



# Council Agenda Report

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

Prepared by: Kelsey Pettijohn, City Clerk

Approved by: Steve McClary, City Manager

Date prepared: September 26, 2023 Meeting date: October 9, 2023

Subject: Approval of Minutes

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**RECOMMENDED ACTION:** Approve the minutes for the December 28, 2022 Malibu City Council Special meeting, and January 9, 2023 Malibu City Council Regular 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 December 28, 2022, and January 9, 2023.

**ATTACHMENTS:**

December 28, 2022 Special meeting  
January 9, 2023 Regular meeting

MINUTES  
MALIBU CITY COUNCIL  
SPECIAL MEETING  
DECEMBER 28, 2022  
TELECONFERENCED - VARIOUS LOCATIONS  
9:00 A.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 Silverstein called the meeting to order at 9:01 a.m.

**ROLL CALL**

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

PRESENT: Mayor Bruce Silverstein; Mayor Pro Tem Steve Uhring; and Councilmembers Paul Grisanti, Marianne Riggins, and Doug Stewart

**PUBLIC COMMENT ON CLOSED SESSION**

Interim City Attorney Rusin stated the correct name of the negotiating parties to be EQ Properties Holdings LLLP.

Speakers: Thomas Moore and DJ Moore

**RECESS TO CLOSED SESSION**

At 9:12 a.m., the Council recessed to Closed Session to discuss the following items listed on the Closed Session agenda:

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

1. Properties: APN 4453-005-013  
APN 4453-005-018  
APN 4453-005-111  
APN 4453-005-114  
APN 4453-005-117  
APN 4453-005-118  
APN 4459-004-001  
APN 4459-004-004  
APN 4459-005-003  
APN 4459-005-013  
APN 4459-005-001

Agency Negotiator: Interim City Attorney Trevor Rusin

Negotiating Parties: Equity Holdings LLLP

Under Negotiation: Price and terms of payment

## **REGULAR SESSION CALL TO ORDER**

Mayor Silverstein called the meeting to order at 9:49 a.m.

## **ROLL CALL**

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

PRESENT: Mayor Bruce Silverstein; Mayor Pro Tem Steve Uhring; and Councilmembers Paul Grisanti, Marianne Riggins, and Doug Stewart

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

## **PLEDGE OF ALLEGIANCE**

Councilmember Riggins led the Pledge of Allegiance.

## **CLOSED SESSION REPORT**

Interim City Attorney Rusin reported that the meeting convened at 9:00 a.m., after which time the City Council recessed to a Closed Session pursuant to Government Code Section 54956.8, with all Councilmembers present. He stated that the Council discussed the item listed on the Closed Session agenda took no reportable action.

## **REPORT ON POSTING OF AGENDA**

City Clerk Pettijohn reported that the agenda for the meeting was properly posted on December 23, 2022.

## **APPROVAL OF AGENDA**

MOTION Mayor Pro Tem Uhring moved, and Councilmember Grisanti seconded a motion to approve the agenda. The question was called, and the motion carried unanimously.

## **ITEM 1 OLD BUSINESS**

- A. Potential Sale of Properties Known as Sweetwater Mesa – Carbon Canyon Connector, Latigo Canyon – Pacific Coast Highway Connector, and Latigo – Solstice Canyons Connector Commonly Referred to as the Edge Properties  
Recommended Action: 1) Consider options to address the potential sale of properties known as Sweetwater Mesa – Carbon Canyon Connector, Latigo Canyon – Pacific Coast Highway Connector, and Latigo – Solstice Canyons Connector commonly referred to as the Edge Properties including requesting a recommendation from the Parks and Recreation Commission or forming a new Ad Hoc committee of the City Council; and 2) Provide direction to staff.

Interim City Attorney Rusin presented the staff report.

Mayor Silverstein opened the floor to public comment.

Speakers: Thomas Moore and DJ Moore

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

**MOTION** Mayor Pro Tem Uhring moved, and Councilmember Riggins seconded a motion to establish an Ad Hoc Committee to explore options related to the Edge Properties and report back to the Council.

