

**LAS VIRGENES – MALIBU COUNCIL OF GOVERNMENTS  
TECHNICAL ADVISORY COMMITTEE**

Wednesday, May 5, 2021, 8:30 A.M.

This will be a Virtual meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/87594914519?pwd=TnhOb3p4ZFZDem5zNERPbytWc3RuZz09>

Meeting ID: 875 9491 4519 • Passcode: 249664

**AGENDA**

1. Call to Order: Rob de Geus, Chair
2. Public Comment: via Zoom or email
3. Consent Calendar
  - A. Executive Director's Report
4. Reopening and COVID-19 Issues – Discussion
5. S.B. 85 Grants for “Shovel-Ready” Fire Resiliency Projects – Attachment
6. Los Angeles County Draft 2022 Cities’ and COGs’ Homelessness Funding Framework – Attachment
7. AB 339 (Lee) – Local Government Public Meeting Requirements – Attachment
8. Public Safety, Legislative and Agency Partners Updates
  - A. Sheriff’s Department
  - B. Fire Department
  - C. Cal Cities
  - D. Agency Partners
  - E. Area Legislators
9. Future Agenda Items
10. Adjournment

*Please contact Terry Dipple [terry@lvmcog.org](mailto:terry@lvmcog.org) or 818-968-9088 if have any questions.*

**Governing Board Agenda Report**

**DATE:** April 20, 2021  
**TO:** Governing Board and Alternates  
**FROM:** Terry Dipple, Executive Director  
**SUBJECT:** Executive Director's Report

---

**OVERVIEW**

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

**Evacuation Plan** – County OEM recently held a meeting with Westlake Village. In the meeting OEM discussed and drafted out zones for the City, and discussed the adjacent unincorporated area. OEM took the hand drawn zones back and will be digitizing them into GIS format to take them back to those stakeholders to confirm they correctly captured what was discussed/drawn in the meeting. Next, OEM will be setting up a meeting with Agoura Hills, although no date has been set. I will continue to keep you updated on this process.

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

**Advanced Planning for Measure M 8<sup>th</sup> Year Allocation** – The COG's Highway Working Group held a meeting on April 8, 2021 with Metro highway and active transportation staff to kick-off the Measure M 8<sup>th</sup> Year funding and project discussion. The COG's 8<sup>th</sup> year allocation is \$13,089,543 (\$2,502,521 for Active Transportation and \$10,587,022 for Highway). Cities will begin internal discussions about future projects. The COG will submit any new projects to Metro by June 2021 for informal eligibility review. The Highway Working Group meet in mid-May, to make sure everything is on schedule. Metro will work with the COG/cities over the summer to finalize the project list that will be presented to the TAC and Governing Board in September or October, depending on project feedback and eligibility issues.

**COG Homeless Working Group** – The COG's Homeless Working Group held a meeting on April 6<sup>th</sup> to discuss issues, hear from Gabriel Graham and have a short training presentation, which is required in the Scope of Work of our LA County grant. The County Homeless Initiative Team has advised the COGs that the County will no longer provide city grants. All grant funds will be distributed to the COGs. This will require the COG to divide the funds with Malibu, which has been receiving an individual city grant from the County. There will be sufficient funds to continue Gabriel Graham's position as Outreach

Coordinator. I am currently in negotiations with the County HI Team and will keep the Governing Board posted as we finalize the contract and Scope of Work for FY 21/22.

**Technical Advisory Committee Agenda Report**

**DATE:** May 5, 2021  
**TO:** Technical Advisory Committee  
**FROM:** Terry Dipple, Executive Director  
**SUBJECT:** S.B. 85 Grants for “Shovel-Ready” Fire Resiliency Projects

---

**OVERVIEW**

The purpose of this memorandum is to provide the Technical Advisory Committee with an opportunity to discuss the S.B. 85 grants for “Shovel Ready” Wildfire Prevention Activities developed by the Santa Monica Mountains Conservancy within the Fire Prone Los Angeles and Ventura County mountains.

**RECOMMENDATION**

Discuss and determine whether there are opportunities for the COG to coordinate or facilitate any of the projects.

**Description of Program**

This program will fund implementation of immediately implementable (“shovel ready”) projects identified in the initial recommendations from the Regional Forest and Fire Capacity Plan. Since September of 2020, Dudek, a nationally recognized consulting firm, has been under contract to assist the SMMC to develop this program. The Plan addresses the unique and diverse fire capacity needs of various areas within this Region, including differences in vegetation types. It is based upon engagement with local groups, non-profits, and tribal entities; prioritization of disadvantaged communities; and existing wildfire protection plans for various areas within the Region, but one that does not duplicate past efforts. The Plan evaluates capacities of the various areas within the Region, to assess the existing forest and biophysical resources.

