



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, November 09, 2020

CITY OF ROLLING HILLS
7:00 PM

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: The meeting agenda is available on the City's website. A live audio of the City Council meeting will be available on the City's website. Both the agenda and the live audio can be found here: <https://www.rolling-hills.org/government/agenda/index.php>

Members of the public may observe and orally participate in the meeting via Zoom and or submit written comments in real-time by emailing the City Clerk's office at cityclerk@cityofrh.net. Your comments will become part of the official meeting record. You must provide your full name, but please do not provide any other personal information that you do not want to be published.

Zoom access: <https://us02web.zoom.us/j/87227175757?pwd=VzNES3Q2NFprRk5BRmdUSktWb0hmUT09> Or dial (669) 900-9128, meeting ID: 872 2717 5757, passcode: 780609

Audio recordings to all the City Council meetings can be found here: <https://cms5.revize.com/revize/rollinghillsca/government/agenda/index.php>

While on this page, locate the meeting date of interest then click on AUDIO. Another window will appear. In the new window, you can select the agenda item of interest and listen to the audio by hitting the play button. Written Action Minutes to the City Council meetings can be found in the AGENDA, typically under Item 4A Minutes. Please contact the City Clerk at 310 377-1521 or email at cityclerk@cityofrh.net for assistance.

Resolution No. 1266

Next Ordinance No. 367

1. **CALL TO ORDER**

2. **ROLL CALL**

PLEDGE OF ALLEGIANCE

3. **RECOGNITION OF EXCEPTIONAL SERVICE TO THE COMMUNITY OF ROLLING HILLS BY REPUBLIC SERVICES FIELD STAFF, AMMANUEL MEZGEBE.**

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

This is the appropriate time for members of the public to make comments regarding the items on

*the consent calendar or items **not** listed on this agenda. Pursuant to the Brown Act, no action will take place on any items not on the agenda.*

5. CONSENT CALENDAR

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

5.A. [MINUTES: REGULAR MEETING OF OCTOBER 26, 2020.](#)

RECOMMENDATION: Approve as presented.

[2020-10-26_CCMinutes_v2.docx](#)

5.B. [PAYMENT OF BILLS.](#)

RECOMMENDATION: APPROVE AS PRESENTED.

[Payment of Bill 2020_10_28.pdf](#)

[Payment of Bill 2020_11-05.pdf](#)

6. COMMISSION ITEMS

NONE.

7. PUBLIC HEARINGS

7.A. [RECOMMENDATION THAT THE CITY COUNCIL ADOPT AN ORDINANCE NO. 366 AMENDING TITLE 17 \(ZONING\) OF THE ROLLING HILLS MUNICIPAL CODE TO ADD CHAPTER 17.60 \(HOUSING ACCESSIBILITY FOR THE DISABLED “REASONABLE ACCOMMODATION PERMIT\) ESTABLISHING A PROCESS BY WHICH PERSONS WITH DISABILITIES CAN REQUEST REASONABLE ACCOMMODATIONS FOR AN EQUAL OPPORTUNITY TO USE OR ENJOY A DWELLING AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.](#)

RECOMMENDATION: Waive full reading of the ordinance and introduce on first reading the ordinance of the City Council of the City of Rolling amending Title 17 (Zoning) of the Rolling Hills Municipal Code to add Chapter 17.60 (Housing Accessibility for the Disabled - Reasonable Accommodation Permit).

[366 - Reasonable Accommodation.DOCX](#)

8. OLD BUSINESS

NONE.

9. NEW BUSINESS

9.A. [RECEIVE AND FILE AN UPDATE FROM THE ROLLING HILLS COMMUNITY ASSOCIATION \(RHCA\) ON MODIFICATIONS TO THE CREST ROAD EAST GATE AS RECOMMENDED BY THE LOS ANGELES COUNTY FIRE DEPARTMENT.Â \(ORAL\)](#)

RECOMMENDATION: Receive and file an oral report from Rolling Hills Community Association.

10. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

NONE.

