MINUTES OF
A REGULAR MEETING
OF THE
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA
MONDAY, MARCH 23, 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 07:01p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

2. ROLL CALL

PLEDGE OF ALLEGIANCE

Councilmembers Present:	Mayor Mirsch, Black, Dieringer, and Wilson.
Councilmembers Absent:	Pieper*.
Others Present:	Elaine Jeng, P.E., City Manager.
	Meredith Elguira, Planning and Community Services Director.
	Yohana Coronel, City Clerk.
	Michael Jenkins, City Attorney.
	Terry Shea, Finance Director.

**Mayor Pro Tem Pieper was excused for his absence.*

3. OPEN AGENDA - PUBLIC COMMENT WELCOME

NONE.

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.

A. MINUTES – REGULAR MEETING OF NOVEMBER 25, 2019.
RECOMMENDATION: APPROVE AS PRESENTED

B. PAYMENT OF BILLS.
RECOMMENDATION: APPROVE AS PRESENTED

Councilmember Dieringer pointed out that she had some corrections to the minutes.

City Manager Jeng confirmed that the corrections were received and assured Councilmember Dieringer the corrections would be applied.

Councilmember Dieringer moved that the City Council approve all consent items with amendments to the minutes of November 25, 2019. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

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

5. COMMISSION ITEMS

NONE.

6. PUBLIC HEARINGS

NONE.

7. OLD BUSINESS

NONE.

8. NEW BUSINESS

A. DISCUSS THE PROCLAMATION OF LOCAL EMERGENCY REGARDING THE THREAT OF COVID-19.

City Manager Jeng reported that 13 South Bay Cities and the County of Los Angeles have declared a local emergency and wanted to discuss whether the Council wanted to do the same in response to COVID-19. The City of Rolling Hills is part of the South Bay Cities Council of Government (SBCCOG) and is the only city that has not declared a local emergency. She highlighted that Bradbury, a city similar in size to Rolling Hills did not declared a local emergency. Other cities adjacent to Rolling Hills have departments that need more resources such as Parks and Recreation and First Responders. The City of Rolling Hills does not have any of those issues because the City is comprised of single-family homes. If there was a need for First Responders, they would be covered under the County's Declaration of Emergency. City Manager Jeng stated that she was not recommending that the Council declare a local emergency.

City Manager Jeng said regardless of which entity declares an emergency, the Rolling Hills Municipal Code allows her to gather resources and obtain vital supplies because the City Manager is the Director of Emergency Services. Rolling Hills Municipal Code, Section 2.32.060, A6, states "in the event of the proclamation of a local emergency, the proclamation of a state of emergency, by the Director of the State Office of Emergency Services, or the existence of a "state of war emergency," the Director of Emergency Services is allowed to do the following..." Since the County and State have declared an emergency, she is empowered to make decisions without the Council having to declare a local emergency.

Councilmember Dieringer clarified whether City Manager Jeng could proceed with all the items she mentioned if she declared a local emergency but if the State declared an emergency that declaration would not include the County.

City Manager Jeng confirmed and stated that the County's declaration of emergency covers all the jurisdictions within its County.

Councilmember Wilson asked if the City was subject to the most restrictive guidelines of whatever jurisdiction the City falls under.

City Attorney Jenkins replied that the strictest rules apply.

Councilmember Wilson inquired what would be the downside of declaring an emergency.

City Manager Jeng replied that she spoke to Councilmember Dieringer about the same question. Once a local emergency is declared, the City must report to the State on expenditures and activities that could qualify for reimbursements. Beyond reimbursement, other cities that have different departments use the declaration of a local emergency to suspend existing rules. The City does not expect substantial expenditures to warrant the extensive reporting required and the need to suspend existing rules.

Mayor Mirsch asked if the City does not declare an emergency was there anything to preclude the City from declaring one down the line.

City Attorney Jenkins replied that there was nothing that would preclude the City from declaring an emergency at a later time.

Councilmember Dieringer wanted confirmation that the City would be able to file for and receive needed reimbursements through the County, if the City did not declare a local emergency.

City Manager Jeng said that overtime pay for First Responders would be considered an eligible expense however non-essential employees sent home with pay would be a questionable item. The subject of reimbursement is still a work in progress.

Mayor Mirsch asked about the activation of the Emergency Operating Center (EOC) and whether that was necessary if the City were to declare an emergency.

City Manager Jeng stated that agencies that have declared a local emergency opened their EOC at the lowest level. This means they do not have a physical person manning it, however, there is software that allows agencies to do it virtually.

