**MINUTES OF**
**A REGULAR MEETING**
**OF THE**
**CITY COUNCIL OF THE**
**CITY OF ROLLING HILLS, CALIFORNIA**
**MONDAY, APRIL 27, 2020**

## 1. CALL TO ORDER

A regular meeting of the City Council of the City of Rolling Hills was called to order by Mayor Pieper at 7:06p.m. via teleconference.

## 2. ROLL CALL

## PLEDGE OF ALLEGIANCE

Councilmembers participating via teleconference:
Mayor Pieper, Black, Dieringer, Mirsch, and Wilson.
Councilmembers Absent: None.

Others participating via teleconference:
Elaine Jeng, P.E., City Manager.
Meredith Elguira, Planning and Community Services Director
Yohana Coronel, City Clerk.
Michael Jenkins, City Attorney.
Cris Sarabia, Conservation Director.
Terry Shea, Finance Director.
Jim Walker, Budget Consultant.

Others participating via written email/public comment:
Alfred Visco.

## 3. OPEN AGENDA

Resident Alfred Visco petitioned the City to immediately abate the extreme fire hazard and public nuisance in Paint Brush Canyon. He also requested an update on the status of the code case on 7 Ranchero Road. Mr. Visco suggested that the City reduce the amount of high fire risk vegetation with detailed mapping and receive a presentation from the Fire Safe Council representative on creating a Fire Safe Council. He did not observe Mustard plant mowing as a part of the annual maintenance work by the Land Conservancy. He recommended that the City explore the possibility of owners of canyon properties to transfer ownership of the canyon areas to the Land Conservancy or owners providing easements to the Land Conservancy to maintain the canyon areas.

## 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 FEBRUARY 10, 2020.
**RECOMMENDATION: APPROVE AS PRESENTED**

B. PAYMENT OF BILLS.
**RECOMMENDATION: APPROVE AS PRESENTED**

C. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR MARCH 2020.
**RECOMMENDATION: APPROVE AS PRESENTED**

D. FINANCIAL STATEMENTS FOR THE FIRST QUARTER OF 2020.
**RECOMMENDATION: APPROVE AS PRESENTED**

E. UPDATED CITY COUNCIL BUDGET CALENDAR FOR FY 2020-2021.
**RECOMMENDATION: APPROVE AS PRESENTED**

F. NEW 2020 SPRING CLEANUP DATES.
**RECOMMENDATION: APPROVE AS PRESENTED.**

Mayor Pro Tem Dieringer requested to delay action on consent item 4A meeting minutes to the February 10, 2020 City Council meeting.

Mayor Pro Tem Dieringer moved that the City Council approve consent items 4B, 4C, 4D, 4E and 4F. Councilmember Black seconded the motion. The motion passed by voice vote as follows:

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

## 5. COMMISSION ITEMS

NONE.

## 6. PUBLIC HEARING

NONE.

## 7. NEW BUSINESS

### A. CONSIDER AND APPROVE A PROPOSAL FROM PALOS VERDES PENINSULA LAND CONSERVANCY FOR ADDITIONAL FIRE FUEL REMOVAL WORK IN THE PRESERVE IN THE AREAS ADJACENT TO THE CITY BORDER.

City Manager Jeng said that the City Council approved an agreement with the Palos Verdes Peninsula Land Conservancy on October 14, 2019 in the amount of $34,200 for fire fuel removal. The Land Conservancy completed the work in early March 2020. The agreement included a maintenance component for three years at $12,000 per year for springtime Mustard plant mowing and monitoring of Acacia to prevent regrowth. The maintenance work commenced on April 20, 2020. At the February 10, 2020 City Council meeting, Land Conservancy staff provided a presentation of the fire fuel removal that took place between November 2019 and February 2020. At the same meeting, the Council requested additional fire fuel removal in the Preserve. A proposal was received from the Land Conservancy and the proposed work is estimated to cost $50,000. She introduced Cris Sarabia from the Land Conservancy.

Mr. Sarabia presented the Council with the approved fire fuel reduction areas from 2019 and the proposed areas for additional fire fuel reduction. He addressed Mr. Visco's comment and stated that Paint Brush Canyon was difficult to reach. He added that the new proposal includes limbing up pine trees. Pine trees are expensive to remove and if the Council should elect to remove the pine trees, he can solicit pricing. Mr. Sarabia is working with Cal State Long Beach Geographical Information Science. As a part of the Master's Degree program, students will map the entire Peninsula. The work will map locations of Acacia and other plants and Mr. Sarabia hopes to share the data with the Peninsula Cities.

