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**HOW TO VIEW THE MEETING:** No physical location from which members of the public may observe the meeting and offer public comment will be provided. Please view the meeting, which will be live streamed at <https://malibucity.org/video> and <https://malibucity.org/VirtualMeeting>.

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**Malibu City Council**  
**Environmental Sustainability Subcommittee**  
**Special Meeting Amended<sup>1</sup> Agenda**  
**(to be held during COVID-19 emergency)**

***Thursday, March 25, 2021***

**10:00 A.M.**

**Various Teleconference Locations**

**YOU MAY VIEW THIS MEETING LIVE OVER THE INTERNET AT**  
**[MALIBUCITY.ORG/VIDEO](https://malibucity.org/video)**

**Mayor Mikke Pierson**  
**Councilmember Steve Uhring**

**Call to Order**

**Approval of Agenda**

**Report on Posting of the Agenda** – March 19, 2021, *March 20, 2021*

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<sup>1</sup> See corrected meeting day and revised County Order date

1. **Presentations**

None.

2. **Old Business**

None.

3. **New Business**

A. Approval of Minutes – November 14, 2019

Recommended Action: Approve the minutes for the Environmental Sustainability Subcommittee Special meeting of November 14, 2019.

Staff Contact: Executive Assistant Linden, 456-2489, ext. 232

B. Environmental Programs Update

Recommended Action: Receive and file a presentation on the Environmental Programs activities and provide feedback to staff.

Staff contact: Environmental Sustainability Analyst Shen, 456-2489, ext. 376

**Adjournment**

*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. Special meeting agendas may be amended up to 24 hours in advance of the meeting. Dated this 20<sup>th</sup> day of March 2021, at 2:15 p.m.*



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Mary Linden, Executive Assistant



# Environmental Sustainability Subcommittee Agenda Report

Environmental  
Sustainability  
Subcommittee  
Special Meeting  
03-25-21

## **Item 3.A.**

To: Councilmember Peak and Councilmember Wagner

Prepared by: Mary Linden, Executive Assistant

Approved by: Reva Feldman, City Manager

Date prepared: March 17, 2021

Meeting date: March 25, 2021

Subject: Approval of Minutes – November 14, 2019

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**RECOMMENDED ACTION:** Approve the minutes of the Environmental Sustainability Subcommittee Special meeting of November 14, 2019.

**DISCUSSION:** Staff has prepared draft minutes for the Environmental Sustainability Subcommittee Special meeting of November 14, 2019 and hereby submits the minutes to the Subcommittee for approval.

**ATTACHMENTS:** Draft Minutes of the November 14, 2019 Environmental Sustainability Subcommittee Special meeting

MINUTES  
ENVIRONMENTAL SUSTAINABILITY SUBCOMMITTEE  
SPECIAL MEETING  
NOVEMBER 14, 2019  
MULTI-PURPOSE ROOM  
2:00 P.M.

CALL TO ORDER

Councilmember Peak called the meeting to order at 2:02 p.m.

ROLL CALL

The following persons were recorded in attendance by the Recording Secretary:

PRESENT: Councilmember Skylar Peak and Councilmember Jefferson Wagner

ALSO PRESENT: Environmental Sustainability Director Yolanda Bundy; Environmental Sustainability Manager Andrew Sheldon; Environmental Sustainability Analyst Christine Shen; and Administrative Assistant Rebecca Nelson-Brown

APPROVAL OF AGENDA

MOTION Councilmember Wagner moved and Councilmember Peak seconded a motion to approve the agenda. The motion carried unanimously.

REPORT ON POSTING OF AGENDA

Administrative Assistant Nelson-Brown reported that the agenda for the meeting was properly posted on November 7, 2019.

PUBLIC COMMENT

None.

PRESENTATIONS

- A. The Bay Foundation's Presentation on Malibu Living Shoreline Project at Zuma and Westward Beaches

Karina Johnston, The Bay Foundation, provided the presentation.

DISCUSSION ITEMS

1. Approval of Minutes – October 14, 2019  
Staff recommendation: Approve the minutes of the Environmental Sustainability Subcommittee Special meeting of October 14, 2019.

MOTION Councilmember Wagner moved and Councilmember Peak seconded a motion to approve the minutes of the Environmental Sustainability Subcommittee Special meeting of October 14, 2019. The motion carried unanimously.

2. Enhanced Dumpster Enforcement Program Update and Locking Bin Ordinance

Recommended Action: 1) Receive a report on the Enhanced Dumpster Enforcement Program to address the issue of sanitary conditions in and around trash enclosure areas; and 2) Provide a recommendation to the City Council on adopting an ordinance amending Chapter 8.32 of the Malibu Municipal Code (MMC) to require locking lids on dumpster bins at all times for commercial solid waste, organic waste, and recycling.

Environmental Sustainability Analyst Shen presented the report. She discussed Council direction for a locking lid ordinance, new ordinance language, the ordinance's impacts to businesses, and the Fiscal Year 2019-2020 Work Plan. She also reported on the Enhanced Dumpster Enforcement Program, including outreach activities and Clean Bay Restaurant inspection results.

