



# *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**  
Regular Council Meeting

**CITY COUNCIL**  
Monday, June 22, 2020

**CITY OF ROLLING HILLS**  
7:00 PM

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**This meeting is held pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020. All Councilmembers will participate by teleconference.**

**Public Participation: A live audio of the City Council meeting will available on the City's website (<http://www.rolling-hills.org>). The meeting agenda is on the City's website (<https://www.rolling-hills.org/government/agenda/index.php>).**

**Members of the public may submit comments in real time by emailing the City Clerk at [ycoronel@cityofrh.net](mailto:ycoronel@cityofrh.net). Your comments will become part of the official meeting record. Please provide your full name, but please do not provide any other personal information (i.e., phone numbers, addresses, etc.) that you do not want to be published.**

1. **CALL TO ORDER**
2. **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

3. **COMMENTS WILL BE TAKEN BY EMAIL IN REAL TIME - 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 MINUTES**

**RECOMMENDATION: Approve as suggested.**

[03-09-20CCDraftMinutes](#)

[03-23-20CCDraftMinutes](#)

03-30-20CCDraftMinutes  
04-13-20CCDraftMinutes\_Joint  
04-13-20CCDraftMinutes  
04-27-20CCDraftMinutes  
05-11-20CCDraftMinutes  
05-26-20CCMinutes  
06-04-20CCDraftMinutes\_\_Special  
06-08-20CCDraftMinutes

4.B. **PAYMENT OF BILLS**

**RECOMMENDATION: Approve as presented.**

06-22-2020Payment of Bills.pdf  
Supplemental Agenda Page Relating to Item 4B  
20-06-22\_\_Payment of Billsv1

4.C. **REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR MAY 2020.**

**RECOMMENDATION: Approve as Presented.**

06-22-2020 MAY TONNAGE REPORT.pdf

4.D. **FINANCIAL REPORTS AS OF MAY 31 ,2020.**

**RECOMMENDATION: Receive and file.**

Budget Comparative 05-31-20.pdf

5. **COMMISSION ITEMS**

NONE.

6. **PUBLIC HEARINGS**

NONE.

7. **OLD BUSINESS**

NONE.

8. **NEW BUSINESS**

8.A. **CONSIDERATION OF RESOLUTIONS PERTAINING TO A GENERAL MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020.**

**RECOMMENDATION:**

**It is recommended that members of the City Council adopt Resolution Nos. 1255 and 1256 pertaining to the General Municipal Election to be held on November 3, 2020 as presented.**

Ordinance No. 347-CouncilElectionDateNov2020.pdf

1. Resolution No. 1255\_\_ Calling Election and County Services-c1.DOC

2. Resolution No. 1256\_\_ Establishing Regulations for Candidate Statements-c1.DOCX

8.B. **CONSIDERATION AND APPROVAL OF RESOLUTION NO. 1257 AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT PROGRAM FUNDS.**

**RECOMMENDATION:** Staff recommends that the City Council consider and approve Resolution No. 1257 authoring staff to apply for, and receive planning support program funds.

[LEAP\\_Resolution\\_No.\\_1257](#)

[Supplemental Agenda item Relating to Item 8B.docx](#)

[LEAP Resolution No. 1257v1](#)

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

**10. MATTERS FROM STAFF**

NONE.

**11. ADJOURNMENT**

Next regular meeting: Monday, July 13, 2020 at 7:00 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California, 90274.

**Notice:**

*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: 06/22/2020**

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

**FROM: YOHANA CORONEL, CITY CLERK**

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

**SUBJECT: APPROVAL OF MINUTES**

**DATE: June 22, 2020**

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**BACKGROUND:**

None.

**DISCUSSION:**

None.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Approve as presented.

**ATTACHMENTS:**

[03-09-20CCDraftMinutes](#)

[03-23-20CCDraftMinutes](#)

[03-30-20CCDraftMinutes](#)

[04-13-20CCDraftMinutes\\_Joint](#)

[04-13-20CCDraftMinutes](#)

[04-27-20CCDraftMinutes](#)

[05-11-20CCDraftMinutes](#)

[05-26-20CCMinutes](#)

[06-04-20CCDraftMinutes\\_\\_Special](#)

[06-08-20CCDraftMinutes](#)

**MINUTES OF  
A REGULAR MEETING  
OF THE  
CITY COUNCIL OF THE  
CITY OF ROLLING HILLS, CALIFORNIA  
MONDAY, MARCH 09, 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 7:02p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

**2. ROLL CALL**

Councilmembers Present: Mayor Mirsch, Pieper, Dieringer and Wilson.  
Councilmembers Absent: Black.  
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.  
Abas Goodarzi, 2 Wrangler Road.  
Marcia Schoettle, 24 Eastfield Drive.  
Susan Sleep, 5W Ringbit Road West.  
David McKinnie, 3 El Concho.  
Brian Wells, Los Angeles County Fire Department.

**3. OPEN AGENDA - PUBLIC COMMENT WELCOME**

Alfred Visco, 15 Cinchring Road, provided an update on a February 17<sup>th</sup> Fire Council Letter he submitted to the City Council. He reported that some of the RHCA Board members had expressed interest in attending a City Council meeting if a representative from the California Fire Safety Council was scheduled to speak. He stated that the Fire Safety Council representative was available after March. He requested that the Council agendaize scheduling the California Fire Safety Council presentation for the first meeting in April.

Mayor Mirsch asked Mr. Visco if the Association was willing to pick up the item.

Mr. Visco replied that it was his understanding that the Association would attend the City Council Meeting when the representative was scheduled to speak. He also suggested that when the Fire Safety representative was invited to speak that the Council should invite the public to attend.

Abas Goodarzi, 2 Wrangler Road, commented that he had recently become aware of damage to his property due to rainwater from the roadway. He stated the City was informed of his problem in 2006 and nothing was done. He recently learned that the Association was looking into the matter but postponed acting because they were seeking a legal opinion. He explained that water continues

to drain on his property and has created a water wash-out about 20-25 feet down and **has** caused the hill to come down. He stated he would continue to follow up with the Association and hopes to work towards a friendly resolution. Mr. Goodarzi noticed that on the previous City Council agendas, the Council had actions items for undergrounding and drainage. He would appreciate it if the Council make drainage a budget priority because drainage is a more serious issue than undergrounding

#### **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 JANUARY 25, 2020, REGULAR MEETING OF JANUARY 27, 2020, AND REGULAR MEETING OF FEBRUARY 24, 2020.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- B. PAYMENT OF BILLS.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- C. CONSIDER AND APPROVE RESOLUTION 1250: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AUTHORIZED THE 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 asked to table consent item 4A until the next City Council Meeting.

Councilmember Wilson moved that the City Council approve consent items 4B and 4C as presented. Mayor Pro Tem Pieper seconded the motion. The motion passed by voice vote as follows:

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

#### **5. COMMISSION ITEMS**

NONE.

#### **6. PUBLIC HEARINGS**

NONE.

#### **7. OLD BUSINESS**

NONE.

**8. NEW BUSINESS**

- A. CONSIDER AND APPROVE A PETITION FOR THE FORMATION OF AN ASSESSMENT DISTRICT FOR CERTAIN PUBLIC WORKS IMPROVEMENT, TOGETHER WITH APPURTENANCES, APPURTENANT WORK AND ACQUISITION, WHERE NECESSARY, IN A SPECIAL ASSESSMENT DISTRICT KNOWN AND DESIGNED AS UNDERGROUNDING UTILITY ASSESSMENT DISTRICT NO. 2020-1 (EASTFIELD DRIVE UTILITY IMPROVEMENTS).**

City Manager Elaine Jeng reported that the item was listed as New Business but in fact the matter was presented to Council several times in the past. The item was new in the sense that an undergrounding project, Eastfield Drive Utility Improvements Project, was requesting approval to form an assessment district. She informed the Council that the project's proponent, Mrs. Marcia Schoettle, was present in the audience. She informed the Council that the project's design was completed, and the Association has given a portion of the necessary easements that were collected from property owners. Edison has released the design plans for a construction bid. Despite the project's progression, it was out of order and the petition should have come to the Council in the beginning of the project, once the proponent had formed the group. The group should have first requested the Council's approval to form an assessment district. The process to form an assessment district involves the project's proponent soliciting approvals from the property owners in the proposed district. She pointed out that 60% participation is mandated to form an assessment district according to the City's guidelines. This translates to a requirement of 60% acreage within the overall acreage of the project. She proceeded to highlight the acreage via a PowerPoint presentation.

Mayor Mirsch inquired about the 30 days to pay the assessment and asked if there was a level and/or amount where a bond would be viewed as profitable.

City Manager Jeng replied that according to the City's Bond Counsel and Assessment Engineer the bond is another form of financing. The group could opt to do a bond, which would be more marketable at a certain price range. She advised that the Bond Counsel had seen financing through a bank as well. City Manager Jeng reiterated that appropriate terminology is financing because the amount of the bond is unknown for the first 30 days. That time is used by the group to determine how they prefer to pay down their share of the cost.

Councilmember Wilson asked if there were other districts looking to form an assessment district.

City Manager Jeng advised that there was one other project by Mr. David McKinnie and Clint Patterson. It was her understanding that they wanted to form an assessment district and have been hosting neighborhood meetings, however it was in the beginning stages.

Mayor Mirsch opened the item for public comment.

Mr. Goodarzi asked how much of this expense the City was going to absorb.

City Manager Jeng answered the City had contributed about 1/3 of the expenses thus far totaling \$35,882.00 as indicated on page 42 of the staff report. On March 19, 2019, the Council decided to contribute 1/3 of the cost solely to assessment districts design and nothing more beyond that.

Mr. Goodarzi inquired why **the** City is involved in undergrounding. He expressed concern over the City's interest and finances. He stated that he currently has drainage problems and does not feel that undergrounding should be a priority. He does not see this as a necessity for the City compared to drainage. He stated he could call Edison for whatever he needed, and Edison would charge it to his bill. He has attended two meetings and it was his understanding that the bill for this project is continuous.

Mayor Mirsch replied that she appreciated Mr. Goodarzi concern for the City's Finances. She assured him that the Council was highly concerned as well. She explained that the policy has been in place for a year and that the current Council, along with previous Councils, felt that undergrounding was a benefit to the City and the community. The City may budget \$100,000.00 each year, but that does not mean the City will spend the full allocation. She referenced the staff report and highlighted that the Council is capped at \$35,000.00 for the project. If the cost increases, the assessment district must make provisions. She clarified that the Council offers seed money as an incentive to encourage residents to form districts for undergrounding projects. This is something the Council has been doing for some time and this was the first group to progress this far. She further stated that this does not indicate undergrounding is more important than drainage.

Mr. Goodarzi asked how the City would get its money back and if the properties in the group would be reassessed.

Mayor Pro Tem Pieper replied that the City was not trying to recover any money back. The Council is financially conservative and was very careful about spending the resident's money. He stated the Eastfield Drive Utility Improvements Project group has spent a lot of money and energy to move the project forward. The Association and the City decided to pay a third **of the assessment districts design** with the residents paying the remaining third for the first part of it to see if they can get the project off the ground. He stated that the completion of this project would make the City look better and increase property values. He understood Mr. Goodarzi has a drainage issue and assured him that it was something the Council has discussed. He also pointed out that Mr. Goodarzi was talking about issues that involve private property and roads. The drainage has come up in previous Council meetings and has been flagged as a priority by the Council. He assured Mr. Goodarzi that the Council was listening to his concerns, but he also wanted to point out that undergrounding and drainage were two separate issues.

Mr. Goodarzi stated that he understood what Mayor Pro Tem Pieper said but he still felt that undergrounding only adds value to properties once they are reassessed.

Mayor Mirsch commented that she felt that the removal of poles and undergrounding does add value to the community. The streets that have undergrounding and do not have poles look better in her opinion. If money were not an issue the entire City would have undergrounding. She further

stated that previous Councilmembers had expressed the same sentiment.

Marcia Schoettle, 24 Eastfield Drive, commented that having the City support her project assisted her in recruiting participation.

Susan Sleep, 5W Ringbit Road West, commented that she does not live anywhere near Eastfield, but the big heavy overhead lines devalue the entire the City. She further stated that she would gladly contribute to the project because it helps the entire City.

Mr. Goodarzi added that if the concern was safety and beauty then why not add lights to the existing poles for safer roads. Having poles in the community add value because Edison and the utility companies must provide maintenance for the trees around the poles. He stated that undergrounding benefits the utility companies and furthermore the City should leverage them to provide landscaping and maintenance services.

Mayor Mirsch thanked Mr. Goodarzi for his comments.

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

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

**B. CONSIDER AND DISCUSS A POLICY FOR CITY CONTRIBUTION TOWARDS UNDERGROUNDING OF OVERHEAD WIRES AND POLES THAT ARE NOT A PART OF ASSESSMENT DISTRICTS.**

City Manager Jeng stated that this item was to discuss setting policy for undergrounding single poles. She clarified that the previous item discussed assessment district projects. On March 2019, the Council set a policy for contribution amounts, set a cap for assessment district projects and created a MOU with the Association to share costs. She explained that provided clarity to the residents that were considering forming an assessment district. Single poles, however, have been handled on a case-by-case basis. She pointed out that the Council has not been consistent but understood why. She explained every pole was different (location, and single versus multiple lines) and that there were special considerations taken in some cases. She hoped that the Council could reach some common ground regarding single pole requests. This would help provide better direction, help staff process the single pole request and address some past concerns.

City Manager Jeng proceed to review past single pole projects. The most recent project that received City contribution was a utility pole on 38 Saddleback. The City Council approved a contribution of approximately 10% of the overall project cost, which matched RHCA's contribution amount of \$3,295. The staff report relating to 38 Saddleback was attached to the Council's report for reference. She highlighted other utility undergrounding projects that received City contribution. In reviewing various projects, the City Council based contribution amounts on

overall cost, RHCA's contribution amount, or the percentage of SCE engineering cost.

City Manager Jeng also sought clarity on the process of payouts. One project stated that the payout would be done upon 75% completion and as she pointed out any percent of a project is difficult to measure if it is not 100%. Another issue the staff consulted with the legal department was regarding the City's contribution to a single party. It was determined that any City contribution must have a public benefit, which means it would benefit more than one resident. A question was posed if a blanket determination could be made that undergrounding utility poles helps with wildfire mitigation and that is a community wide benefit. This is another aspect for the Council to determine. She explained that the Council is welcomed to define parameters or continue on a case-by-case basis.

Mayor Mirsch thanked City Manager Jeng for her overview. She predicts that the Council will be seeing more single pole requests and requested that the Council consider having a discussion on the item.

Mayor Mirsch opened the item for public comment.

David McKinnie, 3 El Concho, shared that he has had discussions with people about single poles. He stated that one of the major issues with single poles was figuring out the cost. If someone tries to draw some parallel to the utility districts, then you would need to identify the engineering cost. He was unsure how Edison breaks this cost down. He referenced the staff report for 38 Saddleback and stated it was the best break down he has seen. He presumes the Association and the City reviewed the break down before they decided how much they wanted to contribute. He did not recall seeing the bid, but he saw that it shows Edison's cost of \$22,000. He was not sure if that amount was for what they considered engineering design cost or cost before the project started. He advised the Council that if they decided to explore that route for non-utility districts, they would first have to define what the engineering cost would be. He suggested collaborating with Edison to get a good estimation of the engineering cost. Once that amount is defined, then the City could decide how much to contribute.

Mrs. Sleeps stated that she brought photos of all the poles on Ringbit Road West. She wanted to work on the 3 poles located on the street above her. Instead of trying to do everything at once, she and her neighbor, Mr. Shumaker, decided it was best to divide and conquer. She stated that Mr. Shumaker was assigned pole A and B, and she was assigned pole C. She then informed the Council that the pole assigned to her, pole C, and the people above her does not affect her view, but does affect her neighbors, Mr. Joe Hummel, Mr. Charlie Shumaker. She also added that the pole was in her driveway. So rather than trying to herd cats, it was decided that each neighbor would take **on** a pole. She stated that her pole is at the end of the line and that she had already paid for her invoice for engineering cost, totaling \$6,600.00. She further stated that the Association had already written her a check for a total of \$2,250.00 which comes to a 1/3 of the cost. She informed the Council that she had already paid for the undergrounding and construction cost. She stated that the cost to tear up the street for a single pole came to \$22,500.00 and that did not include the engineering cost.

Mr. Goodarzi stated that he would reach out to Edison executives to see if there would be a way

for the City receive credit for the preventative maintenance measures they have taken by doing undergrounding.

Mayor Mirsch closed the item from public comments.

Mayor Pro Tem Pieper admitted the Council had been inconsistent with contributions towards undergrounding that is not part of an assessment district, but the Council was getting better as more projects came up. His issue was how to confirm the removal of one pole serving more than one resident. He commented that the removal of a pole could help with fire mitigation. He stated the Council needed to be careful in declaring cost projections. He shared there was a huge difference between a single pole and a feeder line pole, which powers an entire area. He compared the removal of single poles on past projects to the Eastfield project and estimated the City spent about \$2,500.00 per house. He believes the Council has spent too much money on the removal of single poles and would be better off declaring an amount to contribute regardless of engineering cost. If the Council set a policy on the matter, it should decide how much money to contribute per pole, but admitted each pole is different making that amount difficult to establish.

Mayor Mirsch stated that she felt it was better for everyone to know what the Council's policy would be and what to expect from it.

Councilmember Wilson commented that single poles could have a lot more variables and unknowns than an assessment district.

Mayor Pro Tem Pieper stated that the Eastfield project started with 19 poles and as the project progressed, the number of poles changed. If they are trying to make it easier for staff to process, they can simply place a bounty on a pole no matter its location. If the amount is out of line for whatever reason, the applicant could come before the Council and be heard individually.

Councilmember Dieringer stated that the Council should investigate how much funding the City has allocated for these projects. She was not sure how many poles the City has but that the City does not have money to fund the removal of all the poles. She was also concerned about the legal considerations. She recalled the Council considering these types of projects before and if the project benefited more than one person, which it did. She further stated that she did not think that the Council could come up with a magic number to contribute. The Council made different decisions on each pole because each pole and circumstance were different. She thinks **the** Council should develop considerations and encourage people to apply before the project begins. This allows the Council to evaluate the project, find out how many people it would serve, and determine if there is a community need. She acknowledged removing numerous poles would be some sort of fire mitigation but questioned if that justifies the Council undergrounding every single pole. She suggested the Council put together a workable policy because single poles are different than an assessment district, which clearly has a community benefit.

Mayor Mirsch stated that she concurs with everyone's point of view. She agrees assessment districts defines who benefits and the costs. She does not feel the Council or staff are able to assess how much value there is to a pole. It has been established that all poles are not alike including fire safety considerations. She is not inclined to determine how much a pole is worth and was not in

support of assigning an amount per pole. She stated that if the Council considered reimbursing a portion of cost, it would have to be based on that project. The Council has made fire mitigation a high priority. If undergrounding utilities is considered a benefit to fire mitigation, then that could mean that undergrounding does benefit the community. She requested counsel's position.

City Attorney Michael Jenkins stated that he was not sure. He informed the Council had two options. They could review each project on a case-by-case basis. The advantage is that the Council could look at individual facts to determine if it would produce a benefit (i.e. fire or esthetic). The disadvantage is that it is more time consuming and does not provide the kind of incentive the Council wants to give applicants. The question becomes how the Council would create a generic policy. Can the Council arrive at a broad conclusion that the elimination of every single pole would produce a community benefit that would be equal? He stated there would be an equality issue in determining which pole removal would be more beneficial to the community. For example, a pole in an obscure area versus a pole that is highly visible. The Council could create a policy and create some criteria. Some poles may meet all the criteria some may only meet half the criteria. He suggested that if a pole only meets half the criteria then that pole would then only receive half of the contribution. This is one way to bring consistency rather than **have** the Council deal with it on a case-by-case basis.

Mayor Pro Tem Pieper suggested bringing the item up at the joint meeting between the City Council and the Planning Commission in April. He suggested the Council come up with something repeatable and hoped it would address 90% of the projects. He proposed if the applicant does not like the answer, they could come before the Council and it could be treated as an individual case. He would like policy that is clear for residents and staff. He does not think staff should have to decide if a pole is a fire issue or view obstruction. The next issue for the Council to discuss was a palpable amount of money for the poles with transformers versus the 4KW giant poles.

Mayor Mirsch stated the giant poles would more likely form a district because those poles service many homes.

Councilmember Dieringer stated more discussion is needed in order to develop ideas.

Mayor Mirsch asked if the Council was inclined to form an Ad Hoc Committee. She was interested if anyone cared to join her.

Mayor Pro Tem Pieper moved that the City Council form an Ad Hoc Subcommittee with Mayor Pro Tem Pieper and Mayor Mirsch as members. Councilmember Wilson seconded the motion and the motion passed by voice vote as follows:

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

**C. CONSIDER A REQUEST FOR CITY CONTRIBUTION TO UNDERGROUND A SINGLE UTILITY POLE AT 5 RINGBIT ROAD WEST.**

Planning and Community Services Director Meredith Elguira gave a PowerPoint presentation of the undergrounding of a single pole at 5 Ringbit Road West. The application was submitted by Susan Sleep on February 4<sup>th</sup>, 2020 requesting reimbursement. She explained the infrastructure of the project has been completed per the slide submitted by Ms. Sleep. Director Elguira spoke with Southern California Edison (SCE) and they informed her that permits for this project were issued on March 3<sup>rd</sup>, 2020. The project is expected to be completed within 45 days of the issued permit. Ms. Sleep's pole is part of a larger project but no letters of support were received. Mr. Shumaker is also proposing removing 2 poles. Director Elguira highlighted the SCE project planner explained that this project is an outlier because the pole was smaller and an end pole, which minimized the cost. The design cost was nominal and not included in the invoice with the engineering cost, which includes pulling of the cable, labor, and project materials. Ms. Sleep requested reimbursement of an unknown amount because her project benefits the community.

Councilmember Dieringer asked staff to confirm that letters of support were requested from the applicant and received none.

Director Elguira stated that was correct and added that the applicant referred staff to the Shumaker's project to locate letters of support. She further stated that the bigger project had the support of other residents including Mr. Shumaker and the adjacent neighbor. When she visited the site with Mr. Shumaker, SCE, and a potential contractor, two residents were present to support the bigger project.

Mayor Mirsch opened the item for public comment.

Ms. Sleep stated that she was not sure why the Council was trying to reinvent the wheel. The Association already offered a 1/3 of the engineering cost. She has an email from the City dated August 18<sup>th</sup> stating that City has been contributing 1/3 to engineering cost and it was her understanding that this was encouraged by the City. She does not understand why this is so difficult and the hoops she has gone through were not encouraging. She informed the Council COX and Frontier already ran lines at no cost. She felt that the questions being brought up had not been researched. If a 1/3 of the engineering cost was paid by the Association and the correspondence, she has from Mayor Mirsch states the City's been covering a 1/3 why was the Council making it complicated. She proclaimed the Council either wants to encourage residents or they do not, and people will give up if it is complicated. She stated her group wanted all three poles done, but it proved to be too difficult and doing one pole at a time seemed easier. She suggested the Council continue to pay 1/3 of the engineering cost and if the engineering cost is expensive, the neighbors could contribute. She referenced the earlier discussion about the Council creating a policy and stated the value is determined by the work involved to remove the pole not the value someone attributes to the view or fire hazard. She believes the Council should consider the full cost and not cap a pole at \$2,500.00. She felt the Council was complicating the issue and making the process difficult. She already paid the invoice and would continue with the project either way. She added that removing pole A and B would be nice and it would be nicer if her neighbors received support

since they are investing a large amount of money. Ms. Sleep advised she is willing to contribute her requested reimbursement to the Eastfield project because that project would benefit the whole City.

Mayor Mirsch reiterated the Council encourages these projects and that was the purpose for the discussion. The Council's policy is to pay for a 1/3 of the engineering cost for assessment districts. When she replied to Ms. Sleep's email in August and she indicated "many neighbors" the Mayor thought she was talking about an assessment district.

Ms. Sleep spoke with Edison and it was too difficult to form a district and determined that if each neighbor took a pole, then the whole street would be done. It was not practical to do an assessment with a bond, she stated that Joe Hummel, the Shumaker's, and the Kirkpatrick's all agreed they wanted the poles done and signed the email. The group confirmed that they were all willing to contribute but that the assessment district was too cumbersome. They projected if each person took a pole, the cost would end up being about same.

Mayor Mirsch stated she understood, and the Council was trying to work it out. The Council is considering her project, like all the others, and they were looking at all aspects. She advised that her request would now be under the preview of the Ad Hoc Committee and that the Council had enough information to consider her case.

Mayor Pro Tem Pieper explained that these are public funds and the City must follow certain protocols. Until recently, the City donated to larger groups because of the benefit to the entire City. He explained that Ms. Sleep's project involved a single pole at the end of a street and that the Council had to have a conversation to decide if they can prove it is a community benefit. He agreed it is a drawn-out process but there are multiple steps that need to happen. He stated the City strives to make all processes easy for the residents. He thanked her for undergrounding the pole and reminded her that the Council must go through the obligated steps and the City's counsel attends meetings to monitor the legalities.

Ms. Sleep insisted this was not a new issue and the Council had seen this issue before. She suggested the Council review the Hackamore case because it was a single pole project as well.

Mr. McKinnie stated that there were two key issues before the Council. The first one was the use of public funds. The second issue was if the Council provided funds, what items should be considered and how much to cover. He indicated he was not clear what the \$6,700.00 bill represented. Was it just engineering, which he understands to be the front-end cost before any construction or whether it includes some of Edison's construction. He stated that the invoice was hard to read because it was blurry and listed labor, materials, and other items. It appeared the bill might be for the whole project. He did not believe the Council had all the necessary information.

City Attorney Jenkins interjected to say this was not a good use of the time. A member of the public was constantly talking out of turn. He then noted a speaker was testifying while reading a document for the first time. He discouraged the Council's evaluation on this item if they have not seen all the documentation. He suggested that staff provide comments on whether the Council is ready to go forward with the issue.

City Manager Jeng stated that staff had reviewed all the documents submitted by Ms. Sleep, which was only her correspondence with Edison. She provided an Edison invoice for about \$6,000.00, which she paid. She proceeded to review the invoice that Mr. McKinnie questioned. She stated that there was a line item for design that read zero cost. There was labor, materials, and other items listed that related to Edison's fieldwork. She pointed out that cost was not for design but rather Edison's labor. She also highlighted Ms. Sleep had another line item listing a separate contractor, for trenching. It was the staff's understanding that the pole had not been removed and **had** confirmed that with Edison. She reminded the Council that past practice has been to issue payment upon completion of work. There was only one project when funds were released before completion. That payment was issued upon 75% completion of the work but **she** could not recall the name of that project. She concluded the Council should not contribute at this point. She recommends the Council wait until the applicant has demonstrated the work is completed. The contribution would be at the Council's discretion.

Councilmember Dieringer stated everything must be considered as a whole and she does not believe the Council has all the information or knowledge on what criteria the Council should apply. Past projects are being referenced as one-pole policies and that was not the case because the Council did not treat it that way. Since more information was needed, she would not vote on the item based on the information provided.

Mayor Pro Tem Pieper stated that his problem was the information presented does not match what is being said. He recognizes that the Council needs to figure out a policy.

Councilmember Dieringer moved that the City Council table the item until the Council meets with the Ad Hoc Committee to develop a proposal for policy going forward and receives further information from staff regarding the completion of this project and the cost involved. Mayor Pro Tem Pieper seconded the motion and the motion passed by voice vote as follows:

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

The City Council recessed at 8:25pm.

The City Council reconvened the regular meeting at 8:31 p.m.

**D. CONSIDER AND DISCUSS RESTRICTING THE PLANTING OF SIX HIGH HAZARD PLANTS PER LOS ANGELES COUNTY FIRE DEPARTMENT READY! SET! GO! PROGRAM.**

City Manager Jeng stated that staff has been working on the Wildfire Mitigation Plan with First Responders (Los Angeles County Fire Department and the Los Angeles County Sheriff's Department), Rolling Hills Community Association, and members of the Block Captain Program. The focus of the group is to release a draft copy of the Community Wildfire Protection Plan

(CWPP). The CWPP is meant to be an action plan that all the entities previously described can utilize to mitigate wildfire. Rolling Hills along with other Peninsula cities are in a very high fire zone. One topic of discussion is high-hazard plants located in the Ready! Set! Go! Brochure issued by the Fire Department. Brian Wells from the Fire Department was present to answer questions. She referred the Council to page 88 where the brochure list six high hazard plants: Acacia, Eucalyptus, Juniper, Palms, Pine and Pampas Grass. As the City continues to develop an action plan for the CWPP, staff wanted to engage the Council in a discussion regarding high-hazard plants and implementing restrictive measures. Some of the plants, as Mr. Visco pointed out, have oils that mimic ceresin. She stressed the discussion was not about the existing plants in the community, but restricting these plants going forward.

Mayor Mirsch stated the Association currently has a Landscape Committee that is also addressing this type of issue. She again reminded everyone that this discussion had nothing to do with the existing plants in the community. The proposal before the Council was to consider a position going forward to restrict these types of plants.

Brian Wells, Los Angeles County Fire Department, introduced himself and stated he had 10 years' experience working in Rolling Hills as he was previously assigned to Station 106.

Councilmember Dieringer asked Mr. Wells if he knew the background of why these six plants were placed as high hazard in the brochure.

Firefighter Wells replied that most of the information comes from the State and it is their recommendation. He stated these plants have an explosive nature because of the oils in them and are susceptible to fire.

Councilmember Dieringer asked if the State's information came from existing literature.

Mr. Wells stated he did not know that off hand.

Councilmember Dieringer stated that when the Fire Department came to inspect her property, she inquired about a palm tree. She clarified she did not plant the palm tree but asked the Fire Department if the palm tree presented a problem. They informed her that the plant was not a problem and that it was fine where it was. She then stated that she wondered if the Ready!Set!Go! Brochure is well known policy against palm trees and why there would be inconsistent information.

Firefighter Wells replied that the presence of palm trees is not necessarily bad but rather the dead palm fronds underneath that presents a problem. He stated that he was not aware of the condition of the palm tree she was referring to but perhaps the Fire Department was able to determine the palm tree was healthy and did not present a problem during their inspection.

Councilmember Dieringer asked if parts of the tree are dead/dying or if they are poorly maintained would that be considered a fire issue.

Firefighter Wells replied in the affirmative. He highlighted page 4 of the brochure that states

“special attention should be given to the use and maintenance of ornamental plants known or thought to be high-hazard plants when used in close proximity of structures”. These examples include Acacia, Cedar, Cypress, Eucalyptus, Italian Cypress, Juniper, Palms (remove all dead fronds). He pointed out that problems come in to play when those plants are placed too close to structures and unmaintained. That could cause a fire problem.

