City of Rolling Hills INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274
(310) 377-1521
FAX (310) 377-7288

AGENDA **CITY COUNCIL** **CITY OF ROLLING HILLS**
REGULAR COUNCIL MEETING **Monday, February 24, 2020** **7:00 PM**

1. CALL TO ORDER

2. ROLL CALL

PLEDGE OF ALLEGIANCE

3. OPEN AGENDA - PUBLIC COMMENT WELCOME

*This is the appropriate time for members of the public to make comments regarding the items on the consent calendar or items **not** listed on this agenda. Pursuant to the Brown Act, no action will take place on any items not on the agenda.*

4. CONSENT CALENDAR

Matters which may be acted upon by the City Council in a single motion. Any Councilmember may request removal of any item from the Consent Calendar causing it to be considered under Council Actions.

4.A. APPROVAL OF CITY COUNCIL MEETING MINUTES.
RECOMMENDATION:APPROVE AS PRESENTED.
01-13-20CCDraftMinutes

4.B. PAYMENT OF BILLS.
RECOMMENDATION:APPROVE AS PRESENTED.
Payment of Bills.pdf

5. COMMISSION ITEMS

NONE.

6. PUBLIC HEARINGS

6.A. WAIVE FULL READING AND APPROVE ADOPTION OF A NON-URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AMENDING CHAPTER 17.28 OF THE CITY OF ROLLING HILLS MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINE THE ORDINANCE TO BE EXEMPT FROM CEQA.
RECOMMENDATION:

STAFF RECOMMENDS THAT THE CITY COUNCIL WAIVE FULL READING AND ADOPT NON-URGENCY ORDINANCE NO. 364: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AMENDING CHAPTER 17.28 OF THE CITY OF ROLLING HILLS MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA.

ADU Non-urgency Ord. 364

6.B. WAIVE FULL READING AND ADOPT 2019 CALIFORNIA STANDARD BUILDING CODE AS ADOPTED AND AMENDED BY LOS ANGELES COUNTY AND FINDING THE ACTION EXEMPT FROM CEQA.
RECOMMENDATION:STAFF RECOMMENDS THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS: (1) WAIVE FULL READING AND ADOPT ORDINANCE NO. 363: AN ORDINANCE OF THE CITY OF ROLLING HILLS ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA BUILDING CODE, 2019 EDITION), TITLE 27 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION), TITLE 28 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA PLUMBING CODE, 2019 EDITION), TITLE 29 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION), TITLE 30 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION), TITLE 31 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION), TITLE 33 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2019 EDITION); MAKING LOCAL AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Attch1_Bldg Code Non-urgency Ord. 363

7. OLD BUSINESS

7.A. DISCUSS FISCAL YEARS 2021-2022 AND 2022-2023 POTENTIAL BUDGET ITEMS TO SUPPORT THE CITY COUNCIL PRIORITIES DEVELOPED AS A PART OF THE STRATEGIC PLANNING WORKSHOP.

RECOMMENDATION:STAFF RECOMMENDS THAT THE CITY COUNCIL REVIEW THE CITY COUNCIL PRIORITIES DEVELOPED AS PART OF THE STRATEGIC PLANNING WORKSHOP AND DISCUSS POTENTIAL BUDGET ITEMS FOR FISCAL YEARS 2020-2021 AND 2022-2023; AND DIRECT STAFF TO PROVIDE HIGH LEVEL BUDGET ESTIMATES FOR THE POTENTIAL ITEMS AT THE MARCH 09, 2020 COUNCIL MEETING.

Item7D_SummaryStrategicPlanningWorkshop_2020-01-27.pptx

7.B. UPDATE COX OPEN HOUSE AT HESSE PARK. FEBRUARY 27, 2020, TWO SESSIONS FROM 3PM TO 5PM AND 6PM TO 8PM. (ORAL).

RECOMMENDATION:RECEIVE AND FILE.

8. NEW BUSINESS

8.A. CONSIDER AND APPROVE THE REQUEST FOR PROPOSAL (RFP) FOR CITY HALL CAMPUS SITE AND LANDSCAPE MAINTENANCE SERVICES.

RECOMMENDATION:

STAFF RECOMMENDS THAT THE CITY COUNCIL APPROVE THE RFP FOR SITE AND LANDSCAPE MAINTENANCE FOR THE CITY HALL CAMPUS AND DIRECT STAFF TO ADVERTISE THE PROPOSAL.

Landscape RFP.pdf

9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

10. MATTERS FROM STAFF

NONE.

11. ADJOURNMENT

Next regular meeting: Monday, March 09, 2020 at 7:00 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California, 90274.

Public Comment is welcome on any item prior to City Council action on the item.

Documents pertaining to an agenda item received after the posting of the agenda are available for review in the City Clerk's office or at the meeting at which the item will be considered.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting due to your disability, please contact the City Clerk at (310) 377-1521 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility and accommodation for your review of this agenda and attendance at this meeting

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 4.A
Mtg. Date: 02/24/2020

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **YOHANA CORONEL, CITY CLERK**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **APPROVAL OF CITY COUNCIL MEETING MINUTES.**

DATE: **February 24, 2020**

BACKGROUND:
NONE.

DISCUSSION:
NONE.

RECOMMENDATION:
APPROVE AS PRESENTED.

ATTACHMENTS:

01-13-20CCDraftMinutes

MINUTES OF
A REGULAR MEETING
OF THE
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA
MONDAY, JANUARY 13, 2020

1. CALL TO ORDER

A regular meeting of the City Council of the City of Rolling Hills was called to order by Mayor Mirsch at 7:00p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

2. ROLL CALL

3 PRESENTAION

RECOGNITION BY THE CITY COUNCIL OF THE CITY OF ROLLINGS HILLS FOR THE EXCELLENT VOLUNTEER WORK BY LEAD BLOCK CAPTAIN ARLENE AND GENE HONBO ON RE-ESTABLISHING THE BLOCK CAPTAIN PROGRAM AND THEIR EFFORTS ON WILDFIRE MITIGATION.

PLEDGE OF ALLEGIANCE

Councilmembers Present:	Mayor Mirsch, Pieper, Dieringer, and Black.
Councilmembers Absent:	Wilson.
Others Present:	Elaine Jeng, P.E., City Manager.
	Meredith Elguira, Planning and Community Services Director
	Yohana Coronel, City Clerk
	Michael Jenkins, City Attorney
	Alfred Visco, 15 Cinchring Road
	Jay Ahluwalia, Storm Properties
	Michael Stroh, Architect for 13 Eastfield

4. OPEN AGENDA - PUBLIC COMMENT WELCOME

City Attorney Michael Jenkins arrived at 7:13p.m.

Alfred Visco, 15 Cinchring Road, reported that it was his understanding that Rancho Palos Verdes had about three hundred thousand dollars to remove Acacia and Mustard, which brings their total to five hundred thousand over their normal budget to cover ninety acres. He stated that he hoped the City would talk to the Land Conservancy about finishing off the along the border. He doesn't feel they cleared the vegetation properly. He stated that the Finley Truck broke down in front of his home so he knows they were present and hoped they removed the Acacia they dropped. Mr. Visco also reported hearing a lot of chainsaws and chippers but could not accurately see what work was removed.

Mayor Mirsch thanked Mr. Visco for his comments.

5. CONSENT CALENDAR

Matters which may be acted upon by the City Council in a single motion. Any Councilmember may request removal of any item from the Consent Calendar causing it to be considered under Council Actions.

A. MINUTES – REGULAR MEETING OF OCTOBER 14, 2019, REGULAR MEETING OF OCTOBER 28, 2019, REGULAR MEETING OF NOVEMBER 12, 2019, AND REGULAR MEETING OF NOVEMBER 25, 2019.
RECOMMENDATION: APPROVE AS PRESENTED

B. PAYMENT OF BILLS.
RECOMMENDATION: APPROVE AS PRESENTED

C. FINANCIAL STATEMENT FOR THE MONTH OF NOVEMBER 2019.
RECOMMENDATION: APPROVE AS PRESENTED

D REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR NOVEMBER 2019.
RECOMMENDATION: APPROVE AS PRESENTED

E. CITY COUNCIL PREFERRED VENDORS LIST FOR 2020.
RECOMMENDATION: APPROVE AS PRESENTED

F. CITY COUNCIL MEETING DATES FOR CALENDAR YEAR 2020.
RECOMMENDATION: APPROVE AS PRESENTED

G. CITY COUNCIL BUDGET CALENDAR FOR FY 2020-2021.
RECOMMENDATION: APPROVE AS PRESENTED

H. DESTRUCTION OF CERTAIN CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.
RECOMMENDATION: APPROVE AS PRESENTED

Councilmember Dieringer requested pulling Consent Item 5A for further review and bringing them back for the next City Council meeting.

Mayor Mirsch requested pulling Consent Item 5C and 5F for further discussion.

Mayor Pro Tem Pieper moved that the City Council approve consent items 5B, 5D, 5E, 5G and 5H as presented. Councilmember Black seconded the motion. The motion passed unanimously by voice vote.

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

Item 5C

Mayor Mirsch asked the Council if they found the report of the financial report beneficial and if

they liked the current format. She stated that when she reads the report, she is not able to see how the City is trending for the year.

Councilmember Black stated that he does not like monthly reports and does not find it helpful. However he could see how other readers, which do not sit on the Budget Committee meetings, might find the monthly reports useful.

Mayor Pro Tem Pieper suggested asking Finance Director Terry Shea if there is a better way to present the information.

City Manager Jeng asked the Council what information they would like to see.

Councilmember Dieringer requested to see what formats other Cities use to present their financial statements.

City Manager Jeng asked the Council for clarification as to what information they would like to see on the financial reports. If the Council would like to see a trend of revenues, she can direct the Finance Director to present the information in that way. She expressed that it was a good idea to define what the Council would like to see in terms of financial data.

Councilmember Black stated he prefers graphs. He recalls requesting from the Finance Director during their finance meeting to include graphs (for expenditures, receipts, fund balances, pension obligations, and OPEC) when presenting budget information.

Mayor Mirsch requested bringing the item back for future discussion.

Item 5F

Mayor Mirsch requested to finalize the meeting date for the second meeting in May. She understands that given the Memorial Day Holiday, some Councilmembers may have a preference for when to hold the meeting. She asked that the Council finalize the date to Tuesday, May 26, 2020. She further inquired about setting a meeting date for the month of December 2020 and asked if the Council was open to meeting on December 21st, 2020.

Councilmember Dieringer stated that there should be a manner as to avoid having a big agenda in the month of January because no meetings are scheduled for the month of December. She suggested scheduling a meeting on the third Monday of the month of December.

City Manager Jeng suggested moving the Annual Holiday Party that occurs on the second Monday of the month or scheduling a meeting on December 21st, 2020.

Mayor Pro Tem Pieper stated leaving the Annual Holiday Party as is and suggested scheduling a meeting any other Monday on the month.

Discussion ensued among the Council and it was suggested that staff bring back the item in June so the Council can pick a date. It was decided that the City Council would schedule a Council

meeting on the first Monday, December 7th, 2020.

Mayor Pro Tem Pieper moved that the City Council approve consent items 5F with amended dates. Councilmember Dieringer seconded the motion. The motion passed unanimously by voice vote.

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

6. COMMISSION ITEMS

A. CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2019-16 FROM THE PLANNING COMMISSION GRANTING APPROVAL OF A LOT LINE ADJUSTMENT BETWEEN FOUR PARCELS ALONG STORM HILL LANE IN ZONING CASE NO. 949, (STORM PROPERTIES, INC.).

Planning and Community Services Director Meredith Elguira gave an overview of the Lot Line Adjustment between four parcels along Storm Hill Lane with a PowerPoint presentation. On November 19, 2019 the Planning Commission adopted Resolution Number 2019-16 granting a lot line adjustment between four parcels along Storm Hill Lane. The parcels were originally created by a subdivision of 67.9 acres of two lots into 4 parcels, Parcel Map No. 26356 was recorded in 2005. The lot line adjustment application project is considered a minor lot line adjustment that will not result in the creation of new parcels and qualify as an exemption to CEQA review. She proceeded to review the lot sizes via the PowerPoint presentation. She pointed out that the upper left corner lot is developed as a single-family residential and the remaining three lots are vacant. She noted that the applicant was present if the Council had any questions.

Mayor Mirsch asked if the Council had any questions.

Councilmember Black stated that in reviewing the project he noticed that the applicant was required to place sewers and inquired as to who had placed that requirement.

Planning Director Elguira stated that it was a condition for approval in case there is ever the potential of having sewer service available to that site, the infrastructure is already in place to connect to it.

City Attorney Michael Jenkins stated that since this project has been given a condition, there can be no discussion about removing it but advised the Council that they can discuss how other projects be conditioned.

City Manager Elaine Jeng informed the Council that the State has its own on-site waste water treatment policy (OWTS). She reminded the Council how they did not have to have their residents get a permit through the State because the County came in with their Local Area Management Plan (LAMP). The Council approved to join LAMP which requires, going forward, that if the City has

a development project close to 200 feet from an existing sewer line, the City will have to require that particular project to hook up to the existing sewer line.

City Attorney Jenkins suggested to the Council that they hear Commission Items 6A and 6B concurrently since it is the same property, before taking action on either item.

B. CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2019-17 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR GRADING FOR A NEW ROAD TO SERVE PROPERTIES ON STORM HILL LANE; AND ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM IN ZONING CASE NO. 950, (STORM PROPERTI ES, INC.).

