



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: October 25, 2021 Meeting date: November 8, 2021

Subject: Approval of Minutes

RECOMMENDED ACTION: Approve the minutes for the April 12, 2021 Malibu City Council Regular meeting and the April 14, 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 2020-2021. This is part of normal staff operations.

DISCUSSION: Staff has prepared draft minutes for the Council meetings of April 12, 2021 and April 14, 2021.

ATTACHMENTS:

1. April 12, 2021 Malibu City Council Regular meeting
2. April 14, 2021 Malibu City Council Special meeting

MINUTES
MALIBU CITY COUNCIL
REGULAR MEETING
APRIL 12, 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.

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; Jesse Bobbett, Community Services Director; Richard Mollica, Planning Director; Rob DuBoux, Public Works Director; Christine Wood, Deputy City Attorney; Susan Dueñas, Public Safety Manager; Adrian Fernandez, Principal Planner; Justine Kendall, Associate Planner; Kristin Riesgo, Community Services Deputy Director; and Kathleen Stecko, Administrative Assistant

PLEDGE OF ALLEGIANCE

Mayor Pierson led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION Mayor Pierson moved, and Councilmember Farrer seconded a motion to approve the agenda, moving Item Nos. 2.B. and 2.C. to the end of the agenda and adjourning in the memory of retired Los Angeles County Sheriff’s Deputy Mike Treinen and the four pedestrian fatalities in Malibu during the last month.

FRIENDLY AMENDMENT

Councilmember Silverstein moved to hear Item No. 4.E. before Item No. 4.D.

The amendment was accepted by the maker and the seconder.

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 1, 2021, with the amended agenda posted April 8, 2021.

ITEM 1 CEREMONIAL/PRESENTATIONS

A. City of Malibu 30th Anniversary Commemorative Video Screening

The City of Malibu 30th Anniversary Commemorative Video was presented.

Mayor Pierson thanked the team that created the video and stated beauty mixed with periodic disaster seemed to be the history of Malibu.

B. Update on School District Separation

Mayor Pierson announced the Malibu School Unification Awareness Night on April 14, 2021 to provide the community with information on school district separation and prepare for the Los Angeles County Office of Education (LACOE) preliminary public hearing on the April 17, 2021.

Councilmember Farrer encouraged the public to attend and participate in the Malibu School Unification Awareness Night and the LACOE preliminary public hearing. She presented information on how the preliminary public hearing would be conducted.

Deputy City Attorney Wood presented information on the counteroffer recently received from the Santa Monica-Malibu School District (SM-MUSD) in response to the City's best and final offer in March 2021 and LACOE's role in separation.

The Council discussed the update and directed questions to staff.

C. Proclamation Declaring April 2021 as DMV/Donate Life California Month in Malibu

Mayor Pierson presented the proclamation to Rita Jackson from One Legacy Foundation.

Ms. Jackson thanked the Council for the proclamation. She discussed her daughter's tragic death from a pulmonary embolism and how her legacy continued because she had chosen to be an organ donor.

ITEM 2.A. PUBLIC COMMENTS

Lieutenant Jim Braden expressed his appreciation and gratitude for the sentiment expressed regarding Deputy Mike Trienen's passing. He stated Deputy Trienen was an asset to the community and touched many people's lives in Malibu. He

discussed recent fatal accidents on Pacific Coast Highway (PCH) at Puerco Canyon, Busch Drive, and Corral Canyon. He stated the drivers were not in error and pedestrians had behaved in dangerous manners. He stated deputies were talking to people experiencing homelessness about the dangers of walking on dark roadways. He encouraged residents to report suspicious or hazardous behavior.

Mark Graham stated he lived in Elk Grove, California. He discussed telecommunication bills SB 556 and AB 537. He stated the League of California Cities opposed SB 556 and discussed its letter of opposition. He encouraged the Council to oppose these bills. He stated AB 537 would eliminate local jurisdiction over permitting of cell antennas.

Kraig Hill thanked the Council for denying the permit for offsite parking at the Malibu Inn. He questioned when the City Manager's employment would be settled. He encouraged City Manager Feldman and the Council to settle separation negotiations quickly and identify a new City Manager. He discussed how staff overstepped its authority.

