



Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Kelsey Pettijohn, City Clerk

Approved by: Steve McClary, City Manager

Date prepared: August 2, 2023 Meeting date: August 14, 2023

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the June 13, 2022 Malibu City Council Regular meeting, June 27, 2022 Malibu City Council Regular meeting, July 11, 2022 Malibu City Council Regular meeting, and July 28, 2023 Malibu City Council Special meeting.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2022-2023. This is part of normal staff operations.

DISCUSSION: Staff has prepared draft minutes for the Council meetings of June 13, 2022, June 27, 2022, July 11, 2022, and July 28, 2023.

ATTACHMENTS:

June 13, 2022 Regular meeting
June 27, 2022 Regular meeting
July 11, 2022 Regular meeting
July 28, 2023 Special meeting

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
JUNE 13, 2022
TELECONFERENCED - VARIOUS LOCATIONS
6:30 P.M.

The following meeting was held pursuant to AB 361 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

MEETING CALL TO ORDER

Mayor Grisanti called the meeting to order at 5:30 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Mayor Paul Grisanti, Mayor Pro Tem Bruce Silverstein, and Councilmembers Karen Farrer, Mikke Pierson, and Steve Uhring

PUBLIC COMMENT ON CLOSED SESSION

Mayor Grisanti opened the floor to public comment.

Speaker: Howard Rudzki

Mark Martin, Jo Drummond, Rosemary Ihde, and Colin Drummond were not present at the time of the hearing.

As there were no other speakers present, Mayor Grisanti closed public comment.

RECESS TO CLOSED SESSION

At 5:33 p.m., on the advice of counsel and based on existing facts and circumstances, the Council recessed to Closed Session to discuss the following items listed on the Closed Session agenda:

Liability Claim/Conference with Legal Counsel – Anticipated Litigation

1. Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): 1 Case
Claim of Jyoti (Jo) Drummond against City of Malibu dated January 24, 2022

Conference with Legal Counsel – Worker's Compensation Claim

1. Closed Session held pursuant to California Government Code Section 54956.95(b):
Nicole Senehi v. City of Malibu (WCAB 40200715BF3-0001)

REGULAR SESSION CALL TO ORDER

Mayor Grisanti called the meeting to order at 6:32 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Mayor Paul Grisanti; Mayor Pro Tem Bruce Silverstein; and Councilmembers Karen Farrer, Mikke Pierson, and Steve Uhring

ALSO PRESENT: John Cotti, Interim City Attorney; Steve McClary, Interim City Manager; Ruth Quinto, Interim Assistant City Manager/City Treasurer; Kelsey Pettijohn, City Clerk; Jesse Bobbett, Community Services Director; Yolanda Bundy, Environmental Sustainability Director; Rob DuBoux, Public Works Director; Trevor Rusin, Assistant City Attorney; Elizabeth Shavelson, Deputy City Manager; Adrian Fernandez, Assistant Planning Director; and Joyce Parker-Bozylinski, Contract Planner

PLEDGE OF ALLEGIANCE

Mayor Grisanti led the Pledge of Allegiance.

RECESS TO CLOSED SESSION

Interim City Attorney Cotti reported that the meeting convened at 5:30 p.m., after which time the City Council recessed to a Closed Session pursuant to Government Code Sections 54956.9(d)(2) and 54956.95(b) with all Councilmembers present and voted unanimously to reject the claim dated January 24, 2022 brought about by Ms. Drummond and directed him to send correspondence denying the claim. He reported the Council was provided with an update on the second item on the Closed Session agenda and took no reportable action.

APPROVAL OF AGENDA

MOTION Councilmember Farrer moved, and Councilmember Pierson seconded a motion to approve the agenda. The question was called, and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

City Clerk Pettijohn reported that the agenda for the meeting was properly posted on June 3, 2022, with the amended agenda posted on June 10, 2022.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Presentation of Commendation to Shari Latta

Mayor Grisanti presented Shari Latta of Children's Creative Workshop with a commendation for her work with children in the community.

Ms. Latta thanked the Council for its recognition.

ITEM 2.A. PUBLIC COMMENTS

Evan Contino, Burdge and Associates Architects, discussed Woolsey Fire Rebuild Option 4 and stated their firm had worked on more than 40 fire rebuild applications and most of their clients were homeowners before the Woolsey Fire. He stated that he believed the California Coastal Commission (CCC) should not base its interpretation of what constituted an existing home simply upon what existed but also take into consideration what official records deemed a legally existing structure. He stated if the project was legally permitted and there was a final permit issued it should have been considered legally vested. He discussed the Planning Verification and Administrative Plan Review (APR) processes and the types of development that could be approved through each application.

Brian Klien stated he and his wife purchased a fire-damaged lot approximately three years prior and they had worked with the City in an attempt to rebuild the house for their growing family. He stated one year prior they met with City staff and pursued their like-for-like plus-ten percent project through a Planning Verification submittal, which recently received an approval stamp and they were about to submit their APR plans. He stated they had done everything asked for by the City and had invested time, money, and energy. He discussed his family's commitment to the Malibu community. He stated there had already been delays in the process and it was more than three- and one-half years since the fire, with over 500 homes destroyed and only 77 people had obtained their Certificate of Occupancy. He stated that they hoped the matter could be resolved so they could build their home.

Jo Drummond stated that on May 25, 2022 the California Coastal Commission's (CCC) code enforcement office notified the City to cease the city's practice that granted secondary exemptions for Woolsey Fire rebuilds because it violated Malibu's Local Coastal Program (LCP) and Local Implementation Plan (LIP) and thus the Coastal Act. She stated two Councilmembers questioned plans to build much larger homes than what previously existed and why the projects weren't going to the Planning Commission for approval without the public receiving due notice and those questions were never answered. She stated Councilmember Farrer had approved the fire rebuild codes and was using loopholes to rebuild a larger home on the fire-damaged property she purchased. She discussed fire rebuilds in the Big Rock area from the 1993 fires. She stated Councilmember Farrer's project should have undergone the Coastal Development Permit (CDP) process, especially since it was on an Environmentally Sensitive Habitat Area (ESHA). She discussed

her code enforcement report to the CCC and stated the Planning Department needed to follow the codes. She requested the City investigate this issue.

Heather Alfano stated that she was a Malibu resident since 2015 and the mother of three children who were Malibu school students. She stated they lost their home to the Woolsey Fire and had worked tirelessly to rebuild their home. She stated that the City had a duty to help its residents to become whole again after a disaster. She discussed the challenges of rebuilding and recovering from the Woolsey Fire. She stated it made no sense to be required to wait until a fire rebuild was complete for permits to be applied for to have a pool, basement, retaining walls, upgraded fire access, safer landscaping, or as built. She stated construction of a home on a fresh lot should be a succinct process, not a piecemeal mess. She stated the permit process had not been made easy or expedited by the City and their family received their final permits only about six months prior. She questioned whether the City prioritized fire victims and implored the Council for assistance.

John Alfano stated that as a businessman in the construction industry he knew how to get things done, and from his perspective there was a staffing shortage in the City's Planning Department. He stated the City failed drastically at getting people back into their homes. He stated that rule changes, paused applications, and overinvolvement of the CCC was unnecessary for additions such as retaining walls which were part of proper construction. He discussed the length of the permitting process and the impact it had on his family. He stated he knew that Malibu was a good city, and he had liked what they had been doing, but it was time to get involved with the Planning Department and the process moved forward and things did not change for those who already went through the process.

Doug Sandler stated that he, his wife, and their two sons had a home in Malibu Park and were part of the community for 27 years until their home was lost in the fire. He discussed his family's involvement with the Malibu community. He stated that he recently learned from the Planning Department that the approval process for plans like theirs, APRs, had been frozen and could not move forward in any way, which he was devastated to learn after he was told by this same Planning Department that the house they proposed would not be an issue. He stated they just wanted to come home to their community and every delay would cost them tens of thousands of dollars in addition to what they had already spent. He implored the Council to help them recover from the tragedy.

Lloyd Ahern stated that he felt Jo Drummond had walked right into a political avalanche and that she could be made a pariah. He stated that the rebuild process was slow as it was and with the CCC involved would be made unnecessarily slower.

Howard Rudzki stated he had heard different versions of what happened regarding the CCC and requested the City Council webpage clearly state the disposition of the matter concerning Ms. Drummond's interactions with them and the City. He stated that the City should be 100 percent transparent about what had transpired and what the City would do about it moving forward.

Kraig Hill stated that a drone hovered outside of the window of his home and that he found the intrusion disconcerting. He suggested information about rules and guidelines for drone usage within the City and near the Sheriff Department's helicopter station be made available on the City's website.

Scott Dittrich commented on the communications tower in the Civic Center area and stated Planning Director Mollica told him story poles were not required prior to construction because it had replaced a tower that previously existed. He stated that the old tower was very different and there were no complaints about it. He stated that there were projects that the community took exception to that had slipped through the Planning process and that should be considered by the Council when they made their Commission appointments. He stated that something was wrong with the rebuild process for it to take three years to build the same house plus ten percent and that needed to be fixed as a top priority. He stated that victims of the fire were being revictimized. He stated his friend in Flagstaff Arizona purchased a lot, constructed, and occupied the home within a one-year timeframe.

Ryan Embree stated that the antenna tower was a pole and that the County needed to be notified by the City and have it removed as unauthorized construction. He stated that the County should not have been treated differently than any other business entity as the pole was constructed for commercial purposes for profit and was not integrated into the project for stealth or camouflaged in any way. He stated he had attended the Santa Monica College Malibu Campus scoping meeting and the pole had not been included in the project and was not permissible under its current configuration. He commented on speculators who bought fire-affected lots and built a maximum square footage project for maximum economic return. He stated he understood that the homeowners affected by the fire wanted larger homes and that the additional 10 percent was automatically granted, but more than that complicated and risked delays as more City analysis and reviews would be required. He stated that serial development took longer as more elements were added at the expense of those who waited in line to rebuild what they had or what they had plus ten percent. He stated investors who had cut in line in front of the true victims who were rebuilding for re-occupancy was the larger issue.

Josh Spiegel stated that the retraction of Option 4 made it very difficult for young families who were not extremely wealthy to enter the market. He stated that years ago a plot of land could be purchased, and a modest house built, which was no longer possible, mainly because there were very few vacant lots, and it was too expensive and time consuming. He stated that those who wanted more projects processed as a CDP were not taking had not taken into consideration that would take five to ten years, at a cost of approximately one million dollars. He stated that the City should help people and it be made easier for them to get back into their homes. He stated that he found it astounding that the person who filed the lawsuit herself had not followed the rules and had code enforcement violations on her short-term rental property. He stated it would be helpful if the City could put a link to the agenda on the City meeting videos posted to YouTube.

Lester Tobias stated that he had submitted a six-point piece of correspondence that legislatively discussed Option 4. He stated that the discussion came up every now and then that Malibu was overdeveloped and overrun. He stated he examined the 12 fire rebuild projects his office worked on, which represented a five-percent sample of fire rebuild projects in the City with building permits. He stated only three used the two step APR process. He stated they had an average of 52 percent larger square footage, which was a 152 percent size increase. He stated the square footage of that 52 percent larger square footage were 1500 square-foot additions. He stated that the average final size was only 4596 square feet, when the allowable total development square footage (TDSF) of those three parcels was 6619. He stated of his 12 projects, the average allowable TDSF was 7092, and the average size of the house before it was rebuilt was 4565 square feet and the average size afterward it was rebuilt was 4967 square feet. He stated when everything was averaged out, the result was close to ten percent. He stated that based upon his personal and professional experience, the notion that everyone overbuilt had not rung true in his office. He stated if people wanted to research all of the projects that occurred in the City to prove that his office was an outlier, he could be proven wrong. He stated that his conclusion was that the real-world issue was that there was not an existential threat to Malibu. He stated if people went through the trouble of permitting and building in Malibu, they wanted a 5000 square foot house, and that was the acceptable minimum house size for most people the size that the Planning Commission agreed to deprive people of, so he did not know why anyone would disrupt fire rebuild victims' efforts.

Terry Lucoff commented that the cumulative effect of numerous exceptions had diminished the quality of life in Malibu. He stated that the City's Mission Statement had not been observed and urged the Council's awareness of that fact. He stated he was upset that the Santa Monica College Malibu Campus building in the Civic Center was granted a building height of 3500 feet and that the new high school was approved as a 4000-foot building. He stated Malibu would be disintegrated by those types of development and that they should not be built. He stated that he found his experience following up with the staff of the City's Building Department fabulous. He stated the permit for his house took three years and as the foundation was constructed, the geologist determined one of the caissons needed to be deeper. He stated it took six to eight weeks turnaround time for approval from an outside contractor for something that the City billed as one hour of work. He stated the City needed better performance from its service providers.

Bill Sampson stated that he recalled a few months prior that several Councilmembers attacked Mayor Pro Tem Silverstein and that he was investigated for harassment which resulted in the conclusion that he had done nothing improper. He stated that the results of the investigation were withheld for seven months. He stated that if a public figure had taken advantage of the system on a speculative rebuild for their personal aggrandizement, they should resign. He stated that what they had done may have been legal, but that it was not right. He stated that prioritization over fire victims was not right.

Arielle Verinis stated that she spoke to the human element of fire rebuilds. She stated they purchased their fire-affected lot on Bluewater Road recently to build a home. She stated they were neither fire victims nor land speculators. She stated they could have built a 7000 square-foot house but chose to build a much smaller, 4000 square-foot one-story home to better fit the neighborhood. She stated delays were a hardship, with the payment of rent for a condominium and a mortgage on the property they planned to build on.

Mark Martin stated that he lived in Malibu for almost 25 years, had a young family, and that he was not a developer. He stated he was not interested in politics but was grateful for the Council's work and sacrifice. He stated he was blindsided by the challenge to the legality of Option 4, and that people had spent hundreds of thousands, if not millions of dollars in pursuit of that very clear path that was laid out by the City. He stated that he heard the opposing arguments, and everyone deserved a voice, but the policy should have been disputed four years ago, and the focus should be on expediency and efficiency. He stated that although he was not a legal professional, it seemed to him that this could be a basis for a class action lawsuit, but that would not help City staff or Planners become any more efficient. He stated there was a misconception that people who used Option 4 were faceless developers. He stated that they were part of a community who worked their whole lives to afford a home in Malibu. He stated it was a massive problem to have the rules changed. He agreed an endless loop should not exist for people to come here to develop, but a lot of residents loved the community and did not want McMansions either.

Julie Martin stated that everyone already echoed her feelings on fire rebuilds and that she had nothing more to add.

Alan Caren stated he also had nothing to add to what people already said about fire rebuilds.

Luca Iacovoni, Dustin, and Kaley were not present at the time of the meeting.

