Amended[1] Malibu City Council
Regular Meeting Agenda

Monday, August 24, 2026

4:30 P.M. - CLOSED SESSION
City Hall – Multi-purpose Room (call to order)
Westward Room (closed session)
23825 Stuart Ranch Road

5:30 P.M. – CITY COUNCIL REGULAR MEETING
City Hall – Multi-purpose Room
23825 Stuart Ranch Road

Zoom Webinar Link:
https://us02web.zoom.us/j/87985644870

GUIDE TO THE CITY COUNCIL PROCEEDINGS AND DECORUM

ROLE OF THE PRESIDING OFFICER: The presiding officer of the City Council, who shall be the Mayor, shall be responsible for maintaining the order and decorum of meetings. It shall be the duty of the presiding officer to ensure that these rules of procedure and decorum are followed at all times. The presiding officer shall maintain control of communication between Councilmembers, between the Council and the public, and chair each meeting in a fair and impartial manner. It shall be the duty of each Councilmember to support the presiding officer in maintaining the order and decorum of Council meetings.

On specific agenda items Councilmembers may question any person addressing the City Council at the conclusion of all public testimony on that agenda item before the Council. Councilmembers shall not engage any member of the public in a dialogue with themselves other Councilmembers, city staff or other members of the public.

MEMBERS OF THE AUDIENCE: Members of the audience shall not engage in disorderly or boisterous conduct, including clapping, whistling, stamping of feet, or other acts which disturb, disrupt, impede or otherwise disturb the orderly conduct of the City Council meeting. Persons addressing the City Council shall not engage in disorderly conduct which disrupts, or otherwise impedes the orderly conduct or Council meetings. Any person who so disrupts a Council meeting may, at the discretion of the presiding officer or a majority of the City Council, be subject to ejection from that meeting.

MEETING PARTICIPATION: Members of the public may participate in-person or remotely via Zoom Webinar.

Remote participation: 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. When you join the Zoom Webinar you may see a pop-up asking you to enter an email address, but a valid

1 *See the addition of Consent Calendar Item Nos. 1.B.5. and 1.B.6., and additional materials instructions for the amended agenda item.*

email address is not required. To join by phone: Dial 1-669-444-9171 or 1-669-900-9128 (Toll Free) and enter Meeting ID: 879-8564-4870. To raise your hand via a phone-in please press *9 and unmute when you are called on by pressing *6. If you are participating via the web platform or application, please press the raise your hand icon and the unmute button when prompted.

In-person participation: If you would like to speak in-person, you must complete and submit to the Recording Secretary a Speaker Slip at the meeting prior to the beginning of the item being announced by the Mayor.

When each item is called, the Mayor will announce a final call for Speaker Slips and raised hands.

Speaker Time and General Public Comment: Members of the public will have the opportunity to speak on items on the agenda and general public comment regarding matters which are not listed on the agenda, but are under the subject matter jurisdiction of the City Council. No action may be taken on such items, except to ask Staff a question or place an item on a future agenda, 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. Remote and in-person participants will have three (3) minutes to speak on each item on the agenda. In-person participants may also surrender their time to speak on an item on the agenda by deferring one (1) minute to another speaker, not to exceed a total of five (5) minutes. Speakers receiving time deferrals may be participating in-person or remotely. The individuals deferring time must be present in Chambers when the item is heard and their slips must be prior to the beginning of the item being announced by the Mayor. Speakers are taken in the order slips are submitted or hands are raised.

For general public comment for matters not on the agenda, speaker time is adjusted based on the number of speakers:

- If there are more than 20 speakers, each speaker will be limited to two (2) minutes. Speakers with time deferrals may receive up to four (4) minutes.

- If there are more than 30 speakers, each speaker is limited to one (1) minute. Speakers with time deferrals may receive up to three (3) minutes.

Materials: Any written comments or audiovisual materials from members of the public, including any that they intend to present at the meeting, must be submitted one (1) business day in advance, by 12:00 p.m. on August 21, 2026.

In accordance with the notice provided on the notice of public hearing, materials for Item No. 5.A. will be accepted up to and during the meeting.

No additional materials will be accepted after these deadlines for items listed on this agenda. If an item on this agenda is amended or new items are added only one business day before the meeting, the amended agenda will provide additional instructions for submitting materials related to such items. All materials should be emailed to citycouncil@malibucity.org and include the Agenda Item Number on the subject line.

Due to the posting of the amended agenda, written comments and audiovisual materials will be accepted on Item Nos. 1.B.5., and 1.B.6 until 12:00 p.m. on August 24, 2026.

VIEW THE MEETING: The meeting will be live streamed at www.malibucity.org/video, www.youtube.com/CityofMalibu, and via Zoom Webinar.

