

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/86154878213?pwd=ZkY5bnJ1ZTdDTVBHSU9idEZIUnINdz09

Meeting ID: 861 5487 8213 • Passcode: 674829

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, October 17, 2022. 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

Governing Board Members:

Karen Farrer, Malibu, President Eniko Gold, Hidden Hills, Vice President Chris Anstead, Agoura Hills Kelly Honig, Westlake Village 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. CONSENT CALENDAR

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

- A. September 20, 2022 Draft Meeting Notes Attachment (page 3-4)
- B. October 2022 Financial Statement Attachment (page 5-6)
- C. AB 361 Findings to Continue Teleconference Meetings (page 7-8)

Recommended Action: Approve Consent Calendar

5. INFORMATION ITEMS

- A. Executive Director's Report Attachment (page 9-10)
- B. Safe Clean Water Program Update Melina Watts, Watershed Coordinator, North Santa Monica Bay Watershed, will make the presentation
- C. City Reports on Covid: Agoura Hills, Calabasas, Hidden Hills, Malibu and Westlake Village

6. 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 11-14)

7. ACTION ITEMS

- A. Measure M 9th Year Project List Attachment (page 15-17) <u>Recommended Action</u>: That the Governing Board discuss and take such action as deemed appropriate, and otherwise provide direction to staff.
- B. Returning to In-Person/Hybrid Meetings <u>Recommended Action</u>: That the Governing Board discuss and take such action as deemed appropriate, and otherwise provide direction to staff.

8. GENERAL COMMENTS AND REQUEST FOR FUTURE AGENDA ITEM

9. FUTURE MEETING DATES

- Technical Advisory Committee: November 2, 2022, 8:30 AM
- Governing Board: November 15, 2022, 8:30 AM

10. ADJOURNMENT

Draft Meeting Notes Governing Board Meeting VIRTUAL MEETING - VARIOUS LOCATIONS September 20, 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: Vice President Eniko Gold called the meeting to order at 8:30 AM.

Roll Call of Governing Board members present:

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

The following Governing Board Alternate members participated in the meeting: Ray Pearl, Westlake Village Stuart Siegel, Hidden Hills Denis Weber, Agoura Hills

2 – Approval of Agenda:

ACTION:	Alicia	Weintraub	moved	to	approve	the	Agenda.	Kelly	Honig
	secon	ded. The Mo	otion cari	ried	4-0, by th	e fol	lowing roll	call vo	ote:

AYES: 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.

Senator Bob Hertzberg, candidate for the Los Angeles County Board of Supervisors, 3rd District, addressed the Governing Board. There were no other public comments.

4 – Consent Calendar:

- ACTION: Kelly Honig moved to approve the Consent Calendar. Chris Anstead seconded. The Motion carried 4-0, by the following roll call vote:
- AYES: Vice President Gold and Governing Board members, Anstead, Honig and Weintraub.
- NOES: None.

5.A. – Assemblymember Jacqui Irwin provided a legislative update and answered questions. No action was taken by the Governing Board.

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

5.C – Proposed COG Broadband Project: The Executive Director provided an overview of the broadband project and asked for direction on whether or not to include it in the COG's Measure M 9th Year Project List. The Governing Board referred it to the city managers for discussion at the Technical Advisory Committee.

5.D – 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: Tessa Charnofsky, District Director for Supervisor Kuehl; provided an update.

7.A – 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: There were no comments or requests for future agenda items.

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

10. – Adjournment: President Farrer adjourned the meeting at 10:00 AM.

Respectfully submitted,

Terry Dipple Executive Director

Agenda Item 4.B (Consent Calendar)

Governing Board Agenda Report

SUBJECT:	AB 361 Findings to Continue Teleconference Meetings
FROM:	Terry Dipple, Executive Director
TO:	Governing Board Delegates and Alternates
DATE:	October 18, 2022

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 July 13, 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:	October 18, 2022
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.

COG Ad Hoc Committee Broadband – The committee has continued to meet to propose a broadband project to the Governing Board. I presented the item at the October TAC meeting. The broadband project will be discussed as part of the COG's Measure M 9th Year Project List at the October COG meeting.

Broadband Presentations to Calabasas and Westlake Village City Council – I presented the Regional Smart Cities Fiber Network Project (broadband) to the Calabasas and Westlake Village City Council on October 12, 2022. Both cities unanimously supported the project. Calabasas is going to take the project to their various committees and consultant prior to Metro approval.

Campus Kilpatrick – The County will no longer provide updates at the COG meetings due to the City of Malibu sending a letter to the County regarding the County's alleged failure to conduct any analysis of the environmental effects of its immediate plans to move Secure Youth Treatment Facility ("SYTF") offenders to Campus Kilpatrick in violation of the California Environmental Quality Act, Public Resources Code section 21000 et seq.

