



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, December 14, 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.

Next Resolution No. 1268

Next Ordinance No. 369

1. CALL TO ORDER

2. ROLL CALL

PLEDGE OF ALLEGIANCE

3. OPEN AGENDA - PUBLIC COMMENT WELCOME

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

take place on any items not on the agenda.

4. CONSENT CALENDAR

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

4.A. [MINUTES: REGULAR MEETING OF NOVEMBER 23, 2020.](#)

RECOMMENDATION: APPROVE AS PRESENTED.

[2020-11-23_CCMinutes.docx](#)

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

RECOMMENDATION: APPROVE AS PRESENTED.

[Payment of Bills.pdf](#)

4.C. [REVIEW AND APPROVE PLANNING AND TRAFFIC COMMISSIONS RECRUITMENT AND APPOINTMENT SCHEDULE FOR TERMS EXPIRING IN JANUARY 2021.](#)

RECOMMENDATION:

It is recommended that the City Council approve the proposed schedule for Planning and Traffic Commissioners appointments.

[Tentative Commissioner Appointment Timeline.docx](#)

[CommissionAppt Posting Attachment 2.docx](#)

4.D. [PENINSULA CITIES JOINT LETTER TO THE LOS ANGELES COUNTY BOARD OF SUPERVISORS REQUESTING TO USE DATA AND STATISTICS FOR THE SOUTHBAY AREA TO MAKE DECISIONS ABOUT COVID-19.](#)

RECOMMENDATION: RECEIVE AND FILE.

[Letter to BOS re Restaurant Policy FINAL 12-7-20_RHE_RH_RPV_PVE.pdf](#)

5. ELECTION CERTIFICATION

5.A. [NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION CERTIFICATION OF ELECTION RESULTS.](#)

RECOMMENDATION: Staff recommends that the City Council adopt Resolution 1266 declaring the results of the General Municipal Election held on November 3, 2020 and taking such further actions as provided by law to complete the election process.

[Election_Official Statement of Votes Cast.pdf](#)

[Resolution No1266-Election Certification November 3 2020.pdf](#)

6. OATH OF OFFICE

7. CITY COUNCIL REORGANIZATION

7.A. [CITY COUNCIL REORGANIZATION](#)

RECOMMENDATION: Review reorganization options presented by Councilmembers and take action.

8. **COMMISSION ITEMS**

NONE.

9. **PUBLIC HEARINGS**

- 9.A. [ADOPT AN ORDINANCE OF THE CITY OF ROLLING HILLS PROHIBITING SMOKING IN AND ON PUBLIC PROPERTY AND IN AND ON PRIVATE EASEMENTS, ROADS, AND TRAILS BY ADDING CHAPTER 8.40 \(SMOKING PROHIBITED\) TO TITLE 8 \(HEALTH AND SAFETY\) OF THE ROLLING HILLS MUNICIPAL CODE; AND FINDING THE SAME 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 Hills adding Chapter 8.40 (Smoking Prohibited); and finding the same exempt from CEQA.

[365 Smoking Ban-cl.docx](#)

- 9.B. [ADOPT ORDINANCE NO. 367 OF THE CITY OF ROLLING HILLS, CALIFORNIA, REPEALING SECTIONS 10.12.050 \(AUTHORITY OF GATE GUARDS\) AND 10.12.060 \(UNAUTHORIZED TRAFFIC DIRECTION PROHIBITED\) OF CHAPTER 10.12 \(TRAFFIC ENFORCEMENT AUTHORITY\) OF TITLE 10 \(VEHICLES AND TRAFFIC\); AND AMENDING CHAPTER 9.40 \(TRESPASS\) AND CHAPTER 9.44 \(ENTERING PRIVATE PROPERTY UNDER FALSE PRETENSES\) OF TITLE 9 \(PUBLIC PEACE, MORALS AND WELFARE\) OF THE ROLLING HILLS MUNICIPAL CODE; AND FINDING THE SAME 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 Hills repealing sections 10.12.050 and 10.12.060 and amending Chapter 9.40 and Chapter 9.44 of the Rolling Hills Municipal Code; and finding the same exempt from CEQA.

[367 Regulating Trespass and Repealing Gate Attendant Sections-cl.doc](#)

- 9.C. [ADOPT ORDINANCE NO. 368 AMENDING TITLE 17 \(ZONING\) OF THE CITY OF ROLLING HILLS MUNICIPAL CODE TO ADD CHAPTER 17.48 \(TEMPORARY USE PERMITS\) ESTABLISHING REGULATIONS OF CERTAIN TEMPORARY USES WITHIN THE CITY; AND FINDING THE SAME 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 Hills amending Title 17 (Zoning) of the City of Rolling Hills Municipal Code to add Chapter 17.48 (Temporary Use Permits) establishing regulations of certain temporary uses within the City; and finding the same exempt from CEQA.

[Ordinance 368 Temporary Use Permits.docx](#)

10. **OLD BUSINESS**

NONE.

11. **NEW BUSINESS**

- 11.A. [APPROVE RESOLUTION NO. 1267 ACCEPTING CALIFORNIA GOVERNOR OFFICE OF EMERGENCY SERVICES \(CAL/OES\) AND FEMA GRANT AWARD OF FROM THE HAZARD MITIGATION PROGRAM FOR VEGETATION MANAGEMENT](#)
RECOMMENDATION:

Approve Resolution No. 1267 and authorize the City Manager, or designee, to execute an agreement, and any subsequent amendments, with FEMA, to accept and expend grant funding in an amount not to exceed \$242,625.

Approve General Fund expenditure of \$80,875.

[Approval_4382-175-13R Rolling Hills \(Phase 1\).pdf](#)
[Resolution No1267 FEMA Grant Acceptance.docx](#)

12. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

NONE.

13. MATTERS FROM STAFF

NONE.

14. CLOSED SESSION

- 14.A. [EMPLOYMENT PERFORMANCE EVALUATION GOVERNMENT CODE SECTION 54957 TITLE: CITY MANAGER](#)
RECOMMENDATION: NONE.

15. ADJOURNMENT

Next regular meeting: Monday, December 28, 2020 at 7:00 p.m. via Zoom.

Zoom access: [https://us02web.zoom.us/j/87227175757?](https://us02web.zoom.us/j/87227175757?pwd=VzNES3Q2NFprRk5BRmdUSktWb0hmUT09)

[pwd=VzNES3Q2NFprRk5BRmdUSktWb0hmUT09](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.: 4.A

Mtg. Date: 12/14/2020

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 NOVEMBER 23, 2020.

DATE: December 14, 2020

BACKGROUND:

NONE.

DISCUSSION:

NONE.

FISCAL IMPACT:

NONE.

RECOMMENDATION:

NONE.

ATTACHMENTS:

[2020-11-23_CCMinutes.docx](#)

**MINUTES OF A
REGULAR MEETING OF THE
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA
MONDAY, NOVEMBER 23, 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: Mayor Pieper, Dieringer, Mirsch, Wilson, and Black.
Absent: None
Staff Present: Elaine Jeng, City Manager
Meredith T. Elguira, Planning & Community Services Director
Jane Abzug, Assistant City Attorney

3. RECOGNITION OF LOS ANGELES COUNTY FIRE DEPARTMENT DIVISION 1, BATTALION 14, FIRE STATION 56 CAPTAIN PHIL SCHNEIDER.

City Manager Elaine Jeng commended Captain Phil Schneider on his 37 years of services and congratulated him on his retirement. The City Council thanked Captain Schneider for his years of service. A certificate of recognition and Rolling Hills memorabilia's will be mailed to Captain Schneider.

Captain Schneider was grateful for the recognition by the Councilmembers, RHCA and Fire Station 56.

4. OPEN AGENDA - PUBLIC COMMENT WELCOME

Planning & Community Services Director Meredith Elguira stated that she received a letter on November 19, 2020 from resident Roger Hawkins regarding his concerns about the Accessory Dwelling Unit (ADU) Survey and impacts to the community.

5. CONSENT CALENDAR

A. MINUTES: REGULAR MEETING OF NOVEMBER 09, 2020.
ITEM 5A APPROVED BY SEPARATE CONSENT CALENDAR VOTE.

MOTION: It was moved by Councilmember Mirsch and seconded by Mayor Pro Tem Dieringer to approve meeting minutes, with minor changes to page 3.

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

B. PAYMENT OF BILLS.

ITEM 5B APPROVED BY CONSENT CALENDAR VOTE.

C. REPUBLIC SERVICES CYCLING TONNAGE REPORT FOR OCTOBER 2020.

ITEM 5C APPROVED BY CONSENT CALENDAR VOTE.

MOTION: It was moved by Council Member Mirsch and seconded by Mayor Pro Tem Dieringer to approve Consent Calendar items 5B and 5C.

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

6. COMMISSION ITEMS

NONE.

7. PUBLIC HEARINGS

A. WAIVE FULL READING AND APPROVE ADOPTION OF ORDINANCE NO. 366 OF THE CITY OF ROLLING HILLS AMENDING TITLE 17 (ZONING) OF THE ROLLING HILLS MUNICIPAL CODE TO ADD CHAPTER 17.60 (HOUSING ACCESSIBILITY FOR THE DISABLED - REASONABLE ACCOMMODATION PERMIT) AND DETERMINE THE ORDINANCE EXEMPT FROM CEQA.

Planning and Community Services Director Meredith Elguira presented the proposed Ordinance for its second reading to the City Council. Staff recommended the adoption of Ordinance No. 366.

MOTION: It was moved by Councilmember Mirsch and seconded by Mayor Pro Tem Dieringer to waive the full reading and adopt the Ordinance No. 366, amending Chapter 17.60 (Housing Accessibility for the Disabled Reasonable Accommodation Permit) of the Rolling Hills Municipal Code.

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

8. OLD BUSINESS

- A. CONSIDER ORDINANCE 365 PROHIBITING SMOKING IN AND ON PUBLIC PROPERTY AND IN AND ON PRIVATE EASEMENTS, ROADS, AND TRAILS BY ADDING CHAPTER 9.40 (SMOKING PROHIBITED) TO SUBDIVISION IV (OFFENSES AGAINST PUBLIC PEACE) IN TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE CITY OF ROLLING HILLS MUNICIPAL CODE.**

Mayor Pro Tem Dieringer clarified the definition for the use of the electronic smoking devises vs. smoking from paper.

Mayor Pieper motioned to bring back Ordinance No. 366 to a future City Council meeting once the public verbiage is confirmed with City Attorney.

- B. CONSIDER ORDINANCE NO. 367 OF THE CITY OF ROLLING HILLS, CALIFORNIA, REPEALING SECTIONS 10.12.050 (AUTHORITY OF GATE GUARDS) AND 10.12.060 (UNAUTHORIZED TRAFFIC DIRECTION PROHIBITED) OF CHAPTER 10.12 (TRAFFIC ENFORCEMENT AUTHORITY) OF TITLE 10 (VEHICLES AND TRAFFIC); AND AMENDING CHAPTER 9.40 (TRESPASS) AND CHAPTER 9.44 (ENTERING PRIVATE PROPERTY UNDER FALSE PRETENSES) OF TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE ROLLING HILLS MUNICIPAL CODE.**

Planning Director Elguira presented the proposed Ordinance and stated that she received a call in the afternoon on Monday, November 23, 2020 from resident Roger Hawkins, requesting additional time to review the proposed Ordinance.

MOTION: It was moved by Councilmember Mirsch and seconded by Mayor Pro Tem Dieringer to prepare the final ordinance for adoption.

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

- C. CONSIDER AND APPROVE RESOLUTION NO. 1263 TO ACCEPT STATE DEPARTMENT OF PARKS AND RECREATION PER CAPITA PROGRAM GRANT ALLOCATION IN THE AMOUNT OF \$177,952 FROM THE OFFICE OF GRANTS AND LOCAL SERVICES (OGALS); AND CONSIDER TRANSFER STATE DEPARTMENT OF PARKS AND RECREATION PER CAPITA PROGRAM GRANT ALLOCATION OF \$177,952 TO ROLLING HILLS ESTATES FOR IMPROVEMENTS TO THE GEORGE F. CANYON NATURE CENTER AND APPROVE RESOLUTION NO. 1265 TO TRANSFER THE PER CAPITA GRANT FUND ALLOCATION.**

City Manager Jeng reported on Resolution No. 1263 and No. 1265.