Councilmember Wilson asked about Mustard plant seed drop, how many pine trees are proposed to be limbed up, and the height that the pine trees will be limbed to.

Mr. Sarabia said that the Mustard plant is flowering and developing seeds. The mowing of the plant must take place now to remove the seed bank. Approximately 3 or 4 pine trees are included in the proposal and the trees will be limbed up to a standard of six feet off the ground. If pine trees are found to be on private property, no work will be performed on those trees.

Councilmember Black asked about the areas between Fire Station Trail and Crest Road going west toward the school.

Mr. Sarabia said that the area is difficult to access and to get in there to do removal work would be very expensive because of the type of equipment needed.

Mayor Pro Tem Dieringer asked if maintenance was needed for the proposed work and if so, what

is the estimated annual cost of such maintenance. She asked Mr. Sarabia to comment on the efficacy of removing the Mustard versus the Acacia.

Mr. Sarabia said that maintenance is needed to eliminate the Mustard plant. He stated that he did not have the maintenance cost but could follow up with a revised proposal to include a multi-year maintenance plan. Mr. Sarabia stated that Acacia is targeted because it is a long-life shrub; the longer it lives, the bigger it grows. Mustard plant only lives one to two years but could repopulate with the seed bank.

Mayor Pieper stated that the Council would like the proposal to include a multi-year maintenance plan.

Mayor Pieper opened the item for public comment.

Mr. Visco stated that he was in support of the Palos Verdes Peninsula Land Conservancy proposal. He pointed out that pine trees and Acacia are listed as high fire hazard plants by the LA County Fire Department Ready!Set!Go! brochure. He recommended that the pine trees be removed but if they cannot be removed, that the canopies be thinned.

Mayor Pieper asked about the time that it would take to complete the proposed work. He also requested the Land Conservancy to submit the cost for multi-year maintenance, and the estimated cost to remove the pine trees, at the next City Council meeting.

Mr. Sarabia said that it would take approximately 37 workdays to complete the work. He will provide a cost for removing pine trees and include the maintenance plan in a revised proposal.

Mayor Pro Tem Dieringer moved that the City Council delay action on the item until the next meeting with additional information from the Land Conservancy. Councilmember Black seconded the motion. The motion passed by voice vote as follows:

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

**B. PRESENTATION ON A POTENTIAL PROJECT TO ELIMINATE STORMWATER DISCHARGE AT ONE DISCHARGE POINT FROM THE CITY TO THE RECEIVING WATERS.**

City Manager Jeng said that one of the priorities from the City Council Strategic Planning workshop in January 2020 was to explore stormwater management on private property and to build capital improvement projects throughout the City to eliminate some of the MS4 permit requirements. Rolling Hills is divided into two watersheds. The southern portion of the City drains to the Santa Monica Bay. The other portion of the City drains to the Machado Lake. The Regional Water Quality Control Board mandates the City to monitor the stormwater quality entering Santa Monica Bay and Machado Lake. The Santa Monica Bay data shows that the City's discharge is meeting requirements, however, data shows water quality issues with the discharge to Machado Lake. If the City can demonstrate that a certain amount of stormwater discharge is eliminated from leaving the City, the Regional Water Quality Control Board could ease some of the MS4 permit requirements. City Manager Jeng presented a proposal to retain the discharge from Bent Spring Canyon, located to the east of City Hall. The cost of the proposed project is approximately $3.2 million and is eligible for local Measure W funds. There is also a Prop 1 grant from the State that can be pursued.

Mayor Pieper asked for the number of stormwater discharge points that the City needed to address based on this approach and how to deal with the stormwater discharges from private property.

City Manager Jeng said that all the discharge points to Machado Lake would need to be addressed. With respect to private properties, the City will need to get easements from property owners.

Councilmember Wilson asked if the proposed project would be built on private property. He also

asked about the "allowance" line on the project cost estimate.

City Manager Jeng said that the project would likely be built on City property, Rolling Hills Estates' property and private property. The "allowance line" is for permit costs, such as required permits from the Sanitation District.

Mayor Pro Tem Dieringer asked if the discharge points south and east could be combined and then discharged as one point of stormwater discharge.

City Manager Jeng said that it might be possible to combine the stormwater discharges but it depends on the terrain, and the ease of routing discharge from one point to another. As an example, she explained that the Torrance Airport Project was proposing to combine discharges from four Peninsula Cities and direct the discharge towards the Torrance Airport.

