MINUTES OF A
REGULAR MEETING OF THE
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA
MONDAY, JUNE 14, 2021

1. CALL TO ORDER

The City Council of the City of Rolling Hills met via Zoom Teleconference on the above date at 7:02 PM.

Mayor Bea Dieringer presiding.

2. ROLL CALL

Present:	Mayor Dieringer, Pieper, Mirsch and Wilson.
Absent:	Mayor Pro Tem Black.
Staff Present:	Elaine Jeng, City Manager
	Meredith Elguira, Planning and Community Services Director
	Janely Sandoval, City Clerk
	Ashford Ball, Senior Management Analyst
	Michael Jenkins, City Attorney
	Terry Shea, Finance Director
	Barry Miller, Housing Consultant
	Larry Hall, Appellant Lawyer
	Vincent DiBiasi, Appellant Architect
	Jeff Lewis, Applicant Lawyer
	Alan Palermo, Project Manager
	Cris Sarabia, Palos Verdes Land Conservancy Conservation Director

3. OPEN AGENDA PUBLIC COMMENT WELCOME

Resident Alfred Visco, 15 Clinchring Road, commented on the status on acquiring communication devices for the Block Captains.

4. CITY COUNCIL MINUTES

4A REGULAR MEETING OF MAY 24, 2021

The City Council waited briefly for Mayor Pro Tem Black to join the meeting. The item on City Council meeting minutes was presented out of order.

City Clerk Janely Sandoval presented minor edits to the minutes requested by Mayor Dieringer.

MOTION: Councilmember Pieper motioned to approve the minutes as amended and Councilmember Wilson seconded the motion.

AYES:	COUNCILMEMBERS:	Mayor Dieringer, Pieper, Mirsch, and Wilson.
NOES:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS:	None.

5. CONSENT CALENDAR

5A PAYMENT OF BILLS

5B RECEIVE AND FILE A REQUEST FOR PROPOSAL TO PROVIDE ENVIRONMENTAL ASSESSMENT FOR THE VEGETATION MANAGEMENT IN THE CANYONS GRANT PROJECT.

5C APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENGINEERING TO CONDUCT A SEWER FEASIBILITY STUDY (PHASE III) ON CONNECTIONS TO THE PROPOSED 8" SEWER MAIN ALONG PORTUGUESE BEND ROAD/ ROLLING HILLS ROAD.

MOTION: Councilmember Pieper motioned to approve the consent items and Councilmember Wilson seconded the motion.

AYES:	COUNCILMEMBERS:	Mayor Dieringer, Pieper, Mirsch and Wilson
NOES:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS:	None.

6. COMMISSION ITEMS

None.

7. PUBLIC HEARINGS

7A CONSIDER AND APPROVE RESOLUTION 1276 TO CREATE ASSESSMENT DISTRICT FOR CREST ROAD EAST UNDERGROUNDING PROJECT.

Planning and Community Services Director Meredith Elguira provided a summary of the proposed resolution.

Councilmember Mirsch asked about the fiscal impact on the Rule 20A work credits and if the residents know that they are responsible for undergrounding their service line.

Planning and Community Services Director Elguira provided an explanation of the Rule 20 work credits and noted that the grant will cover the property owners' service lines.

MOTION: Councilmember Mirsch moved to approve Resolution No. 1276 to create the underground utility district and Councilmember Wilson seconded the motion.

AYES:	COUNCILMEMBERS: Mayor Dieringer, Pieper, Mirsch and Wilson
NOES:	COUNCILMEMBERS: None.
ABSENT:	COUNCILMEMBERS: Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS: None.

7B CONSIDER AND APPROVE RESOLUTION NO. 1277 OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ADOPTING AMENDMENTS TO THE 2014-2021 ROLLING HILLS HOUSING ELEMENT. A NEGATIVE DECLARATION WAS PREVIOUSLY PREPARED, ADOPTED, AND FILED FOR THIS PROJECT.

Housing Consultant Barry Miller provided summary of project and final edits to the City's Housing Element.

Discussion ensued between Councilmembers and Housing Consultant Miller on clarifications to the final Housing Element.

MOTION: Councilmember Pieper motioned to approve as presented and Councilmember Wilson seconded the motion.

AYES:	COUNCILMEMBERS: Mayor Dieringer, Pieper, Mirsch and Wilson
NOES:	COUNCILMEMBERS: None.
ABSENT:	COUNCILMEMBERS: Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS: None.

