

**CITY OF SOUTH PASADENA
NATURAL RESOURCES AND ENVIRONMENTAL COMMISSION
MINUTES - September 27, 2016**

Roll Call – The meeting was called to order at 7:05p.m. Present were Commissioners: Chair William Kelly, Vice-Chair Scott Kuhn, Al Benzoni, Kay Findley, and Nancy Wilms. Commissioner Al Benzoni arrived at 7:33pm. Absent were Commissioners Stephen Leider and Noah Puni. Also present were Council Liaison Robert Joe (arrived at 7:42pm), and Staff Liaison Jenna Shimmin.

Minutes – Minutes from August 23, 2016 were approved with minor language updates from Chair Kelly (Benzoni, Kuhn 5-0; Absent: Leider and Puni).

Public Comments and Suggestions – None.

BUSINESS ITEMS

1. **Renewable Energy Council Report Presentation (Kelly)** – Chair Kelly gave a brief overview of how the Renewable Energy Council (REC) was formed, the timeline for the report it developed, and the key recommendations of the report. He then introduced Dan Snowden-Ifft, a REC council member, who gave a presentation regarding those recommendations. The recommendations included two solar projects, one at Wilson Reservoir and the other over the City Hall parking lots, an electric vehicle charging station at a public parking lot, update of energy efficiency audits, promotion of solar energy at the Clean Air Car Show, the addition of an energy storage battery at City Hall, and the creation of a Green Fund, which would consist of the money generated from the energy savings from all these measures.

Snowden-Ifft also discussed the savings, energy generation and cost of the solar projects. He then explained why the specific locations were selected, and the importance of connecting solar systems to the highest energy using locations. Also, these sites would give the community a firsthand look at what solar systems look like, in order to promote solar use in the community.

Staff Comments: The City is currently working on a Request for Proposal to get the site audits completed in order to assess where we can implement these recommendations, and their cost. The EV charging station project is under development, but is currently facing an issue with finding a company to the infrastructure work. Staff plans to review and update the existing fleet policy in the next few months. Public Works staff is currently developing a Green Purchasing Policy. Staff is currently working with the San Gabriel Valley Council of Governments to get efficiency audits done of all facilities not addressed in the recommendations, including available rebates.

Dan Snowden-Ifft: Discussed the financial incentives and loan/financing opportunities available currently.

Kuhn: Asked whether the City would own the system or if a third party would. Snowden-Ifft responded that the way the REC designed its recommendations, the City would own the system.

2. **Tree Removal Appeal (Courdy)**- Kristine Courdy, the Public Works Operation Manager, gave a brief background on the tree removal appeal, including a timeline and outcome as it currently stands per the staff report.

Present to represent Hill Dr. Properties, LLC was Alain Romero (Manager) and Miguel Diaz. Mr. Romero gave background on the property in question. He stated they were told that the property at 1701 Hill Dr. was a "shovel ready" project, per the property listing and interaction with the selling agent. They were under the impression that all permits and conditions had been disclosed, and explained that they were not made aware of special tree removal procedures when they obtained their building and grading permits.

Wilms: Asked Courdy for clarification on how new developers would find out about special notes or conditions on existing permits/projects.

Courdy: explained that it would be in all of the paperwork associated with the property as it is public record.

Benzoni: pointed out a typographical error on the letter from the developer's landscaper which was erroneously dated 2014. Also clarified with the developer that they aren't contesting the quantity of trees or that the removal was found to be "unintentional"; which they are not contesting. He later clarified that it is the additional "penalty" trees, and their cost, that the developer is contesting; which it is.

Findley: Asked if the site had a tree removal plan, and if so, did the developer follow it?

Courdy: The plan was acknowledged by the Planning Commission, and it was used to create a tree removal condition on the permit.

Developers: explained they followed the removal plan, but weren't aware they needed to apply for separate permits.

Chair Kelly: Asked if the developer was given the resolution created by the Planning Commission? Staff wasn't sure if the Building department included it in the packet.

Developer: Showed the Commission the documents they obtained (Building Permit Applications, receipts for payment, and the Grading Permit), as well as the sales flyer.

Kuhn: Asked staff to clarify how many trees were in need of replacement, 97 or 86? (86 with current removals, 97 if they remove the additional trees they've requested) Also, asked the developer if they have title insurance, and if they've spoken with the prior owner regarding the lack of disclosure of the tree permit issue?

Developer: responded that the prior owner is the structural engineer, and so the talks are sensitive because of the relationship.

Kuhn: Referenced two cases of a similar nature where a LA County court found that it is the buyer/developers responsibility to follow the law, and the buyer/developer could have accessed applicable laws/requirements.

General commission consensus that it is unfortunate that the developer may have been misled by the prior owner/seller, but it is ultimately their responsibility to do their due diligence when purchasing a property. Since no exemptions to the rules can be found, a motion was made by Scott Kuhn to deny the appeal on the grounds that the NREC does not have the authority to overturn the Public Works Department's finding, and was seconded by Kay Findley (5-0; Absent: Leider and Puni).

Courdy advised the developer that they can contest this decision with the City Council.

- 3. South Pasadena Polystyrene Ban (Shimmin)** – Jenna Shimmin reviewed the letter of support from the Chamber of Commerce, which is in support of a ban on Expanded Polystyrene (EPS), but not Polystyrene 6 (P6) as a whole. This is because of the comments made by the business community regarding the difficulty of finding alternatives to P6 products. The business community seems to be ok with the increased cost of EPS alternatives, but not the increased cost of P6 alternatives, if even available.