Councilmember Mirsch asked if there was a deadline for the grants mentioned beforehand.

City Manager Jeng said that the deadline for the first round of regional Measure W money is mid-July.

Mayor Pieper opened the item for public comment.

Alfred Visco said that he was not familiar with the discharge issue but the proposed project could provide a substantial amount of stormwater in a reservoir that could be used for fighting fires.

Mayor Pro Tem Dieringer moved that the City Council direct the City Manager to discuss with the Regional Water Quality Control Board if the proposed project would eliminate certain requirements of the MS4 relating to the Machado Lake watershed and pursue available grant funds. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

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

**C. FY 2020/21 BUDGET PREPARATION DOCUMENTS, FY 2019/2020 YEAR-END REVENUE AND EXPENDITURE PROJECTIONS, FY 2020/2021 CONSUMER PRICE INDEX (CPI) ADJUSTMENT FOR BUDGET.**

Budget Consultant, Jim Walker, gave an overview of the 2019-2020-year end projections and the Consumer Price Index for March 2020 to be used to project the 2020-2021 budget.

Finance Director Terry Shea and Mr. Walker projected that the total General Fund Revenues through June 30, 2020 would be $1,887,597. This amount is $390,703 lower than the amended budget amount of $2,278,300. The decrease in revenues are primarily due to Building & Other Permit Fees (lower by $346,288) and Variance, Planning & Zoning Fees (lower by $30,169) due to the effects of COVID-19. General Fund Expenditures through June 30, 2020 are projected to be $1,868,938. This is $364,662 lower than the amended budget amount of $2,233,600. The decrease is primarily due to the following: salary and benefit savings from City Administration Department from the vacancy of the Senior Management Analyst position; lower volume of building inspections in the Planning Department; lower Wild Life Management & Pest Control expenses in Law Enforcement fund; and cost savings for no expenses relating to the peninsula wide preparedness staff member. Prior to this City Council meeting, the Finance/Budget/Audit Committee recommended that the city continue to appropriate funds for capital improvement projects: the tennis courts, ADA improvements and City Hall ADA improvements.

Mr. Walker reported that the March 2020 CPI was 1.9%. This percentage will be used for the annual cost of living adjustment and other contractual budget items for the 2020-2021 budget. In comparison, CPI for last March was 2.7%.

Councilmember Black asked if the CPI for another month could be used instead of March.

Mr. Walker said that the City Council voted to use March in lieu of May because the CPI for May is typically released in June after budget adoption.

Mayor Pieper asked for public comment. There was no public comment.

Councilmember Wilson moved that the City Council receive and file the item. Mayor Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

*Councilmember Black requested item 9A be heard next because he needed to leave the meeting.*

**Item 9A (out of order)**

## 9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

### A. CONSIDER REQUEST FROM MAYOR PIEPER TO DISCUSS TIMING FOR RE-OPENING ROLLING HILLS CITY HALL TO THE PUBLIC.

Mayor Pieper said that City Manager Jeng made provisions to conduct city business in-person by appointment. Residents can call, email, or make appointments with staff for service. No other city halls in Los Angeles County are open to the public. He spoke to other Mayors in the Peninsula and they are trying to figure out when to reopen city halls. He expressed concerns with being the first city to reopen city hall to the public and having negative media attention. He has concerns regarding our failure to coordinate our reopening with adjacent cities, thereby jeopardizing future interactions. He also discussed minimizing risks of losing the entire staff if someone contracts COVID-19. If Rolling Hills is the first city to reopen city hall to the public, it would put unnecessary pressure on adjacent cities and he did not see the benefits of being the first city to reopen.

Councilmember Black stated that city hall is considered an essential business and should have never closed. City hall is ideal for social distancing. From a medical viewpoint, there is no reason city hall cannot be open if common sense is used. He said that he did not care about the activities of other cities and that Rolling Hills needs to show leadership.

Mr. Walker suggested contacting JPIA and stated that the Council should consider liability issues.

Councilmember Black said that workers compensation would take care of the employees.

Mayor Pro Tem Dieringer said that the courts are closed, and criminal defendants have their constitutional rights on hold. She noted that all the courts are closed until May 15, 2020 and that date could be extended. It did not make sense for city hall to open especially with a small staff. If someone comes in and does not adhere to the social distancing requirement and one employee gets sick, that would require the rest of the staff to be quarantined. How would business continue?