Councilmember Dieringer rebutted that it had more to do with where the plant is in relationship to the residence.

Firefighter Wells advised that was correct. He stated **that** because Rolling Hills is on a hill and is in a high fire hazard zone, the Fire Department inspects up to 200 hundred feet away from homes. He explained it is a considerable distance that most people do not consider.

Councilmember Dieringer stated it was her opinion that the brochure may be inaccurately identifying six plants as high-hazard when they are simply thought to be high-hazard. She asked if there was data available to support the fact that the plants are high hazard.

Firefighter Wells stated he would have to defer her inquiry to their Forestry Division and that he would also follow up with Chief Hale about whether there is data available to support the statements made in the brochure.

Mayor Pro Tem Pieper asked if a healthy Eucalyptus tree would catch fire. He also inquired if restricting the identified plants would be beneficial or overkill for the City.

Firefighter Wells responded it depends on what causes the fire to transmit from place to place. He also stated that it would be beneficial for the City in his opinion.

Councilmember Wilson asked how one makes the distinction between Acacia tree and an Acacia shrub.

Firefighter Wells stated he would have to consult the Forestry Division and report back.

Councilmember Dieringer asked about the note on page 4, which suggests that homeowners to pay attention to the use and maintenance of these types of plants when used in proximity of a structure. The brochure does not say these plants should never be planted.

Firefighter Wells stated Councilmember Dieringer was correct and that it had to do with maintenance and the upkeep of those plants.

Mayor Mirsch opened the item for public comment.

Alfred Visco, 15 Cinchring Road, jokingly thanked Councilmember Dieringer for the cross examination of Firefighter Wells and advised he was available for cross examination as well. He advised page 4 of the brochure also includes Cedar, Cypress, and Italian Cypress. He stated that it was obvious that the brochure was inconsistent and that it was written as a general guide and not for Rolling Hills. The City already had experts from the Land Conservancy discuss Acacia and its

dangers. He recalled the City funded the removal of Acacia along the Rolling Hills border. He reported that Eucalyptus and Pine trees produce essential oils. Pine tree essential oils are terpenes, which is essentially turpentine. Eucalyptus produce essential oils consistent with Pine trees. The problem with Eucalyptus trees is that it does not need a very high temperature before it starts off-gassing its oils. It creates a fog over itself of these highly flammable oils and it is how crown fires occur in these trees. He stated that of course trees should be properly maintained but the problem is a lot of these trees are not close to the roads, they are not close to houses and therefore are not being properly maintained. Palm trees have fatty oils with triglycerides, which are not nearly as flammable as the essential oils but are still flammable. He stated he knows this because he was in the natural fats, oils, and processing business before he became an attorney. Palm trees are a problem as well because their leaves are horizontal and are more prone to catching the falling embers than a properly maintained Eucalyptus or Pine tree. He stated that he had not done any research on Juniper or Pampas Grass and therefore would take the Fire Departments recommendations that both plants are high-hazard and should not be planted. He stated that it was his opinion that it had nothing to do with structures but rather with fire fuel. He stated that the Council has taken a first good step in banning the six named plants.

Mayor Mirsch thanks Mr. Visco for his comments.

Councilmember Dieringer commented that the City has a lot of conditions in place for fire safety but has not implemented all of its conditions. She stressed that she has a problem with rules and regulations that criminalize things when the community simply needs to practice diligence. She further stated that even if the Council decides an ordinance was necessary, there is already an ordinance in place regarding dried/dead plants and vegetation. She suggested placing the restriction of the plants in the CWPP but only after more research is done with solid science to support it.

Councilmember Wilson asked Director Elguira if she has seen landscape plans with any of the listed plants.

Director Elguira stated she has seen some projects with palm trees.

Mayor Pro Tem Pieper stated that the City already has requirements in place for new projects. He believes the City would be in better shape if a couple of plants were banned and it would minimize concerns. If there was a reference list when homeowners landscaped, they would be less likely to use those plants.

Mayor Mirsch explained the reason why this item came before the Council was because the public asked for information regarding the types of vegetation that could be planted. There was work being done by the Association and they also hired a Fire Consultant who had mentioned that these plants are not suggested. She asked if the Council would like to get ahead of the curb on this issue and if there was a motion to consider moving forward. Which she clarified meant to discuss the item, give staff direction that Council would like to have an ordinance, and going through the public hearings process.

Mayor Pro Tem Pieper stated that he would prefer the item as a guideline.

Mayor Mirsch stated that the reason for having this ordinance beforehand was to hopefully set an example. She reminded everyone that the Council was committed to fire safety. She stated that she would like to direct staff, if the Council agreed, that going forward these plants are not permitted in landscaping plans. She asked if the guidelines could legally be part of the planning approval process without having an ordinance.

City Attorney Jenkins stated the Council could establish guidelines, but they would not be legally enforceable.

Councilmember Dieringer stated that the guidelines should be put in context.

City Manager Jeng stated that staff could establish guidelines to discourage people from planting the listed plants. If people proceed to plant them then the City would convey to them to please properly maintain those plants.

Mayor Pro Tem Pieper wants the City to be firm about what the expectation is. He suggested repeating that the listed plants are undesirable.

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

### **A. REPORT BY SOUTHBAY CITIES COUNCIL OF GOVERNMENT (SBCCOG) LIAISON ON CONSIDERATION TO CHANGE THE MEMBERSHIP DUES (ORAL REPORT).**

City Manager Jeng reported that the South Bay Cities Council of Government (SBCCOG) was considering changing the formula that calculates the membership's dues. She stated that she and Councilmember Dieringer met with other Peninsula City Managers and one South Bay CCOG representative to discuss the potential changes. She wanted to report on how the discussion had gone and deferred to Councilmember Dieringer.

Councilmember Dieringer stated one of the SBCCOG suggestions was to pay a base of \$10,000.00 and she communicated this was not the City's preferred option. She expressed that was not a win for the City of Rolling Hills as it may be for other cities. She further stated that she was working on recommendations on how membership dues should be structured. She noted that part of the recommendation was informing her Council of what was going. She explained that it was an ongoing process and that she had met with other Peninsula Cities to try and see if there was a collective view. She stated that she understood that the other Cities are not in the same position as Rolling Hills because they receive funding from measures that do traffic control, whereas Rolling Hills does not because the City has private roads. She stated that the City had a few things that they would need the SBCCOG for compared to the other cities.

Mayor Mirsch asked why the City was still a part of the SBCCOG if that was the case.

Councilmember Dieringer answered that the SBCCOG helped with the Climate action plan and the City receives regional information. They also offered to help with the energy efficiency plan. The SBCCOG looks for ways to be helpful for their Cities and noted that other CCOG's had hired people to help their cities with their Affordable Housing Plan. She also stated that the SBCCOG was controlling the Measure M (transit) monies so it was clear to see how this would be a big deal for other cities. Meanwhile Rolling Hills has no money to gain so she felt at liberty to speak out about the membership dues change. She also informed the SBCCOG that if they insisted on the base of \$10,000.00 the City would walk and assumed the Council would agree.

Councilmember Wilson asked how much the City currently pays in membership dues.

Councilmember Dieringer advised the City currently pays \$6,500.00.

Mayor Pro Tem Piper stated he supports the City not being a member of the SBCCOG.

Mayor Mirsch thanked Councilmember Dieringer for her efforts.

**B. REPORT BY PERSONNEL COMMITTEE ON THE UPDATE TO THE EMPLOYEE HANDBOOK AND PERSONNEL POLICY MANUAL (ORAL REPORT).**

City Manager Jeng gave an overview of the updates the Personnel Committee made to the Employee handbook. They reached out to the City Attorney's office to check for any legislative updates. They approached Council with the salary survey and medical health benefit updates. She foresees another month of work may be needed but acknowledges committee assignments may change. The updates are not complete and although she hoped for completion by January 1<sup>st</sup>, the next best milestone would be July 1<sup>st</sup>. This would provide the new fiscal year as an effective date. She posed the question if the current members (Mayor Mirsch and Councilmember Dieringer) may stay on the committee in order to complete the assignment.

Mayor Mirsch confessed that the project was a bigger than she imagined. There were a lot of changes in laws, work environments, and it required more work. She stated that the Personnel Committee has been very comprehensive and apologized for taking longer than expected. She stated that if changes are made to the composition of the Personnel Committee it would derail the assignment. It was her hope that the New Mayor would allow the current members to stay on the committee until the completion of the Employee Handbook.

Mayor Pro Tem Pieper agreed and thought it was necessary to retain the committee members.

**C. REPORT BY FIRE FUEL REDUCTION AD HOC SUBCOMMITTEE ON THE COMMUNITY WILDFIRE PROTECTION PLAN (ORAL REPORT).**

City Manager Jeng reported on the City's wildfire mitigation work. The members of Fire Fuel Reduction Ad Hoc Subcommittee, including Mayor Mirsch and Councilmember Wilson, have had good correspondence and meetings with the Association. The Association Subcommittee members were Tom Heinsheimer and Roger Hawkins. She reported that the compositions of the

Subcommittee on the Association side had changed. Roger Hawkins was replaced by Anne Smith. The next scheduled meeting is scheduled for March 25, 2020 to review the final draft of the Community Wildfire Protection Plan (CWPP). Ms. Smith attended the last meeting and provided tons of feedback on the CWPP. She felt there was good progress on the CWPP and there was good conversation about the needs of the community.

Mayor Mirsch stated the meetings have been very productive. The Block Captains involvement has made a significant difference. The Block Captains organized a field trip with the Association and Fire Department to visit the East Gate, which has been a contentious issue. Because of the field trip, it seems there may be some movement on that item.

Councilmember Wilson stated the Honbo's have been great in keeping the momentum up.

City Manager Jeng added the Fire Department has been great as well. The Fire Department attends all the coordination meetings and Block Captain Meetings. They have been educating the City on evacuations. They were instrumental in the Field Trip with the Association Board Members and informed them about the care necessary for the entry/exit gates during emergencies.

**10. MATTERS FROM STAFF**

NONE.

**11. ADJOURNMENT**

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 9:24p.m. The next regular meeting of the City Council is scheduled for Monday, March 23, 2020 beginning at 7:00p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

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Yohana Coronel, MBA  
City Clerk

Approved,

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Leah Mirsch  
Mayor

Minutes  
City Council Meeting  
03-09-20

**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 that 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 advised surrounding agencies had declared a local emergency, which included the County of Los Angeles, 13 South Bay cities 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 the only city that has not declared a local emergency. She highlighted that Bradbury, another Southern California city similar in size to Rolling Hills, had not declared a local emergency. She pointed out that other cities adjacent to Rolling Hills have departments that need more resources; for example, Parks and Recreation have restrooms that need servicing. They also must consider if Park Rangers are necessary to enforce social distancing. They need to assess if there is enough personnel to ensure emergency response times are adequate. The City of Rolling Hills does not have any of those issues to prepare for 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 she was not recommending the Council declare a local emergency.

She reminded the Council that regardless 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 Per Section 3.32.060, A6, states "in the event of the proclamation of a local emergency; the proclamation of a state of emergency; or 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 has been empowered to make decisions without the Council having to declare a local emergency.

Councilmember Dieringer clarified that 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 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 an emergency is declared, the City must report to the State. This means the City would have to document their expenditures and staff hours and see if there would be reimbursements at a later time. Other cities that have different departments may also use the declaration as a method to suspend existing rules.

Mayor Mirsch asked if the City does not declare an emergency now 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 at a later time.

Councilmember Dieringer would like to have confirmation of proposed reimbursement and that the City can, in fact, file through the County before providing a definitive answer on the matter.

City Manager Jeng explained there are two parts to the reimbursement; 1) what would be eligible and 2) the City's response activities for Rolling Hills. First Responders overtime pay would be considered an eligible item. Non-essential employees that are sent home and continue to receive pay would be a questionable. 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 goes away if the City were to declare an emergency.

City Manager Jeng stated that she was not sure if declaring an emergency affects the EOC. Other agencies declared a local emergency and 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. She advised she was not fully versed on how that works but believes when a call comes in; it triggers a chain-of-calls to the appropriate parties.

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 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 is necessary to declare one.

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

Councilmember Black made a second motion.

Councilmember Black moved that the City Council approve staff's recommendation and not declare a City emergency and receive 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 crosses jurisdictional boundaries. Before the arrival of Alert Southbay, along with recent legislation, cities did not have the ability to notify communities across borders. She gave an overview of Senate Bill 833 and 821. Bill 821 permits each county and city to grant access to the contact information of resident account holders through public utility bill records. This is important because the City's notification system only serves the people who opt in. She informed the Council both Senate Bills would allow the City to pull data in order to notify residents of alerts even if they had not signed up for notifications. Majority of the South Bay Cities fall under the Los Angeles County Disaster Area known as Area G. Area G purchased Everbridge, which is the vendor selling Alert Southbay. Many cities currently use a notification system similar to Rolling Hills Notify-Me, which is owned by Blackboard. Notify-me aims to inform residents within a certain community. The City's notification system has approximately 120 registrants, which is very limited given the population. If there were an explosion at the refinery, the refinery would be able to notify select cities of that event including residents that did not sign up for notifications. Alert Southbay allows the City to notify more residents, especially in pressing matters. She added the program would be beneficial to the City since it is a bedroom community. The residents would also be notified of events in the surrounding cities. City Manager Jeng recommended that the City participate in Southbay Alert. The City would have to subscribe to the Everbridge program to participate. The cost attached is \$5,171.00 for the first year. The following two years would total \$4,171.00. There is also an introductory cost to retrieve the white page data and that would be \$5,000.00 per participant, however, the refinery is covering this cost. All Area G cities have enrolled except for Lawndale and Carson, but they are expected to join. The City of Rolling Hills was added to the project and is partnered with Rolling Hill Estates. The City must subscribe to the program to solely notify Rolling Hills residents.

Councilmember Dieringer inquired who would be sending out the notifications.

City Manager Jeng replied that participants send their own notifications. She explained that Rolling Hills geographic area was added to the map features of Alert Southbay, but cannot use the service until the City pays for it.

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

City Manager Jeng explained 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 replied in the affirmative. She clarified that Everbridge is the parent company. She informed the Council that Alert Southbay went live in January/February of 2020. She advised that some South Bay Cities decided to transfer their data to Everbridge. Alert Southbay allows people to choose which cities they would like to receive notifications from.

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 commented that it was her opinion that the COVID-19 situation will motivate people to sign on. 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 but does not know if it will motivate people to opt into other notifications.

Councilmember Wilson asked if people decide not to opt in, would they 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 for other notifications. She explained that when Rolling Hills was added to Everbridge, Rolling Hills and Rolling Hills Estates were combined as one but does not know the reason why as she was not part of the original decision. It worked out for the best because if the City were not added with Rolling Hills Estates there would be additional upfront costs. Currently Rolling Hills is part of Rolling Hills Estates but if RHE were to send out a notification it would not include Rolling Hills.

Councilmember Dieringer asked to confirm that the City currently could not initiate sending notifications to Rolling Hills residents only.

City Manager Jeng explained that if the City subscribes to the system, the City could send notifications to Rolling Hills residents only and choose if adjacent cities should receive pertinent notifications.

Councilmember Dieringer moved that the City Council approve to participate in the Alert Southbay notification system and subscribe to services on 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 in June 2019 the City adopted a budget with a total of \$2,278,000.00 in revenues, \$2,234,000.00 in expenditures, and \$329,000.00 in deficits. The main reason for the budget deficit was because of the transfer of money to the Traffic Safety Fund for roadway striping totaling \$54,500.00, transfers to the Capital Improvement Fund for the Tennis Court Project \$320,000.00, and \$30,000.00 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 in property transfer tax and interest income, but he stated that interest income was declining rapidly and does not expect to see an increase because rates are dropping fast.

Building and other Permit Fee revenues were down below the mid-year projections and is \$60,000 below this time last year. There were a couple of months where the City paid instead of collecting money. He stated 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 \$36,526.50. As part of the Staff Report, the additional funds were allocated from the tennis court improvement project. Through February, expenditures include engineering and project management totaling \$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. The City Council allocated \$36,526.50 from the Tennis Court Project to the Traffic Safety Fund as mentioned

above. 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.

He advised his office would monitor the Building and other Permit Fees. Since revenues were down, it was a good thing that expenditures were down by approximately the same amount. The General Fund proposed expenditure adjustments have increased \$10,000 for account 01-01-801 (City Attorney) and a \$10,000 decrease in account 01-15-872 (Property Development – Legal Expense). The FY 19/20 mid-year budget review shows 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 the no proposed changes, would be \$5,466,480, which is slightly over two times the City's annual general fund expenditures.

Councilmember Black thanked the Finance Director for his overview.

Finance Director Shea offered to go over the schedules in the staff report. The first schedule was the General Fund revenues and expenditures on page 49. He read the summary and stated that revenues from July through February FY 19/20 were \$1,076,405. The adjusted eight-month budget was \$1,255,000.00, which indicates the City's revenues are about 80% at mid-year and about 40% for the year. He stated that the biggest drop was due to the Building Permit being down. He stated that for expenditures, for the City's Administration Department were at about 79% of the mid-year in salaries and that is due to the timing of onboarding people because the salaries were budgeted for the full year. He stated that salaries and benefits were down and that everything else was progressing okay. The Finance Department is right on budget so there was nothing to report. Planning and Development salaries and benefits are where he predicted. He stated that the City was up a bit in the NPDES but down in other areas, but overall, the City is at 80% at the mid-year and at about 53% at year-end. Law Enforcement is down due to the budgeted amount for Wildlife and Coyote. The City is charging a little more to the CalCops Fund because the City had a little more money than anticipated. We are about \$10,000.00 lower in law enforcement and \$20,000.00 less in the Wildlife and Pet Management account.

Mayor Mirsch asked to confirm that the coyote services fall under the law enforcement line item in the general fund.

Finance Director Shea replied in the affirmative.

City Manager Jeng explained the mid-year budget report helps her track where the City stands in revenues. She reviews projections and identifies trends. If the trend indicates the City is not catching up to the revenue that was budgeted, then she would slow down the expenditures for the rest of the year. She directed the Council to look at the last column on page 49, she stated that the percentage meant revenues are tracking 50% and above. She stated that some items could not be tracked by percentage, for example, striping. Once the striping project is complete there are no more expenditures. Then there are contractual service expenses with consultants, and she must assess if the City is depleting those funds quickly. She reported that the City is not overspending. There is some adjustment for legal fees but that is due to new issues. A transfer would be made to allocate legal expenses from the Planning Department back to the City Administration line item. She also wanted to add that the City was expecting revenue from Measure W, the clean water parcel tax, but it has not come in yet. The City budgeted \$65,000.00 in the general fund that was supposed to be offset by Measure W. If Measure W does not come in as expected, then the line item would have to be increased in order to meet the expenses for the year.

Councilmember Wilson detailed that Building and other Permit Fees were down by \$60,000.00 and asked if less construction lead to the reductions in the fees.

City Manager Jeng replied that there were two parts. The first was the reduction of projects and the second was that the City had more grievances on properties. The City calls the Building and Safety Department to conduct inspections for complaints. For example, residents have reached out to the City stating they have drainage issues. The complaint was the rain caused all these issues. Building and Safety logs their hours when they come out for an inspection. At months end, they track expenditures plus revenue coming in from building permits then reconcile. In past years, the numbers have always been positive because there were more applications than expenditures. Recently, there have been fewer projects, which lead to less revenue from building permits but more inspections.

Councilmember Wilson moved that the City Council receive and file the item as presented with the adjustment. Councilmember Dieringer Mayor 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 agreement before them was a typical agreement that is approved by Council every five years. It allows the City to utilize County services.

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

City Manager Jeng answered that the Los Angeles County Fire Department services the City via

the Fire District. The Fire Department services fall outside this general services agreement.

Councilmember Wilson asked if this agreement would include animal control.

City Manager Jeng replied that was a separate contract.

City Attorney Michael Jenkins clarified 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. He stated that it was his belief that the Animal Control is a separate contract and asked City Manager Jeng to confirm.

City Manager Jeng replied in the affirmative.

Councilmember Dieringer moved that the City Council approve the renewal of the Los Angeles County General Services contract. Councilmember Wilson Mayor 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 people's businesses have gone to zero and the Federal Government has advocated a tax holiday, which means people do not have to pay their taxes until July 15<sup>th</sup>. He understood that the portion of Rolling Hills property taxes collected was about \$0.07 or \$0.08 on the dollar. He felt that the Council should assist their residents and request that the State not collect the City's portion of property taxes until July 15<sup>th</sup>. He mentioned that rent evictions have been outlawed, which impacts property owners if they cannot collect rents. The City is in good financial shape and can stand to go a few months without hitting their tax receipts.

Mayor Mirsch agreed and advised she reached out to other Peninsula Mayors to see if there was any interest because the request would have more impact if the whole area asked. This was after City Manager Jeng sent out the information from the County Treasurer and Tax Collector stating they had no authority to appease this sort of request and therefore would have to approach the State. Mayor Mirsch heard back from RPV and RHE. They had some interest and stated that if Rolling Hills wrote a letter they would sign on. The PVE Mayor did not reply to her request. When she was on the conference call with the other Mayors, she learned that the PVE Mayor was against it because it was their only source of income.

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

City Manager Jeng indicated staff did not have a position on the matter. She reminded Mayor Mirsch the City's largest revenue source is property tax but reiterated **that** the City had enough in reserves if property taxes were delayed.

Councilmember Black requested that along with the letter, staff and/or the City Manager approach the City's local representatives and request they present the City's request to 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 did not have a sense of what other cities were considering but could reach out. She noticed cities were more concerned about PARS, rent evictions, parking enforcement, street sweeping, and other issues. There was a call between Mayor Mirsch and Mayor Pro Tem Pieper with Assemblyman Al Miratsuchi and other Peninsula Mayors recently where Mayor Pro Tem Pieper discussed delaying property taxes.

Mayor Mirsch stated she would be happy to take lead on the project.

Councilmember Black moved that the City Council direct staff to request the State and Local Legislature, including the Governor's office, in writing with a direct approach to allow a property tax holiday for Rolling Hills residents up until July 15<sup>th</sup> 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 the Council would discuss reopening City Hall.

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

Councilmember Black replied the City was exempt.

City Manager Jeng sent a notice to the community advising residents that City Hall is closed to the public as of March 16<sup>th</sup> and the closure would run until the end of March per the first Health Order. Since then, a second and third Health Order was released. 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 also states that all public and private gatherings are prohibited. She proceeded to state that she welcomed the Council's thoughts on the matter.

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

Councilmember Black stated the next Council meeting is scheduled for April 13<sup>th</sup> and that does not work for him. He is not interested in keeping City Hall closed and wants to open by April 1<sup>st</sup>. He stated there was nothing in a health order that requires City Hall to be closed. Health Orders one, two, and three had to do with group gatherings and social distancing. He believes City Hall lends itself very well to maintain social distancing. He could place tables at the front door and residents could not get anywhere near the staff. The staff could place cones or signs every six feet to make sure residents do not line up too close together when they are waiting for services.

Mayor Mirsch repeated the item was not on the agenda and suggested the Council have an emergency meeting via teleconference since Dr. Black would like to have a discussion.

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.

Mayor Mirsch asked Councilmember Black if that was okay. It was obvious that he wanted to have the discussion before April 13<sup>th</sup>, and she did not see any alternative.

Councilmember Black replied if that is what it **would** take. City Hall should not have closed from a medical viewpoint and needs to be opened right away. He does not want it 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 teleconference in order to practice social distancing.

Councilmember Black asked why the Council was asked to teleconference. He suggested conducting the meeting before April 1st.

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 advised the Council had four days left in the current week or they could meet on Monday, March 30<sup>th</sup>. Again, he specified City Hall should be open today and he does not want it to continue any longer.

Mayor Mirsch asked what the Council desired for dates and times.

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

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

Councilmember Wilson remarked that the mustard was in full bloom. He recalled the Land Conservancy advised there was an ideal time to mow it. He believes it is right before the mustard releases seeds and the City is at that window. He would hate for the City to miss the opportunity but understands that it may not be addressed right now.

City Manager Jeng stated she could not open up the discussion because the item was not agendized but she would investigate it and bring it back.

Councilmember Wilson asked about the Crest 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 CalTrans standards are used and its manual on uniformed traffic control devices for the state.

Mayor Mirsch stated that communication is key. It is important to have more communication to know what is going on for the next Mayor. She knows that other cities are having nightly briefings and thought that was a good idea. She asked if the Council would be interested in an End-of-Day communication from Elaine.

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 new 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 is 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.

Mayor Mirsch thanked the City Attorney for his clarification.

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

Councilmember Dieringer stated that Council could call her 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. It is only on news conference that the exception applies.

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 Councilmember Dieringer had a question and City Manager Jeng provided her information; she wondered if that information would be better shared if all of the Councilmembers were listening to it at the same time.

City Attorney Jenkins stated that City Manager Jeng could provide the Council with regular updates in writing. If City Manager Jeng 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 asked under what circumstances might there be a need to address the Council in real time; perhaps to report an outbreak in the City.

Councilmember Black stated 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 we probably already know people that are infected and will know people that will die from it, but that does not mean they are going to do anything differently. It is going to settle down, the curve will flatten, which is happening. Some of the medicines being made might work and then a vaccine will ultimately become available, but it will take longer. The reality is there are certain people in the City that are infected.

Mayor Mirsch asked if the Council wanted to conduct the meeting on the 30<sup>th</sup> 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 whether it was okay to meet in person for the next meeting.

Councilmember Black stated absolutely. He stated that the distancing is six feet and that it is physics not magic.

Mayor Mirsch stated that showing up in person was optional for the Council and staff.

#### **10. MATTERS FROM STAFF**

NONE.

#### **11. ADJOURNMENT**

Minutes  
City Council Meeting  
03-23-20

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 08:18p.m. The next special 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,

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Yohana Coronel, MBA  
City Clerk

Approved,

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Leah Mirsch  
Mayor

**MINUTES OF  
AN ADJOURNED MEETING  
OF THE  
CITY COUNCIL OF THE  
CITY OF ROLLING HILLS, CALIFORNIA  
MONDAY, MARCH 30, 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 7:01p.m. via teleconference.

**2. ROLL CALL**

Councilmembers participating via teleconference:

Mayor Mirsch, Pieper Black, Dieringer and Wilson.

Councilmembers Absent: None.

Others participating via teleconference:

Elaine Jeng, P.E., City Manager.

Yohana Coronel, City Clerk.

Michael Jenkins, City Attorney.

**3. OPEN AGENDA**

NONE.

**4. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS**

**A. DISCUSS RE-OPENING CITY HALL TO THE PUBLIC ON APRIL 1, 2020.**

Mayor Mirsch explained that the item for tonight's discussion was brought up at the City Council Meeting on March 23, 2020. She indicated that the item could not be discussed because it was not agendaized. This adjourned meeting was scheduled to discuss the matter. Mayor Mirsch expressed that she was very uncomfortable discussing the item before the Council. She thought it was inappropriate to discuss opening City Hall to the public given all the latest developments. The State, Federal and County all released recommendations and orders that strongly encouraged people to stay safe at home. In her opinion, this included the Council and City staff. In order to make sure Councilmembers did not speak over each other, she directed them to speak in alphabetical order.

Councilmember Black stated that he was the Councilmember that brought up the topic at the last City Council meeting. He noted that the title of the agenda item was wrong, and the City was not aligned with the Los Angeles County Health Order because that order did not specifically include public entities. People are asked to adhere to public distancing of six feet or more and not have large group gatherings, but businesses and entities considered essential could remain open. He

understood that it was normal to be afraid or concerned but it was more important to know how to manage fear. It was brought to his attention that City Hall staff was sent home because a part-time staff member reported possible exposure on Thursday, March 19<sup>th</sup>. Councilmember Black said medical professionals know that a person is only contagious 24-48 hours prior to showing symptoms. He specifically sent out the recommendations from hospitals and the CDC as to when people could go to back to work after being in close contact with someone with the virus. He pointed out that none of the City's actions followed CDC recommendations. Part of leadership is to show people how to behave and not panic. He stated that the City's actions represented one panic move after another. He stated that City staff should be in the building, the building should be open, and that staff should observe six-foot distances. He indicated that with a small staff, they were safer in City Hall than anywhere else.

Councilmember Dieringer shared that she works in the public sector. She stated the State Supreme Court was drafting new measures because of the latest developments. Her office is dealing with criminal defendant's constitutional rights to have a trial. Notwithstanding the importance of these constitutional rights, the Courts have decided to suspend cases that were in trial. She commented that this pandemic is being taken very seriously. She concluded that she was not in favor of opening City Hall. She pointed out that the City has a very small staff and if one person were to get sick, everyone would have to be quarantined, bringing everything to a halt. The City needed to exercise caution and Councilmember Dieringer added that there was nothing that could not be done through phone calls and email. Residents could drop things off **in a designated area** and staff could retrieve it without having personal contact.

Mayor Pro Tem Pieper stated that he does not understand why the grocery clerks, Costco employees, and the guys at the marijuana dispensary must go to work and City staff would not go to work. Until recently, City Hall accepted walk-ins and conducted business by appointments. He thought the set up was very reasonable. He stated he goes back and forth on the issue and cannot come up with an answer. He wondered if the City was conducting business effectively while telecommuting. He pondered if the City stopped permitting and reviewing plans and were these functions also stopped at LA County offices. He commented that Rolling Hills is a small piece of a bigger puzzle. The current situation does not allow the City to stand out and be different. He believed closing City Hall is wrong if staff's physical absence prevents business from being conducted. Mayor Pro Tem inquired if business is disrupted with LA County offices closed? He expressed working at City Hall was safer than working at any other place.

City Attorney Michael Jenkins suggested City Manager Jeng clarify some of the concerns raised by Mayor Pro Tem Pieper. He observed there was a perception that City Hall closed its doors, staff walked away, there was no work being performed, and that was not his understanding.

City Manager Jeng reported that City Hall was closed to the public on Monday, March 16, 2020. City staff continued to report to work as usual behind closed doors until Wednesday, March 25, 2020 when all staff were directed to temporarily telecommute because a part-time staff member reported she was exposed to someone that may have the COVID-19. City Manager Jeng said the item before the Council was to discuss whether City Hall should be opened to the public and not whether City staff should telecommute.

City Attorney Jenkins clarified that City staff had been telecommuting because of the exposure to the part-time employee.

Councilmember Black insisted no exposure occurred. He stated that a lot of non-medical people were making incorrect medical treatment plans and it made no sense.

City Attorney Jenkins stated the status quo before the possible exposure was that all employees were physically reporting to work, but the doors were closed to the public. If a member of the public had city business, they could make an appointment. He explained that nothing different was being proposed. He clarified for the Council that the only question before them was should City Hall unlock the doors during business hours and have unrestricted access from any member of the public.