**FRIENDLY AMENDMENT**

Councilmember Riggins moved to poll members of the City Council to gauge interest in serving on the Ad Hoc Committee.

The amendment was accepted by the maker and the seconder of the motion.

The Council discussed the amended motion.

**FRIENDLY AMENDMENT**

Mayor Silverstein moved to designate Councilmembers Riggins and Stewart as members of the Ad Hoc Committee.

The amendment was accepted by the maker and the seconder of the motion.

**FRIENDLY AMENDMENT**

Mayor Pro Tem Uhring moved to direct the City Manager to pursue any potential funding sources to support the options explored by the Edge Properties Ad Hoc Committee.

The amendment was accepted by the seconder of the motion.

The Council discussed the item and directed questions to staff.

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

**ADJOURNMENT**

At 10:01 a.m., Mayor Silverstein adjourned the meeting.

Approved and adopted by the City Council of the  
City of Malibu on \_\_\_\_\_.

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STEVE UHRING, Mayor

ATTEST:

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KELSEY PETTIJOHN, City Clerk  
(seal)

MINUTES  
MALIBU CITY COUNCIL  
REGULAR MEETING  
JANUARY 23, 2023  
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 Silverstein 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 Bruce Silverstein; Mayor Pro Tem Steve Uhring; and Councilmembers Paul Grisanti, Marianne Riggins, and Doug Stewart

ALSO PRESENT: Trevor Rusin, Interim City Attorney; Steve McClary, City Manager; Joseph Toney, Assistant City Manager; Kelsey Pettijohn, City Clerk; Kristin Riesgo, Acting Community Services Director; Yolanda Bundy, Environmental Sustainability Director; Richard Mollica, Planning Director; Susan Dueñas, Public Safety Director; Rob DuBoux, Public Works Director; T’Ana Christiansen, Deputy City Clerk; and Joyce Parker-Bozylinski, Contract Planner

**PLEDGE OF ALLEGIANCE**

Councilmember Grisanti led the Pledge of Allegiance.

**REPORT ON POSTING OF AGENDA**

City Clerk Pettijohn reported that the agenda for the meeting was properly posted on December 29, 2022, with the amended agenda posted on January 5, 2023.

**APPROVAL OF AGENDA**

MOTION Mayor Pro Tem Uhring moved, and Councilmember Grisanti seconded a motion to approve the agenda with Item No. 7.D. removed from the agenda. The question was called, and the motion failed 2-3, Councilmembers Riggins and Stewart and Mayor Pro Tem Uhring opposed.

MOTION Mayor Pro Tem Uhring moved, and Councilmember Riggins seconded a motion to approve the agenda. The question was called, and the motion carried unanimously.

**ITEM 1 CEREMONIAL/PRESENTATIONS**

None.

**ITEM 2.A. PUBLIC COMMENTS**

Bill Sampson inquired on the status of the Pacaso shared homeownership ordinance that former City Attorney John Cotti had worked on. He inquired who he should contact about compliance issues that pertained to the Dark Sky Ordinance since violations occurred after business hours. He stated that he called the City's hotline regarding a view preservation question and there was a recording that indicated the voicemail box was full.

Scott Dittrich stated that Sarah Kaplan was leaving the City's employment as Emergency Services Coordinator and thanked her for service to the City and the Community Emergency Response Team (CERT).

James Devitt commented on correspondence he sent to the Council on the Malibu Health Center. He requested that a state of emergency be declared in Malibu and motel accommodations, meals, and transportation provided to unhoused individuals and suggested that the vacant Malibu Court House be utilized for homelessness and job services.

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

City Manager McClary wished everyone a happy new year. He stated that the hourly minimum wage in Malibu would be increased on July 1, 2023 to \$16.90. He stated that the Transactions and Use Tax measure that was approved on the November 2022 ballot would be effective April 1, 2023. He stated that there were only minor impacts from the recent storm and cautioned drivers to be careful on the roadways. He stated that the farmers' market moved to Legacy Park without issue. He provided an update on Los Angeles County's COVID-19 report and stated the seven-day average dropped to 2169 on January 8, 2023 from 3821 cases on December 8, 2022. He stated the seven-day positivity rate was 14.1 percent and that masks were recommended to be worn but not required. He reported that on the previous Friday he, Assistant City Manager Toney, and Councilmember Stewart met with City Treasurer Ruth Quinto and discussed the City's cash management and investment policy. He stated there would be an item on the Council's agenda in February for discussion of Pacaso shared homeownership policies.

