

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

Tuesday, May 19, 2020, 8:30 AM

**MEETING INFORMATION AND ACCOMMODATION**

Pursuant to the Governor’s Executive Orders, which waived certain Brown Act meeting requirements, including any requirements to make a physical meeting location available to the public; and, most recently, the March 19, 2020 Executive Order, which ordered all residents to stay at home. As such, the Las Virgenes-Malibu Council of Governments will provide Members of the Public the opportunity to view and participate in the meeting remotely using Zoom.

Join Zoom Meeting: <https://zoom.us/j/4714103699> Meeting ID: 471 410 3699

A public agenda packet is available on the COG’s website [lvmcog.org](http://lvmcog.org). Members of the Public who wish to comment on matters before the Governing Board are strongly encouraged to submit an email with their written comments limited to 1,000 characters to [terry@lvmcog.org](mailto:terry@lvmcog.org) no later than 12:00 p.m. on Monday, May 18, 2020. 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](mailto:terry@lvmcog.org).

**AGENDA**

**1. CALL TO ORDER**

Governing Board Members:

Denis Weber, Agoura Hills, President  
Karen Farrer, Malibu  
Kelly Honig, Westlake Village  
Stuart Siegel, Hidden Hills  
Alicia Weintraub, Calabasas

**2. APPROVAL OF THE AGENDA**

**3. PUBLIC COMMENT PERIOD**

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. Approval of April 21, 2020 Draft Meeting Notes – Attachment
  - B. May 2020 Executive Director’s Report – Attachment
  - C. May 2020 Financial Statement – Attachment
- Recommended Action: Approve Consent Calendar

**5. INFORMATION ITEMS**

- A. Member cities may report on issues and action taken related to the COVID-19 pandemic.
- B. Los Angeles County Sheriff’s Department Mental Evaluation Team – Sgt. Brandon Barclay will make the presentation.
- C. Los Angeles County Election Procedure for November 2020 – Attachment: County Resolution

**6. ACTION ITEMS**

- A. Measure R Adjustment – Attachment  
Recommended Action: Approve the Measure R Adjustment request by Malibu to cancel the \$1.3 million PCH Message System Project and allocate \$900,000 from the project budget to the PCH Signal System Improvements Project and the remaining \$400,000 to the Civic Center Way Improvements Project.
- B. Discussion of COG Bylaws and Annual Reorganization – Attachment

**PUBLIC SAFETY AND LEGISLATIVE UPDATES**

- A. Los Angeles County Sheriff’s Department
- B. Los Angeles County Fire Department
- C. League of Cities – Attachment
- D. Updates from Area Legislators and Agencies

**7. COMMENTS AND REQUEST FOR FUTURE AGENDA ITEMS****8. FUTURE MEETING DATES**

TAC Meeting: Wednesday, June 3, 2020, 8:30 AM *via Zoom*  
Governing Board Meeting: Tuesday, June 16, 2020, 8:30 AM

**9. ADJOURNMENT**

**Draft Meeting Notes  
Governing Board Meeting  
April 21, 2020**

*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: The meeting was called to order by President Weber at 8:33 a.m.

Roll Call of Governing Board members present:

Denis Weber, Agoura Hills, President  
Ned Davis, Westlake Village, Vice President  
Karen Farrer, Malibu  
Stuart Siegel, Hidden Hills  
Alicia Weintraub, Calabasas

The following non-voting city elected officials participated in the meeting:

Illece Buckley-Weber, Mayor, Agoura Hills  
Ned Davis, Councilmember, Westlake Village  
Mikke Pierson, Mayor Pro Tem, Malibu

2 – Approval of Agenda: There was a motion and second to approve the agenda. Motion carried unanimously.

3 – Public Comment Period: The Executive Director reported that he did not receive any public comments via email or phone.