ITEM 2.B. COMMISSION / COMMITTEE / CITY MANAGER UPDATES

Interim City Manager McClary reported that he attended the Malibu Public Facilities Authority meeting at the end May and that the main part of the construction on the Santa Monica College Malibu campus was scheduled to be completed in November or December and once it was, work on the interior would commence. He stated that he attended the School Safety Partnership meeting on May 27, 2022. He reported that the COVID-19 positivity rate had increased as of June 8, 2022, to 4.5 percent, which was twice that of the prior month. He stated there were 6195 new cases and hospitalizations had increased to an average of 550 per day. He stated Malibu remained within the medium community transmission level and had increased but was not yet considered high. He stated COVID-19 was still a concern and needed to be closely monitored as the summer months

approached. He reported that the City was eligible for disaster assistance from the State because of the large 2021 storm. He announced a Caltrans virtual committee meeting would be held Tuesday, June 28, 2022, from 6:00 to 7:00 p.m. on the PCH paving project which spanned from the Malibu Lagoon to Leo Carrillo Beach. He stated that he had been unable to attend the Saturday, June 4, 2022 Public Safety Expo held at City Hall, but that approximately 125 persons attended and there were vendors and a quake cottage simulator. He thanked the Public Safety staff, volunteers, professionals, Captain Jennifer Seetoo, and all the participants. He stated he attended the graduation ceremonies of Malibu Middle and High Schools and thanked the school district. He stated water restrictions were in place for outdoor watering and more information was included in the City Manager's Update and on the City's website.

Captain Seetoo reported that a School Safety Partnership meeting was held to discuss ideas to help protect the Malibu community. She stated Isaac Burgess from the school district, Mayor Grisanti, and Councilmember Farrer attended. She stated there would be a follow-up meeting held the following day to discuss increased school safety measures. She stated there were no threats to the Malibu schools at all, but additional personnel were present. She stated high-visibility patrols were conducted and deputies attended the graduations. She stated they wanted to ensure the students' hard work was celebrated and that the community felt safe.

In response to Councilmember Uhring, Captain Seetoo stated that Malibu High School Principal Patrick Miller was unable to attend the first School Safety Partnership meeting but would attend the next and that she had been in contact with him.

Councilmember Farrer thanked Captain Seetoo, Lieutenant Craig Watters, Interim City Manager McClary, Assistant City Manager Toney, Principal Burgess, and Mayor Grisanti for quick coordination of the School Safety Partnership meeting.

In response to Mayor Grisanti, Captain Seetoo stated that on the prior Friday afternoon, there was a shooting and robbery at the Point Dume gas station where the suspect fled, and the incident investigated by Major Crimes.

In response to Councilmember Uhring, Captain Seetoo responded that the summer beach team at Zuma Beach would have the same level of deputy coverage, but there would be a reduction in excessive supervision.

Lieutenant Watters stated there had been an excessive level of supervisor coverage and they streamlined their efforts with no reduction in service.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Pierson thanked Ms. Latta for her work with the Children's Creative Workshop and the difference she made in the community. He stated that he had been contacted by many community members who conveyed she would be

missed. He stated that he had been contacted by community members who indicated they were completely blindsided by the freeze on Option 4 projects, and he acknowledged people's frustration, and stated he did not know enough about what transpired or the reasons behind it. He stated that Mr. Spiegel spoke well and agreed it was expensive and time consuming to get anything developed in Malibu and any delays were difficult. He invited the community to contact him and City staff when they felt stuck by the process. He stated that it appeared to him that the Alfano's project was approved and if something delayed their project, they should contact him. He stated the City made efforts to get families back into their homes. He stated he was elected two days before the fire, and it had not been easy, and the City lost a huge amount of staff. He stated that it was a long and painful process, but it was of the highest priority, and he was on board with whatever it took to get them done. He stated in response to Ms. Verinis' comments, that accommodating young families was a high priority. He stated that he had attended the middle and high school graduations and when he saw the students and families, it was clear to him that was what it was all about. He stated he hoped there would soon be good news on the school board separation matter. He stated he toured parts of western Malibu with Interim City Manager McClary and wanted to have more of a sense of community brought back. He stated he had the opportunity to meet new Assistant City Manager Toney and he thanked him for his time.

In response to Councilmember Uhring, Interim City Attorney Cotti stated that the City received an email correspondence from Denise Gonzalez of the CCC addressed to Planning Director Mollica regarding Option 4 dated May 25, 2022. He stated Media Information Officer Matt Myerhoff issued a press release and the City had sent a letter to the CCC and requested a meeting to discuss the matter. He stated Option 4 would be brought back before the Council at a future meeting and a course of action determined.

Councilmember Uhring stated that he attended the Public Safety Expo held at City Hall the prior Saturday and thanked Public Safety Specialist Sarah Kaplan for her work on the event. He thanked poll workers who performed their election duties at City Hall and stated he found them friendly, helpful, and they did a great job and made the voting process much easier.

In response to Councilmember Uhring, Public Works Director Duboux stated California State Parks was involved in funding and the removal of the Rindge Dam and that they would be working collaboratively with the City.

In response to Councilmember Uhring, Interim City Manager McClary confirmed the signs were installed in the shopping center where the unpermitted car shows had been held and that he confirmed with Lieutenant Watters that citations were issued the prior weekend.

Councilmember Farrer thanked the public speakers for their comments and Ms. Latta for her contribution to the community and stated she and Councilmember Pierson had sought solutions for the school and was sorry that it closed but was

glad the school year could be finished. She commented that school violence was far too prevalent, and the local community was concerned. She stated that another School Safety Partnership meeting was scheduled for the following day by Captain Seetoo and would include the Malibu Pathway director, community partners, parents, teachers, principals, the English Learner Advisory Committee (ELAC), and the Boys and Girls Club. She commented on the attempted robbery and shooting at the Point Dume gas station and that there were seven accidents on PCH on Saturday. She stated that she and Mayor Grisanti participated in the Los Angeles County City Selection Committee meeting on May 24, 2022. She stated she attended the Los Angeles County Library Commission meeting and that she was appointed to a second term. She stated that she attended a meeting on May 26, 2022, at City Hall regarding the emergency broadcast radio antenna, and Public Safety Commission Chair Chris Frost, Vice Chair Doug Stewart, Planning Director Mollica, and potential service provider Hanz Letz of Radio Malibu 99.1 FM were in attendance. She stated she would attend the next day's School Safety Partnership meeting and would report back to the Council. She stated that on May 27, 2022, she attended the Southern California Edison Clean Energy Financing Proposal virtual meeting that a link to the presentation could be provided. She stated she had an introductory meeting with Assistant City Manager Toney and welcomed him to the City. She stated she attended the weekly School District Separation Ad Hoc Committee meetings and reported the next mediation was scheduled for Saturday, July 9, 2022. She stated she attended the Public Safety Expo on June 4, 2022, and thanked everyone involved. She stated she heard that attendance at the event was light and encouraged the community to attend future events because so much valuable information was available. She stated she attended the Malibu High School graduation ceremony and found it to be an uplifting event and community gathering. She congratulated the graduates of Malibu High School and Malibu Middle School. She detailed a timeline of events that surrounded the purchase and development of the property attributed to her located on Busch Drive. She stated that the property was put on the market in November of 2017 and the owner had architectural renderings and plans made and sold it as a package. She stated her family purchased the property in September of 2020 with the intention that her daughter and her family would move back to Malibu. She stated the property was purchased for under two percent of the asking price. She stated the City Council voted on the motions to address fire rebuilds in February 2019, a full 18 months before the property was purchased. She stated that she nor her family had done anything wrong. She stated that attention drawn to her situation when Ms. Drummond contacted the CCC had unintended consequences for many other families who suffered for what she felt was a politically motivated attack. She stated the submissions to the City were processed by her family's architect, and all fees were paid, and they got in line with the other applicants. She stated that no favors were sought, and none were provided.

In response to Mayor Pro Tem Silverstein, Interim City Attorney Cotti stated that if the School Safety Partnership meeting was a meeting of another body, publicly noticed, and open to the public, it would not constitute a Brown Act violation for attendance by more than three Councilmembers. He stated that he was not familiar

with the specific meeting in question so it would need to be researched for a definitive answer.

In response to Mayor Pro Tem Silverstein's inquiry, Councilmember Farrer stated that the meeting attendees were invited based upon the recommendations of the school principals, ELAC, and faculty members. She stated that the meeting was not open to the public.

Mayor Pro Tem Silverstein stated that it was not fun to be personally attacked in public and that he empathized with Councilmember Farrer, and he appreciated her response. He stated corners were cut and laws were bent when Option 4 was implemented and that led to the unintended consequences of the difficulties people experienced with their rebuilds. He stated he thought it was done with good intentions, but there was an expression in court, "Bad facts make bad law." He stated he hoped there was a way to help homeowners who lost their homes in the fire have their applications unfrozen expeditiously. He stated his understanding was the vast majority of the delays were for homes that did not have permits and that had not begun the process, and that issue was money, not the Planning Department. He stated that most people who lost their homes were underinsured, they required assistance from Southern California Edison (SCE) who caused the fire, and the legal system took a long time. He stated that Jo Drummond brought what she saw as an inappropriate program to the CCC's attention. He stated this could have been addressed properly in 2019 but the CCC would not have agreed to Option 4 had it been presented directly, so for what seemed to be a good result for the residents accomplished, no one asked them. He stated once the CCC understood the matter, they did what they would have done had it been presented to them sooner. He stated that the elimination of Option 4 would not prohibit lawful development, that it just required a Coastal Development Permit.

Mayor Grisanti stated he was involved with the School Safety Partnership and had worked with the Parent Teacher Association over the prior 12 months on school safety. He stated that he attended the middle and high school promotion ceremonies but could not attend the elementary school ceremony as it was scheduled at the same time as the middle school ceremony. He stated he attended two Zoom outreach meetings, one for the Cook Conservancy and the other for the Mountains Recreation and Conservation Authority where they sought input on what the community wanted done with their funds. He stated he attended the Public Safety Expo where he wore his Community Emergency Response Team uniform. He stated there was a better turnout when it was held at the Trancas Country Market. He stated he participated in the City Selection Committee meeting where the removal of the Rindge Dam was discussed. He stated the State Parks plan was more sensitive to the environment than the one that was previously proposed by the Army Corps of Engineers. He stated that the Planning Department had approved 344 sets of plans, and 234 of those had permits issued. He stated there were 152 active permits that awaited inspection, and that the inspectors were working hard. He stated that there were 110 project plans that awaited review by the Planning Department and that there were 130 properties where the owners had not initiated

anything with the City and staff contacted them. He stated that the most horrible Option 4 affected case was one where the owner had been through three sets of plans, and the most recent proposed project was for what he had, plus ten percent, plus 42 feet and because of those 42 feet his project was stopped. He stated that he had attended many Council meetings where a letter from the CCC was read that stated the City had their plan and it should be administered by the City which was the action taken when Option 4 was made possible. He stated that he lived within close proximity to a number of rebuilds and having those stopped rather than finished quickly was very disruptive and he felt most of the City's preferred houses to be finished as quickly as possible.

ITEM 3 CONSENT CALENDAR

Item Nos. 3.A.1., 3.A.2., 3.B.4., 3.B.6., 3.B.9., 3.B.12., 3.B.14., and 3.B.16. were pulled by the public.

MOTION Councilmember Pierson moved, and Councilmember Farrer seconded a motion to approve the Consent Calendar, pulling Item Nos. 3.A.1., 3.A.2., 3.B.4., 3.B.6., 3.B.9., 3.B.12., 3.B.14., and 3.B.16. The question was called, and the motion carried unanimously.

The Consent Calendar consisted of the following items:

B. New Items

1. Waive Further Reading
Recommended Action: After the City Attorney has read the title, waive full reading of ordinances considered on this agenda for introduction on first reading and/or second reading and adoption.
2. Approve Warrants
Recommended Action: Allow and approve warrant demand numbers 65955-66165 listed on the register from the General Fund and direct the City Manager to pay out the funds to each of the claimants listed in Warrant Register No. 705 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$2,457,618.54. City of Malibu payroll check numbers 5227-5228 and ACH deposits were issued in the amount of \$239,208.64.
3. Approval of Minutes
Recommended Action: Approve the minutes for the October 11, 2021 Malibu City Council Regular meeting.
5. Amendment No. 3 to Professional Services Agreement with Woodward and Curran
Recommended Action: Authorize the Mayor to executed Amendment No. 3 to the Professional Services Agreement with Woodard and Curran in the amount of \$130,000 for a total not to exceed \$3,659,593 to provide additional cultural resources soil investigations for the Civic Center Water Treatment Facility Phase Two project.
7. Amendment to Agreement with Hughes Research Laboratories (HRL) for Design of Civic Center Water Treatment Facility (CCWTF) Phase Two

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to the Agreement with HRL to provide additional funding for the design and engineering assessment of the CCWTF Phase Two project.

8. State Senate Bill 1 (SB 1) Road Maintenance and Rehabilitation Account Funding and Project List

Recommended Action: Adopt Resolution No. 22-19 approving the Fiscal Year 2022-2023 project list for Senate Bill 1 (Road Repair and Accountability Act of 2017) Road Maintenance and Rehabilitation Account funding.

10. November 8, 2022 General Municipal Election

Recommended Action: 1) Adopt Resolution No. 22-20 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2022, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities; and 2) Adopt Resolution No. 22-21 requesting the Board of Supervisors of the County of Los Angeles to consolidate a General Municipal Election to be held on November 8, 2022, with the Statewide General Election to be held on the date pursuant to California Elections Code Section 10403.

11. Amendment to Professional Services Agreement with PrimeGov

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to Professional Services Agreement with PrimeGov for certain projects relating to the live cast streaming of public meetings, live meeting management, and virtual public meeting capabilities in the amount of approximately \$15,000.

13. Amendment to Professional Services Agreement with Landscape Development Inc. for Landscape Maintenance Services

Recommended Action: Authorize the Mayor to execute Amendment No. 3 to the Professional Services Agreement with Landscape Development Inc., extending the term of the Agreement for landscape maintenance services at City Hall, City Parks, and the Civic Center area through June 30, 2023.

15. Office Trailer Rental Lease Extension for Malibu Community Labor Exchange

Recommended Action: Direct staff to continue to the City's rental lease with Williams Scotsman Inc. for the temporary office trailer currently used by the Malibu Community Labor Exchange in an amount not to exceed \$20,000.