11. MATTERS FROM STAFF

NONE.

12. CLOSED SESSION

12.A. ANTICIPATED LITIGATION. A CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION GOVERNMENT CODE SECTION 54956.9(d)(1) THE CITY FINDS, BASED ON ADVICE FROM LEGAL COUNSEL, THAT DISCUSSION IN OPEN SESSION WILL PREJUDICE THE POSITION OF THE CITY IN LITIGATION. A NAME OF CASE: DR. ELLIOT BRUNNER & DR. NOURIT KORZENNIK v. CITY OF ROLLING HILLS AND TOSHIKO NAKAMURA & TAKASHI NAKAMURA LOS ANGELES COUNTY SUPERIOR COURT, CASE NUMBER: 20TRCV00775

RECOMMENDATION: NONE.

12.B. ANTICIPATED LITIGATION. A CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION GOVERNMENT CODE SECTION 54956.9(d)(2) and (e) (2), (e)(4), and (e)(5). A THE CITY COUNCIL FINDS, BASED ON ADVICE FROM LEGAL COUNSEL, THAT DISCUSSION IN OPEN SESSION WILL PREJUDICE THE POSITION OF THE CITY IN THE LITIGATION. A LAND USE PROJECT AT 24 CINCHRING ROAD.

RECOMMENDATION: NONE.

13. ADJOURNMENT

Next regular meeting: Monday, November 23, 2020 at 7:00 p.m. via Zoom.

Zoom access: <https://us02web.zoom.us/j/87227175757?pwd=VzNES3Q2NFprRk5BRmdUSktWb0hmUT09>

Or dial (669) 900-9128, meeting ID: 872 27175757, passcode: 780609

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.: 5.A
Mtg. Date: 11/09/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CONNIE VIRAMONTES , ADMINISTRATIVE ASSISTANT

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: MINUTES: REGULAR MEETING OF OCTOBER 26, 2020.

DATE: November 09, 2020

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

[2020-10-26_CCMminutes_v2.docx](#)

**MINUTES OF A
REGULAR MEETING OF THE
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA
MONDAY, OCTOBER 26, 2020**

1. CALL TO ORDER

The City Council of the City of Rolling Hills met in a regular meeting via Zoom Teleconference on the above date at 7:00 p.m. via teleconference.

Mayor Pieper presiding.

2. ROLL CALL

Present: Council Members Mirsch, Black, Wilson, Dieringer, and Mayor Pieper
Absent: None

Staff Present: Elaine Jeng, City Manager
Meredith T. Elguira, Planning & Community Services Director
Delia Aranda, Code Enforcement Officer
Jane Abzug, Assistant City Attorney

3. OPEN AGENDA - PUBLIC COMMENT WELCOME

Mr. Jeff Lewis, legal counsel representing Mr. and Mrs. Nakamura commented on the status of his client's project located at 24 Cinchring Road.

4. CONSENT CALENDAR

A. MINUTES: REGULAR MEETING OF OCTOBER 12, 2020.
ITEM 4.A. APPROVED BY SEPARATE CONSENT CALENDAR VOTE.

MOTION: It was moved by Mayor Pro Tem Dieringer and seconded by Councilmember Wilson to approve meeting minutes as presented.

AYES: COUNCILMEMBERS: Mirsch, Wilson, Dieringer, and Mayor Pieper
NOES: COUNCILMEMBERS: Black
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

B. PAYMENT OF BILLS.
ITEM 4.B. APPROVED BY CONSENT CALENDAR VOTE.

C. REPUBLIC SERVICES CYCLING TONNAGE REPORT FOR SEPTEMBER 2020.

ITEM 4.C. APPROVED BY CONSENT CALENDAR VOTE.

MOTION: It was moved by Council Member Dieringer and seconded by Council Member Mirsch to approve Consent Calendar items 4.B. and 4.C.