4 – Consent Calendar: 4.A Meeting Notes from March 17, 2020; 4.B April 2020 Executive Director's Report; 4.C April 2020 Financial Statement; and 4.D April 2020 Outreach Coordinator Update. Terry Dipple highlighted his Executive Director's Report and Gabriel Graham provided a summary of his homeless outreach activities. Following the updates, there was a motion and second to approve the items on the Consent Calendar. Motion carried unanimously.

5.A – Member Cities Report on COVID-19 and Discussions with Area Legislators: The City Managers provided an update from their respective cities on COVID-19 related issues and actions. Following the individual city reports, the Governing Board held a discussion with Congressman Ted Lieu, Senator Henry Stern, Assemblymember Richard Bloom and Assemblymember Jacqui Irwin to discuss the CARES Act and state the process for smaller cities to access CARES Act funding that went to the state. Following a robust discussion of the impact COVID-19 has had on the cities, including loss of revenue and unexpected costs, the President directed the Executive Director to write letters to the legislators and governor supporting a per capita distribution of CARES Act funds to cities with populations under 500,000.

6.A – Los Angeles County Sheriff's Department: Acting-Captain Chuck Becerra was participating in the meeting and provided an update from the Lost Hills Sheriff's station and answered questions.

6.B – Los Angeles County Fire Department: Chief Drew Smith was participating in the meeting and provided an update and answered questions.

6.C – League of Cities: Jeff Kiernan provided an update from the California League of Cities.

6.D – Updates from Area Legislators and Agencies: All of the legislators thanked the COG for the opportunity to participate in the meeting.

7 – Comments and Request for Future Agenda Items: None

8 – Future Meeting Dates: President Weber noted the Governing Board and Technical Advisory Committee meeting dates.

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

Respectfully submitted,

Terry Dipple  
Executive Director

## **Memorandum**

**DATE:** May 19, 2020  
**TO:** Governing Board Delegates and Alternates  
**FROM:** Terry Dipple, Executive Director  
**SUBJECT:** Executive Director's Report

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### **OVERVIEW**

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

**Federal Legislation** – Despite strong support from city officials in California and throughout the country, the Senate passed another spending package on April 21<sup>st</sup> that failed to include direct and flexible aid to local governments of all sizes to help address the revenue shortfalls and increase in expenses due to COVID-19. COG area House Representatives, Brownley and Lieu, are cosponsors of H.R. 6467, the Coronavirus Community Relief Act, that would provide \$250 billion in direct aid from the federal government to local governments with a population less than 500,000 as they face mounting challenges related to the pandemic. H.R. 6467 was referred to the House Committee on Oversight and Reform.

**State Legislation** – Following the April Governing Board meeting and discussion with area legislators, the COG sent letters to the governor and our state representatives urging the legislature and governor to set aside a portion of the state's CARES Act funds and that those funds be allocated to small cities using a per capita formula that would be fair to all cities

**Metro's Congestion Pricing Study** – The Metro Policy Advisory Committee (PAC) recently received and discussed a Metro staff presentation on the Traffic Reduction Study that was originally called the Congestion Pricing Study. PAC members asked about the name change and were informed that Metro staff had renamed the study. Many PAC members said they preferred the original study title as the new report title was misleading or, at best, unclear in its intent to look at road pricing and user fees. Concern was expressed that the new report title would create misunderstandings, such as the mistaken idea the program would widen roads to reduce traffic. The PAC also discussed how some agencies in the region have been discussing congestion pricing as a concept for many years and consistency in terminology and branding is important to educate the public, collect feedback and build trust. In discussing Metro's goal to "double the usage of transportation modes other than driving alone", it was noted the pricing study did not identify telecommuting as an alternative option along with transit, walking, biking and carpools. In shifting commuters away from single occupant vehicles, PAC members felt telecommuting should be encouraged as a viable alternative for some commuters given it has a mode share higher than other options from the report. Additionally, some PAC members echoed concerns

about the regressive nature of congestion prices fees and questioned who might benefit from program revenues. For instance, low income commuters who live far away from transit-rich urban cores and have few commuting options may be disadvantaged. The PAC generally agreed more work is required to demonstrate how pricing will provide clear benefits for low income travelers. Lastly, some PAC members expressed concerns about how congestion pricing local roads will have significant implications on all our community members who travel the region, and thus hope to continue working together as this pricing plan is further analyzed.