The following items were pulled from the consent calendar for individual consideration:

Item No. 3.A.1. and 3.A.2. were heard concurrently:

A. Previously Discussed Items

1. Coastal Development Permit No. 14-073, Variance Nos. 18-002, 18-003, 18-004, 18-008, 18-009, and Minor Modification No. 18-001 - An application for a new single-family residence and associated development

Recommended Action: Adopt Resolution No. 22-16, denying Appeal No. 21-017 upholding the Planning Commission's denial of Coastal Development Permit No. 14-073 to construct a new 2,825-square foot, two-story, single-family residence, including a 483-square foot attached two-car garage, rooftop deck, swimming pool, spa and associated equipment, barbeque, outdoor fireplace, retaining walls, hardscaping, grading, and installation of a new alternative onsite wastewater treatment system, and denying Variance No. 18-002 for construction in excess of 18 feet in height, up to 43.25 feet for the single-family residence, and denying Variance No. 18-004 to allow the portions of the building in excess of 18 feet in height to exceed two-thirds the area below 18 feet in height located in the Rural Residential Two-Acre zoning district at 33386 Pacific Coast Highway (180 PCH, LLC).

2. Coastal Development Permit No. 14-072, Lot Merger No. 17-007, Lot Line Adjustment No. 14-004, Variance Nos. 17-050, 17-051, 18-001, 18-005, 18-006, and 18-015 – An application for a new single-family residence, associated development, lot merger, and lot line adjustment

Recommended Action: Adopt Resolution No. 22-17, denying Appeal No. 21-018 upholding the Planning Commission's denial of Coastal Development Permit No. 14-073 to construct a new 2,825-square foot, two-story, single-family residence, including a 483-square foot attached two-car garage, rooftop deck, swimming pool, spa and associated equipment, barbeque, outdoor fireplace, retaining walls, hardscaping, grading, and installation of a new alternative onsite wastewater treatment system, and denying Variance No. 17-050 for construction in excess of 18 feet in height, up to 43.25 feet for the single-family residence, and denying Variance No. 18-001 to allow the portions of the building in excess of 18 feet in height to exceed two-thirds the area below 18 feet in height located in the Rural Residential Two-Acre zoning district at 33398 Pacific Coast Highway (180 PCH, LLC).

Mayor Grisanti opened the floor for public comment.

Speakers: David Rosen, James George, and John Henning

John Alfano, Heather Alfano, Tyler Kruse, and Charals Haagen were not present at the time of the hearing.

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION

Mayor Pro Tem Silverstein moved, and Mayor Grisanti seconded a motion to continue to the June 27, 2022 Regular City Council meeting: 1) Coastal Development Permit No. 14-073, Variance Nos. 18-002, 18-003, 18-004, 18-008, 18-009, and Minor Modification No. 18-001, an application for a new single-family residence and associated development; and 2) Coastal

Development Permit No. 14-072, Lot Merger No. 17-007, Lot Line Adjustment No. 14-004, Variance Nos. 17-050, 17-051, 18-001, 18-005, 18-006, and 18-015, an application for a new single-family residence, associated development, lot merger, and lot line adjustment. The question was called, and the motion carried unanimously.

B. New Items

4. Findings to Hold Virtual City Council, Commission, Committee, Board and Other City Bodies, Meetings Under AB 361

Recommended Action: It is recommended that the City Council adopt Resolution No. 22-25, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.

Mayor Grisanti opened the floor for public comment.

Speaker: Scott Dittrich

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION

Councilmember Pierson moved, and Councilmember Farrer seconded a motion to adopt Resolution No. 22-25, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361. The question was called and the motion carried unanimously.

6. Professional Services Agreement with CWE

Recommended Action: Authorize the Mayor to execute Professional Services Agreement with CWE for engineering design services for the Clover Heights Storm Drain Improvements Project in the amount of \$149,839.

Mayor Grisanti opened the floor for public comment.

Speaker: Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council directed questions to staff.

MOTION

Councilmember Pierson moved, and Councilmember Farrer seconded a motion to authorize the Mayor to execute Professional Services Agreement with CWE for engineering design services for the Clover Heights Storm Drain Improvements Project in the amount of \$149,839. The question was called, and the motion carried unanimously.

9. Broad Beach Road Biofiltration Repair Project

Recommended Action: 1) Authorize the Mayor to execute a construction contract with JTEC Corporation in the amount \$281,301 for the Broad Beach Road Biofiltration Repair Project, Specification No. 2091; and 2) Authorize the Public Works Director to approve potential change orders up to 15% of contract.

Mayor Grisanti opened the floor for public comment.

Speaker: Bill Sampson

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council directed questions to staff.

MOTION

Councilmember Farrer moved, and Councilmember Pierson seconded a motion to: 1) authorize the Mayor to execute a construction contract with JTEC Corporation in the amount \$281,301 for the Broad Beach Road Biofiltration Repair Project, Specification No. 2091; and 2) authorize the Public Works Director to approve potential change orders up to 15% of contract. The question was called and the motion carried unanimously.

12. Amendment to the Professional Services Agreement with FM3 Research

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with FM3 in an amount not to exceed \$25,000.

Mayor Grisanti opened the floor for public comment.

Speaker: Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council directed questions to staff.

MOTION

Councilmember Pierson moved, and Councilmember Farrer seconded a motion to authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with FM3 in an amount not to exceed \$25,000. The question was called and the motion carried unanimously.

14. Amendment No. 1 with Solid Waste Solutions, Inc.

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to the professional services agreement with Solid Waste Solutions, Inc. for film permit services.

Mayor Grisanti opened the floor for public comment.

Speaker: Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council directed questions to staff.

MOTION

Councilmember Pierson moved, and Councilmember Farrer seconded a motion to authorize the Mayor to execute Amendment No. 1 to the professional services agreement with Solid Waste Solutions, Inc. for film permit services.

The Council directed questions to staff and Kimberly Nilsson of Solid Waste Solutions.

The question was called, and the motion carried unanimously.

16. Commission Work Assignments for Fiscal Year 2022-2023

Recommended Action: Approve work assignments for the Harry Barovsky Memorial Youth Commission, Malibu Arts Commission, Parks and Recreation Commission, Public Safety Commission and Public Works Commission for Fiscal Year 2022-2023.

Mayor Grisanti opened the floor for public comment.

Speakers: Scott Dittrich, Lance Simmens, and Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION

Councilmember Farrer moved, and Councilmember Pierson seconded a motion to approve work assignments for the Harry Barovsky Memorial Youth Commission, Malibu Arts Commission, Parks and Recreation Commission, Public Safety Commission and Public Works Commission for Fiscal Year 2022-2023. The question was called, and the motion carried unanimously.

RECESS

At 9:18 p.m., Mayor Grisanti recessed the meeting. The meeting resumed at 9:25 p.m. with all Councilmembers present.

ITEM 4

ORDINANCES AND PUBLIC HEARINGS

A. Proposed Budget for Fiscal Year 2022-23

Recommended Action: 1) Adopt Resolution No. 22-22 adopting the Annual Budget for Fiscal Year 2022-2023; 2) Approve the Annual Work Plan for Fiscal Year 2022-

2023; 3) Adopt Resolution No. 22-23 establishing the Appropriations Limit for Fiscal Year 2022-2023; and 4) Adopt Resolution No. 22-24 approving the Fiscal Year 2022-2023 Authorized Positions and Salary Ranges and the Information Systems Analyst, Public Safety Director, Senior Civil Engineer, Principal Permit Technician, and Development Services Manager Job Specifications.

Assistant City Manager/City Treasurer Quinto, Interim City Manager McClary, Community Services Director Bobbett, Public Works Director DuBoux, Environmental Sustainability Director Bundy, and Assistant Planning Director Fernandez presented the staff report.

Mayor Grisanti opened the floor for public comment.

Speakers: Bill Sampson, Jo Drummond, Georgia Goldfarb, and Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION Councilmember Farrer moved and Councilmember Pierson seconded a motion to: adopt Resolution No. 22-22 adopting the Annual Budget for Fiscal Year 2022-2023; 2) approve the Annual Work Plan for Fiscal Year 2022-2023; 3) adopt Resolution No. 22-23 establishing the Appropriations Limit for Fiscal Year 2022-2023; and 4) adopt Resolution No. 22-24 approving the Fiscal Year 2022-2023 Authorized Positions and Salary Ranges and the Information Systems Analyst, Public Safety Director, Senior Civil Engineer, Principal Permit Technician, and Development Services Manager Job Specifications.

The Council discussed the motion.

The question was called, and the motion carried unanimously.

- B. 2022 Engineering and Traffic Survey (E&TS)
Recommended Action: 1) Approve and adopt the 2022 Engineering and Traffic Survey (E&TS) to establish speed limits (Speed Survey); 2) After the City Attorney reads the title, introduce on first reading Ordinance No. 500 amending Chapter 10.08 (Speed Limits) of the Malibu Municipal Code (MMC) to establish speed limits on City streets; and 3) Direct staff to schedule second reading and adoption of Ordinance No. 500 for the June 27, 2022 Regular City Council meeting.

Public Works Director DuBoux presented the staff report.

Mayor Grisanti opened the floor for public comment.

Speaker: Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council directed questions to staff.

MOTION Mayor Pro Tem Silverstein moved and Councilmember Farrer seconded a motion to: 1) approve and adopt the 2022 Engineering and Traffic Survey (E&TS) to establish speed limits (Speed Survey); 2) introduce on first reading Ordinance No. 500, as amended to add Section 2 Environmental Review stating “The City Council finds that this Ordinance is not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly,” amending Chapter 10.08 (Speed Limits) of the Malibu Municipal Code to establish speed limits on City streets; and 3) direct staff to schedule second reading and adoption of Ordinance No. 500 for the June 27, 2022 Regular City Council meeting. The question was called and the motion carried unanimously.

C. Malibu Middle and High School Specific Plan - Final Environmental Impact Report No. 20-001, Local Coastal Program Amendment No. 21-002, General Plan Map Amendment No. 21-002, Zoning Map Amendment No. 22-001, and Zoning Text Amendment No. 22-002 - An application to redevelop and modernize the existing Malibu Middle and High School campus and former Juan Cabrillo Elementary School campus

Recommended Action: Continue this item to the June 27, 2022 City Council meeting.

This item was continued to the June 27, 2022 City Council meeting upon approval of the agenda.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS

A. Short-Term Rental Ordinance Discussion (LCPA No. 19-003)

Recommended Action: Provide direction to staff on discussions with California Coastal Commission staff regarding the City’s proposed Short-term Rental Ordinance (LCPA 19-003).

Contract Planner Parker-Bozylinski presented the staff report.

The Council directed questions to staff.

As there were no further questions for staff, Mayor Grisanti opened the floor for public comment.

Speakers: Bill Sampson, Don Schmitz, Mark Dempster, Andrew Gombiner, Jo Drummond, Kraig Hill, Colin Drummond, Barbara Ann Goldstein, Steven Hakim, Scott Dittrich, Ryan Embree, Marianne Riggins, and Steve Kinsey

Dorina Schiro was not present at the time of the hearing.

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to Mr. Kinsey and staff.

MOTION Mayor Pro Tem Silverstein moved and Mayor Grisanti seconded a motion to: 1) decline the California Coastal Commission's (CCC) invitation to further weaken the Hosted Short-Term Rental Ordinance; and 2) direct staff to explain to the CCC that the Hosted Short-Term Rental Ordinance actually increases the availability of short-term rentals in Malibu and does not narrow that availability, and further explain that Malibu will be forced to begin the strict enforcement of its existing zoning laws to prohibit the short-term rental of homes in residential neighborhoods if the CCC does not approve the enabling legislation proposed by the City.

The Council discussed the motion and directed questions to staff.

The question was called, and the motion carried unanimously.

MOTION Mayor Grisanti moved and Councilmember Pierson seconded a motion to hear Item No. 6.B. after 10:30 p.m.

The Council discussed the motion.

The question was called and the motion carried unanimously.

At 11:55 p.m. Councilmember Pierson left the meeting.

B. Employment Agreement for City Manager Services between the City of Malibu and Steven L. McClary

Recommended Action: Approve the employment agreement dated June 13, 2022 for City Manager Services between the City of Malibu and Steven L. McClary and authorize the Mayor to execute the agreement on behalf of the City Council.

Staff Contact: Interim City Attorney Cotti, 456-2489, ext. 228

Interim City Attorney Cotti presented the staff report.

Mayor Grisanti opened the floor for public comment.

Speaker: Jo Drummond.

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION Mayor Pro Tem Silverstein moved, and Mayor Grisanti second a motion to approve the employment agreement dated June 13, 2022 for City Manager Services between the City of Malibu and Steven L. McClary and authorize the Mayor to execute the agreement on behalf of the City Council.

The Council discussed the motion.

The question was called, and the motion carried 4-0, Councilmember Pierson absent.

MOTION Mayor Pro Tem Silverstein moved and Councilmember Uhring seconded a motion to hear Item No. 7.A. after 10:30 p.m. and continue Item Nos. 7.B. and 7.C. to the June 27, 2022 City Council Regular meeting.

The Council discussed the motion.

The questions was called, and the motion carried 4-0, Councilmember Pierson absent.

ITEM 7 COUNCIL ITEMS

A. Support for Fire and Emergency Preparedness-Related Legislation: Assembly Bill (AB) 2377 Deputy Director of Community Wildfire Preparedness and Mitigation and AB 2477 Minimum Operating Standards for Emergency Alerts and Warning System Providers (Mayor Grisanti)

Recommended Action: At the request of Mayor Grisanti, authorize the Mayor to send letters of support for: 1) AB 2377, a bill to expand the responsibilities of the Deputy Director of Community Wildfire Preparedness and Mitigation at the Office of the State Fire Marshall; and 2) AB 2477, a bill that would create minimum operating standards for emergency alert and warning service providers.

Mayor Grisanti presented the report and opened the floor for public comment. As there were no speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item.

MOTION Councilmember Uhring moved, and Mayor Pro Tem Silverstein seconded a motion to authorize the Mayor to send letters of support for: 1) AB 2377, a bill to expand the responsibilities of the Deputy Director of Community Wildfire Preparedness and Mitigation at the Office of the State Fire Marshall; and 2) AB 2477, a bill that

would create minimum operating standards for emergency alert and warning service providers.

The question was called, and the motion carried 4-0, Councilmember Pierson absent.

B. Reconsideration of May 23, 2022, Council action regarding Malibu Library Set Aside Fund for Fiscal Year 2022-23 (Councilmember Uhring)

Recommended Action: At the request of Councilmember Uhring, approve recommendation to reconsider the Council action of May 23, 2022, regarding Malibu Library Set Aside Fund for Fiscal Year 2022-23, and return the item to the next regularly scheduled Council meeting.

This item was continued to the June 27, 2022 City Council Regular meeting.

C. Program to Protect School Students from Gun Violence (Mayor Pro Tem Silverstein)

Recommended Action: At the request of Mayor Pro Tem Silverstein: 1) Direct staff to research consultants with expertise and experience in the area of developing programs to protect school students from gun violence; and 2) Bring back a recommendation to City Council of a consultant with such expertise and experience, with the objective of developing a plan that can be implemented, at least on a temporary basis, prior to the commencement of the 2022-2023 school year, and a more permanent plan that can be implemented over the following year, to enhance the safety of our public school students. If staff deems it appropriate, they may consult with the Chair of the Public Safety Commission and request the assistance and input of one or two members of that Commission.

