



Council Agenda Report

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

Prepared by: Kelsey Pettijohn, City Clerk

Approved by: Steve McClary, Interim City Manager

Date prepared: December 1, 2021 Meeting date: December 13, 2021

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the April 26, 2021 Malibu City Council Regular meeting, and the April 29, 2021 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 2021-2022. This is part of normal staff operations.

DISCUSSION: Staff has prepared draft minutes for the Council meetings of April 26, 2021 and April 29, 2021.

ATTACHMENTS:

1. April 26, 2021 Malibu City Council Regular meeting
2. April 29, 2021 Malibu City Council Special meeting

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
APRIL 26, 2021
TELECONFERENCED - VARIOUS LOCATIONS
6:30 P.M.

The following meeting was held pursuant to the Governor's Executive Orders N-25-20 and N-29-20 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

MEETING CALL TO ORDER

Mayor Pierson called the meeting to order at 5:31 p.m.

ROLL CALL

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

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

PUBLIC COMMENT ON CLOSED SESSION

Speaker: Ryan Embree

RECESS TO CLOSED SESSION

At 5:35 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 – Anticipated litigation

1. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9
Number of potential cases: 1
2. Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)
Number of Cases: 1
Letter from Therese Y. Cannata on behalf of Reva Feldman dated January 16, 2021, addressing Ms. Feldman's employment status.

Personnel Matters pursuant to Government Code Section 54957:

1. Public Employee Appointment
Title: Interim City Manager

REGULAR SESSION CALL TO ORDER

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

ALSO PRESENT: John Cotti, Interim City Attorney; Trevor Rusin, Assistant City Attorney; Reva Feldman, City Manager; Kelsey Pettijohn, Acting City Clerk; Susan Dueñas, Public Safety Manager; Chris Brossard, Fire Safety Liaison; Philip Coronel, Assistant Planner; Adrian Fernandez, Principal Planner; Jessica Thompson, Associate Planner; and Kathleen Stecko, Administrative Assistant

PLEDGE OF ALLEGIANCE

Mayor Pierson led the Pledge of Allegiance.

CLOSED SESSION REPORT

Interim City Attorney Cotti reported that the Regular meeting convened at 5:31 p.m., after which time the City Council recessed to a Closed Session pursuant to Government Code Sections 54956.9 and 54957, with all Councilmembers present. He stated the Council took no reportable action on the first and third item on the Closed Session agenda. He stated on the second item on the Closed Session agenda, the City Council had unanimously approved the terms of a separation agreement with Reva Feldman effective May 1, 2021.

APPROVAL OF AGENDA

MOTION Councilmember Farrer moved to approve the agenda, moving Item Nos. 6.A., 7.A., 7.B., and 7.C. before the Consent Calendar and Item Nos. 2.A., 2.B. and 2.C. to the end of the agenda.

FRIENDLY AMENDMENT

Councilmember Silverstein moved to adjourn the meeting in memory of Carol Moss. The amendment was accepted by the maker.

Councilmember Uhring recommended the Council recognize Carol Moss at its next Regular meeting.

CONSENSUS

By consensus, the Council directed staff to bring an item to the May 10, 2021 Council meeting honoring Carol Moss.

The Council discussed the motion.

FRIENDLY AMENDMENT

Councilmember Silverstein moved to hear Item No. 2.A. after Item No. 1.C.6. and limit speakers under Item No. 2.A. to two minutes each. The amendment was accepted by the maker.

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

REPORT ON POSTING OF AGENDA

Acting City Clerk Pettijohn reported that the agenda for the meeting was properly posted on April 16, 2021, with the amended agenda posted on April 22, 2021.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. Presentation of Commendations to Los Angeles County Sheriff's Deputies and Those Who Contributed to the Apprehension of a Potential Shooter at Zuma Beach on April 11, 2021

Mayor Pierson presented the commendations to Los Angeles County Sheriff's Department Deputy Kyle Murphy and Deputy Matthew Regan, and Danette Eilenberg.

Lieutenant Braden discussed the event. He encouraged the public and Sheriff's Department to work together.

Ms. Eilenberg and Deputies Murphy and Regan thanked the City.

City Manager Feldman introduced new Fire Safety Liaison Chris Brossard.