**Measure M Projects and Funding** – The COG’s Highway Working Group held a conference call with Metro staff last month to kick-off the Measure M planning for the 7<sup>th</sup> year. Metro will allocate an additional \$12,870,156 of Measure M funds to the COG in the 7<sup>th</sup> year (2021). The additional funds will be included in the 7<sup>th</sup> year of the annually updated COG Measure M 5-Year Project List. Metro is requesting the COG annually approve the project list and submit it by the end of September, as we did last year. I will be working with the cities over the next several months to submit potential new projects for informal review and to prepare the COG’s Measure M Project List for the 7<sup>th</sup> year and plan to bring the proposed project list and allocations to the TAC and Governing Board in September 2020.

**Stormwater Investment Plan Development Update** – I participated in the April 30<sup>th</sup> North Santa Monica Bay Watershed Area Steering Committee (NSMBWASC) meeting. By June 2020, the NSMBWASC is expected to advance a recommended Stormwater Investment Plan (SIP) to the Regional Oversight Committee. Final SIP recommendations are expected to be before the Board of Supervisors this Summer.

**COG’s Homeless Outreach Coordinator** – Gabriel Graham, the COG’s Outreach Coordinator, has been on the job for two months. He is in regular contact with COG cities and is providing weekly updates. He will be providing an update at the Governing Board meetings. Business cards and photo ID badge have been ordered for him.

**Measure R 10-year Amendment Update** – You may have heard that Metro is considering changes to Measure R. The potential changes involve a transfer of funds designated for highways to transit uses, or vice versa, and the creation of new projects or adding funds to existing projects. While it may impact some of Metro’s currently planned projects, it will NOT have any impact on the COG’s Measure R allocation or COG projects funded by Measure R. Metro is seeking input from key stakeholders to help inform this process and is scheduled to hear the Measure R Amendment in June/July 2020.

**Metro Funding Issues** – The recent Federal CARES Act included funding for the nations transit providers for the loss of revenue. Last month the Federal Transit Administration (FTA) announced the release of funds with California transit agencies receiving \$3.74 billion. Metro is expected to receive roughly \$800 million in direct payment for the loss of fare box revenue and sales tax revenue. It has yet to be determined how this will impact Measure M funding in the near future. The COG will continue working with Metro for timely delivery of our projects that are planned or under construction.

**Census 2020** – Joseph Cabral, Jr., from Census 2020, participated in the May TAC meeting to update the city managers on the Census and provided additional information to encourage public response. Alex Padilla, California Secretary of State, reports that as of

last week, more than 46% of all households across California have responded to the 2020 Census. That's 6.9 million households — making California the state with the most households that have already responded to the census. Secretary Padilla is asking local elected officials for a big final push to get everyone counted and noted households can respond to the census online and by phone.

**Evacuation Plan** – The County has assured me the Evacuation Plan is absolutely a priority, however, with COVID-19 issues dominating staff attention, the Evacuation Plan is not a top priority. The lead for Evacuation Planning will be convening a County Working Group once things return to normal in the weeks ahead. I will continue to update the COG as new information becomes available.

**Metro NextGen Bus Study** – The NextGen Bus Study began in early 2018. The NextGen Regional Service Concept was reviewed and approved by the Metro Board, last Summer. The Regional Service Concept was developed through consideration of both technical data and the priorities and personal experiences Metro heard during the outreach meetings and responses to questionnaires. Metro is going to have virtual public hearings in July. Metro staff is still planning to take this to the Board in September.