City Manager Jeng added that the County also closed its doors to the public. It was her understanding that County staff was still working in the office but at a limited capacity. The County has since developed ways to issue permits and check plans remotely. They were also exploring ways to pay fees remotely. All these services did not exist prior to the COVID-19. She stated that City staff is in constant contact with the County's Building and Safety office that serves Rolling Hills.

Mayor Pro Tem Pieper asked about daily foot traffic at City Hall prior to closure.

City Manager Jeng responded that majority of City Hall's walk-ins were from residents to discuss issues requiring city assistance. These visits have been replaced by phone calls and there has been no feedback or service issues. Consultants visit City hall to drop off plans. They have been directed to submit plans electronically and added that it is more efficient with electronic submittal. There have been no requests for walk-in service.

Mayor Pro Tem Pieper stated he was in support of status quo. He stated that more City services need to be streamlined and that the City could use this time to transition. He stated it did not matter to him one way or another unless he hears from residents of inadequate service.

Councilmember Wilson concurred with Mayor Pro Tem Pieper. He shared that his business is considered essential and had conflicting feelings. He was dealing with employees who were very concerned with customer interactions and had to find ways to address it. Some of his employees expressed concerned about proximity to other employees so his company implemented social distancing requirements. Some of his employees expressed concern about continuing to work even though his company did its best to make sure all employees felt safe and comfortable. On the other hand, he stated that a lot of his employees were happy to be employed. There is real fear within people and that fear takes a toll on employees. Councilmember Wilson expressed the importance of City Hall being open to the public, but it appeared **to him** that important business was continuing. He stated he missed having the public at the Council meetings and some of the orders were heavy handed **and** perhaps unnecessary, **but whether it was needed remains unknown.**

Mayor Mirsch stated that she respected Councilmember Black as a physician and trusted him with her care. However, she took issue with his statement of "non-medical people making decisions"

because she too has been listening to Public Health Officials such as Dr. Jerome Adams, Dr. Anthony Fauci, and Dr. Barbara Ferrer. They all continue to stress that people should have limited contact with the public. She reiterated the City's business could continue without having the office open to the public. She received comments from residents questioning the need to open City Hall to the public. Furthermore, the City was not being perceived as panicking but rather following guidelines from the public health government officials and other physicians in a position to provide information.

Councilmember Black stated City Hall was panicking and it made no sense to him. He called for a vote on the item.

Mayor Pro Tem Piper stated that he agreed with Councilmember Black, however he proposed a motion for City Hall to continue to operate as is.

Mayor Mirsch asked for clarification on the appropriate motion.

City Attorney Jenkins clarified that the question was whether City Hall should be opened to the public. Councilmember Black could make a motion to reopen City Hall to the public or someone else could make a motion to maintain the status quo. He noted that the status quo was City Hall would be available to the public by appointment, email, or by phone.

Councilmember Black motioned that City Hall be reopened to the public in accordance with the Los Angeles County Public Health recommendations and the CDC guidelines and pretend that staff is present at City Hall.

The motion was not seconded.

Mayor Mirsch asked if Council needed a motion to keep the status quo.

City Attorney Jenkins stated no motion was needed to maintain the status quo.

Councilmember Black requested to continue the meeting to next week to discuss staff's physical presence at City Hall. The City was going against medical practices regarding the Coronavirus. He requested to have the City Council meet weekly because it was his opinion that bad decisions were being made.

Mayor Mirsch stated that the next regular Council meeting was scheduled for April 13, 2020. She inquired if Councilmember Black wanted to hold a meeting on April 06, 2020.

Councilmember Black stated that this is an emergency and the City Council should meet as soon as possible to resolve City staff not being at work.

Mayor Pro Tem Pieper asked if City staff was going to be available to work.

City Manager Jeng stated she is waiting for the COVID-19 test result. If the result is negative, staff will physically return to City Hall. If the test result is positive, she would seek further information before proceeding.

Councilmember Black stated he disagreed with the City Manager's actions. If the employee was potentially exposed on the 19<sup>th</sup> and had shown no symptoms by the 30<sup>th</sup> this person did not have the virus on the 19<sup>th</sup>. The part-time employee could have contracted the disease on the 27<sup>th</sup> by going to the supermarket but did not contract the virus on the 19<sup>th</sup>.

Mayor Mirsch asked if there was a possibility that the employee could be a carrier of the disease.

Councilmember Black stated that carriers were not necessarily infectious. A person could be infectious between 24-48 hours before they show symptoms. He again stated that the part-time employee could not have become infected on the 19<sup>th</sup> if the person infected first showed symptoms the 24<sup>th</sup>.

City Manager Jeng stated the Council entrusted her with the operations of City Hall and she was doing so to the best of her ability. Although she is not a medical professional and does not have one on staff, she gathered the best information available to care for the wellbeing of the community and City staff.

Councilmember Black replied that the City Manager had a medical professional on her Council who was willing to talk to her. He inquired if the person was tested? It was his understanding that people do not have to get tested and further added that the test results fall under patient privacy. Test result for individuals cannot be legally released to other individuals.

City Manager Jeng stated according to the employer of the person, a city official of another city, he was tested, and his test result will be shared.

City Attorney Jenkins reminded the Mayor that there was a request to schedule an adjourned meeting for Monday, April 6, 2020 to reassess the situation.

Mayor Mirsch stated she would like to schedule a meeting for next Monday and inquired if she needed a second motion.

City Attorney Jenkins stated she could adjourn the meeting to Monday, April 6<sup>th</sup>, set a time, and wait for a second motion to vote.

Councilmember Black moved that the City Council adjourn the City Council meeting of March 30, 2020 to Monday, April 06, 2020 at 7pm. Mayor Pro Tem Pieper seconded the motion. The motion passed by voice vote as follows:

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

Mayor Mirsch provided an update on her conversations with the State Assembly representative and Senator Ben Allen's office regarding the City's request to extend the property tax payment deadline. She was unable to reach Governor Newsom's office. She also spoke with the Tax Collector's office and the County Treasurer Tax Collector's office. The League of California Cities and seven other agencies sent a letter asking the State not to extend the property tax payment deadline. The responses she received from her outreach was that a person could appeal to have their late fees waived after April 11<sup>th</sup>. If the person's reason for late payment had to do with COVID-19, a task force would investigate the request. All the people she spoke with did not support a payment deadline extension because property tax is a revenue source for the cities necessary to pay for first responders, doctors, and essential services.

Councilmember Black stated that it was his understanding that if a person wanted their late fees waived, they would have to prove that they were physically incapable of doing so due to COVID-19. He asked if his interpretation was correct.

Mayor Mirsch stated that she wondered the same thing but unfortunately, she was not able to get an answer.

Councilmember Black asked City Attorney Jenkins if he would go to jail if he recommended that people not pay their property taxes if they were having a hard time.

City Attorney Jenkins replied he would not be violating any laws by providing his opinion.

Councilmember Dieringer stated Councilmember Black had the right to free speech.

City Attorney Jenkins indicated that Councilmember Black needed to make clear that he was stating his personal opinion and was not speaking as a Councilmember.

## 11. ADJOURNMENT

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 7:50p.m. to an adjourned meeting of the City Council scheduled for Monday, April 06, 2020 beginning at 7:00p.m. via teleconference.

Respectfully submitted,

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Yohana Coronel, MBA  
City Clerk

Approved,

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Leah Mirsch  
Mayor

**MINUTES OF  
A JOINT STUDY SESSION MEETING  
OF THE  
CITY COUNCIL AND PLANNING COMMISSION OF THE  
CITY OF ROLLING HILLS, CALIFORNIA  
MONDAY, APRIL 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 6:07p.m. via teleconference.

**2. ROLL CALL**

Councilmembers participating via teleconference:

Mayor Mirsch, Black\*, Dieringer, Pieper, and Wilson.

Commissioners Present: Chairman Chelf, Cardenas, Cooley, Kirkpatrick and Seaburn.

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.

Jane Abzug, Assistant City Attorney.

*\*Councilmember Black joined the meeting at 6:47pm.*

**3. OPEN AGENDA –PUBLIC COMMENT**

NONE.

**4. CITY COUNCIL AND PLANNING COMMISSION JOINT STUDY SESSION**

PCS Director Meredith Elguira gave an introduction of the joint study session between the Planning Commission and the City Council. She highlighted the list of discussion topics submitted by both bodies for input and/or questions to create a path forward.

**Enforcement of Power on Nuisance**

PCS Director Meredith Elguira explained the City receives numerous complaints regarding lights, landscaping, dead vegetation, fallen trees on private property, and damaged fences.

Commissioner Cooley asked how the City distinguishes a nuisance from a code violation.

Assistant City Attorney Jane Abzug replied that nuisance is defined per the municipal code, which states a "nuisance" shall be defined as anything which is injurious to health or safety, or is indecent or offensive to the senses, or an obstruction to the free use of property..." (RHMC, Chapter 8.24). She added the section also sets forth that the Council may define by ordinance any particular

condition constituting a nuisance. If the Planning Commission had a particular item to recommend to the Council as a nuisance, that could be a way to address the enforcement of power on nuisance.

City Manager Jeng commented that from an operational standpoint, it becomes difficult to differentiate the two because there are times when code violations are continuous, and it then becomes a nuisance.

Chair Chelf did not recall handling nuisance issues. It seemed that City staff is more familiar with nuisance issues. He stated that some people have had their green fence up for years and roll-off containers in the front yard. He feels that residents are abusing their fencing permit and that is a more important issue. The containers should be placed in the backyard or side yard and residents should not be allowed to bring in more than one container at a time. They should only be for building materials and not used for storage.

Assistant City Attorney Jane Abzug commented this topic came up about 6 months ago when discussing resolutions of approval and placing conditions on construction and trailers. She reminded the Council and the Planning Commission that if the City were to prohibit those things outside of the construction context there would need to be a code amendment.

Mayor Pro Tem Piper asked how the City determines when to direct a property owner to remove the fencing when they have an open permit.

Chair Chelf advised the Planning Commission had discussions about a fence time limit. It was suggested that the property owner reapply for a fencing permit every 6 months and provide proof why the fence was needed. If no proof is submitted, then the property owner would have a certain number of days to remove the fencing.

Mayor Pro Tem Pieper wondered how the City could deal with the outliers that have keep their fence up.

Chair Chelf recognizes there is always someone that will abuse the timeline forcing the City to change all the rules. He suggested having a safeguard in place if a property owner has a fence up for no reason; then the City has a mechanism to enforce removal.

Mayor Pro Tem Pieper asked the PCS Director to create and present a manageable process to the Planning Commission to make it part of the rules.

Chair Chelf added if the City made the applicant responsible for renewing their fencing permit every 6 months, there would be no need to make a big deal of it.

Commissioner Kirkpatrick commented that there was not a lot of fencing around the City. He suggested better communication between property owners, contractors, and the Planning Commission.

Chair Chelf suggested defining what “under construction” means to give property owners guidelines to keep or remove the fencing.

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PCS Director Elguira replied that staff could easily address the issue with the Code Enforcement Officer and make the timeframe of the fencing part of the conditions of approval for projects. She added that it was easier when the language is part of the code. It was also noted that Building and Safety input would be needed.

Mayor Pro Tem Pieper presumed the Council needed to figure out how to implement the timeframe of fencing into the City's municipal code. He asked if the Planning Commission would take lead on this process and bring it to the Council for approval.

PCS Director Elguira replied in the affirmative.

Councilmember Wilson cautioned both bodies they would have to be very specific about the proposed regulations. A construction container could be easily confused with a roll-off dumpster. He also reminded both bodies that containers come in various sizes.

Mayor Mirsch recalls addressing that issue regarding a project on Crest. Decisions were made that specified the size and number of storage containers and **that it** should be listed in the conditions of approval.

Councilmember Dieringer recommended the City talk to Building and Safety to better define the need, type, and how long the container should remain on the property.

PCS Director Elguira replied that the planning department would follow up on both issues with the Building and Safety Department.

### **Tree and View Protection**

PCS Director Elguira reported she receives numerous calls about tree and view protections. She was processing one case and estimates three more on the horizon. She has submitted one letter and had two residents inquire about the process. She determined this was becoming a hot topic.

Commissioner Kirkpatrick asked if the residents were interested in understanding the process or **if they were** attempting to resolve an issue.

PCS Director Elguira responded one resident has been going back and forth with their neighbor **for** over a year. Another resident spoke to their neighbor and wrote a letter, while one resident requested advice from her and the City Manager on how to approach his neighbor regarding his view problem.

Mayor Pro Tem Pieper commented the City modified the rules. These three cases need to go through the process to determine if the hybrid compromise works. If logical conclusions are reached, then they could leave it as is. If it does not go well, the City will have to change the process again. He does not want to change anything without first testing the hybrid rules.

### **ADU & JADUs**

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PCS Director Elguira reported the City adopted amended ordinances based on the State's new laws requiring cities to allow ADUs and JADUs. The process starts with a review of the requirements and staff provides the applicant with stringent guidelines. One application was submitted and approved; however, the applicant has not picked up the plans. The applicant met the setback and height requirements and the covenant is being prepared. A second applicant requested a site visit. Thus far, every applicant has been open to amending their design, setback, and plans to blend in with the City's character.

Mayor Pro Tem Pieper asked if there was need for the Planning Commission to address ADUs and JADUs.

PCS Director Elguira advised the process for ADUs and JDU's is ministerial.

Chair Chelf fears some people will use the ADU process to bypass the Planning Commission's approval process of a conditional use permit (CUP).

Assistant City Attorney Jane Abzug replied State law prohibits discretionary review for ADUs/JADUs (which conform with state law/the City's ordinance). But that if an applicant wants a guest house (or an ADU/JADU that did not conform), it would still need to go through the CUP process.

PCS Director Elguira asked if there were any concerns.

Several questions were raised regarding the States laws, undergrounding, and septic tanks.

PCS Director Elguira indicated that the City has standards that will be enforced. Regarding undergrounding, the guidelines state it must be done when upgrading the electrical panel. The septic systems would have to be addressed with the Building and Safety Department.

### **Housing Element**

PCS Director Elguira conveyed the City was in the process of responding to HCD. City Manager Jeng is reviewing the draft. Alternative options are being explored regarding how the City will comply and provide 18 affordable units. With the passing of the new ADU laws, the State is allowing cities to count their ADU's toward affordable units given that there is a program in place making it feasible for the homeowner to build an ADU on their property. The City is looking to move in that direction and try to comply with the RHNA obligations using ADU's and JADU's. She informed the Planning Commission and the Council that she was not sure how the State would receive the City's proposal making it a calculated risk. The City is going to wait to hear back from the State before moving forward with the school site or any other site.

A question was presented if the City had to prove that ADU's and JADU's are being used for affordable housing.

City Attorney Jenkins explained the availability of ADUs in the zoning ordinance alone will not be sufficient to obtain a certification for the housing element. The only way an ADU program will succeed is if the ADUs are covenanted for affordability and actually built. The only way the ADUs

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are going to be covenanted for affordability is if the City were to provide sufficient incentive for a property owner to place a covenant on their property and that the unit built will only be rented to income eligible persons. There was internal discussion and there are no viable financial incentives that can be provided. The City cannot rely on the ADU program to satisfy the RHNA requirements particularly for affordable housing. The City will have to identify some sites but is not limited to the two institutional sites located outside the gates. Residential zone sites could also be considered along Palos Verdes Drive.

City Manager Jeng informed the Planning Commission that the City has a work plan with the HCD. They are currently editing the 2013-2014 housing element report. There will be a second round of edits that the Commission will be a part of that includes public outreach. She anticipates this will occur in September/October 2020.

*Councilmember Black joined the meeting at 6:47p.m.*

### **Stormwater**

Councilmember Black remarked that the City has less than 10 storm water exits. His hope is to have property owners address their own water runoff by implementing drain catch basins. He would like to start with individual homes then move on to individual canyons until all storm drains are eliminated.

Commissioner Kirkpatrick replied that he supports his idea but suggested analyzing each site where catch basins would be placed.

The Planning Commission and the Council both pledged support for storm water runoff, however, they would like to conduct a study in order to better understand what the catch basins do and the cost before making it a requirement.

Mayor Pro Tem Pieper suggested the Planning Commission take lead on how storm water runoff should be addressed.

Chair Chelf commented that the subject matter is outside of the Planning Commissions realm and will need a consultant to guide them on how to control water in order to provide suggestions to the Council.

City Manager Jeng remarked that she would work with PCS Director Elguira on considerations, contact consultants to seek more information about storm water, and come up with some measures. She noted that the Planning Commission is interested in looking at cost while the Council is interested in eliminating discharge. They will combine the two and put a proposal together to present to the Planning Commission and then to the Council. She will report on their progress and come back with a date to hold another joint study session.

## **5. ADJOURNMENT**

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 07:03 p.m. to the regular City Council meeting. The next meeting of the City Council is scheduled to be

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held on Monday, April 27, 2020 beginning at 7:00 p.m. via teleconference.

Respectfully submitted,

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Yohana Coronel, MBA  
City Clerk

Approved,

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Leah Mirsch  
Mayor

**MINUTES OF  
A REGULAR MEETING  
OF THE  
CITY COUNCIL OF THE  
CITY OF ROLLING HILLS, CALIFORNIA  
MONDAY, APRIL 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 7:05p.m. via teleconference.

**2. ROLL CALL**

Councilmembers participating via teleconference:

Mayor Mirsch, Pieper Black, Dieringer and Wilson.

Councilmembers Absent: None.

Others participating via teleconference:

Elaine Jeng, P.E., City Manager.

Meredith Elguira, Planning & Community Services Director.

Yohana Coronel, City Clerk.

Michael Jenkins, City Attorney.

Jane Abzug, Assistant City Attorney.

**3. OPEN AGENDA**

Clint Patterson and Richard Boos (via email) thanked the outgoing Mayor, incoming Mayor, and commended the City Manager for a job well done. They commented specifically on the undergrounding projects and expressed appreciation and support.

**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 JANUARY 27, 2020.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- B. PAYMENT OF BILLS.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- C. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR JANUARY AND FEBRUARY 2020.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- D. CONSIDER PROCLAIMING THE MONTH OF APRIL 2020 AS NATIONAL DONATE LIFE MONTH.  
**RECOMMENDATION: STAFF RECOMENDS THAT THE CITY COUNCIL PROCLAIM THE MONTH OF APRIL 2020 AS NATIONAL**

**DONATE LIFE MONTH AND PROMOTE THE NATIONAL DONATE  
LIFE MONTH IN THE CITY'S BLUE NEWSLETTER.**

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

Mayor Mirsch requested pulling consent item 4B.

Mayor Pro Tem Pieper moved that the City Council approve all consent items with amendments to the minutes of January 27, 2019. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

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

**Item 4B**

Councilmember Wilson pulled item 4B and queried a vendor. He also inquired about potential reimbursements from Republic Services for the HF&H Consultants charge. He then inquired about the Michael Baker charge listed and asked if that charge was for the Shen development.

City Manager Jeng replied she could not recall the vendor's name, however, she did note the vendor was addressing the gopher problem at City Hall. She added that both charges would be refunded to the City by each of the parties (Republic Services and Shen's) as agreed.

Mayor Mirsch requested the payment of bills report provide more detailed information in the description column.

Councilmember Wilson moved that the City Council approve consent item 4B. Mayor Pro Tem Pieper Wilson seconded the motion. The motion passed by voice vote as follows:

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

**5. PRESENTATION OF CITY COUNCIL REORGINIZATION**

- A. PRESENTAITON OF NEW MAYOR AND MAYOR PRO-TEM.
- B. PRESENTATION TO MAYOR MIRSCH IN RECOGNITION OF HER SERVICE DURING HER 2019-2020 TERM AS MAYOR.
- C. COMMENTS FROM OUTGOING MAYOR.

Mayor Mirsch declared that the Council would now reorganize. She called for a nomination for Mayor.

Councilmember Wilson nominated Jeff Pieper for Mayor. Councilmember Dieringer seconded the nomination. Hearing no other nominations, **outgoing Mayor Mirsch** declared Jeff Pieper be elected Mayor by acclamation.

Newly elected Mayor Pieper thanked outgoing Mayor Mirsch for all her hard work and presented her with a plaque.

Mayor Pieper conducted the remainder of the meeting and proceeded to select a Mayor Pro Tem. He called for nominations.

Councilmember Mirsch nominated Bea Dieringer for Mayor Pro Tem. Councilmember Wilson seconded the nomination. Hearing no other nominations, **newly elected Mayor Pieper** declared that Bea Dieringer be elected Mayor Pro Tem by acclamation.

Outgoing Mayor Mirsch made a statement summarizing issues and accomplishments over the last year. She thanked the staff for all their hard work and for providing excellent service to the residents. She also thanked her fellow Councilmembers for their support.

Councilmember Wilson thanked the outgoing Mayor. He stated she did an excellent job.

Mayor Pro Tem Dieringer thanked the outgoing Mayor for always ensuring everyone's voice was heard.

## **6. CITY COUNCIL AND THE PLANNING COMMISSION STUDY SESSION**

*Please refer to the minutes for the Special Planning Commission meeting.*

## **7. OLD BUSINESS**

### **A. CONSIDER AND APPROVE AMENDED AND RESTATED AGREEMENT FOR RESIDENTIAL SOLID WASTE MANAGEMENT SERVICES WITH REPUBLIC SERVICES.**

City Manager Jeng reported that the Solid Waste franchise agreement would expire June 30, 2020. The Solid Waste Committee has been working on an amended and restated agreement with Republic Services. Numerous meetings were held and progress was reported with regard to terms discussed. The Solid Waste Committee and staff's recommendation is to approve the amended and restated agreement with Republic Services for nine years, starting July 1, 2020. She noted the General Manager Ray Grothaus was available for questions.

Mayor Pieper opened the item for public comment.

Arun Bhumitra asked via email what were the stipulations on cancelling or revising the contract if issues arise.

Councilmember Wilson replied there are liquidated damages that can be enforced if there is a failure to perform.

Councilmember Mirsch moved that the City Council approve the Amended and Restated agreement for residential solid waste management services with Republic Services and authorize the Mayor to execute the agreement. Councilmember Black seconded the motion. The motion passed by voice vote as follows:

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

**B. DISCUSS CURRENT CITY SUBSIDY FOR SOLID WASTE SERVICES RATE INCREASE AND CONSIDER DISCONTINUING THE SUBSIDY BEGINNING JULY 1, 2020.**

City Manager Jeng reported the City kept the resident's rates at \$1100.00 per year per parcel. Since there is a new contract with Republic Services, the new rate is \$1292.00 per year, per parcel. If the City continues with the subsidy of the 685 parcels per year, the City would subsidize approximately \$132,000.00. She recommended discontinuing the subsidy and provided options to move forward. The City could increase the residents' contributions to the current rate or phase the subsidy over a couple of years and gradually catch the residents up.

Mayor Pieper opened the item for public comment. Hearing none, he returned to the discussion.

Councilmember Black commented that the City had plenty of money and it continues to grow. There were two years of funds in the bank. This was one way to give the residents their money back and added that he was stunned that the Council was considering discontinuing the subsidy.

Councilmember Mirsch stated that she was not stunned at discussing \$132,000.00. The reason for the surplus was because certain projects had not been executed. She expressed concern about what the City's revenues will look like in the future. She pointed out that rates increases were not unique to Rolling Hills and that big changes were happening in the solid waste environment.

Councilmember Wilson asked if Councilmember Black could concede that the Council could not continue in perpetuity and possibly consider lowering the percentage of the subsidy.

Councilmember Black replied he would not concede.

Councilmember Dieringer mentioned there were different ways in which the residents can benefit. She does not have a problem with the subsidy but prefers subsidizing a percentage of the fees. She discussed building projects and a subsidy for reducing fees because the people doing the building projects are the ones benefiting and the City is paying more for them. She suggested subsidizing a percentage of the fee so there is some benefit for every resident versus changing fees on building projects.

Mayor Pieper advised the Council did not need to make a permanent decision. The discussion is about making a decision for the fiscal year 2020-2021 subsidy; it will go from \$92,000.00 to \$132,000.00 bringing an increase of \$40,000.00.

Councilmember Black moved that the City Council continue the subsidies for the residents and pick up the current increases for FY 2020-2021. Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: Mirsch and Wilson.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

## **8. NEW BUSINESS**

### **A. CONSIDER AND APPROVE PROFESSIONAL SERVICES AGREEMENT WITH URBAN FUTURES TO SERVE AS THE FINANCIAL ADVISOR FOR EASTFIELD UNDERGROUNDING UTILITY ASSESSMENT DISTRICT.**

City Manager Jeng clarified that the contract with Urban Futures is only serving the Eastfield Undergrounding Utility Assessment District. This item is for preparation of the next step. Urban Futures is a financial advisor. The project is currently waiting for Edison's construction bid to inform the assessment district of the cost. The property owners within the assessment will vote to continue the project after this information is received. If they vote to move forward, the City needs to provide the assessment district with financing options. The assessment district has the option to pay cash or finance. If they choose to finance, the group can go through a private bank or sell a bond. This is where a financial advisor is needed. Like other services the City has provided to the assessment district, the City engages the service provider with the policy that the Council will only contribute to design cost and because an exception was made for the Schoettles project, the Council agreed to pay a partial of the assessment district. The City is not contributing to the financial adviser services scope of work. The cost of Urban Futures will be funded completely by the property owners within the district. City Manager Jeng is recommending engaging the services of Urban Futures, if the project does not go forward then the consultants' contract expires and there is not fee and any money collected is returned to the property owners within the district.

Councilmember Wilson asked if the members of the utility district were prepared for the cost the consultants and the fee that are associated with them.

City Manager Jeng replied that she was not sure what the assessment group understood but she provided a letter to the property owners within the district to let them know that an assessment engineer needed to be hired along with assistance for the financing side of the project but she did not provide a cost.

City Attorney Jenkin explained that the City cannot do a financing without a financial advisor.

Mayor Pieper opened the item for public comment. Hearing none, he returned to the discussion.

Councilmember Dieringer wanted to confirm that the City would collect the money from the assessment district first before the Council executes the contract.

City Manager Jeng replied in the affirmative. The money collected will be deposited into an escrow account.

Councilmember Wilson moved that the City Council approve a professional services agreement with Urban Futures and authorize the City Manager to execute the agreement. Mayor Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

**B. CONSIDER AND APPROVE THE REQUEST FOR PROPOSAL (RFP) FOR PROFESSIONAL SERVICES TO PREPARE AN UPDATE TO THE CITY'S SAFETY ELEMENT.**

City Manager Jeng explained the Safety Element is a companion element that serves the General Plan and **that it** was last updated in 1990. The City applied for grant funds through CalOES to update the plan. The City was recently awarded the grant and accepted it. The next step is to hire a consultant to prepare the update and **have** staff prepare a Request For Proposal (RFP) to solicit consultant services. The project will be paid for by the grant.

Mayor Pieper opened the item for public comment. Hearing none, he returned to the discussion.

Councilmember Black inquired about the cost for services.

City Manager Jeng replied the cost is unknown until fees are solicited from consultants through the RFP process.

Councilmember Wilson asked for a status update on other CalOES grant applications.

City Manager Jeng replied there were no other applications with CalOES regarding grant projects (i.e. CWPP, vegetation management in the canyons and an undergrounding project along Eastfield).

Councilmember Mirsch moved that the City Council approve the RFP, advertise the RFP on the city's website, and other outlets. Mayor Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

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

**(10A out of order)**

**10. MATTERS FROM STAFF**

**A. RECEIVE AND FILE FIRST QUARTER 2020 REPORT ON FIRE FUEL ABATEMENT ENFORCEMENT CASES.**

PCS Director Elguira reported on 2020 first quarter fire fuel abatement enforcement cases. There **was** a jump in the report because there are expired permits according to Building and Safety but some projects were never finalized. Staff is following up on the expired permits to ensure work is not in progress or if the project was completed, to attain final approval. There are 7 new cases under vegetation and 12 cases were closed last quarter. There are 81 cases under the comprehensive list, which includes 61 cases with open permits and 75 cases were closed. She pointed out that the active cases are now highlighted.

City Manager Jeng added that staff will be reaching out for status with open permit cases. At the request of Mayor Pro Tem Dieringer, the quarterly report was reconfigured and now one list shows the streets in alphabetical order and the second list is organized chronologically based on the date a case was initiated.

Mayor Pieper opened the item for public comment. Hearing none, he returned to the discussion.

Mayor Pro Tem Dieringer inquired about addressing the expired permit issue. There should be an incentive for people to finalize their permits.

Mayor Pieper pointed out that this is the first time the City has compiled this sort of list and it will fall under the Code Enforcement Officer. He suspects 80% of the cases listed have been finalized or the project never happened.

PCS Director Elguira clarified the incentive for property owners to finalize their projects is the certificate of occupancy because you cannot occupy a building without the certificate. Staff is working with the Building and Safety Department to confirm they are following up with expired permits as well.

Councilmember Wilson inquired about inconsistencies with some of the cases listed. On one page a case is shown as closed but on the second page the same case is shown as open.

PCS Director Elguira replied she would follow up and get back to Councilmember Wilson.

Councilmember Mirsch commented that she liked the two separate reports but also requested that the older open cases list a status.

PCS Director Elguira replied she would add a status column.

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

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

**B. UPDATE ON ACTION PLAN WITH CALIFORNIA DEPARTMENT OF HOUSING AND DEVELOPMENT (HCD) TO RESPOND TO REVIEW COMMENTS ON THE CITY'S 5HT CYCLE HOUSING ELEMENT.**

City Manager Jeng specified this was a report out and no action was needed from the Council. On May 3, 2019, the City of Rolling Hills provided the California Department of Housing and Community Development (HCD) its plan of action to comply with the City's Regional Housing Needs Allocation (RHNA) obligations. The City provided milestones that it must meet during the 2019-2020 reporting period. This plan of action shows the City's commitment in finding ways to meet its housing obligations in a timely manner. She concluded by stating she was open for questions.

Mayor Pieper opened the item for public comment. Hearing none, he returned to the discussion.

Mayor Pieper received and filed the report on behalf of the Council.

**(9A out of order)**

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

**A. CONSIDER REQUEST FROM COUNCILMEMBER BLACK THAT THE MAYOR CALL A SPECIAL MEETING OF THE CIYT COUNCIL WITHIN 48 HOURS OF ISSUANCE OF AN ORDER BY THE CITY MANAGER PERTAINING TO COVID-19 IN ORDER TO PROVIDE FOR COUNCIL REVIEW.**

Councilmember Black reported that there have been two emergency orders in relation to COVID-19. The first was to close City Hall and the second was sending City staff home for possible exposure to a part-time employee who may have had contact with a person with COVID-19. He suggested that whenever a major decision is being made with relation to COVID-19, the City Council should review it within forty-eight hours. He feels that non-medical personnel should not make medical decisions.