Shimmin also provided an update that the School District does not use EPS products in its facilities, and neither do any of its vendors. In fact it is actually working on a green purchasing policy for all items.

Chair Kelly: Asked that the language regarding "coolers" be expanded to clarify the coolers are encased. Also, asked Council Liaison Joe if the council gives direction on policy review and outreach status updates. Councilmember Joe replied that they can request that be part of the approval conditions and can also ask for regular updates from staff.

Wilms: Had some comments on the language, on page 1, section C. Also, advised staff to look at the staff cost to ensure the fine is relevant to the penalty.

Chair Kelly: Would like the ordinance to have a provision of review 18 month after adoption (6 months after businesses would need to be in full compliance). Would also like staff to present council with an outreach plan and a timeline with a mock flyer.

Council Liaison Joe: Advised staff to include the outreach plan and efforts in the staff report; and that regular updates will be provided to the council about the status of compliance, outreach efforts, as well EPS and P6 alternative research.

A motion was made to accept the ordinance language and recommend its adoption to the City Council by Al Benzoni, and was seconded by Scott Kuhn (5-0; Absent: Leider and Puni).

4. **Use of pesticides and fertilizers at City parks (Shimmin)** – The City Council has requested that the NREC look into what pesticides are used in City Parks and landscaping in order to make recommendations and ensure they are environmentally friendly.

Chair Kelly recommended making a subcommittee to research the City's use and possible alternatives. He and staff members (Jenna Shimmin and Amber Duran) will begin researching in order to bring more information back to the Commission.

5. **Graywater (Benzoni)** – Staff advised the Commission that Planning Department staff are in need of more clarification based on plans provided by Commissioner Benzoni at the August meeting. They are unsure if the intent is for installation at new properties, or renovation at existing properties. Staff to forward the email to Commissioner Benzoni for his comment.
6. **Water Conservation Programs and Drought Actions (Shimmin)** – The City had a total water reduction of 30% for August 2016 versus the same month in 2013. This gives the City a cumulative reduction of 27.2% since June 2015. The Commission reviewed the staff report that was approved by Council on September 21st that transitioned the City to Stage 1 of the water shortage supply plan, allowing for outdoor irrigation of landscapes three days a week versus the two days allowed under Stage 2. Staff advised the Commission that they would notify residents through the City website, Facebook, E-neighbors newsletter, a press release, and some sort of mailer. The Commission also thought it was important to advise residents of proper tree watering techniques in this messaging.
7. **October Meeting Date Change (Shimmin)** – Due to staffing issues, Jenna Shimmin asked the commissioners to consider cancelling the regular meeting, and holding a special meeting the week prior. A motion to cancel the October 25, 2016 meeting and hold a special meeting on October 18, 2016 was made by Nancy Wilms, and was seconded by Kay Findley (5-0; Absent: Leider and Puni).

INFORMATION ONLY

8. **Urban Forest Update** – Kristine Courdy provided an update that with the new fiscal year trimming has begun in the following grids: Grid 9 south east side of City, Grid 8B eastern side of the City. Staff is currently in the process of planning the remaining grid pruning, tree removals and replacements. With it being the end of the California Live Oak trimming season, all Oaks left untrimmed will be at the top of the list for next season. She reported that trees removed in May of this year will be the first to be replaced; and that staff is working with an Urban Horticulturist to ensure that the right tree is put in the right place. Once the planting plan map is completed it will be provided for review. Commissioner Findley inquired about palm tree removal procedures and Courdy responded that only dead trees are removed, and those requested by Southern California Edison that are interfering with power lines.

9. **Upcoming Events** – Fall Garden Workshop at Eddie Park on October 8th (co-hosted by South Pasadena Beautiful); 2016 Waterfest at Arcadia County Park (put on by USGVMWD) and the Dumpster and Donation Day (on Arroyo Dr south of Mission) on October 15th.

Chair Communications- Chair Kelly had no updates at this time.

Commissioner Communications-

Commissioner Wilms: Advised the Commission that she spoke with Anteneh Tesfaye regarding water quality and avoiding an incident similar to what occurred in Flint, Michigan. He advised her that South Pasadena's water supply is regularly tested for copper and lead, and that pipe replacement is happening as needed.

Commissioner Findley: No updates at this time.

Commissioner Kuhn: No updates at this time.

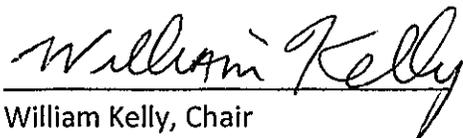
Commissioner Benzoni: Asked for an update to his question regarding Cool Roofs. Staff advised the Commission that the Planning department has determined there is overlap between the Cultural Heritage Commission (CHC) and the Fire Department (FD). The CHC has jurisdiction over all dwellings that are on the Historic Inventory, and the FD requires fire resistant roof coverings. If the Commission is able to coordinate with both the CHC and the FD on an agreeable amendment, the Planning department will take it to Council for formal adoption. South Pasadena would make a finding that climatic condition exist to warrant the need for a cool roof requirement, similar to the finding described in the City of Los Angeles' ordinance.

Council Liaison Communications- No updates at this time.

Staff Liaison Communications- Staff advised the Commission that the South Coast Air Quality Management District Advisory Group is having a meeting on September 28, at 10am, regarding the 2016 Air Quality Management Plan.

Adjournment – Commissioner Findley motioned to adjourn the meeting at 9:51 p.m., Commissioner Benzoni seconded. Ayes: All (Absent – Leider and Puni), Nays: None.

NEXT MEETING – The next meeting of the Natural Resources and Environmental Commission will be held on October 18, 2016 at 7:00 p.m.


William Kelly, Chair