Planning and Community Services Director Meredith Elguira informed the Council that this was the second part of the proposed project which requires a mitigated negative declaration and mitigation monitoring and reporting program and gave some background of the project. As stated earlier this division subdivision was approved back in 2005. In 2018 the project came back for a lot line adjustment, along with a road grading request. The four lots were reconfigured which created a shorter road and a new alignment, and with the road grading, it required a new environmental assessment. A lot line adjustment and a mitigated negative declaration was approved by the Planning Commission. The proposed project was also approved by the Traffic Commission for the wider driveway. The applicant also recently came in to request an extension of their schedules A-E, which is part of their Development Agreement because they had to prepare an environmental document. At the Planning Commission meeting questions were raised with regards to utility and fire hydrant and whether they were going to be stubbed out. A resident asked a question about view protections and how their views were going to change along with their privacy. The Planning Commissioners responded to individual concerns. She proceeded to review the lots via a PowerPoint presentation.

Mayor Mirsch opened the item for public comment.

Alfred Visco, 15 Cinchring Road, commented that many years ago when his lot was subdivided his parcel, they created what is now called Private Cinchring, which is a private driveway for parcels that were subdivided out of the original three parcels. In his review of past minutes with regards to his parcel, there was no agreement put into place as to who would maintain Private Cinchring, so no one has done repair to the road. He can anticipate a disagreement among the residents about who will have to repair the private road when needed. He urged the Council or the Planning Department to require a definitive mutual agreement among the parcels in order to maintain the private driveway when new residents come in.

Jay Ahluwalia, Storm Properties, thanked everyone for their time and for reviewing his project. He stated that the intention of the lot line adjustment was to reduce the amount of grading and reduce the amount of dirt that needed to be moved which was really helpful from his perspective. He mentioned that the project is also being reviewed by the RHCA, which they have also approved with some conditions, subject to the City Council approvals. He reported that the driveway is not

shared and it is private to the homeowner. He reported that the one year extension is needed because they are still under review with the County.

Councilmember Dieringer stated that she noticed that the applicant had done a mitigated negative declaration which was completed in August 2019, but she unfortunately did not have an opportunity to review it because she did not have cell service when the question came to her as to how she would prefer to receive the report. She further stated that she prefers to review reports and make sure that she has a full understanding before she votes. She understands the applicant's deadlines, however she read in the staff report that the applicant's consultant prepared an initial study that determined that the project would have significant environmental effects. There was no further explanation given but that the mitigation measures that were developed by this consultant would diminish these potential environmental effects, none of which was explained. She stated that she did not feel prepared to rule on this item and would prefer that the item come back on the next meeting so she can have the time to review it.

Jay Ahluwalia responded that the impacts that the reports stated is mostly grading related. Anytime grading is done on a street, by default, the result is stated as a significant impact because you are disturbing something. He stated that the mitigated measures are all normal measure, for instance water the dirt down; manage the dirt. They had an archeologist on site to monitor during any excavation. He also mentioned that most reports state a significant impact, then the mitigation measures come in and the reports then change to less than significant issues. He reported to the Council that all mitigated measures have been reviewed and approved by the City and have been in the past.

Planning Director Elguira added that she would be happy to provide the Council with a summary of potential impacts. She proceeded to give a quick overview and stated that in the initial study, it was found that biological resources, geology soils, cultural resources and land use would have some sort of impact, unless it was mitigated. The proposal was that, for example, for biology, in order to mitigate any potential impacts, it was determined that during nesting season and if a butterfly (the PV Blue Butterfly) was found on site, they would have to phone a biologist in order to ensure no work is being conducted during nesting season. That is how biological resources were mitigated. She stated that it's typical of projects in Rolling Hills or anything along the hills to have cultural resources, which is to have monitors maybe needed on site. For cultural resources, a monitor would need to be on site if remains or artifacts were discovered. They can then curate them per state code and survey the parcel. For geology and soil resources, there was a blue stream, that straddle the site, but it presented no problem. She continued to provide other details and inform the Council how other potential impacts where proposed to be mitigated. She reported that staff would continue to monitor the project and make sure the applicant complies with mitigations.

Councilmember Black moved that the City Council receive and file Resolution Number 2019-16 and Resolution Number 2019-17. Pro Tem Pieper seconded the motion. The motion passed by voice vote.

AYES: COUNCILMEMBERS: Mayor Mirsch, Pieper, and Black.
NOES: COUNCILMEMBERS: None.
ABSENT: COUNCILMEMBERS: Wilson.

ABSTAIN: COUNCILMEMBERS: Dieringer.

C. CONSIDERATION TO RECEIVE AND FILE RESOLUTION 2019-18 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR THE CONSTRUCTION OF A 1,789 SQUARE FOOT HOUSE ADDITION AND 324 SQUARE FOOT GARAGE ADDITION, AND TO ATTACH AN EXISTING 978 SQUARE FOOT GUEST HOUSE TO THE RESIDENCE FOR A TOTAL OF 7,519 SQUARE FOOT RESIDENCE AND 1,030 SQUARE FOOT GARAGE AND GRADING OF 50 CUBIC YARDS OF DIRT; AND A CONDITIONAL USE PERMIT TO CONSTRUCT A 799 SQUARE FOOT GUEST HOUSE IN ZONING CASE NO. 960 AT 13 EASTFIELD DRIVE (BIRKETT).

Planning Director Elguira gave an overview of the construction project on 13 Eastfield Drive. The Planning Commission at their December 09, 2019 meeting adopted Resolution Number 2019-18 granting a Site Plan approval for a substantial addition to a residence for a total of 7,516 square foot home with 1,030 square foot garage, with 50 cubic yards of grading and a Conditional Use Permit to construct a new 799 square foot guest house. The project is consistent with the goals and policy of the General Plan and it preserves the existing terrain and surrounding vegetation. During the field trip with the Planning Commission, one of the Commissioners brought up a concern with regards to the proximity to the Bridle Trails. The proposed project is outside of the setback requirements. The setup of the back house was another concern expressed but the architect clarified it by stating that the guest house alignment is centered to the pool. She proceeded to compare the existing and proposed project via a PowerPoint presentation.

Councilmember Dieringer asked why the PowerPoint presentation was not part of the staff report.

Planning Director Elguira responded that it was just for presentation purposes. She also informed the Council that the applicant was present to answer any question the Council may have.

Michael Stroh, Architect for 13 Eastfield, gave an overview of the expectations the Birkett's had for their project. He also stated that he was happy to answer any questions the Council may have.

Councilmember Dieringer asked if any other issues were expressed by the Planning Commission.

Mr. Stroh, stated that one of the Planning Commissioners expressed an interest in where the house was in relation to the Western Bridle Trails. It was confirmed that the project is not going any closer than where the existing guest house currently is. The impact to the Bridle Trails remains as it was before.

Mayor Mirsch stated that this issue was addressed during the site visit.

Mayor Pro Tem Pieper moved that the City Council receive and file Resolution Number 2019-18 from the Planning Commission as presented. Councilmember Black seconded the motion. The motion passed unanimously by voice vote.

AYES: COUNCILMEMBERS: Mayor Mirsch, Pieper, Dieringer, and Black.

NOES: COUNCILMEMBERS: None.
ABSENT: COUNCILMEMBERS: Wilson.
ABSTAIN: COUNCILMEMBERS: None.

7. PUBLIC HEARINGS

NONE.

8. OLD BUSINESS

A. CONSIDERATION AND APPROVAL TO AWARD A CONSTRUCTION CONTRACT TO PCI FOR THE FY 2019-2020 TRAFFIC SIGNING, STRIPING, AND PAVEMENT MARKING PROJECT FOR AN AMOUNT OF $40,479.50 FOR WORK INCLUDED IN SCHEDULE A.

City Manager Jeng gave an overview of the project and timeline of the bid process. She informed the Council that staff had reached out to the Los Angeles County Public Works Department, Maintenance Division to inquire about the cost to complete the striping project. The County stated that they were aware that the City had gone out to bid for the project and that they were interested in participating in the bidding process. After further discussion, it was concluded that the County was willing to provide pricing for bid scheduling. City Manager Jeng informed the Council that the project consisted of two separate bid schedules and proceeded to give a quick recap of the scope of work and the cost in Schedule A and Schedule B. She informed the Council that the County also provided a predicted time of the completion of work which turned out to be June 30, 2020. This is because the City would have to wait for its turn in the County's queue. PCI said that from the time of the contract execution, they are obligated to perform the job before a 30 day working period. Staff is recommending to award the Contract to PCI for Schedule A.

Councilmember Dieringer asked if the City had to ask for a cost estimate first from the County before doing any competitive bids.

City Manager Jeng stated that she had not asked for a written request as to the procedures of the County and how they conduct business. She informed the Council that the request for bid scheduling was done on a staff level and she made it clear to the County that the City was asking for service, which they had a choice between accepting or declining.

Councilmember Dieringer stated that this may need to be addressed in the future with a Los Angeles County Supervisor as to providing pricing.

City Attorney Michael Jenkins, stated that City Manager Jeng had a good idea of asking the RHCA to take on the entire project when it came to repaving the roads. There is a gap in completion of work, when the roads are resurfaced by the RHCA and when the City does the striping. He recommended that the City Council direct staff to have a conversation with the RHCA and figure out a way to come up with a trade; where the RHCA takes on the entire project (resurfacing of roads, pavement, asphalt, and striping) and that the City can pick up something else in exchange.

He stated that if the Council wants the striping done he recommends that the Council approve the item before them.

Mayor Pro Tem Pieper moved that the City Council approve Schedule A as presented. Councilmember Dieringer seconded the motion and the motion passed unanimously by voice vote as follows:

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

Councilmember Pat Wilson arrived at 8:18p.m.

9. NEW BUSINESS

A. CONSIDER AND APPROVE A CONTRACT AMENDMENT WITH ROGERS, ANDERSON, MALODY, AND SCOTT, LLP TO PROVIDE FINANCIAL DATE ENTRY SERVICES FOR A MAXIMUM FEE OF $26,750.00.

Finance Director Terry Shea gave an overview of the contract amendment. He stated that with the City's old software program Fund Balance, the Finance Department was only able to access current year data and one previous fiscal year. In addition, the software was no longer supported by Tyler Technologies and was always crashing. Rogers, Anderson, Malody and Scott, LLP issued a Request for Proposal (RFP) for a new accounting software and through that process, purchased Abila MIP Fund Accounting (MIP), which is cloud based. With MIP the Finance Department can now access the data from all the years that are recorded and run reports as well. They have begun entering financial data on July 1, 2019 into MIP. He proceeded to explain what data staff would be entering in the new software and stated that they would go back five years.

Mayor Mirsch asked if there was a program that could be used to enter the data as oppose to manually entering the data.

Finance Director Shea stated that the first three years are gone and cannot be accessed in the old system, only the current and last year are accessible. This is the reason why the system is being discarded. He also stated that he has spoken to the City's Information Technology Department and they informed him that even with a program, there would still be data entry, which they predict would take up the same time but the details with regards to accounts payable checks would be lost.

Mayor Pro Tem Pieper asked why five years of data was needed. He suggested only entering the current data and the last two years.

Finance Director Shea said that when it was initially discussed it was decided that five years of data would be saved. He proceeded to explain that it was at the pleasure of the Council how far back data should be saved, if any.

Mayor Pro Tem Pieper asked how far back did the City needed to go. He stated that with his business, he has saved old data and no one has ever requested to view the data.

City Manager Jeng stated that according to the retention policy the City needs to save five years of data going forward.

Mayor Pro Tem Pieper suggested entering the current data only in order to have some cost savings. He inquired if it was really worth saving the data.

City Manager Jeng stated that when projects come up, for example the striping project and staff or the Council want to compare what the City pays the County versus a Contractor, which is when the information is needed. If that information is not entered, staff would then have to search for the information manually. It is a practice that is often done with projects. She reminded the Council it was there decision to make.

Finance Director Shea suggested only keeping two years of data. He also informed the Council that the internal data computer records need to be kept forever.

Councilmember Wilson inquired if there was a price difference between going back two years as oppose to five years.

Finance Director Shea replied no, each year is a separate quote.

Councilmember Dieringer asked if an extra charge would apply if the Council required two years of data.

Finance Director Shea replied no, the two years is included in the quote.

Mayor Pro Tem Piper suggested only saving the project data, for example, past striping project, instead of the water and light bill data.

Finance Director Shea answered that he is obligated to give a balanced audit report. He must provide a complete and accurate record of what the City has done.

City Manager Jeng asked Finance Director Shea for clarification as to what data is currently saved and what data will be saved. It was her understanding that July 31, 2019 and on is data that is currently entered in the new system. From the Fund Balance system, two years back there is electronic data.

Finance Director Shea answered yes and that the last two years from Fund Balance must still be converted and reconciled. He predicted the cost comes to about four to five thousand dollars.

Mayor Pro Tem Pieper moved that the City Council approve going back two years of data entry. Councilmember Wilson seconded the motion and the motion passed unanimously by voice vote as follows:

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

B. CONSIDER AND APPROVE STRATEGIC WORKSHOP AGENDA.

City Manager Jeng gave a quick overview of the proposed agenda. She reminded the Council of their previous approval to hold a strategic planning workshop on Saturday, January 25th, 2020 at 10am-1pm at City Hall. She stated that the meeting would start with a visual presentation from her as well as the Finance Director, she will then cover some general information about the City, followed by each Councilmember sharing his/her priorities for the next two to three years. Discussion will follow with development of consensus about priorities for the next two fiscal years. Then staff will try and translate those priorities into action items, record them and bring those action items on the next City Council meeting, on January 27, 2020.