Councilmember Mirsch commented she does not think the Council needs to review the City Manager's decisions related to COVID-19. She has not found any of the actions taken by the City Manager inappropriate. Prior to any action taken by the City Manager, Councilmember Mirsch

thoroughly reviewed the information available to her and the City Manager had procedures in place to assure that City business would continue. She believes that the actions taken by the City Manager follow the principle of applying an abundance of caution and she acted appropriately within her authority. She was not making medical decisions but rather making administrative decisions **on** how to best run City Hall.

Mayor Pieper stated now that he is Mayor, he expects to communicate with the City Manager on a daily basis about COVID-19 issues. Even though he understands Councilmember Black's point of view, he will continue to communicate with the City Manager and try to make the best decisions with the information available to them. City Manager Jeng will continue to send out her written report and if Councilmember Black notices something in the report he does not agree with, then a meeting can be scheduled. He does not feel a meeting should be called for everything COVID-19.

Councilmember Black clarified he only wants to call a meeting for any emergency actions relating to COVID-19. He added it was clearly wrong that staff was sent home for 14 days for presumed potential exposure.

Mayor Pieper committed he and the City Manager **would** make the best decisions they can within a timely manner. If a decision needs to be made by the group, then a meeting will be scheduled.

City Attorney Jenkins clarified that the Mayor was proposing this route rather than establishing a hard and fast rule that has to be followed in every instance. The Mayor will work closely with the City Manager on a daily basis with this emergency and if a decision is made and there are concerns expressed by the Council, he will call a meeting. He can call a special meeting, which can occur as early as 24 hours or 48 hours. It can be established as needed rather than applying a hard and fast rule.

Mayor Pieper opened the item for public comment. Hearing none, he returned to the discussion.

Councilmember Mirsch commented that **the Coronavirus** highlights the necessity for frequent communication when swift action is needed and information is rapidly changing. She asked if the Council was interested in having daily briefing calls as a temporary measure for the duration of the COVID-19 orders. The Council could adjourn their regular meeting to a continued meeting to discuss possible required actions.

Mayor Pieper advised he understood there are lots of options **but that he** would like to address any issues first. If someone is unhappy with his decisions, then a meeting or call could be scheduled.

City Attorney Jenkins added that the action is aligned with the County Health Officer and the Governor. They are both coming down with orders and the City is subject to those orders like every City in the County. City Manager Jeng can continue to provide copies of those orders to the Council to keep them informed of what is going on at the County and State level. Given the unique nature of the City, there is not a lot the City can do compared to others. He agrees with the Mayor that if the City Manager continues to provide her reports and forwards all of the Governors orders, proclamations, and the County Health Orders, the Council will have a lot of

information with which the Council unfortunately won't have control over but which they are subject to.

**11. ADJOURNMENT**

Hearing no further business before the City Council, Mayor Pieper adjourned the meeting at 9:38p.m. to a regular meeting of the City Council scheduled for Monday, April 27, 2020 beginning at 7:00p.m. via teleconference.

Respectfully submitted,

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Yohana Coronel, MBA  
City Clerk

Approved,

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Jeff Pieper  
Mayor

**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.

Jane Abzug, Assistant City Attorney.

Chris Sarabia, Conservation Director.

Terry Shea, Finance Director.

Jim Walker, Budget Consultant.

**3. OPEN AGENDA**

Alfred Visco petitioned the City to immediately abate the extreme fire hazard and public nuisance in Paint Brush Canyon via email. He requested an update on the status of 7 Ranchero Road as well. He suggested the City reduce the amount of high fire risk vegetation with detailed mapping and a presentation from the Fire Safe Council representative. He has not noticed any Mustard mowing as proposed by the Land Conservancy. He recommended the City explore the possibility of canyon properties transferring ownership to the Nature Preserve or placing an easement on relevant portions of the property for the Nature Preserve to conduct maintenance.

**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 CALENDART FOR FY 2020-2021.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- F. NEW 2020 SPRING CLEANUP DATES.  
**RECOMMENDATION: APPROVE AS PRESENTED.**

Mayor Pro Tem Dieringer requested to pull item 4A to go the next 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. OLD 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 reported the City Council approved an agreement with the Palos Verdes Peninsula Land Conservancy (Land Conservancy) on October 14, 2019 in the amount of \$34,200 for fire fuel removal. Two acres of Acacia removal within the northeastern portion of the Portuguese Bend Reserve along the Rim Trail was \$27,000 and \$7,200 for removing 16 acres of invasive mustard plant around Grapevine Trail. The Land Conservancy completed this work in early March. The agreement included a maintenance article for three years at \$12,000 per year for springtime Mustard mowing and monitoring of Acacia to prevent regrowth. The Land Conservancy's work commenced on April 20, 2020. During the February 10, 2020 City Council meeting, Land Conservancy staff provided a presentation of the fire fuel removal conducted between November 2019 and February 2020. Per the Council's request for added fire fuel removal in the Preserve, Conservation Director Chris Sarabia, attended the teleconference to answer

questions. City Manager Jeng informed the Council she had asked the Land Conservancy to submit maps of the 2019 proposal and the current proposal. She highlighted the different areas on maps #1, page 47, and map #2, page 48, that were worked on in 2019 and how it lines up with the new proposal of \$50,000.00.

Mr. Sarabia provided overview of the maps and pointed out the work underway by the Land Conservancy. He addressed Mr. Visco's comment and stated they were working on the accessible areas of the canyon and noted that Paint Brush Canyon was complicated to access. He explained part of the proposal includes limbing the Pine trees because they are too expensive to remove but offered to obtain a quote from a contractor if the Council preferred. He noted communities grow attached to their Pine trees and are unwilling to remove them. He is working with Cal State Long Beach Master's Program of Geographical Information Science who is attempting to map the entire Peninsula. The mapping will inform the Land Conservancy where the Acacia is located, especially in tough areas, and hopes to share that information with all the Peninsula Cities.

Councilmember Wilson asked if the Mustard seed is being caught before it drops, how many Pine trees were being limbed up, and how high was the limbing.

Mr. Sarabia advised the Mustard is currently flowering and developing seeds, so they try to remove it now to cut out the seed bank. The contractor would address the trees on the side of the conservancy, approximately 3 or 4, and limb up the standard six feet. He warned if a tree trunk is on private property the Land Conservancy would not touch it.

Councilmember Black asked what was happening with the green between Fire Station Trail and Crest going west toward the school.

Mr. Sarabia replied that the area is full of native plants, however, the area is very hard to access and would exceed their budget because of the equipment required.

Mayor Pro Tem Dieringer asked if the Mustard mowing was needed for the next three years and what is the cost per year to mow the pink area on the map. She also inquired if Mr. Sarabia knew about the fire issue and the efficacy of removing the Mustard versus the Acacia.

Mr. Sarabia replied in the affirmative and stated he did not have the cost for the mowing of the pink area and did not included in the proposal because of budget constraints. He could include it in the follow-up proposal with a multi-year maintenance plan if that was the Council's pleasure. He explained that Acacia is targeted because it is a long-life shrub; the longer it lives, the bigger it grows. Mustard is an annual plant and only lives one to two years, therefore when it is mowed it is thinned out.

Mayor Pieper replied that the Council would like a multi-year maintenance plan.

Mayor Pieper opened the item for public comment.

Alfred Visco commented via email that he was in support of the Palos Verdes Peninsula Land Conservancy proposal. He noted no explanation was given why the Pine trees would not be

removed and only limbed up because Pine trees and Acacia are listed as high fire hazard plants by the LA County Fire Department Ready!Set!Go! brochure. He recommends that the Pine trees be removed but if they cannot be removed, then the canopies should be thinned.

Mayor Pieper asked how long it would take to complete the pink area and requested the Land Conservancy submit the cost for maintaining the area. He also requested the estimated cost to cut down the three Pine trees.

Mr. Sarabia speculated it would take 37 workdays to mow the Acacia and advised he could obtain a quote for the removal of the Pine trees and include it in the maintenance proposal.

Mayor Pro Tem Dieringer commented it is important to know the cost of mowing the pink area before making a decision because it was not worth mowing if the maintenance could not be kept in future years.

Mayor Pieper asked how long it would take to finish the blue area.

Mr. Sarabia replied that estimated completion was three and a half weeks.

Mayor Pieper explained that the blue area can be mowed but the pink area is downhill and would need to be worked on by hand.

Mayor Pieper declared after the blue area is finished, the Council would decide on the pink area. He requested the cost to cut down the three Pine trees versus limbing them up be provided by the next meeting so the Council can make a decision.

Councilmember Wilson asked if it would cost less than \$22,000.00 to come back the second year.

Mr. Sarabia replied it is typically less but could consult with his field crew. He noted it is a temporary safety measure that brings peace of mind. Mowing for fuel modifications is a yearly process. The Conservancy takes an ecological approach and uses science to enhance advantages.

Councilmember Mirsch requested confirmation about the proposed Pine trees not being on private property.

Mayor Pro Tem Dieringer moved that the City Council postpone the decision until the next meeting when the total cost of the new proposal is provided by Mr. Sarabia. 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 referenced the City Council Strategic Plan Workshop held on January 25, 2020, where priorities were identified for the next three years. One of the topics explored was parcel project policies for individual parcels and capital improvement projects throughout the City to elevate the requirements from MS4 permits. She conferred with a consultant because all la county agencies are discharging their stormwater to certain bodies of water. Rolling Hills is divided in two watersheds on the Peninsula. The southern watershed drains to the Santa Monica Bay. The other watershed, East of City Hall, drains to the Machado Lake. The Regional Water Quality Control Board mandates the City monitor the drainage quality entering Santa Monica Bay and Machado Lake. The Santa Monica Bay reading indicates the City's water is clean, however, issues arose with Machado Lake. The Regional Water Quality Control Board specified the City would not be considered as discharging water if the City can hold the discharge at a certain volume (a 24-hour rainstorm at the 85% percentile). City Manager Jeng shared a presentation illustrating that staff could evaluate the discharge points to Machado Lake and deploy a project to be in compliance with the MS4 permits and approach them for some relief. The proposal includes discharge points along Bent Spring Canyon at City Hall. The Regional Board advised the City needs to capture 1.1 million gallons in that drainage area, which translates to building a storage catch basin with a relieve valve in case of recurrent storms. In order to meet that requirement, the City would need to draw the water down; run a pipe down from that canyon to a nearby sewer facility and discharge it into the sewer. This would require the Sanitation Districts permission. The cost of the project is approximately 3.2 million dollars, which could be paid with the local Measure W funds. There is also Prop 1 money from the State that can be used along with other grant sources.

Mayor Pieper asked how many exits points the City needs to cover to be compliant and how the City would deal with the exit points on private property.

City Manager Jeng replied all the points that exit to the Machado Lake assumes worst case scenario and the City would have to get easements rights from property owners or have some agreement in place. The property owner adjacent to City Hall dedicated half of Bent Spring Canyon and is now City owned.

Councilmember Wilson asked if the proposed dam would be built on City or private property and what did the allowance line item mean.

City Manager Jeng replied it would be a combination of the City, Rolling Hills Estates, and private property. The line item was for permitting with various agencies like the Sanitation District.

Mayor Pro Tem Dieringer asked if the discharge points south and east could be diverted to one point and address the collective discharges at one point.

City Manager Jeng advised it might be possible but depends on the terrain, footprint of each point, and how easy it is to route from one point to another. She explained the Torrance Airport Project is proposing taking four Peninsula Cities discharge and directing it toward the Torrance Airport

and retaining that volume.

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

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

Mayor Pieper opened the item for public comment.

Alfred Visco commented via email that he was not familiar with the discharge issue and the presentation set forth, however, there could be some benefits for the proposed project over and above the stormwater issues. There could be a substantial amount of stormwater maintained in the reservoir, which would reduce the fire risk in the canyon.

Mayor Pro Tem Dieringer moved that the City Council request the City Manager to broach the State Board to confirm if the Council proceeded with the project, would they not be required to report for the MS4 regarding the Machado Lake water district and if grant money is available. 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 March 2020 consumer price index that will be used for the 2020-2021 budget.

Staff projects total General Fund Revenues through June 30, 2020 as \$1,887,597, which is \$390,703 lower than the amended Budget amount of \$2,278,300. The decreased revenues are primarily Building & Other Permit Fees, which lowered by \$346,288 and Variance, Planning & Zoning Fees, which are projected to be lower by \$30,169 due to the effect of COVID-19. For General Fund Expenditures through June 30, 2020 projections are \$1,868,938, which is \$364,662 lower than the amended budget amount of \$2,233,600. The decrease is primarily due to the following: City Administration Department projected Salary and Benefit savings associated with vacant Senior Management Analyst position; Planning & Development Department projected LA County Building Inspection savings associated with lower volume of building inspections; Law Enforcement projected savings associated with unspent Wild Life Management & Pest Control expense; and Non-Department cost savings for peninsula wide preparedness staff member. We are projecting a deficit of \$26,041 before all operating transfers. Prior to this meeting the Finance/Budget/Audit Committee approved to continue to appropriate funds to CIP projects, mainly the tennis courts and ADA project for City Hall.

Mr. Walker continued to review the March 2020 consumer price index, which was 1.9%. That is what will be used for the COLA adjustment and other contractual budget items for the 2020-2021 budget. Last year the March CIP was 2.7%.

Councilmember Black asked if there was another CIP that could be used instead of March.

Mr. Walker replied that it was agreed last year to use March because the CIP for May is not released until June after the budget has been adopted.

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. 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 would have to leave the meeting soon.*

#### **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 TO THE PUBLIC.**

Mayor Pieper reported that City Manager Jeng provided access to conduct city business in-person by appointment. Residents can call, email, or make an appointment with staff for service. No other cities in Los Angeles County are open to the public. He has spoken to other Mayor's in the Peninsula and they are trying to figure out when to reopen City Halls. The targeted date is May 1, 2020. He expressed concern about being the first City to reopen to the public and having negative media attention. Other cities might not be happy with their decision to proceed and may lead to unfavorable interactions. He also discussed how to staff City Hall when the doors are reopened to maintain safety and not risk losing the entire department if someone contracts COVID-19. He concluded if Rolling Hills is the first City to reopen, it would put unnecessary pressure on the City and cannot see the benefits.

Councilmember Black stated 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 does not care what other cities are doing and Rolling Hills needs to show leadership.

Mr. Walker commented that he has contact with JPIA and suggested that the Council consider the general liability issue.

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

Mayor Pro Tem Dieringer commented that the courts are closed, and people have their Constitutional rights on hold. She noted that all the speedy trial-rights courts are closed until May 15, 2020 and it 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 respect social distance and one employee gets sick that would lead to the rest of the staff being quarantined. How would business continue?

Councilmember Black argued that courthouses are a dramatically different setting than City Hall and cannot be compared.

Councilmember Mirsch commented a health order is in effect until May 15<sup>th</sup>. The County is still encouraging minimal contact with the public. She does not believe there is any need not met with the way City Hall is conducting business. She has not received any complaints that services are not being provided.

Councilmember Black stated that the May 15<sup>th</sup> 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 then beginning of March.

PCS Director Elguira replied half a dozen permits have been issued.

Councilmember Wilson commented that he does not support opening City Hall because he has not heard of anyone requesting services and not being serviced.

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

No second followed.

Mayor Pieper notified the Council that City Manager Jeng had a plan ready if City Hall needed to be reopened on short notice. He expressed concern about the PR value when dealing with other cities and the topic would be readdressed if anything changed.

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

#### **Item 8C (out of order)**

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

City Manager Jeng reported the Strategic Planning Workshop was held, in addition to regular meetings, to provide guidance on developing budget items for the next fiscal year. At the Workshop, the Council developed four priorities for the City: Wildfire Mitigation/Emergency Preparedness, Utility Undergrounding, Drainage, and Sewer. Under each category is a list of budget items that support the Council's priorities, and all are proposed for next year:

**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 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

A spreadsheet with high-level cost estimates for the budget items listed above was included. The dollar amounts are high estimates based on past experiences and industry recommendations. She was providing information for discussion and feedback.

Councilmember Wilson asked if portions of the mentioned projects were in the current year's budget and how much of an increase would this be for next year if approved.

City Manager Jeng replied that \$50,000.00 for the Fire Fuel reduction in the Preserve would come out of the current budget if it were approved in the next meeting. Staff could get started on a portion of the sewer project if the Council were to move forward with the design this year. A portion of the \$90,000.00 would be taken out of that line item and then moved to the next fiscal year. All the other expenses get carried over to the next fiscal year.

Mayor Pro Tem Dieringer asked about the fire fuel reduction for properties that are adjacent to the preserve. How can money be devoted to fire fuel reduction on private property that would not be offered to other people in Rolling Hills who would like money to remove fire fuel from their land. She asked for more details for parcel based hydromodifications policy development. She inquired about \$8,000.00 allocation.

City Manager Jeng **said** this would be a path to approach those property owners if they are willing to work with the City on fuel management and make use of the investment on the Preserve. She is only trying to seek out possible options and is open to suggestions. The line item is a placeholder for now. Staff is exploring authoring policies that mandate projects look at impacts of stormwater discharge outside of their property, which would be identified as hydromodifications. The \$8,000.00 was allocated for technical instruction to guide the City on future provisions for developers to follow and determine if the parameters placed on the development projects were feasible.

Mr. Walker commented on Fire Fuel reduction and asked if the City reached out to the Fire Department for weed abatement.

City Manager Jeng explained the Fire Department only evaluates areas 200 feet from a structure and beyond that is up to the AG Commission. The AG Commission contracted to take care of some fuel management issues on a parcel-by-parcel basis. The areas of interest do not fall under the Fire Department purview.

Councilmember Wilson asked what would be constituted a gift of public funds if the City used money to fund or subsidize removal of weed abatement on private property.

City Attorney Jenkins suggested to fashion a program that addressed a specific issue that 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 treat every similar situation 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 of their property.

Mayor Pieper opened the item for public comment.

There was no public comment.

Mayor Pro Tem Dieringer moved that the City Council receive, and file item as 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.

## **8. NEW BUSINESS**

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

City Manager Jeng reported staff presumed local Measure W monies would come in and offset the cost of MS4 permits but that money is not going to be realized because the City was informed that the agreement has to be signed before the disbursement would be expected in August. The staff report is to inform the Council that the agreement has been forwarded to the City Attorney's office and the City's consultant McGowan and Associates reviewed it on the City's behalf and comments were sent to the County. No action is needed for this item just informing the Council that staff needed to appropriate additional general funds for this year and back fill the MS4 compliance cost for the current year. She also reported that 30% of the W monies could be used toward existing programs such as paying Ms. McGowan's fees.

Mayor Pieper opened the item 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. RHCA requested permission to proceed with replacing the septic tank near the tennis courts. The Council requested the Association delay their improvements until they received confirmation on the city's sewer feasibility study and the county accepted the study. The feasibility study remains under review by the Los Angeles County Department of Public Works (LACDPW). On April 13, 2020, Willdan Engineering reported that LACDPW expects to complete the review of the City's sewer study on the week of April 27, 2020.

She reviewed the comments received from the County. Back in November 2019, staff informed the Council that there is a segment of the pipe that needed to be upgraded from the proposed 8-inch pipe to a 10-inch 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 received in early 2020 called for the methodology of estimating sewer flow to be changed from occupancy to land use/zoning requiring the proposed 10-inch pipe to be upgraded to a 12-inch pipe in three segments of the existing sewer system. Increasing the sizes in the lower segments will place the sewer under design capacity. The new estimated project cost, with the proposed size increase, is

approximately \$1,098,000; of that \$84,000.00 is for engineering cost. The next phase would be to hire an engineering company to do the design.

Mayor Pieper asked when the best time is to approach an engineering company to get a cheaper rate.

City Manager Jeng replied it would be in the interest of the city to construct the sewer line in the next three years. Engineering fees will remain the same due to the fact it is a different industry that has multipliers for benefits, staff, and other charges from other people. It was her belief that the savings will come from the construction side. If the economy slows down, the City might get good pricing for labor and material cost.

Councilmember Wilson commented that the contingency line item is high and does not like it.

She clarified the line item was an engineer's estimate at a very high level.

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 Councilmember Black 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**

Hearing no further business before the City Council, Mayor Mirsch 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,

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Yohana Coronel, MBA  
City Clerk

Approved,

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Jeff Pieper  
Mayor

**MINUTES OF  
A REGULAR MEETING  
OF THE  
CITY COUNCIL OF THE  
CITY OF ROLLING HILLS, CALIFORNIA  
MONDAY, MAY 11, 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 7:02p.m. via teleconference.

**2. ROLL CALL**

Councilmembers participating via teleconference:

Mayor Pieper, Dieringer, Black, Mirsch, and Wilson.

Councilmembers Absent: None.

Others participating via teleconference:

Elaine Jeng, P.E., City Manager.

Meredith Elguira, Planning & Community Services Director.

Yohana Coronel, City Clerk.

Michael Jenkins, City Attorney.

Francesca Wach, 52 Portuguese Bend Road.

John Resich.

Chris Sarabia, Conservation Director for Palos Verdes Peninsula Land Conservancy.

**3. OPEN AGENDA**

Alfred Visco thanked the City via email for following up with the owner of 17 Cinchring Road about the abatement of dead vegetation. He inquired if Mr. Sarabia knew when the detailed mapping of dead vegetation would be available. He concluded with suggesting the Land Conservancy prepare a proposal to clear the dead vegetation and remove the Acacia in Paint Brush Canyon on the Rolling Hills and Nature Preserve side of the border.

**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, REGULAR MEETING OF FEBRUARY 24, 2020, REGULAR MEETING OF MARCH 09, 2020, REGULAR MEETING OF MARCH 23, 2020, SPECIAL MEETING OF MARCH 30, 2020, JOINT STUDY SESSION WITH THE PLANNING

COMMISSION AND CITY COUNCIL APRIL 13, 2020 AND REGULAR MEETING OF APRIL 27, 2020.

**RECOMMENDATION: APPROVE AS PRESENTED**

B. PAYMENT OF BILLS.

**RECOMMENDATION: APPROVE AS PRESENTED**

C. CONSIDER AND APPROVE UPDATED CITY COUNCIL COMMITTEE ASSIGNMENTS.

**RECOMMENDATION: APPROVE AS PRESENTED**

D. SOUTHERN CALIFORNIA EDISON ROLLING HILLS 2020 RELIABILITY REPORT.

**RECOMMENDATION: STAFF RECOMENDS THAT THE CITY COUNCIL RECEIVE AND FILE THE SOUTHERN CALIFORNIA EDISON ROLLING HILLS 2020 CIRCUIT RELIABILITY REPORT.**

Mayor Pro Tem Dieringer requested to pull consent item 4A and 4C.

Mayor Pro Tem Dieringer moved that the City Council approve consent items 4B and 4D as presented. Councilmember Wilson 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.

*\*Councilmember Black reported to the meeting at 7:12 p.m. due to technical difficulties.*

#### **Item 4A**

Mayor Pro Tem Dieringer requested to move the minutes submitted for approval to the May 26, 2020 City Council meeting to allow time for review.

#### **Item 4C**

Mayor Pieper advised the only modification made to committee assignments was moving Councilmember Wilson to the Personnel Committee because he has not previously served. Mayor Pro Tem Dieringer requested to be an alternate on select committees and he therefore removed himself and assigned Mayor Pro Tem Dieringer as the alternate member of the following committees: Los Angeles Sanitation District No. 5, Los Angeles County City Selection Committee and the Southern California Association of Governments (SCAG).

Mayor Pro Dieringer stated that there are five committees that address policy and present to the Council and she is not assigned to any of them. She stated that she would like to be appointed to one of the five committees and that her preference was the Fire Fuel Reduction Ad Hoc Subcommittee. She previously served on the Fire Fuel Reduction Ad Hoc Subcommittee and was

inclined to continue but was removed because the Mayor at the time, Mayor Mirsch, wanted the seat.

Councilmember Wilson was happy to step aside and allow Mayor Pro Tem Dieringer to serve.

Mayor Pro Tem Dieringer moved that the City Council approve consent item 4C as amended. Councilmember Wilson 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.

*\*Councilmember Black reported to the meeting at 7:12 p.m. due to technical difficulties.*

## 5. COMMISSION ITEMS

### A. **CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2020-03 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR A VARIANCE REQUEST TO CONSTRUCT A 400 SQUARE-FOOT LAP SWIMMING POOL WITH SPA IN THE FRONT YARD OF AN EXISTING RESIDENCE LOCATED AT 52 PORTUGUESE BEND ROAD.**

PCS Director Elguira gave an overview of the project via PowerPoint presentation. The applicant requested approval to construct a 400 square-foot lap pool with spa in the front yard of an existing residence at 52 Portuguese Bend Road. Due to the irregular shape of the subject lot and geometry of Portuguese Bend Road, the backyard of the parcel functions as the main entrance to the property. The front façade of the existing residence faces the back courtyard. The residence's front entry, garage doors, and driveway that lead up to the main residence is located in the rear courtyard, which functions as the receiving area on the parcel. The proposed pool and spa are technically located behind the residence; however, the back of the residence faces the front yard. The proposed project cannot be seen from the surrounding streets or canyons. The proposed pool elevation is above Portuguese Bend Road and several hundred feet away from adjacent properties. The proposed project will result in minimal lot disturbance because the lot is already developed with a residence, attached garage, barn, and hardscape. The project has been determined categorically exempt pursuant to the California Environmental Quality Act (CEQA) and was approved on February 19, 2020 by Rolling Hills Community Association.

Mrs. Luna submitted a letter of opposition on April 20, 2020 about the proposed project concerning potential view impact and the lack of public notification for the Planning Commission meeting. The item was subsequently rescheduled to May 1, 2020 to meet public noticing requirements. Mrs. Luna and her son, the property owner's representative, and Chair Chelf met with staff on the field trip to survey the area and take pictures. Mrs. Luna's property is located to the rear of the subject property at a much higher elevation than the pool pad. The proposed pool will not be visible from her property and her view of the Pacific Ocean will not be impacted. Mrs. Luna sent an email after the field trip to inform the City she no longer objects to the proposed project.

PCS Director Elguira reported that Mr. Charlie Raine submitted a letter on May 11, 2020, which stated there was improper noticing for the proposed project. He clarified that he was not opposed to the project at 52 Portuguese Bend Road but rather disturbed by increased runoff into the canyons generated by adding impermeable surfaces that impose danger to southern properties. The City and RHC should have a plan in place to deal with the runoff and subsequent consequences caused by approved projects. He has voiced his concerns at past Planning Commission and City Council meetings about this issue and urged the City and RHCA not to continue ignoring the matter.

PCS Director Elguira clarified that the Planning Commission meeting held on Tuesday, April 21, 2020 was adjourned to Friday, May 1, 2020 to address the notification issue for this item. She informed the Council that the property owner and applicant were present (via teleconference) and available for questions.

PCS Director Elguira reminded Councilmember Mirsch of the need to recuse herself due to her residence's proximity from the subject parcel.

Councilmember Black commented that he was inclined to receive and file the item but questioned whether proper notification had been provided.

PCS Director Elguira replied that the Planning Commission had adjourned its regular meeting on April 21<sup>st</sup> 2020 to May 1<sup>st</sup> 2020 because the public hearing mailers were not sent to the residents within the 500-foot radius of the subject parcel. The Planning Commission met on May 1<sup>st</sup>, 2020 at 7:30 a.m. via teleconference to allow the residents enough time to submit their comments.

Mayor Pieper asked counsel if the City was in compliance with public notifications with regard to this project.

City Attorney Jenkins responded that legal obligations were met. The Planning Department consulted with Assistant City Attorney Jane Abzug. The regular Planning Commission meeting was adjourned to May 1<sup>st</sup> and it was his understanding that appropriate notice was given.

Councilmember Wilson asked why Mr. Raine stated that a notice had been provided with a wrong date.

PCS Director Elguira explained the public was properly noticed and clarified the mailers sent to the residents within the subject parcel radius had a typographical error on the day listed not the date.

Councilmember Black recommended postponing the item to the next City Council meeting in order to have the item properly notified without errors.

Councilmember Wilson seconded the motion because Mr. Raine did not attend the meeting because of the mistake on the notification.

City Attorney Jenkins highlighted the Council had three options. 1) Remand the item back to the Planning Commission, 2) take jurisdiction over the item or 3) receive and file the item.

Mayor Pieper opened the item for public comment.

John Resich, stated that proper notice did go out to the surrounding area with regards to the special meeting.

PCS Director Elguira reiterated a typographical error was made on the mailers sent to residents within the subject parcel radius.

City Attorney Jenkins withdrew his earlier comment and stated the benefit of moving the item to the next Council meeting would be for him to review all the notices that were sent out. It was his recommendation that the Council continue the item for further examination of the notices and that the Council could then make a recommendation.

Mayor Pieper highlighted the Council did not have a problem with the project. He asked counsel for the quickest way to expedite the process.

City Attorney Jenkins replied the Council could take jurisdiction over the item or remand the item to the Planning Commission for a new hearing. If the Council took jurisdiction over the item, the project could be expedited if staff has enough time to notice the public hearing.

PCS Director replied notices could be sent the following day.

Mayor Pieper stated that the Council would take jurisdiction over the item. He thanked John Resich for his comments and closed the item from public comment.

*\*Councilmember Black disconnected from the meeting at 7:43pm due to technical difficulties.*

Councilmember Wilson withdrew his support for Councilmember Blacks motion.

Mayor Pieper made a substitute motion that the City Council direct staff to immediately send public hearing notices and the Council schedule a meeting as soon as possible to review the project. Mayor Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

## **6. PUBLIC HEARING**

NONE.

## **7. OLD BUSINESS**

Minutes  
City Council Meeting  
05-11-20

**A. CONSIDER AND APPROVE AN ENHANCED PROPOSAL FROM PALOS VERDES PENINSULA LAND CONSERVANCY FOR ADDITIONAL FIRE FUEL ABATEMENT IN THE PRESERVE IN THE AREAS ADJACENT TO THE CITY BORDER.**

City Manager Jeng announced that this item carried over from the last City Council meeting on April 27, 2020. The Council requested an updated proposal from the Conservancy to include annual mowing to eradicate Acacia and Mustard. That cost comes to \$20,800.00 per year for the spring mowing. The second element was the removal of Pine trees. The first proposal included only limbing up the Pine trees. The cost for removal of the Pine trees is \$19,250.00. She announced Chris Sarabia, Conservation Director for Palos Verdes Peninsula Land Conservancy was present via teleconference to answer questions.

Mayor Pieper asked if there were other Pine trees on the Rolling Hills side of the border.

Mr. Sarabia replied there is a continuation of Pine trees that move on to private property. He elaborated that the contractor estimated the cost based on a week of work to remove the Pine.

Mayor Pieper clarified that if the Council went back to the original proposal they would be at \$50,000.00 and the ongoing maintenance for the ongoing work is \$21,000.00 on top of the \$12,000.00. The \$12,000.00 was the annual work **from** the previous portion.

City Manager Jeng asked Mr. Sarabia for the number of the proposed Pine trees to be removed **under** the proposed cost.