Initial recommendations address the immediacy of preparing for removing fuels in the 101 Freeway Corridor Managed Fire Greenbelt, to address the predictable north to south fires that have jumped the 101 freeway and travelled all the way to the coast. Most importantly, immediately implementable ignition prevention actions - fire patrol, arson watch, and inspection and monitoring, need to begin immediately and prior to this season’s Santa Ana winds, which occur from September to December. The upcoming fire season is predicted to be one of the worst fire seasons ever.

This proposal will fund SMMC to conduct activities and grant programs in the Santa Monica Mountains and Rim of the Valley Zone to reduce the risk of wildfires—such as thinning vegetation and reduction of flashy fuels—and help restore lands that recently burned. Grants to partners include the local Resource Conservation Districts for fire hardening programs; Youth training and employment programs such as the California Conservation Corps, the Los Angeles Conservation Corps and other targeted youth employment programs that represent participants from disadvantaged communities.

The SMMC Grant program also includes funding for vegetation management, fire hardening, inspection and monitoring in the high fire severity corridors.

***Conversion of non-native flashy fuels to productive fire-resistant habitat in fuel modification zones in the Wildland/Urban Interface:***

- Strategic mechanical removal of non-native weedy species:
  - Employment and training of disadvantaged crews (CCC, LACC, other Disadvantaged communities)
  - Purchase of equipment
- Native fire-resistant tree planting for restoration and ember screening; shaded fuel breaks
- Removal of non-native invasive species projects in strategic locations

***Ignition and spread prevention:***

- Ranger and Fire enhanced patrol of fire corridors during wind events; Red Flag conditions.
- Arson Watch organizations support
- Early detection camera systems

***Structure resource protection:***

- Retardant gel systems
- Hazard tree reduction projects
- Water storage tanks

***Partnerships and community education:***

- Collaboration with Los Angeles and Ventura Counties fire departments, CalFIRE, USNPS, USFS, Resource Conservation Districts, community firesafe alliances
- Education and promotion of structure-hardening and safe landscaping (e.g., [www.defensiblespace.org](http://www.defensiblespace.org))

**Technical Advisory Committee Agenda Report**

**DATE:** May 5, 2021  
**TO:** Technical Advisory Committee  
**FROM:** Terry Dipple, Executive Director  
**SUBJECT:** Draft 2022 Cities' and COGs' Homelessness Funding Framework

---

**OVERVIEW**

The purpose of this memorandum is to provide the Technical Advisory Committee with information regarding the Draft 2022 Cities' and COGs' Homelessness Funding Framework prepared by the LA County Homeless Initiative Team (HI Team).

**RECOMMENDATION**

Review the Draft 2022 Cities' and COGs' Homelessness Funding Framework prepared by the LA County's HI Team and comment.

**BACKGROUND**

The HI Team will be joining the COG executive directors on April 28<sup>th</sup> to discuss the funding framework. The County is changing their grant funding allocations by doing away with grants to individual cities. Instead, the County HI Team is proposing to allocate those individual city grants to their respective COGs. In our case, Malibu's grant funds will now be allocated to the COG and it will be up to the Governing Board to approve the COG's funding allocations.

It would be my recommendation that the COG's Homeless Working Group discuss this and present a recommendation to the Technical Advisory Committee and Governing Board.

The following is the Draft 2022 Cities' and Councils of Governments' (COGs) Homelessness Funding Framework prepared by the County HI Team:

Homelessness is a regional crisis. As such, one of the top priorities of the Chief Executive Office's Homeless Initiative (CEO-HI) is to continue strengthening the collaboration between the County and diverse stakeholders, including the 88 cities in Los Angeles County. Councils of Governments (COGs) play a critical role in facilitating a regional approach (rather than a siloed approach) towards the solutions to homelessness. Since cities have jurisdiction over planning/land use activities and have

the insight to support locally specific solutions, cities (with support from COGs) play a unique role in our countywide efforts to prevent and combat homelessness.

The County makes an annual investment of Measure H Strategy E7 funding (\$500,000) to the COGs for Regional Homelessness Coordination. In addition, the County invested \$9.0 million through the 2018 Cities' Homelessness Plan Implementation Grant program and \$6.0 million through the 2020 COG Innovation Fund program. Building on the success of these three programs, the CEO-HI is recommending that a new allocation of \$15.0 million in Measure H Strategy E7 funds be allocated to the COGs to facilitate a regional approach in preventing and combatting homelessness in Los Angeles County. The term of the new funding will be for 18-months: January 1, 2022 through June 30, 2023.