B. Presentation on California Redistricting 101: How to Get Involved!

Isra Ahmad and Derric Taylor, California Citizens Redistricting Commission, provided a presentation on the statewide redistricting process and goals.

C. City Council Reorganization

1. Presentations to Outgoing Mayor

Mayor Pro Tem Grisanti thanked Mayor Pierson for his contributions as Mayor and presented him with a Malibu Wave Award.

2. Remarks by Outgoing Mayor

Pamela Conley Ulich was not present at the time of the hearing.

Mayor Pierson expressed appreciation for the opportunity to make a positive difference. He thanked City Manager Feldman and City staff for their work, especially during the pandemic. He announced a goodbye event for City Manager Feldman on April 28, 2021. He thanked the residents who helped him see what is happening in the City and find solutions. He thanked the public for its trust and faith.

3. Election of Mayor

MOTION Councilmember Farrer moved to nominate Mayor Pro Tem Grisanti as Mayor.

MOTION Councilmember Uhring moved to nominate Councilmember Silverstein as Mayor.

Councilmember Silverstein declined the nomination.

MOTION Councilmember Silverstein moved to nominate Councilmember Uhring as Mayor.

Councilmember Silverstein discussed Councilmember Uhring's experience and qualifications.

The questions was called, and Councilmembers Farrer and Uhring, Mayor Pro Tem Grisanti and Mayor Pierson voted for Mayor Pro Tem Grisanti and Councilmember Silverstein voted for Councilmember Uhring. Councilmember Grisanti was elected to serve as Mayor.

4. Election of Mayor Pro Tem

MOTION Councilmember Uhring moved to nominate Councilmember Silverstein as Mayor Pro Tem.

MOTION Mayor Grisanti moved to nominate Councilmember Uhring as Mayor Pro Tem.

Councilmember Uhring discussed the merits of the Council's traditional mayoral rotation.

Councilmember Pierson discussed the importance of cooperation and stated the Councilmembers had been working better together.

Councilmember Uhring discussed the importance of cooperation and how the Councilmembers had been working together.

In response to Councilmember Pierson, Councilmember Silverstein discussed his intention to work well with the rest of the Council.

The question was called, and Councilmembers Pierson, Silverstein and Uhring voted for Councilmember Silverstein and Councilmember Farrer and Mayor Grisanti voted for Councilmember Uhring. Councilmember Silverstein was elected to serve as Mayor Pro Tem.

5. Administration of Oath of Office to Newly Elected Mayor and Mayor Pro Tem

Sarah Grisanti swore in Paul Grisanti as Mayor.

Acting City Clerk Pettijohn swore in Bruce Silverstein as Mayor Pro Tem.

6. Remarks by Newly Elected Mayor

Mayor Grisanti stated he looked forward spending the next 9.5 months on trying to rebuild the community's faith in City government and rebuilding the City staff. He expressed hope the citizens in Malibu would appreciate his manner of speaking. He thanked the public for entrusting this responsibility to him.

ITEM 2.A. PUBLIC COMMENTS

Mark Baute stated the public perception was that the Councilmembers were not working together or getting enough done. He stated the City needed to move forward on creating an alternative sleeping location and it was opening itself up to litigation by not moving forward.

Brennan Lindner, race director for Malibu Triathlon, discussed the loosening of COVID-19 restrictions and stated he expected the triathlon would move forward September 25 and 26, 2021. He discussed plans for the 2021 event.

Pamela Conley Ulich thanked the Councilmembers for their service. She requested the Council recognize Carol Moss' passing. She discussed Carol Moss' life and contributions to the community.

W. Scott McCollough stated he was available to answer questions if Item No. 3.A.3. was pulled from the Consent Calendar.

Ryan Embree stated he was blessed to have known Carol Moss. He recommended the Council form an environmental commission in her honor. He stated Malibu does not have a parade permit requirement for vehicles on Pacific Coast Highway

(PCH) and City streets. He recommended staff work with the Sheriff's Department and Public Safety Commission to define what a parade is and create permit requirements and limits.

Kraig Hill congratulated Mayor Grisanti and Mayor Pro Tem Silverstein. He discussed a meeting with Kraig Lapsley, Australian Fire Commissioner, and plans in Los Angeles County for Chinook helicopters to make water drops on fires more strategically. He indicated support for in-person City Council meetings. He requested information on the results of the administrative hearing for Southern California Edison's Public Safety Power Shutoff procedures.