Mr. Sarabia believed that cost was for 4 or 5 Pine trees.

Mayor Pieper opened the item for public comment.

Alfred Visco commented via email that there was an error in the updated proposal from the Land Conservancy. It should state “removing” instead of “limbing” Pine trees. Removing Pine trees is far superior to limbing for several reasons but it primarily eliminates the need for future maintenance. He supports the Land Conservancy’s proposal.

Mayor Pieper closed the item for public comment and continued with the discussion.

Mayor Pieper commented he was not inclined to spend money on limbing the Pine trees on the Conservancy side until the Pine trees on the Rolling Hills side are maintained.

Mayor Pro Tem Dieringer asked what portion of the remaining \$28,000.00 is dedicated to limbing the Pine trees.

Mr. Sarabia replied the Land Conservancy would be mowing all the dry brush in an attempt to prevent ladder fuel **fire** from moving up the Preserve side. Limbing was the recommended

treatment for the Pine so the branches are not touching the ground. The standard limbing for a Pine tree is 6 feet.

Councilmember Mirsch agreed with Mayor Pieper's suggestion but also agrees with Mr. Sarabia that the Pine trees need to be limbed up. She believes that the City needs to limb up the trees and determine what is happening with the Pine trees on private property before spending any resources on removing the Pine trees on the Conservancy's property.

*\*Councilmember Black rejoined the meeting at 7:50 p.m.*

Councilmember Black commented that he was in favor of removing the Pine trees completely rather than limbing them up.

Councilmember Mirsch moved that the City Council approve the Land Conservancy's proposal of \$50,000.00 onetime work including limbing up the Pine trees and approve the annual work for three years. Revisit the issue of removing the Pine trees once there is a plan for the trees on the Rolling Hills side. Mayor Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

Mayor Pieper requested from Mr. Sarabia and City Manager Jeng schedule a site visit to see the progress and talk about the other side of Rim Trail.

**Item 8B (out of order)**

**B. CONSIDER AND APPROVE FINANCE/BUDGET/AUDIT COMMITTEE'S RECOMMENDED CHANGES TO INVESTMENT, FINANCIAL, BUDGET, DEBT AND ASSET CAPITALIZATION POLICIES, AND SCHEDULE OF FEE AND CHARGES.**

Finance Director Terry Shea gave a summary of the Finance/Budget/Audit Committee's recommended changes to investment, financial, budget, debt and asset capitalization policies and schedule of fee charges. All policies were approved by the auditors which were then reviewed by the Finance/Budget/Audit Committee. One recommendation was to change the cash reserve and the refuse fund to the amount of the service fee subsidy. The subsidy for FY 20/21 will be approximately \$132,000.00. The PARS Pension Rate stabilization program was set up and the liability is about \$239,000.00. It was recommended to pay half in the FY 20/21 budget and the other half in the FY 21/22 budget. A new fund needs to be set up for Measure W monies and it needs to be added to the City's policies. Every year the City has capital improvement projects (CIPs) that are ongoing. A recommendation was made to add a section to carry over the appropriations from the capital policies to the next fiscal year. With decreased Building permit revenues, staff recommends increasing the multiplier from 2.25% to 2.5%. The proposal was

discussed with the Committee members and they suggested changing the cash reserve amount for the refuse fund to the amount of the service fee subsidy absorbed by the general fund. This would fluctuate every year depending on what the rates and the differences were and it would be approved as a budgeted transfer each year. The Committee is in favor of increasing the PARS Pension Rate stabilization fund to \$50,000.00 per year until the City is caught up and each year after the yearly audit, review the reserve fund balance available and make a transfer in order to keep the rate stabilization fund up to the liability. The Committee proposed adding a fund section for Measure W monies and a section to approve CIPs carryovers for unexpended budget appropriations and review it annually with the Finance/Budget/Audit Committee. The Committee did not recommend any changes to the schedule of fees or the multiplier.

Councilmember Mirsch wanted to confirm the Committee recommended paying \$50,000.00 per fiscal year with an understanding that the liability curve increases every year. She asked if the City prepares annual expenditure forecast with a 4-year outlook. She also inquired if the City had any other City approved consultants besides Willdan.

Councilmember Black replied that the City is committed to paying \$50,000.00 every fiscal year with the hope of paying off the debt in two years.

City Manager Jeng advised the City only has Willdan to help expedite building permit reviews.

Finance Director Shea replied the Finance department does a 5-year cash forecast as part of the budget process, which includes the current year plus 4 years and it is updated every year.

Mayor Pro Tem Dieringer asked about the Finance Director's reason for increasing the multiplier. She also requested the Council revisit the issue mid-year and the Finance Director produce a mid-year report to show how much the City is recovering in terms of cost with staff doing an individual permit.

Finance Director Shea explained his reasoning was strictly based on the level of activity since permit revenues were down compared to this time last year.

Councilmember Wilson summarized that the multiplier was being used to recover the City's cost and not to profit.

Finance Director Shea concurred.

Councilmember Wilson moved that the City Council approve the Finance/Budget/Audit Committee recommendations. Councilmember Mirsch seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

**Item 7B (out of order)**

**7. OLD BUSINESS**

- B. ACCEPT THE SEWER FEASIBILITY STUDY PHASE II AS COMPLETE AND DIRECT STAFF TO PROCEED WITH THE DESIGN OF THE 8" SEWER MAIN ALONG PORTUGUESE BEND ROAD/ROLLING HILLS ROAD.**

City Manager Jeng reported this item was still under review by Los Angeles County when it was previously presented to the Council. The County has since accepted the Sewer Feasibility Study and the City can proceed with the next step. As part of the submittal, the City achieved two Will-Serve letters. The first letter accepts discharge from the City Hall campus; the second is to receive discharge from 235 homes within the City of Rolling Hills. The Council waited for acceptance by the County before responding to the Associations request to replace the septic tank near the main gate. She pointed out that the final study was attached to the staff report. The overall cost estimate for the project, which included the design, construction, and management, was \$1.1 million dollars. Of that, \$85,000.00 is estimated for engineering design which is the next step for the project if the Council proceeds.

Mayor Pieper opened the item for public comment. Hearing none he returned to the discussion.

Mayor Pro Tem Dieringer moved that the City Council accept the Sewer Feasibility Study Phase II as complete and direct staff to procure engineering services to proceed with design of the 8" sewer main along Portuguese Bend Road/Rolling Hills Road. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

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

**Item 8A & 8C (out of order)**

**8. NEW BUSINESS**

- A. ACCEPT THE FY 2019-2020 TRAFFIC SIGNING, STRIPING, AND PAVEMENT MARKING PROJECT AS COMPLETE AND IN ACCORDANCE WITH THE CONTRACT PLANS AND SPECIFICATIONS AND AUTHORIZE THE NOTICE OF COMPLETION TO BE FILED WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE.**

City Manager Jeng indicated on January 13, 2020 City Council awarded a construction contract to PCI for signing and striping of horse crossings, four streets (Middleridge Lane North, Middleridge Lane South, Williamsburg Lane and Lower Blackwater Canyon Road), Crest Road East, and the proposed all-way stop control at Williamsburg Lane and Lower Blackwater Canyon Road. The

final project construction cost was \$75,384.50. Staff recommends that the Council accept the FY 2019-2020 Traffic Signing, Striping, and Pavement Marking Project as complete and in accordance with the contract plans and specifications, file Notice of Completion with the Los Angeles County Recorder's office, and release retention as final payment to PCI after the expiration of the lien period.

Councilmember Wilson asked how many traffic markers (bumpers) were replaced.

City Manager Jeng replied she did not know because the City put down signing and markers where they were needed based on the Uniform Traffic Device code. There was disparity between how much was removed and how much was replaced. It was her belief more were placed because code calls for longer center lane markers as confirmed by the City's Traffic Engineer.

Mayor Pieper opened the item for public comment. Hearing none, he returned to the discussion.

Mayor Pro Tem Dieringer moved that the City Council accept the FY 2019-2020 Traffic Signing, Striping, and Pavement Marking Project as complete and in accordance with the contract plans and specifications, file Notice of Completion with the Los Angeles County Recorder's office, and release retention as final payment to PCI after the expiration of the lien period. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

**C. CONSIDER LAYOUT OPTIONS TO BRING EXISTING RESTROOMS AT CITY HALL TO COMPLY WITH ADA CODES, AND SELECT AN OPTION TO CONTINUE THE DEVELOPMENT OF CONSTRUCTION PLANS.**

City Manager Jeng presented all of the layout options prepared by Pacific Architecture and Engineering Inc. (PAE) via PowerPoint. On January 27, 2020, the City Council engaged PAE to prepare construction plans to bring City Hall into compliance with Americans with Disabilities (ADA) codes. The focus of PAE's work are restrooms as they require major work due to space constraints. Improvements needed for restrooms will dictate the manner in which the other improvements are constructed at City Hall. PAE worked with staff to develop several options to be in full compliance with ADA codes, functionality, budgetary constraints, and impact to City Hall operations during construction. PAE was asked to keep all necessary improvements within the existing footprint of the building. Attached to the staff report were five options for consideration with high level construction cost ranking by PAE. She described and compared each option:

Option 1 (Cost #1, #1 being the most cost effective)

This option would create three separate All Gender restrooms in the existing restroom locations. One of the three restrooms has to be ADA compliant. This option would eliminate the

closet space holding the water heater, refrigerator, the telephone box/wires, cables and switches for the City's computer network, and the small kitchenette. The uses eliminated by the new restrooms would need to be replaced elsewhere in City Hall.

#### Option 2 (Cost #2)

This option would keep the men and women's restrooms in the current locations but both sets of restrooms would need to be converted into single use. The entry way into the restrooms would need to be widened to meet building code. This option would create an ADA restroom in the current copy room. To access the ADA restroom, the public counter would need to be rotated 90 degrees. This option would diminish the footprint of the existing copy room.

#### Option 3 (Cost #3)

The restrooms would be moved to the copy room. The public counter would be rotated 90 degrees to allow a walkway from the front door to the new restrooms. There would be a women's restroom and an All Gender restroom. Both sets of restrooms would be ADA compliant. In place of the existing restrooms, a copy room, a meeting room and additional storage room would be created. This option separates the public part of the house from the staff side of the house but diminishes considerably the existing office space that needs to house three employees.

#### Option 3.5 (Cost #3.5)

This option is a variation of Option 3 with the All Gender restroom placed in portions of the lobby rather than the office space. As with Option 3, this layout would allow the creation of a meeting room and preserve the office space for three employees.

#### Option 4 (Cost #4 most expensive)

This option plots ADA compliant restrooms in the existing location. As with Option 1, this layout would displace a number of existing uses that need replacement elsewhere in City Hall and would require the widening of the existing hallway by shrinking the offices located across the restrooms.

City Manager Jeng would like for the Council to review, discuss, and choose an option in order to continue with engineering plans and bring City Hall up to ADA codes.

Mayor Pieper reviewed the project and his concern was how many people can fit in City Hall. He expressed that the City Manager did a great job in providing the most cost effective plans with variations. He inquired if there was a way to measure if the cost between Option 1 and 3.5 is worth the layout change.

Mayor Pro Tem Dieringer stated that using Option 1 as a base point could be problematic since the cost is not available. Rewiring City Hall and moving the water heater along with the pipes can be expensive. She was concerned about reducing lobby space because it is occasionally used for special events.

Councilmember Wilson commented there was a lot of potential unintended cost. He noticed that attic access might no longer be accessible with some of the options presented. He agreed that pricing must be clearer before a decision can be made.

Councilmember Black asked why City Hall required 3 restrooms and what were the required dimensions for an ADA restroom.

Mayor Pieper stated there were already 3 restrooms in City Hall.

City Manager Jeng explained that if there is a male and female restroom then there must be an ADA restroom for each sex.

Councilmember Black commented that it was his understanding that there could be a unisex restroom. He suggested having 2 stalls in the female restroom and converting the male restroom to a unisex ADA compliant restroom.

City Manager Jeng referred to was Option 1 as resembling that idea. There are several possible combinations but the fixture count is required by Building Code and is not related to ADA compliance.

Mayor Pieper suggested tabling the item for two weeks to work with the City Manager and consult the architect about ADA rules.

Mayor Pieper opened the item for public comment. Hearing none, he returned to the discussion.

*\*Mayor Pro Tem Dieringer did not vote on the item because she disconnected from the meeting due to technical difficulties.*

Mayor Pieper moved that the City Council table the item for two weeks until more information is available about ADA requirements. Councilmember Mirsch seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: \*Dieringer.

ABSTAIN: COUNCILMEMBERS: None.

## **9 & 10 (out of order)**

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

Councilmember Mirsch stated she attended a webinar that discussed funding issues due to COVID-19. She was shocked at the investment types and strategies that CalPERS uses. She suggested the Council consider designating someone to actively monitor the issue with the League.

Mayor Pieper replied that he would discuss the matter with City Manager Jeng. He then asked counsel if the City could recruit a representative and participate on the phone calls to better understand the issue.

City Attorney Jenkins asked for clarity. He questioned Mayor Pieper in what capacity would the person be recruited. He wondered if the person would be a consultant, lobbyist or a volunteer. He stated that the Council could have a volunteer attend the Council meeting and confer with the Council.

Councilmember Black inquired when City Hall was going to reopen.

Mayor Pieper replied that City Hall was reopening on Monday, May 18, 2020. The delay has been partly due to unresolved liability issues.

#### **10. MATTERS FROM STAFF**

NONE.

*\*Mayor Pro Tem Dieringer rejoined the meeting at 9:14 p.m.*

#### **8D (out of order)**

#### **8. NEW BUSINESS**

##### **D. CONSIDER AND APPROVE A THREE YEAR CAPITAL IMPROVEMENT PLAN.**

City Manager Jeng discussed the City's three year capital improvement plans. Annually in June, the City Council adopts an operating budget with General Fund transfers to capital improvement projects. Because of the one-year cycle, the adopted budget resets at the end of the year and capital improvement projects that are not completed within the year are reevaluated for funding the following year. Typical capital improvement projects span multiple years because they require planning, design, public bidding, and construction. To make provisions for all phases of the project, a complete expenditure plan is necessary. She highlighted the different projects via PowerPoint and how they will span over three years: 1) 8-inch sewer main, 2) tennis courts 3) City Hall ADA Improvements and 4) City Hall Parking Lot and explained it is possible to complete all four projects in three years. A chart displayed the schedule and coordination of projects. For example, instead of replacing the septic tank at the tennis courts, the City would connect to the 8-inch main sewer line, but the sewer line project needs to be scheduled first. Consequently, the roadway must be dug up in order to place pipe underground, which leads us to the City Hall parking lot improvement. She concluded this was her 3-year proposal to the Council and based it on in-progress projects while taking the Council's priorities under advisement. If the Council approves the CIP plan, it does not mean the Council is obligated to the amount or the schedule proposed. The plan is to help the Council and staff visualize the undertaking of a phase, of a particular project with the timeframe and cost. Her recommendation is to approve a 3-year CIP plan. She will work with the Finance Department to include it in the budget if approved and revisit the plan yearly to adjust it accordingly.

Mayor Pieper commented the CIP plan was a really good list of things that are feasible and can be accomplished. He advised that if the Council approves the CIP plan, they are approving a concept

and these projects are pending and to be included in the yearly review of the budget.

City Manager Jeng replied in the affirmative and added the plan is a tool to help the Council figure out their expenditures.

Mayor Pieper opened the item for public comment. Hearing none, he returned to the discussion.

Mayor Pro Tem Dieringer moved that the City Council approve the item as a concept and in the order in which the project should be completed. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: Black.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

## **11. ADJOURNMENT**

Hearing no further business before the City Council, Mayor Pieper adjourned the meeting at 9:33p.m. to a regular meeting of the City Council scheduled for Tuesday, May 26, 2020 beginning at 7:00p.m. via teleconference.

Respectfully submitted,

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Yohana Coronel, MBA  
City Clerk

Approved,

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Jeff Pieper  
Mayor

**MINUTES OF  
A REGULAR MEETING  
OF THE  
CITY COUNCIL OF THE  
CITY OF ROLLING HILLS, CALIFORNIA  
MONDAY, MAY 26, 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 7:01p.m. via teleconference.

**2. ROLL CALL**

Councilmembers participating via teleconference:

Mayor Pieper, Dieringer, Black, Mirsch, and Wilson.

Councilmembers Absent: None.

Others participating via teleconference:

Elaine Jeng, P.E., City Manager.

Meredith Elguira, Planning & Community Services Director.

Yohana Coronel, City Clerk.

Jane Abzug, Assistant City Attorney.

Terry Shea, Finance Director.

John Resich.

Charlie Raine.

Ronald Sommer.

Alfred Visco.

**3. OPEN AGENDA**

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 FEBRUARY 10, 2020, REGULAR MEETING OF FEBRUARY 24, 2020, REGULAR MEETING OF MARCH 09, 2020, REGULAR MEETING OF MARCH 23, 2020, SPECIAL MEETING OF MARCH 30, 2020, JOINT STUDY SESSION WITH THE PLANNING COMMISSION AND CITY COUNCIL APRIL 13, 2020, REGULAR MEETING OF APRIL 27, 2020 AND REGULAR MEETING OF MAY 11, 2020.

**RECOMMENDATION: APPROVE AS PRESENTED**

B. PAYMENT OF BILLS.

**RECOMMENDATION: APPROVE AS PRESENTED**

C. CONSIDER AND APPROVE PARTICIPATION IN SUPPORT LOCAL RECOVERY COALITION ENCOURAGED BY THE LEAGUE OF CALIFORNIA CITIES.

**RECOMMENDATION: APPROVE AS PRESENTED**

Councilmember Black requested to pull consent item 4C.

Mayor Pro Tem Dieringer requested to pull consent item 4A, except for the corrected minutes of the Regular City Council meeting of February 10, 2020 and the Regular City Council meeting of February 24, 2020.

Mayor Pro Tem Dieringer moved that the City Council approve the minutes for the Regular City Council meeting of February 10, 2020 and the Regular City Council meeting for February 24, 2020 with amendments and consent item 4B as presented. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

**Item 4C**

Councilmember Black asked for clarification on whether the report reflected an accurate funding of \$500 billion for direct and flexible funding for all cities nationwide to support critical local services.

City Manager Jeng responded that her source of information came from the League of California Cities (LCC) and that was the information they provided.

Mayor Pieper commented that it was his understanding that the letter was to be supportive of the League so they could go and try to secure funding for all cities nationwide.

Mayor Pro Tem Dieringer confirmed that the \$500 million was to fund cities nationwide, as it was stated on page 113, in the proposed letter, in the staff report.

Mayor Pro Tem Dieringer moved that the City Council approve consent item 4C. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

AYES: COUNCILMEMBERS: Mayor Pieper, Dieringer, and Wilson.

NOES: COUNCILMEMBERS: Black and Mirsch.

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ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

## 5. **COMMISSION ITEMS**

### **A. CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2020-03 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR A VARIANCE REQUEST TO CONSTRUCT A 400 SQUARE-FOOT LAP SWIMMING POOL WITH SPA IN THE FRONT YARD OF AN EXISTING RESIDENCE LOCATED AT 52 PORTUGUESE BEND ROAD.**

PCS Director Elguira gave an overview of the project. The item was presented to the Council on May 11, 2020 but due to an error in publication the item was republished and re-notified. Since then, the applicant had taken the risk and pulled permits with Building and Safety Department before having official approval for the project from the Council. Two letters were received by staff from adjacent neighbors which have been discussed and resolved during previous meetings. The applicant was requesting approval to construct a 400 square-foot lap pool with spa in the front yard of an existing residence at 52 Portuguese Bend Road. Due to the irregular shape of the subject lot and geometry of Portuguese Bend Road, the backyard of the parcel functions as the main entrance to the property. The front façade of the existing residence faces the back courtyard. The residence's front entry, garage doors, and driveway that lead up to the main residence is in the rear courtyard, which functions as the receiving area on the parcel. The proposed pool and spa are technically located behind the residence; however, the back of the residence faces the front yard.

PCS Director Elguira stated that no further emails, comments, letters or phones calls had been received with regards to the proposed project. Staff is recommending the Council approve the project as presented. She concluded by stating that the representative for the project was available online to answer any questions.

Councilmember Mirsch recused herself due to her residence's proximity from the subject parcel. She stated she would drop off the conference call for the duration of this item's discussion.

Councilmember Wilson asked PCS Director Elguira to confirm that she had addressed Mr. Charlie Raine's concern about the proposed project.

PCS Director Elguira replied that Mr. Raine's concern were about potential drainage and erosion problems on the proposed project. She stated Mr. Raine was not concerned with the proposed pool at 52 Portuguese Bend Road but rather, most of his concern revolved around 17 Crest Road East. She confirmed that Mr. Raine's concerns regarding the proposed project on 52 Portuguese Bend Road were addressed and specified that Mr. Raine did not have an issue with this project. She repeated that Mr. Raine's concerns were more general and had to do with increasing permeability in the area. She did address that issue with him regarding future projects, policies and addressing hydromodifications throughout the entire City.

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Councilmember Wilson believes Mr. Raine's concerns have to do with other projects that are planned/proposed that might cause impermeable surfaces that will lead to runoff. He inquired where the rainfall that develops on the site of the proposed project go.

Mayor Pieper opened the item for public comment.

John Resich replied that the residence had a pool in the front yard with concrete surfaces around the pool. He explained that the amount of surface areas would decrease based on the square footage of the pool and that the drainage was previously approved by the County. He suggested that the PCS Director show the images, via PowerPoint, of the pool area now and compare it to what is being proposed. He answered that the water would drain into the canyon and into a drainage ditch located in the rear yard of the property, to a storm drain at the bottom. He unfortunately did not know the name of the canyon. He concluded by stating that the water would drain in the same place the previous pool had drained and that there would be no increase in volume.

Councilmember Wilson stated he was inquiring about drainage because that area is a landslide area and residents are concerned about additional drainage, which makes it a sensitive subject. He felt his question was not being properly answered.

Mayor Pieper closed the item for public comment.

Councilmember Black moved that the City Council approve Resolution No. 1252 granting approval for a Variance request to construct a 400 square-foot lap swimming pool with spa in the front yard of a residence located at 52 Portuguese Bend Road. Mayor Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: Wilson.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: Mirsch.

Let the record reflect that Mr. Charlie Raine submitted a public comment via email at 7:18 p.m. after the public hearing was closed. He stated that the proposed pool is fine, however his continued concerns have to do with any project that does not address the effects of generated runoff and impermeable surfaces. It was his understanding that nobody cares what happens to the runoff once it leaves the property. The county has made mistakes in the past and that is why previous lawsuits from residents below were successful.

## **6. PUBLIC HEARING**

NONE.

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## **7. OLD BUSINESS**

### **A. CONSIDER ROLLING HILLS COMMUNITY ASSOCIATION'S REQUEST TO REPLACE THE EXISTING SEPTIC TANK SERVING THE RESTROOM AT MAIN GATE.**

City Manager Jeng reported that this request has been previously brought to the Council. The previous time the Rolling Hills Community Association (RHCA) request was presented, the Council decided to hold off on making a decision until the City had heard from the Los Angeles County regarding the Sewer Feasibility Study. The County has since approved the City's Sewer Feasibility Study, leading the Council to also approve moving forward with the design of an 8-inch sewer main along Portuguese Bend Road. Previously the RHCA had requested the Council's permission to replace the existing septic tank, however, the RHCA is now amending their request. Given the progress that the City is making with the sewer main line, the RHCA is now asking the Council's permission to replace the septic tank only for an emergency. Meaning, if the septic tank were to fail between now and when the sewer main is in place, the RHCA would like the ability to replace it. According to the RHCA Manager Kristen Raig, this would eliminate the possibility of the main gate house having to use porta-pottys for an extended amount of time. City Manager Jeng concluded that the RHCA's request is to replace the septic tank only if needed and only for an emergency situation in which the existing tank fails and cannot operate any longer between now and the time the City decides to put in the 8-inch sewer main.

Mayor Pro Tem Dieringer inquired if the RHCA gave a definition of what constitutes an emergency.

Mayor Pieper commented that the reasons for the 8-inch sewer line was to avoid having three new septic tanks. He asked if the Association is required to receive a permit from the City before they can replace the septic tank.

City Manager Jeng explained that if the Council were to grant the Associations request, the City would have to fill out the permit request through the Department of Public Health. She stated that Assistant City Attorney Jane Abzug helped draft some specifics to the recommendation that provides more directive of what needs to be done if the Council were to grant the RHCA's permission. The recommendations were as follows:

- 1) Direct the City Manager to provide authorization to the Association in writing, that the Association is authorized to proceed with the replacement of the septic tank at the main gate subject to the plans dated, on the condition that the Association pays for the construction and permit fees, or
- 2) Direct the City Manager to carry out any necessary steps to fulfill such approval, which would include completing the LA County of Public Health permit application for the replacement work.

City Manager Jeng indicated that if the Council were to approve the RHCA's request based of these recommendations, the City would then comply.

Mayor Pieper noted that his concern was that the Association was potentially going to spend \$450,000.000 on septic tanks that will not be needed once the sewer line is in place.

Councilmember Black asked if the City could require the Association to tie in the sink and the new restrooms at the tennis courts if a new septic tank is brought in.

Mayor Pieper suggested having a discussion with the RHCA President in order to figure out what their intent is.

Mayor Pro Tem Dieringer commented that her concern was there was no definition of what constitutes an "emergency." Who decides what is considered an emergency? She does not believe this is something the Council has to put in place because it is not an item the Council can turn around quickly. It was her opinion that there is not enough definition of what would be considered an emergency and how does one verify that emergency.

Mayor Pieper opened the item for public comment. Hearing none he returned to the discussion.

Mayor Pieper informed the Council that he was going to push the item off for two weeks in order to be able to speak to the RHCA President about the issue.

**(8D Out of Order)**

**D. RECOMMENDATION FROM FINANCE/BUDGET/AUDIT COMMITTEE  
ON PROPOSED BUDGET FOR FISCAL YEAR 2020/2021.**

City Manager Jeng reported that on May 18, 2020 the City Council Finance/Budget/Audit Committee reviewed the completed and in progress budget items programmed for FY 2019/2020 and reviewed the proposed FY 2020/2021 budget.

Finance Director Terry Shea reported that he would provide the Council with brief overview of what was discussed with the Finance/Budget/Audit Committee. The General Fund proposed revenues are \$2,060,400 and proposed expenditures are \$2,385,718 resulting in a deficit of \$325,318, and after transfers out to the other funds a proposed deficit of \$478,845. For Property Taxes, he is projecting a 4% increase over the prior year budget in the amount of \$45,800. For Building Permits and Other Fees, he is projecting a 51.76% decrease under the prior year's budget in the amount of \$301,750. Staff went over the Proposed Budget in detail for each of the General Fund Departments and all the City's other Funds. Apart from the Utility Fund, there were no major changes in the other Funds. For the Utility Fund Budget there were two projects. (1) Under grounding the Utility Poles on Crest Road for \$1,100,000, of which \$880,000 stood to be reimbursed by a grant and the City's match

of \$220,000 using Rule 20A funds. (2) Sewer Design of \$85,000 and Sewer Construction of a Mainline Extension of \$315,000.

The Committee recommended the following changes to the Fiscal Year 2020/21 Budget. In the Utility Fund, remove the Crest Road Utility Pole Under-grounding Project and bring the project back to the Council when the grant is approved. Also, from the Utility Fund, remove the \$315,000 for construction costs for the Sewer Mainline Extension Project for Fiscal Year 2020/21, as the project would probably not be ready for construction during Fiscal Year 2020/21.

Mayor Pieper opened the item for public comment. Hearing none he returned to the discussion.

Councilmember Wilson moved that the City Council receive and file the report as presented. Mayor Pieper seconded the motion. The motion passed by voice vote as follows:

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

**(8E Out of Order)**

#### **E. BUDGET WORKSHOP.**

Finance Director Shea presented the Council with an overview of the proposed budget for FY 2020/21, as follows, the proposed budget projects revenues to be approximately \$2,060,400.00 and expenditures approximately \$2,385,718.00, resulting in a deficit of \$325,318.00 before transfers and a deficit of \$478,845 after transfers. The projected FY 2020/21 revenues are based on the following: expected property taxes are projected to be \$45,800 or 4.0%, building activity is projected to generate approximately \$301,750, a decrease of about 52% from FY 2019/20. This fiscal year the City will not impose the annual Refuse Collection increase due July 1<sup>st</sup> to all its residents. This will result in an annual savings of \$193.64 for each resident. Instead, the City will incur this cost of approximately \$132,643.00 from the Refuse Collection Fund. FY 2019/20 proposed expenditures before transfers are \$32,118 or 1.04% higher than the FY 2019/20 adjusted budget. The highlights of each Department are listed below:

- City Administration Department has a difference of \$30,000 for the cost of the upcoming election, and increased PERS unfunded liability costs of \$9,300.
- Finance Department is projected to increase by \$3,433.
- Planning and Development's main differences are a decrease of \$61,000 for Storm Water Management, a decrease of \$45,000 for LA County Building Inspection as there is a projected decrease in related revenues. There is an increase of \$91,400 in Special Project Study and Consultants for the required updates to the Housing Element.
- Law Enforcement is projected to increase 5%, but an overall decrease of \$5K as the additional costs will be offset by the COPS Fund.

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- Non-Department Fund has a decrease in proposed expenditures of \$7,300.
- City Properties Department has a decrease in proposed expenditures of \$12,000 for Repairs and Maintenance.

Councilmember Mirsch asked for an explanation of the Law Enforcement projected increase of 5%, and the overall decrease of \$5K.

Finance Director Shea explained that in the Cops Fund, the minimal allotment was \$100,000.00, but it grows each year due to inflation as well as on the state level. This next year the City will receive \$155,000.00 as opposed to the prior year, the City received less. There is money available in the Cops Fund from the prior year that was not spent, plus the City is expected to receive an increase in revenues this year, so the City will be able to offset more of the Sheriffs contract (the 5% increase) by using the Cops Fund, which is a source of revenue from the State of California each year.

Finance Director Shea discussed the City's funds. From the Community Facilities Fund, the City sends letters to the local clubs informing them that that City has budgeted \$5,000.00 for each club. \$5,000 (Caballeros), \$5,000 (Women's Club) for programs and \$5,000 for annual Tennis Maintenance Expense. The Refuse Fund includes a transfer to the General Fund of (\$24,000). This transfer includes (\$12,000) for the administration of refuse services and (\$12,000) to cover staff time and costs associated with administering the storm water management program. Also, the City will be providing its residents a reprieve from the annual increase it imposes each July 1<sup>st</sup> for its Refuse Collection. This will equate to a \$193.64 savings for each resident in its annual rate and cost the City \$132,643. The City changed the FY 2020/21 Cash Reserve Policy from \$66,200 to the annual General Fund subsidy less the cash available at June 30, 2020, the projected transfer is \$57,528.

