

**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 July 22, 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, August 9, 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 29, 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

1. Second Reading and Adoption of Ordinance No. 488

Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 488 adding Chapter 8.34 (Mandatory Organic Waste Disposal Reduction) to Title 8 of the Malibu Municipal Code and determining the project is categorically exempt from the California Environmental Quality Act.

Staff Contact: Acting City Clerk Pettijohn, 456-2489, ext. 228

2. Second Reading and Adoption of Ordinance No. 489

Recommended Action: Conduct second reading, unless waived, and adopt 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.

Staff Contact: Acting City Clerk Pettijohn, 456-2489, ext. 228

3. Second Reading and Adoption of Ordinance No. 490

Recommended Action: Conduct second reading, unless waived, and adopt Ordinance No. 490 amending Chapter 8.28 (Nuisance Abatement) of Title 8 of the Malibu Municipal Code and finding the same exempt from the provisions of the California Environmental Quality Act.

Staff Contact: Acting City Clerk Pettijohn, 456-2489, ext. 228

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 63484-63796 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. 686 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$4,203,890.71. City of Malibu payroll check numbers 5178-5181 and ACH deposits were issued in the amount of \$439,078.64.

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

3. Acceptance of Malibu Bluffs Park Workout Station Project

Recommended Action: 1) Accept the work performed by Civic Construction Associates for the Malibu Bluffs Park Workout Station Project, Specification No. 2088 as complete; and 2) Authorize the Public Works Director to submit for recordation a Notice of Completion.

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

4. City Hall Roof Replacement Project Completion and Acceptance of Work

Recommended Action: 1) Accept the work performed by 101 Roofing and Construction, Inc. for the City Hall Roof Replacement Project, Specification No. 2071 as complete; and 2) Authorize the Public Works Director to submit for recordation a Notice of Completion for the project.

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

5. Legacy Park History and Operation

Recommended Action: Receive and file a report on Legacy Park's history and operation.

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

6. Amendment to Professional Services Agreement with Woodard and Curran

Recommended Action: Authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Woodard and Curran in the amount of \$47,227 for a total not to exceed \$3,529,593 for additional design services for the Civic Center Water Treatment Facility Phase 2.

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

7. Amendment to Professional Services Agreement with MLA Green dba Studio-MLA

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with MLA Green dba Studio-MLA extending the term of the Agreement for two years through September 1, 2023 and increasing the compensation by \$55,000.

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

8. Professional Services Agreement for Administrative Hearing Officer Services

Recommended Action: Authorize the Mayor to execute a professional services agreement with Robert M. Snider for Administrative Hearing Officer services.

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

4. **Ordinances and Public Hearings**

A. Appeal No. 21-007 - Appeal of Planning Commission Resolution No. 21-46 (24266 Malibu Road; Owner/Appellant, Malibu Road #3, LLC/ Lester Tobias)

Recommended Action: Adopt Resolution No. 21-44, determining the project is categorically exempt from the California Environmental Quality Act; and denying Appeal No. 21-007 and approving Coastal Development Permit No. 16-066 to allow for the construction of a new 4,722 square foot, two-story, beachfront single-family residence with an attached two-car garage, swimming pool, spa, decks, seawall, 18-foot wide view corridor and fencing, and onsite wastewater treatment system, including Variance No. 16-066 for construction on steep slopes, Demolition Permit No. 21-009 for the removal of wood retaining walls, and Offer-to-Dedicate No. 21-003 for public lateral access on the beach located in the Single-Family Medium (SFM) zoning district at 24266 Malibu Road (Malibu Road #3, LLC).

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

B. Appeal No. 21-008 - Appeal of Planning Commission Resolution No. 21-051 (6255 Paseo Canyon Drive; Appellants: Elizabeth and Jason Riddick; Applicants and Property Owners: Elizabeth and Jason Riddick)

Recommended Action: Adopt Resolution No. 21-47, determining the project is categorically exempt from the California Environmental Quality Act; and denying Appeal No. 21-008; and denying Request for Reasonable Accommodation No. 21-001 pursuant to Local Coastal Program Local Implementation Plan (LIP) Section 13.30 to allow relief from the zoning provisions of the LIP, as they currently apply to an application for a new attached accessory dwelling unit and additions to an existing single-family residence; and also denying Coastal Development Permit No. 20-034 which would allow the aforementioned development to encroach into the rear and side yard setbacks and exceed the maximum allowed total development square footage and total impervious lot coverage for the parcel, located in the Single Family (SF-L) Zoning District at 6255 Paseo Canyon Drive (Riddick).