Diane Moss thanked the Council for recognizing her mother, Carol Moss. She stated Carol Moss loved Malibu and cared about everyone in Malibu. She discussed the passing of her father 52 years ago and the support her family has received from Malibu. She encouraged everyone to celebrate Carol Moss' life and be compassionate.

Howard Rudzki thanked Councilmember Pierson for his service as mayor and congratulated Mayor Grisanti and Mayor Pro Tem Silverstein. He thanked the Councilmembers, City staff and the City Attorney's Office for supporting the Sycamore Park gate permit during a recent California Coastal Commission appeal. He thanked everyone who responded to the potential shooter event on April 11, 2021.

Marissa Coughlan thank City Manager Feldman for her work. She stated Malibu's community disagreements were well known in other states she had recently visited. She stated Malibu's reputation on social media may make it difficult to recruit a new City Manager.

Colin Drummond congratulated Mayor Grisanti and Mayor Pro Tem Silverstein and thanked Councilmember Pierson and City Manager Feldman. He stated a number of residents had asked for Item No. 4.C. to be continued. He stated the Big Rock community was still waiting on more information regarding the current slope stability and improvements for the dewatering system assessment district.

POINT OF ORDER

Mayor Grisanti stated Mr. Drummond was discussing an item on the agenda during public comment for items not on the agenda.

Mr. Drummond indicated opposition to approving new development in Big Rock until the slope stability was assessed. He requested the item be continued since it was likely to be heard later in the evening and his geologist may not be available at that point in the evening due to his age.

ITEM 6 NEW BUSINESS

A. Ad Hoc Recommendation relative to the Investigation into the Allegations in the Wagner Affidavit (Continued from April 12, 2021)

Recommended Action: 1) Approve the recommendation to engage Evan Jenness, Esq. and George Newhouse, Esq. to conduct an investigation of allegations set forth in the Jefferson Wagner Affidavit; 2) Appropriate \$50,000 from the General Fund Undesignated Reserve for a retainer; and 3) Authorize and direct Councilmembers Farrer and Silverstein to continue to interact with Attorneys Jenness and Newhouse as the “client representatives.”

Interim City Attorney Cotti presented the staff report.

Councilmember Farrer discussed the recommendation from her and Mayor Pro Tem Silverstein.

MOTION Councilmember Farrer moved to: 1) approve the recommendation to engage Evan Jenness, Esq. and George Newhouse, Esq. to conduct an investigation of allegations set forth in the Jefferson Wagner Affidavit; 2) appropriate \$50,000 from the General Fund Undesignated Reserve for a retainer; and 3) authorize and direct Councilmember Farrer and Mayor Pro Tem Silverstein to continue to interact with Attorneys Jenness and Newhouse as the “client representatives.”

Mayor Grisanti opened the floor for public comment.

Speakers: Mark Baute

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

Mayor Pro Tem Silverstein explained how he and Councilmember Farrer made their recommendation. He stated Mr. Baute had recommended Evan Jenness and George Newhouse. He stated he and Councilmember Farrer had agreed to meet jointly with the Ms. Jenness and Mr. Newhouse.

Mayor Pro Tem Silverstein seconded the motion. The question was called, and the motion carried unanimously.

ITEM 7 COUNCIL ITEMS

A. SB 55 and SB 765 – SUPPORT and Request for State Audit of Metropolitan Water District of Southern California (Mayor Pro Tem Grisanti) (Continued from April 12, 2021)

Recommended Action: At the request of Mayor Pro Tem Grisanti, authorize the Mayor to: 1) Submit letters of support for Senate Bills (SB) 55 regarding development in very high fire hazard severity zones and SB 765 related to setback requirements for accessory dwelling units; and 2) Send a letter to the California

State Assembly Joint Legislative Audit Committee to request a State Audit of the Metropolitan Water District of Southern California in order to have a comprehensive investigation into allegations and concerns regarding the workplace culture.

Mayor Grisanti presented the 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.