Councilmember Mirsch asked if the \$132,000.00 subsidy cost was included in the projected deficit of \$478,845.00.

Finance Director Shea stated that the City had to transfer \$57,000.00 since there was money available, that \$57,000.00 is included in the projected deficit of \$478,000.00.

Finance Director Shea reported that the Traffic Safety Fund includes \$20,000 for other work outside of the annual striping budget. The General Fund will be budgeting a transfer of \$20,000 to the Traffic Safety Fund in FY 2020/21. The COPS Fund revenues are projected to increase by \$15,000, to \$155,000. Fiscal Year 2020/21 proposed expenditures will increase to \$164,898 to cover the 2020/21 LA County Sheriff's Department increase of 5.0% and will cover the 275 supplemental hours for Traffic Enforcement estimated to be \$25,800 in FY 2020/21. The Utility Fund includes \$85,000 for the design of the 8" Sewer Main along Rolling Hills Road (Mainline). The General Fund will not transfer monies to the Utility Fund. The Capital Projects Fund will budget an additional \$50,000 for Tennis Court Improvements, \$7,000 for City Hall

ADA Design and \$32,000 for Acacia Removal. The General Fund will transfer \$89,000 to the Capital Projects Fund. The Transit Funds for Proposition A will have an exchange of \$75,000 and for Proposition C a gifting of \$60,000. For Measure M and Measure R there are no proposed expenditures or gifting as the City is accumulating these funds for the future parking lot project. For the Measure W Fund the City is projecting income of \$110,000 and we are proposing an expenditure for Storm Water Management of \$38,750. For the new Measure A Fund the City is projecting income of \$26,100 with no proposed expenditures for Fiscal Year 2020/21 which will also be used for the parking lot project.

Councilmember Mirsch asked for confirmation that Measure A, a state fund for parks, money can also be used for the parking lot project.

City Manager Jeng explained that Measure A is a parks bond distributed by LA County and every City receives an allotment each year that is dedicated to purchasing anything that is related to a public open space. When Finance Director Shea mentioned that Measure A money would be used for the parking lot project, staff looked into landscape changes, and purchases of improvements that would shape the City Hall to a more open space than what it currently is.

Finance Director Shea proceeded to go over the General Fund graph via PowerPoint. He concluded that based on the numbers, the City is still in good shape and should be able to absorb the projected deficit for the year.

Councilmember Wilson requested that in the future, could the Council receive the graphs in color. He found it hard to follow the key.

City Manager Jeng replied in the affirmative.

Finance Director Shea gave an overview of the City's preliminary proposed budget highlights. He covered the revenues accounts (property taxes, motor vehicle in lieu, real estate transfer tax, building and other permits, variance, planning and zoning, proposition A exchange, City Hall Lease RHCA, interest income and miscellaneous revenue). He reported no changes to the revenue structure.

Councilmember Mirsch pointed out that the last column on the chart should read FY 20/21 and not FY 19/20. Finance Director Shea thanked her for the correction. She also wanted to confirm that the interest income line referred to revenues coming from Lathe.

Finance Director Shea replied that the City has three main investments: Lathe, interest checking account and approximately four million in negotiable certificates of deposit. Currently the City has three CD's paying about 2.5% -3%.

Finance Director Shea continued to report on the expenditures and highlighted that the general fund is broken up into departments (City Administration, Finance, Planning Department, Law

Enforcement, Non-Department, City Properties, Community Facilities Fund, Municipal Self Insurance Fund, Refuse Collection Fund, Traffic Safety Fund, Proposition A ,C, R, and M, Cops Fund, Cleep Fund, Utility Fund and Measure W and A). He proceeded to list the line items per department and provide a brief description of each fund.

Councilmember Mirsch inquired if the County continued to fund the City's trapper.

City Manager Jeng replied in the affirmative and stated the Supervisor's Hahn's office will continue to fund the City's trapper at the level that it is now for the next fiscal year.

Mayor Pieper opened the item for public comment. Hearing none he returned to the discussion.

Councilmember Mirsch moved that the City Council approve the Committees recommendation on the proposed budget. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

## **7. OLD BUSINESS**

### **B. CONSIDER LAYOUT OPTIONS TO BRING EXISTING RESTROOMS AT CITY HALL TO COMPLY WITH ADA AND RELATED CODES AND SELECT AN OPTION TO CONTINUE THE DEVELOPMENT OF CONSTRUCTION PLANS.**

City Manager Jeng reminded the Council that the item has been presented to them at the previous City Council meeting. She proceeded to share her screen, via Zoom, to display the different upgraded restroom layouts at City Hall which would bring them up to ADA standards. One of the comments that came out of the last discussion was if City Hall needed the number of plumbing fixtures that it currently has. She referred the Council to the staff report which had excerpts from the building and plumbing code. She stated that City Hall is comprised of two uses, a community hall and business group b for offices. Taking those designations, City Hall goes to the maximum full area allowances for occupants, which sets the number of people that can occupy the facility. Using the occupancy and plumbing code and based on its usage, she figured out the number of fixtures needed. It was determined that City Hall needs 3 toilets, 1 urinal, 2 laboratory, 1 drinking fountain, and a separate sink per code.

Councilmember Black clarified that his question was how many ADA restrooms were required.

City Manager Jeng replied that first, the fixture count must be fulfilled and then it depends on how

the restroom facilities are positioned.

City Manager Jeng gave an overview of the existing layout and compared it to the layout options presented to the Council from the last Council meeting. She highlighted that the first option splits the existing stalls between the men and women, creating three all gender restrooms. In this option some of the other uses will have to be moved (IT closet, refrigerator, the coffee station and the water heater). With this option the sizing of the restroom allows for an all gender ADA restroom with a urinal. The second option keeps the existing restroom as they are, making the female restroom single use however this leads to the City having to create an ADA compliant all gender restroom. The all gender restroom is proposed to occupy the copy/workroom. To access this restroom the lobby would have to be turned 90 degrees. Making the reception area go from facing the Council Chamber doors to facing the front door. Option three moves all three restrooms over to the copy/workroom area and occupying some of the office space. The reception area would also have to be turned but in its place the storage closet, the IT closet, the coffee station is kept and it also provides space to create a meeting room and replace the copy room in the corridor that goes to the Council Chamber from internal offices. In this option there are two woman's restrooms, one of which is ADA compliant. The other restroom would be all gender ADA with a urinal. Option 3.5 is a variation of option three. Instead of having all gender ADA restrooms taking away space from the office area, this option takes space from the lobby and reorients the restroom there. She reminded the Council that Councilmember Black had asked what the compliant dimension of an ADA restroom are. She noted that she wrote down what would be ADA compliant for the women's restroom in its existing condition with two stalls. One stall being ADA compliant and the other being all gender. Option four, the restrooms breach through the hallway and that would not meet building code in terms of the width of the hallway. Option four would require moving the common wall between the City Manager and the Bookkeeper office to be able to widen the walkway. She concluded by stating that staff tried to stay within the footprint of City Hall as advised by the architect who said that the moving of any external wall would be costly. The restrooms are being presented to the Council without any other ADA improvements because the restroom will dictate other changes that may impact other elements of improvements. She felt it was critical to have Council review the options before staff moves forward and spends any of the design fee monies. The Council is being asked to review the options and ask question of staff, and if possible, select an option so staff can develop design plans. She stated that the architect has a set budget for design options but that is not to say that staff cannot ask the architect to spend more time developing one or more of the presented options, but she warned there may be a budget impact.

Mayor Pieper commented that it is hard to decide without knowing what the actual cost will be. Option one seems to be the most cost effective but not the best design. He would like the architect to provide a budget range for option one to make it the base line in order to better understand if the cost-effective way is the way to go. He wondered what the cost difference would be if the Council choose the cheapest way versus the best deign (option 3.5). Ideally, he would like to know the dollar difference between the two designs.

Councilmember Black expressed concern about cost rising if the architect is asked to do more work.

Mayor Pieper requested that the City Manager ask the architect to provide a rough cost estimate of option 1 and option 3.5.

Mayor Pro Tem Dieringer expressed concern about the Council choosing option 3.5 which requires downsizing the lobby. She stated that between the Association and City Hall there is only one large conference room to host big meetings, which is the Council Chamber overflow to the lobby. She does not feel the City should incur the cost of renting a room from another location in order to host a large meeting. She felt the Council should have some layout options that will not sacrifice the space in the lobby.

Mayor Pieper agreed with Mayor Pro Tem Dieringer but stated that the Council first needed to find out how feasible the project is.

Mayor Pieper opened the item for public comment.

Ronald Sommer commented, via email, that the Council should consider the weak economy and delay ADA remodel at City Hall. He feels that existing buildings should be “grandfathered” as existing business with limited parking have been. If the Council allows for unfettered implementation of the ADA act, many additional government interdictions are likely to follow. It is inappropriate to Americans to be coerced to modify their lifestyles, and for the government authorities to force businesses and institutions to comply with draconian rules or face unreasonable fines or jail. He concluded by stating that he would like to see more emphasis on permitting buildings to claim their grandfathering privileges and apply the ADA act to new construction.

Mayor Pieper closed the item for public comment.

Councilmember Mirsch asked Councilmember Black for his opinion on whether the existing floor plan could accommodate social distancing.

Councilmember Black replied that the lobby and reception area works for social distancing as it stands.

Mayor Pieper moved that the City Council push the item to a later time in order to provide the City Manager more time to gather additional information. Councilmember Mirsch seconded the motion. The motion passed by voice vote as follows:

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

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## **8. NEW BUSINESS**

### **A. CONSIDER AND APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH RINCON CONSULTANTS, INC. TO PREPARE THE GENERAL PLAN SAFETY ELEMENT UPDATE.**

City Manager Jeng informed the Council that the City was in receipt of the CalOES grant to update the Safety Element of the General Plan.

PCS Director Elguira informed the Council that back in 2019 the City was awarded a grant from CalOES for approximately \$64,000.00 to be used towards preparing and updating the Safety Element of the General Plan. The General Plan is a document that provides the City with guidance for physical growth and development for the next fifteen to twenty years. The City went out for a Request For Proposal (RFP) on April 13<sup>th</sup>, 2020. The City received two proposals, Rincon Consultants and CSG. Staff reviewed both proposals and choose Rincon Consultants. She informed the Council that CSG is currently a City vendor that helped prepare the grant application and appeal process for SB2 and are also the City's current planning consultant to help augment staff. Rincon, however, has not worked with the City directly but staff has come across some of their work with other projects in the City. PCS Director Elguira believes that Rincon is more qualified based on the proposal they submitted. She concluded by stating that she believes the Rincon team will be able to prepare a successful Safety Element update. Rincon has met all their CalOES and FEMA deliverable requirements and their cost is \$1000.00 lower than CSG.

Mayor Pro Tem Dieringer compared both proposals and noticed that CSG made a specific reference that the City was looking to expedite the project to meet grant deadlines and will implement a catch-up plan to meet funding requirements for the Hazard Mitigation Grant Program System which is approximately 15 months behind. She did not notice that reference in the Rincon proposal except for a calendar highlighting deadline dates. CSG also had a specific department for Fire Services teams, which helps with the proposed Fire Mitigation Plan, which is something the City must do, since the City is in a high fire zone. She commented that she did not see any information in Rincon's proposal that indicating knowledge in this area and wondered if they would be able to deliver an expeditious product. She also questioned what the City would do if Rincon does not have someone to address the fire component that the City requires. She also inquired about CSG's quality of work.

PCS Director Elguira replied that Rincon is required to provide a schedule, as part of the grant, to show methods as to how they will make up the time. A schedule overview will also be part of the kick-off meeting where she will make sure the consultant meets the FEMA and CalOES deadlines. She spoke to Rincon about the missing fire component. Rincon has since submitted a revised proposal which also includes a line item for a Wildfire Specialist, to meet the City's requirements. It was her understanding that Rincon hired a Wildfire Specialist based Santa Barbara with experience in preparing CWPPs and Hazard Mitigation Plans for other cities. She assured Mayor

Pro Tem Dieringer that meeting the deadlines will be emphasized in the contract.

PCS Director Elguira replied that CSG's work product was satisfactory however she was hoping to add a new team to help with the Safety Element report to further ensure the City meets its deadlines.

Councilmember Wilson commented on page 174 of the staff report. The report read that "all the homes were rebuilt, with a signed waiver to ensure that the owners were aware that this is a slide area..." He felt that Rincon is assuming that fire damage and landslides are one issue, and he is not sure that is correct. He inquired where the information came from. He also asked why Rincon was laser focused on EMF. And asked if the City had a Safety Element Advisory Committee as mentioned in the staff report on page 177.

PCS Director Elguira replied that the information came from the existing General Plan, Safety Element. She went on to say that EMF is a new feature a lot of cities are including in their Safety Element. It was also a deliverable requirement with CalOES and FEMA. PCS Director Elguira replied that City did not have a Safety Element Committee and therefore would have to form one.

Councilmember Wilson asked for clarification as to what Rincon meant when referencing the Rolling Hills News. He also asked to confirm that the City was exempt from Coastal Commission Policy directives as mentioned on page 189 of the staff report.

PCS Director Elguira replied that Rincon meant to say local newspapers instead of Rolling Hills News. She also confirmed that the City was exempt from Coastal Commission Policy directives.

Councilmember Black wondered why the City was considering a new consultant.

PCS Director Elguira replied that City has a good relationship with CSG, however, she feels it is time for the City explore other consultants.

Mayor Pieper opened the item for public comment. Hearing none he returned to the discussion.

Councilmember Wilson moved that the City Council approve the selection of Rincon to prepare the General Plan Safety Element Update. Councilmember Mirsch seconded the motion. The motion passed by voice vote as follows:

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

**B. CONSIDER AND APPROVE SUBSCRIPTION TO IWORQ PERMIT TRACKING SOFTWARE.**

PCS Director Elguira informed the Council that currently most of the Planning and Community Services Department's transactions are conducted in person and manually. Applicants come in to pick up applications, inquire about property history, research zoning requirements, submit applications over the counter and pick up approved plans at City Hall. All these steps are time consuming and inefficient. Automating these steps would save time, money and improve the applicant and staff's productivity. It will also make the process more efficient, consistent and transparent. Staff will be able to accomplish more with better tools. Implementing a permit tracking program will allow applicants to file applications electronically. They can fill out applications and submit plans online, check on their project status and access project history from their computers at home and even City Hall if they do not have access to a computer. Applicants will also be able to submit applications and receive approvals electronically from anywhere in the world. The iWorQ software will help improve processes which typically add time to plan reviews and approvals. It will improve the City's record keeping and management and thus, staff will be able to respond to inquiries more quickly and with more accurate information. She informed the Council that the planning department is currently in the process of scanning old planning files and will be able to upload the older files to the new system allowing residents, applicants, realtors and developers to access older planning files from home or City Hall.

Councilmember Wilson asked if staff has worked with iWorQs. He also asked to what degree would the software be available to the residents and would it be retroactive to prior projects.

PCS Director Elguira stated that staff has no experience working with iWorQs but that the software is intuitive and iWorQs will be providing unlimited training to staff. Older files are available to anyone that request to see a file per the Public Records Request Act. If new applicants choose not to share their information, then they will be given a passcode so they can access only their information. She added the staff would not be able to add older projects but would be able to attach a file to a specific address however it would not be accessible whereas a new application would be.

Mayor Pro Tem Dieringer requested that going forward, the Council should be provided with all the vendor submittals so they can determine how they are being evaluated. She would have like to have the option to compare vendors and their capabilities. She asked PCS Director Elguira to provide an explanation as to why she chose iWorQs.

PCS Director Elguira stated that going forward she would provide the Council with all the vendor submittals. She explained that she selected iWorQs because it was cost effective while providing the same information that the City would receive from other providers. The main reason why iWorQs was chosen was because they provide the capability of tracking permits once they are submitted online, it is accessible to the public and they have the capacity to store a lot of information within its program. And lastly, their focus is on smaller cities (for example Signal Hills).

Mayor Pieper opened the item for public comment.

Alfred Visco asked, via email, how would the system be used for code enforcement. Will the property owners in the City be able to use the system?

PCS Director Elguira replied that iWorQs will be used for code enforcement as it is a great way to track cases. Code enforcement personnel will be able to use the software while out in the field via a wireless tablet or phone. For reminders and letters that need to be sent, an automatic reminder can be sent to the Planner and Code Enforcement Officer. The Code Enforcement Officer and Planner will also be able to generate quarterly and/or monthly reports, however, when a case is active, the specifics of a violation will be limited.

Mayor Pro Tem Dieringer asked if staff had reached out to other cities that currently use the system.

PCS Director Elguira replied that she had not however she did test the system herself and was satisfied with the results.

Councilmember Mirsch pointed out the expiration date on the proposal that read May 29, 2020 and wondered if the City would be able to meet that deadline. She wondered if iWorQs was willing to grant an extension and if counsel would have time to review the agreement.

PCS Director Elguira replied that iWorQs was made aware that the item was being brought to the Council. If the Council approves the subscription, iWorQ had agreed to honor their proposal.

Assistant City Attorney Jane Abzug added that there was no agreement in place yet. This proposal was just a scope for work and if the scope of work is approved by the Council, the City will then prepare an agreement.

Mayor Pieper closed the item for public comment.

Councilmember Mirsch moved that the City Council approve the subscription to iWorQ permit tracking software. Councilmember Black seconded the motion. The motion passed by voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

**C. CONSIDER AND APPROVE SUBSCRIPTION TO LOS ANGELES COUNTY'S GEOGRAPHIC INFORMATION SYSTEM (GIS).**

PCS Director Elguira reported that Geographic Information System (GIS) is another tool that staff can use to process applications and provide information to the public. GIS is a mapping

system that is used by numerous cities throughout LA County. City staff is currently using a paper zoning map (20X18) with very limited information. The map produced years ago, does not reflect any of the recent adopted lot line adjustments or subdivision. The map's scale, font size, and font type make it very difficult to find parcels, address numbers, streets, overlay zones, and land use designations. If additional information is needed with regards to lot size, parcel number, and existing development, staff would have to access the LA County's Parcel Viewer webpage to get more information or search through paper files. The current practice is time consuming, inefficient and sometimes inaccurate. The desire is that staff will be able to provide updated maps internally and externally. The public will also have access to GIS and staff will be able to populate a map with as much information as desired. GIS will be great tool not only for the City but also for the other organization within the City and the City's sister agencies. The City will also have access to the LARIAC system which provides the latest aerial view of the City, building envelop that is measurable, measuring tools, contour lines and drainage patterns. Staff will be able to put together a fire hazard map that the Fire Department, Block Captains and RHCA can use. The Caballeros Club could also use GIS to map the trails. The LARIAC subscription cost is \$16,660.00 that can be paid over a 2 fiscal year period. In the past LARIAC consisted of 2 years cycles, which means they would take aerial maps every 2 years. But recently they have chosen to conduct aerial mapping to every 3 years, increasing the cycle to every 3 years, so the map information will be available for the next 3 years. The City does not have to subscribe after the third year but can choose to wait until additional information is added.

Councilmember Wilson asked if the system is available for anyone to use at any location, why would not staff go to a City where the system is already in place and use the system there.

PCS Director Elguira answered that if staff were to do so, they would not have the capability to manipulate the system or have the City's information on the maps, for example zoning requirements for the City of Rolling Hills. She added that the system will also be able to generate mailing labels for projects in the City that have discretionary approvals that require 1000-foot radius. Councilmember Wilson then asked if any resident will be able to generate their own mailing list.

PCS Director Elguira replied that the mailing labels would have to be generated through the City.

Councilmember Black stated that he does not believe that the City can provide mailing lists. He deferred to counsel to confirm.

Assistant City Attorney Abzug replied that it was her belief that GIS has a private and public feature. The City's address list for public hearings can be accessed through a public records request.

Councilmember Black asked if GIS used a combination of photographic imaging along with LARIAC imaging. It was his understanding that a 4-inch resolution was being used and asked if that was correct. He stated he did not feel comfortable having that information available to the public.

City Manager Jeng replied in the affirmative. She added that the Council could direct staff not to share any of the information with the public. If a public records request was submitted, then the City would provide whatever elements are required.

Councilmember Mirsch commented that she has had two separate conversations with Fire Station 56 regarding horse rescues and accidents of riders. In each discussion the Fire Station staff had indicated to her that the City should have GIS and LARIAC because it helps them locate persons in areas, they are not familiar with.

Mayor Pieper opened the item for public comment.

Alfred Visco commented, via email, that he was in support of the City subscribing to GIS. He asked if property owners would be able to use the system.

Mayor Pro Tem Dieringer moved that the City Council approve the expenditure for the LA County GIS program for the \$24,000 annually, the onetime set up fee and the membership for LARIAC. Councilmember Mirsch seconded the motion. The motion passed by voice vote as follows:

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

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

Councilmember Black indicated he was not satisfied with the striping on Lower Blackwater Canyon. He understands that is what the Council was informed was the correct design and expressed that the company should not be used again. The City should ask them to strip and re-strip the street because the street is curvy and feels that the strip in the middle of the road is needed.

Mayor Pieper commented that he had conversations with residents that live on Lower Blackwater Canyon and they expressed to him that they prefer the street without the strip in the middle because it gave the street a country feel. He queried the City Manager if the striping is required.

City Manager Jeng replied that the work done by the contractor was dictated by the Traffic Engineer and the Manual on Uniform Traffic Control Devices (MUTCD) code requirements. Even though Rolling's Hills is comprised of private roads, the City is still required to follow the Manual Uniform code.

Councilmember Wilson stated that his issue was that the streets were striped differently than they were previously.

Councilmember Black requested the item be agendized for a future meeting. Mayor Pieper concurred.

Councilmember Mirsch commented she attended a League webinar regarding the 70 bills that are going before the Legislature. There are some housing issues that will affect the City and inquired if the Council would like to provide their residents with more in-depth information by agendizing the item. Mayor Pieper concurred.

**10. MATTERS FROM STAFF**

NONE.

**11. ADJOURNMENT**

Hearing no further business before the City Council, Mayor Pieper adjourned the meeting at 9:25p.m. to a regular meeting of the City Council scheduled for Monday, June 08, 2020 beginning at 7:00p.m. via teleconference.

Respectfully submitted,

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Yohana Coronel, MBA  
City Clerk

Approved,

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Jeff Pieper  
Mayor

**MINUTES OF  
A SPECIAL MEETING  
OF THE  
CITY COUNCIL OF THE  
CITY OF ROLLING HILLS, CALIFORNIA  
THURSDAY, JUNE 04, 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 5:04 p.m. via teleconference.

**2. ROLL CALL**

Councilmembers participating via teleconference:

Mayor Pieper, Dieringer\*, Black, Mirsch, and Wilson.

Councilmembers Absent: None.

Others participating via teleconference:

Elaine Jeng, P.E., City Manager.

Meredith Elguira, Planning & Community Services Director.

Yohana Coronel, City Clerk.

Michael Jenkins, City Attorney.

Arlene & Gene Honbo.

Fred Lorig.

Captain James Powers, Los Angeles County Sheriff's Department.

*\*\*City Attorney Jenkins suggested that all public comments be read into the record after the agenda item is discussed due to the meeting being a Special City Council meeting. Mayor Pieper concurred.*

*\*Mayor Pro Tem Dieringer joined the meeting at 5:06 p.m., after the roll call had been conducted.*

**4. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS**

**A. CONSIDER ADDITIONAL SECURITY MEASURES AT EACH OF THE THREE GATES IN RESPONSE TO CIVIL UNREST ARISING FROM PROTESTS AND DEMONSTRATIONS.**

Mayor Pieper provided an update of the item. He shared that there were a lot of developments since he requested the item be agendaized. He called for a special meeting of the City Council to make sure that the Council was aware of potential decisions being made regarding security measures at each of the City's three gates in response to the civil unrest prompted by the death of George Floyd. He wanted to avoid the confusion that occurred when COVID-19 decisions were made. He was in constant communication with the City Manager when the looting and riots began. City Manager Jeng was in contact with Los Angeles County Sheriff Captain James Powers who provided her with updated threat level reports. He and the City Manager were trying to come up

with a plan for the City and avoid being caught unprepared. They discussed various contingency plans and also reached out to the Sheriff's Department. Mayor Pieper asked Captain Powers to assign patrol cars or mobilize the National Guard to stand guard at each gate entrance but those resources were unfortunately not available. He understood that City Manager Jeng could declare an emergency and make decisions on behalf of the City, however, he preferred to have a discussion with the Council's input and therefore called a special meeting. It was his opinion that no action was currently needed and the meeting was a recap of the event's developments. He informed the Council that he had received numerous calls over the weekend from residents requesting that the City hire armed guards for the gates. He explored the option since there were a lot of reports of protests possibly entering residential areas. Since then, the threat subsided. He then deferred to Captain James Powers to provide the City Council with an update.

Captain Powers of the Los Angeles Sheriff's Department reported that he had implemented a 12 hour shift beginning Monday, May 31<sup>st</sup>, 2020 at 6 p.m. There were protests scheduled for May 31<sup>st</sup> at the Trump golf course and it remained peaceful, however, there were other protests throughout Los Angeles County that were not and understood the Council's concerns. He has been in constant contact with the peninsula's City Managers and can report that things have quieted down and hopes that it will remain that way. He stated that the Sheriff's Emergency Operating Center (EOC), Information Bureau, and other entities of the Sheriff's Department operate 24 hours a day, 7 days a week to monitor social media and stay well-informed of the latest developments. He is also receiving updates on the federal level of any threats or incidents that may arise. He understood the Council's concern and added that he had identified a number of critical facilities throughout his jurisdiction and assessed their threat level. He continued that Rolling Hills City Hall and the three entrance gates were a part of his assessment with regard to acts of violence, looting, or vandalism. A lot of social media posts were either inaccurate or fictional but his department took each of them seriously and prepared for them. The implementation of the 12 hour shift allowed for additional squad personnel, which amounted to six two-person patrol cars (11 Deputies and 1 Sergeant). This squad plus an additional squad was used for the event at the Trump golf course. He informed the Council that he had the ability to request additional units if necessary and assured the Council that the City of Rolling Hills was not neglected in any way.

**(Public Comment Out of Order\*\*)**

### **3. OPEN AGENDA**

Arlene and Gene Hondo commented via email that recent events of civil disorder put all cities on alert to protect their constituencies. The City relies on Los Angeles County Sheriff and Fire Department for safety services and they have a history of protection during prior civil disorders (Watts and Rodney King riots). They agree that the City Council should be mindful of the current civil unrest because the city is not isolated from potential problems. They want the City Council to work with law enforcement to determine what is needed for Rolling Hills to protect the residents and their property. They do support the increase of law enforcement patrol but do not support hiring armed guards as a primary solution. They recommend establishing an ad-hoc team of 2 to 3 residents to monitor Los Angeles County and nearby communities to determine if the unrest is a threat to Rolling Hills.

Fred Lorig inquired via email if any gated community in Southern California, similar to Rolling Hills, had any riots or looting issues? Had Hidden Hills, Bradbury or Fremont Place posted armed guards at their entries? Were there any specific known threats to Rolling Hills?

City Manager Jeng replied that she has been in constant contact with the City Managers from Bradbury and Hidden Hills and there were no reports of any civil unrest in their communities. She is not sure if they have posted armed guards at their entrances since she last spoke with them.

Captain Powers confirmed there were no threat levels to the City of Rollin Hills.

**5. ADJOURNMENT**

THE MEETING WILL BE ADJOURNED IN MEMORY OF STEVE BURRELL, FORMER ROLLING HILLS CITY MANAGER. HE PASSED AWAY ON MAY 26, 2020.

Hearing no further business before the City Council, Mayor Pieper adjourned the meeting at 5:21p.m. to a regular meeting of the City Council scheduled for June 8, 2020 beginning at 7:00p.m. via teleconference.

Respectfully submitted,

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Yohana Coronel, MBA  
City Clerk

Approved,

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Jeff Pieper  
Mayor

**MINUTES OF  
A REGULAR MEETING  
OF THE  
CITY COUNCIL OF THE  
CITY OF ROLLING HILLS, CALIFORNIA  
MONDAY, JUNE 08, 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 7:03p.m. via teleconference.

**2. ROLL CALL**

Councilmembers participating via teleconference:

Mayor Pieper, Dieringer, Black, Mirsch, and Wilson.

Councilmembers Absent: None.

Others participating via teleconference:

Elaine Jeng, P.E., City Manager.

Meredith Elguira, Planning & Community Services Director.

Yohana Coronel, City Clerk.

Michael Jenkins, City Attorney.

Terry Shea, Finance Director.

Roger Hawkins.

Alfred Visco.

**3. OPEN AGENDA**

Roger Hawkins commented via email on the safety measures at the three gates. He stated that the City's, June 2<sup>nd</sup>, Blue Newsletter arrived at his residence after the special meeting took place, therefore was not able to submit his comments. He suggested that the City partner with the RHCA to alert the residents of such meetings via dwellingLIVE. In 2019, a break-in at a resident's home prompted the Association to hire Covered Six to prepare a security assessment report to provide insight as to how to mitigate risk and increase security in the community. After the report, many residents requested hosting a presentation with Covered Six to ask questions. The Board denied the request and stated they would instead rely on the Association staff for security advice, which they are not qualified nor licensed to do. It is his opinion that the Council should not deprive the residents of the benefit of a "no cost" advice offered by Covered Six. The City should be looking towards experts, like Covered Six, with respect to security and not rely on the current gate staff that according to the Association, "are not trained security officers..." It is best if the City prepares before violence erupts, not afterwards.

**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 MARCH 09, 2020, REGULAR MEETING OF MARCH 23, 2020, SPECIAL MEETING OF MARCH 30, 2020, JOINT STUDY SESSION WITH THE PLANNING COMMISSION AND CITY COUNCIL APRIL 13, 2020, REGULAR MEETING OF APRIL 27, 2020 AND REGULAR MEETING OF MAY 11, 2020.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- B. PAYMENT OF BILLS.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- C. CONSIDERATION AND APPROVAL OF ON-CALL INDUSTRIAL HYGIENISTS TO SET UP COVID-19 DEEP CLEANING PROTOCOLS AND MONITOR DISINFECTING EFFORTS.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- D. APPROVE A PROFESSIONAL SERVICE AGREEMENT WITH RINCON TO UPDATE THE GENERAL PLAN'S SAFETY ELEMENT.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- E. APPROVE A CONTRACT WITH DEVELOPMENT PERMIT TRACKING SOFTWARE.  
**RECOMMENDATION: APPROVE AS PRESENTED**

Mayor Pro Tem Dieringer requested to pull consent item 4A and 4C.

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

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

**Item 4A**

Mayor Pro Tem Dieringer asked for consent item 4A to be brought back for the next Council meeting in order to make corrections with the City Manager.