Norman Haynie stated he was saddened by Mike Treinen's passing. He discussed the initial study for the Seaview Hotel project and stated questions had been raised about the water check valve at Topanga. He stated the repair and maintenance of the water check valve at Topanga was not included in the initial study because the California Environmental Quality Act (CEQA) exempted repair and maintenance of utilities and it would be inappropriate to include it. He requested the Council direct staff to move forward with the existing initial study.

Mark Baute stated he had formed a Malibu Awareness Committee that would advertise factual information to the voters. He expressed concern that it was inappropriate for Planning Commissioners to comment on Closed Session negotiations. He stated there were concerns that Council was not getting to all the projects on the work plan.

Craig Foster declined the opportunity to speak.

Lynn Norton expressed concern Planning staff recommendations did not always align with the Planning Commission's recommendations. She stated Planning staff was not a decision-making body.

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

Brian Merrick provided an update on the Public Works Commission activities. He discussed a joint Public Works Commission and Public Safety Commission meeting to discuss potential fire warning systems for the canyons and the new speed humps on Point Dume. He stated the Public Works Commission would be working on the Civic Center Water Treatment Facility Phase 2 project, adding a right turn lane at Trancas Canyon, PCH warning signs, and the permanent skate park. He stated it was unclear if the Public Works Commission or the Public Safety

Commission had jurisdiction over parking. He indicated support for allowing the Farmers Market to use parking on the Chili Cook-Off lot.

ITEM 3 **CONSENT CALENDAR**

Item No. 3.B.6. was pulled by the Council.

MOTION Councilmember Uhring moved, and Mayor Pro Tem Grisanti seconded a motion to approve the Consent Calendar, except for Item No. 3.B.6. The question was called, and the motion carried unanimously.

The Consent Calendar consisted of the following items:

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.

2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 62658-62813 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. 679 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$4,011,931.77. City of Malibu payroll check numbers 5157-5158 and ACH deposits were issued in the amount of \$217,809.51.

3. Approval of Minutes

Recommended Action: Approve the minutes for the January 11, 2021 Malibu City Council Regular meeting, January 22, 2021 Malibu City Council Special meeting, January 25, 2021 Malibu City Council Regular meeting, January 28, 2021 Malibu City Council Adjourned Regular meeting, and January 29, 2021 Malibu City Council Special meeting.

4. Renewal of General Services Agreement with the County of Los Angeles

Recommended Action: 1) Adopt Resolution No. 21-14 authorizing the renewal of the General Services Agreement (GSA) between the City of Malibu and the County of Los Angeles through June 30, 2021; and 2) Authorize the Mayor to execute the GSA with the County of Los Angeles.

5. Amendment to Professional Services Agreement with Rincon Consultants, Inc. for Contract Planning Services

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with Rincon Consultants, Inc. for contract planning services.

7. Revised Job Specification for the Deputy Building Official

Recommended Action: Adopt Resolution No. 21-18 rescinding Section 7 of Resolution No. 21-05, approving the amended Authorized Positions and

Salary Ranges for Fiscal Year 2020-2021, and approving the Deputy Building Official Job Specification.

The following item was pulled from the Consent Calendar for individual consideration:

6. Civic Center Way Improvements Project Change Orders
Recommended Action: Authorize an increase to the construction change orders in the amount of \$250,000 to the GMZ Engineering, Inc. Construction Contract, for a total aggregate amount of \$1,086,241.

The Council directed questions to staff.

MOTION Councilmember Uhring moved, and Councilmember Silverstein seconded a motion to authorize an increase to the construction change orders in the amount of \$250,000 to the GMZ Engineering, Inc. Construction Contract, for a total aggregate amount of \$1,086,241. The question was called, and the motion carried unanimously.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

- A. Cultural Arts Commission Name Change
Recommended Action: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 482 amending Malibu Municipal Code 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; and 2) Direct staff to schedule second reading and adoption of Ordinance No. 482 for the April 26, 2021 Regular City Council meeting.

Community Services Deputy Director Riesgo presented the staff report.

Mayor Pierson opened the floor for public comment.

Speakers: Lotte Cherin

Graeme Clifford was not present at the time of the hearing.

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

The Council discussed the item and directed questions to staff.

MOTION Councilmember Silverstein moved, and Councilmember Uhring seconded a motion to: 1) Introduce on first reading Ordinance No. 482 amending Malibu Municipal Code 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; and 2) direct staff to schedule second reading and adoption of Ordinance No. 482 for the April 26, 2021 Regular City Council meeting.