Mayor Mirsch asked when the City Manager would like the Council's input.

City Manager Jeng answered she would like the Council's input prior to the 25th of January.

The City Council unanimously approved the Strategic Workshop Agenda.

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

11. MATTERS FROM STAFF

A. RECEIVE AND FILE 2019 FOURTH QUARTER REPORT ON FIRE FUEL ABATEMENT ENFORCEMENT CASES.

Planning Director Elguira gave an overview of the 2019 Fourth Quarter Report on Fire Fuel Abatement Enforcement Cases. She stated that the fourth quarter covers the month of October through December of 2019. During this period, there was a report of 21 Fire Fuel Abatement violations, and 35 fire fuel violations cases closed. 10 new complaints were reported, unrelated to vegetation. In total there are 39 open cases, 21 of those 39 are vegetation cases.

Councilmember Wilson asked if the reason for more cases being reported is because there is more staff available.

Planning Director Elguira replied that staff is going around the City and surveying, and residents are also observing and reporting.

City Manager Jeng stated that the RHCA use to receive complaints from the community, which would lead them to generate their own letter with regards to fire fuel and dead vegetation. But unfortunately the RHCA does not have any enforcement power. City Manager Jeng suggested to have the RHCA Manager forward those complaints to the City, so when the resident receives a letter about fire fuel and/or vegetation, there is no confusion as to whom they should respond to. Which lead to a Board member requesting a copy of the City's enforcement log, so the City has been sharing that information with the RHCA.

Councilmember Dieringer asked if the cases could be logged in by the date of when the complaint was filed. Highlight the open cases, in order to see which are still pending. Then alphabetize by street name after that date. She found it difficult to read the way the report reads currently.

Councilmember Wilson asked about the proximity of the complaints. He noticed that most of the cases are next door to each other and wondered if it was the case of a neighbor-to-neighbor complaint or does the inspector notice violations on adjacent properties and log those as well.

Planning Director Elguira replied that it could be both. The complaints are coming from the Code Enforcement Officer and residents.

Alfred Visco, 15 Cinchring Road, pointed out that on the active vegetation cases, item number 5, page 290, the property (16 Cinchring Road) is tenant occupied and it was his belief that the owners were in Japan. He suggested getting the contact information from the RHCA. He also asked for an update on the 7 Ranchero property. It was his understanding that there may be a permit required by Fish and Wildlife to remove dead vegetation and Acacia on 4-plus acres.

Planning Director Elguira stated that she could provide him with an update. She stated that staff is waiting to hear back from Wildlife but that the property owner is ready to move forward and has signed a five year contract with his landscape maintenance crew to clear the site. She also informed Mr. Visco that she reached out to Fish and Wildlife to see if there was a way to expedite their request since Rolling Hill is a high fire hazard zone but was told the City must wait its turn.

Out of Order

10. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

Councilmember Dieringer asked when the font of the new agenda would be fixed to a larger print. She also requested getting the agenda materials earlier than Friday. She also requested getting larger reports sent in advance in order to have more time to review it.

City Manager Jeng stated that she and staff are trying to publish agendas on Wednesdays, prior to the Monday meeting and will try to continue to do so. She also mentioned that the current agenda was published on Wednesday but troubleshooting was necessary because of the new system being used.

Mayor Mirsch asked to give staff some time to adjust to the new system and if the results are not what Councilmember Dieringer wants, she is welcome to bring the item back for discussion. Mayor Mirsch commented that it was her belief that staff has no control on the work load that comes in after the holiday break.

Councilmember Wilson commented that trying to meet a publishing deadline of Wednesday is too aggressive and he is fine with the agenda being published on Thursday.

City Manager Jeng stated that staff would really strive to publish on Wednesdays.

City Clerk Yohana Coronel added that with the new Granicus system in place, publishing an agenda was much easier. She added that meeting the publishing goal of Wednesday and/or Thursday was much more feasible with Granicus being much faster.

Councilmember Dieringer requested to agendize the possibility of changing the ordinance that requires the City Council to respond in 45 days from when a Planning Commission decision is made. She stated that when there are no meetings scheduled, for example the month of December, it puts the Council response time past the 45 days. She asked if an exception could be made, to extend the time for consideration of an item, when needed.

City Attorney Jenkins replied it was his recollection that when the ordinance was drafted, the Planning Commission meeting once a month was taken under consideration. He stated that projects often take a long time to go through Planning Commission and they wanted to give the Council the opportunity to review the commission item and possibly take jurisdiction of the item. They also want to give the applicant the opportunity to appeal if the Council did not take jurisdiction. The Council could change the ordinance, if it decides to do so, however, he cautioned that if more time is given, more delays will occur when trying to get a project approved. It would be possible to take a closer look at how the current process works and see if there is a possibility to extend the time for consideration of an item. Another consideration would be, if it's a quasi-judicial action, and if there is no legislative action associated with or subject to the permit streamlining act, the City must keep the existing deadline in place. The permit streamlining act applies unless there is an actual appeal of the City Council, which then the deadline no longer applies.

Councilmember Black stated he is not interested in extending the time to consider an item.

Councilmember Dieringer requested a copy of the permit streamlining act and copies of charts, like the ones the Council use to receive, that compares the proposed project versus the actual project. She also requested engineering plans for projects, Planning Commission minutes, with a report of the project and a statement from the applicant as to why they are requesting said project.

11. ADJOURNMENT

THE MEETING WILL BE ADJOURNED IN MEMORY OF FRANK HILL, FORMER COUNCILMEMBER OF THE CITY OF ROLLING HILLS. HE PASSED AWAY ON DECEMBEER 02, 2019.

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 8:59p.m. The next regular meeting of the City Council is scheduled to be held on Monday, January 27, 2020 beginning at 7:00 p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

_____
Yohana Coronel, MBA
City Clerk

Approved,

_____
Leah Mirsch
Mayor

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 4.B
Mtg. Date: 02/24/2020

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **CONNIE VIRAMONTES , ADMINISTRATIVE ASSISTANT**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **PAYMENT OF BILLS.**

DATE: **February 24, 2020**

BACKGROUND:
NONE.

DISCUSSION:
NONE.

RECOMMENDATION:
APPROVE AS PRESENTED.

ATTACHMENTS:

Payment of Bills.pdf

CITY OF ROLLING HILLS

2/24/2020 CHECK RUN B and C

	Check No.	Check Date	PAYEE	DESCRIPTION	AMOUNT
	26287	2/11/2019	Joseph Alvarado	Final Check	1,067.30
	26288	2/11/2019	The Gas Company	Gas Usage	223.57
	26889	2/11/2019	Lance, Soll & Lunghard, LLP	2019 State Controller report and Government Audit	2,640.00
	26890	2/11/2019	Maureen Kane & Associates, Inc	Technical Training for Clerks Conference	1,550.00
	26891	2/11/2019	VOID		-
	26892	2/11/2019	Southern California Edison	Electricity - 12/23/19 to 1/20/20	577.04
	26293	2/24/2020	BENNETT LANDSCAPE	November 2019 to February 2020 Landscaping	2,640.00
	26294	2/24/2020	Best Best & Krieger LLP	January 2020 Services - City of RH, Land Use and View presentatio	12,049.00
	26295	2/24/2020	Civicplus	Quarterly Fee- WEBHOSTING & SSL CERTIFICATE RENEWAL	1,564.40
	26296	2/24/2020	Daily Breeze	January 2020 Classified Ads - Legals CLS and Public Hearing	1,644.43
	26297	2/24/2020	DIAMANTE POOL PLASTERING CO., INC.	Reimbursement of refundabel deposit	750.00
	26298	2/24/2020	FORUM INFO-TECH. INC./LEVELCLOUD	February 2020 Service - CLOUD HOSTING,onsite wed service and new installation	4,842.20
	26299	2/24/2020	The Gas Company	Gas usage - 1/8/20 TO 2/6/20	209.93
	26300	2/24/2020	LEAGUE OF CALIFORNIA CITIES	2020 Membership Dues	1,313.00
	26301	2/24/2020	LEAH MIRSCH	Lodging Reimbursement- LEGISLATIVE TOUR	244.81
	26302	2/24/2020	Opus Bank	Credit Card Expenses - 1/4/20 TO 2/4/20	3,271.83
	26303	2/24/2020	Rolling Hills Community Assn.	January 2020 - 50% TENNIS COURT LIGHT BILL	7,720.00
	26304	2/24/2020	USCM	Deferred Compensation - 2-14-20	50.00
	26305	2/24/2020	Vantagepoint Transfer Agents - 306580	Deferred Compensation - 2-14-20	926.13
	26306	2/24/2020	VOID		-
	26307	2/24/2020	Abila	January and February 2020- MIP CLOUD SUBSCRIPTION	367.50
	26308	2/24/2020	Delta Dental	March 2020 Dental Insurance	840.18
	26309	2/24/2020	The Standard	March 2020 Life Insurance	175.20
	26310	2/24/2020	VSP Vision Care	March 2020 Vision Insurance	151.67
*	EFT	2/24/2020	CALPERS	March 2020 Health Insurance	6,222.56
*	EFT	2/1/2020	CALPERS	January 2020 Retirement	9,823.91
*	PR LINK	2/14/2020	PR LINK - PAYROLL PROCESSING	Processing Fee	56.40
*	PR LINK	2/14/2020	PR LINK - PAYROLL 1 & PR TAXES	Pay Period - DECEMBER 18, 2019 THROUGH DECEMBER 31, 2019	19,448.56
					80,369.62
					60,864.66

I, Elaine Jeng, City Manager of Rolling Hills, California certify that the above demands are accurate and there is available in the General Fund a balance of $80,369.62 or the payment of above items.

02/19/2020

Elaine Jeng, P.E., City Manager

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 6.A
Mtg. Date: 02/24/2020

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **MEREDITH ELGUIRA, PLANNING DIRECTOR**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **WAIVE FULL READING AND APPROVE ADOPTION OF A NON-URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AMENDING CHAPTER 17.28 OF THE CITY OF ROLLING HILLS MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINE THE ORDINANCE TO BE EXEMPT FROM CEQA.**

DATE: **February 24, 2020**

BACKGROUND:

This proposed ordinance was introduced for first reading at the February 10, 2020 City Council Meeting. After consideration and discussion by the City Council, the proposed ordinance was approved for a second reading and adoption.

DISCUSSION:

In 2019, the California Legislature approved, and the Governor signed into law a number of bills ("New ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs. The New ADU Laws took effect on January 1, 2020, and if the City's ADU Ordinance did not comply with the New ADU Laws, the City's Ordinance became null and void on that date as a matter of law. The proposed ordinance amends the City's local regulatory scheme for the construction of ADUs and JADUs to comply with the amended provisions of Government Code sections 65852.2 and 65852.22. The attached draft Ordinance (with Exhibit A to the Ordinance) include changes to the City of Rolling Hills Municipal Code Chapter 17.28

substantially in the form attached.

RECOMMENDATION:

STAFF RECOMMENDS THAT THE CITY COUNCIL WAIVE FULL READING AND ADOPT NON-URGENCY ORDINANCE NO. 364: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AMENDING CHAPTER 17.28 OF THE CITY OF ROLLING HILLS MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA.

ATTACHMENTS:

ADU Non-urgency Ord. 364

ORDINANCE NO. 364

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AMENDING CHAPTER 17.28 OF THE CITY OF ROLLING HILLS MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA.

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the Planning and Zoning Law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills ("New ADU Laws") that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, the New ADU Laws took effect January 1, 2020, and because the City's ADU ordinance did not comply with the New ADU Laws, the City's ordinance became null and void on that date as a matter of law, thereby limiting the City to the application of the few default standards provided in Government Code sections 65852.2 and 65852.22 for the approval of ADUs and JADUs; and

WHEREAS, the approval of ADUs and JADUs based solely on the default statutory standards, without local regulations governing height, setback, landscape, architectural review, among other things, threatens the character of existing neighborhoods and negatively impacts property values, personal privacy, and fire safety.

WHEREAS, the City desires to amend its local regulatory scheme for the construction and use of ADUs and JADUs to comply with the amended provisions of Government Code sections 65852.2 and 65852.22; and

WHEREAS, the City Council has reviewed and considered the public testimony and agenda reports prepared in connection with this ordinance, including the policy considerations discussed therein, and the consideration and recommendation by the City's Planning Commission and proposed amendments as presented by staff; and

WHEREAS, in accordance with the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City has determined that the revisions to the Rolling Hills Municipal Code are exempt from environmental review.