Assistant City Attorney Abzug clarified to the City Council the actions being taken by the City Council with the two proposed resolutions.

MOTION: It was moved by Councilmember Mirsch and seconded by Councilmember Wilson to approve Resolution No. 1263 and No. 1265.

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

9. NEW BUSINESS

A. RECEIVE AND FILE LOS ANGELES COUNTY FIRE DEPARTMENT REPORT ON THE STATE OF THE EVACUATION ROUTES (PORTUGUESE BEND ROAD, CREST ROAD, EASTFIELD DRIVE) WITH RESPECT TO FIRE SAFETY; AND RECEIVE AND FILE COMMUNITY EVACUATION ROUTE SURVEY RESULTS.

City Manager Jeng reported on the Community Evacuation Route Report and thanked the Fire Department for their efforts in meeting with the City on numerous occasions.

Councilmember Black raised concern about the trees along the evacuation route that are a problem.

Chief Hale commented on addressing the concerns and the importance to mitigate.

B. DISCUSS AND PROVIDE DIRECTIONS TO STAFF FOR INSTALLATION OF NEWLY ELECTED CITY COUNCIL MEMBERS FROM THE NOVEMBER 3RD ELECTION.

City Manager Jeng recommended that the City Council Meeting be held on December 14, 2020 to install new elected members.

MOTION: It was moved by Mayor Pieper and seconded by Councilmember Mirsch to install the elected City Council members on December 14, 2020.

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

C. DISCUSS SCHEDULING DECEMBER 28, 2020 CITY COUNCIL MEETING FOR THE APPROVAL OF THE REVISED HOUSING ELEMENT, INITIAL STUDY/NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT AND ZONING AMENDMENT.

City Manager Jeng recommended scheduling the City Council meeting on December 28, 2020.

MOTION: It was moved by Councilmember Mirsch and seconded by Councilmember Wilson to schedule the City Council meeting on December 28, 2020 to discuss the revised Housing Element, Initial Study/Negative Declaration, General Plan Amendment and Zoning Amendment.

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

10. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

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. (ORAL)

Rolling Hills Community Association Manager (RHCA), Kristen Raig reported that on Friday, November 13, 2020, the automated gate located on Crest Road East is complete and operable.

Mr. Visco commented on the functionality of the gate and questioned how residents would know if the gate is open.

Councilmember Dieringer commented on the Weekly Memorandum recommending making the Fire Fuel Reduction Committee, not an Ad Hoc Committee but a Standing Committee. This item will be agendaized on the December 14, 2020 City Council Meeting. Councilmember Dieringer would also like an update from Edison on the Eastfield Assessment District Project.

City Manager Jeng stated that Edison will provide an invoice. However, Edison stated that they will not share the costs of their bids that they received.

11. MATTERS FROM STAFF

A. 5TH CYCLE HOUSING ELEMENT UPDATE. (ORAL)

Planning Director Elguira reported that the December 28th City Council meeting is needed to meet CEQA requirements for the Housing Element and that the City received 144 ADU surveys (mailed hardcopies) and seven electronic surveys, as of November 23, 2020.

B. TORRANCE AIRPORT REGIONAL PROJECT UPDATE. (ORAL)

Planning Director Elguira reported that the Safe Clean Water Program approved funding for \$906,000 to complete the final design for the Torrance Airport Regional Project. This funding is coming from Measure W.

City Manager Jeng gave a brief history of the Torrance Airport project and reported that CalOES awarded grant to the City for vegetation management for approximately \$300,000.

12. CLOSED SESSION: Began at 9:36PM

**A. EMPLOYEE PERFORMANCE EVALUATION
GOVERNMENT CODE SECTION 54957
TITLE: CITY MANAGER**

13. ADJOURNMENT

Hearing no further business before the City Council, City Attorney Jenkins adjourned the meeting at 10:40 PM. Next regular meeting: Monday, December 14, 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.: 4.B

Mtg. Date: 12/14/2020

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: December 14, 2020

BACKGROUND:

NONE.

DISCUSSION:

NONE.

FISCAL IMPACT:

NONE.

RECOMMENDATION:

APPROVE AS PRESENTED.

ATTACHMENTS:

[Payment of Bills.pdf](#)

CITY OF ROLLING HILLS

11/25/20, 12/2/20, 12/14/20 Check Run C, A, B

Check No.	Check Date	PAYEE	DESCRIPTION	AMOUNT
26724	11/25/2020	BENNETT LANDSCAPE	November 2020 Landscape Service. Tree and Shrubbery Trimming	\$ 2,010.00
26725	11/25/2020	City Clerks Association of CA	CCAC Job Website Posting - City Clerk Position	200.00
26726	11/25/2020	Complete Fire Service Inc.	Annual Service - Fire Extinguishers	149.95
26727	11/25/2020	Executive Suite Services Inc.	September 2020 - Janitorial Services	1,360.00
26728	11/25/2020	First Call Staffing Inc.	Week Ending 11/15/20 - Gen Office K. Orler	714.00
26729	11/25/2020	County of Los Angeles	September and October 2020 Animal Care Housing Cost	1,864.29
26730	11/25/2020	McGowan Consulting	October 2020 Municipal Storm water Consulting Services	4,684.00
26731	11/25/2020	Petty Cash	Check Run 11/25/20	263.82
26732	11/25/2020	Palos Verdes Security Sys, Inc.	Burglar Alarm Monitoring 11/13/20 to 12/31/20 & Burglar Alarm Installation - Remaining 50%	1,518.80
26733	11/25/2020	Rogers, Anderson, Malody & Scott, LLP	October 2020 Accounting Services	7,558.00
26734	11/25/2020	City of Rancho Palos Verdes	CIMP Implementation MOU Cost for FY20-21	48,719.16
26735	11/25/2020	Southern California Edison	Electricity Usage - 9/23/20 to 11/23/20	1,570.63
26736	11/25/2020	USCM	Deferred Compensation - 11/20/20	50.00
26737	11/25/2020	Vantagepoint Transfer Agents - 306580	Deferred Compensation - 11/20/20	1,096.23
26738	11/25/2020	Willdan Inc.	October 2020 Plan Check and Inspection Services	550.00
26739	12/1/2020	Delta Dental	December 2020 - Dental Insurance	681.71
26740	12/1/2020	Standard Insurance Company	December 2020 - Life Insurance	178.27
26741	12/1/2020	Vision Service Plan - (CA)	December 2020 - Vision Insurance	108.85
26742	12/2/2020	Best Best & Krieger LLP	November 2020 Services - Brunner.Korzennik Vs RH; General Code Enforcement, Storm Water, Land Use	\$ 15,453.85
26743	12/2/2020	County of Los Angeles	Building and Safety Services thru 9/15/20	2,472.77
26744	12/2/2020	Lance, Soll & Lunghard, LLP	Professional Services - 2020 Government Audit Progress Bill	12,600.00
26745	12/2/2020	NV5, INC.	October 2020 Services - RH Sewer Main Upgrade	9,981.00
26746	12/2/2020	Pitney Bowes	November 2020 Postage	2,015.00
26747	12/2/2020	Palos Verdes Peninsula Unified School District	Printing Services - Envelopes	1,077.48
26748	12/2/2020	Race Communications	September to December 2020 Internet Services	3,000.00
26749	12/2/2020	Republic Services	Residential Service July to December 2020	443,071.68
26750	12/2/2020	USCM	Deferred Compensation 12/4/20	50.00
26751	12/2/2020	Vantagepoint Transfer Agents - 306580	Deferred Compensation - 12/4/20	1,096.23
26752	12/2/2020	York Construction	Refundable Deposit- 83 Crest Road	750.00
26753	12/14/2020	Callifornia Water Service Co	Water Usage 10/27/20 to 11/24/20	824.24
26754	12/14/2020	Cox Communications	Phone Service 11/26/20 to 12/25/20	616.80
26755	12/14/2020	Daily Breeze	Classified Advertising- Legals	1,562.64
26756	12/14/2020	First Call Staffing Inc.	Week Ending 11/22/20 - Gen Office K. Orler	278.80
26757	12/14/2020	Johnn L Hunter & Assoc., Inc	Trash Survey - Machado Lake TMRP	475.00

26758	12/14/2020	Pitney Bowes Global Financial	December 2020 Postage Machine Lease Agreement	712.56
26759	12/14/2020	Peninsula Septic Service, Inc.	Septic Tank Service	595.00
26760	12/14/2020	Palos Verdes Peninsula Unified School District	Printing Services - Earthquake and Wildfire Checklist	459.90
EFT	11/13/20	Calpers	October 2020 Retirement	5,625.78
EFT	12/1/2020	Calpers	December 2020 Health Insurance	5,436.27
EFT	12/14/20	Calpers	November 2020 Retirement	5,983.48
EFT	12/15/20	CALPERS	June 30, 2018 Unfunded for Plan - 26539 December 2020 Installment	76.97
EFT	12/15/20	CALPERS	June 30, 2018 Unfunded for Plan - 26539 December 2020 Installment	4,014.29
* PR LINK	12/4/2020	PR LINK - PAYROLL PROCESSING	Payroll Processing Fee	172.70
* PR LINK	12/4/2020	PR LINK - PAYROLL & PR TAXES	Pay Period - November 18, 2020 to December 1, 2020	17,405.11
				<u>\$ 609,085.26</u>
				591,507.45

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 \$609,085.26 for the payment of above items.


 Elaine Jeng, P.E., City Manager

12/08/2020



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 4.C

Mtg. Date: 12/14/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: MEREDITH ELGUIRA, PLANNING DIRECTOR

THRU: ELAINE JENG P.E., CITY MANAGER

**SUBJECT: REVIEW AND APPROVE PLANNING AND TRAFFIC COMMISSIONS
RECRUITMENT AND APPOINTMENT SCHEDULE FOR TERMS
EXPIRING IN JANUARY 2021.**

DATE: December 14, 2020

BACKGROUND:

It is recommended that the City Council approve the proposed schedule for Planning and Traffic Commissioners appointments.

DISCUSSION:

Below is a list of the Planning Commissioner and Traffic Commissioner whose terms will expire in January 2021. The list also identifies the date of their original appointment.

Name	Commission	Original Appointment Date	Term Expiration Date
Jana Cooley	Planning Commission	11/14/2016	01/2021
Charlie Raine	Traffic Commission	05/09/2016	01/2021

The Commissions appointment process for filling the expiring terms calls for the incumbents and public to be informed of the Commissions openings prior to the expiration of the Commissioners term.

As noted in the appointment schedule, staff proposes to send letters to each incumbent advising them of the process to be considered for re-appointment; as well as post the notice at City Hall and advertise the openings in the City Blue Newsletter on December 2, 2020, December 23, 2020 and January 6, 2021. It also provides over four weeks of public notification to accommodate the upcoming holidays.

Once letters of interest for serving on the Commissions are received, staff will schedule interviews for the City Council Personnel Committee with the candidates.

Attachment 1 is the schedule for the recruitment and appointment process.

Attachment 2 is a sample of the official notification, per the Maddy Act, to be posted at City Hall on December 15, 2020.

FISCAL IMPACT:

None.

RECOMMENDATION:

It is recommended that the City Council approve the proposed schedule for Planning and Traffic Commissioners appointments.

ATTACHMENTS:

[Tentative Commissioner Appointment Timeline.docx](#)

[CommissionAppt Posting Attachment 2.docx](#)

Attachment 1

Tentative Planning/Traffic Commission Appointment Schedule – Unscheduled Vacancy

Dec. 14, 2020	City Council Reviews Appointment Timeline and directs changes as necessary
Dec. 15, 2020	Letters mailed to incumbents advising of Commission reappointment process
Dec. 16, 2020	Local Appointment List Posted at City Hall
Dec. 2, 2020, Dec. 23, 2020, and Jan. 6, 2021	Notice of Planning/Traffic Commission Member recruitment in City Blue Newsletter and City Website (12/16/20)
Jan. 29, 2021 5PM	Due date for Letters of Interest in serving on Planning/Traffic Commission
Feb. 10, 2021 or Feb. 17, 2021 6PM	City Council Personnel Committee interviews Commission candidates (Councilmembers Leah Mirsch and Pat Wilson)
Feb. 22, 2021	City Council appoints Commission Members for terms beginning in March 2021
Feb. 25, 2021 or Mar. 4, 2021	Staff conducts orientation for any new Commission members



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

PLEASE POST
City of Rolling Hills
Local Appointments List
of Positions on City Commissions for Calendar Year 2021

This list is prepared pursuant to Government Code § 54972 to inform residents of the City of Rolling Hills regarding opportunities that exist for appointment to City Commissions in calendar year 2021.