Homeless Connect Day – I participated in the Homeless Connect Day on September 22nd that was sponsored by Supervisor Kuehl's office. Gabriel Graham and Alicia Weintraub also volunteered. Approximately 70 unhoused individuals participated.

California JPIA Outstanding Balance – The retrospective deposit liability balance has been noted in the COG's annual budget report. Currently, there is a retrospective deposit liability in the amount of \$33,505, which is a result of large claims against other agencies that were in the same risk sharing pool as the COG. Several years ago, CJPIA indicated it would be requesting agencies with a retrospective deposit liability to pay off the balance. But CJPIA did not invoice the COG. However, I was recently notified by CJPIA that they will be sending an invoice this month. I discussed the matter with the city managers at the

October TAC meeting. We will be discussing options at a future TAC meeting and I will report their recommendation to the Governing Board.

COG Highway Working Group – I continue to coordinate with Metro staff regarding the \$15 million Measure R project list that was approved by the COG. It will likely go to the Metro Board for approval in January or February 2023.

COG Executive Directors Monthly Check-In with Metro CEO Stephanie Wiggins – Regular monthly meeting with LA County COG executive directors and the CEO are proving to be very productive.

Metro Project Updates – I continue to meet regularly with Metro Highway and Active Transportation staff to discuss the status of COG projects.

COG's Homeless Outreach Coordinator – Gabriel continues to provide weekly updates on his assistance to people experiencing homelessness in the region.

To:Las Virgenes-Malibu COG Governing Board and Executive DirectorSubject:SCAG Update October 2022From:Rachel Wagner, SCAG Regional Affairs Officer; wagner@scag.ca.gov

HIGHLIGHTS FROM THE OCTOBER 6th SCAG REGIONAL COUNCIL MEETING <u>ACTION</u> REGIONAL COUNCIL APPROVES UPDATES TO CONNECT SOCAL, FEDERAL

REGIONAL COUNCIL APPROVES UPDATES TO CONNECT SOCAL, FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) AND PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)

The Regional Council approved Connect SoCal Amendment No. 2 and 2023 FTIP, including the associated transportation conformity determination, as well as Connect SoCal PEIR Addendum No. 3.

Connect SoCal Amendment No. 2 & 2023 FTIP

SCAG adopted Connect SoCal, the 2020 Regional Transportation Plan/Sustainable Communities Strategy, on Sept. 3, 2020. Since the adoption of the Plan, SCAG's Regional Council has approved one amendment to the 2020 Connect SoCal, which was approved on Nov. 4, 2021. Since the last amendment, several projects included in the Plan's Project List have experienced time-sensitive changes. In addition, the county transportation commissions in the SCAG region have identified new project priorities. The documents will now be sent to the appropriate federal and state reviewing agencies for final approval. Learn more about Connect SoCal at <u>scag.ca.gov/connect-socal</u> and the 2023 FTIP at <u>scag.ca.gov/ftip</u>.

Connect SoCal PEIR Addendum No. 3

The Connect SoCal PEIR Addendum No. 3 analyzes the changes documented in the Connect SoCal Amendment No. 2. SCAG staff has determined that the changes from Connect SoCal Amendment No. 2 would not result in a substantial change to region-wide impacts. It has also been concluded that the projects identified in Amendment No. 2 are consistent with the environmental analysis, mitigation measures, and alternatives contained in the previously certified PEIR for Connect SoCal. Learn more about the PEIR at scag.ca.gov/peir.

ACTION

WATER RESOLUTION ADOPTED

The <u>Water Action Resolution</u> today was modified and approved by the Energy and Environment Committee (EEC) and subsequently approved by the Regional Council.

The resolution was created in response to a recommendation by the EEC that SCAG take formal action to address local challenges related to water supply and infrastructure needs. The resolution affirms a drought and water shortage emergency in the region and calls on local and regional partners to join together to reduce water use; improve water conservation, reuse and efficiency; enhance water systems' health and resilience; and support investments in water infrastructure and conservation practices that support economic and population growth and fosters planning for the Region's Housing Needs identified in Connect SoCal.

ACTION CURT HAGMAN ELECTED AS REGIONAL COUNCIL SECOND VICE PRESIDENT

As recommended by the Nominating Committee, the Regional Council today approved the election of San Bernardino County Supervisor Curt Hagman for the position of Second Vice President for the balance of the 2022-2023 term. This was a special election resulting from a vacancy.

NEWS FROM THE PRESIDENT PUBLIC SECTOR MEETING: REGIONAL ADVANCE MITIGATION ADVISORY TASK GROUP (RAMP-ATG)

On Wednesday, Oct. 12, SCAG staff are hosting a workshop with public sector stakeholders to provide an overview of the <u>RAMP Draft Policy Framework</u> and the process for developing the <u>SoCal</u> <u>Greenprint</u> tool.