7C CONSIDER APPROVAL OF RESOLUTION NO. 1279 DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF SITE PLAN REVIEW, CONDITIONAL USE PERMIT AND VARIANCE FOR A MIXED STRUCTURE LOCATED AT 24 CINCHRING ROAD (NAKAMURA).

Planning and Community Services Director Elguira presented project, applicant's request, and a summary of appeals made and approved prior post hoc.

Appellant Lawyer Larry Hall stated the reason behind Dr. Elliot Brunner's appeal, explained that the Nakamura's application does not follow City code due to being a conjoined structure, and informed the group that the Nakamura's project impairs his client's view.

Appellant and resident Dr. Brunner, 26 Cinchring Road provided his statement and the reasons why he believed the project is illegal.

Appellant Architect Vincent DiBiasi stated that the project cannot be completed as approved due to the elevation of the house as constructed on the property.

Councilmember Wilson asked if he should recuse himself.

Planning and Community Services Director Elguira explained that Councilmember Wilson's property is located beyond 500 ft. from the project and he did not need to recuse himself.

City Attorney Mike Jenkins added that if Councilmember Wilson believed it will be a conflict of interest for him to participate on this item, Councilmember Wilson can ask to recuse himself.

Councilmember Wilson recused himself and turned off Zoom camera at 7:55 PM.

Applicant Lawyer Jeff Lewis stated the legality of the applicant's project and noted that the mixed use structure is not conjoined, with the previously approved residence as claimed by the appellant team.

Mitzi Nakamura, representing the applicant stated that appellant's goal is to delay the project.

Resident Clint Patterson, 24 Georgeff Road, informed the City Council that previously, he submitted written comment and agreed that the mixed use structure is conjoined with the residence.

Resident Jim Aichele, 14 Crest Road West, expressed concern that resident Patterson was biased on the matter as the appellant's possible real estate agent.

Appellant Lawyer Hall stated previously that the Nakamuras have disregarded City laws and standards, and received a stop work order for their actions.

Appellant Architect DiBiasi expressed his concern that the proposed project has a higher roofline obstructing the view of the appellant.

Mitzi Nakamura stated that the new proposed project will have the same roofline and will not obstruct the appellant's view.

Councilmember Pieper requested City Attorney Jenkins to provide clarification on the appropriate discussions for this item.

City Attorney Jenkins clarified that the proposed resolution only pertained to the mixed-use structure.

Discussions ensued among Councilmembers.

MOTION: Councilmember Pieper motioned to deny the appeal of the Planning Commission's decision and to adopt the resolution in the agenda packet, and Councilmember Mirsch seconded the motion.

AYES:	COUNCILMEMBERS: Mayor Dieringer, Pieper, and Mirsch.
NOES:	COUNCILMEMBERS: None.
ABSENT:	COUNCILMEMBERS: Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS: Wilson.

8. OLD BUSINESS

8A RECEIVE AN UPDATE REGARDING A PENINSULA CITIES JOINT LETTER EXPRESSING CONCERNS REGARDING SPECIAL DIRECTIVE POLICIES IMPACTING PUBLIC SAFETY AND PROVIDE DIRECTION TO STAFF.

Mayor Dieringer informed the group of her conflict of interest on this item and delegated Councilmember Pieper to lead the discussion. Mayor Dieringer recused herself at 8:39 PM by turning off her Zoom Camera.

Councilmember Wilson turned Zoom camera on at 8:39 PM.

City Clerk Sandoval informed the City Council that the City of Rolling Hills Estates might not participate in the joint letter.

Resident Visco stated that the City Council should not sign letter if all four cities do not participate.

Discussion ensued between Councilmembers.

Councilmember Pieper directed staff to bring the item back only if all four cities agree to participate in the joint letter.

Mayor Dieringer turned on Zoom camera at 8:46 PM.

8B REVIEW OVERALL PROJECT COST ESTIMATES AT 65% DESIGN PROGRESS FOR TWO LAYOUT OPTIONS FOR THE CITY HALL ADA IMPROVEMENTS PROJECT AND PROVIDE DIRECTION TO STAFF.

MOTION: Councilmember Pieper motioned to reschedule the item to the next meeting and Councilmember Mirsch seconded the motion.

AYES:	COUNCILMEMBERS: Mayor Dieringer, Pieper, Mirsch, and Wilson.
NOES:	COUNCILMEMBERS: None.
ABSENT:	COUNCILMEMBERS: Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS: None.

