

**HOW TO VIEW THE MEETING:** The meeting will be live streamed at [www.malibucity.org/video](http://www.malibucity.org/video) and via Zoom Webinar.

**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 IN-PERSON DURING THE MEETING:** Members of the public may speak during the meeting in-person or through the Zoom application. In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form.

**HOW TO PARTICIPATE REMOTELY DURING THE MEETING:** Members of the public may speak during the meeting in-person or through the Zoom application. In order to participate remotely, you must be present in the Zoom Webinar during the item that you would like to speak on and use the Raise Hand feature to request to speak when the Mayor calls the item. Be advised that those participating via Zoom do so at their own risk; remote participants should not expect the meeting to be cancelled or continued due the inability of some members of the public to access the remote meeting.

## **Amended<sup>1</sup> Malibu City Council** **Regular Meeting Agenda**

**Monday, March 27, 2023**

**6:00 P.M. – CLOSED SESSION**

***City Hall – Council Chambers (call to order)***

***Westward Room (closed session)***

***23825 Stuart Ranch Road***

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

**City Hall – Council Chambers**

**23825 Stuart Ranch Road**

**Zoom Webinar Link:**

**<https://us02web.zoom.us/j/84015201344>**

***Six p.m. Convene for Purpose of Closed Session***

***Call to Order – Mayor (Council Chambers)***

***Public Comment on Closed Session Items***

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<sup>1</sup> See the addition of Closed Session

**Recess to Closed Session (to be held in the Westward Room)**

*This time has been set aside for the City Council to meet in a closed session to discuss matters pursuant to Government Code Section 54956.8. The City Attorney will give an additional oral report regarding the Closed Session at the beginning of the next regular City Council meeting. At the conclusion of the Closed Session, the Council may continue any item listed on the Closed Session agenda to the Open Session agenda for discussion or to take formal action as it may deem appropriate.*

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

1. *Property: 6100 Via Escondido Drive, Malibu, CA  
APN 4460-003-015  
APN 4460-014-006*

*Agency Negotiator: Interim City Attorney Rusin  
Negotiating Parties: Via Escondido Holdings LLC  
Under Negotiation: Price and terms of payment*

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

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Closed Session Report

Report on Posting of Agenda – March 17, 2023; *Amended Agenda posted March 24, 2023*

Approval of Agenda

**Recess to Reception in the Multi-Purpose Room**

The City Council will recess the meeting for approximately 30 minutes to hold a reception for the public in the Multi-Purpose Room. After the reception the City Council will reconvene to consider the remainder of the agenda.

**1. Ceremonial/Presentations**

- A. Presentation on 2022 Environmental Programs Accomplishments (ENERGY)

**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 Rusin, 456-2489, ext. 228

##### 2. Approve Warrants

Recommended Action: Allow and approve warrant demand numbers 68490-68588 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. 721 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of \$1,492,620.49. City of Malibu payroll check number 5323-5326 and ACH deposits were issued in the amount of \$258,399.35.

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

##### 3. Federal Surface Transportation Program – Local Funds Exchange

Recommended Action: Authorize the Mayor to execute the Exchange Agreement and Assignment of Federal Surface Transportation Program – Local Highway Infrastructure Programs Funds.

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

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

Recommended Action: Consider a motion to adopt Resolution No. 23-14, re-authorizing remote teleconferencing/virtual meetings pursuant to AB 361.

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

##### 5. Amendment to Professional Services Agreement with Michael Baker International, Inc.

Recommended Action: Authorize the Mayor to execute Amendment No. 3 to Professional Services Agreement with Michael Baker International, Inc. to extend the term of the existing Professional Services Agreement through March 23, 2024 and to modify the scope of work.

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

**4. Ordinances and Public Hearings**

None.

**5. Old Business**

None.

**6. New Business**

A. Malibu Bluffs Park Snack Shack

Recommended Action: Review and provide feedback regarding the options for replacement of the snack shack at Malibu Bluffs Park.

Staff Contact: Planning Director Mollica, 456-2489, ext. 349

**7. Council Items**

None.

**Adjournment**

**Future Meetings**

Monday, April 10, 2023	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers
Monday, April 24, 2023	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers
Monday, May 8, 2023	6:30 p.m.	Regular City Council Meeting	City Hall Council Chambers

**Guide to the City Council Proceedings**

**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 may speak during the meeting in-person or through the Zoom application. In order to participate in-person, each speaker must complete and submit to the Recording Secretary a Request to Speak form. In order to participate remotely, you must be present in the Zoom Webinar during the item that you would like to speak on and use the Raise Hand feature to request to speak when the Mayor calls the item. Speakers are taken in the order slips are submitted or hands are raised.

**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. Public speakers shall follow the rules as set forth under Oral Communication

**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.

**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.

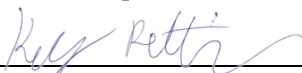
No new items will be taken-up after 10:30 p.m. without a two-thirds vote of the City Council.

*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, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, California, and are available for public inspection during regular office hours, which are 7:30 a.m. to 5:30 p.m. Monday through Thursday and 7:30 a.m. to 4:30 p.m. Friday. Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 23825 Stuart Ranch Road, Malibu, California (Government Code Section 54957.5.b.2). Copies of staff reports and written materials may be purchased for \$0.10 per page.*

*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 24<sup>th</sup> day of March 2023 at 2:45 p.m.*

  
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Kelsey Pettijohn, City Clerk