Interim City Attorney Cotti read the title of the ordinance.

The question was called, and the motion carried unanimously.

B. Vehicle Impound Fees

Recommended Action: 1) Conduct the Public Hearing; and 2) Adopt Resolution No. 21-15 superseding and rescinding Resolution Nos. 92-125 and 93-146 and establishing updated procedures and the fee for the release of impounded vehicles.

Public Safety Manager Dueñas presented the staff report.

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

MOTION Mayor Pro Tem Grisanti moved, and Councilmember Silverstein seconded a motion to adopt Resolution No. 21-15 superseding and rescinding Resolution Nos. 92-125 and 93-146 and establishing updated procedures and the fee for the release of impounded vehicles. The question was called, and the motion carried unanimously.

C. Amendments to the Malibu Local Coastal Program Sign Regulations

Recommended Action: 1) Adopt Resolution 21-16 amending the Local Coastal Program (LCP) Land Use Plan sign regulations (Local Coastal Program Amendment (LCPA) No. 20-001) and finding the action exempt from the California Environmental Quality Act (CEQA); 2) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 483 amending the LCP Local Implementation Plan sign regulations as part of LCPA No. 20-001 and finding the action exempt from CEQA; and 3) Direct staff to schedule second reading and adoption of Ordinance No. 483 for the April 26, 2021 Regular City Council meeting.

Associate Planner Kendall presented the staff report.

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

MOTION Mayor Pro Tem Grisanti moved, and Councilmember Farrer seconded a motion to: 1) adopt Resolution No. 21-16 amending the Local Coastal Program (LCP) Land Use Plan sign regulations (Local Coastal Program Amendment (LCPA) No. 20-001) and finding the action exempt from the California Environmental Quality Act (CEQA); 2) introduce on first reading Ordinance No. 483 amending the LCP Local Implementation Plan sign regulations as part of LCPA No. 20-001 and finding the action exempt from CEQA; and 3) direct staff to schedule second reading and

adoption of Ordinance No. 483 for the April 26, 2021 Regular City Council meeting.

The Council discussed the motion and directed questions to staff.

FRIENDLY AMENDMENT

Councilmember Silverstein amended the motion to amend Sections 2(A) and 2(B) to mark repealed subsection and paragraphs as “[Repealed]” instead of removing the repealed subsection and paragraphs and renumbering the remaining subsections and paragraphs. The amendment was accepted by the maker and the seconder.

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

E. Ordinance Establishing “Hero Pay” for Grocery Retail and Drug Retail Workers During the COVID-19 Pandemic

Recommended Action: After the City attorney reads the title, adopt urgency Ordinance No. 485U adding Chapter 5.70 to the Malibu Municipal Code relating to hazard pay requirements for employees working frontline positions in grocery retail and drug retail establishments in the City of Malibu during the COVID-19 pandemic, finding the same exempt from the California Environmental Quality Act, and declaring the urgency thereof. A four-fifths vote of the City Council is required and, if approved, it will take effect immediately.

Interim City Attorney Cotti presented the staff report.

Mayor Pierson opened the floor for public comment.

Speakers: Scott Dietrich and Nick Buro

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

The Council discussed the item and directed questions to staff.

MOTION Councilmember Uhring moved, and Councilmember Farrer seconded a motion to adopt urgency Ordinance No. 485U adding Chapter 5.70 to the Malibu Municipal Code relating to hazard pay requirements for employees working frontline positions in grocery retail and drug retail establishments in the City of Malibu during the COVID-19 pandemic, finding the same exempt from the California Environmental Quality Act (CEQA), and declaring the urgency thereof. The question was called, and the motion carried unanimously.

MOTION Councilmember Uhring moved, and Mayor Pro Tem Grisanti seconded a motion to hear Item No. 7.A. before Item No. 4.D. The question was called, and the motion carried unanimously.

ITEM 7 COUNCIL ITEMS

- A. Council Appointment to the Parks and Recreation Commission
Recommended Action: Mayor Pro Tem Grisanti to make his appointment to the Parks and Recreation Commission.

Mayor Pro Tem Grisanti appointed Dane Skophammer to the Parks and Recreation Commission.