Councilmember Black moved that the City Council approve staff's recommendation and not declare a City emergency.

City Attorney Jenkins suggested that the Council receive and file the item. He wanted to make sure that the Council understood that the motion suggested by Councilmember Black does not preclude the City Manager from declaring an emergency in between meetings if circumstances change and it becomes necessary to declare one.

Councilmember Dieringer concurred with the City Attorney and suggested amending the first motion to include a statement that the Council reserves the right to declare an emergency later if circumstances change.

Councilmember Black revised his motion to include this statement and moved that the City Council approve staff's recommendation and not declare a City emergency and receive and file the item. Councilmember Dieringer seconded the motion and the motion passed by voice vote as follows:

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

B. CONSIDER AND APPROVE PARTICIPATION IN ALERT SOUTHBAY NOTIFICATION SYSTEM.

City Manager Jeng introduced the Alert Southbay Notification System. It is a new system that allows cities to issue notifications to residents outside its jurisdictional boundaries, using white page data made available to cities without requiring individuals to opt into the system, via Senate Bill 833 and SB 821. The majority of the South Bay Cities fall under the Los Angeles County Disaster Area known as Area G. Area G purchased Everbridge, the platform for Alert Southbay. Many cities currently use an opt-in notification system similar to Rolling Hills Notify-Me. Notify-me aims to inform residents within a certain community. The City's notification system has only approximately 120 registrants. The Alert Southbay program would be beneficial to the City since it is a bedroom community and the residents would also be notified of events in the surrounding cities. City Manager Jeng recommended that the City participate in Alert Southbay Notification System. In order to participate, the City would have to subscribe to Everbridge. The cost is $5,171.00 for the first year. The following two years would be $4,171.00 per year. There is also an introductory cost of $5,000 per participating city to retrieve the white page data but the refinery will be covering this cost. All Area G cities have enrolled except for Lawndale and Carson, but they are expected to join in the near future.

Councilmember Dieringer inquired regarding who would be sending out the notifications.

City Manager Jeng replied that participating cities would send their own notifications. .

Councilmember Wilson asked if Alert Southbay had anything to do with the fiber network that is being built.

City Manager Jeng explained that the fiber network ring is the infrastructure to be able to deliver faster internet service and is not related to Alert Southbay.

Councilmember Wilson stated that he understood people would receive messages without opting in and further inquired if people could opt out. He also asked if Alert Southbay was the same thing as Everbridge.

City Manager Jeng said that people can opt out. She informed the Council that Alert Southbay went live in January/February of 2020. There were participating cities using Everbridge prior to Alert Southbay for notifications. Those participating cities decided to transfer their data to Alert Southbay Everbridge.

Mayor Mirsch asked City Manager Jeng if she thought that joining Alert Southbay would improve the participation within the community and enhance their ability to receive important notifications.

City Manager Jeng said that Alert Southbay allows the City to get messages out to people that have never opted in for any notifications. It is a benefit to the agency to push out information to a wider group and expressed that the COVID-19 should motivate people to sign up.

Councilmember Wilson asked if people decide not to opt in, would they still receive notifications for Rolling Hills and Rolling Hills Estates.

City Manager Jeng explained that if the City decides to participate, the white pages information would be for Rolling Hills only. People would have to go to the site and register to receive notifications from other participating cities. She said that in the initial set up for Everbridge, Rolling Hills and Rolling Hills Estates were combined as one, for reasons unknown. It worked out for the best because if the City had not been added with Rolling Hills Estates, there would have been additional upfront cost. While Rolling Hills is grouped with Rolling Hills Estates for the purpose of set up, Rolling Hills Estates' notifications would not be automatically sent to residents of Rolling Hills.

Councilmember Dieringer moved that the City Council approve a decision to participate in the Alert Southbay notification system and subscribe to services of Everbridge. Councilmember Wilson seconded the motion and the motion passed by voice vote as follows:

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

C. CONSIDER AND APPROVE MID-YEAR BUDGET YEAR.

Finance Director Terry Shea gave an overview of the Mid-Year Budget report. He stated that in June 2019 the City adopted a budget with a total of $2,278,000 in revenues, $2,234,000 in expenditures, and $329,000 in deficits. The budget deficit is due to the transfer of General Fund to the Traffic Safety Fund for roadway striping totaling $54,500; the Capital Improvement Fund for the Tennis Court Project $320,000; and$30,000 for the ADA design work at City Hall. He continued that the total General Fund year-to-date revenues were $1,076,405, which is $179,270 less than expected through February 2020. Expenditures were $1,129,921, which is $253,169 less than budgeted through February 2020. The FY 19/20 revenues compared to expenditures after transfers presents a decrease of $37,516 compared to an anticipated budgeted shortfall of $111,415 through February. As such, the City is $73,899 better than anticipated at mid-year. Total revenues were more than anticipated, but stated that the interest was declining rapidly. He does not expect to see an increase in revenue from interest earnings because rates are dropping fast.

