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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>.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence to mlinden@malibucity.org before the meeting begins.

HOW TO PARTICIPATE DURING THE MEETING: Members of the public may also speak during the meeting through the Zoom application. You must first sign up to speak before the item you would like to speak on has been called and then you must be present in the Zoom conference to be recognized.

Please visit <https://malibucity.org/VirtualMeeting> and follow the directions for signing up to speak and to download the Zoom application.

Malibu City Council
Environmental Sustainability Subcommittee
Special Meeting Agenda
(to be held during COVID-19 emergency)

Thursday, February 23, 2023

1:00 P.M.

Various Teleconference Locations

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

Mayor Pro Tem Steve Uhring
Councilmember Marianne Riggins

Call to Order

Approval of Agenda

Report on Posting of the Agenda – February 16, 2023

1. Presentations / Staff Updates

None.

2. **Old Business**

None.

3. **New Business**

A. **Approval of Minutes – May 23, 2022**

Recommended Action: Approve minutes for the Environmental Sustainability Subcommittee Special meeting of May 23, 2022.

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.

Staff contact: Environmental Programs Manager Rossine, 456-2489, ext. 274

C. **Dark Sky Program Update**

Recommended Action: Receive an update on enforcement of the City's Dark Sky Ordinance.

Staff contact: Environmental Programs Manager Rossine, 456-2489, ext. 274

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 16th day of February 2023, at 3:30 p.m.



Mary Linden, Executive Assistant



Environmental Sustainability Subcommittee Agenda Report

Environmental
Sustainability
Subcommittee
Special Meeting
02-23-23

Item 3.A.

To: Mayor Pro Tem Uhring and Councilmember Riggins

Prepared by: Mary Linden, Executive Assistant

Reviewed by: Yolanda Bundy, Environmental Sustainability Director

Approved by: Steve McClary, City Manager

Date prepared: February 14, 2023 Meeting date: February 23, 2023

Subject: Approval of Minutes – May 23, 2022

RECOMMENDED ACTION: Approve minutes for the Environmental Sustainability Subcommittee Special meeting of May 23, 2022.

DISCUSSION: Staff has prepared draft minutes for the Environmental Sustainability Subcommittee Special meeting of May 23, 2022 and hereby submits the minutes to the Subcommittee for approval.

ATTACHMENTS: Draft May 23, 2022 Environmental Sustainability Subcommittee Special Meeting Minutes

MINUTES
ENVIRONMENTAL SUSTAINABILITY SUBCOMMITTEE
SPECIAL MEETING
MAY 23, 2022
TELECONFERENCED - VARIOUS LOCATIONS
10:00 A.M.

The following meeting was held pursuant to AB 361 and fully teleconferenced from various locations during the coronavirus disease (COVID-19) pandemic.

CALL TO ORDER

Councilmember Pierson called the meeting to order at 10:00 a.m.

ROLL CALL

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

PRESENT: Councilmember Mikke Pierson and Councilmember Steve Uhring

ALSO PRESENT: City Manager Steve McClary; Environmental Sustainability Director Yolanda Bundy; Senior Environmental Programs Coordinator Shen; Environmental Programs Coordinator Mark Johnson; Administrative Analyst Tracey Rossine; Media Technician Parker Davis; and Executive Assistant Mary Linden

APPROVAL OF AGENDA

MOTION Councilmember Uhring moved, and Councilmember Pierson seconded a motion to approve the agenda. The question was called, and the motion carried unanimously.

REPORT ON POSTING OF AGENDA

Executive Assistant Linden reported that the agenda for the meeting was properly posted on May 17, 2022.

ITEM 1 PRESENTATIONS / STAFF UPDATES

None.

ITEM 2 OLD BUSINESS

None.

ITEM 3 NEW BUSINESS

A. Approval of Minutes – June 9, 2021

Recommended Action: Approve minutes for the Environmental Sustainability Subcommittee Special meeting of June 9, 2021.

MOTION Councilmember Uhring moved, and Councilmember Pierson seconded a motion to approve the minutes for the Environmental Sustainability Subcommittee Special meeting of June 9, 2021. The question was called, and the motion carried unanimously.