## Memorandum

**DATE:** May 19, 2020  
**TO:** Governing Board Delegates and Alternates  
**FROM:** Terry Dipple, Executive Director  
**SUBJECT:** May 2020 COG Financial Summary

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### SUMMARY

All of the revenue and expenditures are in accordance with the COG's 19/20 adopted budget.

#### 19/20 Expected Revenue

Dues	100,000.00
Metro (admin & planning)	57,250.00
Metro (for consultant)	99,490.00
LA County Homeless Grant	<u>30,000.00</u>
<b>Total Expected Revenue</b>	<b>286,740.00</b>

#### 19/20 Expenditures to Date

Terry Dipple – 7/19 Ex. Dir.	-12,250.00
M. Micheline 7/19 Metro	-8,042.11
Terry Dipple – 8/19 Ex. Dir.	-12,250.00
M. Micheline 8/19 Metro	-8,042.11
Liability Insurance 19/20	-3,605.45
Terry Dipple – 9/19 Ex. Dir.	-12,250.00
M. Micheline 9/19 Metro	-8,042.11
Terry Dipple – 10/19 Ex. Dir.	-12,250.00
M. Micheline 10/19 Metro	-8,042.11
Terry Dipple – 11/19 Ex. Dir.	-12,250.00
M. Micheline 11/19 Metro	-8,042.11
Terry Dipple – 12/19 Ex. Dir.	-12,250.00
M. Micheline 12/19 Metro	-8,042.11
Terry Dipple – 1/20 Ex. Dir.	-12,250.00
M. Micheline – 1/20 Metro	-8,283.37
Terry Dipple – 2/20 Ex. Dir.	-12,250.00
M. Micheline – 2/20 Metro	-8,283.37
Terry Dipple – 3/20 Ex. Dir.	-12,250.00
M. Micheline – 3/20 Metro	-8,283.37
Terry Dipple – 4/20 Ex. Dir.	-12,250.00
M. Micheline – 4/20 Metro	<u>-8,283.37</u>
<b>Total to Date</b>	<b>-219,991.59</b>



MOTION BY SUPERVISORS JANICE HAHN AND SHEILA KUEHL April 28, 2020

**General Election 2020 Vote By Mail**

The COVID-19 pandemic has caused many sectors of life to be upended. Much of what is being experienced is unprecedented and the 'new normal' of the future is unknown. Voting is a right that should not come at the cost of being exposed to this virus.

Based on the California Elections Code (EC 4007), which requires Los Angeles County to move to a voting model where every eligible voter is mailed a ballot prior to each election no later than 2024, it is conceivable that all voters receive a ballot in the mail this year, to prevent further spread of COVID-19.

Given the recent Executive Orders by the Governor of California, we know that the local elections held in April, May and June 2020 will be conducted by mailing ballots to all eligible voters and providing in-person voting options at vote centers in a manner consistent with public health orders to restrict public gatherings by requiring physical distancing and personal protective equipment for voters and election workers.

Recently, the California Secretary of State has convened a working group of voter advocacy organizations, legislative staff and county election officials to make statewide recommendations for a similar Executive Order regarding the conduct of the November 3, 2020 General Election and it would be both prudent and wise to plan accordingly.

Our local Public Health Officials have indicated the success of physical distancing in flattening the curve of COVID-19 spread and have warned us of the implications of lifting the health order too soon.

Knowing that the health of all residents is at stake and that the current physical distancing requirements set to expire on May 15, 2020 may be extended, it is imperative to anticipate what extra challenges could arise in the General Election.

The recruitment of community election workers for the General Election will likely be hampered by public health concerns related to COVID-19. The ability to ensure adequate number of accessible in-person voting locations to meet capacity demands and provide for physical distancing and reduced congestion necessitate an expanded vote by mail model to ensure every voter has access to a ballot.