NOW, THEREFORE, the City Council of the City of Rolling Hills does ordain as follows:

Section 1. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

In addition to being statutorily exempt from CEQA, the proposed ordinance is also categorically exempt from CEQA under the Class 3 exemption set forth in State CEQA Guidelines section 15303. The Class 3 exemption categorically exempts from CEQA, among other things, the construction and location of new, small structures and the conversion of existing small structures from one use to another. Section 15303 specifically lists the construction of appurtenant accessory structures and garages as examples of activity that expressly falls within this exemption. Here, the ordinance is categorically exempt under the Class 3 exemption because the ordinance regulates the conversion of existing structures into, and the new construction of, ADUs and JADUs, which are, by definition, structures that are accessory to a primary dwelling on the lot. Moreover, the City Council finds that none of the "exceptions" to the use of the Class 3 exemption, set forth in State CEQA Guidelines section 15300.2, apply here. Specifically, the City Council finds that the ordinance will:

(1) Not result in the construction of ADUs or JADUs within a particularly sensitive environment because these accessory structures will necessarily be built on a lot already developed with a primary dwelling;

(2) Not result in a potentially significant cumulative impact because the City is designated for residential development and recreational uses with the exception of City Hall Campus, LACoFD Station No. 56, Rancho Del Mar High School, and guard gates;

(3) Not result in a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances because these accessory structures will necessarily be built on an already developed lots with existing structures;

(4) Not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. The mainly City consists of single family residential development. The highways nearest to the City are California State Route (SR) 1 (Pacific Coast Highway) and SR 213 (Western), these highways are not designated as state scenic highways and the segments near the City are not eligible for designation as state scenic highways. The City's General Plan does not identify any local scenic roadways in the City;

(5) Not be located on a hazardous waste site included on any list compiled pursuant to § 65962.5 of the Government Code. The City is not located on or directly adjacent to any known hazardous or contaminated sites; or

(6) Not result in a substantial adverse change in the significance of a historical resource. The proposed Ordinance will not have a significant impact to historical resources because there are no listed historic buildings within the Cityboundaries.

Section 3. Chapter 17.28 of the Rolling Hills Municipal Code is hereby amended and restated as provided in Exhibit "A", attached hereto and incorporated herein by reference.

Section 4. This ordinance takes effect 30 days following its adoption.

Section 5. The City Clerk shall either: (a) have this ordinance published in a newspaper of general circulation within 15 days after its adoption or (b) have a summary of this ordinance published twice in a newspaper of general circulation, once five days before its adoption and again within 15 days after its adoption.

Section 6. The City Clerk shall submit a copy of this ordinance to the Department of Housing and Community Development within 60 days after adoption.

Section 7. The City Council hereby directs staff to prepare, execute and file with the Los Angeles County Clerk a Notice of Exemption within five working days of first reading of this ordinance.

Section 8. If any provision of this ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this resolution are severable. The City Council declares that it would have adopted this resolution irrespective of the invalidity of any portion thereof.

Section 9. The documents and materials that constitute the record of proceedings on which this Ordinance and the above findings have been based are located at City Hall.

PASSED, APPROVED AND ADOPTED by the City Council of the Rolling Hills, California, at a regular meeting of the City Council held on the 24th day of February, 2020 by the following vote:

_____
LEAH MIRSCH
MAYOR

ATTEST:

_____
YOHANA CORONEL
CITY CLERK

EXHIBIT A

Amendments to Municipal Code

(follows this page)

Chapter 17.28 Accessory Dwelling Units and Junior Accessory Dwelling Units

Section 17.28.010. Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.

Section 17.28.020. Effect of Conforming.

An ADU or JADU that conforms to the standards in this section will not be:

A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.

B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

C. Considered in the application of any local ordinance, policy, or program to limit residential growth.

D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030.G below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

Section 17.28.030. Definitions.

As used in this section, terms are defined as follows:

A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and

2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.

B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

D. "Efficiency kitchen" means a kitchen that includes each of the following:

1. A cooking facility with appliances.

2. A food preparation counter or counters that total at least 15 square feet in area.

3. Food storage cabinets that total at least 30 square feet of shelf space.

E. "Junior accessory dwelling unit" or "JADU" means a residential unit that

1. is no more than 500 square feet in size,

2. is contained entirely within an existing or proposed single-family dwelling,

3. includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling, and

4. includes an efficiency kitchen, as defined in subsection D above.

F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.

I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

Section 17.28.040. Approvals.

The following approvals apply to ADUs and JADUs under this section:

A. **Building-permit Only.** If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:

1. **Converted on Single-family Lot:** Only one ADU or JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

(a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress.

(b) Has exterior access that is independent of that for the single-family dwelling.

(c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

2. **Limited Detached on Single-family Lot:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection A.1 above), if the detached ADU satisfies the following limitations:

(a) The side- and rear-yard setbacks are at least four-feet.

(b) The total floor area is 800 square feet or smaller.

(c) The peak height above grade is 16 feet or less.

3. **Converted on Multifamily Lot:** Multiple ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. At least one converted ADU is allowed within an existing multifamily dwelling. The maximum number of converted ADUs allowed within an existing multifamily dwelling structure is equal to 25 percent of the existing multifamily dwelling units.

4. **Limited Detached on Multifamily Lot:** No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies the following limitations:

   (a) The side- and rear-yard setbacks are at least four-feet.

   (b) The peak height above grade is 16 feet or less.

B. ADU Permit.

1. Except as allowed under subsection A above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.

2. The City may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the City's ADU ordinance. The ADU-permit processing fee is determined by the Director of Planning and Community Services and approved by the City Council by resolution.

C. Process and Timing.

1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.

2. The City must act on an application to create an ADU or JADU within 60 days from the date that the City receives a completed application, unless either:

   (a) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or

   (b) In the case of a JADU and the application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the JADU will still be considered ministerially without discretionary review or a hearing.

Section 17.28.050. General ADU and JADU Requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040.A or B:

A. Zoning.

1. An ADU or JADU subject only to a building permit under Section 17.28.040.A may be created on a lot in a residential or mixed-use zone.

2. An ADU or JADU subject to an ADU permit under Section 17.28.040.B may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

B. **Fire Sprinklers.** Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.

C. **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days.

D. **No Separate Conveyance.** An ADU or JADU may be rented, but no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

E. Owner Occupancy.

1. All ADUs created before January 1, 2020 are subject to the owner-occupancy requirement that was in place when the ADU was created.

2. An ADU that is created after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.

3. All ADUs that are created on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

4. All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.

F. **Deed Restriction.** Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run

with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

1. The ADU or JADU may not be sold separately from the primary dwelling.

2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.

3. The deed restriction runs with the land and may be enforced against future property owners.

4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

Section 17.28.060. Specific ADU Requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040.B.

A. Maximum Size.

1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two bedrooms. No more than two bedrooms are allowed.

2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling, subject to Section 17.28.060.A.3 below.

3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of a percentage-based size restriction, FAR, lot coverage, or open-space requirement may require the ADU to be smaller than 800 square feet.

B. **Floor Area Ratio (FAR).** No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed 45 percent, subject to Section 17.28.060.A.3 above.

C. Setbacks.

1. No part of any ADU subject to this Section 17.28.060 may be located within 30 feet of the front property line.

2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.

D. **Lot Coverage.** No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed 50 percent, subject to Section 17.28.060.A.3 above.

E. **Minimum Open Space.** No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below 50 percent, subject to subsection Section 17.28.060.A.3 above.

F. **Height.** No ADU subject to this Section 17.28.060 may exceed 16 feet in height above grade, measured to the peak of the structure.

G. **Passageway.** No passageway, as defined by Section 17.28.030.H above, is required for an ADU.

H. Parking.

1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030.K above.

2. Exceptions. No parking under Section 17.28.060.H.1 is required in the following situations:

(a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030.J above.

(b) The ADU is located within an architecturally and historically significant historic district.

(c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040.A.1 above.

(d) When on-street parking permits are required but not offered to the occupant of the ADU.

(e) When there is an established car share vehicle stop located within one block of the ADU.

3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

I. Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.

2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling. The ADU entrance must be located on the side or rear building façade, not facing a public-right-of-way.

5. The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.

6. Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight.

7. All windows and doors that are less than 30 feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, (for windows and for doors) utilize frosted or obscure glass, or (for doors) opaque.

8. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the federal, state, or local register of historic places must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

J. Landscape Requirements

1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:

   (a) At least one 15-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.

   (b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.

2. All landscaping must be drought-tolerant.

3. All landscaping must be from the City's approved plant list.

K. **Historical Protections.** An ADU that is subject to this Section 17.28.060 and that is on or within 600 feet of real property that is listed in the California Register of Historic Resources is subject to all the objective standards imposed by the Secretary of Interior.

Section 17.28.070. Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040.A or Section 17.28.040.B.

A. Impact Fees.

1. No impact fee is required for an ADU or JADU that is less than 750 square feet in size.

2. Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the primary dwelling, divided by the floor area of the ADU, times the typical fee amount charged for a new dwelling.) "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.

B. Utility Fees.

1. Converted ADUs and JADUs on a single-family lot, created under subsection Section 17.28.040.A.1 above, are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. Nor is a connection fee or capacity charge required unless the ADU or JADU is constructed with a new single-family home.

2. All ADUs and JADUs not covered by subsection Section 17.28.070.B.1 above require a new, separate utility connection directly between the ADU or JADU and the utility. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU or JADU, based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system. The fee or charge may not exceed the reasonable cost of providing this service.

Section 17.28.080. Nonconforming ADUs and Discretionary Approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section 17.28.070 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 6.B
Mtg. Date: 02/24/2020

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **MEREDITH ELGUIRA, PLANNING DIRECTOR**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **WAIVE FULL READING AND ADOPT 2019 CALIFORNIA STANDARD BUILDING CODE AS ADOPTED AND AMENDED BY LOS ANGELES COUNTY AND FINDING THE ACTION EXEMPT FROM CEQA.**

DATE: **February 24, 2020**

BACKGROUND:

This proposed ordinance was introduced for first reading at the January 27, 2020 City Council Meeting. After consideration and discussion by the City Council, the proposed ordinance was approved for a second reading and adoption.

DISCUSSION:

This year, few changes were made to the State and County Codes that affect single family residential construction. Accordingly, Ordinance No. 363 largely function to adopt the current editions of the codes, readopt previously adopted City amendments that continue to apply to local building conditions (provisions largely relating to restrictions on grading), and delete or otherwise clean up those provisions of RHMC Title 15 that are obsolete or duplicative of the State and County codes.

RECOMMENDATION:

STAFF RECOMMENDS THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS: (1) WAIVE FULL READING AND ADOPT ORDINANCE NO. 363: AN ORDINANCE OF THE CITY OF ROLLING HILLS ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA BUILDING CODE, 2019 EDITION), TITLE 27 OF

THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION), TITLE 28 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA PLUMBING CODE, 2019 EDITION), TITLE 29 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION), TITLE 30 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION), TITLE 31 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION), TITLE 33 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2019 EDITION); MAKING LOCAL AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

ATTACHMENTS:

Attch1_Bldg Code Non-urgency Ord. 363

ORDINANCE NO. 363

AN ORDINANCE OF THE CITY OF ROLLING HILLS ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA BUILDING CODE, 2019 EDITION), TITLE 27 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION), TITLE 28 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA PLUMBING CODE, 2019 EDITION), TITLE 29 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION), TITLE 30 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION), TITLE 31 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION), TITLE 33 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2019 EDITION); MAKING LOCAL AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 15.04 (Building Code) of Title 15 of the Rolling Hills Municipal Code is hereby amended in its entirety to read as follows:

15.04.010 – Adoption of Building Code.

Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code, as amended and in effect on January 1, 2020, adopting the California Building Code, 2019 Edition (Part 2 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Building Code, 2019 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2019 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.04.020 - Short title.

This chapter shall be known as the “Building Code of the City of Rolling Hills” and will be referred to herein as “this code.”

15.04.030 Section 105 amended.

Section 105 of the Building Code is amended to add a new subsection 105.7 to read:

105.7 Review Hearing. The City Council of the City of Rolling Hills may conduct a public hearing to review any decision or order of the Board of Appeals, the Code Enforcement Appeals Board, or the Building Rehabilitation Appeals Board upon an affirmative vote of three members of the City Council within thirty (30) calendar days of the decision or order. The City Council may, upon conclusion of the public hearing, sustain or reverse in whole or in part any said action or order. Notice of the City Council public hearing shall be given by the City Clerk not less than ten (10) days prior to the hearing by first class mail to all property owners within 1,000 feet of the exterior boundaries of the subject property and all owners of record of the subject property at the time of mailing said notice.

15.04.040 Definitions.

Whenever any of the following names or terms are used in the California Building Code or the County of Los Angeles Building Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"Board of Appeals" means the Board of Appeals established by Section 105 of said Los Angeles County Building Code.

"Building department" means the entities charged by resolution of the City Council with the responsibility of administering the building code for the City.

"Building official" means the persons charged by resolution of the City Council with the responsibility of administering the building code for the City.

“City” means the City of Rolling Hills.

"City Engineer" means the persons charged by resolution of the City Council with the responsibility of performing the functions of city engineer for the City.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

"Electrical Code" means Chapter 15.16 of this code.

“Existing Building Code” means Chapter 15.24 of this code.

"Fire Code" means Chapter 15.20 of this code.

"Fire zone" means the fire zone adopted by an ordinance creating and establishing fire zones or where no such fire zones have been adopted by the City of Rolling Hills, shall mean very high fire hazard severity zone (VHFHSZ).

"General fund" means the City Treasury of the City of Rolling Hills.

"Green Building Standards Code" means Chapter 15.22 of this code.

"Health Code" or "Los Angeles County Health Code" means Chapter 8.04 of this code.

"Health Officer" means the Health Officer of the City of Rolling Hills.

"Mechanical Code" means Chapter 15.12 of this code.

"Plumbing Code" means Chapter 15.08 of this code.

"Residential Code" means Chapter 15.18 of this code.

15.04.050 - Fees.

Notwithstanding the provisions of Section 15.04.010, the Building Code is amended by increasing the amount of each and every fee set forth in the Building Code, to a sum set by resolution of the City Council, including a park and recreation fee.

15.04.060 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a basement, is amended to read as follows:

> BASEMENT is any floor level below the first story of the primary residence, including an attached garage. Except for walls within light wells, basement walls across any elevation may not exceed a height of five (5) feet above finished grade at any point immediately adjacent to the basement exterior, and shall have no greater than an average of two and one-half (2½) feet exterior height. Basement well(s) shall be incorporated into the overall design of the building so that it does not give an appearance of a separate story.