MOTION Mayor Pro Tem Silverstein moved to authorize the Mayor to: 1) submit letters of support for Senate Bills (SB) 55 regarding development in very high fire hazard severity zones and SB 765 related to setback requirements for accessory dwelling units, including recommended changes for SB 55 agreed upon by Mayor Pro Tem Silverstein and Mayor Grisanti; and 2) send a letter to the California State Assembly Joint Legislative Audit Committee to request a State Audit of the Metropolitan Water District of Southern California in order to have a comprehensive investigation into allegations and concerns regarding the workplace culture.

The Council discussed the motion and directed questions to staff.

Councilmember Uhring seconded the motion. The question was called, and the motion carried unanimously

B. Blue City Network (Councilmember Farrer and Mayor Pierson) (Continued from April 12, 2021)

Recommended Action: At the request of Councilmember Farrer and Mayor Pierson, authorize staff to work with the Blue City Network to apply for Blue City certification for the City of Malibu.

Councilmembers Farrer and Pierson presented the report.

Mayor Grisanti opened the floor for public comment.

Speaker: Allison Amrhein

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 Ms. Amrhein.

MOTION Mayor Pro Tem Silverstein moved and Councilmember Farrer seconded a motion to authorize staff to work with the Blue City Network to apply for Blue City certification for the City of Malibu

FRIENDLY AMENDMENT

Councilmember Uhring moved to direct staff to report back on how much time was spent on the project. The amendment was accepted by the maker and seconder.

The question was called, and the motion carried 4-1, Councilmember Uhring dissenting.

- C. Closed Session (Councilmember Uhring) (Continued from April 12, 2021)
Recommended Action: At the request of Councilmember Uhring, consider allowing public access to all or portions of Closed Session meetings of the City Council.

Councilmember Uhring stated he was withdrawing this item.

ITEM 3 CONSENT CALENDAR

Item Nos. 3.A.3 and 3.B.6. were pulled by public.

In response to Councilmember Uhring regarding Item No. 3.B.5., Planning Director Mollica stated he could provide the number of outstanding emergency Coastal Development Permits (CDPs) to Councilmember Uhring. He stated Item No. 3.B.5. provided a report of all the emergency CDPs issued since the last list was presented to the Council.

In response to Mayor Pro Tem Silverstein regarding Item No. 3.B.3., City Manager Feldman confirmed no other dates had been authorized by the Council for fireworks.

MOTION Councilmember Pierson moved, and Councilmember Farrer seconded a motion to approve the Consent Calendar, except for Item Nos. 3.A.3. and 3.B.6. 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. 482
Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 482 amending Malibu Municipal Code (MMC) Title 2 (Administration and Personnel) Chapter 2.26 (Cultural Arts Commission) changing the name of the Cultural Arts Commission to the Malibu Arts Commission and finding the same exempt from the California Environmental Quality Act.
 2. Second Reading and Adoption of Ordinance No. 483
Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 483 amending the LCP Local Implementation Plan (LIP)

sign regulations as part of LCPA No. 20-001 and finding the action 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 62814-62892 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. 680 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$708,487.45. City of Malibu payroll check numbers 5159-5162 and ACH deposits were issued in the amount of \$466,246.15.

3. Fourth of July Fireworks

Recommended Action: Affirm that permit applications for offshore fireworks displays can be processed for Summer 2021 in compliance with Malibu Municipal Code (MMC) Section 9.36.010.

4. Adoption of Revised Investment Policy

Recommended Action: Adopt Resolution No. 21-19 rescinding Resolution Nos. 07-01, 13-12, and 14-17 and approving the City of Malibu Investment Policy.

5. Emergency Coastal Development Permits Issuance Report

Recommended Action: Receive and file the report of emergency coastal development permits (ECDPs) that were issued since the last report provided on August 12, 2019.

7. Amendment to Professional Services Agreement with Integrated Performance Consultants, Inc.

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with Integrated Performance Consultants, Inc. (IPC) for operation, maintenance and management of the Civic Center and Paradise Cove Stormwater Treatment Facilities extending the term of the agreement for an additional three years.