B. Environmental Programs Update

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

Environmental Sustainability Director Bundy introduced the item. Senior Environmental Programs Coordinator Shen, Environmental Programs Coordinator Johnson, and Environmental Sustainability Director Bundy provided a presentation for the report.

In response to Councilmember Uhring, Senior Environmental Programs Coordinator Shen stated Southern California Edison (SCE) was working with Public Works and Caltrans staff regarding upgrades to streetlights to comply with the City's Dark Sky ordinance.

Councilmember Uhring stated Sycamore Farms consistently commended Environmental Programs Coordinator Johnson for his assistance and professionalism. In response to Councilmember Uhring, Environmental Programs Coordinator Johnson confirmed the La Paz project had a discharge agreement with the Los Angeles County Regional Water Quality Control Board and provided the City with regular updates. Councilmember Uhring asked if the sewer had reduced nitrogen levels in Malibu Creek and Malibu Lagoon. Environmental Programs Coordinator Johnson explained the monitoring conducted for the Civic Center Water Treatment Facility (CCWTF). He stated there had been no significant reductions to date.

Environmental Sustainability Director Bundy stated Rincon Consultants assisted with the testing and monitoring.

Councilmember Uhring stated SB 1383 compliance was a daunting task.

In response to Councilmember Pierson, Senior Environmental Programs Coordinator Shen stated Universal Waste had a new facility that separated the materials.

Environmental Sustainability Director Bundy stated the City received a grant to help fund implementation of the program. She stated the City was considering purchasing separate containers for residents to manage their organic waste. She discussed requirements for the City to report to the State.

In response to Councilmember Pierson, Senior Environmental Programs Coordinator Shen stated the next e-waste collection event was scheduled for June 18, 2022.

Councilmember Uhring commended staff for working with Pepperdine. He stated Pepperdine was working to become the first Dark Sky university in the country. He questioned how owners of second homes or short-term rentals could be educated about recycling and organics waste requirements.

In response to Environmental Sustainability Director Bundy, Councilmember Uhring stated he would provide contacts for the Pepperdine Dark Sky programs.

Councilmember Uhring discussed compliance with the Dark Sky ordinance. He stated he would provide staff with a contact at a local business who offered his assistance. He stated Pepperdine students were a good resource for Dark Sky assistance.

In response to Councilmember Uhring, Environmental Sustainability Director Bundy stated enforcement of the pesticides ordinance was managed by the Planning Department.

In response to Councilmember Pierson, Environmental Sustainability Director Bundy discussed the procedures for signing off on Dark Sky applications. Councilmember Pierson suggested pre-certifying local electricians. He discussed the overwhelming Code Enforcement workload.

Environmental Sustainability Director Bundy stated an item regarding funding for consultant services would be presented at tonight's City Council meeting. She discussed proposed restructuring of the Environmental Sustainability Department. She commended staff from other departments who assisted with this presentation.

Councilmember Uhring commended staff for the job done with minimal resources. He wished Senior Environmental Programs Coordinator Shen good luck in her new endeavors.

Environmental Sustainability Director Bundy stated the presentation would be posted to the City website.

City Manager McClary commended the Environmental Programs team.

ADJOURNMENT

MOTION At 11:06 a.m., Councilmember Pierson moved and Councilmember Uhring seconded a motion to adjourn the meeting. The question was called, and the motion carried unanimously.

Approved and adopted by the Environmental Sustainability Subcommittee of the City of Malibu on _____, 2022.

MIKKE PIERSON, Councilmember

ATTEST:

MARY LINDEN, Executive Assistant



Environmental Sustainability Subcommittee Agenda Report

Environmental
Sustainability
Subcommittee
Special Meeting
02-23-23

Item 3.B.

To: Mayor Pro Tem Uhring and Councilmember Riggins

Prepared by: Tracey Rossine, Environmental Programs Manager

Reviewed by: Yolanda Bundy, Environmental Sustainability Director

Approved by: Steve McClary, City Manager

Date prepared: February 13, 2023 Meeting date: February 23, 2023

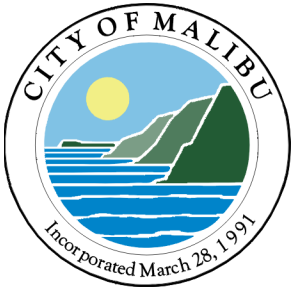
Subject: Environmental Programs Update

RECOMMENDED ACTION: Receive and file a presentation on the Environmental Programs activities.