**Item 4C**

Mayor Pro Tem Dieringer suggested approving the vendor that cost less and that staff search for an alternate vendor. Once the alternate has been found, have the item brought back to the Council.

Councilmember Black commented that the item was completely unnecessary. The initial study from the New England Journal was not peer reviewed and was inaccurate. He mentioned that the editors are in trouble because they published that the virus could live for days on a surface and, as it turns out, it is only a matter of minutes. Regular cleaning applications can be used to wipe down surfaces, no special cleaning is needed.

Councilmember Mirsch stated that she understood why the City was trying to be preemptive about the issue and have a vendor on call and welcomed more discussion.

Mayor Pieper commented that he understood the City would like to have a vendor on standby just in case City Hall has a COVID-19 case and needs to be sanitized.

City Manager Jeng stated that there were levels of concern the City was trying to address. The first is making people aware that additional cleaning measures are being taken, in addition to social distancing and masking. If there is a COVID case, the City needs to have provisions in place in order to ensure that the public and employees are safe to return to City Hall. If City Hall hires cleaners to come in after the fact, it is difficult to demonstrate that City Hall has been sanitized to a standard. Determining that standard is the reason why she is recommending hiring a hygienist. A hygienist would set up cleaning protocols and monitor disinfecting efforts.

Mayor Pieper asked which vendor was most cost effective.

City Manager Jeng replied Ellis Environmental.

Councilmember Black inquired what the \$18,000.00 was for.

City Manager Jeng answered that the cost covered establishing cleaning standards and inspection of the facility after the cleaning is done. This proposal does not include the physical cleaning; that element is covered by a third party.

Mayor Pieper suggested finding a vendor that conducts the actual cleaning and discussing the item at a later time.

Councilmember Black moved that the City Council identify a cleaning service that can provide cleaning services if the office requires sanitization. Councilmember Mirsch seconded the motion. The motion passed by voice vote as follows:

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

5. **COMMISSION ITEMS**

NONE.

6. **PUBLIC HEARING**

A. **PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 1253 ADOPTING THE 2020/2021 FISCAL YEAR BUDGET AND RESOLUTION NO. 1254 ESTABLISHING THE ANNUAL APPROPRIATIONS GANN LIMIT FOR THE CITY OF ROLLING HILLS.**

Finance Director Terry Shea reported that On May 26, 2020 the City Council held a Budget Workshop to review the Draft Proposed Fiscal Year 2020/21 Budget approved by the City Council Finance/Budget/Audit committee on May 18, 2020. The Proposed FY 2020/21 Budget Highlights were reviewed in detail with changes from the FY 2019/20 Budget Highlights. City Council reviewed and approved General Fund FY 2020/21 draft proposed budget and Other Funds. The budget serves as the City's roadmap for allocating resources. The budget is a resource allocation plan for providing city services and achieving the priorities and goals that serve the residents and the public. There are few steps the City follows for this process and they are as follows:

1. January 13, 2020 – City Council received, reviewed and approved the FY 2020/21 budget calendar.
2. March 23, 2020 – City Council received and reviewed the FY 2020/21 mid-year budget report and approved the recommended budget adjustments.
3. April 27, 2020 – City Council Finance/Budget/Audit Committee reviewed Financial and Investment Policies; and reviewed and discussed the Schedule of Fees and Charges.
4. May 11, 2020 – City Council reviewed and approved Financial and Investment Policies, Schedule of Fees and Charges, and a three-year capital improvement plan.
5. May 18, 2020 - City Council Finance/Budget/Audit Committee reviewed the FY 2020/21 staff proposed budget.
6. May 26, 2020 – City Council Budget Workshop reviewed Finance/Audit Committee approved FY 2020/21 staff proposed budget.
7. June 8, 2020 City Council had a public hearing, adopted the FY 2020/21 budget, and approved the GANN Limit.

Projecting revenues for FY 2020/21 using conservative revenue forecasting, staff anticipates the continued resurgence of property values and is proposing a 4% increase in Property Taxes. Staff is projecting a decrease in building permit and other fees of over 50% of the Fiscal Year 2019-20 Budget. Total projected revenues are down \$274,150 from the Fiscal Year 2019-20 Budget, but include a projected amount of \$56,250 in Prop A Exchange Revenues for a net decrease of

\$217,900. The proposed expenditures are projected to be \$42,118 higher than the Fiscal Year 2019/20 Adjusted Budget, as a result of a one-time expense for the Housing Element and the upcoming election.

He proceeded to provide highlights of the General Fund. The FY 2020/21 budget projects \$2,060,400 in revenues in relation to \$2,385,718 in expenditures resulting in a deficit of \$325,318 before transfers and a deficit of \$478,845 after transfers. Salaries are budgeted to include up to a 5% salary increase of \$25,014 including an estimated cost of living adjustment (COLA), of 1.9% (\$11,737) and a 3.10% (\$13,277) for Exceptional Performance Salary Bonus Pool in accordance with the approved Personnel Manual. City Administration increased by \$67,800, including \$28,700 for salaries and benefits and \$30,000 for the cost of the upcoming election. Finance increased by \$3,433, which includes an increase of 1.95% to the RAMS Contract. Planning & Development had an overall decrease of \$4,400, which includes an increase of \$91,400 in Special Project Study and Consultants for the required updates to the Housing Element, offset by decreases of \$45,000 for LA County Building Inspection and \$61,000 for Storm Water Management. Law Enforcement had a projected increase of 5% in LA County Sheriff's contract which is being offset by an increase in the costs being charged to the COPS Fund and a decrease in Wild Life Management and Pest Control of \$11,500, for an overall decrease to the General Fund of \$5,415. In Non-Department Fund there is a decrease of \$7,300 for Insurance expenditures. City Properties had a decrease of \$12,000 for Repairs and Maintenance expenditures.

Other Funds include Community Facilities Funds which the City will be giving \$5,000.00 each to the Caballeros, the Tennis Club and the Women's Club. The General Fund will transfer \$11,000 to the Community Facilities Fund in FY 2020/21. The Refuse Fund includes a transfer to the General Fund of (\$24,000). This transfer includes (\$12,000) for the administration of refuse services and (\$12,000) to cover staff time and costs associated with administering the storm water management program. Also, the City will be providing its residents a reprieve from the annual Refuse Collection COLA it imposes annually on July 1<sup>st</sup>. This will equate to a \$193.64 savings for each residence in its annual rate and cost the City \$132,643. Also, the City changed FY 2020/21 Cash Reserve Policy from \$66,200 to the annual General Fund subsidy less the cash available at June 30, 2020, the projected transfer is \$57,528. The Traffic Safety Fund includes \$20,000 for other work outside of the annual striping. The General Fund will be budgeting a transfer of \$24,000 to the Traffic Safety Fund in FY 2020/21. The COPS Fund revenues are projected to increase by \$15,000 to \$155,000. 2019/20 Program Expenditures will increase to \$164,898 to cover the 2020/21 LA County Sheriff's Department increase of 5.00% for LA County Sheriff's for Law Enforcement Services and will cover the 275 supplemental hours for Traffic Enforcement estimated to be \$25,800 in FY 2020/21. The Utility Fund includes \$85,000 for the design of the Sewer Mainline along Portuguese Bend Road. The General Fund will not transfer monies to the Utility Fund. The Capital Projects Fund will budget \$50,000 for Tennis Court Improvements. Also, \$7,000 for City Hall ADA Design and \$32,000 for Acacia removal. The General Fund will be transferring \$89,000 to the Capital Projects Fund in FY 2020/21.

The Transit Funds for Proposition A will have an exchange of \$75,000 and for Proposition C a gifting of \$60,000. For Measure M and Measure R there are no proposed expenditures or gifting as the City is accumulating these funds for the future parking lot project. For the Measure W Fund the City is projecting income of \$110,000 and proposing an expenditure for Storm Water Management of \$38,750. There is a new Measure A Fund the City is projecting income of \$26,100 with no proposed expenditures for Fiscal Year 2020/21. He concluded by stating that the overall financial position of the City's General Fund remains strong with a projected year-end Unassigned Fund Balance of \$4,854,000.00 at June 30, 2021. The City is looking at a net deficit of \$759,000.00 if everything is spent from the proposed budget, which includes all the funds.

Finance Director Shea proceeded to share the appropriations loan. The base year for the appropriations limit was \$256,941.00. California's per capital income went up 3.7% this year and the population in LA County went down .11% and when you take those two percentage changes and multiply it by the prior year, it will provide a new limit of \$1,784,681.00. The City's proposed expenditures are below that by about \$250,000.00.

Mayor Pieper opened the item for public comment.

Alfred Visco commented, via email, that it was his understanding that there was approximately \$4.8 million in unassigned fund balance as of 6/30/21. He suggested a study should be conducted to determine what should be done with said funds (insurance reductions, rainy day fund, wildfire mitigation or have it returned to the taxpayers). He raised the same issue with the Association, which predicted approximately \$5.8 million undesignated fund balance as of 6/30/21. He concluded by asking if the City was self-insured.

Mayor Pieper replied that that City is not self-insured and that the amount the City currently has would not survive a major lawsuit. A lot of the money being spent is for upcoming capital improvement projects that have been put off for a long time that are finally making their way through, for example, the ADA project. He stated the City likes to proceed with caution because when there is downturn, like the present, the City does not have to change their fees and still be able to give back some money, like with the trash subsidy and annual contributions to the community clubs (Women's Club, Tennis Club and the Caballeros).

Councilmember Black added that it is not easy returning money to the taxpayer, and it is why the City absorbs the trash increase every year. Gifting of public funds is a major concern the Council must contend with; however, the Council is open to hearing any other suggestions as to how best use the unassigned funds.

Councilmember Mirsch moved that the City Council approve to adopt the Fiscal Year 2020-2021 Budget for all the City's Funds and the Annual Appropriations Limit as presented. Councilmember Wilson seconded the motion. The motion passed by voice vote as follows:

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

Minutes  
City Council Meeting  
06-08-20

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

**7. OLD BUSINESS**

- A. CONSIDER AND APPROVE AN AGREEMENT WITH RACE TELECOMMUNICATION INC. TO PROVIDE BROADBAND SERVICES THROUGH THE SOUTHBAY COUNCIL OF GOVERNMENTS (SBCCOG) FIBER NETWORK PROJECT.

City Manager Jeng reported that in August 2019 the City Council committed to joining the Southbay Council of Governments (SBCCOG) Fiber Network and authorized her to submit a letter of commitment. The Southbay Fiber Network is a set of fiber lines built in the Southbay to serve agencies like the City of Rolling Hills. Ever since, the SBCCOG had selected American Dark Fiber as its vendor. The system is built by a team led by American Dark Fiber (ADF). The ADF team includes HP Communications to manage new construction and Race Telecommunication Inc. to provide customer service. The item was brought before the Council to request that the City agree to approve an agreement with Race Telecommunications Inc. to provide broadband services to the City through the SBCCOG Fiber Network Project. The cost for 1 gigabit (Gb) of service is \$1,000.00 per month for a term of three years.

Mayor Pieper opened the item for public comment. Hearing none he returned to the discussion.

Councilmember Mirsch moved that the City Council approve an agreement with Race Telecommunications Inc. to provide broadband services for a minimum period of three years. Mayor Pro Tem Dieringer seconded the motion. The motion passed by voice vote as follows:

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

**8. NEW BUSINESS**

NONE.

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

- A. CONSIDER PLACING CENTERLINE STRIPING ON LOWER BLACKWATER CANYON ROAD BETWEEN PORTUGUESE BEND ROAD AND WILLIAMSBURG LANE.

Minutes  
City Council Meeting  
06-08-20

City Manager Jeng conveyed that her understanding from the last meeting that there were some concerns that the contractor did not fulfill their obligations as part of the striping project. She proceeded to explain how public projects are conducted. The City puts out a scope of work and then an inspector is hired to make sure the contractor performs that scope of work. Staff does not present the project to the Council for acceptance until the contractor produces everything listed under the scope of work. The centerline striping along Lower Blackwater Canyon, between Portuguese Bend Road and Williamsburg Lane, was not part of this projects scope of work and therefore the contractor did not place the centerline. This work was based on an assessment by the Traffic Engineer.

Councilmember Black inquired if the entire Council was aware of that because he was not. It was his belief that there should be a centerline down the whole street, not just Williamsburg. He recalled Councilmember Wilson raising the same concerns.

City Manager Jeng replied that all bidders had responded to the same scope of work. She confirmed that the scope of work in the bid did not call for a centerline. She added that bids are based on a list of quantities and they are included and listed in the plans that were advertised. She further explained that Councilmember Wilson had asked about striping on Crest Road East and whether it was different striping; his concern was not about a lack of striping.

Councilmember Wilson commented that he had noticed that the striping was different and recalled having more double yellow lines before. He asked who was the Traffic Engineer that monitored the project.

City Manager Jeng replied that Charles Abbot & Associates was used as the Traffic Engineer.

Mayor Pieper pointed out that there were two topics being discussed. Crest Road West, which has not been worked on, and has a centerline and double yellow lines the entire way. It was his opinion that unless the current striping on Crest Road West is legally needed, it is a negative to him compared to the dotted yellow lines and a sub divider on Crest Road East. To him, the dotted yellow lines felt more country and have a small city feel. He preferred the new striping on Crest Road East, so long as it is legal.

Councilmember Black disagreed and felt no one should be allowed to pass on Crest Road. There are too many curves, the speed limit is too low and there are blind driveways. Double yellow lines signify no passing on the road and broken lines do. Councilmember Wilson concurred.

Councilmember Mirsch commented that maybe the previous striping had been done as an extra precaution, even though it may not have been legally required. She agreed that there should be a double yellow line on Crest Road East. Since the striping responsibility now falls under the responsibilities of the RHCA, she suggested requesting their thoughts on the matter.

Mayor Pieper stated he had spoken to residents on Middleridge. He asked them if they wanted striping and they all replied no because it did not feel right. It was his understanding that the City put out a scope of work, the contractor delivered, and that the matter was done. If the Council wanted to change the scope of work, then a discussion needs to occur like the one they are having now. He added that he would be talking to the RHCA President the following day and that he would be happy to bring up the subject matter. However, he stressed that whatever decisions the Council makes, it should be consistent for all the striping within the City.

Councilmember Mirsch asked if Crest Road East and Lower Blackwater could be considered as separate items.

City Attorney Jenkins suggested the Council make a motion to clarify what they would like to do. The Council has not approved the lease amendment with RHCA, so technically the City is still responsible for striping.

Mayor Pieper suggested that once the Association takes over the striping, the City should provide the specifications of what they would like to see.

Mayor Pro Tem Dieringer asked counsel if the Council could discuss other streets besides Lower Blackwater Canyon.

City Attorney Jenkins replied that the Council can only discuss the streets that are listed on the agenda.

Councilmember Black requested to agendize Crest Road for the next City Council meeting and proposed to have double yellow lines placed on Crest Road East and West.

Mayor Pieper asked City Manager Jeng to reach out to the engineer and request pictures of the road before it was striped.

City Manager Jeng replied that she did not have pictures of previous conditions but she have an inventory done by the Traffic Engineer that can be reviewed.

Mayor Pieper indicated that the agreement with the Association would be moved to a later time, between now and the next meeting the Council will agendize striping for Crest Road East, Lower Blackwater, Williamsburg, Middleridge South and North and figure out what striping was there before and what striping is there now.

Mayor Pro Tem Dieringer asked if Republic Services still offers a free, once a year, greenwaste dumpster for residents. Additionally, she asked for clarification about what direction staff was given regarding the ADA improvements at City Hall.

City Manager Jeng replied that residents are offered a 40-yard, roll-off bin once a year, free of charge.

Mayor Pieper replied that the Council had chosen the cheapest and the most expensive layout and directed the City Manager to get pricing for both in order to determine how to best proceed and whether it is worth moving the restrooms.

Councilmember Mirsch inquired about the School Resource Officers (SRO) and whether they were armed. She recalled that when the Council agreed to fund the SRO, it was with an understanding that they would be armed. It was her understanding that the City is currently reviewing the SRO's next contract and wanted to make the Regional Law members on the Council were made aware of the issue and verified that the SRO's are armed.

City Manager Jeng reported that the School District recognized that in the beginning of the school year, they had issues with the security company securing permits from the State to be able to allow the SRO's to carry firearms, that issue has since been resolved. She added that the SRO's have changed their duties since the school's closures due to COVID. The School District has decided not to bill participating cities for half of March, April and May. Going forward the Superintendent is asking for 3-year term, same cost and terms as the existing MOU. The new MOU is currently being discussed.

**10. MATTERS FROM STAFF**

NONE.

**11. ADJOURNMENT**

Hearing no further business before the City Council, Mayor Pieper adjourned the meeting at 8:09 p.m. to a regular meeting of the City Council scheduled for Monday, July 13, 2020 beginning at 7:00p.m. via teleconference.

Respectfully submitted,

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Yohana Coronel, MBA  
City Clerk

Approved,

Minutes  
City Council Meeting  
06-08-20

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Jeff Pieper  
Mayor

Minutes  
City Council Meeting  
06-08-20

-11-



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

**Agenda Item No.: 4.B**

**Mtg. Date: 06/22/2020**

**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:** June 22, 2020

---

**BACKGROUND:**

NONE.

**DISCUSSION:**

NONE.

**FISCAL IMPACT:**

NONE.

**RECOMMENDATION:**

Approve as presented.

**ATTACHMENTS:**

[06-22-2020Payment of Bills.pdf](#)

[Supplemental Agenda Page Relating to Item 4B](#)

[20-06-22\\_\\_Payment of Billsv1](#)

**CITY OF ROLLING HILLS**

6/22/20 Check Run C

| <b>Check No.</b> | <b>Check Date</b> | <b>PAYEE</b>                          | <b>DESCRIPTION</b>                                                 | <b>AMOUNT</b>    |
|------------------|-------------------|---------------------------------------|--------------------------------------------------------------------|------------------|
| 26459            | 6/22/2020         | Daily Breeze                          | Advertising - Legal CLS                                            | 134.82           |
| 26460            | 6/22/2020         | Duthie Power Services                 | Semi Annual Service and Repair - Generator                         | 1,022.50         |
| 26461            | 6/22/2020         | Edwards Termite and Pest Management   | June 2020 Pest Management City Hall, Picnic Area and Tennis Courts | 320.00           |
| 26462            | 6/22/2020         | The Gas Company                       | Gas Usage 5/6/20 to 6/5/20                                         | 19.28            |
| 26463            | 6/22/2020         | Gladwell                              | Records Management and Record Retention                            | 2,770.00         |
| 26464            | 6/22/2020         | Konica Minolta Business               | May 2020 Maintenance Agreement                                     | 173.02           |
| 26465            | 6/22/2020         | County Of LA Agricultural             | May 2020 Coyote Control                                            | 222.82           |
| 26466            | 6/22/2020         | League of California                  | LA County Division Dues - 7/1/20 to 6/30/21                        | 892.50           |
| 26467            | 6/22/2020         | Opus Bank                             | June 2020 Office Expense                                           | 1,050.43         |
| 26468            | 6/22/2020         | Pacific Architecture and Engineering  | Architectural Services 5/1/20 to 5/20/20                           | 3,894.25         |
| 26469            | 6/22/2020         | Palos Verdes Security Sys             | 3rd Qtr. 2020 Security Service                                     | 192.00           |
| 26470            | 6/22/2020         | City of Rancho Palos Verdes           | March & April 2020 7% ALRP Camera Connectivity Cost                | 133.40           |
| 26471            | 6/22/2020         | SEI Tec                               | April 2020 Services - Planning Commission, City Council            | 2,420.00         |
| 26472            | 6/22/2020         | Nationwide Retirement Solution        | Deferred Compensation 6/5/20                                       | 50.00            |
| 26473            | 6/22/2020         | Vantagepoint Transfer Agents - 306580 | Deferred Compensation 6/5/20                                       | 826.13           |
| 26474            | 6/22/2020         | Wildan                                | May 2020 B&S Plan Check Services                                   | 785.00           |
| 26475            | 6/16/2020         | Delta Dental                          | July 2020 Dental Insurance                                         | 840.18           |
| 26476            | 6/16/2020         | Standard Insurance Co                 | July 2020 Life Insurance                                           | 231.86           |
| 26477            | 6/16/2020         | Vision Service Plan                   | July 2020 Vision Insurance                                         | 126.75           |
| * PR LINK        | 6/5/2020          | PR LINK - PAYROLL PROCESSING          | Processing Fee                                                     | 51.00            |
| * PR LINK        | 6/5/2020          | PR LINK - PAYROLL & PR TAXES          | Pay Period - May 20, 2020 to June 2, 2020                          | 17,631.22        |
|                  |                   |                                       |                                                                    | <u>33,787.16</u> |
|                  |                   |                                       |                                                                    | 16,104.94        |

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 \$33,787.16 or the payment of above items.

**Supplemental  
Agenda Packet  
Relating to Item 4B  
Posted June 22, 2020**

## CITY OF ROLLING HILLS

6/22/20 Check Run C

| <u>Check No.</u> | <u>Check Date</u> | <u>PAYEE</u>                          | <u>DESCRIPTION</u>                                                 | <u>AMOUNT</u>    |
|------------------|-------------------|---------------------------------------|--------------------------------------------------------------------|------------------|
| 26459            | 6/22/2020         | Daily Breeze                          | Advertising - Legal CLS                                            | 134.82           |
| 26460            | 6/22/2020         | Duthie Power Services                 | Semi Annual Service and Repair - Generator                         | 1,022.50         |
| 26461            | 6/22/2020         | Edwards Termite and Pest Management   | June 2020 Pest Management City Hall, Picnic Area and Tennis Courts | 320.00           |
| 26462            | 6/22/2020         | The Gas Company                       | Gas Usage 5/6/20 to 6/5/20                                         | 19.28            |
| 26463            | 6/22/2020         | Gladwell                              | Records Management and Record Retention                            | 2,770.00         |
| 26464            | 6/22/2020         | Konica Minolta Business               | May 2020 Maintenance Agreement                                     | 173.02           |
| 26465            | 6/22/2020         | County Of LA Agricultural             | May 2020 Coyote Control                                            | 222.82           |
| 26466            | 6/22/2020         | League of California                  | LA County Division Dues - 7/1/20 to 6/30/21                        | 892.50           |
| 26467            | 6/22/2020         | Opus Bank                             | June 2020 Office Expense                                           | 1,050.43         |
| 26468            | 6/22/2020         | Pacific Architecture and Engineering  | Architectural Services 5/1/20 to 5/20/20                           | 3,894.25         |
| 26469            | 6/22/2020         | Palos Verdes Security Sys             | 3rd Qtr. 2020 Security Service                                     | 192.00           |
| 26470            | 6/22/2020         | City of Rancho Palos Verdes           | March & April 2020 7% ALRP Camera Connectivity Cost                | 133.40           |
| 26471            | 6/22/2020         | SEI Tec                               | April 2020 Services - Planning Commission, City Council            | 2,420.00         |
| 26472            | 6/22/2020         | Nationwide Retirement Solution        | Deferred Compensation 6/5/20                                       | 50.00            |
| 26473            | 6/22/2020         | Vantagepoint Transfer Agents - 306580 | Deferred Compensation 6/5/20                                       | 826.13           |
| 26474            | 6/22/2020         | Wildan                                | May 2020 B&S Plan Check Services                                   | 785.00           |
| 26475            | 6/16/2020         | Delta Dental                          | July 2020 Dental Insurance                                         | 840.18           |
| 26476            | 6/16/2020         | Standard Insurance Co                 | July 2020 Life Insurance                                           | 231.86           |
| 26477            | 6/16/2020         | Vision Service Plan                   | July 2020 Vision Insurance                                         | 126.75           |
| * PR LINK        | 6/5/2020          | PR LINK - PAYROLL PROCESSING          | Processing Fee                                                     | 51.00            |
| * PR LINK        | 6/5/2020          | PR LINK - PAYROLL & PR TAXES          | Pay Period - May 20, 2020 to June 2, 2020                          | 17,631.22        |
|                  |                   |                                       |                                                                    | <u>33,787.16</u> |
|                  |                   |                                       |                                                                    | 16,104.94        |

06/22/2020

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 \$33,787.16 or the payment of above items.



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

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**Agenda Item No.: 4.C**

**Mtg. Date: 06/22/2020**

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

**FROM:** CONNIE VIRAMONTES , ADMINISTRATIVE ASSISTANT

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

**SUBJECT:** REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR MAY 2020.

**DATE:** June 22, 2020

---

**BACKGROUND:**

NONE.

**DISCUSSION:**

NONE.

**FISCAL IMPACT:**

NONE.

**RECOMMENDATION:**

NONE.

**ATTACHMENTS:**

[06-22-2020 MAY TONNAGE REPORT.pdf](#)



## CITY OF ROLLING HILLS RESIDENTIAL FRANCHISE 2020

Franchise? Y

| Mth/Yr              | Overall Commodity | Tons Collected  | Tons Recovered | Tons Disposed | Diversion %   |
|---------------------|-------------------|-----------------|----------------|---------------|---------------|
| Jan-20              | Trash             | 178.78          | 38.00          | 140.78        | 21.26%        |
|                     | Greenwaste        | 102.61          | 102.61         | -             | 100.00%       |
|                     | Recycle           | 0.03            | 0.01           | 0.02          | 20.00%        |
| <b>Jan-20 Total</b> |                   | <b>281.42</b>   | <b>140.62</b>  | <b>140.80</b> | <b>49.97%</b> |
| Feb-20              | Trash             | 159.76          | 32.85          | 126.91        | 20.56%        |
|                     | Greenwaste        | 95.32           | 95.32          | -             | 100.00%       |
|                     | Recycle           | 2.18            | 0.44           | 1.74          | 20.00%        |
| <b>Feb-20 Total</b> |                   | <b>257.26</b>   | <b>128.61</b>  | <b>128.65</b> | <b>49.99%</b> |
| Mar-20              | Trash             | 208.78          | 60.00          | 148.78        | 28.74%        |
|                     | Greenwaste        | 92.55           | 92.55          | -             | 100.00%       |
|                     | Recycle           | 0.01            | 0.00           | 0.01          | 21.00%        |
| <b>Mar-20 Total</b> |                   | <b>301.34</b>   | <b>152.55</b>  | <b>148.79</b> | <b>50.62%</b> |
| Apr-20              | Trash             | 203.94          | 61.02          | 142.92        | 29.92%        |
|                     | Greenwaste        | 146.90          | 146.90         | -             | 100.00%       |
| <b>Apr-20 Total</b> |                   | <b>350.84</b>   | <b>207.92</b>  | <b>142.92</b> | <b>59.26%</b> |
| May-20              | Trash             | 286.46          | 28.62          | 257.84        | 9.99%         |
|                     | Greenwaste        | 129.11          | 129.11         | -             | 100.00%       |
| <b>May-20 Total</b> |                   | <b>415.57</b>   | <b>157.73</b>  | <b>257.84</b> | <b>37.96%</b> |
| <b>Grand Total</b>  |                   | <b>1,606.43</b> | <b>787.43</b>  | <b>819.00</b> | <b>49.02%</b> |

Contract Requires 50% Household - 787.43



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

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**Agenda Item No.: 4.D**

**Mtg. Date: 06/22/2020**

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

**FROM:** TERRY SHEA, FINANCE DIRECTOR

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

**SUBJECT:** FINANCIAL REPORTS AS OF MAY 31 ,2020.

**DATE:** June 22, 2020

---

**BACKGROUND:**

None.

**DISCUSSION:**

Budget to actual Financial Statements as of May 31, 2020.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Receive and File.