This item was continued to the June 27, 2022 City Council Regular meeting.

ADJOURNMENT

At 12:09 a.m. on June 14, 2022 Mayor Grisanti adjourned the meeting.

Approved and adopted by the City Council of the
City of Malibu on _____.

BRUCE SILVERSTEIN, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
JUNE 27, 2022
TELECONFERENCED - VARIOUS LOCATIONS
6:30 P.M.

The following meeting was held pursuant to AB 361 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

MEETING CALL TO ORDER

Mayor Grisanti called the meeting to order at 5:30 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Mayor Paul Grisanti; Mayor Pro Tem Bruce Silverstein; and Councilmembers Karen Farrer, Mikke Pierson, and Steve Uhring

PUBLIC COMMENT ON CLOSED SESSION

Mayor Grisanti opened the floor to public comment.

Speakers: None.

RECESS TO CLOSED SESSION

At 5:32 p.m., the Council recessed to Closed Session to discuss the following items listed on the Closed Session agenda:

Personnel Matters pursuant to Government Code Section 54957:

1. Public Employee Appointment
Title: City Attorney

REGULAR SESSION CALL TO ORDER

Mayor Grisanti called the meeting to order at 6:30 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Mayor Paul Grisanti; Mayor Pro Tem Bruce Silverstein; and Councilmembers Karen Farrer, Mikke Pierson, and Steve Uhring

ALSO PRESENT: John Cotti, Interim City Attorney; Steve McClary, City Manager; Richard Mollica, Planning Director; Rob DuBoux, Public Works Director; Trevor Rusin, Assistant City Attorney; Kelsey Pettijohn, City Clerk; Matt Myerhoff, Media Information Officer; Elizabeth Shavelson, Deputy City Manager; Kate Gallo, Recreation Manager; Rebecca Evans, Administrative Assistant; Susan Dueñas, Public Safety Manager; Troy Spayd, Assistant Public Works Director/Assistant City Engineer

CLOSED SESSION REPORT

Interim City Attorney Cotti reported that the meeting convened at 5:30 p.m., after which time the Council recessed to a Closed Session pursuant to Government Code Section 54957. He stated the Council met and appointed Trevor Rusin as Interim City Attorney by a vote of 3-2, with Councilmember Uhring and Mayor Pro Tem Silverstein opposed.

PLEDGE OF ALLEGIANCE

Mayor Grisanti led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Mayor Pro Tem Silverstein moved, and Councilmember Farrer seconded a motion to approve the agenda with Item Nos. 7.C. and 7.D. to be heard concurrently before Item No. 2.A.

FRIENDLY AMENDMENT

Councilmember Uhring moved to amend the motion to adjourn the meeting in memory of Architect Harry Gesner.

The friendly amendment was accepted by the maker and the seconder.

The question was called, and the amended motion carried unanimously.

REPORT ON POSTING OF AGENDA

City Clerk Pettijohn reported that the agenda for the meeting was properly posted on June 17, 2022, with the amended agenda posted on June 23, 2022.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Recognition of Boys & Girls Club of Malibu 2022 Youth of the Year Candidates

Mayor Grisanti presented recognitions to the Boys & Girls Club of Malibu 2022 Youth of the Year candidates.

B. Southern California Edison Wildfire Mitigation Update

Southern California Edison (SEC) Government Relations Manager Andrew

Thomas presented highlights of their wildfire mitigation efforts.

The Council directed questions to Mr. Thomas regarding SEC's coordination with the Los Angeles County Fire Department and service outages experienced in Malibu.

ITEM 7 COUNCIL ITEMS

Item Nos. 7.C. and 7.D. were heard concurrently.

C. Program to Protect School Students from Gun Violence (Mayor Pro Tem Silverstein) (Continued from June 13, 2022)

Recommended Action: At the request of Mayor Pro Tem Silverstein: 1) Direct staff to research consultants with expertise and experience in the area of developing programs to protect school students from gun violence; and 2) Bring back a recommendation to Council of a consultant with such expertise and experience, with the objective of developing a plan that can be implemented, at least on a temporary basis, prior to the commencement of the 2022-2023 school year, and a more permanent plan that can be implemented over the following year, to enhance the safety of our public school students. If staff deems it appropriate, they may consult with the Chair of the Public Safety Commission and request the assistance and input of one or two members of that Commission.

D. School Safety (Mayor Grisanti and Councilmember Farrer)

Recommended Action: At the request of Mayor Grisanti and Councilmember Farrer, direct staff to issue a Request for Proposals for a pilot program to provide school security services at Malibu's four public schools (Malibu High School, Malibu Middle School, Malibu Elementary School, and Webster Elementary School).

Mayor Pro Tem Silverstein provided a report on Item No. 7.C.

Councilmember Farrer provided a report on Item No. 7.D.

Mayor Grisanti opened the floor for public comment.

Speakers: Jo Drummond, Stacy Rouse, Kelly Pessis, Maia Zander, Ethan White, Soniya Perl, Julie Jones, Bill Sampson, Ryan Embree, Hudson Breese, and Karin Al Harden.

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to Los Angeles County Sheriff's Captain Jennifer Seetoo and Mr. White.

MOTION Mayor Pro Tem Silverstein moved to issue a request for proposals (RFP) for a private security service and an RFP for consulting services to increase safety for schools.

FRIENDLY AMENDMENT

Councilmember Pierson seconded the motion and moved to form an ad hoc committee of Mayor Pro Tem Silverstein and Mayor Grisanti to research school safety issues, review and provide input on RFPs, and report to the City Council on these issues during the next 45 days.

The Council discussed the motion.

The maker accepted the amendment.

The question was called, and the amended motion carried unanimously.

ITEM 2.A. PUBLIC COMMENTS

Christian Pearson questioned what the City's plans were for the 2.3-acre portion of the La Paz Affordable Housing Overlay District Site 3 and whether the City would consider selling the property.

Bill Sampson thanked the Council for efforts that addressed school safety. He stated remarks he made regarding Councilmember Farrer's property on Busch Drive were not political. He stated the only property he owned in Malibu was his home and that he had not taken advantage of any system. He requested she not reference his daughter in any dispute with him.

Kraig Hill thanked Interim City Attorney Cotti for his work with the Council and congratulated newly appointed Interim City Attorney Rusin. He commented on how the prior week's Supreme Court ruling limited people's rights. He stated the Council should hold hybrid meetings. He stated the Big Rock assessment item should be removed from the agenda due to what he felt was inadequate public notice.

Norm Haynie stated in-person Council meetings should be held because it provided a more comprehensive way to convey information to make good decisions. He stated staff's job performance would improve if they worked in the office rather than remotely as there were distractions at home.

Lonnie Gordon commented on the communications tower in the Civic Center area and stated that from research she conducted it appeared the tower was not properly permitted, and she wanted to know who signed off on the plans and would submit a formal request for information. She inquired about the status of the City's wireless ordinance that was submitted to the California Coastal Commission (CCC).

Pamela Conley-Ulich thanked the Councilmembers for their service. She stated that

community safety was important and inquired when the license plate recognition cameras would be installed. She suggested a community resource officer who was a mental health professional be assigned to Library. She announced the Point Dume Parade would be held the following Monday. She stated the Community Emergency Response Team (CERT), and Rich Garvey evaluated community disaster services and fire boxes would be installed.

Ryan Embree stated he attended the Public Works Commission meeting, and the issue of wireless antenna poles were in the purview of the Public Works Commission per the Malibu Municipal Code. He stated the communications pole in the Civic Center was an example of why the Telecommunications Commission should be reestablished. He stated the pole was not properly permitted and should be dismantled and removed.

Marianne Riggins stated it was time for in-person meetings to resume citing the success of the in-person meeting the Council held on May 9, 2022. She stated speakers were provided with a better experience with the Council and it was beneficial the Council had the ability to see the speakers that were in front of them.

Howard Rudzki thanked Captain Seetoo for the presentation and her passion for school safety which was a matter of great concern to the community. He stated that the communications tower in the Civic Center was an embarrassment and suggested the City contract with someone who could focus on the development of a solution and inquired if Captain Seetoo had any additional input.

ITEM 2.B. COMMISSION / COMMITTEE / CITY MANAGER UPDATES

City Manager McClary reported COVID-19 testing positivity rates, the seven-day daily case average, community transmission, and hospitalizations had increased in the County. He stated, on June 24, 2022, the number of hospitalizations was 762, up significantly from April, when they were in the low 200s. He stated deaths were trending downward. He stated at present they were not in the high-risk category, but if COVID-19 numbers were to increase to that level, additional safety measures such as indoor masking would likely be imposed. He announced a virtual Caltrans community meeting on their Pacific Coast Highway (PCH) paving project that spanned from the Malibu Lagoon to Leo Carrillo Beach would be held on Tuesday, June 28, 2022 from 6:00 p.m. to 7:00 p.m. He stated he and Planning Director Mollica met with a representative from Pepperdine University regarding their athletic center project and he would convey information to the Council as it became available. He stated he participated in CERT training and had the opportunity to become more familiar with their operations and members. He reported he attended a meeting of the Las Virgenes-Malibu Council of Governments (COG) the prior week and their governing board adopted a budget for the upcoming fiscal year. He stated he and Environmental Sustainability Director Yolanda Bundy met with the Los Angeles County Sustainability Office to learn about their programs and resources and how they could work with the City. He stated they had noted the large number of programs the City had implemented and they felt Malibu set a good

example. City staff met with CCC staff which included their legal counsel and District Director about fire rebuild policy. He stated City staff would put an item on the next Council meeting agenda for Council's direction on those projects including those that were on hold. City staff and a representative from the Sheriff's Department had a meeting scheduled to discuss staffing options for the planned Malibu substation. He stated that there would be an item on the August 8, 2022 Council meeting agenda to discuss options for in-person meetings.

Public Safety Director Dueñas stated the license plate recognition camera installation had been delayed in part due to compatibility issues with the Sheriff's Department's equipment. She reported the issues had been remedied and a purchase order for compatible cameras was forthcoming.

Planning Director Mollica provided an update on the communications tower located on the Santa Monica College (SMC) property in the Civic Center area. He stated on February 29, 2016, the Planning Commission processed a variance through a public hearing process to approve the height of that tower, which was 75 feet. He stated the project was then routed to the Council, and the entire project was appealed to the CCC in May of 2016 where they found no substantial issue with the project, and in June of 2016, the appeal was denied. He stated the Planning Department had received Mr. Embree's correspondence which showed plans for the project, however, those were preliminary plans drafted prior to the submittal of the project application. He stated the plans that were ultimately submitted to the City and brought before the Planning Commission, Council, and CCC were on the City's website and included the communications tower. He stated a condition was placed upon the project by the Planning Commission which required they obtain a Conditional Use Permit (CUP). He confirmed a Coastal Development Permit (CDP) had been obtained for the structure, but not a Conditional Use Permit (CUP), which was required before any antennas or radio equipment was installed on the tower. He stated a meeting with SMC was scheduled for the upcoming Thursday to discuss any reviews conducted by other agencies. He reiterated the City's jurisdiction was limited to Planning Department approvals and that a plan check was not conducted by the City's Building Safety Department, the plans were not reviewed by the City's Building official, and building permits were not issued by the City as those were not within the purview of the Planning Department. He stated the site manager for Vanir Construction agreed to provide documentation that the Department of State Architects had inspected the project as was the assertion of the onsite construction team. He stated the City's consultant had drafted a response to the CCC's comments on the wireless ordinance and expected within a few weeks they would have sent the final letter to the CCC with a follow-up meeting scheduled if necessary for any clarification of the City's resubmittal.

In response to Mayor Pro Tem Silverstein's inquiry on the tower, Planning Director Mollica stated that although he did not have a survey on the height, they did a site inspection and looked at the plans and the specifications that were onsite in the construction trailer and they matched the set of plans the City approved. He stated the only difference he could find was the conceptual drawings showed a white

tower. He stated he had not found a document that noted anything regarding the color of the tower. He confirmed the shape of the structure did match what was approved by the City, that the monopole was specifically noted and the triangular antenna mount platforms were dimensioned on the plans at either 12 or 14 feet. He found the set of plans that were submitted to the City and ultimately approved by the Planning Commission, City Council, and CCC and those housed in the onsite construction trailer showed the dimensions matched. He stated that the City did not issue the building permit as it was not within the City's jurisdiction and a building permit was not required by the City, that would be the purview of another agency. He emphasized a CDP and a CUP were required from the City, but not a building permit. He confirmed a CUP had not been obtained from the City and further clarified that those permits required an application to City with a public hearing conducted before the Planning Commission with that decision appealable to the Council. He stated he would research whether the color complied but reiterated the approval of the structure itself had been approved, with all appeal periods expired, however use permits needed to be obtained.

Lieutenant Chad Watters reported there was a spike in vehicle burglaries during the month of May at trailheads and pocket beaches and one at Surfrider Beach. He reminded the community they should leave their vehicles locked with their belongings secured while parked at the trailheads and beaches. He cautioned surfers to not hide their keys, that they could be found and used to commit vehicle burglary. He stated the recent armed robbery that took place on Heathercliff Road and PCH, was under investigation, and they had the suspect's vehicle and other items of evidence inside the vehicle in their possession, but the suspect was not in custody. He reported more vehicles were on the road during May due to the busy season but there was a reduction in traffic collisions. He reported there were three driving under the influence (DUI) collisions and seven DUI arrests. He reported a total of 23 collisions within the City, with no fatalities, and of the 923 citations issued, 718 were moving violations or hazardous citations. He stated the Sheriff's Department established a presence and slowed people down. He reported they conducted a DUI checkpoint, a speed operation on PCH, towed a couple of vehicles, and issued citations for modified exhaust. He stated his entire motor team attended a California Highway Patrol class which focused on violations of speed, racing, and illegally modified vehicles and learned the State referee inspection process, which involved cited vehicles prohibited from operation until they were inspected within 30 days by the State referee. He stated that prohibited overnight campers and unpermitted roadside vendors would be cited.

Mayor Pro Tem Silverstein stated he was glad that vehicles were cited for excessive noise, and that groups of motorcyclists and cars traveling along PCH that made a huge amount of noise were prevalent. He requested a concerted effort be made all day on an upcoming weekend for noise polluters to be cited to send a message that Malibu was not a place to come and bring their noisy vehicles.

In response to Mayor Pro Tem Silverstein, Lieutenant Watters stated they had received information from residents that toward the eastern end of the city, there

had been much activity on Friday and Saturday nights, and that an operation that targeted the problem was planned for an upcoming weekend. He stated that there was an operation conducted every Sunday all along PCH that targeted noise-related activity.