For this round of funding, the CEO-HI has determined that COGs are in the best position to administer implementation funding to the cities. COGs can use their regional lens to support cities in developing solutions to combat homelessness and can use their relationships with cities to maximize participation across all member cities.

#### Funding Priorities

The funds will support the Priority Areas originally set forth in the Cities' Homelessness Plan Implementation Grant Request For Proposals (RFP):

- Priority Area 1: Increasing the supply of permanent and interim housing for people experiencing homelessness, and
- Priority Area 2: Enhancing County service systems for those experiencing and/or at-risk of homelessness.

#### Funding Framework

The CEO-HI recommends that the Cities' and COGs' Homelessness Funding Framework include the following elements:

1. Funding allocations for each COG shall be proportionate to the total 2020 Greater Los Angeles Point-in-Time Homeless Count of all cities within each respective COG, excluding the City of Los Angeles and the three cities which have their own Continuums of Care (Glendale, Long Beach and Pasadena).

a) Due to the COVID-19 pandemic, the Homeless Count was not conducted in 2021. Attachment I includes the recommended funding allocation for each of the COGs based on the 2020 Homeless Count.

b) The Antelope Valley region, which includes the cities of Palmdale and Lancaster, does not currently have a COG structure in place. The CEO-HI plans to execute contracts directly with these two cities.

c) Attachment II lists the cities within each of the COGs or regions.

2. Each COG (and cities within the Antelope Valley), in coordination with its member cities, shall design and implement its own process to determine how to utilize this funding, provided that the funding will be used only for activities which fall within Priority Areas 1 and 2, described above.

3. COGs must engage all their member cities, including the provision of technical assistance where necessary, so that all cities are well positioned to apply for available funding that also maximizes cities' resources.

4. Each COG will have the flexibility to determine how the funding will be distributed within the Priority Areas and/or if any of the funding will be administered directly by the COG for regional programs that meet the Priority Area goals.

5. At least 60% of the Cities' and COGs' Homelessness Funding must be used for Priority Area 1 activities.

6. The current contracts with the COGs and cities are due to expire on December 31, 2021. Pending Board approval, the CEO-HI will execute new contracts with COGS, which will include the funding for Regional Homelessness Coordination activities (\$500,000 per year) and Cities' and COGs' Homelessness Funding (amounts as delineated in Attachment II).

#### Eligible Funding Activities

The activities listed below may be funded through the Cities' and COGs' Homelessness Funding grant. Funding must not duplicate or supplant programs that are already funded by LAHSA or other entities. Cities' and COGs' Homelessness Funding must concretely expand or enhance homeless services in Los Angeles County:

#### Priority Area 1:

- Complete housing element updates, including achieving compliance with SB 2 (Cedillo) 2007.
- Support the implementation of housing elements that result in affordable housing for people experiencing homelessness or at risk of becoming homeless (For example: rezoning program, CEQA analysis, community engagement, etc.).
- Develop and implement land acquisition strategies that will result in an increase of interim housing (IH) and permanent housing (PH) for people experiencing homelessness or at risk of becoming homeless.
- Conduct feasibility and environmental studies for the creation of new IH and PH to meet the demand for homeless housing.



- Develop and implement housing and land use ordinances that increase affordable housing for people experiencing homelessness or at risk of becoming homeless; including, but not limited to, Interim and Supportive

Housing Ordinance, Accessory Dwelling Unit Ordinance, Reasonable Accommodations Ordinance, Inclusionary Zoning Ordinance, etc.

- Support efforts to build and/or construct new IH/PH.
- Support efforts to acquire buildings to be used for IH/PH, including motel/hotel conversion projects (consultant fees, due diligence costs, etc.).
- Establish, design, and invest in a housing trust fund to create new housing resources.
- Landlord outreach and incentive programs that result in increased housing capacity for people experiencing homelessness (new PH units).
- Provide rental subsidies for people experiencing homelessness, for PH that was acquired as a result of 2018 Cities' Homelessness Plan Implementation Grants or the 2020 COGs' Innovation Funding (for example, rapid re-housing, shallow subsidies, etc.).
- Operations and Supportive Services funding for newly established IH/PH beds (for example, space, furniture, case management, etc.).
- Establish safe parking programs.