15.04.070 Section 202 amended.

Section 202 of the Building Code, regarding the definition of a story, is amended to read as follows:

> STORY is that portion of a building included between the upper surface of any floor and the ceiling or roof above it. There shall be no story on top of another, except as permitted in Section 17.16.080 of the Zoning Ordinance.

15.04.080 Amending Appendix J Grading, Section J103 PERMITS REQUIRED

Section J103.2 Exemptions is amended to read as follows:

8. An excavation that does not exceed 50 cubic yards and complies with one of the following conditions and as shown in Figure J103.2:
   (a) Is less than 2 feet (0.6 m) in depth.
   (b) Does not create a cut slope greater than 5 feet (1.5 m) measured vertically upward from the cut surface to the surface of the natural grade and is not steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.2 Fill, Exemption 9 is amended to read as follows:

9. A fill not intended to support a structure that does not obstruct a drainage course and complies with one of the following conditions and as shown in Figure J103.2:
   (a) Is less than 1 foot (0.3 m) in depth and is placed on natural terrain with a slope flatter than 5 units horizontal to 1 unit vertical (20 percent slope).

(b) Is less than 3 feet (0.9 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 50 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

(c) Is less than 5 feet (1.5 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 20 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

Section J103.6 Compliance with Zoning Code is amended to read as follows:

The Building Official may refuse to issue a grading permit for work on a site if either the proposed grading or the proposed land use for the site shown on the grading plan application does not comply with the provisions of Title 17 of the Rolling Hills Municipal Code (Zoning).

15.04.090 Amending Section J106.1 Maximum cut slopes.

The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no more than one unit vertical to two units horizontal (50 percent slope), unless the owner, or the owner's authorized agent, receives a variance for a steeper slope from the Planning Commission of the City of Rolling Hills and furnishes a geotechnical or an engineering geology report, or both, justifying a steeper slope. The reports must contain a statement by the Geotechnical Engineer or Engineering Geologist that the site was investigated and an opinion that a steeper slope will be stable and will not create a hazard to public or private property, in conformance with the requirements of Section 111. Notwithstanding the provisions of this section, the Building Official may require the slope of cut surfaces to be less than 50 percent, if the Building Official finds it necessary for the stability and safety of the slope.

Exceptions:

The slope of a cut surface may be permitted to be as steep as 1.5 units horizontal to one unit vertical (67 percent) only if all of the following conditions are met:

1. It is not intended to support structures or surcharges.

2. It is approved by the Planning Commission of the City of Rolling Hills.

3. It is adequately protected against erosion.

4. It is no more than 8 feet (2438 mm) in height.

5. It is approved by the Building Official.

6. Ground water is not encountered.

15.04.100 - Section J106.2 added.

Section J106 is amended to add subsection J106.2 to read as follows:

Section J106.2 DRIVEWAYS. Driveways which provide access from any lot or parcel of land to any of the private roads in the City of Rolling Hills which are maintained by the Rolling Hills Community

Association shall be so constructed that the first twenty (20) feet of said driveway, measured from the edge of the paved portion of said private road, shall not be steeper in grade than seven percent (7%). All new and relocated driveways require approval of the City of Rolling Hills Traffic Commission prior to construction.

15.04.110 Section J106.3 added.

Section J106 is amended to add subsection J106.3 to read as follows:

J106.3 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area), and

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of the lot that has eroded, and of hillside or trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area);

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger; and

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.120 Amending Section J107.6 Maximum Slope.

The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 1 unit vertical to 2 units horizontal (50 percent slope) shall not be permitted unless the owner receives a variance for a steeper fill slope from the Planning Commission of the City of Rolling Hills, pursuant to the provisions of Title 17 of the Municipal Code. Such slopes shall be justified by geotechnical reports conforming with the requirements of Section 111, containing a statement by the Geotechnical Engineer that the site has been investigated and an opinion that a steeper fill slope will be stable and will not create a hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope to be constructed with a face flatter in slope than 2 units horizontal to 1 unit vertical (50 percent slope) if the Building Official finds it necessary for stability and safety of the slope.

15.04.130 Section J107.10 added.

Section J107, FILLS, is amended by adding subsection J107.10 to read as follows:

J107.10 BALANCED CUT AND FILL RATIO

Adherence to balanced cut and fill ratio is an important policy of the City and furthers the goals and objectives of its General Plan, except that export of soil generated from construction of basements and other excavation activities, promotes the preservation of natural terrain of the property. A project, which does not include excavation, may deviate from balanced cut and fill only under unusual circumstances related to the size, shape, topography or other physical conditions of the property that qualify it for a variance pursuant to Municipal Code Section 17.38.050.

1. No import of soil shall be permitted to any lot in the City, except where a variance pursuant to Chapter 17.38 has been approved.

2. No export of soil shall be permitted from any lot in the City, except where the soil is generated from an excavation activity, as defined in Municipal Code Section 17.12.050 or where a variance pursuant to Chapter 17.38 has been approved. Export of soil must comply with City refuse diversion requirements.

3. No grading plan for which a permit is required shall be approved unless the amount of soil to be cut from the site equals the amount of soil to be filled on the site, except where the soil is generated from an excavation activity or where a variance pursuant to Chapter 17.38 has been approved.

4. The City Manager, or his or her designee, may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export (other than from excavation activities), of soil not to exceed 500 cubic yards if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) Construction of a structure on the lot or parcel has commenced,

(b) That the need to import or export the soil could not have been foreseen prior to commencement of construction, and

(c) That either the structure, as approved, cannot be completed without the requested import or export of soil or that an emergency condition exists due to the threat of land subsidence or other imminent danger.

5. The City Manager or his or her designee may grant an exception to the requirements of parts 1 and 2 of this subsection to allow for the import or export of soil not to exceed 500 cubic yards for remedial repair of an area of the lot that has eroded, is on a hillside or a trail if he or she finds, based upon written reports and other information submitted, that all of the following conditions are present:

(a) The project does not require discretionary review (a cut that is three feet or less, or a fill that is three feet or less and where the activity covers 2,000 square feet or less of surface area).

(b) The import or export of soil is no greater than necessary to avoid a threat of land subsidence or other imminent danger.

(c) A professionally prepared drainage plan for permanent repair shall be required if the erosion is re-occurring and if/when the amount of dirt requested, when added to the amount of dirt used in previous years, exceeds a total of 500 cubic yards.

15.04.140 Amending Section J101.2 Flood Hazard areas.

Notwithstanding the provisions of Section 15.04.010 of this chapter, the Building Code is amended by requiring that in addition to Section J101.2, all new construction and substantial improvements proposed to be built in a flood-prone area, as determined in accordance with Section 8.36.050 of the Rolling Hills Municipal Code (RHMC), is subject to the floodplain management regulations set forth in Chapter 8.36 of the RHMC.

15.04.150 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or portion thereof or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars ($1,000) or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

SECTION 2. Chapter 15.08 (PLUMBING CODE) of Title 15 of the Rolling Hills Municipal Code is hereby amended in its entirety to read as follows:

15.08.010 Adoption of Plumbing Code.

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code, as amended and in effect on January 1, 2020, adopting the California Plumbing Code, 2019 Edition (Part 5 of Title 24 of the California Code of Regulations), is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Plumbing Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Plumbing Code, 2019 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2019 Edition, has been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.08.020 Definitions.

Whenever any of the following names of terms are used in the California Plumbing Code and the Los Angeles County Plumbing Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.08.030 Fees.

Notwithstanding the provisions of Section 15.08.010, the Plumbing Code is amended by increasing the amount of each and every fee set forth in the Plumbing Code to a sum set by resolution of the City Council.

15.08.040 Violations and penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars ($1,000) or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

SECTION 3. Chapter 15.12 (MECHANICAL CODE) of Title 15 of the Rolling Hills Municipal Code is hereby amended in its entirety to read as follows:

15.12.010 Adoption of Mechanical Code.

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2020, adopting the California Mechanical Code, 2019 Edition (Part 4 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Mechanical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Mechanical Code, 2019 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2019 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.12.020 Definitions.

Whenever any of the following names or terms are used in the California Mechanical Code or the County of Los Angeles Mechanical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section, as follows:

"City" means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" means the City of Rolling Hills.

15.12.030 Fees.

Notwithstanding the provisions of Section 15.12.010, the Mechanical Code is amended by increasing the amount of each and every fee set forth in the Mechanical Code to a sum set by resolution of the City Council.

15.12.040 Violations and penalties.

A. It shall be unlawful for any person, firm, or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, cooling, or refrigeration equipment in the jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of Mechanical Code of the City of Rolling Hills. Maintenance of equipment which was unlawful at the time it was installed, and which would be unlawful under this Code if installed after the effective date of this Code, shall constitute a continuing violation of this Code.

B. Any person, firm or corporation violating any of the provisions of the Mechanical Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one

thousand dollars ($1,000) or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

SECTION 4. Chapter 15.16 (ELECTRICAL CODE) of Title 15 of the Rolling Hills Municipal Code is hereby amended in its entirety to read as follows:

15.16.010 Adoption of Electrical Code.

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code, as amended and in effect on January 1, 2020, adopting the California Electrical Code, 2019 Edition (Part 3 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Electrical Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Electrical Code, 2019 Edition, Title 27 of the Los Angeles County Code, or any amendment to the Electrical Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2019 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.16.020 Definitions.

Notwithstanding the provisions of Section 15.16.010 of this chapter, whenever any of the following names or terms are used in the Electrical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

“City” means the City of Rolling Hills.

"County," "County of Los Angeles" or "unincorporated area of the County of Los Angeles" means the City of Rolling Hills.

15.16.030 Electrical Code fees.

Notwithstanding the provisions of Section 15.16.010, fees for plan check, inspection, and all other miscellaneous services shall be based on the fee schedule set forth by Title 27 of the Los Angeles County Code, Fees, as approved by resolution of the City Council.

15.16.040 Violations and Penalties.

Every person, firm, or corporation violating any of the provisions of the Plumbing Code of the City of Rolling Hills shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued, or permitted. Upon conviction, such person may be punished by a fine not to exceed one

thousand dollars ($1,000) or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment.

The provisions of this section are in addition to and independent of any sanctions, penalties or costs which are or may otherwise be imposed for a violation of the Rolling Hills Municipal Code.

SECTION 5. Chapter 15.18 (RESIDENTIAL CODE) of Title 15 of the Rolling Hills Municipal Code is hereby amended in its entirety to read as follows:

15.18.010 Adoption of Residential Code.

Except as herein provided, Title 30, Residential Code, of the Los Angeles County Code, as amended and in effect on January 1, 2020, adopting the California Residential Code, 2019 Edition (Part 2.5 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Residential Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Residential Code, 2019 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, 2019 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.18.020 Definitions.

Notwithstanding the provisions of Section 15.18.010, names or terms that are used in this code shall be deemed and construed to have the meaning ascribed to it in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.18.040 Fees.

Notwithstanding the provisions of Section 15.18.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.18.050 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Residential Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every

day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars ($1,000) or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

SECTION 6. Chapter 15.22 (GREEN BUILDING STANDARDS CODE) of Title 15 of the Rolling Hills Municipal Code is hereby amended in its entirety to read as follows:

Section 15.22.010 Adoption of Green Building Standards Code.

Except as hereinafter provided, Title 31, Green Building Standards Code, of the Los Angeles County Code, as amended and in effect on January 1, 2020, adopting the California Green Building Standards Code, 2019 Edition (Part 11 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known and may be cited as the Green Building Standards Code of the City of Rolling Hills.

In the event of any conflict between provisions of the California Green Building Standards Code, 2019 Edition, Title 31 of the Los Angeles County Code, or any amendment to the Green Building Standards Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 31 of the Los Angeles County Code and the California Green Building Standards Code, 2019 Edition, have been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.22.020 Definitions.

Notwithstanding the provisions of Section 15.22.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in the Los Angeles County Green Building Standards Code or in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code, as appropriate.

15.22.030 Water budget.

Notwithstanding the provisions of Section 15.22.010, section 4.304 of the Green Building Standards Codes is amended to add section 4.304.2 to read as follows:

4.304.2. Water Budget. A water budget shall be developed for landscape irrigation use installed in conjunction with new construction and new or redeveloped landscaping that conforms to the local water efficient landscape ordinance in Chapter 13.18 of Title 13 of the Rolling Hills Municipal Code.

15.22.040 Low-impact development.

Notwithstanding the provisions of Section 15.22.010, section 4.106.5 of the Green Building Standards Codes is amended to read as follows:

4.106.5. Low-impact development. New development or additions or alteration to existing developed sites shall comply with the Storm Water Management and Pollution Control Ordinance, Chapter 8.32 of Title 8 of the Rolling Hills Municipal Code.

15.22.050 Fees.

Notwithstanding the provisions of Section 15.22.010, the fees set forth for this code shall be the same as the fees prescribed by resolution of the City Council for the Building, Electrical, Plumbing, Mechanical, Residential, and Fire Codes of Title 15 of the Rolling Hills Municipal Code.

15.22.060 Violation and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Green Building Standards Code of the City of Rolling Hills.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars ($1,000) or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

SECTION 7. Chapter 15.24 (EXISTING BUILDING CODE) of Title 15 of the Rolling Hills Municipal Code is hereby amended in its entirety to read as follows:

15.24.010 Adoption of Existing Building Code.

Except as herein provided, Title 33, Existing Building Code of the Los Angeles County Code, in effect on January 1, 2020 adopting the California Green Building Standards Code, 2019 Edition (Part 10 of Title 24 of the California Code of Regulations) is hereby adopted and incorporated by reference, as if fully set forth below, and shall be known as the Existing Building Code of the City of Rolling Hills.

