Second Amended[1] Malibu City Council Regular Meeting Agenda

Monday, October 26, 2026

4:30 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 the addition of Consent Calendar Item No. 1.B.8. and additional materials instructions for the amended agenda items. The first amended agenda added the Closed Session.*

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 October 23, 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 second amended agenda, written comments and audiovisual materials will be accepted on Item No. 1.B.8. until 12:00 p.m. on October 26, 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 (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. *Diamantidis v. California Coastal Commission, LASC Case No. 26STCP02893*

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 – October 16, 2026*; Amended Agenda posted October 22, 2026; Seconded Amended Agenda posted October 23, 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

1. Second Reading and Adoption of Ordinance No. 537

Recommended Action: Conduct second reading, unless waived, and adopt 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).

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

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 80406-80522 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. 799 in the amount of the warrant appearing opposite their names, for the purposes stated on the respective demands in a total amount of $4,684,127.34. City of Malibu payroll check number 5595-5597 and ACH deposits were issued in the amount of $647,055.25.

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

3. Approval of Minutes

Recommended Action: Approve the minutes for the May 11, 2026 Regular Meeting, the May 20, 2026 Special Meeting, and the May 26, 2026 Regular Meeting.

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

4. Amendment to Agreement with Southwest Offset Printing

Recommended Action: Authorize the Mayor to execute Amendment No. 3 with Southwest Offset Printing Co., Inc. for printing and mailing services of the Quarterly Recreation Guide and City Newsletter.

Staff Contact: Community Services Director Riesgo, 456-2489, ext. 350

5. Malibu Surf Legend Award

Recommended Action: 1) At the recommendation of the Parks and Recreation Commission, approve the nomination of Lyon Herron as the 2026 Malibu Surf Legend Award recipient; 2) Amend the award criteria to allow two award recipients, adding a posthumous award; and 3) Award Darryn Keaster as the second award recipient.

Staff Contact: Community Services Director Riesgo, 456-2489, ext. 350

6. Disposal of Surplus Audio/Visual Equipment

Recommended Action: Approve the disposal of surplus City equipment.

Staff Contact: Assistant to the City Manager Kajszo, 456-2489, ext. 224

7. Acceptance of Malibu Permanent Skate Park Project

Recommended Action: 1) Accept the work performed by C.S. Legacy Construction, Inc. for the Malibu Permanent Skate Park Project, Specification 2112, as complete; and 2) Authorize the Public Works Director to submit a Notice of Completion for recordation.

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

8. Declaration of Local Emergency Due to Tropical Storm Rachel

Recommended Action: Adopt Resolution No. 26-71 declaring the existence of a local emergency due to the impacts of Tropical Storm Rachel.

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

2. Ceremonial/Presentations

A. Presentation of a Commendation to the Veterans Day Committee

B. Presentation of City Tile to Yolanda Bundy for Seven Years of Service to the City of Malibu

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.

None.

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. City Hall Solar Power Project

Recommended Action: 1) Receive an update from staff and a presentation from the Clean Power Alliance on the Power Ready Round 2 Program and the proposed City Hall Solar and Battery Energy Storage Project; and 2) Direct staff to continue coordination with Clean Power Alliance to advance the project.

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

B. Capital Improvement Program (CIP) Overview

Recommended Action: Receive the Capital Improvement Program (CIP) Overview and presentation.

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

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.

A. Proposed 2027 Calendar of City Council Meetings

Recommended Action: Approve the proposed 2027 Calendar of City Council Meetings.

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

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 23rd day of October 2026 at 2:45 p.m.

Kelsey Pettijohn, City Clerk