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May 28, 2025

VIA ELECTRONIC MAIL

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Kristen Rogers
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Re: City of Malibu's Petition to Form Malibu Unified School District

Dear Ms. Cervera and Ms. Rogers:

The City of Malibu ("City") writes briefly to respond to both legal counsels for Santa Monica-Malibu Unified School District's ("District").

The County Committee on School District Organization ("County Committee") set a vote on the City's Petition on the County Committee's agenda for a May 29, 2025, meeting. As a result, the City intends to take full advantage of the opportunity to provide comment on that item, a right provided by the Brown Act. (See Gov. Code, 54954.3, subd. (a) [“ Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body’s consideration of the item, that is within the subject matter jurisdiction of the legislative body.”].) Since it is the County Committee's position that no vote has been taken on a motion to grant or deny the City's Petition, the City will take the opportunity to inform the members of the County Committee that the record evidence supports granting the petition.

Separately, please confirm whether the County Committee intends to permit the Parties an opportunity to present during the committee's consideration of the above-agenda item so that the City, as the Petitioner, can appropriately prepare.

Additionally, while any discussion of a purported "record" is premature because the County is taking the position that the County Committee has not yet voted on the City's Petition, we do note that any future administrative record would include all documents and statements presented to the County Committee up to and until the County Committee votes on the City's

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Petition. (See Code Civ. Proc., § 1094.6, subd. (c) [“Such record shall include the transcript of the proceedings, all pleadings, all notices and orders, any proposed decision by a hearing officer, the final decision, all admitted exhibits, all rejected exhibits in the possession of the local agency or its commission, board, officer, or agent, all written evidence, and any other papers in the case”]; see also *Manderson-Saleh v. Regents of University of California* (2021) 60 Cal.App.5th 674, 694.)

We look forward to the County Committee’s vote on the City’s Petition, which—if granted—will undoubtedly benefit students in the City and further the State of California’s constitutional policy of providing a free and fair education to all California students.

Sincerely,

A handwritten signature in blue ink that appears to read "Wood".

Christine N. Wood
of BEST BEST & KRIEGER LLP

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