8C CONSIDER AND APPROVE A PROPOSAL FROM PACIFIC ARCHITECTURE AND ENGINEERING FOR THE DESIGN OF THE EMERGENCY POWER SOLUTION TO REPLACE THE NON-WORKING EMERGENCY STANDBY GENERATOR.

City Manager Elaine Jeng presented the proposal from Pacific Architecture and Engineering.

Discussion ensued between staff and Councilmembers.

Resident Visco asked for clarification on the pricing for a 5KW battery in the assessment study, and asked if Tesla products were considered.

MOTION: Councilmember Pieper motioned to approve the proposal and Councilmember Wilson seconded the motion.

AYES:	COUNCILMEMBERS: Mayor Dieringer, Pieper, Mirsch, and Wilson.
NOES:	COUNCILMEMBERS: None.
ABSENT:	COUNCILMEMBERS: Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS: None.

9. <u>OLD BUSINESS</u>

City Manager requested the Mayor to take item 9B out of order in recognition of the Palos Verdes Land Conservancy Representatives waiting to present on their proposal.

9B CONSIDER AND APPROVE PROPOSAL FROM THE PALOS VERDES PENINSULA LAND CONSERVANCY FOR ADDITIONAL FUEL LOAD REDUCTION IN THE NATURE PRESERVE IN THE AREAS ADJACENT TO THE CITY BORDER.

Senior Management Analyst Ashford Ball presented a summary of the proposal and current projects previously commissioned by the City.

Palos Verdes Peninsula Land Conservancy (PVPLC) Conservation Director Cris Sarabia presented fuel abatement progress and the upcoming work in the Preserve.

Councilmember Pieper noted that he wants to see that the resources for on-going maintenance are reduced or stabilized going forward.

Discussion ensued among Councilmembers, City Manager, and Conservation Director Sarabia.

Resident Visco expressed that he has not seen all areas of Phase 1 mowed. He expressed that Rancho Palo Verdes should provide funds for fuel abatement.

Conservation Director Sarabia responded that Phase I areas have been mowed.

Resident Aichele requested information regarding the Portuguese Canyon Creek.

Cris Sarabia responded that the creek is seasonal and only flows during a rain event.

Mayor Dieringer noted that since the City has already committed $84,000 city funds for fuel mitigation in the conservancy, the City should authorize only $26,000 of the $87,000 being proposed by the conservancy for additional fuel mitigation. She noted that the additional $61,000 was for acacia removal that did not border our city and this money could be used for fuel mitigation projects within our city.

MOTION: Councilmember Pieper motion to approve Phase III as presented and Councilmember Wilson seconded the motion.

AYES:	COUNCILMEMBERS:	Pieper, Mirsch, and Wilson.
NOES:	COUNCILMEMBERS:	Mayor Dieringer.
ABSENT:	COUNCILMEMBERS:	Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS:	None

9A RECEIVE AND FILE A REPORT ON THE FIRE FUEL COMMITTEE MEETING HELD ON JUNE 2, 2021; AND APPROVE THE FIRE FUEL COMMITTEE'S RECOMMENDATION TO FUND AN ANNUAL CANYON MANAGEMENT PROGRAM.

City Manager Jeng summarized the June 2, 2021 Fire Fuel Committee meeting.

Councilmember Mirsch provided additional information on recommendations and raised the issue regarding reliance on voluntary efforts to mitigate fuel or use of enforcement of the dead vegetation ordinance.

Resident Melissa McNabb, 11 Quail Ridge Road, stated that if residents do not provide consent for the abatement work, and the City simply decides to move to another project area, there will be no accomplishments. She also suggested having the City provide property owners with mitigation measures.

Resident Visco expressed concerns regarding voluntary compliance vs. mandatory compliance, and expressed interest in having the Los Angeles County Fire Department provide guidance identifying areas of concern.

Discussion ensued among Councilmembers.

Councilmember Pieper requested that the Fire Fuel Committee further develop their recommendations.

MOTION: Councilmember Pieper motioned to receive and file the report on the Fire Fuel Committee meeting and Councilmember Mirsch seconded the motion.

AYES: COUNCILMEMBERS: Mayor Dieringer, Pieper, Mirsch, and Wilson.
NOES: COUNCILMEMBERS: None.
ABSENT: COUNCILMEMBERS: Mayor Pro Tem Black.
ABSTAIN: COUNCILMEMBERS: None.

9C ACCEPT SMALL CITIES ALLOCATION FROM THE AMERICAN RESCURE PLAN ACT (ARPA).