A. Appointive Terms.

The following is a list of all positions on the City's Planning and Traffic Commissions for which the terms of office expire in 2021 and for which the City Council will be appointing or reappointing persons to fill those positions:

PLANNING COMMISSION (4-year term)

<u>Position/Name of Incumbent</u>	<u>Last Appt. Date</u>	<u>Term Exp.</u>
<u>First Name Last Name</u>	<u>1/2021</u>	<u>1/1/2025</u>

The necessary qualification to be a member of the Planning Commission is to be a resident of the City of Rolling Hills at least 18 years of age (Rolling Hills Municipal Code § 2.20.025).

TRAFFIC COMMISSION (4-year term)

<u>Position/Name of Incumbent</u>	<u>Last Appt. Date</u>	<u>Term Exp.</u>
<u>First Name Last Name</u>	<u>1/2021</u>	<u>1/1/2025</u>

The necessary qualification to be a member of the Planning Commission is to be a resident of the City of Rolling Hills at least 18 years of age (Rolling Hills Municipal Code § 10.08.010).

B. List of Board, Commissions and Committees.

The Planning Commission and Traffic Commission are the only permanent Commissions or Committees of the City of Rolling Hills. All members of these bodies are appointed by the City Council by the City Council and all serve at the pleasure of the City Council. The qualifications for the Planning Commission and Traffic Commission are listed in part A of the List.

Prepared this 14th day of December 2020.

By: _____
Elaine Jeng, P.E.
Title: Acting City Clerk



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 4.D

Mtg. Date: 12/14/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: PENINSULA CITIES JOINT LETTER TO THE LOS ANGELES COUNTY BOARD OF SUPERVISORS REQUESTING TO USE DATA AND STATISTICS FOR THE SOUTHBAY AREA TO MAKE DECISIONS ABOUT COVID-19.

DATE: December 14, 2020

BACKGROUND:

Many businesses across the Los Angeles County are struggling due to COVID-19 restrictions imposed by the Los Angeles County Public Health Department. The data and statistics used for decision making are based on countywide data. The Mayors of the four Peninsula Cities met recently and taking the lead on the matter, Rolling Hills Estates Councilmember proposed a joint letter to the Los Angeles County Board of Supervisors (BOS) to use the eight geographic areas for Los Angeles County as defined by the Department of Public Health to render decisions on COVID-19 restrictions. Decisions on COVID-19 restrictions should be based on the data and statistics of the each area instead of using countywide data.

DISCUSSION:

The joint letter presented data on the COVID-19 cases per thousand people by city, new daily COVID-19 cases (7-day average), hospitalization rates, and death rates for the Southbay and compared the data to the countywide data. The joint letter expressed disagreement with the "one size fits all" approach and requested, once the recently issued State Order based on California's ICU capacities is lifted, that the BOS consider the Southbay COVID-19 data with respect to the countywide data and re-open outdoor dining facilities on the Peninsula as soon as possible. The joint letter was signed by the Mayors of Rolling Hills, Rolling Hills Estates, Rancho Palos Verdes, and Palos Verdes Estates and emailed to BOS on Wednesday, December 9, 2020.

FISCAL IMPACT:

There is no fiscal impact to the City to join the Peninsula cities in sending the letter to BOS.

RECOMMENDATION:

RECEIVE AND FILE.

ATTACHMENTS:

[Letter to BOS re Restaurant Policy FINAL 12-7-20_RHE_RH_RPV_PVE.pdf](#)



December 7, 2020

The Honorable Kathryn Barger and Members of the Board of Supervisors
Los Angeles County Board of Supervisors
500 W. Temple Street
Los Angeles, CA 90012

Dear Honorable Chair Barger and Members of the Board of Supervisors,

We, the four cities on the Palos Verdes Peninsula, firmly joined together by a common cause, are writing to you today to request you to follow science and, more importantly, data and statistics to make decisions about COVID-19 across our Los Angeles County (County). We support our colleagues throughout 88 cities of the County who oppose your decision. In strong terms, we also support our South Bay COG's position, which in a letter on December 1, 2020, highlighted the importance of a decentralized approach to the pandemic response. Before many cities and regions consider forming their own health departments, we ask for the restructuring of the County Health Department's governance to fit the mission described on its web site.

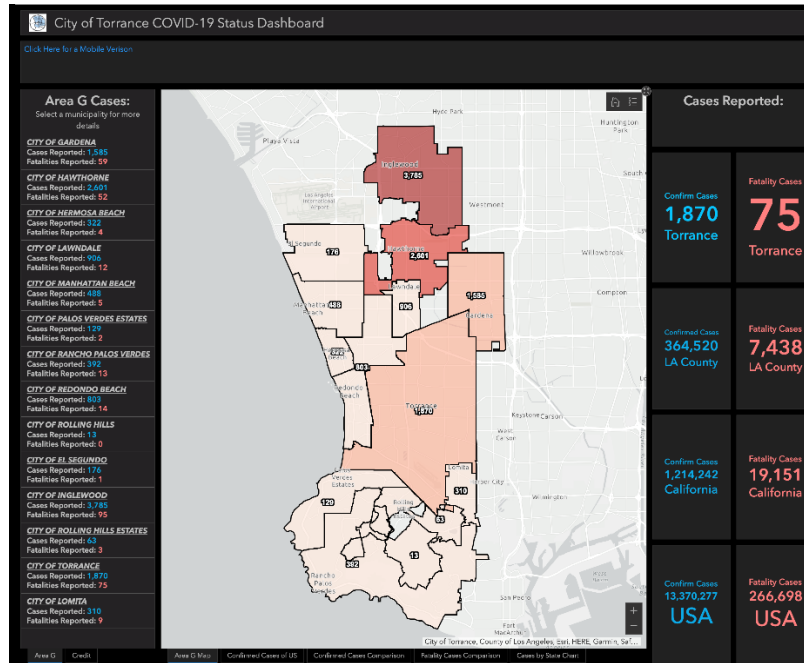
Los Angeles County, the size of Delaware and Rhode Island combined, is the largest populated County in the United States, and larger in population than 41 individual states. As such, a "one size fits all" approach to policymaking is simply not workable and has become untenable.

As you know, the County of Los Angeles Public Health's web site states, "Due to the large size of LA County (4,300 square miles), it has been divided into eight geographic areas (Service Planning Areas ((SPA)). These distinct regions allow the Department of Public Health to develop and provide more relevant public health and clinical services targeted to the specific health needs of the residents in these different areas." We agree and urge the Department of Public Health to begin implementing COVID-19 responses by area.

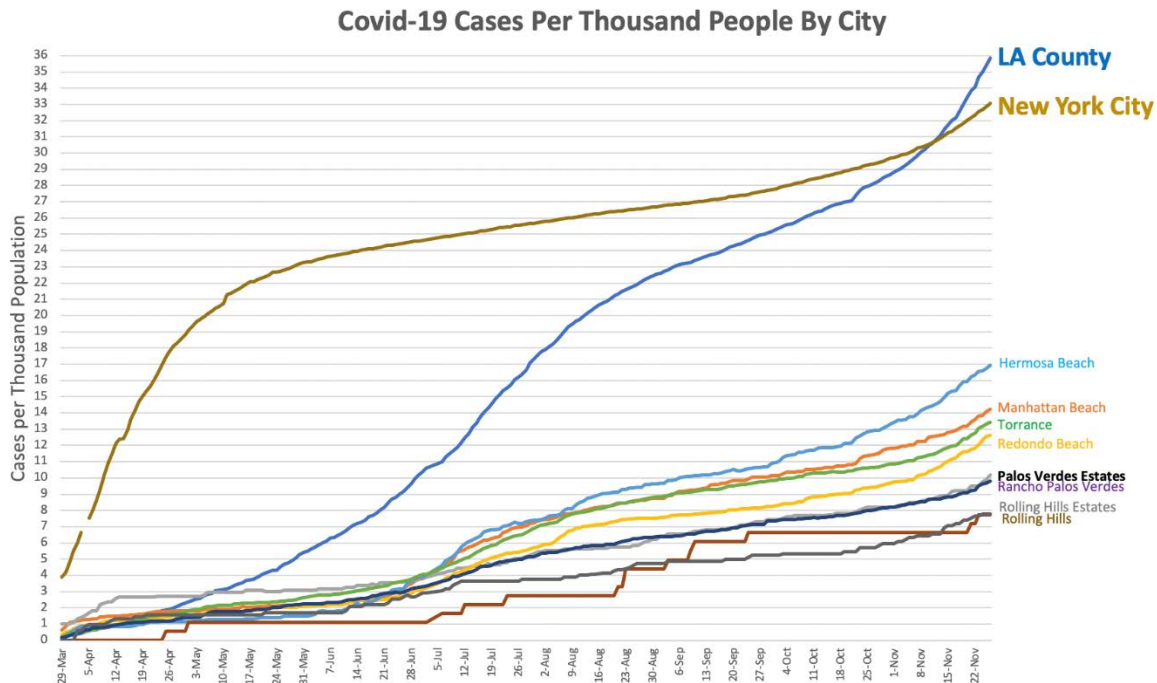
We respectfully request that each district collects precise data for its respective district to "provide more relevant public health and clinical services targeted to the specific health needs of the residents in these different areas." This precision already in place is all we ask to govern and serve our communities better.

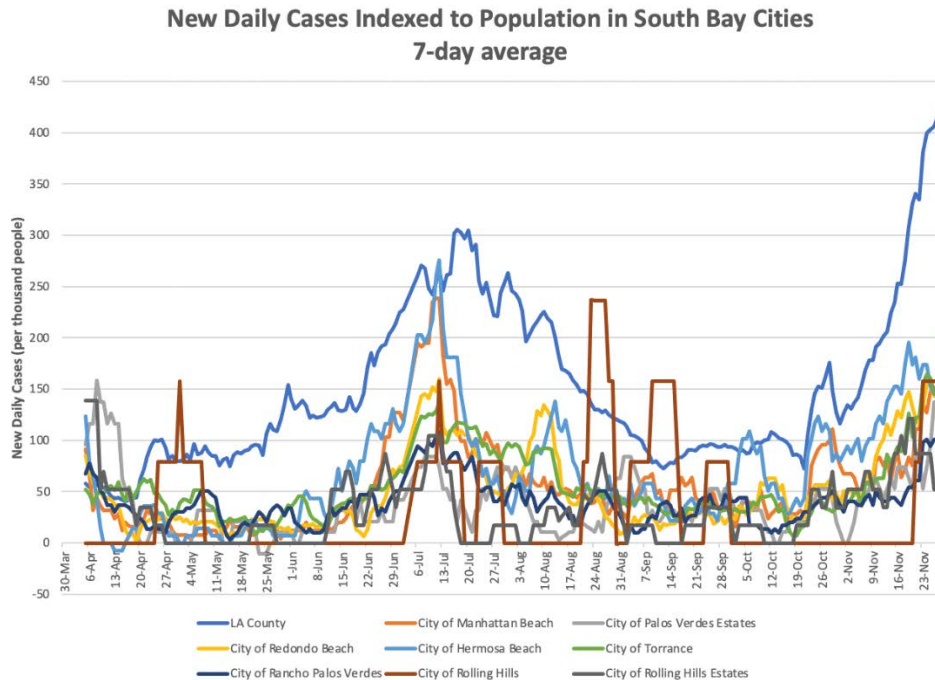
The undersigned are elected representatives of jurisdictions located in "District 8 (South Bay)." Our geographic, demographic, and pandemic realities are substantially different than other districts in this vast and beautiful County. The County's decisions ignore these realities. To be specific and to use the County data, here is how our jurisdictions compare to others.

The City of Torrance prepared the chart below for the majority of jurisdictions in District 8. This chart makes it abundantly clear our realities compared to those of the County at large.