Building and other Permit Fee revenues were down below the mid-year projections and are $60,000 below this time last year. There were a couple of months where the City paid out instead of collecting money. He stated that the costs for the City Attorney are slightly above the mid-year projected amount but are well below the mid-year amount in the Planning Department for view cases. Total Finance expenditures are as budgeted at mid-year. Total expenditures in Planning are less than anticipated due to the invoices from Los Angeles County for services being lower than the prior year through December 2019. The Planning Budget included $80,000 for the Housing Element, which has yet to be expended. Costs for the Storm Water Management through February is at $73,415, which is over the budgeted amount of $65,000, but overall, the Planning Department expenditures are well below the projected mid-year amounts, so no adjustment is being proposed.

The original Traffic Safety Fund Budget included $40,000 for Road Striping. A Contract Change Order with PCI was approved in January 2020 to add work identified in Schedule B for $36,526. As part of the Staff Report, the additional funds were allocated from the tennis court improvement project. Through February, expenditures totaled $12,545, mainly for engineering and project management. The original Capital Project Fund Budget included $320,000 for the Tennis Court improvements and $30,000 for the City Hall ADA Design work. Through February, the City has only expended $7,960 for lighting and project management and $5,360 on the City Hall ADA Design. At the October 14, 2019 City Council meeting, the Council allocated $34,200 for Fuel Load Reduction to be performed by the Palos Verdes Peninsula Land Conservancy (Conservancy). Through February, the City has not been billed by the Conservancy for the work performed. The original Utility Fund Budget included $150,000 for undergrounding projects and $22,000 for a Sewer Feasibility Study. For the undergrounding projects through February there is only $2,088 in expenditures. The City's contribution of $7,712 to the Eastfield Undergrounding Project Assessment Engineer fee has not posted to the account. For the Sewer Feasibility Study, the City expended $27,366 through February to Willdan for engineering and Alan Palermo for project management cost. The Sewer Feasibility Study started last fiscal year and the allocated budget for FY 19/20 assumed payout of certain expenses in FY 18/19 that did not materialize. Staff is not proposing any budget adjustments to the General Fund revenues at this time.

Finance Director Shea said that the General Fund proposed expenditure adjustments include a $10,000 increase for the City Attorney and a $10,000 decrease in the account for Property Development, Legal Expense. The FY 19/20 mid-year budget review showed that the City has a positive budget variance of $73,899. Revenues are down $179,270, expenditures are down $253,169, and net transfers in and out are equal. With no proposed budget adjustments to revenues and no change in total budgeted expenditures, the projected budget deficit is still $329,300. The projected General Fund balance by June 30, 2020, with no changes proposed, would be $5,466,480, which is slightly over two times the City's annual general fund expenditures.

City Manager Jeng explained that the mid-year budget report helps her track where the City stands in revenues. She reviews projections and identifies trends. If the trend shows that the City is not receiving the projected revenue, then she would slow down the expenditures for the rest of the year. She reported that the City is not overspending. There is some adjustment for legal fees but that is due to new issues. She also wanted to add that the City was expecting revenue from Measure W, the clean water parcel tax, but funds were not disbursed. The City budgeted $65,000.00 in the general fund and the remainder of the stormwater expense was to be offset by Measure W. If Measure W disbursement is not available this fiscal year, then the portion that would have been funded with Measure W monies will have to be funded using General Funds.

Councilmember Wilson noted that Building and other Permit Fees were down by $60,000.00 and asked if diminished construction activities led to the reduction in the fees.

City Manager Jeng noted that this reduction was due to a decrease in projects and an increase in the number of complaints on properties. The City calls the Building and Safety Department to conduct inspections in response to complaints. For example, residents have reached out to the City stating that they have drainage issues. Building and Safety logs their hours when they come out for inspections. The city's expenses are reconciled with revenues from building permit fees. In past years, reconciliation always resulted in revenues to the City. Recently, there have been fewer projects and more inspections.