In the event of any conflict between provisions of Title 33, Existing Building Code of the Los Angeles County Code, 2020 Edition, or any amendment to the Existing Building Code contained in the Rolling Hills Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 33 of the Existing Building Code, has been deposited in the office of the City Clerk of the City of Rolling Hills and shall be at all times maintained by the City Clerk for use and examination by the public.

15.24.020 Definitions.

Notwithstanding the provisions of Section 15.24.010, names or terms that are used in this code shall be construed to have the meaning ascribed to them in Section 15.04.040 of Title 15 of the Rolling Hills Municipal Code.

15.24.030 Fees.

Notwithstanding the provisions of Section 15.24.010, the fees set forth for this code shall be the same as the fees prescribed for the Building Code in Section 15.04.050 of Title 15 of the Rolling Hills Municipal Code.

15.24.040 Violations and penalties.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City of Rolling Hills, or cause the same to be done, contrary to or in violation of any of the provisions of this code.

B. Penalty. Any person, firm or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted. Upon conviction, such person may be punished by a fine not to exceed one thousand dollars ($1,000) or by imprisonment in the County Jail for a period of not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this code.

SECTION 8. Justification for Modification. Pursuant to sections 17958.7 and 18941.5 of the California Health & Safety Code, the Council hereby finds that the changes and modifications to the California Building Standards Code adopted herein through amendments to the state Building Code, Plumbing Code, Mechanical Code, Electrical Code, Residential Code, Green Building Standards Code and Existing Building Code are reasonably necessary because of specified local climatic, geological or topographical conditions. The City is located in a Very High Fire Hazard Severity Zone in Southern California where the local climate is characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, as well as heavy winter rains, often resulting in expansive soil conditions. The City also has relatively hilly topography in an area characterized by geological instability.

SECTION 9. CEQA. This Ordinance has been determined to be exempt from the California Environmental Quality Act pursuant to State Guidelines Section 15061 (b)(3) because it is not a project that has the potential for causing a significant effect on the environment.

SECTION 10. Severability. If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision hereof. The City Council of the City of Rolling Hills hereby declares that it would have adopted this ordinance despite any partial invalidity of its provisions.

SECTION 11. Effective Date. This ordinance shall take effect thirty (30) days after its passage and adoption pursuant to California Government Code section 36937.

SECTION 12. Notice and Filing. The City Clerk shall certify as to the adoption of this ordinance and post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933 and shall file a certified copy of this Ordinance with the California Building Standards Commission.

PASSED, APPROVED AND ADOPTED this 24th day of February 2020.

_____
LEAH MIRSCH, MAYOR

ATTEST:

_____
YOHANA CORONEL
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §§
CITY OF ROLLING HILLS)

I certify that the foregoing Ordinance No. 363 entitled as follows:

AN ORDINANCE OF THE CITY OF ROLLING HILLS ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA BUILDING CODE, 2019 EDITION), TITLE 27 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION), TITLE 28 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA PLUMBING CODE, 2019 EDITION), TITLE 29 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION), TITLE 30 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION), TITLE 31 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION), TITLE 33 OF THE LOS ANGELES COUNTY CODE (INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2019 EDITION); MAKING LOCAL AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

was approved and adopted at a regular meeting of the City Council on February 24, 2020 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

and in compliance with the laws of California was posted at the following:

Administrative Offices.

_____
YOHANA CORONEL
CITY CLERK

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.A
Mtg. Date: 02/24/2020

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **ELAINE JENG, CITY MANAGER**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **DISCUSS FISCAL YEARS 2021-2022 AND 2022-2023 POTENTIAL BUDGET ITEMS TO SUPPORT THE CITY COUNCIL PRIORITIES DEVELOPED AS A PART OF THE STRATEGIC PLANNING WORKSHOP.**

DATE: **February 24, 2020**

BACKGROUND:

During the Fiscal Year 2019-2020 budget workshop in May 2019, the City Council approved staff's recommendation to hold a Strategic Planning Workshop prior to the budget season discussing the work plan for Fiscal year 2021-2022.

The Strategic Planning Workshop was held on Saturday, January 25, 2020. The City Council also approved to use the regular City Council meetings on February 10, 2020 and February 24, 2020 to develop budget items for Fiscal Years 2021-2022 and 2022-2023.

DISCUSSION:

The following summarizes the four areas the City Council identified as priorities for the City of Rolling Hills:

1. Wildfire Mitigation/Emergency Preparedness
2. Utility Undergrounding
3. Drainage
4. Sewer

Attached to this report is a presentation by staff at the January 27, 2020 City Council meeting providing additional information on the development of the strategic planning priorities

Wildfire Mitigation/Emergency Preparedness
Under this priority, the City Council discussed allocating funding to create fire breaks on either side of the border between the City of Rolling Hills and the Preserve. The City Council also discussed continuing with the active enforcement on the Fire Fuel Abatement Ordinance including taking action on the Rolling Hills Community Association, if necessary.

Utility Undergrounding
Under this priority, the City Council discussed the goal of placing all utility lines within the City underground. This could be accomplished via a combination of grant funds and individual assessment district projects. The City currently has two grant applications with CalOES to underground a segment of Crest Road East near Eastfield Drive, as well as a segment along Eastfield Drive. Staff expects to hear from CalOES in the next six months on their selections.

Drainage
Under this priority, the City Council discussed two actions items: the first action is to implement policy change on parcels to require stormwater detention/retention pits or basins to slow down discharge or infiltrate onsite to eliminate runoffs in the canyons within the City; and the second action is to identify capital improvements to address stormwater runoff from common areas within the City to achieve the same purposes as the first action.

Sewer
Under this priority, the City Council discussed installing sewer main lines to transition the community from using septic tanks. To achieve this priority, the City Council, based on lessons learned from past efforts, discussed seeking implementation via small segments of projects similar to the extension of the Johns Canyon line or the proposed 8" main along Portuguese Bend Road/Rolling Hills Road.

RECOMMENDATION:
STAFF RECOMMENDS THAT THE CITY COUNCIL REVIEW THE CITY COUNCIL PRIORITIES DEVELOPED AS PART OF THE STRATEGIC PLANNING WORKSHOP AND DISCUSS POTENTIAL BUDGET ITEMS FOR FISCAL YEARS 2020-2021 AND 2022-2023; AND DIRECT STAFF TO PROVIDE HIGH LEVEL BUDGET ESTIMATES FOR THE POTENTIAL ITEMS AT THE MARCH 09, 2020 COUNCIL MEETING.

ATTACHMENTS:

Item7D_SummaryStrategicPlanningWorkshop_2020-01-27.pptx

ITEM 8A
PRESENT THE CITY COUNCIL PRIORITIES DEVELOPED AS PART OF THE STRATEGIC PLANNING WORK WORKSHOP

JANUARY 27, 2020

City Council Meeting

City of Rolling Hills

CITY COUNCIL COMMON PRIORITIES

- Wildfire Mitigation/Emergency Preparedness – allocate funding for fire breaks on City's side (adjacent to Conservancy); allocate funding for work in the Preserve; enforcement for emergency preparedness including enforcement actions against HOA if necessary
- Utility Undergrounding – implement via a combination of grant projects and individual assessment projects
- Drainage – seek policy change on individual properties and city to identify capital improvements to address issues
- Sewer – seek to implement via small segment projects if cost is manageable

CITY COUNCIL OTHER SPECIFIED PRIORITIES

- Improve communications with residents – efficiency improvements to the production, and implement occasional two page newsletter
- Shorter City Council meetings – City Manager to play a bigger role in meetings
- ~~Ease the permitting and building process for residents~~
- Minimize legal liability – already work in progress and will be considered in Council's decision process
- Public safety – already work in progress and will be considered in Council's decision process
- Revise view ordinance – revisit with upcoming view cases
- ~~Purchase properties for open space~~
- Refund the residents – continue to monitor unassigned fund balance

STRATEGIC PLANNING BEYOND TODAY

- Report out at the City Council meeting on Monday, January 27, 2020
- Strategic Planning Session #2 at February 10, 2020 City Council meeting; use the establish priorities to define action items
- Strategic Planning Session #3 at February 24, 2020 City Council meeting; continue to use the established priorities to define action items
- April 13, 2020 City Council discuss FY 2020-2021 budget priorities; translate action items to budget items

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.B
Mtg. Date: 02/24/2020

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **MEREDITH ELGUIRA, PLANNING DIRECTOR**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **UPDATE COX OPEN HOUSE AT HESSE PARK. FEBRUARY 27, 2020, TWO SESSIONS FROM 3PM TO 5PM AND 6PM TO 8PM. (ORAL).**

DATE: **February 24, 2020**

BACKGROUND:
NONE.

DISCUSSION:
NONE.

RECOMMENDATION:
RECEIVE AND FILE.

ATTACHMENTS:

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 8.A
Mtg. Date: 02/24/2020

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **MEREDITH ELGUIRA, PLANNING DIRECTOR**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **CONSIDER AND APPROVE THE REQUEST FOR PROPOSAL (RFP) FOR CITY HALL CAMPUS SITE AND LANDSCAPE MAINTENANCE SERVICES.**

DATE: **February 24, 2020**

BACKGROUND:

In 2015, in response to the City's request for proposal, Pacific Coast Landscape Services (PCL) was selected to provide landscape maintenance services for the City Hall campus including the tennis courts for three years starting on January 1, 2016 to December 31, 2019. In November 2019, PCL's contract was terminated for failure to meet agreement terms, conditions, and requirements. PCL was charging $565 per month.

City staff contacted Bennett Landscape Services (BLS), a proposer from the 2015 solicitation to provide landscape maintenance services on an interim basis. The City entered into a month-to-month service arrangement with BLS for $660 per month.

FISCAL IMPACT

The cost of preparing and advertising the RFP is included in the City's operating budget for FY2020-2021.

DISCUSSION:

City staff prepared a new Request for Proposal for landscape services for the City Hall Campus based on lessons learned with the previous service provider by adding and modifying the scope of work and

contract provisions. In summary, the scope of the landscape maintenance services include furnishing all tools, equipment, services, apparatus, transportation, labor, disposal of waste, and materials necessary to perform the following:

1) Turf Management

2) Ground Cover and Shrubs Maintenance

3) Small Trees

4) Debris Control

5) Pest Control

6) Irrigation Systems

If the City Council should approve the RFP, staff will move forward with the following project schedule:

- RFP Release Date: Week of February 24, 2020
- Mandatory Site Visit Meeting: March 19, 2020 at 12 noon
- Deadline to Submit Request for Clarification: March 25, 2020 at 5PM
- RFP Due Date: April 1, 2020 at 3PM
- Council Consideration: April 27, 2020

RECOMMENDATION:

STAFF RECOMMENDS THAT THE CITY COUNCIL APPROVE THE RFP FOR SITE AND LANDSCAPE MAINTENANCE FOR THE CITY HALL CAMPUS AND DIRECT STAFF TO ADVERTISE THE PROPOSAL.

ATTACHMENTS:

Landscape RFP.pdf

City of Rolling Hills

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND
ROAD ROLLING HILLS, CA
90274
(310) 377-1521
FAX (310) 377-7288

REQUEST FOR PROPOSALS

SITE AND LANDSCAPE MAINTENANCE SERVICES FOR CITY HALL CAMPUS AND TENNIS COURTS

PRPOSALS DUE 3PM, APRIL 1, 2020

SECTION 1 BACKGROUND

The City of Rolling Hills is seeking site and landscape maintenance services for the City Hall campus including the Tennis Courts. The City Hall campus is located at 2 Portuguese Bend Road, in the City of Rolling Hills and it has two structures: City Hall and the Rolling Hills Community Association (RHCA) office. The RHCA is a tenant of the City. RHCA operates the RHCA office and the Tennis Courts. The City is responsible for the site and landscape maintenance of the City Hall campus and the Tennis Courts.

The areas of the City Hall campus and the Tennis Courts are approximately 3.5 acres in total (Attachment 1). Between 2016 and 2019 the landscaping on the campus was poorly maintained due to broken sprinkler pipes, non-working valves and inadequate care and watering. In early 2020, the City conducted necessary repairs, including insect, and gopher treatments to restore a fully functioning irrigation system at the campus.

The City Hall campus is located at the main entry way to the City. The campus represents the unique rural oasis surrounded by urban sprawl. The City is seeking an experienced, knowledgeable, responsible, and responsive service provider to pro-actively maintain the overall site and landscaping of the City Hall campus and the Tennis Courts to promote the rural characteristics of the City of Rolling Hills.

SECTION 2 SCOPE OF SERVICES

Task 1: Weekly site service to include mowing, edging and fertilizing all turf; removing all weeds from lawns, planters and improved areas; pruning, edging and trimming of shrubs, ground cover, roses and all trees under twenty feet in height; cultivation of soil as needed; cleaning of all hardscape areas, including the removal of dead leaves, trash and other debris; application of pest, gopher and disease control treatments as needed; tying and training roses along existing 3-rail fence, sweeping and removing decomposed granite out of walkway and curb at southeast corner of Portuguese Bend Road and Palos Verdes Drive North; adjustment maintenance of automatic sprinkler systems as needed; and planting of annual color as desired by the City. All potted plants shall be fertilized, maintained and water as needed. Service provider must have appropriate licenses to perform all of the above described subtasks. Blowers, power mowers, or other landscaping maintenance equipment are permitted when performing services. No service shall be performed Thursday mornings (7a.m. to 1 p.m.), Saturdays or Sundays or any days after 3:30pm.