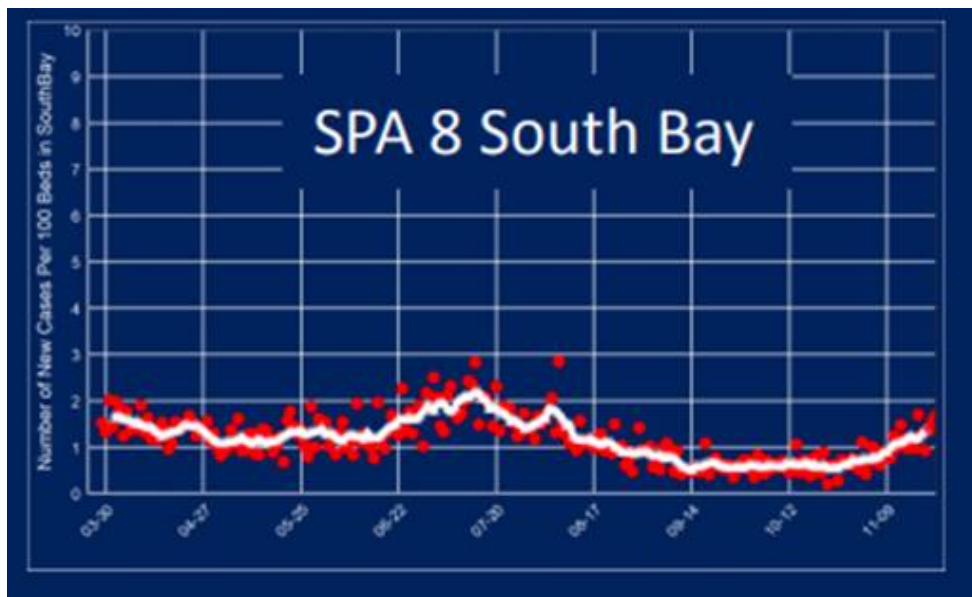
To further illustrate our point, we highlight a few specific comparisons in District 8 from the beginning of the pandemic to November 22. This data presumably became the basis to shut all outdoor dining in the County without regard to the science and data shown on the chart below. While this data represented your decision point last week, our current data as of yesterday does not show much change at all. Our constituents want to know why their excellent work of reasonably controlling the pandemic by following mitigation measures of wearing a mask, socially distancing, and their businesses investing in protective equipment and diligent sanitation is being punished.





Every death is tragic; however, our death rates, compared to other deaths from various causes, are also statistically negligible. For example, the COVID-19 attributed death rate per capita on the Palos Verdes Peninsula is extremely low: **Rancho Palos Verdes is 0.03%, Palos Verdes Estates is 0.01%, Rolling Hills Estates is 0.04%, and Rolling Hills is 0.00%.**

Our hospitalization rates are also different. We do not suffer from the lack of beds or ICU capacity in our world-class hospitals like Torrance Memorial, Providence Little Company of Mary, etc. The image below for the South Bay region (District 8) is currently reporting nearly two new cases per 100 hospital beds, which is among the lowest of the region. In the summer surge, the South Bay region number was closer to three.



We expect policy decisions affecting our community to be based on our jurisdictions' statistics rather than the County's collective data. We, as a vast County, must reverse this course. Every signatory to this letter respects you all. We have a tradition of working with you in contract cities as well as independent cities. We also understand your concerns. By our requests, we do not question your heart. We suggest that we need to learn to live with this deadly virus rather than hide from it indefinitely. We seek collaboration as opposed to competition with your policy.

The County's actions are devastating our communities, especially our communities who need the most employment and economic stability. Our small businesses are our backbone. While disproportionately allowing large companies to operate, you have made it impossible for small businesses, in this case, mostly restaurants, to continue their existence. Our chefs, servers, kitchen staff depend on their wages and tips to feed their families. To the extent that funds are available, we urge you to work with the Governor to use some of the unexpected tax proceeds of \$26 billion to provide relief to small businesses and restaurants that are struggling to survive.

Our local jurisdictions, especially those that are "low, low" property tax cities, rely on sales tax revenue to provide local services. Some of these services under the contracting model are provided by the County for a fee. While the County takes close to 25% of the property tax revenue (not counting County related special districts revenues for another 25%), most of our "low, low" property tax cities receive less than 7%. The County's actions are also devastating to our cities. Unfortunately, there is no data to support your last decision countywide, much less in our jurisdictions. We have seen no evidence that outdoor dining is the cause of any COVID case surge in various parts of the County. The City of Pasadena chose science and data over your decision. We in District 8 ask for the same treatment as Pasadena, which is located in the same County.

While we disagree with the state's "one sizes fits all" approach, we understand that the County is currently operating under the state's Stay-at-Home Order for the Southern California Region due to ICU bed capacity. When the state's Order is lifted, we respectfully ask that you act on our request for a regional approach using regional data. In particular, we expect the re-opening of our outdoor dining facilities as soon as possible. Failing to do so is causing some cities to explore constituting their own health departments.

Respectfully,



David McGowan,
City of Palos Verdes Estates, Mayor



Eric Alegria
City of Rancho Palos Verdes, Mayor



Jeff Pieper
City of Rolling Hills, Mayor



Velveth Schmitz
City of Rolling Hills Estates, Mayor



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 5.A
Mtg. Date: 12/14/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

**SUBJECT: NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION
CERTIFICATION OF ELECTION RESULTS.**

DATE: December 14, 2020

BACKGROUND:

On November 3, 2020, a General Municipal Election was held in the City of Rolling Hills for the purpose of electing two members of the City Council. The election was consolidated and conducted by the Los Angeles County Registrar-Recorder/County Clerk.

DISCUSSION:

On November 30, 2020, the Los Angeles County Registrar-Recorder/County Clerk completed the canvass of ballots; and on December 7, 2020, provided the City with a Certificate of the Canvass of the Election Returns and Official Statement of Votes Cast (Exhibit A).

Upon receipt of the election results from the County, California Election Code 10262 and 10263 require that the City Clerk certify the results to the City Council and that the City Council adopt a resolution declaring the results of the election. The attached resolution (Resolution 1266) incorporates Exhibit A (Certificate of the Canvass of the Election Returns and Official Statement of Votes Cast) and declares the results of the election.

Upon adoption of the Resolution 1266, the newly elected Council members will be given the Oath of Office and will assume office immediately.

FISCAL IMPACT:

The cost of the consolidated election will be provided by the Los Angeles County Registrar-Recorder/County Clerk in the coming months. The City Council approved a budget of \$30,000 in the FY 2020-2021 for the consolidated election.

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution 1266 declaring the results of the General Municipal Election held on November 3, 2020 and taking such further actions as provided by law to

complete the election process.

ATTACHMENTS:

[Election_Official Statement of Votes Cast.pdf](#)

[Resolution No1266-Election Certification November 3 2020.pdf](#)



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN
Registrar-Recorder/County Clerk

November 30, 2020

Ms. Elaine Jeng, City Clerk
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, California 90274

Dear Ms. Jeng:

Enclosed are the Official Canvass Certificate and the Official Statement of Votes Cast by precinct for the City of Rolling Hills General Municipal Election consolidated with the General Election held on November 3, 2020.

Please call the Election Planning Section at (562) 462-2317, if you have any questions.

Sincerely,

DEAN C. LOGAN
Registrar-Recorder/County Clerk

LATICIA MCCORKLE, Assistant Division Manager
Election Information and Preparation Division

Enclosures
Official Canvass Certificate
Official Statement of Votes Cast

RECEIVED

DEC 07 2020

City of Rolling Hills

By _____

Los Angeles County
Registrar-Recorder/County Clerk

Certificate of the Canvass of the Election Returns

I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I did canvass the returns of the votes cast for each elective office and/or measure(s) for

Rolling Hills City

at the General Election, held on the 3rd day of November, 2020.

I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction, and that the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 30th day of November, 2020.



Dean C. Logan
DEAN C. LOGAN
Registrar-Recorder/County Clerk
County of Los Angeles

RESOLUTION NO. 1266

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2020 AND TAKING SUCH FURTHER ACTIONS AS PROVIDED BY LAW TO COMPLETE THE ELECTION PROCESS

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, RESOLVES AS FOLLOWS:

Section 1. Findings. The City Council finds as follows:

A. The City held a general municipal election on Tuesday, November 3, 2020.

B. Notice of the election was given in time, form and manner as provided by law; voting precincts were properly established; election officers were appointed and in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities.

C. Pursuant to applicable City Council resolutions, the Registrar-Recorder of the County of Los Angeles canvassed the returns of the election and has certified the results, which are attached as Exhibit A.

Section 2. Ballots Cast. The number of precinct ballots cast in the City, except vote by mail ballots was 302. The number of vote by mail ballots cast in the City was 1,046, resulting in a total of 1,348 ballots cast in the City.

Section 3. Candidates on Ballots. The names of persons voted for at the election for two members of the City Council of the City are as follows:

Arun Able Bhumitra
Jeff Pieper
Beatriz Dieringer

Section 4. Tabulations of Results. The number of votes given at each precinct and the number of votes given in the City to each of the persons above named and for and against the measure are attached as Exhibit A.

Section 5. Declaration of Results. Based upon the election results set forth in Exhibit A, the City Council declares:

- a. Bea Dieringer was elected as Member of the City Council of the City for the full term of four years.
- b. Jeff Pieper was elected as Member of the City Council of the City for the full term of four years.

Section 6. Statement of Results. The City Clerk is directed to enter on the records of the City Council of the City, a statement of the results of the election, showing:

- (1) The whole number of votes cast in the City;
- (2) The names of the persons voted for;
- (3) For what office each person was voted for;
- (4) The number of votes given at each precinct to each person;
- (5) The number of votes given in the City to each person.

Section 7. Certificates of Elections; Oath of Office. The City Clerk is directed to prepare and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and duly authenticated. The City Clerk is further directed to administer to each person elected the Oath of

Office prescribed in the State Constitution of the State of California and have them subscribe to it and file it in the Office of the City Clerk.

Section 8. The City Clerk is directed to certify to the passage and adoption of this Resolution and enter the same in the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED this 14th day of December, 2020.

JEFF PIEPER
MAYOR

ATTEST:

ELAINE JENG, P.E.
ACTING CITY CLERK

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

The foregoing Resolution No. entitled:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING
HILLS, CALIFORNIA DECLARING THE RESULTS OF THE GENERAL
MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2020 AND TAKING
SUCH FURTHER ACTIONS AS PROVIDED BY LAW TO COMPLETE
THE ELECTION PROCESS.**

was approved and adopted at a regular meeting of the City Council on the 14th day of December,
2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ELAINE JENG, P.E.
ACTING CITY CLERK

Los Angeles County
Registrar-Recorder/County Clerk

Certificate of the Canvass of the Election Returns

I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I did canvass the returns of the votes cast for each elective office and/or measure(s) for

Rolling Hills City

at the General Election, held on the 3rd day of November, 2020.

I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction, and that the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 30th day of November, 2020.



Dean C. Logan
DEAN C. LOGAN
Registrar-Recorder/County Clerk
County of Los Angeles



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.A
Mtg. Date: 12/14/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: CITY COUNCIL REORGANIZATION

DATE: December 14, 2020

BACKGROUND:

The California Voters Participating Rights Act prohibits a political subdivision from holding an election other than on a statewide election date. The Act required cities to move their elections to even number years to increase voter turnout.

DISCUSSION:

Municipal Election in the past have been held in March. Accordingly, the City of Rolling Hills City Council has reorganized typically in the month of March. The last reorganization took place on April 13, 2020.

In compliance with the California Voters Participation Rights Act, the recent municipal election in Rolling Hills was held on November 3, 2020. With the changes brought about by the Act, below are several options presented by City Councilmembers for reorganization going forward:

Option 1:

No change, continue to reorganize in the month of March or April until such time an incumbent is no longer in office.

Option 2:

No reorganization in December 2020. Reorganize in April 2021; reorganize in April 2022 and reorganize in December 2022.

Option 3:

Shorten the mayoral term from 12 months to 11 months for the current mayor, the next mayor, the following mayor, and the mayor after. This would result in the following reorganization schedules: reorganize in March 2021; reorganize in February 2022; reorganize in January 2023; and reorganize in December 2024.