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

A. Previously Discussed Items

3. Second Reading and Adoption of Ordinance No. 484

Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 484 determining the amendments are exempt from the California Environmental Quality Act (CEQA) and approving Zoning Text Amendment (ZTA) No. 16-005 and Local Coastal Program Amendment (LCPA) No. 16-007 to amend Malibu Municipal Code (MMC) Chapter 17.46 (Wireless Telecommunications Antennas and Facilities), make conforming amendments to Sections 17.62.040(A)(6), 17.08.040(D), 17.18.030(E), 17.22.040(M), 17.30.030(D), 17.32.030(A), 17.36.030(B),

17.38.030(B), 17.38.030(C), 17.18.020(E), 17.22.020(D), 17.24.020(A), 17.26.020(A), 17.28.020(A), 17.30.020(A), 17.34.020(B), 17.36.020(C), and amend Local Coastal Program (LCP) Local Implementation Plan (LIP) Sections 2.2 and 3.16, Chapter 13 and Appendix 1 (Table B Permitted Uses) modifying standards and procedures for wireless communications facilities.

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

Councilmember Pierson moved, and Councilmember Farrer MP seconded a motion to adopt Ordinance No. 484 determining the amendments are exempt from the California Environmental Quality Act (CEQA) and approving Zoning Text Amendment (ZTA) No. 16-005 and Local Coastal Program Amendment (LCPA) No. 16-007 to amend Malibu Municipal Code (MMC) Chapter 17.46 (Wireless Telecommunications Antennas and Facilities), make conforming amendments to Sections 17.62.040(A)(6), 17.08.040(D), 17.18.030(E), 17.22.040(M), 17.30.030(D), 17.32.030(A), 17.36.030(B), 17.38.030(B), 17.38.030(C), 17.18.020(E), 17.22.020(D), 17.24.020(A), 17.26.020(A), 17.28.020(A), 17.30.020(A), 17.34.020(B), 17.36.020(C), and amend Local Coastal Program (LCP) Local Implementation Plan (LIP) Sections 2.2 and 3.16, Chapter 13 and Appendix 1 (Table B Permitted Uses) modifying standards and procedures for wireless communications facilities.

The question was called, and the motion carried unanimously.

B. New Items

6. Proposal to Identify and Map Wireless Communications Facilities Citywide
Recommended Action: 1) Authorize the Mayor to execute an agreement with HR Green Pacific, Inc. to identify and map Wireless Communications Facilities (WCFs) within the City; and 2) Appropriate \$120,000 from the General Fund Undesignated Reserve to Account Number 101-2001-5100 (Planning – Professional Services).

Mayor Grisanti opened the floor for public comment.

Speakers: Nichole McGinley, Lonnie Gordon, 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 and Mike Connor from HR Green.

MOTION

Councilmember Pierson moved and Councilmember Farrer seconded a motion to: 1) authorize the Mayor to execute an agreement with HR Green Pacific, Inc. to identify and map Wireless Communications Facilities (WCFs) within the City; and 2) appropriate \$120,000 from the General Fund Undesignated Reserve to Account Number 101-2001-5100 (Planning – Professional Services).

The question was called, and the motion carried unanimously.

Assistant City Attorney Rusin stated staff was recommending continuing Item No. 4.C. so staff could vet new information that came in this afternoon regarding a possible variance requirement for the factor of safety.

In response to Mayor Pro Tem Silverstein, Assistant City Attorney Rusin confirmed this issue is related to the legal issue Mayor Pro Tem Silverstein raised.

Reza Nabavi indicated opposition to continuing Item No. 4.C.

Mayor Pro Tem Silverstein, Mayor Grisanti and Councilmember Farrer indicated support for hearing Item No. 4.C.

RECESS

At 9:16 p.m., Mayor Grisanti recessed the meeting. The meeting reconvened at 9:26 p.m. with all Councilmembers present.

ITEM 4

ORDINANCES AND PUBLIC HEARINGS

A. Fiscal Year 2021-2022 Schedule of Fees

Recommended Action: 1) Conduct the Public Hearing; 2) Adopt Resolution No. 21-20 establishing the Fiscal Year 2021-2022 Schedule of Fees; and 3) Provide direction to staff on the View Preservation Permit Fee and the Planning Department Appeal Fee for Wireless Communication Facilities.

Assistant City Manager Soghor presented the staff report.

Mayor Grisanti opened the public comment section of the public hearing.

Speakers: Jo Drummond, Rosemarie Ihde, and Kraig Hill

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

As there were no other speakers present, Mayor Grisanti closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Council discussed the item and directed question to staff.

