Glickfeld, formerly of the LA Regional Water Quality Control Board and currently Co-chair of the North Santa Monica Bay Watershed Area Committee, has been monitoring grant opportunities (particularly water/stormwater related ones) for the North Santa Monica Bay Watershed. She has been exploring ideas to support the COG cities to take full advantage of grant opportunities that are available to us from various sources, including Measure W from the County of Los Angeles. The Governing Board may want to refer this to the TAC so the city managers can discuss the options and make a recommendation.

Homeless Grant Allocation – At the November 2022 COG meeting, the Governing Board approved an allocation of \$86,400 from the COG's Los Angeles County Homeless Grant funds to reserve the three beds at The People Concern shelter for unhoused individuals they are working with in Malibu. After discussing the matter with TPC, it was determined that the actual amount would be \$87,600. The COG expects to have the contract amendment finalized with the County by the end of the month.

Appoint Alternate Representative to the Santa Monica Bay Restoration Commission – Malibu Councilmember Steve Uhring is the COG current appointee to the SMBRC Governing Board. Mikke Pierson served as the COG's alternate representative and did not seek reelection to the Malibu City Council, last November. Traditionally, the COG appointee to the SMBRC has been a Malibu Councilmember. The COG is the authorized body to make the appointment.

In Person vs. Virtual Meetings – Effective March 1, 2023, most of the other LA County COGs are returning to in person meetings, with options for staff, board members and presenters to participate virtually.

California JPIA Outstanding Balance – I previously reported that the COG has a retrospective deposit liability of approximately \$33,000 with California Joint Powers Insurance Authority, which is a result of large claims against other agencies during the time the COG was a member. CJPIA was supposed to invoice the COG by year end and the city managers were planning to discuss repayment options. However, CJPIA has been delayed in obtaining some of the necessary data. I checked with them and they are working on the analysis and hope to have the final balance and invoices out within the next two weeks. I will report back after the city managers discuss the repayment options.

Local Agency Formation Commission Vacancy – The Local Agency Formation Commission for the County of Los Angeles (LAFCO) is conducting outreach to fill a Commission vacancy for an Alternate Public Member position. An application is available on the homepage of LAFCO's website (www.lalafco.org). The deadline to submit an application is 5:00 p.m. on Monday, March 13, 2023.

To: Las Virgenes-Maibu COG Governing Board and Executive Director
Subject: SCAG Update January 2023
From: Rachel Wagner, SCAG Senior Government Affairs Officer; wagner@scag.ca.gov

HIGHLIGHTS FROM THE JANUARY 5th SCAG REGIONAL COUNCIL MEETING

ACTION

REGIONAL COUNCIL APPROVES TWO NEW PROGRAMS TO FUND LOCAL EQUITY PLANNING

The Regional Council today approved two new programs that support local transportation and land use planning activities that provide direct benefit to under-resourced areas across the region.

The [Civic Engagement, Equity and Environmental Justice Call for Applications](#) will provide a total of \$5 million to support a wide range of eligible land use and transportation planning activities to close the racial equity gap. [This program](#) provides resources and direct technical assistance to local agencies and encourages co-applicant partnerships with community-based partners.

The Regional Council also approved the [2023 Go Human Community Hubs Program Guidelines](#) to provide resources to local community-based organizations to implement traffic safety strategies. SCAG anticipates opening the Call for Applications in February 2023 and will award approximately \$400,000 to organizations across the region.

ACTION

REGIONAL COUNCIL APPROVES RELEASE OF AMENDMENTS FOR CONNECT SOCAL 2020 AND THE 2023 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP)

In March 2022, SCAG staff began the development process for [Draft Connect SoCal 2020 Amendment #3](#) and [Draft 2023 FTIP Consistency Amendment #23-03](#) in response to changes from the County Transportation Commissions (CTCs) and to proactively reduce impacts of the regional conformity lockdown. The Regional Council today authorized the release of both amendments and the transportation conformity analysis of both amendments for public review and comment from Jan. 6 to Feb. 5, 2023, at 5 p.m. A public hearing will be held on Jan. 17, at 10 a.m., for more information, [click here](#).

Draft Connect SoCal 2020 Amendment #3 and 2023 FTIP Consistency Amendment #23-03 – Release for Public Review

Over the past several months, SCAG staff has worked in consultation and continuous communication with CTCs throughout the region to develop the Draft Connect SoCal 2020 Amendment #3 and 2023 FTIP Consistency Amendment #23-03. Modifications received from the CTCs are broadly categorized as new projects, existing projects that either have a revised description, revised schedule, and/or change in total cost, or projects removed from Connect SoCal 2020. Informed by these changes, SCAG staff has drafted content and assessed that these project modifications will not impact Connect SoCal 2020's ability to meet state and federal requirements.

Transportation Conformity Analysis of Draft Connect SoCal 2020 Amendment #3 and 2023 FTIP Amendment #23-03 – Release for Public Review

The transportation conformity analysis demonstrates that the Draft Connect SoCal 2020 Amendment #3

and 2023 FTIP Consistency Amendment #23-03 meet all federal transportation conformity requirements and is released as part of the Draft Amendments for public review.