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

5. COMMISSION ITEMS

A. ZONING CASE NO. 20-06: SITE PLAN REVIEW MODIFICATION MODIFYING ZONING CASE NO. 20-05 TO ALLOW THE RELOCATION OF A NEW 1,005 SQUARE FOOT POOL/SPA AND 353 SQUARE FOOT POOL DECK, AND MAINTAIN ORIGINAL POOL EQUIPMENT LOCATION LOCATED AT 60 EASTFIELD DRIVE.

Planning and Community Services Director Meredith Elguira presented the proposed development project to the City Council.

MOTION: It was moved by Council Member Black and seconded by Council Member Dieringer to receive and file report.

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

6. PUBLIC HEARINGS

NONE.

7. OLD BUSINESS

A. CONSIDER AND APPROVE AN AMENDED AGREEMENT WITH JIMENEZ CONSULTING SOLUTIONS TO CONTINUE TO PROVIDE TECHNOLOGY SUPPORT, INCLUDING ENHANCEMENTS TO THE CITY’S WEBSITE.

City Manager Elaine Jeng presented the proposed contract amendments to the City Council.

MOTION: It was moved by Council Member Wilson and seconded by Council Member Mirsch to approve the amended agreement with Jimenez Consulting Solutions.

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

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

B. PALOS VERDES PENINSULA LAND CONSERVANCY 2020 FIRE FUEL ABATEMENT STATUS REPORT. (ORAL)

Cris Sarabia from the Palos Verdes Peninsula Land Conservancy provided a presentation on the completed fire fuel abatement work in the Preserve funded by the City of Rolling Hills.

Resident Alfred Visco commented on the Native Cherry Trees and posed several questions relating to the shaded areas shown on the attachment to the staff report.

8. **NEW BUSINESS**

A. CONSIDER THE PROPOSALS FOR A NEW STANDBY GENERATOR TO REPLACE A NON-WORKING STANDBY GENERATOR FOR CITY HALL, CONSIDER OPTIONS FOR EQUIPMENT REPLACEMENT AND PERMITTING, AND PROVIDE DIRECTION TO STAFF.

City Manager Jeng made a presentation to the City Council and recommended assistance from professional experts to replace the non-working standby generator.

Council Members directed staff to seek assistance from experts and bring back a proposal for consideration.

Mr. Jim Aichele suggested using a battery back-up.

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

Councilmember Mirsch commented on weekly conference calls with the Department of Health, Assembly Member Al Muratsuchi's initiative with Mayor of Redondo Beach regarding local control, and re-opening public schools in the Peninsula.

Council Member Black asked to have the operating hours of voting locations to be listed on the city's website and remove political stickers on traffic signs in the community.

10. **MATTERS FROM STAFF**

A. UPDATE: LA COUNTY FIRE DEPARTMENT EVACUATION ROUTES (PORTUGUESE BEND ROAD, CREST ROAD, EASTFIELD DRIVE) ASSESSMENT REPORT. (ORAL)

City Manager Jeng reported that the Los Angeles Fire Department continues to work on the evacuation routes assessment report

Councilmember Black questioned if the modification to Crest Road East gate was completed. He suggested on replacing chain and lock on the gate. He asked the Council to place the modification to the Crest Road East gate on the November 9, 2020 City Council Meeting.

Mr. Visco commented on the Los Angeles County Fire Department citations and to have the City receive a copy of all citations.

Mr. Aichele commented on writing a formal complaint to the Fire Department.

11. CLOSED SESSION

NONE.

12. ADJOURNMENT

THE MEETING WILL BE ADJOURNED IN MEMORY OF DR. MARK SALIB AND PAUL GRUBS, BOTH LONGTIME RESIDENTS AND VERY ACTIVE MEMBERS IN THE COMMUNITY.

Hearing no further business before the City Council, Mayor Pieper adjourned the meeting at 8:21 PM. Next regular meeting: Monday, November 9, 2020 at 7:00 p.m. via City's website's link at: <https://www.rolling-hills.org/government/agenda/index.php>

Zoom access:

<https://us02web.zoom.us/j/87227175757?pwd=VzNES3Q2NFprRk5BRmdUSktWb0hmT9> or dial (669) 900-9128, meeting ID: 872 2717 5757, passcode: 780609

Respectfully submitted,

Elaine Jeng, P.E.
Acting City Clerk

Approved,

Jeff Pieper
Mayor



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 5.B
Mtg. Date: 11/09/2020

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: November 09, 2020

BACKGROUND:
NONE.