Councilmember Wilson moved that the City Council receive and file the item as presented with the discussed budget adjustments. Councilmember Dieringer seconded the motion and the motion passed by voice vote as follows:

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

D. CONSIDER AND APPROVE RENEWAL OF LOS ANGELES COUNTY GENERAL SERVICES AGREEMENT.

City Manager Jeng stated that the general services agreement allows the City to utilize County services and is typically approved by the Council every five years.

Mayor Mirsch asked if the agreement had anything to do with the Fire Department.

City Manager Jeng said that the services of Fire Department fall outside this general services agreement.

Councilmember Wilson asked if this agreement would include animal control.

City Attorney Michael Jenkins clarified that the general services agreement covers all services that are not covered by a specific contract. For example, if the City has a specific contract for Sheriff's services, the general services agreement would not include that service. He stated that it was his belief that animal control is a separate contract and asked City Manager Jeng to confirm.

City Manager Jeng replied that the animal control service is under a separate contract.

Councilmember Dieringer moved that the City Council approve the renewal of the Los Angeles County General Services contract. Councilmember Wilson seconded the motion and the motion passed by voice vote as follows:

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

9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

A. CONSIDER ACTION TO ENCOURAGE STATE LEGISLATURE TO DELAY PAYMENTS OF PROPERTY TAX (ORAL).

Councilmember Black stated that the Federal Government has advocated for a tax filing extension until July 15th. Councilmember Black said that the Council should assist residents and request that the State delay its property tax collection until July 15th. The City is in good financial shape and can stand to go a few months without hitting their tax receipts.

Mayor Mirsch agreed and reported that she reached out to other Peninsula Mayors to see if there was any interest to advocate the deferment of property tax collection. Mayor Mirsch heard back from RPV and RHE. There was some interest by the other cities. The PVE Mayor was against the delay because property tax is the only source of income for PVE.

Councilmember Dieringer asked for staff's position on the issue.

City Manager Jeng indicated that staff did not have a position on the matter.

Councilmember Black requested that contact be made with the City's local representatives, asking them to advocate for delaying property tax collection with the State Legislature.

Councilmember Wilson concurred with Councilmember Black and asked if the City knew of other cities outside the Peninsula considering this matter.

City Manager Jeng stated that she does not know the positions of other cities on the matter. She reported that there was a call recently between Mayor Mirsch and Mayor Pro Tem Pieper with Assemblyman Al Muratsuchi and other Peninsula Mayors and Mayor Pro Tem Pieper discussed delaying the collection of property taxes.

Mayor Mirsch stated that she would be happy to take lead on this matter.

Councilmember Black moved that the City Council direct staff to contact the State, including the Governor's office, in writing requesting the issuance of a property tax holiday for Rolling Hills residents up until July 15th to correlate with the Federal Tax Holiday. Councilmember Wilson seconded the motion and the motion passed by voice vote as follows:

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

Councilmember Black asked when will the issue of reopening City Hall to the public be discussed.

Councilmember Dieringer commented that the City is under the Governor's current directive to close City Hall until April.

Councilmember Black replied the City is exempt from the Governor's directive.

City Manager Jeng notified the residents that City Hall is closed to the public per the first Los Angeles County Health Order. Since then, a second and third Health Order were issued. The third Health Order stated that the closure does not apply to public employees in the course of their employment for a government agency, but all public and private gatherings are prohibited. She welcomed the Council's thoughts on the matter.

City Attorney Jenkins stated that this item was not on the agenda for discussion. He stated that the Council could have the item on the agenda for the next meeting.

Councilmember Black stated that the next Council meeting is scheduled for April 13th and that does not work for him. He is not interested in keeping City Hall closed to the public and wants to open by April 1st. He stated that there was nothing in a Health Order that required City Hall to be closed to the public. Health Orders one, two, and three had to do with group gatherings and social distancing. Tables could be placed at the front door of City Hall and residents would not be near the staff. The staff could place cones or signs every six feet to make sure residents do not line up too close together while waiting to be served.

Mayor Mirsch suggested that the Council, in response to Councilmember Black's request, hold an emergency meeting via teleconference.

City Attorney Jenkins stated that the Council could adjourn the meeting to any date and time they would like between now and the next meeting.

Councilmember Black said that City Hall should not have closed; it needs to be opened right away. He expressed that he did not want the closure to continue past March.

Mayor Mirsch asked if there was interest among the Council to have an emergency meeting.