Acting City Clerk Pettijohn informed the Council that Dorina Schiro had been located in the meeting.

Mayor Grisanti reopened the public comment section of the public hearing.

Speakers: Dorina Schiro

As there were no other speakers present, Mayor Grisanti closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Council discussed the item and directed question to staff.

MOTION Councilmember Uhring moved, and Councilmember Pierson seconded a motion to: 1) reduce the View Preservation Permit Fee to \$750; and 2) reduce the Planning Department Appeal Fee for Wireless Communication Facilities to \$375.

The Council discussed the motion and directed questions to staff.

FRIENDLY AMENDMENT

Mayor Pro Tem Silverstein moved to reduce the View Preservation Permit Fee to \$1500. The maker accepted the amendment.

Councilmember Pierson withdrew his second.

Councilmember Farrer seconded the motion.

FRIENDLY AMENDMENT

Councilmember Uhring moved to remove the reduction of the Planning Department Appeal Fee for Wireless Communication Facilities from the motion. The seconder accepted the amendment.

The question was called, and the amended motion carried 4-1, Councilmember Pierson dissenting.

MOTION Councilmember Uhring moved, and Councilmember Pierson seconded a motion reduce the Planning Department Appeal Fee for Wireless Communication Facilities to \$375.

The Council discussed the motion and directed questions to staff.

Councilmember Uhring withdrew the motion.

MOTION Mayor Pro Tem Silverstein moved, and Councilmember Farrer seconded a motion to adopt Resolution No. 21-20, as amended to reduce the View Preservation Permit Fee to \$1500, establishing the Fiscal Year 2021-2022 Schedule of Fees. The

question was called, and the motion carried unanimously.

Planning Director Mollica stated he spoke with the applicants for Item No. 4.C. and they were amenable to continuing the hearing.

MOTION Mayor Grisanti moved and Mayor Pro Tem Silverstein moved to continue Item No. 4.C. to a date uncertain. The question was called, and the motion carried 4-0, Councilmember Uhring abstaining.

B. Parking Citation Penalties

Recommended Action: 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 21-21 amending the City's Schedule of Parking Citation Penalties, repealing Resolution No. 20-59, and finding the action to be exempt from the California Environmental Quality Act.

Susan Dueñas presented the staff report.

The Council directed questions to staff.

Mayor Grisanti opened the floor for public comment.

Speaker: Chris Frost

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 and Mr. Frost.

MOTION Mayor Pro Tem Silverstein moved, and Mayor Grisanti seconded a motion to adopt Resolution No. 21-21, as amended to raise the fine for parking in front of a fire hydrant to \$98, amending the City's Schedule of Parking Citation Penalties, repealing Resolution No. 20-59, and finding the action to be exempt from the California Environmental Quality Act. The question was called, and the motion carried unanimously.

C. Appeal No. 19-010 - Appeal of Planning Commission Resolution No. 19-25 (20238 Piedra Chica Road; Appellants: Colin Drummond; Applicant: Sakahara Allen Architects; Property Owners: Reza Nebavi and Maryam Akbar)

Recommended Action: Adopt Resolution No. 21-22, determining the project is categorically exempt from the California Environmental Quality Act, denying Appeal No. 19-010 and approving Coastal Development Permit No. 18-002 to allow for an interior and exterior remodel and 770-square foot addition to an existing 3,453-square foot single-family residence, including construction of a courtyard, balcony, exterior stairs, ground-mounted mechanical equipment, fencing, permeable pavers, grading, relocation of the dispersal field for an existing onsite wastewater treatment system, and replacement of existing landscaping for the single-family residence located in the Single-Family Low Density zoning

district at 20238 Piedra Chica Road (Reza Nebavi and Maryam Akbar).

This item was continued to a date uncertain.

D. Appeal No. 21-003 - Appeal of Planning Commission Resolution No. 21-10 (30181 Cuthbert Road; Owners/Appellants, Cuthbert Surf, LLC/ Saeed and Charlton Anne Sadeghpour)

Recommended Action: Adopt Resolution No. 21-23, determining the project is categorically exempt from the California Environmental Quality Act; denying Appeal No. 21-003 and approving Coastal Development Permit–Woolsey Fire No. 20-023 to allow for the construction of a 1,365 square foot addition; a building height increase from 14 feet to 18 feet; 6,783 square feet of new impermeable coverage; view permeable front yard fence (not to exceed six feet in height); rear and side yard retaining walls (not to exceed six feet in height); a new pool and spa with associated equipment; and the installation of a new onsite wastewater treatment system, as an addition to a home destroyed in the 2018 Woolsey Fire, located in the Rural Residential–Two Acre zoning district at 30181 Cuthbert Road (Cuthbert Surf, LLC).

Planning Director Mollica presented the staff report.

Disclosures: Councilmembers Pierson and Uhring, Mayor Pro Tem Silverstein, and Mayor Grisanti

Mayor Grisanti opened the public comment section of the public hearing.

Speakers: Anne Sadeghpour, Saeed Sadeghpour, Howard Spunt, Vitus Matare, and Kraig Hill

Anne Sadeghpour, Saeed Sadeghpour, and Howard Spunt provided rebuttal to public comment.

As there were no other speakers present, Mayor Grisanti closed the public comment portion of the public hearing and returned the matter to the table for discussion.

The Council discussed the item and directed questions to staff.

MOTION Councilmember Pierson moved and Mayor Grisanti seconded a motion to adopt Resolution No. 21-23, determining the project is categorically exempt from the California Environmental Quality Act; denying Appeal No. 21-003 and approving Coastal Development Permit–Woolsey Fire No. 20-023 to allow for the construction of a 1,365 square foot addition; a building height increase from 14 feet to 18 feet; 6,783 square feet of new impermeable coverage; view permeable front yard fence (not to exceed six feet in height); rear and side yard retaining walls (not to exceed six feet in height); a new pool and spa with associated equipment; and the installation of a new onsite wastewater treatment system, as an addition to a

home destroyed in the 2018 Woolsey Fire, located in the Rural Residential–Two Acre zoning district at 30181 Cuthbert Road (Cuthbert Surf, LLC)

The Council discussed the motion and directed questions to staff.

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

Councilmember Uhring indicated support for bringing back an item to establish an ad hoc committee to address issues related to homelessness.

CONSENSUS

By consensus, the Council directed staff to bring an item to the May 10, 2021 Council meeting to consider establishing an ad hoc committee to address issues related to homelessness.

ITEM 5 OLD BUSINESS

None.

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

This item was continued to the May 10, 2021 Regular City Council meeting.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

This item was continued to the May 10, 2021 Regular City Council meeting.

ADJOURNMENT

MOTION At 12:11 a.m., on Tuesday, April 27, 2021, Mayor Pro Tem Silverstein moved, and Councilmember Pierson seconded a motion to adjourn the meeting in memory of Carol Moss. The question was called, and the motion carried unanimously.

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

PAIL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

MINUTES
MALIBU CITY COUNCIL
SPECIAL MEETING
April 29, 2021
TELECONFERENCED - VARIOUS LOCATIONS
4:00 P.M.

The following meeting was held pursuant to the Governor's Executive Orders N-25-20 and N-29-20 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 4:05 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 and Kelsey Pettijohn, Acting City Clerk

PUBLIC COMMENT ON CLOSED SESSION

Speaker: Doug Stewart

RECESS TO CLOSED SESSION

At 4:09 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:

Personnel Matters pursuant to Government Code Section 54957:

1. Public Employee Appointment
Title: Interim City Manager

CLOSED SESSION REPORT

Interim City Attorney Cotti reported that the Special meeting convened at 4:05 p.m., after which time the City Council recessed to a Closed Session pursuant to Government Code Section 54957, with all Councilmembers present. He stated the Council unanimously voted to appoint Steve McClary as Interim City Manager. He stated Steve McClary would

assume the role on May 1, 2021, subject to approval of an agreement at the May 10, 2021, Regular City Council meeting.

Councilmember Pierson and Mayor Grisanti welcomed Mr. McClary to the City.

Councilmember Silverstein indicated support for making Mr. McClary's resume available to the public.

Councilmembers Farrer and Uhring welcomed Mr. McClary to the City.

Mr. McClary stated he was looking forward to starting.

ADJOURNMENT

MOTION At 5:36 p.m., Councilmember Uhring moved, and Mayor Pro Tem Silverstein 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 _____, 2021.

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)