DISCUSSION:
NONE.

FISCAL IMPACT:
NONE.

RECOMMENDATION:
APPROVE AS PRESENTED.

ATTACHMENTS:
[Payment of Bill 2020_10_28.pdf](#)
[Payment of Bill 2020_11-05.pdf](#)

CITY OF ROLLING HILLS

10/28/20 Check Run D

<u>Check No.</u>	<u>Check Date</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
26684	10/28/2020	First Call Staffing Inc.	Week Ending 10/18/20 Planning Dept.Temp Services	1,574.40
26685	10/28/2020	FORUM INFO-TECH. INC./LEVELLOUD	October 2020 Monthly Hosting Services	3,482.59
26686	10/28/2020	ICMA	ICMA Membership Renewal - City Manager	1,400.00
26687	10/28/2020	Jimenez Consulting Solutions, LLC	September 1-15, 2020 Website Services	5,000.00
26688	10/28/2020	LA County Sheriff's Department	September 2020 Law Enforcement Services	31,324.59
26689	10/28/2020	McGowan Consulting	September 2020 Municipal Stowater Consulting Services	7,613.40
26690	10/28/2020	NV5, INC.	September 2020 Engineering Services	450.00
26691	10/23/20	Southern California Edison	Electricity Usage 9/23/20 TO 10/23/20	1,820.44
26692	10/23/20	FORUM INFO-TECH. INC./LEVELLOUD	PROFESSIONAL SERVICES -TECHNICAL SUPPORT	2,468.11
* PR LINK	10/23/20	PR LINK - PAYROLL PROCESSING	Payroll Processing Fee	61.00
* PR LINK	10/23/20	PR LINK - PAYROLL & PR TAXES	Pay Period - October 7, 2020 to October 20, 2020	16,305.80
				71,500.33
				71,500.33

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 \$71,500.33 for the payment of above items.

 10/29/2020
 Elaine Jeng, P.E., City Manager

CITY OF ROLLING HILLS

11/9/20 Check Run A

<u>Check No.</u>	<u>Check Date</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
26693	11/4/2020	ALAN PALERMO CONSULTING	Professional Services 8/30/20 to 10/31/20- CIP Project Mgmt	4,240.00
26694	11/4/2020	Apex Roofing Contractors, Inc.	Recycle Refundable Deposit Permit #779- 11 Middleridge	750.00
26695	11/4/2020	BENNETT LANDSCAPE	Gutter Clean up - Bldg 1 and Bldg 2	495.00
26696	11/4/2020	California Water Service Co.	Water Usage 9/25/20 to 10/26/20	950.58
26697	11/4/2020	Cell Business Equipment	Office Supplies - Red Post Ink Cartridge	187.95
26698	11/4/2020	Cox Communications	Phone Service 10/26/20 to 11/25/20	434.15
26699	11/4/2020	EDWARDS TERMITE AND PEST MANAGEMENT, INC	October Pest Control - City Hall, Picnic Area & Tennis Courts	320.00
26700	11/4/2020	First Call Staffing Inc.	Week Ending 10/25/20 - General Office , K Orler	1,088.00
26701	11/4/2020	FORUM INFO-TECH. INC./LEVELLOUD	November 2020 RH Cloud Hosting	3,639.72
26702	11/4/2020	Gladwell Governmental Services, Inc.	Election Managment/Advice - 7/6/20 to 10/31/20	240.00
26703	11/4/2020	Los Angeles Times	Subscription	478.57
26704	11/4/2020	Pacific Architecture and Engineering, Inc.	October 2020 - Architectural Services	1,230.00
26705	11/4/2020	PCI	Striping Services	3,700.00
26706	11/4/2020	Pitney Bowes	Postage - 9/23/20 to 10/15/20	1,510.00
26707	11/4/2020	Race Communications	Internet Service	1,345.32
26708	11/4/2020	USCM	Deferred Compensation - 11/6/20	50.00
26709	11/4/2020	Vantagepoint Transfer Agents - 306580	Deferred Compensation - 11/6/20	1,096.25
EFT	11/06/20	CALPERS	June 30, 2018 Unfunded for Plan - 26539 November 2020 Installment	76.97
EFT	11/06/20	CALPERS	June 30, 2018 Unfunded for Plan - 26539 November 2020 Installment	4,014.29
* PR LINK	11/6/2020	PR LINK - PAYROLL PROCESSING	Payroll Processing Fee	51.00
* PR LINK	11/6/2020	PR LINK - PAYROLL & PR TAXES	Pay Period - October 1, 2020 to November 3, 2020	16,198.04
				<u>\$ 42,095.84</u>
				25,846.80