Councilmember Wilson and Councilmember Dieringer concurred.

Mayor Mirsch asked that the Council meet via teleconference in order to practice social distancing.

Councilmember Black questioned the need to meet via teleconference.

Mayor Mirsch asked how much notification was needed to host a special meeting.

City Attorney Jenkins stated that if the Council wanted to meet within the next three days, then the Council would have to call a special meeting. If the Council went beyond the 72 hours, then they could adjourn the meeting to that time and a new agenda would be posted.

Councilmember Black suggested meeting on March 30th.

Mayor Mirsch asked the Council for meeting dates and times.

Discussion ensued among the Council and they agreed that the meeting would be adjourned to Monday, March 30th, 2020 at 7pm.

Councilmember Black stated that he recommended following the recommendations of the CDC and the State. He also was happy to recommend sources with good information on COVID-19.

Councilmember Wilson remarked that the Mustard plant was in full bloom. He recalled that the Land Conservancy advised that there was an ideal time to mow it. Councilmember Wilson asked about the Crest Road East striping and questioned the appropriateness of the striping used in that section. He inquired where the striper acquired the specifications.

City Manager Jeng replied that CalTrans standards are used, which is the Manual on Uniformed Traffic Control Devices (MUTCD) for the state.

Mayor Mirsch stated that other cities are having nightly briefings on Covid-19 and thought frequent meetings are appropriate. She inquired with the Council regarding their interest in holding daily briefings with the City Manager.

Councilmember Black stated that the Council has a group text and prefers to use text to communicate. He stated that email would not work for him because he is not at home watching his computer.

City Attorney Jenkins clarified that the exception under the Governor's Executive Order is that it allows the majority of the Council, in real time, to listen to an update on the COVID-19 emergency and ask questions. Council can listen through a telephone, a teleconference, zoom meeting, or be present even though it may not an actual meeting of the City Council. This exception does not allow the Council to engage in any other form of communication with each other consisting of a majority. It does not allow emailing, texting, or any other communication among the majority unless it is a unilateral communication from the Mayor or City Manager to the rest of the Council to stay updated.

City Manager Jeng asked the Council if they would find it helpful to have a phone call with her periodically to get an update on the development of COVID-19 and response activities.

Councilmember Dieringer stated that councilmembers could call the City Manager on an as needed basis. In keeping with the City Attorney's explanation, the Council would not be able to interact on a group text or group email to ask questions because that is not the forum to do so.

City Manager Jeng commented that if the Council is on a conference call with her, they are allowed to ask questions about the update, but they cannot have a conversation among themselves about the issue. She asked if the Council would like a call from her to disseminate information, which would allow them to ask questions with respect to COVID-19.

Mayor Mirsch asked if there would efficiency for the City Manager to disseminate information to all Councilmembers at the same time when responding to questions from one Councilmember.

City Attorney Jenkins stated that City Manager Jeng could provide the Council with regular updates in writing. If the City Manager receives questions that are of interest to the Council, she could send an email.

Councilmember Black stated that it might not be in real time for the Councilmembers. If it is really important City Manager Jeng could simply send a group text.

Councilmember Wilson inquired regarding the potential circumstances (e.g. outbreak in the City) necessitating a need to address the Council in real time.

Councilmember Black asked if residents became infected what would the City do differently. They would still practice social distancing and stay home. The Council should assume that residents are already infected and more will likely become infected. The reality is that staff and the Council probably already know people who are infected and will know people that will die from it, but that

does not mean they are going to do anything differently. COVID will settle down, and the curve will flatten, which is happening. Some of the medicines being made might work and then a vaccine will ultimately become available, but that will take longer. Councilmember Black stated that there are certain people in the City who will be infected.

Mayor Mirsch asked if the Council wanted to conduct the meeting on the 30th in person or via teleconference.

Councilmember Dieringer stated that she felt that accommodations should be made for both.

Mayor Mirsch asked Councilmember Black for his opinion on meeting in person for the next meeting.

Councilmember Black stated that meeting in person can take place with social distancing.

Mayor Mirsch stated that in person attendance at the next meeting was optional for the Council and staff.

10. MATTERS FROM STAFF

NONE.

11. ADJOURNMENT

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 08:18p.m. The next meeting of the City Council is scheduled to be held on Monday, March 30, 2020 beginning at 7:00 p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

Elaine Jeng, P.E.
Acting City Clerk

Approved,

Leah Mirsch
Mayor