WORK PLAN: This item includes projects included in the Adopted Work Plan for Fiscal Year 2022-2023.

DISCUSSION: Environmental Programs staff will provide a presentation that will detail the City's current environmental program activities, including energy, water conservation, pollution prevention, waste reduction, coastal, and events and outreach. Although some projects have been added to the Adopted Work Plan, other assignments are ongoing and part of normal staff operations. The Adopted Work Plan for Fiscal Year 2022-2023 included the following tasks: Dark Sky implementation, Clean Power Alliance, clean water, coastal vulnerability assessment, dumpster locking lid enforcement, and compliance with State and Regional requirements.

ATTACHMENTS: None.



Environmental Sustainability Subcommittee Agenda Report

Environmental
Sustainability
Subcommittee
Special Meeting
02-23-23

Item 3.C.

To: Mayor Pro Tem Uhring and Councilmember Riggins

Prepared by: Tracey Rossine, Environmental Programs Manager

Reviewed by: Yolanda Bundy, Environmental Sustainability Director / Building Official

Approved by: Steve McClary, City Manager

Date prepared: February 13, 2023 Meeting date: February 23, 2023

Subject: Dark Sky Program Update

RECOMMENDED ACTION: Receive an update on enforcement of the City's Dark Sky Ordinance.

WORK PLAN: This item was included as Item 5.I. in the Adopted Work Plan for Fiscal Year 2022-2023.

DISCUSSION: The City's Dark Sky Ordinance (Dark Sky) is contained in Malibu Municipal Code Chapter 17.41 and became effective on October 15, 2018. Dark Sky is meant to protect Malibu's environment and community quality of life from light pollution. On January 13, 2022, the City Council amended the Dark Sky compliance deadlines for all zoning districts, except for parcels with service stations. The deadlines are as follows:

- October 15, 2019 - Outdoor lighting at gas station properties
- October 15, 2022 - Outdoor lighting in commercial and residential zones

Gas Stations

In 2019, City staff began working with the owners of gas station properties. Only one of six service stations has demonstrated full compliance (Chevron located at 23670 Pacific Coast Highway). The remaining five service stations have submitted Planning applications. All five have shown they can comply with every aspect of Dark Sky except for the light trespass requirement along property lines that are adjacent to the public right-of-way. On August 22, 2022, City Council again amended Dark Sky to allow a light

trespass limit for commercially and institutionally zoned properties onto the public right-of-way. This will not conflict with the intent of Dark Sky as the public rights-of-way are already lit with streetlights that have a higher luminosity than the anticipated light trespass from the adjacent properties.

Outreach Efforts

In 2022, staff developed an outreach and educational plan to inform businesses and the public about these regulations. The goal was to draw attention to the October 15 deadline.

- Virtual Meetings: The City hosted four virtual presentations for Commercial and Residential property owners.
- Website: Planning applications, checklists, requirements by zoning district, and contact information is available at www.malibucity.org/DarkSky.
- Electronic Notifications: Multiple social media posts (Facebook, Twitter, Instagram, and NextDoor) and e-notifications via email/text were sent.
- Print Advertising: Two banners were posted in high-visibility locations and Program information was advertised in The Malibu Times.
- Handouts: Manta Publications designed posters, and staff distributed them to post offices, grocery stores, schools, and City facilities. Postcards were also mailed to all businesses and residents.

Program Summary

The Dark Sky Program is intended to protect the community through effective lighting policies and environmentally responsible outdoor lighting. Staff also conducted four virtual community workshops for commercial and residential sectors. To date, the City has issued 21 electrical (Dark Sky) permits, eight of which are completed.

In January 2023, staff submitted Dark Sky for award consideration to: 1) Southern California Association of Governments (SCAG) for the Plan, Policy, and Program category; and 2) American Planning Association for the Community-Wide Program category. These awards are for projects that go above and beyond the requirements for natural resource conservation and city beautification.

Staff will continue outreach efforts since the goal of the Dark Sky Program is to preserve Malibu's rural appeal and to protect local wildlife from light pollution. Additionally, staff's approach to enforcement focuses on education and will include site visits and a tiered structure for notice of violations.

ATTACHMENTS: None.