#### Priority Area 2:

- Development of city homelessness plans for those cities that have not previously submitted plans to the CEO-HI.
- Pilot programs to test innovative, scalable solutions to prevent and combat homelessness.
- Prevention assistance to prevent residents from entering homelessness. Activities may include rental assistance, flexible funds, utility assistance, and providing problem-solving resources.
- Workforce development and training programs for individuals at risk of or currently experiencing homelessness. May include collaborations with social enterprises, recruitment of employers, subsidized employment/training, etc.
- Increased City-service provider coordination to build regional capacity and leverage County resources (for example, regional liaisons and/or regional coordinators).

### Ineligible Funding Activities

- Measure H funding may not be used for City services such as sanitation, public safety, and/or encampment clean-ups.
- Measure H cannot be used to duplicate or supplant existing funding/programs.

**Cities' and COGs' Homelessness Funding  
Funding Allocation Based on 2020 LAHSA Homeless Count  
(January 2022-June 2023)**

<b>Councils of Governments</b>	<b>% Allocation Based on 2020 Homeless Count</b>	<b>Funding Allocation</b>
Antelope Valley	18.10%	\$2,715,000
Gateway Cities COG	31.10%	\$4,665,000
Las Virgenes-Malibu COG	1.90%	\$285,000
San Fernando Valley COG	3.70%	\$555,000
San Gabriel Valley COG	23.50%	\$3,525,000
Southbay Cities COG	12.70%	\$1,905,000
Westside Cities COG	9.00%	\$1,350,000
<b>Total</b>	<b>100.00%</b>	<b>\$15,000,000</b>

**Technical Advisory Committee Agenda Report**

**DATE:** May 5, 2021  
**TO:** Technical Advisory Committee  
**FROM:** Terry Dipple, Executive Director  
**SUBJECT:** AB 339 (Lee) – Local Government Public Meeting Requirements

---

**OVERVIEW**

The purpose of this memorandum is to provide the Technical Advisory Committee with information regarding AB 339 (Lee). Jeff Kiernan has referred to this bill during his Cal Cities legislative updates as the “bad Brown Act bill.” Cal Cities has taken a position to oppose the bill.

**RECOMMENDATION**

Review the Cal Cities talking points and provide direction to staff.

**BACKGROUND**

Cal Cities talking points for AB 339 (Lee):

- City/Town of \_\_\_\_\_ takes very seriously our obligations under the Brown Act to operate transparently and to provide opportunities for members of the public to participate in the most local and foundational levels of democracy. However, AB 339 will add significant unfunded mandates on local public agencies by requiring them to provide both call-in and internet-based options, in addition to in-person options, for members of the public to attend and comment during any public meeting.
- AB 339 fails to provide flexibility to local governments to manage their own affairs. What happens if either the teleconferencing service or the internet-based option are not available or if service disruptions occur during a meeting (whether through the service itself, or the internet service or telephone service provider)?
- Because it would not be feasible to retrofit every meeting space with the required multimedia capabilities that AB 339 requires, many cities may need to reduce or eliminate their use of advisory bodies simply because of the sheer enormity of the cost of complying with the bill. This means that AB 339, instead of creating more transparency, actually could result in less opportunities for members of the public to get involved in advising and recommending changes to their local government.
- The opponents of a council decision could weaponize these provisions or any technological lapse in operations of the meeting to allege a Brown Act violation and invalidate any decision made by the legislative body.

- It is disturbing that the most recent amended version of this bill exempts the Legislature and state government and its agencies from these onerous requirements. This “one rule for thee, another rule for me” approach does nothing but create challenges for local officials and codifies a double standard all too common in the state-local relationship.

**ATTACHMENT: AB 339 Sample Letter**

ALL LETTERS MUST BE UPLOADED INTO THE ELECTRONIC PORTAL. The portal automatically sends letters to the author's office and the committee(s) of jurisdiction. Please visit the California Legislature Position Letter Portal to create an account and upload the letter. If you are having difficulty accessing the portal, please contact Meg Desmond at [Mdesmond@cacities.org](mailto:Mdesmond@cacities.org).

In addition to submitting the letter through the portal, please send a physical copy to your Legislator(s), and email a copy to [cityletters@cacities.org](mailto:cityletters@cacities.org) as well as your Regional Public Affairs Manager.

\*\*\*CITY LETTERHEAD\*\*\*

DATE

The Honorable Cecilia Aguiar-Curry

Chair, Assembly Local Government Committee

Legislative Office Building, 1020 N Street, Room 157

Sacramento, CA 95814

RE: AB 339 Local Government: Open and Public Meetings

Notice of OPPOSITION (As Amended April 15, 2021)

Dear Assembly Member Aguiar-Curry:

The City/Town of \_\_\_\_\_ must respectfully oppose AB 339, which would purposefully add significant unfunded mandates on local public agencies by requiring them to provide both call-in and internet-based options, in addition to in-person options, for members of the public to attend and comment during any public meeting. The measure further requires extensive translation services (a) in real-time during public meetings; and (b) of extensive and often technical public meeting materials, additionally burdening local agencies with significant costs. Imposing these mandated costs on local agencies under particularly challenging fiscal circumstances coupled with the overwhelming practical challenges associated with implementing such a measure makes us deeply concerned about our ability to effectively conduct the people's business.

