



City of Malibu

MEMORANDUM

To: Mayor Grisanti and the Honorable Members of the City Council, City Manager, City Attorney, Department Heads, City Employees, KBUU, Malibu Patch, Malibu Surfside News, and The Malibu Times

From: Kelsey Pettijohn, City Clerk

Date: September 15, 2021

Re: Actions from the September 13, 2021 Malibu City Council Special and Regular meetings

At the City Council Special meeting on Monday, September 13, 2021, the Council took the actions listed below with follow-up by various staff members shown in parentheses:

- 1) 1) Introduced on first reading Ordinance No. 492 amending sections 9.08.030 (Sitting or lying on public ways) and 9.08.090 (Camping, lodging, sleeping overnight on public property) of the Malibu Municipal Code (MMC), enacting amended and supplemental camping regulation as Chapter 8.36 of Title 8 of the MMC; and finding the same exempt from the provisions of the California Environmental Quality Act; and 2) directed staff to schedule second reading and adoption of Ordinance No. 492 for the September 27, 2021 Regular City Council Meeting (City Clerk)
- 2) 1) Authorized the purchase and installation of nine Automatic License Plate Readers for use by the Sheriff's Department, as recommended by the Public Safety Commission; 2) appropriated \$26,000 from the General Fund Undesignated Reserve to Account No. 100-7031-7800-00 (Public Safety Services – Other Equipment); and 3) directed staff to bring back a policy for management, capture and use of the Automatic License Plate Readers system within 30 days (Public Safety)
- 3) Approved the request from the Malibu Arts Association to waive facility use fees, staffing costs, and permit fees for five Art Show events at Legacy Park (Community Services)
- 4) Adjourned in honor of Alverico Perez (City Clerk)

At the City Council Regular meeting on Monday, September 13, 2021, the Council took the actions listed below with follow-up by various staff members shown in parentheses:

- 1) Received an update on School District Separation
- 2) Allowed and approved warrant demand numbers 63942-64100 listed 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. 688 in the amount of the warrant appearing opposite their

names, for the purposes stated on the respective demands in a total amount of \$1,803,674.21. City of Malibu payroll check numbers 5184-5187 and ACH deposits were issued in the amount of \$449,355.00 (Administration)

- 3) Approved the minutes for the February 11, 2021 Malibu City Council Special meeting and the February 24, 2021 Malibu City Council Adjourned Regular Meeting (City Clerk)
- 4) Authorized the Mayor to execute a three-year Professional Services Agreement with Azur CART & Captioning for remote closed captioning services in an amount not to exceed \$80,000 (Administration)
- 5) Authorized the Mayor to execute the Measure R Funding Agreement Amendment for the Pacific Coast Highway Signal Synchronization Project (Public Works)
- 6) Authorized the Mayor to execute a Professional Services Agreement with American Guard Services, Inc. to provide crossing guard services for Malibu High School, Malibu Elementary School, and City events (Public Works)
- 7) 1) Accepted the work performed by GMZ Engineering Inc. for the Civic Center Way Improvements Project, Specification No. 2060 as complete; and 2) authorized the Public Works Director to submit for recordation a Notice of Completion (Public Works)
- 8) Continued to a date uncertain consideration to the amendment to the agreement with Environmental Science Associates for a Coastal Vulnerability Assessment (Environmental Sustainability)
- 9) Authorized the Interim City Manager to execute a License Agreement between the City and Southern California Edison for the rental of the Michael Landon Center at Malibu Bluffs Park for use as a Community Resource Center in the event of a Public Safety Power Shutoff (Public Safety)
- 10) Authorized the Mayor to execute an agreement with Newbury Park Tree Services INC. for hazard tree removal services (Public Safety)
- 11) Authorized the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Managed Career Solutions, Social Purpose Corporation, DBA Managed Career Solutions Rehab & FTI-LA & American Medical Careers to continue trail clearance and remediation work at Charmlee Wilderness Park (Community Services)
- 12) Continued Appeal No. 21-002 - Appeal of Planning Commission Resolution No. 21-01 (20272 Inland Lane; Appellant: Hak Wong; Applicant: Johnathen Day; Property Owner: The Jonathan L. Congdon Revocable Trust) to the October 11, 2021 Regular City Council meeting (Planning)
- 13) 1) Adopted Resolution No. 21-45, as amended to: a) revise Condition 30 to replace "certificate of compliance" with "certificate of occupancy or provides a cash bond to the City ensuring completion of the work within two years of the issuance of the certificate of occupancy"; b) revise Conditional Use Permit Finding 7 to allow the City's Traffic Engineer to determine how the existing driveways will be used; c) replace Condition 52 to add "All vehicles other than vehicles owned by hotel staff shall be by valet parked"; and d) revise