In response to Mayor Grisanti, Lieutenant Watters stated that they had the license plate number of the car that hit the truck the previous Sunday morning as it was turning onto Malibu Canyon Road from PCH but the suspect had not been located.

RECESS At 9:13 p.m., Mayor Grisanti recessed the meeting. The meeting resumed at 9:23 p.m. with all Councilmembers present.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

Councilmember Pierson thanked the speakers and requested Christian Pearson contact him to further elaborate on her thoughts for how the parcel behind La Paz designated for affordable housing should be used. In response to Mr. Hill, he stated that he agreed that people's rights were changing in ways that they hadn't seen for a very long time and that it was currently a different time in the United States he found the Supreme Court's decision was very interesting and he stated a person's right to choose was very powerful and very personal. He agreed in-person meetings were more engaging, however that he found himself in a position where he was responsible for the wellbeing of frail family members and that he could not risk their or his own health by attending meetings in-person, indoors, and in public even with all available safety precautions taken. He stated he was a member of the Planning Commission when the SMC project was approved and would review the meeting at which the tower was approved, because despite much discussion surrounding the project, he had not recalled the tower mentioned as a problematic issue. He stated he knew there was a tower proposed that replaced the tower that had been there previously but found the finished tower shocking in appearance. He stated it was good to hear there was progress made on the cameras and he attended the original meeting with Public Safety Commissioner Chris Frost and Sheriff's Department Captain Salvador Becerra and Lieutenant James Braden. He stated that he was glad the meeting with CCC regarding the rebuilding process had happened and was sorry there were people impacted through no fault of their own, who had thought they had done the right thing. He stated there were residents panicked that they had run out of rental money, and they were caught completely off guard. He thanked Captain Seetoo. He stated the Point Dume Fourth of July Parade was such a great tradition, and that Malibu West had their own tradition, and they would hold their little children's parade. He stated he brought a pile of electronic waste to the City's electronic waste recycling event held the prior weekend, which he felt really made a difference in the environment and added they had also collected discarded paint. He reported he attended the Chamber of Commerce mixer at the Sunset Restaurant and that it was great to see the local business community engaged. He stated the School District Separation Ad Hoc Committee meetings were ongoing. He stated he had participated in an online survey conducted by SMC to determine Malibu campus uses and encouraged the community to visit their website to

complete the survey.

Mayor Grisanti stated he attended the Chamber of Commerce mixer and that he saw Councilmember Pierson, and he enjoyed seeing the local business community but had witnessed the evening traffic problems at Westward Beach. He stated he had completed the SMC survey online. He reported that he attended the Surf art exhibit opening at City Hall held the prior Saturday and complimented staff and the Malibu Arts Commission on the display. He encouraged the community to visit the exhibit and noted that the artists' email contact information was provided.

Councilmember Uhring stated he attended the Santa Monica Bay Restoration Committee meeting, where strategies to capture stormwater and return it to the cisterns in the ground were discussed. He stated The Las Virgenes Municipal Water District was working on a huge water recycling project which took water that would otherwise flow into ocean or Malibu creek, processed into clean drinking water, with a 2027 estimated completion date. He stated he could obtain more information about future demonstrations of the system. He stated he had received calls from community members that the tow yard at Heathercliff Road and PCH wasn't being used, however just this past Sunday there were 13 or 14 cars parked there, so perhaps it just took some time before people were caught and towed. He stated there were some large trucks parked there and he wasn't sure if they were City vehicles or companies the city worked with or if they weren't supposed to be parked there and he thought someone should check. He stated he had voted against having Assistant City Attorney Rusin appointed Interim City Attorney, but he would explain next time his reasons due to time constraints.

Councilmember Farrer stated that she thought the electronic waste collection event was held by the City quarterly. She stated she also completed the SMC survey and encouraged people to go to the SMC website and complete the Malibu Campus survey. She stated she also attended the School Safety Partnership meeting and the School District Separation Ad Hoc Committee meeting. She reported she attended the monthly COG meeting on June 21, 2022, and Tessa Charnofsky of Los Angeles County Supervisor Sheila Kuehl's office reported that there was a Homeless Connect Day planned in Malibu in either September or October and stated she was happy the program had resumed.

Mayor Pro Tem Silverstein stated he had met with City Manager McClary several times over the past few weeks regarding the two-step rebuild process and what type of relief could be provided for those caught in the pipeline. He stated they discussed the communications tower and general management philosophy issues, and that it was a very good conversation. He reported he remotely attended a Superior Court hearing on the petition that was filed by the Malibu Beach Inn hotel owners to overturn the Council's denial of their permit application, which resulted in the judge throwing their case out. He stated that the decision needed to be finalized with what he believed to be a two-week acceptance period after the judge rendered his decision. He stated he had done some due diligence over the course of the prior two weeks and the replacement of Interim City Attorney Cotti with Assistant City

Attorney Rusin hadn't undergone a formal process and he hoped there would be one when it was time for a permanent City Attorney to be hired. He stated that Christi Hogan was the City Attorney from the beginning and Best Best and Krieger Law succeeded her contract almost by default, from what he could tell, there hadn't really been a formal search for a City Attorney for a long time and he thought there should be and that would probably wait until November before that was formalized. He stated that he participated in weekly meetings with California Strategies with Mayor Grisanti. He stated he had been contacted by members of the public in the prior two weeks about the two-step rebuild process issue and he would speak to more people later during the week. He stated that there was a great deal of commentary about Councilmember Farrer's project, and that numerous issues had been raised, and he didn't have any judgement on it, and that he would look at the file and decide for himself. He stated he heard that Councilmember Farrer's side was that everything was above board. He stated he received multiple communications regarding school safety. He stated he was told that the drip pans that were supposed to be required were not used consistently at the Heathercliff Road impound lot. He stated that from what he understood no fireworks permits had been pulled for the Fourth of July and he hoped that the Sheriff's Department would watch for illegal fireworks, with arrests made, if necessary, due to the fire hazards they presented. He stated he hoped the urgency ordinance from last year that prohibited camping in the high severity fire zones would be brought back. He stated he appreciated all the comments, and that he didn't know why someone would think the City would turn over property they had spent a lot of money on for recreational or other community purposes to provide affordable housing, but he was not closed to hearing more about it. He stated that it was great to see people who attended the live Council meeting on May 9, 2022, but he thought when meetings were conducted on Zoom the participants should be seen onscreen. He stated the comment was made that it was great to see Captain Seetoo, and that it was much more comprehensive, but she also had unlimited speaking-time unlike residents who were limited to three minutes, without the ability to even share minutes. He stated with good vetting and good technology they could replicate the live meetings as closely as possible remotely. He stated if the communications tower was approved as built there was some sort of lapse on somebody's part and that it did not belong in Malibu. He stated a community resource officer, or ombudsman for the City stationed at the Malibu Library, possibly using some of the library funds could benefit the community and should be explored.

ITEM 3 CONSENT CALENDAR

Item Nos. 3.B.3., 3.B.4., 3.B.7., 3.B.9., and 3.B.10. were pulled by the public.

Item No. 3.B.6. was pulled by Mayor Pro Tem Silverstein.

MOTION Mayor Pro Tem Silverstein moved, and Councilmember Pierson seconded a motion to approve the Consent Calendar pulling Item Nos. 3.B.3., 3.B.4., 3.B.6., 3.B.7., 3.B.9., and 3.B.10. The question was called, and the motion carried unanimously.

The Consent Calendar consisted of the following items:

A. Previously Discussed Items

1. Second Reading and Adoption of Ordinance No. 500

Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 500, amending Chapter 10.08 (Speed Limits) of the Malibu Municipal Code to establish speed limits on City streets and finding the same exempt from the California Environmental Quality Act.

B. New Items

1. Waive Further Reading

Recommended Action: After the City Attorney has read the title, waive full reading of ordinances considered on this agenda for introduction on first reading and/or second reading and adoption.

2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 66166-66295 listed on the register from the General Fund and direct the City Manager to pay out the funds to each of the claimants listed in Warrant Register No. 706 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$378,711.36. City of Malibu payroll check number 5229 and ACH deposits were issued in the amount of \$239,167.13.

5. Bonus Pay Program

Recommended Action: Adopt Resolution No. 22-31 amending the Personnel System Rules adopted in Resolution No. 15-08 and adopting a revised Bonus Pay Program to include Certified Public Accountant; Certified Public Finance Officer; and Society for Human Resources Management Senior Certified Professional designations. Amend Section 15.2, Subsection A, Civil Engineer position classification, to include Assistant Civil Engineer, Associate Civil Engineer, and Senior Civil Engineer positions. Modify Section 15.2, Subsection A, to allow exempt employees to be eligible for Bonus Pay for certain licenses or certifications at the discretion of the City Manager.

8. Annual Progress Report Regarding the Implementation of the City's Housing Element

Recommended Action: Approve the 2021 Housing Element Annual Progress Report.

The following items were pulled from the consent calendar for individual consideration:

3. Approval of Minutes

Recommended Action: Approve the minutes for the October 27, 2021 Malibu City Council Special meeting.

Mayor Grisanti opened the floor for public comment.

Bill Sampson was not present at the time of the hearing.

As there were no speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION

Councilmember Pierson moved, and Councilmember Farrer seconded a motion to approve the minutes for the October 27, 2021 Malibu City Council Special meeting. The question was called, and the motion carried unanimously.

4. Findings to Hold Virtual City Council, Commission, Committee, Board and Other City Bodies, Meetings Under AB 361

Recommended Action: Consider a motion to reaffirm Resolution No. 22-25, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.

Mayor Grisanti opened the floor for public comment.

Speaker: Kraig Hill

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION

Mayor Pro Tem Silverstein moved, and Councilmember Pierson seconded a motion to reaffirm Resolution No. 22-25, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361. The question was called, and the motion carried unanimously.

6. Community Facilities District No. 2006-1 (Carbon Beach Utility Undergrounding) – Levy of Special Tax for Fiscal Year 2022-2023

Recommended Action: Adopt Resolution No. 22-29 of the City Council of the City of Malibu acting in its capacity as the legislative body of Community Facilities District No. 2006-1 of the City of Malibu (Carbon Beach Utility Undergrounding) authorizing the levy of a special tax for Fiscal Year 2022-2023.

The Council directed questions to staff.

MOTION

Mayor Grisanti moved, and Councilmember Farrer seconded a motion to adopt Resolution No. 22-29 of the City Council of the City of Malibu acting in its capacity as the legislative body of Community Facilities District No. 2006-1 of the City of Malibu (Carbon Beach Utility Undergrounding) authorizing the levy of a special tax for Fiscal Year 2022-2023. The question was called, and the motion carried unanimously.

7. Professional Services Agreement with The People Concern

Recommended Action: Authorize the Mayor to execute a Professional Services Agreement with The People Concern to provide outreach, emergency and interim housing options, and housing navigation services

for homeless individuals and families in the Malibu community for the period of July 1, 2022 through June 30, 2024 in an amount not to exceed \$770,000.

Mayor Grisanti opened the floor for public comment.

Speaker: Pamela Conley-Ulich

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the matter.

MOTION

Mayor Pro Tem Silverstein moved, and Councilmember Pierson seconded a motion to authorize the Mayor to execute a Professional Services Agreement with The People Concern to provide outreach, emergency and interim housing options, and housing navigation services for homeless individuals and families in the Malibu community for the period of July 1, 2022 through June 30, 2024 in an amount not to exceed \$770,000. The question was called, and the motion carried unanimously.

9. Amendment to the Professional Services Agreement with School District Separation Consultants

Recommended Action: 1) Authorize the Mayor to execute Amendment No. 6 to the Professional Services Agreement with Kirk-Carter and Associates; and 2) Authorize the Mayor to execute Amendment No. 6 to the Professional Services Agreement with STLR Corp, dba Ryland School Business Consulting.

Mayor Grisanti opened the floor for public comment.

Speaker: Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the matter.

MOTION

Councilmember Farrer moved, and Mayor Grisanti seconded a motion to: 1) Authorize the Mayor to execute Amendment No. 6 to the Professional Services Agreement with Kirk-Carter and Associates; and 2) Authorize the Mayor to execute Amendment No. 6 to the Professional Services Agreement with STLR Corp, dba Ryland School Business Consulting. The question was called, and the motion carried unanimously.

10. Professional Services Agreement with California Strategies & Advocacy, LLC

Recommended Action: Authorize the Mayor to execute a Professional Services Agreement with California Strategies and Advocacy, LLC in an amount not to exceed \$150,000 per year.

Mayor Grisanti opened the floor for public comment.

Speakers: Ted Harris and Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION Mayor Pro Tem Silverstein moved, and Mayor Grisanti seconded a motion to Authorize the Mayor to execute a Professional Services Agreement with California Strategies and Advocacy, LLC in an amount not to exceed \$150,000 per year. The question was called, and the motion carried unanimously.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

A. Assessment District 98-1 (Big Rock Mesa)

Recommended Action: 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 22-26 levying an assessment for the maintenance, repair, and improvements works, systems and facilities pertaining to Assessment District 98-1 (Big Rock Mesa) for Fiscal Year 2022-2023.

Public Works Director DuBoux presented the staff report.

Mayor Grisanti opened the floor for public comment.

Speakers: Jeff Grier, Jo Drummond, Kraig Hill, and Walter Zellman.

Eric Green was not present at the time of the meeting.

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council directed questions to staff and Mr. Hill and discussed the item.

MOTION Mayor Grisanti moved, and Councilmember Farrer seconded a motion to adopt Resolution No. 22-26 levying an assessment for the maintenance, repair, and improvements works, systems and facilities pertaining to Assessment District 98-1 (Big Rock Mesa) for Fiscal Year 2022-2023. The question was called, and the motion carried unanimously.

B. Assessment District 98-2 (Calle Del Barco)

Recommended Action: 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 22-27 levying an assessment for the maintenance, repair and improvements works, systems and facilities of Assessment District 98-2 (Calle Del Barco) for Fiscal Year 2022-2023.

Public Works Director DuBoux presented the staff report.

Mayor Grisanti opened the floor for public comment.

As there were no speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council directed questions to staff and discussed the item.

MOTION Councilmember Uhring moved, and Councilmember Pierson seconded a motion to adopt Resolution No. 22-27 levying an assessment for the maintenance, repair and improvements works, systems and facilities of Assessment District 98-2 (Calle Del Barco) for Fiscal Year 2022-2023. The question was called, and the motion carried unanimously.

C. Assessment District 98-3 (Malibu Road)

Recommended Action: 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 22-28 levying an assessment for the maintenance, repair and improvements works, systems and facilities of Assessment District 98-3 (Malibu Road) for Fiscal Year 2022-2023.