Our city takes very seriously our obligations under the Brown Act to operate transparently and provide opportunities for members of the public to participate in the

most local and foundational levels of democracy. However, the mandates in this bill would create more burdens on our already struggling agencies and could actually do more to hinder local government deliberations than increase participation.

### Technological and Staffing Challenge

AB 339's mandate to provide both call-in and internet-based options for attendance and public comment would present an immediate technological and staffing challenge for our city. Compliance with these provisions will require (a) significant one-time equipment expenses and (b) ongoing costs for personnel and technology service subscriptions to ensure strict compliance with the bill.

PLEASE CITE THE SPECIFIC CHALLENGES THIS BILL WOULD PRESENT TO YOUR CITY.

### Reliance on Technology

AB 339 fails to provide flexibility to cities to manage their own affairs. If either the teleconferencing service or the internet-based option experienced a service disruption we would not be able to conduct Brown Act-compliant meetings without having all services advertised in meeting announcements being operational – for the entire meeting. This means that the conditions necessary to operate meetings would be wholly outside of our control. This puts our city at risk of not being able to address immediate fiscal, legal, and practical obligations to constituents.

### Disruption of Public Meetings

As has been often chronicled in the news media, one significant challenge that has arisen in the Zoom era is of disruption of public meetings. These disruptions have taken the form of derogatory, racist, sexist, hateful, and offensive language in addition to coordinated hijackings of public meetings that involve the display of profane or pornographic images or videos. We worry that these requirements would provide another window of opportunity for bad actors to disrupt local government. While we do not cast aspersions on those who wish to participate, these directed campaigns are often designed to only punish local public agencies and paralyze work by dragging out the public comment period beyond any rational length.

PLEASE CITE THE SPECIFIC CHALLENGES THIS BILL WOULD PRESENT TO YOUR CITY.

### Primary Legislative Bodies

While much of our concerns focus on the impacts to our city council, we also believe it is important to recognize the impacts of this legislation on the boards and commissions that advise and make recommendations to our council. Our city currently has ### boards and commission, which all would be covered by this legislation. By raising the bar to effectively and efficiently operate local boards and commissions it becomes more difficult to carry out their essential functions. We fear that if AB 339 were to become law that we would need to reduce or eliminate our use of advisory bodies simply because of the sheer enormity of the cost of complying with the new mandates. AB 339, instead of creating more transparency, actually could result in less opportunities for members of the public to get involved in advising and recommending changes to their local government.

### Translation Requirements

The requirement to employ translators and provide live translation services presents another deep cost requirement and operational burden that could end up paralyzing the work of our city.

There is a strong concern of what happens if enough translators are not available for every council, planning commissioner, or board meeting. Our city would be forced to schedule our meetings and work around a workforce, the capacity of which is unknown. Additional requirements to mandate translation of written materials poses another significant challenge, in that agenda materials can be extensive and technically complex, requiring specialized translation skills and significant amounts of time to complete appropriately.

PLEASE CITE THE SPECIFIC CHALLENGES THIS BILL WOULD PRESENT TO YOUR CITY.

### The State

Lastly, we are disturbed that the most recent amended version of this bill exempts the Legislature and state government and its agencies from these onerous requirements. Once

again, local governments are faced with a statewide mandate, ostensibly for the greater good that does not apply to state government or the Legislature. If the merits of this bill are so beneficial that they require the most expansive and expensive mandates on the operation of public meetings since the Brown Act's inception, it is patently offensive for the state to be exempted given that the impact of its decisions, statutory and regulatory, are far more wide-reaching than the impact of the decisions of any one local public agency on its jurisdiction.

We share the author's commitment to access and transparency and recognize how key those values are to local democracy. However, AB 339 will burden our city financially and practically and will stymied our ability to efficiently execute the people's business.

For these reasons, the City/Town of \_\_\_\_\_ opposes AB 339.

Sincerely,

NAME

TITLE

CITY/TOWN of \_\_\_\_\_

cc: The Honorable \_\_\_\_\_

Your Senator & Assembly Member

Your League Regional Public Affairs Manager (via email) League of California  
Cities, [cityletters@cacities.org](mailto:cityletters@cacities.org)