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 \$42,095.84 for the payment of above items.

 11/05/2020
 Elaine Jeng, P.E., City Manager



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.A
Mtg. Date: 11/09/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: MEREDITH ELGUIRA, PLANNING DIRECTOR

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: RECOMMENDATION THAT THE CITY COUNCIL ADOPT AN ORDINANCE NO. 366 AMENDING TITLE 17 (ZONING) OF THE ROLLING HILLS MUNICIPAL CODE TO ADD CHAPTER 17.60 (HOUSING ACCESSIBILITY FOR THE DISABLED – REASONABLE ACCOMMODATION PERMIT) ESTABLISHING A PROCESS BY WHICH PERSONS WITH DISABILITIES CAN REQUEST REASONABLE ACCOMMODATIONS FOR AN EQUAL OPPORTUNITY TO USE OR ENJOY A DWELLING AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

DATE: November 09, 2020

BACKGROUND:

On October 20, 2020, the Planning Commission approved a recommendation to the City Council to adopt an ordinance amending Title 17 of the Rolling Hills Municipal Code establishing procedures for granting reasonable accommodations with respect to zoning and permit processing. The Federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act require local jurisdictions to establish a process by which persons with disabilities can request reasonable accommodations to the jurisdiction's codes, rules, policies, practices or services, necessary to afford persons with disabilities an equal opportunity to use or enjoy a dwelling. Pursuant to Government Code Section 65583, each city must analyze in its housing element the special needs of disabled persons. Each housing element also must analyze governmental constraints to the development and maintenance of housing for disabled persons, and include a program to provide reasonable accommodations from zoning and land use regulations to allow for the development of housing for disabled persons.

DISCUSSION:

Currently, the City does not have a formal process for requesting reasonable accommodations from the City's zoning and land use regulations. The current Housing Element sets forth "Reasonable Accommodation Procedures" to establish specific written procedures for requesting and granting a reasonable accommodation consistent with State and Federal statutes.

The implemented ordinance must be monitored to ensure consistent compliance with the previously stated fair housing laws. Section 804 of the Fair Housing Amendments Act specifically cites a refusal to provide reasonable accommodation through rules, policies, practices, or services is an act of discrimination. These laws prohibit discrimination against individuals with disabilities and eliminate practices that deny housing opportunities to this population.

In order to comply with State and Federal law, and as specified under Program 25 of the current Housing Element, staff prepared a draft Ordinance to amend Title 17 (Zoning) of the Rolling Hills Municipal Code procedures for granting reasonable accommodations, see attachment.

FISCAL IMPACT:

None.

RECOMMENDATION:

Waive full reading of the ordinance and introduce on first reading the ordinance of the City Council of the City of Rolling amending Title 17 (Zoning) of the Rolling Hills Municipal Code to add Chapter 17.60 (Housing Accessibility for the Disabled - Reasonable Accommodation Permit).

