City Council Meeting
08-24-26
Item 5.B.

Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Luis Flores, Public Safety Manager

Reviewed by: Susan Dueñas, Public Safety Director

Approved by: Joseph D. Irvin, City Manager

Date prepared: July 31, 2026 Meeting date: August 24, 2026

Subject: 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.

FISCAL IMPACT: No additional appropriation is required. Parking citation revenue may increase slightly as a result of this action.

STRATEGIC PLAN IMPLEMENTATION:
Goal 4: Improve Public Safety.
Objective 4.3: Reduce Homeless Encampments.
Homeless Encampments: Expand outreach and enforcement to reduce the number of homeless encampments.

DISCUSSION: Since July 2024, the City's Parking Enforcement Team has greatly improved the public safety of the City through effective enforcement of a variety of violations, including obstruction of roadways, parking on red curbs, blocking fire hydrants, oversized vehicle ordinance violations, unauthorized handicap parking, and more. The Parking Enforcement Team work proactively with the Los Angeles County Sheriff's Department (LASD) to identify problem areas throughout the City and coordinate enforcement accordingly. In response to this coordinated enforcement, vehicles in routine

violation of local parking violations tend to park in areas where the Parking Enforcement Team and Volunteers on Patrol (VOP) are not authorized to issue citations. One of these areas is the Los Angeles County owned Malibu Library parking lot.

The Malibu Library parking lot sees an occasional proliferation of RVs and abandoned vehicles given the lack of parking enforcement within the lot. In addition, individuals have been observed cooking from their vehicles late at night, increasing fire risks in the area. Because overnight parking enforcement is not being carried out in the lot and LASD resources are limited during those hours, City staff face added challenges in addressing these public safety concerns.

To authorize enforcement of the California Vehicle Code (CVC), Title 15 of the Traffic Code (Los Angeles County Code), and the City's Municipal Code in these areas, City staff propose the adoption of Ordinance No. 538 (Attachment 1). The proposed Ordinance authorizes the City's Parking Enforcement Team and VOPs to conduct parking enforcement pursuant to CVC Section 21107.8 within publicly owned off-street parking facilities that are accessible to the general public, such as the Malibu Library parking lot, Malibu Bluffs Park, Las Flores Park, and more. The City's Parking Enforcement Team have the ability to take responsibility for enforcement in these areas with the current contracted resources. Additionally, it authorizes the City Manager, or a designee, to designate such facilities for enforcement upon determining that enforcement will promote public safety and welfare. Currently, the Malibu Library has installed CVC Section 21107.8 parking signs at both parking lot entrances to advise visitors that parking enforcement can occur.

A Public Hearing Notice (Attachment 2) for the proposed ordinance was published in the Malibu Times on August 6, 2026 to welcome public discussion.

Staff recommend introducing 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. It is recommended to have staff schedule a second reading and adoption of Ordinance No. 538 for the September 14, 2026 Regular City Council Meeting.

ATTACHMENTS:

1) Ordinance No. 538
2) Public Hearing Notice

ORDINANCE NO. 538

AN ORDINANCE OF THE CITY OF MALIBU ADDING CHAPTER 10.05 TO THE MALIBU MUNICIPAL CODE AUTHORIZING THE ENFORCEMENT OF TRAFFIC AND PARKING LAWS ON CERTAIN PUBLICLY ACCESSIBLE PARKING FACILITIES PUSRUANT TO CALIFORNIA VEHICLE CODE SECTION 21107.8

The City Council of the City of Malibu does ordain as follows:

SECTION 1. Findings

A. The City of Malibu has adopted Title 15, Vehicles and Traffic, Division 1, Traffic Code of the Los Angeles County Code, as amended and in effect on July 16, 1991, ("Traffic Code") regulating traffic and parking within the city.

B. Section 15.44.050 of the Traffic Code incorporates by reference the provisions of the California Vehicle Code.

C. The City maintains procedures for the issuance and processing of parking citations pursuant to Chapter 10.12 of the Malibu Municipal Code.