WE, THEREFORE MOVE that the Board of Supervisors:

1. Adopt the provisions of the Voter's Choice Act (Elections Code sections 4005 and 4007(c)) applicable statewide, thereby accelerating provisions for mailing a ballot to every eligible voter in all elections starting with the November 3, 2020 General Election in response to ongoing public health concerns related to COVID-19;
2. Send a five-signature letter to the Los Angeles County Congressional Delegation urging support for emergency federal funds allocated to support the accelerated implementation of an expanded vote by mail voting model for the November 3, 2020 General Election aligned to preventing the spread of COVID-19 and in support of recovery efforts that

support the limitation of available in-person voting locations and the recruitment of election workers;

3. Send a five-signature letter to the Los Angeles County State Legislative Delegation urging support for emergency state funds allocated to support the accelerated implementation of an expanded vote by mail voting model for the November 3, 2020 General Election aligned to preventing the spread of COVID-19 and in support of recovery efforts that support the limitation of available in-person voting locations and the recruitment of election workers;

WE, FURTHER MOVE that the Board of Supervisors:

1. Instruct the Registrar-Recorder/County Clerk to take appropriate measures to align in-person voting options for the November 3, 2020 General Election with guidance from the Department of Public Health to ensure the safety of voters and election workers; and
2. Instruct the Chief Executive Officer to work with the Registrar-Recorder/County Clerk to identify the resources needed to support the successful implementation of the expanded vote by mail model for the November 3, 2020 General Election including any required budget adjustments or supplemental funding authorization.

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## **Memorandum**

**DATE:** May 19, 2020  
**TO:** Governing Board Delegates and Alternates  
**FROM:** Terry Dipple, Executive Director  
**SUBJECT:** Measure R Adjustment

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### **OVERVIEW**

The purpose of this memorandum is to provide the Governing Board with background information related to the City of Malibu's project approval and request for a Measure R Adjustment.

### **RECOMMENDATION**

Approve the Measure R Adjustment request by Malibu to cancel the \$1.3 million PCH Message System Project and allocate \$900,000 from the project budget to the PCH Signal System Improvements Project and the remaining \$400,000 to the Civic Center Way Improvements Project.

### **BACKGROUND**

The PCH Regional Message System Project was intended to be a joint project with LA County to install small permanent changeable message signs along the County canyon roads and along PCH. LA County no longer wishes to move forward with this project. The Malibu City Council recently voted to cancel the project, deobligate the \$1.3 million and reallocate the funds into two of the City's existing Measure R projects, as follows:

- \$900,000 to the PCH Signal Systems Improvements Project. The additional funds will help ensure that there is sufficient funding in the project to design and install changeable message signs and other signal system improvements.
- \$400,000 to the Malibu/Civic Center Way Improvements Project. The additional funds will be applied towards construction management. The City will hire a construction management firm to assist with the daily management of the project.

### **FISCAL IMPACT**

The proposed Measure R Adjustment is revenue neutral, as no new funds are being requested.

## **Memorandum**

**DATE:** May 19, 2020  
**TO:** Governing Board Delegates and Alternates  
**FROM:** Terry Dipple, Executive Director  
**SUBJECT:** COG Annual Reorganization

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### **OVERVIEW**

The purpose of this memorandum is to provide the Governing Board with background information related to the COG Joint Exercise of Power Agreement as it relates to the annual reorganization of officers.

### **BACKGROUND**

Section 11 of the Joint Exercise of Power Agreement that was adopted when the COG formed in 1999 states that Governing Board officers serve an annual term from July 1 to June 30. There has been some recent discussion that the Governing Board should consider changing the officers' term from the fiscal year to the calendar year so the term would coincide with the annual reorganization of a majority of the member cities, which take place in December. This would require an amendment to the Agreement.

Amendments to the Agreement and Bylaws may be proposed by a Governing Board Representative. The Amendment shall be submitted to the Governing Board at a meeting at least one month prior to the meeting at which the Amendment is voted upon. A vote of the majority of the total voting membership of the Governing Board is required to adopt an Amendment.

### **FISCAL IMPACT**

There is no fiscal impact except the cost of having COG counsel amend the Joint Exercise of Power Agreement.