TRANSPORTATION COMMITTEE

DRAFT DIGITAL ACTION PLAN RELEASED FOR 30-DAY PUBLIC REVIEW AND COMMENT

In February 2021, SCAG's Regional Council adopted a [resolution](#) pledging SCAG to assist in bridging the digital divide in underserved and unserved communities. Following approval at today's Transportation Committee, [SCAG's Draft Digital Action Plan](#) has been released for 30-day public review and comment from Jan. 5 to Feb. 3, 2023. After the comment period closes, staff will refine the language in the Digital Action Plan where applicable. The Final Digital Action Plan will be presented to the Transportation Committee and Regional Council on April 6, 2023, for approval and adoption. Comments and questions should be directed to Roland Ok, Planning Supervisor: ok@scag.ca.gov, 213-236-1819.

ENERGY AND ENVIRONMENT COMMITTEE

DRAFT REGIONAL ADVANCED MITIGATION PLANNING (RAMP) POLICY FRAMEWORK ADVANCES WITH REVISION

The Draft RAMP Policy Framework was unanimously accepted by the RAMP-ATG during its last meeting on Nov. 16. Today, SCAG's Energy and Environment Committee unanimously recommended the Regional Council approve the [RAMP Policy Framework](#) with minor changes to the policy, including adding a representative from the environmental community and clarifying that elected officials may serve as public agency representatives on Greenprint Tool Technical Advisory Committee. This item received broad support from the environmental and business communities and will go to the Regional Council in coming months.

NEWS FROM THE PRESIDENT

NEW VICE CHAIR OF THE LEGISLATIVE/COMMUNICATIONS & MEMBERSHIP COMMITTEE

Congratulations to Honorable Patricia Lock Dawson, Mayor of Riverside, for her appointment as Vice Chair of SCAG's Legislative/Communications & Membership Committee.

NEWS FROM THE EXECUTIVE DIRECTOR

10 SPOTS AVAILABLE FOR HOUSING SUPPORTIVE GRANT APPLICATION TECHNICAL ASSISTANCE

In addition to Permanent Local Housing Allocation application assistance, SCAG is offering technical assistance for jurisdictions and Tribal Governments to prepare and submit applications for housing-supportive funding.

Several grant funding availability notices are being made available by the California Department of Housing and Community Development and other public agencies. SCAG has expert assistance available on a rolling basis to help selected recipients prepare and submit applications for these funds and grants.

[Applications](#) for assistance are available on [SCAG's housing webpage](#) and can be submitted to SCAG until program funds are expended. For more information, email housing@scag.ca.gov.

2023 SUSTAINABILITY AWARDS CALL FOR NOMINATIONS

SCAG is now accepting nominations for the [2023 SCAG Sustainability Awards](#)! Each year, SCAG honors projects and plans that exemplify core principles of sustainability toward accomplishing the goals of the Connect SoCal regional plan.

The deadline to submit nominations is Jan. 10. [Click here](#) to learn more about this opportunity or to

submit a nomination.

The winners of the SCAG Sustainability Awards will be presented at the 2023 Regional Conference and General Assembly at the JW Marriott Resort & Spa in Palm Desert on May 4-5, 2023.

The full January Executive Director's Report is available here:

scag.ca.gov/edr-jan-23.

JANUARY

17th Public Hearing: Draft Connect SoCal Amendment #3 Including the Federal Transportation Improvement Program Consistency Amendment #23-03

17th Housing Working Group

17th Toolbox Tuesday: Curb Space Management Study

17th Legislative/Communications and Membership Committee

18th Next Generation Infrastructure Subcommittee

19th Racial Equity and Regional Planning Subcommittee

23rd Resilience and Conservation Subcommittee

24th Transportation Conformity Working Group

25th Modeling Task Force

30th Regional Transit Technical Advisory Committee

FEBRUARY

1st Executive Administration Committee

2nd Community, Economic and Human Development Committee

2nd Energy and Environment Committee

2nd Transportation Committee

2nd Regional Council

7th Aviation Technical Advisory Committee

16th Sustainable and Resilient Communities & Natural and Farm Lands Working Groups (Joint Meeting)

21st Legislative/Communications and Membership Committee

22nd Audit Committee

23rd Emerging Technologies Committee

28th Transportation Conformity Working Group

Governing Board Agenda Report

DATE: January 17, 2023
TO: Governing Board Delegates and Alternates
FROM: Terry Dipple, Executive Director
SUBJECT: COG Priorities and Goals

OVERVIEW

The purpose of this report is to provide the Governing Board with background on the COG's priorities. Ongoing priorities include the following: Infrastructure Funding for Cities (Metro Measure M and R funding), Homelessness, Emergency Preparedness, Environmental (Stormwater and Watershed Management) and engaging area legislators to participate in COG meetings.

RECOMMENDATION

It is recommended that the Governing Board review the current priorities and provide direction to staff on any new priorities or goals.

BACKGROUND

The COG priorities, as set by the Governing Board, have resulted in the following major accomplishments:

- Approval of the COG's first regional Measure M Project: Regional Smart Cities Fiber Network (Phase One includes all of the COG cities, except Malibu)
- Retained a Homeless Outreach Coordinator
- Allocated almost \$200 million in Measure R (passed in 2008) and Measure M (passed in 2016) funds to COG cities for various infrastructure improvements, including highways, pedestrian safety, bridge improvements and green streets projects.
- Prepared the COG's Hazard Mitigation Plan (which covered all five cities) and subsequent updates every five years. All completed with FEMA grant funding.
- Prepared Watershed Area Management Plan
- Endorsed Measure W, the Safe Clean Water initiative that was approved by LA County voters, which generates funding that is allocated for local and regional stormwater projects.
- Area legislators regular participation in COG meetings.

DISCUSSION OF NEW PRIORITIES

Identification of significant projects, programs or policies that the COG should consider.