D. The City maintains additional regulations regarding Vehicles and Traffic in Title 10 of the Malibu Municipal Code.

E. Certain off-street parking facilities within the City, including facilities owned or operated by other public agencies, are open to the public and require enforcement of traffic and parking laws to protect public safety and welfare.

F. California Vehicle Code Section 21107.8 authorizes local authorities, by ordinance, to permit the enforcement of traffic and parking laws on such facilities.

G. This Ordinance is not subject to CEQA because it will not cause a direct or reasonably foreseeable physical change in the environment and is not a CEQA project (State CEQA Guidelines Sections 15060(c)(2)–(3)), and is alternatively exempt because it has no possibility of causing a significant environmental effect (State CEQA Guidelines Section 15061(b)(3)).

SECTION 2. Addition of Chapter

Chapter 10.05 of the Malibu Municipal Code is added to read as follows:

Chapter 10.05.

ENFORCEMENT ON PUBLICLY ACCESSIBLE PARKING FACILITIES

§ 10.05.010 Authorization

Pursuant to California Vehicle Code Section 21107.8, the City of Malibu authorizes the enforcement of traffic and parking laws on privately owned or publicly owned off-street parking facilities that are open to the public and designated in accordance with this Chapter.

§ 10.05.020 Applicability

A. Upon designation, the following shall apply within such facilities:
    a. Title 15 of the Traffic Code, as adopted by the City of Malibu; and
    b. The California Vehicle Code, as incorporated therein pursuant to Section 15.44.050.
    c. Title 10 of the Malibu Municipal Code

B. Such provisions shall be applicable and enforceable in the same manner as on public streets.

§ 10.05.030 Enforcement

A. The City of Malibu, including its parking enforcement officers and other authorized employees, and the Los Angeles County Sheriff's Department, are hereby authorized to enforce the provisions described in this Chapter within designated facilities.

B. Parking violations may be cited and enforced by City personnel in accordance with Chapter 10.12 (Parking Citation Procedure) of the Malibu Municipal Code.

C. Violations that constitute criminal offenses under the California Vehicle Code shall be enforced by peace officers in accordance with state law.

§ 10.05.040 Designation

A. This Chapter applies only to publicly owned, off-street parking facilities that are open to the public for vehicular travel or parking.

B. The City Manager, or designee, may designate such facilities for enforcement upon determining that enforcement will promote public safety and welfare.

§ 10.05.050 Signage

A. Enforcement shall occur only where signage is posted in accordance with California Vehicle Code Section 21107.8.

B. Signage shall be posted at vehicular entrances and maintained in a visible condition.

§ 10.05.060 Limitation

This Chapter shall not apply to property that is not open to the public for vehicular access.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions.

SECTION 4. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 5. The City Clerk shall certify the adoption of this ordinance.

PASSED, APPROVED AND ADOPTED this 14th day of September 2026.

_____
BRUCE SILVERSTEIN, Mayor

ATTEST:

_____
KELSEY PETTIJOHN, City Clerk
(seal)

Date: _____

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

_____
TREVOR RUSIN, Interim City Attorney

NOTICE OF PUBLIC HEARING
CITY OF MALIBU
CITY COUNCIL

The Malibu City Council will hold a public hearing on **MONDAY, August 24, 2026, at 5:30 p.m. on the item listed below in the Multi-purpose Room at Malibu City Hall, located at 23825 Stuart Ranch Road, Malibu, CA.**

Public comment can be submitted ahead of the public hearing in accordance with the City Council Rules of Procedure and Decorum and by following the procedures and deadlines published on the meeting agenda. To participate during the public hearing, please review the meeting agenda posted at MalibuCity.org/AgendaCenter and follow the directions for public participation.

OFF STREET PARKING ORDINANCE

IF YOU CHALLENGE THE CITY COUNCIL'S ACTION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR OTHERWISE HELD BY THE CITY, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY, EITHER AT OR PRIOR TO THE PUBLIC HEARING.

If there are any questions regarding this notice, please contact Susan Dueñas, Public Safety Director, at (310) 456-2489, ext. 313. Copies of all related documents can be reviewed by any interested person at City Hall during regular business hours.

Susan Dueñas
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Susan Dueñas, Public Safety Director

Publish Date: August 6, 2026