Councilmember Black said that courthouses cannot be compared to city hall.

Councilmember Mirsch said that a health order is in effect until May 15th. The County is encouraging minimal contact with the public. She said that city business needs are being met in the way business is being conducted. Furthermore she has not received any complaints that services were not being provided by staff.

Councilmember Black stated that the May 15th date is applicable to non-essential businesses and city hall is considered an essential business. He asked how many building permits have been issued since the beginning of March.

PCS Director Elguira said that half a dozen permits have been issued.

Councilmember Wilson said that he does not support opening city hall because there are no service issues.

Councilmember Black made a motion to reopen city hall and stated that he does not care what other Mayors are doing.

The motion did not receive a second.

Mayor Pieper said that this matter can be revisited by Council if necessary.

*Councilmember Black left the meeting at 8:58pm.*

**Item 8C taken out of order**

## 8. OLD BUSINESS

### A. UPDATE ON MEASURE W – SAFE CLEAN WATER PROGRAM TRANSFER AGREEMENT TO RECEIVE LOCAL RETURN ALLOCATIONS.

City Manager Jeng said Measure W local return funds were assumed to be available this fiscal year to offset the cost of implementing MS4 permit requirements. The County noted that the funds will not be disbursed until a Transfer Agreement is executed with local agencies. This staff report was provided to inform the Council that the draft agreement has been forwarded to the City Attorney's office for review. The City's consultant McGowan and Associates reviewed the draft agreement and comments on the draft agreement were sent to the County for consideration. No Council action was needed for this item, however, additional general funds need to be appropriated for this fiscal year to back fill the MS4 compliance cost that was assumed to be offset by Measure W. Disbursement of funds is expected next fiscal year in August 2020. City Manager Jeng also said that 30% of the Measure W local return could be used toward existing programs such as paying Ms. McGowan's fees.

Mayor Pieper asked for public comment. There was no public comment.

Councilmember Mirsch moved that the City Council receive and file the item as presented. Mayor Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

### B. UPDATE ON LOS ANGELES COUNTY REVIEW OF THE CITY'S SEWER FEASIBILITY STUDY PHASE II PROJECT.

City Manager Jeng updated the Council on the Sewer Feasibility Study Phase II Project. As a related item, City Manager Jeng went over the RHCA's request to replace the septic tank near the tennis courts. In response, the Council delayed taking action on RHCA's request until the sewer feasibility study was accepted by the County. The feasibility study remains under review by the Los Angeles County Department of Public Works (LACDPW). On April 13, 2020, Willdan Engineering reported that review of the City's sewer study is expected to be completed during the week of April 27, 2020.

City Manager Jeng summarized the review comments received from the County to date. Back in November 2019, the County noted that there is an existing segment of the downstream pipe that needed to be upgraded to a 10-inch diameter pipe to accommodate the additional discharge from the City. The estimated project cost, with the pipe upgrade, was approximately $1,087,000. The review comment from the County received in early 2020 called for the methodology of estimating sewer flow to be changed from occupancy to land use/zoning. This change require the upsized 10-

inch diameter pipe to be further upsized to a 12-inch diameter pipe for three segments downstream. The updated project estimate is approximately $1,098,000, showing minimal increase from the upsizing of existing pipes. Of the estimated total project cost, $84,000 is for engineering design. The next phase would be to hire an engineering company to prepare the design.

Mayor Pieper asked about the timeframe to take on the project from a pricing standpoint.

City Manager Jeng said that it would be in the best interest of the city to construct the sewer line in the next three years. Engineering fees will remain relatively stable as the rates for services have multipliers built in for benefits, staff, and admin charges. Project savings could come from the construction side especially if the economy slows down, the City might be able to get better pricing for labor and material cost. She said that if the engineering design for the project was to commence on July 1, 2020 the design can be completed by December 2020. The City Council can evaluate the market condition at that time and decide to delay or move forward with constructing the project.

Councilmember Wilson said that he calculated that at least 1/3 of the estimated cost is related to contingency.

Discussions ensued between Councilmember Wilson and City Manager Jeng on specific line items of the engineer's estimate and the method of calculating those items.

Mayor Pieper opened the item for public comment. There was no public comment.