RAMP is a proven process for expediting project delivery by planning for required mitigation to reduce environmental impacts earlier in the planning process and at a wider scale. The SoCal Greenprint is a planned web-based tool, which will complement SCAG's RAMP Policy Framework, with data and scenario visualizations, primarily intended to support project lead agencies in pursuing RAMP or other environmental mitigations.

SCAG will continue to seek input from public sector stakeholders on the composition and role of the Technical Advisory Committee, which will consult with SCAG staff to ensure the SoCal Greenprint tool becomes a useful resource for RAMP and is aligned with local priorities and opportunities, as outlined in the draft policy framework.

PROCLAMATION: CALIFORNIA CLEAN AIR DAY

President Harnik presented SCAG's California Clean Air Day proclamation, which stated that the Regional Transportation Plan, Sustainable Communities Strategy and the Federal Transportation Improvement Program, have played an important role in achieving significant air quality improvement over the past decades. SCAG joined the Coalition for Clean Air and hundreds of other public and private entities in taking action to make our air healthier by participating in California Clean Air Day on Oct. 5, 2022.

<u>NEWS FROM THE EXECUTIVE DIRECTOR</u> REGIONAL EARLY ACTION PLANNING GRANTS OF 2021 (REAP 2.0) UPDATE

Since the approval of the <u>REAP 2.0 Program Framework</u> by the Regional Council (RC) in July, staff continues to engage stakeholders through various outreach efforts to develop specific programs using the framework as a guiding document. Program guidelines will be brought to policy committees and the RC for approval. The <u>County Transportation Commissions Partnership Program Guidelines</u> are available for public comment and will be recommended for approval at the Transportation Committee (TC) and RC in November 2022, after being presented to TC on Oct. 6. The <u>draft Programs to Accelerate Transformative Housing Program</u> is also available for public comment, and after being presented to the Community, Economic and Human Development (CEHD) Policy Committee on Oct. 6, will be recommended for approval at CEHD and RC on Nov. 3. The <u>Sustainable Communities Program</u> Call 4 guidelines are planned to be approved by the RC in January 2023. Staff will seek authorization from the Executive Administration Committee to submit the final REAP 2.0 program application to the state before the Dec. 31 deadline.

More information on SCAG's REAP program can be found at scag.ca.gov/reap2021.

REGISTRATION OPEN: SCAG 2022 ECONOMIC SUMMIT

On Thursday, Dec. 1, SCAG will host the 13th annual Southern California Economic Summit at the Sheraton Grand in downtown Los Angeles. The theme of this year's summit is "Resourcing the Region." Southern California is uniquely rich in both natural and economic resources.

Register to join us! Early bird registration ends Oct. 28. Elected officials and city managers may attend for free. Learn more and register to attend at <u>scag.ca.gov/economicsummit</u>.

RECAP OF THE 33RD ANNUAL DEMOGRAPHIC WORKSHOP

Last month, SCAG and the USC Price School of Public Policy co-hosted the 33rd annual Demographic Workshop, which was attended virtually by over 250 people from across the region. The event theme, "Forecasting the New Normal," encompassed a range of discussions that provided new research findings and expert insights on key trends in the post-COVID landscape. Presentations and videos for the 2-day event can be found at <u>scag.ca.gov/demographics</u> alongside a report on newly available Census Bureau data for the region.

SCAG LEADERSHIP ATTENDS VIENNA SOCIAL HOUSING FIELD STUDY

In September, SCAG leadership attended a field study program in Vienna, Austria, joining a delegation of 50 elected officials, developers, philanthropy, land use and finance experts as well as community-based organizations to learn about Vienna's social housing model. Nearly 60 percent of Vienna's 1.9 million population lives in some form of social housing, which is driven by the development of publicly owned land. This includes households at a range of income levels from extremely low up to moderate income. The delegation learned from the city's staff that manage and drive programs, toured various social housing sites and participated in interactive discussions about lessons learned. Staff will provide a presentation at the Nov. 2 Executive Administration Committee meeting and will identify additional opportunities to share learnings and support member cities and counties interested in adapting these innovative models to serve the housing needs of the SCAG region.

*The full October Executive Director's Report is available here: <u>scag.ca.gov/edr-oct-22</u>.