Public Works Director DuBoux presented the staff report.

Mayor Grisanti opened the floor for public comment.

As there were no speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council directed questions to staff and discussed the item.

MOTION Councilmember Pierson moved, and Councilmember Uhring seconded a motion to adopt Resolution No. 22-28 levying an assessment for the maintenance, repair and improvements works, systems and facilities of Assessment District 98-3 (Malibu Road) for Fiscal Year 2022-2023. The question was called, and the motion carried unanimously.

D. Fiscal Year 2022-2023 Wastewater Service Charges

Recommended Action: 1) Conduct the Public Hearing to receive public testimony and consider all protest concerning the adoption of the Engineer's Report regarding the levy of wastewater services fees through property taxes; and 2) Unless there are protests from majority of the effected property owners, adopt Resolution No. 22-

30 approving the Engineer's Report and collection of wastewater services charges on the county tax roll for Fiscal Year 2022-2023.

Public Works Director DuBoux presented the staff report.

Mayor Grisanti opened the floor for public comment.

As there were no speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council directed questions to staff and discussed the item.

MOTION Councilmember Uhring moved, and Councilmember Pierson seconded a motion to adopt Resolution No. 22-30 approving the Engineer's Report and collection of wastewater services charges on the county tax roll for Fiscal Year 2022-2023. The question was called, and the motion carried unanimously.

E. Malibu Middle and High School Specific Plan - Final Environmental Impact Report No. 20-001, Local Coastal Program Amendment No. 21-002, General Plan Map Amendment No. 21-002, Zoning Map Amendment No. 22-001, and Zoning Text Amendment No. 22-002 - An application to redevelop and modernize the existing Malibu Middle and High School campus and former Juan Cabrillo Elementary School campus

Recommended Action: Continue this item to the July 11, 2022 City Council Regular meeting.

This item was continued to the July 11, 2022 City Council Regular meeting upon approval of the agenda.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS

None.

ITEM 7 COUNCIL ITEMS (Continued)

A. Council Appointment to the Homelessness Task Force

Recommended Action: Councilmember Farrer may make a new appointment to the Homelessness Task Force.

Councilmember Farrer provided an update on her search for a new appointment to the Homelessness Task Force.

- B. Reconsideration of May 23, 2022, Council action regarding Malibu Library Set Aside Fund for Fiscal Year 2022-23 (Councilmember Uhring) (Continued from June 13, 2022)

Recommended Action: At the request of Councilmember Uhring, approve recommendation to reconsider the Council action of May 23, 2022, regarding Malibu Library Set Aside Fund for Fiscal Year 2022-23, and return the item to the next regularly scheduled Council meeting.

MOTION Councilmember Farrer moved, and Councilmember Pierson seconded a motion to hear Item No. 7.B. after 10:30 p.m. The question was called, and the motion failed 3-2, Councilmember Uhring and Mayor Pro Tem Silverstein opposed.

ADJOURNMENT

At 10:43 p.m., Councilmember Pierson moved, and Mayor Pro Tem Silverstein seconded a motion to adjourn the meeting in memory of Harry Gesner. The question was called, and the motion carried unanimously.

Approved and adopted by the City Council of the
City of Malibu on _____.

BRUCE SILVERSTEIN, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
JULY 11, 2022
TELECONFERENCED - VARIOUS LOCATIONS
6:30 P.M.

The following meeting was held pursuant to AB 361 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

MEETING CALL TO ORDER

Mayor Grisanti called the meeting to order at 5:00 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Mayor Paul Grisanti; Mayor Pro Tem Bruce Silverstein; and Councilmembers Karen Farrer, Mikke Pierson, and Steve Uhring

PUBLIC COMMENT ON CLOSED SESSION

Mayor Grisanti opened the floor to public comment.

Speakers: None.

RECESS TO CLOSED SESSION

At 5:02 p.m., on the advice of counsel and based on existing facts and circumstances, the Council recessed to Closed Session to discuss the following items listed on the Closed Session agenda:

Conference with Legal Counsel – Existing litigation pursuant to Government Code Section 54956.9(d)(1):

1. Case Name: City's Petition to Form Malibu USD from Territory in the Santa Monica-Malibu USD

Conference with Legal Counsel – Anticipated Litigation

1. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9
Number of potential cases: 1

REGULAR SESSION CALL TO ORDER

Mayor Grisanti called the meeting to order at 6:31 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Mayor Paul Grisanti; Mayor Pro Tem Bruce Silverstein; and Councilmembers Karen Farrer, Mikke Pierson, and Steve Uhring

ALSO PRESENT: Trevor Rusin, Interim City Attorney; Steve McClary, City Manager; Kelsey Pettijohn, City Clerk; Yolanda Bundy, Environmental Sustainability Director; Richard Mollica, Planning Director; Susan Dueñas, Public Safety Director; Rob DuBoux, Public Works Director; Elizabeth Shavelson, Deputy City Manager; Matt Myerhoff, Media Information Officer; Kate Gallo, Recreation Manager; Raneika Brooks, Senior Planner; Rebecca Evans, Administrative Assistant; and Troy Spayd, Assistant Public Works Director/Assistant City Engineer

PLEDGE OF ALLEGIANCE

Mayor Grisanti led the Pledge of Allegiance.

CLOSED SESSION REPORT

Interim City Attorney Rusin reported that the meeting convened at 5:00 p.m., after which time the Council recessed to a Closed Session pursuant to Government Code Sections 54956.9(d)(1) and 54956.9(d)(4) with all Councilmembers present. He stated the Council discussed the items listed on the closed session agenda with no reportable action.

APPROVAL OF AGENDA

MOTION Councilmember Farrer moved, and Councilmember Pierson seconded a motion to approve the agenda. The question was called, and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

City Clerk Pettijohn reported that the agenda for the meeting was properly posted on July 1, 2022, with the amended agenda posted on July 7, 2022.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Update on Homeless Outreach Services and Accomplishments

The Council received a presentation from Jason Flores and Richard Song of The People Concern on homeless outreach services and accomplishments.

The Council directed questions to Mr. Flores and Mr. Song regarding statistics on people assisted by their programs and housing retention.

Public Safety Director Dueñas stated that reports and statistics regarding homelessness were available on the City's website.

ITEM 2.A. PUBLIC COMMENTS

Gerherd Ihde introduced a video which outlined a timeline on the fire rebuild project at 6244 Busch Drive.

Rosemary Ihde used her time to present the next portion of the video introduced by Mr. Ihde.

Georgia Goldfarb presented the remainder of the video introduced by Mr. Ihde.

Jo Drummond commented on the video that was presented and stated it was a collaboration between community members in response to Councilmember Farrer's deflection from the previous month. She stated the Local Implementation Program (LIP), and Malibu Municipal Code were not followed during construction of the Busch Drive project. She discussed the square footage and permitting of the project. She stated Councilmember Farrer avoided code enforcement penalties when the second story was built before permits were issued. She stated the answers Councilmember Farrer provided to the Wagner investigators were not truthful and that she indicated it was her daughter's home, but there was a second unit planned that possibly would be used for short-term rental. She stated she hoped another resident would run against Councilmember Farrer in the November election.

Bill Sampson stated the correspondence he submitted that pertained to a delay in production of the Council meeting minutes was not intended as critical of staff and apologized if it was interpreted in that manner and encouraged quicker production of minutes.

He stated politician Laura Rosenthal's webpage noted she was on the Los Angeles County Library Board of Directors of the Los Angeles Library Foundation and listed political advocacy activities but was not a registered lobbyist with the City. He stated that he felt if she presented ideas for the usage of library funds to influence the Council's decisions, she was engaged in lobbying activities. He stated he found the information presented in the Busch Drive video disturbing and that although the video may have overstated the facts, he did not believe that Councilmember Farrer was entirely innocent. He stated that he was disappointed that the first interaction he had with Councilmember Farrer after the 2018 Woolsey fire was when she stated she was a proponent of Airbnb short-term rentals and that he thought it strange that she then wondered why school enrollment numbers had declined.

Lloyd Ahern, President of the Las Tunas Homeowners' Association, reported that over the holiday weekend, a homeless man emerged from Tuna Canyon with an ax and damaged five homes and nine cars and then returned the following evening and damaged additional property. He stated the police who responded were very helpful, especially when the challenges presented by the holiday weekend were

considered. He stated a community meeting was called with Public Safety Director Dueñas, Lieutenant Chad Watters, and Mayor Grisanti and held at City Hall. He stated the suspect's scheduled arraignment date was July 12, 2022, and that the District Attorney's Office told him that the suspect would likely be released. He stated the community was appreciative of the authorities' and City's assistance but felt endangered by the prospect of the suspect's release and wanted the issuance of a restraining order explored.

Kraig Hill suggested the formation of an informal volunteer citizens committee on parcel priorities and the development of a survey of potential uses for underutilized City land which extensive infrastructure was not required such as a city park or dog park. He stated he had received input from the community that the Triangle Parcel should be a flagship property, with a visitors or cultural center with a café that provided rental income to the City rather than the current collection of parking lots and a gas station. He stated a portion of the 17 million dollars in excess library funds could go toward the establishment of a tool-lending program with equipment that included a three-dimensional printer, a large-format printer, seasonal woodchippers, and a space for craft workshops and other creative gatherings.

Andy Lion stated he enjoyed the Busch Drive video presentation. He commented that there was no way to comment on rearranging the agenda prior to its approval and stated he had hoped Item No. 7.B. would be moved forward in the agenda. He suggested the organization contracted by the City to assist homeless individuals meet the suspect as he was released from jail as was expected to happen the following day. He inquired about the status of a permanent skatepark, and suggested City staffing would help allay residents' concerns about noise and other disruptive activity. He stated his son enjoyed the temporary skatepark and thought the permanent skatepark should have been finished and hoped the project was not eliminated.

John Mazza stated he attended the Caltrans Pacific Coast Highway (PCH) repaving meeting and stated that it appeared the City's median project conflicted or overlapped with the Caltrans project. He stated that the City's median hadn't left room for the bicycle lanes Caltrans proposed. He requested duplication of efforts and expense be avoided through the City's coordination with Caltrans.

Ryan Embree stated interruption of speakers by staff or anyone during public comment was inappropriate as it deprived speakers of their right to address their government. He stated he was interrupted at a community meeting when a staff member erroneously anticipated his comments were approaching a topic listed on the agenda when that was not the case. He suggested a Brown Act training be conducted. He stated that the City's lack of a Library Commission resulted in an outdated library and cited the City of Calabasas as an example of a community who had a Library Commission and benefitted from an impressive library funded by grant money. He stated that the Library Subcommittee should be reorganized because they were conflicted, ineffective, and not abiding by appropriate constraints. He requested an update on the death at the Trancas Country Market that

occurred in March 2022.

ITEM 2.B. COMMISSION / COMMITTEE / CITY MANAGER UPDATES

City Manager McClary reported on the COVID-19 numbers. He reported a small outbreak at City Hall that was believed to have originated outside of the building, but per Los Angeles County Health Department Orders, measures were put into place, such as strict social distancing with masks worn inside City Hall and outside of City Hall if adequate social distancing measures could not be achieved. He stated it was hoped that order would be lifted by week's end, and masks would be recommended but not required. He reported that as of July 1, 2022, there were 7,300 new COVID-19 cases in Los Angeles County, which was the largest increase since the Omicron surge in February 2022. He stated that underreporting of the positivity rate was likely due to home testing not reported to the County Health Department. He stated there was a 20 percent increase in case numbers from the prior week and a 14 percent test positivity rate. He stated hospitalizations were steady at approximately 770 per day. He stated Malibu was still in the medium community spread risk category. He stated the Omicron strain continued to be dominant, although it had evolved and grew in numbers. He reminded everyone that vaccines were available for those ages six months and older and that free tests were available to those without insurance. He stated more information was available at the County Public Health website. He reminded the Council that their July 25, 2022 meeting was dark and would not be held. He announced that the day use impound yard pilot project had begun on June 18, 2022 and would run through October 2022. He stated as of the prior day, 106 vehicles had been towed. He reported that he was notified by Caltrans that the proposed hybrid pedestrian beacon project near Malibu Seafood restaurant that was presented at a public meeting in 2018 to the great concern of the public had been terminated and would not move forward. He reported that a school reorganization mediation meeting was held July 9, 2022. He stated he attended the School Safety Ad Hoc meeting the week prior. He stated he met with Captain Seetoo and Lieutenant Watters, and they discussed realistic options on staffing the Malibu Substation beginning July 1, 2023, and it was expected information would be brought to Council for discussion within the following few months.

Environmental Sustainability Director Bundy invited the community to the Dark Sky Ordinance informational webinar hosted by the City Wednesday, July 20, 2022 at 4:00 p.m. for property owners and managers of commercial properties. She stated guidance and information on how to obtain the necessary permits would be provided. She urged the community to contact them with any questions as the October 15, 2022 compliance deadline was near.

Public Works Director DuBoux clarified the Caltrans project meeting which proposed bicycle lanes westward from Webb Way was in the community interest gathering stage and that there was not a current project planned. He stated that the Public Works Department had coordinated and collaborated with Caltrans on several projects including the one referenced. He stated Caltrans had a painting project scheduled and they were currently coordinating with the Public Works

Department.

Lieutenant Watters stated they had a major incident of vandalism as was referenced earlier in Mr. Ahern's comments and the Sheriff's Department had a good response to the incident, a thorough investigation was underway, and the suspect was apprehended. He stated they worked with the District Attorney's (D.A.) office and provided them with information for them to proceed appropriately. He stated it was hoped the suspect would be detained in custody until the time of his trial. He stated the individual seemed disturbed and was believed to be a threat to the area, and although he had not yet committed any violent crime, they believed that violence was imminent, which they conveyed to the D.A.'s office. He thanked the community for the information provided to the Sheriff's Department. He encouraged the community to come forward with any information about any crime against themselves or someone they knew using the Tip Line or through direct contact with the Sheriff's station. He stated this information and camera footage helped get cases solved. He stated the homicide at the Trancas Country Market appeared to be a suspicious death and was still under investigation. He stated an update would be provided by the Homicide Bureau as soon as they had their findings. He stated the Major Crimes Bureau was working on the case of the robbery at Heathercliff Road and PCH and that they had a very strong lead and thought the suspect would be in custody soon. He reported the beach team was very effective and had written several citations. He stated they did a motor operation on the east end of Malibu on Sunday morning, and 16 citations were issued to vehicles who were on their way to the unpermitted car gathering. He stated the Sheriff's Department also had a presence at the event site. He stated management at the property where the vehicles gathered worked with the Sheriff's Department and City Manager McClary to reduce the impact of the unpermitted activity on the community. He reported that they conducted a catalytic converter etching event the prior month and planned another in the Malibu area in three months. He reported there were not many traffic accidents over the past few days and the City's temporary impound yard had been very helpful and kept the areas around Zuma, Point Dume, and Westward Beach safer.