FISCAL IMPACT:

There no fiscal impact to City Council reorganization.

RECOMMENDATION:

Review reorganization options presented by Councilmembers and take action.

ATTACHMENTS:



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 9.A

Mtg. Date: 12/14/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: MEREDITH ELGUIRA, PLANNING DIRECTOR

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: ADOPT AN ORDINANCE OF THE CITY OF ROLLING HILLS PROHIBITING SMOKING IN AND ON PUBLIC PROPERTY AND IN AND ON PRIVATE EASEMENTS, ROADS, AND TRAILS BY ADDING CHAPTER 8.40 (SMOKING PROHIBITED) TO TITLE 8 (HEALTH AND SAFETY) OF THE ROLLING HILLS MUNICIPAL CODE; AND FINDING THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DATE: December 14, 2020

BACKGROUND:

At the November 23, 2020 City Council meeting, the City Council discussed a draft ordinance adding regulations prohibiting smoking and its potential fire risks posed to the community. Staff was directed to respond to the Council's comments at the meeting and finalize the ordinance for adoption.

DISCUSSION:

The City Attorney drafted Ordinance No. 365 proposing to ban smoking in public places and on private easements, roads, and trails by adding Chapter 8.40 Smoking Prohibited to Title 8 Health and Safety of the City of Rolling Hills Municipal Code. The ordinance will ban smoking on public property, private easements, roads and trails. It will reduce fire hazards in a high fire severity zone. The proposed amendments will protect public health, safety and welfare of the community.

FISCAL IMPACT:

The fees for legal counsel to review and address the resident's request for municipal code changes and the drafting of ordinance are funded by FY 2020-21 approved budget for legal services.

RECOMMENDATION:

Waive full reading of the ordinance and introduce on first reading the ordinance of the City Council of the City of Rolling Hills adding Chapter 8.40 (Smoking Prohibited); and finding the same exempt from

CEQA.

ATTACHMENTS:

[365 Smoking Ban-cl.docx](#)

ORDINANCE NO. 20-365

AN ORDINANCE OF THE CITY OF ROLLING HILLS PROHIBITING SMOKING IN AND ON PUBLIC PROPERTY AND IN AND ON PRIVATE EASEMENTS, ROADS, AND TRAILS BY ADDING CHAPTER 8.40 (SMOKING PROHIBITED) TO TITLE 8 (HEALTH AND SAFETY) OF THE ROLLING HILLS MUNICIPAL CODE; AND FINDING THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

SECTION 1. Findings.

A. Tobacco use causes death and disease and continues to be an urgent public health challenge, as evidenced by the fact that approximately 480,000 people die prematurely in the United States from smoking-related diseases every year.

B. Exposure to secondhand smoke causes death and disease, as evidenced by the fact that secondhand smoke is responsible for approximately 41,000 deaths each year in the United States.

C. Laws restricting use of electronic smoking devices also have benefits to the public as evidenced by the fact that the State of California's Tobacco Education and Research Oversight Committee "opposes the use of e-cigarettes in all areas where other tobacco products are banned."

D. State law prohibits smoking in certain areas, such as in certain publicly owned buildings, and expressly authorizes local communities to enact additional restrictions, including authority to completely ban smoking (Health & Safety Code §118910).

E. There is broad public recognition of the dangers of secondhand smoke and support for smoke free air laws. As of January 2015, there were at least 382 California cities and counties with local laws restricting smoking in recreational areas, 101 with local laws restricting smoking in all outdoor dining places, and 126 with local laws restricting smoking within 20 feet (or more) of entryways. Further, as of March 2018, there were at least 104 California cities and counties with comprehensive outdoor secondhand smoke ordinances. Lastly, as of July 1, 2018, at least 120 local jurisdictions in California prohibited the use of electronic smoking devices in specific locations.

F. Cigarettes are a major and persistent source of litter as they are often cast onto sidewalks and streets and frequently end up in streams, rivers, bays, lagoons, and ultimately the ocean.

G. As many as 90 percent of wildland fires in the United States are caused by people, according to the U.S. Department of Interior. Some human-caused fires result from campfires left unattended, downed power lines, and negligently discarded cigarettes.

H. The City of Rolling Hills has been designated a “Very High Fire Severity Zone.”

I. The City has already taken actions to reduce and address the risk of fires within the City, such as adopting a Fire Fuel Abatement Ordinance (Rolling Hills Municipal Code Chapter 8.30) to reduce the amount of dead vegetation within the City and adopting a Community Wildfire Protection Plan.

J. Still, in 2020 alone, six of the top twenty largest California wildfire fires have occurred, according to CalFire. Strong wind conditions, dry weather, and dry and dense vegetation contributed to the fire and loss of approximately 115,796 acres in the Bobcat Fire in Los Angeles County, 33,424 acres in the Apple Fire in Riverside County, and 22,744 acres in the El Dorado Fire in San Bernardino County.

K. These fires have resulted in tragic loss of life along with enormous property losses.

L. The City Council finds that smoke-free public property and smoke-free private easements, roads, and trails will improve air quality and reduce fire hazards within the City; it will reduce the risk that persons are subjected to inhaling second hand smoke and also reduce the risk that lit, heated, or ignited cigars, cigarettes, pipes, electronic smoking devices, or any other lit, heated, or ignited tobacco or plant products will be used, discarded, or left unattended by persons on such property.

M. The City Council wishes to amend the Municipal Code to address the health and fire hazards by identifying areas within the City where smoking is prohibited.

SECTION 2. Title 8 (Health and Safety) is hereby amended by adding Chapter 8.40 (Smoking Prohibited) to read as follows:

CHAPTER 8.40 SMOKING PROHIBITED.

8.40.010 Definitions

For purposes of this chapter, the following terms shall have the following meanings:

"Electronic smoking device" means an electronic device that can be used to deliver an inhaled dose of nicotine, or other substances, including any component, part, or accessory of such device, whether or not sold separately. This definition includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic

cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor, including any component, part or accessory of such device, whether or not sold separately.

"Public property" means any indoor or outdoor public property, including, but not limited to, any publicly owned buildings, parking lots, riding rings, tennis courts, parks, roads, streets, and sidewalks.

"Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. "Smoking" includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

8.40.020 Smoking in and on public property prohibited.

In addition to all places where smoking is prohibited under state or federal law, in which case those laws apply, no person shall smoke in or on any public property. Such prohibition extends to smoking in vehicles on public property.

8.40.030 Smoking in and on private easements, roads, and trails prohibited.

In addition to all places where smoking is prohibited under state or federal law, in which case those laws apply, no person shall smoke in or on any private easement, road, or trail. Such prohibition extends to smoking in vehicles on any private easement, road, or trail.

8.40.040 Violation—Penalty.

Violations of this Chapter may be punished as a misdemeanor or infraction at the discretion of the city attorney or city prosecutor in accordance with Chapter 1.08 of this Code.

SECTION 3: CEQA. This ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The City Council hereby finds that under Section 15061(B)(3) of the State CEQA Guidelines, this ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment. It also finds the ordinance is exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15307 and 15308 as an action by a regulatory agency taken to protect the environment and natural resources.

SECTION 4: Effective Date. This ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

SECTION 5: Certification. 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' 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.

PASSED, APPROVED, AND ADOPTED THIS 14 day of December, 2020.

AYES: Councilmember:
NOES: Councilmember:
ABSENT: Councilmember:
ABSTAIN: Councilmember:

Jeff Pieper, Mayor

ATTEST:

Elaine Jeng, Acting City Clerk



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 9.B

Mtg. Date: 12/14/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: MEREDITH ELGUIRA, PLANNING DIRECTOR

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: ADOPT ORDINANCE NO. 367 OF THE CITY OF ROLLING HILLS, CALIFORNIA, REPEALING SECTIONS 10.12.050 (AUTHORITY OF GATE GUARDS) AND 10.12.060 (UNAUTHORIZED TRAFFIC DIRECTION PROHIBITED) OF CHAPTER 10.12 (TRAFFIC ENFORCEMENT AUTHORITY) OF TITLE 10 (VEHICLES AND TRAFFIC); AND AMENDING CHAPTER 9.40 (TRESPASS) AND CHAPTER 9.44 (ENTERING PRIVATE PROPERTY UNDER FALSE PRETENSES) OF TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE ROLLING HILLS MUNICIPAL CODE; AND FINDING THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

DATE: December 14, 2020

BACKGROUND:

On November 23, 2020, the City Council directed staff to finalize Ordinance No. 367 repealing Sections 10.12.050 and 10.12.060 and amending Chapters 9.40 and 9.44 of the Municipal Code for adoption. The proposed amendments stem from a local resident's, Mr. Hawkins, request to amend the Code. The City's legal counsel reviewed the request and drafted the proposed ordinance addressing concerns about trespassing and authority of gate guards. In addition, legal counsel has incorporated the City Council's recommended changes from the November 23, 2020 meeting.

DISCUSSION:

The proposed ordinance proposes to repeal Sections 10.12.050 and 10.12.060 of Chapter 10.12 (Traffic Enforcement Authority) of Title 10 (Vehicles and Traffic) and amends Chapter 9.40 (Trespass) and Chapter 9.44 (Entering Private Property Under False Pretenses) of Title 9 (Public Peace, Morals and Welfare) of the Rolling Hills Municipal Code. It was determined by legal counsel that majority of Mr. Hawkin's proposed changes to the Municipal Code are already addressed by Penal Code Section 602. The attached ordinance, for the City Council's consideration, is the proposed changes by legal counsel that address the concerns that the City's Trespass provisions are insufficient. Lastly, in response to the City Council's concerns regarding private property and public property, the final draft has incorporated new language addressing Council's concerns.

FISCAL IMPACT:

The fees for legal counsel to review and address the resident's request for municipal code changes and the drafting of ordinance are funded by FY 2020-21 approved budget for legal services.

RECOMMENDATION:

Waive full reading of the ordinance and introduce on first reading the ordinance of the City Council of the City of Rolling Hills repealing sections 10.12.050 and 10.12.060 and amending Chapter 9.40 and Chapter 9.44 of the Rolling Hills Municipal Code; and finding the same exempt from CEQA.

ATTACHMENTS:

[367 Regulating Trespass and Repealing Gate Attendant Sections-cl.doc](#)

ORDINANCE NO. 367

AN ORDINANCE OF THE CITY OF ROLLING HILLS, CALIFORNIA, REPEALING SECTIONS 10.12.050 (AUTHORITY OF GATE GUARDS) AND 10.12.060 (UNAUTHORIZED TRAFFIC DIRECTION PROHIBITED) OF CHAPTER 10.12 (TRAFFIC ENFORCEMENT AUTHORITY) OF TITLE 10 (VEHICLES AND TRAFFIC); AND AMENDING CHAPTER 9.40 (TRESPASS) AND CHAPTER 9.44 (ENTERING PRIVATE PROPERTY UNDER FALSE PRETENSES) OF TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE ROLLING HILLS MUNICIPAL CODE

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 10.12.050 (Authority of Gate Guards) of Chapter 10.12 (Traffic Enforcement Authority) of Title 10 (Vehicles and Traffic) of the Rolling Hills Municipal Code is hereby repealed.

SECTION 2. Section 10.12.060 (Unauthorized traffic direction prohibited) of Chapter 10.12 (Traffic Enforcement Authority) of Title 10 (Vehicles and Traffic) of the Rolling Hills Municipal Code is hereby repealed.

SECTION 3. Chapter 9.40 (Trespass) of Title 9 (Public Peace, Morals and Welfare) of the Rolling Hills Municipal Code is amended to read as follows:

Chapter 9.40 – TRESPASS

9.40.010 – Definitions.

A. For the purposes of this chapter, “private property” is defined to be any real property, including but not limited to, buildings, structures, yards, open spaces, walkways, courtyards, driveways, carports, parking areas, vacant lots and easements, private roads, and trails, except land which is owned or lawfully possessed by any governmental entity or agency.

B. For the purposes of this chapter, “public property” is defined to be any real property, including but not limited to, buildings, structures, yards, open spaces, walkways, courtyards, driveways, carports, parking areas, vacant lots and easements, roads, and trails, which is owned or lawfully possessed by any governmental entity or agency.