Councilmember Wilson moved that the City Council receive and file the item as presented. Mayor Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

**C. STRATEGIC PLANNING WORKSHOP DISCUSSION #3.**

City Manager Jeng reported that at the Strategic Planning Workshop held in January 2020, the Council developed four priorities for the City: Wildfire Mitigation/Emergency Preparedness, Utility Undergrounding, Drainage, and Sewer. Under each category, staff developed a list of budget items to support the priorities proposed for next fiscal year. City Manager Jeng proceeded to cover the budget items for each priority.

**Wildfire Mitigation/Emergency Preparedness**
1. Block Captain Program
2. Fire Fuel Reduction in the Preserve
3. Fire Fuel Reduction in Rolling Hills
4. CWPP Development/Adoption
5. Arborist to support enforcement of Fire Fuel Abatement Ordinance

**Utility Undergrounding**
1. Crest Road Undergrounding Cal OES grant
2. Eastfield Drive Undergrounding Cal OES grant
3. Assessment District support, conduct continuous workshops for neighborhood groups
4. Pursue grants for projects

**Drainage**
1. Parcel based hydromodification policy development to minimize impacts to surrounding canyons and downstream parcels
2. Bent Springs capital improvement project feasibility study to include City Hall campus stormwater discharge
3. Masterplan to eliminate stormwater discharge from the City

**Sewer**

1. Investigate extension of existing sewer mains into the City of Rolling Hills
2. Design of 8" sewer main along Portuguese Bend Road/Rolling Hills Road to connect with County truck line on Crenshaw Boulevard
3. Pursue grants for capital improvement projects

City Manager Jeng said that a spreadsheet with high-level cost estimates for the proposed budget items was included in the staff report. She requested feedback on the proposed budget items and noted that staff is not requesting action to be taken on this item.

Councilmember Wilson asked if portions of proposed budget items were already in the current budget and if so, what is the increase for next year if the proposed budget items were approved.

City Manager Jeng said that $50,000 for the Fire Fuel reduction in the Preserve would come out of the current budget if approved at the next City Council meeting. Staff could get started on the design of the sewer project this year and the remaining expenses would be carried over to next year. All the other expenses would be carried over to the next fiscal year.

Mayor Pro Tem Dieringer asked about the proposed budget item listed regarding fire fuel reduction for properties in Rolling Hills that are adjacent to the Preserve. How can public funds be used for fire fuel reduction as to these areas and not be offered elsewhere in Rolling Hills? She asked for more details regarding the parcel based hydromodifications policy development and inquired about the $8,000 expense.

City Manager Jeng said that the proposal to fund fire fuel reduction on private property immediately adjacent to the fire fuel removal work in the Preserve is one approach to make use of the investment in the Preserve. The proposal is one thought and there may be other possible options. The $8,000 is proposed for technical guidance regarding the requirements on private property to address stormwater runoff.

Mr. Walker asked about fire fuel reduction and the Fire Department's involvement in weed abatement.

City Manager Jeng said that the Fire Department only evaluates areas 200 feet from a structure. The Agricultural Commission can be contracted to perform abatement work if called on by the Fire Department. The City's interested areas for fire fuel abatement fall outside of the 200 feet radius and thus are not inspected by the Fire Department.

Councilmember Wilson asked if public funds were used to remove fire fuel on private property, would that be considered a gifting of public funds.

City Attorney Jenkins said that a program can be devised to address a specific issue. The issue could be argued as a community problem and to a greater extent, is a problem for the private property owner. Standards would have to be established and every similar situation treated the same. He advised thinking it through before committing any public funds to that venture. Generally private property owners are financially responsible for the condition of their property and the remediation of the conditions on their property.

Mayor Pieper asked for public comments. There was no public comment.

Mayor Pro Tem Dieringer moved that the City Council receive and file item the item presented. Councilmember Mirsch seconded the motion. The motion passed by voice vote as follows:

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

## 10. MATTERS FROM STAFF

NONE.

## 11. ADJOURNMENT

Mayor Pieper asked for additional remarks from the City Council.

Councilmember Mirsch commented that she will strive to use Zoom instead of dialing into the meeting.

Councilmember Wilson inquired regarding the status of the striping on Crest Road East.

City Manager Jeng asked if she could contact Councilmember Wilson offline to provide a status on the Crest Road East striping.

Hearing no other business, Mayor Pieper adjourned the meeting at 9:34p.m. The next regular meeting of the City Council is scheduled for Monday, May 11, 2020 beginning at 7:00p.m. via teleconference.

Respectfully submitted,

Elaine Jeng, P.E.
Acting City Clerk

Approved,

Jeff Pieper
Mayor