Weekly site service are preferred on Mondays at 12pm. If Monday is a holiday, the work shall be re-scheduled to the following day at 12pm.

Task 2: Dispose all cuttings, prunings and trimmings from the site immediately after completing weekly site service, according to applicable rules, regulations and laws.

Task 3: Provide an inventory of the irrigation system, listing all heads, valves, pipes, controller boxes and relevant equipment to the overall system. Provide condition reports for the irrigation system every six months. Provide the irrigation schedule every six months.

Task 4: Every September, thatch and scalp lawns and over-seed with high quality lawn seeds.

Task 5: Provide annual vegetation management per the Los Angeles County Fire and Agriculture Commission's inspection recommendations.

Task 6: Provide emergency services 24 hours a day, 7 days a week to move toppled trees, attend to water line breaks, or other emergencies involving the landscape or irrigation systems.

Task 7: Provide recommendations for improvements of the grounds in the course of performing Task 1.

Task 8: Provide detailed estimates including rate sheets for flower planting program, major tree trimming (above 20 feet), major irrigation repairs, new planting and construction. The City reserves the right to seek pricing from other service providers on as needed services described under this task.

Task 9: Provide project manager or site supervisor that will serve as the point of contact with the City. The project manager and or site supervisor must be proficient in English and can communicate via email, phone and text messaging.

SECTION 3 MANDATORY PRE-SUBMITTAL SITE VISIT

A mandatory pre-submittal site visit will be held at the Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, CA 90274 on **Thursday, March 19, 2020 commencing at 12 PM** for all person interested in submitting a proposal for this work.

SECTION 4 PROPOSAL REQUIREMENTS

Understanding of the Scope of Work: the proposer shall provide a narrative to the approach to complete the Scope of Work efficiently and economically.

Organization, Credentials and Experience: Provide a summary of the proposer's qualifications, credentials, and related past experience. Describe the personnel who will be assigned to the contract. Provide a list of three of the proposer's jobs within the last five years of similar scope and content.

Fees: Under separate cover, provide a rate proposal for the scope of work. The cost proposal shall be identified for each task. The proposed cost budget shall present the labor rates and or proposed labor hours of proposed staff and or rates for each work task described in the proposal, as well as other direct costs.

Additional Information: Consultants are to review the sample Professional Services Agreement and provide comments and or questions as a part of the Consultant's proposal. See Section 7 of this RFP.

SECTION 5 PROPOSAL PROCEDURE

All proposals are due no later than 3pm on April 1, 2020. The City reserves the right to extend the deadline. The City will respond to request for clarification in written RFP addendum(s) as needed. Deadline to submit request for clarification is 5pm, March 25, 2020. All inquiries shall be directed to ejeng@cityofrh.net. Please submit the proposal via email to

Elaine Jeng, P.E.
City Manager
ejeng@cityofrh.net

Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposal unless clearly and specifically noted in the proposal submitted and confirmed in the agreement between the City of Rolling Hills and the firm selected. The City of Rolling Hills reserves the right without prejudice to reject any or all proposals. No reimbursement will be made by the City for costs incurred in the preparation of the response to this Request for Proposal. Submitted materials will not be returned and become the property of the City of Rolling Hills.

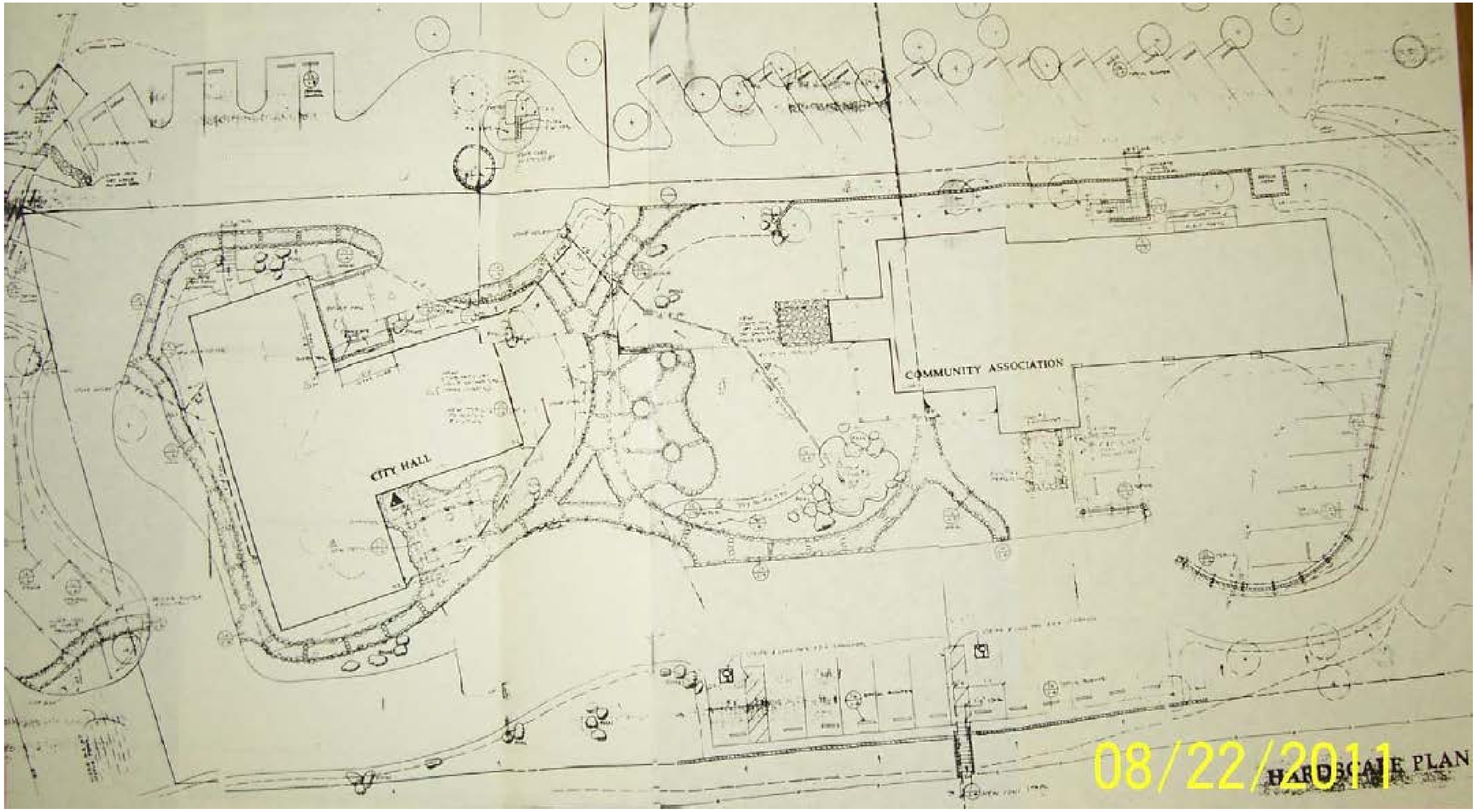
SECTION 6 SELECTION CRITERIA

Proposals will be selected based on sound approach to meeting the scope of work, the ability to demonstrate efficiency use of resources, the relevant experience of proposed personnel, and dedication of personnel to complete the tasks.

SECTION 7 SAMPLE CONSULTANT AGREEMENT

A sample City Professional Services Agreement is included with this Request for Proposal as Attachment 2. Consultants are to review the sample agreement and provide comments and questions as a part of the proposal.

ATTACHMENT 1



PORTION OF LOT 25
ROLLING HILLS TRACT
M.B. 201, PGS 29-35

LIMITS OF FIELD SURVEY

#11 #12 #13 #14 #15 #16

BENCH

TREE

BRICK

TRELLIS

BRICK PATIO

SHED

SIDEYARD SETBACK

TENNIS COURT

PREVIOUS AERIAL TOPO,
NOT FIELD CHECKED

50' REARYARD SETBACK

LIMITS OF FIELD SURVEY

6" GRATE

#8 #9 #10

50' FRONT YARD SETBACK

ROLLING HILLS

TENNIS COURT

4" CLEAN-OUT

30" MH

MED ALERT

BENCH

AC BERM

BULLETIN BOARD

GENERATOR SHUT OFF

UTILITY CABINET ON A CONC BASE

PORTION OF LOT 25
ROLLING HILLS TRACT
M.B. 201, PGS 29-35

TENNIS COURT

ROLLING HILLS ESTATES

#4 #5 #3 #6

BRICK

STONE PLAQUE

SECURITY BLDG

CONC CURB

STORM DRAIN

AC BERM

#1 #2

SIDEYARD SETBACK

25'

ASPH

N 25°29'55" E
282.16'

LIMITS OF FIELD SURVEY

PORTUGUESE BEND ROAD

PORTION OF LOT 21

ATTACHMENT 2

CITY OF ROLLING HILLS

AGREEMENT FOR LANDSCAPE MAINTENANCE

THIS AGREEMENT is made and entered into as of _____, by and between the **CITY OF ROLLING HILLS** ("City") and _____ ("Contractor").

R E C I T A L S

A. City desires to retain the services of Contractor to provide maintenance of site and landscaping services in the Civic Center Area (City Hall Campus and Tennis Courts) in the City of Rolling Hills.

B. Contractor has represented to City that it has the expertise, experience, and qualifications to perform the services described in Paragraph A, above, and those services which are more fully described in this Agreement.

NOW, THEREFORE, in consideration of the foregoing and the covenants and agreements set forth below, City and Contractor agree as follows:

1. **General Services**. Contractor shall furnish all materials and perform all work required for maintenance of Civic Center Area (City Hall Campus and Tennis Courts) landscaping, which services are more particularly set forth in the Scope of Work attached hereto as Exhibit A and incorporated herein by reference. City expressly reserves the right to contract with other contractors for landscape services other than those described in this Agreement.

2. **Payment.** Contractor shall submit invoices monthly and the City will make payment for both services covered by this Agreement and any authorized extra work on a monthly basis.

Authorized extra work, such as tree trimming for trees over 20 feet, major irrigation repairs, tree removal, and other work not covered by this Agreement, may be performed at the written direction of the City and charges itemized separately as extra work on a monthly invoice. City reserves the right to seek other bids for these services from the successful bidder or from any other contractors.

A. Compensation. City shall pay to Contractor the sum of _____ per month based on weekly services rendered under this Agreement, representing total compensation for all work, labor, annual fertilizer, equipment, and expenses incurred by Contractor. Additional work and materials not provided for in this Agreement may be authorized by City in writing and compensation therefor shall be agreed upon in advance by the parties.

B. Prevailing Wage. Contractor shall abide be the minimum prevailing rate of wages as determined by the State of California, Department of Industrial Relations for each craft, classification, or type of workman employed to carry out provisions of the Agreement. During the term of this Agreement, Contractor shall keep on file sufficient evidence of its employee compensation to enable verification of compliance of Prevailing Wages as established by State of California, Department of Industrial Relations.

3. **Term and Termination**. The term of this Agreement shall commence on _____ and terminate _____ unless extended by mutual agreement of the parties. City may terminate this Agreement at any time, with or without cause. In such event, Contractor shall be compensated for work satisfactorily accomplished up to the time of termination.

4. **Insurance**. Contractor shall, at his expense, obtain and keep in force during the term of this Agreement, a policy of Comprehensive General Liability Insurance, a policy of Comprehensive Automobile Liability Insurance, and a policy of Workers' Compensation Insurance as set forth more fully below:

A. Contractor shall maintain and deliver to the City copies of their Comprehensive General Liability Insurance with a combined single limit of not less than $1,000,000 covering bodily injury and property damage; insuring Contractor and the City against any liability arising out of the maintenance on the premises and all areas appurtenant thereto. Such insurance shall (a) name City, the Rolling Hills Community Association, and the City of Rolling Hills Estates, their appointed and elected officials, officers, employees, and agents as insureds; and (b) be primary with respect to any insurance or self-insurance programs maintained by the City; and (c) contain standard cross liability provisions.

B. Contractor shall maintain and deliver to City Copies of Comprehensive Automobile Liability Insurance with a combined single limit of not less than $1,000,000 per occurrence. Such insurance shall include coverage for owned, hired, and non-owned automobiles.

C. Contractor shall maintain Workers' Compensation Insurance covering their

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employees for injuries arising out of and in the course of their employment with limits of not less than $1,000,000 per accident.

D. Contractor shall provide copies of said policies' Certificates of Insurance. If Contractor, for any reason, fails to maintain insurance coverage, which is required pursuant to this Agreement, the same shall be deemed a material breach of this Agreement. City, at its sole option, may forthwith terminate this Agreement and obtain damages from the Contractor resulting from said breach. Alternatively, City may purchase such required insurance coverage, and without further notice to Contractor, City may deduct from sums due to Contractor any premium costs advanced by City for such insurance.

5. **Indemnity**. Notwithstanding the existence of insurance coverage required of Contractor pursuant to this Agreement, Contractor shall save, keep, indemnify, hold harmless, and defend City and its appointed and elected officials, officers, employees, and agents, from every claim or demand made and every liability, loss, damage, or expense of any nature whatsoever and all costs or expenses incurred in connection therewith, which arise at any time, by reason of damage to the property of, or personal injury to, any person, occurring or arising out of the performance by Contractor, its officers, agents, or employees, including, but not limited to, its subcontractors (hereinafter collectively "Contractor"), of the work required pursuant to this Agreement, occasioned by any alleged or actual negligence or wrongful act or omission by the Contractor, including any such liability imposed by reason of any infringement or alleged infringement of rights of any person or persons, firm or corporation, in consequence of the use in the performance by Contractor of the work hereunder of any article or material supplied or installed pursuant to this Agreement.