Kian Schulman stated she supported the locking bin ordinance. She stated haulers need to make an additional effort to keep trash areas sanitary. She discussed innovative bin mechanisms seen in Europe.

Gabriel Chavez, Universal Waste Systems, stated that locking bins would not be enough without Best Management Practices. He noted that this issue and the Enhanced Dumpster Enforcement Program had brought two competing haulers together to find a solution. He stated more outreach was the answer, rather than requiring locking bins.

Marie Zweig stated that, as an employee at the High School, locking bins were not feasible on campus. She suggested spending the estimated 60 hours of staff time on education and training rather than the locking lid ordinance.

Mike Smith, Waste Management, stated he agreed the need was for a solution other than locking bins. He discussed various difficulties in other cities that his drivers encountered, including broken and missing locks, extra time spent photographing the sites, and the cost of maintaining the bins. He asked the Subcommittee if he could show them a prototype bin lid that may solve the problem without requiring locking bins.

Councilmembers Wagner and Peak agreed to see the new lid.

Mike Smith presented the lid and discussed the benefits.

Councilmember Wagner asked if this type of lid was currently in use.

Mike Smith stated it was not currently being used in California. He stated the lid prototype was used in Alaska to address the problem of bears rummaging through trash. He stated the cost of this type of lid was approximately three times that of the commonly found two-piece lid.

James Robertson, Nobu Restaurant, stated locking bins would be a terrible inconvenience. He discussed the struggle with trash issues onsite being near a public beach access and next to another business that hosted large parties. He suggested working with the current code rather than making all businesses install locking bins.

In response to Mr. Robertson, Councilmember Wagner stated he would prefer penalizing the bad businesses instead of punishing good businesses that handled their trash properly.

Councilmember Peak asked how many enforcement actions related to dumpster areas had been taken.

Environmental Sustainability Analyst Shen stated 10 Notices to Comply had been issued, two shopping centers were referred to Code Enforcement, and one fine was issued to a business.

Ryan Embree agreed the new bin lid might work. He discussed the organic waste mandate and wondered whether the organic bins were color-coded. He discussed the issue of bins being left out on the curb and asked if there were rules regarding that practice.

Councilmember Wagner stated both the County and the City had specific times that trash bins were allowed out in the public right-of-way.

Councilmember Peak stated it was his intention to get this before Council for discussion as soon as possible.

Environmental Sustainability Director Bundy read the MMC sections that were already in place regarding locking bins. She asked for clarification on what the Subcommittee would like staff to present to Council.

MOTION Councilmember Peak moved and Councilmember Wagner seconded a motion to request that staff present City Council with two options: 1) to

amend Malibu Municipal Code Chapter 8.32 specifying the process for the City to require locking bins for commercial businesses with solid waste violations; or 2) to adopt a locking bin ordinance for all commercial businesses at all times. The motion carried unanimously.

**ADJOURNMENT**

**MOTION** At 3:11 p.m., Councilmember Peak moved and Councilmember Wagner seconded a motion to adjourn the meeting. The motion carried unanimously.

Approved and adopted by the Environmental Sustainability Subcommittee of the City of Malibu on \_\_\_\_\_.

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MIKKE PIERSON, Mayor

ATTEST:

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MARY LINDEN, Executive Assistant



# Environmental Sustainability Subcommittee Agenda Report

Environmental  
Sustainability  
Subcommittee  
Special Meeting  
03-25-21

## Item 3.B.

To: Mayor Pierson and Councilmember Uhring

Prepared by: Christine Shen, Environmental Sustainability Analyst

Reviewed by: Yolanda Bundy, Environmental Sustainability Director

Approved by: Reva Feldman, City Manager

Date prepared: March 18, 2021 Meeting date: March 25, 2021

Subject: Environmental Programs Update

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**RECOMMENDED ACTION:** Receive and file a presentation on the Environmental Programs activities and provide feedback to staff.

**WORK PLAN:** This item includes projects in the Adopted Work Plan for Fiscal Year 2020-2021.

**DISCUSSION:** The Adopted Work Plan for Fiscal Year 2020-2021 includes the following Environmental Programs tasks:

- Dark Sky Ordinance implementation (4.j.)
- Civic Center Water Treatment Facility (5.a.)
- Sustainability outreach (5.c.)
- Clean water monitoring program (5.d.)
- Clean water regulations compliance (5.e.)
- Water and energy conservation (5.f.)
- Solid waste management program enhancements (5.g.)
- Coastal vulnerability assessment (5.i.)
- Clean Power Alliance (5.k.)
- Dumpster Lid Ordinance Implementation and Enforcement (5.o.)
- Stormwater Treatment Facilities (8.d.)

Environmental Programs staff will provide a presentation that will detail the City's current environmental program activities, including other tasks, such as ensuring the City's



compliance with State and Regional requirements, that are ongoing and part of normal staff operations.

ATTACHMENTS: None.