ATTACHMENTS:

[366 - Reasonable Accommodation.DOCX](#)

RESOLUTION NO. 366

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA AMENDING TITLE 17 (ZONING) OF THE ROLLING HILLS MUNICIPAL CODE TO ADD CHAPTER 17.60 (HOUSING ACCESSIBILITY FOR THE DISABLED – REASONABLE ACCOMMODATION PERMIT) ESTABLISHING A PROCESS BY WHICH PERSONS WITH DISABILITIES CAN REQUEST REASONABLE ACCOMMODATIONS FOR AN EQUAL OPPORTUNITY TO USE OR ENJOY A DWELLING AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECITALS

A. The Federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act require local jurisdictions to establish a process by which persons with disabilities can request reasonable accommodations to the jurisdiction’s codes, rules, policies, practices or services, necessary to afford persons with disabilities an equal opportunity to use or enjoy a dwelling;

B. Pursuant to Government Code Section 65583, each city must analyze in its housing element the special needs of disabled persons. Each housing element also must analyze governmental constraints to the development and maintenance of housing for disabled persons, and include a program to provide reasonable accommodations from zoning and land use regulations to allow for the development of housing for disabled persons. Although the City currently accommodates accessible needs on a case-by-case basis, the City does not have a formal process for requesting reasonable accommodations from the City’s zoning and land use regulations;

C. The City desires to amend its municipal code to establish a process by which persons with disabilities can request reasonable accommodations, necessary to afford such persons an equal opportunity to use or enjoy a dwelling;

D. Staff and the City Attorney prepared the proposed ordinance, including the proposed language and terminology, and any additional information and documents deemed necessary for the Planning Commission to take action;

E. On October 9, 2020, the City gave public notice of the October 20, 2020 public hearing to be held by the Planning Commission on the proposed ordinance by publishing notice in the Torrance Daily Breeze a newspaper of general circulation;

G. On October 29, 2020, the City gave public notice of the November 9, 2020 public hearing to be held by the City Council on the proposed ordinance to be considered by publishing notice in the Torrance Daily Breeze a newspaper of general circulation;

F. On October 20, 2020, the Planning Commission held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning the proposed ordinance. It adopted a resolution recommending that the City Council adopt the proposed ordinance; and

G. On November 9, 2020, the City Council held a duly-noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning the proposed ordinance.

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

Section 1. Title 17 (Zoning) of the Rolling Hills Municipal Code is amended to add Chapter 17.60 (Housing Accessibility for the Disabled – Reasonable Accommodation Permit) to read as follows:

Chapter 17.60 Housing Accessibility for the Disabled – Reasonable Accommodation Permit

17.60.010 – Purpose.

The purpose of this chapter is to establish a procedure for requesting reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the “Acts”) in the application of zoning and building laws and other land use regulations, policies, and procedures.

17.60.020 Applicability.

- A. Definition of Disability. Under the Acts, an individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment. Individuals in recovery from drug or alcohol abuse are protected by federal and state fair housing laws although individuals currently using illegal substances are not protected under the law unless they have a separate disability. This chapter is intended to apply to those persons who are defined as disabled under the Acts.
- B. Scope of Accommodation. A request for a reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide an individual with a disability equal opportunity to housing of their choice. Requests for reasonable accommodation shall be made in the manner prescribed by Section 17.60.040 (Application Contents and Submittal), and shall not require a fundamental alteration to the City’s zoning or building laws, policies, or procedures, as defined under the Acts. A modification approved under this chapter is considered a personal accommodation for the individual applicant and does not run with the land.
- C. Eligibility to Request Accommodation. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a

developer or provider of housing for individuals with disabilities, when the application of a land use, zoning, or building regulation, policy, practice, or procedure acts as a barrier to fair housing opportunities.

17.60.030 Notice to the Public of Availability of Accommodation Process

Notice of the availability of reasonable accommodation shall be displayed at the public information counter in the Planning and Community Services Department advising the public of the availability of the procedure for eligible individuals. Forms for requesting reasonable accommodation shall also be made available.

