

This meeting will be held via teleconference only in order to reduce the risk of spreading COVID-19 and pursuant to AB 361 and the County of Los Angeles Public Health Officer's Order (revised March 3, 2022). 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 before the meeting begins.

HOW TO PARTICIPATE DURING THE MEETING: Members of the public may also speak during the meeting through the Zoom application. The City requests that you 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, March 28, 2022

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 – March 18, 2022

1. Ceremonial/Presentations

- A. Presentation by The Malibu Foundation - Our Climate Crisis: A Guide for SoCal Communities in the Wildland Urban Interface

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 65347-65481 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. 700 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$813,512.21. City of Malibu payroll check numbers 5215-5216 and ACH deposits were issued in the amount of \$229,367.08.

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

- 3. Approval of Minutes

Recommended Action: Approve the minutes for the August 9, 2022 Malibu City Council Regular meeting.

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

- 4. Findings to Hold Virtual City Council, Commission, Committee, Board and Other City Bodies, Meetings Under AB 361

Recommended Action: Consider a motion to reaffirm Resolution No. 21-64, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.

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

5. Initiate Amendments to Malibu Municipal Code Chapter 17.41 (Malibu Dark Sky)

Recommended Action: 1) Adopt Resolution No. 22-08 initiating an amendment to Malibu Municipal Code (MMC) Chapter 17.41 (Malibu Dark Sky); and 2) Direct staff to schedule a Planning Commission hearing to consider amendments to MMC Chapter 17.41.

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

6. Coastal Development Permit No. 17-089, General Plan Map Amendment No. 21-002, Local Coastal Program Amendment No. 17-004, Zoning Map Amendment No. 17-005, Lot Line Adjustment No. 17-002, Conditional Use Permit No. 17-011, Variance Nos. 18-038, 20-034 and 21-010, Site Plan Review No. 19-008, Minor Modification No. 19-007, Demolition Permit No. 20-026, and Code Violation No. 17-011 – An application for a lot line adjustment to expand the lot into the adjacent mobile home park, and replacement of the existing restaurant and permit previously unpermitted expansion of the restaurant and ground-floor decking attached to the restaurant

Recommended Action: Adopt Resolution No. 22-10 denying Coastal Development Permit No. 17-089, Lot Line Adjustment No. 17-002, Demolition Permit No. 20-026, General Plan Map Amendment No. 21-002, Zone Map Amendment No. 17-011 and Local Coastal Program Amendment No. 17-004 to increase the lot area of the Malibu Country Inn lot with land from the Point Dume Club mobile home park, change the General Plan land use designation, Zoning Map and Local Coastal Program maps from Commercial Visitor Serving-1 (CV-1) to Commercial Visitor Serving-2 (CV-2) and the increased Malibu Country Inn lot area from Mobilehome Residential (MH) to CV-2, replace the existing restaurant, after-the-fact approval of a deck attached to the restaurant and replace a 200 square foot unpermitted storage shed with a 100 square foot storage shed; including Conditional Use Permit No. 17-011 for the hotel and restaurant uses and sale of alcohol for room service and restaurant; Variance (VAR) No. 18-038 for construction of Fire Department stairs on slope steeper than 2.5 to 1; VAR No. 20-034 for legal, non-conforming parking spaces in terms of size, number and aisle width to remain; VAR No. 21-010 from the City's geotechnical standards for factor of safety; Site Plan Review No. 19-008 for the reconstruction of the restaurant in excess of 18 feet; and Minor Modification No. 19-007 for the replacement restaurant to provide a 50 percent reduction of the required front yard setback, located at 6506 Westward Beach Road and 29500 Heathercliff Road (Malibu Country Inn, Corp and Corp, and Point Dume, LTD).

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

4. Ordinances and Public Hearings

A. Updated Developer Fee Program for the Benefit of the Consolidated Fire Protection District of Los Angeles County

Recommended Action: 1) Conduct the public hearing; and 2) Adopt Resolution No. 22-09, adopting the updated developer fee and fire station plan for the benefit of the Consolidated Fire Protection District of Los Angeles County and rescinding Resolution No. 21-11.

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

5. Old Business

A. Westward Beach Road Improvements Project Update

Recommended Action: 1) Receive an update on the Westward Beach Improvements Project; and 2) Provide direction to staff on any design modifications.

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

B. Los Angeles County Measure R and M Transportation Funding and Federal Infrastructure Grants Update

Recommended Action: 1) Receive an update on Los Angeles County Measure R and Measure M Transportation Funding, and Federal Infrastructure Investment and Jobs Act grants; 2) Review the Safety Project List developed by the Public Safety and Public Works Commission and amend as appropriate; and 3) Provide direction to staff on future projects using these funds.

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

C. Consideration of Hybrid Meetings or the Resumption of In-Person Meetings

Recommended Action: 1) Receive an update on the current State and County public health regulations; and 2) Provide direction to staff on whether to resume in-person meetings or pursue a hybrid option.

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

6. New Business

None.

7. Council Items

A. Council Appointment to the Public Works Commission

Recommended Action: Mayor Pro Tem Silverstein may make a new appointment to the Public Works Commission.

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

B. Council Appointment to the Parks and Recreation Commission

Recommended Action: 1) Councilmember Pierson may announce his decision to remove his appointee to the Parks and Recreation Commission pursuant to Malibu Municipal Code 2.32.040; and 2) Councilmember Pierson may make a new appointment to the Parks and Recreation Commission.

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

Adjournment

Future Meetings

Monday, April 11, 2022	6:30 p.m. Regular City Council Meeting	Location TBD
Monday, April 25, 2022	6:30 p.m. Regular City Council Meeting	Location TBD
Wednesday, April 27, 2022	6:30 p.m. Special 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, the City Council meeting will be open and public but conducted virtually because meeting in person would present imminent risks to the health or safety of attendees. 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. The City requests that you 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. 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.

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. 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 18th day of March 2022 at 6:45 p.m.



Kelsey Pettijohn, City Clerk