A. Contractor will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations, or liabilities and will pay all costs and expenses, including attorneys' fees incurred in connection herewith;

B. Contractor will promptly pay any judgment rendered against City, its officers, agents, or employees for any such claims, penalties, obligations, or liabilities; and,

C. In the event City, its officers, agents, or employees are made a part to any action or proceeding filed or prosecuted against Contractor for such damages or other claims arising out of or in connection with the sole negligence or wrongful acts of Contractor hereunder, Contractor agrees to pay City, its officers, agents, or employees any and all costs and expenses incurred by City, its officers, agents, or employees in such action or proceeding, including but not limited to, reasonable attorneys' fees.

6. **Quality of Work Performed**. All work shall be performed in accordance with accepted horticultural standards of quality and workmanship so as to maintain the landscape in the highest possible aesthetic condition.

7. **Personnel**. Contractor shall provide at all times sufficient landscape personnel with the skills and experience necessary to perform the various landscape activities for the full performance of this work. All personnel provided for the performance of this Agreement shall be employees of the contractor and contractor shall assume payment of all wages, taxes, and all other employee costs, unless otherwise provided.

Contractor shall hold harmless, indemnify, and defend the City against any liability or assessment connected with violations of Federal Statutes pertaining to alien/citizen status.

On-site personnel shall wear identifiable company uniforms including shirts, jackets, and caps, as necessary.

Frequent inspections of the site shall be made by an appropriate supervisor of the Contractor to assure adherence to schedules and policies by the crews performing the work. Supervisors shall be available to attend job walks with the City Manager or representative as necessary.

8. **Work Schedule**. Under normal conditions, the crews shall be on-site at the preferred time of 12 noon on Mondays. If Monday is a holiday, the work shall be re-scheduled to the following day at 12 noon.

Contractor's crews shall not work during inclement weather as damage to ground cover and turf areas may result. Contractor shall have a foreman visit the job site on Rain Days to turn off irrigation clocks and check for storm damage to the landscape. Storm damages noted shall be reported to the City.

9. **Licenses and Permits**. Contractor shall maintain a State Landscape Contractor's license and shall comply with all other license and permit requirements of the City, State, and Federal governments, as well as all other requirements of the law.

10. **Taxes**. Contractor agrees to pay all applicable taxes, including sales tax on material supplies where applicable.

11. **General Requirements.** Contractor shall comply with all City, State, and Federal laws in the performance of its services.

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12. **Assignment**. This Agreement is not assignable nor the performance of either party's duties delegable without the prior written consent of the other party. Any attempted or purported assignment or delegation of any of the rights or obligations of either party without the prior written consent of the other shall be void and of no force and effect.

13. **Attorney's Fees**. In any action brought to declare the rights granted herein or to enforce any of the terms of this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees in an amount determined by the court.

14. **Non-discrimination**. Contractor shall not discriminate in the hiring of employees or in the employment of subcontractors on any basis prohibited by law.

15. **Independent Contractor**. Contractor is and shall at all times remain as to City, a wholly independent contractor. Neither City nor any of its agents shall have control of the conduct of Contractor or any of the Contractor's employees, except as herein set forth. Contractor shall not at any time or in any manner represent that it or any of its agents or employees are in any manner agents or employees of the City.

16. **Notices**. All notices and communications shall be sent to the parties at the following addresses:

CITY: **City Manager**
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, California 90274

CONTRACTOR:

17. **Authorized Signature**. Contractor affirms that the signatures, titles, and seals set forth hereinafter in execution of this Agreement represent all individuals, firm members, partners, joint ventures, and corporate officers having a principal interest herein.

18. **Entire Agreement; Modification**. This Agreement supersedes any and all other agreements, either oral or written, between the parties and contains all of the covenants and agreements between the parties. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made

by any party, or anyone acting on behalf of any party, which are not embodied herein, and that any other agreement, statements, or promise not contained in this Agreement shall not be valid or binding. Any modification of this Agreement will be effective only if signed by the party to be charged.

IN WITNESS WHEREOF the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this Agreement to be executed by setting hereunto their names, titles, hands, and seals this ____ day of ____, _____.

CONTRACTOR: _____

_____

(Title)

Contractor's License No._____
Agency Business License No._____
Federal Tax Identification No._____

CITY: _____

Elaine Jeng, City Manager of the City of Rolling Hills

Attested: _____

Yohana Coronel, Deputy City Clerk of the City of Rolling Hills

Date: _____

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EXHIBIT A

Scope of Work

Contractor's tasks, includes but is not limited to below.

I. Turf Management

Contractor is expected to perform the tasks listed below:

1. Mow the lawns weekly to maintain a neat and manicured appearance, weather permitting.
2. For all turf areas, inspect grounds for litter and debris prior to mowing and dispose of any litter or debris identified.
3. Mow all irrigated lawn areas to the finished cut height of no less than 1 ½" and no more than 2 ½"unless otherwise requested.
4. Cut lawn to a uniform height. Mowing equipment is to be kept sufficiently sharp and properly adjusted through daily servicing to provide a cleanly cut grass blade. Grass blade bruising, tearing, and shredding are to be prevented.
5. The lawn cutting height shall be appropriate to turf variety. The lawn edges shall be trimmed adjacent to walks, curbs, paving, headers, and shrub areas. Immediately following each mowing, the areas shall be left in a neat and clean condition.
6. Mowing pattern will be varied where possible to reduce rutting and compaction of grade. Any excess clippings will be dispersed and/or collected to prevent damage and unsightly appearance of lawns.
7. Extra care shall be taken to prevent edging wider than necessary margins around sprinkler heads, borders, and trees. Care shall be taken to prevent trimmer damage to tree trunks and structures.
8. Fertilizers shall be applied seasonally on a set schedule to maintain lawn strength, color, and vigor.
9. Fertilizers shall be watered as needed.
10. Both chemical and organic fertilizer materials may be used.

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11. Contractor shall maintain a log of fertilizer use and provide log to City upon City's request.
12. Broadleaf and grassy weeds, insect pests, and plant diseases shall be treated by application of approved pesticides.
13. Damage to lawns and ground cover due to circumstances beyond the Contractor's control shall be repaired after agreement with the City as to payment for such work.
14. Lawns are to the thatched, scalped, and over-seeded in the Fall.

II. Ground Covers and Shrubs

Contractor is expected to perform the tasks listed below:

1. On a monthly basis, prune and trim ground cover plants neatly away from shrubs, trees, walk-ways, walls, and headers.
2. Shrubs shall be pruned to maintain a natural shape and proper size as a continuous operation.
3. Pruning and shaping of shrubs shall be performed only as necessary to maintain the natural form of the plant, to maintain growth within space limitations, and to eliminate damaged or diseased wood.
4. Shrubs shall not be clipped into balled or boxed forms unless required by the design.
5. Ground cover and shrubs shall be kept trimmed and pruned back so as to not obstruct sprinklers, outdoor lights, fire hydrants, and electrical/telephone boxes.
6. Vines on City Hall shall be removed.
7. Damage to ground covers due to circumstances beyond the Contractor's control shall be repaired after prior agreement with the City as to payment for such work.
8. Plants that are in a state of decline and are dead shall normally be removed if Contractor is satisfied that the property will benefit aesthetically. Contractor must notify the City first, and gain City approval, before plant are removed.

9. Shrub and ground cover areas shall be kept free of broadleaf or grassy weeds, preferably with pre-emergent and/or selective herbicides. Cultivation or hoeing weeds is not permitted.

10. Fertilizer shall be applied seasonally on a programmed and monitored basis or as required to stimulate growth.

11. Contractor shall maintain a log of fertilizer use and provide log to City upon City's request.

III. Small Trees

Contractor is expected to perform the tasks listed below:

1. Maintain all trees and shrubbery to a measure of 15 feet in height or less.

2. Trimming of trees over 20 feet in height may be performed and invoiced as extra work following written approval by the City. City reserves the right to seek other proposals from other contractors for trimming of trees over 20 feet in height.

3. Trees shall be properly staked and tied as necessary. Tree ties shall be inspected at least three times per year to prevent damage caused by abrasion or constriction.

4. Removal of tree stakes shall be considered as soon as possible to encourage tree development.

5. Trees and stumps requiring removal due to storm damage, proximity to buildings, walks, utilities, or other reasons shall be performed as directed and invoiced as extra work following written approval by the City.

6. Contractor shall inspect trees for insects and diseases. Approved chemical sprays shall be applied if required for common and controllable insect and disease infestations. Spraying shall be limited to one application. Additional treatments necessary due to unusual conditions may be invoiced as extra work following written approval by the City. Spraying shall be limited to trees measuring 20 feet or less in overall height.

7. The City may ask that a tree or large shrub be lowered to protect a view. If this requires a non-standard trimming practice that can result in deformity or seriously impact the health of the tree, the ultimate responsibility will be borne by the City.

8. Olive trees shall be sprayed in the spring to reduce the production of olives and shall be performed as part of the monthly service at no additional charge to the City.

9. Contractor shall not be responsible for tree damage caused by tree roots.

IV. Replacement

Contractor is expected to perform the tasks listed below:

1. Comply with the following requirement: any plant material that may expire, due to negligent maintenance procedures, shall be replaced by the Contractor, up to a maximum fifteen-gallon size plant, at no extra cost to the City.

V. Debris Control

Contractor is expected to perform the tasks listed below:

1. On a weekly basis, all lawns, planting beds, and walkways shall be cleaned of papers, bottles, excessive dust, and other types of debris.

2. On a weekly basis, rake and remove leaf debris after tree trimming.

3. As work in each area is completed, the clippings, trimmings, and debris shall be picked up and removed from the property at the end of each workday to leave a clean condition.

VI. Pest Control

Contractor is expected to perform the tasks listed below:

1. A pervasive pest infestation that is out of the ordinary (e.g. an influx of snails, whitefly, and lerp psyllid, etc.) requiring repeated pesticide applications may be invoiced as extra work following written approval by the City. Contractor will

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bear the responsibility to hire a California licensed pest control and fumigation sub-contractor when the application of services is deemed necessary.

2. Contractor's employees and subcontractors shall exercise the proper use of chemical controls and spray equipment and take all established safety precautions.

3. Contractor shall assume all supervision and responsibility for the application of chemicals and insecticides that are used by Contractor's employees and subcontractors in performing contracted work.

4. Contractor will not be held responsible for children or pets that may ingest pellets, granular products, or treated foliage, unless negligence on the part of the Contractor is the cause.

VII. Irrigation Systems

Contractor is expected to perform the tasks listed below:

1. Continually inspect the irrigation systems for broken and clogged heads, malfunctioning or leaking valves, or any other condition, which hampers the normal operation of the irrigation system.

2. The crew foreman shall manually sequence each automatic irrigation controller on a scheduled basis to ensure that the irrigation system facets are operating properly.

3. Contractor shall replace sprinkler heads damaged by normal landscape maintenance operations at no charge to the City.

4. On a monthly basis, Contractor shall inspect sprinkler heads and make adjustments, if necessary to conserve water and to provide the best possible coverage and least possible spray onto buildings, fences, and tennis courts while conserving water.

5. Contractor will not be held responsible for water damage resulting from sprinkler heads located in close proximity to structures that over-spray in an unavoidable manner.

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6. Maintenance crew shall schedule watering area plant material on automatic irrigation controllers in quantities and frequencies consistent with seasonal requirements of the area plant materials.

7. Where practical, watering all vegetation shall be done at night or early morning if the system is automatic, or unless directed otherwise by the City.

8. Repairs and/or replacement of automatic irrigation clocks, major valves, and major piping may be performed and invoiced as extra work following written approval by the City.

9. Minor replacement and repairs to sprinkler heads and pipes shall be performed at no additional cost to the City.

10. Maintenance crew must immediately report to the City any vandalism or accidental damage caused by others. Repairs may be made and invoiced as an extra charge following written approval by the City.

11. If the maintenance crew has determined that the automatic irrigation controller has failed or malfunctioned, the City shall be instructed as to location of clocks and backflow valves so that they may be turned off.

12. Contractor shall inspect and clean all drainage swales, grates, and rain gutters on all structures on and leading from the property.

VIII. Irrigation Systems

Contractor is expected to perform the tasks listed below:

1. Special Circumstances. Damage to landscape or irrigation systems caused by others, such as other contractors working on the property, may be repaired and invoiced as extra work following written approval by the City.

2. Stormwater Prevention. Pursuant to the National Pollutant Discharge Elimination System (NPDES) Permit, Public Agencies are required to implement programs to minimize storm water pollution impacts from public agency activities, including from landscape facilities management. Therefore, Contractor shall ensure that no application of pesticides or fertilizers occurs immediately before, during, or immediately after a rain

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event or when water is flowing off the area to be applied. In addition, Contractor shall not apply any banned or unregistered pesticides or fertilizers.

IX. Personnel

1. Contractor shall provide the City with a 24-hour, 7 days a week emergency service telephone number to move toppled trees, attend to water line breaks, or other emergencies involving the landscape or irrigation systems.

2. Provide project manager or site supervisor that will serve as the point of contact with the City. The project manager and site supervisor must be proficient in English and can communicate via email, phone and text messaging.

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