RECESS At 8:19 p.m., Mayor Pierson recessed the meeting. The meeting reconvened at 8:30 p.m. with all Councilmembers present.

ITEM 4 ORDINANCES AND PUBLIC HEARINGS

- D. Amendments to Title 17 (Zoning) of the Malibu Municipal Code, Chapter 17.46 (Wireless Telecommunications Antennas and Facilities), and Sections 2.2 and 3.16, Chapter 13 and Appendix 1 (Table B Permitted Uses) of the Local Coastal Program Local Implementation Plan to modify regulations, procedures, and application requirements for the installation of wireless communications facilities

Recommended Action: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 484 determining the amendments are exempt from the California Environmental Quality Act (CEQA) and approving Zoning Text Amendment No. 16-005 and Local Coastal Program Amendment No. 16-007 to amend Malibu Municipal Code 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 Local Implementation Plan Sections 2.2 and 3.16, Chapter 13 and Appendix 1 (table B Permitted Uses) modifying standards and procedures for wireless communications facilities; 2) Direct staff to schedule second reading and adoption of Ordinance No. 484 for the April 26, 2021 Regular City Council meeting; and 3) Adopt Resolution No. 21-17 adopting engineering, design and location standards, conditions of approval and basic application requirements for wireless communication facilities on land other than public right-of-way; and finding the same exempt from CEQA.

Gail Karish, Best Best & Krieger, and Principal Planner Fernandez presented the staff report.

Mayor Pierson stated he had received requests from several speakers, and he would allow time deferrals on this item.

Mayor Pierson opened the floor for public comment.

Speakers: Mark Graham, Scott Dittrich, Liz Barris, Kraig Hill, Jo Drummond, Nichole McGinley, Akai Yang, Jenny Rusinko, Stephanie Sunwoo, Jeff Louks, Stephanie Chaisson, Linda Gibbs, Susan Foster (Shayna Spreckman, Kim

Heckman, Clytie Lane, Paula Murphy, and Beth Dorn deferred time to Ms. Foster), Tony Simmons (Kerry Clasby, Robert Janis, Susie Sunwoo, Ryan Dorn, and June-Shani-Louks deferred time to Mr. Simmons), W. Scott McCollough (Linda Zielski, Cindy Crawford, Kelly Meyer, Lacey Lehman, and Mitch Taylor deferred time to Mr. McCollough), Lonnie Gordon, and Jessica Isles

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

The Council discussed the item and directed questions to staff.

MOTION Mayor Pro Tem Grisanti moved, and Councilmember Farrer seconded a motion to: 1) introduce on first reading Ordinance No. 484, amended to: a) revise Malibu Municipal Code (MMC) Section 17.46.110(B)(2) and Local Implementation Plan (LIP) Section 3.16.7(C)(2) to reference the “proposed facility”; b) revise MMC Section 17.46.030(E)(1)(c) to add “or, if designated by action of the City Council, two members of the Planning Commission and a member of the City Council”; and c) revise MMC Section 17.46.080(A) and LIP Sections 3.16.6(A) to add “if prohibited by applicable law”, determining the amendments are exempt from the California Environmental Quality Act (CEQA) and approving Zoning Text Amendment No. 16-005 and Local Coastal Program Amendment No. 16-007 to amend Malibu Municipal Code 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 Local Implementation Plan Sections 2.2 and 3.16, Chapter 13 and Appendix 1 (table B Permitted Uses) modifying standards and procedures for wireless communications facilities; 2) direct staff to schedule second reading and adoption of Ordinance No. 484 for the April 26, 2021 Regular City Council meeting; and 3) adopt Resolution No. 21-17, amended to: a) revise Section 4(M) to add “and in compliance with California Fire Code Section 1206.2.2”; b) revise basic application requirement 8 to add “to be prepared under the responsible charge of and sealed by a California licensed professional engineer”; c) revise basic application requirement 9 by replacing “as recommended” with “to be prepared under the responsible charge of and sealed by a California licensed professional civil engineer”; d) revise Section 5(A) to increase the separation distance between facilities to 1,000 feet; e) revise Section 5(B) to increase the fall zone requirement to 120% of the height of the facility; and f) revise Standard Condition 25 to add “the policy shall not have a pollution or other exclusion which excludes injuries or damages from EMF/RF exposures”, adopting engineering, design and location standards, conditions of approval and basic application requirements for wireless communication facilities on land other than public right-of-way; and finding the same exempt from CEQA.