City Manager Jeng presented the item and the proposed plan of action.

MOTION: Councilmember Pieper motioned to accept $441,363 and Councilmember Wilson seconded the motion.

AYES: COUNCILMEMBERS: Mayor Dieringer, Pieper, Mirsch, and Wilson.
NOES: COUNCILMEMBERS: None.
ABSENT: COUNCILMEMBERS: Mayor Pro Tem Black.
ABSTAIN: COUNCILMEMBERS: None.

9D APPROVE RESOLUTION 1280 AUTHORIZING THE EXCHANGE OF PROPOSITION A FUNDS WITH THE CITY OF BEVERLY HILLS FOR GENERAL FUNDS; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE FUND EXCHANGE AGREEMENT.

MOTION: Councilmember Wilson motioned to approve Resolution No. 1280 authorizing exchange of Prop A Fund with City of Beverly Hills, and Councilmember Mirsch seconded the motion.

AYES: COUNCILMEMBERS: Mayor Dieringer, Pieper, Mirsch, and Wilson.
NOES: COUNCILMEMBERS: None.
ABSENT: COUNCILMEMBERS: Mayor Pro Tem Black.
ABSTAIN: COUNCILMEMBERS: None.

9E CONSIDER AND APPROVE RESOLUTION NO. 1278 UPDATING THE FEE SCHEDULE AND REPEALING RESOLUTION 1260.

Planning and Community Services Director Elguira presented the report regarding the fee schedule and repealing resolution.

Discussion ensued between Councilmembers and City Manager Jeng.

Mayor Dieringer asked if a resolution is needed to assess the fees on the property tax.

City Attorney Jenkins said that he needed to confirm if the fee can be collected via the property tax roll, or if more appropriately pursued through small claims court for delinquencies.

MOTION: Councilmember Mirsch motioned to approve Resolution No. 1278 and repeal Resolution No. 1260, and Councilmember Pieper seconded the motion.

AYES:	COUNCILMEMBERS:	Mayor Dieringer, Pieper, Mirsch, and Wilson.
NOES:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS:	None.

10. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

10A REPORT ON REGIONAL PUBLIC SAFETY AND REGIONAL CONTRACT LAW COMMITTEES MEETINGS HELD ON MAY 12, 2021.

Mayor Dieringer presented summary of the Regional Public Safety and Regional Contract Law Committee meetings held on May 13, 2021 and reported on the upcoming logo changes to the Lomita Sheriff cars.

11. MATTERS FROM STAFF

11A RECEIVE AND FILE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD'S RESPONSE TO THE CITY'S REQUEST TO REDUCE THE MONITORING FREQUENCY TO MEET THE MACHADO LAKE TRASH TMDL.

MOTION: Councilmember Pieper motioned to receive and file and Councilmember Mirsch seconded the motion.

AYES:	COUNCILMEMBERS:	Mayor Dieringer, Pieper, Mirsch, and Wilson.
NOES:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS:	None.

11B CALRECYCLE'S AB 939 2016-2019 JURISDICTION REVIEW UPDATE.

MOTION: Councilmember Pieper motioned to receive and file and Councilmember Mirsch seconded the motion.

AYES:	COUNCILMEMBERS:	Mayor Dieringer, Pieper, Mirsch, and Wilson.
NOES:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	Mayor Pro Tem Black.
ABSTAIN:	COUNCILMEMBERS:	None.

11C CITY MANAGER ADDRESSED RESIDENT STEVE WHEELER'S REQUEST FOR UNDERGROUNDING REIMBURSEMENT TO BE AGENDIZED IN NEXT CITY COUNCIL MEETING.

Councilmember Pieper requested clarification, as there is already a fee policy which should be used for this purpose, and recommended no need to agendize this item.

City Manager provided summary of resident's project, and request.

12. CLOSED SESSION

None.

13. ADJOURNMENT

Hearing no further business before the City Council, the meeting was adjourned at 11:21 PM.

Next regular meeting: Monday, June 28, 2021 at 7:00 p.m. via City's website's link at: https://www.rolling-hills.org/government/agenda/index.php

Zoom access: https://us02web.zoom.us/j/87227175757?pwd=VzNES3Q2NFprRk5BRmdUSktWb0hmT9 or dial (669) 900-9128, meeting ID: 872 2717 5757, passcode: 780609

Respectfully submitted,

Janely Sandoval

Janely Sandoval
City Clerk

Approved,

Bea Dieringer

Bea Dieringer
Mayor