UPCOMING MEETINGS OCTOBER

- 12th Audit Committee
- 12th Virtual Workshop: RAMP-ATG and SoCal Greenprint
- 17th Resilience and Conservation Subcommittee
- 18th Housing Working Group
- 18th Toolbox Tuesday: CEQA 101 and SCAG Roles under CEQA
- 19th Next Generation Infrastructure Subcommittee
- 20th Racial Equity and Regional Planning Subcommittee
- 25th Transportation Conformity Working Group
- 27th Emerging Technologies Committee
- 31st Aviation Technical Advisory Committee

NOVEMBER

- 2nd Executive/ Administration Committee
- 3rd Community, Economic and Human Development Committee
- 3rd Energy and Environment Committee
- 3rd Transportation Committee
- 3rd Regional Council
- 8th Toolbox Tuesday: Equity Resource Guide Series Kickoff: Baseline Conditions Report
- 15th Toolbox Tuesday: Securing Federal Funding from IIJA and IRA
- 15th Legislative/Communications and Membership Committee

- 15thHousing Legislation Forum
 16th Next Generation Infrastructure Subcommittee
 17th Racial Equity and Regional Planning Subcommittee
 17th Technical Working Group
 21st Resilience and Conservation Subcommittee
- 22nd Transportation Conformity Working Group
- 23rd Modeling Task Force
- 30th Executive/Administration Committee

Governing Board Agenda Report

October 18, 2022
Governing Board and Alternates
Terry Dipple, Executive Director
COG's Draft Measure M 9th Year (2025/2026) Project List

OVERVIEW

The purpose of this report is to provide the Governing Board with information on the COG's Draft Measure M 9th Year (2025/2026) Project List. The attached Draft Project List includes some projects are continuing and others are new. The proposed broadband project would change the project list and allocations. Metro has given the new projects an informal eligibility review.

RECOMMENDATION

The city managers discussed the Draft Measure M 9th Year Project List at the October TAC meeting and is recommending the broadband project be included. However, it was agreed that Malibu would support the project but would not commit its Measure M funds to the project. Malibu may elect to participate in Phase 2.

BACKGROUND

The COG's 9th Year (FY 25/26) Measure M allocation from Metro is \$13,231,377 which includes \$2,566,085 for Active Transportation and \$10,665,292 for Highway projects. Pursuant to the COG's policy, the funds are allocated using the same per capita formula that has been used since the beginning. Below, is a summary of Measure M 9th year funding allocation for the cities.

Measure M 9th Year Allocations				
Agoura Hills	3,201,993			
Calabasas	3,625,397			
Hidden Hills	277,859			
Malibu	1,984,706			
Westlake Village	1,309,906			
LA County	<u>2,831,514</u>			
Total	\$13,231,377			

The attached Draft Measure M 9th Year Project List includes reallocation of prior years' funding by Agoura Hills, but those reallocations do not impact the total 9th year funding.

Agenda Item 7.A

Las Virgenes-Malibu COG Draft Measure M 9th Year Project List (FY 25/26)

Agoura Hills – \$3,201,993

- Reallocate \$2million from LA County in the 1st Measure M 5 Year Plan, as follows:
 - \$300,000 to Palo Comado Interchage Project
 - \$700,000 to Transit Center Project
 - \$1,000,000 to Kanan/Agoura Intersection Project
- (2) Reallocate 6th Year FY 2022/23, as follows:
 - \$4,023,861 from Kanan Corridor Project to Linear Park Project
- (3) Reallocate 7th Year FY 2023/24, as follows:
 - \$2,000,000 from Kanan Corridor Project to Linear Park Project
 - \$2,638,860 from Kanan Corridor Project to Kanan/Agoura Intersection Project
- (4) Reallocate 8th Year FY 2024/25, as follows:
 - \$3,167,669 from Kanan Corridor Project to Kanan/Agoura Intersection Project
- (5) 9th Year FY 2025/26
 - Regional Smart Cities Fiber Network \$1,000,000
 - Kanan/Agoura Intersection Project \$2,200,000

Calabasas – \$3,625,397

• Regional Smart Cities Fiber Network - \$3,625,397

Hidden Hills - \$277,859

• Regional Smart Cities Fiber Network – \$277,859

Malibu - \$1,984,706

- Pedestrian Signal at 22523 PCH \$325,000
 This project consists of replacing the existing pedestrian flashing beacon with a new pedestrian traffic signal at 22523 PCH. The existing flashing beacon does not provide motorist sufficient warning when pedestrians wish to enter into the crosswalk to cross the street. The proposed pedestrian signal will improve notifications to motorists and improve pedestrian safety.
- Pedestrian Undercrossing at Malibu Seafood \$1,659,706 This project includes the construction of a new pedestrian undercrossing that would connect Corral Beach to the Sara Wan Trailhead at Corral Canyon and the Malibu Seafood restaurant. Total estimated cost: \$4.5 million

Westlake Village – \$1,309,906

• Regional Smart Cities Fiber Network – \$1,309,906

LA County - \$2,831,514

• Regional Smart Cities Fiber Network – \$2,831,514