9.40.020 - Unauthorized remaining on property prohibited.

No person shall remain upon any public or private property after being notified by the owner, lessee, person in charge thereof, or any person

authorized to restrict such property, or by a Sheriff's deputy acting at the request of any such person, to remove therefrom.

9.40.030 - Unauthorized entrance on property prohibited.

No person, without the permission, express or implied, of the owner of, lessee of, person in charge of, or person authorized to impose restrictions on public or private property shall enter upon such property after having been notified by the owner of, lessee of, person in charge of, any person authorized to impose restrictions on such property, or by a Sheriff's deputy acting at the request of any such person, to keep off or keep away therefrom.

9.40.040 - Unauthorized removal from property prohibited.

No person, without the permission, express or implied, of the owner of, lessee of, person in charge of, or person authorized to impose restrictions on public or private property shall enter upon such property to damage, destroy, or remove, or cause to be damaged, destroyed, or removed, any stakes, fences, or signs intended to designate the boundaries and limits of any such property.

9.40.050 - Violation—Penalty.

Violations of this Chapter may be punished as a misdemeanor or infraction at the discretion of the city attorney or city prosecutor in accordance with Chapter 1.08 of this Code.

9.40.060 – Exceptions.

The provisions of this chapter shall not apply in any of the following instances:

- A. When its application results in or is coupled with an act prohibited by any provision of law relating to prohibited discrimination against any person on account of sex, race, color, religion, creed, ancestry, national origin, disability, medical condition, marital status, or sexual orientation.
- B. When its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities.
- C. When its application would result in an interference with or inhibition of activities protected by the California or United States constitutions, including, but not limited to free speech and freedom of assembly rights, if any.

SECTION 4. Chapter 9.44 (Entering Private Property Under False Pretenses) of Title 9 (Public Peace, Morals and Welfare) of the Rolling Hills Municipal Code is amended to read as follows:

Chapter 9.44 - ENTERING PROPERTY UNDER FALSE PRETENSES

9.44.010 - Definitions.

A. For the purposes of this chapter, “private property” is defined to be any real property, including but not limited to, buildings, structures, yards, open spaces, walkways, courtyards, driveways, carports, parking areas, vacant lots and easements, private roads, and trails, except land which is owned or lawfully possessed by any governmental entity or agency.

B. For the purposes of this chapter, “public property” is defined to be any real property, including but not limited to, buildings, structures, yards, open spaces, walkways, courtyards, driveways, carports, parking areas, vacant lots and easements, roads, and trails, which is owned or lawfully possessed by any governmental entity or agency.

9.44.020 - Giving false information to property owners prohibited when.

It is unlawful for any person to willfully give false information to, or to deceive by any other means, any owner of, lessee of, person in charge of, or person authorized to impose restrictions on public or private property, for the purpose of gaining permission to enter or use such property.

9.44.030 - Violation—Penalty.

Violations of this Chapter may be punished as a misdemeanor or infraction at the discretion of the city attorney or city prosecutor in accordance with Chapter 1.08 of this Code.

9.44.040 – Exceptions.

The provisions of this chapter shall not apply in any of the following instances:

A. When its application results in or is coupled with an act prohibited by any provision of law relating to prohibited discrimination against any person on account of sex, race, color, religion, creed, ancestry, national origin, disability, medical condition, marital status, or sexual orientation.

B. When its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities.

C. When its application would result in an interference with or inhibition of activities protected by the California or United States constitutions, including, but not limited to free speech and freedom of assembly rights, if any.

SECTION 5. The City Council hereby finds and determines that this ordinance is exempt from the requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) (“Common Sense Exemption”) of the CEQA Guidelines as it can be said with certainty that there will be no environmental impact from the provisions associated with this ordinance.

SECTION 6. This ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

SECTION 7. 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.

PASSED, APPROVED and ADOPTED this 14 day of December, 2020.

VOTE: AYES:
 NOES:
 ABSTAIN:
 ABSENT:

MAYOR, Jeff Pieper

ATTEST:

Acting City Clerk, Elaine Jeng



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 9.C
Mtg. Date: 12/14/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: MEREDITH ELGUIRA, PLANNING DIRECTOR

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: ADOPT ORDINANCE NO. 368 AMENDING TITLE 17 (ZONING) OF THE CITY OF ROLLING HILLS MUNICIPAL CODE TO ADD CHAPTER 17.48 (TEMPORARY USE PERMITS) ESTABLISHING REGULATIONS OF CERTAIN TEMPORARY USES WITHIN THE CITY; AND FINDING THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

DATE: December 14, 2020

BACKGROUND:

On November 19, 2020, the Planning Commission adopted a resolution recommending that the City Council adopt the proposed ordinance amending Title 17. The proposed ordinance resulted from the Planning Commission's recommendations to staff to establish regulations requiring approval of temporary uses relating to construction or other activities that might not meet the normal development or use standards of the applicable zoning district. The proposed ordinance provides staff with the authority to review and approve, with conditions, such proposed uses.

DISCUSSION:

The proposed ordinance establishes standards for construction related temporary uses such as construction fences, construction offices, storage containers, portable toilets, construction power poles and construction materials. The Municipal Code currently does not have any existing standards that regulate construction uses and thus, many of the construction related uses tend to stay on site for extended period of time even without construction activities occurring. Some construction sites in the City have fences that have been up for years even when construction activities do not require construction fences. Construction fences are usually required by the RHCA or the contractors' insurance providers. Building and Safety requires construction fences when the site has been deemed hazardous.

Adopting the proposed ordinance would allow staff to review the proposed uses, advise improvements, impose time limits, ensure compatibility with the surrounding uses and minimize or avoid visual blight in the community. The ordinance will apply to existing temporary construction uses currently in place at construction sites. The proposed ordinance took into consideration recommendations from the Association, Building and Safety and residents.

FISCAL IMPACT:

The fees for legal counsel to review and address the resident's request for municipal code changes and the drafting of ordinance are funded by FY 2020-21 approved budget for legal services.

RECOMMENDATION:

Waive full reading of the ordinance and introduce on first reading the ordinance of the City Council of the City of Rolling Hills amending Title 17 (Zoning) of the City of Rolling Hills Municipal Code to add Chapter 17.48 (Temporary Use Permits) establishing regulations of certain temporary uses within the City; and finding the same exempt from CEQA.

ATTACHMENTS:

[Ordinance 368 Temporary Use Permits.docx](#)

ORDINANCE NO.368

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 17.48 (TEMPORARY USE PERMITS) ESTABLISHING A PROCESS BY WHICH PERSONS CAN REQUEST A SHORT TERM USE THAT IS ACCEPTABLE BECAUSE OF ITS TEMPORARY NATURE AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECITALS

A. The City desires to amend its municipal code to establish a process for reviewing proposed temporary uses to ensure that basic health, safety, and community welfare standards are met, while approving suitable temporary uses with the minimum necessary conditions or limitations consistent with the temporary nature of the activity;

B. 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;

C. On November 7, 2020, the City gave public notice of the November 19, 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;

D. On November 19, 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;

E. On December 2, 2020 the City gave public notice of the December 14, 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; and

F. December 14, 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 17.48 (Temporary Use Permits) to read as follows:

Chapter 17.48 Temporary Use Permits

17.48.010 Purpose

This chapter provides a process for reviewing proposed temporary uses to ensure that basic health, safety, and community welfare standards are met, while approving suitable temporary uses with the minimum necessary conditions or limitations consistent with the temporary nature of the activity. A temporary use permit allows short-term activities that might not meet the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature. However, these activities should be regulated to avoid incompatibility between the proposed activity and surrounding areas.

17.48.020 Applicability.

A. Permit Requirement. A temporary use permit approved by the applicable review authority shall be required for all uses identified in Section 17.48.040 (Allowed Temporary Uses), and shall be issued before the commencement of the activity.

B. Exempt Activities. Emergency public health and safety activities are exempt from the requirement for a temporary use permit and other city approval.

17.48.030 Review Authority.

Director Review (Temporary Uses). The Planning and Community Services Director (“Director”) shall be responsible for the review and approval of all permits for temporary uses identified in Section 17.48.040 (Allowed Temporary Uses), and the extension of these permits.

17.48.040 Allowed Temporary Uses.

The following temporary uses may be allowed, subject to the issuance of a temporary use permit by the applicable review authority.

A. Temporary Structures for Active Construction Sites and Time Periods.

1. Temporary Construction Fences. A temporary construction fence is permitted, provided the construction activity is occurring and it is occurring outside of the structure or on the exterior of the structure on the subject property. A temporary construction fence is permitted for an initial period of 6 months. The use may be renewed for subsequent time periods of up to 6 months each at the discretion of the applicable review authority.

2. Temporary Construction Offices. A temporary construction office is permitted, provided the construction activity is occurring. A temporary construction office is permitted for an initial period of 6 months. The use may be renewed for

subsequent time periods of up to 6 months each at the discretion of the applicable review authority.

3. Temporary Construction Storage Containers. One temporary construction storage container (up to 8 feet wide and 40 feet long) is permitted, provided the construction activity is occurring. A temporary construction storage container is permitted for an initial period of 6 months. The use may be renewed for subsequent time periods of up to 6 months each at the discretion of the applicable review authority.

4. Temporary Self-Contained Portable Toilets. A temporary self-contained portable toilet is permitted, provided the construction activity is occurring. A temporary self-contained portable toilet is permitted for an initial period of 6 months. The use may be renewed for subsequent time periods of up to 6 months each at the discretion of the applicable review authority.

5. Temporary Construction Power Pole. A temporary construction power pole is permitted, provided the construction activity is occurring. A temporary construction power pole is permitted for an initial period of 6 months. The use may be renewed for subsequent time periods of up to 6 months each at the discretion of the applicable review authority.

B. Temporary Structures for Non-Active Construction Sites and Time Periods.

1. Storage. Temporary, portable storage units, such as PODs or U-PACKS, are allowed to be located on driveways for no more than a week.

2. Self-Contained Portable Toilets

a. A temporary self-contained portable toilet is permitted, during interruption of sewer or septic service for emergencies or planned upgrades/repairs. The use of self-contained portable toilets is limited to the time period of the interruption of sewer or septic service.

b. A temporary self-contained portable toilet is permitted, during special events such as wedding receptions or family reunions on private property. The use of self-contained portable toilets is limited to four calendar days or less.

3. Stockpiling. Temporary storage of clean dirt, sand, gravel, or similar non-polluting materials for a limited period of time, on a property where such material is not proposed to be used for construction activities.

C. Similar Temporary Uses. Similar temporary uses which, in the opinion of the review authority, are compatible with the zoning district and surrounding land uses.

17.48.050 Application Filing, Processing, and Review.

A. Application Preparation and Filing – General Application Requirements. An application for a temporary use permit shall be prepared, filed, and processed in compliance with Chapter 17.30 (Application Procedures). It is the responsibility of the applicant to establish evidence in support of the findings required by Section 17.48.060 (Findings and Decision – Temporary Use Permits), below.

B. Time for Filing.

1. A temporary use permit application for Temporary Self-Contained Portable Toilets on Non-Active Construction Sites shall be filed at least 48 hours in advance of the proposed commencement of the use unless in the case of an emergency.

2. A temporary use permit application for the remaining authorized temporary uses shall be filed at least 14 days in advance of the proposed commencement of the use unless in the case of an emergency.

C. Public Notice and Hearing. The type and extent of public notice provided to area residents shall be determined by the Planning and Community Services Director for temporary use permits, and the extensions of these permits. The applicant shall pay for all noticing costs.

D. Additional Permits Required. Temporary uses may be subject to additional permits and other city approvals, licenses, and inspections required by applicable laws or regulations.

17.48.060 Findings and Decision – Temporary Use Permits.

A temporary use permit may be approved, modified, or conditioned only if the review authority first finds that:

A. The proposed temporary use is allowed within the applicable zoning district with the approval of a temporary use permit and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code; and

B. The proposed temporary use would not unduly impair the integrity and character of the zoning district in which it is located; and

C. Appropriate measures have been taken to protect the public health, safety, and general welfare to minimize detrimental effects on adjacent properties.

17.48 .070 Conditions of Approval.