Councilmember Uhring stated that due to the ongoing efforts, he had seen much reduction in the nuisance the unpermitted car gatherings caused.

Lieutenant Watters reported that he had appeared, along with Mayor Grisanti and Public Safety Liaison Luis Flores, on the NBC Channel 4 morning news program where they discussed measures that were employed that improved the overnight camping and homelessness issues that involved recreational vehicles.

ITEM 2.C. **SUBCOMMITTEE REPORTS / COUNCIL COMMENTS**

Councilmember Uhring commented on the recent power outages and stated they posed a safety hazard and measures should be taken to prevent them. He stated one of the City's grant recipients, the Kabbalah Foundation, worked with underserved children through equine therapy and encouraged other grant recipients to share with

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the City the work they accomplished that helped the community. He thanked the community for not using fireworks over the holiday weekend and that pet owners were grateful they did not have their pets distressed by the noise.

In response to Councilmember Uhring, Environmental Services Director Bundy stated that outreach efforts were made with business owners to come into compliance with the Dark Sky Ordinance and Planning Director Mollica stated that recommendations from the Planning Commission would be on an upcoming Council agenda that addressed concerns regarding gas station lighting.

Councilmember Pierson reported that he attended the Caltrans west Malibu PCH painting project meeting and Mayor Grisanti attended as well. He stated the meeting was fraught with technical and communication difficulties and he felt he hadn't received value for the time spent. He reported he attended Santa Monica Bay Watershed meeting and Mayor Grisanti attended as well. He stated the School Reorganization mediation held July 9, 2022, was lengthy in duration but progress had been made. He stated California State Senate Representative Robert Hertzberg made a statement about camping in ESHA and that he and Councilmember Farrer assisted him in crafting the statement. He stated he participated on multiple days with arson-watch, and there were far fewer fireworks this year.

Councilmember Farrer stated that it was election season and that some of the comments directed at her were likely politically motivated by someone who had political aspirations of running for office. She stated she received many email messages about items on the agenda. She thanked Mr. Ahern and Lieutenant Watters for bringing the ax vandalism incident to their attention and the Sheriff's Department for the suspect being apprehended. She stated it seemed strange to her to have an incident that involved a level of damage with an ax described as a non-violent crime, and questioned if the distinction was in that it was a property crime rather than one committed against a person. She stated the images and description of the incident seemed extremely violent to her. She stated the recent Fourth of July holiday weekend was calmer and she heard less sirens. She reported that School District Separation team met all day on Saturday and provided the following recap: "We are continuing to work together with the help of a neutral mediator in reaching a solution for reorganization. There is a shared belief that progress is being made toward reaching an agreement." She stated that she and Councilmember Pierson met with Senate Majority Leader Hertzberg on Sunday, July 10, 2022 to discuss topics that were important to the Malibu community, particularly the history and risk of wildfires. She stated that he was a candidate for the Los Angeles County Board of Supervisors. She stated that earlier in the day she attended a two-hour virtual meeting of the Council on Veterans Affairs, organized by Congressman Ted Lieu, and that Public Safety Director Dueñas, Public Safety Liaison Flores, members of the Council of Governments, and many governmental officials were in attendance. She stated that a large amount of federal funds would go to the west Los Angeles Veterans Administration facility to assist in veteran housing and that would have an impact in Malibu. She stated there were 90,000 veterans registered for services out of the west Los Angeles facility.

Mayor Pro Tem Silverstein stated he spent a lot of time over the past two weeks, and before that, on substantial historical and legal research on the Library funds matter and the Option 4 fire rebuild matter and the other items that were on the meeting agenda. He stated he attended the School Safety Ad Hoc Committee meeting and that they made a little bit of progress. In response to public speaker Mr. Ahern, he stated the ax-wielding vagrant illustrated his concerns over homelessness in Malibu, which tended to be unpopular because he took a hard stand to clean up Malibu's streets, and that was another example of failure to be proactive. He stated he hoped steps would be taken to keep that gentleman incarcerated pending trial, and if not incarcerated, at least a way found to keep him out of Malibu. In response to public speaker Mr. Lyon, he stated the comment about the length and placement of items on the agenda, and of speakers' ability to comment on the agenda was well-taken. He stated that even though much time was taken at meetings listening to speakers, the way to comment on the agenda was by speaking during Item No. 2.A. He stated it had always troubled him that items late at night might not be heard during the meeting or even two meetings in a row, and yet they ended up scheduled again in the same spot on the agenda. He stated that the next time the items came up, he would think they could have some kind of protocol for bringing things remaining from the prior meeting forward in the agenda before new items. In response to public speaker Mr. Mazza, he stated that he agreed there should be coordination between the City and Caltrans on the two different projects along PCH. He stated several comments had been made that evening about an elected official who had taken some positions and then noted that that person was running for County Supervisor, and he hoped that none of that had been taken as an endorsement or recommendation by anyone on the Council of who Malibu residents should vote for in an election because that would not be proper. He stated that it was always appropriate to thank people when they did something that helped Malibu, but he hoped that was not taken the wrong way.

Mayor Grisanti stated he had a busy holiday weekend and was glad it was safe. He stated that more recently he was at the July 10, 2022 presentation arranged by the Malibu Navy League for the French Government Consul General who presented a knighthood to Malibu resident Martin Copenhafer who had participated in the Normandy landing in World War Two. He stated that it was a very emotional event and thanked everyone involved. He stated that the Caltrans paving project meeting was disorganized, and that Caltrans had received negative input from the CCC regarding the 2100 parking spaces that would be lost as a result of the project. He stated he was glad the temporary impound yard was working well.

ITEM 3 CONSENT CALENDAR

Item Nos. 3.A.1., 3.A.2., and 3.B.3. were pulled by the public.

MOTION Councilmember Farrer moved, and Councilmember Pierson seconded a motion to approve the Consent Calendar, pulling Item Nos. 3.A.1., 3.A.2., and 3.B.3. The question was called, and the motion carried unanimously.

The Consent Calendar consisted of the following items:

B. New Items

1. Waive Further Reading
Recommended Action: After the City Attorney has read the title, waive full reading of ordinances considered on this agenda for introduction on first reading and/or second reading and adoption.
2. Approve Warrants
Recommended Action: Allow and approve warrant demand numbers 66296-66408 listed on the register from the General Fund and direct the City Manager to pay out the funds to each of the claimants listed in Warrant Register No. 707 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$567,515.03. City of Malibu payroll check number 5230-5231 and ACH deposits were issued in the amount of \$255,890.32.
4. Findings to Hold Virtual City Council, Commission, Committee, Board and Other City Bodies, Meetings Under AB 361
Recommended Action: Consider a motion to reaffirm Resolution No. 22-25, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.
5. Marie Canyon Green Streets Improvements Project
Recommended Action: Authorize the Mayor the execute a construction contract with J and H Engineering General Contractors, Inc. in the amount of \$254,001 for the Marie Canyon Green Streets Improvements Project, Specification No. 2073; and 2) Authorize the Public Works Director to approve potential change orders up to 15% of the contract.

The following items were pulled from the consent calendar for individual consideration:

Item Nos. 3.A.1. and 3.A.2. were heard concurrently.

A. Previously Discussed Items

1. Coastal Development Permit No. 14-073, Variance Nos. 18-002, 18-003, 18-004, 18-008, 18-009, and Minor Modification No. 18-001 - An application for a new single-family residence and associated development
Recommended Action: Adopt Resolution No. 22-16, denying Appeal No. 21-017 upholding the Planning Commission's denial of Coastal Development Permit No. 14-073 to construct a new 2,825-square foot, two-story, single-family residence, including a 483-square foot attached two-car garage, rooftop deck, swimming pool, spa and associated equipment, barbeque, outdoor fireplace, retaining walls, hardscaping, grading, and installation of a new alternative onsite wastewater treatment system, and denying Variance No. 18-002 for construction in excess of 18 feet in height, up to 43.25 feet for the single-family residence, and denying Variance No. 18-004 to allow the portions of the building in excess of 18 feet in height to exceed two-thirds the area below 18 feet in height located in the Rural

Residential Two-Acre zoning district at 33386 Pacific Coast Highway (180 PCH, LLC).

2. Coastal Development Permit No. 14-072, Lot Merger No. 17-007, Lot Line Adjustment No. 14-004, Variance Nos. 17-050, 17-051, 18-001, 18-005, 18-006, and 18-015 - An application for a new single-family residence, associated development, lot merger, and lot line adjustment
Recommended Action: Adopt Resolution No. 22-17, denying Appeal No. 21-018 upholding the Planning Commission's denial of Coastal Development Permit No. 14-072 to construct a new 2,825-square foot, two-story, single-family residence, including a 483-square foot attached two-car garage, rooftop deck, swimming pool, spa and associated equipment, barbeque, outdoor fireplace, retaining walls, hardscaping, grading, and installation of a new alternative onsite wastewater treatment system, and denying Variance No. 17-050 for construction in excess of 18 feet in height, up to 43.25 feet for the single-family residence, and denying Variance No. 18-001 to allow the portions of the building in excess of 18 feet in height to exceed two-thirds the area below 18 feet in height located in the Rural Residential Two-Acre zoning district at 33398 Pacific Coast Highway (180 PCH, LLC).

Item Nos. 3.A.1. and 3.A.2. were heard concurrently.

Mayor Grisanti opened the floor for public comment.

Speakers: David Rosen, Charals Haagen, and James George

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION

Mayor Pro Tem Silverstein moved, and Councilmember Pierson seconded a motion to: 1) adopt Resolution No. 22-16, denying Appeal No. 21-017 upholding the Planning Commission's denial of Coastal Development Permit No. 14-073 to construct a new 2,825-square foot, two-story, single-family residence, including a 483-square foot attached two-car garage, rooftop deck, swimming pool, spa and associated equipment, barbeque, outdoor fireplace, retaining walls, hardscaping, grading, and installation of a new alternative onsite wastewater treatment system, and denying Variance No. 18-002 for construction in excess of 18 feet in height, up to 43.25 feet for the single-family residence, and denying Variance No. 18-004 to allow the portions of the building in excess of 18 feet in height to exceed two-thirds the area below 18 feet in height located in the Rural Residential Two-Acre zoning district at 33386 Pacific Coast Highway (180 PCH, LLC); and 2) adopt Resolution No. 22-17, denying Appeal No. 21-018 upholding the Planning Commission's denial of Coastal Development Permit No. 14-072 to construct a new 2,825-square foot, two-story, single-family residence, including a 483-square foot attached two-car garage, rooftop deck,

swimming pool, spa and associated equipment, barbeque, outdoor fireplace, retaining walls, hardscaping, grading, and installation of a new alternative onsite wastewater treatment system, and denying Variance No. 17-050 for construction in excess of 18 feet in height, up to 43.25 feet for the single-family residence, and denying Variance No. 18-001 to allow the portions of the building in excess of 18 feet in height to exceed two-thirds the area below 18 feet in height located in the Rural Residential Two-Acre zoning district at 33398 Pacific Coast Highway(180 PCH, LLC).

The question was called, and the motion carried unanimously.

B. New Items

3. Approval of Minutes

Recommended Action: Approve the minutes for the November 2, 2021 Malibu City Council Adjourned Regular meeting.

Mayor Grisanti opened the floor for public comment.

Speaker: Bill Sampson

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION Councilmember Pierson moved, and Councilmember Farrer seconded a motion to approve the minutes for the November 2, 2021 Malibu City Council Adjourned Regular meeting. The question was called and the motion carried unanimously.

RECESS At 8:13 p.m., Mayor Grisanti recessed the meeting. The meeting resumed at 8:18 p.m. with all Councilmembers present.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

A. Malibu Middle and High School Specific Plan - Final Environmental Impact Report No. 20-001, Local Coastal Program Amendment No. 21-002, General Plan Map Amendment No. 21-002, Zoning Map Amendment No. 22-001, and Zoning Text Amendment No. 22-002 - An application to redevelop and modernize the existing Malibu Middle and High School campus and former Juan Cabrillo Elementary School campus (Continued from June 27, 2022)

Recommended Action: 1) Adopt Resolution No. 22-32, adopting the findings of fact required by the California Environmental Quality Act, certifying the adequacy of the Final Environmental Impact Report (SCH No. 202008350), and adopting the Mitigation Monitoring and Reporting Program and the Statement of Overriding Considerations; 2) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 501 approving Local Coastal Program Amendment (LCPA) No. 21-002, Zoning Map Amendment No. 22-001, and Zoning Text Amendment No. 22-002 to: a) add Section 3.4.6 to Local Coastal Program (LCP)

Local Implementation Plan (LIP) Section 3.4 to incorporate the MMHS Campus Specific Plan into the LIP, b) exempt the Malibu Middle and High School (MMHS) from the prohibition of electronic message center (EMC) signs required by LIP Section 3.15.3, c) amend Malibu Municipal Code (MMC) Section 17.42.020 to add subsection "M." to incorporate the MMHS Campus Specific Plan into the MMC consistent with the proposed LCPA language, d) exempt the MMHS from the prohibition of EMC signs required by MMC Section 17.52.040, e) amend LCP Zoning Map No. 2 to add a boundary line around the MMHS Campus Specific Plan area, denoting the boundaries of the MMHS Campus Specific Plan area for three parcels (Assessor's Parcel Map Numbers [APNs] 4469-017-900, 4469-018-900, and 4469-018-904) located at 30215 Morning View Drive, and f) amend the MMC Zoning Map consistent with the update to LCP Zoning Map No. 2; 3) Adopt Resolution No. 22-33 approving the Malibu Middle and High School Campus Specific Plan, Local Coastal Program Amendment (LCPA) No. 21-002, and General Plan Map Amendment No. 21-001 to: a) amend the LCP Land Use Plan to add a new Environmental Sensitive Habitat Area Policy 3.24 and b) amend the City of Malibu General Plan Land Use Policy Map (Section 3) to revise the land use designation for three parcels (APNs 4469-017-900, 4469-018-900, and 4469-018-904) located at 30215 Morning View Drive; 4) Direct staff to schedule second reading and adoption of Ordinance No. 501 for the August 8, 2022 Regular City Council meeting.

Senior Planner Brooks presented the staff report.

Disclosures: Councilmembers Farrer, Pierson, and Uhring, and Mayor Grisanti.

The Council directed questions to staff.

As there were no further questions for staff Mayor Grisanti opened the floor for public comment.

Speakers: Craig Foster, Stan Barankiewicz, Lou La Monte, Stacy Rouse, Colin Drummond, Bill Sampson, Patt Healy, Isaac Burgess, John Mazza, Carl Randall, Valerie Seabaugh, Scott Dittrich, Marianne Riggins, Jo Drummond, Ryan Embree, and Mike Mulligan

Robert Brinkman was not present at the time of the hearing.