17.60.040 Application Contents and Submittal

Requests for reasonable accommodation shall be submitted on an application form provided by the Planning and Community Services Department and shall contain the following information:

- A. The applicant's name, address, and telephone number.
- B. Address of the property for which the request is being made and the name, address, and telephone number of the property owner.
- C. The current existing use of the property.
- D. The basis for the claim that the individual is considered disabled under the Acts.
- E. The zoning code provision, regulation, or policy from which reasonable accommodation is being requested.
- F. Reason the requested accommodation may be necessary to make the specific property accessible to the individual.

17.60.050 Authority

- A. City Manager. Requests for reasonable accommodation shall be reviewed by the City Manager, or his/her designee ("City Manager"), if no approval is sought other than the request for reasonable accommodation.
- B. Other Review Authority. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application.

17.60.060 Review Procedure.

- A. City Manager Review. The City Manager, or his/her designee ("City Manager"), shall make a written determination within 45 days of submittal of a complete application and either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with Section G (Findings and Decision). The City Manager shall mail a notice of a request for reasonable accommodation to contiguous owners of property, as shown on the latest equalized Los Angeles County assessment roll, but may include other property owners as determined by the City Manager. Said notice shall be mailed at least ten days prior to making a determination.
- B. Other Reviewing Authority. Written determinations on requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be made by the authority responsible for reviewing the discretionary land use application. The written determination to grant or deny the

request for reasonable accommodation shall be made in accordance with Section 17.60.070 (Findings and Decision).

- C. Additional Information. If necessary to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with the Acts, specifying in detail the information that is required. In the event that a request for additional information is made, the 45 day period to issue a decision is stayed until the applicant responds to the request.
- D. The reviewing authority may approve an alternative reasonable accommodation that provides the applicant an opportunity to use and enjoy a dwelling equivalent to that provided by the specific accommodation requested, where such an alternative accommodation would:
 - 1. Reduce impacts to neighboring properties or the surrounding area; or
 - 2. Not require a deviation from the provisions of Title 15 or Title 17 of the Municipal Code or would require less of a deviation than the requested accommodation.

17.60.070 Findings and Decision.

- A. Findings. The reasonable accommodation shall be approved, with or without conditions, if the reviewing authority finds, based upon all of the evidence presented, that all of the following findings can be made:
 - 1. The housing, which is the subject of the request, will be occupied by an individual considered disabled under the Acts.
 - 2. The requested accommodation is necessary to provide a disabled individual with an equal opportunity to use and enjoy a dwelling.
 - 3. The requested accommodation would not impose an undue financial or administrative burden on the City, as defined under the Acts.
 - 4. The requested accommodation would not require a fundamental alteration to the City’s zoning or building laws, policies, or procedures, as defined under the Acts. In considering whether the accommodation would require such a fundamental alteration, the reviewing authority may consider, among other factors:
 - i. Whether the requested accommodation would fundamentally alter the character of the neighborhood; and
 - ii. Whether the requested accommodation would substantially undermine any express purpose of either the City’s General Plan or any applicable specific plan.
 - 5. There are no other reasonable accommodation(s) that would allow the applicant to use and enjoy the dwelling which would:
 - i. Be less impactful to neighboring properties or the surrounding area; or
 - ii. Not require a deviation from the provisions of Title 15 or Title 17 of the Municipal Code or require less of deviation than the requested accommodation.

17.60.080 Conditions of Approval

In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by Section 17.60.070 above, including but not limited to the following:

- A. Inspection of the property periodically, as specified, to verify compliance with this section and any conditions of approval.
- B. Recordation of a deed restriction requiring removal of the improvements when the need for which the accommodation was granted no longer exists, except where the City Manager finds that removal would constitute an unreasonable financial burden or is physically integrated with the structure and cannot feasibly be removed.
- C. Time limits or expiration of the approval if the need for which the accommodation was granted no longer exists.
- D. Measures to reduce the impact on surrounding uses.
- E. Measures in consideration of the physical attributes of the property and structures.
- F. Other conditions necessary to protect the public health, safety and welfare.