Planning Director Mollica provided an update on the Malibu High School Local Coastal Program Amendment and stated that the City resubmitted the requested information to the California Coastal Commission (CCC) in December 2022. He stated that additional information was requested by the CCC and that the City was working with the Santa Monica-Malibu Unified School District to provide the information. He stated that the City would request a meeting with the CCC to better understand their position on the proposed amendments.

Lieutenant Dustin Carr, Los Angeles County Sheriff Department, reported there were minor rockslides on Malibu Canyon Road and Kanan Dume Road and encouraged the public to be careful in those areas. He stated that there were ten motorhomes parked on Pacific Coast Highway (PCH) and that there was enforcement there and on Westward Beach Road. He stated that contact was made to provide information on the rules so they could be complied with for the enjoyment of the beach by everyone. He stated 147 parking citations were issued, and 22 of those were for oversized vehicles. He acknowledged that campers at Surfrider Beach affected the local businesses and would be addressed by the host team. He provided an overview of 2022 crime statistics, that indicated crimes against persons were down almost 11 percent, robberies down 40 percent, and auto theft down 52 percent. He stated burglaries increased, many in vacation homes and homes undergoing construction, and that people were taken into custody in of some of those incidents. He stated that burglaries during the month of December 2022 were down significantly. He stated that there was a significant reduction in fatal traffic collisions on PCH during 2022, down to 5 from 9 the previous year. He stated most accidents were caused by speeding and unsafe turns. In response to Councilmember Grisanti, who stated he heard on the radio that there were citations issued on New Years' Eve after a street takeover on Topanga and PCH which then moved to Malibu Country Mart, Lieutenant Carr stated said he did not have any statistics on that incident, but that if people were speeding, they would have been cited.

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

Councilmember Grisanti stated that he had nothing to report other than his attendance at a Chamber of Commerce event and other holiday celebrations.

Councilmember Riggins stated she enjoyed a quiet month as a Councilmember over the holidays. She thanked Sarah Kaplan for her service and City staff on their response to the storm.

In response to Councilmember Riggins, Public Works Director DuBoux stated that Caltrans was contacted regarding the potholes on PCH and that sites near Point Dume where water pooled near the speed humps would be visited the following day and assessed.

#### **CONSENSUS**

By consensus, the Council directed staff to bring back an item to consider authorizing hiring a grant writer.

Councilmember Stewart stated that he attended the January Chamber of Commerce business roundtable. He stated that he attended a meeting with residents who were interested in providing input to the Mountains Recreation and Conservation Authority (MRCA) about its camping proposal. He stated that he attended a meeting of residents who were interested in having the City pursue its own open

space program. He stated that he attended the meeting with City staff regarding the City's cash management and investment policy and that as a banker he felt that it was well written. He thanked Sarah Kaplan for her service to the City and her work with the CERT and wished her the best. He stated that his thoughts were with the residents of Ventura and Santa Barbara Counties because they had a tough time with the impact of the storms.

Mayor Pro Tem Uhring wished everyone a happy new year. He stated that the relocation of the farmers' market to Legacy Park worked well and he encouraged the public to visit the market. He stated that the license plate readers were installed at five different locations and thanked Public Safety Director Dueñas, the Public Safety Commission, and the Sheriff Department. He stated that he met with City staff regarding the enforcement of the Dark Sky Ordinance and that City would be compliant by the end of the month. He commended the Volunteers on Patrol for their work over the holidays. He commended City Manager McClary and City staff on their preparations for the storm. He commented on the recent Chamber of Commerce roundtable and stated that there were four City Councilmembers in attendance.

In response to Mayor Pro Tem Uhring and Mayor Silverstein, Interim City Attorney Rusin stated that his understanding was that the presence of three or more Councilmembers at the roundtable meeting did not violate the Brown Act provided they observed and did not contribute to the meeting. He stated a quorum of Councilmembers with discussion of matters within the jurisdiction of the Council was not allowed at any meeting that was not posted as a public meeting of the City Council.

Mayor Silverstein stated that he attended a meet and greet event for Sheriff Robert Luna. He stated that he attended a menorah lighting ceremony at a local synagogue. In response to public speaker Mr. Devitt, he stated that the City did have a homelessness task force and they had examined various alternatives and that the former courthouse was not City property, it belonged to the County, and it was not zoned for a homeless shelter. He stated that beds outside of Malibu for homeless individuals were being found and that there were steps taken to assist homeless individuals. He stated that he was glad a discussion item on the Pacaso shared homeownership issue was upcoming. He commended the City's preparation and response to the storm.

**ITEM 3      CONSENT CALENDAR**

Item Nos. 3.B.3., 3.B.5., and 3.B.7. were pulled by the Council.

**MOTION**      Councilmember Riggins moved, and Councilmember Grisanti seconded a motion to approve the Consent Calendar, pulling Item Nos. 3.B.3., 3.B.5., and 3.B.7. 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. 506

Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 506 amending Chapter 15.36 of Title 15 of the Malibu Municipal Code to include time periods to the electric vehicle charging station permitting process, and determining the project is categorically 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 67723-68030 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. 716 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$2,874,255.53. City of Malibu payroll check

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. 21-64, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.

6. Acceptance of Malibu Bluffs Park Shade Structure Project

Recommended Action: 1) Accept the work performed by Western State Builders, Inc. for the Malibu Bluffs Park Shade Structure Project, Specification No. 2093 as complete; and 2) Authorize the Public Works Director to submit for recordation a Notice of Completion.

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

3. Termination of the State of a Local Emergency

Recommended Action: Adopt Resolution No. 23-01 terminating the state of local emergency declared as a result of the risk of fires associated with individuals living unhoused and otherwise engaged in unpermitted and unregulated camping.

Mayor Silverstein discussed the item and directed questions to staff.

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

The Council discussed the item and directed questions to staff.

MOTION

Councilmember Stewart moved, and Councilmember Grisanti seconded a motion to adopt Resolution No. 23-01, terminating the state of local emergency declared as a result of the risk of fires associated with individuals living unhoused and otherwise engaged in unpermitted and unregulated camping. The question was called, and the motion carried 4-1, Mayor Silverstein opposed.

5. Encinal Canyon Road Drainage Repair Project

Recommended Action: 1) Authorize the Mayor to execute a construction contract with GMZ Engineering, Inc in the amount of \$314,851 for the Encinal Canyon Road Drainage Repair Project Specification No. 2098; and 2) Authorize the Public Works Director to approve potential change orders up to 15% of the contract.

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

The Council discussed the item and directed questions to staff.

MOTION

Councilmember Riggins moved, and Mayor Pro Tem Uhring seconded a motion to: 1) authorize the Mayor to execute a construction contract with GMZ Engineering, Inc in the amount of \$314,851 for the Encinal Canyon Road Drainage Repair Project Specification No. 2098; and 2) authorize the Public Works Director to approve potential change orders up to 15% of the contract. The question was called, and the motion carried unanimously.

7. Acceptance of Point Dume Walkway Repairs Project

Recommended Action: 1) Accept the work performed by JTEC Corporation, Inc. for the Point Dume Walkway Repairs Project, Specification No. 2094 as complete; and 2) Authorize the Public Works Director to submit for recordation a Notice of Completion.

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

The Council discussed the item and directed questions to staff.

MOTION

Councilmember Riggins moved, and Councilmember Grisanti seconded a motion to: 1) accept the work performed by JTEC Corporation, Inc. for the Point Dume Walkway Repairs Project, Specification No. 2094 as complete; and 2) authorize the Public Works Director to submit for recordation a Notice of Completion. The question was called, and the motion carried unanimously.

**ITEM 4      ORDINANCES AND PUBLIC HEARINGS**

- A. Adoption of Ordinance No. 503 - California Building Standards Code  
Recommended Action: 1) Conduct the Public Hearing; and 2) Conduct the second reading, unless waived, and adopt Ordinance No. 503, adopting by reference Title 26 of the Los Angeles County Code, incorporating the California Building Code, 2022 Edition; Title 27 of the Los Angeles County Code, incorporating the California Electrical Code, 2022 Edition; Title 28 of the Los Angeles County Code, incorporating the California Plumbing Code, 2022 Edition; Title 29 of the Los Angeles County Code, incorporating the California Mechanical Code, 2022 Edition; Title 30 of the Los Angeles County Code, incorporating the California Residential Code, 2022 Edition; Title 31 of the Los Angeles County Code, incorporating the California Green Building Standards Code, 2022 edition; the California Energy Code, 2022 Edition; Title 33 of the Los Angeles County Code, incorporating the California Existing Building Code, 2022 Edition; the California Fire Code, 2022 Edition; making amendments to said codes; repealing Ordinance No. 457, and finding the action exempt from the California Environmental Quality Act.

Environmental Services Director Bundy presented the staff report.

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

MOTION Councilmember Riggins moved, and Councilmember Grisanti seconded a motion to adopt Ordinance No. 503, adopting by reference Title 26 of the Los Angeles County Code, incorporating the California Building Code, 2022 Edition; Title 27 of the Los Angeles County Code, incorporating the California Electrical Code, 2022 Edition; Title 28 of the Los Angeles County Code, incorporating the California Plumbing Code, 2022 Edition; Title 29 of the Los Angeles County Code, incorporating the California Mechanical Code, 2022 Edition; Title 30 of the Los Angeles County Code, incorporating the California Residential Code, 2022 Edition; Title 31 of the Los Angeles County Code, incorporating the California Green Building Standards Code, 2022 edition; the California Energy Code, 2022 Edition; Title 33 of the Los Angeles County Code, incorporating the California Existing Building Code, 2022 Edition; the California Fire Code, 2022 Edition; making amendments to said codes; repealing Ordinance No. 457, and finding the action exempt from the California Environmental Quality Act.

The Council discussed the motion.

The question was called, and the motion carried unanimously.

**ITEM 5 OLD BUSINESS**

- A. Hosted Short-Term Rental Ordinance Discussion

Recommended Action: Provide direction to staff on the next steps regarding the City's Short-term Rental Ordinance including the public hearing process, draft ordinance options, and if City staff should meet with California Coastal Commission staff to discuss the Short-term Rental Ordinance

Planning Director Mollica introduced Contract Planner Joyce Parker-Boylinski who presented the staff report.

Mayor Silverstein opened the floor to public comment.

Speakers: Jo Drummond, Colin Drummond, Cynthia Martin, Bill Sampson, Don Schmitz, Steve Kinsey, Andrew Gombiner, Jonah Breslau, Allison Kirste, Scott Dittrich, and John Mazza

Nancy Hannah was not present at the time of hearing.

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

The Council discussed the item and directed questions to staff.

MOTION Mayor Silverstein moved, and Councilmember Stewart seconded a motion to establish the Short-Term Rental Ad Hoc Committee and directed the Ad Hoc Committee to work with staff to bring back a recommendation to the City Council regarding short term rental regulation in the City, which will address any feedback received from Coastal Commission staff and/or Coastal Commissioners.

The Council discussed the motion.

The question was called, and the motion carried 3-2, Councilmembers Grisanti and Riggins opposed.

MOTION Mayor Pro Tem Uhring moved, and Councilmember Grisanti seconded a motion to continue the determination of who would serve on the Short-Term Rental Ad Hoc Committee to be heard concurrently with Item No. 7.B. The question was called, and the motion carried unanimously.

RECESS At 8:42 p.m., Mayor Silverstein recessed the meeting. The meeting resumed at 8:52 p.m. with all Councilmembers present.

B. Consideration of Hybrid Meetings or the Resumption of In-Person Meetings  
Recommended Action: 1) Receive an update on the current State and County public health regulations; and 2) Consider options for the resumption of in-person public meetings and give direction to staff as needed.

City Clerk Pettijohn presented the staff report.

The Council directed questions to staff.

Mayor Silverstein opened the floor to public comment.

Speakers: Bill Sampson, Don Schmitz, Scott Dittrich, Jo Drummond, Kraig Hill, and Ryan Embree

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

Interim City Attorney Rusin left the meeting at 9:20 p.m. due to technical difficulties.

**RECESS** At 9:22 p.m., Mayor Silverstein recessed the meeting. The meeting resumed at 9:27 p.m. with all Councilmembers present.

**MOTION** Mayor Silverstein moved, and Mayor Pro Tem Uhring seconded a motion to continue discussion of Item No. 5.B. without reopening public comment and continue Item No. 6.A. until after Interim City Attorney Rusin returned to the meeting. The question was called, and the motion carried unanimously.

**ITEM 7 COUNCIL ITEMS**

- A. City Council Appointments to City Commissions and Committees  
Recommended Action: 1) Councilmembers Riggins and Stewart to each make an appointment to the Malibu Arts Commission, Parks and Recreation Commission, Planning Commission, Public Safety Commission, Public Works Commission, and Wastewater Advisory Committee; 2) Councilmembers Riggins and Stewart to each make two appointments to the Homelessness Task Force; 3) Council may appoint or affirm appointments of an ex officio member to the Cultural Arts Commission, Parks and Recreation Commission, and Public Safety Commission; 4) Council to appoint or affirm two at-large appointments to the Wastewater Advisory Committee; 5) Council to appoint or affirm five appointments and two alternate appointments to the Building Board of Appeals; and 6) Council to defer appointment of members to the Mobilehome Park Rent Stabilization Commission until such a time as it is necessary for the Commission to meet.

City Clerk Pettijohn presented the staff report.

Mayor Silverstein opened the floor to public comment.

Speaker: Scott Dittrich

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

Interim City Attorney Rusin rejoined the meeting at 9:50 p.m.

The Council discussed the item.

Councilmember Riggins made the following appointments: 1) Malibu Arts Commission, Julia Holland; 2) Parks and Recreation Commission, Caylee Jenner; 3) Planning Commission, Skylar Peak; 4) Public Safety Commission, Brian Merrick; 5) Public Works Commission, Mica Belzberg; 6) Wastewater Advisory Committee, Nick Barsocchini and 7) Homelessness Task Force, Bill Winokur and Wayne Cohen.

Councilmember Stewart made the following appointments: 1) Malibu Arts Commission, E. Barry Haldeman; 2) Parks and Recreation Commission, Alicia Peak; 3) Planning Commission, Jeff Jennings; 4) Public Safety Commission, Chris Frost; 5) Public Works Commission, Wade Major; 6) Wastewater Advisory Committee, Norm Haynie; and 7) Homelessness Task Force, Bill Winokur and Wayne Cohen.

MOTION Mayor Silverstein moved, and Mayor Pro Tem Uhring seconded a motion to reaffirm Graeme Clifford as Ex Officio Member of the Malibu Arts Commission. The question was called, and the motion carried unanimously.

MOTION Mayor Silverstein moved, and Councilmember Grisanti seconded a motion to reaffirm Brent Woodworth as Ex Officio Member of the Public Safety Commission. The question was called, and the motion carried unanimously.

MOTION Councilmember Riggins moved and Councilmember Grisanti seconded a motion reaffirm Barbara Bradley and John Yaroslaski as Wastewater Advisory Committee Members. The question was called, and the motion carried unanimously.

MOTION Mayor Pro Tem Uhring moved to remove Lynn Heacox as Building Board of Appeals member.

Mayor Pro Tem Uhring withdrew the motion.

MOTION Councilmember Riggins moved, and Councilmember Grisanti seconded a motion to reaffirm the Building Board of Appeals members. The question was called, and the motion carried unanimously.

MOTION Councilmember Grisanti moved, and Councilmember Riggins seconded a motion to defer appointment of members to the Mobilehome Park Rent Stabilization Commission until such a time as it was necessary for the Commission to meet. The question was called, and the motion carried unanimously.