Assistant City Attorney Rusin read the title of the ordinance

The question was called, and the motion carried unanimously.

MOTION Mayor Pierson moved, and Councilmember Farrer seconded a motion to continue Item Nos. 2.B., 2.C., 6.A., 7.B., 7.C., and 7.D. to the April 26, 2021 Regular City Council meeting. The question was called, and the motion carried unanimously.

ITEM 5 OLD BUSINESS

None.

ITEM 6 NEW BUSINESS

A. Ad Hoc Recommendation relative to the Investigation into the Allegations in the Wagner Affidavit

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.”

This item was continued to the April 26, 2021 Regular City Council meeting.

ITEM 7 COUNCIL ITEMS (Continued)

B. SB 55 and SB 765 – SUPPORT and Request for State Audit of Metropolitan Water District of Southern California (Mayor Pro Tem Grisanti)

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.

This item was continued to the April 26, 2021 Regular City Council meeting.

C. Blue City Network (Councilmember Farrer and Mayor Pierson)

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.

This item was continued to the April 26, 2021 Regular City Council meeting.

D. Closed Session (Councilmember Uhring)

Recommended Action: At the request of Councilmember Uhring, consider allowing public access to all or portions of Closed Session meetings of the City Council.

This item was continued to the April 26, 2021 Regular City Council meeting.

ITEM 2.B. COMMISSION / COMMITTEE / CITY MANAGER UPDATES (Continued)

This item was continued to the April 26, 2021 Regular City Council meeting.

ITEM 2.C. SUBCOMMITTEE REPORTS / COUNCIL COMMENTS

This item was continued to the April 26, 2021 Regular City Council meeting.

ADJOURNMENT

At 12:00 a.m., on Tuesday, April 13, 2021, Mayor Pierson adjourned the meeting in memory of retired Los Angeles County Deputy Michael Treinan and the four individuals who lost their lives in pedestrian traffic incidents on Pacific Coast Highway in recent weeks.

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

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

MINUTES
MALIBU CITY COUNCIL
SPECIAL MEETING
APRIL 14, 2021
TELECONFERENCED - VARIOUS LOCATIONS
5:00 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 Pierson called the meeting to order at 5:00 p.m.

ROLL CALL

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

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

ALSO PRESENT: Trevor Rusin, Assistant City Attorney; Reva Feldman, City Manager; Kelsey Pettijohn, Acting City Clerk; and Christine Wood, Deputy City Attorney

PLEDGE OF ALLEGIANCE

Mayor Pierson led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

REPORT ON POSTING OF AGENDA

Acting City Clerk Pettijohn reported that the agenda for the meeting was properly posted on April 13, 2021.

ITEM 1 NEW BUSINESS

- A. City Response to the Santa Monica-Malibu Unified School District’s April 9, 2021 letter
Recommended Action: 1) Receive report on the Santa Monica-Malibu Unified School District’s (SM-MUSD) April 9, 2021, response to the City of Malibu’s Best and Final Offer dated March 12, 2021; and 2) Direct the City Attorney to respond to the SM-MUSD with a settlement offer to include the following provisions: a)

both parties agree to separation, b) both parties agree that Los Angeles County Office of Education (LACOE) and/or LACOE-supervised consultants are well-suited to decide the financial terms of separation, c) both parties agree in advance to be bound by the financial terms of the separation as developed by the LACOE-supervised consultant School Services of California, Inc.; and d) both parties agree that they will not engage in any ex-parte communications with any part of the LACOE Committee, their staff, or any consultants regarding the split.

Deputy City Attorney Wood presented the staff report.

The Council discussed the item and directed questions to staff.

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

The Council further discussed the item and directed questions to staff.

MOTION Councilmember Silverstein moved, and Mayor Pro Tem Grisanti seconded a motion to ratify the letter sent by staff on April 13, 2021 in response to SM-MUSD's April 9, 2021 counter-offer. The question was called, and the motion carried unanimously.

ADJOURNMENT

MOTION At 5:22 p.m., Mayor Pierson adjourned the meeting.

Approved and adopted by the City Council of the
City of Malibu on _____, 2021.

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)