Condition 44 to add “except no temporary use permit is required if the occupancy on the property does not exceed the number of guests at the hotel, up to 90 guests, and (if the restaurant is closed to the public) the occupancy allowed at the restaurant”, for the adoption of Initial Study No. 21-001 and Mitigated Negative Declaration No. 21-001 prepared for the project pursuant to the California Environmental Quality Act and approval of Coastal Development Permit No. 17-086, Conditional Use Permit No. 21-001, Lot Merger No. 20-002, and Demolition Permit No. 20-19 to change the land use designation of the properties from Community Commercial (CC) to Commercial Visitor Serving-2 (CV-2) and a new 26,734 square foot, 39-room hotel, involving the remodel of an existing four-story, 15,392 square foot commercial building and a 9,500 square foot parking level at 22741 Pacific Coast Highway (PCH) and construction of a new two-story, 11,342 square foot addition plus a basement on an adjacent parcel at 22729 PCH, and authorizing the Planning Director to submit a letter of public convenience or necessity for the use. The project includes a restaurant/bar, spa, rooftop deck, swimming pool, new surface parking lot, hardscape, landscaping, grading, retaining wall, lighting, utilities, and an upgrade and expansion of the existing onsite wastewater treatment system and associated lot merger of the two involved in the CC zoning district at 22741 and 22729 Pacific Coast Highway (Grey Granite, LLC; Las Tunas Beach, LLC; and Sea View Terrace, LLC).

2) Adopted Resolution No. 21-46 for approval of General Plan Amendment No. 21-001 and General Plan Map Amendment No. 17-002.

3) Introduced on first reading Ordinance No. 491 for Local Coastal Program Amendment No. 16-006, Zoning Map Amendment No. 17-002, Zoning Text Amendment No. 20-001, and Development Agreement No. 21-001, as amended to: a) replace the Sea View Hotel Overlay District and Zoning District maps to include a third parcel to the north and to remove the Overlay District from the Zoning District map; b) replace in Section 3.4.6(D) to read “\$800,000” instead of “\$400,000”; c) to add “There is no impediment in creating two additional rooms by splitting two of the large rooms subject to a joint use parking agreement for additional offsite parking spaces, a conditional use permit amendment and any other entitlements required,” and d) add the Attorneys’ Fees provision originally included in the draft development agreement present at the August 9, 2021 Regular City Council meeting, to rezone the properties from Community Commercial (CC) to Commercial Visitor Serving-Two (CV-2), a new Sea View Hotel Overlay District with associated development standards, including the proposed floor area ratio of 0.52 for the public benefits provided by the project for the Sea View Hotel Overlay District.

4) Directed staff to schedule second reading and adoption of Ordinance No. 491 for the September 27, 2021 Regular City Council meeting (Planning)

14)1) Introduced on first reading Ordinance No. 493 determining the project is categorically exempt from the California Environmental Quality Act and amending Section 10.19.020 of Chapter 10.19 (Overnight Parking), Title 10 (Vehicles and Traffic) of the Malibu Municipal Code to prohibit parking on the west side of Trancas Canyon Road between Pacific Coast Highway and Tapia Drive between the hours of 12:00 am and 3:00 am daily; and 2) directed staff to schedule the second reading and adoption of Ordinance No. 493 for the September 27, 2021 Regular City Council meeting (Planning)

15)Received an update on the current State and County public health regulations (City Manager)

16) Designated Councilmember Farrer as the Alternate Voting Delegate for the League of California Cities 2021 Annual Conference scheduled for September 22-24, 2021 in Sacramento (City Manager)

17) Adjourned in honor of Alverico Perez (City Clerk)