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

C. Coastal Development Permit No. 17-086, Conditional Use Permit No. 21-001, General Plan Amendment No. 21-001, General Plan Map Amendment No. 17-002, Local Coastal Program Amendment No. 16-006, Zoning Map Amendment No. 17-002, Zoning Text Amendment No. 20-001, Development Agreement No. 21-001, Lot Merger No. 20-002, Demolition Permit No. 20-19, Initial Study No. 21-001, and Mitigated Negative Declaration No. 21-001 – An application for the conversion of an existing office building and gas station into a hotel, including new development

1) Adopt Resolution No. 21-45 for the adoption of Initial Study No. 21-001 and Mitigated Negative Declaration No. 21-001 prepared for the project pursuant to the California Environmental Quality Act and approval of Coastal Development Permit No. 17-086, Conditional Use Permit No. 21-001, Lot Merger No. 20-002, and Demolition Permit No. 20-19 to change the land use designation of the properties from Community Commercial (CC) to Commercial Visitor Serving-2 (CV-2) and a new 26,734 square foot, 39-room hotel, involving the remodel of an existing four-story, 15,392 square foot commercial building and a 9,500 square foot parking level at 22741 Pacific Coast Highway (PCH) and construction of a new two-story, 11,342 square foot addition plus a basement on an adjacent parcel at 22729 PCH, and authorizing the Planning Director to submit a letter of public convenience or necessity for the use. The project includes a restaurant/bar, spa, rooftop deck, swimming pool, new surface parking lot, hardscape, landscaping, grading, retaining wall, lighting, utilities, and an upgrade and expansion of the existing onsite wastewater treatment system and associated lot merger of the two involved in the CC zoning district at 22741 and 22729 Pacific Coast Highway (Grey Granite, LLC; Las Tunas Beach, LLC; and Sea View Terrace, LLC).

2) Adopt Resolution No. 21-46 for approval of General Plan Amendment No. 21-001 and General Plan Map Amendment No. 17-002.

3) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 491 for Local Coastal Program Amendment No. 16-006, Zoning Map Amendment No. 17-002, Zoning Text Amendment No. 20-001, and Development Agreement No. 21-001 to rezone the properties from Community Commercial (CC) to Commercial Visitor Serving-Two (CV-2), a new Sea View Hotel Overlay District with associated development standards, including the proposed floor area ratio of 0.52 for the public benefits provided by the project for the Sea View Hotel Overlay District.

4) Direct staff to schedule second reading and adoption of Ordinance No. 491 for the August 23, 2021 Regular City Council meeting.

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

B. Woolsey Fire Fee Waiver Program Deadlines

Recommended Action: 1) Discuss the existing deadlines in place for homeowners to be eligible to waive certain fees related to the rebuilding of structures that were damaged or destroyed by the Woolsey Fire on a property used as a primary residence; and 2) Provide direction to staff regarding any proposed revisions to the fee waiver program.

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

6. New Business

A. Amendment to Agreement with Malibu Triathlon Productions

Recommended Action: Authorize the Interim City Manager to execute Amendment No. 1 to the Agreement with Malibu Triathlon Productions LLC, a Subsidiary of USA Sports and Entertainment, transferring its interest in the Agreement to host the Malibu Triathlon to Super League Holdings PTE LTD, a Singapore private company limited by shares.

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

B. Public Speaker Video

Recommended Action: Consider whether to direct staff to allow members of the public to be displayed with video while speaking at the City’s public meetings.

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

7. Council Items

A. Proposed Parking Management Plan Along Trancas Canyon Road from Pacific Coast Highway to Tapia Drive (Mayor Grisanti and Councilmember Farrer)

Recommended Action: At the request of Mayor Grisanti and Councilmember Farrer, direct staff to process an ordinance to implement a Parking Management Plan along the west side of Trancas Canyon Road from Pacific Coast Highway to Tapia Drive.

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

Adjournment

Future Meetings

Monday, August 23, 2021	6:30 p.m. Regular City Council Meeting	Location TBD
Monday, September 13, 2021	6:30 p.m. Regular City Council Meeting	Location TBD
Monday, September 27, 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.

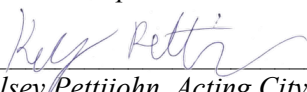
**City Council Items** are items, which individual members of the City Council may bring up for action, to propose future agenda items or to suggest future staff assignments. No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the City Council.

*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 29<sup>th</sup> day of July 2021 at 5:45 p.m.*

  
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*Kelsey Pettijohn, Acting City Clerk*