In approving a temporary use permit, the review authority may impose reasonable and necessary specific design, locational, and operational conditions to ensure that:

- A. The use is limited to a duration that is less than the maximum allowed duration, as determined appropriate by the review authority;
- B. The site is physically adequate for the type, density, and intensity of use being proposed, including the absence of physical constraints;
- C. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses on-site and in the vicinity of the subject property;
- D. The temporary use will be removed and the site restored as necessary to ensure that no changes to the site will limit the range of possible future land uses otherwise allowed by this Zoning Ordinance;
- E. The use will comply with applicable provisions of other local, State, or Federal laws or regulations; and
- F. Any other pertinent factors affecting the operation of the temporary use will be addressed, including the following, to ensure the orderly and efficient operation of the proposed use, in compliance with the intent and purpose of this chapter.

17.48.080 Development and Operating Standards.

- A. General Standards. Standards for heights, setbacks, and other structure and property development standards that apply to the category of use or the zoning district of the subject parcel shall be used as a guide for determining the appropriate development standards for temporary uses. However, the review authority may authorize an adjustment from the specific requirements as deemed necessary and appropriate.
- B. Standards for Specific Temporary Activities. Specific temporary land use activities shall comply with the development standards identified in Title 17 (Zoning) as applicable to the use, in addition to those identified in subsection A of this section, and Section 17.48.070 (Conditions of Approval).

17.48.090 Post-Approval Procedures.

- A. Appeal. The approval, denial, or revocation of a temporary use permit may be appealed in compliance with Chapter 17.55.
- B. Revocation. A temporary use permit may be revoked or modified by the Director on the following grounds:
 - 1. That the approval was obtained by fraud, or that the applicant made a materially false representation on the subject application; or

2. That the approval is being or recently has been exercised contrary to or in violation of the terms or conditions of such approval or other authorization; or

3. That the approval is or recently has been exercised in violation of any statute, law or regulation; or

4. That the use for which approval was granted, or other use(s) not directly related, is exercised in a manner detrimental to the public health and safety or in a manner which constitutes a nuisance.

C. Extension of the Permit. The Director may extend the operational length of the temporary use permit if the delay is beyond the control of and was not the result of actions by the permittee for up to the period of the delay.

D. Expiration. A temporary use permit shall be considered to have expired when the approved use has ceased or was suspended.

17.48.100 Enforcement.

A. Maintaining a temporary use authorized by Section 17.48.040 without a valid permit is hereby declared to be a public nuisance.

B. Maintaining a temporary use authorized by Section 17.48.040 without a valid permit in an infraction and subject to the penalty provisions identified in Section 1.08.020.

Section 2. The project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to 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. The resulting uses would be exempt from CEQA under Sections 15301, 15303, 15304, and 15332 of the CEQA Guidelines, as minor alterations to project sites and buildings that do not increase intensity or density within an urban area with availability of all services.

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.: 11.A

Mtg. Date: 12/14/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: MEREDITH ELGUIRA, PLANNING DIRECTOR

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: APPROVE RESOLUTION NO. 1267 ACCEPTING CALIFORNIA GOVERNOR OFFICE OF EMERGENCY SERVICES (CAL/OES) AND FEMA GRANT AWARD OF FROM THE HAZARD MITIGATION PROGRAM FOR VEGETATION MANAGEMENT

DATE: December 14, 2020

BACKGROUND:

City Council approval is requested for the City of Rolling Hills to enter into an agreement with the Federal Emergency Management Agency (FEMA), to accept and expend grant funding for the "Vegetative Management Mitigation Project".

The City was awarded grant funding in the amount of \$242,625 for up to 75% federal share with required local match of \$80,875.

DISCUSSION:

The Federal Emergency Management Agency (FEMA) approved and issued Hazard Mitigation Grant Program (HGMP) funds for the City of Rolling Hills. The proposed scope of work consists of creating defensible space/fuel breaks to protect homeowners from wildfires within the City. The design development funds are needed to determine the project locations and methods within the City. The project expected completion date for the project is November 2021. The project has been deemed exempt from the National Environmental Policy Act (NEPA).

FISCAL IMPACT:

The City was awarded grant funding in the amount of \$242,625 for up to 75% federal share with required local match of \$80,875.

RECOMMENDATION:

Approve Resolution No. 1267 and authorize the City Manager or designee to execute an agreement

Approve Resolution No. 1267 and authorize the City Manager, or designee, to execute an agreement and any subsequent amendments with FEMA, to accept and expend grant funding in an amount not to exceed \$242,625.

Approve General Fund expenditure of \$80,875.

ATTACHMENTS:

[Approval_4382-175-13R Rolling Hills \(Phase 1\).pdf](#)
[Resolution No1267 FEMA Grant Acceptance.docx](#)



U.S. Department of Homeland Security
1111 Broadway, Suite 1200
Oakland, CA 94607-4052

FEMA

November 16, 2020

Mark S. Ghilarducci
Governor's Authorized Representative
California Office of Emergency Services
3650 Schriever Avenue
Mather, CA 95655

Reference: Application Approval for Phase 1
HMGP-4382-175-13R, City of Rolling Hills
City of Rolling Hills Vegetative Management Mitigation Project
Supplement #29

Dear Mr. Ghilarducci:

The Federal Emergency Management Agency (FEMA) has approved and issued Hazard Mitigation Grant Program (HMGP) funds for the City of Rolling Hills (subrecipient), HMGP-4382-175-13R, City of Rolling Hills Vegetative Management Mitigation Project (Phase 1).

The total eligible costs for Phase 1 are \$323,500. As shown in the enclosed Supplement #29 Obligation Report, we have obligated \$242,625 for up to 75 percent federal share; the non-Federal share match is \$80,875. These funds are available in Smartlink for eligible disbursements.

This HMGP grant approval and obligation of funds are subject to the following:

- 1. Scope of Work (SOW)** - The City of Rolling Hills is proposing to create defensible space/fuel breaks to protect homeowners from wildfires within the City. Phase 1 design development funds are needed to determine the project locations and methods within the City.
- 2. Budget Revisions and Cost Overruns** - In accordance with the 2015 Hazard Mitigation Assistance Unified Guidance, Part VI D.3, when budget changes are made, all programmatic requirements continue to apply. Additional information regarding budget adjustments and revisions can be found in 2 CFR Part 200.308. The Recipient must obtain FEMA's prior written approval for any budget revisions.

November 16, 2020

Page 2

3. **Completion Date** – The work schedule in the application states the activity completion time frame is 12 months. We will annotate November 16, 2021 as the project completion date for Phase 1. Please inform the subrecipient that work completed after this date is not eligible for federal funding, and federal funds may be de-obligated for work not completed within schedule for which there is no approved time extension
4. **National Environmental Policy Act (NEPA)** –This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and DHS Instruction Manual 023-01-001-01. Categorical Exclusion a4 and a7 has been applied.
5. This award of funds is subject to the enclosed *Standard Hazard Mitigation Grant Program Conditions*, amended August 2018. Federal funds may be de-obligated for work that does not comply with these conditions.

If you have any questions or need further assistance please contact me, or your staff may contact Aaron Lim, Hazard Mitigation Assistance Specialist, at Aaron.Lim@fema.dhs.gov (510)-627-7036.

Sincerely,

for

David Stearrett
Acting Director
Mitigation Division
FEMA Region IX

cc: Robert Aguilar, Cal OES
Emily Winchell, Cal OES
Robin Shepard, Cal OES
Monika Saputra, Cal OES

Enclosures (4):
NEMIS Obligation Report
NEMIS Project Management Report
Record of Environmental Considerations (REC)
Standard HMGP Conditions

HAZARD MITIGATION GRANTS PROGRAM

Obligation Report w/ Signatures

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4382	13 -R	0	175	1	29	CA	Statewide

Subrecipient: Rolling Hills

Project Title : Rolling Hills, City of, Vegetative Management Project

Subrecipient FIPS Code: 037-62602

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$242,625.00	\$242,625.00	\$0.00	\$0.00

Project Amount	Subrecipient Management Cost Amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$242,625.00	\$0.00	\$242,625.00	11/12/2020	Accept	2021

Comments

Date: 11/12/2020 User Id: SSCOTT39

Comment: Approved funding for City of Rolling Hills, Vegetative Management Project

Authorization

Preparer Name: STEVEN SCOTT

Preparation Date: 11/12/2020

HMO Authorization Name: KAREN MOJICA

HMO Authorization Date: 11/12/2020

Authorizing Official Signature_____
Authorizing Official Title_____
Authorization Date_____
Authorizing Official Signature_____
Authorizing Official Title_____
Authorization Date

HAZARD MITIGATION GRANT PROGRAM

Project Management Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Recipient
4382	13 - R	0	175	CA	Statewide

Subrecipient: Rolling Hills

FIPS Code: 037-62602

Project Title : Rolling Hills, City of, Vegetative Management Project

Mitigation Project Description**Amendment Status :** Approved**Approval Status:** Approved

Project Title : Rolling Hills, City of, Vegetative Management Project

Recipient : Statewide**Subrecipient :** Rolling Hills

Recipient County Name : Los Angeles

Subrecipient County Name : Los Angeles

Recipient County Code : 37

Subrecipient County Code : 37

Recipient Place Name : Rolling Hills

Subrecipient Place Name : Rolling Hills

Recipient Place Code : 0

Subrecipient Place Code : 62602

Project Closeout Date : 00/00/0000

Work Schedule Status

<u>Amend #</u>	<u>Description</u>	<u>Time Frame</u>	<u>Due Date</u>	<u>Revised Date</u>	<u>Completion Date</u>
0	PHASE I	0	00/00/0000	00/00/0000	00/00/0000
0	CEQA Assessment	6 Months	00/00/0000	00/00/0000	00/00/0000
0	Boundary Survey	1 Month	00/00/0000	00/00/0000	00/00/0000
0	Legal Services	3 Month	00/00/0000	00/00/0000	00/00/0000
0	Site Survey	1 Month	00/00/0000	00/00/0000	00/00/0000
0	Project Design	7 Months	00/00/0000	00/00/0000	00/00/0000
0	PHASE II	0	00/00/0000	00/00/0000	00/00/0000
0	Construction Mobilization	1 Month	00/00/0000	00/00/0000	00/00/0000
0	Clearing & Grubbing	6 Months	00/00/0000	00/00/0000	00/00/0000
0	Grading	4 Months	00/00/0000	00/00/0000	00/00/0000
0	Hydroseeding	3 Months	00/00/0000	00/00/0000	00/00/0000
0	Roadway Surfacing	2 Months	00/00/0000	00/00/0000	00/00/0000
0	Offsite Mitigation	2 Months	00/00/0000	00/00/0000	00/00/0000

Approved Amounts

Total Approved Net Eligible	Federal Share Percent	Total Approved Federal Share Amount	Non-Federal Share Percent	Total Approved Non-Fed Share Amount
\$323,500.00	75.00000000	\$242,625.00	25.00000000	\$80,875.00

Allocations

Allocation Number	IFMIS Status	IFMIS Date	Submission Date	FY	ES/DFSC Support Req ID	ES/DFSC Amend Nr	Proj Alloc Amount Fed Share	Subrecipient Management Cost	Total Alloc Amount
15	A	11/12/2020	11/12/2020	2021	3231152	3	\$242,625.00	\$0.00	\$242,625.00
Total							\$242,625.00	\$0.00	\$242,625.00

HAZARD MITIGATION GRANT PROGRAM

Project Management Report

Disaster Number	FEMA Project Number	Amendment Number	App ID	State	Recipient
4382	13 - R	0	175	CA	Statewide

Subrecipient: Rolling Hills

FIPS Code: 037-62602

Project Title : Rolling Hills, City of, Vegetative Management Project

Obligations

Action Nr	IFMIS Status	IFMIS Date	Submission Date	FY	SFS Support Doc ID	SFS Amend Number	Suppl Nr	Project Obligated Amt - Fed Share	Subrecipient Management Cost	Total Obligated Amount
1	A	11/12/202	11/12/2020	2021	3306034	0	29	\$242,625.00	\$0.00	\$242,625.00
Total								\$242,625.00	\$0.00	\$242,625.00

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP 4382-175-13 (Phase 1)

Title: City of Rolling Hills Vegs Management Project (Phase 1)

NEPA DETERMINATION

Non Compliant Flag: No	EA Draft Date:	EA Final Date:
EA Public Notice Date:	EA Fonsi	Level: CATEX
EIS Notice of Intent	EIS ROD Date:	

Comment The City of Rolling Hills is proposing to create defensible space/fuel breaks to protect homeowners from wildfires within the City, Los Angeles County (33.757238, -118.354605). Phase 1 design development funds are needed to determine the project locations and methods within the City.