Senior Planner Brooks presented additional information.

As additional information was presented, Mayor Grisanti reopened public comment.

Speakers: Mr. Mazza, Howard Rudzki, Ms. Riggins, Carl Randall, Kraig Hill, Mr. Dittrich, and Mr. Embree

Carrey Upton, and Stan Barankiewicz provided rebuttal to public comment.

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff, Carey Upton, and Stan Barankiewicz.

MOTION

Mayor Grisanti moved, and Councilmember Farrer second a motion to:

1) adopt Resolution No. 22-32, adopting the findings of fact required by the California Environmental Quality Act, certifying the adequacy of the Final Environmental Impact Report (SCH No. 202008350), and adopting the Mitigation Monitoring and Reporting Program and the Statement of Overriding Considerations;

2) introduce on first reading Ordinance No. 501, as amended to: i) add “All development proposed above eighteen (18) in height must require a Site Plan Review, pursuant to Section 13.27 of the Malibu LIP. Should a Site Plan Review be required, the entire development above eighteen (18), including all roof projections, requires the installation of story poles to ensure private view protection” to Exhibit A Section A.1. and Exhibit B Section 1.A.; ii) remove references to the Dark Sky Ordinance from Exhibit A Section A.3.; iii) modify Exhibit A Section A.5.B. and Exhibit B Section E.2. to allow the marquee signs to be oriented perpendicular to Morning View Drive facing east; iv) modify Exhibit A Section A.6. and Exhibit B Section 1.F. to read:

“New development and substantial redevelopment as provided in the Malibu Middle and High School Campus Specific Plan may be allowed in the 100-foot ESHA buffer, but in no case closer than 50 feet as shown on MMHS Campus Specific Plan ESHA Restoration Map Nos. 1, 2, 3 of the Malibu LIP, if it does not significantly disrupt the habitat values of ESHA and may include:

1. ESHA and creek-related educational uses and viewing platforms;

2. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and Parking Lots D and E as depicted on the Proposed Site Plan MMHS Campus Specific Plan. The redevelopment shall be accomplished in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;

3. Fuel modification required by the State Fire Marshall to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and

4. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:

a. Limited exterior lighting for safety purposes; and

b. Fences necessary for safety, restoration, and protection of habitat.”

v) modify Exhibit A Section A.7. and Exhibit B. Section 1.G. to read:

“The ESHA Restoration Plan, dated July 2022, on file with the City shall be implemented as part of Phase 1 of the MMHS Campus Specific Plan and completed by Phase 4 as specified in the plan. Work shall be completed as shown on “ESHA Restoration Map Nos. 1, 2, and 3.” As a condition of approval of, and prior to issuance of a coastal development permit for Phase I of the Malibu Middle and High School Campus Specific Plan, a phased ESHA Restoration Plan shall be submitted for review and approval by the City Biologist.

During Phase 1 of the MMHS Campus Specific Plan, demolition of hardscape within the 100-foot buffer of the downstream area would occur. Restoration activities that would occur within the entire reach include weed abatement, broadcast of native seed and planting of native stock and invasive plant controls. Bank stability improvements and erosion control would occur in the upstream and downstream portions of the ESHA during Phase 1, which include the proposed pedestrian trail and new drive aisles.

Demolition of developed areas within the 100-foot buffer of the upstream and middle stream area would occur during Phase 4, as the Bus Barn and other existing structures would remain operational until Phase 4 commences. Upon completion of Phase 4, the pedestrian trail would be completed and connect to existing trails on the campus.

Any proposed changes to the ESHA Restoration Plan on file with the City must be approved by the City Biologist in consultation with the California Coastal Commission Biologist..”, approving Local Coastal Program Amendment (LCPA) No. 21-002, Zoning Map Amendment No. 22-001, and Zoning Text Amendment No. 22-002 to: a) add Section 3.4.6 to Local Coastal Program (LCP) Local Implementation Plan (LIP) Section 3.4 to incorporate the MMHS Campus Specific Plan into the LIP, b) exempt the Malibu Middle and High School (MMHS) from the prohibition of electronic message center (EMC) signs required by LIP Section 3.15.3, c) amend Malibu Municipal Code (MMC) Section 17.42.020 to add subsection “M.” to incorporate the MMHS Campus Specific Plan into the MMC consistent with the proposed LCPA language, d) exempt the MMHS from the prohibition of EMC signs required by MMC Section 17.52.040, e) amend LCP Zoning Map No. 2 to add a boundary line around the MMHS Campus Specific Plan area, denoting the boundaries of the MMHS Campus Specific Plan area for three parcels (Assessor’s Parcel Map Numbers [APNs] 4469-017-900, 4469-018-900, and 4469-018-904) located at 30215 Morning View Drive, and f) amend the MMC Zoning Map consistent with the update to LCP Zoning Map No. 2.

3) adopt Resolution No. 22-33, as amended to: i) replace the cover page and header of Exhibit A; ii) replace Table 1 in Section 1.4 of Exhibit A; iii) replace Table 4 in Section 4.1 of Exhibit A; iv) updates Section 6.1 of Exhibit A to reflect the transportation mitigation measures included in the Mitigation Monitoring and Reporting Program; v) replace Table 15 in Section 6.1 of Exhibit A; vi) replace Table 16 in Section 6.1 of Exhibit A; vii) replace Figures 6, 16, 17, and 18 in Exhibit A; viii) modify Exhibit B to read:

“Amend the LCP Land Use Plan (LUP) to add the following new ESHA policy. 3.24. The following types of new development and substantial redevelopment may be allowed in the 100-foot ESHA buffer, but in no case closer than 50 feet as shown on the Malibu Middle and High School Campus Specific Plan ESHA Restoration

Map Nos. 1, 2, and 3 of the Malibu LIP, if it does not significantly disrupt the ESHA habitat values:

1. ESHA and creek-related educational uses and viewing platforms;
 2. Relocation of existing roads, road rights-of-way, utilities, public infrastructure and facilities, and Parking Lots D and E as depicted on the MMHS Campus Specific Plan Proposed Site Plan. The redevelopment shall be accomplished in a manner that involves no increase in development footprint for the portion within the habitat buffer area. If the improvement involves relocation, the new site shall be located no closer to ESHAs, wetlands, or creeks than the existing site and shall minimize encroachment into the habitat buffer to the maximum extent feasible;
 3. Fuel modification required by the State Fire Marshall to meet the Fire Code Defensible Space Requirements for existing development in High Fire Hazard Areas; and
 4. The following uses may be allowed where the encroachment into the habitat buffer is minimized to the extent feasible, where all feasible mitigation measures have been provided to minimize adverse environmental effects, and the maximum feasible habitat buffer between the development and the habitat is provided:
 - a. Limited exterior lighting for safety purposes; and
 - b. Fences necessary for safety, restoration, and protection of habitat.”;
- approving the Malibu Middle and High School Campus Specific Plan, Local Coastal Program Amendment (LCPA) No. 21-002, and General Plan Map Amendment No. 21-001 to: a) amend the LCP Land Use Plan to add a new Environmental Sensitive Habitat Area Policy 3.24 and b) amend the City of Malibu General Plan Land Use Policy Map (Section 3) to revise the land use designation for three parcels (APNs 4469-017-900, 4469-018-900, and 4469-018-904) located at 30215 Morning View Drive.
- 4) direct staff to schedule second reading and adoption of Ordinance No. 501 for the August 8, 2022 Regular City Council meeting.

The Council discussed the motion and directed questions to staff, Mr. Mazza, and Mr. Upton.

The question was called, and the motion carried 3-2, Councilmember Uhring and Mayor Pro Tem Silverstein opposed.

MOTION Mayor Grisanti moved, and Councilmember Farrer seconded a motion to hear Item No. 6.A. after 10:30 p.m. and prior to Item No. 5.A. The question was called, and the motion carried unanimously.

ITEM 6 NEW BUSINESS

- A. Woolsey Fire Rebuild Option 4
Recommended Action: 1) Receive information regarding the history of the processing of fire rebuild applications and comments from the California Coastal Commission; 2) Review the options on how to process applications for fire affected

properties that include new development and/or modifications/additions over a 10 percent of the fire damaged structure; and 3) Provide direction to staff.

Planning Director Mollica presented the staff report.

The Council directed questions to staff.

As there were no further questions for staff Mayor Grisanti opened the floor for public comment.

Speakers: Brian Klein, Arielle Verinis, Heather Naylor, Christopher Sorensen, Adria Sorensen, Marissa Coughlan, Jo Drummond, Doug Sandler, Julie Martin, Mark Martin, Norman Haynie, Cynthia Martin, Jeffrey Jennings, Kraig Hill, Evan Contino, Howard Rudzki, Josh Spiegel, Ryan Embree, Jack Silverman, and Dustin Khaleghi

Don Schmitz, Josh Goldman, Mitch Hagerman, and George Poptsis were not present at the time of the hearing.

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION Mayor Grisanti moved, and Councilmember Pierson seconded a motion to: 1) move forward with Alternative C in the staff report and continue accepting permit applications under Option 4 until the deadline to apply for Woolsey Fire Fee Waivers specified in Resolution No. 21-62; and 2) schedule a meeting with California Coastal Commission (CCC) Executive Director Jack Ainsworth to discuss Woolsey Fire Rebuild Option 4.

The Council discussed the motion and directed questions to staff.

FRIENDLY AMENDMENT

Mayor Pro Tem Silverstein moved to amend the motion to include Mayor Grisanti and Councilmember Uhring in the meeting with the CCC.

The amendment was accepted by the maker and the seconder.

The Council discussed the amended motion.

The question was called, and the amended motion carried unanimously.

RECESS At 1:30 a.m. on Tuesday, July 12, 2022, Mayor Grisanti recessed the meeting. The meeting resumed at 1:35 a.m. with all Councilmembers present.

ITEM 5 OLD BUSINESS

A. Potential Transaction and Use Tax Measure

Recommended Action: 1) Receive report on potential Transaction and Use Tax; 2) Direct staff to bring back resolutions to submit the question to the voters, setting priorities for arguments and rebuttals; 3) Direct the City Attorney to prepare an impartial analysis; and 4) Consider directing staff to hire a consultant to educate Malibu residents regarding the potential ballot question.

Deputy City Manager Shavelson and Lucia Del Puppo, from the Fairbank, Maslin, Maullin, Metz, and Associates Research team presented the staff report.

Mayor Grisanti opened the floor for public comment.

Speaker: Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION Mayor Pro Tem Silverstein moved, and Councilmember Uhring seconded a motion to 1) direct staff to bring back resolutions to submit the question to the voters, setting priorities for arguments and rebuttals; 2) direct the City Attorney to prepare an impartial analysis; and 3) direct staff to bring back an item to hire a consultant to educate Malibu residents regarding the ballot question.

The Council discussed the motion and directed questions to staff.

The question was called, and the motion carried unanimously.

ITEM 7 COUNCIL ITEMS

MOTION Mayor Grisanti moved, and Mayor Pro Tem Silverstein seconded a motion to hear Item Nos. 7.A. and 7.C. after 10:30 p.m. and continue Item No. 7.B. to the August 8, 2022 City Council Regular meeting. The question was called, and the motion carried unanimously.

A. Council Appointment to the Homelessness Task Force

Recommended Action: Councilmember Farrer may make a new appointment to the Homelessness Task Force.

Councilmember Farrer appointed Joshua Spiegel to the Homelessness Task Force.

B. Amendment to May 23, 2022, Council action regarding Malibu Library Set Aside Fund for Fiscal Year 2022-23 (Councilmember Uhring and Mayor Pro Tem Silverstein) (Continued from June 27, 2022)

Recommended Action: At the request of Councilmember Uhring and Mayor Pro Tem Silverstein, approve amending the Council action of May 23, 2022, regarding Malibu Library Set Aside Fund for Fiscal Year 2022-23, to rescind approval of the \$500,000 endowment for the Los Angeles County Library Foundation.

This item was continued to the August 8, 2022 City Council Regular meeting.

C. Designation of Voting Delegate and Alternate Voting Delegate(s) for the 2022 League of California Cities Annual Conference

Recommended Action: Designate the City's voting delegate and alternate voting delegate(s) for the League of California Cities 2022 Annual Conference scheduled for September 7-9, 2022 in Long Beach.

Mayor Grisanti opened the floor for public comment.

Speaker: Ryan Embree

As there were no other speakers present, Mayor Grisanti returned the matter to the table for discussion.

MOTION Councilmember Pierson moved, and Mayor Pro Tem Silverstein seconded a motion to designate Mayor Grisanti as the voting delegate for the League of California Cities 2022 Annual Conference. The question was called and the motion carried unanimously.

ADJOURNMENT

At 2:15 a.m. on Tuesday, July 12, 2022 Mayor Grisanti adjourned the meeting.

Approved and adopted by the City Council of the
City of Malibu on _____.

BRUCE SILVERSTEIN, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

MINUTES
MALIBU CITY COUNCIL
SPECIAL MEETING
JULY 28, 2022
TELECONFERENCED - VARIOUS LOCATIONS
4:00 P.M.

The following meeting was held pursuant to AB 361 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

MEETING CALL TO ORDER

Mayor Grisanti called the meeting to order at 4:00 p.m.

ROLL CALL

The following persons were recorded in attendance via teleconference by the Recording Secretary:

PRESENT: Mayor Paul Grisanti, Mayor Pro Tem Bruce Silverstein, and Councilmembers Karen Farrer, Mikke Pierson, and Steve Uhring

ALSO PRESENT: Trevor Rusin, Interim City Attorney; Steve McClary, City Manager; and Kelsey Pettijohn, City Clerk

PUBLIC COMMENT ON CLOSED SESSION

Mayor Grisanti opened the floor to public comment.

Speakers: None.

RECESS TO CLOSED SESSION

At 4:02 p.m., on the advice of counsel and based on existing facts and circumstances, the Council recessed to Closed Session to discuss the following items listed on the Closed Session agenda:

Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9(d)(1)

1. Case Name: City's Petition to Form Malibu USD from Territory in the Santa Monica-Malibu USD

At 5:36 p.m., Mayor Grisanti called the meeting back to order with all Councilmembers present.

CLOSED SESSION REPORT

Interim City Attorney Rusin reported that the meeting convened at 4:00 p.m., after which time the City Council recessed to a Closed Session pursuant to Government Code Section

54956.9(d)(1) with all Councilmembers present. He stated the Council discussed the item on the Closed Session agenda with no reportable action.

ADJOURNMENT

MOTION At 5:38 p.m. Mayor Grisanti adjourned the meeting.

Approved and adopted by the City Council of the
City of Malibu on _____.

BRUCE SILVERSTEIN, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)