Four-thirty p.m. Convene for Purpose of Closed Session

Call to Order – Mayor (Multi-purpose Room)

Public Comment on Closed Session Items

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 54956.9. Based on the advice of the City Attorney, discussion in open session concerning these matters would prejudice the position of the City in this litigation. 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 Legal Counsel – Anticipated Litigation

1. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9
   Number of cases: 1 (Alleged violations of NPDES Permit for Big Rock Mesa Drainage Facility)

Five-thirty p.m. Regular Session

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Closed Session Report

Report on Posting of Agenda – August 14, 2026*; Amended Agenda posted August 21, 2026*

Approval of Agenda

1. Consent Calendar

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. 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. Members of the public may comment on the consent calendar as a whole. After public comment, the Council may remove items from the Consent Calendar for individual consideration before adopting the 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 79808-79957 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. 795 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $4,637,351.02. City of Malibu payroll check number 5589 and ACH deposits were issued in the amount of $564,227.56.

Staff Contact: Assistant City Manager Smith, 456-2489, ext. 239

3. Approval of Minutes

Recommended Action: Approve the minutes for the January 12, 2026 Regular Meeting, January 26, 2026 Regular Meeting, and February 9, 2026 Regular Meeting.

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

4. Acceptance of Westward Beach Road Embankment Repairs Project

Recommended Action: 1) Accept the work performed by The Adjul Corporation, dba Lee Construction Co. (Lee Construction) for the Westward Beach Road Embankment Repairs Project, Specification 2100 as complete; and 2) Authorize the Public Works Director to submit for recordation a Notice of Completion.

Staff Contact: Assistant Public Works Director Holden, 456-2489, ext. 338

5. Amendment to Agreement for Digital Submittal Administration Services for Non-Fire Rebuild Projects

Recommended Action: Authorize the Mayor to execute Amendment No. 1 to Agreement with Premium Planning Solutions, Inc. for digital submittal administration services for non-fire rebuild projects.

Staff Contact: Community Development Director Bundy, 456-2489, ext. 229

6. *Resolution Ratifying the Director of Emergency Services' Proclamation of Existence of a Local Emergency and Declaring the Same – Coastal Erosion*

Recommended Action: Adopt Resolution No. 26-60 confirming existence of a local emergency, and ratifying the proclamation of local emergency by the Director of Emergency Services as a result of ongoing erosion along the coast near Pacific Coast Highway in the area of the Palisades Fire burn scar, located in the City of Malibu.

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

2. Ceremonial/Presentations

A. Presentation of Commendation to Volunteer on Patrol Bill Melcher in Recognition of his Work Contributing to the Apprehension of Drunk Drivers

3. Commission / Committee / City Manager Updates

4. Written and Oral Communications from the Public (This item and subsequent items to be heard at 6:30 p.m. or later)

Councilmember meeting attendance reports and inquiries will be limited to 10 minutes per Councilmember to report on their activities and ask staff follow-up questions from public comment.

A. General Public Comment – Matters Not on the Agenda

B. City Council Subcommittee reports / Mayor and Councilmember meeting attendance reports and inquiries

5. Ordinances and Public Hearings

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.

A. Local Coastal Program Amendment No. 26-002 and Zoning Text Amendment No. 26-002 – An Amendment to Chapter 2 (Definitions) of the Local Coastal Program Local Implementation Plan and Title 17 (Zoning) of the Malibu Municipal Code to Add a Definition of Beachfront (Continued from August 10, 2026)

Recommended Action: 1) After the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 537, approving Local Coastal Program Amendment (LCPA) No. 26-002 and Zoning Text Amendment (ZTA) No. 26-002 to add a definition of Beachfront to Chapter 2 (Definitions) of the Local Coastal Program (LCP) Local Implementation Plan (LIP) and Title 17 (Zoning) of the Malibu Municipal Code (MMC) and finding the action to be exempt from the California Environmental Quality Act (CEQA); and 2) Direct staff to schedule second reading and adoption of Ordinance No. 537 for the September 14, 2026 City Council Regular meeting and, if adopted, direct the filing of LCPA No. 26-002 (Ordinance No. 537) with the California Coastal Commission (CCC) for certification.

Staff Contact: Community Development Director Bundy, 456-2489, ext. 229\

B. Off-Street Parking Ordinance

Recommended Action: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 538 adding Chapter 10.05 to the Malibu Municipal Code, authorizing the enforcement of traffic and parking laws on certain publicly accessible parking facilities pursuant to California Vehicle Code Section 21107.8. and finding the action to be exempt from the California Environmental Quality Act., and 2) Direct staff to schedule second reading and adoption of Ordinance No. 538 for the September 14, 2026 Regular City Council Meeting.

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

6. Old Business

Old Business items have appeared on previous agendas with no final action having been taken.

None.

7. New Business

New Business items are appearing for the first time for formal action.

A. Proposed Changes to City Council Policy #33

Recommended Action: Adopt revised City Council Policy #33, Seating Arrangement of the City Council.

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

B. Establishment of City Council Ad Hoc Committees

Recommended Action: Consider establishing the following Ad Hoc Committees and appointing two Councilmembers to each: 1) Litigation Ad Hoc Committee, 2) Olympics Ad Hoc Committee, and 3) Infrastructure Resiliency Ad Hoc Committee.

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

8. Council Items

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.

None.

Adjournment

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 Community Development

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].

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 21st day of August 2026 at 11:00 a.m.

Kelsey Pettijohn, City Clerk