Phase 1 (Design) of this project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and FEMA Directive 108-1-1 as authorized by DHS Instruction Manual 023-01-001-01, Revision 1. Categorical Exclusions a4 (information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents) and a7 (commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature) have been applied. Particular attention should be given to the project conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding. - dcohen3 - 11/05/2020 23:41:04 GMT

CATEX CATEGORIES

Catex Category Code	Description	Selected
a4	(a4) Information gathering, data analysis and processing, information dissemination, review, interpretation, and development of documents. If any of these activities result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include but are not limited to: (a) Document mailings, publication and distribution, training and information programs, historical and cultural demonstrations, and public affairs actions. (b) Studies, reports, proposals, analyses, literature reviews; computer modeling; and non-intrusive intelligence gathering activities.	Yes
a7	(a7) The commitment of resources, personnel, and funding to conduct audits, surveys, and data collection of a minimally intrusive nature. If any of these commitments result in proposals for further action, those proposals must be covered by an appropriate CATEX. Examples include, but are not limited to: (a) Activities designed to support the improvement or upgrade management of natural resources, such as surveys for threatened and endangered species, wildlife and wildlife habitat, historic properties, and archeological sites; wetland delineations; timber stand examination; minimal water, air, waste, material and soil sampling; audits, photography, and interpretation. (b) Minimally-intrusive geological, geophysical, and geo-technical activities, including mapping and engineering surveys. (c) Conducting Facility Audits, Environmental Site Assessments and Environmental Baseline Surveys, and (d) Vulnerability, risk, and structural integrity assessments of infrastructure.	Yes

EXTRAORDINARY

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

ENVIRONMENTAL LAW / EXECUTIVE ORDER

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP 4382-175-13 (Phase 1)

Title: City of Rolling Hills Vegs Management Project (Phase 1)

Environmental Law/ Executive Order	Status	Description	Comment
Clean Air Act (CAA)	Completed	Project will not result in permanent air emissions - Review concluded	
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would not affect any water of the U.S. - Review concluded	
Coastal Zone Management Act (CZMA)	Completed	Project is not located in a coastal zone area and does not affect a coastal zone area - Review concluded	
Executive Order 11988 - Floodplains	Completed	No effect on floodplain/flood levels and project outside floodplain - Review concluded	
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	No Low income or minority population in, near or affected by the project - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	The proposed action is to provide funding to the subrecipient for Phase 1 design development funds, without any proposed physical disturbance. These actions would result in no impacts to endangered species. ESA review will need to be completed prior to implementing any subsequent phases of the project. The proposed scope of work for design development will not destroy or adversely modify suitable habitat and will not affect any other listed or proposed species. It is therefore determined the proposed action would have No Effect on listed species and consultation with the Services under Section 7 of the Endangered Species Act is not required. - dcohen3 - 11/05/2020 23:31:47 GMT
	Completed	No effect to species or designated critical habitat (See comments for justification) - Review concluded	
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP 4382-175-13 (Phase 1)

Title: City of Rolling Hills Vegs Management Project (Phase 1)

Environmental Law/ Executive Order	Status	Description	Comment
Fish and Wildlife Coordination Act (FWCA)	Completed	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Not type of activity with potential to affect historic properties - Review concluded	The Undertaking complies with Stipulation I.A.7.f. (assistance provided for planning, studies, design and engineering costs that involve no commitment of resources other than staffing and associated funding) of the Programmatic Agreement among the Federal Emergency Management Agency (FEMA), State Historic Preservation Office (SHPO) and California Office of Emergency Services (Cal OES), signed October 29, 2019. Thus, the Undertaking does not require SHPO review, and FEMA has no further Section 106 responsibilities in accordance with 36 CFR § 800.3(a)(1). No ground disturbance is proposed. - dcohen3 - 11/05/2020 23:25:38 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

CONDITIONS

Standard Conditions:

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Standard Mitigation Grant Program (HMGP) Conditions

FEMA Region IX, August, 2018

The following list applies to Recipients and Subrecipients accepting HMGP funds from the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security (DHS):

1. **Applicable Federal, State, and Local Laws and Regulations.** The Recipient/Subrecipient must comply with all applicable Federal, State, and Local laws and regulations, regardless of whether they are on this list or other project documents. DHS financial assistance Recipients and Subrecipients are required to follow the provisions of the State HMGP Administrative Plan, applicable Hazard Mitigation Assistance Uniform Guidance, and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located in Title 2 of the Code of Federal Regulations (CFR) Part 200, adopted by DHS in 2 CFR 3002.
2. **Financial Management Systems.** The Recipient and Subrecipient must maintain financial management systems to account for and track funds, as referenced in 2 CFR 200.302.
3. **Match or Cost Share.** Non-federal match or cost share must comply with 2 CFR 200.306, the scope of work (SOW), and any agreements among the Subrecipient, the Recipient, and FEMA.
4. **Budget Changes.** Unanticipated adjustments are permitted within the approved total cost. However, if costs exceed the federal share, the Subrecipient must notify the Governor's Authorized Representative (GAR) of overruns before implementation. The GAR shall submit a written request for approval to FEMA Region IX. The subaward must continue to meet HMGP requirements, including cost effectiveness and cost share. Refer to 2 CFR 200.308 for additional information.
5. **Real Property and Land.** The acquisition, use, and disposition must comply with 2 CFR 200.311.
6. **Equipment.** The acquisition, use, and disposition must comply with 2 CFR 200.313.
7. **Supplies.** Upon project completion, FEMA must be compensated for unused supplies, exceeding \$5,000 (fair market value), and not needed for other federal programs. Refer to 2 CFR 200.314.
8. **Procurement.** Procurement procedures must be in conformance with 2 CFR 200.318-320.
9. **Monitoring and Reporting Program Performance.** The Recipient and Subrecipient must submit quarterly progress reports, as referenced in the 2 CFR 200.328 and State HMGP Administrative Plan.
10. **Records Retention.** In accordance with 2 CFR 200.333, financial/ programmatic records related to expenditures must be maintained at least 3 years after the date of Recipient's final expenditure report.
11. **Enforcement and Termination.** If the Recipient or Subrecipient fails to comply with the award or subaward terms, whether stated in a Federal statute or regulation, the State HMGP Administrative Plan, subapplication, a notice of award, an assurance, or elsewhere, FEMA may take one or more of the actions outlined in 2 CFR 200.338, including termination or partial termination of the award or subaward outlined in 2 CFR 200.339.
12. **Allowable Costs.** Funds are to be used for allowable costs in compliance with 2 CFR 200.403, the approved SOW, and any agreements among the Subrecipient, Recipient, and FEMA.

13. **Non-Federal Audit.** The Recipient and Subrecipient are responsible for obtaining audits in accordance with the Single Audit Act of 1984, in compliance with 2 CFR 200.501.
14. **Debarred and Suspended Parties.** Recipients and Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, and 2 CFR 180. These regulations restrict federal financial assistance awards, subawards, and contracts with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in the federal assistance programs or activities.
15. **Equipment Rates.** Rates claimed for use of Subrecipient-owned equipment in excess of the FEMA-approved rates must be approved under State guidelines issued by the State Comptroller's Office or must be certified by the Recipient to include only those costs attributable to equipment usage less any fixed overhead and/or profit.
16. **Duplication of Funding between Public Assistance (PA) and HMGP.** Funding for PA Section 406 and HMGP Section 404 are permitted on the same facility/location, but the activities identified under each program must be distinct with separately accounted funds. At closeout, FEMA may adjust the funding to ensure the Subrecipient was reimbursed for eligible work from only one funding source.
17. **Historic Properties and Cultural Resources.** In compliance with 2 CFR 800, if a potential historic property or cultural resource is discovered during construction, the Subrecipient must cease work in the area and take all reasonable measures to avoid or minimize harm to the discovered property/resource. During construction, the Subrecipient will monitor ground disturbance activity, and if any potential archeological resources are discovered, will immediately cease work in that area, and notify the Recipient and FEMA. Construction in the area may resume with FEMA's written approval after FEMA's consultation, if applicable, with the State Historic Preservation Officer (SHPO).
18. **NEPA and Changes to the Scope of Work (SOW).** To comply with the National Environmental Policy Act (NEPA), and other Laws and Executive Orders, any change to the approved SOW shall be re-evaluated before implementation. Construction associated with a SOW change, prior to FEMA approval, may be ineligible for funding. Acceptance of federal funding requires environmental permits and clearances in compliance with all appropriate federal, state and local laws, and failure to comply may jeopardize funding.

Within their authority, the Recipient and Subrecipient must use of all practicable means, consistent with other essential policies, to create and maintain productive harmony for people and nature, and fulfill the social, economic, and other needs of present and future generations of Americans.

RESOLUTION NO. 1267

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AUTHORIZING ACCEPTANCE OF GRANT FUNDING FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF \$242,625 WITH THE REQUIRED LOCAL MATCH OF \$80,875; AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE ANY NECESSARY DOCUMENTS TO MEET THE GRANT REQUIREMENTS AND TO COMPLETE THE VEGETATIVE MANAGEMENT MITIGATION PROJECT.

THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. Recitals.

A. The City of Rolling Hills (“City”) applied to the Federal Emergency Management Agency (“FEMA”) for Hazard Mitigation Grant Funds HMGP-4382-175-13R to use on its Vegetative Management Mitigation Project.

B. The Vegetative Management Mitigation Project is proposing to create defensible space/fuel breaks to protect homeowners from wildfires within the City. Phase 1 design development funds are needed to determine the project locations and methods within the City.

C. FEMA awarded the City grant funds in the amount of \$242,625 with required local matching in the amount of \$80,875 to be used on the Vegetative Management Mitigation Project.

D. The City Council desires to accept the grant funds from FEMA to be used for the Vegetative Management Mitigation Project and to direct the City Manager, or designee, to execute any necessary documents to meet the grant requirements and to complete the Vegetation Management Mitigation Project in compliance with the grant requirements.

Section 2. The City Council hereby accepts the award of the Hazard Mitigation Funds HMGP-4382-175-13R from FEMA in the amount of \$242,625 to be used on the Vegetative Management Mitigation Project.

Section 3. The City Council hereby authorizes the City’s expenditure of \$80,875 as local matching funds for the Vegetation Management Mitigation Project.

Section 4. The City Council hereby authorizes the City Manager, or her designee, to execute any necessary documents to meet the grant requirements. The City Manager, or her designee, is also authorized to take necessary action to complete the Vegetative Management Mitigation Project in compliance with the grant requirements.

Section 5. This Resolution shall take effect immediately upon its adoption by the City Council, and 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 14th day of December, 2020.

JEFF PIEPER
MAYOR

ATTEST:

ELAINE JENG, P.E.
ACTING CITY CLERK

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

The foregoing Resolution No. 1267 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AUTHORIZING ACCEPTANCE OF GRANT FUNDING FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF \$242,625 WITH THE REQUIRED LOCAL MATCH OF \$80,875; AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE ANY NECESSARY DOCUMENTS TO MEET THE GRANT REQUIREMENTS AND TO COMPLETE THE VEGETATIVE MANAGEMENT MITIGATION PROJECT.

was approved and adopted at a regular meeting of the City Council on the 14th day of December, 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ELAINE JENG, P.E.
ACTING CITY CLERK



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 14.A

Mtg. Date: 12/14/2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CONNIE VIRAMONTES , ADMINISTRATIVE ASSISTANT

THRU: ELAINE JENG P.E., CITY MANAGER

**SUBJECT: EMPLOYMENT PERFORMANCE EVALUATION
GOVERNMENT CODE SECTION 54957
TITLE: CITY MANAGER**

DATE: December 14, 2020

BACKGROUND:

NONE.

DISCUSSION:

NONE.

FISCAL IMPACT:

NONE.

RECOMMENDATION:

NONE.

ATTACHMENTS: