

**This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to the Governor’s Executive Order N-08-21 and the County of Los Angeles Public Health Officer’s Order (revised June 28, 2021). All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.**

**HOW TO VIEW THE MEETING:** No physical location from which members of the public may observe the meeting and offer public comment will be provided. The meeting will be live streamed at <https://malibucity.org/video> and <https://malibucity.org/VirtualMeeting>.

**HOW TO PARTICIPATE BEFORE THE MEETING:** Members of the public are encouraged to submit email correspondence to [citycouncil@malibucity.org](mailto:citycouncil@malibucity.org) before the meeting begins.

**HOW TO PARTICIPATE DURING THE MEETING:** Members of the public may also speak during the meeting through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Mayor and then you must be present in the Zoom conference to be recognized.

Please visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

**Malibu City Council**  
**Regular Meeting Agenda**  
**(to be held during COVID-19 emergency)**

**Monday, July 12, 2021**

**6:30 P.M. –CITY COUNCIL REGULAR MEETING**

**Various Teleconference Locations**

YOU MAY VIEW THIS MEETING LIVE OVER THE INTERNET AT

**[MALIBUCITY.ORG/VIDEO](https://malibucity.org/video)**

**Six-thirty p.m.**      **Regular Session**

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Approval of Agenda

Report on Posting of Agenda – July 2, 2021

**1.    Ceremonial/Presentations**

None.

**2. Written and Oral Communications from the Public**

- A. Communications from the Public concerning matters which are not on the agenda but for which the City Council has subject matter jurisdiction. City Council may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.
- B. Commission / Committee / City Manager Updates
- C. City Council Subcommittee reports / Mayor and Councilmember meeting attendance, reports and inquiries

**3. Consent Calendar**

- A. Previously Discussed Items

None.

- 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.

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

- 2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 63354-63483 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. 685 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$1,548,681.52. City of Malibu payroll check numbers 5176-5177 and ACH deposits were issued in the amount of \$221,932.93.

Staff Contact: Assistant City Manager Soghor, 456-2489, ext. 224

- 3. Award Annual Street Maintenance Project

Recommended Action: 1) Approve the award and authorize the Mayor to execute a construction contract with Pavement Coatings Co. in the amount of \$660,485.00 for the construction of the 2021 Street Maintenance Project, Specification No. 2083; and 2) Authorize the Public Works Director to approve any potential change orders up to 9% of the contract amount.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339

4. Professional Services Agreement with m6 Consulting, Inc.

Recommended Action: Authorize the Mayor to execute Professional Services Agreement with m6 Consulting, Inc. for engineering design services for disaster projects in an amount not to exceed \$310,285.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339

5. Amendment to Professional Services Agreement with Moffatt & Nichol

Recommended Action: Authorize the Mayor to execute Amendment No. 6 to the Professional Services Agreement with Moffatt & Nichol for professional engineering services to extend the term of the agreement through August 1, 2022.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339

6. Use and Maintenance Agreement with Los Angeles County Flood Control District

Recommended Action: Authorize the Mayor to sign the Use and Maintenance Agreement between Los Angeles County Flood Control District and the City of Malibu for the Civic Center Storm Drain Diversion Structure Project.

Staff Contact: Public Works Director DuBoux, 456-2489, ext. 339

7. Amendments to Professional Services Agreements for School District Separation Consultant Services

Recommended Action: 1) Authorize the Mayor to execute Amendment No. 4 to the Professional Services Agreement with STLR Corp, dba Ryland School Business Consulting; and 2) Authorize the Mayor to execute Amendment No. 4 to the Professional Services Agreement with Kirk-Carter and Associates

Staff Contact: Assistant to the City Manager Shavelson, 456-2489, ext. 254

4. **Ordinances and Public Hearings**

A. Appeal No. 21-004 - Appeal of Planning Commission Resolution No. 21-15 (33603 Pacific Coast Highway; Owner/Appellant, Palms of Malibu Ranch, LLC / Lauren Coffman)

Recommended Action: Adopt Resolution No. 21-42, determining the project is categorically exempt from the California Environmental Quality Act; and denying Appeal No. 21-004 and denying Coastal Development Permit No. 16-025 to construct a new 9,360.5 square foot, two-story single-family residence, including a 1,871.8 square foot subterranean garage, swimming pond, landscaping, hardscape, retaining walls, onsite wastewater treatment system, exterior façade remodel of existing guest house and associated development; including Variance (VAR) No. 16-013 to exceed the allowable grading, VAR No. 16-014 to exceed the allowable Total Development Square Footage, including Site Plan Review (SPR) No. 16-028 for construction up to 28 feet for a pitched roof and SPR No. 20-078 for remedial grading and Demolition Permit No. 19-047 for the demolition of the existing single-family residence, garage and associated development, located in the Rural Residential-Five Acre (RR-5) zoning district at 33603 Pacific Coast Highway (Palms of Malibu Ranch, LLC).

Staff Contact: Planning Director Mollica, 456-2489, ext. 346

B. California State Senate Bill (SB) 1383: Organic Waste Reduction Ordinance and Resolution to Initiate Amendment to Title 17 Zoning of the Malibu Municipal Code

Recommended Action: 1) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 488 adding Chapter 8.34 (Mandatory Organic Waste Disposal Reduction) to Title 8 of the Malibu Municipal Code (MMC) and determining the project is categorically exempt from the California Environmental Quality Act; 2) Direct staff to schedule a second reading and adoption of Ordinance No. 488 for the August 9, 2021 Regular City Council meeting; 3) Adopt Resolution No. 21-41 initiating an amendment to add Section 17.53.100 to MMC Chapter 17.53 (Landscape Water Conservation and Fire Protection) regarding compliance with the State model water efficient landscape ordinance; and 4) Direct the Planning Commission to schedule a public hearing regarding the same.

Staff Contact: Environmental Sustainability Director Bundy, 456-2489, ext. 229

C. Solid Waste Ordinance

Recommended Action: 1) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 489 amending Chapter 8.32, Solid Waste and Recyclable Materials, and determining the project is categorically exempt from the California Environmental Quality Act; and 2) Direct staff to schedule a second reading and adoption of Ordinance No. 489 for the August 9, 2021 Regular City Council meeting.

Staff Contact: Environmental Sustainability Director Bundy, 456-2489, ext. 229

D. Request to Remand Coastal Development Permit No. 17-104 and Associated Discretionary Requests to the Planning Commission (3620 Noranda Lane; Applicant/Appellant: Vitus Matare; Owner: 3620 Noranda LLC)

Recommended Action: Remand the revised project application for Coastal Development Permit No. 17-104, Variance Nos. 19-036 and 19-037, and Minor Modification No. 20-012, an application for a new single-family residence and associated development, proposed to be located at 3620 Noranda Lane, to the Planning Commission for its consideration.

Staff Contact: Planning Director Mollica, 456-2489, ext. 346

**5. Old Business**

A. Consideration of 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.

Staff Contact: Interim City Manager McClary, 456-2489, ext. 226

**6. New Business**

A. Homelessness Task Force (Continued from June 14, 2021)

Recommended Action: 1) Discuss the establishment of a Task Force to address issues related to homelessness; 2) Determine the structure and objectives of the task force if appropriate, and 3) Provide direction to staff.

Staff Contact: Public Safety Manager Dueñas, 456-2489, ext. 313

B. Mountains Recreation and Conservation Authority Coastal Access Public Works Plan

Recommended Action: Receive and file.

Staff Contact: Planning Director Mollica, 456-2489, ext. 346

C. Malibu Arts Association Event Fee Waiver

Recommended Action: Consider whether to approve the request from the Malibu Arts Association to waive facility use fees, staffing costs, and permit fees for an Art Show event at Legacy Park.

Staff Contact: Community Services Director Bobbett, 456-2489, ext. 225

**7. Council Items**

A. Designation of Voting Delegate and Alternate Voting Delegate(s) for the 2021 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 2021 Annual Conference scheduled for September 22-24, 2021 in Sacramento.

Staff Contact: Interim City Manager McClary, 456-2489, ext. 226

**Adjournment**

**Future Meetings**

Monday, July 26, 2021	CANCELLED	
Monday, August 9, 2021	6:30 p.m. Regular City Council Meeting	Location TBD
Monday, August 23, 2021	6:30 p.m. Regular City Council Meeting	Location TBD

**Guide to the City Council Proceedings**

As a result of the Coronavirus (COVID-19) pandemic, the City is under a state of local emergency, as well as states of emergency that have been declared in the County of Los Angeles, state of California, and a federal emergency declared by the President of the United States. In order to reduce the risk of spreading COVID-19, consistent with these emergency measures, the City Council meeting will be open and public but conducted via teleconference only. This way the public, the staff, and the Council will not be physically in the same place.

The Oral Communication portion of the agenda is for members of the public to present items, which are not listed on the agenda but are under the subject matter jurisdiction of the City Council. No action may be taken under, except to direct staff unless the Council, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Council and

staff will follow up, at an appropriate time, on those items needing response. Each speaker is limited to three (3) minutes. Members of the public wishing to speak during the meeting must participate through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called by the Mayor and then you must be present in the Zoom conference to be recognized. Please visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

**Items in Consent Calendar Section A** have already been considered by the Council at a previous meeting where the public was invited to comment, after which a decision was made. These items are not subject to public discussion at this meeting because the vote taken at the previous meeting was final. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed.

**Items in Consent Calendar Section B** have not been discussed previously by the Council. If discussion is desired, an item may be removed from the Consent Calendar for individual consideration. Councilmembers may indicate a negative or abstaining vote on any individual item by so declaring prior to the vote on the motion to adopt the entire Consent Calendar. Items excluded from the Consent Calendar will be taken up by the Council following the action on the Consent Calendar. The Council first will take up the items for which public speaker requests have been submitted.

**For Public Hearings** involving zoning matters the appellant and applicant will be given 15 minutes each to present their position to the City Council, including rebuttal time. All other testimony shall follow the rules as set forth under Oral Communication. In order to speak, individuals must visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and downloading the Zoom application.

**Old Business** items have appeared on previous agendas but have either been continued or tabled to this meeting with no final action having been taken. Public comment shall follow the rules as set forth under Oral Communication.

**Items in New Business** are items, which are appearing for the first time for formal action. Public comment shall follow the rules as set forth under Oral Communication.

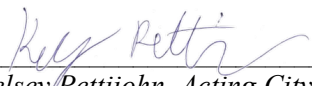
**City Council Items** are items, which individual members of the City Council may bring up for action, to propose future agenda items or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the City Council.

*City Council meetings are aired live and replayed on City of Malibu Government Access Channel 3 and are available on demand on the City's website at [www.malibucity.org/video](http://www.malibucity.org/video). Copies of the staff reports or other written documentation relating to each item of business described above are on file in the office of the City Clerk and available upon request by emailing [cityclerk@malibucity.org](mailto:cityclerk@malibucity.org).*

*The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Environmental Sustainability Director Yolanda Bundy, (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II].*

*Requests to show an audio or video presentation during a Council meeting should be directed to Alex Montano at (310) 456-2489, ext. 227 or [amontano@malibucity.org](mailto:amontano@malibucity.org). Material must be submitted by 12:00 p.m. on the meeting day.*

*I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 2<sup>nd</sup> day of July 2021 at 4:00 p.m.*

  
Kelsey Pettijohn, Acting City Clerk