**ITEM 5 OLD BUSINESS (Continued)**

B. Consideration of Hybrid Meetings or the Resumption of In-Person Meetings (Continued)

Recommended Action: 1) Receive an update on the current State and County public health regulations; and 2) Consider options for the resumption of in-person public meetings and give direction to staff as needed.

The Council discussed the item and directed questions to staff.

**MOTION** Mayor Pro Tem Uhring moved to direct staff to bring back a proposal to transition to hybrid meetings for City Council and Planning Commission meetings.

**FRIENDLY AMENDMENT**

Councilmember Stewart seconded and moved to begin hybrid meetings on March 13, 2023.

The amendment was accepted by the maker of the motion.

The Council discussed the amended motion.

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

**ITEM 6 NEW BUSINESS**

A. Sheriff's Malibu Substation Ad Hoc Committee

Recommended Action: 1) Create an Ad Hoc Committee to examine alternative staffing levels and services to be provided in conjunction with the planned Sheriff's Substation and develop a recommendation for the City Council; and 2) Appoint two Councilmembers to serve on the Sheriff's Substation Ad Hoc Committee.

City Manager McClary presented the staff report.

Mayor Silverstein opened the floor to public comment.

Speakers: Ryan Embree and E. Barry Haldeman

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

The Council discussed the item.

**MOTION** Councilmember Grisanti moved, and Councilmember Riggins seconded a motion to establish an Ad Hoc Committee to examine alternative staffing levels and services to be provided in conjunction with the planned Sheriff Substation and develop a recommendation for the City Council. The question was called, and the motion carried unanimously.

**ITEM 7 COUNCIL ITEMS (Continued)**

B. City Council Subcommittees, Ad Hoc Committees and Outside Agency Appointments

Recommended Action: 1) Review current City Council Subcommittees, determine whether to retain each Subcommittee, and affirm, modify or make new appointments, as necessary; 2) Confirm which City Council Ad Hoc Committees have completed assigned tasks and dissolve such Committees, or determine to retain the Committee and affirm, modify or make new appointments, as necessary; 3) Establish the Road Race Ad Hoc Committee and appoint members; 4) Consider creation of new City Council Ad Hoc Committees and appoint members; and 5) Affirm Outside Agency appointments and make appointments, as necessary.

City Clerk Pettijohn stated she was available for questions.

Mayor Silverstein opened the floor to public comment.

Speakers: Ryan Embree and E. Barry Haldeman

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

The Council discussed the item.

MOTION Mayor Pro Tem Uhring moved, and Councilmember Riggins seconded a motion to create a Development Services Review Ad Hoc Committee. The question was called, and the motion carried unanimously.

The Council discussed the item.

MOTION Councilmember Riggins moved, and Councilmember Grisanti seconded a motion to: 1) appoint Mayor Silverstein and Councilmember Stewart to the Administration and Finance Subcommittee; 2) appoint Mayor Pro Tem Uhring and Councilmember Riggins to the Environmental Sustainability Subcommittee; 3) appoint Councilmembers Riggins and Grisanti to the Library Subcommittee; 4) appoint Councilmembers Grisanti and Stewart to the Public Safety Subcommittee; 5) appoint Councilmembers Grisanti and Stewart to the Public Works Subcommittee; 6) appoint Mayor Pro Tem Uhring and Councilmember Riggins to the Zoning Ordinance Revisions and Code Enforcement Subcommittee; and 7) leave the Parks and Recreation Subcommittee vacant until necessary to meet. The question was called, and the motion carried unanimously.

MOTION Councilmember Riggins moved, and Councilmember Grisanti seconded a motion to: 1) appoint Mayor Pro Tem Uhring and Councilmember Riggins to the Development Services Ad Hoc Committee; 2) appoint Mayor Silverstein and Councilmember Stewart to the City Council Policy Review Ad Hoc Committee; 3) appoint Councilmembers Grisanti and Riggins to the Road Race Policy Ad Hoc Committee; 4) appoint Councilmembers Grisanti and Riggins to the School District Separation Ad Hoc Committee; 5) appoint Mayor Silverstein and Councilmember

Grisanti to the School Safety Ad Hoc Committee; 6) appoint Councilmembers Grisanti and Stewart to the Sheriff Substation Ad Hoc Committee; and 7) appoint Mayor Silverstein and Councilmember Riggins to the Short-Term Rental Ad Hoc Committee. The question was called, and the motion carried unanimously.

