Amended[1] Malibu City Council
Regular Meeting Agenda

Monday, September 14, 2026

4:00 P.M. - CLOSED SESSION
City Hall – Council Chambers (call to order)
Westward Room (closed session)
23825 Stuart Ranch Road

5:30 P.M. – CITY COUNCIL REGULAR MEETING
City Hall – Council Chambers
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 additional Closed Session Item, addition of Consent Calendar Item Nos. 1.B.8. and 1.B.9., Old Business Item No. 6.A. and additional materials instructions for the amended agenda items.*

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 September 11, 2026. No additional materials will be accepted after this deadline 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.8., 1.B.9., and 6.A. until 12:00 p.m. on September 14, 2026.

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

Four p.m. Convene for Purpose of Closed Session

Call to Order – Mayor (Council Chambers)

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(d)(1). 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 – Existing litigation pursuant to Government Code Section 54956.9(d)(1):

1. City of Malibu v. Santa Monica Mountains Conservancy, et al., LASC Case No. 26SMCV02052

2. *Case Name: City's Petition to Form Malibu USD from Territory in the Santa Monica-Malibu USD*

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 – September 4, 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 79958-80111 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. 796 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $1,126,890.22. City of Malibu payroll ACH deposits were issued in the amount of $609,328.96.

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

3. Approval of Minutes

Recommended Action: Approve the minutes for the February 18, 2026 Special Meeting, the February 23, 2026 Regular Meeting, the March 9, 2026 Regular Meeting, the March 16, 2026 Special Meeting.

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

4. Award Encinal Canyon Road Storm Drain Repairs Project

Recommended Action: 1) Authorize the Mayor to execute an agreement with The Adjul Corporation dba Lee Construction Company (Lee Construction) in the amount of $476,508 for the construction of Encinal Canyon Road Storm Drain Repairs Project, Specification No. 2113; and 2) Authorize the Public Works Director to approve any potential change orders up to 20% of the contract amount.

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

5. Amendment to Agreement with Iris Consulting for Software Development and Systems Integration for Non-Fire Rebuild Projects

Recommended Action: Authorize the Mayor to execute Amendment No. 3 to the Professional Services Agreement with Iris Consulting for software development and system integration.

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

6. Civic Center Water Treatment Facility Phase 2 Update

Recommended Action: 1) Receive an update on the Civic Center Water Treatment Facility (CCWTF) Phase 2 project; 2) Approve the Draft Tentative Revised 2026 Memorandum of Understanding (MOU) between the City of Malibu and the Regional Water Quality Control Board; and 3) Direct staff to work with the Regional Water Quality Control Board on approval of the MOU.

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

7. Amendments to Professional Services Agreement for Contract Planning and Management Services for Non-Palisades Fire Rebuild Projects

   Recommended Action: 1) Authorize the Mayor to execute Amendment No. 1 to the professional services agreement with Casswell Consulting, Inc. for contract planning services; 2) Authorize the Mayor to execute Amendment No. 1 to the professional services agreement with California Coastal Works LLC for contract planning services; and 3) Authorize the Mayor to execute a professional services agreement with California Coastal Works LLC for management services.

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

8. Resolution Ratifying the Director of Emergency Services' Proclamation of Existence of a Local Emergency and Declaring the Same – Sea Level Drive Sinkhole

   Recommended Action: Adopt Resolution No. 26-62 confirming existence of a local emergency, and ratifying the proclamation of local emergency by the Director of Emergency Services as a result of a sinkhole and associated hazardous conditions along Sea Level Drive in the City of Malibu.

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

9. *Confirmation of the Director of Emergency Services Order Relating to the Sea Level Drive Sinkhole*

   Recommended Action: Confirm the Order of the Director of Emergency Services dated September 8, 2026, establishing a mandatory and immediate evacuation order for the western portion of Sea Level Drive beginning at 31615 Sea Level Drive until the end of the street, including residences on the north and south sides of the street.

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

2. Ceremonial/Presentations

A. Proclamation Declaring September 17-23, 2026 as Constitution Week

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 24, 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 28, 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

6. Old Business

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

A. Assessment District Formation for the PCH Wastewater Project

Recommended Action: Provide direction to staff to either: 1) continue with bifurcated formation of two Assessment Districts; or 2) to proceed with a single formation of an Assessment District to fund the Pacific Coast Highway (PCH) Wastewater Project.

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

7. New Business

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

A. Amend LCP and Zoning Code Interpretation LCP 24/Zoning Code No. 15 to remove Issue No. PF4 (which prohibits processing of SB9 applications within the VHFHSZ of the boundaries of the Palisades Fire)

Recommended Action: Adopt amended Zoning / Local Coastal Program (LCP) Interpretation Nos. 15 and 24 respectively (Rebuild Policies) removing Issue No. PF4 with an effective date of September 14, 2026.

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

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 11th day of September 2026 at 3:55 p.m.

Christina Muñoz, Deputy City Clerk