**ATTACHMENTS:**

[Budget Comparative 05-31-20.pdf](#)

**CITY OF ROLLING HILLS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**GENERAL FUND**  
**FOR THE ELEVEN MONTHS ENDED MAY 31 ,2020**

|                                              | <b>Cumulative<br/>Year-to-Date<br/>Actual</b> | <b>Approved<br/>Total<br/>Adjusted<br/>Budget</b> | <b>% Total<br/>of Budget<br/>Used</b> |
|----------------------------------------------|-----------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>REVENUES</b>                              |                                               |                                                   |                                       |
| Taxes                                        | \$ 1,340,555                                  | \$ 1,417,800                                      | 94.55%                                |
| License and Permits                          | 154,923                                       | 624,300                                           | 24.82%                                |
| Fines                                        | 11,678                                        | 14,300                                            | 81.67%                                |
| Franchise Fees                               | 12,599                                        | 19,000                                            | 66.31%                                |
| Investment Earnigs                           | 96,202                                        | 100,000                                           | 96.20%                                |
| Other Income                                 | 79,018                                        | 102,900                                           | 76.79%                                |
| Total Revenues                               | <u>1,694,976</u>                              | <u>2,278,300</u>                                  | <u>74.40%</u>                         |
| <b>EXPENDITURES</b>                          |                                               |                                                   |                                       |
| <b>DEPARTMENTS</b>                           |                                               |                                                   |                                       |
| <b>Administration</b>                        |                                               |                                                   |                                       |
| Salaries and Benefits                        | 438,783                                       | 596,400                                           | 73.57%                                |
| Materials and Supplies                       | 91,479                                        | 141,000                                           | 64.88%                                |
| Contractual Services                         | 126,979                                       | 176,600                                           | 71.90%                                |
| <b>Finance</b>                               |                                               |                                                   |                                       |
| Contractual Services                         | 96,576                                        | 119,450                                           | 80.85%                                |
| <b>Planning &amp; Development</b>            |                                               |                                                   |                                       |
| Salaries and Benefits                        | 261,632                                       | 288,200                                           | 90.78%                                |
| Materials and Supplies                       | 2,464                                         | 12,600                                            | 19.55%                                |
| Contractual Services                         | 257,098                                       | 418,000                                           | 61.51%                                |
| <b>Public Safety</b>                         |                                               |                                                   |                                       |
| Contractual Services                         | 178,865                                       | 297,200                                           | 60.18%                                |
| <b>Non-Departmental</b>                      |                                               |                                                   |                                       |
| Materials and Supplies                       | -                                             | 25,000                                            | 0.00%                                 |
| Contractual Services                         | 17,740                                        | 34,900                                            | 50.83%                                |
| Community Promotion                          | 19,326                                        | 44,750                                            | 43.19%                                |
| <b>City Properties</b>                       |                                               |                                                   |                                       |
| Contractual Services                         | 55,941                                        | 79,500                                            | 70.37%                                |
| Total Expenditures                           | <u>1,546,883</u>                              | <u>2,233,600</u>                                  | <u>69.26%</u>                         |
| Revenues Over (Under) Expenditures           | <u>148,093</u>                                | <u>44,700</u>                                     | <u>331.30%</u>                        |
| <b>Transfers</b>                             |                                               |                                                   |                                       |
| Transfers In                                 | 22,000                                        | 24,000                                            | 91.67%                                |
| Transfers Out                                | (107,704)                                     | (398,000)                                         | 27.06%                                |
| Total Transfers                              | <u>(85,704)</u>                               | <u>(374,000)</u>                                  | <u>22.92%</u>                         |
| Excess (Deficit)                             | 62,389                                        | (329,300)                                         | <u>-18.95%</u>                        |
| Fund Balance - Beginning of Year (Audited)   | <u>5,795,780</u>                              | <u>5,795,780</u>                                  |                                       |
| Fund Balance - May 31, 2020 (Before Closing) | <u>\$ 5,858,169</u>                           | <u>\$ 5,466,480</u>                               |                                       |

**CITY OF ROLLING HILLS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**COPS FUND**  
**FOR THE ELEVEN MONTHS ENDED MAY 31 ,2020**

|                                              | <u>Cumulative<br/>Year-to-Date<br/>Actual</u> | <u>Approved<br/>Total<br/>Adjusted<br/>Budget</u> | <u>% Total<br/>of Budget<br/>Used</u> |
|----------------------------------------------|-----------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>REVENUES</b>                              |                                               |                                                   |                                       |
| COPS Allocation                              | \$ 155,948                                    | \$ 140,000                                        | 111.39%                               |
| Investment Earnigs                           | -                                             | 50                                                | 0.00%                                 |
| Total Revenues                               | <u>155,948</u>                                | <u>140,050</u>                                    | <u>111.35%</u>                        |
| <b>EXPENDITURES</b>                          |                                               |                                                   |                                       |
| Contractual Services                         | <u>148,069</u>                                | <u>160,000</u>                                    | <u>92.54%</u>                         |
| Total Expenditures                           | <u>148,069</u>                                | <u>160,000</u>                                    | <u>92.54%</u>                         |
| Revenues Over (Under) Expenditures           | 7,879                                         | (19,950)                                          | <u>-39.49%</u>                        |
| Fund Balance - Beginning of Year (Audited)   | <u>56,098</u>                                 | <u>56,098</u>                                     |                                       |
| Fund Balance - May 31, 2020 (Before Closing) | <u>\$ 63,977</u>                              | <u>\$ 36,148</u>                                  |                                       |

**CITY OF ROLLING HILLS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**TRAFFIC SAFETY FUND**  
**FOR THE ELEVEN MONTHS ENDED MAY 31 ,2020**

|                                              | <u>Cumulative<br/>Year-to-Date<br/>Actual</u> | <u>Approved<br/>Total<br/>Adjusted<br/>Budget</u> | <u>% Total<br/>of Budget<br/>Used</u> |
|----------------------------------------------|-----------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>REVENUES</b>                              |                                               |                                                   |                                       |
| Fines & Forfeitures                          | \$ -                                          | \$ 50                                             | 0.00%                                 |
| Total Revenues                               | <u>-</u>                                      | <u>50</u>                                         | <u>0.00%</u>                          |
| <b>EXPENDITURES</b>                          |                                               |                                                   |                                       |
| Contractual Services                         | <u>88,946</u>                                 | <u>54,550</u>                                     | <u>163.05%</u>                        |
| Total Expenditures                           | <u>88,946</u>                                 | <u>54,550</u>                                     | <u>163.05%</u>                        |
| Revenues Over (Under) Expenditures           | (88,946)                                      | (54,500)                                          | <u>163.20%</u>                        |
| <b>Transfers</b>                             |                                               |                                                   |                                       |
| Transfers in                                 | <u>88,946</u>                                 | <u>54,500</u>                                     | <u>163.20%</u>                        |
| Excess (Deficit)                             | -                                             | -                                                 |                                       |
| Fund Balance - Beginning of Year (Audited)   | <u>-</u>                                      | <u>-</u>                                          |                                       |
| Fund Balance - May 31, 2020 (Before Closing) | <u>\$ -</u>                                   | <u>\$ -</u>                                       |                                       |

**CITY OF ROLLING HILLS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**PROP A TRANSPORTATION FUND**  
**FOR THE ELEVEN MONTHS ENDED MAY 31 ,2020**

|                                              | <b>Cumulative<br/>Year-to-Date<br/>Actual</b> | <b>Approved<br/>Total<br/>Adjusted<br/>Budget</b> | <b>% Total<br/>of Budget<br/>Used</b> |
|----------------------------------------------|-----------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>REVENUES</b>                              |                                               |                                                   |                                       |
| Prop A Revenues                              | \$ 34,961                                     | \$ 39,300                                         | 88.96%                                |
| Investment Earnigs                           | -                                             | 150                                               | 0.00%                                 |
| Total Revenues                               | <u>34,961</u>                                 | <u>39,450</u>                                     | <u>88.62%</u>                         |
| <b>EXPENDITURES</b>                          |                                               |                                                   |                                       |
| Materials and Supplies                       | -                                             | -                                                 | #DIV/0!                               |
| Contractual Services                         | -                                             | -                                                 | #DIV/0!                               |
| Total Expenditures                           | <u>-</u>                                      | <u>-</u>                                          | <u>#DIV/0!</u>                        |
| Revenues Over (Under) Expenditures           | 34,961                                        | 39,450                                            | <u>88.62%</u>                         |
| Fund Balance - Beginning of Year (Audited)   | <u>17,366</u>                                 | <u>17,366</u>                                     |                                       |
| Fund Balance - May 31, 2020 (Before Closing) | <u>\$ 52,327</u>                              | <u>\$ 56,816</u>                                  |                                       |

**CITY OF ROLLING HILLS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**PROP C TRANSPORTATION FUND**  
**FOR THE ELEVEN MONTHS ENDED MAY 31 ,2020**

|                                              | <b>Cumulative<br/>Year-to-Date<br/>Actual</b> | <b>Approved<br/>Total<br/>Adjusted<br/>Budget</b> | <b>% Total<br/>of Budget<br/>Used</b> |
|----------------------------------------------|-----------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>REVENUES</b>                              |                                               |                                                   |                                       |
| Prop C Revenues                              | \$ 29,000                                     | \$ 32,600                                         | 88.96%                                |
| Investment Earnigs                           | -                                             | 150                                               | 0.00%                                 |
| Total Revenues                               | <u>29,000</u>                                 | <u>32,750</u>                                     | <u>88.55%</u>                         |
| <b>EXPENDITURES</b>                          |                                               |                                                   |                                       |
| Materials and Supplies                       | -                                             | -                                                 | #DIV/0!                               |
| Contractual Services                         | -                                             | -                                                 | #DIV/0!                               |
| Total Expenditures                           | <u>-</u>                                      | <u>-</u>                                          | <u>#DIV/0!</u>                        |
| Revenues Over (Under) Expenditures           | 29,000                                        | 32,750                                            | <u>88.55%</u>                         |
| Fund Balance - Beginning of Year (Audited)   | <u>9,045</u>                                  | <u>9,045</u>                                      |                                       |
| Fund Balance - May 31, 2020 (Before Closing) | <u>\$ 38,045</u>                              | <u>\$ 41,795</u>                                  |                                       |

**CITY OF ROLLING HILLS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**TRANSIT MEASURE R**  
**FOR THE ELEVEN MONTHS ENDED MAY 31 ,2020**

|                                              | <b>Cumulative<br/>Year-to-Date<br/>Actual</b> | <b>Approved<br/>Total<br/>Adjusted<br/>Budget</b> | <b>% Total<br/>of Budget<br/>Used</b> |
|----------------------------------------------|-----------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>REVENUES</b>                              |                                               |                                                   |                                       |
| Measure R Revenues                           | \$ 21,726                                     | \$ 24,450                                         | 88.86%                                |
| Investment Earnigs                           | -                                             | 150                                               | 0.00%                                 |
| Total Revenues                               | <u>21,726</u>                                 | <u>24,600</u>                                     | <u>88.32%</u>                         |
| <b>EXPENDITURES</b>                          |                                               |                                                   |                                       |
| Materials and Supplies                       | -                                             | -                                                 | #DIV/0!                               |
| Contractual Services                         | -                                             | -                                                 | #DIV/0!                               |
| Total Expenditures                           | <u>-</u>                                      | <u>-</u>                                          | <u>#DIV/0!</u>                        |
| Revenues Over (Under) Expenditures           | 21,726                                        | 24,600                                            | <u>88.32%</u>                         |
| Fund Balance - Beginning of Year (Audited)   | <u>57,294</u>                                 | <u>57,294</u>                                     |                                       |
| Fund Balance - May 31, 2020 (Before Closing) | <u>\$ 79,020</u>                              | <u>\$ 81,894</u>                                  |                                       |

**CITY OF ROLLING HILLS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**TRANSIT MEASURE M**  
**FOR THE ELEVEN MONTHS ENDED MAY 31 ,2020**

|                                              | <b>Cumulative<br/>Year-to-Date<br/>Actual</b> | <b>Approved<br/>Total<br/>Adjusted<br/>Budget</b> | <b>% Total<br/>of Budget<br/>Used</b> |
|----------------------------------------------|-----------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>REVENUES</b>                              |                                               |                                                   |                                       |
| Measure M Revenues                           | \$ 24,416                                     | \$ 27,700                                         | 88.14%                                |
| Investment Earnigs                           | -                                             | 150                                               | 0.00%                                 |
| Total Revenues                               | <u>24,416</u>                                 | <u>27,850</u>                                     | <u>87.67%</u>                         |
| <b>EXPENDITURES</b>                          |                                               |                                                   |                                       |
| Materials and Supplies                       | -                                             | -                                                 | #DIV/0!                               |
| Contractual Services                         | -                                             | -                                                 | #DIV/0!                               |
| Total Expenditures                           | <u>-</u>                                      | <u>-</u>                                          | <u>#DIV/0!</u>                        |
| Revenues Over (Under) Expenditures           | 24,416                                        | 27,850                                            | <u>87.67%</u>                         |
| Fund Balance - Beginning of Year (Audited)   | <u>48,387</u>                                 | <u>48,387</u>                                     |                                       |
| Fund Balance - May 31, 2020 (Before Closing) | <u>\$ 72,803</u>                              | <u>\$ 76,237</u>                                  |                                       |

**CITY OF ROLLING HILLS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**CAPITAL PROJECTS FUND**  
**FOR THE ELEVEN MONTHS ENDED MAY 31 ,2020**

|                                              | <b>Cumulative<br/>Year-to-Date<br/>Actual</b> | <b>Approved<br/>Total<br/>Adjusted<br/>Budget</b> | <b>% Total<br/>of Budget<br/>Used</b> |
|----------------------------------------------|-----------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>REVENUES</b>                              |                                               |                                                   |                                       |
| Other Revenues                               | \$ -                                          | \$ 10,000                                         | 0.00%                                 |
| Total Revenues                               | -                                             | 10,000                                            | 0.00%                                 |
| <b>EXPENDITURES</b>                          |                                               |                                                   |                                       |
| Non-Building Improvements                    | 7,960                                         | 320,000                                           | 2.49%                                 |
| City Hall Improvements                       | 10,798                                        | 30,000                                            | 35.99%                                |
| Total Expenditures                           | 18,758                                        | 350,000                                           | 5.36%                                 |
| Revenues Over (Under) Expenditures           | (18,758)                                      | (340,000)                                         | 5.52%                                 |
| <b>Transfers</b>                             |                                               |                                                   |                                       |
| Transfers in                                 | 18,758                                        | 340,000                                           | 5.52%                                 |
| Excess (Deficit)                             | -                                             | -                                                 |                                       |
| Fund Balance - Beginning of Year (Audited)   | -                                             | -                                                 |                                       |
| Fund Balance - May 31, 2020 (Before Closing) | \$ -                                          | \$ -                                              |                                       |

**CITY OF ROLLING HILLS**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**REFUSE COLLECTION FUND**  
**FOR THE ELEVEN MONTHS ENDED MAY 31 ,2020**

|                                              | <b>Cumulative<br/>Year-to-Date<br/>Actual</b> | <b>Approved<br/>Total<br/>Adjusted<br/>Budget</b> | <b>% Total<br/>of Budget<br/>Used</b> |
|----------------------------------------------|-----------------------------------------------|---------------------------------------------------|---------------------------------------|
| <b>OPERATING REVENUES</b>                    |                                               |                                                   |                                       |
| Service Charges                              | \$ 698,775                                    | \$ 768,900                                        | 90.88%                                |
| Miscellaneous Revenue                        | -                                             | 65,000                                            | 0.00%                                 |
| Construction & Demo Permits                  | 24,985                                        | 7,000                                             | 356.93%                               |
| Total Revenues                               | <u>723,760</u>                                | <u>840,900</u>                                    | <u>86.07%</u>                         |
| <b>OPERATING EXPENSES</b>                    |                                               |                                                   |                                       |
| Refuse Service Contract                      | 756,327                                       | 825,089                                           | 91.67%                                |
| Miscellaneous Expense                        | 28,640                                        | 65,000                                            | 44.06%                                |
| Total Expenditures                           | <u>784,967</u>                                | <u>890,089</u>                                    | <u>88.19%</u>                         |
| Operating Loss Before Transfers              | (61,207)                                      | (49,189)                                          | 124.43%                               |
| Transfers Out                                | <u>(22,000)</u>                               | <u>(24,000)</u>                                   | 91.67%                                |
| Change in Net Position                       | (83,207)                                      | (73,189)                                          | <u>113.69%</u>                        |
| Net Position - Beginning of Year (Audited)   | <u>177,521</u>                                | <u>177,521</u>                                    |                                       |
| Net Position - May 31, 2020 (Before Closing) | <u>\$ 116,314</u>                             | <u>\$ 128,332</u>                                 |                                       |



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

**Agenda Item No.: 8.A**  
**Mtg. Date: 06/22/2020**

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

**FROM: YOHANA CORONEL, CITY CLERK**

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

**SUBJECT: CONSIDERATION OF RESOLUTIONS PERTAINING TO A GENERAL MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020.**

**DATE: June 22, 2020**

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### **BACKGROUND:**

The California Voter Participation Rights Act prohibits a political subdivision, such as the City of Rolling Hills, from holding an election other than on a statewide election date if holding an election on a nonconcurrent date has previously resulted in a significant decrease in voter turnout, being at least 25% less than its average voter turnout in the previous 4 statewide general elections.

The City of Rolling Hills did not meet the qualifying criteria to continue to conduct stand-alone elections on a nonconcurrent date and therefore moved its elections to coincide with the date of the statewide election. On October 24, 2016 the City Council of the City of Rolling Hills adopted Ordinance No. 347 moving the date of the City's General Municipal Election from the first Tuesday after the first Monday in March of odd-numbered years to the first Tuesday after the first Monday in November of even-numbered years beginning in November 2020.

The City's next General Municipal Election will be held on Tuesday, November 3, 2020 for the purpose of electing two members of the City Council to four-year terms. The seats are currently held by Mayor Jeff Pieper and Mayor Pro Tem Beatriz Dieringer.

### **DISCUSSION:**

Enclosed with this staff report are two Resolutions that are routine in nature relating to the General Municipal Election to be held on Tuesday, November 3, 2020. The first resolution is required to call and give notice of an election for November 3, 2020, and to request that the Los Angeles County Board of Supervisors direct the Registrar-Recorder/County Clerk to provide full services. The second resolution establishes the regulations for candidates for elective office. The Resolutions are as follows:

- A Resolution of the City Council of the City of Rolling Hills requesting the Board of Supervisors of the County of Los Angeles to order the consolidation of a General Municipal Election to be held on November 3, 2020 with the Statewide General Election to be held in the County of Los Angeles the same day; to authorize the Board of Supervisors of the County of Los Angeles to canvass the returns of said General Municipal Election; and to request that the Registrar-Recorder/County Clerk of said County be permitted to render full services to the City of Rolling Hills relating to the conduct of said General Municipal Election pursuant to California Elections Code Section 10403; and
- A Resolution of the City Council of the City of Rolling Hills, California, adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, November 3, 2020.

The City Clerk's Office would still handle all candidate filings and publishing of notices as usual, but all other elements of the election would be administered by the Los Angeles County Registrar-Recorder/County Clerk's office.

Due to COVID-19, the Los Angeles County Board of Supervisors voted to provide a Vote-by-Mail ballot to all registered voters in Los Angeles County for the November General Election. Voting by mail provides voters an alternative to voting in person and alleviates concerns surrounding social distancing at Vote Centers during a pandemic.

#### **FISCAL IMPACT:**

It was previously estimated that the cost to conduct a standalone election administered by the County would amount to \$23,000. The \$23,000 is included in the General Fund Account for FY 2020/21. To date, the County has not provided an updated estimated cost for the November 3, 2020 General Election.

#### **RECOMMENDATION:**

It is recommended that members of the City Council adopt Resolution Nos. 1255 and 1256 pertaining to the General Municipal Election to be held on November 3, 2020 as presented.

#### **ATTACHMENTS:**

[Ordinance No. 347-CouncilElectionDateNov2020.pdf](#)

[1. Resolution No. 1255\\_\\_ Calling Election and County Services-c1.DOC](#)

[2. Resolution No. 1256\\_\\_ Establishing Regulations for Candidate Statements-c1.DOCX](#)

ORDINANCE NO. 347

AN ORDINANCE OF THE CITY OF ROLLING HILLS MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF ODD-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EVEN-NUMBERED YEARS BEGINNING IN NOVEMBER 2020.

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

SECTION 1.

A. The City's General Municipal Elections are currently held on the 1<sup>st</sup> Tuesday after the 1<sup>st</sup> Monday in March of each odd-numbered year.

B. Senate Bill 415 was signed by the Governor in September 2015 and commencing January 1, 2018, prohibits a political subdivision, as defined, from holding an election other than on a statewide election date, if holding an election on a non-concurrent date has previously resulted in voter turnout for a regularly scheduled election in that political subdivision, being at least 25% less than the average voter turnout within the political subdivision for the previous 4 statewide general elections.

C. The City of Rolling Hills did not meet the qualifying criteria to continue to conduct stand-alone elections and must move its elections to the date of the statewide general election.

SECTION 2. The City wishes to change its election date and consolidate its elections with the state-wide general election conducted by the County of Los Angeles on the Tuesday after the first Monday in November of even-numbered years, beginning November 2020.

SECTION 3. Pursuant to §1301 of the Elections Code of the State of California, the City will continue to hold their elections on the first Tuesday after the first Monday in March of each odd-numbered year until such time as the County approves the consolidation of future general municipal elections.

SECTION 4. If the County approves the City's request, pursuant to Section 10403(b) of the Elections Code, no elected city office term affected by a subsequent adjustment to City election dates by ordinance shall be increased or decreased by more than (12) months.

SECTION 5. Pursuant to Elections Code Section 1301, the City requests the County of Los Angeles approve consolidation of the City's general municipal election with the statewide municipal election.

SECTION 6. Pursuant to Elections Code Sections 1301 and 10403.5, this ordinance shall not become operative until approved by the Los Angeles, County Board of Supervisors.

SECTION 7. Pursuant to Elections Code Section 10403.5(e), within 30 days after the ordinance becomes operative, the City's election official shall cause a notice to be mailed to City of Rolling Hills registered voters.

SECTION 8. The City Clerk shall forward a copy of the ordinance to the Los Angeles County Registrar-Recorder and Los Angeles County Board of Supervisors requesting approval by Board Resolution.

SECTION 9. The City Clerk shall certify the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED this 24th day of October 2016.

  
BEA DIERINGER, MAYOR

ATTEST:

  
HEIDI LUCE, CITY CLERK

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

I certify that the foregoing Ordinance No. 347 entitled:

AN ORDINANCE OF THE CITY OF ROLLING HILLS MOVING THE  
DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM  
THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF  
ODD-NUMBERD YEARS TO THE FIRST TUESDAY AFTER THE  
FIRST MONDAY IN NOVEMBER OF EVEN-NUMBERED YEARS  
BEGINNING IN NOVEMBER 2020.

was approved and adopted at a regular meeting of the City Council on October 24, 2016 by the  
following roll call vote:

AYES: Councilmembers Black, Mirsch, Pieper, Wilson and Dieringer.

NOES: None.

ABSENT: None.

ABSTAIN: None.

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

Administrative Offices.

  
HEIDI LUCE  
CITY CLERK

RESOLUTION NO. 1255

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO ORDER THE CONSOLIDATION OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD IN THE COUNTY OF LOS ANGELES THE SAME DAY; TO AUTHORIZE THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CANVASS THE RETURNS OF SAID GENERAL MUNICIPAL ELECTION; AND TO REQUEST THAT THE REGISTRAR-RECORDER/COUNTY CLERK OF SAID COUNTY BE PERMITTED TO RENDER FULL SERVICES TO THE CITY OF ROLLING HILLS RELATING TO THE CONDUCT OF SAID GENERAL MUNICIPAL ELECTION PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10403

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. RECITALS.

A. A General Municipal Election has been called by the City of Rolling Hills to be held in the City of Rolling Hills on November 3, 2020.

B. A Statewide General Election to be held in the County of Los Angeles has been or will be called to be held on November 3, 2020.

C. It is desired, pursuant to the authority found in California Elections Code section 10403, to consolidate said General Municipal Election with said Statewide General Election to be held in the County of Los Angeles.

Section 2. The Board of Supervisors of the County of Los Angeles is hereby respectfully requested to order the consolidation of said General Municipal Election to be held on November 3, 2020, with the Statewide General Election to be held in the County of Los Angeles on November 3, 2020.

Section 3. The Board of Supervisors of the County of Los Angeles is hereby further respectfully requested to place upon the same ballot as that provided for said Statewide General Election to be held in the County of Los Angeles on November 3, 2020, the names of the candidates for the offices of two (2) Councilmembers for the full term of four years, to be submitted to the electors of the City of Rolling Hills at said General Municipal Election.

Section 4. The City of Rolling Hills acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418 of the California Elections Code.

Section 5. The Board of Supervisors of the County of Los Angeles is hereby authorized and respectfully requested to canvass the returns of said General Municipal Election.

Section 6. The Board of Supervisors of the County of Los Angeles is hereby authorized and respectfully requested to authorize and permit the Registrar-Recorder/County Clerk of the County of Los Angeles to:

- a) Print and supply ballots for said City of Rolling Hills General Municipal Election;
- b) Mail the City's sample ballots and candidate statements of qualifications to the electors of the City of Rolling Hills as part of the same material that will be mailed to the voters of the Statewide General Election to be held in the County of Los Angeles;
- c) Perform such other services as may be required for the consolidation and conduct of said City of Rolling Hills General Municipal Election with said Statewide General Election to be held in the County of Los Angeles.

Section 7. The vote centers for the election shall be open as required during the identified voting period pursuant to California Elections Code sections 4007 and 14401.

Section 8. The City shall reimburse the County of Los Angeles in full for the services performed on behalf of the City upon the presentation of a bill by the County.

Section 9. The City Clerk is hereby directed to deliver a certified copy of this resolution to the Board of Supervisors of the County of Los Angeles and to transmit an electronic copy to the Board of Supervisors and the Registrar-Recorder/County Clerk of the County of Los Angeles.

PASSED, APPROVED AND ADOPTED this 22nd day of June, 2020.

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JEFF PIEPER  
MAYOR

ATTEST:

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YOHANA CORONEL  
CITY CLERK

The foregoing Resolution No. 1255 entitled:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO ORDER THE CONSOLIDATION OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD IN THE COUNTY OF LOS ANGELES THE SAME DAY; TO AUTHORIZE THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CANVASS THE RETURNS OF SAID GENERAL MUNICIPAL ELECTION; AND TO REQUEST THAT THE REGISTRAR-RECORDER/COUNTY CLERK OF SAID COUNTY BE PERMITTED TO RENDER FULL SERVICES TO THE CITY OF ROLLING HILLS RELATING TO THE CONDUCT OF SAID GENERAL MUNICIPAL ELECTION PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10403**

was approved and adopted at a regular meeting of the City Council on the 22nd day of June, 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

YOHANA CORONEL  
CITY CLERK

## RESOLUTION NO. 1256

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. RECITALS. Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

Section 2. GENERAL PROVISIONS. Pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Rolling Hills on November 3, 2020, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 400 words of the candidate's education and qualifications expressed by the candidate. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

### Section 3. FOREIGN LANGUAGE POLICY

A. Pursuant to the Federal Voting Rights Act, candidate statements will be translated into all languages required by the County of Los Angeles Registrar-Recorder/County Clerk. The County is required to translate candidate's statements into the following languages: Armenian, Chinese Farsi, Hindi, Japanese, Khmer, Korean, Russian, Spanish, Tagalog/Filipino, Vietnamese, and other required languages as identified.

B. The County will mail sample ballots and candidate statements in a particular language to only those voters who are on the county voter file as having requested a sample ballot in a particular language. The County will make the sample ballot and candidate statements in the required languages available at all vote centers, on the County's website, and in the Election Official's office.

### Section 4. PAYMENT

#### A. Translations

1. The candidate shall not be required to pay for the cost of translating the candidate statement into any required foreign language as specified in (A) of Section 2 above pursuant to Federal and/or State law.
2. The candidate shall be required to pay for the cost of translating the candidate statement into any foreign language that is not required as specified in (A) and/or (B) of Section 2 above, pursuant to Federal and/or State law, but is requested as an option by the candidate.

#### B. Printing

1. The candidate shall be required to pay for the cost of printing the candidate statement in English in the main voter pamphlet.
2. The candidate shall be required to pay for the cost of printing the candidate statement in a foreign language requested by the candidate per (B) of Section 2 above, in the main voter pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements.

Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the City Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

Section 5. MISCELLANEOUS.

A. All translations shall be provided by professionally-certified translators.

B. The City Clerk shall not allow bold type, underlining, capitalization, indentations, bullets, leading hyphens to the same extent and manner as in previous City elections.

C. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

Section 6. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

Section 7. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

Section 8. That all previous Resolutions establishing City Council policy on payment for candidate's statements are repealed.

Section 9. That this Resolution shall apply only to the election to be held on November 3, 2020 and shall then be repealed.

Section 10. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 22nd day of June, 2020.

\_\_\_\_\_  
JEFF PIEPER  
MAYOR

ATTEST:

\_\_\_\_\_  
YOHANA CORONEL  
CITY CLERK

The foregoing Resolution No. 1256 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020.

was approved and adopted at a regular meeting of the City Council on the 22nd day of June, 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

YOHANA CORONEL  
CITY CLERK



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

**Agenda Item No.: 8.B**  
**Mtg. Date: 06/22/2020**

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

**FROM: MEREDITH ELGUIRA, PLANNING DIRECTOR**

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

**SUBJECT: CONSIDERATION AND APPROVAL OF RESOLUTION NO. 1257  
AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL  
GOVERNMENT PLANNING SUPPORT PROGRAM FUNDS.**

**DATE: June 22, 2020**

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### **BACKGROUND:**

In an effort to increase the availability of affordable homes statewide and ending homelessness, Governor Gavin Newsom allocated \$250 million for all regions, cities, and counties to do their part of prioritizing planning services that accelerate housing production to meet the needs of every community. With this allocation, the Housing and Community Development Department (HCD) established the Local Early Action Planning Grant Program (LEAP) with \$119 million for cities and counties. LEAP provides one-time grant funding to cities and counties to update their planning documents and implement process improvements that will facilitate the acceleration of housing production and help local governments prepare for their 6th cycle RHNA much like the SB2 Planning Grants.

### **DISCUSSION:**

As the City continues its efforts to comply with the 5th Cycle Housing Element and prepares for the 6th Cycle, LEAP allocations could help fund eligible planning activities comprising of: identifying suitable sites to rezone for multi-family use, environmental clearance, rezoning process, establishing design and development standards, and revamping project review process. Grant funds may also cover the costs of temporary staffing or consultant needs associated with eligible activities.

Grants are available to eligible applicants on a non-competitive, Over-the-Counter basis. Applications are due on July 1, 2020 and the attached Resolution is required to be submitted with the application. Maximum awards are based on population estimates. The minimum award amount is \$25,000. The maximum amount for jurisdictions with less than 20,000 population is \$65,000. HCD will inform jurisdictions of award decision 60 days from July 1, 2020.

### **FISCAL IMPACT:**

No fiscal impact. Staff time spent preparing the grant is covered under the Planning and Community

Services FY 19/20 budget. The Local Early Action Planning Grants Program (LEAP) does not require a local match.

**RECOMMENDATION:**

Staff recommends that the City Council approve Resolution No. 1257 authorizing application for, and receipt of LEAP program funds.

**ATTACHMENTS:**

[LEAP\\_Resolution\\_No.\\_1257](#)

[Supplemental Agenda item Relating to Item 8B.docx](#)

[LEAP Resolution No. 1257v1](#)

## **RESOLUTION NO. 1257**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS**

WHEREAS, pursuant to Health and Safety Code 50515 et. Seq, the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or LEAP); and

WHEREAS, the City Council of the City of Rolling Hills desires to submit a LEAP grant application package (“Application”), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment; and

WHEREAS, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions;

Now, therefore, the City Council of the City of Rolling Hills (“Applicant”) resolves as follows:

SECTION 1. The City Manager and/or her designee is hereby authorized and directed to apply for and submit to the Department the Application package;

SECTION 2. In connection with the LEAP grant, if the Application is approved by the Department, the City Manager and/or her designee of the City of Rolling Hills is authorized to submit the Application, enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of \$65,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant’s obligations related thereto, and all amendments thereto; and

SECTION 3. The Applicant shall be subject to the terms and conditions as specified in the NOFA, and the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

PASSED, APPROVED AND ADOPTED on June 22, 2020, by the City Council of the City of Rolling Hills by the following vote count:

AYES:

NOES:

ABSENT:

ABSTAIN:

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JEFF PIEPER  
MAYOR

ATTEST:

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YOHANA CORONEL  
CITY CLERK

**Supplemental  
Agenda Packet  
Relating to Item 8B  
Posted June 22, 2020**

## **RESOLUTION NO. 1257**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS**

WHEREAS, pursuant to Health and Safety Code 50515 et. seq, the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or LEAP); and

WHEREAS, the Department issued a NOFA and the LEAP grant application package on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions; and

WHEREAS, the City Council of the City of Rolling Hills desires to submit a LEAP grant application package ("Application"), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment.

Now, therefore, the City Council of the City of Rolling Hills ("Applicant") resolves as follows:

SECTION 1. The City Manager and/or her designee is hereby authorized and directed to apply for and submit to the Department the Application;

SECTION 2. In connection with the LEAP grant, if the Application is approved by the Department, the City Manager and/or her designee of the City of Rolling Hills is authorized to enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of up to \$65,000 and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant's obligations related thereto, and all amendments thereto; and

SECTION 3. The Applicant shall be subject to the terms and conditions as specified in the NOFA and the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and

allowable expenditures in the manner presented and specifically identified in the approved Application.

PASSED, APPROVED AND ADOPTED on June 22, 2020, by the City Council of the City of Rolling Hills by the following vote count:

AYES:

NOES:

ABSENT:

ABSTAIN:

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JEFF PIEPER  
MAYOR

ATTEST:

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YOHANA CORONEL  
CITY CLERK