MOTION Councilmember Grisanti moved and Councilmember Riggins seconded a motion to make the following appointments to outside agencies: 1) California Contract Cities Association, delegate Mayor Silverstein, with alternate Mayor Pro Tem Uhring; 2) California Joint Powers Insurance Authority, delegate Councilmember Riggins, with alternate Mayor Silverstein; 3) Clean Power Alliance of Southern California, delegate Councilmember Riggins, with alternate Mayor Pro Tem Uhring; 4) Las Virgenes-Malibu Council of Governments, delegate Councilmember Grisanti, with alternate Councilmember Stewart; 5) Los Angeles International Airport (LAX) Community Noise Roundtable, delegate Rick Mullen, with alternate Public Works Director; 6) Pacific Coast Highway Taskforce, delegates Mayor Pro Tem Uhring and Councilmember Stewart (two person appointment); and 7) Santa Monica Mountains Conservancy Advisory Committee, delegate Lloyd Ahern. The question was called, and the motion carried unanimously.

MOTION Mayor Silverstein moved, and Mayor Pro Tem Uhring seconded a motion to make the following reaffirmations to outside agencies: 1) League of California Cities, Los Angeles County Division, delegate Mayor, with alternate Mayor Pro Tem; 2) Los Angeles County City Selection Committee, delegate Mayor; 3) Malibu Public Facilities Authority (a Joint Powers Authority between City of Malibu and Santa Monica College), delegates Mayor and Mayor Pro Tem (two-person appointment); and 4) Metropolitan Transportation Authority, North County Sector, delegate Mayor.

The Council discussed the motion.

The question was called and the motion carried unanimously.

MOTION Mayor Silverstein moved and Councilmember Riggins seconded a motion to hear Item No. 7.C. past 10:30 p.m. The question was called, and the motion failed 2-3, Councilmembers Grisanti and Stewart and Mayor Pro Tem Uhring opposed.

C. Proposed Elimination of the Fee for an Appeal to the City Council from a Decision of the Planning Commission that Would be Appealable Directly to the California Coastal Commission if There Were a Fee for an Appeal to the City Council (Mayor Silverstein and Councilmember Stewart)

Recommended Action: At the request of Mayor Silverstein and Councilmember Stewart, consider eliminating the fee for an appeal to the City Council from a decision of the Planning Commission that would be appealable directly to the California Coastal Commission if there were a fee for an appeal to the City Council.

This item was continued to the January 23, 2023 Regular City Council meeting.

D. Proposed Policy Requiring the City to Obtain a Report from an Independent Consultant Whenever an Application Subject to a Public Hearing Before the Planning Commission Requires a Consultant's Report for Geological and/or Seismic, Biological, Environmental, Historical, or Traffic Matters (Mayor Silverstein and Councilmember Stewart)

Recommended Action: At the request of Mayor Silverstein and Councilmember Stewart, direct staff to bring a resolution to the City Council establishing a policy that would require the City to obtain a report from an independent consultant retained by the City whenever an application subject to a public hearing before the Planning Commission requires a consultant's report for geological and/or seismic, biological, environmental, historical, or traffic matters.

This item was continued to the January 23, 2023 Regular City Council meeting.

**ADJOURNMENT**

MOTION At 11:06 p.m., Councilmember Riggins moved, and Councilmember Grisanti seconded a motion to adjourn the meeting. The question was called, and the motion carried unanimously.

Approved and adopted by the City Council of the City of Malibu on \_\_\_\_\_.

\_\_\_\_\_  
STEVE UHRING, Mayor

ATTEST:

\_\_\_\_\_  
KELSEY PETTIJOHN, City Clerk  
(seal)