17.60.090 Written Decision

The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings required by Section 17.60.070 (Findings and Decision) above. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below.

17.60.090 Appeals

A determination by the reviewing authority to grant or deny a request for reasonable accommodation may be appealed in compliance with Chapter 17.54 (Appeals of Decision of the Planning Commission) and Chapter 17.55 (Appeals of Decision of the City Manager) of the Rolling Hills Municipal Code. Appeals shall be submitted on an application form provided by the Planning and Community Services Department. If an individual needs assistance in filing an appeal on an adverse decision, the City will provide assistance to ensure the appeals process is accessible.

Section 2. The project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15305 of the CEQA Guidelines which exempts minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density and Section 15061.b.3 of the CEQA Guidelines because adoption of the zoning ordinance amendment is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and this project does not have the potential for causing a significant effect on the environment.

Section 3. This ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

Section 4. The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Rolling Hills's book of original ordinances; make a note of

the passage and adoption in the records of this meeting; and, within fifteen days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

JEFF PIEPER, MAYOR

ATTEST: _____
ELAINE JENG, ACTING CITY
CLERK



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 9.A
Mtg. Date: 11/09/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: RECEIVE AND FILE AN UPDATE FROM THE ROLLING HILLS COMMUNITY ASSOCIATION (RHCA) ON MODIFICATIONS TO THE CREST ROAD EAST GATE AS RECOMMENDED BY THE LOS ANGELES COUNTY FIRE DEPARTMENT. (ORAL)

DATE: November 09, 2020

BACKGROUND:

At the October 26, 2020 City Council meeting, Councilmember Jim Black asked for an update to the Los Angeles County Fire Department recommended modification to the Crest Road East gate as a part of emergency preparedness. Councilmember Black requested the Council to place the item on a future agenda for discussion.

DISCUSSION:

Staff contacted the Rolling Hills Community Association to attend the November 9, 2020 City Council meeting to provide an update and to answer the City Council's questions relating to the project.

FISCAL IMPACT:

There is no fiscal impact to the modification of the Crest Road East gate as the gate is under the control of the Rolling Hills Community Association.

RECOMMENDATION:

Receive and file an oral report from Rolling Hills Community Association.

ATTACHMENTS:



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 12.A
Mtg. Date: 11/09/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: CONNIE VIRAMONTES , ADMINISTRATIVE ASSISTANT
THRU: ELAINE JENG P.E., CITY MANAGER
SUBJECT: ANTICIPATED LITIGATION.

CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION

GOVERNMENT CODE SECTION 54956.9(d)(1)

THE CITY FINDS, BASED ON ADVICE FROM LEGAL COUNSEL, THAT DISCUSSION IN OPEN SESSION WILL PREJUDICE THE POSITION OF THE CITY IN LITIGATION.

NAME OF CASE: DR. ELLIOT BRUNNER & DR. NOURIT KORZENNIK v. CITY OF ROLLING HILLS AND TOSHIKO NAKAMURA & TAKASHI NAKAMURA LOS ANGELES COUNTY SUPERIOR COURT, CASE NUMBER: 20TRCV00775

DATE: November 09, 2020

BACKGROUND:

NONE.

DISCUSSION:

NONE.

FISCAL IMPACT:

NONE.

RECOMMENDATION:

NONE.

ATTACHMENTS:



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 12.B
Mtg. Date: 11/09/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: ANTICIPATED LITIGATION.

CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION
GOVERNMENT CODE SECTION 54956.9(d)(2) and (e)(2), (e)(4), and (e)(5).
THE CITY COUNCIL FINDS, BASED ON ADVICE FROM LEGAL COUNSEL, THAT DISCUSSION IN OPEN SESSION WILL PREJUDICE THE POSITION OF THE CITY IN THE LITIGATION.
LAND USE PROJECT AT 24 CINCHRING ROAD.

DATE: November 09, 2020

BACKGROUND:
NONE.

DISCUSSION:
NONE.

FISCAL IMPACT:
NONE.

RECOMMENDATION:
NONE.

ATTACHMENTS: