

City of Rolling Hills INCORPORATED JANUARY 24, 1957

2 PORTUGUESE BEND ROAD ROLLING HILLS, CA 90274 (310) 377-1521

AGENDA Regular City Council Meeting

CITY COUNCIL Monday, June 13, 2022

CITY OF ROLLING HILLS 7:00 PM

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

Members of the public may 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.

Recordings to City Council meetings can be found here: https://www.rollinghills.org/government/agenda/index.php

Next Resolution No. 1303

Next Ordinance No. 376

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVE ORDER OF THE AGENDA

This is the appropriate time for the Mayor or Councilmembers to approve the agenda as is or reorder.

5. BLUE FOLDER ITEMS (SUPPLEMENTAL)

Blue folder (supplemental) items are additional back up materials to administrative reports, changes to the posted agenda packet, and/or public comments received after the printing and distribution of the agenda packet for receive and file.

6. PUBLIC COMMENT ON NON-AGENDA ITEMS

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

7. CONSENT CALENDAR

Business items, except those formally noticed for public hearing, or those pulled for discussion are assigned to the Consent Calendar. The Mayor or any Councilmember may request that any Consent Calendar item(s) be removed, discussed, and acted upon separately. Items removed from the Consent Calendar will be taken up under the "Excluded Consent Calendar" section below. Those items remaining on the Consent Calendar will be approved in one motion. The Mayor will call on anyone wishing to address the City Council on any Consent Calendar item on the agenda, which has not been pulled by Councilmembers for discussion.

7.A. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR

MEETING OF JUNE 13, 2022 **RECOMMENDATION: Approve.** CL_AGN_220613_CC_AffidavitofPosting.pdf

- 7.B. APPROVE MOTION TO READ BY TITLE ONLY AND WAIVE FURTHER READING OF ALL ORDINANCES AND RESOLUTIONS LISTED ON THE AGENDA RECOMMENDATION: Approve.
- 7.C. APPROVE THE FOLLOWING CITY COUNCIL MINUTES: MAY 23, 2022 RECOMMENDATION: Approve as presented. CL_MIN_220523_CC_F.pdf
- 7.D. PAYMENT OF BILLS **RECOMMENDATION: Approve as presented.** CL_AGN_220613_PaymentOfBills.F.pdf
- 7.E. RECEIVE AND FILE 2022-23 LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CONTRACT CITY LAW ENFORCEMENT SERVICES FORM 575 SERVICE LEVEL AUTHORIZATION **RECOMMENDATION: Receive and file.** CA_AGR_220602_LACoSheriff_575Form_FY22-23.pdf
- 7.F. ADOPT RESOLUTION NO. 1297 UPDATING THE CONSOLIDATED TAX AND FEE SCHEDULE TO INCREASE THE COMMITTEE ON TREES AND VIEWS PROCESSING FEE FOR VIEW CASES **RECOMMENDATION: Approve as presented.**

ResolutionNo1297_FeeSchedule_FY22-23_CTV_Update.pdf

- 7.G. ADOPT RESOLUTION NO. 1302 PERMITTING THE USE OF A ROLLING HILLS COMMUNITY ASSOCIATION VEHICLE WITH AMBER LIGHTS; AND REQUIRE THE ROLLING HILLS COMMUNITY ASSOCIATION TO INSTALL SIGNAGE PER THE RECOMMENDATIONS OF THE CITY'S TRAFFIC ENGINEER **RECOMMENDATION: Approve as presented.** CL_AGN_220414_RHCA_VehicleCode_RequestLetter.pdf CL_AGN_220613_RHCA_AmberLight_TE_Memo.pdf ResolutionNo1302_RHCA_AmberLights.pdf
- 7.H. AMENDED AGREEMENT WITH MCGOWAN CONSULTING FOR SERVICES RELATING TO STORMWATER MANDATE COMPLIANCE **RECOMMENDATION: Approve as presented.** RH-MS4-ProposalLetter-FY2223(2022-06-01).pdf RH-MS4_SOS_FY2022-23(Final).pdf CA_AGR_220613_McGowan_Amend05.pdf MCGOWAN CONSULTING LLC, Agrmnt_2015-18_Signed.pdf McGowan 1stAmendment 2018-2020 SIGNED.pdf Second Amendment McGowan Agreement 4-17-19.pdf 3rd Agreement McGowan Consulting LLC Agreement 2020_07_29.pdf

PSA 4th Amendment signed 06.29.2021.pdf

 7.I. APPROVE ROLLING HILLS COMMUNITY ASSOCIATION'S APPLICATION TO LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH FOR REPLACEMENT OF SEPTIC TANK SERVING THE MAIN GATE AND AUTHORIZE CITY MANAGER TO SIGN.
 RECOMMENDATION: Approve as presented.
 PW_CHC_220608_TC_RHCA_Septic_LACoDPH_App_rev.pdf
 PW_CHC_220607_TC_RHCA_Septic_GeoTech.pdf

8. EXCLUDED CONSENT CALENDAR ITEMS

9. COMMISSION ITEMS

- 9.A. ZONING CASE 21-16: REQUEST FOR APPROVAL FOR A SITE PLAN REVIEW FOR GRADING AND CONSTRUCTION OF A NEW RETAINING WALL; CONDITIONAL USE PERMIT FOR A RECREATIONAL GAME COURT; AND VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE FOR A PROPERTY LOCATED AT 18 EASTFIELD DRIVE (LOT 69-A-EF) (RICH) **RECOMMENDATION: Receive and file.** Vicinity Map - 18 Eastfield Dr.pdf Development Table (ZC 21-16).pdf Email from Sam Galletti 050922.pdf RICH RESIDENCE - FINAL SUBMITTAL FOR PLANNING - reduced.pdf Previously Approved Resolutions - 18 Eastfield Dr.pdf 2022-05_PC_Resolution_18EastfieldDr_ZC 21-16_E.pdf
- 9.B. ZONING CASE NO. 22-20: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW FOR CONSTRUCTION OF A 1,583-SQUARE-FOOT ADDITION AND REMODEL TO AN EXISTING RESIDENCE, MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, GRADING, AND OTHER IMPROVEMENTS; AND VARIANCES TO CONSTRUCT IN THE FRONT YARD SETBACK AND FOR A FIVE-FOOT-HIGH RETAINING WALL TO BE CONSTRUCTED IN THE SETBACK AREA FOR A PROPERTY LOCATED AT 16 SOUTHFIELD DRIVE (LOT 33-SF), ROLLING HILLS, CA (BURGOYNE)

RECOMMENDATION: Receive and file. Vicinity Map - 16 Southfield Dr.pdf Development Table (ZC 22-20).pdf 16 Southfield Drive_Combined Plan Set_2022.05.11(reduced).pdf

2022-06 PC Resolution 16Southfield ZC 22-20 E.pdf

10. OLD BUSINESS

11. NEW BUSINESS

11.A. CONSIDER AND APPROVE AMENDING SEWER STUDY TO PHASE THE CONSTRUCTION OF THE 8" SEWER MAIN PROJECT **RECOMMENDATION:**

Approve the additional services request from Willdan and direct staff to prepare an amendment to the service agreement with Willdan in the amount of \$9,010.

P22-158_23401 RH_Phase II_ Sewer Area Study Supplement.pdf

- 11.B. APPROVE RENEWAL AGREEMENT WITH GRANICUS FOR SUBSCRIPTION TO AGENDA MANAGEMENT, MINUTES, AND UPGRADED LIVECAST HARDWARE/SOFTWARE PROGRAMS **RECOMMENDATION: Approve as presented and/or provide direction** regarding additive services. CA_AGR_220509_AttachmentA_Peak_GovMtgLiveCast_3yr_Renewal_Proposal_F.pdf
- 11.C. CONSIDERATION OF RENEWAL FOR FY 2022/23 SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) REGIONAL PLANNER SPECIAL ASSESSMENT **RECOMMENDATION: Provide direction to staff.** CL_AGN_220613_SBCCOG_22-23_Assessment_RegionalPlanner.pdf
- 11.D. APPROVE AND AUTHORIZE CITY MANAGER TO SUBMIT THE SEPULVEDA CANYON CONTINUOUS FLOW MONITORING TECHNICAL MEMORANDUM AND REVISED SUBSECTION 3.5.2 RECOMMENDATION:

Approve as presented.

Sepulveda Canyon Continuous Flow Technical Memorandum_Final.pdf PVP_EWMP_Sec_3.5.2(Final)redline.pdf PVP_EWMP_Sec_3.5.2(Final).pdf

12. PUBLIC HEARINGS

12.A. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 1300 ADOPTING THE 2022/2023 FISCAL YEAR BUDGET AND RESOLUTION NO. 1301 ESTABLISHING THE ANNUAL APPROPRIATIONS GANN LIMIT FOR THE CITY OF ROLLING HILLS.

RECOMMENDATION: Upon the conclusion of the public hearing, staff recommends that the City Council adopt the Fiscal Year 2022-2023 Budget for all the City's Funds and the Annual Appropriations Limit or continue the Public Hearing to June 27, 2022 if deemed necessary.

CL_AGN_220613_General Fund Revenues.pdf CL_AGN_220613_General Fund Expenditures.pdf CL_AGN_220613_One-Time Costs.pdf CL_AGN_220613_Balancing Measures.pdf CL_AGN_220613_GF Sources and Uses of Funds.pdf CL_AGN_220613_Other Funds.pdf ResolutionNo1300_FY2022-23_AdoptedBudget.pdf ResolutionNo1301_FY2022-23_AppropLimit.pdf

13. MATTERS FROM THE CITY COUNCIL

13.A. REQUEST FOR ACTION ON SB1186 (WIENER) MEDICINAL CANNABIS PATIENTS RIGHT OF ACCESS ACT (DIERINGER) RECOMMENDATION: Provide direction to staff. CL_AGN_220613_CC_SB1186.pdf CL_AGN_220613_CC_SB1186_AsAmends.pdf CL_AGN_220613_CC_SB1186_SenateFloorAnalyses.pdf

13.B. DISCUSSION REGARDING LOS ANGELES COUNTY SANITATION DISTRICT LABOR AGREEMENT (WILSON) RECOMMENDATION: Provide direction to staff. CL AGN 220613 SanitationDistrict.pdf

14. MATTERS FROM STAFF

- 14.A. UPDATE ON EIS REGISTRATION EFFORTS RECOMMENDATION: Receive and file.
- 14.B. CONSIDERATION OF SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) REQUEST FOR SUPPORT REGARDING STATE BUDGET REQUEST **RECOMMENDATION: Consider and provide direction to staff.** CL_AGN_220613_SBCCOG_StateBudgetRequest.pdf

15. RECESS TO CLOSED SESSION

16. RECONVENE TO OPEN SESSION

17. ADJOURNMENT

Next regular meeting: Monday, June 27, 2022 at 7:00 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California, 90274.

Notice:

Public Comment is welcome on any item prior to City Council action on the item.

Documents pertaining to an agenda item received after the posting of the agenda are available for review in the City Clerk's office or at the meeting at which the item will be considered.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting due to your disability, please contact the City Clerk at (310) 377-1521 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility and accommodation for your review of this agenda and attendance at this meeting.



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.A Mtg. Date: 06/13/2022

- TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
- FROM: CHRISTIAN HORVATH,
- THRU: ELAINE JENG P.E., CITY MANAGER
- SUBJECT: APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF JUNE 13, 2022
- DATE: June 13, 2022

BACKGROUND: None.

DISCUSSION: None.

FISCAL IMPACT: None.

RECOMMENDATION:

Approve.

ATTACHMENTS: CL AGN 220613 CC AffidavitofPosting.pdf



Administrative Report

7.A., File # 1250

Meeting Date: 06/13/2022

To: MAYOR & CITY COUNCIL

From: Christian Horvath, City Clerk

TITLE APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF JUNE 13, 2022

EXECUTIVE SUMMARY

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

AFFIDAVIT OF POSTING

In compliance with the Brown Act, the following materials have been posted at the locations below.

Legislative Body City Council

Posting Type Regular Meeting Agenda

Posting Location 2 Portuguese Bend Road, Rolling Hills, CA 90274 City Hall Window

Meeting Date & Time June 13, 2022 7:00pm Open Session

As City Clerk of the City of Rolling Hills, I declare under penalty of perjury, the document noted above was posted at the date displayed below.

Christian Horvath, City Clerk

Date: June 10, 2022



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.B Mtg. Date: 06/13/2022

- TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
- FROM: CHRISTIAN HORVATH,
- THRU: ELAINE JENG P.E., CITY MANAGER
- SUBJECT: APPROVE MOTION TO READ BY TITLE ONLY AND WAIVE FURTHER READING OF ALL ORDINANCES AND RESOLUTIONS LISTED ON THE AGENDA
- DATE: June 13, 2022

BACKGROUND: None.

DISCUSSION: None.

FISCAL IMPACT: None.

RECOMMENDATION: Approve.

ATTACHMENTS:



Agenda Item No.: 7.C Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CHRISTIAN HORVATH,

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: APPROVE THE FOLLOWING CITY COUNCIL MINUTES: MAY 23, 2022

DATE: June 13, 2022

BACKGROUND: None.

DISCUSSION: None.

FISCAL IMPACT: None.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

 $CL_MIN_220523_CC_F.pdf$



Minutes Rolling Hills City Council Monday, May 23, 2022 Regular Meeting 7:00 p.m.

1. CALL TO ORDER

The City Council of the City of Rolling Hills met in person on the above date at 7:02 p.m. Mayor James Black presiding.

2. ROLL CALL

Councilmembers Present: Councilmembers Absent: Staff Present: Dieringer, Pieper, Mirsch, Mayor Pro Tem Wilson, Mayor Black None Elaine Jeng, City Manager Jane Abzug, City Attorney John Signo, Planning & Community Services Director Christian Horvath, City Clerk / Executive Assistant to the City Manager Robert Samario, Finance Director Vanessa Hevener, Senior Management Analyst

3. PLEDGE OF ALLEGIANCE – Councilmember Pieper

4. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS – NONE

5. BLUE FOLDER ITEMS (SUPPLEMENTAL)

Motion by Councilmember Pieper, seconded by Councilmember Dieringer to receive and file supplemental items for 7C, 11A and 12B. Motion carried unanimously with the following vote:

AYES:Dieringer, Pieper, Mirsch, Wilson, Mayor BlackNOES:NoneABSENT:None

6. PUBLIC COMMENT ON NON-AGENDA ITEMS

Public Comment: Alfred Visco, Jim Aichele

City Manager Jeng introduced Vanessa Hevener as the new Senior Management Analyst

7. CONSENT CALENDAR

- 7.A. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF MAY 23, 2022
- 7.B. APPROVE MOTION TO READ BY TITLE ONLY AND WAIVE FURTHER READING OF ALL ORDINANCES AND RESOLUTIONS LISTED ON THE AGENDA
- 7.C. APPROVE THE FOLLOWING CITY COUNCIL MINUTES: MAY 9, 2022

7.D. PAYMENT OF BILLS

- 7.E. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR APRIL 2022
- 7.F. PULLED BY COUNCILMEMBER MIRSCH
- 7.G. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BOLTON ENGINEERING CORPORATION TO PERFORM A TOPOGRAPHIC SURVEY AT THE CITY HALL CAMPUS TO SUPPORT THE IMPROVEMENTS REQUESTED BY THE NEEDS OF SENIOR COMMITTEE
- 7.H. PENINSULA EMERGENCY WATERSHED MANAGEMENT PROJECT (EWMP) RESPONSE TO REGIONAL BOARD COMMENTS
- 7.I. PULLED BY COUNCILMEMBER DIERINGER
- 7.J. PULLED BY COUNCILMEMBER DIERINGER
- 7.K. ADOPT RESOLUTION NO. 1299 ACCEPTING CALRECYCLE SB1383 GRANT
- 7.L. REPORT BY BUDGET/AUDIT/FINANCE COMMITTEE ON MEETING HELD ON MAY 9, 2022
- 7.M. ADOPT RESOLUTION NO. 1298 MEMORIALIZING A REDUCTION IN THE SELFINSURANCE FUND RESERVES FROM \$500,000 TO \$250,000

7.N. UPDATE ON RESTRICTED TRANSPORTATION FUND PROJECTS

Motion by Councilmember Pieper, seconded by Councilmember Dieringer to approve Consent Calendar excluding Items 7F, 7I and 7J. Motion carried unanimously with the following vote:

AYES:Dieringer, Pieper, Mirsch, Wilson, Mayor BlackNOES:NoneABSENT:None

8. EXCLUDED CONSENT CALENDAR ITEMS

7.I. APPROVE ROLLING HILLS COMMUNITY ASSOCIATION'S APPLICATION TO LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH FOR REPLACEMENT OF SEPTIC TANK SERVING THE MAIN GATE AND AUTHORIZE CITY MANAGER TO SIGN

City Attorney Abzug recommended bringing this item back to allow time for further review of the maintenance agreement within the application to understand any city obligations. Mayor Black directed staff to hold the item, ascertain if the City Attorney found the agreement acceptable and if so return for approval at the June 13, 2022 City Council meeting. Without objection, so ordered.

7.J. ACCEPT EMERGENCY STORM DRAIN REPAIR AT 1 MIDDLERIDGE LANE NORTH AS COMPLETE, FILE NOTICE OF COMPLETION, AND RELEASE RETENTION AFTER 30 DAY LIEN PERIOD TO EC CONSTRUCTION

Motion by Councilmember Pieper, seconded by Mayor Pro Tem Wilson to approve as presented. Motion carried unanimously with the following vote:

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

NOES: None ABSENT: None

MINUTES – CITY COUNCIL MEETING Monday, May 23, 2022 Page 2

7.F. APPROVE COUNTY OF LOS ANGELES DEPARTMENT OF AGRICULTURAL COMMISSIONER/WEIGHTS AND MEASURES FY 2022/2023 PEST CONTROL AGREEMENT NO. 779 FOR PEST CONTROL SERVICES

Motion by Councilmember Mirsch, seconded by Councilmember Pieper to approve contract as presented. Motion carried unanimously with the following vote:

AYES: Dieringer, Pieper, Mirsch, Wilson, Mayor Black NOES: None

ABSENT: None

9. COMMISSION ITEMS – NONE

10. MATTERS FROM THE CITY COUNCIL

10.A. DISCUSS 2022 SCE RELIABILITY REPORT AND WILDFIRE DETECTION CAMERAS ON THE PENINSULA (DIERINGER)

Presentation by Southern California Edison representatives: Robert Steins, Senior Advisor; Robert Brambila, Southbay District Manager; Jae Lee, Performance and Resource Supervisor, Southbay District; Ajay Singh, Operations Senior Supervisor, Southbay District; Connie Turner, Government Relations Manager

Mayor Black moved to Item 11A. Without objection, so ordered.

11. BUDGET WORKSHOP

11.A. CITY COUNCIL FISCAL YEAR 2022-23 BUDGET WORKSHOP

Presentation by Robert Samario, Finance Director

Public Comment: Arlene Honbo

Mayor Black directed staff to schedule a follow-up Finance/Budget/Audit Committee meeting for further evaluation, to identify potential savings, and discuss further cuts in the core budget that would bring it closer to balance, including potential one-time capital costs. Without objection, so ordered.

Mayor Black moved back to Item 10B. Without objection, so ordered.

10. MATTERS FROM THE CITY COUNCIL

10.B. DISCUSS EXISTING CELLULAR SERVICE ISSUES (BLACK)

Mayor Black expressed concerns about existing cellular service. Councilmember Pieper said he will bring this subject up with the RHCA subcommittee at their meeting next week.

Mayor Black moved to Item 12A. Without objection, so ordered.

12. NEW BUSINESS

12.A. PRESENTATION OF EDUCATIONAL VIDEOS ON FIRE FUEL MANAGEMENT IN THE CANYON; RECOGNIZE LEAD BLOCK CAPTAIN GENE HONBO, BLOCK CAPTAIN DEBRA SHRADER, AND LOS ANGELES COUNTY FIRE DEPARTMENT FORESTRY DIVISION TREVOR MOORE

FOR THEIR LEADERSHIP IN COMPLETING THE PROJECT; AND DIRECT STAFF TO DISSEMINATE THE VIDEOS THROUGH THE BLOCK CAPTAIN PROGRAM

Presentation by Elaine Jeng, City Manager

Public Comment: Gene Honbo

Councilmember Pieper requested to move to Item 13A. Without objection, so ordered by Mayor Black.

13. PUBLIC HEARINGS

13.A. SUBMITTAL OF "ADOPTION DRAFT" 2021-2029 ROLLING HILLS HOUSING ELEMENT TO HCD

Presentation by Barry Miller, Consultant

Motion by Councilmember Dieringer, seconded by Councilmember Pieper to authorize staff to submit the revised Draft Housing Element to HCD for their second review, along with the responses to HCD's comments. Motion carried unanimously with the following vote:

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

NOES: None

ABSENT: None

Mayor Black moved back to Item 12B. Without objection, so ordered.

12.B. APPROVE AMENDED PROFESSIONAL SERVICES AGREEMENT WITH CHAMBERS GROUP TO PREPARE A CEQA DOCUMENT FOR THE 6TH CYCLE HOUSING ELEMENT TO ADDRESS COMMENTS FROM THE DEPARTMENT OF FISH AND WILDLIFE

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Pieper, seconded by Councilmember Dieringer to authorize the preparation of a contract amendment approved to form by the City Attorney in a not to exceed amount of \$60,000; and authorize the City Manager to execute such an agreement. Motion carried unanimously with the following vote:

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

12.C. ADOPT RESOLUTIONS NOS. 1295 AND 1296 PERTAINING TO A GENERAL MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022

Presentation by Christian Horvath, City Clerk / Executive Assistant to the City Manager

Motion by Councilmember Pieper, seconded by Councilmember Dieringer to Adopt Resolution Nos. 1295 and 1296 pertaining to the General Municipal Election to be held on November 8, 2022 as presented. Motion carried unanimously with the following vote:

AYES:Dieringer, Pieper, Mirsch, Wilson, Mayor BlackNOES:NoneABSENT:None

- 14. MATTERS FROM STAFF NONE
- 15. RECESS TO CLOSED SESSION NONE
- 16. RECONVENE TO OPEN SESSION NONE

17. ADJOURNMENT: 9:45 P.M.

The meeting was adjourned at 9:45 p.m on May 23, 2022. The next regular meeting of the City Council is scheduled to be held on Monday, June 13, 2022 beginning at 7:00 p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California. It will also be available via City's website link at: https://www.rolling-hills.org/government/agenda/index.php

All written comments submitted are included in the record and available for public review on the City website.

Respectfully submitted,

Christian Horvath, City Clerk

Approved,

James Black, M.D., Mayor



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.D Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CHRISTIAN HORVATH,

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: PAYMENT OF BILLS

DATE: June 13, 2022

BACKGROUND: None.

DISCUSSION: None.

FISCAL IMPACT: None.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

CL_AGN_220613_PaymentOfBills.F.pdf

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027617 027618 027619 027620 027621 027622 027622	5/25/2022 Gladwell Gover	Governmental Services, Inc.	Election mgmt svcs Nov 8, 2022 (May 2022)	1.860.00
027618 027619 027620 027621 027622 027622	5/25/2022 McGowan Consulting	n Consulting	Municipal Stormwater Consulting Services April 22	3,690.00
027619 027620 027621 027622 027623	5/25/2022 NV5, INC.		January 2022 Services- CORH-209641 MS4 Monitoring	2.320.50
027620 027621 027622 027623	5/25/2022 Vision Service	rvice Plan - (CA)	Vision Coverage June 2022	103.60
027621 027622 027623	5/25/2022 Willdan Inc.	lc.	Professional Services April 22 Project 101749.00	522.50
027622 027623	5/25/2022 E. C. CONSTRI	VSTRUCTION	Release Retention for Storm Drain Repair 1 Middleridge Ln	4,702.86
027623	6/1/2022 Abila		Add'tl User Accounting 5 18 2022 to 06 17 2022	98.38
	6/1/2022 Alan Palermo Consulting	rmo Consulting	May 2022 Svcs - City HallADA, Sewer, Block Captain	1,440.00
027624	6/1/2022 Barry J. Miller, F	filler, FAICP	Feb. March & April 2022 Svcs - RH 6th Cycle Hsng Element	4,350.00
027625	6/1/2022 Gladwell (Governmental Services, Inc.	City Clerk training 11-23-2021 to 12 2 2021 (Late payment)	600.00
027626	6/1/2022 GPA CONSUL	VSULTING	Project # 918 Vegetation Management - April 2022	1,050.00
027627	6/1/2022 County of Los Angeles	Los Angeles	April 2022 Animal care Housing Costs	219.45
027628	6/1/2022 County of	Los Angeles	January & February 2022 Building and Safety Services	20,646.73
027629	6/1/2022 Municpai	6/1/2022 Municpal Management Association of Southern Cal	Membership Through May 26 2023	90:06
027630	6/1/2022 Race Communi	nmunications	May 2022 Internet charges	1,035.53
027631	6/1/2022 Spoiled Check	theck		
027632	6/13/2022 Barry J. Miller, I	filler, FAICP	May 2022 Svcs - RH 6th Cycle Hsng Element	3,450.00
027633	6/13/2022 Bennett Landscape	andscape	Addt'l Grading Change Order #1	4,000.00
027633	6/13/2022 Bennett Landscape	andscape	Landscape Maint Services June 2022	660.00
CHECK TOTAL			4,6	4,660.00
027634	6/13/2022 Best Best & Krieger LLP	: & Krieger LLP	General Services & Cell Installation- May 2022	8,550.00
027634	6/13/2022 Best Best & Krieger LLP	: & Krieger LLP	Land Use-Professional Services May 2022	5,700.00
027634	6/13/2022 Best Best & Krieger LLP	: & Krieger LLP	View Preservation - May 2022	361.00
CHECK TOTAL				14,611.00
027635	6/13/2022 California JPIA	JPIA	Annual Contribution July 1,2022 to July 1, 2023	35,133.00
027636	6/13/2022 Cox Communications	munications	Phone Service May 26 - June 25 2022	153.74
027637	6/13/2022 Daily Breeze		May 2022 Advertising Legal CLS	2,408.73
027638	6/13/2022 Executive Suite	Suite Services Inc.	May 2022 Monthly Janitorial Svcs	1,360.00
027639	6/13/2022 [WorQ		CDP Software and mgmnt July 2022-June 2023	4,000.00
027640	6/13/2022 Pacific Co	6/13/2022 Pacific Coast Landscape & Design Inc.	November 2020 Architectural Services - Task 2	2,391.25
027641	6/13/2022 Race Con	nmunications	January 2022 Internet Late Fee	15.30
027641	6/13/2022 Race Communi	nmunications	June 2022 Internet charges	1,035.53
CHECK TOTAL			.0.	1.050.83
027642	6/13/2022 Sterling		May 2022 Background check	157.50
ACH-056	6/1/2022 California Water Service Co.	Water Service Co.	Water Usage 04 28 22 to 05 25 22 Rancho	513.00
ACH-057	6/1/2022 California Water Service Co.	Water Service Co.	Water Usage 04 28 22 to 05 25 22 ROLLING	618.47
ACH-058	6/1/2022 Southern California Edison	California Edison	Electricity Usage 04 19 22 to 05 17 22	272.78

Check No.	Check Date Payee	Description	Amount
ACH-059	6/1/2022 Southern California Edison	Electricity usage 04 25 22 to 05 23 22ACCT#8030	1,102.82
ACH-060	5/31/2022 CalPERS	PERS Retirement PR ending 05 31 2022	3,354.14
ACH-061	5/31/2022 CalPERS	June PERS Health insurance	7,574.01
ACH-062	5/31/2022 Vantagepoint Transfer Agents - 306580	ICMA PR ending 05 31 2022	1,524.41
PR LINK	4/22/2022 PR LINK - Payroll & PR Taxes PR#8	Payroll Processing Fee PR#8 04/06/22 to 04/19/2022	62.39
PR LINK	4/22/2022 PR LINK - Payroll & PR Taxes PR#8	Pay Period - PR#8 04/06/22 to 04/19/2022	18,691.46
PR LINK	5/6/2022 PR LINK - Payroll & PR Taxes PR#9	Payroll Processing Fee PR#9 04/20/2022 to 05/03-2022	55.76
PR LINK	5/6/2022 PR LINK - Payroll & PR Taxes PR#9	Pay Period - PR##9 4/20/2022 to 5/03/2022	26,156.27
PR LINK	5/20/2022 PR LINK - Payroll & PR Taxes PR#10	Payroll Processing Fee PR#10 05/04/2022 to 05/17/2022	62.93
PR LINK	5/20/2022 PR LINK - Payroll & PR Taxes PR#10	Pay Period - PR#10 05/04/2022 to 05/17/2022	18,413.92
PR LINK	6/3/2022 PR LINK - Payroll & PR Taxes PR#11	Payroll Processing Fee PR#11 05/18/2022 to 05/31/2022	56.76
PR LINK	6/3/2022 PR LINK - Payroll & PR Taxes PR#11	Pay Period - PR#11 05/18/2022 to 05/31/2022	21,492.15
Report Total			214,435.62

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

214,435.62 for the payment of above items.

78 - 2022 1 R Elaine Jeng, P.E., City Manyger



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.E Mtg. Date: 06/13/2022

- TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
- FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER
- THRU: ELAINE JENG P.E., CITY MANAGER
- SUBJECT: RECEIVE AND FILE 2022-23 LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CONTRACT CITY LAW ENFORCEMENT SERVICES FORM 575 SERVICE LEVEL AUTHORIZATION

DATE: June 13, 2022

BACKGROUND:

The City of Rolling Hills contracts with the Los Angeles County Sheriff's Department (LASD) for law enforcement services through a regional contract shared with Rolling Hills Estates, and Rancho Palos Verdes. In 2019, the City entered into another 5-year Service Agreement from 2019-2024.

DISCUSSION:

Annually, the city executes a 575 Form with the Lomita Sheriff's Station Unit Commander to memorialize the next fiscal year's contract obligations including supplemental services.

FISCAL IMPACT:

The estimate fiscal impact for FY 2022-23 is \$386.492.92.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:

CA_AGR_220602_LACoSheriff_575Form_FY22-23.pdf

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LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CONTRACT CITY LAW ENFORCEMENT SERVICES SERVICE LEVEL AUTHORIZATION (SH-AD 575)

DEPUTY SHERIFF SERVICE UNIT Relief Factor Service Annual Hours An	0	CITY:	Rolling Hills	Hills		I		FISCAL YEAR: _	2022	2022-2023	ĒF	EFFECTIVE DATE:	7/1/2022	5
RELIEF FACTOR SERVICE ANNUAL HOURS ANNUAL RATE ESTIMATED TOTAL LUABILITY TOTAL ANNUAL HOURS ANNUAL HOURS AN 56-Hour Unit 307 0.50 0.00 \$ 463,979.00 \$ 231,989.50 \$ 255,518.85 \$ 257,508.35 2,920 Non-Relief 310 0.16 0.01 \$ 301,285.00 \$ 48,205.60 \$ 5,300.52 1,789 2,920	DEPUTY SHERIFF SERVICE UNIT		A DU NO	110	ALL RAN		E-peak is	and the second second	A	A COLUMN TO A	Contraction of the local distance	The second second		
56-Hour Unit 307 0.50 0.00 \$ 463,979.00 \$ 231,989.50 \$ 25,518.85 \$ 257,508.35 2,920 > Non-Relief 310 0.16 0.16 0.00 \$ 301,285.00 \$ 48,205.60 \$ 5,302.62 \$ 5,302.62 \$ 1,789 1,789	RANK	RELIEF FACTOR	R CODE	1	1		ANNUAL RATE	ESTIMATED TOTAL ANNUAL COST	UABIUTY 11%	TOTAL ANRUAL COST W/UMBED 19	ANNUAL HOURS PER SERVICE UNIT	ANNUAL HOURS SCHEDULED	ANNUAL MINUTES SCHEDULED	PERSONI
Non-Relief 310 0.16 0.16 0.00 \$ 301,285.00 \$ 48,205.60 \$ 5,302.62 \$ 53,508.22 1,789	Deputy Sheriff	56-Hour Unit	307	<u> </u>	0.50 0.	_	463,979.00	\$ 231,989.50	\$ 25,518.85			1.460	87.600	0.816
	Deputy Sheriff	Non-Relief	310	_	0.16 0.	:00 \$	301,285.00	\$ 48,205.60	\$ 5,302.62	1.1		286	17.174	0.160
		_			Ö	00				\$ •		0	. 0	0.000

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ANK	REUEF FACTOR	SERVICE CODE	/	1	100	NN NN	NUAL RATE	ESTIMATED TOTAL ANNUAL COST	LIABILITY 11%	FOTAL ANALVAL COST W/LABILIN	ANNUAL HOURS PER SERVICE UNIT	ANNUAL HOURS SCHEDULED	ANNUAL MINUTES SCHEDULED	PERSONNEL
Deputy Sheriff, Bonus I	Non-Relief	305 0.12 0.12 0.00	0.12	0.12	0.00	\$ a	325,373.00 \$	\$ 39,044.76 \$	\$ 4,294.92	\$ 43,339.68	1,789	215	12,881	0.120
					0.00					s		0	0	0.000

RANK	RELIEF FACTOR	SERVICE	1	/	1000	ANNUAL RATE	ESTIMATED TOTAL ANNUAL COST	114811177 1115	TOTAL ARTION (COST M/UMPULIY	AMNUAL HOURS PER SERVICE UNIT	ANNUAL HOURS SCHEDULED	ANNUAL MINUTES SCHEDULED	PERSONNEL REQUIRED
Grant Special Assignment Deputy	Non-Relief	312	0.08	312 0.08 0.08 0.00	0.00 \$	211,257.00	\$ 16,900.56 \$	1,859.06 \$	\$ 18,759.62	1,789	143	8.587	0.080
					0.00				-		0	0	0.000
					0.00				•		0	6	0000
					0.00				-		0		

SUPPLEMENTAL POSITIONS													
RANK	RELIEF FACTOR	SERVICE CODE	$\langle \rangle$			ANNUAL RATE	ESTIMATED TOTAL ANNUAL COST	UMBILITY 1475	FUTAL ANVIAL CD-1 W/UABLUT	ANNUAL HOURS PER SERVICE UNIT	ANNUAL HOURS SCHEDULED	ANNUAL MINUTES SCHEDULED	PERSONNEL REQUIRED
Motor Deputy	Non-Relief	305A	0.04	305A 0.04 0.04 0.00	\$ 00	301,285.00 \$	\$ 12,051.40	\$ 1,325.65	\$ 13,377.05	1,789	72	4,294	0.040
				0.0	0.00				•		0	0	0.000
				0.	0.00				\$		0	0	0.000
				0.0	0.00				، ج		0	0	0.000
Estimated Cost for Service Units: 💲	ŝ		348,191.82	1.82			Total Liability (11%):	Ŷ	38,301.10		Estimated Subtotal:	Ş	386.492.92
							1		Public St	afety Equipmer	ost (See page 3):		

The terms of this Service Level Authorization (SH-AD 575) will remain in effect until a subsequent SH-AD 575 is signed and received by LASD. Notwithstanding, annual rates shall be revised annually per Sections 8.2 and 11.3 of the MLESA.

LASD Approval By:

22/22/ SIGNATURE James C. Powers UNIT COMMANDER NAME

DATE

City Approval By:

"I certify that I am authorized to make this commitment on behalf of the City."

06 02 2022

DATE

SIGNATURE

Elaine Jeng CITY OFFICIAL NAME

SH-AD 575 (REV. 04/18)

Page 1 of 5

DATE

SERGEANT

Processed at CLEB By:

5/16/2022 DATE

Mina Cho SERGEANT

Report Prepared By:

386,492.92

5

Estimated Total Annual Cost:



LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CONTRACT CITY LAW ENFORCEMENT SERVICES SERVICE LEVEL AUTHORIZATION (SH-AD 575) DEPLOYMENT OF PERSONNEL

GENERAL LAW TRAFFIC LAW

7/1/2022

City:

Rolling Hills Fiscal Year: 2022-2023 Effective Date: ____

	TOTAL UNITS	OL.						MOTOR			TEAM	TOTAL UNITO
SERVICE UNIT	PURCHASED	EM	АМ	PM	EM	AM	PM	DEP	SAD	D.B.	LEADER	TOTAL UNITS ASSIGNED
EPUTY SHERIFF		П, 12	121		17.1.1						AND S	
Non-Relief	0.16					0.08	0.08	ļ				0.16
40-Hour Unit	0.00				1							0.00
56-Hour Unit	0.50	0.16	0.17	0.17								0.50
70-Hour Unit	0.00											0.00
Motor (Non-Relief)	0.04							0.04				0.04
EPUTY BONUS					and the second	781	the second	A lab			12.72	
Non-Relief	0.12								0.12			0.12
40-Hour Unit	0.00											0.00
56-Hour Unit	0.00											0.00
70-Hour Unit	0.00											0.00
ROWTH DEPUTY												
Deputy	0.00											0.00
SAD	0.00											0.00
Bonus I	0.00											0.00
Motor (Non-Relief)	0.00											0.00
RANT DEPUTY		1	el franci	P 151		1991.36	5.00	i la second	1		-	
Deputy	0.00											0.00
Deputy									0.08			0.08
SAD	0.08											
	0.08											0.00

			S	worn			
	Lieutenant	Sergeant	Bonus Deputy	Motor Deputy	Deputy	SAD	Total
Hours	0	o	215	72	1,746	143	2,176
Minutes	0	0	12,881	4,294	104,774	8,587	130,536
Personnel	0.000	0.000	0.120	0.040	0.976	0.080	1.216

		Civilian			
	SSO	LET/CSA/CA/PCO	Clerical	Total	
Hours	0	0	0	0	
Minutes	0	0	0	0	
Personnel	0.000	0.000	0.000	0.000	

FOR CONTRACT LAW ENFORCEMENT BUREAU USE ONLY					
BILLING MEMO REQUIRED AND SUBMITTED:	YES	NO	N/A		
(PERSONNEL TRANSACTION REQUEST) "PTR" REQUIRED AND SUBMITTED:	YES	NO	N/A		
ORGANIZATIONAL CHART REQUIRED AND SUBMITTED:	YES	NO	N/A 🗌		
DUTY STATEMENT REQUIRED AND SUBMITTED:	YES	№ 🛄	N/A 🗋		
SMS DEPLOYMENT CONTRACT UPDATED:	YES 🗋	№□	N/A 🗌		
MINUTE PROGRAM IN RAPS UPDATED:	YES	NO 🗌	N/A		

Initials City Official: Unit Commander:

ATTACHMENT A



LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CONTRACT CITY LAW ENFORCEMENT SERVICES SERVICE LEVEL AUTHORIZATION (SH-AD 575) PUBLIC SAFETY EQUIPMENT

CITY:	Rolli	ng Hills	FISCAL YEAR:	2022-2023

ويتحربها القرب فكالمتحا المتها				
YEAR	SERVICE CODE	#	RATE	TOTAL COST
	YEAR	YEAR SERVICE CODE	YEAR SERVICE CODE #	YEAR SERVICE CODE # RATE

NDC TYPE	YEAR	SERVICE CODE	RATE	TOTAL COST

ALPR WITH INSTALL	YEAR	SERVICE CODE	#	RATE	TOT	AL COST
					+	
	То	tal Public Safe	ty Equipm	ent Cost:	\$	

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<u>Initials</u> City Official:

Page 3 of 5

ATTACHMENT B

Fiscal Year: 2022-2023

CONTRACT CITY LAW ENFORCEMENT SERVICES AND EQUIPMENT MASTER RATE SHEET

		Liability Rate:	11.0%
DSSU Rates			Y
Rank	Relief Factor	 Annual Rate	Service Code
Deputy Sheriff	Non-Relief	\$ 301,285	310
Deputy Sheriff	40-Hour Unit	\$ 331,414	306
Deputy Sheriff	56-Hour Unit	\$ 463,979	307
Deputy Sheriff	70-Hour Unit	\$ 579,974	308
Special Assignment Deputy	Non-Relief	\$ 301,285	278
Catalina Deputy	Non-Relief	\$ 271,836	324

Rank	Relief Factor	- A -	inual Rate	Comiton Code
	Keller Factor	AI	nual Rate	Service Code
Deputy Sheriff, Bonus I	Non-Relief	\$	325,373	305
Deputy Sheriff, Bonus I	40-Hour Unit	\$	357,910	301
Deputy Sheriff, Bonus I	56-Hour Unit	\$	501,074	302
Deputy Sheriff, Bonus I	70-Hour Unit	\$	626,342	303

Rank	Relief Factor	Ar	inual Rate	Service Code
Growth Deputy Generalist	Non-Relief	\$	211,257	335
Growth Deputy Generalist	40-Hour Unit	\$	246,326	573
Growth Deputy Generalist	56-Hour Unit	\$	344,771	582
Growth Deputy Generalist	70-Hour Unit	\$	430,964	583
Growth Special Assignment Deputy	Non-Relief	\$	211,257	204
Growth Deputy Bonus I	Non-Relief	\$	231,615	336
Growth Motor Deputy	Non-Relief	\$	227,801	424
Grant Deputy Generalist	Non-Relief	\$	211,257	386
Grant Special Assignment Deputy	Non-Relief	\$	211,257	312
Grant Deputy Bonus I	Non-Relief	\$	231,615	384
Grant Motor Deputy	Non-Relief	\$	227,801	422

Supplemental Nates		1 A		
Rank	Relief Factor		Annual Rate	Service Code
Captain	Non-Relief	\$	418,222	321
Lieutenant	Non-Relief	\$	331,308	342
Sergeant, Patrol	Non-Relief	\$	353,655	631
Sergeant, Supplemental	Non-Relief	\$	279,459	353
Motor Sergeant	Non-Relief	\$	294,613	348
Motor Deputy	Non-Relief	\$	301,285	305A
Watch Deputy	Non-Relief	\$	227,109	354
Community Services Assistant (w/ veh)	Non-Relief	\$	75,988	325
Community Services Assistant (w/out veh)	Non-Relief	\$	73,588	327
Crime Analyst	Non-Relief	\$	152,888	329
Custody Assistant	Non-Relief	\$	125,217	331
Forensic ID Specialist II	Non-Relief	\$	187,615	356
Information Systems Analyst I	Non-Relief	\$	166,260	332
Intermediate Clerk	Non-Relief	\$	82,148	338
Law Enforcement Technician (w/ veh)	Non-Relief	\$	113,636	340
Law Enforcement Technician (w/out veh)	Non-Relief	\$	112,343	339
Operations Assistant I	Non-Relief	\$	108,543	343
Operations Assistant II	Non-Relief	\$	134,829	344
Operations Assistant III	Non-Relief	\$	154,412	345
Secretary V	Non-Relief	\$	117,437	346
Security Assistant	Non-Relief	\$	60,735	362
Security Officer	Non-Relief	\$	96,411	347
Senior Information Systems Analyst	Non-Relief	\$	217,524	334
Station Clerk II	Non-Relief	\$	102,296	351
Skynight Observer	Non-Relief	\$	325,373	349
Supervising Station Clerk	Non-Relief	\$	123,685	352

Page 4 of 5

CONTRACT CITY LAW ENFORCEMENT SERVICES AND EQUIPMENT MASTER RATE SHEET

Vehicle & Equipment Rates				
Start-Up Vehicle	Year	Ar	nual Rate	Service Code
B/W Patrol - Ford Explorer PIU Hybrid AWD	2022-2023	\$	93,884	378
B/W Tahoe 2WD	2022-2023	\$	93,672	399
B/W Motorcycle	2022-2023	\$	48,957	381
Solid Patrol Vehicle with Cage (SAO Sergeant/Detectives)	2022-2023	\$	88,716	118A
Solid Patrol Vehicle without Cage (SAO Sergeant/Detectives)	2022-2023	\$. 86,300	118B
Ford Escape SUV Hybrid (White Fleet - CSA, SSO, LET)	2022-2023	\$	59,284	203
Ford Explorer PIU Hybrid (Street Package - Executive)	2022-2023	\$	72,019	201
Ford F-150 Police Responder BW	2022-2023	\$	95,714	205
K-9 Vehicle (B/W Tahoe 2WD)	2022-2023	\$	105,819	593

Equipment	Year	Anr	iual Rate	Service Code
MDC New Purchase, Data & Maintenance - CF-31	Year 1	\$	7,970	198
MDC New Purchase, Data & Maintenance - GETAC V110	Year 1	\$	7,795	164
MDC Data & Maintenance Only	Year 2+	\$	1,685	595
ALPR New Install 1st Year (5yr Program)	Year 1	\$	5,000	680
ALPR System 2nd Year	Year 2	\$	5,000	680A
ALPR System 3rd Year	Year 3	\$	5,000	680B
ALPR System 4th Year	Year 4	\$	4,650	680C
ALPR System 5th Year	Year 5	\$	4,650	680D

Annual revised rates shall be readjusted annually per Sections 8.2 and 11.3 of the MLESA.

Page 5 of 5



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.F Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CHRISTIAN HORVATH,

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: ADOPT RESOLUTION NO. 1297 UPDATING THE CONSOLIDATED TAX AND FEE SCHEDULE TO INCREASE THE COMMITTEE ON TREES AND VIEWS PROCESSING FEE FOR VIEW CASES

DATE: June 13, 2022

BACKGROUND:

For Fiscal Year 2022-2023, staff proposed the following change to the Consolidated Tax and Fee Schedule:

A. View Impairment

 Review by Committee on Trees and Views Processing fee <u>\$6,000</u> for complaints against one property. <u>Review by Committee on Trees and Views Processing fee \$10,000 for</u> <u>complaints against multiple properties</u>.

Chapter 17.26 of the Rolling Hills Municipal Code (RHMC) was adopted by Ordinance 354 on October 23, 2017. Since adoption, the first view case to be processed was the case between 59 and 61 Eastfield Drive. The case was filed in October 2020. The vegetation owner filed an appeal of the Committee on Trees and Views decision to the City Council and the City Council denied the appeal at the April 11, 2022 City Council meeting, bringing the case to a close.

Staff, including the City Attorney's office, has worked on the case since the initial filing. Taking a snap shot of the City Attorney expenses relating to the 59 and 61 Eastfield Drive view case between May, 2021 and November, 2021, a total of \$10,678 was paid by the city to the contracted attorney for services relating to the case. Currently, the Consolidated Tax and Fee Schedule allows the city to charge \$2,000 for view impairment case to be reviewed by Committee on Trees and Views. The charge is purposed to recover city expenses relating to processing the case by staff and by contracted staff. Not taking into consideration staff time spent on the 59 and 61 Eastfield Drive case, and taking a very conservative inventory of the City Attorney's expenses relating to the case, the recovery on the case was 19% of the actual cost.

Additionally, according to the City Attorney's reading of RHMC Chapter 17.26.040, the city's current view preservation ordinance anticipates that one complaint might allege obstruction of "multiple views," which implies that views could conceivably be obstructed by vegetation on multiple owners' properties:

RHMC Section 17.26.040(C)(1)(a) A view impairment complaint ... shall consist of ... [a] description of the nature and extent of the view, as well as of the alleged obstruction. If multiple views are identified, each must be disjointed and observable from a separate viewing area. Evidence of the views and alleged obstructions must be pertinent and may include, but is not limited to, documentary evidence, (as described by Section 17.26.050), dated photographs, or written declarations.

The City Attorney noted that if the city's current fee resolution does not address a view preservation complaint alleging multiple views by multiple properties, the city is limited to collecting the one fee for the one complaint that includes allegations of multiple views obstructed by multiple properties. In order to avoid this situation, the city could consider amending its fee resolution to charge the higher cost of processing a view preservation complaint that alleges multiple views obstructed by multiple properties. This would help alleviate the concern that property owners will frivolously allege multiple views obstructed by multiple properties.

DISCUSSION:

At the May 9, 2022 City Council meeting, the City Council approved the staff recommendation of raising Committee on Trees and Views Processing fee to \$6,000 for complaints against one property and \$10,000 for complaints against multiple properties. The motion carried on a 3/2 vote with Mayor Black and Councilmember Pieper dissenting.

FISCAL IMPACT:

Fiscal impact depends on changes and level of activity for proposed fee increases.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

ResolutionNo1297_FeeSchedule_FY22-23_CTV_Update.pdf

RESOLUTION NO. 1297

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS MODIFYING THE ROLLING HILLS FEE RESOLUTION AND REPEALING RESOLUTION NO. 1278.

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

<u>Section 1</u>: The following fees are established and charged for applications for processing discretionary cases for Planning, Zoning and Subdivisions and shall be paid by the applicant prior to submission for public hearing, pursuant to Title 16 (Subdivision) and Title 17 (Zoning) of the Rolling Hills Municipal Code:

А.	Site Plan Review	\$ 1,500
B.	Conditional Use Permit	\$ 1,500
C.	Variance	\$ 1,250
D.	Variance, Minor	\$ 750

1. Minor deviation into required yard setback, not exceeding 5' and attached to main residential structure

E.	Multiple discretionary reviews;	Most expensive fee for the first review and 1/2 fee for second review. No cost for third or more reviews.
F.	Lighting Ordinance Modification	\$ 375
G.	Outdoor Lighting Audit	\$150 (initiated by resident)
H.	Time extension	\$ 200
I.	Zone Change	\$ 2,000
J.	General Plan Amendment	\$ 2,000
K.	Zoning/Subdivision Code Amendment	\$ 2,000
L	Discretionary Approval Modification	\$ 2/3 of original application fee
M.	Appeal Fee	\$ 2/3 of original application fee
N.	City Council and Planning Commission interpretation	\$ 375 Fee to be credited if results in filing of a formal

		niscellaneous reviews	application to City Council or Planning Commission
O.		conmental Review fees for etionary permits	
	1.	Preparation and Staff Review of Initial Study	\$ 200
	2.	Preparation of Negative Declaration or Mitigated Negative Declaration	\$ 50 (plus fee charged by CA Department of Fish and Wildlife, applicable, as adjusted annually)
Р.	Envi	conmental Impact Reports	Consultant fee plus 10%
Q.	Cour	ty Clerk Processing Fee	County fee
R.	Lot L	ine Adjustment	\$ 1,500, plus County fee
S.	Tenta	ntive Parcel/Tract Map	\$ 1,500, plus County fee
Τ.	Final	Parcel/Tract Map	County fee
U.		ng violation and construction lty fee	\$ 1,500
	1.	compliance with approved plar	uilt" grading or construction or non- ns for projects that require Planning rged in addition to the discretionary
V.	Stop	work order	\$ 200
	1.		al "stop work order" that is issued a order for illegal construction and
W.		ce Request	County fee, plus 20%

- W. Service Request County fee, plus 20% (For services provided by L.A. County not included in the General Services Agreement)
- X. Appeal of Zone Clearance \$ 375
 Y. Stable Use Permit \$ 375 (For stables under 800 sq ft considered by the Planning Commission)
- Z. Major Remodel Review \$ 375 (For remodels of more than 50% demolition)

<u>Section 2.</u> The following fees are established and charged for applications for processing View Impairment, Traffic Commission, and Accessory Dwelling Unit cases:

A. View Impairment				ment			
		1.		w by Committee on T ssing fee	rees and Views		
			A.	Complaint against si	ingle property		\$6,000
			B.	Complaint against m	nultiple properties		\$10,000
		2.	Enviro	onmental Review Fee	S		
			A.	Preparation and Staf	ff Review of Initial S	tudy	\$ 200
			В.	Preparation of Negative I		(plus fee cha CA Departm Fish and Wil- applicable, as adjusted ann	ent of dlife, if
	B.	Traffic	c Comn	nission Review)	57
		1.		lriveways or other tra l items	affic		\$ 300
	C.	Access	sory D	welling Unit			
		1.		sory Dwelling Unit or Accessory Dwelling			\$ 375
proces	Section 3. The following fee processing:		llowing fees are estab	olished and charged	for General A	dministration	
	A.	Gener	al Plan		\$ 30		
	B.	Zonin	g Code	2	\$ 25		
	C.	Subdi	vision (Code	\$ 25		
	D.	Budge	et	:	\$ 30		
	E.	Zonin	g Map	:	\$ 3		

Xeroxed copies, each page

F.

\$ 0.25

G. False Alarms

Fee for 1st and 2nd incident involving a false alarm is waived

		If paid within 30 days	If paid after 30 days
3rd	false alarm	\$ 50	\$100
4^{th}	false alarm	\$ 100	\$300
5^{th}	false alarm	\$ 150	\$600
6 th	false alarm	\$ 200	\$1,000

Section 4. The following fees are established and shall be collected for each permit pursuant to Title 15, (Building and Construction) of the Rolling Hills Municipal Code:

А.	1.	BUILDING PERMIT	Two and one-quarter times the amount set forth in the Building Code for each fee, table and schedule therein.
	2.	PARKS AND RECREATION	Each new residential dwelling shall pay 2% of the first \$ 100,000 of construction valuation, plus 0.25% of such valuation over \$ 100,000.
B.	PLUN	MBING PERMIT	Two and one-quarter times the amount set forth in the Plumbing Code for each fee, table and schedule therein.
C.	MEC	HANICAL PERMIT	Two and one-quarter times the amount set forth in the Mechanical Code for each fee, table and schedule therein.
D.	ELEC	CTRICAL PERMIT	Two and one-quarter times the amount set forth in the Electrical Code for each fee, table and schedule therein.
E.		FECHNICAL REPORT, AND PLAN REVIEW	0.42% of the valuation of the proposed structures; however, minimum fee shall be \$ 535.00 and the maximum fee shall be \$ 3,588.00
F.	SYST	AR AND PHOTOVOLTAIC EMS AND APPURTENANT IPMENT	The amount set forth in the Los Angeles County Building and Electrical Codes for each fee, table and

schedule therein, plus \$ 60.11 City administrative fee.

Section 5. The following fees are established and shall be collected for each permit pursuant to Title 15, (Building and Construction) of the Rolling Hills Municipal Code for review conducted by the City's contract building official, other than Los Angeles County Department of Building and Safety:

А.	BUILDING PERMIT	In addition to the provisions of Section 4 A.1 of this resolution, a 25% surcharge on Los Angeles County Department of Building and Safety fees shall be charged for the alternative use of the City's contract building official.
B.	PLUMBING PERMIT	In addition to the provisions of Section 4 B. of this resolution, a 25% surcharge on Los Angeles County Department of Building and Safety fees shall be charged for the alternative use of the City's contract building official.
C.	MECHANICAL PERMIT	In addition to the provisions of Section 4 C. of this resolution, a 25% surcharge on Los Angeles County Department of Building and Safety fees shall be charged for the alternative use of the City's contract building official.
D.	ELECTRICAL PERMIT	In addition to the provisions of Section 4 D. of this resolution, a 25% surcharge on Los Angeles County Department of Building and Safety fees shall be charged for the alternative use of the City's contract building official.
E.	GEOTECHNICAL REPORT, SITE AND PLAN REVIEW	In addition to the provisions of Section 4 E. of this resolution, a 25% surcharge on Los Angeles County Department of Building and Safety fess shall be charged for the alternative use of the City's contract building official.

F. SOLAR AND PHOTOVOLTAIC SYSTEMS AND APPURTENANT EQUIPMENT In addition to the provision of Section 4 F. of this resolution, a 25% surcharge on Los Angeles County Department of Building and Safety fees, plus \$60.11 City administrative fee, shall be charged for the alternative use of the City's contract building official.

<u>Section 6.</u> The following fees are established and shall be collected for each permit relating to construction and demolition waste:

A.	CONSTRUCTION AND	\$ 150 single project permit, plus
	DEMOLITION PERMIT	\$1,000 deposit refundable upon
		submittal of a Certificate of
		Compliance.

<u>Section 7.</u> The following fines are established for issuance of administrative citations relating to a violation of Chapter 9.58 of the Rolling Hills Municipal Code:

Administrative Penalty for	\$ 2,500	1 st violation
violation of Chapter 9.58	\$ 5,000	2 nd violation within one year of the 1 st
-		violation
	\$7 <i>,</i> 500	Each additional violation within one
		year of the 1 st violation

<u>Section 8</u>. The following fees are established and charged for processing landscaping submittals subject to the requirements of the Water Efficient Landscape Ordinance.

Review of landscape submittal package and verification of compliance	\$1,500 (portion refunded if not spent; additional funds may be collected, if
package and vernication of compliance	needed to complete the review); plus
	\$5,000 deposit refundable upon submittal of a Certificate of
	Compliance.

<u>Section 9</u>. The following fees are established and charged for processing utility pole removal reimbursement applications pursuant to City Council Resolution No. 1259.

6

Review of utility pole removal reimbursement application.	\$100
Appeal of utility pole removal reimbursement decision.	\$300

<u>Section 10</u>. The following fee is established and charged for processing wireless telecommunication facility applications:

Application fee:

\$1,000

Section 11. Should the City accept payment of any fee identified in this resolution by means of credit card, an additional 3% surcharge on such fee shall be charged as a convenience fee for processing the payment. When City accepts payment by means of credit card, it shall also accept payment by means of cash or check.

<u>Section 12</u>. The fees set forth do not exceed the estimated reasonable cost of providing such services.

<u>Section 13.</u> The City Council Resolution No. 1278 is hereby repealed and superseded by this Resolution .

PASSED, APPROVED, AND ADOPTED this 13th day of June, 2022.

JAMES BLACK, M.D. MAYOR

ATTEST:

CHRISTIAN HORVATH CITY CLERK STATE OF CALIFORNIA)COUNTY OF LOS ANGELES) §§CITY OF ROLLING HILLS)

I certify that the foregoing Resolution No. 1297 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS MODIFYING THE ROLLING HILLS FEE RESOLUTION AND REPEALING RESOLUTION NO. 1278

was approved and adopted at a regular meeting of the City Council on the 13th day of June 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

and in compliance with the laws of California was posted at the following:

Administrative Offices.

CHRISTIAN HORVATH CITY CLERK



Agenda Item No.: 7.G Mtg. Date: 06/13/2022

- TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
- FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER
- THRU: ELAINE JENG P.E., CITY MANAGER
- SUBJECT: ADOPT RESOLUTION NO. 1302 PERMITTING THE USE OF A ROLLING HILLS COMMUNITY ASSOCIATION VEHICLE WITH AMBER LIGHTS; AND REQUIRE THE ROLLING HILLS COMMUNITY ASSOCIATION TO INSTALL SIGNAGE PER THE RECOMMENDATIONS OF THE CITY'S TRAFFIC ENGINEER
- DATE: June 13, 2022

BACKGROUND:

In a letter dated April 14, 2022, the Rolling Hills Community Association (RHCA) Manager informed the city that the RHCA purchased a vehicle for the gate staff for RHCA business within the community. The RHCA Board of Directors was advised by RHCA legal counsel that for RHCA to install a rooftop amber colored light bar on the said vehicle, and to comply with the California Vehicle Code, the city needs to adopt a resolution stating, "Vehicle Code Section 25279 applies to all roads within Rolling Hills."

California Vehicle Code Section 25279, under Division 12 Equipment of Vehicles and Chapter 2 Lighting Equipment states the following:

(a) Vehicles owned and operated by private security agencies and utilized exclusively on privately owned and maintained roads to which this code is made applicable by local ordinance or resolution, may display flashing amber warning lights to the front, sides, or rear, while being operated in response to emergency calls for the immediate preservation of life or property.

(b)(1) Vehicles owned by a private security agency and operated by personnel who are registered with the Department of Consumer Affairs under Article 3 (commencing with Section 7582) of Chapter 11.5 of Division 3 of the Business and Professional Code may be equipped with a flashing amber warning light system while the vehicle is operated on a highway, if the vehicle is in compliance with Section 27065 and is distinctively marked with the words "PRIVATE SECURITY" OR "SECURITY PATROL" on the rear and both sides of the vehicle in a size that is legible from a distance of not less than 50 feet.

(b)(2) The flashing amber warning light system authorized under paragraph (1) shall not be activated while the vehicle is on the highway, unless otherwise directed by a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

(c) A peace officer may order that the flashing amber warning light system of a vehicle that is found to be in violation of this section be immediately removed at the place of business of the vehicle's owner or a garage.

(d) A flashing amber warning light system shall not be installed on a vehicle that has been found to be in violation of this section, unless written authorization is obtained from the Commission

The City Council was presented two options at their May 9, 2022 meeting:

- 1. Asking the RHCA Board to apply the California Vehicle Code within the City and then allowing RHCA to display the amber lights pursuant to California Vehicle Code Section 25279; or
- 2. Adopting a resolution or ordinance allowing RHCA to use the amber lights and posting signs within the City.

At the May 9, 2022 City Council meeting a motion was unanimously approved to follow the City Attorney's suggested Option 2 authorizing the City Attorney to draft a resolution regulating RHCA's use of a security vehicle with amber lights and provide input on the posting of signs to make the rule effective

DISCUSSION:

The City attorney has drafted a resolution as directed and the City Traffic Engineer has provided a memo agreeing with the recommendations and providing feedback on signage locations and size.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

CL_AGN_220414_RHCA_VehicleCode_RequestLetter.pdf CL_AGN_220613_RHCA_AmberLight_TE_Memo.pdf ResolutionNo1302_RHCA_AmberLights.pdf Rolling Hills Community Association of Rancho Palos Verdes ND. 1 PORTUGUESE BEND RD. • ROLLING HILLS, CALIF. 90274

ROLLING HILLS (310) 544-6222

CALIFORNIA

(310) 544-6766 FAX

April 14, 2022

City of Rolling Hills 2 Portuguese Bend Road Rolling Hills, CA 90274

Re: Request for change to Rolling Hills vehicle code

Dear Elaine,

The RHCA has recently purchased a vehicle for use by the gate staff to drive within the city on **RHCA business.**

The Board of Directors would like to have a rooftop amber colored light bar installed on the vehicle to use in case of emergency and to help identify it as an official HOA vehicle. We have been advised by our legal counsel that for the RHCA to be in compliance with the vehicle code the City needs to adopt a resolution stating, "Vehicle code Section 25279 applies to all roads within Rolling Hills".

We are asking that the City Council consider adopting such a resolution.

Thank you.

Kristen Raig

RHCA Manager



Memorandum

TO: Elaine Jeng, PE, City Manager

FROM: Vanessa Munoz, PE, TE, City Traffic Engineer

DATE: June 6, 2022

SUBJECT: Adoption of California Vehicle Code Section 25279

This memorandum is in response to the request by the City to review the staff report dated May 9, 2022 regarding the Rolling Hills Community Association's (RHCA) request to adopt the California vehicle code section 25279.

It is my understanding the RHCA purchased a vehicle for use by the gate staff and the RHCA legal counsel advised them to install a rooftop amber colored light bar on the said vehicle, and to comply with the California vehicle code (CVC) Section 25279 by adopting a resolution stating it applies to all roads within Rolling Hills.

I have reviewed the CVC Section 25279 and agree with the recommendation made for the gate vehicle and have no additional comments or concerns.

To comply with CVC Section 25279 signs shall be installed at the entrance to the community at each gate. This provides adequate notification and complies with the CVC. The sign shall be 24 by 36 in size.

RESOLUTION NO. 1302

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AUTHORIZING THE ROLLING HILLS COMMUNITY ASSOCIATION TO USE A PRIVATE SECURITY PATROL VEHICLE WITH AMBER LIGHTS

RECITALS

A. The City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the California Constitution and laws of the State of California; and

B. The City is comprised of private roads owned and maintained by the Rolling Hills Community Association; and

C. California Vehicle Code Section 21107 authorizes the City to adopt rules and regulations by ordinance or resolution regulating vehicular traffic on privately owned and maintained roads; and

D. The RHCA has informed the City that it has purchased a security patrol vehicle with an amber colored light bar for use by RHCA personnel for security purposes; and

E. The City does not currently authorize operation of vehicles with amber colored light bars on vehicles within the City limits; and

F. The City seeks to allow only personnel designated as private patrol operators by RHCA to use the security patrol vehicle with the amber colored light bar for security purposes.

NOW, THEREFORE, the City Council of the City of Rolling Hills does hereby resolve, determine, find, and order as follows:

<u>Section 1.</u> The City Council hereby authorizes personnel designated as private patrol operators by RHCA to display flashing amber warning lights on the front, rear, or sides of its security vehicle, subject to the following additional conditions:

(1) the vehicle must be marked with the words "RHCA PRIVATE SECURITY PATROL"

(2) the vehicle must be used exclusively on privately owned and maintained roads within the boundaries of the City.

(3) the amber warning lights may only be turned on in response to emergency calls to RHCA for the immediate preservation of life or property.

<u>Section 2.</u> Upon the immediate approach of the RHCA Private Security Patrol vehicle which is flashing amber warning lights that is visible, under normal atmospheric conditions, from a distance of one thousand feet to the front of the vehicle, the surrounding traffic shall, except as otherwise directed by a traffic officer or Deputy Sheriff, do the following:

A. The driver of every other vehicle shall yield the right-of-way and shall immediately drive to the right-hand edge or curb of the road, clear of any intersection, and thereupon shall stop and remain stopped until the authorized RHCA Private Security Patrol vehicle has passed.

B. All pedestrians upon the road (including those riding bicycles, skateboards, roller skates or horses) shall proceed to the nearest curb or place of safety and remain there until the authorized RHCA Private Security Patrol vehicle has passed.

<u>Section 3.</u> This Resolution shall be effective upon the City Manager posting signs at the Crest Gate, City Hall Gate, and Eastfield Gate giving notice of the operation of the RHCA private security patrol on privately owned and maintained roads within the boundaries of the City.

PASSED, APPROVED, AND ADOPTED this 13th day of June, 2022.

JAMES BLACK, MD MAYOR

ATTEST:

CHRISTIAN HORVATH CITY CLERK



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.H Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JOHN SIGNO, DIRECTOR OF PLANNING & COMMUNITY SERVICES

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: AMENDED AGREEMENT WITH MCGOWAN CONSULTING FOR SERVICES RELATING TO STORMWATER MANDATE COMPLIANCE

DATE: June 13, 2022

BACKGROUND:

Kathleen McGowan has consulted for the City since 2003. She has familiarity and understanding of the City's unique character and requirements and has been effective in negotiating on the City's behalf with Regional Board staff. McGowan Consulting, LLC (McGowan) assists City staff not only in implementing the permit requirements, but also in coordinating and leveraging efforts being implemented by other consultants and contractors so that the City's program and annual reports are comprehensive.

McGowan provides valuable and needed professional resources and depth for meeting the broad requirements of the MS4 Permit. Moreover, continuing the contract with McGowan provides other important advantages. First, McGowan is very familiar with Rolling Hills' unique characteristics. Second, McGowan continues to provide for cost sharing and economies of scale, as work products and time are shared among local clients who have similar characteristics and compliance requirements. Finally, McGowan is well regarded and recognized as knowledgeable, practical, responsive and effective in working with the RWQCB and City staff.

McGowan was instrumental in negotiating on the City's behalf for a modification to the permit requirements that allows the City to participate with the Peninsula agencies in a Coordinated Integrated Monitoring Program (CIMP) even though the City Council chose not to participate in the Peninsula Enhanced Watershed Management Program (EWMP). This allowed the City to reduce the cost of monitoring by participating in a joint monitoring effort rather than implementing these requirements individually.

Over the past two years, McGowan has coordinated with the City's contracted hydrology and monitoring consultant, NV5, to document the retention capacity of the Sepulveda Canyon drainage system. The research shows that the net effect of Rolling Hills' low density planning

and land development standards combined with its extensive network of natural canyon drainage systems promotes stormwater retention and infiltration up to and including the runoff from the 85th%, 24-hr storm event. McGowan has used this data to prepare an addendum to the Palos Verdes Peninsula Watershed Management Program (WMP) that includes the City. Indications from the LA Water Board show they are inclined to accept the addendum and a final decision is pending.

McGowan has also been coordinating with Torrance staff on including Rolling Hills in the Torrance Airport Stormwater Basin project, which may be needed if the addendum to the WMP is not approved. McGowan represents Rolling Hills in discussions with Peninsula agencies on stormwater issues.

DISCUSSION:

McGowan Consulting is proposing a cost of \$65,000 plus a 10% contingency of \$6,500 for a not to exceed amount of \$71,500 for Fiscal Year 2022-2023. This is \$27,595 lower than last year's proposal due to the fact that the revised EWMP to include the City is only a one-time cost.

McGowan's scope of services is designed to assist the City in implementing its individual requirements under the Regional Permit including supporting the City in decision-making and review of the Peninsula CIMP, cooperative implementation of the Peninsula WMP, planning and budgeting for expenditure of the City's Municipal Safe Clean Water funds, and representing the City's interests in negotiations with the LA Water Board. This proposal has been prepared with the assumption that the City's participation in the WMP as an 85th%, 24-hour stormwater runoff retention area will be approved and become effective for reporting year 2022-2023 (FY2022-23). However, it is the nature of regulatory-driven programs to be subject to uncertainty and unpredictable developments, and as such a 10% contingency has been included for additional unplanned assistance to be used only when authorized by the City.

FISCAL IMPACT:

The cost estimate for the proposed scope of work is \$71,500, including a 10% contingency fee of \$6,500 to cover unforeseen events. Safe Clean Water Municipal Program Funds will cover \$33,000 with the remainder programmed into the FY 2022/23 Budget.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

RH-MS4-ProposalLetter-FY2223(2022-06-01).pdf RH-MS4_SOS_FY2022-23(Final).pdf CA_AGR_220613_McGowan_Amend05.pdf MCGOWAN CONSULTING LLC, Agrmnt_2015-18_Signed.pdf McGowan 1stAmendment 2018-2020 SIGNED.pdf Second Amendment McGowan Agreement 4-17-19.pdf 3rd Agreement McGowan Consulting LLC Agreement 2020_07_29.pdf PSA 4th Amendment signed 06.29.2021.pdf June 1, 2022

Elaine Jeng, City Manager City of Rolling Hills 2 Portuguese Bend Road Rolling Hills, CA 90274

RE: PROPOSAL FOR MS4 PERMIT CONSULTING FY2022-23

Dear Ms. Jeng:

McGowan Consulting is pleased to provide the enclosed scope of services and cost estimate to assist the City of Rolling Hills (City) in implementing the requirements of the Municipal Stormwater Permit during fiscal year 2022-2023. As you are aware, we specialize in providing customized stormwater quality and watershed protection consulting services to small municipal clients and have an in-depth understanding of the City's particular challenges and constraints. Over the past two years, we have coordinated with the City's contracted hydrology and monitoring consultant to document the retention capacity of a representative canyon drainage system in the City as evidence that the net effect of Rolling Hills' low density planning and land development standards combined with its extensive network of natural canyon drainage systems is to promote stormwater retention and infiltration up to and including the runoff from the 85th%, 24-hr storm event. We then used this data to assist City staff in the preparation of an addenedum to the Palos Verdes Peninsula Watershed Management Program (WMP) to include the City as an 85th%, 24-hr stormwater runoff retention area and obtain deemed-compliance with TMDL waste load allocations. Indications from LA Water Board staff based on discussions and comments received on the City's proposed WMP addendum are that they are inclinded to accept this approach. Final acceptance of the City's deemed compliance approach will be a unique accomplishment among the 84 municipalities in Los Angeles County.

Meanwhile the Regional Municipal Stormwater Permit (Regional Permit)¹ was adopted on July 23, 2021 and became effective on September 11, 2021, replacing the previous 2012 Los Angeles Municipal Stormwater Permit. While the Regional Permit is similar in many ways to the previous 2012 Permit, there are changes and expanded requirements in existing programs, as well as new requirements that must be implemented on an ongoing basis regardless of the means of demonstrating compliance with TMDL waste load allocations. Examples of new requirements applicable to the City include but are not limited to annual stormwater training of City staff in targeted roles, more detailed annual tracking and reporting of implementation activities, and tracking of performance metrics and costs for implementing these activities. McGowan Consulting has been working with City staff to initiate implementation of

¹ Regional Phase I MS4 NPDES Permit. Order No. R4-2021-0105. NPDES Permit No. CAS004004 Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles and Ventura Counties

these new requirements, however some program elements still need to be revised in accordance with the schedule provided in the Regional Permit.

This scope of services is designed to assist the City in implementing its individual requirements under the Regional Permit including supporting the City in decision making and review of the Peninsula Coordinated Integrated Monitoring Program, cooperative implementation of the Peninsula WMP, planning and budgeting for expenditure of the City's Municipal Safe Clean Water funds, and representing the City's interests in negotiations with the LA Water Board. This proposal has been prepared with the assumption that the City's participation in the WMP as an 85th%, 24-hour stormwater runoff retention area will be approved and become effective for reporting year 2022-2023 (FY2022-23). However, it is the nature of regulatory-driven programs to be subject to uncertainty and unpredictable developments, and as such a ten percent contingency has been included for additional unplanned assistance to be used only when authorized by the City.

Please do not hesitate to contact me if you have any questions or require additional information or scope clarification. Thank you for the opportunity to continue to work with you and your colleagues and to serve the City of Rolling Hills.

Sincerely,

Lathle Malawan

Kathleen C. McGowan, P.E., Principal McGowan Consulting, LLC

Attachment:

Scope of Services and Cost Estimate

Scope of Services – Stormwater Permit Consulting City of Rolling Hills FY2022-23

This scope of services is designed to assist the City of Rolling Hills with implementation of required programs in the Regional Phase I MS4 NPDES Permit – Order No. R4-2021-0105 – NPDES Permit No. CAS004004 Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles and Ventura Counties (Regional Permit). The City has notified the Los Angeles Regional Water Quality Control Board (LA Water Board) of its intent to to participate in the Palos Verdes Peninsula Watershed Management Program and has submitted a required addendum to the Watershed Management Program and has submitted a required addendum to the Watershed Management Program and sa submitted a required addendum to the Watershed Management Program and has submitted a required addendum to the Watershed Management Program and Polare Comments. This proposal has been prepared with the assumption that the City's participation as an 85th%, 24-hour stormwater runoff retention area will be approved and become effective for reporting year 2022-2023 (FY2022-23).

This scope of services is organized into tasks based on the Regional Permit program areas.

- Task 1 Program Management, Individual Reporting and Regulatory Support
- Task 2 Public Information and Participation Program
- Task 3 Commercial Facilities Control Program [not applicable to the City]
- Task 4 Planning & Land Development and Construction Programs
- Task 5 Public Agency Activities Program
- Task 6 Illicit Discharge Detection and Elimination Program
- Task 7 Watershed Planning and CIMP and TMDL Implementation

Task 1 Program Management, Individual Reporting and Regulatory Support

The Regional Permit affects a wide range of municipal activities and requires management and coordination of pollution prevention and implementation activities across municipal functions and among co-permittees. Task 1 is focused on stormwater program planning, coordination and reporting.

Subtask 1.1 Coordination, Communication and Project Management

This subtask provides an allocation of time for McGowan Consulting to conduct stormwater program planning, coordination, and regular communication with City staff on action items and pending decisions needed, regulatory and watershed developments, and for internal coordination and project management. Time is also included in this subtask for periodic meetings or calls with City staff on the status of work progress. This effort will include working with City staff to create and maintain a required list of applicable staff positions and contractors who should receive stormwater annual training specific to their responsibilities and in tracking that new staff in these targeted positions are trained within 180 days of starting employment. This task also allocates time for assisting City staff in preparing staff reports to City Council to update them on progress of key stormwater program implementation topics, and attending City Council meetings when needed.

Subtask 1.2 Regional Permit Individual Annual Report

The Regional Permit requires the City to submit an Individual Annual Report to the Los Angeles Regional Water Quality Control Board (LA Water Board) by December 15th summarizing its stormwater management program activities during the preceding fiscal year (July 1st-June 30th). The Regional Permit

introduced a new reporting format with more detailed categorization and reporting of costs and tracking of measurable achievements; FY2022-23 will be the first time using the new format which is being deployed via the Los Angeles County-wide Watershed Reporting Adaptive Management & Planning System (WRAMPS) online reporting tool (<u>https://wramps2.org/app/</u>). Additionally, as part of the City's contribution to the new Palos Verdes Peninsula Watershed Management Group (Peninsula WMG) progress reporting requirements, the City will need to update its progress on meeting Watershed Management Program (WMP) measures in WRAMPS on a semi-annual basis.

This subtask covers McGowan Consulting's preparation of the City's Individual Annual Report following the required format and content prescribed in the Regional Permit covering activities implemented and costs incurred by stormwater program and type during the reporting year. The City's Individual Annual Report also supports the preparation of the Semi-Annual Watershed Report which is also due on December 15. BMcGowan Consulting will provide City staff a detailed list of information needed to complete the Individual Annual Report. Given receipt of the requested Individual Annual Report will be prepared using the updated WRAMPS online reporting tool for City staff review by November 1. A two-week turnaround for City staff review with a consolidated set of comments, and a single revision of the annual report are assumed to meet the December 15th submittal deadline. Following submittal of the report, an electronic copy of the Individual Annual Report and its supporting files will be provided for the City's records. Time is also allocated in this subtask to upload the City's semi-annual progress reporting information into WRAMPS for submittal to the watershed lead.

It is assumed that the City will continue to contract separately for monitoring of trash consistent with its approved Trash Monitoring and Reporting Program and that information will be provided to McGowan Consulting in spreadsheet format required by the Regional Permit for inclusion in its Individual Annual Report.

Subtask 1.2 Deliverables:

• Draft and final Regional Permit Individual Annual Report

Subtask 1.3 Permit-wide Coordination and Regulatory Support

This subtask includes time to participate in virtual Co-Permittee meetings and conference calls to share information, resources and address challenges cooperatively amongst the Co-Permittees of the Regional Permit and for coordination with other Permittees on implementation strategies for new Regional Permit provisions, such as participation in LA Permit Group meetings, the County of Los Angeles's WRAMPS workshops and Technical Working Group meetings. This subtask also allocates time for McGowan Consulting to track and review regulatory actions affecting the City's stormwater program such as new or revisions to statewide water quality standards applicable to MS4 permits, statewide permitting policies, precedential State and Regional Water Board orders, and issuance or reconsideration of Total Maximum Daily Loads (TMDLs). McGowan Consulting's effort for this subtask has been reduced based on the assumption that actual time will be be distributed among several municipal clients.

Task 2 Public Information and Participation Program

Each Permittee is responsible for developing and implementing a Public Information and Participation Program (PIPP) that addresses specific Regional Permit and Peninsula WMP requirements. Each of the required elements of the PIPP may be met by the City either through a County-wide, watershed group, individual program approach, and/or through partnerships with State or National stormwater member agencies, or a combination of approaches. The Palos Verdes Peninsula Watershed Management Group (Peninsula WMG) has committed to joint development of certain elements of the PIPP which are addressed in Subtask 8.2. The City's solid waste franchisee disseminates information to residents and businesses on proper handling of wastes such as: vehicle waste fluids, household waste materials, construction waste materials, organic waste and animal waste. City staff disseminate opportunities for participation in pollution prevention activities and events to residents and businesses via e-news and Blue Newsletter. Accordingly, the City's PIPP obligations will be met through a combination of individual City activities, outreach material developed in collaboration with the other members of the Peninsula WMG, promotion of local environmental events and workshops hosted by other organizations, as well as County-wide outreach and engagement efforts including those implemented through the Safe Clean Water Program. The Regional Permit requires documentation and tracking of information on the City's PIPP activities, including the (1) date of activity; (2) method of dissemination, (3) targeted behavior; (4) targeted pollutant; (5) targeted audience; (6) culturally effective methods; (7) metric(s) for measuring effectiveness of activity, and related information necessary for measuring effectiveness.

Subtask 2.1 PIPP Implementation

This subtask includes an allocation of time to track the City's PIPP activities via metrics identified in collaboration with City staff in a spreadsheet database to be updated annually. This scope of work includes a meeting with City staff at the beginning of the fiscal year to discuss the anticipated PIPP activities and associated metrics to be tracked during the year and to gather information on the metrics tracked during the preceding year. McGowan Consulting will update the spreadsheet database following this meeting and will work with City staff to track the metrics throughout the year for compilation in the City's next Individual Annual Report.

This task also provides an allocation of effort for McGowan Consulting to support the City as needed in its efforts to disseminate public outreach materials and encourage community engagement on stormwater and related environmental programs. This support may include reviewing and recommending changes to the Environmental Programs website material and/or recommendations for information to be disseminated to the public via the City's Blue Newsletter.

It is assumed that City staff will be responsible for making as-needed recommended updates to its website content.

Subtask 2.1 Deliverables:

• Annual update of City's individual PIPP activities database and metrics for tracking effectiveness

Subtask 2.2 Safe Clean Water Municipal Program

The Safe Clean Water (SCW) Program, also known as Measure W, provides dedicated funding to increase local water supply, improve water quality and protect public health with a key goal of supporting

municipalities in implementing new efforts to meet Regional Permit water quality objectives. The City receives approximately \$100,000 annually in Municipal Program Funds and accordingly has annual planning and reporting responsibilities for the expenditure of these funds as outlined in the City's Municipal Transfer Agreement with Los Angeles County Flood Control District (LACFCD). The Municipal SCW Annual Plan and the Municipal SCW Annual Progress/Expenditure Report must be prepared and submitted via the SCW online reporting tool following the structure and detailed content required by the tool. The tool is mounted on the Los Angeles County Safe Clean Water Program website (SafeCleanWaterLA.org) where the plans and reports are also posted for public transparency and accountability.

This subtask provides for McGowan Consulting to assist the City by preparing the Municipal SCW Annual Progress/Expenditure Report for FY2021-22 and the Municipal SCW Annual Plan for FY2023-24 using the SCW online reporting tool based on a similar level of effort experienced preparing these plans and reports for the City during FY2021-22. Authorized City staff must approve and submit the final Municipal SCW Annual Progress/Expenditure Report and Annual Plan to the LACFCD via the SCW reporting tool.

<u>Municipal SCW Annual Progress/Expenditure Report (due in December)</u>: McGowan Consulting will prepare a list of information necessary to prepare the draft Municipal SCW Annual Progress/Expenditure Report covering the preceding fiscal year (FY2021-22). Within six weeks of receiving the requested information, McGowan Consulting will prepare the draft Municipal SCW Annual Progress/Expenditure Report for City staff review. A consolidated set of comments from City staff, and a single revision of the report to incorporate City staff comments are assumed.

<u>Municipal SCW Annual Plan (due by April 1)</u>: McGowan Consulting will meet with City staff in January to identify anticipated Municipal SCW Program expenditures for the upcoming fiscal year (FY2023-24) and then will provide a list of additional information items necessary to prepare the Municipal SCW Annual Plan. Given receipt of the requested information from City Staff by February 1st, McGowan Consulting will prepare a draft Municipal SCW Annual Plan for City staff review by March 1st. A two-week turnaround for City staff review, with a consolidated set of City staff comments, and a single revision of the annual plan are assumed.

It is assumed that City staff will be responsible for adherence to the SCW Program financial documentation and audit requirements, compliance with revenue transfer agreement requirements, operation in accordance with best practices and strict accountability for funds, receipts and disbursements as delineated in the SCW Program Municipal Program Transfer Agreement.

Subtask 2.2 Deliverables:

- Draft and Final Municipal SCW Annual Plan
- Draft and Final Municipal SCW Annual Progress/Expenditure Report

Task 4 Planning & Land Development and Development Construction Programs

The Planning & Land Development and Construction Programs are both applicable to public and private development projects and there are separate and cross-cutting requirements in these programs.

Subtask 4.1 Planning & Land Development Program Training & Tracking

The Planning and Land Development provisions of the Regional Permit require the City to ensure that Priority Development Projects provide for permanent measures to reduce storm water pollutant loads from the development site by conditioning approval of these projects with Low Impact Development (LID) requirements. Qualifying capital improvement projects are also subject to LID requirements.

This subtask provides for preparation and delivery of a virtually accessible training on the Planning & Land Development Program requirements of the Regional Permit consistent with the City's implementation policies and procedures. This subtask also provides an allocation of time for entering Priority Development Projects subjected to LID into the WRAMPS online tool for tracking and annual reporting.

Subtask 4.1 Deliverables:

• Virtual training session for Community Development, Management and contract staff on the Planning & Land Development requirements

Subtask 4.2 Construction Program Training

The City is required to implement a Construction Program to track and ensure appropriate BMPs are being implemented on construction sites within its jurisdiction. The City must also ensure that developers of construction sites larger than one acre are obtaining coverage under the Statewide Construction General Permit (CGP), have an approved LID Plan in place prior to the City's issuance of a grading or building permit, and that these sites are inspected for effective stormwater BMPs at frequencies consistent with the Regional Permit requirements.

This subtask provides for preparation and delivery of a virtually accessible training on the Construction Program requirements of the Regional Permit. This training will be distinct from the Planning & Land Development training module to provide flexibility for targeted City and contract staff to access the training at their convenience as appropriate to their job responsibilities. This task also includes time to track and review reporting via the State Board's online SMARTS system by construction sites disturbing one acre or more within the City.

It is assumed that the City will utilize contracted or in-house practitioners that are trained and knowledgeable in CGP requirements for any municipal capital improvement projects one acre and larger consistent with the State Water Board Qualified QSD/QSP program since the training provided by McGowan Consulting is primarily focused on the Regional Permit Construction Program requirements and is not equivalent to the two- or three-day training required for practitioners of the CGP.

Subtask 4.2 Deliverables

• Virtual training session for Community Development, Management and contract staff on the Regional Permit Construction Program requirements

Subtask 4.3 Expanded LID Support

McGowan Consulting understands the City intends to establish a program of expanded low impact development for new and redevelopment projects through effective site design requirements. Broader

application of effective site design practices to development projects will distribute stormwater detention and retention across more properties in the City thereby increasing overall stormwater capture in the City and supporting the City's 85%, 24-hour stormwater retention compliance approach. Effective site design preserves and/or creates natural landscape features that promote percolation of stormwater on-site, minimizes impermeable surfaces that create runoff, and uses permeable paving for exterior paved surfaces where feasible. Effective site design practices are no more complex than what is normally undertaken by architects and landscape designers for a typical new or redevelopment project and therefore can be applied to most new and redevelopment projects during planning and design, regardless of whether they trigger the numeric performance requirements of Priority Development Projects as defined in the Regional Permit.

This subtask provides an allocation of time for McGowan Consulting to assist City staff in developing guidelines and outreach materials for implementation of the program.

Task 5 Public Agency Activities Program

The Public Agency Activities program focuses on public works maintenance and capital improvement activities. The Regional Permit requires implementation of BMPs to minimize water quality impacts from the maintenance of public facilities, including parks, streets, storm drain infrastructure, recreational and other municipally owned or operated facilities.

The City is required to maintain an updated electronic inventory or database of all public facilities that are potential sources of pollutants in stormwater runoff; incorporation of facility information into GIS is recommended but not required by the Regional Permit. The inventory must also identify potential for stormwater pollutant generation activities at each facility and the BMPs that are implemented to address them. The City's facility inventory was previously developed in spreadsheet format in 2016, and the Regional Permit newly requires the addition of Permittee-maintained roads and catch basins to the inventory. McGowan Consulting will meet with management staff to verify the accuracy of the City's public facility inventory and to identify significant modifications or other changes that have occurred since 2016 that require reassessment of specific facilities and/or revision of the inventory. This subtask includes time for McGowan Consulting to conduct site visits/assessments at up to three (3) municipal facilities selected by City staff to assess significantly revised conditions for purposes of updating the facility inventory. It is assumed that City staff will contract separately for conversion of some or all of the facility inventory to GIS if City staff determines it is appropriate.

The City must annually train all employees in targeted positions whose interactions, jobs, 6ctiveities affect stormwater quality. This training requirement also applies to contractors performing privatized/contracted municipal services such as solid waste collection or landscape maintenance. This subtask provides for McGowan Consulting to prepare and provide virtually accessible training for targeted City staff and contracted service providers. The training will provide an overview of the permit requirements for context and then focus most of the training on municipal operation and maintenance activities with the potential to impact stormwater quality.

The Regional Permit further specifies that contractors hired by the City to conduct public works activities that may affect stormwater quality be contractually required to implement and maintain BMPs for the

work they are conducting. This subtask includes an allocation of time for McGowan Consulting to prepare template language for insertion in public works contracts.

Task 5 Deliverables:

- Up to three (3) public facility site visits/assessments with recommendationed revisions to the facility inventory
- Virtual training session for targeted public works staff and contractors
- Template language for insertion in public works contracts

Task 6 Illicit Discharge Detection and Elimination Program Training

The Regional Permit requires the City to continue to implement its Illicit Discharge Detection and Elimination (IDDE) program to detect and identify the source of suspected illicit discharges and to implement procedures for eliminating confirmed illicit discharges. This task provides for preparation and delivery of an interactive or virtually accessible required annual training for field staff on the identification and reporting of illicit discharges.

Although the City's IDDE procedures manual must be updated once during the five-year Regional Permit term, it is assumed that such an effort will be deferred to a later year within the permit term in favor of updating the Public Facility Inventory in FY2022-23 as described in Task 5 a to allow balancing of the City's annual stormwater costs.

Task 6 Deliverable:

• Virtual training session on the IDDE program with anonymous online quiz to assess effectiveness of the training

Task 7 Watershed Group Planning and Coordination

The Coordinated Integrated Watershed Management Program (CIMP) and Watershed Management Program (WMP) are being implemented cooperatively by the Peninsula WMG in accordance with the requirements of the Regional Permit. The City has been participating in CIMP implementation through a separate contracting mechanism under an MOU administered by the City of Rancho Palos Verdes in coordination with the Peninsula WMG member agencies. The WMP was revised in 2021 to newly include the City of Rolling Hills as an 85th %, 24-hr stormwater runoff retention area and to update the WMP based on monitoring data collected and stormwater capture projects implemented over the past five years. The Peninsula WMG is currently responding to comments from the LA Water Board on the revised WMP and making further revisions as necessary. The City is also participating in the Harbor Regional Monitoring Coalition MOU to meet its monitoring obligations under the Greater Los Angeles and Long Beach Harbors Toxics TMDL. The Harbor Regional Monitoring Coalition (Harbor RMC) meets quarterly to coordinate TMDL compliance monitoring and reporting in the harbors.

Task 7.1 Watershed Group Planning & Coordination

The Peninsula WMG meets monthly to plan and coordinate compliance monitoring and implementation activities for both the CIMP and WMP and TMDL regulatory issues. This subtask includes McGowan Consulting time for meeting preparation and attendance at twelve (12) Peninsula WMG meetings, with time for this effort distributed among three Peninsula municipal clients. Additional time is included for

periodic coordination meetings among the Peninsula WMG consulting team members. Time for participation in quarterly Harbor RMC meetings is also included with that effort distributed between two Peninusula municipal clients.

Task 7.2 CIMP Review & Support

During FY2022-23 the Peninsula CIMP must be revised to align with the Regional Permit monitoring and reporting requirements and to make adaptive management changes planned for the benefit of the Peninsula WMG agencies. This subtask allocates time for McGowan Consulting to provide review and comment on the draft and final revisions of the CIMP prior to submittal to the LA Water Board for review. This subtask also allocates time for McGowan Consulting to provide review and comment on the draft donitoring Compliance Report to be prepared by the CIMP Consultant. Lastly, this task provides time for McGowan Consulting to review results of sampling events and attend monthly 30-minute coordination calls with the Peninusula WMG and CIMP consulting time for this subtask has been reduced based on the assumption that it will be be distributed among three municipal clients.

Task 8 WMP Joint Implementation Activities

The Peninsula WMG members have been undertaking certain WMP implementation tasks in a cooperative manner with effort for carrying out these tasks distributed equitably between the consultant for the City of Rancho Palos Verdes and McGowan Consulting as consultant for the City of Rolling Hills Estates, Palos Verdes Estates and Rolling Hills. This task provides for McGowan Consulting to perform the City's share of the following cooperative WMP implementation subtasks.

Subtask 8.1 Semi-Annual Watershed Progress Report Assistance & Review

The Regional Permit newly requires the submittal of semi-annual Watershed Progress Reports to the LA Water Board which are due on December 15 and June 15. Although the consultant for the City of Rancho Palos Verdes will lead this submittal, this is necessarily a cooperative effort and as such, McGowan Consulting will provide assistance in compiling key elements of these reports and will also provide review and comment on the draft and final semi-annual progress reports.

Subtask 8.2 Joint Public Outreach Content Development & Metrics

The Peninsula WMG in collaboration with the Beach Cities WMG has been developing and disseminating stormwater outreach website content to the local community via the South Bay Cities Council of Governments (SBCCOG) website. This outreach program has been managed and facilitated by McGowan Consulting, supported by website hosting services subcontracted with the SBCCOG. This outreach program also includes the development of periodic supplemental outreach pieces for dissemination through the participating jurisdictions' e-news and social media channels to extend the reach of the messaging and draw traffic to the website content.

The ongoing scope of this subtask is anticipated to include annual revision and refreshing of webpage content on the SBCCOG website platform. The Regional Permit newly requires Permittees to track metrics on the effectiveness of their public outreach and participation efforts which will be implemented in part through collection of website metrics from the SBCCOG hosting service. Additionally, the effort in this subtask may include development of one or more targeted public outreach pieces to address topics relevant to the stormwater management program with support by subcontracted graphic design

services as needed. McGowan Consulting's level of effort and supporting contract services for this subtask are assumed to be similar to those in previous years and will continue to be offset through combined work for the Beach Cities WMG including shared subcontracting costs for website hosting and as-needed graphic design.

Cost Estimate

McGowan Consulting will deliver the services described in the foregoing Scope of Services for an estimated cost of **\$65,000** based on time and materials as detailed in the following Budget Table and FY2022-23 Rate Schedule. To provide flexibility to best meet the needs of the City in addressing the requirements of the Regional Permit, it is understood that reallocation of level-of-effort between tasks and subtasks may occur so long as the total contract amount is not exceeded. Given the nature of regulatory-driven programs which are subject to changing requirements and unpredictable developments, an additional ten percent contingency in the amount of \$6,500 is also recommended to be used only when authorized by the City to support additional assistance that is unplanned.

Labor rates for FY2022-23 are shown in the Rate Schedule and include automobile mileage, parking fees, and routine printing and copying. Invoices will be submitted based on actual time expended by each McGowan Consulting staff member in accordance with the rate schedule. Other direct costs chargeable to the project may include subcontracted website hosting, graphic design, illustration, and translation services; and other direct project costs not specifically included in labor rates.

Fiscal Year 2022-2023 Budget Table Stormwater Consulting Services				
Task	Description	Labor Hours	Estimated Cost	
1.1	Coordination, Communication and Program Management	50	\$ 8 <i>,</i> 500	
1.2	Regional Permit Individual Annual Report	50	\$ 8,400	
1.3	Permit-wide Coordination and Regulatory Support	18	\$ 2,900	
2.1	Public Information & Participation Program Implementation	24	\$ 3,600	
2.2	Safe Clean Water Municipal Program +	50	\$ 8,400	
4.1	Planning & Land Development Program Training & Tracking	22	\$ 3,600	
4.2	Construction Program Training	20	\$ 3,300	
4.3	Expanded LID Support +	32	\$ 5,300	
5	Public Agency Activities Program	40	\$ 6,600	
6	Illicit Discharge Detection and Elimination Training	12	\$ 1,800	
7.1	Watershed Group Planning & Coordination	24	\$ 4,000	
7.2	CIMP Review and Support	15	\$ 2,500	
8.1	Semi-annual Watershed Progress Report Assistance & Review	12	\$ 2,000	
8.2	Joint Public Outreach Content Development & Metrics	14	\$2,100	
Other Direct Costs - Includes subcontracted website hosting by SBCCOG and graphic design services for outreach materials			\$ 2,000	
Total Estimated Costs			\$ 65,000	
Contingency @ 10%				
+ indicates costs planned to be covered by the SCW Municipal Program Funds				

McGowan Consulting, LLC Labor Rates - Contract Year 2022-23¹

Professional Staff Rates

Principal	\$175 per hour
Sr. Scientist	\$145 per hour
Staff Scientist	\$63 per hour

Expenses

Labor rates include automobile mileage within greater Los Angeles and Orange County area, parking, routine printing and copying

Other direct costs chargeable to the project include: graphic layout and illustration, webpage design and hosting, translation services, report reproduction and binding, courier services, blueprint services, graphics services, project-specific publications, and any other direct project costs not included in the labor rates.

¹ Labor rates to be adjusted annually based on increases in the Consumer Price Index for the Los Angeles area as calculated by the U.S. Department of Labor Bureau of Labor Statistics

FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This Fifth Amendment to Professional Services Agreement is entered into by and between the City of Rolling Hills, a municipal corporation ("City") and McGowan Consulting LLC ("Consultant") upon full, written execution by both parties.

RECITALS

A. City and Consultant are parties to that Professional Services Agreement dated July 15, 2015 (the "Agreement") by which City engaged Consultant for environmental consulting services pertaining to the implementation of the Municipal Separate Storm Sewer System Permit (MS4) and Total Maximum Daily Load (TMDL) implementation under the requirements of the Federal Clean Water Act.

B. The Agreement has been amended by a First Amendment to the Agreement dated July 26, 2018 (the "First Amendment"), a Second Amendment to the Agreement dated April 17, 2019 (the "Second Amendment"), a Third Amendment to the Agreement dated July 29, 2020 (the "Third Amendment"), and a Fourth Amendment to the Agreement dated June 29, 2021 (the "Fourth Amendment") by which City continued Consultant's engagement to perform MS4 permit consulting services.

C. City and Consultant now desire to further amend the Agreement for a fifth time in order to engage Consultant to perform MS4 permit consulting services for the 2022-2023 fiscal year and to establish compensation for such services (the "Fifth Amendment").

NOW, THEREFORE, in consideration of the foregoing, the Agreement is amended as follows:

A. Section 2 "SCOPE OF WORK" of the Agreement is amended to read as follows:

CONSULTANT shall perform all work necessary to complete in a manner satisfactory to CITY the services set forth in the scope of work attached as Exhibit A, and incorporated herein by this reference.

B. Section 3 "COST" of the Agreement is amended to read as follows:

The CITY agrees to pay CONSULTANT for all the work or any part of the work performed under this Agreement at the rates and in the manner established in the attached Exhibit A.

Total expenditures made under this Agreement shall not exceed the sum of \$35,850 for FY 2015-16; \$39,976 for FY 2016-17; \$39,468 for FY 2017-18; \$46,996 for FY 2018-19; \$46,992 for FY 2019-20; \$70,605 for FY 2020-21; \$99,095 for FY 2021-22; and \$71,500 (inclusive of 10% contingency fee) for FY 2022-23 services in the attached Exhibit A. All such fees include automobile mileage, parking fees, routine printing and copying, photography, travel, attendance at meetings and routine miscellaneous costs incurred during the term. No increase in fees will be allowed during the life of this Fifth Amendment.

Any increase in contract amount or scope shall be by express written amendment approved by the City and CONSULTANT.

C. Section 9 "TERM" of the Agreement is amended to read as follows:

The term of the Agreement is extended until June 30, 2023.

D. Except as above modified, in all other respects the Agreement as previously amended is hereby affirmed and in full force and effect.

ATTEST

CITY OF ROLLING HILLS

Christian Horvath, City Clerk Date

ELAINE JENG

Date

MCGOWAN CONSULTING, LLC

KATHLEEN MCGOWAN Date

EXHIBIT A

(See following page)

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into this 1st day of August 2015 at City of Rolling Hills, County of Los Angeles, State of California, by and between the CITY OF ROLLING HILLS, hereinafter called the CITY, and McGowan Consulting LLC, hereinafter called the CONSULTANT.

1. **RECITALS**:

A. CITY desires to retain CONSULTANT for environmental consulting services pertaining to the implementation of the Municipal Separate Storm Sewer System Permit (MS4) and Total Maximum Daily Load (TMDL) implementation under the requirements of the Federal Clean Water Act.

B. CONSULTANT is well qualified by reason of education and experience to perform such services; and

C. CONSULTANT is willing to render such professional services as hereinafter defined.

Now, therefore, for and in consideration of the mutual covenants and conditions herein contained, CITY hereby engages CONSULTANT and CONSULTANT agree to perform the services set forth in this Agreement.

2. SCOPE OF WORK

CONSULTANT shall perform all work necessary to complete in a manner satisfactory to CITY the services set forth in the proposal including scope of work attached as Exhibit A.

3. COST

The CITY agrees to pay CONSULTANT for all the work or any part of the work performed under this Agreement at the rates and in the manner established in the attached Exhibit A, Cost Breakdown for City of Rolling Hills sheet:

Total expenditure made under this contract shall not exceed the sum of \$35,850 for FY 2015-16; \$39,976 for FY 2016-17 and \$39,468 for FY 2017-18. This fee includes all expenses, consisting of all incidental blueprinting, photography, travel, attendance at meetings and miscellaneous costs, estimated to be accrued during that period. It also includes any escalation or inflation factors anticipated. No increase in fees will be allowed during the life of the contract.

Any increase in contract amount or scope shall be by express written amendment approved by the City Manager and CONSULTANT.

4. METHOD OF PAYMENT

CONSULTANT shall be reimbursed <u>monthly</u> in arrears based upon the hourly services provided. CONSULTANT shall submit invoices in duplicate and addressed to the CITY, c/o the Planning Department, 2 Portuguese Bend Road, Rolling Hills, CA 90274.

5. SUBCONTRACTING

CONSULTANT shall not be permitted to subcontract any portion of this contract without the express written consent of the CITY.

6. COMMENCEMENT OF WORK

CONSULTANT shall commence work under this agreement upon execution of this agreement.

7. ACCOUNTING RECORDS

CONSULTANT must maintain accounting records and other evidence pertaining to costs incurred which records and documents shall be kept available at the CONSULTANT's California office during the contract period and thereafter for five years from the date of final payment.

8. OWNERSHIP OF DATA

All data, maps, photographs, and other material collected or prepared under the contract shall become the property of the CITY.

9. TERM OF CONTRACT

This contract shall be valid for three years from execution of this agreement. The City may extend this contract for additional three years or less. Such extension shall be in writing by the CITY to the CONSULTANT.

10. TERMINATION

This contract may be terminated at any time for breach and the CITY may terminate unilaterally and without cause upon seven (7) days written notice to the CONSULTANT. All work satisfactorily performed pursuant to the contract and prior to the date of termination may be claimed for reimbursement.

11. ASSIGNABILITY

CONSULTANT shall not assign or transfer interest in this contract without the prior written consent of the CITY.

12. AMENDMENT

It is mutually understood and agreed that no alteration or variation of the terms of this contract, or any subcontract requiring the approval of the CITY, shall be valid unless made in writing, signed by the parties hereto, and approved by all necessary parties.

13. NON-SOLICITATION CLAUSE

The CONSULTANT warrants that he or she has not employed or retained any company or persons, other than a bona fide employee working solely for the CONSULTANT, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon or resulting from the award or making of this contract. For breach or violation of this warranty, the CITY shall have the right to annul this contract without liability, or, in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

14. INDEMNITY

CONSULTANT agrees to indemnify the CITY, its officers, employees and agents against, and will hold and save each of them harmless from, any and all actions, claims, damages to persons or property, penalties, obligations or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivision or other organization arising out of the negligent acts or intentional tortuous acts, errors or omissions of CONSULTANT, its agents, employees, subcontractors, or invitees, provided for herein. CONSULTANT will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations or liabilities and will pay all costs and expenses, including attorneys' fees incurred in connection herewith, CONSULTANT will promptly pay any judgment rendered against CITY, its officers, agents or employees for any such claims, damages, penalties, obligations or liabilities, In the event CITY, its officers, agents or employees is made a party to any action or proceeding filed or prosecuted against CONSULTANT for such damages or other claims arising out of or in connection with the sole negligence of CONSULTANT hereunder, CONSULTANT agrees to pay CITY, its officers, agents, or employees, any and all costs and expenses incurred by CITY, its officers, agents or employees in such action or proceeding, including but not limited to reasonable attorney's fees.

15. INSURANCE

A. Without limiting CONSULTANT'S obligations arising under paragraph 14 – Indemnity, CONSULTANT shall not begin work under this Agreement until it obtains policies of insurance required under this section. The insurance shall cover CONSULTANT, its agents, representatives and employees in connection with the performance of work under this Agreement, and shall be maintained throughout the term of this Agreement. Insurance coverage shall be as follows: i. <u>Automobile Liability Insurance</u> with minimum coverage of \$300,000 for property damage, \$300,000 for injury to one person/single occurrence, and \$300,000 for injury to more than one person/single occurrence.

ii. <u>Public Liability and Property Damage Insurance</u>, insuring CITY its elected and appointed officers, agents, and employees from claims for damages for personal injury, including death, as well as from claims for property damage which may arise from CONSULTANT'S actions under this Agreement, whether or not done by CONSULTANT or anyone directly or indirectly employed by CONSULTANT. Such insurance shall have a combined single limit of not less than \$1,000,000.

iii. <u>Worker's Compensation Insurance</u> for all CONSULTANT'S employees to the extent required by the State of California.

B. <u>Deductibility Limits</u> for policies referred to in subparagraphs A (i) (ii) and (iii) shall not exceed \$5,000 per occurrence.

C. <u>Additional Insured</u>. City, its elected and appointed officers, agents, and employees shall be named as additional insured on policies referred to in subparagraphs A (i) and (ii).

D. <u>Primary Insurance</u>. The insurance required in paragraphs A (i) (ii) and (iii) shall be primary and not excess coverage.

E. <u>Evidence of Insurance</u>. Consultant shall furnish CITY, prior to the execution of this Agreement, satisfactory evidence of the insurance required, issued by an insurer authorized to do business in California, and an endorsement to each such policy of insurance evidencing that each carrier is required to give CITY at least 30 days prior written notice of the cancellation of any policy during the effective period of the Agreement. All required insurance policies are subject to approval of the City Attorney. Failure on the part of CONSULTANT to procure or maintain said insurance in full force and effect shall constitute a material breach of this Agreement or procure or renew such insurance, and pay any premiums therefore at CONSULTANT'S expense.

16. ENFORCEMENT OF AGREEMENT

In the event that legal action is commenced to enforce or declare the rights created under this Agreement, the prevailing party shall be entitled to an award of costs and reasonable attorney's fees in the amount to be determined by the court.

17. CONFLICTS OF INTEREST

No member of the governing body of the CITY and no other officer, employee, or agent of the CITY who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this Agreement; and the CONSULTANT further covenants that in the performance of this Agreement, no person having any such interest shall be employed.

18. INDEPENDENT CONTRACTOR

The CONSULTANT is and shall at all times remain as to the CITY a wholly independent contractor. Neither the CITY nor any of its agents shall have control over the conduct of the CONSULTANT or any of the CONSULTANT's employees, except as herein set forth. The CONSULTANT shall not at any time or in any manner represent that it or any of its agents or employees are in any manner agents or employees of the CITY

19. ENTIRE AGREEMENT OF THE PARTIES

This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the employment of CONSULTANT by CITY and contains all the covenants and agreements between the parties with respect such employment in any manner whatsoever. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement or amendment hereto shall be effective unless executed in writing and signed by both CITY and CONSULTANT.

20. **GOVERNING LAW**

This Agreement shall be governed by and construed in accordance with the laws of the State of California, and all applicable federal statutes and regulations as amended.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

CITY OF ROLLING HILLS

CONSULTANT

CITY-MANAGER:

DATE: 7/23/15

MCGOWAN CONSULTING LLC:

7/15/2015 DATE:

ATTEST:

Heidi Luce, City Clerk

APPROVED AS TO FORM: **City Attorney**

EXHIBIT A

Scope of Work

This scope of work is organized into tasks according to the following Permit program areas:

Task 1 - Program Management and Coordination;

Task 2 - Public Information and Participation Program;

Task 3 - Industrial/Commercial Facilities Control Program-no scope anticipated,

Task 4 - Planning & Land Development and Construction Programs;

Task 5 - Public Agency Activities Program;

Task 6 - Illicit Connection & Illicit Discharge Elimination;

Task 7 - Watershed Planning and Implementation

Task 1 Program Management and Coordination

The MS4 Permit affects a wide range of municipal activities and requires effective management and coordination of MS4 Permit activities across municipal functions. Task 1 is focused on stormwater program management and coordination and annual reporting.

Subtask 1.1 Coordination and Communication

This task provides an allocation of time for regular communication with City staff via email and telephone and for semi-annual meetings on the status of work progress, recent regulatory and watershed developments, need for action or response, and to provide opportunity for City staff to inject policy direction as needed. An allocation of time is included in this task to review regulatory actions by the Regional Board and State Water Resources Control Board (State Board) and related actions by non-governmental organizations that may directly affect the City. This subtask also includes project management and organization.

Subtask 1.1 Deliverables:

- Semi-annual meeting agendas and progress reports (one page)
- At least one specific recommendation per year for City improvements in stormwater management, complete with location and illustrations as is appropriate

Subtask 1.2 Annual Reporting

The City is required to submit an annual report to the Regional Board by December 15 of each year covering the preceding reporting period that aligns with the City's fiscal year. Regional Board staff is in the process of developing a new annual reporting template which may affect level of effort to prepare the City's annual report over previous years, however that template is not yet available.

McGowan Consulting will assemble information for the preceding reporting year provided by City staff and its contract services from each of the five categories of minimum control measures applicable in the City to prepare the draft annual report for City staff review. Following receipt of comments from City staff, the annual report will be revised and the final annual report will be completed with relevant annual monitoring reports appended or incorporated by reference in the form of electronic PDF files for delivery to Regional Board staff. One bound copy as well as an electronic copy of the annual report will also be provided for the City's records. It is assumed that City staff will provide necessary information for the annual report including but not limited to:

- Budgetary information for stormwater expenditures
- Public outreach and education materials, e.g., newsletters, fliers
- New development/redevelopment project plan review conditions
- Building & Safety's storm-water related construction inspection records
- Municipal capital improvement project information relevant to stormwater
- Illicit connection and discharge incident tracking

Given timely receipt of the necessary annual report information from City staff by September 15th of each year, a draft annual report for City staff review will be delivered in electronic format by November 1st. A three-week turnaround for City staff review with a consolidated set of City staff comments, and a single revision of the annual report are also assumed. Labor effort for annual report preparation for contract years 2015-16 and 2017-18 are based on an assumed level-of-effort similar to that for the 2014-15 annual report, however in contract year 2016-17 additional effort is anticipated to address a new annual report format currently in development. Time is also included for review and comment on the City's annual trash monitoring report and the Non-Stormwater Screening and Monitoring Report prepared under a separate contract. Additionally, this effort will include preparation of a letter to accompany the annual trash monitoring report requesting that the Regional Board allow the City of Rolling Hills to cease trash monitoring based on justification in the new Statewide Trash Policy issued by the State Water Resources Control Board.

It is assumed that the annual Machado Lake TMDL Monitoring Report due with the City's annual report, and the integrated monitoring report which will be due with subsequent annual reports arising from the Peninsula CIMP implementation will be prepared through separate contracting with the Peninsula agencies so that no effort by McGowan Consulting in preparing the annual monitoring reports will be necessary. A separate allocation of time for reviewing and commenting on Machado Lake and Integrated Monitoring reports is included under Task 7.

Subtask 1.2 Deliverables:

• Draft and final FY14-15 Annual Report

Subtask 1.3 Permit-wide Planning and Coordination

This subtask includes time to participate in MS4 Permit Co-Permittee meetings to share information, resources and address MS4 Co-Permitee challenges cooperatively. A total of ten (10) such meetings are assumed. Additionally attendance at two (2) special meetings or workshops which may be called by Regional Board staff is also assumed.

Task 2 Public Information and Participation Program

Each Co-Permittee is responsible for developing and implementing a Public Information and Participation Program (PIPP) that addresses specific MS4 Permit requirements and meets the general objectives of:

- Measurably increasing the knowledge of target audiences about the adverse impacts of stormwater pollution on receiving waters and the potential solutions to mitigate these impacts
- Measurably changing the waste disposal and stormwater pollutant generating behavior of target audiences

• Involving and engaging a diversity of socio-economic groups and ethnic communities in mitigating the impacts of stormwater pollution.

Each of the required elements of the PIPP may be met by the City either through a County-wide, watershed group, or individual program approach. Required activities which may be best coordinated within the watershed and/or Countywide include: public service announcements and advertising campaigns, development of public education materials, distribution of public educational material at points of purchase, and distribution of materials to public and independent K-12 schools. The County has stated it will cease providing a K-12 outreach program and will limit the scope of its support to other Permittees to: maintaining the countywide hotline (888-Clean-LA) and website (888cleanLA.com) for public reporting, broadcasting public service announcements and conducting regional advertising campaigns, and facilitating dissemination of stormwater pollution prevention materials. The Peninsula Watershed Management Group (WMG) has historically coordinated some joint public outreach programs. It is anticipated that the Peninsula WMG will continue to jointly coordinate some of the required elements of the PIPP. The City is individually responsible for continuing to provide information and links on its website to other stormwater pollution prevention and clean-up activities.

This task provides an allocation of effort to work collaboratively with the Peninsula WMG to develop and implement joint elements of the PIPP program. Effort for staffing a stormwater booth at a ¹/₂ day community event in partnership with the City of Rolling Hills Estates is included in this task. This task also includes attendance at four (4) quarterly County-wide Public Outreach coordination meetings to avail the City of resources and information on County-wide efforts. McGowan Consulting will also review the City's website links and make annual recommendations for content changes to the City's website and outreach materials.

Time for attendance at Peninsula WMG meetings will be covered under Subtask 7.1. It is assumed that costs for printing public education materials or purchasing premiums for distribution to the public will be procured directly by the City through direct purchase orders with vendors or through a joint agreement among the Peninsula WMG and are excluded from this Scope of Work.

Task 2 Deliverables:

- Memo with recommendations for content changes or additions to the City's website and outreach materials
- Notes from Quarterly County-wide Public Outreach coordination meetings
- Staffing for ¹/₂ day community outreach event

Task 3 Industrial/Commercial Facilities Control Program

The permit requires the implementation of an Industrial/Commercial Facilities control Program to track, inspect and ensure compliance at facilities that are critical sources of pollutants in storm water. The sole industrial/commercial facility located within the City is the Palos Verdes Peninsula Unified School District's maintenance facility, which is subject to the Statewide General Industrial Activities Stormwater Permit. McGowan Consulting understands that the City has no jurisdiction over this state facility; accordingly no time is allocated for this task. [This task has been left as a placeholder with no budget to simplify time charging by task for multiple clients].

Task 4 Planning & Land Development and Development Construction Programs

The Development Planning provisions of the MS4 Permit require the City to ensure that private development and redevelopment projects provide for permanent measures to reduce storm water pollutant loads from the development site by conditioning approval of these projects with low impact development (LID) requirements. The City is also responsible for requiring that its qualifying capital improvement projects incorporate LID requirements, including the City's Green Street Policy. It is assumed that the City's contracted Building & Safety and City Engineer services contractors will be responsible for implementing the foregoing requirements.

The Development Construction Program of the NDPES Permit tasks the City with the related objective of minimizing pollutant loads from development and redevelopment sites during construction, including its own capital improvement projects. The City is required to review and approve construction plan documents for consistency with the requirements of the MS4 Permit and make technical standards for construction best management practices (BMPs) readily available to the development community via the City's website and at the public counter. The City must also implement inspection procedures and for public and private construction sites consistent with the MS4 Permit requirements. It is assumed that the City's contracted Building & Safety services contractors will be responsible for implementing the foregoing requirements and for documenting and tracking the implementation of the Development Construction Program.

Subtask 4.1 LID Implementation Support

The MS4 Permit requires that a GIS or other electronic system be established to cumulatively track the effectiveness of new development and redevelopment low impact development implementation over time. This effectiveness is to be assessed by compiling, analyzing, and summarizing information with respect to new development and redevelopment and retrofit projects to allow assessment of the following as part of annual reporting:

- Estimated cumulative change in percent effective impervious area (EIA) since the effective date of the MS4 Permit and, if possible, the estimated change in the storm water runoff volume during the 85th percentile storm event;
- Summary of New Development/Re-development Projects constructed within the Permittee(s) jurisdictional area during the reporting year;
- Summary of Retrofit Projects that reduced or disconnected impervious area from the MS4 during the reporting year;
- Summary of other projects designed to intercept storm water runoff prior to discharge to the MS4 during the reporting year; and
- For the projects summarized above, estimate of the total runoff volume retained on site by the implemented projects.

The information to be tracked must produce the foregoing effectiveness assessment metrics as well as a list of mandatory information identified in the MS4 Permit to be tracked for these projects.

An allocation of effort in this subtask is provided for McGowan Consulting to assist City staff in coordinating with contracted building & safety staffs in implementing a system for tracking the information required in the MS4 Permit for annual reporting purposes and for reviewing outputs to

verify that the MS4 Permit requirements are being effectively tracked for annual reporting purposes.

Subtask 4.2 Training for Planning and Management Staff

Implementation of the Planning & Land Development and Construction Programs under the Municipal Stormwater Permit occurs through: planning staff review of new development/redevelopment projects, and contracted building & safety issuance of building and grading permits, and inspection of construction sites during construction and upon project completion. Similar parallel responsibilities for public capital improvement projects reside with City staff. The MS4 Permit requires annual training of targeted staff implementing the Planning & Land Development and Construction program requirements.

This subtask is intended to provide training to the City's planning and management staff to assist them in their planning review and oversight and coordination of contract Building & Safety services. This training will be focused on implementation of MS4 Permit requirements for the Planning & Land Development and Development Construction programs. A single one-hour training session will be conducted with visual presentation and handouts. It is assumed that the City's contracted inspectors have been previously trained and are knowledgeable in inspection procedures consistent with the State Water Resources Control Board Qualified SWPPP Practitioner program for the Statewide Construction General Permit (CGP) and the MS4 Permit technical requirements for low impact development.

Subtask 4.2 Deliverables:

• Training session for City Planning and management staff

Task 5 Public Agency Activities Program

The Public Agency Activities program focuses on public facilities requiring implementation of Best Management Practices (BMPs) to minimize water quality impacts. Since the City of Rolling Hills does not own any part of the storm drain system, all streets within the City are private, and the City currently is not subject to the WDRs for Sewage Collection Systems, some of these requirements do not directly apply to the City. The City must train employees whose interactions, jobs, and activities affect stormwater quality. This training requirement also applies to contractors performing privatized/contracted municipal services such as landscape maintenance or trash collection. Training must address the requirements of the overall stormwater management program, as well as training specific to the duties carried out by the employee or contractor. This required training will be combined with required illicit discharge elimination training with the effort included in Task 6.

It is understood that the City has previously developed a public facility inventory of municipally owned or operated facilities that are potential sources of stormwater pollution consistent with the Part VI.D.9.c of the MS4 Permit and that five facilities are included in the inventory: City Hall, Community Association, Community Tennis Courts, Hess' Gap Riding Ring, and Clif Hix Ring. McGowan Consulting will develop an inspection checklist to be used to document that appropriate BMPs continue to be implemented at these facilities and will conduct annual field visits of the facilities. It is assumed that the field visits will require one person one field day to conduct facility site walks, make notes, and take photographs as needed to document the inspections. This task also provides an allocation of time to support City staff as needed on public agency activity compliance issues.

Task 5 Deliverables:

- Inspection checklist for stormwater BMPs at municipal facilities
- Completed checklists with photographs documenting conditions at the five facilities

Task 6 Illicit Discharge Elimination and Field Staff Training

The City's Illicit Connection and Illicit Discharge (IC/ID) Elimination program must include written procedures for conducting investigations to identify the source of suspected illicit discharges and procedures for eliminating the discharge. It is understood that the City's existing Illicit Discharge Elimination Procedures manual has been updated for consistency with the 2012 MS4 Permit requirements.

This task provides for preparation and delivery of an interactive training for public works staff and contracted service providers selected by the City. The training will provide an overview of the permit requirements and then focus the majority of training time on activity-specific BMPs and permit requirements in Part VI.D.9. Public Agency Activities minimum control measures. Municipal field staff and contractors will also be trained to identify and report illicit discharges as part of their normal job responsibilities consistent with the procedures described in the City's existing Illicit Discharge Elimination Procedures Manual. A single one-hour interactive presentation is assumed with additional time for open discussion.

Task 6 Deliverables:

• One (1) annual training session (1- to 1.5-hours) for public works and community association staff and contract service providers

Task 7 Watershed Planning and Implementation

The City is participating in the implementation of a Coordinated Integrated Monitoring Program (CIMP) consistent with the Permit and in cooperation with the cities of Rancho Palos Verdes, Palos Verdes Estates, and Rolling Hills, along with the Los Angeles County Department of Public Works and Flood Control District (Peninsula Watershed Management Group or Peninsula WMG). As required by the Permit, the draft CIMP was submitted in June 2014—comments from Regional Board staff were received in late May 2015 requesting a revised CIMP be submitted to address the comments. Upon approval of the revised CIMP by Regional Board staff, the Peninsula WMG will have 90 days to begin implementing the CIMP and this will be accomplished through development of a memorandum of agreement for joint monitoring among the agencies of the Peninsula WMG. In addition to implementation of the CIMP, other joint efforts to be undertaken by the Peninsula WMG during FY15-16 will include developing a coordinated approach to PIPP requirements. It is assumed that the City of Rolling Hills will not be participating in the Peninsula Enhanced Watershed Management Program as previously determined by the City Council.

Subtask 7.1 Watershed Group Planning

The Peninsula WMG has been meeting on a monthly basis to coordinate compliance. This task includes time to prepare for and participate in the meetings on the City's behalf, and provide review and comment on the group's joint work products. Anticipating that frequency of meetings will be reduced now that CIMP and EWMP development is substantially complete, this scope of work includes representation of the City at nine (9) watershed management group meetings. It is assumed that McGowan Consulting effort for meeting attendance and document review will be distributed across three municipal clients. The scope also includes participation in the quarterly Greater Harbor Regional Monitoring Coalition meetings by conference call.

Subtask 7.2 Monitoring Data Summary for City's Annual Report

This task provides for preparation of a City-specific summary of the annual water quality monitoring results for monitoring locations to which drainage from the City is tributary. This summary will be included in the effectiveness assessment of the annual report to support the City's individual annual report submittal. Once CIMP implementation is underway, the quantity of monitoring data to be summarized will increase significantly, accordingly an escalated level-of-effort is anticipated for contract years 2016-17 and 2017-18 in comparison with contract year 2015-16.

The data summary will draw upon and utilize the annual Machado Lake TMDL Monitoring Report due in December 2015, the integrated monitoring report for the CIMP which will be prepared for subsequent annual reports, and the annual report for the Coordinated Compliance Monitoring for the Greater Los Angeles and Long Beach Harbors Toxics TMDL, which are all to be prepared through separate contracting mechanisms and are not part of this scope of work. It is assumed that draft versions of these reports will be available to McGowan Consulting by October 1 each year in order to allow sufficient time to prepare the City-specific data summary and allow for City staff review prior to annual report submittal.

Excluded from this scope of work is effort to respond to Regional Board staff requests for information with respect to exceedances of TMDL objectives or receiving water standards/limits, notices of violation or other enforcement actions.

Subtask 7.2 Deliverables:

 City-specific Annual Summary of Monitoring Results for Annual Report Effectiveness Assessment

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This First Amendment to Professional Services Agreement is entered into by and between the City of Rolling Hills, a municipal corporation ("City") and McGowan Consulting LLC, ("Consultant") as of July 16, 2018.

RECITALS

A. City and Consultant are parties to that Professional Services Agreement dated July 15, 2015 (the "Agreement") by which City engaged Consultant for environmental consulting services pertaining to the implementation of the Municipal Separate Storm Sewer System Permit (MS4) and Total Maximum Daily Load (TMDL) implementation under the requirements of the Federal Clean Water Act.

B. City and Consultant now desire to amend the Agreement in order to extend the agreement and compensation to Consultant to extend the services for two years per the attached Scope of Work and compensation schedule.

NOW, THEREFORE, in consideration of the foregoing, the Agreement is amended as follows:

A. Section 1. "SCOPE OF WORK" of the Agreement is amended as follows:

Consultant shall perform all work necessary to complete in a manner satisfactory to CITY the services set forth in the scope of work attached as Exhibit A, except for the Optional Task 7.3.

B. Section 3. COST

The CITY agrees to pay CONSULTANT for all the work or any part of the work performed under this Agreement at the rates and in the manner established in the attached Exhibit A, Cost Breakdown for City of Rolling Hills sheet, except for the Optional Task 7.3:

Total expenditure made under this contract shall not exceed the sum of \$35,850 for FY 2015-16; \$39,976 for FY 2016-17, \$39,468 for FY 2017-18, \$43,996 for FY 2018-19, beginning on July 16, 2018 and \$45,992 for FY 2019-20. This fee includes all expenses, consisting of all incidental blueprinting, photography, travel, attendance at meetings and miscellaneous costs, estimated to be accrued during that period. It also includes any escalation or inflation factors anticipated. No increase in fees will be allowed during the life of the contract.

Any increase in contract amount or scope shall be by express written amendment approved by the City Manager and CONSULTANT.

C. Section 9. TERM OF CONTRACT

The term of this agreement is extended to June 30, 2020.

Except as above modified, in all other respects the Agreement is hereby reaffirmed in full force and effect.

CITY OF ROLLING HILLS

6-26-18 Date Interim City Manager

1st Amendment to Agreement (MS4) and Total Maximum Daily Load (TMDL) implementation ATTEST:

Yvette Hall, City Clerk

Date

CONSULTANT MCGOWAN CONSULTING, LLC.

Halll M. Sur 7/2/18

Q.

Exhibit A

May 30, 2018

Yolanta Schwartz, Interim City Manager City of Rolling Hills 2 Portuguese Bend Road Rolling Hills, CA 90274

RE: PROPOSAL FOR MS4 PERMIT CONSULTING SERVICES FOR FY1819 & FY1920

Dear Ms. Schwartz:

McGowan Consulting is pleased to provide this proposal to assist the City of Rolling Hills (City) in implementing the requirements of the Municipal Stormwater Permit (LA MS4 Permit)¹ during fiscal years 2018-2019 (FY1819) and 2019-2020 (FY1920). As you know, we specialize in providing customized, expert stormwater quality and watershed protection consulting services to small municipal clients.

This proposal provides a scope of services designed to: assist the City in implementing its individual requirements under the LA MS4 Permit, represent the City's interests at watershed and Co-Permittee meetings, and pursue opportunities to cooperate in external regional water quality improvement projects in order to address the City's total maximum daily load (TMDL) requirements under the LA MS4 Permit.

We have developed this proposal based on the regulatory requirements of the current 4th term LA MS4 Permit, the Peninsula Coordinated Integrated Monitoring Program (Peninsula CIMP), and our understanding of the City's particular needs. Regional Water Quality Control Board (Regional Board) staff have stated that they anticipate the adoption of a new MS4 Permit this calendar year, therefore, it is assumed that the 5th term MS4 Permit will be adopted during FY1819. The level of effort in certain subtasks reflects support for the permit negotiation process during FY1819. According to statements made by Regional Board staff, the 5th term permit is expected to be a regional permit covering urbanized areas of Los Angeles and Ventura Counties, but will have similar provisions as the 4th term LA MS4 permit. Accordingly, this proposal does not include any significant increase in level of effort for implementation of the MS4 Permit programs during FY1920 following adoption of the 5th term MS4 Permit. This proposal assumes that the City will not be participating in the Peninsula Enhanced Watershed Management Program (Peninsula EWMP) during FY1819 as previously determined by the City Council and that the City will continue to comply with the LA MS4 Permit through implementation of the minimum control measures and approved source control and institutional measures identified in implementation plans for the various TMDLs to which it is subject. If following adoption of the 5th term MS4 Permit, the City determines to join the Peninsula EWMP, an optional Task 7.3 is provided to address the City's additional joint responsibilities for implementing the Peninsula EWMP, including contributing to its share of the effort for preparation of the Watershed Annual Report and preparation of an adaptive management revision to the EWMP to include the City's participation in external regional projects and the EWMP as a whole.

¹ Order No. R4-2012-0175 NPDES Permit No. CAS004001 Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, except those Discharges Originating from the City of Long Beach.

Scope of Services

As authorized by the Federal Clean Water Act and the California Porter-Cologne Act, the LA MS4 Permit identifies conditions, requirements and programs that municipalities must implement to protect regional water resources from adverse impacts associated with pollutants in stormwater and urban runoff. Although the 4th term LA MS4 Permit expired in December 2017, the City is obligated to continue to comply with the permit requirements, including the elements of the approved Peninsula CIMP, until a new 5th term MS4 Permit is issued.

This scope of services is organized into tasks according to the following Permit program areas:

Task 1 - Program Management and Coordination;

Task 2 - Public Information and Participation Program;

Task 3 - Commercial Facilities Control Program (not applicable),

Task 4 - Planning & Land Development and Construction Programs;

Task 5 - Public Agency Activities Program;

Task 6 - Illicit Connection & Illicit Discharge Elimination Program;

Task 7 - Watershed Planning and Implementation

Task 1 Program Management and Coordination

The LA MS4 Permit affects a wide range of municipal activities and requires effective management and coordination of LA MS4 Permit compliance implementation activities across municipal functions. Task 1 is focused on stormwater program management, planning and coordination, and annual reporting.

Subtask 1.1 Coordination and Communication

This subtask provides an allocation of time for internal project management and coordination, regular communication via email and telephone with City staff, and periodic meetings with City staff on the status of work progress, regulatory and watershed developments, need for action or response, and to obtain direction from City staff as needed. In addition, this subtask includes time during FY1819 to track the progress of the County's Safe, Clean Water stormwater funding measure and time during FY1920 to assist with implementation of the funding measure, assuming voters approve it. This subtask also provides an allocation of time for McGowan Consulting to work with City staff to prepare updates and obtain direction from City Council on issues such as LA MS4 Permit negotiations, adoption of the LA County Local Area Management Program for septic systems, and external regional projects and/or alternative strategies for attainment of TMDLs.

Subtask 1.1 Deliverables:

- Two (2) staff reports or stormwater program updates to City Council in each fiscal year
- One (1) in person briefing at a City Council meeting in each fiscal year

Subtask 1.2 Annual Reporting

The City is required to submit an annual report to the Regional Board by December 15th each year covering the preceding reporting period that aligns with the City's fiscal year (July 1st-June 30th). This subtask covers McGowan Consulting's preparation of the individual annual report for the City based on information already in-hand and information to be provided by City staff and contract staff covering activities implemented during the reporting year. By September 15th, McGowan Consulting will prepare a first draft annual report given the information already in hand and provide City staff a list of information needed to complete the annual report. Information requested may include but is not limited to:

- Budgetary information for stormwater expenditures in each category
- Copies of City newsletters with stormwater related information
- Low impact development (LID) project information for private and public development and redevelopment projects completed within the reporting year
- Stormwater-related construction inspections and plan check (including SWPPP and/or ESCP review)
- Illicit discharge incident tracking

The County of Los Angeles has developed the GIS-based Watershed Reporting Adaptive Management and Planning System (WRAMPS) which includes a Project Module to assist Permittees and watershed groups in compiling and analyzing the LID project data necessary for completing the annual report. WRAMPS produces effectiveness assessment metrics necessary for annual reporting cumulatively from one annual reporting year to the next. It is assumed that the City's contract building & safety staff will provide LID project information to McGowan Consulting in the Excel® spreadsheet template format provided by WRAMPS or the LID Project form developed by McGowan Consulting.

Given timely receipt of the requested annual report information from City staff in the necessary electronic formats no later than October 15th, a second draft individual annual report for City staff review will be delivered in electronic format by November 10th. A two-week turnaround for City staff review with a consolidated set of City staff comments, and a single revision of the annual report are assumed. Following receipt of comments from City staff, the Individual Annual Report will be revised, and the final annual report prepared in the form of electronic PDF files. McGowan Consulting will deliver the City's Individual Annual Report in the preferred electronic format to Regional Board staff. An electronic copy of the individual annual report will be provided for the City's records.

Level of effort for annual report preparation is assumed to be similar to that expended in FY1718 since, based on previous experience with the 4th term LA MS4 Permit adoption, any modifications to the annual report format and content associated with the 5th term MS4 permit will not likely be applicable until the annual report that is due in December 2020.

Subtask 1.2 Deliverables:

- First draft, second draft and final Individual Annual Report for FY1718 reporting year
- First draft, second draft and final Individual Annual Report for FY1819 reporting year

Subtask 1.3 Permit-wide Planning and Coordination

This subtask includes time to participate in LA MS4 Permit Co-Permittee meetings and coordination conference calls to share information, resources and address Co-Permittee and Watershed Group challenges cooperatively amongst the 84 co-permittees of the LA MS4 Permit. An allocation of time is provided for attendance at bi-monthly LA Permit Group Meetings. Additionally, it is anticipated that the 5th term MS4 Permit will be negotiated and adopted during FY1819 and attendance at three (3) Regional Board special meetings or workshops regarding the 5th term MS4 Permit is assumed. An allocation of time is also included to review and comment on the anticipated draft 5th term MS4 Permit. McGowan Consulting anticipates that much of the work in this subtask such as attending meetings and reviewing and analyzing the draft permit will be performed in common for multiple clients and, as such, the effort in this subtask is reduced based on distribution of time among clients.

Task 2 Public Information and Participation Program

Each Co-Permittee is responsible for developing and implementing a Public Information and Participation Program (PIPP) that addresses specific MS4 Permit requirements and meets the general objectives of:

- Increasing the knowledge of target audiences about the adverse impacts of stormwater pollution on receiving waters and the potential solutions to mitigate these impacts;
- Changing the waste disposal and stormwater pollutant generating behavior of target audiences; and
- Involving and engaging a diversity of socio-economic groups and ethnic communities in mitigating the impacts of stormwater pollution.

Each of the required elements of this program may be met by the City either through a County-wide, watershed group, or individual program approach. The County has formally stated that it will continue implementing the following County-wide efforts on behalf of the Permittees: maintaining the countywide hotline (888-Clean-LA) and website (888cleanLA.com) for public reporting, broadcasting public service announcements and conducting regional advertising campaigns, developing and facilitating dissemination of stormwater pollution prevention materials, and implementing a K-12 outreach program. The Peninsula WMG has committed to joint coordination and development of some of the required elements of the program.

The City is individually responsible for certain elements of the program that are not appropriate for joint implementation, such as maintaining a stormwater website or providing links on its website to stormwater websites that include educational materials and opportunities for the public to participate in stormwater pollution prevention and clean-up activities. This task provides an allocation of effort to work collaboratively with the Peninsula WMG to develop and implement joint elements of the PIPP program (to the extent applicable in Rolling Hills) and, during FY1920, to review the City's website and make recommendations for changes to content and links as appropriate. This task also includes effort for staffing a stormwater booth at a ½ day community event in partnership with the City of Rolling Hills Estates.

It is assumed that costs for printing public education materials for distribution to the City's residents will be procured directly by the City through direct purchase orders with vendors or through a joint agreement among the Peninsula WMG and are excluded from this Scope of Services. It is assumed that the City's solid waste franchise contract addresses the LA MS4 Permit requirement to distribute information to residents on proper handling of wastes such as: vehicle waste fluids, household waste materials, construction waste materials, green waste and animal waste.

Subtask 3 Deliverables:

- Staffing for ¹/₂ day community outreach event, once in each fiscal year
- Recommendations for content changes or additions to the City's website and outreach materials during FY1920

Task 3 Commercial Facilities Control Program

The permit requires the implementation of an Industrial/Commercial Facilities control Program to track, inspect and ensure compliance at facilities that are critical sources of pollutants in storm water. The sole industrial/commercial facility located within the City is the Palos Verdes Peninsula Unified School District's maintenance facility, which is subject to the Statewide General Industrial Activities Stormwater Permit. McGowan Consulting understands that the City has no jurisdiction over this state facility;

accordingly, no time is allocated for this task. [This task has been left as a placeholder with no budget to simplify time charging by task numbers for multiple clients].

Task 4 Support for Planning & Land Development and Development Construction Programs

The Planning and Land Development provisions of the LA MS4 Permit require the City to ensure that private development and redevelopment projects provide for permanent measures to reduce storm water pollutant loads from the development site by conditioning approval of these projects with low impact development (LID) requirements. The City is also responsible for requiring that its qualifying capital improvement projects incorporate LID requirements, including the green streets provisions. The Development Construction provisions of the LA MS4 Permit require the City to ensure that development and redevelopment projects including its own capital improvement projects implement measures to reduce storm water pollutant loads from the development site during construction.

Subtask 4.1 Support for Planning & Land Development and Construction Programs

This task provides an allocation of 24 hours of effort during FY1819 to complete the guidelines for design of residential equestrian/stable facilities begun during FY1718 in order to fulfill an additional implementation activity identified in the Machado Lake Nutrient TMDL Implementation Plan. This may require a meeting with the City's Planning Commission to obtain input, and then revision and finalization of the guidelines based on input from the Planning Commission and direction from City staff.

A revision of Chapter 8.32 Stormwater Management and Pollution Control of the City's municipal code may be needed during FY1920, after the issuance of the 5th term MS4 Permit. An allocation of 24 hours of effort is provided for McGowan Consulting to assist City staff in preparing a revision of Chapter 8.32 to address minor changes arising from the 5th term MS4 Permit. It is assumed that this revision will not be a wholesale repeal and replacement of Chapter 8.32, but rather that the chapter will remain substantially intact with minor redline changes to be made at select locations.

An annual allocation of eight (8) hours is also included in this task for McGowan Consulting to track reporting by construction sites disturbing 1 acre or more via the State Board's online SMARTS system on a quarterly basis to confirm that required reports have been submitted. This quarterly tracking will allow McGowan Consulting to alert City staff of potential deficiencies and the need for closer follow up at large construction sites.

It is assumed that the City is utilizing Building and Safety inspectors trained in MS4 Permit inspection procedures to carry out inspections of construction sites at frequencies consistent with the LA MS4 Permit requirements. The small site construction brochure developed jointly by the Peninsula WMG is targeted at small construction sites and can be used by contract building & safety staff and City planning staff to educate and enforce these requirements. Additionally, for construction sites disturbing 1 acre or greater, it is assumed that the City is utilizing Building and Safety inspectors trained in the State Board's CGP Qualified SWPPP Practitioner Program for stormwater inspections and plan reviews. Construction inspectors and construction plan reviewers may attend training on the construction provisions of the MS4 Permit that is being coordinated jointly through the Peninsula WMG, so it is assumed that no training for the construction program is necessary by McGowan Consulting in this scope of services.

McGowan Consulting

Subtask 4.2 Regulatory Transition into LA County LAMP

McGowan Consulting understands that most properties in the City are served by onsite wastewater treatment systems (OWTS), or septic systems. In 2013 the State Water Resources Control Board issued an OWTS Policy that provides for a waiver of Waste Discharge Requirements (WDRs) for individual property owners if a local agency adopts a Local Agency Management Program (LAMP) consistent with the OWTS Policy. Los Angeles County Department of Public Health (LACDPH) has developed the Los Angeles County LAMP as approved by the Regional Board in May 2018. After the Los Angeles County Board of Supervisors formally adopts the Los Angeles County LAMP and accompanying ordinance, a number of steps are necessary in order to put the LAMP into effect within the City so that any new and replacement OWTS in the City can continue to be permitted by LACDPH. This process will require that the City and LACDPH enter into a 5-year MOU designating the LACDPH as the Qualified Local Agency to regulate OWTS within the City. The City must also adopt the Los Angeles County LAMP Ordinance, adopt the Los Angeles County Professional Guide on Conventional and Non-Conventional OWTS Requirements and Procedures, adopt any necessary revisions to the Los Angeles County Plumbing Code, and pass a Resolution authorizing LACDPH to enforce its code within the City.

This task provides an allocation of effort for McGowan Consulting to assist City staff in coordinating and carrying out the process to put the Los Angeles County LAMP into effect within the City. It is assumed that this effort will likely include attending an organizational meeting with LACDPH staff and representatives of other municipalities to discuss the process, preparing a staff report and resolution for City Council, and related coordination efforts. Once the LAMP is effective, an allocation of effort during FY1920 is included to assist City staff in providing additional information necessary for LACDPH to implement the program on the City's behalf. McGowan Consulting anticipates that time for meeting attendance and staff report preparation will be distributed between several clients.

It is assumed that the Los Angeles County LAMP Ordinance and any necessary revisions to the Los Angeles County Plumbing Code will be adopted by reference so that significant modifications to the City's own code will not be necessary and such effort is excluded from this scope. It is also assumed that LACDPH will prepare annual reports on the City's behalf for the LAMP program, and no effort by McGowan Consulting is necessary in preparing the LAMP annual report for the City.

Task 5 Public Agency Activities Program

The Public Agency Activities program focuses on municipal facilities and activities requiring implementation of Best Management Practices (BMPs) to minimize water quality impacts. Since the City of Rolling Hills does not own any part of the storm drain system, all streets within the City are private, and the City currently is not subject to the WDRs for Sewage Collection Systems, many of these requirements do not apply to the City. During FY1516, McGowan Consulting assisted the City in preparing an inventory of its municipal facilities and a list of potential opportunities for stormwater retrofits at these facilities consistent with the LA MS4 Permit requirements. McGowan Consulting has also developed a self-inspection checklist for City staff to utilize to identify, implement and/or document that effective source control BMPs are implemented at municipal facilities and as part of routine maintenance activities. The City must annually train employees whose interactions, jobs, and activities affect stormwater quality. This training requirement also applies to contractors performing privatized/contracted municipal services such as landscape maintenance or trash collection.

This task allocates effort to provide informal training to City management staff in implementing the stormwater program.

Required annual training of contract service providers whose interactions, jobs, and activities affect stormwater quality is being coordinated jointly through the Peninsula Watershed Group. It is assumed that City staff will arrange for contract service personnel to attend the training coordinated jointly through the Peninsula Watershed Group, and that no training for this program will be necessary by McGowan Consulting.

Task 6 Illicit Discharge Elimination Program

The City's Illicit Discharge Elimination (IDE) program includes procedures for conducting investigations to identify the source of suspected illicit discharges and procedures for eliminating the discharge. The City's IDE procedures manual was updated in 2014 for consistency with the 2012 LA MS4 Permit requirements. Field staff, including contracted staff who as part of their normal job responsibilities may come into contact with or observe illicit discharges or illicit connections, must be trained on the City's IDE procedures at least twice during the term of the MS4 Permit, and for new employees, within 180 days of being hired. Since IDE procedures training was held twice for City/contract staff during the 4th term LA MS4 Permit, this requirement will be addressed following the adoption of the 5th term MS4 Permit in FY1920. Based on the understanding that the 5th term MS4 Permit will be substantially similar to the 4th term LA MS4 Permit, it is assumed that only minor revisions to the City's IDE procedures manual will be necessary.

This task provides for McGowan Consulting to prepare for and deliver a training session for City staff and key contract staff during FY1920. An allocation of six (6) hours of time is also provided for McGowan Consulting to prepare minor revisions to the City's IDE manual.

Subtask 6 Deliverable:

- One (1) training session on IDE program for field staff and code enforcement staff during FY1920
- One (1) revision of the City's IDE manual during FY1920

Task 7 Watershed Planning

The Peninsula CIMP and EWMP are being implemented cooperatively by the Peninsula WMG. The Peninsula CIMP is being carried out through an MOU administered by the City of Rancho Palos Verdes through a separate contracting mechanism. The Peninsula EWMP is being implemented cooperatively by the Peninsula WMG through a combination of joint and individual activities—although the City is not currently participating in the Peninsula EWMP, it is possible that with the adoption of the 5th term MS4 Permit and completion of preliminary design of a key external regional project, the City Council may determine that it is in the City's best interest to join the Peninsula EWMP. In the event this occurs, an additional optional task is provided to address the City's additional joint responsibilities for implementing the Peninsula EWMP, including contributing to its share of effort for preparation of the Watershed Annual Report and preparation of an adaptive management revision to the EWMP to include the City's participation in external regional projects and the EWMP as a whole.

Task 7.1 Watershed Group Planning/Meetings

The Peninsula WMG meets monthly to coordinate compliance monitoring and implementation activities for both the Peninsula CIMP and EWMP. This task includes time to prepare for and participate in the

meetings on the City's behalf and to provide review and comment on the group's joint work products. The effort shown in this task assumes McGowan Consulting's time is distributed between three municipal clients.

Task 7.2 TMDL Support

Since the City is not currently participating in the Peninsula EWMP, it must continue to implement approved TMDL Implementation Plans to attain waste load allocations in stormwater discharges for pollutants of concern.

During FY1617, McGowan Consulting prepared a draft Implementation Plan for Machado Lake Pesticides & PCBs, Greater Los Angeles Harbor Waters Toxic Pollutants, and Santa Monica Bay DDT & PCBs Total Maximum Daily Loads (Toxics TMDL Implementation Plan) to satisfy the implementation planning requirements for both the Machado Lake Pesticides & PCBs and the Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDLs established by the Regional Board, and also to support attainment of water quality objectives for the Santa Monica Bay DDT and PCBs TMDL issued by U. S. EPA. To date the City has not received comments from Regional Board staff on the draft Toxics TMDL Implementation Plan submitted in July 2017. In the event that comments are received, this task includes an allocation of effort to revise the City's draft Toxics TMDL Implementation Plan in response to Regional Board staff comments, assuming that only minor revisions will be required and that the overall source control and institutional measures approach will be accepted by Regional Board staff (a similar approach was accepted by the Regional Board for the Machado Lake Nutrient TMDL).

This subtask also provides an allocation of effort for McGowan Consulting to continue to contribute, on the City's behalf, to the Peninsula WMG's ongoing effort to pursue external regional projects with potential capacity to capture the 85th percentile/24-hour stormwater runoff volume from the Machado Lake watershed areas of the Peninsula. According to the LA MS4 Permit provisions, such project(s), if constructed, would deem the City in compliance with the Machado Lake TMDLs if the City is participating in an approved EWMP. McGowan Consulting effort in this subtask may include review and comment on externally provided engineering studies, feasibility analyses, grant proposals, and agreements to implement external regional projects located in other jurisdictions. The effort may also include support for reconsideration of the Machado Lake TMDLs by the Regional Board which will require coordination with outside agencies and as-needed technical/regulatory support on behalf of the Peninsula WMG agencies.

The overall level-of-effort allocated for this subtask is assumed to be similar to that expended in FY1718.

Task 7.3 Watershed Annual Report and EWMP Revision (optional)

Following adoption of the 5th term MS4 Permit, the City Council may determine that it is in the City's best interest to join the Peninsula EWMP in order to avail the City of the option to be deemed in compliance with final TMDL objectives through implementation of one or more regional projects that capture and retain all stormwater runoff up to and including the volume equivalent to the 85th percentile/24-hour storm event. In such an event and at City staff's direction, McGowan Consulting will carry out this optional task to address the City's additional joint responsibilities for implementing the Peninsula EWMP, including contributing the City's share of effort for preparation of the Watershed Annual Report and supporting the consultant for Rancho Palos Verdes in preparing an adaptive revision of the Peninsula EWMP to include the City.

The Peninsula WMG has agreed to undertake certain EWMP implementation tasks in a cooperative manner with responsibility for carrying out identified tasks distributed equitably between the consultant for the City of Rancho Palos Verdes, and McGowan Consulting as consultant for the City of Rolling Hills Estates, Palos Verdes Estates (and also for Rolling Hills if the City Council determines to join the Peninsula EWMP). McGowan Consulting is responsible for preparing the joint Watershed Annual Report by December 15th covering the previous reporting year which aligns with the agencies' fiscal year. In preparing the Watershed Annual Report, McGowan Consulting will rely on information provided by each agency in the Peninsula WMG as well as key elements of the report to be provided by the consultant for Rancho Palos Verdes including:

- Excel spreadsheets containing monitoring data organized according to the required fields
- Narrative discussion of investigation of outfalls with significant non-stormwater discharges
- Integrated Monitoring Compliance Report
- Supporting Data and Information

It is assumed that the consultant for Rancho Palos Verdes will provide Excel spreadsheets containing monitoring data organized according to the required fields for the reporting period by October 1st. It is also assumed that each individual Peninsula WMG agency will upload its individual new development and redevelopment LID projects through the online WRAMPs tool no later than October 15th to enable McGowan Consulting to download and compile the information necessary to prepare the Watershed Annual Report.

Given timely receipt of the necessary annual report information from the individual Peninsula WMG agencies and the CIMP Implementation Consultant, McGowan Consulting will deliver a draft Watershed Annual Report for review by the Peninsula WMG in electronic format by November 10th. The Watershed Annual Report will follow the template provided by Regional Board staff. A three-week turnaround for Peninsula WMG review, and a single revision of the watershed annual report to incorporate compiled comments from the Peninsula WMG agencies are also assumed.

The MS4 Permit Part VI.C.8.a. Adaptive Management Process and the Regional Board Executive Officer's letter dated April 19, 2016 approving the Peninsula EWMP requires that the group submit an adaptive management evaluation every two years in parallel with the Watershed Annual Report. The adaptive management evaluation is to include an analysis of progress in achieving water quality objectives, milestones and re-evaluation of water quality priorities based on data generated by the CIMP, and other information and data that informs the effectiveness of the EWMP. The adaptive management evaluation will identify any modifications to the EWMP and provide rationale for the changes (such as the inclusion of the City of Rolling Hills).

This subtask provides an allocation effort during FY1920 for McGowan Consulting to assist the consultant for Rancho Palos Verdes in conducting the Peninsula WMG's Adaptive Management Evaluation due by December 15th, 2020, and revising the Peninsula EWMP to include the City of Rolling Hills. It is assumed that the consultant for Rancho Palos Verdes will have the lead role in this effort and will be responsible for producing the Adaptive Management Evaluation Report and revised Peninsula EWMP. Effort to conduct any necessary reasonable assurance analysis modeling to incorporate the City into the Peninsula EWMP is excluded from this scope of services.

Subtask 7.3 Deliverables:

• Draft and Final Watershed Annual Report for FY1819 reporting year

COST PROPOSAL

McGowan Consulting will conduct the work effort described in the above Scope of Services for an amount not to exceed \$43,996 in FY18-19 and \$57,992 in FY19-20 (including optional task 7.3) as detailed in the attached Budget Table and Rate Schedule. In order to provide a measure of flexibility to best meet the needs of the City, it is understood that reallocation of labor hours and budget between tasks and subtasks may occur as long as the total contract amount is not exceeded. When possible, consulting time for attending meetings and performing tasks in common for clients will be distributed between two or more clients, thereby reducing individual costs to each client; tasks and subtasks where labor effort has been reduced due to an assumption of work performed in common for more than one client are identified with an asterisk (*) in the budget table. Invoices will be submitted based on actual effort expended in accordance with the attached rate schedule for FY1819, with an increase in rates for FY1920 based on the increase in Consumer Price Index for the Los Angeles area.

McGowan Consulting will inform City staff of changing requirements and emerging issues as part of regular communication. It is the nature of regulatory-driven programs to be subject to uncertainty and unpredictable events such as changes in regulatory requirements with the issuance of the 5th term MS4 Permit, new/emerging regulatory issues, enforcement action, or significant additional support required by City staff that was unanticipated. If such unpredictable event(s) or needs arise, we are prepared to assist the City and, if necessary and at City staff's direction, we will submit a request for an authorization for scope change to provide the City with additional consulting services to respond to meet the need.

Please do not hesitate to contact me if you have any questions or require additional information or scope clarification. Thank you for the opportunity to continue to work with you and your colleagues and to serve the City of Rolling Hills.

Sincerely,

Lathle Maran

Kathleen C. McGowan, P.E., Principal McGowan Consulting LLC

Attachments: Two-Year Budget Table Rate Schedule

Two-Year Budget for MS4 Permit Consulting for City of Rolling Hills

	FY18-19		FY19-20	
	Labor		Labor	
	Hours	Budget	Hours	Budget
Task 1 Program Management and Coordination				
1.1 - Coordination and Communication	48	\$ 7,008	_ 48	\$ 7,200
1.2 - Annual Reporting	50	\$ 7,300	50	\$ 7,500
1.3 - Permit-wide Planning and Coordination *	28	\$ 4,088	20	\$ 3,000
Subtotal Task 1	126	\$ 18,396	118	\$17,700
Task 2 Public Information & Participation Program				
PIPP Program Development & Implementation*	20	\$ 2,600	26	\$ 3,484
Subtotal Task 2	20	\$ 2,600	26	\$ 3,484
Task 3 Industrial/Commercial Facilities Control Program		\$		\$ -
Not Applicable	0	\$	0	\$ -
Task 4 Planning & Land Development and Construction Programs				
4.1 - Planning & Land Development and Construction Support	32	\$ 4,480	32	\$ 4,608
4.2 - OWTS (Septic) Incorporation into County LAMP*	32	\$ 4,672	12	\$ 1,800
Subtotal Task 4	64	\$ 9,152	44	\$ 6,408
Task 5 Public Agency Activities Program				
Training of Management Staff	8	\$ 1,168	8	\$ 1,200
Subtotal Task 5	8	\$ 1,168	8	\$ 1,200
Task 6 Illicit Discharge Elimination				
Training of Field Staff and minor revision of IDE Manual*	0	\$ -	18	\$ 2,700
Subtotal Task 6	0	\$ -	18	\$ 2,700
Task 7 Watershed Planning and Implementation *			÷	
7.1 - Watershed Group Planning/Meetings*	40	\$ 5,840	50	\$ 7,500
7.2 - TMDL Support*	40	\$ 5,840	40	\$ 6,000
7.3 - Watershed Annual Report and EWMP Revision (optional)*		\$ -	80	\$ 12,000
Subtotal Task 7	80	\$ 11,680	170	\$ 25,500
Subtotal Labor Tasks 1-7	298	\$42,996	384	\$56,992
Subcontracted expense for contracted graphic design and website				
content updates and hosting*	-	\$ 1,000	-	\$ 1,000
TOTAL ESTIMATED COST FOR EACH YEAR without Optional Task 7.3	MATED COST FOR EACH YEAR without Optional Task 7.3 \$43,996		\$ 45,992	
TOTAL ESTIMATED COST FOR FY1920 with Optional Task 7.3: \$57,992				

* indicates tasks where there are some labor/cost savings due to cost sharing between clients

McGowan Consulting, LLC

Labor Rates

Contract Year 2018-191

Professional/Staff Rates

Principal	\$158 per hour
Sr. Scientist	\$131 per hour
Staff Scientist	\$58 per hour

Expenses

Labor rates include: automobile mileage within greater Los Angeles and Orange County area, parking, routine printing and copying

Other direct costs chargeable to the project include: graphic layout and illustration, webpage design and hosting, translation services, report reproduction and binding, courier services, blueprint services, graphics services, project-specific publications, and any other direct project costs not included in the labor rates.

¹ Labor rates to be adjusted annually based on increases in the Consumer Price Index for the Los Angeles area as calculated by the U.S. Department of Labor Bureau of Labor Statistics

RECEIVED

MCGOWAN CONSULTING LLC APR 1 7 2019

City of Rolling Hills By_____

TRANSMITTAL SHEET			
TO:	FROM:		
Elaine Jeng, City Manager	Kathleen McGowan		
COMPANY:	DATE:		
City of Rolling Hills	April 15, 2019		
RE:		_	
Two (2) original copies of signed			

Two (2) original copies of signed Amendment 2 to PSA

□ URGENT □ FOR REVIEW □ PLEASE COMMENT □ PLEASE REPLY

□ FOR YOUR RECORDS □ PLEASE RECYCLE

NOTES/COMMENTS:

Elaine,

Please find enclosed two (2) original signed copies of the Second Amendment to our Professional Services Agreement to be executed by the City. Many thanks,

Kathleen

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This Second Amendment to Professional Services Agreement is entered into by and between the City of Rolling Hills, a municipal corporation ("City") and McGowan Consulting LLC, ("Consultant") upon full, written execution by both parties.

RECITALS

A. City and Consultant are parties to that Professional Services Agreement dated July 15, 2015 (the "Agreement") by which City engaged Consultant for environmental consulting services pertaining to the implementation of the Municipal Separate Storm Sewer System Permit (MS4) and Total Maximum Daily Load (TMDL) implementation under the requirements of the Federal Clean Water Act.

B. City and Consultant are parties to the Agreement that was amended by the First Amendment to the Agreement dated July 26, 2018 (the "First Amendment") by which City engaged Consultant to perform MS4 permit consulting services for an additional two year period from FY 2018-19 to FY 2019-20 under a new compensation schedule per a new scope of work, which was attached as Exhibit A to the First Amendment.

C. City and Consultant now desire to amend the Agreement for a second time in order to increase the do not exceed amount of the Agreement and to expand the scope of the Agreement to require Consultant to prepare a revised Trash and Monitoring and Reporting Plan (TMRP) for both the Machado Lake Trash and the Santa Monica Bay Debris TMDL monitoring requirements and a cover letter to submit to the Los Angeles Regional Water Quality Control Board justifying a reduction in monitoring frequency to once every five years (the "Second Amendment").

D. City and Consultant agree to replace Exhibit A that was attached to the Agreement by the First Amendment with Exhibit A that is attached to the Second Amendment, and to increase the do not exceed amount of the Agreement by \$3,000 in FY2018-19 and \$1,000 in FY2019-20 to account for the expanded scope of work.

NOW, THEREFORE, in consideration of the foregoing, the Agreement is amended as follows:

A. Section 1 "SCOPE OF WORK" of the Agreement is amended to read as follows:

CONSULTANT shall perform all work necessary to complete in a manner satisfactory to CITY the services set forth in the scope of work attached as Exhibit A, except for the Optional Task 7.3 in Part 1 of the scope of work.

B. Section 3. "COST" of the Agreement is amended to read as follows:

The CITY agrees to pay CONSULTANT for all the work or any part of the work performed under this Agreement at the rates and in the manner established in the attached Exhibit A, except for the Optional Task 7.3 in Part 1 of the scope of work:

Total expenditure made under this contract shall not exceed the sum of \$35,850 for FY 2015-16; \$39,976 for FY 2016-17, \$39,468 for FY 2017-18, \$46,996 for FY 2018-19, beginning on July 16, 2018 and \$46,992 for FY 2019-20. This fee includes all expenses, consisting of all incidental blueprinting, photography, travel, attendance at meetings and miscellaneous costs, estimated to be accrued during that

period. It also includes any escalation or inflation factors anticipated. No increase in fees will be allowed during the life of the contract.

Any increase in contract amount or scope shall be by express written amendment approved by the City Manager and CONSULTANT.

Except as above modified, in all other respects the Agreement is hereby affirmed in full force and effect.

ATTEST 4/,9/2019 City Clerk Date

CITY OF ROLLING HILLS

319 **ELAINE JENG** Date

MCGOWAN CONSULTING, LLC

THLEEN

MCGOWAN CONSULTING LL

JUL 3 0 2020

ECEIVED

City of Rolling Hills

By_

TRANSMITTAL			
TO:	FROM:		
Elaine Jeng	Kathleen McGowan		
Meredith Elguira	310-213-4979		
	Kathleen@McGowan.Consulting		
CITY:	DATE:		
Rolling Hills	July 29, 2020		
RE:			

3rd Amendment to PSA

FOR REVIEW

NOTES/COMMENTS:

Enclosed are two copies signed of the Third Amendment to our PSA.

Please let me know if you have any questions or require further information.

Thank you very much,

April Million

THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This Third Amendment to Professional Services Agreement is entered into by and between the City of Rolling Hills, a municipal corporation ("City") and McGowan Consulting LLC, ("Consultant") as of July 29, 2020.

RECITALS

A. City and Consultant are parties to that Professional Services Agreement dated July 15, 2015 (the "Agreement") by which City engaged Consultant for environmental consulting services pertaining to the implementation of the Municipal Separate Storm Sewer System Permit (MS4) and Total Maximum Daily Load (TMDL) implementation under the requirements of the Federal Clean Water Act.

B. City and Consultant now desire to amend the Agreement in order to extend the agreement and compensation to Consultant to extend the services for one year per the attached Scope of Work and compensation schedule, see Exhibit A to the Third Amendment.

C. City and Consultant agree to replace Exhibit A that was attached to the Agreement by the Second Amendment with Exhibit A that is attached to the Third Amendment and to increase the do not exceed amount of the Agreement by \$70,605 (Total Cost Includes Optional Subtask 7.3 of \$6,200) in FY 2020-21 to account for the proposed scope of work.

NOW, THEREFORE, in consideration of the foregoing, the Agreement is amended as follows:

A. Section 1. "SCOPE OF WORK" of the Agreement is amended as follows:

Consultant shall perform all work necessary to complete in a manner satisfactory to CITY the services set forth in the scope of work attached as Exhibit A.

B. Section 3. "COST" of the Agreement is amended as follows:

The CITY agrees to pay CONSULTANT for all the work or any part of the work performed under this Agreement at the rates and in the manner established in the attached Exhibit A, Budget Table (MS4 Permit Consulting Services FY2021) for City of Rolling Hills.

Total expenditure made under this contract shall not exceed the sum of \$35,850 for FY 2015-16; \$39,976 for FY 2016-17, \$39,468 for FY 2017-18, \$46,996 for FY 2018-19, beginning on July 16, 2018 as amended by the Second Amended Agreement, \$46,992 for FY 2019-20 as amended by the Second Amended Agreement, and \$70,605 (Total Cost Includes Optional Subtask 7.3 of \$6,200) for FY 2020-21. Labor rates include: automobile mileage within greater Los Angeles and Orange County area, parking, routine printing and copying. Other direct costs chargeable to the project include: graphic layout and illustration, webpage design and hosting, translation services, report reproduction and binding, courier services, blueprint services, graphics services, project-specific publications, and any other direct project costs not included in the labor rates. It also includes any escalation or inflation factors anticipated. No increase in fees will be allowed during the life of the contract.

Any increase in contract amount or scope shall be by express written amendment approved by the City Manager and CONSULTANT.

C. Section 9. TERM OF CONTRACT

The term of this agreement is extended to June 30, 2021.

Except as above modified, in all other respects the Agreement is hereby reaffirmed in full force and effect.

CITY OF ROLLING HILLS 1/30/2020 ELAINE JENG, P.E. City Manager ATTEST City Clerk Date

CONSULTANT MCGOWAN CONSULTING, LLC.

19/20 Date

2nd Amendment to Agreement (MS4) and Total Maximum Daily Load (TMDL) implementation

EXHIBIT A

MCGOWAN CONSULTING, LLC

412 Olive Avenue, #189, Huntington Beach, CA 92648 310-213-4979 Kathleen@McGowan.Consulting

May 11, 2020

Elaine Jeng, City Manager Meredith Elguira, Director Planning and Community Services City of Rolling Hills 2 Portuguese Bend Road Rolling Hills, CA 90274

RE: PROPOSAL FOR MS4 PERMIT CONSULTING SERVICES FOR FY2021

Dear Ms. Jeng and Ms. Elguira:

McGowan Consulting is pleased to provide this proposal to assist the City of Rolling Hills (City) in implementing the requirements of the Municipal Stormwater Permit (MS4 Permit)¹ during fiscal year 2020-21 (FY2021). We specialize in providing top-notch, customized stormwater quality and watershed protection consulting services to small municipal clients. Our staff are experts in resolving municipal stormwater regulatory and water quality challenges and we have an in-depth understanding of the City's stormwater quality needs and constraints.

This proposal provides a scope of services designed to assist the City in implementing its individual requirements under the current 4th term MS4 Permit, to represent the City's interests during development of the 5th term MS4 Permit, to assist the City in addressing its total maximum daily load (TMDL) waste load allocations under the MS4 Permit, and to document eligible expenditures under the Safe, Clean Water Program. Although the 4th term MS4 Permit has expired, the City is obligated to continue to comply with the requirements of that permit, as well as commitments made in the Peninsula Coordinated Integrated Monitoring Program (Peninsula CIMP), until a new 5th term MS4 Permit is issued. Regional Water Quality Control Board – Los Angeles (Regional Board) staff have stated that they anticipate the adoption of a new region-wide MS4 Permit late in calendar year 2020.

Scope of Services

We have developed this proposal based on the regulatory requirements of the current 4th term MS4 Permit, the Peninsula CIMP, and our understanding of the City's interest in investigating and negotiating an alternative compliance approach for TMDLs. Regional Water Quality Control Board (Regional Board) staff have stated that they anticipate the adoption of a new regional MS4 Permit this calendar year, therefore it is assumed that the 5th term MS4 Permit will be adopted during FY2021. Estimated level of effort for preparing to implement new permit requirements are based on the requirements outlined in the December 2019 unofficial working draft of the 5th term MS4 Permit circulated by Regional Board staff and that the City will continue to comply with

¹ Order No. R4-2012-0175 NPDES Permit No. CAS004001 Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, except those Discharges Originating from the City of Long Beach. the MS4 Permit through implementation of the minimum control measures and approved source control and institutional measures identified in implementation plans for the various TMDLs to which it is subject while investigating alternative compliance approaches.

This scope of services is organized into tasks according to the following Permit program areas:

Task 1 - Program Management and Coordination;

Task 2 - Public Information and Participation Program;

Task 3 - Commercial Facilities Control Program (not applicable);

Task 4 - Planning & Land Development and Construction Programs;

Task 5 - Public Agency Activities Program;

Task 6 - Illicit Connection & Illicit Discharge Elimination Program;

Task 7 - Watershed Planning and TMDL Implementation

Task 1 Program Management, Reporting and Coordination

The MS4 Permit affects a wide range of municipal activities and requires effective management and coordination of MS4 Permit activities across municipal functions. Task 1 is focused on providing assistance to the City in stormwater program management and coordination and annual reporting.

Subtask 1.1 Project Management, Coordination and Communication

This subtask provides an allocation of time for internal project management and coordination, regular communication via email, and periodic meetings or calls with City staff on the status of work progress, regulatory and watershed developments, need for action or response, and to obtain direction from City staff. This subtask also provides an allocation of time for McGowan Consulting to work with City staff to prepare written updates for City Council on issues such as MS4 Permit negotiations and alternative compliance strategies for attainment of TMDLs. Level of effort in this subtask is assumed based on level of effort expended during FY1920.

Subtask 1.2 Annual Reporting

The City is required to submit an annual report to the Regional Board by December 15th each year covering the preceding reporting period that aligns with the City's fiscal year (July 1st-June 30th). This subtask covers McGowan Consulting's preparation of the individual annual report for the City based on information already in-hand and information to be provided by City and contract staff covering activities implemented during the reporting year. By September 15th, McGowan Consulting will provide City staff a list of information needed to complete the annual report. Information requested may include but is not limited to:

- Budgetary information for stormwater expenditures in each category
- Copies of City newsletters with stormwater related information
- Low impact development (LID) project information for private and public development and redevelopment projects completed within the reporting year
- Stormwater construction inspections (including SWPPP/ESCP review)
- Illicit discharge incident tracking

It is assumed that the City's contract building & safety staff will provide LID project information to McGowan Consulting in the Excel® spreadsheet template format provided by the online LA County Watershed Reporting Adaptive Management and Planning System (WRAMPS).

Given timely receipt of the requested annual report information from City staff in the necessary electronic formats no later than October 15th, a complete draft individual annual report for City staff review will be delivered in electronic format by November 10th. A two-week turnaround for City staff review with a consolidated set of City staff comments, and a single revision of the annual report are assumed. Following receipt of consolidated comments from City staff, the Individual Annual Report will be revised, and the final annual report prepared in the form of electronic PDF files. McGowan Consulting will deliver the City's Individual Annual Report in the preferred electronic format to Regional Board staff. An electronic copy of the individual annual report will be provided for the City's records.

Level of effort for annual report preparation is assumed to be similar to that expended in FY1920 since any modifications to the annual report format and content associated with the 5th term MS4 permit will not likely be applicable until the annual report that is due in December 2021.

Subtask 1.2 Deliverables:

- Information request for Individual Annual Report
- Draft and final Individual Annual Report for FY1920 reporting year

Subsubtask 1.3 Permit-wide Planning and Coordination

This subsubtask includes time to participate in MS4 Permit Co-Permittee meetings and coordination conference calls and Permit negotiation meetings. An allocation of time is provided for attendance at six (6) bi-monthly LA Permit Group Meetings. An allocation of time is also included to review and comment on the official draft 5th Term MS4 Permit and to attend Regional Board meetings either in person or by remote video broadcast when significant items that may affect the City are being considered. This subtask also allocates time to track and respond to other regulatory actions by the Regional Board and State Water Resources Control Board (State Board) such as: new or revisions to statewide water quality standards applicable to the MS4 permit, statewide permitting policies, precedential State Board orders, Total Maximum Daily Load (TMDL) reconsiderations or issuance of new TMDLs. The work in this subtask such as attending meetings, reviewing and analyzing the draft permit and other regulatory actions will be performed in common for multiple McGowan Consulting clients and as such the effort assumed in this subtask is reduced based on cost-sharing.

Task 2 Public Information and Participation Program

Each Co-Permittee is responsible for developing and implementing a Public Information and Participation Program (PIPP) that addresses specific MS4 Permit requirements. Each of the required elements of the PIPP may be met either through a County-wide, watershed group, or individual program approach. It is assumed that the Los Angeles County Department of Public Works will continue to implement the following efforts on behalf of all Permittees: maintaining the countywide hotline (888-Clean-LA) and website (888cleanLA.com) for public reporting, broadcasting public service announcements and conducting regional advertising campaigns, developing stormwater pollution prevention materials, and implementing a K-12 outreach program. The Peninsula WMG has committed to joint development of certain other elements of the PIPP in which the City is participating.

Subtask 2.1 PIPP Implementation

The City is individually responsible for elements of the program not addressed through joint or region-wide outreach including: maintaining a stormwater website or providing links on its website to stormwater websites that include educational materials and opportunities for the public to participate in stormwater pollution prevention and clean-up activities. This subtask includes effort to review the City's website and provide recommended content to meet MS4 Permit objectives in the form of narrative text with links to other websites as appropriate. This subtask also includes effort for staffing a stormwater booth at a ½ day community event in partnership with the City of Rolling Hills Estates in order to meet the MS4 Permit requirement to organize events that educate and involve the community in storm water and non-storm water pollution prevention and clean-up.

Subtask 2.1 Deliverables:

- Recommendations for revisions to the City's website content
- Staffing for ½ day community outreach event

Subtask 2.2 Safe Clean Water Municipal Program

The Safe Clean Water (SCW) Program provides dedicated funding to increase local water supply, improve water quality and protect public health with a key goal of supporting municipalities in meeting MS4 Permit water quality objectives. Beginning in FY2021, the City will receive its first 40% municipal return of the revenues generated by the Safe Clean Water (SCW) parcel tax within 45 days of executing a transfer agreement with the Los Angeles County Flood Control District (LACFCD). It is anticipated that the City will receive approximately \$110,000 annually in Municipal Program Funds and must spend at least seventy percent (70%) of these funds on eligible expenses related to new projects or programs implemented on or after November 6, 2018. Up to thirty percent (30%) of the City's Municipal Program Funds may be used to pay for eligible costs and expenses incurred after November 6, 2018 related to maintenance of effort on programs initiated prior to November 6, 2018. The City has a five-year window to expend each traunch and will be required to prepare two SCW expenditure plans during FY2021 forecasting how the Municipal Program Funds will be spent on eligible stormwater program activities in conformance with the SCW Municipal Program requirements outlined in the draft Municipal Transfer Agreement. The first SCW expenditure plan for FY2021 must be submitted within 45 days of executing the Municipal Program Transfer Agreement and the second SCW expenditure plan for FY2122 is due by April 1, 2021. In addition, the City is required to annually make available to the public informational materials containing up-to-date information on the City's actual and budgeted use of the SCW Municipal Program Funds. Transparency and public accountability are integral to the SCW Program, and outreach is required for all aspects of the SCW Program.

This subtask includes assistance to City staff in preparing the City's first two annual SCW expenditure plans for FY2021 and FY2122. The LACFCD staff intend to provide templates for the expenditure plans, however as of the date of this proposal these templates have not yet been provided therefore the extent of effort for this subtask is uncertain. Given this uncertainty, an allocation of twenty (20) hours is provided for McGowan Consulting to prepare the City's draft FY2021 and FY2122 SCW expenditure plans, assuming ten hours per plan to hold a conference call with City staff, prepare of a list of additional information required, and prepare the draft expenditure plan utilizing the LACFCD template.

Following the release of the template by LACFCD, we will hold a call with City staff to identify anticipated eligible expenditures to be included in the plan for FY2021. Within one week of the call we will provide a list of information items necessary to prepare the draft FY2021 SCW expenditure plan. Within four weeks of receipt of the information, McGowan Consulting will prepare a draft FY2021 SCW expenditure plan for City staff.

Prior to initiating the preparation of the FY2122 SCW expenditure plan, McGowan Consulting will hold a second conference call with City staff in early January 2021 to identify anticipated eligible SCW expenditures for FY2122. Within one week of the meeting, we will provide to City staff a list of additional information items necessary to prepare the draft FY2122 SCW expenditure plan. Given receipt of the requested information from City Staff by February 1st, McGowan Consulting will prepare a draft FY2122 SCW expenditure plan for City staff by March 1st.

This and certain other subtasks in this scope of work have been segregated to facilitate inclusion in the seventy percent (70%) of eligible expenses related to new projects or programs implemented under the SCW Municipal Program. It is assumed that City staff will finalize the annual SCW expenditure plans for submittal to the LACFCD by the relevant deadlines. It is also assumed that City staff will be responsible for preparing informational material for public dissemination.

Subtask 2.2 Deliverables:

- Draft SCW expenditure plan describing SCW Municipal Program budget and planned expenditures for FY2021
- Draft SCW expenditure plan describing SCW Municipal Program budget and planned expenditures for FY2122

Subtask 2.3 Develop and Update Joint Outreach Content

The Peninsula WMG has committed to joint coordination and development of elements of the PIPP program in order to address certain MS4 Permit outreach requirements. This subtask provides for McGowan Consulting to develop joint public outreach materials utilizing contract services for graphic design and also includes management of website content and hosting through contracted services with the Environmental Services Center staff of the South Bay Cities Council of Governments. McGowan Consulting's effort under this subtask is shared between the Peninsula and Beach Cities WMGs and the attached budget table reflects the City's share of this effort. In FY2021, this work is anticipated to include: finalization of the South Bay Rainwater

Harvesting Guide, development of revised webpage content and layout for the existing Environmentally Friendly Landscaping, Gardening and Pest Control webpages, and development of new South Bay Rainwater Harvesting webpage content/layout. The website content prepared for the City will include a link to these webpages.

This subtask also includes an allocation of effort for McGowan Consulting to develop content for a webpage to be added to the City's website to address environmentally-friendly horse keeping best management practices. The draft narrative will include links to additional external content for more detailed information and recommendations. One revision to address comments from City staff is assumed. Allocation of time for preparing this website content has been reduced to account for shared effort with the City of Rolling Hills Estates. It is assumed that City staff will arrange for layout and posting of the new content to the City's website.

Subtask 2.3 Deliverables:

- Final South Bay Rainwater Harvesting Guide
- Draft and final narrative webpage content on environmentally friendly horse keeping

Task 3 Commercial Facilities Control Program

The permit requires the implementation of an Industrial/Commercial Facilities control Program to track, inspect and ensure compliance at facilities that are critical sources of pollutants in storm water. The sole industrial/commercial facility located within the City is the Palos Verdes Peninsula Unified School District's maintenance facility, which is subject to the Statewide General Industrial Activities Stormwater Permit. McGowan Consulting understands that the City has no jurisdiction over this state facility; accordingly, no time is allocated for this task. [This task has been left as a placeholder with no budget to simplify time charging by task number for multiple clients].

Task 4 Planning & Land Development and Development Construction Programs

The Planning and Land Development provisions of the LA MS4 Permit require the City to ensure that private development and redevelopment projects provide for permanent measures to reduce storm water pollutant loads from the development site by conditioning approval of these projects with low impact development (LID) requirements. The Development Construction provisions of the LA MS4 Permit require the City to ensure that development and redevelopment projects, including its own capital improvement projects, implement measures to reduce storm water pollutant loads from the development site during construction.

Subtask 4.1 Planning & Land Development and Construction Programs

This subtask allocates time for training of City Planning staff and contract Building & Safety staff on the Planning and Land Development requirements of the 5th Term MS4 Permit following its adoption. This training will also cover the updated hydromodification control requirements developed in Subtask 4.2. An allocation of effort is also included in this subtask for quarterly tracking of construction sites disturbing 1 acre or more via the State Board's online SMARTS system to identify potential deficiencies and the need for closer follow up at large construction sites.

It is assumed that the City is utilizing Building and Safety inspectors trained in MS4 Permit inspection procedures to carry out inspections of construction sites at frequencies consistent with MS4 Permit requirements. The small site construction brochure previously developed jointly by the Peninsula and Beach Cities WMGs is targeted at small construction sites and can be used by contract Building & Safety staff and City Planning staff to educate and enforce these requirements. Additionally, for construction sites disturbing 1 acre or greater, it is assumed that the City is utilizing Building and Safety inspectors trained in the State Board's CGP Qualified SWPPP Practitioner Program for stormwater inspections and plan reviews. Construction inspectors and construction plan reviewers may attend training on the construction provisions of the MS4 Permit that is being coordinated jointly through the Peninsula WMG, thus it is assumed that no training for the construction program is necessary by McGowan Consulting in this scope of services.

Subtask 4.1 Deliverables:

 One training session for Planning, Building & Safety, and Engineering staff on the 5th Term MS4 Permit provisions

Subtask 4.2 Hydromodification Control Development & Code Revision

McGowan Consulting understands that the City intends to strengthen the hydromodification control provisions in RHMC Chapter 8.32 Stormwater Management and Pollution Control applicable to new and redevelopment projects in order to increase protections for downstream property owners and habitat in natural drainage courses. We previously prepared a memorandum outlining options for increasing the stringency of these provisions within the current regulatory framework of the MS4 Permit and the Los Angeles County code 12.84.445 Hydromodification.

This subtask allocates effort for McGowan Consulting to prepare a slide presentation, propose redline changes to RHMC 8.32.095.B.5(b) and prepare a draft staff report in order to support the consensus-building and decision-making process for modifying the City's hydromodification control provisions. It is assumed that the first deliverable will consist of a slide presentation with 10-15 slides to assist City staff in presenting and discussing the options and facilitating the formation of a consensus approach. Based on direction from City Staff, McGowan Consulting will translate the consensus approach into a draft set of redline changes to RHMC 8.32.095.B.5(b) for review and comment by City staff and the City Attorney. One round of revisions to incorporate combined City staff and City Attorney comments is assumed.

Revisions to other sections of RHMC Chapter 8.32 Stormwater Management and Pollution Control will be required following the issuance of the 5th term MS4 Permit to incorporate minor changes to LID requirements and other new permit requirements. If the City's adoption of updated hydromodification control provisions occurs after adoption of the 5th term Permit by the

Regional Board, the effort in this subtask may also be used to address these additional code changes in parallel with the hydromodification provisions.

It is assumed that City staff will conduct meetings and facilitate discussions with the City Council and Planning Commission and that no attendance by McGowan Consulting staff is needed at these meetings.

Subtask 4.2 Deliverables:

- Presentation with 10-15 slides covering options for hydromodification controls
- First draft redline changes to RHMC 8.32 for review and comment by City staff and City Attorney
- Final draft redline changes to RHMC 8.32
- Draft staff report to present final draft redline changes to RHMC 8.32

Task 5 Public Agency Activities Program

The Public Agency Activities program focuses on municipal facilities and activities, requiring implementation of Best Management Practices (BMPs) to minimize water quality impacts. Since the City does not own any part of the storm drain system, all streets within the City are private, and the City does not currently own or operate 1 or more miles of sewer lines, many of these requirements do not apply. The City has adopted the Los Angeles County Department of Public Health (LACDPH) Local Area Management Plan (LAMP) for managing onsite wastewater treatment systems on residential properties. While municipal solid waste and landscape maintenance contractors as well as Rolling Hills Community Association staff are responsible for the maintenance of City-owned facilities, the City is ultimately responsible for ensuring that these contracted service providers and municipal facilities implement appropriate BMPs in accordance with the MS4 Permit

This task allocates eight (8) hours of time to assist City staff as needed in addressing issues that may arise during the year related to contracted services that have the potential to impact stormwater quality.

McGowan Consulting previously assisted the City in preparing a required inventory of its municipal facilities and a self-inspection checklist for City staff to utilize to identify, implement and/or document that effective source control BMPs are implemented at municipal facilities and as part of routine maintenance activities. Based on review of the Working Proposal of the 5th term MS4 Permit, it is assumed that updates to the City's municipal facilities inventory will not be required until FY2122 and such updates are excluded from this task. The City must continue to annually train employees whose interactions, jobs, and activities affect stormwater quality. This required annual training of City staff and contract service providers is being coordinated jointly through the Peninsula WMG, and it is assumed that City staff will arrange for their attendance. As such, there is no scope included in this task for training under this program by McGowan Consulting.

Task 6 Illicit Discharge Elimination Program

The City's Illicit Discharge Elimination (IDE) program includes procedures for conducting investigations to identify the source of suspected illicit discharges and procedures for eliminating the discharge. The City's IDE procedures manual was updated in 2014 for consistency with the 4th Term MS4 Permit requirements. City and contracted field staff who may observe or receive reports of illicit discharges as part of their normal job responsibilities must be trained on the City's IDE procedures at least twice during the term of the MS4 Permit, and for new employees, within 180 days of being hired. Since IDE procedures training was held twice for City/contract staff during the 4th term MS4 Permit, this requirement has been completed under the current permit. Newly hired City staff can be trained on the IDE program as part of the annual training being held jointly for Peninsula WMG members mentioned in Task 5.

This task provides an allocation of eight (8) hours for as-needed support to City staff in implementing the IDE program and consulting with City staff in responding to and reporting on discovery and resolution of illicit discharges.

Task 7 Watershed Planning and TMDL Implementation

The Peninsula Coordinated Integrated Monitoring Program (CIMP) is being implemented cooperatively by the Peninsula WMG through an MOU and contract services administered by the City of Rancho Palos Verdes. The Peninsula WMG meets monthly to coordinate compliance monitoring, reporting and implementation activities for both the Peninsula CIMP and TMDLs. The City is also participating in the Harbor Regional Monitoring Coalition MOU to meet its monitoring obligations under the Greater Los Angeles and Long Beach Harbors Toxics TMDL. The Harbor Regional Monitoring Coalition (Harbor RMC) meets quarterly to coordinate TMDL compliance monitoring and reporting in the harbors.

The City has submitted a joint request for time schedule order (TSO) with the Peninsula WMG for both the Machado Lake Nutrient and the Pesticides and PCBs TMDLs to obtain additional time to investigate and implement projects needed to attain the TMDL targets. The Rolling Hills Country Club/Chandler Ranch Regional Project completed in 2018 through private redevelopment in Rolling Hills Estates addresses 140 acres of the City of Rolling Hills' tributary area to Machado Lake by capturing and infiltrating well in excess of the 85th percentile/24-hour stormwater runoff volume from the tributary area to the project. In addition, the City participated in funding the preliminary design of a regional project in the City of Torrance with the potential to address the remaining tributary area of the City to Machado Lake, either alone, or in combination with a third regional project at Harbor City Park in Los Angeles. The South Santa Monica Bay Watershed Area Steering Committee is currently considering programming SCW Regional Program funds to support the final design of the Torrance Airport Project as well as a feasibility study for the Harbor City Park project during FY2021.

Since the City is not currently participating in a Watershed Management Program, it must implement approved TMDL Implementation Plans to attain waste load allocations in stormwater discharges for pollutants of concern. The City is currently implementing the approved Machado Lake Nutrient Implementation Plan. Previously, McGowan Consulting prepared a combined Implementation Plan for Machado Lake Pesticides & PCBs, Greater Los Angeles Harbor Waters Toxic Pollutants, and Santa Monica Bay DDT & PCBs Total Maximum Daily Loads (Toxics TMDL Implementation Plan) which the City submitted to Regional Board staff for review to satisfy the implementation planning requirements for these TMDLs. To date, the City has received neither approval nor comments from Regional Board staff on the combined Toxics TMDL Implementation Plan submitted in July 2017.

Task 7.1 Watershed Group Planning

This subtask allocates effort to represent the City's interests in ongoing Peninsula CIMP implementation activities and adaptive management decisionmaking based on review of ongoing monitoring results and participation in monthly Peninsula WMG meetings. This subtask also includes effort to review results of ongoing Harbor Toxics TMDL monitoring activities and to represent the City's interests at quarterly Harbor RMC coordination meetings. This subtask assumes McGowan Consulting's time for this ongoing review and representation is distributed among three municipal clients for the Peninsula WMG and two municipal clients for the Harbor RMC and as such allocates forty (40) hours of effort which is similar to that expended during FY1920.

Task 7.2 TMDL Support

During FY2021 the Peninsula WMG will be establishing a new MOU for implementing the Peninsula CIMP with a scope of work that will include updating the CIMP to conform to the requirements of the 5th Term MS4 Permit. This subtask allocates time for McGowan Consulting to review and comment on the new Peninsula CIMP MOU and technical scope of work for preparing the CIMP update, as well as to perform a comparative review of the technical and cost proposals received from potential CIMP Implementation contractors. The work to update the CIMP will not be completed until FY2122 and therefore review of that work product is excluded from the scope.

This subtask also provides time for McGowan Consulting to track and provide input on the City's behalf on the conceptual development and design of regional projects external to the City with potential capacity to capture either the TMDL-compliance volume or the 85th percentile/24-hour stormwater runoff volume from the Machado Lake watershed areas of the City.

The City's revised Trash Monitoring and Reporting Plan (TMRP) proposing to reduce the frequency of monitoring to once every five years has been unofficially approved by Regional Board staff via email; a formal letter approving the revised TMRP is anticipated to be forthcoming and as such, no further effort by McGowan Consulting in revising the TMRP is assumed. It is assumed that there will be no activity related to negotiation of Time Schedule Orders or reconsideration of TMDLs during FY2021 and that resolution of these issues will be addressed in the 5th Term MS4 Permit.

Task 7.3 Alternative Compliance Approach (optional)

Based on the City's recent interest in investigating an alternative compliance approach for Machado Lake and Greater Los Angeles Harbor TMDLs utilizing stormwater capture projects to be sited within the City, this optional subtask is intended to assist City staff in defining and exploring such alternative compliance approaches. Effort in this subtask may include: assisting City staff in managing the collection and review of baseline flow and water quality monitoring data to support an alternative compliance approach, developing a concept for and engaging in discussions with Regional Board staff in establishing an alternative regulatory compliance approach, and other as-needed activities to support the City Council's objectives related to an alternative TMDL compliance approach. Since this will be an evolving process and specific scope is uncertain, an allocation of forty (40) hours of effort is included in this subtask.

This allocation is not sufficient for development of an individual Watershed Management Plan for the City which could be a condition of Regional Board staff's acceptance of this approach. It is also assumed that the City will contract separately for feasibility study and/or design of any proposed stormwater capture projects.

Cost Proposal

McGowan Consulting will conduct the work effort described in the above Scope of Services for an amount not to exceed \$64,405 for all tasks exclusive of Subtask 7.3, and, if approved, an additional cost not to exceed \$6,200 for optional Subtask 7.3 as detailed in the attached Budget Table and Rate Schedule. In order to provide a measure of flexibility to best meet the needs of the City, it is understood that reallocation of labor hours and budget between tasks and subtasks may occur as long as the total contract amount is not exceeded. When possible, consulting time for performing work in common for clients will be distributed between two or more clients, thereby reducing individual costs to each client; tasks and subtasks where labor effort has been reduced due to an assumption of work performed in common for more than one client are identified with an asterisk (*) in the budget table. Subtasks which may be identified as an eligible expnense under the seventy 70% of SCW Municipal Program funds related to new projects or programs implemented on or after November 6, 2018 are identified with a "+" in the budget table. Invoices will be submitted based on actual effort expended in accordance with the attached rate schedule for FY2021.

McGowan Consulting will inform City staff of changing requirements and emerging issues as part of regular communication. It is the nature of regulatory-driven programs to be subject to uncertainty and unpredictable events such as changes in regulatory requirements with the issuance of the 5th term MS4 Permit, enforcement action, or significant additional support required by City staff that was unanticipated. If such unpredictable event(s) or need for additional support arise, we are prepared to assist the City and, if necessary and at City staff's direction, we will submit a request for an authorization for scope change to provide the City with additional consulting services to respond to the need. Please do not hesitate to contact me if you have any questions or require additional information or scope clarification. Thank you for the opportunity to continue to work with you and your colleagues and to serve the City of Rolling Hills.

Sincerely,

Lathle MA Javan

Kathleen McGowan, P.E., ENV SP Principal

Attachments: Budget Table Rate Schedule - FY2021

Budget Table						
	MS4 Permit Consulting Services FY2021					
Task	Description	Labor Hours	Estimated Cost			
1.1	Project Management, Coordination and Communication	60	\$ 9,300			
1.2	Annual Reporting	50	\$ 7,750			
1.3	Permit-wide Planning and Coordination *	36	\$ 5,580			
2.1	Public Information & Participation Program Implementation	18	\$ 2,790			
2.2	Safe Clean Water Municipal Program * +	20	\$ 3,100			
2.3	Develop and Update Joint Outreach Content * +	35	\$ 5,425			
4.1	Planning & Land Development and Construction Program	30	\$ 4,650			
4.2	Hydromodification Control Development & Code Revision +	56	\$ 8,680			
5	Public Agency Activities Program	8	\$ 1,240			
6	Illicit Discharge Elimination Program	8	\$ 1,240			
7.1	Watershed Group Planning	40	\$ 6,200			
7.2	TMDL Support +	40	\$ 6,200			
7.3	Alternative Compliance Approach (optional) +	40	\$ 6,200			
Other Direct Costs - Includes subcontracted website hosting by SBCCOG and graphic design and layout for outreach materials* +		\$2,250				
Total Cost excluding Subtask 7.3			\$ 64,405			
Total Cost including Optional Subtask 7.3			\$ 70,605			
* estimate assumes cost savings due to work performed in common for more than one client + related to new projects or programs implemented on or after November 6, 2018 per SCW Program						

McGowan Consulting, LLC

Labor Rates

Contract Year 2020-211

Professional/Staff Rates

Principal

Sr. Scientist

Staff Scientist

\$162 per hour\$134 per hour\$58 per hour

Expenses

Labor rates include: automobile mileage within greater Los Angeles and Orange County area, parking, routine printing and copying

Other direct costs chargeable to the project include: graphic layout and illustration, webpage design and hosting, translation services, report reproduction and binding, courier services, blueprint services, graphics services, project-specific publications, and any other direct project costs not included in the labor rates.

¹ Due to Covid-19 emergency and pending financial impacts, labor rates have been held flat and <u>have not</u> been increased from 2019-20 rates as they would normally be to reflect increases in the Consumer Price Index for the Los Angeles area as calculated by the U.S. Department of Labor Bureau of Labor Statistics

FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This Fourth Amendment to Professional Services Agreement is entered into by and between the City of Rolling Hills, a municipal corporation ("City") and McGowan Consulting LLC ("Consultant") upon full, written execution by both parties.

RECITALS

A. City and Consultant are parties to that Professional Services Agreement dated July 15, 2015 (the "Agreement") by which City engaged Consultant for environmental consulting services pertaining to the implementation of the Municipal Separate Storm Sewer System Permit (MS4) and Total Maximum Daily Load (TMDL) implementation under the requirements of the Federal Clean Water Act.

B. The Agreement has been amended by a First Amendment to the Agreement dated July 26, 2018 (the "First Amendment"), a Second Amendment to the Agreement dated April 17, 2019 (the "Second Amendment") and a Third Amendment to Agreement dated July 29, 2020 (the "Third Amendment") by which City extended Consultant's engagement to perform MS4 permit consulting services.

C. City and Consultant now desire to further amend the Agreement for a fourth time in order to engage Consultant to perform MS4 permit consulting services for the 2021-2022 fiscal year and to establish compensation for such services.

NOW, THEREFORE, in consideration of the foregoing, the Agreement is amended as follows:

A. Section 1 "SCOPE OF WORK" of the Agreement is amended to read as follows:

CONSULTANT shall perform all work necessary to complete in a manner satisfactory to CITY the services set forth in the scope of work attached as Exhibit A, and incorporated herein by this reference, including Optional Task 7.3 in Part 1 of the scope of work.

B. Section 3 "COST" of the Agreement is amended to read as follows:

The CITY agrees to pay CONSULTANT for all the work or any part of the work performed under this Agreement at the rates and in the manner established in the Budget Table in the attached Exhibit A. Total expenditures under this Fourth Amendment shall not exceed the sum of \$99,095.00 (inclusive of Subtask 7.3) for FY 2021-22. This fee includes automobile mileage, parking fees, routine printing and copying, photography, travel, attendance at meetings and routine miscellaneous costs incurred during the term. No increase in fees will be allowed during the life of this Fourth Amendment.

Any increase in contract amount or scope shall be by express written amendment approved by the City Manager and CONSULTANT.

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Except as above modified, in all other respects the Agreement as previously amended is hereby affirmed and in full force and effect.

ATTEST

06/29/2021 Janely Sandoval, City Clerk Date

CITY OF ROLLING HILLS

ELAINE JENG Date

MCGOWAN CONSULTING, LLC

THLEEN MCGOWAN

June 29, 2021 Date

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EXHIBIT A

Scope of Services – MS4 Permit Consulting FY2021-22

As authorized by the Federal Clean Water Act and the California Porter-Cologne Act, the Municipal Separate Storm Sewer System Permit (MS4 Permit) identifies conditions, requirements and programs that municipalities must implement to protect regional water resources from adverse impacts associated with pollutants carried in stormwater runoff via the MS4. Although the 4th Term MS4 Permit¹ has expired, the City is obligated to continue to comply with the requirements of that permit, including commitments made in the Palos Verdes Peninsula Coordinated Integrated Monitoring Program (CIMP), until the new Regional MS4 Permit becomes effective (estimated to be in September 2021). Permittees must implement the requirements of the Regional MS4 Permit as of the effective date which is typically 45 days following adoption. Therefore this scope of services assumes that the City will begin implementing the Regional MS4 Permit in fiscal year year 2021-2022 (FY2021-22). The assumed effort to assist the City in preparing for and initiating implementation of the Regional MS4 Permit has been based on the requirements described in the Tentative Regional MS4 Permit issued by Regional Board staff in August 2020 and does not reflect any major differences that may arise between the Tentative Regional MS4 Permit and the final adopted Regional MS4 Permit. While the City may submit a notice of intent (NOI) to join the Palos Verdes Peninsula Enhanced Watershed Management Program (Peninsula EWMP) during FY2021-22, the City would not be required to implement the provisions of the Peninsula EWMP until the updated EWMP is approved by the Los Angeles Regional Water Quality Control Board (Regional Board), which would likely be during FY2022-23.

This scope of services is organized into tasks based on the MS4 Permit program areas.

- Task 1 Program Management, Coordination and Individual Reporting
- Task 2 Public Information and Participation Program
- Task 3 Commercial Facilities Control Program [not applicable to the City]
- Task 4 Planning & Land Development and Construction Programs
- Task 5 Public Agency Activities Program
- Task 6 Illicit Discharge Detection and Elimination Program
- Task 7 Watershed Planning and CIMP and TMDL Implementation

Task 1 Program Management, Coordination and Individual Reporting

The MS4 Permit affects a wide range of municipal activities and requires management and coordination of pollution prevention and implementation activities across municipal functions and among copermittees. Task 1 is focused on stormwater program management and coordination and annual reporting.

Subtask 1.1 Coordination, Communication and Program Management

This subtask provides for time to support City staff in managing and coordinating stormwater program planning and implementation throughout the year. This effort includes regular communication via email

¹ Order No. R4-2012-0175 as amended by Order WQ 2015-0075, NPDES Permit No. CAS004001 Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, except those Discharges Originating from the City of Long Beach.

and telephone with City staff, periodic meetings with City staff on the status of work progress and to obtain direction from City staff as needed, and internal project management.

Subtask 1.2 MS4 Permit Individual Annual Report

The MS4 Permit requires the City to submit an Individual Annual Report to the Regional Board by December 15th for the preceding reporting period (July 1st-June 30th). This subtask covers McGowan Consulting's preparation of the City's Individual Annual Report based on information in-hand and information to be provided by City staff covering activities implemented during the reporting year. The Tentative Regional Permit specifies that Permittees shall continue annual reporting with format and content similar to the previous permit, therefore a level of effort for this subtask similar to that expended in FY2020-21 is assumed. Within six (6) weeks following the close of the FY2020-21 reporting year, McGowan Consulting will provide City staff a list of information needed to complete the annual report. Information requested may include but is not limited to:

- Budgetary information on stormwater expenditures in each required category for FY2020-21 and projected budget for FY2021-22;
- Low impact development (LID) project information for private and public development and redevelopment projects planned or completed within the reporting year provided in the County of Los Angeles Watershed Reporting Adaptive Management and Planning System (WRAMPS) spreadsheet format or LID project information form;
- Records from contract Building & Safety storm-water related construction inspection and plan check review (including SWPPP/ESCP review and approval);
- Public works capital improvement projects related to stormwater; and
- Illicit connection and discharge incident results and records, including enforcement actions taken.

Given receipt of the requested Individual Annual Report information from City staff as well as monitoring results from the CIMP and Harbor Toxics TMDL in the necessary electronic formats by October 1st, McGowan Consulting will prepare a draft Individual Annual Report for City staff review by November 1st. Following receipt of comments from City staff on the draft report, we will revise and finalize the Individual Annual Report in the form of electronic PDF files for inclusion and submittal to the Regional Board with the Watershed Annual Report. A two-week turnaround for City staff review with a consolidated set of comments, and a single revision of the annual report are assumed. The Individual Annual Report and its supporting files will be provided in electronic format for the City's records.

Subtask 1.2 Deliverables:

- Information request for Individual Annual Report
- Draft and final Individual Annual Report and supporting files

Subtask 1.3 Permit-wide Planning and Coordination

This subtask includes time to participate in MS4 Permit Co-Permittee meetings to share information and address Co-Permittee and Watershed Group challenges cooperatively. An allocation of time is provided for attendance at six (6) bi-monthly LA Permit Group Meetings. Time is also allocated to participate in Regional Board meetings and workshops—Regional Board staff anticipates a multi-day permit adoption hearing throughout July 2021 for the new Regional Permit. This subtask also allocates time to track and

respond to regulatory actions by the Regional Board and State Water Resources Control Board (State Board). The work in this subtask such as reviewing and analyzing the final draft Regional MS4 permit, attending hearings and meetings, and tracking other regulatory actions will be performed in common for McGowan Consulting clients with similar interests and characteristics, and as such the effort assumed in this subtask is reduced based on cost-sharing among multiple municipal clients.

Task 2 Public Information and Participation Program

Each Co-Permittee is responsible for developing and implementing a Public Information and Participation Program (PIPP) that addresses specific MS4 Permit requirements. Each of the required elements of the PIPP may be met by the City either through a County-wide, watershed group, or individual program approach.

Subtask 2.1 PIPP Implementation

The City is individually responsible for certain elements of the PIPP that are not appropriate for joint implementation, such as providing information links on its website to stormwater websites that include educational materials and opportunities for the public to participate in stormwater pollution prevention and clean-up activities.

This subtask provides an allocation of effort for McGowan Consulting to work with City staff in updating the City's website content and developing metrics for measuring effectiveness of the PIPP objectives under the Regional MS4 Permit. This subtask also includes an allocation of time to assist City staff in disseminating information to residents through its website and Blue Newsletter to educate and involve them in storm water and non-storm water pollution prevention, outdoor water conservation and sustainable gardening.

It is assumed that the Los Angeles County Department of Public Works will continue to implement the following efforts on behalf of the Permittees: maintaining the countywide hotline (888-Clean-LA) and website (888cleanLA.com) for public reporting, broadcasting public service announcements and conducting regional advertising campaigns, maintaining the <u>waterforla.com</u> and <u>safecleanwaterla.org</u> websites with regional water resouces information and opportunities for the public to engage in water resources planning, and implementing a County-wide K-12 outreach program. The Peninsula Watershed Management Group (Peninsula WMG) has committed to joint development of certain other elements of the PIPP which are addressed in Subtask 2.3. It is assumed that the City's solid waste franchisee will continue to disseminate information to residents on proper handling of wastes such as: vehicle waste fluids, household waste materials, construction waste materials, green waste and animal waste.

Subtask 2.1 Deliverable:

 Memo with recommendations for updating the City's website content and proposing metrics for tracking effectiveness of the City's individual PIPP

Subtask 2.2 Safe Clean Water Municipal Program

The <u>Safe Clean Water (SCW) Program</u> provides dedicated funding to increase local water supply, improve water quality and protect public health with a key goal of supporting municipalities in meeting MS4 Permit water quality objectives. Note that the cost for several tasks (including the optional task) in this

scope of services are planned to be covered by these funds as denoted by a "+" in the Budget Table and as provided in the City's SCW Annual Plan for FY2021-22. Transparency and public accountability are integral to the SCW Program.

The City receives its 40% municipal return of the revenues generated by the SCW parcel tax in August each year and by the preceding April 1 must prepare and submit an annual plan forecasting how the Municipal Program Funds will be spent on eligible expenditures in the upcoming fiscal year. The City has a five-year window to expend each traunch of funds it receives and must also submit an annual Progress/Expenditure Report to the LA County Flood Control District (LACFCD) within six months of the close of the each fiscal year. The first Progress/Expenditure Report covering the City's SCW expenditures through June 2021 will be due in December 2021 and is expected to include the following information:

- A summary of the expenditures and Water Quality, Water Supply, and Community Investment Benefits realized through the City's use of SCW Municipal Program Funds;
- The amount of SCW Municipal Program funds expended;
- A description of work accomplished during the reporting period;
- The milestones achieved or deliverables completed during the reporting period;
- The work anticipated to be accomplished during the next reporting period;
- Photo documentation as appropriate;
- A description of the City's stakeholder-engagement activities during the reporting period, including documentation as appropriate

The LACFCD will review the City's Progress/Expenditure Report to make a preliminary determination of whether and to what extent the City's expenditures achieved SCW Program Goals, and will then forward its preliminary determination to the Regional Oversight Committee who will also review the City's Annual Program/Expenditure Report and develop recommendations as appropriate for the LA County Board of Supervisors and the City.

This subtask provides an allocation of effort for McGowan Consulting to prepare the first Progress/Expenditure Report for the City due in December 2021 covering SCW Municipal expenditures through June 2021 and to prepare the City's Annual Plan for FY2022-23 due by April 1, 2022 with direction, information and review by City staff. The LACFCD staff intend to provide municipalities guidance in preparing the SCW Progress/Expenditure Report and use of the online reporting tool, however this guidance and reporting tool access has not yet been provided thus the level of effort for this subtask is uncertain.

It is assumed that City staff will be responsible for adherence to the SCW Program financial documentation and audit requirements, compliance with revenue transfer agreement requirements, operation in accordance with best practices and strict accountability for funds, receipts and disbursements as delineated in the SCW Municipal Program Transfer Agreement.

Subtask 2.2 Deliverables:

- Draft and final Progress/Expenditure Report documenting actual expenditures of the City's SCW Municipal funds through June 2021.
- Draft and final Annual Plan describing SCW Municipal Program budget and planned expenditures for FY2022-23 fiscal year

Task 2.3 Develop and Update Joint Outreach Content

The Peninsula WMG, jointly with the Beach Cities WMG, has been developing and posting stormwater outreach website content via the South Bay Cities Council of Governments (SBCCOG) Environmental Services Center program pages to meet MS4 Permit requirements. This outreach program has been managed and facilitated by McGowan Consulting through contracted services with the Environmental Services Center staff of the South Bay Cities Council of Governments and through contracted services for graphic design to create content and enhance the messaging and reach of the website content.

During FY2021-22 McGowan Consulting will begin working with the WMGs and SBCCOG to develop metrics for measuring effectiveness of the the joint outreach program to meet the new objectives required by the Regional MS4 Permit. Additionally, in FY2021-22 the scope of this subtask is anticipated to include development of revised webpage content and layout for the existing Environmentally Friendly Landscaping, Gardening and Pest Control webpages as a result of SBCCOG's planned change to a new website platform and layout. We also anticipate the development of new South Bay Rainwater Harvesting webpage content to accompany the South Bay Homeowner's Guide to Rainwater Harvesting which was completed in FY2020-21.

It is assumed that McGowan Consulting's level of effort and supporting contract services for this subtask will be similar to that in FY2020-21 and will be offset through combined work for the Beach Cities WMG including shared contracting costs for graphic design and website hosting. An allocation is included in the cost estimate for the City's share of contracted costs for website hosting and graphic design to support this outreach.

Task 4 Planning & Land Development and Development Construction Programs

The Planning and Land Development provisions of the MS4 Permit require the City to ensure that private development and redevelopment projects provide for permanent measures to reduce storm water pollutant loads from the development site by conditioning approval of these projects with low impact development (LID) requirements. The City is also responsible for requiring that its qualifying capital improvement projects incorporate LID requirements and/or the City's Green Street Policy as applicable. Furthermore, the Development Construction provisions of the MS4 Permit require the City to ensure that development and redevelopment projects including its own capital improvement projects implement measures to reduce storm water pollutant loads from the development site during construction.

Subtask 4.1 Planning & Land Development and Construction Programs Support

Minor revisions to the Rolling Hills Muncipal Code (RHMC) Chapter 8.32, Stormwater Management and Pollution Control, are anticipated following the issuance of the Regional MS4 Permit to align RHMC with

changes to MS4 Permit requirements. Additionally, as discussed in Subtask 4.2, the City is contemplating strengthening the hydromodifications control provisions in RHMC 8.32.095.B.5(b). This subtask includes time for McGowan Consulting to prepare a draft set of changes to RHMC 8.32 to incorporate proposed changes to the hydromodification provisions as well as the minor changes to align with the adopted Regional MS4 Permit. One revision based on consolidated comments received from the Director of Community Development and City Attorney is assumed.

This subtask also allocates time for conducting a training session for City staff on the Planning & Land Development and Construction Program requirements following adoption of the Regional MS4 Permit. For the Development Construction Program, this subtask includes time for McGowan Consulting to track and review reporting via the State Board's online SMARTS system by construction sites disturbing 1 acre or more within the City.

It is assumed that the City is utilizing contract Building and Safety inspectors trained in MS4 Permit inspection procedures to carry out inspections of construction sites at frequencies consistent with MS4 Permit requirements. The small site construction brochure previously developed jointly by the Peninsula and Beach Cities WMGs is targeted at small construction sites and can be used by contract Building & Safety staff and City staff to educate and enforce these requirements. Additionally, for construction sites disturbing 1 acre or greater, it is assumed that the City is utilizing Building and Safety inspectors trained in the State Board's Construction General Permit Qualified SWPPP Practitioner Program for stormwater inspections and plan reviews.

Subtask 4.1 Deliverables:

- Draft and final changes to the City's stormwater chapter of the municipal code
- Training for City Planning and Management staff on the Regional MS4 Permit Planning and Land Development provisions

Subtask 4.2 Hydromodification Control Provisions

McGowan Consulting understands that the City intends to strengthen the hydromodification control provisions in RHMC 8.32.095.B.5(b) applicable to new and redevelopment projects in order to increase protections for downstream property owners and habitat in natural drainage courses. We previously prepared a memorandum outlining options for increasing the stringency of these provisions within the current regulatory framework of the MS4 Permit and the Los Angeles County code 12.84.445 Hydromodification.

This subtask allocates effort for McGowan Consulting to support the City's consensus-building and decision-making process for modifying the hydromodification control provisions. Under this subtask, McGowan Consulting will prepare a slide presentation to assist City staff in presenting and discussing the options with the City Council and facilitating the formation of a consensus approach.

It is assumed that City staff will conduct follow up meetings and facilitate discussions with the City Council and Planning Commission as needed to arrive at a final consensus approach to be translated as appropriate into RHMC 8.32.095.B.5(b) as discussed in Subtask 4.1.

Subtask 4.2 Deliverable:

• Presentation on hydromodification controls

Task 5 Public Agency Activities Program

The Public Agency Activities program focuses on municipal facilities and activities, requiring implementation of Best Management Practices (BMPs) to minimize water quality impacts. The City is responsible for ensuring that municipal facilities and municipal contract service providers incorporate and implement appropriate BMPs in accordance with the MS4 Permit. This includes municipal solid waste and landscape maintenance contractors as well as Rolling Hills Community Association staff with responsibility for the maintenance of City-owned and/or operated facilities.

An interactive training for management staff will be developed and delivered to familiarize staff with the modified requirements of the Regional MS4 Permit and to plan for implementation of these provisions. An allocation of time is also included for assisting management staff in implementing the new provisions.

It is assumed that municipal contract service providers whose interactions, jobs, and activities affect stormwater quality will self-certify that their staff have been provided annual MS4 Permit training, or participate in the training provided for management staff.

Task 5 Deliverable:

• Interactive training presentation for senior management staff

Task 6 Support for Illicit Discharge Elimination

During FY2021-22 this task provides an allocation of time as needed to support City staff in implementing the Illicit Discharge Detection and Elimination (IDDE) program to identify the source of reported or suspected illicit discharges as they may arise, and in taking measures to eliminate confirmed illicit discharges as needed.

Although the City's IDDE procedures manual must be updated once per permit term, it is assumed that such an update will be made during FY2022-23 in the year following adoption of the Regional MS4 Permit and is excluded from this scope of services. It is assumed that training on the requirements of the IDDE program will be included in the trainings discussed in Task 5.

Task 7 Watershed Group Planning and CIMP and TMDL Implementation

The Peninsula Coordinated Integrated Monitoring Program (CIMP) is being implemented cooperatively by the Peninsula WMG through an MOU and contract services administered by the City of Rancho Palos Verdes. The Peninsula WMG meets monthly to coordinate compliance monitoring, reporting, and implementation activities for both the Peninsula CIMP and TMDLs. A new CIMP contractor will be assuming responsibility for monitoring during reporting year 2021-22 while the outgoing CIMP contractor will retain responsibility for completing the Integrated Monitoring Compliance Report covering reporting year 2020-21. Additionally, work may begin on updating and adaptively modifying the CIMP plan.

The City is also participating in the Harbor Regional Monitoring Coalition MOU to meet its monitoring obligations under the Greater Los Angeles and Long Beach Harbors Toxics TMDL. The Harbor Regional Monitoring Coalition (Harbor RMC) meets quarterly to coordinate TMDL compliance monitoring and reporting in the harbors.

Task 7.1 Watershed Group Planning

This subtask includes representation of the City at twelve (12) Peninsula WMG meetings, including effort for preparation and meeting attendance with McGowan Consulting time assumed to be distributed between three (3) Peninusula municipal clients. This subtask also includes effort to review results of ongoing Harbor Toxics TMDL monitoring activities and to represent the City's interests at quarterly monitoring coordination meetings with McGowan Consulting's time assumed to be distributed between two (2) municipal clients.

A level of effort similar to that expended during previous fiscal years is assumed for this subtask.

Task 7.2 Alternative Compliance Approach for TMDLs

Given the historical low impact character of development standards in the City and the new Sepulveda Canyon monitoring data documenting the retentive capacity of the natural canyons that serve to convey stormwater, McGowan Consulting understands that the City intends to demonstrate compliance with TMDLs by documenting through City-specific stormwater flow and water quality monitoring that water quality targets established in applicable TMDLs are being met by the City. This subtask allocates time for McGowan Consulting to assist the City in assessing monitoring data, coordinating with Regional Board staff, and building the case to demonstrate compliance with TMDLs.

First, McGowan Consulting will draft a letter to Regional Board staff stating the City's intent to withdraw from the previously submitted joint requests for time schedule orders for the Machado Lake Nutrients and Pesticides & PCBs TMDLs submitted by the Peninsula WMG. Second, upon adoption of the Regional MS4 Permit, we will draft a letter to Regional Board staff requesting that the City receive an extension of time to submit a notice of intent to join the Peninsula Enhanced Watershed Management Program (EWMP). This request will be based on the justification that an additional year of City-specific water quality and flow monitoring is necessary to determine whether compliance can be demonstrated by meeting numeric water quality limitations in the City's runoff or whether joining the Peninsula EWMP in order to avail itself of deemed compliance with TMDLs based on retention of runoff from the 85th % 24-hr rainfall event is the appropriate action for the City. This subtask also provides an allocation of time to coordinate with the City's monitoring contractor during the second year of Sepulveda Canyon monitoring and to review and comment on a technical memorandum to be prepared by the City's monitoring contractor evaluating the hydrologic retention capacity of City's natural canyon system.

This subtask also provides an allocation of time for communication with Regional Board staff on the timing of submittal of the notice of intent and possible revision of the Peninsula EWMP to incorporate the City. Based on Regional Board staff's response and/or the results of the second year of monitoring data, and if directed by City staff, McGowan Consulting will prepare a letter notifying the Regional Board of the City's intent to join the Peninsula EWMP (Notice of Intent). This subtask also provides an allocation

of time for McGowan Consulting to prepare updates for City Council as directed by City staff on these matters.

Subask 7.2 Deliverables:

- Draft letter to Regional Board withdrawing City's prior requests for time schedule orders for Machado Lake Nutrient TMDL and Machado Lake Pesticides & PCBs TMDL
- Draft letter to Regional Board requesting an extension of time to submit a notice of intent to join the Peninsula EWMP
- Draft letter notifying Regional Board of City's intent to join the Peninsula EWMP (Notice of Intent)

Optional Subtask 7.3 Revision of Peninsula EWMP to Include City

Preliminary results from the City's Sepulveda Canyon monitoring study initiated during FY 2020-21 indicates that this natural canyon drainage system effectively retains at least the 85th %, 24-hour storm runoff volume, and, based on the results of the second year of monitoring and the technical memorandum to be prepared by the City's monitoring contractor, this retention performance may be extrapolated to the City as a whole. The MS4 Permit provides deemed compliance with TMDLs if a Permittee retains all non-stormwater and all stormwater up to and including the volume equivalent to the 85th percentile, 24-hour event for the drainage area tributary to the applicable receiving water provided a Permittee is implementing all actions and schedules in an approved EWMP. In order to avail itself of this deemed compliance approach the City would need to join the Peninsula EWMP, and to do so the Peninsula EWMP would need to be revised to include the City. This revision would not require an update to the Reasonable Assurance Analysis (RAA) since 85th %, 24-hr storm runoff volume capture areas are excluded from the RAA modeling requirement.

If directed by City staff, i.e., at the City's option, this subtask allocates effort for McGowan Consulting to revise relevant sections of the Peninsula EWMP document to include the City as an 85th %, 24-hour stormwater capture area within the Peninsula EWMP area. This will require revision of multiple sections, tables and figures throughout this lengthy document. The techncila memorandum prepared by the City's Sepulveda Canyon monitoring contractor will be added as an appendix to the Peninsula EWMP for documentation of the City's 85%, 24-hr runoff retention. It is assumed that the Peninsula WMG will provide McGowan Consulting the Microsoft Word[®] version of the Peninsula EWMP for our use in peforming this subtask. A draft version of the Peninsula EWMP revised to incorporate the City will be provided in Microsoft Word[®] with changes tracked for City staff and Peninsula WMG members' review. One round of revisions to incorporate combined comments from City staff and Peninsula WMG members is assumed.

Subtask 7.3 Deliverables:

- Draft revision of Peninsula EWMP with changes tracked
- Final revision of Peninsula EWMP and with changes tracked

Cost Estimate

McGowan Consulting will conduct the work effort described in the foregoing Scope of Services for an amount not to exceed **\$75,545** for all tasks exclusive of Subtask 7.3, and for an additional cost not to exceed **\$23,550** for optional Subtask 7.3 as detailed in the attached Budget Table and Rate Schedule. In order to provide a measure of flexibility to best meet the needs of the City and given the nature of regulatory uncertainty at this time, it is understood that reallocation of level of effort between tasks and subtasks may occur so long as the total contract amount is not exceeded. When possible, consulting time for attending meetings and performing tasks in common for clients will be distributed between two or more clients, thereby reducing individual costs to each client. Tasks and subtasks where labor effort has been reduced due to an assumption of work performed in common for more than one client are identified with an asterisk (*) in the budget table. Invoices will be submitted based on actual effort expended in accordance with the Rate Schedule for FY2021-22. Labor rates shown in the Rate Schedule include automobile mileage, parking fees, and routine printing and copying. Other direct costs chargeable to the project may include: subcontracted webpage hosting, graphic design, illustration and translation services; report reproduction and binding; courier services; and other direct project costs not specifically included in labor rates.

McGowan Consulting will inform City staff of changing requirements and emerging issues as part of regular communication. It is the nature of regulatory-driven programs to be subject to uncertainty and unpredictable events such as changes in regulatory requirements with the issuance of the Regional MS4 Permit, new/emerging regulatory issues, enforcement action, or significant additional support needed by City staff that was unanticipated. If such unpredictable event(s) or needs arise, we are prepared to assist the City and, if necessary and at City staff's direction, we will submit a request for an authorization for scope change to provide the City with additional consulting services to meet the need.

	Budget Table MS4 Permit Consulting Services FY2021-22		
Task	Description	Labor Hours	Estimated Cost
1.1	Coordination, Communication and Project Management	52	\$ 8,320
1.2	MS4 Permit Individual Annual Report	50	\$ 8,000
1.3	Permit-wide Planning and Coordination *	35	\$ 5,495
2.1	Public Information & Participation Program Implementation	30	\$ 4,530
2.2	Safe Clean Water Municipal Program * +	50	\$ 7,950
2.3	Develop and Update Joint Outreach Content *	20	\$ 3,020
4.1	Planning & Land Development and Construction Support	54	\$ 8,640
4.2	Hydromodification Control Provisions +	30	\$ 4,800
5	Public Agency Activities Program	36	\$ 5,544
6	Support for Illicit Discharge Elimination	8	\$ 1,232
7.1	Watershed Group Planning *	45	\$ 7,065
7.2	Alternative Compliance Approach for TMDLs	57	\$ 8,949
	rect Costs - Includes subcontracted website hosting by SBCCOG lesign and layout for outreach materials *	and	\$ 2,000
	Total Estimated Costs (excluding optional subtask 7.3)		\$ 75,545
7.3	(Optional) Revise Peninsula EWMP to Include City +	150	\$ 23,550
	e assumes cost savings due to work performed in common for more than on s costs to be covered by the SCW Municipal Program Funds	e client	

McGowan Consulting, LLC

Labor Rates

Contract Year 2021-22²

Professional/Staff Rates

Principal

Sr. Scientist

Staff Scientist

\$168 per hour \$139 per hour \$60 per hour

Expenses

Labor rates include: automobile mileage within greater Los Angeles and Orange County area, parking, routine printing and copying

Other direct costs chargeable to the project include: graphic layout and illustration, webpage design and hosting, translation services, report reproduction and binding, courier services, blueprint services, graphics services, project-specific publications, and any other direct project costs not included in the labor rates.

² Labor rates to be adjusted annually based on increases in the Consumer Price Index for the Los Angeles area as calculated by the U.S. Department of Labor Bureau of Labor Statistics



Agenda Item No.: 7.I Mtg. Date: 06/13/2022

- TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
- FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER
- THRU: ELAINE JENG P.E., CITY MANAGER
- SUBJECT: APPROVE ROLLING HILLS COMMUNITY ASSOCIATION'S APPLICATION TO LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH FOR REPLACEMENT OF SEPTIC TANK SERVING THE MAIN GATE AND AUTHORIZE CITY MANAGER TO SIGN.

DATE: June 13, 2022

BACKGROUND:

In a letter dated April 11, 2022, the Rolling Hills Community Association (RHCA) requested to install a new septic tank to service the Main Gate. The referenced letter noted that the replaced septic tank would also serve the new kitchen and restroom proposed for the tennis courts common area.

The RHCA leases the tennis courts, and the City Hall campus from the City. Per the lease agreement, the RHCA maintain and operates the tennis courts. To replace the referenced septic tank, located in the area adjacent to the guest lane approaching the Main Gate, a permit is required from the Los Angeles County Department of Public Health. As the owner of the property, RHCA is requesting that the City submit the required forms to the Los Angeles County Department of Public Health. RHCA has a contractor, Peninsula Septic Service on standby to implement the tank replacement upon permit issuance.

The City and the RHCA planned separate projects at the tennis courts. The RHCA plans to improve the common areas of the tennis courts to add amenities like a restroom, kitchen, and a gazebo. To comply with the American with Disability Act (ADA), the City plans to bring the walkways of the tennis courts to ADA standards. Over the last three years, these improvements have been placed on hold.

The proposed amenities would add effluent to the existing septic tank and would trigger tank replacement by the Los Angeles Department of Public Health. In light of the City's 8" sewer main project, the RHCA decided to hold off on the septic tank replacement in the event that that the City constructs the 8" line, the effluent from the proposed amenities could be

discharged to the sewer main instead of the septic tank.

The 8" sewer main has been in the design phase for the past 12 months and at the January 2022 City Council Strategic Planning Session, the City Council decided not to dedicate General Fund to construct the 8" sewer main line. Instead, the City Council discussed pursing grant funds for the project. In consideration of the City Council's actions, the RHCA decided to revisit the septic tank replacement project.

At the May 9, 2022 City Council meeting, staff was directed to communicate with the RHCA that the Council was in support and requested a copy of the latest plans including the location of the new septic tank.

At the May 23, 2022 City Council meeting, directed staff to hold the item, ascertain if the City Attorney found the agreement acceptable and if so return for approval at the June 13, 2022 City Council meeting.

DISCUSSION:

The RHCA has provided their application including plans as requested. The City Attorney has reviewed and modified the agreement. It is attached for Council's review and approval.

FISCAL IMPACT:

There is no fiscal impact to complete the permitting forms requested by the RHCA.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

PW_CHC_220608_TC_RHCA_Septic_LACoDPH_App_rev.pdf PW_CHC_220607_TC_RHCA_Septic_GeoTech.pdf



Land Use Program

5050 Commerce Drive, Baldwin Park, CA 91706 Telephone: (626) 430-5380 Altp://publichealth.lacounty.gov/eh/EP/lu/lu_main.htm



Onsite Wastewater Treatment System (OWTS) Review Application Submission Process

Completed and signed Application for Onsite Wastewater Treatment System Review, corresponding fees and associated documents may be mailed or hand-carried to:

Environmental Health Headquarters 5050 Commerce Drive Baldwin Park, Ca 91706 (626) 430-5380 Inglewood Environmental Health Office 9800 S. La Cienega Boulevard, Suite 850 Inglewood, Ca 90301 (310) 338-3226

Santa Clarita Environmental Health Office 26415 Carl Boyer Drive Santa Clarita, Ca 91350 (661) 287-7018 Antelope Valley Environmental Health Office 355-A East Avenue K-6 Lancaster, Ca 93536 (661) 723-4549

Calabasas Environmental Health Office* 26600 Agoura Road, Suite 110 Calabasas, Ca 91302 (818) 880-3410

*Corresponding fees are NOT accepted at this location Please mail corresponding fees to:

> Environmental Health Headquarters 5050 Commerce Drive Baldwin Park, Ca 91706 Attention: Land Use Program

Please call for office hours prior to application submission Make checks or money orders payable to: LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH DO NOT SEND CASH

Additional Information:

- Effective August 1, 2018 Two (2) copies of your application and associated documents will be required.
 - \circ $\,$ One (1) hard copy is to be submitted to any of the above-listed office $\,$
 - One (1) electronic copy is to be submitted to: <u>dlanduse@ph.lacounty.gov</u>
- Incomplete Application for Onsite Wastewater Treatment System Review will not be accepted.
- <u>Payment of corresponding fees is required</u>. Review of your Onsite Wastewater Treatment System will not begin until after payment is received.
- Applications and corresponding fees for Onsite Wastewater Treatment System Reviews are nontransferable.
- Allow twenty (20) business days for work plan review and response.
- Field personnel cannot accept payments.

For more detailed information, please download our *Professional Guide to Requirements and Procedures for OWTS* at: http://publichealth.lacounty.gov/eh/docs/ep_lu_OWTS_procedures.pdf



Land Use Program

5050 Commerce Drive, Baldwin Park, CA 91706 Telephone: (626) 430-5380 http://publichealth.lacounty.gov/eh/EP/lu/lu_main.htm



REQUIRED DOCUMENTS FOR YOUR

APPLICATION FOR ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) REVIEW

INCOMPLETE APPLICATONS FOR ONSITE WASTEWATER TREATMENT SYSTEM REVIEW

WILL NOT BE ACCEPTED

To be completed by a Land Use Program Representative

	Desumant / Information		ded?
Required	Document / Information	Yes	No
х	Application for Onsite Wastewater Treatment System Review		
х	Corresponding Fees		
Х	Completed Los Angeles County Department of Public Works Building and Safety Division Agency Referral		
Х	Site / Floor Plan Site/Floor plan of residence/business; Plot-to-Scale; 11" x 17"; Directional compass		
х	Plot Plan Plot plan of overall property; Include encroachments/easements; Plot-to-Scale; 11" x 17"; Directional compass		
	Feasibility Report Must include qualified professional stamp and signature; Detailed information regarding feasibility report requirements may be found in our <i>Professional Guide to Requirements and Procedures for OWTS</i>		
	Grading Plan Required if grading is required on the property		
	Cross Sectional View Required when proposing to install a new/replacement dispersal system		
	Proof of Potable Water Source / Water Quality Detailed information regarding Proof of Potable Water Source/Water Quality requirements may be found in our Professional Guide to Requirements and Procedures for OWTS		
	System Evaluation Report Required for projects with no OWTS verification or an OWTS that is 15 years or older		
	Tank Specifications Required for septic tank replacements		
	Calibration Certificate Required for water meter used during the percolation test of a seepage pit		
	Other:		
	Other:		

For more detailed information, please download our *Professional Guide to Requirements and Procedures for OWTS* at: http://publichealth.lacounty.gov/eh/docs/ep_lu_OWTS_procedures.pdf



Land Use Program

5050 Commerce Drive, Baldwin Park, CA 91706





ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) REVIEW SERVICE FEES

ONSITE WASTEWATER TREAT All projects require: Completed Building and			FEE lot-to-Scale)
	m Replacement System	□Activating/Testing 100% FEA	 []Other
H 4301 Conventional V REQUIRED DOCUMENTS (inclu		: System illity Report, Tank Specifications, Proof of	Water Source \$1528.0
	de, but are not limited to): Feasib	ment System illity Report, Advanced Treatment Specific Agreement, Proof of Water Source	cations, \$1986.C
SYSTEM EVALUATION Tank Re	eplacement DAddition of	Building/Structure Expansion	of 10% or less 🗆 Other
4303 Without Verific REQUIRED DOCUMENTS (inclu		Approval Specifications, System Evaluation by Licen	sed Contractor
4304 With Verification REQUIRED DOCUMENTS (inclu Contractor (if system is more t	de, but are not limited to): Appro	ved OWTS Records, System Evaluation by	Licensed \$447.0
POST-COASTAL COMMISSION	APPROVAL		
		astewater Treatment Syste	J7J1.0
PRE-COASTAL COMMISSION A	PPROVAL		
□ 4306 Conventional V	Vastewater Treatment	System	\$1528.0
🗆 4307 Non-Conventio	nal Wastewater Treat	ment System	\$1936.0
ADDITIONAL REVIEW and/or IN	SPECTION		
(e.g. Third (3 rd) Submittals, Site Rev		view, etc.)	RS: X \$167.00/
🗆 7422 Graywater Disp	ersion Field / Percolat	ion Evaluation	\$334.00
Field per	sonnel cannot accept Make checks or mo	0) business days for work plan re payments. <u>DO NOT SEND C</u> ney order payable to: ARTMENT OF PUBLIC HEAL	<u>ASH.</u>
WORK SITE ADDRESS	2 Portugi	jese Bend Roa	d- & Tennis Cour
CITY / ZIP/PARCEL (APN) #	Routing Hi		
EMAIL CORRESPONDANCE TO	Kraig@	rhca. Net	
		E USE ONLY	A DE LE MARTINE DE
Tigran Khachatryan (626) 430-5380 (khachatryan@ph.lacounty.gov	Bitania Girma (310) 338-3226 bgirma@ph.lacounty.gov	SR REC'D BY / DATE REC'D:	SITE / PERMIT #:
Chris Gibson (661) 287-7018 chgibson@ph.lacounty.gov	Kenneth Mattison (661) 723-4549 kmattison@ph.lacounty.gov	PAYMENT REC'D BY / DATE REC'D:	INVOICE #:
Veronica Aranda (818) 880-3411	Richard Jefferson (818) 880-3410	CHECK NO.:	



Land Use Program

5050 Commerce Drive, Baldwin Park, CA 91706



◆ Telephone: (626) 430-5380 ◆ http://publichealth.lacounty.gov/eh/EP/lu/lu_main.htm

APPLICATION FOR ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) REVIEW

ALL FIELDS ARE REQUIRED. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

WORK SITE ADDRESS Gatchoux	CITY	ZIP CODE
2 Portuguese Bend - Unicitie	Rolling Hills	90274
APN	B&S PLAN CHECK NO. (found on B&S Age	ncy Referral)

DESCRIPTION OF PROJECT (E.G. NEW RESIDENCE, POOL ADDITION, ADDITION TO RESIDENCE, TANK REPLACEMENT, FIRE REBUILD, ETC.)

Septic Jank Replacement

City of Rolling Hills		
ADDRESS (CHECK HERE IF SAME AS WORK SITE ADDRESS @)	Colling Hills	ZIP CODE 90274
EMAIL Kraig@rhca.net	(310) 544-6222	MOBILE

CONTRACTOR LICENSE HOLDER NAME	CONTRACTOR QUALIFICATION (PLEASE SELECT ALL THAT APPLY)	CONTRACTOR LICENSE NUMBER
ADDRESS		ZIP CODE
EMAIL	TELEPHONE	MOBILE
	ACENCY	LICENCE MUNADED

QUALIFIED PROFESSIONAL NAME	AGENCY	LICENSE NUMBER
ADDRESS	СІТҮ	ZIP CODE
EMAIL	TELEPHONE	MOBILE

Applications are nontransferable. Allow <u>twenty (20) business days</u> for work plan review and response. Field Personnel cannot accept payments. <u>DO NOT SEND CASH.</u> Make checks or money order payable to: LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH

REQUIRED SUPPORTING DOCUMENTS:

Submit one (1) electronic copy to: <u>dlanduse@ph.lacounty.gov</u> and Attach one (1) hard copy of all supporting documents.

PROJECT APPROVALS ARE CONTINGENT UPON COMPLIANCE WITH ALL THE REGULATIONS, ORDINANCES, AND LAWS OF THE STATE OF CALIFORNIA, THE COUNTY OF LOS ANGELES, THE DEPARTMENT OF PUBLIC HEALTH, AND THE ENVIRONMENTAL HEALTH LAND USE PROGRAM.

City of Rolling Hills Applicants Name

Recorded at the request: and mailed to:

Los Angeles County **Environmental Health** Land Use Program **5050 Commerce Drive** Baldwin Park, Ca 91706

SPACE ABOVE THIS LINE FOR RECORDERS USE

COVENANT AND AGREEMENT REGARDING NON-CONVENTIONAL ONSITE WASTEWATER TREATMENT SYSTEM AND THE USE AND TRANSFER OF OWNERSHIP OF PROPERTY SUBJECT TO THIS COVENANT AND AGREEMENT

WHEREAS City of Colling Hills the undersigned property owner(s) (hereinafter referred to as **OWNER**) owns that certain real property described below (hereinafter referred to as **PROPERTY**), which is served, or shall be served, by an Non-Conventional Onsite Wastewater Treatment System constructed and installed pursuant to the County of Los Angeles Uniform Plumbing Code and Health and Safety Code; and

WHEREAS, OWNER represents that they are the sole owners of the **PROPERTY**, being situated in the County of Los Angeles, State of California, and described as follows:

Legal Description of PROPERTY:

see Exhibit A. (if lengthy, include as EXHIBIT "A")

Street location/Location of PROPERTY:

Portugue ce Bend Rd. Rolling Hills. (Tonnis Courts + Grate House) AIN #7569-015-900

NOW THEREFORE, the undersigned OWNER, in consideration for constructing the Non-Conventional Onsite Wastewater Treatment System and/or occupying dwelling(s) on **PROPERTY**, does hereby promise, covenant and agree to comply with at all times all applicable federal, state, and local laws and requirements regarding the construction, operation, repair and maintenance of a Non-Conventional Onsite Wastewater Treatment System approved by the County for the PROPERTY, and that the OWNER shall at all times maintain in force a legally valid and binding maintenance and monitoring agreement with an approved servicing company covering such system, and shall provide upon request all maintenance and monitoring information to the County of Los Angeles Department of Public Health or its successor agency (County Health). Said agreement shall include computer monitoring and annual testing required by County Health of the efficiency and effectiveness of the system, including effluent testing as may be applicable. Said testing shall be to ensure the continued ability of the system to meet applicable federal, state, and local laws and requirements, including secondary waste discharge standards. Should the system not be in compliance with said laws and requirements, OWNER shall ensure that maintenance and/or repair is performed on the system, and the system shall be subject to re-testing. If following maintenance and repair, the system is still unable to meet applicable laws and requirements, the system shall be replaced with a new Non-Conventional Onsite Wastewater Treatment System upon approval by County Health. A copy of the maintenance and monitoring agreement shall be filed with County Health. Upon a material change in the maintenance

HOA.1184282.3Revised 07/30/15

agreement or a change of the approved servicing company, OWNER shall file the new or replacement maintenance and monitoring agreement with County Health within 30 days of said change.

The County is hereby granted easement rights to inspect the Non-Conventional Onsite Wastewater Treatment System, with reasonable notice to OWNER absent an emergency, to insure compliance with the Covenant and Agreement.

Upon approval of the Non-Conventional Onsite Wastewater Treatment System for the PROPERTY, OWNER shall have this document recorded with the Los Angeles County Recorder's Office against the title of the PROPERTY.

This **COVENANT AND AGREEMENT**, as well as the appurtenant easement for access as set forth above, shall run with the land and shall be binding upon all future owner, heirs, successors, and assigns of the PROPERTY.

This **COVENANT AND AGREEMENT** shall only be terminated by a **RELEASE OF COVENANT AND AGREEMENT** duly executed by an authorized agent of the County of Los Angeles, Division of Environmental Health, or its successor agency; said **RELEASE** shall not be effective until recorded in the County of Los Angeles Recorder's Office.

Dated this _____ day of _____ [year]

Print Name	Signature	
Print Name	Signature	
Print Name	Signature	
Print Name	Signature	





Property Details Report

Subject Property Location

Subject Property L	ocation		Report Date: 05/17/2022
Property Address	1 PORTUGUESE BEND RD		Order 1D: R82826808
City, State & Zip	ROLLING HILLS, CA 90274-5171		
County	LOS ANGELES COUNTY	Property Use	Government - Vacant Land
Mailing Address	1 PORTUGUESE BEND RD, ROLLING HILLS, CA 90274-5171	Parcel Number	7569-015-900
Census Tract	6705.00	Latitude	33.775958
Thomas Bros Pg-Grid	793-7E	Longitude	-118.344394

Legal Description Details Lot Number: 25 Brief Description: ROLLING HILLS LOT COM AT NE COR OF LOT 25 TH N 49 33'40 W 173.58 FT TH S 25 29'55 W 333.74 FT TH S 66 49'30 E 167.95 FT TH N

Current Ownership I	Information			
		Sale Price		
Primary Owner Name(s)	ROLLING HILLS CITY	Transfer Date		
		Recording Date	10/18/1962	
Manhima	Government	Recorder Doc #		
Vesting	Government	Book/Page		

Details beyond coverage limitations

Financing Details at Time of Purchase

No financing details available

Bedrooms	Year Bu	ilt	Living Area (SF)	0
Bathrooms/Partial	Garage/	No. of Cars	Price (\$/SF)	1
Total Rooms	Stories/	Floors	Lot Size (SF/AC)	51,531/1.18
Construction Type	No. of U	nits	Fireplace	
Exterior Walls	No. of B	uildings	Pool	
Roof Material/Type	Baseme	nt Type/Area	Heat Type	
Foundation Type	Style		A/C	
Property Type	Vacant Land View		Elevator	1
Land Use	Government - Vacant Land		Zoning	RHRA

-	Assessment Year	2021	Tax Year		Tax Exemption	
	Total Assessed Value	\$120,400	Tax Amount	\$.00	Tax Rate Area	7-084
-	Land Value	\$120,400	Tax Account ID	Development of all the lot of the	aa	
	Improvement Value		Tax Status		-	
	Improvement Ratio	1	Delinquent Tax Year			
-	Total Value			Market I	mprovement Value	
S	Market Land Value			Market V	alue Year	

No details available

No details available

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Department

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Exhibit A-pg2



EnviroServer® ES Service Agreement

This Service Agreement (The "Agreement") is made and entered into as of ______, 20___ by and between the Rolling Hills Community Association ("RHCA") and <u>Peninsula Septic Service, Inc., a California corporation</u> ("Authorized Service Technician (AST)"). AST agrees to operate and maintain the EnviroServer ES Treatment System located at <u>Pelling Hills</u> <u>Main Gate</u>, for the period of ______, for the period of ______, year(s) later, subject to the terms and conditions below.

The Terms and Conditions of the Agreement are as follows:

Obligations of Authorized Service Technician:

1. AST assumes no responsibility for errors in installation of the system. Upon commencement of the Agreement, AST will complete a full inspection of the system and submit a request for corrections to the RHCA and installer; such approval shall not be unreasonably withheld. Failure to complete the corrections in a timely manner may result in termination of this Agreement, at the sole discretion of the AST.

2. AST will perform ______ inspections a year (at least one every _months), following the procedures in the MicroSepTec Service Manual. This procedure includes inspection and servicing of all electrical and mechanical components, including controller, compressor(s), diffusers, recirculation pump, effluent pump(s), filters and disinfection unit. Inspections also include an effluent quality inspection consisting of a check for color, turbidity, solids and odors.

3. If effluent sampling and lab analysis is required by the local regulatory agency, this Agreement will include pulling and delivering the sample, but lab fees are not covered under this Agreement and will result in additional charges to the RHCA.

4. AST will submit an Inspection Report to the RHCA within 7 days of inspection, which will include the results of the inspection, any actions taken and suggestions to improve performance of the system.

5. AST will submit all reports required by the local regulatory agency.

6. If applicable, MicroSepTec eConnect remote notification service is included in this Agreement.

7. AST agrees that within 48 hours of an alarm condition, and/or a request for service, RHCA's system will be visited by the AST.

8. If any improper operation is observed by AST that cannot be corrected immediately, the RHCA will be notified immediately of the conditions, estimated costs, if any, and estimated date of correction.

Obligations of RHCA:

1. RHCA agrees to maintain a factory-Authorized Service Technician for the lifetime of the system to ensure long-term performance and protection of the environment. AST will make available a continuing service agreement to cover labor for normal inspections, maintenance and repair.

2. RHCA understands the system design was based on certain parameters, including flows and strengths, and that operating outside those parameters will have a detrimental effect on system performance. As a consequence, RHCA agrees to operate the system within those parameters.

3. Payment of any taxes, assessments, permit fees or service fees/charges required or assessed by any regulatory agency are the sole responsibility of the RHCA.

4. RHCA agrees to pay invoices within 30 days of receipt. Failure to pay in a timely manner may result in termination of Agreement.

5. RHCA acknowledges that proper maintenance by an AST is required for the Manufacturer's Warranty to be in effect.

Additional Terms and Conditions:

The EnviroServer ES Series Owner's Manual must be strictly followed for the Manufacturer's Warranty to be in effect. This Agreement covers preventative maintenance only. Repairs, replacement of consumable parts, pumping of sludge, etc. will result in additional charges to the RHCA. AST assumes no responsibility for maintaining or repairing any fixtures, venting or piping that feeds the system, unless noted otherwise. The AST and RHCA acknowledge that RHCA has received a copy of the Owner's Manual and the AST has made a reasonable effort to explain all pertinent information to the RHCA. RHCA acknowledges that MicroSepTec is not party to this Agreement and shall bear no responsibility for anything contained herein.

Fee Schedule:

Annual Fee for this Agreement is \$ Paid							
Additional Fees:							
RHCA Signature: Knisten Roll Printed Name: Knisten Rally	Service Provider Signature:						
Printed Name: Kristen Relly	Printed Name:						
Contact Information: (310) 544. 6222	Contact Information:						

www.microseptec.com

1200 W. Commonwealth Ave., Fullerton, CA 92833 Ph: (714) 870-1211 Fax: (714) 870-1222 E-mail: coastgeotec@sbcglobal.net

April 5, 2022

W.O. 546817-04

Rolling Hills Community Association 2 Portuguese Bend Road Rolling Hills, California 90274

> Subject: Update Report of Percolation Feasibility Study for Replacement Septic System and Subsequent Reports, Community Tennis Court Facility and Gatehouse, 2 Portuguese Bend Road, Rolling Hills, California

References:

- 1. Report of Percolation Feasibility Study for Replacement Septic System, Community Tennis Court Facility and Gatehouse, 1 Portuguese Bend Road, Rolling Hills, California; by COAST GEOTECHNICAL, INC., W.O. 546817-01, dated February 1, 2018.
- 2. Updated and Revised Report of Percolation Feasibility Study for Replacement Septic System, Community Tennis Court Facility and Gatehouse, 2 Portuguese Bend Road, Rolling Hills, California by COAST GEOTECHNICAL, INC., W.O. 546817-02, dated November 1, 2019.
- Revised Site Map for Report of Percolation Feasibility Study for Replacement Septic System, Community Tennis Court Facility and Gatehouse, 2 Portuguese Bend Road, Rolling Hills, California; by COAST GEOTECHNICAL, INC., W.O. 546817-03, dated March 23, 2020.

Gentlemen:

Submitted herewith is an update letter for the percolation feasibility study performed for the replacement septic system for the community tennis court facility and entry gatehouse at 2 Portuguese Bend Road, City of Rolling Hills, County of Los Angeles.

Our understanding is the project is unchanged as presented in the referenced reports. These reports are opined still applicable, and are updated as of the date on this letter

We appreciate this opportunity to be of service to you.

Respectfully submitted: COAST GEOTECHNICAL, INC.

GEC Todd D. Houseal TODD D. HOUSEAL CEG 1914 Exp 4/24 No. 1914

1200 W. Commonwealth Ave., Fullerton, CA 92833 Ph: (714) 870-1211 Fax: (714) 870-1222 E-mail: coastgeotec@sbcglobal.net

March 23, 2020

W.O. 546817-03

Rolling Hills Community Association 2 Portuguese Bend Road Rolling Hills, California 90274

> Subject: Revised Site Map for Report of Percolation Feasibility Study for Replacement Septic System, Community Tennis Court Facility and Gatehouse, 2 Portuguese Bend Road, Rolling Hills, California

References:

- 1. Report of Percolation Feasibility Study for Replacement Septic System, Community Tennis Court Facility and Gatehouse, 1 Portuguese Bend Road, Rolling Hills, California; by COAST GEOTECHNICAL, INC., W.O. 546817-01, dated February 1, 2018.
- 2. Updated and Revised Report of Percolation Feasibility Study for Replacement Septic System, Community Tennis Court Facility and Gatehouse, 2 Portuguese Bend Road, Rolling Hills, California by COAST GEOTECHNICAL, INC., W.O. 546817-02, dated November 1, 2019.

Gentlemen:

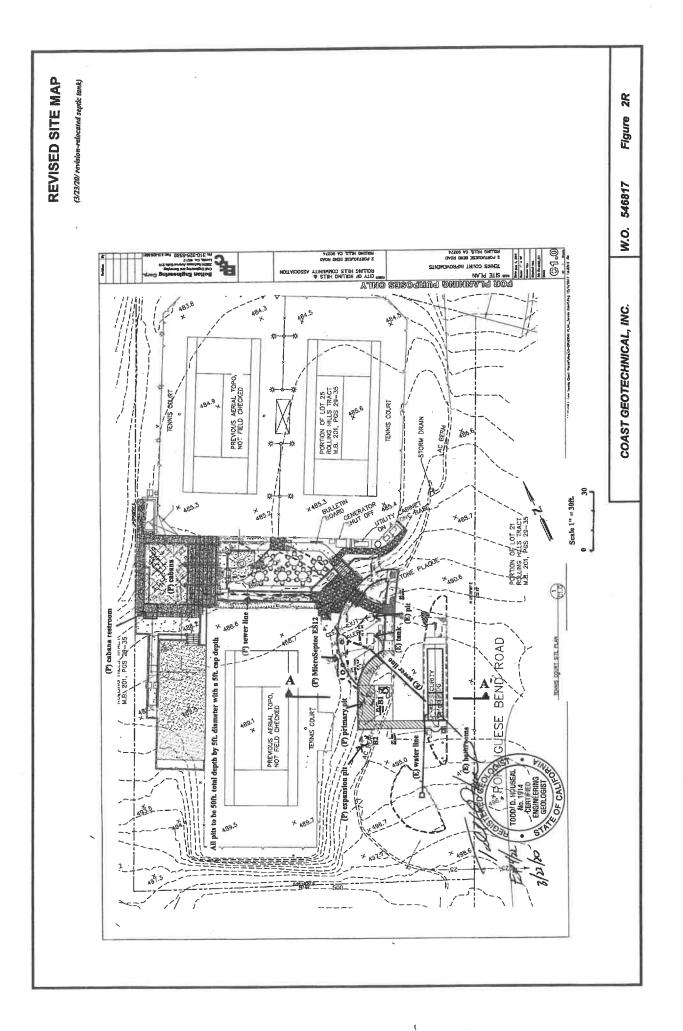
Submitted herewith is a Revised Site Map for the percolation feasibility study performed for the replacement septic system for the community tennis court facility and entry gatehouse at 2 Portuguese Bend Road, City of Rolling Hills, County of Los Angeles.

The revision to the original Site Map was to relocate the proposed septic tank location. The new proposed septic tank location is depicted on the attached Revised Site Map, Figure 2A.

We appreciate this opportunity to be of service to you.

Respectfully submitted: COAST GEOTECHNICAL, INC.

ERED GEO Todd D. Houseal CEG 1914 Exp 4/20 REG, TODD D. HOUSEAL No. 1914 CERTIFIED NGINEERING SEOLOGIST



1200 W. Commonwealth Ave., Fullerton, CA 92833 Ph: (714) 870-1211 Fax: (714) 870-1222 E-mail: coastgeotec@sbcglobal.net

February 1, 2018

W.O. 546817-01

Rolling Hills Community Association 1 Portuguese Bend Road Rolling Hills, California 90274

Subject:

t: Report of Percolation Feasibility Study for Replacement Septic System, Community Tennis Court Facility and Gatehouse, 1 Portuguese Bend Road, Rolling Hills, California

Gentlemen:

Submitted herewith is the percolation feasibility study performed for septic system servicing the community tennis court facility and entry gatehouse at 1 Portuguese Bend Road, City of Rolling Hills, County of Los Angeles. This report completes our work scope for the project outlined in our proposal dated October 8, 2017.

PURPOSE

The purpose of the percolation study is to determine if the subject site has sufficient area with suitable percolation, physiographic and geologic characteristics for construction of a seepage pit onsite absorption system, in general accordance with County of Los Angeles guidelines.

The client is proposing to upgrade the existing community tennis court and community entry area as depicted on appended Figure 2 of this report. As part of this upgrade the client is proposing to replace the existing septic system servicing the facilities.

Our understanding of County guidelines is that for this type of development the client must abandoned the existing septic system in accordance with applicable codes, and assess the property per County guidelines for a new onsite waste water disposal system.

This report addresses testing of the property for a new onsite waste water disposal system consisting of an advanced treatment septic tank and seepage pit(s).

WORK SCOPE

The project work scope consisted of the following:

- 1. Location of two borings drilled two feet in diameter, one to a depth of 50 feet and the other to 60 feet.
- 2. Geologic logging of the borings.
- 3. Presaturation and percolation testing of borings.
- 4. Analysis of data.
- 5. Preparation of this report.

To facilitate compliance with the County of Los Angeles Guidelines, each County requirement is stated below followed by our statement.

RHCA	2	W.O. 546817-01
Percolation Report	 	February 1, 2018

Item 1

Item 1 requests the location of the property including the legal description.

- The site is identified as 1 Portuguese Bend Road in the City of Rolling Hills. The site is identified by APN 7569-015-900.
- The site is shown on a Vicinity Map appended as Figure 1.

Item 2

Item 2 request the owner's name, address, and phone number.

- The property is owned by the Rolling Hills Community Association with the mailing address as shown in the title block of this report.
- The association manager, Ms. Kristen Raig, can be reached at 310-544-6222.

Item 3

Item 3 requests the type of proposed sewage system.

- The parcel is developed with tennis courts, common areas, and the gatehouse for the community entry gate as depicted on appended Figure 2. The client is proposing to upgrade the tennis court area with new landscaping and outdoor improvements that include a new sink, and construct ADA compliant parking and access to the bathroom facility within the gatehouse. For the proposed new septic system the property will need to be assessed for both a new primary septic system and a future expansion system.
- The existing septic system is depicted on attached Figure 2. This system will need to be abandoned in accordance with County code.
- The proposed new system will consist of seepage pits and an advanced treatment septic tank, and will be located as shown on Figure 2.

Item 4

Item 4 requests description of the on-site materials.

- Earth materials at the location of the primary and expansion seepage pit is composed of colluvium underlain by bedrock. Effluent will be disposed of into bedrock which is generally composed of tan white to yellow interbedded diatomaceous siltstones, clayey siltstones, and sandstones, with beds of fractured siliceous siltstones. Percolation rates are anticipated to vary within the strata from minimal rates in the clayey siltstones to high rates in the fractured siliceous siltstones.
- Appended Figures 2 and 3 show site conditions and a cross section, respectively. Geologic logs of the exploratory borings are presented on Plates A and B.

Item 5

Item 5 requests a scaled grading plan.

RHCA	3	W.O. 546817-01
Percolation Report		February 1, 2018

- a. Figure 2 is a site plan that shows the property at a 1"= 30ft. scale.
- b. Figure 2 shows topography for the site. The proposed septic system will be located in a landscape and parking area between the tennis courts and gatehouse building.
- c. No hydrophytic plants or oak trees were observed in the vicinity of the proposed seepage pits.
- d. No wells, abandoned wells, or springs are present on the site. Water is from metered City service which is located on Portuguese Bend Road.
- e. No drainage courses or flood zones are present in the vicinity of the seepage pits.
- f. The percolation test boring locations are indicated on Figure 2.
- g. Bedrock outcrops were not observed in the area of the proposed seepage pits.
- h. The existing and proposed improvements are shown on Figure 2.
- i. The approximate location and dimensions of the existing septic tank and seepage pit is shown on Figure 2. The location and dimensions of the proposed septic tank and seepage pit(s) is also shown on Figure 2. Section A-A' depicted on Figure 3 is a geologic cross-section that indicates cap-off depth and any setback distances for the proposed septic system.
- j. By the County guidelines septic tank capacity for this type of project is based on fixture count.

The proposed plan depicted on Figure 2 has been enlarged to show the existing and proposed fixtures and is attached as Figure 4. The plan shows two existing toilets and two existing bathroom sinks in the gatehouse and a proposed sink in the tennis court area.

Based on our interpretation of the County plumbing code, fixture counts are deferred to the California Plumbing Code Table 702.1. This table shows a public toilet to have a fixture count of six, a lavatory to have a count of one, and an outdoor sink (for this report considered a kitchen sink) a count of two. This provides a fixture count of 16. Based on Table H-2.1 of the County plumbing code this fixture count requires the use of a 1000 gallon septic tank.

Due to a high percolation rate an advanced treatment system will be required. The County requires that the advanced treatment system be capable of treating effluent based on bedroom count and to have adequate capacity. Based on Table H-2.1, a bedroom count of three can also service a fixture count of 20, requiring the system to be able to treat 900 gallons of effluent per day.

The client is proposing to utilize a MicroSeptec ES6, which will service up to three bedrooms, which based on Table H-2.1 equates to a fixture count of 20, is able to treat 900 gallons of effluent per day, and has a tank capacity of 1708 gallons. A cross-section view of the ES6 septic tank and risers is attached as Figure 5.

The client is advised that the recommended advanced septic tank is not the only type allowed by the County. Alternate advanced septic tanks are available and can be utilized provided they comply with all project and County requirements. To use an alternate tank portions of this report would need to be rewritten and a new site map prepared showing the selected advanced septic tank.

- k. Testing indicates that one seepage pit would be sufficient for a 1000 gallon septic tank size.
- 1. The proposed system and expansion pit is depicted on Figure 2.

RHCA	4	W.O. 546817-01
Percolation Report		February 1, 2018

- m. The project contractor shall provide documentation of washing of any filler material (if used) by the supplier.
- n. Pertinent setback distances are indicated on Figures 2 and 3.
- o. The tank and pits are located in or near an area that may be subject to traffic load, traffic rated lids and risers are recommended,

Item 6

Item 6 requests a copy of the approved grading plan

 Figure 2 is a copy of the proposed site plan. It is not anticipated that significant grading will be required for the proposed improvements.

Item 7

Item 7 requests a historic high groundwater level determination.

 Drilling of the test boring did encountered groundwater at a depth of 60 feet below ground surface. Boring 1 was backfilled with eight feet of tamped soil and capped with two feet of concrete. The concrete was allowed to cure prior to the presoak.

Item 8

Item 8 requests a floor plan of the building with room usage.

• The existing floor plan for the gatehouse and the proposed outdoor sink showing usage and fixtures that will contribute to the proposed disposal system is attached as Figure 4. Figure 4 is an enlargement of a portion of Figure 2.

Item 9

Item 9 requests a final county geologic review sheet required by Building and Safety.

• It is not known if a geotechnical report was required by the County.

Item 10

Item 10 requests percolation test data

- a. Todd Houseal, a Certified Engineering Geologist, performed the percolation testing.
- b. Percolation testing was performed at the plotted locations shown on Figure 2. The percolation test borings consisted of 24" diameter boreholes. The boreholes were located at the approximate location of the proposed primary and expansion pit. The amount of water used to fill the boreholes was determined from a calibrated water meter. Calibration for the water meter is appended as Figure 6. The water used during the percolation testing was obtained from a fire hydrant located on Portuguese Bend Road.
- c. The required presoak for B1 and B2was performed on December 26, 2017. Water was added to the boring utilizing a calibrated water meter.

RHCA
Percolation Report

Boring	Start meter	End meter	Disposed	Time	Water depth
No.	reading	reading	volume (gals)		after Presoak
1	1439000	1440200	1200	10:50-11:02am	20ft
2	1442200	1443400	1200	11:33-11:46am	14ft

During the presoak, test waters did not rise to the proposed cap depth of five feet bgs.

- d. Since the presoak test waters did not reach the proposed cap level of five feet bgs the County deems that the percolation rate exceeds the needed minimum requirement of 0.83 gallons per square foot per day and has a rate that exceeds 5.12 gallon per square foot per square foot per day requiring the use of a septic system that reduces the effluent nitrogen level. Determination of a percolation rate is not required.
- e. In conversation with the County Environmental Health Department over current percolation test procedures our understanding is that for projects where a high percolation rate is present (test waters do not reach the cap level at the presoak stage) a modified test procedure can be used, provided testing is sufficient to show that adequate waters can be disposed of.

Testing was conducted after the presoak and consisted of continuously adding water to the test hole until the required volume of water was disposed of.

Boring No.	Start meter reading	End meter reading	Disposed volume (gals)	Time	Water depth after testing
1	1440200	1442200	2000	11:02-11:32am	8ft
2	1443400	1445400	2000	11:46-12:20pm	8ft

- a. Prior to leaving the jobsite at 1pm, the water level in Boring 1 was observed to be at 27feet and in Boring 2 at 22 feet. The next day, prior to 24 hours, at 10am the water level in Boring 1 was observed at 39 feet and in Boring 2 at 35 feet. The following day, prior to 48hours, at 8am the water level in Boring 1 was observed at 46.5 feet and in Boring 2 at 41.5 feet. The borings were observed to be dry at 72 hours.
- b. Testing indicates that the test waters percolate into facture zones within the subsurface bedrocks. Based on testing and logging of the borings these zones are located at several elevations within the upper portion of the borehole, with minimal fractures in the lower portion.
- c. Testing of a seepage pit must demonstrate that it can dispose of five times the capacity of the proposed septic tank over 24 hours. Calculations presented on Plates 1 and 2 indicate that BH1 disposed of 6820 gallons of water over 24 hours and BH2 6585 gallons of water over 24 hours. Each pit exceeds the required volume of 5000 gallons disposed over 24 hours. One pit is adequate for both the primary and expansion system. We recommend all future pit(s) be fifty foot total depth, drilled five feet diameter with a five foot cap. This recommendation is based on the proposed location of the seepage pits as shown on Figure 2.
- d. Test data and calculations appended show favorable conditions for the primary and expansion seepage pits for the onsite effluent system.

RHCA	6	W.O. 546817-01
Percolation Report		February 1, 2018

Item 11

Item 11 requests a conclusion on the suitability of the site for the proposed system.

• Information obtained from the percolation testing indicates that the property has adequate area and physical parameters for the proposed primary seepage pit and tank, and future seepage pit.

Item 12

Item 12 requests a signed statement that this report presents an accurate and complete disclosure of all facts known relating to the proposed on-site sewage disposal system.

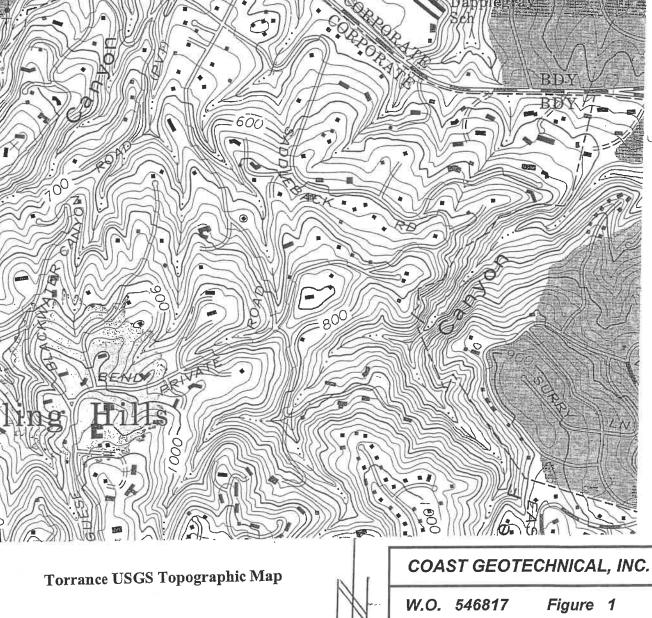
- It is our opinion that this report presents an accurate and complete disclosure of all facts that are known and relate to the existing on-site sewage disposal system and future expansion area..
- The client is advised that an onsite sewage disposal system is considered temporary only with eventual failure and requirement for replacement with a new system.
- Life expectancy of a system varies widely dependent on usage, construction and maintenance. Coast Geotechnical, Inc. makes no warranty or guarantee of the system or length of effectiveness.
- COAST GEOTECHNICAL, INC. shall be consulted if the system loads change from those anticipated; if the pit locations change significantly; if an alternate advanced treatment system is utilized and during pit construction so the holes may be down hole logged.
- This submittal is intended to represent a complete feasibility report that conforms with the applicable provisions of the Los Angeles County Code-Title 28 Plumbing Code and the feasibility report requirements of the Department of Public Health-Environmental Health.

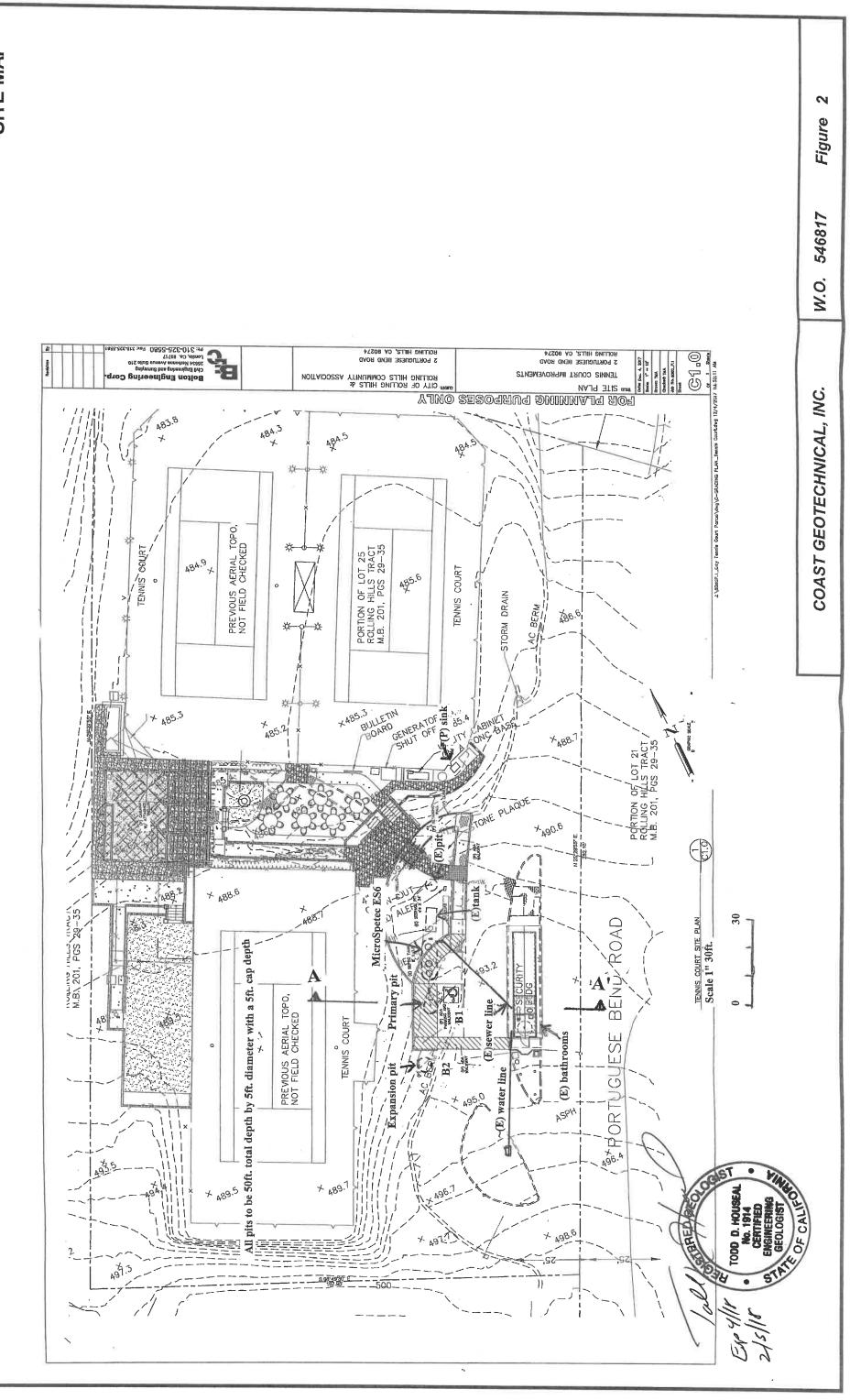
We appreciate this opportunity to be of service to you.

Respectfully submitted: COAST GEOTECHNICAL, INC.

STERED GEO Todd D. Houseal CEG 1914 Exp 4/18 HOUSEA

SITE VICINITY MAP G 65002 40 392 X SITE 474 500 BDABDY 600



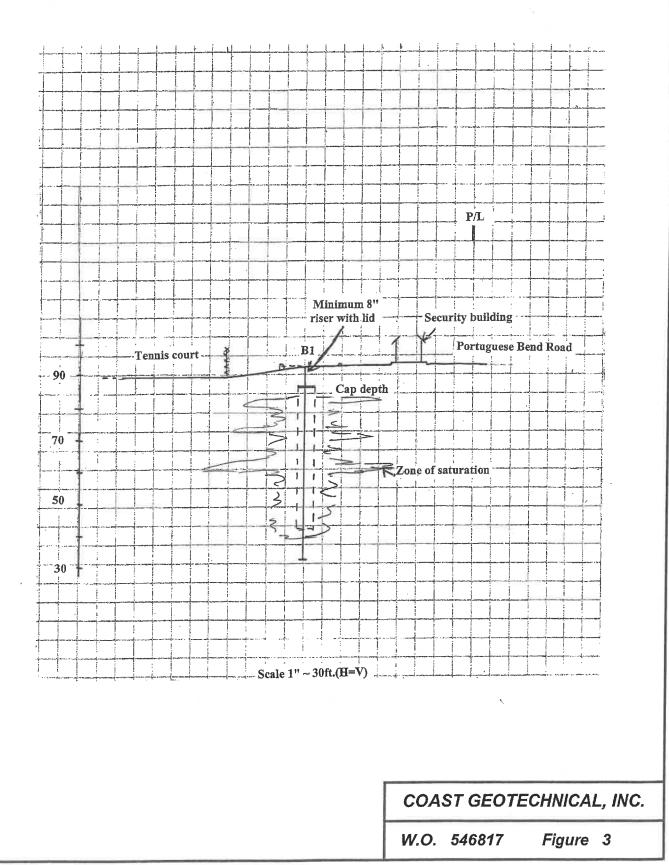


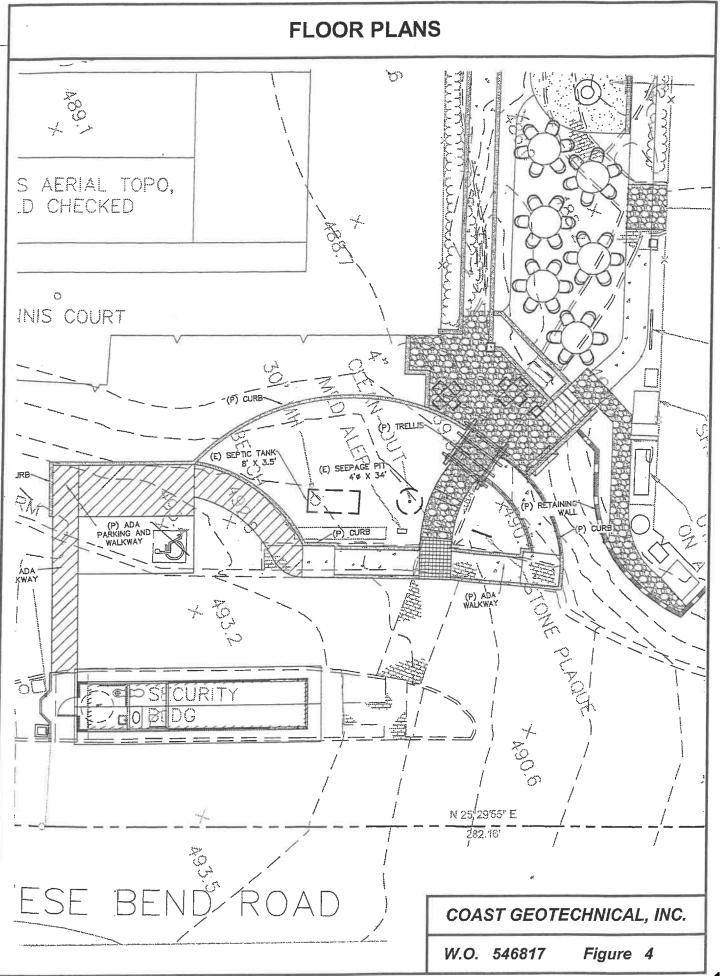
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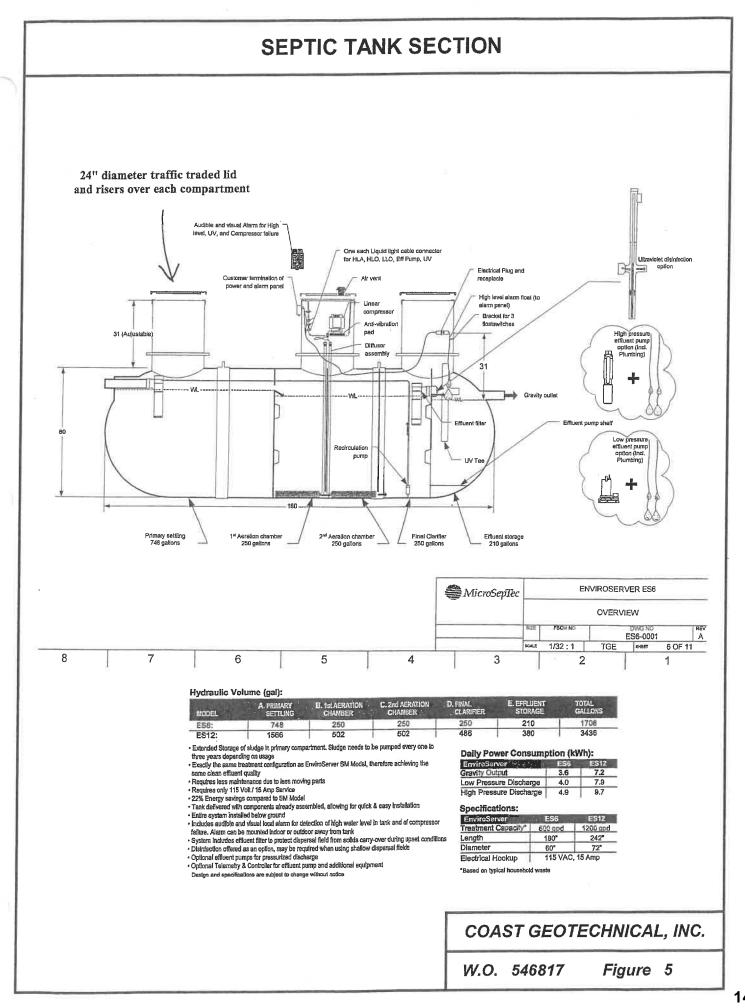
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WATER METER CERTIFICATION

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METER TEST REPORT

WESTERLY METER SERVICE CO. 403 East Carlin Street Compton, California 90222 Telephone (310) 637-9000

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Professional Testing and Repair to AWWA Standards

Date___8-31-17

Invoice No.

P.O. No.

Coast Geotechnical

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COAST GEOTECHNICAL, INC.

W.O. 546817

Figure 6

	FIELD LOG OF BORING NO. 1							
Projec	t Nam	e: RH	ICA				W.O. 546817	Log by: TDH
Project Name: RHCA Method: BUCKET AUCER 20					ER	24	Start: Finish:	Date:
Wt. Of Kelly Bar: Drop								
	Sample		<u> </u>	Blow		Depth	DESCRIPTIO	N
Туре	No.	Depth	6"	6"	6"	(FT)		
				-			DARK GRET SILTY CLAY, ROCK PRACMO	(Qc)
							STIFF, MOIST	((()))
				-			2	
			-		1	- 1	BUFF TAW TO YELLOW CLAYET SILTS	
						10-	MOIST FIRM SOME PRECENTED SIL	I (ED) SICI (NICE
						-		
						- 1		
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						20-		(BEDRUCK)
						20-		
						_	PRACTURED SUCEOUS SILTIANE, HARD	OPEN TO GEOLOD
						_	ANTONES	
						30—		
						_		
							YELLOW THE CLASSITING TO SIL	TTONE, DIATOMEOU,
							FIRM, MOIST MINOR RUST STA	TINI AND BLACK
						-	SPECILL'	
						40—		
							\ \	
						2 <u>—</u>		
				_		-		
						50 —		
						-		
		1	-			-	EDBCLO - WETELO' - No 64	INC
C	OA	ST	GE	0	TE		VICAL, INC.	Plate A

FIELD LOG OF BORING NO. 2									
Projec	Project Name: RHCA W.O. 546817 Log by: TBH								
Method: BUCKET ALLER 24"					24		Start:	Finish:	Date:
Wt. Of Kelly Bar:							Drop		
Samples Blows Depth				Depth			DESCRIPTION		
Туре	No.	Depth	6"	6"	6"	(FT)			
						-		BLACK DIATOMALED	- (De)
									OU) SILT (TONE / CLAY STONE
						10	LUTH	- THIN ZONES OF	- PINETURE SITTONE
						_	FTACT	TURED SILTSTONE,	HARD, DAMP
						-			(In) (BEDROCK)
						20	FRACT	TRED HARD SAN	BY SILTSTUNE, OPEN, HARD
						30 —		a BUFF TO THE	N BLEF SILTY CLAYSTONE,
						40	THIN	PRATURO ZONE	_
								CLATSTONE, FIR	STAINED DIATRACEDU)
						50 —	EDB	3 C 50 - N.A.	EU-No CANNE
C	COAST GEOTECHNICAL, INC. Plate B								

PERCOLATION TEST RESULTS

FOR BORING 1

INSIDE SURFACE AREA OF TEST BORING

Diameter of test boring = 2 feet

Total depth = 50 feet

Cap-off depth = 5 feet

Length of boring tested = 45 feet

Inside surface area = $2 \pi r h = 282.7$ square feet

VOLUME OF WATER USED IN PERCOLATION TEST

Volume of water added during test = 2000 gallons

Volume of water in hole at end of test and disposed of over 24hrs = 728 gallons

Total volume of water disposed over 24 hours = 2728 gallons

SYSTEM DESIGN

The County requires that the proposed seepage pit(s) be capable of disposing of 5X the required septic tank volume over 24 hours. Required volume is 1000 gallons.

For required tank capacity of 1000 gallons * 5 = 5000 gallons (needed)

Waters disposed = Water volume added + water volume disposed after 24 hours

Water volume disposed after 24hrs = (water level at 24 hours - water level at end) *23.5

Water volume disposed after 24hrs = (39-8) * 23.5 = 728 gallons

Water volume added during testing = 2000 gallons

2000 gallons + 728 gallons = 2728 gallons (disposed)

Conversion factor for 2ft test hole to 5ft. seepage pit is x2.5

2.5 * 2728 gallons (disposed) = 6820 gallons (disposed)

6820 gallons (disposed) > 5000 gallons (needed) ----- one seepage pit is adequate

Percolation Study 1 Portuguese Bend Road Rolling Hills, California

Work Order 546817

1

Plate No.

COAST GEOTECHNICAL, INC.

PERCOLATION TEST RESULTS

FOR BORING 2

INSIDE SURFACE AREA OF TEST BORING

Diameter of test boring = 2 feet

Total depth = 50 feet

Cap-off depth = 5 feet

Length of boring tested = 45 feet

Inside surface area = $2 \pi r h = 282.7$ square feet

VOLUME OF WATER USED IN PERCOLATION TEST

Volume of water added during test = 2000 gallons

Volume of water in hole at end of test and disposed of over 24hrs = 634 gallons

Total volume of water disposed over 24 hours = 2634 gallons

SYSTEM DESIGN

The County requires that the proposed seepage pit(s) be capable of disposing of 5X the required septic tank volume over 24 hours. Required volume is 1000 gallons.

For required tank capacity of 1000 gallons * 5 = 5000 gallons (needed)

Waters disposed = Water volume added + water volume disposed after 24 hours

Water volume disposed after 24hrs = (water level at 24 hours - water level at end) *23.5

Water volume disposed after 24hrs = (35-8) * 23.5 = 634 gallons

Water volume added during testing = 2000 gallons

2000 gallons + 634 gallons = 2634 gallons (disposed)

Conversion factor for 2ft test hole to 5ft. seepage pit is x2.5

2.5 * 2634 gallons (disposed) = 6585gallons (disposed)

6585 gallons (disposed) > 5000 gallons (needed) ----- one seepage pit is adequate

Percolation Study 1 Portuguese Bend Road Rolling Hills, California

Work Order 546817

2

Plate No.

COAST GEOTECHNICAL, INC.



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 9.A Mtg. Date: 06/13/2022

- TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
- FROM: JOHN SIGNO, DIRECTOR OF PLANNING & COMMUNITY SERVICES

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT:

ZONING CASE 21-16: REQUEST FOR APPROVAL FOR A SITE PLAN REVIEW FOR GRADING AND CONSTRUCTION OF A NEW RETAINING WALL; CONDITIONAL USE PERMIT FOR A RECREATIONAL GAME COURT; AND VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE FOR A PROPERTY LOCATED AT 18 EASTFIELD DRIVE (LOT 69-A-EF) (RICH)

DATE: June 13, 2022

BACKGROUND:

On May 17, 2022, the Planning Commission adopted Resolution No. 2022-05 approving Zoning Case No. 21-16 for a Site Plan Review for grading and construction of a new retaining wall; Conditional Use Permit for a recreational game court; and Variance to exceed the maximum permitted lot disturbance. The resolution was adopted unanimously, 4-0, with one commissioner absent.

Zoning, Location, and Lot Description

The property located at 18 Eastfield Drive is zoned RAS-1 and has a net lot area of 68,826 square feet (1.58 acre). On December 17, 1996, the Planning Commission approved a Site Plan Review request for a new single-family residence and other improvements to replace an existing residence on the subject property. On July 21, 1998, the Planning Commission approved a Conditional Use Permit to construct a cabana and modification to the 1996 Site Plan Review approval for additional grading. On June 14, 2005, the Planning Commission approved a Site Plan Review for grading and construction of a stable and corral, a Conditional Use Permit to construct on a recreation room, and a variance to exceed the maximum permitted disturbed area on the lot.

The lot is developed with a 5,265-square-foot single-family residence and a 1,284-square-foot garage. There are three existing building pads on site with approximately 50 feet difference in

elevation. The highest point is located closest to the roadway easement on the western portion of the property; the lowest portion is located in the eastern portion of the lot near the existing stable and corral. The existing residence and garage are located on the Pad 1, which is 26,083 square feet and located closest to the roadway easement; Pad 2 is 12,342 square feet in the middle of the property and contains a swimming pool, pool house, and garden. Pad 3, in the rear portion of the property, is 7,439 square feet and includes the existing stable and corral and proposed recreational game court.

DISCUSSION:

Applicant Request

The applicant is requesting a site plan review for overall grading of 886 cubic yards and construction of a 1,697-square-foot recreational game court, pond, potting shed, chicken coop, hardscape, and landscape. All grading will be balanced on site. A Conditional Use Permit is requested for the construction and use of the recreational game court, which is intended to be used as a pickleball court.

In 2005, a variance was approved to allow lot disturbance up to 48.4%, which exceeds the maximum allowed of 40%. The current application further increases lot disturbance by 1.5% for a total of 49.9%.

The applicant proposes to regrade the downward slope adjacent to the pool patio level to flatten the pad and be more useful for agricultural purposes. A chicken coop, potting shed, and landscaping are included in the proposal. A pathway will be provided to access the lower slope leading to the existing barn and stable and proposed recreational game court. The proposed project includes grading that will improve drainage flow.

Code Enforcement

A code enforcement case was opened in 2020 in regards to expired permits for additions, an open lattice patio cover, detached stable, basement, storage room, and grading. The current condition of the site shows grading work that has been started and trenches that have been dug to install piping. The retaining walls for the recreational game court have already been constructed and will be modified to meet the requirements of the Municipal Code. The existing wall will be lowered one-foot three-inches and a second wall will be installed in front to create a terraced effect.

Conditional Use Permit (CUP)

Per Rolling Hills Municipal Code (RHMC) Section 17.16.040(A)(5), a Conditional Use Permit is required for a recreational game court subject to the conditions in RHMC Section 17.16.210(A) (7). The applicant is requesting approval of a Conditional Use Permit for the proposed 1,697-square-foot recreational game court in the rear portion of the property next to the stable and corral.

Variance to further exceed lot disturbance

As mentioned, the Planning Commission approved a Variance in 2005 to exceed the maximum allowed lot disturbance of 40% up to 48.4%. The current application includes

additional disturbance of 1.5%, bringing the total to 49.9%. The applicant is requesting approval of a variance to regrade landscaped areas and flatten Pad 2, which includes a flower garden, potting shed, and chicken coop. The area for the recreational game court was previously graded and disturbed with construction of the stable and corral.

MUNICIPAL CODE COMPLIANCE

Area of Disturbance

The property has been previously disturbed due to development of residence, swimming pool, pool house, stable, and corral. Additional disturbance of 1.5% will bring the total disturbed area to 49.9% of the net lot area, or 34,355 square feet.

Access to Stable, Corral, and Recreational Game Court

The stable, corral, and proposed recreational game court will be accessed via a 12-foot-wide path along the western property line.

Lot Coverage

The proposed structural coverage on the lot will be 12,377 square feet, or 18% of the net lot area, which meets the lot coverage limitation of 20% maximum. The recreational game court further increases the lot coverage by 2.5%. The proposed total coverage including structures and flatwork will be 21,085 square feet or 30.6% of the net lot area, which also meets the lot coverage limitation of 35% maximum.

Environmental Review

The proposed project has been determined to not have a significant effect on the environment and is categorically exempt from the provisions of CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, which exempts accessory structures including a recreational game court and appurtenant structures.

Public Participation

Staff received an email from a neighbor in support of the project. The email is included as an attachment.

CRITERIA FOR SITE PLAN REVIEW

17.46.050 - Required Site Plan Review findings.

- 1. The Commission shall be required to make findings in acting to approve, conditionally approve, or deny a site plan review application.
- No project which requires site plan review approval shall be approved by the Commission, or by the City Council on appeal, unless the following findings can be made:
- 3. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance;
- 4. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums,

and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot;

- 5. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences;
- 6. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls);
- 7. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area;
- 8. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course;
- 9. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas;
- 10. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles; and
- 11. The project conforms to the requirements of the California Environmental Quality Act.
- 12. If all of the above findings cannot be made with regard to the proposed project, or cannot be made even with changes to the project through project conditions imposed by City staff and/or the Planning Commission, the site plan review application shall be denied.

CRITERIA FOR APPROVAL OF CONDITIONAL USE PERMIT

17.42.050 Basis for approval or denial of Conditional Use Permit.

The Commission (and Council on appeal), in acting to approve a conditional use permit application, may impose conditions as are reasonably necessary to ensure the project is consistent with the General Plan, compatible with surrounding land use, and meets the provisions and intent of this title. In making such a determination, the hearing body shall find that the proposed use is in general accord with the following principles and standards:

- 1. That the proposed conditional use is consistent with the General Plan;
- 2. That the nature, condition and development of adjacent uses, buildings and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, building or structures;
- 3. That the site for the proposed conditional use is of adequate size and shape to accommodate the use and buildings proposed;
- 4. That the proposed conditional use complies with all applicable development standards of the zone district;
- 5. That the proposed use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities;
- 6. That the proposed conditional use observes the spirit and intent of this title.

CRITERIA FOR APPROVAL OF A VARIANCE

17.38.050 Required Variance findings.

In granting a variance, the Commission (and Council on appeal) must make the following

findings:

- 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone;
- That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question;
- 3. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity;
- 4. That in granting the variance, the spirit and intent of this title will be observed;
- 5. That the variance does not grant special privilege to the applicant;
- 6. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities; and
- 7. That the variance request is consistent with the general plan of the City of Rolling Hills.

FISCAL IMPACT:

None.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:

Vicinity Map - 18 Eastfield Dr.pdf Development Table (ZC 21-16).pdf Email from Sam Galletti 050922.pdf RICH RESIDENCE - FINAL SUBMITTAL FOR PLANNING - reduced.pdf Previously Approved Resolutions - 18 Eastfield Dr.pdf 2022-05 PC Resolution 18EastfieldDr ZC 21-16 E.pdf

	City of Rolling Hills	2 PORTUGUESE BEND ROAD ROLLING HILLS, CA 90274
TITLE	VICINITY MAP	CASE NO. <u>Zoning Case No. 21-16</u> Site Plan Review, Conditional Use Permit, Variance
OWNER	Rich	
ADDRESS	<u>18 Eastfield, Rolling Hills 9027</u>	<u>, SITE</u>

Development Table Zoning Case No. 21-16 (18 EASTFIELD DRIVE)					
Site Plan Review, Conditional Use	PAD 1	PAD 2	PAD 3	TOTAL	
Permit and Variance					
RAS- 2 Zone Setbacks	Single family	Swimming	New Stable		
Front: 50 ft. from front easement line	residence,	Pool, Pool	and corral (SF)		
Side: 35 ft. from side property line	garage (SF)	House (SF)			
Rear: 50 ft. from rear easement line	Escietia es	E rrichting au	Estistic es	<u> </u>	
	Existing:	Existing:	Existing:	68,826	
	26,083 Proposed:	7,317 Proposed:	6,213 Proposed:		
Pad/Net Lot Area	0	5,025	1,226		
	Total:	Total:	Total:		
	26,083	12,342	7,439		
Residence	5,265	,• · _	.,	5,265	
Garage	1,284			1,284	
Swimming Pool/Spa		722		722	
Pool Equipment		233		233	
Guest House					
Stable (min. 450 SF)			479	479	
Corral (existing; min. 550 SF)			(1,006)	(1,006)	
Recreation Court			1,697	1,697	
Attached Covered Porched	377		353	730	
Potting Shed		140		140	
Aviary		76		76	
Chicken Coop		83		83	
Water Features, Etc.		294		294	
Other	1,374			1,374	
Total Structure Area	8,300	1,548	2,529	12,377	
Structural Coverage (20% maximum)				18%	
Grading (balanced on site)			CY cut CY fill	886 CY	
Total Flatwork				8,708	
Total Structural and Flatwork				21,085	
Total Lot Coverage (35% maximum)				30.6%	
Building Pad Coverage (Policy: 30% maximum)	31.8%	12.5%	29.9%		
Disturbed Area (40% maximum; up to 60% with slopes less than 3:1)	No Change	Increase	Increase	34,355 49.9%	

John Signo

From:	Sam Galletti <sgalletti@greatamericansfd.com></sgalletti@greatamericansfd.com>
Sent:	Monday, May 9, 2022 6:56 AM
То:	John Signo
Subject:	18 Eastfield Drive, Rolling Hillsc CA 90274 (Rich) Zoning Case No 21-16

Dear John,

My name is Salvatore (Sam) Galletti. My wife and I own and live at 6 Outrider Road, Rolling Hills CA 90274. I received the notice of public hearing for 18 Eastfield Drive, Rolling Hills in my mail over the weekend. I am absolutely in favor of the improvements to the property located at 18 Eastfield Drive. As one of only a few property owners that have unobstructed visual access to the lot improvements, I believe it will add great value to the overall view from my yard and property. Joe has been a great neighbor and has always maintained an excellent landscape. I cannot say the same for properties that are located specifically in between his lot and mine where we see mostly dead and unhealthy growth of weeds that should be considered a fire hazard at the least. It would seem rightfully fair that Mr. Rich is allowed to move forward with his improvements.

Please feel free to share this email letter with the planning commission.

Regards,

Sam Galletti **President** Southwind Foods / Great American Seafood Imports Co. 323-262-8222 Office 323-842-7192 Mobile www.southwindfoods.com



Please check our product cataloghttp://productcatalog.southwindfoods.com/2020/welcome/

RICH RESIDENCE

18 EASTFIELD ROLLING HILLS, CALIFORNIA 90274

ABBREVIATIONS

a

BR.

DIA.

AIR-CONDITIONING ACOUSTICAL ABOVE FINISH FLOOR ALUMINUM BUILDING BRUSHED CEMENT CEILING CLEAR OPENING CONSTRUCTION NOTE COLUMN CONCRETE CONTINUOUS CONTRACTOR CERAMIC TILE DETAIL DRINKING FOUNTAIN DIAMETER DIMENSION DOOR DISHWASHER DRAWING ELEVATION ELECTRICAL ELEVATOR existing

FLOOR DRAIN A/C ACOUS. A.F.F. ALUM. FINISH FACE FINISH BLDG. FLOOR FLORESCENT CEM. CLG. FACE OF STUD CL. OPNG. GAUGE C.N. GALVANIZED COL. CONC. CONT. GLASS GRANITE TILE CONTR. GYPSUM BOARD C.T. HARDWOOD HARDWARE HOLLOW METAL HEIGHT DIM. DR. LAVATORY DW. MAXIMUM DWG. METAL ELEV. MANUFACTURER ELEC. MINIMUM ELEVAT. MARBLE TILE EXIST. MULLION MICROWAVE NOT TO SCALE

F.D. F.E. F.H.C. FIRE EXTINGUISHER FIRE HOSE CABINET FABRIC WALL COVERING GARBAGE DISPOSAL HEATING, VENTILATION NOT IN CONTRACT OVER ALL ON CENTER

F.F.

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LAV.

MTL

MAX.

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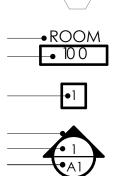
N.T.S. O.A.

O.C.

GA.

ROOM NAME -ROOM NUMBER -KEY NOTE

ELEVATION NUMBER DETAIL NUMBER SHEET NUMBER





CENTER LIN PROPERTY I

SPOT ELEVA existing gi NEW GRAD HOUSE SEW SANITARY S GAS LINE ELECTRICAL

GRAPHIC SYMBOLS ARCHITECTURAL SYMBOLS

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VER	—— HS ——
SEWER	SS
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L LINE	—— E ——

SHEET INDEX

GN-1	Cover Sheet	General I
_A-100.E1	Existing Survey-	Full
_A-100.E2	Existing Survey-	Rear I
_A-100.E3	Exist'g Conditions	s Photos
_A-101.1	Site Plan / Vicinity	[,] Map
_A-101.2	Site Plan Coverag	e Calcula
_A-110.1	Rear Yard Landsc	ape Site S
_A-201.1	Illustrative Landso	ape Plan
_A-202.1	MWELO	
_A-401.1	Garden Accessso	ries IMAG

Notes ll Property r Property Composite Survey C Grading Plan ations Section

GERY



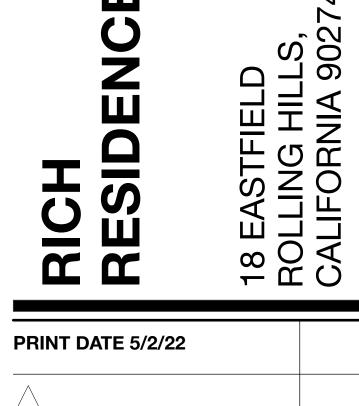
LANDSCAPE ARCHITECTURE ARCHITECTURE PROJECT MANAGEMENT PLANNING

for mail: 318 Avenue I, #154 Redondo Beach, California 90277

> 310.686.5202 studioGWG@gmail.com LA6230



CONSULTANTS



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PUBLISH VERSION / file name: Rich_Joe_Landscape Plan_04.pln

PUBLISH VERSION

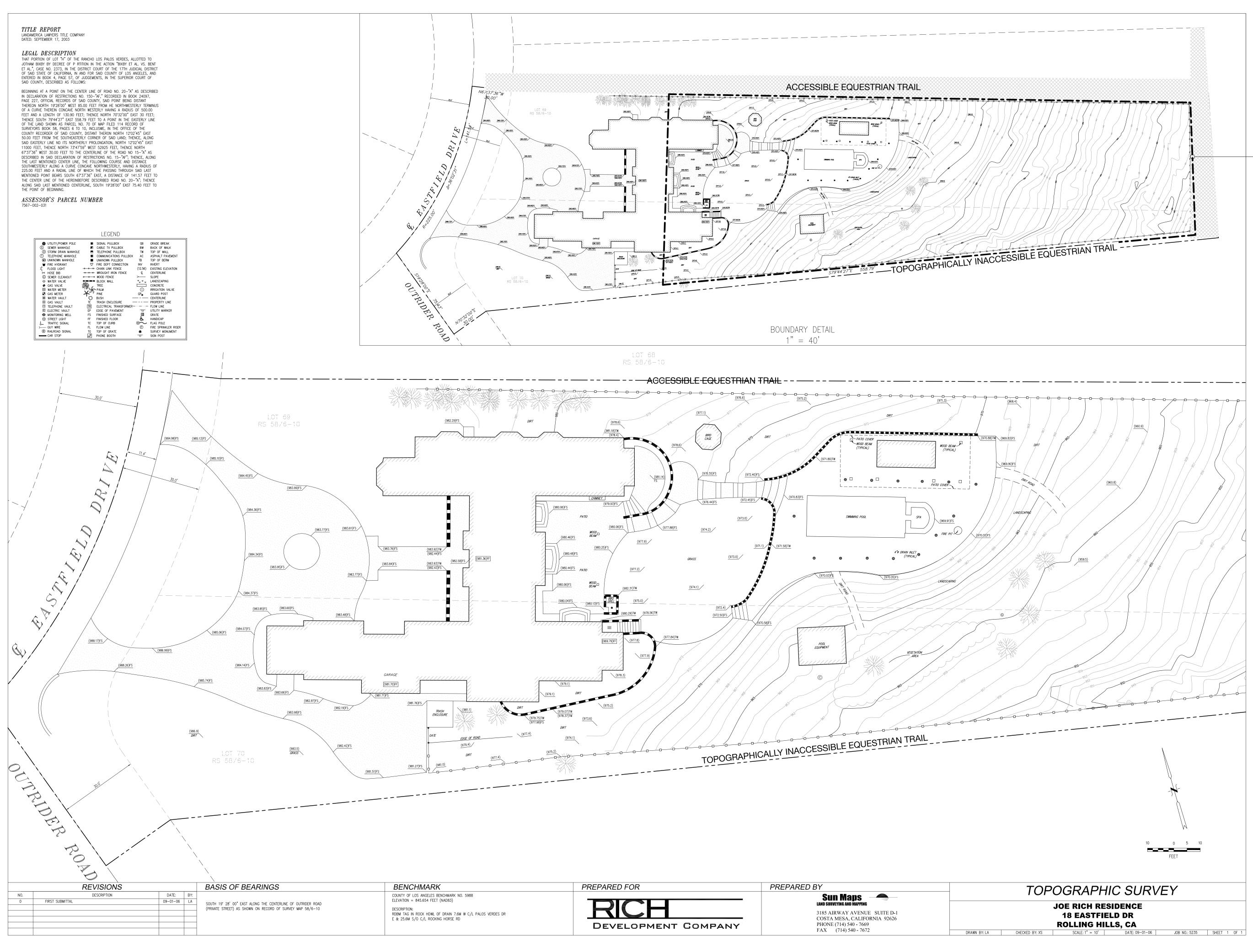
SHEET TITLE

Cover Sheet **General Notes**

GN-1

DESIGN DEVELOPMENT PROGRESS PRINT

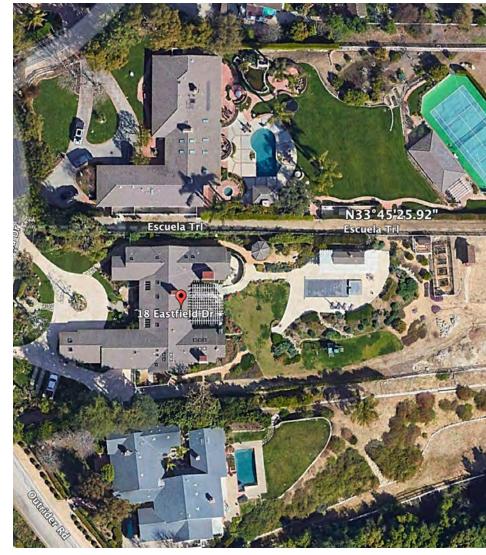
THE CENTER LINE OF THE HEREINBEFORE DESCRIBED ROAD NO. 20-"A"; THENCE



BENCHMARK	PREPARED FOR	PREPARED BY
COUNTY OF LOS ANGELES BENCHMARK NO. 5988 ELEVATION = 845.654 FEET (NAD83) DESCRIPTION: RDBM TAG IN ROCK HDWL OF DRAIN 7.6M W C/L PALOS VERDES DR E & 25.6M S/O C/L ROCKING HORSE RD	RCH Development Gompany	Sun Maps LAND SURVEYING AND MAPPING 3185 AIRWAY AVENUE SUITE D-1 COSTA MESA, CALIFORNIA 92626 PHONE (714) 540 - 7669 FAX (714) 540 - 7672

- PROJECT BOUNDARY **PROJECT DESCRIPTION**

THESE SURVEYS ARE FOR OVERALL PROJECT SIZE AND SCALE REFERENCE



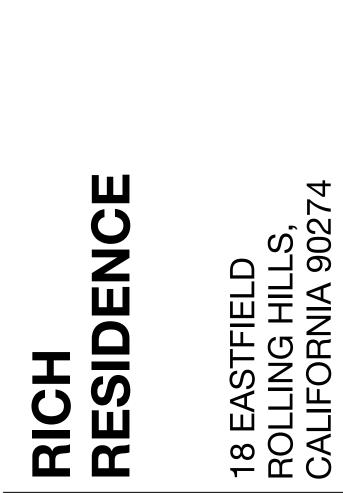
AERIAL SURVEY OF ADJACENT PROPERTIES REFER TO SITE PLAN FOR DIMENSIONING TO OFF SITE BUILDINGS

LANDSCAPE RENOVATION AND ADDITION OF RE-GRADING OF NEW LANDSCAPE TERRACE

LA-100.E1

DESIGN DEVELOPMENT

PROGRESS PRINT



PRINT DATE 5/2/22

PUBLISH VERSION / file name: Rich_Joe_Landscape Plan_04.pln

Existing Survey-

Full Property

PUBLISH VERSION

SHEET TITLE



CONSULTANTS



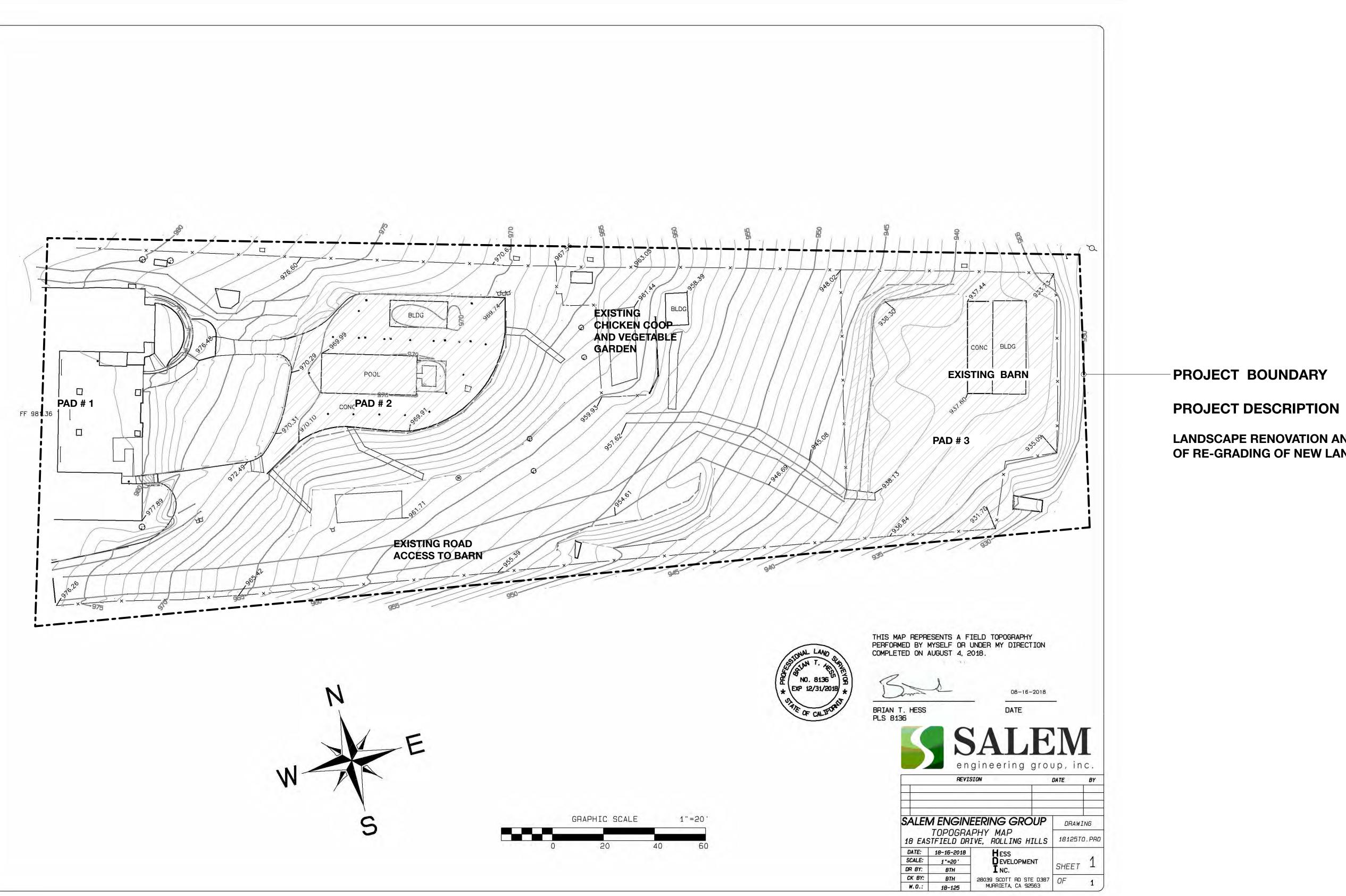


LANDSCAPE ARCHITECTURE ARCHITECTURE **PROJECT MANAGEMENT** PLANNING

for mail: 318 Avenue I, #154 Redondo Beach, California 90277

310.686.5202





LANDSCAPE RENOVATION AND ADDITION OF RE-GRADING OF NEW LANDSCAPE TERRACE



Redondo Beach, California 90277

310.686.5202 studioGWG@gmail.com LA6230

CONSULTANTS



PRINT DATE 5/2/22

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PUBLISH VERSION / file name: Rich_Joe_Landscape Plan_04.pln

PUBLISH VERSION

SHEET TITLE

Existing Survey-Rear Property

LA-100.E2

DESIGN DEVELOPMENT PROGRESS PRINT



AT FRONT HOUSE CORNER LOOKING TOWARDS FRONT DRIVEWAY AREA

N67°37'36"W

(984.36)FS

LOT 70 RS 58/6-10

R

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ESS.





PHOTO #1 AT NORTH DRIVEWAY LOOKING TOWARDS FRONT DOOR AREA AND NORTH GARAGE



PHOTO #2 AT SOUTH DRIVEWAY LOOKING TOWARDS SOUTH GARAGE AND SOUTH DRIVEWAY



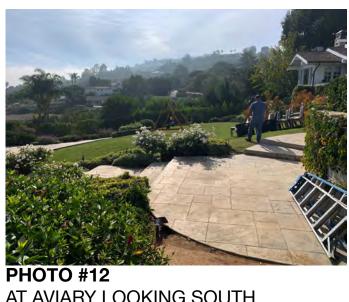
Correction and the second seco



AT REAR HOUSE CORNER BY AVIARY LOOKING TOWARDS FRONT YARD



LOOKING AT AVIARY TOWARDS POOL AREA



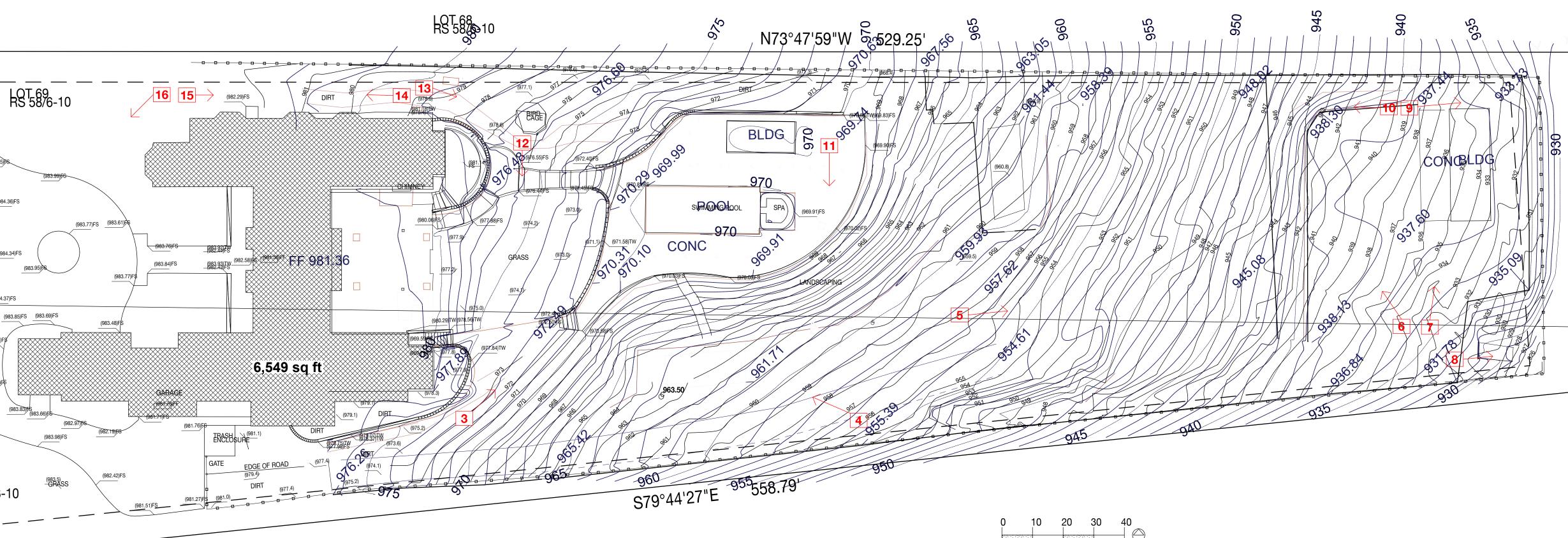




PHOTO #3 AT HOUSE LOOKING TO POOL AREA



РНОТО #4 AT ROADWAY LOOKING TO HOUSE



AT AVIARY LOOKING SOUTH TOWARDS UPPER LAWN AREA



AT POOL DECK LOOKING SOUTH AT ADJACENT PROPERTY'S VIEW OF SUBJECT PROPERTY



AT CORNER OF EXIST'G BARN LOOKING UP THE SLOPE ALONG PROPERTY LINE TOWARDS POOL AREA



PHOTO #9 AT CORNER OF EXIST'G BARN LOOKING TOWARDS CORNER AT BACK OF PROPERTY

0 10 20 30 40 Scale 1" = 20' - 0" NORTH





AT WALKWAY LOOKING TO BARN AND PROPOSED PICKLE BALL COURT LOOKING AT CONSTRUCTED WALL

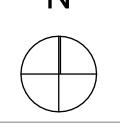


PHOTO #7 LOOKING TOWARDS EXIST'G BARN



PHOTO #8 LOOKING TOWARDS EXIST'G STORM WATER RUNOFF RIP RAP

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LA-100.E3

Composite Topography

Composite Survey

DESIGN DEVELOPMENT

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Exist'g Conditions Photos

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310.686.5202 studioGWG@gmail.com LA6230

Redondo Beach, California 90277

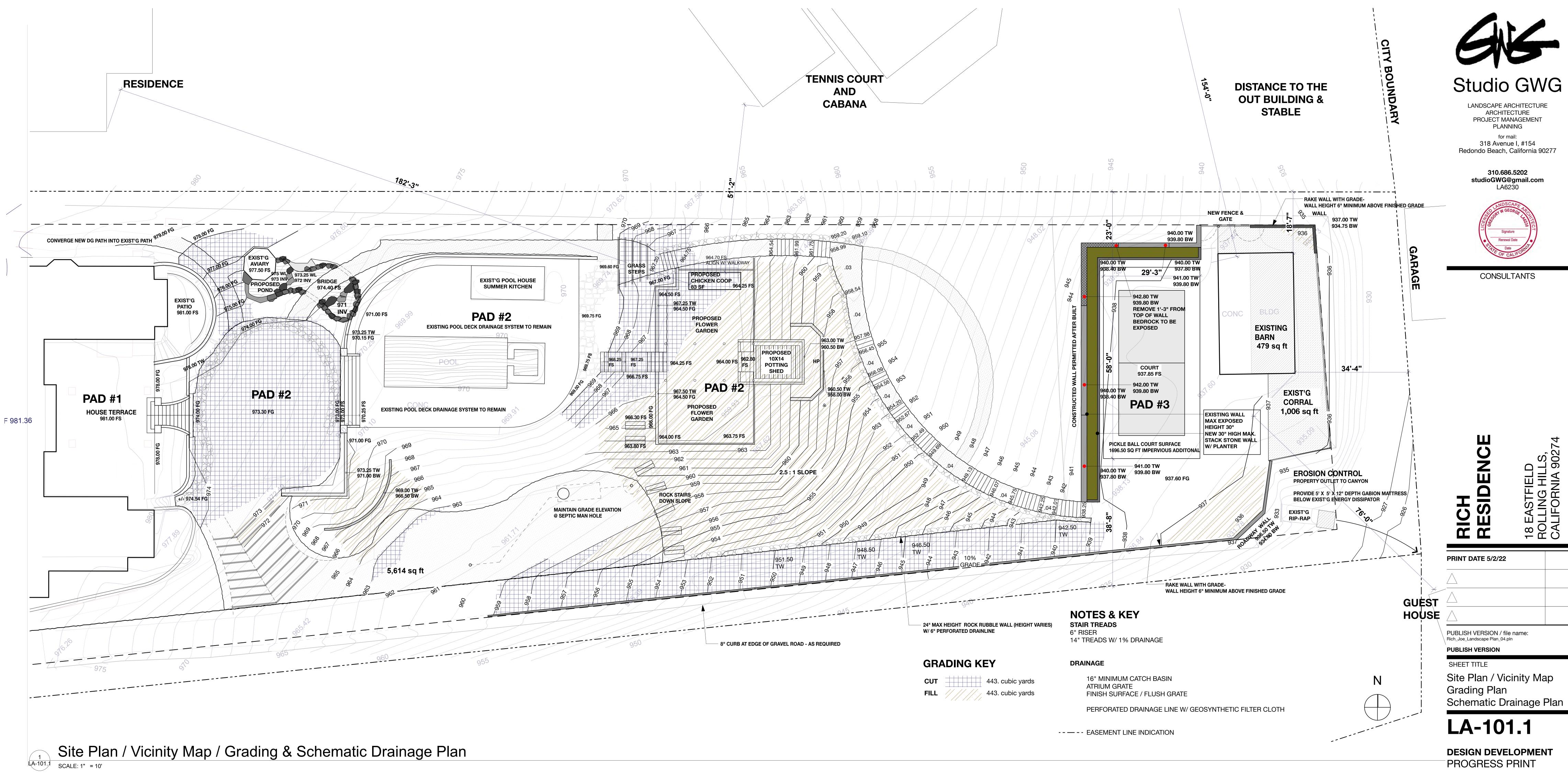
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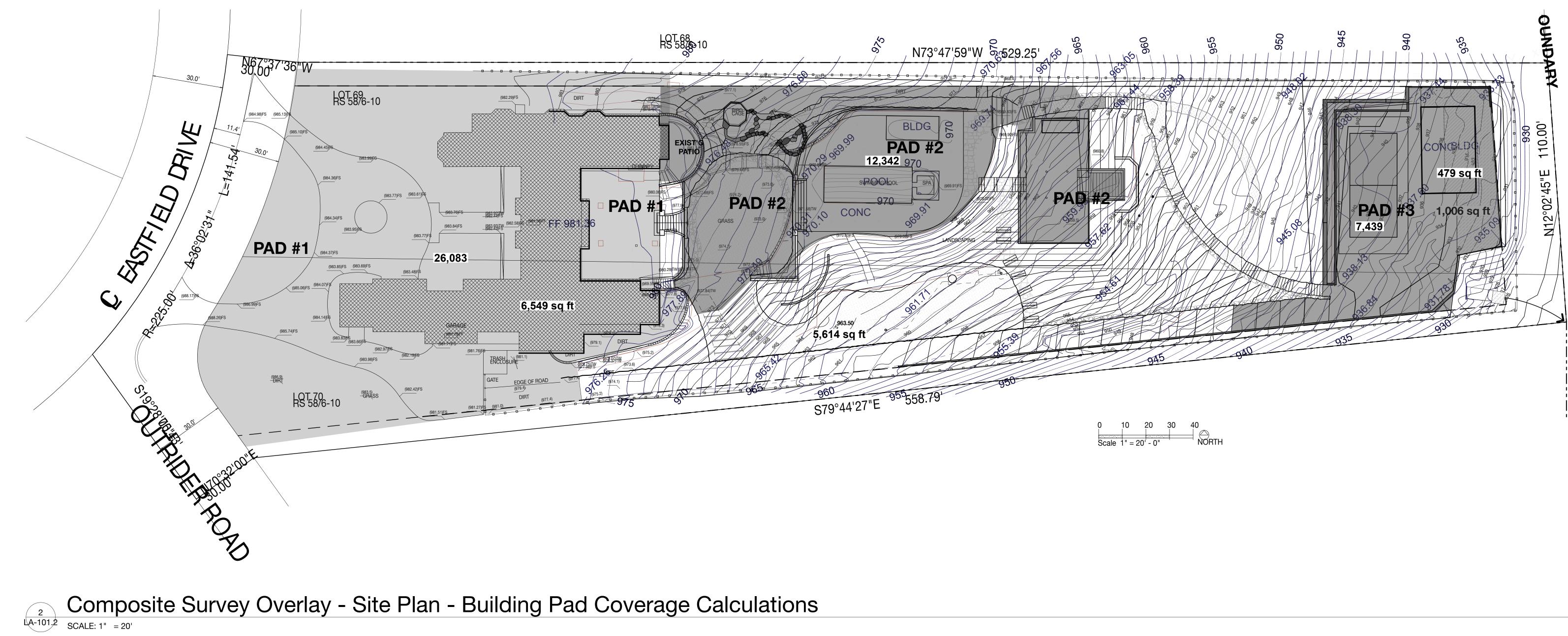
PLANNING

LANDSCAPE ARCHITECTURE ARCHITECTURE PROJECT MANAGEMENT

Studio GWG









LANDSCAPE ARCHITECTURE ARCHITECTURE PROJECT MANAGEMENT PLANNING

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Site Plan Coverage Calculations

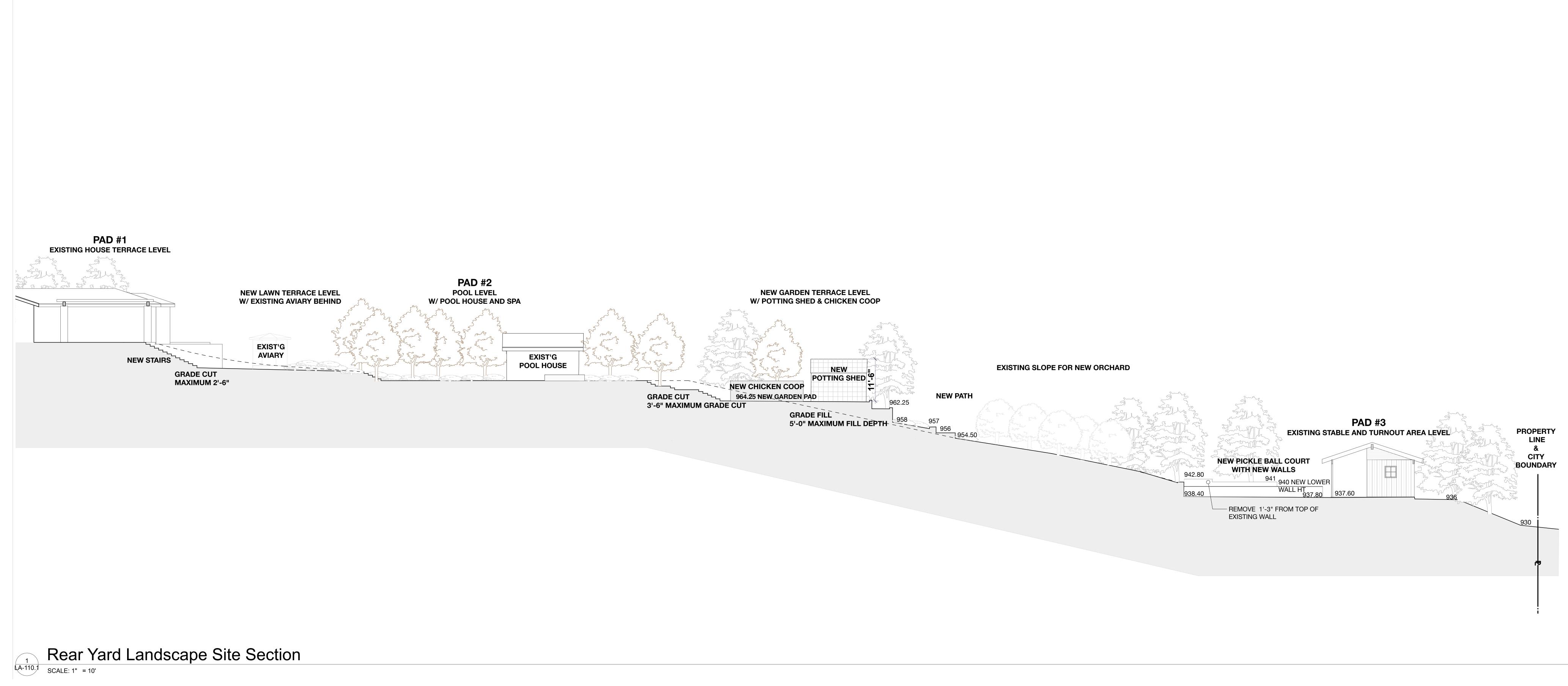
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PAD SUMMARY

PAD #1 26,083 SQ FT PAD #2 12,342 SQ FT PAD #3 7,439 SQ FT

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ARCHITECTURE PROJECT MANAGEMENT PLANNING

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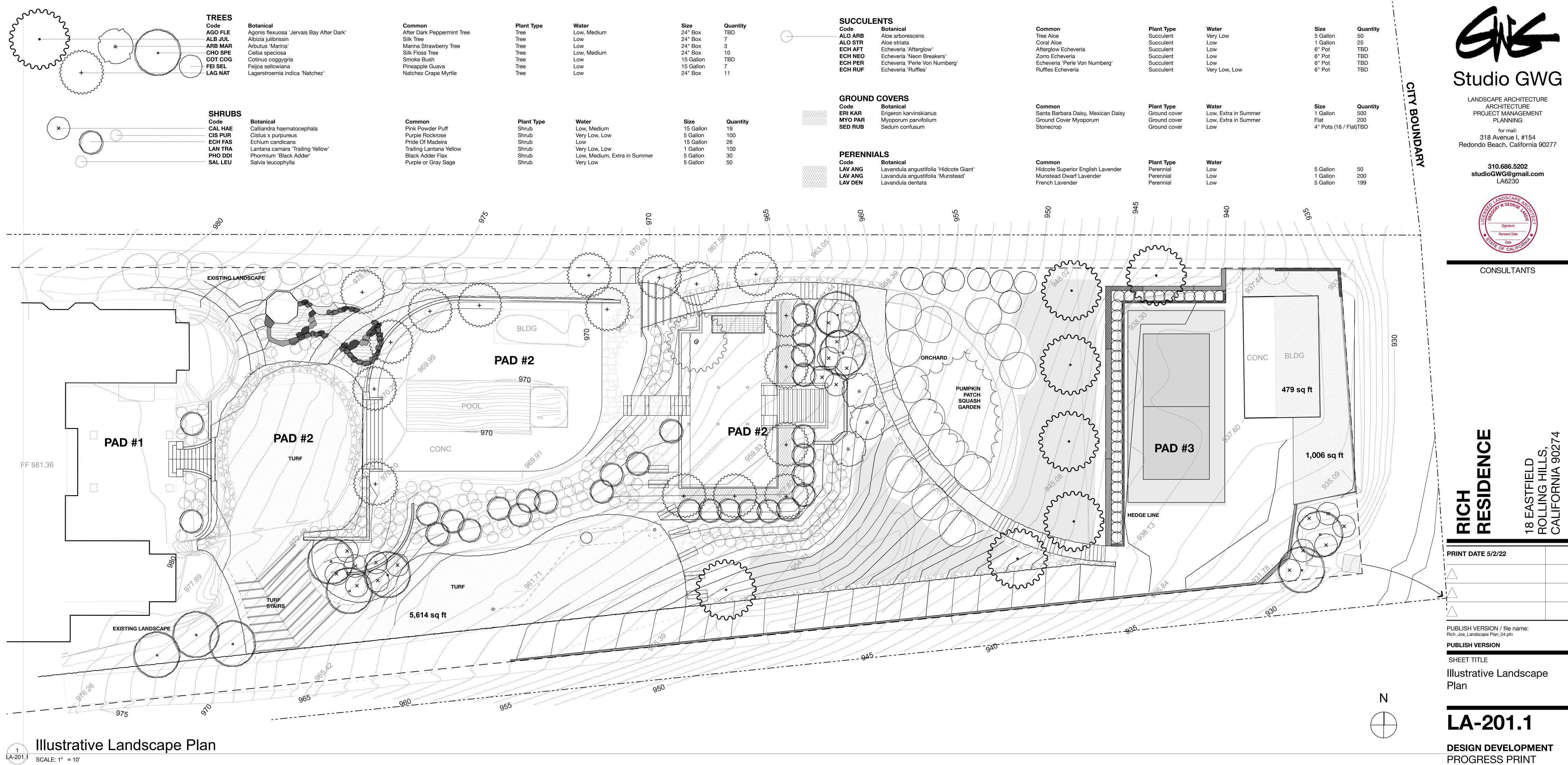
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SHEET TITLE

Rear Yard Landscape Site Section

LA-110.1

DESIGN DEVELOPMENT PROGRESS PRINT



LA-201.1 SCALE: 1" = 10'

Code	Botanical
LO ARB	Aloe arborescens
LO STR	Aloe striata
CH AFT	Echeveria 'Afterglow'
CH NEO	Echeveria 'Neon Breakers'
CH PER	Echeveria 'Perle Von Nurnberg'
CH RUF	Echeveria 'Ruffles'

Code	Botanical
ERI KAR	Erigeron karvinskianus
MYO PAR	Myoporum parvifolium
SED RUB	Sedum confusum

Code	Botanical
LAV ANG	Lavandula angustifolia 'Hidcote Gia
LAV ANG	Lavandula angustifolia 'Munstead'
LAV DEN	Lavandula dentata

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Landscape Documentation Package.

Reference Evap	otranspira	ation (ETo)=	39.7 (annual	ETo for Sign	al Hill/Long Bea	ich per State Re	ference Table)
Hydrozone#	Plant	Irrigation	Irrigation	ETAF	Landscape	ETAF x Area	Estimated
/Planting	Factor	Methodb	Efficiency	(PF/IE)	Area (sq. ft.)		Total Water
Descriptiona	(PF)		(IE)c				Use (ETWU)e
Regular Landsc	ape Areas						
#1 TURF	0.7	SPRAY	0.75	0.93	5,614	5,221.02	143,404
#2 POOLS	1.0	N/A	1.00	1.00	891	891.00	21,931
#3 SHRUBS	0.4	DRIP	0.81	0.32	13,996	1,451.20	35,720
			Totals		(A) 20,501	(B) 7,563.22	
Special Landsca	pe Areas						•
#4 GARDENS					3,745	2,059.75	50,699
& ORCHARDS	÷						
				Totals	(C) 3,745	(D) 2,059.75	
						ETWU Total	251,754
			Maxin	Maximum Allowed Water Allowance (MAWA)e			328,235
a Hydrozone#/PlantingDescription E.q		^b Irrigation Method overhead spray		^C Irrigation Efficiency 0.75 for spray head		<pre>dETWU(Annual Gallons Required)= Eto x 0.62xETAFx Area</pre>	
1) front lawn		or drip					conversion factor
2) low water use plantings 3) medium water use planting				-		that converts ac per year to gallo	

2) low water use plantings 3) medium water use planting where 0.62 is conversion factor that converts acre-inches per acre per year to

SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

ETAF Calculations

Regular Landscape Area Total ETAFx Area Total Area

Average ETAF

Regular Landscape Area Total ETAFx Area Total Area Sitewide ETAF (B+D) ÷ (A

LANDSCAPE CERTIFICATION FORM - Required at Final Inspection

Project Information:

Site Address:	18 EASTFIELD ROLLING HILLS, CA 90274
Permit Number	

Section A: Landscape Designer

Section A. Lanuscape Designer	
X I certify that I am qualifie services; the landscape desi by me or under my supervis with the requirements of C Landscape Documentation P	d by the State of California to perform landscape design gn and water use calculations for this project were prepared sion; the landscape design and water use calculations comply hapter 13.18 Water Efficient Landscape Ordinance, and the Package is complete; OR work performed (do not need to complete sections B or C
This project is not subject to	Chapter 13.18 Water Efficient Landscape Ordinance.
Name: GREGORY W GEORO	GE, LANDSCAPE ARCHITECT
Company Name (if applicable):	FUDIO GWG
Relationship to Project:	
State License # (if applicable): LA	6230
Signature:	
Section B: Landscape Installer	fied by the State of California to provide landscape design
, , , ,	roject for this project was installed by me or under my
· · ·	caping for the identified property has been installed in
substantial conformance v	with the approved Landscape Documentation Package and ents of Chapter 13.18 Water Efficient Landscape Ordinance;
(c) a diagram of the irriga	ation plan showing hydrozones is kept with the irrigation
controllers; (d) the Certificat	te of Completion has been completed in compliance with the
requirements of the Water B	Efficient Landscape Ordinance and shall be implemented.
Name:	
Company Name (if applicable):	
Relation to Project:	
Chata I tanana #/:f awaltanhia).	

State License #(if applicable): Signature: _____

Date:

APPLICANT & PROJECT INFORMATION

Name:	GREGOR
Phone:	310 686 5
Address:	318 AVEN
Email:	STUDIOG

Project Site Address:

X This project does incorporate landscaping. (Please provide the information below specific to the landscape area which will be completed as part of this project and specify the compliance method to be used):

Total Landscape Area (sq. ft.): 24,246 SQ FT Turf Area (sq. ft.): 5,614 SQ FT Non-Turf Plan Area (sq. ft.): <u>18,632 SQ FT</u> Special Landscape Area (sq. ft.): <u>3,745 SQ FT</u> Water Type (potable, recycled, well): **POTABLE WATER** Name of water purveyor (If not served by private well): CALIFORNIA WATER SERVICE

Project Description

Signature

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the

^eMAWA(Annual Gallons Allowed) = (Eto) (0.62) [(ETAFx LA) + ((1-ETAF)x SLA)]

gallons per square foot per year, LA is the total landscape area in square feet,

(B) 7,563.22 (A) 20,501.00 B ÷ A .37

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

foot per year.

	(B+D) 9,62	22.97
	(A+C) 24,24	6.00
+C)	.40	

A copy of this form may be obtained from Department of Water Resources website: https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Model-Water-Efficient-Landscape-Ordinance

RY W GEORGE, LANDSCAPE ARCHITECT

IUE I, #154 REDONDO BEACH, CA 90277			
WG@GMAIL.COM			

18 EASTFIELD DRIVE

Project Type (new dwelling or rehab): **LANDSCAPE PROJECT**

_____ The current project does not include landscaping. I am aware that future landscape installations may be required to comply with the City of Rolling Hills Water Efficient Landscape Ordinance Chapter 13.18.

RENOVATION OF EXISTING LANDSCAPE AND ADDITIONAL ORCHARD AND VEGETABLE GARDEN DEVELOPMENT, INCLUDING GRADING, DRAINAGE, AND LANDSCAPE CONSTRUCTION, FEATURING A CHICKEN COOP AND POTTING SHED.

I certify the above information is correct and agree to comply with the requirements of Chapter 13.18 Water Efficient Landscape Ordinance.

Signature of property owner or authorized representative MARCH 23, 2022 ____ Date





LANDSCAPE ARCHITECTURE ARCHITECTURE PROJECT MANAGEMENT PLANNING

for mail: 318 Avenue I, #154 Redondo Beach, California 90277





LA-202.1

DESIGN DEVELOPMENT PROGRESS PRINT

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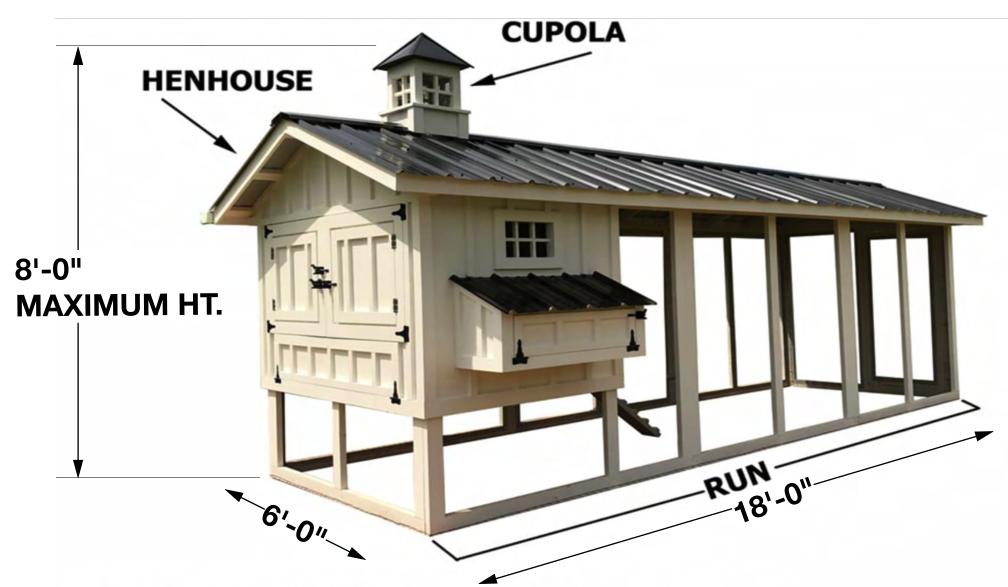
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MWELO

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POTTING SHED - GREENHOUSE



As shown: 6' x 18' with board & batten siding plus cupola

CHICKEN COOP - HEN HOUSE

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Garden Accesssories

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DESIGN DEVELOPMENT

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LANDSCAPE ARCHITECTURE ARCHITECTURE PROJECT MANAGEMENT PLANNING



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18 EASTFIELD ROLLING HILLS, CALIFORNIA 9027

RESOLUTION NO. 2005-18

Exhibit A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR GRADING AND CONSTRUCTION OF A STABLE AND CORRAL; GRANTING A CONDITIONAL USE PERMIT TO CONVERT AN EXISTING STABLE INTO A RECREATION ROOM; GRANTING A VARIANCE TO EXCEED THE MAXIMUM PERMITTED DISTURBED AREA OF THE LOT AND A SITE PLAN REVIEW FOR DEVELOPMENT ON A PROPERTY THAT REQUIRES PLANNING COMMISSION REVIEW DUE TO EXISTING STRUCTURAL DEVELOPMENT RESTRICTION AT AN EXISTING SINGLE FAMILY RESIDENCE IN ZONING CASE NO. 703, AT 18 EASTFIELD DRIVE, (LOT 69-A-EF), (RICH).

THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

Section 1. An application has been filed by Mr. and Mrs. Joseph Rich, with respect to real property located at 18 Eastfield Drive, (Lot 69-A-EF), Rolling Hills, requesting a Site Plan Review for grading and construction of a 450 square foot stable with 360 square foot covered porch and a corral, Conditional Use Permit to convert an existing 320 square foot stable into a recreation room, a Variance to exceed the maximum permitted disturbed area of the lot and a Site Plan Review for the proposed development on a property that requires Planning in 1996 and in 1998. An addition of 446 square feet to the existing basement and modification to the entryway are also proposed.

Section 2. In 1996, the Planning Commission approved a Site Plan Review request for a new single family residence and other improvements to replace an existing residence on subject property. On July 21, 1998, the Planning Commission approved a Conditional Use Permit to construct a cabana and modification to the 1996 Site Plan Review approval for additional grading. Both, the 1996 and 1998 Resolutions of Approval contain a condition that any further development on the property is subject to Planning Commission review and approval.

Section 3 The Planning Commission conducted duly noticed public hearings to consider the request in Zoning Case No. 703 on April 19, 2005, May 17, 2005 and at a field trip on May 17, 2005. The applicants were notified of the hearings in writing by first class mail. Evidence was heard and presented from all persons interested in said proposal. The Planning Commission heard a report from the City staff and reviewed, analyzed and studied the proposal. The applicants and the applicants' representative were in attendance at the hearings.

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Section 4. The City staff received a letter from a neighbor objecting to the proposed location of the stable. The Planning Commission reviewed and analyzed the letter and scheduled a visit to view the proposed project from the objecting neighbor's property. Prior to the field trip, the neighbor submitted a letter recanting her objection and requesting that the field trip to view the project from her property be cancelled.

Section 5. The Planning Commission finds that the project qualifies as a Class 3 Exemption (The State of CA Guidelines, Section 15303) and is therefore categorically exempt from environmental review under the California Environmental Quality Act.

Section 6 Section 17.46.030 requires a development plan to be submitted for site plan review and approval before any development requiring a grading permit or any building or structure may be constructed or any expansion, addition, alteration or repair to existing buildings may be made which involve changes to grading or an increase to the size of the building or structure by at least 1,000 square feet and has the effect of increasing the size of the building by more than twenty-five percent (25%) in any thirty-six (36) month period. With respect to the Site Plan Review application for grading for the stable and corral and the restriction placed in 1996 and 1998 on any future development on subject property the Planning Commission makes the following findings of fact:

A. The proposed development is compatible with the General Plan, and surrounding uses because the proposed stable complies with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures, and equestrian uses. The project conforms to Zoning Code setbacks and the grading will be minimal.

B. The project substantially preserves the natural and undeveloped state of the lot. The proposed stable will be constructed on an existing building pad and minimal grading is required. The project is of sufficient distance from nearby residences so that the stable will not impact the view or privacy of surrounding neighbors, and will permit the owners to enjoy their property without deleterious infringement on the rights of surrounding property owners.

C. The proposed development, as conditioned, is harmonious in scale and mass with the site. Although the disturbed net lot area exceeds the maximum permitted, the proposed project is consistent with the scale of the neighborhood when compared to properties in the vicinity. The grading for the stable and corral will increase the disturbed lot area by 8.5%, which is minimal.

D. The development plan incorporates existing vegetation to the maximum extent feasible. The development plan substantially preserves the natural and undeveloped state of the lot and the stable will not cause the lot to look overdeveloped. Significant portions of the lot will be left undeveloped so as to maintain open space.

E. The proposed development is sensitive and not detrimental to the convenience and safety of circulation for pedestrians and vehicles because the proposed project will not change the existing circulation pattern and will utilize an existing driveway. No new stable access from Outrider Road or Eastifeld Drive is proposed.

F. The proposed project is to construct a stable and corral area of sufficient size that meets all standards for vehicular access thereto in conformance with site plan review requirements.

G. The project is exempt from the requirements of the California Environmental Quality Act.

Section 7. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of a Variance from the standards and requirements of the Zoning Ordinance when exceptional or extraordinary circumstances applicable to the property and not applicable to other similar properties in the same zone prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity. A Variance to Section 17.16.070 (B) is required because it states that the lot disturbance shall be limited to 40% of the net lot area. With respect to this request for a Variance for lot disturbance of 48.4%, the Planning Commission finds as follows:

A. There are exceptional and extraordinary circumstances and conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same zone. The Variance for the total disturbance is necessary because the configuration, and topography of the lot create a difficulty in meeting this Code requirement.

B. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the property in question. The Variance is necessary because of the existing conditions of the lot. The existing 320 square foot stable is located in proximity to the cabana and swimming pool and is not utilized for a stable. The proposed stable will be located away from the "living area" of the lot and will retain an equestrian flavor. The stable will only minimally affect the disturbance of the lot. 328 cubic yards of grading is required for this construction, which includes excavation for a basement. One of the goals of the General Plan is to encourage construction of equestrian uses, which this Variance would accommodate.

C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located. All development will occur within required setbacks, and will be adequately screened to prevent adverse visual impact to surrounding properties.

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Section 8. Section 17.16.210(A)(2) of the Rolling Hills Municipal Code permits approval of a recreation room under certain conditions, provided the Planning Commission approves a Conditional Use Permit. The applicant is requesting to convert the existing 320 square foot stable into a recreation room. With respect to this request for a Conditional Use Permit, the Planning

Α. The granting of a Conditional Use Permit for the recreation room would be consistent with the purposes and objectives of the Zoning Ordinance and General Plan and will be desirable for the public convenience and welfare because the use is consistent with similar uses in the community, and the area proposed for the recreation room would be located in an area on the property where such use will not change the existing configuration of structures

The nature, condition, and development of adjacent uses, B. buildings, and structures have been considered, and the conversion will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the proposed recreation room will be located in a cluster with other structures and will promote pad integration. The proposed recreation room is of sufficient distance from nearby residences so that it will not impact the view or privacy of surrounding neighbors.

The project is harmonious in scale and mass with the site, C. the natural terrain, and surrounding residences because the recreation room will comply with the low profile residential development pattern of the community.

The proposed conditional use complies with all applicable D. development standards of the zone district because the 320 square foot size of the recreation room is less than the maximum permitted under the Municipal Code.

The proposed conditional use is consistent with the portions E. of the Los Angeles County Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities because the project site is not listed on the current State of California Hazardous Waste and Substances Sites

The proposed conditional use observes the spirit and intent F. of Title 17 of the Zoning Code because an adequate area is set-aside for the construction of a stable structure, adjacent corral and access.

Section 9. Based upon the foregoing findings and the evidence in the record, the Planning Commission hereby approves a Site Plan Review for grading and construction of a 450 square foot stable, a Variance request to exceed the maximum permitted disturbance of the lot and a Conditional Use Permit to convert an existing 320 square foot stable into a recreation room, and a Site Plan Review for the total proposed development due to the restriction placed on the previously approved applications for subject property, in accordance with the 1316073

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development plan dated March 28, 2005 and marked Exhibit A in Zoning Case No. 703 subject to the following conditions:

A. The Site Plan, Variance and Conditional Use Permit approvals shall expire within two years from the effective date of approval if work has not commenced as defined in Sections 17.38.070, 17.42.070 and 17.46.080 of the Zoning Ordinance, unless otherwise extended pursuant to the requirements of these sections.

B. It is declared and made a condition of the approval, that if any conditions thereof are violated, this approval shall be suspended and the privileges granted thereunder shall lapse; provided that the City has given the applicants written notice to cease such violation, the opportunity for a hearing has been provided, and if requested, has been held, and thereafter the applicant fails to correct the violation within a period of thirty (30) days from the date of the City's determination.

C. All requirements of the Building and Construction Ordinance, the Zoning Ordinance, and of the zone in which the subject property is located must be complied with unless otherwise set forth in the permit, or shown otherwise on an approved plan. This shall include, but not be limited to, the requirements of the Outdoor Lighting Ordinance, Undergrounding of Utilities Ordinance, Roof Covering Ordinance and others.

D. The lot shall be developed and maintained in substantial conformance with the site plan on file marked Exhibit A and dated March 28, 2005, except as otherwise provided in these conditions.

E. Structural lot coverage shall not exceed 9,254 square feet or 14.8% in conformance with lot coverage limitations.

F. Total lot coverage of structures and paved areas shall not exceed 20,352 square feet or 32.6% in conformance with lot coverage limitations.

G. The disturbed area of the lot shall not exceed 30,236 square feet or 48.4% in conformance with the Variance approval.

H. Building pad coverage on the stable pad shall not exceed 25.6%; including the covered patio. Building pad coverage on the residential building pad shall not exceed 31.5% including covered porches and 28.8% not including covered porches.

I. Grading for the stable and excavation for the basement shall not exceed 328 cubic yards of cut and 328 cubic yards of fill and shall be balanced on site.

J. The stable and recreation room shall be screened from adjacent properties. Landscaping shall be designed using mature trees and shrubs so as not to obstruct views from neighboring properties, but to screen these structures

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on the lot. If trees are to be incorporated into the landscaping scheme, at maturity they shall be no higher than the ridge height of the stable and the recreation room on the lot.

K. The stable and corral shall be located a minimum of twenty-five feet from the rear property line and twenty feet from the side property line.

L. Landscaping shall include water efficient irrigation, to the maximum extent feasible, that incorporates a low gallonage irrigation system, utilizes automatic controllers, incorporates an irrigation design using "hydrozones," considers slope factors and climate conditions in design, and utilizes means to reduce water waste resulting from runoff and overspray in accordance with Section 17.27.020 (Water efficient landscaping requirements) of the Rolling Hills Municipal Code.

M. No kitchen or other cooking facilities shall be permitted in the recreation room. No sleeping quarters shall be permitted in the recreation room.

N. The stable shall be used exclusively for keeping permitted domestic animals. Commercial uses are not permitted.

O. *During construction*, dust control measures shall be used to stabilize the soil from wind erosion and reduce dust and objectionable odors generated by construction activities in accordance with South Coast Air Quality Management District, Los Angeles County and local ordinances and engineering practices.

P. During construction, conformance with the Air Quality Management District requirements, stormwater pollution prevention practices, county and local ordinances and engineering practices shall be required so that people or property are not exposed to undue vehicle trips, noise, dust, objectionable odors, landslides, mudflows, erosion, or land subsidence.

Q. During and after construction, all soil preparation, drainage, and landscape sprinklers shall protect the building pad from erosion and direct surface water in an approved manner.

R. During and after construction, all parking shall take place on the project site and, if necessary, any overflow parking shall take place within nearby roadway easements.

S. *During construction*, the property owners shall be required to schedule and regulate construction and related traffic noise throughout the day between the hours of 7 AM and 6 PM, Monday through Saturday only, when construction and mechanical equipment noise is permitted, so as not to interfere with the quiet residential environment of the City of Rolling Hills.

T. If any walls are to be incorporated into the design of this project, they shall not be located in any setback nor shall they exceed 3-feet in height.

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U. The drainage plan system shall be approved by the Planning Department and the County Drainage Engineer and shall assure that any water from any site irrigation systems and all drainage from the site shall be conveyed in an approved manner and shall remain on the property and not cross over any easements.

V. The property owners shall be required to conform to the Regional Water Quality Control Board and County Health Department requirements for the installation and maintenance of stormwater drainage facilities.

W. The property owners shall be required to conform to the Regional Water Quality Control Board and County Public Works Department Best Management Practices (BMP's) related to solid waste.

X. The project shall be reviewed and approved by the Rolling Hills Community Association Architectural Review Committee prior to the issuance of any permits.

Y. The working drawings submitted to the County Department of Building and Safety for plan check review shall conform to the development plan described in Condition D.

Z. Notwithstanding Sections 17.46.020 and 17.46.070 of the Rolling Hills Municipal Code, any modifications to the property, which would constitute additional structural development or grading, shall require the filing of a new application for approval by the Planning Commission.

AA. The applicants shall execute an Affidavit of Acceptance of all conditions of this Site Plan, Conditional Use Permit and Variance approvals, pursuant to Sections 17.38.060, 17.42.060 and 17.46.065 of the Zoning Ordinance, or the approval shall not be effective.

AB. All conditions of this Site Plan Review, Conditional Use Permit and Variance approval, which apply, must be complied with prior to the issuance of a building permit from the County of Los Angeles.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF JUNE 2005.

4. W. Henry ROGER SOMMER, CHAIRMAN

ATTEST:

96/15/06

MARILYN L. KERN, DEPUTY CITY CLERK

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

I certify that the foregoing Resolution No. 2005-18 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR GRADING AND CONSTRUCTION OF A STABLE AND CORRAL; GRANTING A CONDITIONAL USE PERMIT TO CONVERT AN EXISTING STABLE INTO A RECREATION ROOM; GRANTING A VARIANCE TO EXCEED THE MAXIMUM PERMITTED DISTURBED AREA OF THE LOT AND A SITE PLAN REVIEW FOR DEVELOPMENT ON A PROPERTY THAT REQUIRES PLANNING COMMISSION REVIEW DUE TO EXISTING STRUCTURAL DEVELOPMENT RESTRICTION AT AN EXISTING SINGLE FAMILY RESIDENCE IN ZONING CASE NO. 703, AT 18 EASTFIELD DRIVE, (LOT 69-A-EF), (RICH).

was approved and adopted at an adjourned regular meeting of the Planning Commission on June 14, 2005 by the following roll call vote:

AYES: Commissioner DeRoy, Hankins, Witte and Chairman Sommer.

NOES: None.

ABSENT: None.

ABSTAIN: None.

and in compliance with the laws of California was posted at the following:

Administrative Offices.

30/51/99

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RESOLUTION NO. 98-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A CONDITIONAL USE PERMIT FOR A CABANA AND APPROVING A REQUEST FOR MODIFICATIONS TO AN APPROVED SITE PLAN REVIEW APPLICATION TO PERMIT THE CONSTRUCTION OF A CABANA THAT REQUIRES INCREASED GRADING AT A SINGLE FAMILY RESIDENTIAL DEVELOPMENT IN ZONING CASE NO. 579.

THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

<u>Section 1.</u> Applications were duly filed by Mr. and Mrs. Russell Cole Shoemaker with respect to real property located at 18 Eastfield Drive (Lot 69-A-EF), Rolling Hills requesting a Conditional Use Permit to permit the construction of a cabana and request for Site Plan Review modification to permit the construction of a cabana that requires increased grading at a single family residential development.

<u>Section 2.</u> On December 17, 1996, the Planning Commission approved a request for Site Plan Review application by Resolution No. 96-21 in Zoning Case No. 546 for the construction of a new single family residence, and other improvements to replace an existing single family residence.

<u>Section 3.</u> The Planning Commission conducted a duly noticed public hearing to consider the applications on May 19, 1998 and June 16, 1998, and at a field trip visit on June 9, 1998.

Section 4. The Planning Commission finds that the project qualifies as a Class 3 Exemption (State CEQA Guidelines, Section 15303(e) and is therefore categorically exempt from environmental review under the California Environmental Quality Act.

Section 5. Section 17.16.210(A)(2) of the Rolling Hills Municipal Code permits approval of a Cabana or detached recreation room with a Conditional Use Permit under certain conditions. The applicant is requesting to construct a 220 square foot cabana. With respect to this request for a Conditional Use Permit, the Planning Commission finds as follows:

A. The granting of a Conditional Use Permit for the cabana would be consistent with the purposes and objectives of the Zoning Ordinance and General Plan and will be desirable for the public convenience and welfare because the use is consistent with similar uses in the community, and the area proposed for the cabana would be located in an area on the property where such use will not change the existing configuration of structures on the lot.

RESOLUTION NO. 98-14 PAGE 1

98 1701309 Exhibit A

C. The project is harmonious in scale and mass with the site, the natural terrain, and surrounding residences because the cabana will comply with the low profile residential development pattern of the community and is located on a 1.74 acre parcel of property that is adequate in size, shape and topography to accommodate such use.

D. The proposed conditional use complies with all applicable development standards of the zone district because the 220 square foot size of the cabana is less than the 800 square foot maximum permitted for similar accessory buildings and the cabana does not encroach into any setback areas.

E. The proposed conditional use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting criteria for hazardous waste facilities because the project site is not listed on the current State of California Hazardous Waste and Substances Sites List.

F. The proposed conditional use observes the spirit and intent of Title 17 of the Zoning Code because the cabana will be adjacent to the pool.

<u>Section 6.</u> Based upon the foregoing findings, the Planning Commission hereby approves a Conditional Use Permit for the construction of a cabana in accordance with the Development Plan attached hereto in Zoning Case No. 579 subject to the conditions contained in Section 9.

Section 17.46.010 of the Rolling Hills Municipal Code requires a Section 7. development plan to be submitted for site plan review and approval before any building or structure may be constructed or any expansion, addition, alteration or repair to existing buildings may be made which involve changes to grading or an increase to the size of the building or structure by at least 1,000 square feet and has the effect of increasing the size of the building or structure by more than twenty-five percent (25%) in any thirty-six month period. In addition, a condition of Resolution No. 96-21 required that any modifications to the project which would constitute additional structural development requires the filing of a new application for Site Plan Review approval by the Planning Commission. The applicant is requesting to modify the approved Site Plan by constructing a cabana that requires increased grading. The applicant's latest proposal submitted on April 6, 1998, includes additional grading of 85 cubic yards of cut soil and 85 cubic yards of fill soil for a total of 565 cubic yards of cut soil and 565 cubic yards of fill soil. With respect to this request, the Planning Commission makes the following findings of fact:

RESOLUTION NO. 98-14 PAGE 2

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The development is compatible with the General Plan, the Zoning Α. Ordinance and surrounding uses because the proposed grading together with the other improvements on the property complies with the General Plan requirement of low profile, low density residential development with sufficient open space between surrounding structures. The project as modified conforms to Zoning Code setback and lot coverage requirements. The lot has a net square foot area of 62,471 square feet. The residence (5,079 sq.ft.), attached garage (1,192 sq.ft.), swimming pool (624 sq. ft.), existing stable (320 sq.ft.), service vard (96 sq.ft.); and cabana (220 sq.ft.) will have 7,531 square feet which constitutes 12.1% of the lot which is within the maximum 20% structural lot coverage requirement. The total lot coverage including paved areas and driveway will be 18,571 square feet which equals 29.7% of the lot, which is within the 35% maximum overall lot coverage requirement. The proposed project is on a relatively large lot with the proposed structures located away from the road so as to reduce the visual impact of the development and is similar and compatible with several neighboring developments. The building pad is 26,786 square feet and structural coverage on the building pad is 28.1%.

B. The proposed development preserves and integrates into the site design, to the maximum extent feasible, existing natural topographic features of the lot including surrounding native vegetation, mature trees, drainage courses, and land forms (such as hillsides and knolls) because a minimum amount of grading is proposed and will only be done to provide approved drainage that will flow away from the proposed residence and existing neighboring residences.

C. The development plan follows natural contours of the site to minimize grading and the natural drainage courses will continue to the canyons at the east side (rear) of this lot.

D. The development plan incorporates existing large trees and native vegetation to the maximum extent feasible. Specifically, the development plan preserves several mature trees and shrubs.

E. The development plan substantially preserves the natural and undeveloped state of the lot by minimizing building coverage because the new structures will not cause the structural and total lot coverage to be exceeded. The residential and total lot coverage will not exceed the Planning Commission's established guideline. Further, the proposed project is designed to minimize grading. Significant portions of the lot will be left undeveloped so as to maintain scenic vistas across the northerly portions of the property.

F. The proposed development, as conditioned, is harmonious in scale and mass with the site, the natural terrain and surrounding residences. As indicated in Paragraph A, the lot coverage maximum will not be exceeded and the proposed project is consistent with the scale of the neighborhood when compared to this

RESOLUTION NO. 98-14 PAGE 3

98 1701309

irregular-shaped lot. Grading shall be permitted only to restore the natural slope of the property.

G. The proposed development is sensitive and not detrimental to the convenience and safety of circulation for pedestrians and vehicles because the proposed project will utilize the same driveway to Eastfield Drive for access.

H. The project conforms with the requirements of the California Environmental Quality Act and is categorically exempt from environmental review.

Section 8. Based upon the foregoing findings, the Planning Commission hereby approves a modification to an approved Site Plan Review application to allow the proposed increased grading on the site for a cabana. The modifications are shown on the Development Plan and marked Exhibit A in Zoning Case No. 579. These approved modifications are subject to the conditions contained in Section 9 of this Resolution.

Section 9. The Conditional Use Permit for a cabana approved in Section 6 and the modification to permit the increased grading for the cabana from the amount previously approved in the Site Plan Review application, that is approved in Section 8, as indicated on the Development Plan attached hereto and incorporated herein as Exhibit A in Zoning Case No. 579, are subject to the following list of conditions. These conditions include applicable conditions of approval previously imposed on the Site Plan Review application by Resolution No. 96-21 on December 17, 1996. To the extent these conditions duplicate prior conditions imposed on this project, the conditions set forth herein shall be considered as continuations of those prior requirements:

A. The Conditional Use Permit and Site Plan Review approvals shall expire within one year from the effective date of approval as defined in Sections 17.42.070(A) and 17.46.080(A).

B. It is declared and made a condition of the Conditional Use Permit and Site Plan Review approvals, that if any conditions thereof are violated, these approvals shall be suspended and the privileges granted thereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.

C. All requirements of the Buildings and Construction Ordinance, the Zoning Ordinance, and of the zone in which the subject property is located must be complied with unless otherwise set forth in the Permit, or shown otherwise on an approved plan.

RESOLUTION NO. 98-14 PAGE 4

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D. The lot shall be developed and maintained in substantial conformance with the site plan on file marked, Exhibit A, except as otherwise provided in these conditions.

E. The cabana shall not exceed 220 square feet.

F. No sleeping quarters or kitchen or other cooking facilities shall be provided within the cabana or detached recreation room.

G. No vehicular access or paved parking area shall be developed within 50 feet of the cabana.

H. The basement door of the residence shall be solid (without windows) and shall be subject to City staff approval.

I. Renting of the cabana is prohibited.

J. Any retaining walls incorporated into the project shall not exceed 5 feet in height, averaging no more than 2-1/2 feet.

K. Residential building pad coverage shall not exceed 28.1%.

L. Maximum disturbed area shall not exceed 39.9% of the net lot area.

M. Grading shall not exceed 565 cubic yards of cut soil and 565 cubic yards of fill soil.

N. Landscaping shall incorporate and preserve, to the maximum extent feasible, the existing mature trees and shrubs and the natural landscape screening surrounding the proposed building pad.

O. Two copies of a landscape plan must be submitted for review by the Planning Department and include native drought-resistant vegetation that will not disrupt the impact of the views of neighboring properties prior to the issuance of any building or grading permit. The landscaping plan submitted must comply with the purpose and intent of the Site Plan Review Ordinance, shall incorporate existing mature trees and native vegetation, and shall utilize to the maximum extent feasible, plants that are native to the area and/or consistent with the rural character of the community.

A bond in the amount of the cost estimate of the implementation of the landscaping plan plus 15% shall be required to be posted prior to issuance of a grading and building permit and shall be retained with the City for not less than two years after landscape installation. The retained bond will be released by the City Manager after the City Manager determines that the landscaping was installed

RESOLUTION NO. 98-14 PAGE 5

pursuant to the landscaping plan as approved, and that such landscaping is properly established and in good condition.

P. Prior to the submittal of an applicable final grading plan to the County of Los Angeles for plan check, a detailed grading and drainage plan with related geology, soils and hydrology reports that conform to the development plan as approved by the Planning Commission must be submitted to the Rolling Hills Planning Department staff for their review. Cut and fill slopes must conform to the City of Rolling Hills standard of 2 to 1 slope ratio.

Q. The project must be reviewed and approved by the Rolling Hills Community Association Architectural Review Committee prior to the issuance of any building or grading permit.

R. The applicants shall execute an Affidavit of Acceptance of all conditions of this Conditional Use Permit and Site Plan Review, pursuant to Section 17.42.060, or the approval shall not be effective.

S. Notwithstanding Section 17.46.070 of the Rolling Hills Municipal Code, any modifications to the project which would constitute additional development shall require the filing of a new application for Site Plan Review approval by the Planning Commission.

T. All conditions of these Conditional Use Permit and Site Plan Review approvals must be complied with prior to the issuance of a building or grading permit from the County of Los Angeles.

PASSED, APPROVED AND ADOPTED ON THE 21ST DAY OF JUDY, 1998.

ATTEST:

ALLAN ROBERTS, CHAIRMAN

Marilyn KERN, DEPUTY CITY CLERK

RESOLUTION NO. 98-14 PAGE 6

RESOLUTION NO. 2022-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR GRADING AND CONSTRUCTION OF A NEW RETAINING WALL; CONDITIONAL USE PERMIT FOR A RECREATIONAL GAME COURT; AND VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE IN ZONING CASE NO. 21-16 FOR A PROPERTY LOCATED AT 18 EASTFIELD DRIVE (LOT 69-A-EF) (RICH)

THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. An application was duly filed by Joe and Christine Rich with respect to real property located at 18 Eastfield Drive, Rolling Hills (Lot 69-A-EF) requesting a site plan review for overall grading of 886 cubic yards and construction of a 1,697-square-foot recreational game court, pond, potting shed, chicken coop, hardscape, landscape, and other improvements. A Conditional Use Permit is requested for the construction and use of the recreational game court. A Variance is requested to exceed the total allowable lot disturbance of 40% from 48.4% to 49.9%.

Section 2. On December 17, 1996, the Planning Commission adopted Resolution No. 96-21 approving a Site Plan Review in Zoning Case No. 546 for the construction of a new single-family residence, and other improvements to replace an existing single-family residence. On July 21, 1998, the Planning Commission adopted Resolution No. 98-14 approving a Conditional Use Permit for a cabana and modifications to a Site Plan Review application to permit the construction of the cabana with increased grading in Zoning Case No. 579. On June 14, 2005, the Planning Commission adopted Resolution No. 2005-18 approving a Site Plan Review for grading and construction of a stable and corral to be reviewed by the Planning Commission; a Conditional Use Permit to convert an existing stable into a recreation room; and a Variance to exceed the maximum permitted disturbed area of the lot in Zoning Case No. 703 of 40% to 48.4%.

Section 3. The Planning Commission conducted duly noticed public hearings to consider the application at its special field trip meeting and its regular meeting on May 17, 2022. Neighbors within 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on May 6, 2022. The applicant and his agent were notified of the public hearings in writing by first class mail and the agent was in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal.

Section 4. The property is zoned RAS-1 and the net lot area excluding the roadway easement is 68,826 square feet (1.58 acre). The lot is developed with a 5,265-square-foot single-family residence and a 1,284-square-foot garage. There are three existing building pads on site with approximately 50 feet difference in elevation. The existing residence and garage are located on the Pad 1 (25,546 square feet), which is the highest point and closest to the roadway easement on the western portion of the property; Pad 2 is 12,017 square feet in the middle of the property and contains a courtyard area, swimming pool, and pool house. Pad 3 in

on the eastern and rear portion of the lot, is the lowest part on the property, and is 893 square feet; it includes the existing stable and corral, which will remain on the pad, and the proposed recreational game court.

<u>Section 5.</u> The Project is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures), which exempts the construction and location of a limited number of new, small facilities or structures, including accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the Project includes construction of a recreational game court and retaining wall and associated minimal grading that will be balanced on site. Accordingly, the Project qualifies for the exemption pursuant to Section 15303. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The site has already been graded and existing structures are on site.

<u>Section 6.</u> <u>Site Plan Review.</u> Site Plan Review is required for grading pursuant to RHMC Section 17.46.020(A)(1) and for a retaining wall above three feet pursuant to RHMC Section 17.16.190(F). With respect to the Site Plan Review for the proposed development, the Planning Commission hereby makes the following findings:

A. The project complies with and is consistent with the goals and policies of the General Plan and all requirements of the zoning ordinance.

The proposed development, which includes grading and a retaining wall for construction of a recreational game court and other appurtenant structures, is compatible with the General Plan, the Zoning Ordinance, subject to the Variance for increased disturbance in the amount of 1.5% concurrently granted herein, and surrounding uses because the proposed structures comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures and maintain sufficient setbacks to provide buffers between residential uses. The project conforms to Zoning Code setback requirements and no variances are required for setbacks. The proposed project is in the rear of the property and at a lower elevation from the road; thus, it is not visible from the roadway.

The project conforms to Zoning Code lot coverage requirements. The net lot area of the lot is 68,826 square feet. The structural net lot coverage is proposed at 12,377 square feet or 18.0% (20% max. permitted); and the total lot coverage proposed, including flatwork, would be 12,127 square feet or 30.3%, (35% max. permitted). The disturbed area of the lot is proposed to be 49.9%, which requires the Variance for increased disturbance in the amount of 1.5% and is concurrently granted herein.

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot.

The topography and the configuration of the lot has been considered, and the proposed grading and retaining wall for development will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures; the grading and retaining wall allows the proposed

construction to be constructed largely on existing building pads which enables proposed project elements to be the least intrusive to surrounding properties. Further, the grading and retaining wall allows the proposed construction to be a sufficient distance from nearby residences so views and privacy of surrounding neighbors will not be impacted. Lastly, the graded areas will incorporate landscaping and the retaining wall will be screened with landscaping. The lot is 1.58 acres and 49.9% is proposed to be disturbed, with the remaining lot left in a natural state. The property has an existing stable and corral, which will be unaffected by the grading and retaining wall and therefore furthers the City's goal to remain an equestrian community.

C. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences.

The proposed development, as conditioned, is harmonious in scale and mass with the site, and is consistent with the scale of the neighborhood when compared to new residences in the vicinity of said lot. The development plan takes into consideration the visibility of the project from Eastfield Drive as the project is located in the rear of the property on a downward slope, which will help screen the development. The slopes are being preserved or rebuilt in a manner that attempts to mimic the natural terrain. Portions of the lot will be left undeveloped or landscaped. The project will be screened from the road and neighbors.

D. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls).

The grading and retaining wall are designed to preserve slopes where possible and mimic the natural terrain and to preserve drainage courses and mature trees. The development plan will introduce additional landscaping, which is compatible with and enhances the rural character of the community, and the landscaping will provide a buffer or transition area between private and public areas.

E. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area.

The site naturally slopes from the front of the lot to the rear. Grading will follow the natural slope and will be balanced on site. The project includes 443 cubic yards of cut and 443 cubic yards of fill for a total of 886 cubic yards. Thus, import of export of dirt is not required.

F. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course.

Drainage flows from the front of the property to the rear due to the site naturally topography. The site for the recreational game court has already been graded with development of the adjacent stable and corral and minimal grading is required for the retaining wall. Drainage will continue to flow toward the rear of the property with development of the proposed project.

G. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas.

A landscape plan has been prepared that will be reviewed and approved by the City's landscape consultant. Landscaping will meet the requirements of the water efficient landscape ordinance and incorporate low impact development practices. Surrounding native vegetation and mature trees will not be affected and new landscaping will be considerate of the environment and will enhance the rural character of the community. Landscaping will provide a buffer or transition between various pads on the property.

H. The project is sensitive and not detrimental to the convenience and safety of circulation for pedestrians and vehicles.

The grading and retaining wall for the project occurs in the rear of the property away from the roadway easement. There is ample parking in the garages and driveway in the front of the house. An adequate pathway is proposed to safely accommodate pedestrians from the residence to the recreational game court and stable in the rear of the property.

I. The project conforms to the requirements of the California Environmental Quality Act (CEQA).

The Project is exempt from the CEQA Guidelines pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures), which exempts the construction and location of a limited number of new, small facilities or structures, including accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the Project includes construction of a recreational game court and retaining wall and associated minimal grading that will be balanced on site. Accordingly, the Project qualifies for the exemption pursuant to Section 15303. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The site has already been graded and existing structures are on site.

<u>Section 7.</u> <u>Conditional Use Permits.</u> Section 17.16.040(A)(5) of the Rolling Hills Municipal Code (RHMC) permits approval of a recreational game court with a Conditional Use Permit subject to the conditions in Section 17.16.210(A)(7). With respect to the proposed 1,697-square-foot recreational game court request for a Conditional Use Permit, the Planning Commission finds as follows:

A. That the proposed conditional use is consistent with the General Plan.

The granting of a Conditional Use Permit for the recreational game court is consistent with the purposes and objectives of the Zoning Ordinance and General Plan because the use is consistent with similar uses in the community, and meets all the applicable code development standards for such use. The property is adequately sized to accommodate such use. The proposed use is appropriately located in that it will be sufficiently separated from nearby structures used for habitation or containing sleeping quarters. The recreational game court would be constructed in furtherance of the General Plan goal of promoting and encouraging recreational uses. The recreational game court is proposed to be located on the property so that it will be downslope from the existing residence and minimally visible. All other proposed appurtenant structures are common amenities in Rolling Hills.

B. The nature, condition and development of adjacent uses, buildings and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, building or structures.

The nature, condition, and development of adjacent structures have been considered, and the project will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the proposed use (recreational game court) is located in the rear of the property and its general location is of sufficient distance from nearby residences so as to not impact the view or privacy of surrounding properties. The proposed recreational game court will be constructed on a portion of the rear building pad that is already graded and developed with a stable and corral. As such, it will be screened by the stable and will not impact the view or privacy of surrounding neighbors. It will permit neighbors to enjoy their property without deleterious infringement on neighboring property rights. There is a path designated for pedestrian and equestrian use that runs from the stable and proposed recreational game court to the residence and main building pad above.

C. That the site for the proposed conditional use is of adequate size and shape to accommodate the use and buildings proposed.

The project is harmonious in scale and mass with the site, the natural terrain, and surrounding residences because the proposed uses comply with the low profile residential development pattern of the community and will not give the property an over-built look, and areas will remain open and unobstructed. The lot is sufficient to accommodate the proposed recreational game court and appurtenant structures.

D. That the proposed conditional use complies with all applicable development standards of the zone district.

The proposed conditional use complies with all applicable development standards of the zone district, including the specified conditions for recreational games courts identified in Section 17.16.210(A)(7) of the Zoning Ordinance.

E. That the proposed use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

The proposed conditional use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting criteria for hazardous waste facilities because the project site is not listed on the current State of California Hazardous Waste and Substances Sites List.

F. That the proposed conditional use observes the spirit and intent of this title.

The proposed recreational game court meets the spirit and intent of this title in that it is a residential amenity enjoyed by other properties in the City. The use is consistent with the residential character of the City.

<u>Section 8.</u> <u>Variance.</u> Section 17.38.050 sets forth the required findings for granting a variance to exceed the total allowable lot disturbance of 40% identified in Section 17.16.070(B) from 48.4% to 49.9. With respect to this request for a Variance, the Planning Commission finds as follows:

A. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone.

There are extraordinary circumstances applicable to this property. The lot consists of an unusual lot configuration in that it is deep and slopes downward toward the rear. The central portion of the property has a 2.5:1 slope, which will be improved through grading making Pad 2 much more accessible.

B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question.

Granting the requested variance to further exceed lot disturbance will facilitate construction of appurtenant structures on the property. The existing structural coverage is 14.3% and the existing lot coverage including flatwork is 30.3%. The proposed recreational game court will be located on an existing pad that was graded for the stable and corral. The added disturbance will only increase by 1.5% bringing the total from 48.4% to 49.9%. Additional disturbance will result in a minor increase and having a recreational game court along with the existing stable and corral is a property right enjoyed by other properties in the vicinity.

C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.

Granting a variance to further exceed lot disturbance by 1.5% will not be detrimental to the public welfare and will not be injurious to properties in the vicinity; a recreational game court along with other residential appurtenant structures are allowed in the Rolling Hills community. Further, the project will be consistent with other development in the area.

D. That in granting the variance, the spirit and intent of this title will be observed.

Increasing the disturbance on the lot by 1.5% will allow construction of a recreational game court on Pad 3 and will make Pad 2 much more accessible. The disturbance will allow development that is harmonious in scale and mass with the site, the natural terrain, and surrounding residences and will not give the property an overbuilt look.

E. That the variance does not grant special privilege to the applicant.

The disturbance for construction of a recreational game court and to make Pad 2 more accessible results in a common amenity enjoyed by many properties throughout the City and a more accessible lot. The project, together with the variance, will be compatible with the objectives, policies, general land uses, and programs specified in the General Plan.

F. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

Granting a variance for the project will be consistent with the applicable portions of the Los Angeles County Hazardous Waste Management Plan related to siting criteria for hazardous waste facilities. The project site is not listed on the current State of California Hazardous Waste and Substances Sites List.

G. That the variance request is consistent with the General Plan of the City of Rolling Hills.

Granting the variance to further exceed lot disturbance up to 49.9% of the net lot area will be consistent with the General Plan of the City of Rolling Hills, which allows and encourages residential and recreational uses.

<u>Section 9.</u> Based upon the foregoing findings, and the evidence in the record, the Planning Commission hereby approves Zoning Case No. 21-16 subject to the following conditions:

A. The Site Plan, Conditional Use Permit, and Variance approvals shall expire within two years from the effective date of approval as defined in RHMC Sections 17.46.080, 17.42.070, and 17.38.070 of the Zoning Ordinance unless otherwise extended pursuant to the requirements of these sections.

B. If any condition of this resolution is violated, the entitlement granted by this resolution shall be suspended and the privileges granted hereunder shall lapse and upon receipt of written notice from the City, all construction work being performed on the subject property shall immediately cease, other than work determined by the City Manager or his/her designee required to cure the violation. The suspension and stop work order will be lifted once the Applicant cures the violation to the satisfaction of the City Manager or his/her designee. In the event that the Applicant disputes the City Manager or his/her designee's determination that a violation exists or disputes how the violation must be cured, the Applicant may request a hearing before the City Council. The hearing shall be scheduled at the next regular meeting of the City Council for which the agenda has not yet been posted; the Applicant shall be provided written notice of the hearing. The stop work order shall remain in effect during the pendency of the hearing. The City Council shall make a determination as to whether a violation of this Resolution has occurred. If the Council determines that a violation has not occurred or has been cured by the time of the hearing, the Council will lift the suspension and the stop work

order. If the Council determines that a violation has occurred and has not yet been cured, the Council shall provide the Applicant with a deadline to cure the violation; no construction work shall be performed on the property until and unless the violation is cured by the deadline, other than work designated by the Council to accomplish the cure. If the violation is not cured by the deadline, the Council may either extend the deadline at the Applicant's request or schedule a hearing for the revocation of the entitlements granted by this Resolution pursuant to Chapter 17.58 of the Rolling Hills Municipal Code (RHMC).

C. All requirements of the Building and Construction Ordinance, the Zoning ordinance, and of the zone in which the subject property is located must be complied with unless otherwise a variance to such requirement has been approved.

D. The lot shall be developed and maintained in substantial conformance with the site plan on file at City Hall and approved by the Planning Commission on May 17, 2022 except as otherwise provided in these conditions. The working drawings submitted to the Department of Building and Safety for plan check review shall conform to the approved development plan. All conditions of the Site Plan Review, Conditional Use Permit, and Variance approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department.

The conditions of approval of this Resolution shall be printed onto a separate sheet and included in the building plans submitted to the Building Department for review and shall be kept on site at all times.

Any proposed modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed with staff so that staff can determine whether the modification is minor or major in nature. Minor modifications are subject to approval by the City Manager or his or her designee. Major modifications are subject to approval by the Planning Commissioner after a public hearing. Applicant shall not implement modifications or changes to the approved project without the appropriate approval from the City Manager or designee or the Planning Commission, as required.

E. Prior to submittal of final working drawings to Building and Safety Department for issuance of building and grading permits, the plans for the project shall be submitted to City staff for verification that the final plans are in compliance with the plans approved by the Planning Commission.

F. A licensed professional preparing construction plans for this project for Building Department review shall execute a Certificate affirming that the plans conform in all respects to this Resolution approving this project and all of the conditions set forth herein and the City's Building Code and Zoning Ordinance.

Further, the person obtaining a building and/or grading permit for this project shall execute a Certificate of Construction stating that the project will be constructed according to this Resolution and any plans approved therewith.

G. Structural lot coverage of the lot shall not exceed 12,377 square feet or 18% of the net lot area, in conformance with lot coverage limitations (20% maximum). The total lot coverage proposed, including structures and flatwork, shall not exceed 20,835 square feet or 30.3% of the net lot area in conformance with lot coverage limitations (35% maximum).

H. The disturbed area of the lot, including the approved stable and corral, shall not exceed 49.9%, or 34,355 square feet surface area. Grading for this project shall not exceed 443 cubic yards of cut and 443 cubic yards of fill for a total of 886 cubic yards balanced on site.

I. The residential building pad is proposed at 26,083 square feet and shall not exceed coverage of 8,300 square feet or 31.8% with allowed deductions. The swimming pool and garden pad is proposed at 12,342 square feet and shall not exceed coverage of 1,548 square feet or 12.5%. The stable and recreational game court pad is proposed at 7,435 square feet and shall not exceed 2,234.4 square feet of coverage or 29.9% with allowed deductions.

J. A driveway access shall be provided per the Fire Department requirements and the apron of the driveway shall be roughened and the first 20 feet of the driveway shall not exceed 7% in slope.

K. Access to the stable and to the corral shall be decomposed granite or 100% pervious roughened material; it shall not be wider than 12'.

L. The recreational game court shall at all times comply with the conditions set forth in Section 17.16.210(A)(7) of the RHMC. In summary, the recreational game court shall not prohibit access to the stable and corral area; retaining walls for the game court shall not exceed four feet in height; existing topography, flora, and natural features of the site shall be retained to the greatest extent possible; a drainage system shall be incorporated into the game court; landscape screening shall include native or other drought-tolerant shrubs; landscaping shall not interfere with the viewscape of surrounding properties; game court lighting shall not be permitted; and features shall be included to mitigate visual and noise impacts, such as landscape screening approved by the Planning Department. Fencing for the recreational game court is not a part of the project and not approved.

M. A minimum of five-foot level path and/or walkway, which does not have to be paved, shall be provided around the entire perimeter of all of the proposed structures, including the recreational game court, or as otherwise required by the Fire Department.

N. The applicant shall comply with all requirements of the Low Impact Development requirements for storm water management on site (RHMC Chapter 8.32).

O. Hydrology, soils, geology and other reports, as required by the Building and Public Works Departments, and as may be required by the Building Official, shall be prepared.

P. Prior to issuance of a final construction approval of the project, all graded slopes shall be landscaped. Prior to issuance of building permit, the landscaping plan shall meet the requirements of the City, shall be submitted to the City in conformance with Fire Department Fuel Modification requirements, and shall be approved by the City's landscape consultant.

Q. The project shall be landscaped, and continually maintained in substantial conformance with the landscaping plan on file approved by the City's landscape consultant. A detailed landscaping plan shall provide that any trees and shrubs used in the landscaping scheme for this project shall be planted in a way that screens the project development from adjacent streets and neighbors, such that shrubs and trees as they mature do not grow into a hedge or impede any neighbors views and the plan shall provide that all landscaping be maintained at a height no higher than the roof line of the nearest project structure. In addition, the landscaping plan shall provide for screening of the proposed recreational game court with vegetation not to exceed 10 feet in height, and that the vegetation used for screening shall be planted in an off-set manner, so as to prevent it, as it grows from forming a solid hedge. The landscaping plan shall utilize to the maximum extent feasible, plants that are native to the area, are water-wise and are consistent with the rural character of the community. Plants listed as high hazardous plants under RHMC Section 8.30.015 are prohibited.

R. The applicant shall submit a landscaping performance bond or other financial obligation, to be kept on deposit by the City, in the amount of the planting plus irrigation plus 15%. The bond shall be released no sooner than two years after completion of all plantings, subject to a City staff determination that the plantings required for the project are in substantial conformance with approved plans and are in good condition.

The landscaping shall be subject to the requirements of the City's Water Efficient Landscape Ordinance, (Chapter 13.18 of the RHMC).

Pursuant to Chapter 8.30 of the RHMC, the property shall at all times be maintained free of dead trees and vegetation.

S. The setback lines and roadway easement lines in the vicinity of the construction for this project shall remain staked throughout the construction. A construction fence may be required.

T. Perimeter easements, including roadway easements and trails, if any, shall remain free and clear of any improvements to advance equestrian use and emergency preparedness for evacuation within the City. Where RHCA has demonstrated authority over the easement, the City's Planning Director may grant relief from this condition upon satisfactory proof of permission from RHCA and a legitimate showing that there is no need for the condition to advance equestrian uses and emergency preparedness.

U. Minimum of 65% of any construction materials must be recycled or diverted from landfills. The hauler of the materials shall obtain City's Construction and Demolition permits for waste hauling prior to start of work and provide proper documentation to the City.

V. *During construction*, conformance with the air quality management district requirements, storm water pollution prevention practices, county and local ordinances and engineering practices so that people or property are not exposed to undue vehicle trips, noise, dust, objectionable odors, landslides, mudflows, erosion, or land subsidence shall be required.

W. *During construction*, to the extent feasible, all parking shall take place on the project site, on the new driveway and, if necessary, any overflow parking may take place within

the unimproved roadway easements along adjacent streets, and shall not obstruct neighboring driveways, visibility at intersections or pedestrian and equestrian passage. During construction, to the maximum extent feasible, employees of the contractor shall car-pool into the City. To the extent feasible, a minimum of 4' wide path, from the edge of the roadway pavement, for pedestrian and equestrian passage shall be available and be clear of vehicles, construction materials and equipment at all times.

X. During construction, the property owners shall be required to schedule and regulate construction and relate traffic noise throughout the day between the hours of 7 AM and 6 PM, Monday through Saturday only, when construction and mechanical equipment noise is permitted, so as not to interfere with the quiet residential environment of the City of Rolling Hills.

Y. Prior to demolition of the existing structures, an investigation shall be conducted for the presence of hazardous chemicals, lead-based paints or products, mercury and asbestos-containing materials (ACMs). If hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, remediation shall be undertaken in compliance with California environmental regulations and policies.

Z. The property owner and/or his/her contractor/applicant shall be responsible for compliance with the no-smoking provisions in the Municipal Code. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at: <u>http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard_definitions#FIRE</u>. It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions.

AA. The recreational game court shall drain in accordance with the approved grading and drainage plan. Drainage dissipaters shall be constructed outside of any easements. The drainage system shall be approved by the Department of Building and Safety. If an above ground swale and/or dissipater is required, it shall be designed in such a manner as not to cross over any equestrian trails or discharge water onto a trail, shall be stained in an earth tone color, and shall be screened from any trail, road and neighbors' view to the maximum extent practicable, without impairing the function of the drainage system.

AB. *During construction*, dust control measures shall be used to stabilize the soil from wind erosion and reduce dust and objectionable odors generated by construction activities in accordance with South Coast Air Quality Management District, Los Angeles County and local ordinances and engineering practices.

AC. During construction, an Erosion Control Plan containing the elements set forth in Section 7010 of the 2016 County of Los Angeles Uniform Building Code shall be followed to minimize erosion and to protect slopes and channels to control storm water pollution.

AD. The property owners shall be required to conform to the Regional Water Quality Control Board and County Health Department requirements for the installation and maintenance of storm water drainage facilities and septic tank.

AE. The applicant shall pay all of the applicable Building and Safety and Public Works Department fees and Palos Verdes Peninsula Unified School District fees, if any.

AF. Prior to final inspection of the project, "as graded" and "as constructed" plans and certifications shall be provided to the Planning Department and the Building Department to ascertain that the completed project is in compliance with the Planning Commission approved plans. In addition, any modifications made to the project during construction, shall be depicted on the "as built/as graded" plan.

AG. The applicants shall execute an Affidavit of Acceptance of all conditions of the Site Plan Review approval, or the approval shall not be effective.

AH. All conditions of this Resolution, when applicable, must be complied with prior to the issuance of a grading or building permit from the Building and Safety Department

Al. Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 17.54.070 of the Rolling Hills Municipal Code and Code of Civil Procedure Section 1094.6.

PASSED, APPROVED AND ADOPTED THIS 17th DAY OF MAY, 2022. RAD CHELF, CHAIRPERSON ATTEST:

CHRISTIAN HORVATH, CITY CLERK

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 17.54.070 of the Rolling Hills Municipal Code and Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2022-05 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR GRADING AND CONSTRUCTION OF A NEW RETAINING WALL; CONDITIONAL USE PERMIT FOR A RECREATIONAL GAME COURT; AND VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE IN ZONING CASE NO. 21-16 FOR A PROPERTY LOCATED AT 18 EASTFIELD DRIVE (LOT 69-A-EF) (RICH)

was approved and adopted at a regular meeting of the Planning Commission on May 17, 2022, by the following roll call vote:

AYES: Cardenas, Cooley, Douglas, Chair Chelf

NOES:

ABSENT: Kirkpatrick

ABSTAIN:

and in compliance with the laws of California was posted at the following:

Administrative Offices.

CHRISTIAN HORVATH, CITY CLERK



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 9.B Mtg. Date: 06/13/2022

- TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
- FROM: JOHN SIGNO, DIRECTOR OF PLANNING & COMMUNITY SERVICES
- THRU: ELAINE JENG P.E., CITY MANAGER
- SUBJECT: ZONING CASE NO. 22-20: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW FOR CONSTRUCTION OF A 1,583-SQUARE-FOOT ADDITION AND REMODEL TO AN EXISTING RESIDENCE, MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, GRADING, AND OTHER IMPROVEMENTS; AND VARIANCES TO CONSTRUCT IN THE FRONT YARD SETBACK AND FOR A FIVE-FOOT-HIGH RETAINING WALL TO BE CONSTRUCTED IN THE SETBACK AREA FOR A PROPERTY LOCATED AT 16 SOUTHFIELD DRIVE (LOT 33-SF), ROLLING HILLS, CA (BURGOYNE)
- DATE: June 13, 2022

BACKGROUND:

On May 17, 2022, the Planning Commission adopted Resolution No. 2022-06 approving Zoning Case No. 22-20 for a Site Plan Review for construction of a 1,583-square-foot addition and remodel to an existing residence, maximum five-foot-high retaining wall, pool/spa in excess of 800 square feet, grading, and other improvements; and Variances to construct in the front yard setback and for a five-foot-high retaining wall to be constructed in the front and side setback area. The resolution was adopted unanimously, 4-0, with one commissioner absent.

Zoning, Location, and Lot Description

The property located at 16 Southfield Drive is zoned RAS-1 and has a net lot area of 50,938 square feet (1.17 acre). The lot is developed with a 1,717-square-foot single-family residence built in 1954. The residence encroaches 24 feet into the 50-foot front yard setback, which is considered legal nonconforming. There are three building pads: the main building pad includes the existing residence and swimming pool; the second pad includes the proposed accessory dwelling unit (ADU); and the third pad is a set aside area for a future stable and corral.

DISCUSSION:

Annlicant Request

The applicant is requesting the following:

- Remodel existing 1,717-square-foot house
- New addition of 1,583 square feet for an overall residence of 3,300 square feet
- Remodel existing 390-square-foot garage and add 10 square feet for a total of 400 square feet
- New 975-square-foot attached covered porches
- New 850-square-foot accessory dwelling unit (ADU) with 200-square-foot attached covered porches
- New 290-square-foot entryway
- New 800-square-foot pool with 130-square-foot trough, 48-square-foot pool equipment, and 200-square-foot pond
- New 200-square-foot spa with 42-square-foot trough
- New 20-square-foot outdoor kitchen
- Removal of 125-square-foot pool and raising elevation of remaining pool
- New 102 square feet of driveway and repaying of existing for a total of 2,500 square feet
- New 50-square-foot pool equipment
- New service yard
- New hardscape of 3,070 square feet and revised pool decking of 1,195 square feet
- New maximum five-foot-high retaining walls for driveway and stairways (average wall height will be less than 2.5 feet)
- New drainage curbs and swales around ADU perimeter
- Future 450-square-foot stable and 550-square-foot corral

Pad 1, which includes the residence, garage, and swimming pool, is 6,192 square feet and will be increased to 6,870 square feet. The building pad coverage will be 82.42%.

Pad 2, which is proposed for an ADU, will be reduced from 3,770 square feet to 2,450 square feet. The building pad coverage will be 39.39%.

Pad 3, which is the location for the stable and corral, will be reduced from 1,420 square feet to 1,280 square feet. Construction of a future 450-square-foot stable will bring the building pad coverage to 35.16%.

Grading includes 1,355 cubic yards (CY) of cut and 1,355 CY of fill for a total of 2,710 CY. No import or export is needed.

Landscaping includes 4,550 square feet of new drought tolerant planted area (low water use). Existing undisturbed hillside landscape accounts for 28,949 square feet.

A set aside area for a future 450-square-foot stable and 550-square-foot corral are proposed downslope near the rear of the property that will cover 1,000 square feet. The stable and corral are not proposed at this time.

Site Plan Review

The applicant is requesting a Site Plan Review (SPR) to remodel an existing residence, construct an addition, ADU, and make other site improvements.

Non-exempt grading

The applicant is requesting a total of 2,710 CY of grading. Grading will be done on the main building pad, ADU pad, stable/corral set aside pad. Grading includes 850 CY of over-excavation and 960 CY of recompaction.

Retaining Walls

A retaining wall is proposed in the eastern side yard setback adjacent to the residence, which requires a variance. The maximum height of the retaining walls is five feet and the average height is not to exceed two and one-half feet.

Variances

The applicant is requesting approval of a variance for a new five-foot-high retaining wall within the eastern side yard setback.

Variance request to allow a new five-foot-high retaining wall within the side yard setback

Pursuant to RHMC Section 17.16.150(F-G), retaining walls are permitted in setback areas if they do not exceed three feet in height, do not require grading, and are located along a walkway; or if they do not exceed three feet in height and are necessary to improve drainage or prevent slope erosion and are not in an easement, unless approved by the Association. Such walls must be screened from the public right-of-ways, easements and adjacent properties with appropriate landscaping.

The applicant is requesting the variance to allow for a retaining wall up to five feet in height to allow for a wider access around the house. The retaining wall will be located in the side setback approximately 11 feet from the property line, and extends from the front roadway easement to the side of the residence where it becomes a curb and swale. The portion in the front yard setback is five feet high near the residence but tapers down to six inches near the front roadway easement.

Variance request for encroachment into the front yard setback

The existing residence was built in 1954 and encroaches 24 feet into the 50-foot front yard setback, which is considered legal nonconforming. However, any new addition must meet the required 50-foot front yard setback. A variance is requested to add a covered porch and portions of the addition into the front yard setback. The improvements will not further encroach into the existing front setback line, which is 26 feet from the roadway easement.

MUNICIPAL CODE COMPLIANCE

Lot Coverage

The proposed structural coverage on the lot will be 7,552 square feet, or 14.8% of the lot, which is less than the lot coverage limitation of 20% maximum. The proposed total coverage including structures and flatwork will be 14,317 square feet or 28.1% of the lot area, which is less than the lot coverage limitation of 35% maximum.

Area of Disturbance

The project site has been previously disturbed due to development of the existing residence.

Implementation of the proposed project will bring the total disturbance to 17,435 square feet, or 34.2% of the net lot area.

Access to Future Stable

A stable and corral is not proposed to be constructed, however, a set aside area of 1,000 square feet is included on the rear portion of the property located downslope from the main pad and ADU pad.

Environmental Review

The proposed project has been determined to not have a significant effect on the environment and is categorically exempt from the provisions of CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, which exempts additions, accessory dwelling units, and accessory structures.

Public Participation

On May 5, 2022, staff received a phone call from a neighbor on inquiring about the landscaping fronting Southfield Drive in the roadway easement. The neighbor asked if the landscape foliage, which has thickened over the years, will be removed to provide for parking along the roadway. Staff informed the neighbor that some landscaping will be removed due to the widening of the driveway per Fire Department requirements.

Since the landscaping is in the roadway easement, staff contacted the Rolling Hills Community Association (RHCA) and was informed that they do not currently require existing vegetation in the easement to be removed. However, if landscaping were removed, it is their policy to prohibit re-planting.

At the Planning Commission's discretion, a condition of approval could be included to remove part or all of the landscaping along the front. It should be noted that the landscaping helps screen the residence and provides privacy. However, new landscaping is prohibited from growing into a hedge.

CRITERIA FOR SITE PLAN REVIEW

17.46.050 - Required Site Plan Review findings.

- 1. The Commission shall be required to make findings in acting to approve, conditionally approve, or deny a site plan review application.
- 2. No project which requires site plan review approval shall be approved by the Commission, or by the City Council on appeal, unless the following findings can be made:
- 3. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance;
- 4. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot;
- 5. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences;

- 6. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls);
- 7. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area;
- 8. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course;
- 9. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas;
- 10. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles; and
- 11. The project conforms to the requirements of the California Environmental Quality Act.
- 12. If all of the above findings cannot be made with regard to the proposed project, or cannot be made even with changes to the project through project conditions imposed by City staff and/or the Planning Commission, the site plan review application shall be denied.

CRITERIA FOR VARIANCES

17.38.050 Required Variance findings.

In granting a variance, the Commission (and Council on appeal) must make the following findings:

- 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone;
- That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question;
- 3. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity;
- 4. That in granting the variance, the spirit and intent of this title will be observed;
- 5. That the variance does not grant special privilege to the applicant;
- 6. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities; and
- 7. That the variance request is consistent with the general plan of the City of Rolling Hills.

FISCAL IMPACT:

None.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:

Vicinity Map - 16 Southfield Dr.pdf Development Table (ZC 22-20).pdf 16 Southfield Drive_Combined Plan Set_2022.05.11(reduced).pdf 2022-06_PC_Resolution_16Southfield_ZC 22-20_E.pdf

AL NATURE PRESER			Pore-ten arue pre-	SERVE
	City of Rolling Hills	2 PORTUGUESE BEND ROAD	ROLLING HILLS, CA 90274	
TITLE OWNER ADDRESS	VICINITY MAP Burgoyne 16 Southfield Drive, Rolling Hills 902	CASE NO	Zoning Case No. 22-20 Site Plan Review, Variance SITE	

Development Table Zoning Case No. 22-20 (16 SOUTHFIELD DRIVE)				
Site Plan Review and Variance	PAD 1	PAD 2	PAD 3	TOTAL
RAS-1 Zone Setbacks Front: 50 ft. from front easement line Side: 20 ft. from side property line Rear: 50 ft. from rear easement line	Single family residence, garage, pool, equipment, entryways (SF)	Accessory Dwelling Unit (SF)	Future Stable (SF)	
Pad/Net Lot Area	Existing: 6,192 Proposed: 678 Total: 6,870	Existing: 3,770 Proposed: -1,320 Total: 2,450	Existing: 1,420 Proposed: -140 Total: 1,280	50,938
Residence	3,300			3,300
Garage	400			400
Swimming Pool/Spa	892			892
Pool Equipment	50			50
Accessory Dwelling Unit		850		850
Stable (min. 450 SF)			450	450
Entryway, Breezeway	290			290
*Attached Covered Porches	605	115		1,175
*Outdoor Kitchen, Fire Pit	20			20
Service Yard	125			125
Total Structure Area				7,552
Structural Coverage (20% maximum)				14.8%
Grading (no import/export)	1,070 CY cut 1,080 CY fill (+10 CY)	215 CY cut 205 CY fill (-10 CY)	70 CY cut 70 CY fill	2,710 CY (balanced on site)
Total Flatwork				6,765
Total Structural and Flatwork				14,317
Total Lot Coverage (35% maximum)				28.1%
Building Pad Coverage (Policy: 30% maximum)	82.42%	39.39%	35.16%	
Disturbed Area (40% maximum; up to 60% with slopes less than 3:1)				17,435 34.2%

*Allowable deductions; excluded from Total Structure Area/Total Structural Coverage

LEGEND

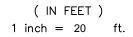
(P) KEYWAY

PROPERTY LINE EASEMENT	
SETBACK	
(P) LIMIT OF CONSTRUCTION	
(P) RETAINING WALL	
(E) CONTOUR	— — 1300— —
(P) CONTOUR	1100
(E) RESIDENCE	<u> </u>
(P) ADDITION	
(P) HARDSCAPE	
(P) DRIVEWAY EXTENSION	
(E) DRIVEWAY	
(P) STABLE LOFT	
(P) CURB	
(P) ATTACHED PORCH	
(P) CORRAL	
(P) KEYWAY	

ABBREVIATIONS

10.0' RHCA EASE

- (E) EXISTING
- (F) FUTURE
- (P) PROPOSED BW BOTTOM OF WALL
- CS CRAWL SPACE
- FF FINISHED FLOOR FG FINISHED GRADE
- FS FINISHED SURFACE LW LIGHT WELL
- TW TOP OF WALL



GRAPHIC SCALE

88.25

PORCH

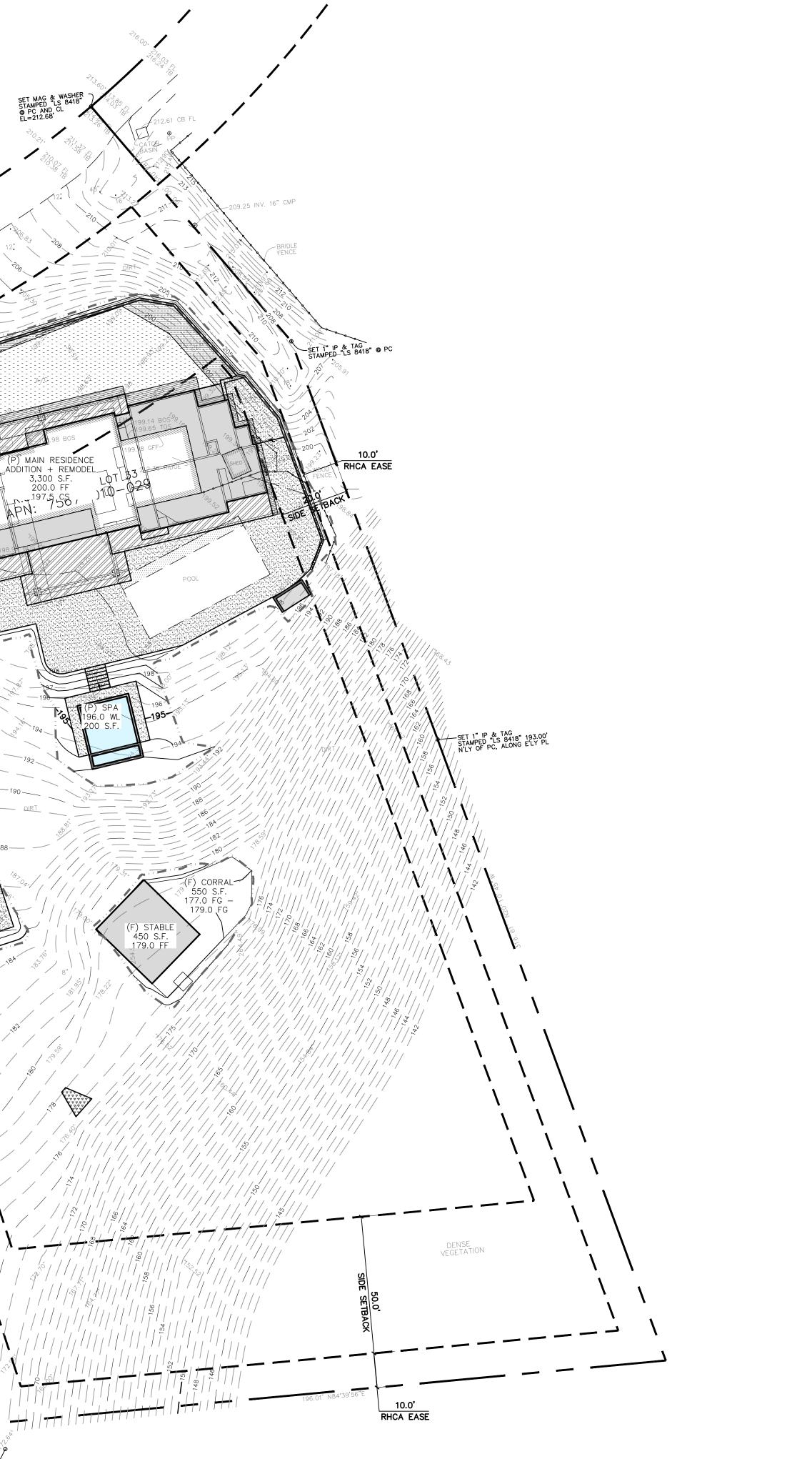
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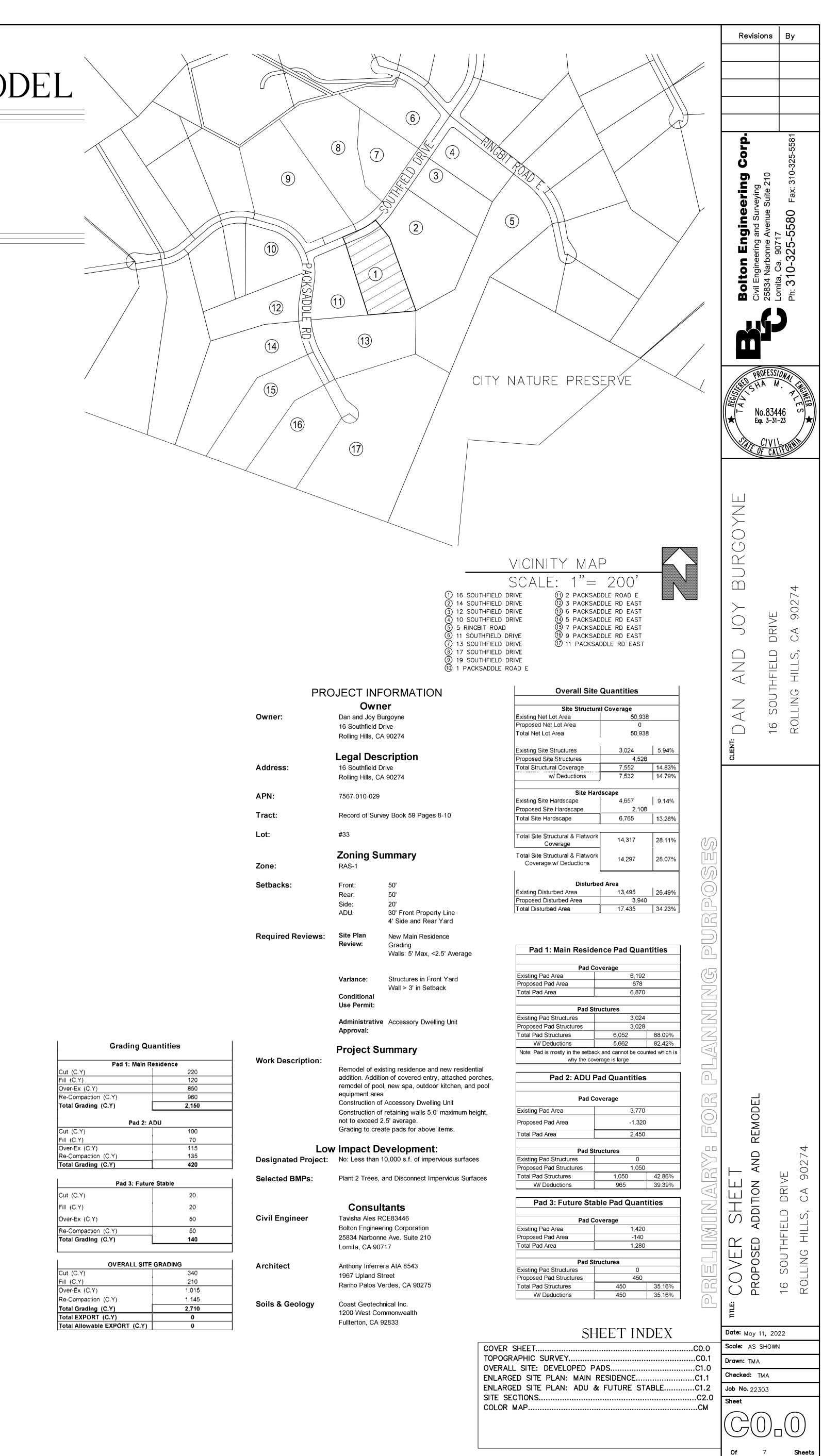
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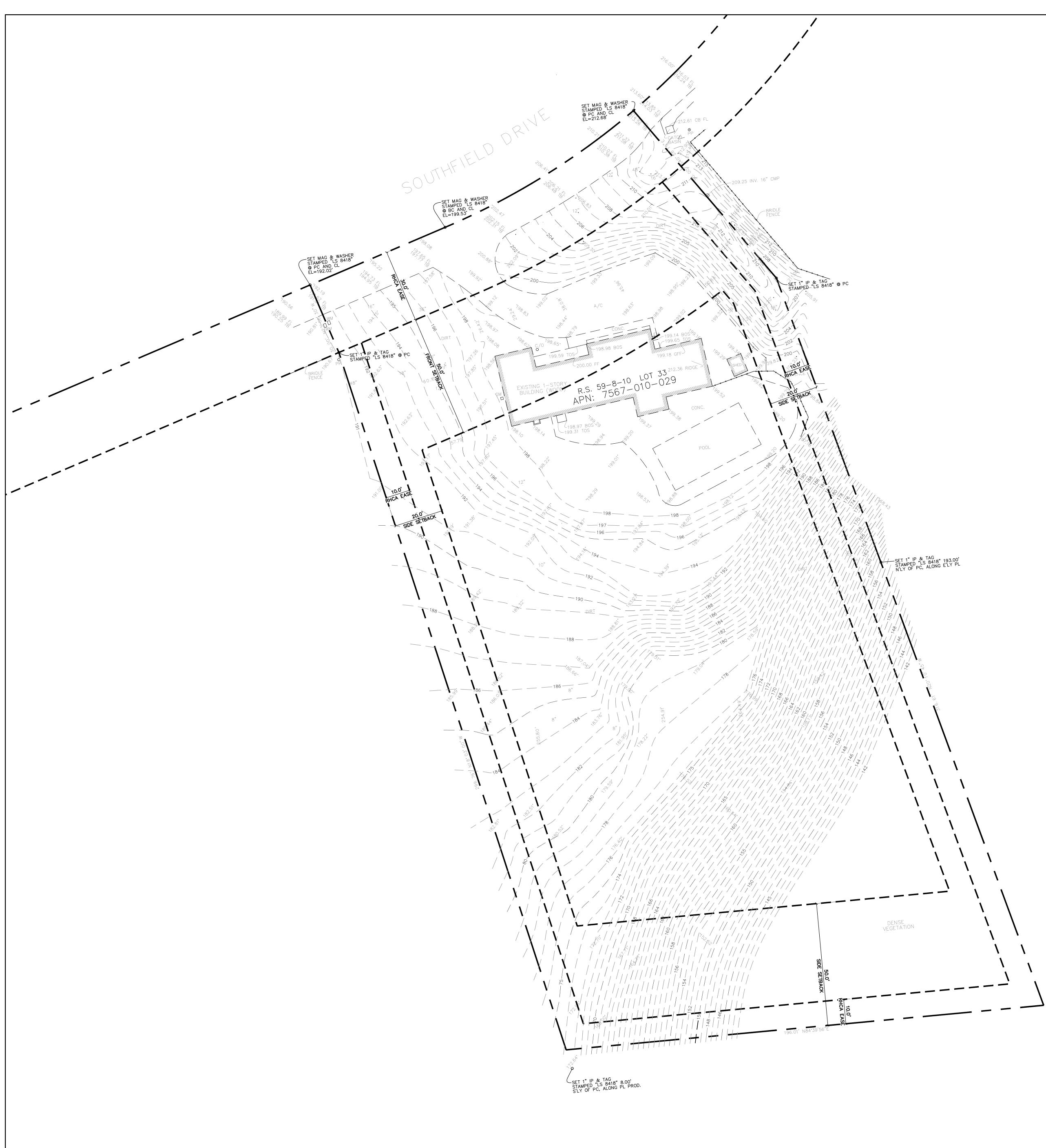
BURGOYNE RESIDENCE PROPOSED ADDITION AND REMODEL

16 SOUTHFIELD DRIVE ROLLING HILLS, CA 90274

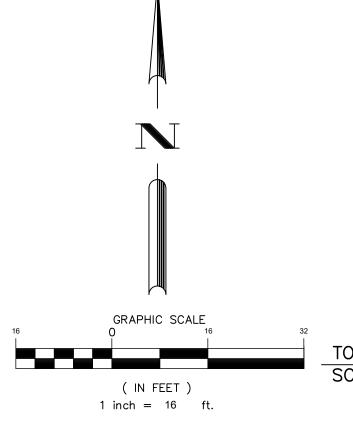


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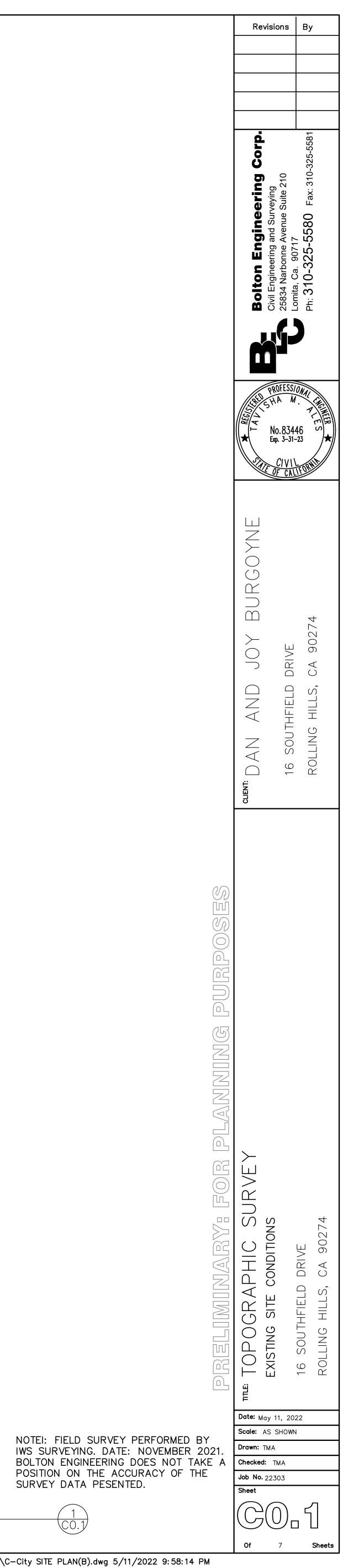


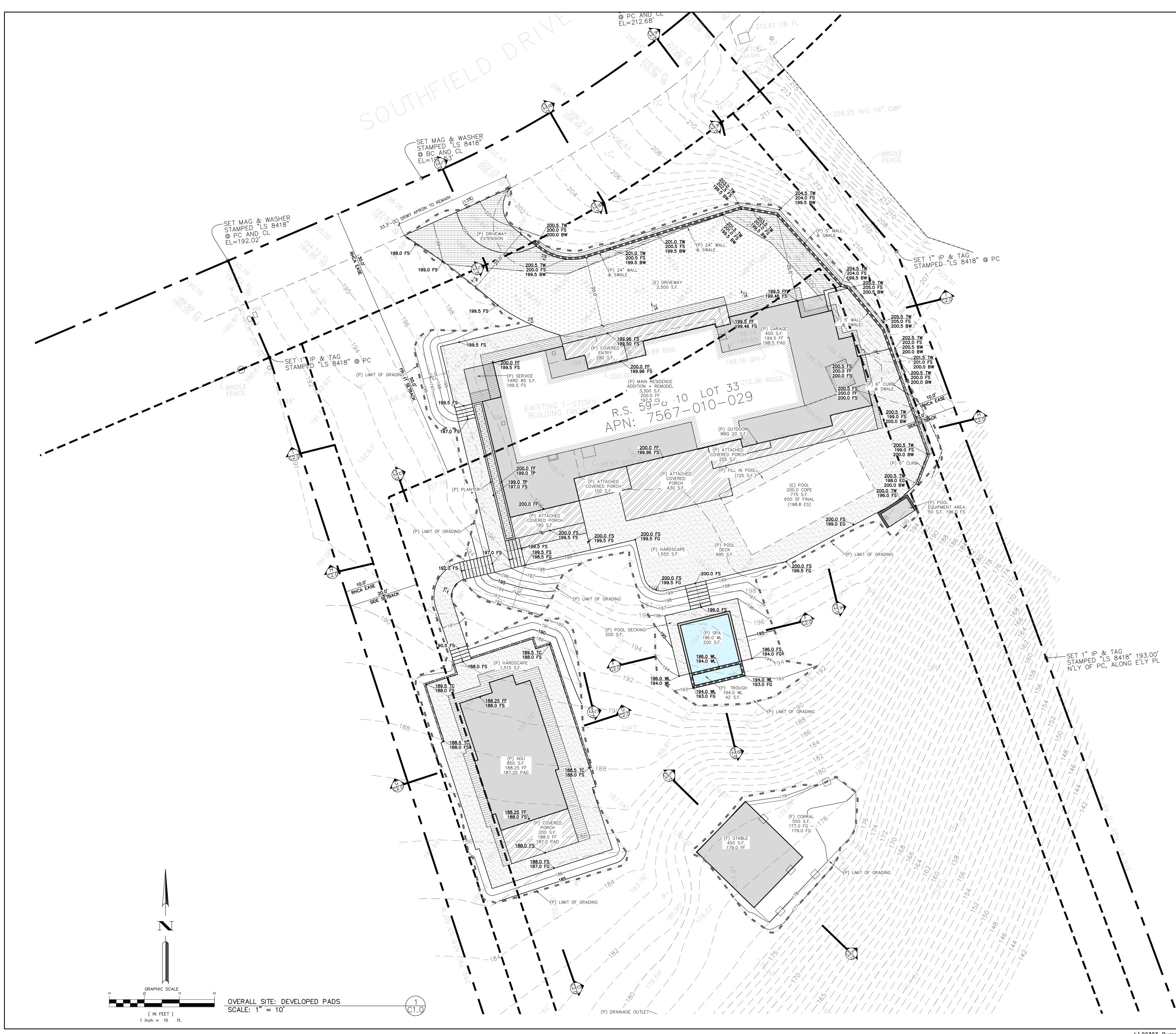




TOPOGRAPHIC SURVEY SCALE: 1" = 16'







ABBREVIATIO

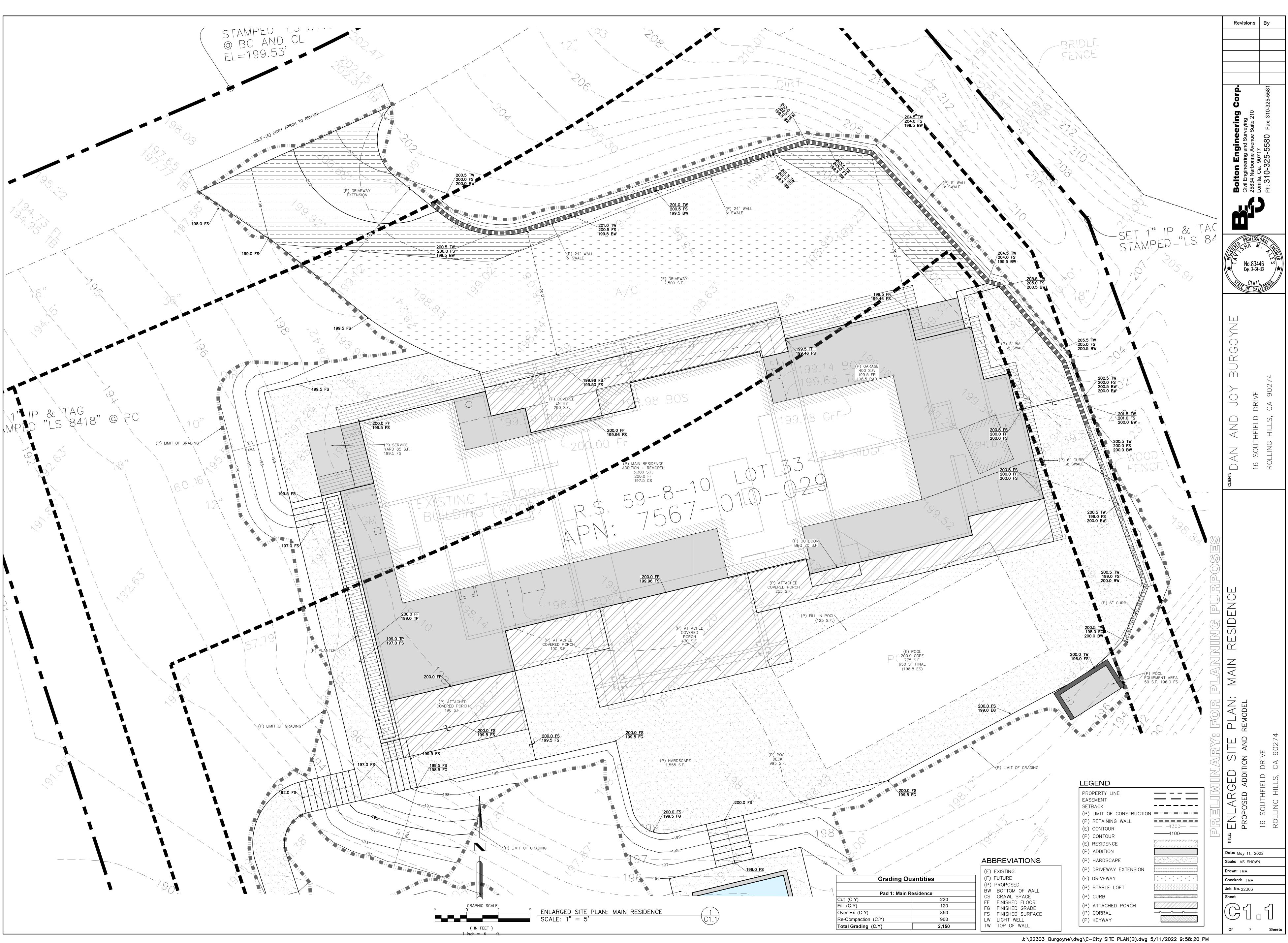
	E/de fille
(F)	FUTURE
(P)	PROPOSED
BW	BOTTOM O
CS	CRAWL SP.
FF	FINISHED F
FG	FINISHED (
FS	FINISHED S
LW	LIGHT WEL
TW	TOP OF W

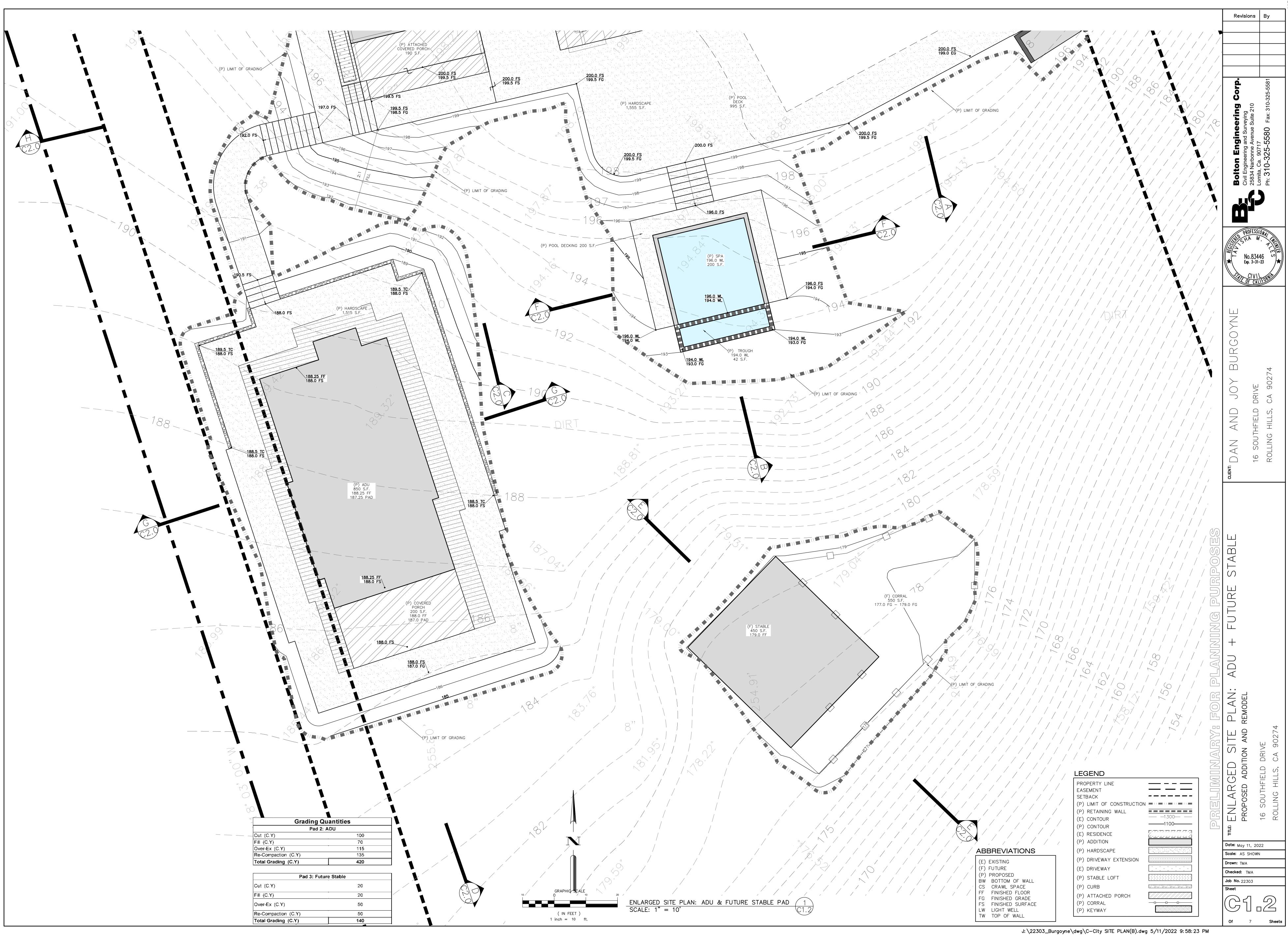
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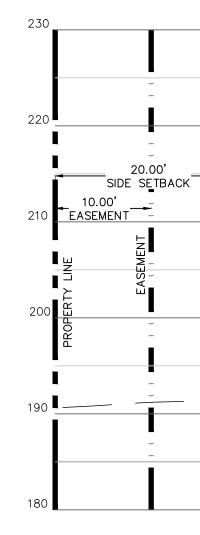
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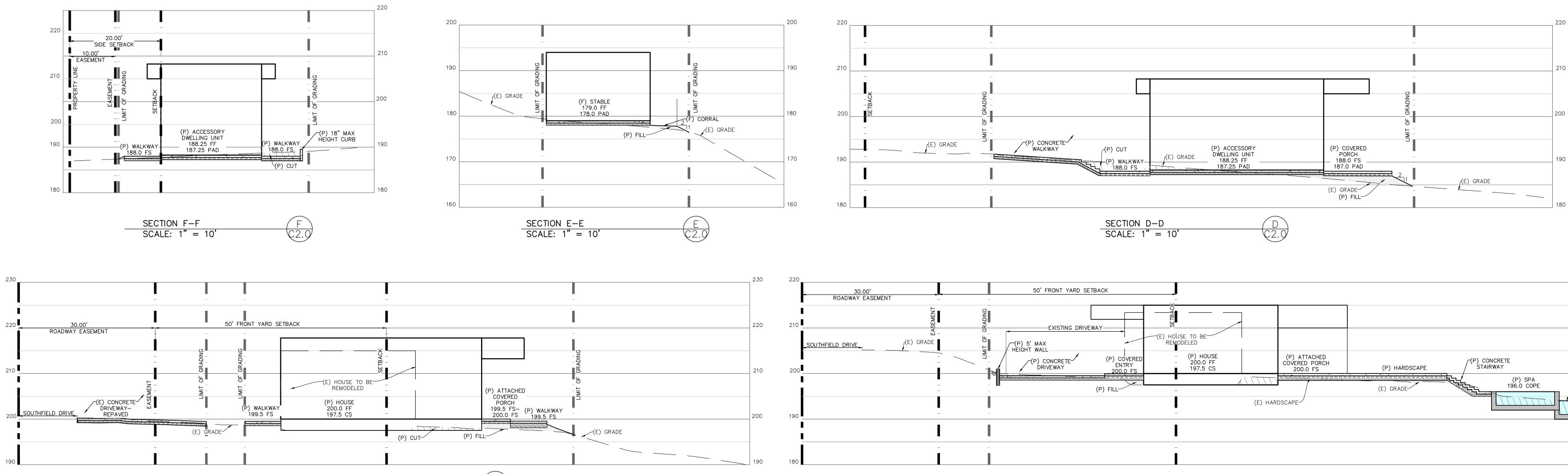
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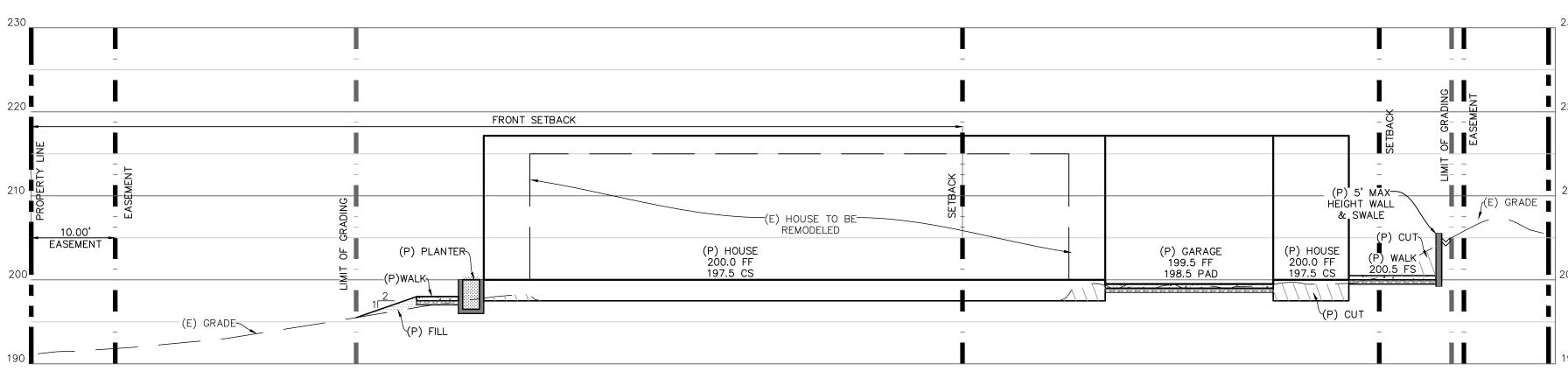


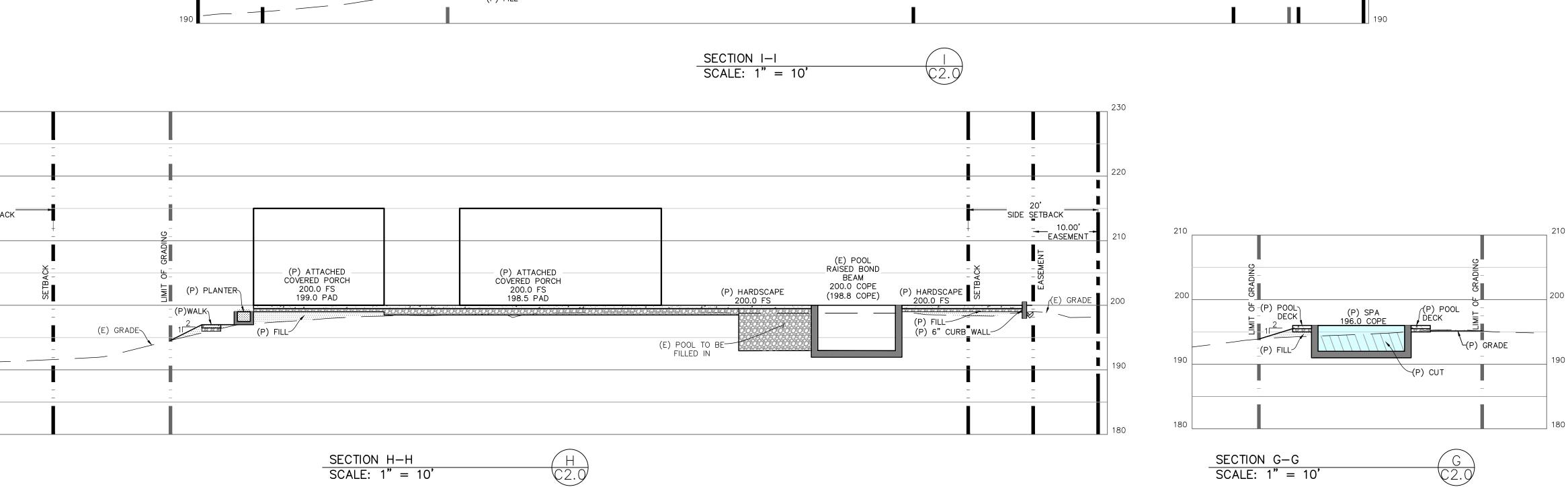




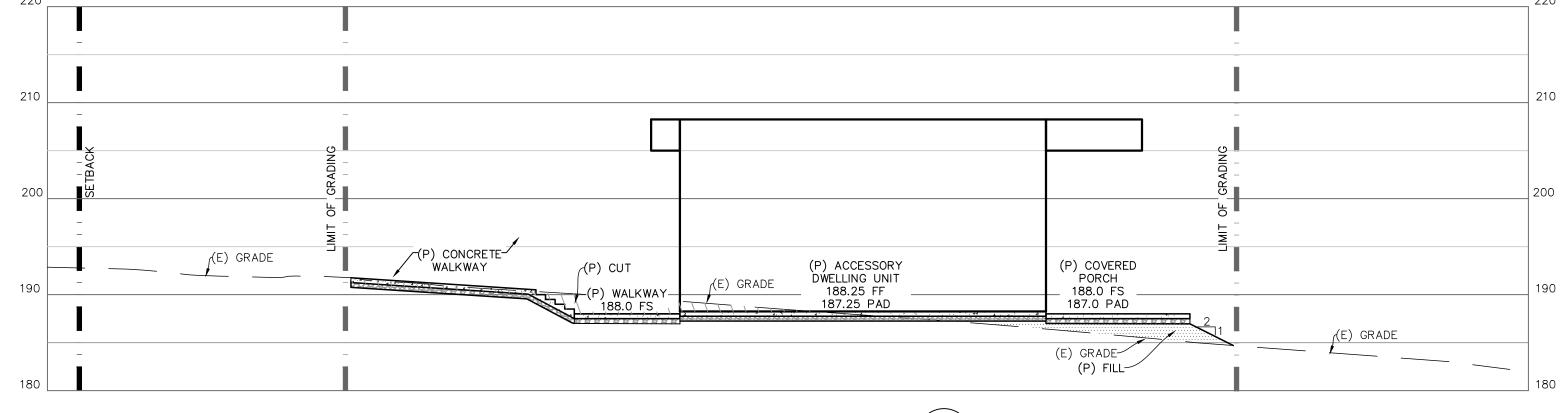


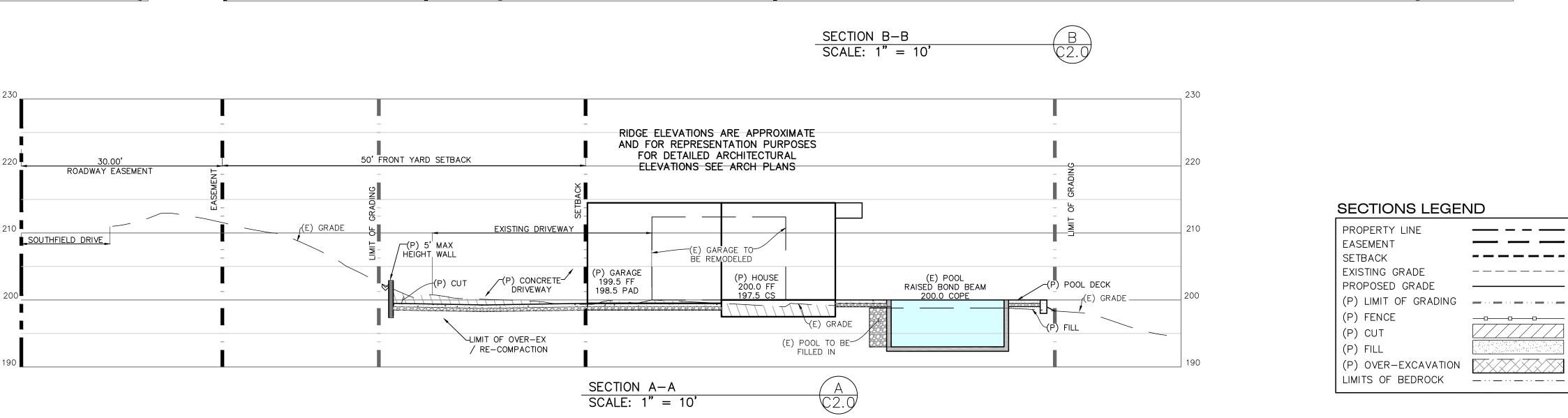
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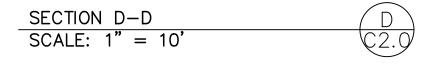


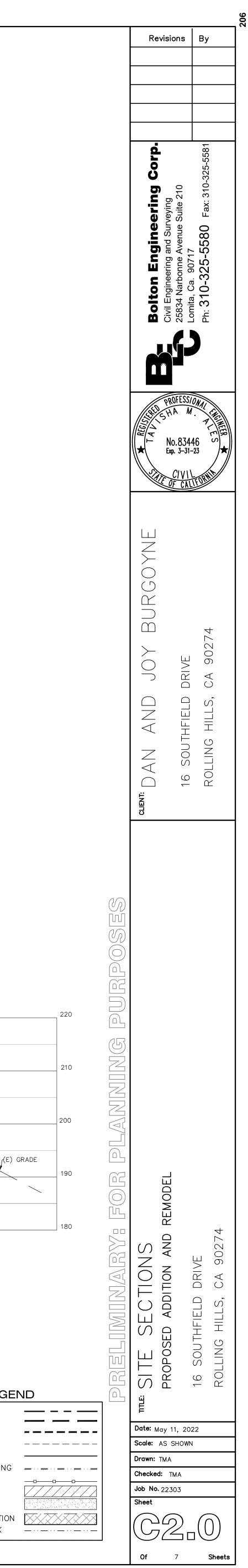
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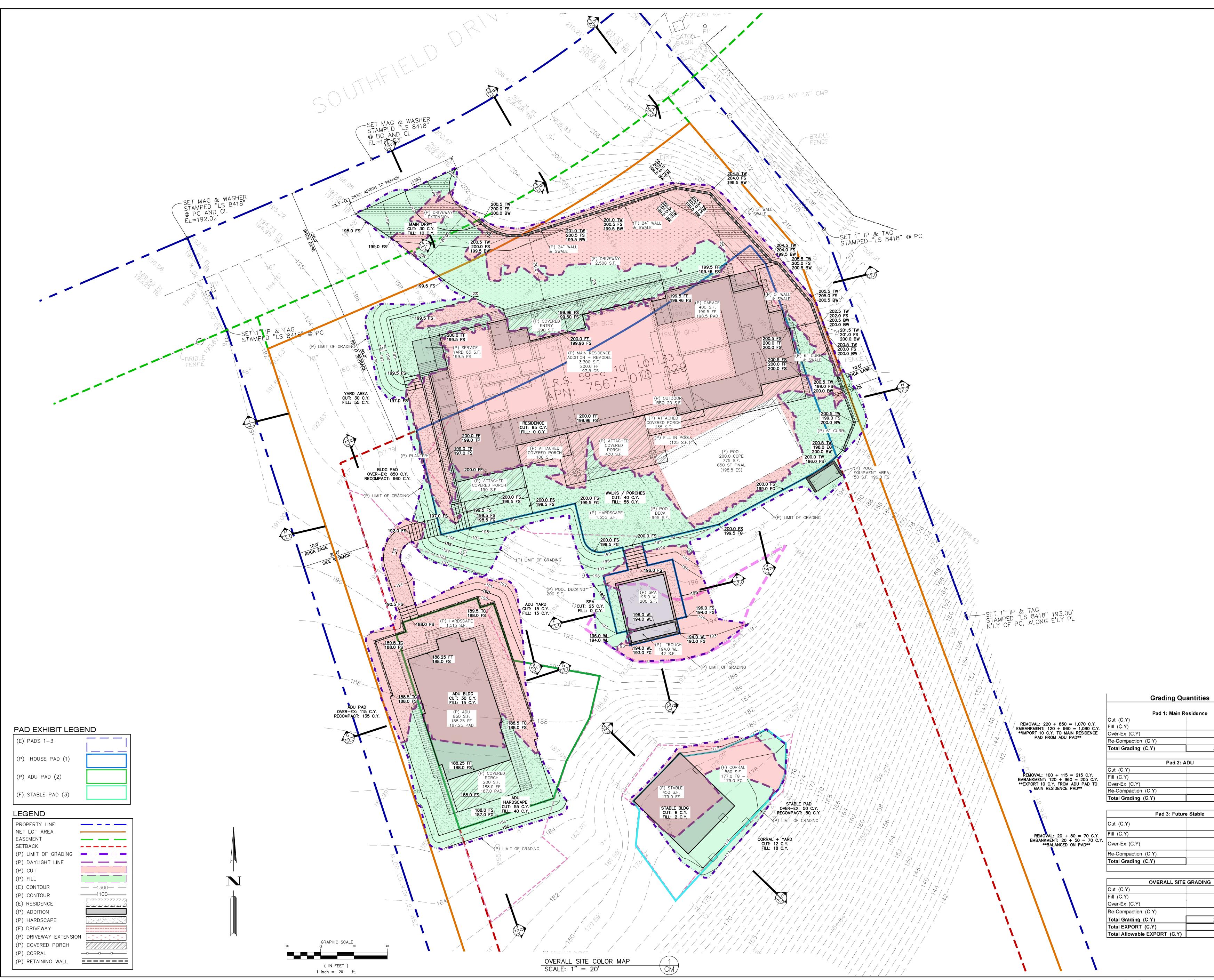




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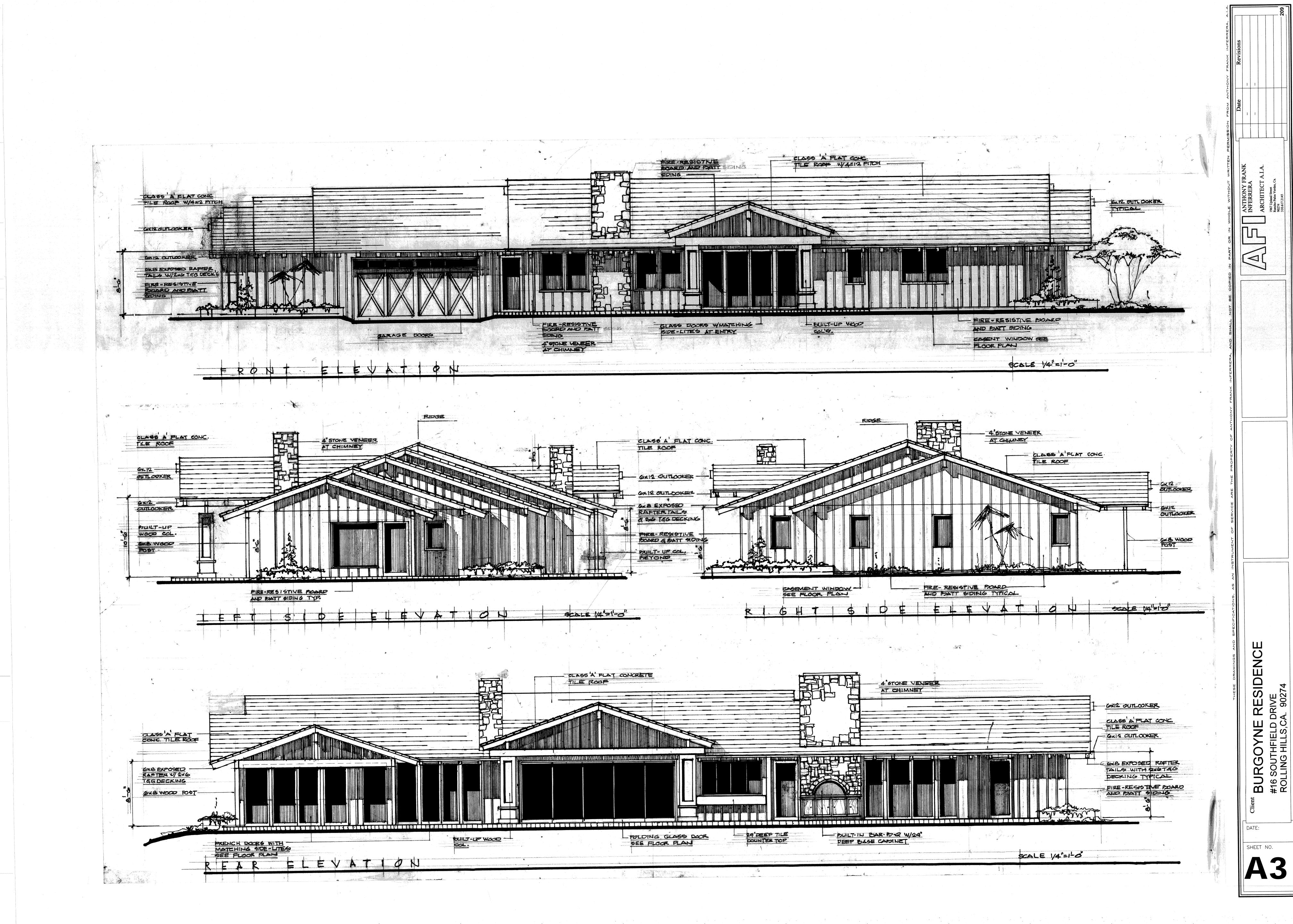
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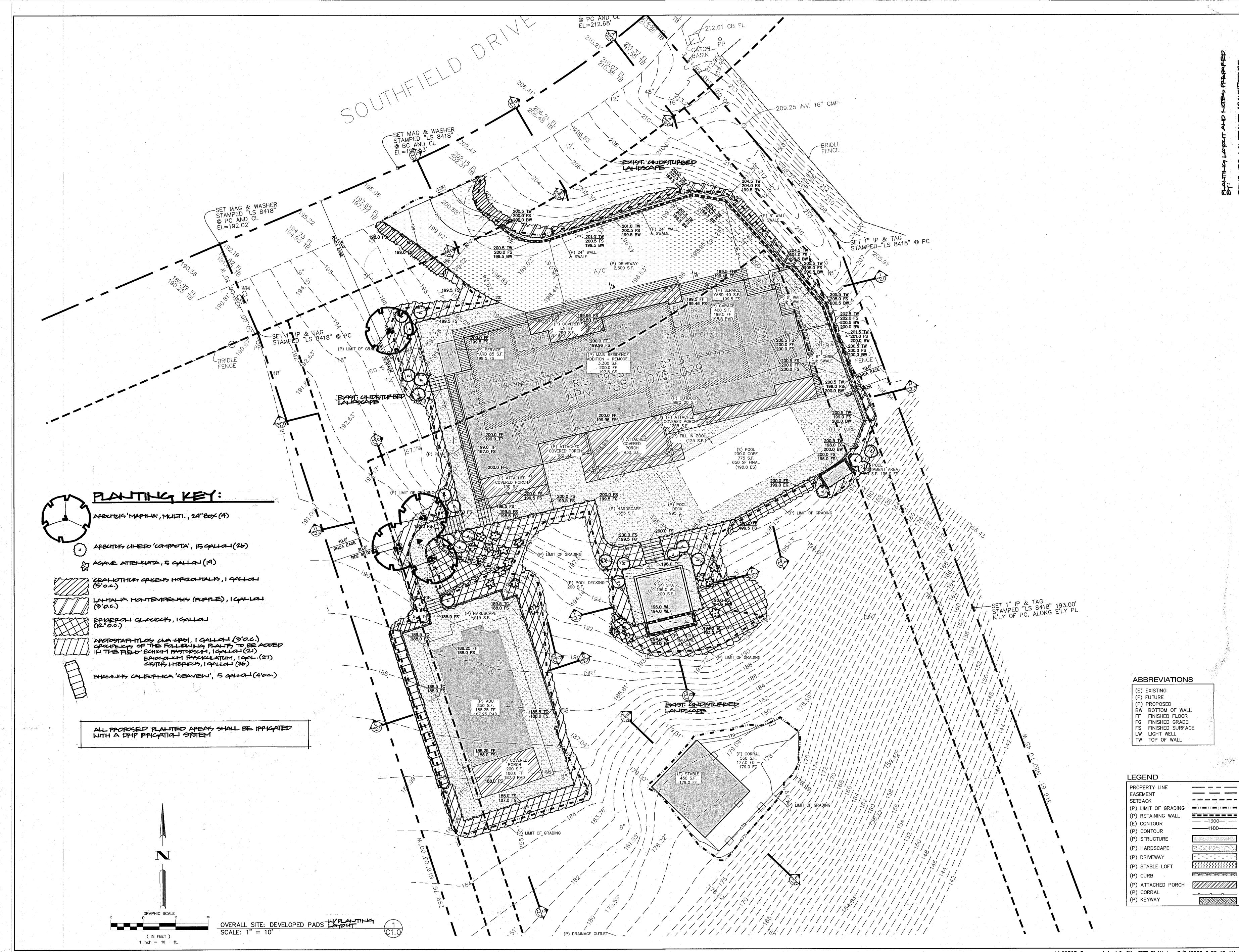
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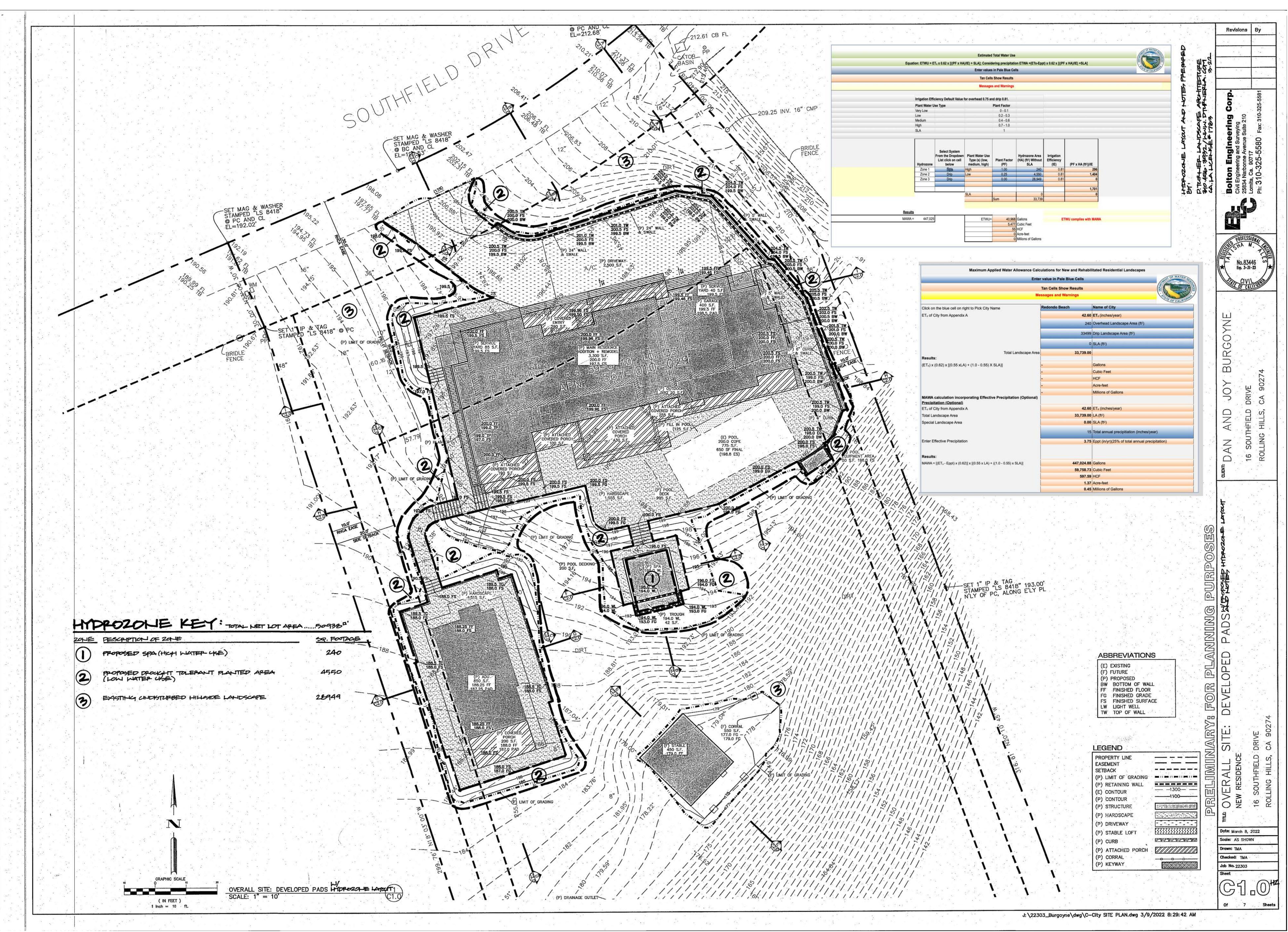
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RESOLUTION NO. 2022-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A SITE PLAN REVIEW FOR CONSTRUCTION OF A 1,583-SQUARE-FOOT ADDITION AND REMODEL TO AN EXISTING RESIDENCE, MAXIMUM FIVE-FOOT-HIGH RETAINING WALL, POOL/SPA IN EXCESS OF 800 SQUARE FEET, GRADING, AND OTHER IMPROVEMENTS; AND VARIANCES TO CONSTRUCT IN THE FRONT YARD SETBACK AND FOR A FIVE-FOOT-HIGH RETAINING WALL TO BE CONSTRUCTED IN THE FRONT AND SIDE SETBACK AREA FOR A PROPERTY LOCATED AT 16 SOUTHFIELD DRIVE (LOT 33-SF), ROLLING HILLS, CA (BURGOYNE)

THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

<u>Section 1.</u> An application was duly filed by Dan and Joy Burgoyne with respect to real property located at 16 Southfield Drive, Rolling Hills (Lot 33-SF) requesting a site plan review to remodel an existing house and build a 1,583-square-foot addition, construct a five-foot-high retaining wall, construct a spa that will bring the overall size of the pool/spa to 892 square feet, and grading along with other improvements, including a new accessory dwelling unit (ADU), renovated pool, outdoor kitchen, covered porches, hardscape, and landscape. A Variance is requested for construction in the front yard setback and for a five-foot-high retaining wall to be constructed in the side and front yard setback area.

<u>Section 2.</u> The existing 1,717-square-foot single-family residence was built in 1954 and has a front yard setback of 26 feet from the roadway easement, which is considered legal nonconforming pursuant to Rolling Hills Municipal Code (RHMC) Section 17.24.020. The side yard setbacks are 20 feet and the rear yard setback is 50 feet.

<u>Section 3.</u> The Planning Commission conducted duly noticed public hearings to consider the application at its special field trip meeting and regular meeting on May 17, 2022. Neighbors within a 1,000-foot radius were notified of the public hearings and a notice was published in the Daily Breeze on May 6, 2022. The applicant and his agent were notified of the public hearings in writing by first class mail and the agent was in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal.

Section 4. The property is zoned RAS-1 and the net lot area excluding the roadway easement is 50,938 square feet (1.17 acre). The project includes three building pads on site with approximately 20 feet difference in elevation. Only the main building pad is developed with a residence and appurtenant structures. The highest point is located closest to the roadway easement on the northern portion of the property. The property slopes downward to the south toward the rear portion of the lot. The existing residence and garage are located on Pad 1, the main building pad closest to the roadway easement. Pad 1 is proposed to be increased to 6,870 square feet. Pad 2, which is the location of the proposed accessory dwelling unit (ADU), will be reduced to 2,450 square feet and is located in the middle-western portion of the

property. Pad 3 is a set aside area for a future stable and corral and is 1,280 square feet located in the middle of the property.

Section 5. The Project is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures), which exempts the construction and location of a limited number of new, small facilities or structures, including single family residence and accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the Project includes a remodel of an existing single-family residence and an addition and retaining wall and associated grading that will be balanced on site. Accordingly, the Project qualifies for the exemption pursuant to Section 15303. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The site has already been graded and existing structures are on site.

<u>Section 6.</u> <u>Site Plan Review.</u> Site Plan Review is required for construction of a 1,583square-foot addition, 892 square feet for a pool and spa, and 2,710 cubic yards of grading pursuant to RHMC Section 17.46.020(A), and for a retaining wall above three feet in height pursuant to RHMC Section 17.16.190(F). With respect to the Site Plan Review for the development, the Planning Commission hereby makes the following findings:

A. The project complies with and is consistent with the goals and policies of the General Plan and all requirements of the zoning ordinance.

The proposed development, which includes an addition and remodel, retaining wall, pool/spa, and grading is compatible with the General Plan, the Zoning ordinance, subject to the variance for construction in the front yard setback and for a five-foot-high retaining to be constructed in the front and side setback area, and surrounding uses because the proposed structures comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures. The proposed project is screened from the road to reduce the visual impact of the development.

The project conforms to Zoning Code lot coverage requirements. The net lot area of the lot is 50,938 square feet. The structural net lot coverage is proposed at 7,532 square feet or 14.8% (20% max. permitted); and the total lot coverage proposed, including flatwork, would be 14,297 square feet or 28.1% (35% max. permitted). The disturbed area of the lot is proposed to be 34.2% (40% permitted).

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot.

The topography and the configuration of the lot have been considered, and the proposed grading and retaining wall for development will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures; the grading and retaining wall allows the proposed construction to be constructed largely on existing building pads which enables

proposed project elements to be the least intrusive to surrounding properties. Further, the grading and retaining wall allows the proposed construction to be a sufficient distance from nearby residences so views and privacy of surrounding neighbors will not be impacted. The pool will be modified to accommodate the building addition and the new spa is included in the lot coverage. Lastly, the graded areas will incorporate landscaping and the retaining wall will be screened with landscaping. The lot is 1.17 acres and 34.2% is proposed to be disturbed, with the remaining lot left in a natural state.

C. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences.

The proposed development, as conditioned, is harmonious in scale and mass with the site, and is consistent with the scale of the neighborhood when compared to new residences in the vicinity of said lot. The development plan takes into consideration the visibility of the project from Southfield Drive as it is located mostly in the rear of the property on a downward slope, which will help screen the development. Improvements to the front of the residence will improve aesthetics; the driveway will be repaved and a retaining wall and swale will improve drainage. The existing pool will be modified to accommodate the building addition and the spa is harmonious in scale with the natural terrain. The slopes are being preserved or rebuilt in a manner that attempts to mimic the natural terrain. Significant portions of the lot will be left undeveloped or landscaped. The project will be screened from the road and neighbors.

D. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls).

The grading and retaining wall are designed to preserve slopes where possible and mimic the natural terrain. Mature trees will be preserved to the extent feasible and drainage will be improved by the new pavement and retaining wall. The development plan will introduce additional landscaping, which is compatible with and enhances the rural character of the community, and the landscaping will provide a buffer or transition area between private and public areas.

E. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area.

Grading consists of 1,355 cubic yards of cut and 1,355 cubic yards of fill all balanced on site. Thus, this is in accordance with the General Plan policy as no import or export is required. The grading and retaining wall are designed to preserve slopes where possible and mimic the natural terrain

F. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course.

Grading will be done to improve the driveway and walkways throughout the site. Drainage will not change and will follow the natural drainage courses of the lot.

G. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas.

Surrounding native vegetation and mature trees will not be affected and new landscaping will be considerate of the environment and will enhance the rural character of the community. Landscaping will provide a buffer or transition between various pads on the property. As such, the rural character of the community is maintained and privacy is maintained with neighbors.

H. The project is sensitive and not detrimental to the convenience and safety of circulation for pedestrians and vehicles.

The grading and retaining wall for the project occurs in the side of the property and will be screened with vegetation from the roadway easement. There is ample parking in the garages and driveway in the front of the house. An adequate pathway is proposed to safely accommodate pedestrians from the residence to the backyard and stable set aside area in the rear of the property. Adequate walkways will be provided to the modified pool and new spa.

I. The project conforms to the requirements of the California Environmental Quality Act (CEQA).

The Project is exempt from the CEQA Guidelines pursuant to Section 15303, Class 3 (New Construction or Conversion of Small Structures), which exempts the construction and location of a limited number of new, small facilities or structures, including single family residence and accessory structures, including but not limited to garages, carports, patios, swimming pools and fences. Here, the Project includes a remodel of an existing single-family residence and an addition and retaining wall and associated grading that will be balanced on site. Accordingly, the Project qualifies for the exemption pursuant to Section 15303. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The site has already been graded and existing structures are on site.

<u>Section 7.</u> <u>Variance.</u> Section 17.38.050 sets forth the required findings for granting a variance to construct in the front yard setback identified in Section 17.16.110 and to construct a five-foot-high retaining wall in the side and front yard setbacks identified in Section 17.16.150(F). With respect to the requests for Variances, the Planning Commission finds as follows:

A. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone.

There are extraordinary circumstances applicable to this property. The residence was developed prior to the City's incorporation and has a legal nonconforming front yard setback of

26 feet. Improvements to the front of the residence will have to encroach into the legal nonconforming setback but will be minimal; improvements will enhance the aesthetic of the residence and be compatible with existing development. Further, a five-foot-high retaining wall with an average height of two and one-half feet is needed in the front and side setback areas to improve accessibility. The variance is warranted due to the unique sloping topography that does not apply generally to other properties in the vicinity.

B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question.

Granting the requested variances are necessary for the preservation and enjoyment of property rights on the property. The existing main building pad encroaches into the front setback area making it necessary for the retaining wall and other improvements to also encroach. Other properties in the vicinity enjoy these types of improvements.

C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.

Granting the variances to encroach into the front and side setbacks will not be detrimental to the public welfare and will not be injurious to properties in the vicinity; a retaining wall and other improvements are allowed in the Rolling Hills community. Further, the project will be consistent with other development in the area. Improvements to the front of the residence will improve aesthetics; the driveway will be repaved and a retaining wall and swale will improve drainage.

D. That in granting the variance, the spirit and intent of this title will be observed.

Allowing construction in the front yard setback and side setback will improve aesthetics; further, the driveway will be repaved and a retaining wall and swale will improve drainage. The project is harmonious in scale and mass with the site, the natural terrain, and surrounding residences because the proposed construction complies with the lowprofile residential development pattern of the community and will not give the property an over-built look. The lot is sufficient to accommodate the proposed use.

E. That the variance does not grant special privilege to the applicant.

The construction in the front and side setbacks allows improvement to a single family home similar to others enjoyed by many properties throughout the City. The project, together with the variances, will be compatible with the objectives, policies, general land uses, and programs specified in the General Plan.

F. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

Granting a variance for the project will be consistent with the applicable portions of the Los Angeles County Hazardous Waste Management Plan related to siting criteria for hazardous waste facilities. The project site is not listed on the current State of California Hazardous Waste and Substances Sites List.

G. That the variance request is consistent with the General Plan of the City of Rolling Hills.

Granting the variance will be consistent with the General Plan of the City of Rolling Hills, which allows and encourages residential uses and property improvements. It will further the low-profile residential development pattern of the community and will not give the property an over-built look.

<u>Section 8.</u> Based upon the foregoing findings, and the evidence in the record, the Planning Commission hereby approves Zoning Case No. 22-20 subject to the following conditions:

A. The Site Plan and Variance approvals shall expire within two years from the effective date of approval as defined in RHMC Sections 17.46.080 and 17.38.070 of the Zoning Ordinance unless otherwise extended pursuant to the requirements of these sections.

B. If any condition of this resolution is violated, the entitlement granted by this resolution shall be suspended and the privileges granted hereunder shall lapse and upon receipt of written notice from the City, all construction work being performed on the subject property shall immediately cease, other than work determined by the City Manager or his/her designee required to cure the violation. The suspension and stop work order will be lifted once the Applicant cures the violation to the satisfaction of the City Manager or his/her designee. In the event that the Applicant disputes the City Manager or his/her designee's determination that a violation exists or disputes how the violation must be cured, the Applicant may request a hearing before the City Council. The hearing shall be scheduled at the next regular meeting of the City Council for which the agenda has not yet been posted; the Applicant shall be provided written notice of the hearing. The stop work order shall remain in effect during the pendency of the hearing. The City Council shall make a determination as to whether a violation of this Resolution has occurred. If the Council determines that a violation has not occurred or has been cured by the time of the hearing, the Council will lift the suspension and the stop work order. If the Council determines that a violation has occurred and has not yet been cured, the Council shall provide the Applicant with a deadline to cure the violation; no construction work shall be performed on the property until and unless the violation is cured by the deadline, other than work designated by the Council to accomplish the cure. If the violation is not cured by the deadline, the Council may either extend the deadline at the Applicant's request or schedule a hearing for the revocation of the entitlements granted by this Resolution pursuant to Chapter 17.58 of the Rolling Hills Municipal Code (RHMC).

C. All requirements of the Building and Construction Ordinance, the Zoning ordinance, and of the zone in which the subject property is located must be complied with unless otherwise a variance to such requirement has been approved.

D. The lot shall be developed and maintained in substantial conformance with the site plan on file at City Hall and approved by the Planning Commission on May 17, 2022 except as otherwise provided in these conditions. The working drawings submitted to the Department of Building and Safety for plan check review shall conform to the approved development plan. All conditions of the Site Plan Review and Variance approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department.

The conditions of approval of this Resolution shall be printed onto a separate sheet and included in the building plans submitted to the Building Department for review and shall be kept on site at all times.

Any proposed modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed with staff so that staff can determine whether the modification is minor or major in mature. Minor modifications are subject to approval by the City Manager or his or her designee. Major modifications are subject to approval by the Planning Commissioner after a public hearing. Applicant shall not implement modifications or changes to the approved project without the appropriate approval from the City Manager or designee or the Planning Commission, as required.

E. Prior to submittal of final working drawings to Building and Safety Department for issuance of building and grading permits, the plans for the project shall be submitted to City staff for verification that the final plans are in compliance with the plans approved by the Planning Commission.

F. A licensed professional preparing construction plans for this project for Building Department review shall execute a Certificate affirming that the plans conform in all respects to this Resolution approving this project and all of the conditions set forth herein and the City's Building Code and Zoning Ordinance.

Further, the person obtaining a building and/or grading permit for this project shall execute a Certificate of Construction stating that the project will be constructed according to this Resolution and any plans approved therewith.

G. Structural lot coverage of the lot shall not exceed 7,552 square feet or 14.8% of the net lot area, in conformance with lot coverage limitations (20% maximum).

The total lot coverage proposed, including structures and flatwork, shall not exceed 14,297 square feet or 28.1% of the net lot area, in conformance with lot coverage limitations (35% maximum).

H. The disturbed area of the lot, including the future stable and corral area shall not exceed 34.2%, or 17,435 square feet surface area. Grading for this project shall not exceed 1,355 cubic yards of cut and 1,355 cubic yards of fill for a total of 2,710 cubic yards balanced on site.

I. The residential building pad is proposed at 6,870 square feet and shall not exceed coverage of 5,662 square feet or 82.4% with allowed deductions. The accessory dwelling unit pad is proposed at 2,450 square feet and shall not exceed coverage of 965 square feet or 39.4% with allowed deductions. The set aside pad for a future stable and corral is proposed at 1,280 square feet and shall not exceed 450 square feet of coverage or 35.2% with allowed deductions.

J. A driveway access shall be provided per the Fire Department requirements and the apron of the driveway shall be roughened and the first 20 feet of the driveway shall not exceed 7% in slope.

K. Access to the set aside area for the future stable and corral shall be decomposed granite or 100% pervious roughened material; it shall not be wider than 12'.

L. A minimum of five-foot level path and/or walkway, which does not have to be paved, shall be provided around the entire perimeter of all of the proposed structures, or as otherwise required by the Fire Department.

M. Per LA County Building Code, a pool barrier and/or fencing shall be required for the pool.

N. A drainage plan, as required by the Building Department shall be prepared and approved by City Staff prior to issuance of a construction permit. Such plan shall be subject to LA County Code requirements.

O. The applicant shall comply with all requirements of the Lighting Ordinance of the City of Rolling Hills (RHMC 17.16.190.E), pertaining to lighting on said property, roofing and material requirements of properties in the Very High Fire Hazard Severity Zone, and Low Impact Development requirements for storm water management on site (RHMC Chapter 8.32).

P. All utility lines shall be undergrounded pursuant to Section 17.27.030.

Q. Hydrology, soils, geology and other reports, as required by the Building and Public Works Departments, and as may be required by the Building Official, shall be prepared.

R. Prior to issuance of a final construction approval of the project, all graded slopes shall be landscaped. Prior to issuance of building permit, the landscaping plan shall meet the requirements of the City, shall be submitted to the City in conformance with Fire Department Fuel Modification requirements, and shall be approved by the City's landscape consultant.

S. The project shall be landscaped, and continually maintained in substantial conformance with the landscaping plan on file approved by the City's landscape consultant. A detailed landscaping plan shall provide that any trees and shrubs used in the landscaping scheme for this project shall be planted in a way that screens the project development from adjacent streets and neighbors, such that shrubs and trees as they mature do not grow into a hedge or impede any neighbors views and the plan shall provide that all landscaping be maintained at a height no higher than the roof line of the nearest project structure. In addition, the landscaping plan shall provide for screening of the proposed retaining wall with vegetation

not to exceed 10 feet in height, and that the vegetation used for screening shall be planted in an off-set manner, to prevent it, as it grows from forming a solid hedge. The landscaping plan shall utilize to the maximum extent feasible, plants that are native to the area, are water-wise and are consistent with the rural character of the community. Plants listed as high hazardous plants under RHMC Section 8.30.015 are prohibited.

T. The applicant shall submit a landscaping performance bond or other financial obligation, to be kept on deposit by the City, in the amount of the planting plus irrigation plus 15%. The bond shall be released no sooner than two years after completion of all plantings, subject to a City staff determination that the plantings required for the project are in substantial conformance with approved plans and are in good condition.

The landscaping shall be subject to the requirements of the City's Water Efficient Landscape Ordinance, (Chapter 13.18 of the RHMC).

Pursuant to Chapter 8.30 of the RHMC, the property shall at all times be maintained free of dead trees and vegetation.

U. The retaining wall shall not exceed five feet in height at any point along the wall and shall have an average height of two and one-half feet.

V. The setback lines and roadway easement lines in the vicinity of the construction for this project shall remain staked throughout the construction. A construction fence may be required.

W. Perimeter easements, including roadway easements and trails, if any, shall remain free and clear of any of improvements to advance equestrian use and emergency preparedness for evacuation within the City. Where RHCA has demonstrated authority over the easement, the City's Planning Director may grant relief from this condition upon satisfactory proof of permission from RHCA and a legitimate showing that there is no need for the condition to advance equestrian uses and emergency preparedness.

X. Minimum of 65% of any construction materials must be recycled or diverted from landfills. The hauler of the materials shall obtain City's Construction and Demolition permits for waste hauling prior to start of work and provide proper documentation to the City.

Y. *During construction*, the site shall be maintained in a safe manner so as not to threaten the health, safety, or general welfare of the public.

Z. During construction, conformance with the air quality management district requirements, storm water pollution prevention practices, county and local ordinances and engineering practices so that people or property are not exposed to undue vehicle trips, noise, dust, objectionable odors, landslides, mudflows, erosion, or land subsidence shall be required.

AA. During construction, to the extent feasible, all parking shall take place on the project site, on the new driveway and, if necessary, any overflow parking may take place within the unimproved roadway easements along adjacent streets, and shall not obstruct neighboring

driveways, visibility at intersections or pedestrian and equestrian passage. During construction, to the maximum extent feasible, employees of the contractor shall car-pool into the City. To the extent feasible, a minimum of 4' wide path, from the edge of the roadway pavement, for pedestrian and equestrian passage shall be available and be clear of vehicles, construction materials and equipment at all times.

AB. *During construction*, the property owners shall be required to schedule and regulate construction and relate traffic noise throughout the day between the hours of 7 AM and 6 PM, Monday through Saturday only, when construction and mechanical equipment noise is permitted, so as not to interfere with the quiet residential environment of the City of Rolling Hills.

AC. Prior to demolition of the existing structures, an investigation shall be conducted for the presence of hazardous chemicals, lead-based paints or products, mercury and asbestos-containing materials (ACMs). If hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, remediation shall be undertaken in compliance with California environmental regulations and policies.

AD. The property owner and/or his/her contractor/applicant shall be responsible for compliance with the no-smoking provisions in the Municipal Code. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at: http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard_definitions#FIRE. It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions.

AE. Storm water shall drain in accordance with the approved grading and drainage plan. Drainage dissipaters shall be constructed outside of any easements. The drainage system shall be approved by the Department of Building and Safety. If an above ground swale and/or dissipater is required, it shall be designed in such a manner as not to cross over any equestrian trails or discharge water onto a trail, shall be stained in an earth tone color, and shall be screened from any trail, road and neighbors' view to the maximum extent practicable, without impairing the function of the drainage system.

AF. *During construction*, dust control measures shall be used to stabilize the soil from wind erosion and reduce dust and objectionable odors generated by construction activities in accordance with South Coast Air Quality Management District, Los Angeles County and local ordinances and engineering practices.

AG. *During construction*, an Erosion Control Plan containing the elements set forth in Section 7010 of the 2016 County of Los Angeles Uniform Building Code shall be followed to minimize erosion and to protect slopes and channels to control storm water pollution.

AH. The property owners shall be required to conform to the Regional Water Quality Control Board and County Health Department requirements for the installation and maintenance of storm water drainage facilities and septic tank. AI. The applicant shall pay all of the applicable Building and Safety and Public Works Department fees and Palos Verdes Peninsula Unified School District fees, if any.

AJ. Prior to final inspection of the project, "as graded" and "as constructed" plans and certifications shall be provided to the Planning Department and the Building Department to ascertain that the completed project is in compliance with the Planning Commission approved plans. In addition, any modifications made to the project during construction, shall be depicted on the "as built/as graded" plan.

AK. The applicants shall execute an Affidavit of Acceptance of all conditions of the Site Plan Review approval, or the approval shall not be effective.

AL. All conditions of this Resolution, when applicable, must be complied with prior to the issuance of a grading or building permit from the Building and Safety Department.

AM. Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in section 17.54.070 of the Rolling Hills Municipal Code and Code of Civil Procedure Section 1094.6.

PASSED, APPROVED AND ADOPTED THIS 17th DAY OF MAY, 2022 BRAD CHELF, CHAIRPERSON

ATTEST:

CHRISTIAN HORVATH CITY

Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 17.54.070 of the Rolling Hills Municipal Code and Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2022-06 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A SITE PLAN REVIEW FOR CONSTRUCTION OF A 1,583-SQUARE-FOOT ADDITION AND REMODEL TO AN EXISTING RESIDENCE, MAXIMUM FIVE-FOOT-HIGH RETAINING WALL, POOL/SPA IN EXCESS OF 800 SQUARE FEET, GRADING, AND OTHER IMPROVEMENTS; AND VARIANCES TO CONSTRUCT IN THE FRONT YARD SETBACK AND FOR A FIVE-FOOT-HIGH RETAINING WALL TO BE CONSTRUCTED IN THE FRONT AND SIDE SETBACK AREA FOR A PROPERTY LOCATED AT 16 SOUTHFIELD DRIVE (LOT 33-SF), ROLLING HILLS, CA (BURGOYNE)

was approved and adopted at a regular meeting of the Planning Commission on May 17, 2022, by the following roll call vote:

AYES: Cardenas, Cooley, Douglas, Chair Chelf

NOES:

ABSENT: Kirkpatrick

ABSTAIN:

and in compliance with the laws of California was posted at the following:

Administrative Offices.

CHRISTIAN HORVATH,



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 11.A Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ALAN PALERMO, PROJECT MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT:CONSIDER AND APPROVE AMENDING SEWER STUDY TO PHASE
THE CONSTRUCTION OF THE 8" SEWER MAIN PROJECT

DATE: June 13, 2022

BACKGROUND:

At the May 13, 2019 City Council Meeting, City Council considered and approved a Professional Services Agreement with Willdan Engineering for the Phase II Sanitary Sewer Improvement Feasibility Study. This report was submitted to the City of Rolling Hills, Rolling Hills Estate, and City of Torrance for review and comments. Concurrently, this report and Will Serve Letter requests (2 letters) were submitted to Sanitation Districts of Los Angeles County for downstream treatment of wastewater. The first Will Serve Letter request was for connecting the City Hall and Tennis Court Site. The second Will Serve Letter request was for connecting existing 235 single family homes in the City of Rolling Hills.

After all agencies reviewed and provided comments, Willdan Engineering updated the study and submitted the Final Report in December 2019. All agencies approved the study with final approval from Los Angeles County Department of Public Works (LACDPW) on May 6, 2020.

The City released a RFP and engaged the services of NV5 in 2020 to provide engineering design for the 8" sewer main along Portuguese Bend Road/Rolling Hills Road. Since the commencement of the design work, NV5 has met the 65% design, 90% design, and the 100% design milestones. This proposed sewer main crosses several jurisdictions and approval from each jurisdiction is necessary before the project is deemed complete. The additional jurisdictions reviewing the plans are Rolling Hills Estates and City of Torrance.

During the review process for the construction documents, the City of Torrance has made several requests requiring additional design services in order to approve the plans. The additional design services are necessary to obtain approval from the City of Torrance and proceed to the construction phase of this project. A proposal to amend NV5's professional services agreement was presented to City Council April 25, 2022 at which time City Council directed staff to look at bifurcating the project into phases and identify options to do so. Phase 1 would include the new 8-inch downstream sewer improvements in Rolling Hill and Rolling

Hills Estates needed to connect Rolling Hills City Hall, RHCA Building, Main Gatehouse, and Tennis Courts to the existing public sewer system in Rolling Hills Estates. Phase 2 would involve the downstream sewer improvements in the City of Torrance (upsizing existing sewer) needed to connect City of Rolling Hills residents to the public sewer system.

DISCUSSION:

Staff/Consultants reached out to agencies involved (Rolling Hills Estates, City of Torrance, LACDPW) and confirmed the sewer improvement project could be constructed in phases as described. Rolling Hills Estates and City of Torrance requested the Sanitary Sewer Improvement Feasibility Study be updated/amended to include analysis confirming the existing sewer in Rolling Hills Estates and City of Torrance can accommodate the wastewater flows from Rolling Hills City Hall, RHCA Building, Main Gatehouse, and Tennis Courts. LACDPW did not require additional analysis.

At the City's request, Willdan provided a proposal to amend the Sanitary Sewer Improvement Feasibility Study with a supplement with the required analysis confirming the proposed Phase 1 sewer improvements would be sufficient to accept the wastewater flows from Rolling Hills City Hall, RHCA Building, Main Gatehouse, and Tennis Courts.

FISCAL IMPACT:

Willdan provided a fee proposal to prepare a Supplement to the Sanitary Sewer Improvement Feasibility Study in the amount of \$9,010. The fee includes updating the model, preparing Sewer Area Supplemental Study, submitting to the agencies involved, and finalizing study for approval upon receiving comments. There is no funding available in the adopted FY 2021-2022 budget for the design fee. If the City Council should move forward with an amended agreement with Willdan to complete the Supplemental Study to obtain all agency approvals, General Fund Reserves will be used to pay for the engineering design fees.

RECOMMENDATION:

Approve additional service to prepare and complete a Supplemental Study to the Sanitary Sewer Improvement Feasibility Study requested by Rolling Hills Estates and the City of Torrance to bifurcate the Rolling Hills Sewer Improvement Project into two phases and direct staff to prepare an amendment to the service agreement with Willdan in the amount of \$9,010.

ATTACHMENTS:

P22-158_23401 RH_Phase II_ Sewer Area Study Supplement.pdf



May 5, 2022

Via e-mail: ejeng@cityofrh.net

Ms. Elaine Jeng, PE, City Manager City of Rolling Hills No. 2 Portuguese Bend Road Rolling Hills, CA 90274

Subject: Sewer Area Study Supplement

Dear Ms. Jeng:

The City of Rolling Hills selected Willdan Engineering in 2018 to prepare a "Sewer Feasibility Study Including City Hall and Tennis Court Site" (Phase 1). The study conducted concept level research and engineering feasibility evaluation regarding the potential of connecting the City Hall, POA building, and the tennis court site, and upstream properties to existing downstream sanitary sewer systems. The report was presented to the City Council on October 8, 2018. The City subsequently selected Willdan in July 2019 to further the design to the preliminary engineering level (Phase 2). The scope of work of the Phase 2 project included:

Analyzing parcels in the City upstream of the City Hall location that can feasibly drain to the proposed sanitary sewer extension;

Estimating the amount of wastewater to be generated by the project area;

Analyzing the capacity of the existing downstream sewer system with the estimated wastewater from the project area;

Preparation of a Sewer Area Study that was submitted to, and received approval from, the City of Torrance, the City of Rolling Hills Estates, LACDPW and the County Sanitation District of Los Angeles County;

Preparation of preliminary engineering plans for the extension of the sanitary sewer to the City Hall, POA Building and tennis court site.

The Phase 2 project determined that pipe size upgrades in the downstream segments in the City of Torrance are required to ensure the sewer pipes do not exceed Design Capacity (pipe half full).

City of Rolling Hills May 5, 2022 Attn: Elaine Jeng, PE, City Manager

The City now desires to study the impact to the downstream sewers from the sewer flows from the City Hall and the Tennis Court Site only, i.e., not including sewer flow from the upstream properties. The sewer will likely not be extended to the upstream properties for several years and the City would like to not construct the pipe size upgrades at this time if they are not needed. The City has contacted the Cities of Rolling Hills Estates and Torrance and they are acceptable to this concept if the Sewer Area Study is supplemented to verify that the downstream sewer pipes are within Design Capacity without the sewer flows from the upstream properties. This proposal presents Willdan's scope of work, fee and schedule to prepare the Sewer Area Study Supplement.

SCOPE OF WORK

1. Project Management:

The success of any project is dependent upon communication between the client and project manager. This communication ensures that the project performs within the agreed upon scope of work, schedule, and budget. Willdan will provide the City with a bi-weekly Project Status Memorandum which will be delivered via email.

Products Developed:Bi-Weekly Project Status MemorandumDeliverable to Client:Bi-Weekly Project Status Memorandum

2. Review Approved Sewer Area Study:

Willdan will review the Sewer Area Study which was approved by all affected agencies to determine the pertinent documents, figures, and calculations which will require revision.

Products Developed: Project status documents and working notes Deliverable to Client: None

3. Revise the Sewer Model:

Willdan will update the approved sewer model Excel file to reflect the following:

Delete sewer flows from properties upstream of City Hall / Tennis Court Site; Revise pipe slopes to reflect the current design plans provided by the City; and Evaluate the results of the model

Products Developed:Updated Sewer ModelDeliverable to Client:None

4. Prepare a Sewer Area Study Supplement:



Willdan will prepare a textual document which will document the scope and findings of the Supplement. Figures and exhibits which were included in the approved Sewer Area Study will be annotated to reflect the scope and findings of Phase 1. Willdan will prepare a Sewer Area Study Supplement, sealed and signed by a California registered Professional Engineer and submit to the City, Rolling Hills Estates, and Torrance. As Phase 1 will not have any impact on LACDPW facilities, we have emailed them to confirm that a formal submittal to them is not required. As of the writing of this proposal, we have not heard back from LACDPW, but we are including a submittal fee of \$2000 in our fee to be conservative. The fee for the LACDPW review of the original Sewer Area Study was \$2000 and is based on review effort. The review effort for the Supplement should be less and therefore the \$2000 should be conservative. The Cities of Torrance and Rolling Hills Estates require no fee for review of the Supplement.

Products Developed: Sewer Area Study Supplement Deliverable to Agencies: Draft Sewer Area Study Supplement (2 Hard Copies each to Rolling Hills, Torrance and Rolling Hills Estates. If LACDPW review is required, it is through its electronic permitting service)

5. Revise Sewer Area Study Supplement

Although not anticipated, it is possible that the agencies may have comments after reviewing the Sewer Area Study Supplement. If comments are received, Willdan will revise the documents as required and resubmit the Sewer Area Study, sealed and signed by a California registered Professional Engineer.

Products Developed: Revised Sewer Area Study Supplement Deliverable to Client: Revised Sewer Area Study Supplement (2 Hard Copies each to Rolling Hills, Torrance and Rolling Hills Estates. If LACDPW review is required, it is through its electronic permitting service)

FEE

We propose to provide the above engineering services for a fixed fee of **\$9,010**.

Please indicate the City's approval and authorization to proceed by either printing out and signing two originals and returning one hard copy original to our office, or by scanning one signed original and returning it by e-mail.





City of Rolling Hills May 5, 2022 Attn: Elaine Jeng, PE, City Manager

SCHEDULE

We estimate the Sewer Area Study Supplement will be completed within four weeks, which excludes agency review time, from receipt of the signed proposal and written Notice-to-Proceed. The proposed Schedule is as follows:

<u>Task</u>	<u>Weeks</u>	Weeks from NTP
1. Project Management	Ongoing	Ongoing
2. Review Approved Sewer Area Study	1	1
3. Revise Sewer Model	1	2
4. Prepare Sewer Area Study Supplement	1	3
5. Revise Sewer Area Study Supplement	1	4

Thank you for the opportunity to be of service to the City of Rolling Hills. We recognize the importance of this preliminary engineering assessment to the City and are committed to accomplishing it timely and successfully. Should you have any questions regarding this proposal, please contact Mr. Chris Stone, P.E. at (702) 289-4247 or Ms. Vanessa Muñoz PE, TE, PTOE at (562) 368-4848.

Respectfully submitted,

Approval and Authorization to Proceed By:

WILLDAN ENGINEERING

CITY OF ROLLING HILLS

Vanessa Muñoz, PE, TE, PTOE President/Director of Engineering

Date:

910005/WW.00.60/P22-158_23401



P19-082_16986	RH_Sewer Feasi	ibility Study Ph II-Suppler	ment-Fee-5-4-2022
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PROJECT HOURS AND FEE	CITY OF ROLLING HILLS Sewer Area Study Supplement								
PROJECT ACTIVITY DESCRIPTIONS & TEAM	Dep. Dir. Engrg. \$214	Project Manager III \$191	Sr. Engineer II \$183	Asst. Engineer I \$127	Admin. Asst II \$100	Total Hours #	OE		Total Fee \$
TASK DESCRIPTION	Peter	Stone	Gandhi	Crim					
1. Project Management		4				4			\$764
2. Review Approved Sewer Area Study		2	4			6		_	\$1,114
3. Revise Sewer Model		2	6			8			\$1,480
4. Prepare Sewer Area Study Supplement Report Writing	1	2	4			7			\$1,328
Revise Exhibits and Figures		2	4	3		3			\$381
LACDPW Review Fee (if required) Printing/Binding/Shipping 6 hard copies total				1	2	3	\$ \$	2,000 100	\$2,000 \$427
5. Revise Sewer Area Study Supplement						-			
Revise Report Revise Exhibits and Figures		2	2	2		5 2			\$962 \$254
Printing/Binding/Shipping 6 hard copies total					2	2	\$	100	\$300
Totals	2	12	16	6	4	40	\$ 2	2,200	\$9,010

5/5/2022



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 11.B Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: APPROVE RENEWAL AGREEMENT WITH GRANICUS FOR SUBSCRIPTION TO AGENDA MANAGEMENT, MINUTES, AND UPGRADED LIVECAST HARDWARE/SOFTWARE PROGRAMS

DATE: June 13, 2022

BACKGROUND:

In 2019, staff initiated an effort to streamline the agenda publishing process. Through a survey of surrounding cities, staff found that most cities employed an agenda management system. An agenda management system creates efficiencies in agenda preparation and workflow as well as preserving staff reports, attachments and packets for online archival and retrieval by the public. The system includes a live cast element which records audio and video of all meetings, allowing for greater transparency and public participation.

The City Council subsequently approved and entered into a 3 year agreement with Granicus. That agreement is now expiring and requires renewal. In anticipation, the City Clerk's office has been working with the Granicus teams specific to contract renewal. Currently, the existing three year old streaming hardware is now out-of-date and requires upgrading.

The Clerk's office has also been exploring additional Granicus software subscription solutions as well as potentially migrating to Granicus website solutions in order to further improve customer service and create efficiencies in many other aspects of the city's daily workflow provided to residents or professionals. Some of these areas include communications and engagement, digital services, records requests, records management and integrated website redevelopment. While these additional options are not being proposed as part of the draft FY 2022/23 ongoing core budget, the City Council could approve additional one-time funding for staff to continue exploration and return with more detailed information at a future meeting.

DISCUSSION:

Staff recommends renewal of the Granicus subscription services currently in use as well as upgrading to the GovMeetings Live Cast (ClearCaster) encoding software/hardware. The one-time and ongoing cost proposal at a negotiated annual flat rate can be found as Attachment A.

Within the proposal's New Subscription Fees table, Granicus has included, at the clerks request, a line item for adding eComment capabilities. This would allow public participation from outside of Council Chambers during the window beginning with Agenda posting until the adjournment of a meeting. Residents would have the ability to provide feedback on any item or non agenda item from outside the Council Chambers. The word count can be capped to not exceed three minutes of time to read. At the council's direction, the clerk can read the comments during any item's public participation. Comments should also technically be accessible via the city website employing the Granicus links.

Due to budgetary constraints, staff is not recommending implementation of the eComment module at this time, but wanted to make the City Council aware of a feature that is being used more and more especially since the onset of the pandemic.

FISCAL IMPACT:

There is available funding in the FY 2021/22 budget for the upgrade purchase of the encoder including set-up, configuration and training (one-time cost). The draft budget for FY 2022/23 includes funding for the ongoing agenda management annual subscription costs. Staff was able to negotiate a flat annual subscription cost for the next 36 months at \$8,142.87 per year. Beginning the fourth year, the subscription cost increases by 3% and every year thereafter unless staff is able to renegotiate terms at a future date.

RECOMMENDATION:

Approve as presented and/or provide direction regarding additive services.

ATTACHMENTS:

CA_AGR_220509_AttachmentA_Peak_GovMtgLiveCast_3yr_Renewal_Proposal_F.pdf



408 Saint Peter Street, Suite 600 Saint Paul, MN 55102 United States THIS IS NOT AN INVOICE

Order Form Prepared for Rolling Hills, CA

Granicus Proposal for Rolling Hills, CA

ORDER DETAILS

Olive Nofzinger
olivia.nofzinger@granicus.com
Q-203133
06/06/2022
06/09/2022

ORDER TERMS

Currency:	USD
Payment Terms:	Net 30 (Payments for subscriptions are due at the beginning of the period of performance.)
Current Billing Term	
End Date:	06/09/2022
Period of Performance:	06/10/2022 - 06/09/2023



PRICING SUMMARY

The pricing and terms within this Proposal are specific to the products and volumes contained within this Proposal.

Terminating Subscriptions		
Solution	Quantity/Unit	Prior Annual Fee
Government Transparency Suite	0 Each	\$2,568.00
Open Platform Suite	0 Each	\$0.00
Granicus Encoding Appliance Software (GT)	0 Each	\$1,200.00
SUBTOTAL:		\$3,768.00

Upon the signing of this Agreement, annual fees for the terminating subscription(s) shall cease. Any pre-paid fees for the terminating subscription(s) after the signing of this Agreement will be prorated from the signing of this Agreement to the end of the Client's then-current billing term, credited, and such credit applied to the annual fees for new subscriptions.

Client will continue to have access to and use the terminating solution until the new subscription(s) is/are deployed.

Upon the deployment of Client's new solution as determined at Granicus' sole discretion, Granicus shall remove access to the Client's terminating subscription(s).

Staff recommends use of available funding in the FY 2021/22 budget to cover the below one-time costs

One-Time Fees				
Solution	Billing Frequency	Quantity/Unit	One-Time Fee	
GovMeetings Live Cast SetUp and Config	Up Front	1 Each	\$0.00	
Encoding Appliance HDW - WOWZA ClearCaster	Upon Delivery	1 Each	\$2,950.00	
Granicus Video - Online Training	Upon Delivery	2 Hours	\$450.00	
eComment - Online Group Training	Upon Delivery	2 Hours	\$0.00	
eComment - Setup and Configuration	Up Front	1 Each	\$0.00	
Granicus ClearCaster Setup and Configuration	Up Front	1 Each	\$875.00	
US Shipping Charge C - Large Item	Upon Delivery	1 Each	\$125.00	
Open Platform - Setup and Configuration	Up Front	1 Hours	\$0.00	
SUBTOTAL:			\$4,400.00	



New Subscription Fees			
Solution	Billing Frequency	Quantity/Unit	Annual Fee
GovMeetings Live Cast	Annual	1 Each	\$3,068.06
eComment Staff does not recommend implementation at this time due to budgetary constraints	Annual	1 Each	\$1,200.00
Open Platform Suite	Annual	1 Each	\$0.00
Granicus ClearCaster Software	Annual	1 Each	\$1,674.81
SUBTOTAL:	1	1	\$5,942.87

Renewing Subscription Fees			
Solution	Billing Frequency	Quantity/Unit	Annual Fee
Meeting Efficiency Suite	Annual	1 Each	\$0.00
Peak Agenda Management	Annual	1 Each	\$3,400.00
SUBTOTAL:			\$3,400.00

Total	\$8,142.87
remove eComment	-\$1,200.00
Subtotal	\$9,342.87



FUTURE YEAR PRICING

Solution(s)	Period of Performance				
Solution(s)	06/10/2023 - 06/09/2024	06/10/2024 - 06/09/2025			
Meeting Efficiency Suite	\$0.00	\$0.00			
Peak Agenda Management	\$3,400.00	\$3,400.00			
GovMeetings Live Cast	\$3,068.06	\$3,068.06			
eComment	\$1,200.00	\$1,200.00			
Open Platform Suite	\$0.00	\$0.00			
Granicus ClearCaster Software	\$1,674.81	\$1,674.81			
SUBTOTAL:	\$8,142.87 \$9,342.87	\$8,142.87 \$9,342.87			



PRODUCT DESCRIPTIONS

Solution	Description
Meeting Efficiency Suite	Meeting Efficiency is a hybrid Software-as-a-Service (SaaS) and Hardware- as-a-Service (HaaS) solution that enables government organizations to simplify the in-meeting management and post-meeting minutes creation processes of the clerk's office. By leveraging this solution, the client will be able to streamline meeting data capture and minutes production, reducing staff efforts and decreasing time to get minutes published. During a meeting, use LiveManager to record roll calls, motions, votes, notes, and speakers, all indexed with video. Use the index points to quickly edit minutes, templates to format in Microsoft Word, and publish online with the click of a button. Meeting Efficiency includes:
	Unlimited user accounts
	Unlimited meeting bodies
	 Unlimited storage of minutes documents
	 Access to the LiveManager software application for recording information during meetings
	 Access to the Word Add-in software component for minutes formatting in MS Word if desired
	 Up to one (1) MS Word minutes template (additional templates can be purchased if needed)
Peak Agenda Management	Peak Agenda Management is a Software-as-a-Service (SaaS) solution that enables government organizations to simplify the agenda management and minutes recording process of the clerk's office. Peak Agenda Management allows clerks to streamline the way they compile and produce agendas and record minutes for public meetings and includes:
	Unlimited user accounts
	 Unlimited meeting bodies and meeting types
	 Access to up to one (1) Peak Agenda Management site
GovMeetings Live Cast	govMeetings LiveCast provides the ability to manage public meetings from anywhere, on almost any device using cloud based software and a Granicus ClearCaster encoder. It will stream public meetings in HD, allow users to live index items, record and publish minutes, and provide archive videos for on-demand viewing.



Solution	Description
eComment	eComment reduces staff time by providing the ability to effortlessly collect and manage citizen input on agenda items. Citizens are allowed to either submit comments in regards to items or sign up to speak before a scheduled meeting.
Encoding Appliance HDW - WOWZA ClearCaster	WOWZA ClearCaster encoder is the hardware appliance used convert the video feed for video streaming on the web. It also records the video and provides the MP4 file for archive playback.
Granicus Video - Online Training	Granicus Video - Online Training
Open Platform Suite	Open Platform is access to MediaManager, upload of archives, ability to post agendas/documents, and index of archives. These are able to be published and accessible through a searchable viewpage.
eComment - Online Group Training	eComment - Online Group Training is for Group training of eComment, which allows clients to have up to six (6) users participate in online Group sessions with a Granicus trainer and other client users, to learn how to use the system.
US Shipping Charge C - Large Item	US shipping of a large item
Granicus ClearCaster Software	Granicus ClearCaster Software will convert the video feed for video streaming on the web which will also record video and provides the MP4 file for archive playback.
	Only used with the ClearCaster encoder hardware and LiveCast solution.
Open Platform - Setup and Configuration	Setup and configuration for Open Platform

THIRD PARTY DISCLAIMER

ClearCaster and LiveCast Services: Client and Granicus agree that a third party will provide services under this Agreement. Client expressly understands that the third party is an independent contractor and not an agent or employee of Granicus. Granicus is not liable for acts performed by such an independent third party.



TERMS & CONDITIONS

- Link to Terms: https://granicus.com/pdfs/Master_Subscription_Agreement.pdf
- Upon the effective date, this Agreement shall supersede and replace any previous agreement between the parties for the Terminating and/or Existing Subscriptions listed herein. All such prior agreements between the parties are hereby void and of no force and effect.
- ClearCaster Terms & Conditions attached to this quote are incorporated herein by reference.
- This quote is exclusive of applicable state, local, and federal taxes, which, if any, will be included in the invoice. It is the responsibility of Rolling Hills, CA to provide applicable exemption certificate(s).
- Any lapse in payment may result in suspension of service and will require the payment of a setup fee to reinstate the subscription.
- Notwithstanding anything to the contrary, Granicus reserves the right to adjust pricing at any renewal in which the volume has changed from the prior term without regard to the prior term's per-unit pricing.
- Granicus will provide a three (3) year warranty with respect to required hardware. Within the three (3) year warranty period, Granicus shall repair or replace any required hardware provided directly from Granicus that fails to function properly due to normal wear and tear, defective workmanship, or defective materials.



BILLING INFORMATION

Billing Contact:	Purchase Order Required?	[] - No [] - Yes
Billing Address:	PO Number: If PO required	
Billing Email:	Billing Phone:	

If submitting a Purchase Order, please include the following language:

The pricing, terms, and conditions of quote Q-203133 dated 06/06/2022 are incorporated into this Purchase Order by reference and shall take precedence over any terms and conditions included in this Purchase Order.

AGREEMENT AND ACCEPTANCE

By signing this document, the undersigned certifies they have authority to enter the agreement. The undersigned also understands the services and terms.

Rolling Hills, CA				
Signature:				
Name:				
Title:				
Date:				

ClearCaster Terms & Conditions

The ClearCaster products are subject to the following terms:

Permitted Use. Granicus hereby grants during each Order Term or as otherwise specified in the Order, and Customer hereby accepts, solely for its internal use, a worldwide, revocable, non- exclusive, non-transferrable right to use the ClearCaster products to the extent allowed in the relevant Order (collectively the "Permitted Use"). The Permitted Use shall also include the right, subject to the conditions and restrictions set forth herein, to use the ClearCaster products up to the levels limited in the applicable Order.

Data Sources. Data uploaded into ClearCaster products must be brought in from Customer sources (interactions with end users and opt-in contact lists). Customer cannot upload purchased contact information into the ClearCaster products without Granicus' written permission and professional services support for list cleansing.

Passwords. Passwords are not transferable to any third party. Customer is responsible for keeping all passwords secure and all use of the the ClearCaster products accessed through Customer's passwords.

Content. Customer can only use the ClearCaster products to share content that is created by and owned by Customer and/or content for related organizations provided that it is in support of other organizations but not as a primary communication vehicle for other organizations that do not have a Granicus subscription. Any content deemed inappropriate for a public audience or in support of programs or topics that are unrelated to Customer, can be removed or limited by Granicus.

Disclaimers. Any text, data, graphics, or any other material displayed or published on Customer's website must be free from violation of or infringement of copyright, trademark, service mark, patent, trade secret, statutory, common law or proprietary or intellectual property rights of others. Granicus is not responsible for content migrated by Client or any third party.

Advertising. The ClearCaster products shall not be used to promote products or services available for sale through Customer or any third party unless approved in writing, in advance, by Granicus. Granicus reserves the right to request and review the details of any agreement betweenCustomer and a third party that compensates Customer for the right to have information included in Content distributed or made available through the ClearCaster products prior to approving the presence of Advertising within the ClearCaster products.

Restrictions. Customer shall not:

- Misuse any Granicus resources or the ClearCaster products or cause any disruption, including but not limited to, the display of pornography or linking to pornographic material, advertisements, solicitations, or mass mailings toindividuals who have not agreed to be contacted;
- Use any process, program, or tool for gaining unauthorized access to the systems, networks, or



accounts of other parties, including but not limited to, other Granicus customers;

- Customer must not use the Granicus products, services or the ClearCaster products in a manner in which system or network resources are unreasonably denied to other Granicus clients;
- Customer must not use the services or ClearCaster products as a door or signpost to another server.
- Access or use any portion of the ClearCaster products, except as expressly allowed by this Order;
- Copy, distribute, sublicense, or otherwise share, software provided on the ClearCaster products;
- Disassemble, decompile, or otherwise reverse engineer all or any portion of the ClearCaster products; or add or remove software on the ClearCaster products without Granicus consent;
- Use the ClearCaster products for any unlawful purposes;
- Export or allow access to the ClearCaster products in violation of U.S. laws orregulations;
- Except as expressly permitted in this Order, subcontract, disclose, rent, or lease the ClearCaster products, or any portion thereof, for third party use; or
- Modify, adapt, or use the ClearCaster products to develop any software application intended for resale which uses the ClearCaster products in whole or in part.

Customer Feedback. Customer assigns to Granicus any suggestion, enhancement, request, recommendation, correction or other feedback provided by Customer relating to the use of the ClearCaster products. Granicus may use such submissions as it deems appropriate in its sole discretion.

Reservation of Rights. Subject to the limited rights expressly granted hereunder, Granicus and/or its licensors reserve all right, title and interest in the ClearCaster products, the documentation and resulting product including all related intellectual property rights. Further, no implied licenses are granted to Customer. The Granicus name, the Granicus logo, and the product names associated with the services are trademarks of Granicus or its suppliers, and no right or license is granted to use them.

License to Content; Access. Customer hereby grants Granicus and its vendors a limited right and license to view, access, use, modify, adapt, reproduce, transmit, distribute, display, and disclose Content for the sole purpose of providing the ClearCaster products. Customer agrees that Granicus and its vendors may remotely access the ClearCaster products for the sole purpose of providing Granicus products and services, and the ClearCaster products.



Warranties and Disclaimers. The ClearCaster products are provided "AS IS" and as available. EACH PARTY HEREBY DISCLAIMS ANY AND ALL OTHER WARRANTIES OF ANY NATURE WHATSOEVER WHETHER ORAL AND WRITTEN, EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY, TITLE, NON-INFRINGEMENT, AND FITNESS FOR A PARTICULAR PURPOSE. NEITHER GRANICUS NOR ITS SUPPLIERS WARRANT THAT THE CLEARCASTER PRODUCTS WILL MEET CUSTOMER'S REQUIREMENTS NOR THAT THE OPERATION THEREOF WILL BE UNINTERRUPTED OR ERROR FREE.

Notwithstanding the foregoing and subject to payment of all applicable fees, Granicus will provide a three (3) year warranty with respect to required hardware. Within the three (3) year warranty period, Granicus shall repair or replace any required hardware provided directly from Granicus that fails to function properly due to normal wear and tear, defective workmanship, or defective materials.

EXCLUSION OF CONSEQUENTIAL AND RELATED DAMAGES. UNDER NO CIRCUMSTANCES SHALL GRANICUS NOR ITS SUPPLIERS BE LIABLE FOR ANY SPECIAL, INDIRECT, PUNITIVE, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, WHETHER AN ACTION IS IN CONTRACT OR TORT AND REGARDLESS OF THE THEORY OF LIABILITY, EVEN IF A PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. FURTHER, GRANICUS NOR ITS SUPPLIER SHALL BE LIABLE FOR: (A) ERROROR INTERRUPTION OF USE OR FOR LOSS OR INACCURACY OR CORRUPTION OF CUSTOMER DATA; (B) COST OF PROCUREMENT OF SUBSTITUTE GOODS, SERVICES, TECHNOLOGY, OR HARDWARE; (C) LOSS OF BUSINESS; (D) DAMAGES ARISING OUT OF ACCESS TO OR INABILITY TO ACCESS THE SERVICES, SOFTWARE, CONTENT, HARDWARE, CLEARCASTER PRODUCTS, OR RELATED TECHNICAL SUPPORT; OR (E) FOR ANY MATTER BEYOND GRANICUS' REASONABLE CONTROL, EVEN IF A PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

LIMITATION OF LIABILITY. IN NO INSTANCE SHALL EITHER PARTY'S LIABILITY TO THE OTHER PARTY FOR DIRECT DAMAGES RESULTING EXCLUSIVELY FROM THE CLEARCASTER PRODUCTS (WHETHER IN CONTRACT OR TORT OR OTHERWISE) EXCEED THE FEES PAID BY CUSTOMER FOR GRANICUS PRODUCTS AND SERVICES DURING THE SIX (6) MONTHS IMMEDIATELY PRECEDING THE DATE THE DAMAGED PARTY NOTIFIES THE OTHER PARTY IN WRITING OF THE CLAIM FOR DIRECT DAMAGES. NEITHER PARTY MAY INSTITUTE AN ACTION IN ANY FORM ARISING OUT OF NOR IN CONNECTION WITH THE CLEARCASTER PRODUCTS MORE THAN TWO (2) YEARS AFTER THE CAUSE OF ACTION HAS ARISEN.



Agenda Item No.: 11.C Mtg. Date: 06/13/2022

- TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
- FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER
- THRU: ELAINE JENG P.E., CITY MANAGER
- SUBJECT: CONSIDERATION OF RENEWAL FOR FY 2022/23 SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) REGIONAL PLANNER SPECIAL ASSESSMENT
- DATE: June 13, 2022

BACKGROUND:

Last year, the South Bay Cities Council of Government (SBCCOG) hired a regional planner to assist its city members with land use issues, the monitoring and interpretation of housing legislation and to enhance the SBCCOG's climate action work. The regional planner was meant to be a resource to address issues common to all of the cities.

The idea of hiring a regional planner arose from continuing land use issues that need to be addressed by COG and its member cities. Many of these land use issues deal with the numerous housing bills being introduced at the state level. Another issue was the need for the COGs to administer the Regional Early Action Program which provides one-time funding to accelerate housing production and facilitate compliance in implementing the 6th Cycle Housing Element. SBCCOG intended to use REAP funding to augment a portion of the planner position. Any funding not used from the assessment would roll over to the following year.

Last year, the SBCCOG assumed a region-wide cost of \$110,500 with the City of Rolling Hills assessment of \$4,000 due to population size. The City Council approved a \$1,000 contribution to participate.

This year, the SBCCOG has been able to lower the region-wide cost and individual city assessments. The City of Rolling Hills assessment for FY 2022/23 would be \$2,000.

DISCUSSION:

What follows is a list of what the regional planner has accomplished in the past year or is currently working on for all the cities Planning and Community Development departments within the SBCCOG. The Community Development Directors are able to call on him for research and other information.

- Conducted one-on-one interviews with South Bay Community Development Directors to determine their priorities, opportunities, and challenges in order to inform SBCCOG's regional planning services. Prepared memo on findings for SBCCOG staff and city Directors.
- Identified California State Dept of Toxic Substances Control "Equitable Community Revitalization Grant" program for brownfield clean up; organized presentation to South Bay Directors by DTSC staff; liaised between DTSC and cities; City of Carson applied for the grant and is waiting on Round 1 results.
- Developed and led tour of West Athens community (LA County District 2) for Neighborhood Broadband Center proposal in development at SBCCOG.
- Work collaboratively with South Bay Community Development Directors to develop a coherent South Bay housing policy to help ensure that state accelerated housing production policy goals are met, while also meeting the local needs of the communities.
- Serve as a resource to SBCCOG member jurisdictions and Community Development Directors providing technical assistance and support as needed. Examples:
 - Provided a list of Code Enforcement firms for the City of Rolling Hills to consider.
 - Currently researching status of SB 9 in every South Bay city for memo update to directors.
- Coordinate and manage monthly Community Development Directors meeting on Zoom, 3rd Thursday each month 12:30-2pm. Develop meeting agenda; invite guest speakers; send meeting invitations to Directors and staff; chair the meeting.
- Provide research assistance to SBCCOG senior staff. Example:
 - Researched and prepared memo on the potential impact of Ghost Kitchens in South Bay, with a focus on land use and planning.
- Identify, research, and connect city staff with grant funding opportunities for implementation. Example:
 - Manage the Community Development Director email listserv for sending critical information updates to Directors; engage Directors on important planning matters through listserv.
- Attend SCAG meetings and committees, HCD meetings, and other housing related meetings and trainings on behalf of the South Bay. Share information and resources with Directors at monthly CDD meetings and through email listserv.
- Track state housing policy and legislation and recommend advocacy positions including drafting and circulating position letter templates to cities.
- Research state bills affecting housing law. Recommend additions to SBCCOG Legislative Matrix. Co-author positions on proposed state housing bills. Example:
 - AB 1978 proposes to allow HCD to do local zoning on behalf of cities out of compliance with state law, and fine cities up to \$10,000 per day to gain compliance. I identified this bill as a matter of urgent concern, researched it, recommended opposition that was approved by SBCCOG Board, and added to Legislative Matrix for advocacy.
- Co-author advocacy position letters to state representatives. Example:
 - Co-authored a letter of support for a Housing Element Informational Hearing and Status Update, sent to Assembly Committee.
- Lead development of ADU Calculator tool for the South Bay. Beta version: https://southbaycities.aducalculator.org/. ADU Calculator is a FREE online tool to help residents estimate construction costs and rental income from developing an ADU. It is

funded by Chan Zuckerberg Initiative at no cost to cities. Researched the calculator, brought consultants to monthly CDD meeting for presentation; currently manage cities' self-reported ADU data entry process and serve as consultant's liaison.

- <u>Residents can use the ADU Calculator to estimate costs of constructing an ADU in</u> the City of Rolling Hills.
- Contribute to potential formation of a regional South Bay Housing Trust Fund. Example:
 - Researched and co-authored a "Pros and Cons" memo on Housing Trust Funds as Nonprofit vs JPA for SBCCOG Board of Directors, in collaboration with COG staff and legal team.
- Served as invited panelist at 2021 Environmental Justice Enforcement Symposium representing SBCCOG. Discussed ways to build community partnerships through compassionate planning and code enforcement.
- Oversee implementation the SCAG's Regional Early Action Planning (REAP) projects funded for the South Bay. Manage four (4) REAP 1.0 grant projects with a budget of \$603,000. Developed RFPs, led the procurement process; currently conduct project management, coordinate with consultants, interface with SCAG. Project duration 2021-2023.
 - ADU Acceleration (consultant: Black & Veatch, Pocket Housing)
 - Study of ADU patterns, challenges, opportunities in 8 South Bay cities
 - Commercial Redevelopment into Housing (consultant: Studio 111, Kosmont)
 - Study of under-performing commercial segments and resources needed for redevelopment into affordable, sustainable housing in 6 South Bay cities
 - Housing Education Program
 - 10-part online housing education series for South Bay city leaders
 - SB 330 Protected Units Supplemental Application Form
 - Supplemental form for applicants and cities to document Protected Units for replacement if subject to demolition in SB 330 projects
- Research and prepare for REAP 2.0 application for transformative planning and implementation projects with funding potential totaling \$247 million for the SCAG region.

FISCAL IMPACT:

Based on the City's population, the FY2022-23 contribution would be \$2,000.

RECOMMENDATION:

Provide direction to staff.

ATTACHMENTS:

CL_AGN_220613_SBCCOG_22-23_Assessment_RegionalPlanner.pdf

Special Assessment Proposed for Regional Planner

	2021-2022	2022-2023
OVER 75,000 population		
Carson	9,000	4,500
Hawthorne	9,000	4,500
Inglewood	9,000	4,500
Los Angeles County	9,000	4,500
Los Angeles City	9,000	4,500
Torrance	9,000	4,500
30,000 TO 75,000 population		
Gardena	6,500	3,250
Lawndale	6,500	3,250
Manhattan Beach	6,500	3,250
Rancho Palos Verdes	6,500	3,250
Redondo Beach	6,500	3,250
UNDER 30,000 population		
El Segundo	4,000	2,000
Hermosa Beach	4,000	2,000
Lomita	4,000	2,000
Palos Verdes Estates	4,000	2,000
Rolling Hills	4,000	2,000
Rolling Hills Estates	4,000	2,000
TOTAL	110,500	55,250



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 11.D Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: VANESSA HEVENER, SENIOR MANAGEMENT ANALYST

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT:APPROVE AND AUTHORIZE CITY MANAGER TO SUBMIT THE
SEPULVEDA CANYON CONTINUOUS FLOW MONITORING
TECHNICAL MEMORANDUM AND REVISED SUBSECTION 3.5.2

DATE: June 13, 2022

BACKGROUND:

On January 31, 2022, the City of Rolling Hills submitted to the California Water Quality Control Board-Los Angeles Region (Regional Board) an Addendum to the Palos Verdes Peninsula Enhanced Watershed Management Program (EWMP Addendum) to include the City as an 85%, 24-hour runoff retention area. Included in that submittal was a detailed matrix of itemized changes to the 2021 EWMP, a new narrative subsection 3.5.2 with short narrative summary of continuous flow monitoring data collected from Sepulveda Canyon for the period of October 2020 through December 31, 2021.

In its January 2022 submittal, the City committed to providing a complete hydrologic analysis technical report following the close of the 2021-2022 rain year in order to provide two complete wet weather seasons of flow monitoring data to support the City's assertion that the net effect of Rolling Hills' planning and land development standards along with its extensive network of natural canyon drainage systems would effectively retain runoff from the 85th percentile, 24-hour rain event within city limits.

In comments received from the Regional Board staff on the EWMP Addendum, the City and the Palos Verdes Peninsula Watershed Management Group were instructed to submit a revised Peninsula EWMP by May 13, 2022 incorporating the changes listed in the EWMP Addendum into the Peninsula EWMP as well as to address other comments from the Regional Board staff among which was to include a summary of the Rolling Hills hydrologic analysis in Section 3.5.2 of the Peninsula EWMP. The updated Peninsula EWMP was submitted to the Regional Board staff in track changes and clean versions by the specified date.

DISCUSSION:

The City of Rolling Hills' consultant conducted a continuous flow monitoring study in Sepulveda Canyon during two wet weather seasons from October 26, 2020 through April 30, 2022. The continuous flow monitoring and visual inspections were conducted within a culvert at the Middleridge Road crossing. The purpose of the study was to determine if the Sepulveda Canyon effectively retains the 85th percentile, 24-hour storm event (estimated to be 1.0 inches based on the isohyetal map obtained from the Los Angeles County Department of Public Works Hydrology Manual and GIS database).

The attached Sepulveda Canyon Continuous Flow Technical Memorandum confirms that Sepulveda Canyon effectively retained all storm events during the study period less than or equal to the 85th percentile, 24-hour storm event. The following key takeaways are provided below:

- Sepulveda Canyon effectively retained the volume of flow generated by all storm events during the 2020-2021 wet season, including two storm events greater than the 85th percentile, 24-hour storm event.
- Sepulveda Canyon effectively retained the volume of flow generated by all storm events that occurred during the 2021-2022 wet season less than or equal to the 85th percentile, 24-hour storm event.
- A brief period of flow was observed during the December 23-24, 2021 storm event that was greater than the 85th percentile, 24-hour storm event rainfall depth of 1.0 inches. The onset of flow commenced following 1.2 inches of rainfall within 24 hours and the flows likely originated from a small portion of the surrounding drainage area, rather than the entirety of Sepulveda Canyon. The total rainfall for the first 24 hours of the storm was 1.4 inches and the total rainfall for the event was 1.6 inches.
- Flow was observed during the December 29-30, 2021 storm event that was greater than the 85th percentile, 24-hour storm event rainfall depth of 1.0 inches and greater than the 95th percentile, 24-hour storm event rainfall depth of 2.0 inches. The onset of flow from the entire Sepulveda Canyon drainage area commenced following 1.59 inches of rainfall within 24 hours. The total rainfall for the first 24 hours of the storm was 2.47 inches and the total rainfall for the 32 hour event was 3.07 inches.

Based on prior correspondence with Regional Board staff, the City committed to provide this additional technical memo to aid Regional Board staff in their review of the EWMP Addendum in order to provide the City with the final approval. Together with the additional technical report, the City will submit a revised subsection 3.5.2 of the EWMP Addendum to incorporate the conclusions above from the technical memorandum.

The Technical Memorandum and revised subsection 3.5.2 will be submitted to the Regional Board upon approval by City Council.

FISCAL IMPACT:

Monitoring of Sepulveda Canyon, and the review and analysis of the data is funded by Local Return Funds from the Safe, Clean Water Program (Measure W).

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

Sepulveda Canyon Continuous Flow Technical Memorandum_Final.pdf

PVP_EWMP_Sec_3.5.2(Final)redline.pdf PVP_EWMP_Sec_3.5.2(Final).pdf



June 8, 2022

Elaine Jeng City Manager City of Rolling Hills 2 Portuguese Bend Road Rolling Hills, CA 90274

Subject: Sepulveda Canyon Continuous Flow Technical Memorandum

Dear Ms. Jeng,

NV5 is pleased to provide the City of Rolling Hills (Rolling Hills) with this technical memorandum presenting the results of the continuous flow data collected to determine if Sepulveda Canyon effectively retains the 85th percentile, 24-hour storm event.

METHODOLOGY

Continuous flow monitoring was conducted in Sepulveda Canyon over the course of two wet weather seasons from October 26, 2020 through April 30, 2022. The continuous flow monitoring equipment was located in Sepulveda Canyon at the road crossing of Middleridge Road (33.773522, -118.348538), which is an accessible location near the bottom of the canyon suitable for flow monitoring. Sepulveda Canyon is located on the east side of the Palos Verdes Peninsula, south of N. Palos Verdes Drive, and about 0.5 miles east of Crenshaw Boulevard. Rainfall data for October 2020 through April 2022 was obtained from the Los Angeles County Department of Public Works (LADPW) Rolling Hills rain gauge (Alert ID 2570300, 33.75694, -118.3544, elevation 1262 feet) and historical rainfall data from October 2016 through April 2020 was obtained from the MesoWest Palos Verdes rain gauge (Station ID AS176, 33.75964, -118.36685, elevation 1204 feet). The continuous flow monitoring location and the rainfall gauge locations are provided in Figure 1. Photographs of the continuous flow monitoring location are provided in Figure 2 and Figure 3.

The flow equipment included an ultra-sonic sensor and data logger with near real-time access through NV5's MS4 Flow SystemTM web portal. During the installation, the MS4 outfall pipe dimensions and slope were measured, and the flow equipment was programmed to continuously log level measurements in inches and flow measurements in both gallons per minute (gpm) and cubic feet per second (cfs). Upon completion of the installation, the wireless data logger was programmed to transmit the level and flow data to the secure web portal at five minute intervals.



Flow rates were measured in accordance with the United States Environmental Protection Agency (USEPA) National Pollutant Discharge Elimination System (NPDES) Storm Water Sampling Guidance Document (USEPA-833-B-92-001). Calibration of the equipment was conducted immediately prior to deployment. Periodic maintenance and calibration was scheduled based on site evaluations of the near real-time flow data. Calibrations were conducted in accordance with the manufacturer's specifications and equipment was calibrated on-site and field verified for accuracy with a level measurement tape. The flow monitoring equipment was maintained throughout the deployment to ensure functionality. Routine quality assurance/quality control of the level data and flow calculations was conducted and the data were reviewed remotely to prevent data gaps through routine data evaluation. In addition to the remote review of the flow equipment, monthly inspections were conducted from November 2020 through June 2021 and field visits were conducted during storm events throughout the deployment period from October 26, 2020 through April 30, 2022 to confirm the flow measurements and document the site conditions.

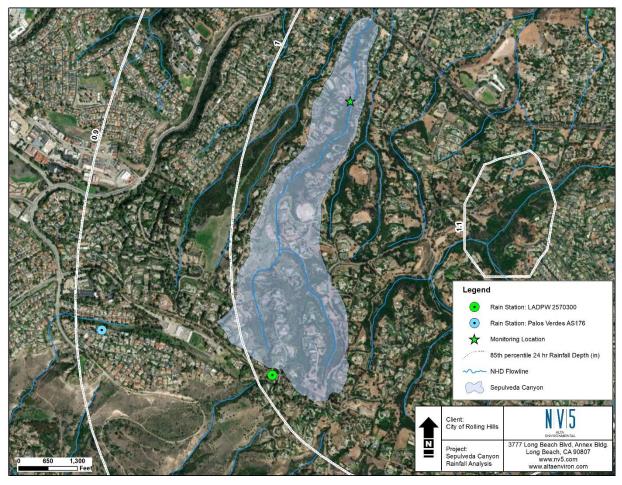


Figure 1. Continuous Flow Monitoring and Rain Gauge Locations





Figure 2. Continuous Flow Monitoring Location



Figure 3. Continuous Flow Monitoring Location



CONTINUOUS FLOW MONITORING RESULTS

Sepulveda Canyon is the largest canyon system within the Machado Lake tributary area of Rolling Hills, and the second largest in Rolling Hills. It extends from the top of the Palos Verdes Peninsula at the drainage divide between the Machado Lake and Santa Monica Bay watersheds, running northward toward the northern boundary of Rolling Hills. Sepulveda Canyon consists of approximately 280 acres lying entirely within Rolling Hills with land use representative of the city as a whole. The 85th and 95th percentile, 24-hour storm event rainfall depths for Sepulveda Canyon are 1.0 and 2.0 inches, respectively, which are estimated based on the isohyetal map obtained from the 2006 LACDPW Hydrology Manual and GIS database.

A summary of the rainfall totals for the storm events during the 2020-2021 wet weather season (October through April) are provided in Table 1. No flow was recorded by the Sepulveda Canyon monitoring equipment throughout the 2020-2021 wet weather season, including the two storm events greater than the 85th percentile, 24-hour storm event (December 28, 2020 and January 28, 2021). The continuous flow data from October 26, 2020 through June 30, 2021 are provided in Attachment 1.

Storm Start Date	Storm End Date	Total Rainfall (inches) ¹
11/07/2020	11/07/2020	0.10
12/28/2020	12/28/2020	1.20^{2}
01/23/2021	01/23/2021	0.32
01/24/2021	01/25/2021	0.19
01/28/2021	01/29/2021	1.13 ²
03/03/2021	03/03/2021	0.12
03/10/2021	03/11/2021	1.05 ³
03/15/2021	03/15/2021	0.22

Table 1. 2020-2021 Storm Event Summary

1. Los Angeles County Department of Public Works Rolling Hills rain gauge

2. Exceeds 85th percentile, 24-hour storm event rainfall depth

3. Does not exceed the 85th percentile, 24-hour storm event rainfall depth. Less than 1.0 inches was observed within the first 24 hours.

A summary of the rainfall totals for the storm events during the 2021-2022 wet weather season (October through April) are provided in Table 2, which included two storm events greater than the 85th percentile, 24-hour storm event (December 23-24, 2021 and December 29-30, 2021). The continuous flow data from July 1, 2021 through April 30, 2022 are provided in Attachment 1.

Storm Start Date	Storm End Date	Total Rainfall (inches) ¹	
10/25/2021	10/25/2021	0.44	
12/14/2021	12/14/2021	0.57	
12/16/2021	12/17/2021	0.61	
12/23/2021	12/24/2021	1.60^{2}	
12/25/2021	12/25/2021	0.44	
12/27/2021	12/27/2021	0.17	
12/29/2021	12/30/2021	3.07 ²	
3/28/2022	3/29/2022	0.95	
	3/29/2022 County Department of		

Table 2. 2021-2022 Storm Event Summary

1. Los Angeles County Department of Public Works Rolling Hills rain gauge

2. Exceeds 85th percentile, 24-hour storm event rainfall depth

Rolling Hills received a total of 6.60 inches of rainfall during December 2021, which included numerous rainfall events during the second half of the month. The cumulative rainfall and flow hydrograph are provided in Figure 5, which include two events with recorded flow on December 23-24, 2021 and December 29-30, 2021.

The first rainfall event that generated flow on December 23-24, 2021 was greater than the 85th percentile, 24-hour storm event rainfall depth of 1.0 inches. The total rainfall for the first 24 hours of the storm was 1.4 inches and the total rainfall for the event was 1.6 inches. The brief period of flow observed during the storm event commenced following 1.2 inches of rainfall within 24 hours, indicating Sepulveda Canyon retained the volume of flow generated up to and past the 85th percentile, 24-hour storm event. The month to date rainfall total for December at the onset of flow was 2.52 inches (Figure 5). Flow was observed for approximately three hours during the storm event and the total flow volume was approximately 75 cubic feet with a peak flow rate of 0.06 cfs. During the brief period of minimal flows, no inflection point was observed indicating there was likely no connectivity of flow from the entire Sepulveda Canyon drainage area. The onset of flows originated after the event was greater than the 85th percentile, 24-hour storm event and the flows likely originated from a small portion of the surrounding drainage area, rather than the entirety of Sepulveda Canyon. The cumulative rainfall and flow hydrograph are provided in Figure 6.

The second rainfall event that generated flow on December 29-30, 2021 was greater than the 85th percentile, 24-hour storm event rainfall depth of 1.0 inches and greater than the 95th percentile, 24-hour storm event rainfall depth of 2.0 inches. The total rainfall for the first 24 hours of the storm was 2.47 inches and the total rainfall for the 32 hour event was 3.07 inches. The first 24 hours of the storm event was calculated based on the rainfall observed from December 29, 2021 at 10:53 a.m. through December 30, 2021 at 10:53 a.m. The ten hours prior to December 29, 2021 at 10:53 a.m. received less than a tenth of an inch (0.03 inches). The onset of flow attributed to

the entire Sepulveda Canyon drainage area commenced following 1.59 inches of rainfall within 24 hours (Figure 7). An initial period of flow similar in magnitude to the flow observed the December 23-24, 2021 storm event was observed for approximately four hours. Based on the magnitude of initial flow rates observed, the first four hours of flow likely originated from a small portion of the surrounding drainage area, rather than the entirety of Sepulveda Canyon. The total volume of flow recorded in the first four hours prior to the storm event reached the 85th percentile, 24-hour storm event rainfall depth of 1.0 inches was approximately 400 cubic feet with a peak flow rate of 0.18 cfs. This volume represents 0.35 percent of the total storm event volume and indicates the canyon likely retained the volume of flow generated up to the 85th percentile, 24hour storm event rainfall depth of 1.0 inches. Flows of similar magnitude continued for approximately three additional hours until the flow rates increased significantly when event rainfall total reached 1.59 inches, as indicated by the inflection point on the hydrograph (Figure 7). The total volume of flow recorded prior to inflection point (up to 1.59 inches of rainfall within 24 hours) was approximately 2,300 cubic feet with a peak flow rate of 0.37 cfs, which represents 2.0 percent of the total storm event volume. The month to date rainfall total for December at the time the storm flows increased significantly was 5.10 inches (Figure 5). The inflection point likely indicates the point at which the observed flows were due to connectivity from the entire Sepulveda Canyon drainage area. The total volume of the flow recorded following the inflection point at 1.59 inches of rainfall was approximately 115,000 cubic feet with a peak flow rate of 18.04 cfs, which can likely be attributed to the entire Sepulveda Canyon drainage area. Photographs are provided in Figure 4 and the cumulative rainfall and flow hydrograph are provided in Figure 7.





Figure 4. Continuous Flow Monitoring Location During 12/30/2021 Storm Event



Sepulveda Canyon Continuous Flow Technical Memorandum

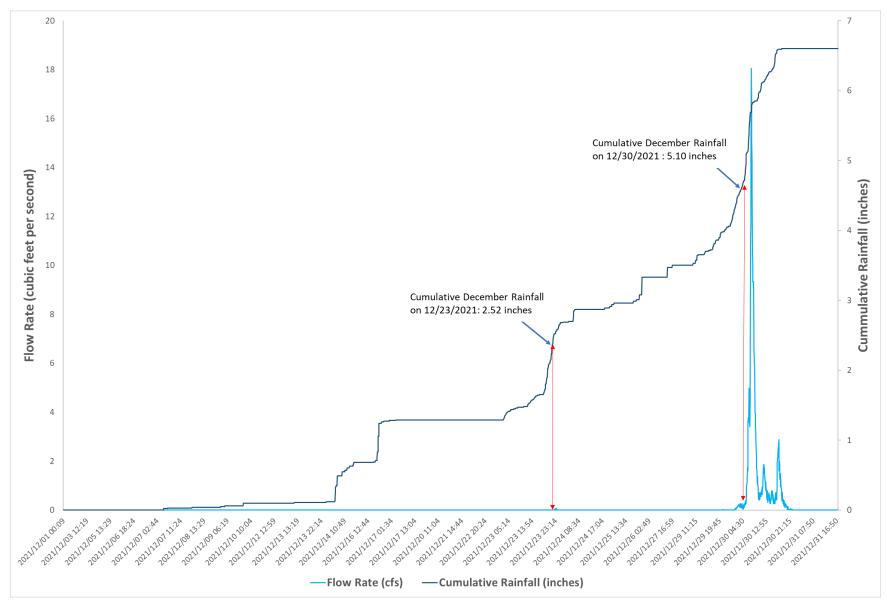


Figure 5. Cumulative Rainfall and Flow Hydrograph for December 2021



Sepulveda Canyon Continuous Flow Technical Memorandum

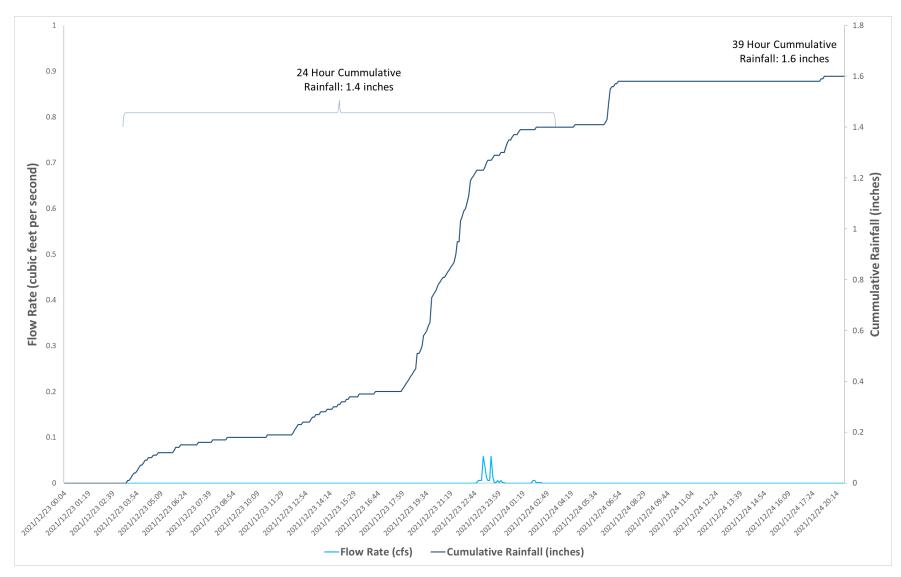


Figure 6. Cumulative Rainfall and Flow Hydrograph December 23-24, 2021



Sepulveda Canyon Continuous Flow Technical Memorandum

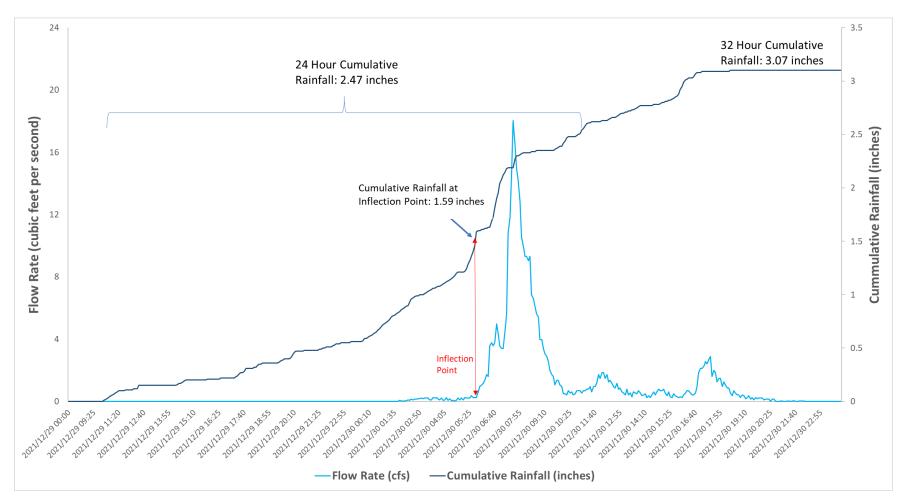


Figure 7. Cumulative Rainfall and Flow Hydrograph December 29-30, 2021

HISTORICAL RAINFALL

A summary of the historical rainfall records for Rolling Hills between October 2016 through April 2022 are summarized in the following figures. Figure 8 provides a summary of all of the storm events greater than or equal to the 85th percentile, 24-hour storm event. A total of 17 storm events greater than or equal to the 85th percentile, 24-hour storm event have occurred near Sepulveda Canyon since October 2016 and the December 29-30, 2021 event had the second largest 24-hour rainfall total (2.47 inches). Figure 9 provides a summary of the monthly rainfall totals (October-April) for each wet weather season. December 2021 was the wettest December and the third wettest month since October 2016 (over a six-year period).

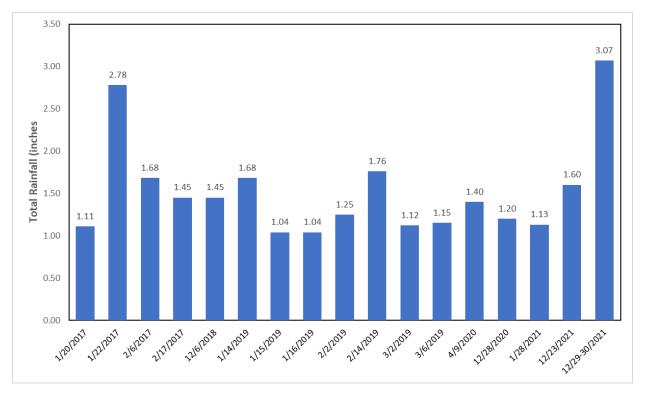


Figure 8. Storm Events Exceeding 85th Percentile, 24-hour Storm from October 2016 through April 2022



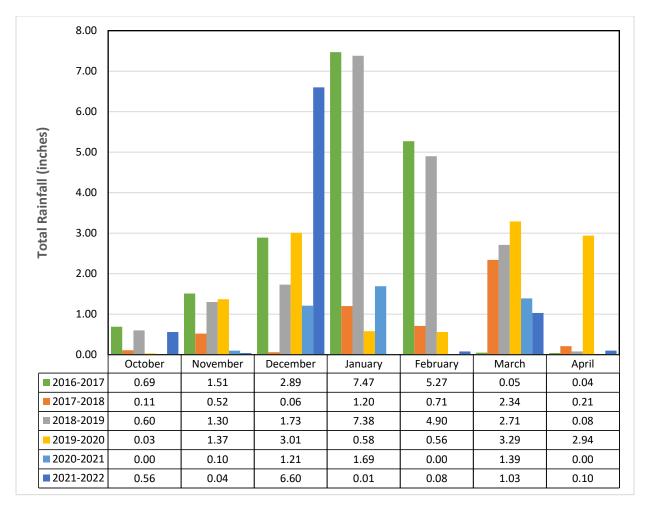


Figure 9. Monthly Rainfall Totals from October 2016 through April 2022



CONCLUSIONS

Continuous flow monitoring was conducted in Sepulveda Canyon over the course of two wet weather seasons from October 26, 2020 through April 30, 2022 to determine if Sepulveda Canyon effectively retains the 85th percentile, 24-hour storm event. The results of the continuous flow monitoring data demonstrate that Sepulveda Canyon effectively retained all storm events from October 26, 2020 through April 30, 2022 that were less than or equal to the 85th percentile, 24-hour storm event. The following key takeaways are provided below:

- Sepulveda Canyon effectively retained the volume of flow generated by all storm events during the 2020-2021 wet season, including two storm events greater than the 85th percentile, 24-hour storm event.
- Sepulveda Canyon effectively retained the volume of flow generated by all storm events that occurred during the 2021-2022 wet season less than or equal to the 85th percentile, 24-hour storm event.
- A brief period of flow was observed during the December 23-24, 2021 storm event that was greater than the 85th percentile, 24-hour storm event rainfall depth of 1.0 inches. The onset of flow commenced following 1.2 inches of rainfall within 24 hours and the flows likely originated from a small portion of the surrounding drainage area, rather than the entirety of Sepulveda Canyon. The total rainfall for the first 24 hours of the storm was 1.4 inches and the total rainfall for the event was 1.6 inches.
- Flow was observed during the December 29-30, 2021 storm event that was greater than the 85th percentile, 24-hour storm event rainfall depth of 1.0 inches and greater than the 95th percentile, 24-hour storm event rainfall depth of 2.0 inches. The onset of flow from the entire Sepulveda Canyon drainage area commenced following 1.59 inches of rainfall within 24 hours. The total rainfall for the first 24 hours of the storm was 2.47 inches and the total rainfall for the 32 hour event was 3.07 inches.

Please do not hesitate to contact me should you have any questions or concerns regarding this Sepulveda Canyon Rainfall and Flow Technical Memorandum.

For and on behalf of NV5,

Garth R. Engelhorn Water Resources Sr. Consultant/Project Manager



Attachments

Attachment 1 – Continuous Flow Monitoring Data (Excel)

Funding for this study has been provided in full or in part from the Los Angeles County Flood Control District's Safe, Clean Water Program.



Attachment 1 Continuous Flow Data (Excel)

3.5.2 85TH PERCENTILE, 24-HOUR RUNOFF RETENTION AREAS

As provided in Order R4-2021-0105 Part IX.A.4.k., Watershed Management Programs may demonstrate that strategies, control measures, and BMPs cumulatively retain the runoff volume from the 85th percentile, 24-hour storm event for the drainage area tributary to the applicable receiving water and for such areas an RAA is not required. Furthermore, as provided in Order R4-2021-0105 Part X.B.2.b.iii., a Permittee is deemed in compliance with final WQBELs and receiving water limitations if it has retained all conditionally exempt, non-essential non-stormwater and all stormwater runoff up to and including the volume equivalent to the 85th percentile, 24-hour event for the drainage area tributary to the applicable receiving water provided the Permittee is implementing all actions and schedules in an approved Watershed Management Program. Watershed areas that fully retain the 85th percentile, 24-hour runoff volume and were excluded from the RAA analysis are shown in Figure 3.12 and described in the subsequent narrative.

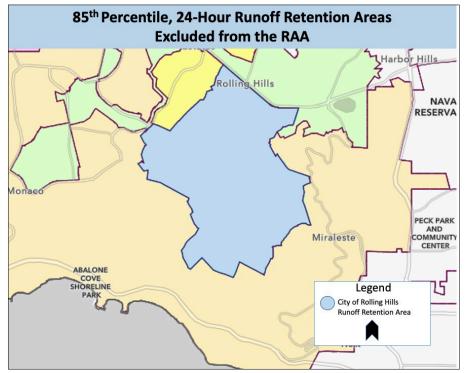


Figure 3-1 85th Percentile, 24-Hour Runoff Retention Areas Excluded from RAA

Palos Verdes Peninsula

Enhanced Watershed Management Program

ROLLING HILLS NATURE-BASED RUNOFF RETENTION AREA

The City of Rolling Hills (Rolling Hills) is a small, entirely residential semi-rural community of single-family homes with fewer than 2,000 residents in three square miles. By design, it is a model of low-impact development utilizing nature-based solutions for management of stormwater. Its zoning code includes strict standards for development ratios on each property and limits disturbed area during development. A substantial area of land in Rolling Hills is constrained from development due to steep hillsides and canyons; the use of these areas as wildlife habitat and for native vegetation is emphasized. Rolling Hills' zoning code further promotes the preservation and appreciation of open space by requiring easements for equestrian/hiking trails on all lots. There are approximately 30 miles of unpaved equestrian/hiking trails throughout the city.¹

Under Rolling Hills municipal code², only 40% of the net area of a residential lot may be disturbed during construction and the remaining area of the lot must remain in its natural, pre-development state. Only 35% of the net lot area may be developed with impervious surfaces, including structures, patios, and other paved areas. Given that the minimum lot size in Rolling Hills is 1 acre, with many substantially larger lots, the limitation on lot coverage preserves significant permeable area throughout the city. Additionally, driveways may not cover more than 20% of the area of the yard in which they are located, and uncovered motor courts/parking pads may not cover more than 10% of the yard in which they are located.

Roads within the City have many green street features. They are designed as narrow, two-lane undivided winding roads 20 to 25 feet wide with rolling to steep grades lined with significant naturalized landscaping. There are no sidewalks or curb-and-gutter systems, and roads are not designed to be stormwater conveyance systems.³

Stormwater run-off that is not contained on properties is conveyed through Rolling Hills via natural, soft bottom, vegetated drainage courses/canyons (see Figure 3-13), providing disconnection of impervious developed areas and ample opportunity for natural bioretention and infiltration as described in Section 2.3.1: Pollutant Fate and Transport Mechanisms within the Watershed. There is limited public infrastructure and no city-owned or maintained storm drains, roads, sidewalks, or curb-and-gutter, though there are some limited, discontinuous drainage improvements owned/operated by the Los Angeles County Flood Control District (LACFCD).

¹ City of Rolling Hills 1990. General Plan – Land Use Element. June 25, 1990.

² Rolling Hills Municipal Code, Title 17

https://library.municode.com/ca/rolling_hills/codes/code_of_ordinances?nodeId=TIT17ZO

³ City of Rolling Hills 1990. General Plan – Circulation Element. June 25, 1990.



Enhanced Watershed Management Program

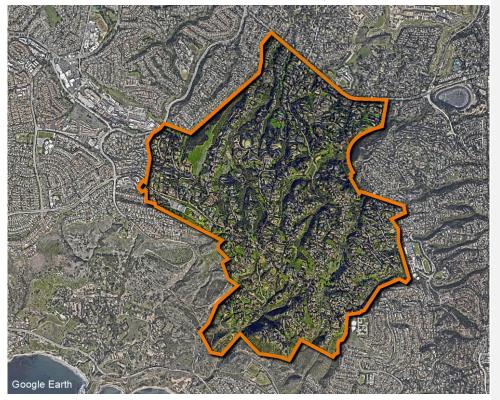


Figure 3-13 Rolling Hills Nature-Based Stormwater Runoff Retention Area

The net effect of Rolling Hills' planning and land development standards along with its extensive network of natural canyon drainage systems is to promote retention and infiltration, creating a system of naturebased solutions for stormwater management. Along with the Minimum Control Measures, Non-Stormwater Discharge Measures, and Targeted Non-Structural Control Measures described in Sections 3.1, 3.2 and 3.3, this system of nature-based runoff retention measures effectively retains runoff from the 85%, 24-hr rain event within Rolling Hills as demonstrated through monitoring.

Continuous flow monitoring was conducted in Sepulveda Canyon in Rolling Hills for two completeover the course of the 2020-2021 and 2021-2022 wet-weather seasons, from October 26, 2020 through April 2022. The results of the continuous flow monitoring data demonstrate that Sepulveda Canyon effectively retained runoff from all storm events between October 26, 2020 and April 30, 2022 that were less than or equal to the 85th percentile, 24-hour storm event. Sepulveda Canyon is the largest canyon system within the Machado Lake tributary area of City, and the second largest in the City as a whole. It extends from the top of the Palos Verdes Peninsula at the drainage divide between the Machado Lake and Santa Monica Bay watersheds, running northward to the City's northern boundary. Sepulveda Canyon consists

Palos Verdes Peninsula

Enhanced Watershed Management Program

of approximately 280 acres lying entirely within Rolling Hills with tributary land use representative of the City as a whole.

The continuous flow monitoring was conducted using an ultra-sonic sensor and data logger within a culvert at the Middleridge Road crossing (33.773522, -118.348538), which is an accessible location near the bottom of the canyon suitable for flow monitoring.

The <u>continuous</u> flow monitoring yielded the following key conclusions:

- No dry weather flows were observed.
- Sepulveda Canyon effectively retained the volume of flow generated by all storm events during the 2020-2021 wet season, including two storm events greater than the 85th percentile, 24-hour storm event.
- Sepulveda Canyon effectively retained the volume of flow generated by all storm events that occurred during the 2021-2022 wet season less than or equal to the 85th percentile, 24-hour storm event.
- A brief period of flow was observed during the December 23-24, 2021 storm event that was
 greater than the 85th percentile, 24-hour storm event rainfall depth of 1.0 inches. The onset of
 flow commenced following 1.2 inches of rainfall within 24 hours and the flows likely originated
 from a small portion of the surrounding drainage area, rather than the entirety of Sepulveda
 Canyon. The total rainfall for the first 24 hours of the storm was 1.4 inches and the total rainfall
 for the event was 1.6 inches.
- Flow was observed during the December 29-30, 2021 storm event that was greater than the 85th percentile, 24-hour storm event rainfall depth of 1.0 inches and greater than the 95th percentile, 24-hour storm event rainfall depth of 2.0 inches. The onset of flow from the entire Sepulveda Canyon drainage area commenced following 1.59 inches of rainfall within 24 hours. The total rainfall for the first 24 hours of the storm was 2.47 inches and the total rainfall for the 32-hour event was 3.07 inches.

No flow was recorded by the Sepulveda Canyon monitoring equipment during two complete wet seasons except for during one intense rain event that occurred from December 29-30, 2021. Monthly visual field inspections conducted between November 2020 and June 2021 confirmed the absence of flows and documented the site conditions during storm events. In Rolling Hills the 85th %, 24-hr rain event ranges from 1.0-1.1 inches, depending on location. From October 26, 2020, through April 30, 2022, there were four (4) rainfall events greater than or equal to (≥) the 85th%, 24-hr event with numerous lesser rainfall events occurring. No flow was measured at the Sepulveda Canyon monitoring station during three of the ≥85th%, 24-hr rain events which ranged from 1.13 to 1.38 inches of rainfall, nor was any flow measured during the smaller rain events. The fourth large rain event, which occurred from December 29-30, 2021, was more intense and more than twice the 85th% 24-hour storm depth; the LA County rain gauge at the Rolling Hills Fire Station recorded 2.36 inches in the 24 hour period from 10am on December 29th through 10am on December 30th, 2021, which was in excess of the 95%, 24 hour storm depth. In total, the Rolling Hills Fire Station rain gauge recorded more than 3 inches for that entire rain event which spanned 31 hours and produced flow at the Sepulveda Canyon monitoring station beginning approximately 14 hours after the rain event began. That rainfall event provides an estimate of the upper bound on the retentive capacity of runoff retention in Rolling Hills. The no-flow results observed during the three other ≧85th%, Formatted: Font: +Body (Calibri)

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24-hr rainfall events as well as the numerous smaller rainfall events that occurred throughout the monitoring period provide evidence that the strategies, control measures and BMPs implemented by Rolling Hills cumulatively retain stormwater runoff up to and including runoff from the 85th percentile, 24-hour storm event, as well as any conditionally exempt non-stormwater discharges.

Page

3.5.2 85TH PERCENTILE, 24-HOUR RUNOFF RETENTION AREAS

As provided in Order R4-2021-0105 Part IX.A.4.k., Watershed Management Programs may demonstrate that strategies, control measures, and BMPs cumulatively retain the runoff volume from the 85th percentile, 24-hour storm event for the drainage area tributary to the applicable receiving water and for such areas an RAA is not required. Furthermore, as provided in Order R4-2021-0105 Part X.B.2.b.iii., a Permittee is deemed in compliance with final WQBELs and receiving water limitations if it has retained all conditionally exempt, non-essential non-stormwater and all stormwater runoff up to and including the volume equivalent to the 85th percentile, 24-hour event for the drainage area tributary to the applicable receiving water provided the Permittee is implementing all actions and schedules in an approved Watershed Management Program. Watershed areas that fully retain the 85th percentile, 24-hour runoff volume and were excluded from the RAA analysis are shown in Figure 3.12 and described in the subsequent narrative.

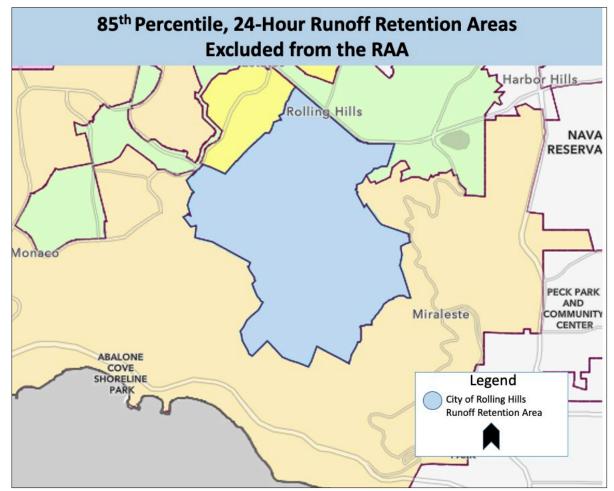


Figure 3-1 85th Percentile, 24-Hour Runoff Retention Areas Excluded from RAA

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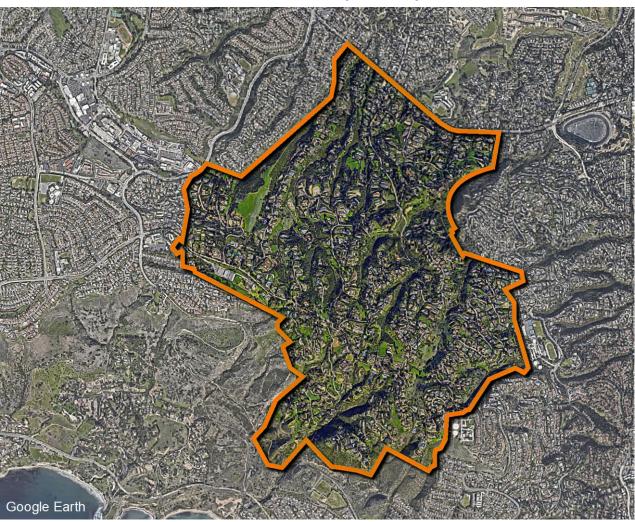
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City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 12.A Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ROBERT SAMARIO, FINANCE DIRECTOR

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 1300 ADOPTING THE 2022/2023 FISCAL YEAR BUDGET AND RESOLUTION NO. 1301 ESTABLISHING THE ANNUAL APPROPRIATIONS GANN LIMIT FOR THE CITY OF ROLLING HILLS.

DATE: June 13, 2022

BACKGROUND:

On May 23, 2022 the City Council held a budget workshop to review the draft proposed 2022/23 budget which was reviewed by the City Council Finance/Budget/Audit committee on May 9, 2021. The Proposed FY 2022/23 Budget was reviewed in detail:

- City Council reviewed the General Fund FY 2022/23 draft proposed budget as presented.
- City Council reviewed the Other Funds FY 2022/23 draft proposed budget as presented.

The Council directed staff to schedule a follow-up Finance/Budget/Audit Committee meeting for further evaluation, to identify potential savings, and discuss further cuts in the core budget that would bring it closer to balance, including potential one-time capital costs. That meeting was held on May 31, 2022.

The budget serves as the City's roadmap for allocating resources. The budget is a resource allocation plan for providing city services and achieving the priorities and goals that serve residents and the public. Importantly, the budget also represents the projections necessary for managing and monitoring annual revenue and expenditures in a fiscally responsible manner. The preparation of the fiscal year (FY) involves numerous steps.

The steps in the budget process, to date, have included:

- 1. January 10, 2022 City Council received, reviewed and approved the FY 2022/23 budget calendar.
- 2. March 14, 2022 City Council received and reviewed the FY 2020/21 mid-year budget

report and approved the recommended budget adjustments.

- 3. April 11, 2022 City Council Finance/Budget/Audit Committee reviewed the audited Financial Statements for the Fiscal Year ending June 30, 2021 and personnel cost impacts related to contract services and reclassification of position.
- 4. April 25, 2022 City Council Finance/Budget/Audit Committee reviewed Financial and Investment Policies; and reviewed and discussed the Schedule of Fees and Charges.
- 5. May 9, 2022 City Council Finance/Budget/Audit Committee reviewed the FY 2022/23 staff proposed budget.
- 6. May 23, 2022 City Council Budget Workshop reviewed FY 2022/23 staff proposed budget as presented to the Finance/Audit Committee.
- 7. May 31, 2022 City Council Finance/Budget/Audit Committee reviewed revisions to the FY 2021/22 staff proposed budget.
- 8. June 13, 2022 City Council public hearing, adoption of the FY 2022/23 budget, and approval of GANN Limit.

DISCUSSION:

On Monday, May 9, 2022, staff presented the proposed Fiscal Year 2022-23 budget to the Finance/Budget/Audit Committee for their feedback and direction. At that time, the proposed General Fund operating budget was not balanced, requiring the use of General Fund reserves to correct. The Finance Committee directed staff to identify measures to balance the operating budget and to identify any one-time operating costs in order to measure the true ongoing deficit.

On May 23, 2022, staff presented to the City Council the same proposed General Fund operating budget, with one-time costs separated from the ongoing core operational budget. As a result, the ongoing operating deficit was reduced to \$480,984. In addition, staff identified potential balancing options for Council to consider that, if implemented, would eliminate the projected deficit.

Council considered the proposed budget as presented and directed staff to bring the information back to the Finance Committee for further review and direction. In addition, Council provided the following feedback:

- 1. Staff should recommend which balancing measures to implement that either entirely close the deficit or comes reasonably close;
- 2. Do not include any operational cost recovery balancing measures that increase fees; or
- 3. Consider increasing the assumed growth rates for property taxes and real property tax revenues

Based on the feedback and direction received from Council, staff has developed a proposed General Fund budget that is balanced through a combination of increased revenues and the prudent use of reserves.

PROPOSED CHANGES TO REVENUE ESTIMATES

Staff is recommending increasing the fiscal year 2022-23 projections for property taxes and real property taxes as described below.

• Property Taxes - Based on the amounts recently received in April and May, we have a better estimate of fiscal year 2021/22 revenues, which staff has adjusted (increased) by

\$62,750 to \$1,344,535. This represents a 9.9% growth from fiscal year 2020/21. In addition, based on Council's feedback that the fiscal year 2022/23 growth rate assumption may be too conservative, staff has increased the growth rate assumption from 4% to 6%. While this growth assumption is more aggressive, staff is comfortable with this assumed growth rate. As a result, the revised fiscal year 2022/23 projected revenue has been increased by a total of \$92,207.

• Real Property Transfer Tax - Staff has not received any additional information to warrant adjusting the current year estimate; however, staff recommends increasing the fiscal year 2022/23 growth rate from 2% to 4%. This increases the projected fiscal year 2022/23 projection by \$1,205, from \$121,500 to \$122,705.

RECOMMENDED BALANCING MEASURES

The ongoing General Fund operating deficit presented to the Budget Committee and City Council of \$480,984. Based on the revised revenue estimates, which have provided additional estimated revenues of \$93,412, the operating deficit has been reduced to \$387,571.

Staff has identified two revenues totaling \$235,682 to address a portion of the deficit.

- ARPA revenues of \$220,682
- Recovering publication costs associated with development projects, estimated at \$15,000

Staff recommends using \$151,889 of reserves to address the remaining deficit.

PROPOSED CAPITAL PROGRAM AND ONE-TIME COSTS

Staff recommends the following capital program elements totaling \$396,000:

- 1. *City Hall ADA Improvements (\$96,000)* City Council already approved contract with Pacific Architecture and Engineers to perform the work. This is a priority established by the City Council at the 2022 strategic planning session.
- Outdoor Siren System Design (\$25,000) This project is intended to notify the community of emergencies, in the event of complete power failure. Emergency preparedness is a priority established by the City Council at the 2020 and 2022 strategic planning session. Block Captains are advocating for this project. The design fee estimate is from HQE System.
- 3. Outdoor Siren System Construction (\$275,000) This project is intended to notify the community of emergencies, in the event of complete power failure. Emergency preparedness is a priority established by the City Council at the 2020 and 2022 strategic planning session. Block Captains are advocating for this project. The estimated construction cost is from the feasibility study from HQE System.

Staff recommends deferring the City Hall Improvements Project (\$1,000,000) and the Tennis Courts ADA Improvements Project (\$300,000) until fiscal year 2023/24.

In addition to the capital program, staff recommends two one-time costs totaling \$90,000 that would also be funded from available General Fund reserves.

- 1. Contract Management (\$45,000) These budgeted funds would cover the cost of a hired consultant to manage the various capital projects underway and proposed for next fiscal year.
- 2. Housing Element (\$45,000) In May 2022, Council directed staff to redo the environmental document that supports the Housing Element and send the Housing Element to HCD for a second round of review. Initially, both documents were expected to be adopted in FY2021-22.

OVERALL GENERAL FUND BUDGET

The proposed General Fund includes a total of \$2,880,273 in ongoing operating expenditures, funded from \$2,7,28,384 in revenues, leaving a deficit of \$151,889 to be funded from available reserves. An additional \$90,000 in one-time operating costs and \$396,000 in capital costs are proposed, both of which would be funded from one-time reserves.

Estimated General Fund reserve balances at June 30, 2022 are \$4,988,486. Based on the proposed budget, General Fund reserves would drop to \$4,350,597, representing a healthy 151% of the operating budget.

OTHER FUNDS FOR FISCAL YEAR 2022-2023

Majority of the restricted funds such as Proposition C, Measure R, Measure M, and Measure A are expected to roll the revenue to future years to save up for eligible projects. The following summarizes the anticipated activities of the other restricted funds for next fiscal year:

- Measure W's expenditure plan for FY 2022-2023 was previously approved by the City Council in March 2022 and submitted to the Los Angeles County for approval. It is anticipated that \$80,000 of Measure W would be spent on eligible storm water compliance measures.
- The City of Beverly Hills expressed interest in \$58,400 of Prop A exchange.
- The Capital Projects Fund includes \$96,000 for Pacific Architecture Engineers' design fee recently approved by the City Council for the development of layout Option 3, \$300,000 for an Outdoor Siren System including design and construction.
- The Refuse Fund anticipates absorbing the expected refuse rate increase for residents funded from a General Fund transfer of \$168,500.
- The City anticipates receiving \$165,000 in COPs revenue from the state which will be used for supplemental law enforcement services.

As required by law, notice of this public hearing was posted and advertised. In addition, as is the City's practice, this hearing was referenced in the draft agenda included in the City newsletter published prior to this meeting and the agenda was emailed to residents who subscribe to the City's list serve.

The overall financial position of the City's General Fund remains strong with a projected yearend Unassigned Fund Balance of \$4,988,486 at June 30, 2022. The City staff works diligently on providing outstanding government services that will keep the quality of life good for the residents of Rolling Hills. It is now recommended that the City Council hold a public hearing and adopt the budget and appropriations limit as proposed. If changes in the budget are necessary during the fiscal year, staff will return to the City Council for consideration and approval of the modifications.

FISCAL IMPACT:

The budget is a resource allocation plan for providing city services and achieving the priorities and goals that serve residents and the public funded from a variety of revenues. The provision of these services involves the expenditure of resources derived a variety of revenue streams. A summary of the proposed revenues and expenditures are summarized in the attachments to this report.

RECOMMENDATION:

Upon the conclusion of the public hearing, staff recommends that the City Council adopt the Fiscal Year 2022-2023 Budget for all the City's Funds and the Annual Appropriations Limit or continue the Public Hearing to June 27, 2022 if deemed necessary.

ATTACHMENTS:

CL_AGN_220613_General Fund Revenues.pdf CL_AGN_220613_General Fund Expenditures.pdf CL_AGN_220613_One-Time Costs.pdf CL_AGN_220613_Balancing Measures.pdf CL_AGN_220613_GF Sources and Uses of Funds.pdf CL_AGN_220613_Other Funds.pdf ResolutionNo1300_FY2022-23_AdoptedBudget.pdf ResolutionNo1301_FY2022-23_AppropLimit.pdf

CITY OF ROLLING HILLS General Fund Revenues

			FY 2022		FY 2023
	FY 2021	Adopted	Year-End	FY 2023	Projected
	Revenues	Budget	Projection	Proposed	Growth
Property Taxes	\$ 1,222,947	\$ 1,249,800	\$ 1,344,535	\$ 1,425,207	6.0%
Sales Taxes	23,262	4,800	18,550	19,300	3.0%
Property Transfer Tax	93,449	40,200	117,986	122,706	4.0%
Disaster Grants	50,000	20,000	13,040	-	N/A
Motor Vehicle In Lieu	236,725	246,100	246,694	252,000	2.0%
Building & Other Permits	183,378	300,000	472,969	475,000	Flat
Variance, Planning & Zoning	49,158	22,000	19,461	20,000	Flat
Cost Recoivery - Publications	-	-	-	15,000	N/A
Animal Control Fees	472	1,000	213	250	Flat
Franchise Fees	10,753	14,900	13,699	14,000	Flat
Fines & Traffic Violations	4,293	14,300	4,950	4,500	Flat
RHCA Lease Revenue	68,988	68,000	68,991	69,000	Flat
Interest on Investments	90,251	80,000	30,227	60,239	N/A
Public Safety Aug Fund	1,003	800	1,193	1,000	Flat
Burglar Alarm Response	500	600	-	500	Flat
Miscellaneous Revenue	3,275	37,800	36,000	5,000	Flat
Transfer In - ARPA Fund	-	-	220,682	220,682	N/A
Transfers In - Refuse Fund	24,000	24,000	24,000	24,000	Flat
TOTALS	\$ 2,062,454	\$ 2,124,300	\$ 2,633,189	\$ 2,728,384	

FY 2021-22											
		4	dopted	Y	ear-End		Fiscal Y	ear 202	2-23 Ad	opte	d
	Department/Object Account	Budget		Projections		0	ngoing	One-Time		Total	
01 -	CITY ADMINISTRATOR										
702	Salaries -Full Time	\$	429,100	\$	408,639	\$	474,258	\$	-	\$	474,258
710	Retirement CalPERS-Employer		29,000		36,431		39,769		-		39,769
712	CalPERS Unfunded Liability		59,026		57,063		65,095		-		65,095
715	Workers Compensation Insurance		7,700		7,271		8,100		-		8,100
716	Group Insurance		55,000		76,111		71,316		-		71,316
717	Retiree Medical		30,300		37,159		35,231		-		35,231
718	Employer Payroll Taxes		28,400		25,071		36,997		-		36,997
719	Deferred Compensation		4,300		3,732		4,559		-		4,559
720	Auto Allowance		4,800		5,067		4,800		-		4,800
XXX	Phone Allowance		1,300		-		1,970		-		1,970
740	Office Supplies		38,040		25,184		11,000		-		11,000
745	Equipment Leasing Costs		14,850		11,048		11,450		-		11,450
750	Dues & Subscriptions		15,240		4,596		16,240		-		16,240
755	Conference Expense		10,000		9,052		10,000		-		10,000
757	Meetings Expense		2,000		3,357		2,000		-		2,000
759	Training & Education		5,000		-		5,000		-		5,000

		21-22					
		Adopted	Year-End	Fiscal Y	ear 2022-23 Ad	opted	
	Department/Object Account	Budget	Projections	Ongoing	One-Time	Total	
761	Auto Mileage	500	-	500	-	500	
765	Postage	20,000	12,468	21,000	-	21,000	
770	Telephone	5,700	5,959	-	-	-	
775	City Council Expense	10,000	2,440	10,000	-	10,000	
776	Miscellaneous Expenses	-	564	6,200	-	6,200	
780	Communications/Newsletters and Outreach	6,000	3,007	5,000	-	5,000	
785	Codification	5,000	3,749	5,000	-	5,000	
790	Advertising	1,000	-	2,400	-	2,400	
795	Other Gen Admin Expense	4,900	2,422	1,050	-	1,050	
801	City Attorney	91,000	119,887	120,000	-	120,000	
802	Legal Expense - Other	3,000	-	3,000	-	3,000	
820	Website	6,000	12,179	6,000	-	6,000	
850	Election Expense City Council	-	222	15,000	-	15,000	
890	Consulting Fees	161,400	69,903	-	45,000	45,000	
XXX	Records Management			1,700	-	1,700	
955	Disaster Emergency Equipment		2,784	-	-	-	
	Total City Administrator	1,048,556	945,366	994,635	45,000	1,039,635	

	FY 202	21-22			
	Adopted	Year-End	Fiscal Year 2022-23 Adop		opted
Department/Object Account	Budget	Projections	Ongoing	One-Time	Total
05 - Finance					
750 Dues & Subscriptions	200	-	2,000		2,000
810 Annual Audit	17,630	17,110	18,500		18,500
890 Consulting Fees	99,500	116,167	120,000	-	120,000
Total Finance	117,330	133,277	140,500	-	140,500
15- PLANNING & DEVELOPMENT					
702 Salaries	237,200	189,687	236,748	-	236,748
703 Salaries - Part-Time			26,587	-	26,587
710 Retirement CalPERS-Employer	17,750	14,345	18,100	-	18,100
715 Workers Compensation Insurance	3,800	3,581	4,000	-	4,000
716 Group Insurance	30,900	23,162	44,275	-	44,275
718 Employer Payroll Taxes	18,790	14,663	20,237	-	20,237
719 Deferred Compensation	1,200	-	-	-	-
720 Auto Allowance	2,400	1,467	1,200	-	1,200
XXX Phone Allowance	600	-	600	-	600

FY 2021-22						
		Adopted	Year-End	Fiscal Y	ear 2022-23 Ad	opted
	Department/Object Account	Budget	Projections	Ongoing	One-Time	Total
758	Planning Commission Meetting	-	1,415	-	-	-
761	Auto Mileage	-	50	300	-	300
770	Telephone	-	1,281	-	-	-
776	Miscellaneous Expense	2,000	1,301	-	-	-
750	Dues & Subscription	850	-	1,000	-	1,000
755	Conference Expense	5,000	-	5,000	-	5,000
759	Training & Education	1,000	-	1,000	-	1,000
790	Publication	-	3,208	15,000	-	15,000
801	City Attorney	-	811	-	-	-
802	Legal Expenses-Other	-	23,169	20,000	-	20,000
872	Property Development-Legal Exp	100,000	33,336	80,000	-	80,000
878	Build Inspect. LA County	150,000	191,785	150,000	-	150,000
ххх	Willdan Building			50,000	-	50,000
881	Storm Water Management	275,800	231,435	97,142	-	97,142
882	Variance & CUP Expense	7,000	10,613	-	-	-
884	Special Project Study & Consulting	180,000	79,584	20,000	45,000	65,000
886	Consulting Fees	-	-	87,880	-	87,880

CITY OF ROLLING HILLS General Fund Expenditures

	Adopted	Year-End	Fiscal Y	Fiscal Year 2022-23 Adopt	
Department/Object Account	Budget	Projections	Ongoing	One-Time	Total
950 Capital Outlay	26,400		-	-	-
Total Planning & Development	1,060,690	824,891	879,069	45,000	924,069
25 - Public Safety					
830 Law Enforcement	220,380	181,251	225,000	-	225,000
833 Other Law Enforcement Expenses	3,000	3,651	4,000	-	4,000
837 Wild Life Mgmt & Pest Control	50,000	1,883	10,000	-	10,000
838 Animal Control Expense	6,000	4,398	6,000	-	6,000
Total Public Safety	279,380	191,183	245,000	-	245,000
65 - NON-DEPARTMENTAL					
895 Insurance & Bond Expense	30,260	21,816	29,657	-	29,657
901 South Bay Comm. Organization	20,100	4,017	15,000	-	15,000
915 Community Recognition	16,000	5,624	20,000	-	20,000
916 Civil Defense Expense	650	-	-	-	-
917 Emergency Preparedness	137,360	195,894	188,200	-	188,200
985 Contingency	25,000	-	-	-	-

CITY OF ROLLING HILLS General Fund Expenditures

	Adopted	Year-End	Fiscal Y	ear 2022-23 Ad	opted
Department/Object Account	Budget	Projections	Ongoing	One-Time	Total
Total Non-Departmental	229,370	227,351	252,857	-	252,857
75 - CITY PROPERTIES					
925 Utilities	33,810	35,493	85,212	-	85,212
930 Repairs & Maintenance	36,963	26,793	35,000	-	35,000
932 Area Landscaping	28,500	12,760	12,500	-	12,500
XXX Capital Outlay - Buildings & Equip	250,000	-	-	-	-
XXX IT Services	-	-	54,000	-	54,000
XXX Granicus Services	-	-	8,000	-	8,000
XXX Computer Hardware Fund			5,000	-	5,000
Total City Properties	349,273	75,046	199,712	-	199,712
TOTALS BEFORE TRANSFERS	3,084,599	2,397,113	2,711,773	90,000	2,801,773
OPERATING TRANSFERS OUT					
699 Traffic Safety Fund	10,000	10,000	-	-	-
CalOES Fund	80,875	82,152	-	-	-

CITY OF ROLLING HILLS General Fund Expenditures

	FY 20	21-22				
	Adopted Year-End		Fiscal Y	ear 2022-23 Ad	Adopted	
Department/Object Account	Budget	Projections	Ongoing	One-Time	Total	
Capital Improvement Fund	88,000	87,238	-	396,000	396,000	
Refuse Collection Fund	159,200	159,200	168,500	-	168,500	
Total Transfers Out	338,075	338,590	168,500	396,000	564,500	
GENERAL FUND TOTALS	\$ 3,422,674	\$ 2,735,703	\$ 2,880,273	\$ 486,000	\$ 3,366,273	

CITY OF ROLLING HILLS Summary of One-Time Costs

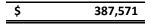
Fiscal Year 2022-23

Description	Recomm'd	Not Recomm'd	Expected Impacts
Records Management (Ref Acct: 01-xxx)	_	45,000	City Hall is overcrowded with hardcopy files, and records from years of accumulation. There are insufficient space to house all the records and personnel. Aside from space constraints, files are not easily accessible, and filing convention are not consistent rendering tremendous inefficiencies when searching for documents. While solid efforts have been made toward digitizing the Planning Department in the last two years, there remains considerable files in other departments that need the same treatment to gain efficiency at City Hall. Without funds for records managment in FY 22-23, space constraints continue to be an issue, and the inability to pull necessary historical records to meet business needs.
Project Management, Capital Projects (Ref Acct: 01-890)	45,000	-	Expense is related to project management for captial improvement projects by Alan Palermo Consulting Inc. If the services of APC is not used in FY 22-23, progress of the two utility undergrounding projects could be adversely impacted with added workload distributed among the existing staff.
Grant writer to pursue construction funds for 8" sewer main project (Ref Acct: 01-890	-	17,000	Expense related to a grant writing contract to pursue construction funding for 8" sewer main project. The 8" sewer main project has been designed in its entire length. Without the pursuit of grant funds for contruction, the investment in the the design plans will not be leveraged, and additional funds are needed to update design plans. Additionally, potentially the capacity in the downstream sewer lines secured through the Will Serve letters from the County could be taken by other developments.

	Fiscal Ye	ear 2022-23	
Description	Recomm'd	Not Recomm'd	Expected Impacts
General Plan Update (Ref Acct: 15-884)	-	105,000	The City's General Plan is dated 1990. The safety and land use elements have recently been updated and the housing element is in the process of being updated. Updating the remaining elements is advised since all elements must be internally consistent. This was a point made by the City's consultants. Delay in updating the General Plan could potential cause third party lawsuits.
Housing Element and Environmental Review Ref (Acct: 15-XXX)	45,000		In May 2022, Council directed staff to redo the environmental document that supports the Housing Element and send the Housing Element to HCD for a second round of review. Initially, both documents were expected to be adopted in FY2021-22.
Expanded Information Technology (IT) Services (Ref Acct: 75-xxx)	-	8,866	Covers upgraded hardware including New Switch, Wireless Access Points, and firewall improvements. Certain offices in City Hall do have strong internet connections as the current set up is a hodgepodge of equipment strung together to respond to immediate needs. Without the upgrades, inefficiencies in the workflow for certain staff will continue.
Agenda management system - Granicus - Upgrade (Acct Ref: 75-xxx)	-	19,400	This amount covers hardware upgrades as part of our current renewal and possibility of hiring them to design a new website.
	\$ 90,000	\$ 195,266	

CITY OF ROLLING HILLS Schedule of Proposed Options for Balancing the General Fund Ongoing Budget Fiscal Year 2022-23

Description	ļ	Amount	Impact				
Proposed for Adoption							
Use of one-time ARPA revenues	\$	220,682	No impact				
Cost recover publication expenses associated with development projects.		-	Financial burden on development applicants.				
Fund deficit using reserves		151,889	Short term solution, reducing rainy day fund.				



N	lot Recommended	
Eliminate funding of contracted part-time Code Enforcement services	\$ 87,880	Workload will be spread among the current positions, prolonging the processing of cases, reducing productivity on all other positions, and reducing the overall service level to residents.
Delay fire fuel abatement in the Preserve slated for FY 22-23 to future years when projected revenue is more aligned with projected expenditures.	82,000	Not leverage the fire fuel abatement work performed to date and will not diminish risk of wildfires originating from the Preserve.
Reduce Block Captain Program	25,000	Block captains
Reinstate building permit multiplier to 2.5% pre FY18- 19 level. Multiplier was reduced to 2.25% commencing in FY 2018-2019.	20,000 - 75,000	Financial burden on development applicants. Revenue level depends on the level of building activities.
Cost recover staff time on processing development applications.	30,000 - 50,000	Financial burden on development applicants. Could deter development activities and or improve submittal quality and ultimately improve efficiency on the developers' activities.
Eliminate funding for Community Recognition	20,000	Impact to community.
Eliminate Repairs & Maint	35,000	Deferring capital that may result in increased costs in the future.

\$299,880 - \$374,880

CITY OF ROLLING HILLS Summary of Sources and Uses of Funds GENERAL FUND Fiscal Year 2022/23 Adopted

Operations **Operating Revenues - Ongoing** \$ 2,728,384 **Operating Expenditures - Ongoing** (2,880,273)(151, 889)**Operating Deficit - Use of Reserves Capital Program** Outdoor Siren System - Design (25,000)**Outdoor Siren System - Construction** (275,000)City Hall ADA Improvements - Design (96,000) Total Capital Program (Funded from Reserves) (396,000)**One-Time Costs** (45,000)Capital Project Contract Management Completing the Housing Element (45,000)**Total One-Time Costs** (90,000)**TOTAL ESTIMATED USE OF RESERVES - FY 2023** (637,889) Estimated Reserves at June 30, 2022 4,988,486 Estimated Reserves at June 30, 2023 4,350,597

CITY OF ROLLING HILLS Proposed Revenues and Expenditures Other Funds

	Adopted Budget		Amended Budget		FY 2022 Year-End Projection		FY 2023 Proposed	
10 - COPS FUND								
Revenues								
COPS Allocation	\$	160,000	\$	160,000	\$	165,000	\$	165,000
Expenditures								
COPS Program Expenditures		160,000		160,000		165,000		165,000
Revenues Over (Under) Expenditures	\$		\$		\$	-	\$	-
11 - CLEEP FUND								
Revenues								
Interest Earned	\$	50	\$	50	\$	40	\$	25
Expenditures								
CLEEP Technology Program		1,100		1,100		2,000		1,200
Revenues Over (Under) Expenditures	\$	(1,050)	\$	(1,050)	\$	(1,960)	\$	(1,175)
13 - TRAFFIC SAFETY FUND								
Revenues								
Transfers In - General Fund	\$	10,000	\$	10,000	\$	4,390	\$	-
Expenditures								
Road Striping - Delineators		10,000		10,000		4,390		-
Revenues Over (Under) Expenditures	\$	-	\$	-	\$	-	\$	-

	Adopted Budget		Amended Budget	FY 2022 Year-End Projection		FY 2023 Proposed	
15 - ARPA FUND							
Revenues							
American Rescue Plan Act	\$	-		\$ 2	220,682	\$	220,682
Expenditures							
Transfers Out to General Fund				2	220,682		220,682
Revenues Over (Under) Expenditures	\$	_	\$ -	\$	_	\$	-
16 - CAL OES FUND							
Revenues							
Crest Road FEMA Grant - 4434-526-112R	\$	-	\$ 1,145,487	\$	7,500	\$	-
Veg. Mgmnt FEMA Grant - HMGP-4382-175-13R		-	242,625		82,500		-
Eastfield U/Grounding FEMA DR-4382-177-7R-CA		-	1,971,882		-		-
Safety Element Disaster Grants - DR 4344 PL0521		-	-		17,091		-
Transfers In - General Fund - Safety Element		-	-		5,697		-
Transfers In - Utility Fund - 4434-526-112R		-	381,819		2,500		-
Transfers In - Utility Fund - DR4382-177-7R		-	657,294				-
Transfers In - General Fund - HMGP-4382-175-13R		-	80,875		80,875		-
Total Revenues			4,479,982	1	196,163		-
Expenditures							
Crest Road East Project - 4434-526-112R		-	1,527,306		10,000		-
Eastfield Drive Utility U.G 4382-177-7R		-	2,629,176		-		-
Safety Element DR4344-PL0521		-	-		22,788		-
Veg. Mgmt Mitig. Proj HMGP-4382-175-13R		-	323,500		110,000		
Total Expenditures			4,479,982]	142,788		
Revenues Over (Under) Expenditures	\$	-		\$	53,375	\$	-

	Adopted Budget	Amended Budget	FY 2022 Year-End Projection	FY 2023 Proposed
25 - PROPOSITION A FUND				
Revenues				
Grant Revenues	\$ 38,000		\$ 47,283	\$ 45,000
Interest Earned	600		200	200
Total Revenues	38,600	38,600	47,483	45,200
Expenditures				
Prop A Exchange				58,400
Revenues Over (Under) Expenditures	\$ 38,600	\$ 38,600	\$ 47,483	\$ (13,200)
26 - PROPOSITION C				
Revenues				
Grant Revenue-Prop C	\$ 31,500	\$ 31,500	\$ 39,221	\$ 37,000
Interest Earned	650		200	200
Total Revenues	32,150	32,150	39,421	37,200
Expenditures				
Prop C Gifted				
Revenues Over (Under) Expenditures	\$ 32,150	\$ 32,150	\$ 39,421	\$ 37,200
27- MEASURE R TRANSIT				
Revenues				
Measure R Grant Revenues	\$ 24,000	\$ 24,000	\$ 29,414	\$ 28,000
Interest Earned	1,000	1,000	200	200
Total Revenues	25,000	25,000	29,614	28,200
Expenditures				
Measure R Gifted		<u> </u>		
Revenues Over (Under) Expenditures	\$ 25,000	\$ 25,000	\$ 29,614	\$ 28,200

	Adopted Budget	Amended Budget	FY 2022 Year-End Projection	FY 2023 Proposed
29 - MEASURE M				
Revenues				
Measure M Local Return	\$ 26,500	\$ 26,500	\$ 33,288	\$ 31,000
Interest Earned	1,100	1,100	200	200
Total Revenues	27,600	27,600	33,488	31,200
Expenditures				
Measure M Gifted				
Revenues Over (Under) Expenditures	\$ 27,600	\$ 27,600	\$ 33,488	\$ 31,200
30 - MEASURE W				
Revenues				
Grant Revenues	\$ 110,000	\$ 110,000	\$ 104,742	\$ 105,000
Interest Earned	900	900		-
Total Revenues	110,900	110,900	104,742	105,000
Expenditures				
Storm Water Management	38,750	38,750	80,000	80,000
Revenues Over (Under) Expenditures	72,150	72,150	24,742	25,000
35 - MEASURE A				
Revenues				
Grant Revenue	\$ 26,100	\$ 26,100	\$-	\$ -
Interest Earned	900	900		
Total Revenues	27,000	27,000	-	

	Adopted Budget	Amended Budget	FY 2022 Year-End Projection	FY 2023 Proposed	
40 - CAPITAL PROJECTS FUND					
Revenues					
Transfers from General Fund	\$ 88,000	\$ 121,235	\$ 121,235	\$ 396,000	
Expenditures					
Consulting Fees	-	-	-	96,000	
1 Middleridge Lane South Storm Drain	-	33,235	35,506	-	
1 Middleridge Lane North Storm Drain	-	48,645	51,732	-	
Outdoor Siren System - Design	-	-	-	300,000	
Outdoor Siren System - Construction					
Non-Building Improvements	300,000	300,000	-	-	
City Hall Improvements	-	-			
Total Expenditures	300,000	381,880	87,238	396,000	
Revenues Over (Under) Expenditures	(212,000)	(260,645)	33,997		
41- UTILITY FUND					
Revenues					
Rule 20A Power Utility Credits	\$ 763,638	\$ 1,039,113	\$ 2,500	\$-	
Expenditures					
Legal & Other Outside Counsel	-	-	1,452		
Sewer Feasibility Study	-	-	-		
Underground Utility Project	763,638	-	-		
Sewer Feasibility Project	-	-	40,321	-	
Transfers Out - Cal OES Fund		1,039,113	2,500		
Total Expenditures	763,638	1,039,113	41,773		
Revenues Over (Under) Expenditures	\$ -	<u>\$ -</u>	(39,273)	\$ -	

	Adopted Budget	Amended Budget	FY 2022 Year-End Projection	FY 2023 Proposed
50 - REFUSE FUND				
Revenues				
Construction & Demo Permits	\$ 24,000	\$ 24,000	\$ 15,400	\$ 20,000
Service Charges	753,500	753,500	753,504	780,000
Transfers In - General Fund	159,200	159,200	159,200	168,500
Total Revenues	936,700	936,700	928,104	968,500
Expenditures				
Misc Expense	-	-	-	
Refuse Service Contract	912,700	912,700	912,700	944,500
Transfers Out	24,000	24,000	24,000	24,000
Total Expenditures	936,700	936,700	936,700	968,500
Revenues Over (Under) Expenditures			(8,596)	

RESOLUTION NO. 1300

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ADOPTING THE FY 2022-23 CITY OF ROLLING HILLS BUDGET

RECITALS

A. Members of the Rolling Hills City Council opened a public hearing on Monday, June 13, 2022 to consider the recommended Fiscal Year 2022-23 City of Rolling Hills Proposed Budget; and

B. Following the public hearing on the Fiscal Year 2022-23 City of Rolling Hills Proposed Budget, members of the Rolling Hills City Council desire to adopt said document.

NOW, THEREFORE, BE IT RESOLVED BY MEMBERS OF THE ROLLING HILLS CITY COUNCIL AS FOLLOWS:

Section 1. Members of the City Council hereby adopt the Fiscal Year 2022-23 City of Rolling Hills Budget, attached hereto as Exhibit A and incorporated herein by reference.

Section 2. Appropriations in the amount not to exceed \$3,366,273.00 (budget and budget contingency) are authorized in the Fiscal Year 2022-23 General Fund Budget for the purpose of carrying on the business of the City for general government, public safety, public service, and other items.

Section 3. Appropriations in the amount not to exceed \$1,889,782.00 are authorized in the various funds for carrying on the business of the City: COPs Fund, CLEEP Fund, American Rescue Plan Act Funds, Proposition A Fund, Measure W Fund, Capital Project Fund, and Refuse Funds.

Section 4. The City Manager may transfer appropriations between and among all departments, as defined in the Fiscal Year 2022-23 budget in order to ensure revenue and expenditures correspond to the intent of the City Council. The legal level of appropriated budgetary control, that is the level at which expenditures may not exceed appropriations, is at the department level for the General Fund and at the fund level for all other funds. Supplemental appropriations during the year must be approved by the City Council. All unexpended budgetary appropriations lapse at the end of the fiscal year.

Section 5. The Mayor is hereby directed to sign this Resolution, and the City Clerk is directed to attest thereto.

PASSED, APPROVED AND ADOPTED this 13th day of June, 2022.

James Black, M.D. Mayor ATTEST:

Christian Horvath City Clerk

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

The foregoing Resolution No. 1300 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ADOPTING THE FY 2022-23 CITY OF ROLLING HILLS BUDGET

was approved and adopted at a regular meeting of the City Council on the 13th day of June, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHRISTIAN HORVATH CITY CLERK

EXHIBIT A

CITY OF ROLLING HILLS Fiscal Year 2022-23 Adopted Budget

01 -General Fund		
City Administrator	\$ 1,039,635	
Finance	140,500	
Planning & Development	924,069	
Public Safety	245,000	
Non-Departmental	252,857	
City Properties	199,712	
Transfers Out	564,500	
Total General Fund	\$ 3,366,273	
Other Funds		
10 - COPs Fund	\$ 165,000	
11 - CLEEP Fund	1,200	
13 - Traffic Safety Fund	-	
15 - American Rescue Plan Act Fund	220,682	
16 - CA Office of Emergency Fund	-	
25 - Proposition A Fund	58,400	
26 - Proposition C Fund	-	
27 - Measure R Fund	-	
29 - Measure M Fund	-	
30 - Measure W Fund	80,000	
35 - Measure A Fund	-	
40 - Capital Projects Fund	396,000	
41 - Utility Fund	-	
50 - Refuse Fund	968,500	
Total Other Funds	\$ 1,889,782	

RESOLUTION NO. 1301

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTABLISHING THE 2022-23 FISCAL YEAR GANN APPROPRIATION LIMIT FOR THE CITY OF ROLLING HILLS

RECITALS

A. the City of Rolling Hills has heretofore established its Base Year Appropriations Limit as \$256,941; and

B. To the best of this City's knowledge and belief, the State Department of Finance figures reflect the following statistics relevant to the calculation of the 2022-23 Fiscal Year Appropriations Limit:

California per capita personal income, 7.75% (seven point seven five percent).

Population Adjustments for City of Rolling Hills for FY 2022-23, -1.12% (negative one point twelve percent).

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

<u>Section 1</u>. Based on the foregoing figures and the provision of Article XIII B of the Constitution of the State of California, the following figure accurately represents the 2022-23 Fiscal Year Appropriation Limit of the City of Rolling Hills: \$1,998,794

<u>Section 2</u>. The City Clerk shall certify to the passage of Resolution No. 1301.

PASSED, APPROVED AND ADOPTED this 13th day of June, 2022.

James Black, M.D. Mayor

ATTEST:

Christian Horvath City Clerk STATE OF CALIFORNIA) COUNTY OF LOS ANGELES) SS CITY OF ROLLING HILLS)

The foregoing Resolution No. 1301 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTABLISHING THE 2022-23 FISCAL YEAR GANN APPROPRIATION LIMIT FOR THE CITY OF ROLLING HILLS

was approved and adopted at a regular meeting of the City Council on the 13th day of June, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHRISTIAN HORVATH CITY CLERK



Agenda Item No.: 13.A Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: REQUEST FOR ACTION ON SB1186 (WIENER) MEDICINAL CANNABIS PATIENTS RIGHT OF ACCESS ACT (DIERINGER)

DATE: June 13, 2022

BACKGROUND:

Councilmember Dieringer attended a League of California Cities(LCC) meeting on May 25, 2022 and was made aware of an Action Alert regarding bill SB 1186, which would override local ordinances and remove any restrictions placed on cannabis deliveries within a respective city. The LCC had previously worked out a bill related to cannabis that allowed each city to regulate cannabis in their respective cities. SB 1186 would potentially overrule that previous compromise.

Information provided by the LCC:

Background: The ability of local jurisdictions to regulate cannabis retailers was central to the passage of both the original Medical Cannabis Regulation and Safety Act (MCRSA) and Proposition 64 and is integral to the combined Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).

The Legislature worked closely with stakeholders to create a regulatory framework for medical cannabis more than a year before Proposition 64 was enacted. That legislatively-enacted framework serves as the foundation for the regulatory structure provided in the adult-use scheme. In the construction of both frameworks, the crafters recognized the critical need for local control, primarily as part of cities' and counties' land-use authority.

What does SB 1186 specifically do?

SB 1186 would undermine the intent of MAUCRSA by:

- Eliminating a local jurisdiction's ability to prohibit medical cannabis retail activities, regardless of the needs or conditions in the jurisdiction.
- Restricting the ability for the large number of jurisdictions that permit and regulate cannabis retailers to set appropriate local regulations which are developed in a public

process.

Talking Points:

- We ask you to oppose SB 1186 as it would undermine the framework carefully negotiated between the Legislature and local governments to ensure counties and cities can set regulatory standards associated with local land-use authority.
- SB 1186 would require every jurisdiction to prepare regulatory ordinances in anticipation of retail delivery applicants, and the initial costs for jurisdictions may never be fully recouped.
- Changing the local authorization rules while the state is still in the implementation phase of the regulatory framework will impede the gradual, but consistent, progress that local jurisdictions have made toward expanding cannabis retail permitting throughout the state.

DISCUSSION:

Staff reviewed the bill (attached) as well as the adopted municipal code below and concluded that this bill would only have a direct effect on cities that are currently prohibiting medicinal cannabis delivery. In reading the sections of the city code below, it appears that the City of Rolling Hills already allows for medicinal cannabis delivery. It is NOT a prohibited use.

17.16.020 - Permitted and prohibited uses.

В.

The following uses are prohibited in the RA-S zone:

1. It shall be unlawful for any person to offer or make available for rent or to rent (by way of a rental agreement, lease, license or any other means, whether oral or written) for compensation a residential dwelling or a room in a dwelling for occupancy of less than thirty days.

2. It shall be unlawful for any person to occupy a residential dwelling or a room in a dwelling for less than thirty days pursuant to a rental agreement, lease, license or any other means, whether oral or written, for compensation.

3. Dispensing of cannabis and non-medicinal cannabis delivery by any mobile marijuana dispensary (as those terms are defined in Section 17.29.020).

4. Commercial cannabis activity, (as those terms are defined in Section 17.29.020). Notwithstanding the foregoing, this section does not apply to the delivery of medical marijuana to qualified patients or their primary caregivers, (as those terms are defined in Section 17.29.020).

17.29.020 - Definitions.

"Delivery" means the commercial transfer of cannabis or cannabis products to a customer. "Delivery" also includes the use by a retailer of any technology platform owned and controlled by the retailer. The term "delivery" does not include the distribution of cannabis from a mobile marijuana dispensary.

"Mobile marijuana dispensaries" means any dispensary, cooperative, association, club, business, collective, operator, or provider that does not have a fixed storefront and which operates solely as a mobile retail outlet which transports or delivers, or arranges the transportation or delivery, of cannabis to a person.

17.29.030 - Prohibited uses and activities.

D.

To the extent not already prohibited by subsection (A), above, all deliveries of cannabis or cannabis products for non-medicinal purposes, to or from any location are expressly prohibited. No person shall conduct or perform any delivery of any cannabis or cannabis products for a non-medical purpose, which delivery either originates or terminates within the City. This subsection shall not prohibit any person from transporting cannabis through the jurisdictional limits of the City for delivery or distribution to a person located outside the City, where such transport does not involve delivery or distribution within the jurisdictional limits of the City. This subsection shall also not prohibit a delivery of cannabis or cannabis products for medicinal purposes as set forth in Section 17.29.040(A).

17.29.040 - Exceptions.

Α.

Notwithstanding Section 17.29.030, above, the delivery of medical cannabis to qualified patients with valid identification cards or a verifiable written recommendation from a physician for medical cannabis, and primary caregivers with a valid identification card, is permitted from a dispensary (licensed under the MAUCRSA) with a fixed location operating outside of the City or a primary caregiver cultivating within the boundaries of the City. This exception does not include deliveries made by mobile marijuana dispensaries, as the term is defined in Section 17.29.020.

C.

Any commercial cannabis activity that the City is required by State law to permit within its jurisdiction shall not be prohibited by the provisions of this chapter.

D.

A qualified patient or primary caregiver, who cultivates, possesses, stores, manufactures, or transports cannabis exclusively for his or her personal medical use, or the personal use of the caregiver's qualified patient, but who does not provide, donate, sell, or distribute cannabis to any other person is not thereby engaged in commercial cannabis activity. Nothing in this chapter shall be interpreted to prohibit a qualified patient or primary caregiver from using, possessing, purchasing, obtaining, cultivating or receiving delivery of cannabis for medicinal purposes as allowed under State law.

FISCAL IMPACT:

None.

RECOMMENDATION:

Provide direction to staff.

ATTACHMENTS:

CL_AGN_220613_CC_SB1186.pdf CL_AGN_220613_CC_SB1186_AsAmends.pdf CL_AGN_220613_CC_SB1186_SenateFloorAnalyses.pdf

AMENDED IN SENATE APRIL 25, 2022 AMENDED IN SENATE MARCH 29, 2022 AMENDED IN SENATE MARCH 10, 2022

SENATE BILL

No. 1186

Introduced by Senator Wiener

February 17, 2022

An act to amend Section 26200 of, and to add Chapter 25 (commencing with Section 26300) to Division 10 of, the Business and Professions Code, relating to cannabis.

LEGISLATIVE COUNSEL'S DIGEST

SB 1186, as amended, Wiener. Medicinal Cannabis Patients' Right of Access Act.

Existing law, the Compassionate Use Act of 1996, an initiative measure enacted by Proposition 215 at the November 6, 1996, statewide general election, declares that its purpose is, among other things, to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes, as specified, and exempts from state criminal liability certain patients and their primary caregivers who possess or cultivate marijuana for the personal medical purposes of the patient. Existing law, known as the Medical Marijuana Program, establishes a voluntary registration program for qualified medicinal cannabis patients and their primary caregivers through a statewide identification card system maintained by the State Department of Public Health and sets forth guidelines for the possession of medicinal cannabis.

The Control, Regulate and Tax Adult-Use of Marijuana Act of 2016 (AUMA), an initiative measure approved as Proposition 64 at the November 8, 2016, statewide general election, established a

comprehensive system to legalize, control, and regulate the cultivation, processing, manufacture, distribution, testing, and sale of nonmedical marijuana. AUMA reserved to a local jurisdiction specified powers regarding commercial adult-use cannabis activity, including adopting and enforcing local ordinances regulating commercial adult-use cannabis activity. The Existing law, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities, including the retail sale of medicinal cannabis.

This bill would enact the Medicinal Cannabis Patients' Right of Access Act, which, on and after January 1, 2024, would prohibit a local jurisdiction from adopting or enforcing any regulation that prohibits the sale of, or otherwise imposes unreasonable restrictions on the safe and affordable sale of, retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers by medicinal cannabis businesses, as defined. The bill would prohibit regulations that unreasonably restrict, among other things, the operating hours or the number or frequency of sales of medicinal cannabis businesses. This bill would authorize a local jurisdiction to adopt and enforce regulations limiting the sale of medicinal cannabis to delivery only. defined, or that has the effect of prohibiting the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers in a timely and readily accessible manner and in types and quantities that are sufficient to meet demand from medicinal cannabis patients within the local jurisdiction, as specified. The bill, on and after January 1, 2024, would provide that the act may be enforced by an action for writ of mandate brought by a-medical medicinal cannabis patient or their primary caregiver, a medicinal cannabis business, the Attorney General, or any other party otherwise authorized by law.

Existing law, the California Environmental Quality Act (CEQA), requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect.

This bill would provide that CEQA does not apply to specified actions taken by a local jurisdiction to comply with the bill's provisions, *jurisdiction relating to medicinal cannabis businesses*, including the

repeal of any local regulation prohibiting the operation of medicinal cannabis businesses.

To the extent this bill would impose additional duties on local jurisdictions, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 26200 of the Business and Professions
 Code is amended to read:

3 26200. (a) (1) Except as set forth in the Medicinal Cannabis Patients' Right of Access Act (Chapter 25 (commencing with 4 5 Section 26300)), this division shall not be interpreted to supersede 6 or limit the authority of a local jurisdiction to adopt and enforce 7 local ordinances to regulate businesses licensed under this division, 8 including, but not limited to, local zoning and land use 9 requirements, business license requirements, and requirements 10 related to reducing exposure to secondhand smoke, or to completely 11 prohibit the establishment or operation of one or more types of 12 businesses licensed under this division within the local jurisdiction. 13 (2) Except as set forth in the Medicinal Cannabis Patients' Right 14 of Access Act (Chapter 25 (commencing with Section 26300)), 15 this division shall not be interpreted to supersede or limit existing local authority for law enforcement activity, enforcement of local 16 17 zoning requirements or local ordinances, or enforcement of local 18 license, permit, or other authorization requirements.

(b) This division shall not be interpreted to require the
department to undertake local law enforcement responsibilities,
enforce local zoning requirements, or enforce local licensing,
permitting, or other authorization requirements.

23 (c) A local jurisdiction shall notify the department upon 24 revocation of any local license, permit, or authorization for a

1 licensee to engage in commercial cannabis activity within the local

2 jurisdiction. Within 60 days of being so informed, the department

3 shall begin the process to determine whether a license issued to

4 the licensee should be suspended or revoked pursuant to Chapter

5 3 (commencing with Section 26030).

6 (d) For facilities issued a state license that are located within the incorporated area of a city, the city shall have full power and 7 8 authority to enforce this division and the regulations promulgated 9 by the department, if delegated by the state. Notwithstanding 10 Sections 101375, 101400, and 101405 of the Health and Safety 11 Code or any contract entered into pursuant thereto, or any other 12 law, the city shall assume complete responsibility for any 13 regulatory function pursuant to this division within the city limits 14 that would otherwise be performed by the county or any county 15 officer or employee, including a county health officer, without 16 liability, cost, or expense to the county.

(e) (1) This division does not prohibit the issuance of a state temporary event license to a licensee authorizing onsite cannabis sales to, and consumption by, persons 21 years of age or older at a county fair event, district agricultural association event, or at another venue expressly approved by a local jurisdiction for the purpose of holding temporary events of this nature, provided that the activities, at a minimum, comply with all the following:

24 (A) The requirements of paragraphs (1) to (3), inclusive, of

25 subdivision (g).

(B) All participants who are engaged in the onsite retail sale of
cannabis or cannabis products at the event are licensed under this
division to engage in that activity.

(C) The activities are otherwise consistent with regulations
 promulgated and adopted by the department governing state
 temporary event licenses.

32 (D) A state temporary event license shall only be issued in local33 jurisdictions that authorize such events.

(E) A licensee who submits an application for a state temporary
event license shall, 60 days before the event, provide to the
department a list of all licensees that will be providing onsite sales
of cannabis or cannabis products at the event. If any changes occur
in that list, the licensee shall provide the department with a final
updated list to reflect those changes. A person shall not engage in
the onsite retail sale of cannabis or cannabis products, or in any

way participate in the event, who is not included in the list,
 including any updates, provided to the department.

3 (2) The department may impose a civil penalty on any person
4 who violates this subdivision, or any regulations adopted by the
5 department governing state temporary event licenses, in an amount
6 up to three times the amount of the license fee for each violation,
7 consistent with Sections 26018 and 26038.

8 (3) The department may require the event and all participants 9 to cease operations without delay if in the opinion of the 10 department or local law enforcement it is necessary to protect the 11 immediate public health and safety of the people of the state. The 12 department may also require the event organizer to immediately 13 expel from the event any participant selling cannabis or cannabis products without a license from the department that authorizes the 14 15 participant to sell cannabis or cannabis products. If the unlicensed 16 participant does not leave the event, the department may require 17 the event and all participants to cease operations immediately.

(4) The order by the department for the event to cease operations
pursuant to paragraph (3) does not entitle the event organizer or
any participant in the event to a hearing or an appeal of the
decision. Chapter 3 (commencing with Section 490) of Division
1.5 and Chapter 4 (commencing with Section 26040) of this
division shall not apply to the order by the department for the event
to cease operations pursuant to paragraph (3).

(5) The smoking of cannabis or cannabis products at temporary
events authorized pursuant to this subdivision is prohibited in
locations where smoking is prohibited. For purposes of this section,
"smoking" has the same meaning as defined in subdivision (c) of
Section 22950.5.

(f) This division, or any regulations promulgated thereunder,shall not be deemed to limit the authority or remedies of a city,

32 county, or city and county under any provision of law, including,

but not limited to, Section 7 of Article XI of the CaliforniaConstitution.

(g) Notwithstanding paragraph (1) of subdivision (a) of Section
11362.3 of the Health and Safety Code, a local jurisdiction may
allow for the smoking, vaporizing, and ingesting of cannabis or
cannabis products on the premises of a retailer or microbusiness

39 licensed under this division if all of the following are met:

1	(1) Access to the area where cannabis consumption is allowed
2	is restricted to persons 21 years of age or older.
3	(2) Cannabis consumption is not visible from any public place
4	or nonage-restricted area.
5	(3) Sale or consumption of alcohol or tobacco is not allowed
6	on the premises.
7	(h) This division shall not be interpreted to supersede Section
8	6404.5 of the Labor Code.
9	SEC. 2. Chapter 25 (commencing with Section 26300) is added
10	to Division 10 of the Business and Professions Code, to read:
11	
12	Chapter 25. Medicinal Cannabis Patients' Right of
13	Access Act
14	
15	26300. The Legislature finds and declares as follows:
16	(a) Access to medicinal cannabis is an integral aspect of access
17	to health care, and eliminating barriers to medicinal cannabis access
18	is essential to promoting and preserving the health of Californians
19	for whom physicians have recommended the use of cannabis or
20	cannabis products.
21	(b) It is the policy of the state and the intent of the Legislature
22	to ensure that Californians throughout the state have timely and
23	convenient access to safe, effective, and affordable medicinal
24	cannabis.
25	26301. (a) This act shall be known, and may be cited, as the
26	Medicinal Cannabis Patients' Right of Access Act.
27	(b) For purposes of this section: chapter:
28	(1) "Medicinal cannabis" means medicinal cannabis or medicinal
29	cannabis products, as those terms are defined in paragraph (1) of
30	subdivision (ai) of Section 26001.
31	(2) "Medicinal cannabis business" means a business retailer
32	authorized to engage in the retail sale by delivery of medicinal
33	cannabis to medicinal cannabis patients pursuant to a medicinal
34	cannabis retail license or microbusiness license. an M-license.
35	(3) "Medicinal cannabis patient" means a qualified patient, as
36	defined in Section 11362.7 of the Health and Safety Code, who
37	possesses a physician's recommendation that complies with Article
38	25 (commencing with Section 2525) of Chapter 5 of Division 2,
39	or a qualified patient or primary caregiver for a qualified patient

- 1 issued a valid identification card pursuant to Section 11362.71 of
- 2 the Health and Safety Code.
- 3 (4) "Regulation" means a local ordinance, regulation, policy,4 or practice.

5 26302. (*a*) A local jurisdiction shall not adopt or enforce any 6 regulation that prohibits the sale retail sale by delivery within the

- 7 *local jurisdiction* of medicinal cannabis to medicinal cannabis 8 patients or their primary caregivers, or that otherwise imposes
- 9 unreasonable restrictions on the safe and affordable sale has the
- 10 effect of prohibiting the retail sale by delivery within the local
- *jurisdiction* of medicinal cannabis to medicinal cannabis patients
- or their primary caregivers by medicinal cannabis-businesses,
 businesses in a timely and readily accessible manner, and in types
- businesses in a timely and readily accessible manner, and in typesand quantities that are sufficient to meet demand from medicinal
- 14 and quantities that are sufficient to meet demand from medicinal 15 cannabis patients within the local jurisdiction, including, but not
- 16 limited to, regulations that unreasonably restrict any of the
- 17 following: regulation of any of the following that has the effect of
- 18 prohibiting the retail sale by delivery of medicinal cannabis:
- 19 (a)
- 20 (1) The number of medicinal cannabis businesses authorized to 21 operate in the local jurisdiction.
- 22 (b)
- 23 (2) The operating hours of medicinal cannabis businesses.
- 24 (c)
- (3) The number or frequency of sales *by delivery* of medicinalcannabis.
- 27 (d)
- (4) The types or quantities of medicinal cannabis authorized to
 be sold. sold by delivery.
- 30 (c) Any other aspect of the operation of a medicinal cannabis
- 31 business that is essential to its ability to offer medicinal cannabis
- 32 products for sale to medicinal cannabis patients and their primary
- 33 caregivers within the local jurisdiction in a timely and readily
- 34 accessible manner, and in types and quantities that are sufficient
- 35 to meet demand from medicinal cannabis patients within the local
- 36 jurisdiction.
- 37 (5) The establishment of physical premises from which retail
- 38 sale by delivery of medicinal cannabis within the jurisdiction is
- 39 conducted.

1 (b) Nothing in this chapter shall be construed to prohibit the 2 adoption or enforcement of reasonable regulations on retail sale 3 by delivery of medicinal cannabis, including, but not limited to, 4 reasonable regulations related to: 5 (1) Zoning requirements that are not inconsistent with 6 subdivision (a). If compliance with subdivision (a) would otherwise 7 require a local jurisdiction to authorize a physical premises from 8 which retail sale by delivery of medicinal cannabis within the 9 jurisdiction is conducted, this paragraph shall not be construed 10 to alter that requirement. (2) Security or public health and safety requirements. 11 12 (3) Licensing requirements. 13 (4) *The imposition, collection, and remittance of any applicable* 14 state or local taxes upon retail sales occurring within the local 15 *jurisdiction*. 16 (c) Nothing in this chapter shall be construed to limit or 17 otherwise affect the ability of a local jurisdiction to adopt or 18 enforce any regulations on commercial cannabis operations other 19 than retail sale by delivery of medicinal cannabis in the local 20 jurisdiction. 21 (d) This section shall become operative on January 1, 2024. 22 26303. A local jurisdiction may adopt and enforce regulations 23 that limit the sale of medicinal cannabis to delivery only, which shall not be deemed to be an unreasonable restriction. 24 25 26304. 26 26303. The California Environmental Quality Act (CEQA) 27 (Division 13 (commencing with Section 21000) of the Public Resources Code) does not apply to any of the following: 28 29 (a) The repeal of any local ordinance, regulation, or rule 30 prohibiting the operation of medicinal cannabis businesses. 31 (b) The adoption of any local ordinance, regulation, or rule 32

32 providing for discretionary review and approval of any local 33 permits, licenses, or other local authorizations, consistent with 34 Sections 26302 and 26303, Section 26302, to engage in retail sales 35 by delivery of medicinal cannabis or medicinal cannabis products 36 conducted by businesses engaged in delivery from premises within 37 the local jurisdiction, or by storefront retailers within the local

38 jurisdiction, or both, on the condition that the discretionary review

39 provided for by that local ordinance, regulation, or rule includes

40 any applicable environmental review required by CEQA.

1 (c) The adoption of any local ordinance, regulation, or rule

2 otherwise establishing a local jurisdiction's compliance with this

- 3 ehapter.
- 4 26305.
- 5 *26304.* (a) This chapter may be enforced by an action brought
- 6 pursuant to Chapter 2 (commencing with Section 1084) of Title 1
- 7 of Part 3 of the Code of Civil Procedure by any of the following
- 8 parties, who shall be beneficially interested within the meaning of
- 9 Section 1086 of the Code of Civil Procedure:
- 10 (1) A medicinal cannabis patient or their primary caregiver who 11 seeks to purchase medicinal cannabis or medicinal cannabis
- 12 products within the local jurisdiction.
- 13 (2) A medicinal cannabis business that seeks to offer medicinal14 cannabis for sale within the local jurisdiction.
- 15 (3) The Attorney General.
- 16 (4) Any other party otherwise authorized by law.
- 17 (b) This section shall not be construed to limit the availability
- 18 of any other remedy otherwise available to enforce this chapter.
- 19 The existence of any other remedy shall not restrict the availability
- 20 of relief to enforce this chapter under Chapter 2 (commencing with
- Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure.
 (c) This section shall become operative on January 1, 2024.
 26306.
- 24 26305. Nothing in this chapter shall be construed to limit or
- otherwise affect the ability or right of a local jurisdiction to regulateadult-use cannabis pursuant to Section 26200.

27 26307.

- 28 26306. This chapter addresses a matter of statewide concern 20 and not a municipal affair as that term is used in Section 5 of
- and not a municipal affair, as that term is used in Section 5 ofArticle XI of the California Constitution.
- 31 SEC. 3. If the Commission on State Mandates determines that
- 32 this act contains costs mandated by the state, reimbursement to
- 33 local agencies and school districts for those costs shall be made
- 34 pursuant to Part 7 (commencing with Section 17500) of Division
- 35 4 of Title 2 of the Government Code.

0



As Amends the Law Today

SECTION 1. Section 26200 of the Business and Professions Code is amended to read:

26200. (a) (1) This Except as set forth in the Medicinal Cannabis Patients' Right of Access Act (Chapter 25 (commencing with Section 26300)), this division shall not be interpreted to supersede or limit the authority of a local jurisdiction to adopt and enforce local ordinances to regulate businesses licensed under this division, including, but not limited to, local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to secondhand smoke, or to completely prohibit the establishment or operation of one or more types of businesses licensed under this division within the local jurisdiction.

(2) This- Except as set forth in the Medicinal Cannabis Patients' Right of Access Act (Chapter 25 (commencing with Section 26300)), this division shall not be interpreted to supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances, or enforcement of local license, permit, or other authorization requirements.

(b) This division shall not be interpreted to require the department to undertake local law enforcement responsibilities, enforce local zoning requirements, or enforce local licensing, permitting, or other authorization requirements.

(c) A local jurisdiction shall notify the department upon revocation of any local license, permit, or authorization for a licensee to engage in commercial cannabis activity within the local jurisdiction. Within 60 days of being so informed, the department shall begin the process to determine whether a license issued to the licensee should be suspended or revoked pursuant to Chapter 3 (commencing with Section 26030).

(d) For facilities issued a state license that are located within the incorporated area of a city, the city shall have full power and authority to enforce this division and the regulations promulgated by the department, if delegated by the state. Notwithstanding Sections 101375, 101400, and 101405 of the Health and Safety Code or any contract entered into pursuant thereto, or any other law, the city shall assume complete responsibility for any regulatory function pursuant to this division within the city limits that would otherwise be performed by the county or any county officer or employee, including a county health officer, without liability, cost, or expense to the county.

(e) (1) This division does not prohibit the issuance of a state temporary event license to a licensee authorizing onsite cannabis sales to, and consumption by, persons 21 years of age or older at a county fair event, district agricultural association event, or at another venue expressly approved by a local jurisdiction for the purpose of holding temporary events of this nature, provided that the activities, at a minimum, comply with all the following:

(A) The requirements of paragraphs (1) to (3), inclusive, of subdivision (g).

(B) All participants who are engaged in the onsite retail sale of cannabis or cannabis products at the event are licensed under this division to engage in that activity.

(C) The activities are otherwise consistent with regulations promulgated and adopted by the department governing state temporary event licenses.

(D) A state temporary event license shall only be issued in local jurisdictions that authorize such events.

(E) A licensee who submits an application for a state temporary event license shall, 60 days before the event, provide to the department a list of all licensees that will be providing onsite sales of cannabis or cannabis products at the event. If any changes occur in that list, the licensee shall provide the department with a final updated list to reflect those changes. A person shall not engage in the onsite retail sale of cannabis products, or in any way participate in the event, who is not included in the list, including any updates, provided to the department.

(2) The department may impose a civil penalty on any person who violates this subdivision, or any regulations adopted by the department governing state temporary event licenses, in an amount up to three times the amount of the license fee for each violation, consistent with Sections 26018 and 26038.

(3) The department may require the event and all participants to cease operations without delay if in the opinion of the department or local law enforcement it is necessary to protect the immediate public health and safety of the people of the state. The department may also require the event organizer to immediately expel from the event any participant selling cannabis or cannabis products without a license from the department that authorizes the participant to sell cannabis or cannabis products. If the unlicensed participant does not leave the event, the department may require the event and all participants to cease operations immediately.

(4) The order by the department for the event to cease operations pursuant to paragraph (3) does not entitle the event organizer or any participant in the event to a hearing or an appeal of the decision. Chapter 3 (commencing with Section 490) of Division 1.5 and Chapter 4 (commencing with Section 26040) of this division shall not apply to the order by the department for the event to cease operations pursuant to paragraph (3).

(5) The smoking of cannabis or cannabis products at temporary events authorized pursuant to this subdivision is prohibited in locations where smoking is prohibited. For purposes of this section, "smoking" has the same meaning as defined in subdivision (c) of Section 22950.5.

(f) This division, or any regulations promulgated thereunder, shall not be deemed to limit the authority or remedies of a city, county, or city and county under any provision of law, including, but not limited to, Section 7 of Article XI of the California Constitution.

(g) Notwithstanding paragraph (1) of subdivision (a) of Section 11362.3 of the Health and Safety Code, a local jurisdiction may allow for the smoking, vaporizing, and ingesting of cannabis or cannabis products on the premises of a retailer or microbusiness licensed under this division if all of the following are met:

(1) Access to the area where cannabis consumption is allowed is restricted to persons 21 years of age or older.

(2) Cannabis consumption is not visible from any public place or nonage-restricted area.

(3) Sale or consumption of alcohol or tobacco is not allowed on the premises.

(h) This division shall not be interpreted to supersede Section 6404.5 of the Labor Code.

Today's Law As Amended - SB-1186 Medicinal Cannabis Patients' R... https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_...

SEC. 2. Chapter 25 (commencing with Section 26300) is added to Division 10 of the Business and Professions Code, to read:

CHAPTER 25. Medicinal Cannabls Patients' Right of Access Act 26300. The Legislature finds and declares as follows:

(a) Access to medicinal cannabis is an integral aspect of access to health care, and eliminating barriers to medicinal cannabis access is essential to promoting and preserving the health of Californians for whom physicians have recommended the use of cannabis or cannabis products.

(b) It is the policy of the state and the intent of the Legislature to ensure that Californians throughout the state have timely and convenient access to safe, effective, and affordable medicinal cannabis.

26301. (a) This act shall be known, and may be cited, as the Medicinal Cannabis Patients' Right of Access Act.

(b) For purposes of this chapter:

(1) "Medicinal cannabis" means medicinal cannabis or medicinal cannabis products, as those terms are defined in paragraph (1) of subdivision (ai) of Section 26001.

(2) "Medicinal cannabis business" means a retailer authorized to engage in the retail sale by delivery of medicinal cannabis to medicinal cannabis patients pursuant to an M-license.

(3) "Medicinal cannabis patient" means a qualified patient, as defined in Section 11362.7 of the Health and Safety Code, who possesses a physician's recommendation that complies with Article 25 (commencing with Section 2525) of Chapter 5 of Division 2, or a qualified patient or primary caregiver for a qualified patient issued a valid identification card pursuant to Section 11362.71 of the Health and Safety Code.

(4) "Regulation" means a local ordinance, regulation, policy, or practice.

26302. (a) A local jurisdiction shall not adopt or enforce any regulation that prohibits the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers, or that otherwise has the effect of prohibiting the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis to medicinal cannabis patients or their primary caregivers by medicinal cannabis businesses in a timely and readily accessible manner, and in types and quantities that are sufficient to meet demand from medicinal cannabis patients within the local jurisdiction, including, but not limited to, regulation of any of the following that has the effect of prohibiting the retail sale by delivery of medicinal cannabis:

(1) The number of medicinal cannabis businesses authorized to operate in the local jurisdiction.

(2) The operating hours of medicinal cannabis businesses.

(3) The number or frequency of sales by delivery of medicinal cannabis.

(4) The types or quantities of medicinal cannabis authorized to be sold by delivery.

(5) The establishment of physical premises from which retail sale by delivery of medicinal cannabis within the jurisdiction is conducted.

(b) Nothing in this chapter shall be construed to prohibit the adoption or enforcement of reasonable regulations on retail sale by delivery of medicinal cannabis, including, but not limited to, reasonable regulations related to:

(1) Zoning requirements that are not inconsistent with subdivision (a). If compliance with subdivision (a) would otherwise require a local jurisdiction to authorize a physical premises from which retail sale by delivery of medicinal cannabis within the jurisdiction is conducted, this paragraph shall not be construed to alter that requirement.

(2) Security or public health and safety requirements.

(3) Licensing requirements.

(4) The imposition, collection, and remittance of any applicable state or local taxes upon retail sales occurring within the local jurisdiction.

(c) Nothing in this chapter shall be construed to limit or otherwise affect the ability of a local jurisdiction to adopt or enforce any regulations on commercial cannabis operations other than retail sale by delivery of medicinal cannabis in the local jurisdiction.

(d) This section shall become operative on January 1, 2024.

26303. The California Environmental Quality Act (CEQA) (Division 13 (commencing with Section 21000) of the Public Resources Code) does not apply to any of the following:

(a) The repeal of any local ordinance, regulation, or rule prohibiting the operation of medicinal cannabis businesses.

(b) The adoption of any local ordinance, regulation, or rule providing for discretionary review and approval of any local permits, licenses, or other local authorizations, consistent with Section 26302, to engage in retail sales by delivery of medicinal cannabis or medicinal cannabis products conducted by businesses engaged in delivery from premises within the local jurisdiction, on the condition that the discretionary review provided for by that local ordinance, regulation, or rule includes any applicable environmental review reguired by CEQA.

26304. (a) This chapter may be enforced by an action brought pursuant to Chapter 2 (commencing with Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure by any of the following parties, who shall be beneficially interested within the meaning of Section 1086 of the Code of Civil Procedure:

(1) A medicinal cannabis patient or their primary caregiver who seeks to purchase medicinal cannabis or medicinal cannabis products within the local jurisdiction.

(2) A medicinal cannabis business that seeks to offer medicinal cannabis for sale within the local jurisdiction.

(3) The Attorney General.

(4) Any other party otherwise authorized by law.

(b) This section shall not be construed to limit the availability of any other remedy otherwise available to enforce this chapter. The existence of any other remedy shall not restrict the availability of relief to enforce this chapter under Chapter 2 (commencing with Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure.

(c) This section shall become operative on January 1, 2024.

26305. Nothing in this chapter shall be construed to limit or otherwise affect the ability or right of a local jurisdiction to regulate adult-use cannables pursuant to Section 26200.

26306. This chapter addresses a matter of statewide concern and not a municipal affair, as that term is used in Section 5 of Article XI of the California

Today's Law As Amended - SB-1186 Medicinal Cannabis Patients' R ...

Constitution.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SENATE RULES COMMITTEE

Office of Senate Floor Analyses (916) 651-1520 Fax: (916) 327-4478

THIRD READING

Bill No:SB 1186Author:Wiener (D)Amended:4/25/22Vote:21

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 8-4, 4/4/22 AYES: Roth, Becker, Dodd, Eggman, Leyva, Min, Newman, Pan NOES: Melendez, Bates, Jones, Ochoa Bogh NO VOTE RECORDED: Archuleta, Hurtado

SENATE GOVERNANCE & FIN. COMMITTEE: 4-1, 4/20/22 AYES: Caballero, Durazo, Hertzberg, Wiener NOES: Nielsen

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SUBJECT: Medicinal Cannabis Patients' Right of Access Act

SOURCE: California Cannabis Industry Association

DIGEST: This bill prohibits, beginning January 1, 2024, local jurisdictions from adopting or enforcing regulations that prohibit retail delivery of medicinal cannabis, or any regulation that has the effect of prohibiting the retail delivery of medicinal cannabis in a timely and readily accessible manner. This bill permits the provisions be enforced by a writ of mandate beginning January 1, 2024. This bill includes exemptions to the California Environmental Quality Act (CEQA) relating to medicinal cannabis businesses.

ANALYSIS:

Existing law:

1) Enacts the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("the Act") to establish a comprehensive system to control and regulate the

cultivation, distribution, transport, storage, manufacturing, processing, and sale of both medicinal cannabis and cannabis products, and adult-use cannabis and cannabis products for adults 21 years of age and over. (Business and Professions Code (BPC) § 26000, et seq.)

- 2) Permits local jurisdiction to adopt and enforce local ordinances to regulate licensed cannabis businesses. (BPC § 26200)
- 3) Establishes the Compassionate Use Act (CUA) of 1996, also known as Proposition 215, which protects patients and their primary caregivers from criminal prosecution or sanction for obtaining and using marijuana for medical purposes upon the recommendation of a physician. Also protects physicians who recommends marijuana to a patient for medical purposes from being punished or denied any right or privilege. States that the purpose of CUA is to ensure that seriously ill Californians have the right to obtain and use marijuana if a physician has determined that the person's health would benefit from its use in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief. (Health and Safety Code (HSC) §11362.5)
- 4) Establishes the Compassionate Access to Medical Cannabis Act or Ryan's Law which requires a health care facility to permit a terminally ill patient, defined as a prognosis of one year or less to live, to use medical cannabis within the health care facility. (HSC §§ 1649 1649.6)
- 5) Clarifies the Compassionate Access to Medical Cannabis Act or Ryan's Law does deem to reduce, expand, or otherwise modify the laws restricting the cultivation, possession, distribution, or use of cannabis that may be otherwise applicable, including, but not limited to, the Control, Regulate and Tax Adult Use of Marijuana Act. (HSC § 1649.5)
- 6) Requires, under CEQA, lead agencies with the principal responsibility for carrying out or approving a proposed discretionary project to prepare a negative declaration, mitigated declaration, or environmental impact report (EIR) for this action, unless the project is exempt from CEQA (CEQA includes various statutory exemptions, as well as categorical exemptions in the CEQA Guidelines). (Public Resources Code (PRC) §21000 et seq.)

7) Permits civil remedies via the California Code of Civil Procedure in the enforcement actions taken against a licensee or unlicensed person for a violation this Act. (BPC § 26031.5)

This bill:

- 1) Establishes the "Medicinal Cannabis Patients' Right of Access Act".
- 2) Restricts, beginning January 1, 2024, local jurisdictions from adopting or enforcing any regulation that prohibits the sale by delivery of medicinal cannabis to medicinal cannabis patients or their primary caregivers, or that has the effect of prohibiting the retail sale by delivery of medicinal cannabis to medicinal cannabis patients or their primary caregivers by medicinal cannabis businesses in a timely and readily accessible manner, and in types and quantities that are sufficient to meet demand from medicinal cannabis patients, including, but not limited to, regulations that unreasonably restrict any of the following:
 - a) The number of medicinal cannabis businesses authorized to operate in the local jurisdiction.
 - b) The operating hours of medicinal cannabis businesses.
 - c) The number or frequency of sales by delivery of medicinal cannabis.
 - d) The types or quantities of medicinal cannabis authorized to be sold.
 - e) The establishment of physical premises from which retail sale by delivery of medicinal cannabis within the jurisdiction is conducted.
- 3) Clarifies that nothing in this chapter shall be construed to prohibit the adoption or enforcement of reasonable regulations on retail sale by delivery of medicinal cannabis.
- 4) Provides an act may be enforced for writ of mandate brought by a medicinal cannabis patient or their primary caregiver, a medicinal cannabis business, the Attorney General, or any other party otherwise authorized by law.
- 5) Prohibits the application of CEQA requirements from applying to the following:

- a) The repeal of any local ordinance, regulation, or rule prohibiting the operation of medicinal cannabis businesses.
- b) The adoption of any local ordinance, regulation, or rule providing for discretionary review and approval of any local permits, licenses, or other local authorizations to engage in retail sales by delivery of medicinal cannabis or medicinal cannabis products conducted by businesses engaged in delivery from premises within the local jurisdiction, on the condition that the discretionary review provided for by that local ordinance, regulation, or rule includes any applicable environmental review required by CEQA.

Background

History of Medicinal Cannabis. California was the first state in the nation to allow for the medical use of marijuana with the passage of Proposition 215 in 1996. Proposition 215 protected qualified patients and primary caregivers from prosecution related to the possession and cultivation of cannabis for medicinal purposes. Since then, according to the National Conference of State Legislatures, 36 more states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands have enacted similar laws.

In 2003, the Legislature authorized the formation of medical marijuana cooperatives—nonprofit organizations that cultivate and distribute marijuana for medical uses to their members through dispensaries.

In 2015, the Legislature passed the Medical Cannabis Regulation and Safety Act (MCRSA). For the first time, MCRSA established a comprehensive, statewide licensing and regulatory framework for the cultivation, manufacture, transportation, testing, distribution, and sale of medicinal cannabis.

Shortly following the passage of MCRSA in November 2016, California voters passed Proposition 64, the "Control, Regulate and Tax Adult Use of Marijuana Act" (Proposition 64), which legalized adult-use cannabis. Less than a year later in June 2017, the California State Legislature passed a budget trailer bill, SB 94 (Committee on Budget and Fiscal Review, Chapter 27, Statutes of 2017), that integrated MCRSA with Proposition 64 to create the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), the current regulatory structure for both medicinal and adult-use cannabis. Beginning in 2018, Proposition 64

permitted adults 21 years of age or older to legally grow, possess, and use cannabis for nonmedical purposes, with certain restrictions.

As the cannabis industry has evolved over the past two decades, the Author reports that access to medicinal cannabis has been adversely impacted given that MAUCRSA gives cities the authority to ban cannabis activity, including medical cannabis.

County of Santa Cruz, et. al. v. BCC. In 2019, the County of Santa Cruz and 24 other California cities sued the Bureau of Cannabis Control (BCC). BCC promulgated CCR § 15416(d) which permits statewide cannabis delivery. The plaintiffs, local jurisdictions, claimed the regulation directly conflicts with BPC § 26200, which gives authority to local jurisdictions to regulate cannabis in their county or city. In 2021, the courts decided that delivery is permitted statewide. However, it also affirmed that cities and counties can ban operations, and they can choose to enforce their own ordinances.

Local Control. Proposition 64 allowed local jurisdictions to choose if cannabis activity was the best direction for their respective counties and cities. Today, about 53% of counties have permitted cannabis commercial Medicinal/Adult-Use cannabis business operations. This leaves, geographically, almost half of the state without access to legal cannabis in a local county or city. Because the regulatory framework for adult-use and medicinal were consolidated, local jurisdictions are permitted to make the same regulatory decision for all use of cannabis.

Access to Medicinal Cannabis. According to the Sponsor, there are about 18 local jurisdictions that have limited their licensing to only certain medicinal activities. In addition, there are 17 jurisdictions that have prohibited all commercial cannabis activities from being established within their jurisdictions, but have explicit ordinances allowing medicinal cannabis delivery into their jurisdiction as long as it originates outside of their jurisdiction. Currently, there are 979 brick and mortar storefronts and 391 delivery operators.

Medicinal Use Benefits. Following enactment of Proposition 215 (CUA), the Institute of Medicine issued a report in 1999 stating that scientific data indicate the "potential therapeutic value of cannabinoid drugs, primarily THC, for pain relief, control of nausea and vomiting, and appetite stimulation." The report went on to state that the psychological effects of cannabinoids, such as anxiety reduction, sedation, and euphoria can influence their potential therapeutic value. In 2017, the National Academies of Science, Engineering, and Medicine (NASEM) released a comprehensive report dedicated to the current understanding of the demonstrated health effects of cannabis and cannabinoids, including cannabidiol (CBD) and the psychoactive molecule, tetrahydrocannabinol (THC). This review found evidence to support that patients who were treated with cannabis or cannabinoids were more likely to experience significant reductions in pain symptoms. It also found benefits for multiple sclerosis-related muscle spasms, and preventing and treating chemotherapy-induced nausea and vomiting.

The report found conclusive evidence of modest therapeutic efficacy for cannabis, cannabis-based products, or synthetic cannabinoids for three conditions: cancer patients experiencing chemotherapy-induced nausea and vomiting, chronic pain, and multiple sclerosis-related spasticity. For other conditions evaluated, NASEM either found no therapeutic effects or inconclusive evidence of effects. Although there is only conclusive evidence for these three conditions, California's Compassionate Use Act of 1996 established the right for patients to obtain and use cannabis when prescribed for "cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which [cannabis] may provide relief." At this point in time, there is limited information doctors can rely upon to properly discuss, recommend, and prescribe cannabis to patients.

Medicinal versus Adult-Use Cannabis. Currently, doctors write their patient or client a "recommendation" for cannabis. After a doctor provides a "recommendation", the county health department approves (or denies) it with an application fee, and then a medical identification card (ID) is given. With this ID, a person can buy cannabis in a retail store, but benefit from a reduced taxes. Medicinal Cannabis is fully exempt from state and local sales taxes if purchased for medical use with a valid state medical ID card. Some cities and counties also levy lower excise tax rates on purchases. This bill does not address how medicinal-only retail would impact localities without tax revenue for services like enforcement.

Enforcement mechanism. This bill provides for enforcement of its requirements through the existing writ of mandate provisions in the Code of Civil Procedure. (See Code Civ. Proc., pt. 2, tit. 1, ch. 2, §§ 1084 et seq.) A writ of mandate issued pursuant to these provisions is a court order to a specific body to compel the performance of an act that is required by law. (Id., § 1085.) The bill authorizes any medical cannabis patient or primary cannabis caregiver who seeks to purchase cannabis in the jurisdiction, a medical cannabis business that seeks to offer medical cannabis for sale in the jurisdiction, the Attorney General, and any other party otherwise authorized by law to seek the writ, and establishes that these potential

parties have the necessary interest in a local jurisdiction's compliance to satisfy the statutory interest requirement. (See id., § 1086.) While the bill does not create a private right of action that would allow an injured party to seek damages, the bill specifies that the provision authorizing a party to seek a writ of mandate does not limit the availability of other remedies; as such, if a local jurisdiction's violation of the bill also constituted a violation of additional statutes, this bill would not prohibit an injured party from seeking remedies under all available statutory schemes.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 5/17/22)

California Cannabis Industry Association (source) Americans for Safe Access APLA Health Assured Partners Autumn Brands California Norml Curaleaf Endo Industries Good Farmers Great Neighbors **Kiva Confections** MWG Holdings Group, Inc. **Origins Council Quality Testing Lab** San Diego Cannabis Times San Francisco Aids Foundation **SPARC** The Parent Company Weed for Warriors Project

OPPOSITION: (Verified 5/17/22)

California Contract Cities Association California State Association of Counties City of Bellflower City of Beverly Hills City of Lakewood City of Menifee City of Thousand Oaks City of Walnut County of Butte League of California Cities Rural County Representatives of California Santa Cruz County Board of Supervisors Urban Counties of California

ARGUMENTS IN SUPPORT: Generally, supporters write that the problem can be found in Proposition 64's dual licensing structure, because cannabis businesses must be licensed by both the State and the appropriate local jurisdiction to legally operate. According to the Secretary of State, 393 out of 540 jurisdictions voted in favor of Proposition 64. But today, approximately two-thirds of California cities and counties still prohibit commercial cannabis retail. The shortage of legal cannabis retail businesses has fueled an ever-growing illicit cannabis market, which is estimated to be worth nearly \$8 billion annually.

ARGUMENTS IN OPPOSITION: Generally, opposition writes that SB 1186 undermines the intent of MAUCRSA by eliminating a local jurisdiction's ability to prohibit medical cannabis retail activities, regardless of the needs or conditions in the jurisdiction, and restricting local authority to set appropriate local regulations which are developed in various public processes.

Prepared by: Alexandria Smith Davis / B., P. & E.D. / 5/18/22 15:47:59

**** END ****



City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 13.B Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: DISCUSSION REGARDING LOS ANGELES COUNTY SANITATION DISTRICT LABOR AGREEMENT (WILSON)

DATE: June 13, 2022

BACKGROUND:

Mayor Pro Tem Wilson attends the monthly Los Angeles County Sanitation District meeting and requested this be brought to the attention of the City Council.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Provide direction to staff.

ATTACHMENTS:

CL_AGN_220613_SanitationDistrict.pdf

Tentatively Agreed Items

Cost of Living Adjustment (COLA)	COLA Formula:	Results in COLA of 6.75% on 7/1/2022
	>0-3% = 3%	
	3-9% = 3% + 66 2/3% of increase from 3-9%	
	9-12% = 7% + 50% of increase from 9-12%	
	12+% = 8.5%	
Deferred Compensation Employer Match	Match employee contributions into Districts	' Deferred Compensation Plan
	employee's base salary each month	
One Time Bonus	\$1,500 COVID appreciation	Los Angeles County Sanitation D
	\$1,250 one time	
Student Loan Payments	Use tuition reimbursement funds for student loan reimbursement with an	
	\$5,250 and maximum lifetime cap of \$21,000	
Juneteenth Holiday	Add holiday	Kolling Hills Pat Wilson
Convert Hourly Employees to Monthly	Make monthly status all employees performing Blue Collar Unit work	
Increases to:		Henry Lo Mayer
Dental Coverage	\$1,750/year	
Standby Pay	\$3/hour	
Shift Differential Pay	8.5% for Grave Shift	Vilma Cuellar St
Meal Allowance for OT Work	\$12	
Boot Reimbursement	\$225/year	
Professional Development	\$1,925/year	
Life Insurance	\$50,000 (makes Blue Collar Unit same as all units)	
Per Diem for Meals	Federal Government rate	
Medical Opt-out Payment	\$360/month	
Bereavement Leave	27 hours/year	
Commercial License Pay	\$100/month	



Agenda Item No.: 14.A Mtg. Date: 06/13/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: UPDATE ON EIS REGISTRATION EFFORTS

DATE: June 13, 2022

BACKGROUND:

The City Council commissioned an Emergency Information System (EIS) to be built for Rolling Hills. The EIS is accessible on the city's website and it is only set up for residents of Rolling Hills to enter household, and contact information by address. Contact information entered into the EIS can be exported to the two above mentioned platforms to send out notification messages. The Block Captains worked with city staff to test drive the EIS. Volunteers from the Block Captain program reported on ease of use, the mobile version on cell phones, EIS on Mac Books and Personal Computers, and program interface improvements.

At the April, 25, 2022 City Council meeting, staff was asked to return with an update on the current EIS registration drive.

DISCUSSION:

As of Wednesday June 6, 2022, an estimate 69 households have registered for the EIS. Of those, staff was able to assist either over the phone or at city hall an estimated 33 households. The number of residents whose information was added for those households was 93.

EIS Enrollments: November 2021 4 December 2021 1 January 2022 1 February 2022 1 March 2022 9 April 2022 21 (staff enrolled 11) May 2022 31 (Staff enrolled 22) June 2022 1 TOTAL: 69

FISCAL IMPACT: None.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:



Agenda Item No.: 14.B Mtg. Date: 06/13/2022

- TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
- FROM: CHRISTIAN HORVATH, CITY CLERK / EXECUTIVE ASSISTANT TO CITY MANAGER
- THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: CONSIDERATION OF SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) REQUEST FOR SUPPORT REGARDING STATE BUDGET REQUEST

DATE: June 13, 2022

BACKGROUND:

On June 3, 2022, the South Bay Cities Council of Governments (SBCCOG) sent local legislators a request for state funding of \$5 million for the SBCCOG to create a Center for Sustainable and Resilient Neighborhoods. As the attached letter shows, this funding would allow the SBCCOG to move forward with a solar initiative, regional organic waste education, the Local Travel Network, Neighborhood Centers and further advancing city climate action plan implementation steps.

DISCUSSION:

State budget deliberations have started and therefore time is of the essence for the SBCCOG to show local legislators that they also have individual member cities support. The SBCCOG is requesting a formal letter of support from the City of Rolling Hills, but also immediately having the Mayor and Councilmembers send personal email notes to our legislators (Senator Allen and Assemblymember Muratsuchi) saying that you are in support as an individual. If willing staff can provide a sample email for the City Council.

FISCAL IMPACT:

None.

RECOMMENDATION:

Consider and provide direction to staff.

ATTACHMENTS:

CL_AGN_220613_SBCCOG_StateBudgetRequest.pdf



June 2, 2022

The Honorable Ben Allen Senator, 26th District 1021 O Street, Suite 6610 Sacramento, CA 95814-4900

The Honorable Steven Bradford Senator, 35th District 1021 O Street, Suite 7210 Sacramento, CA 95814-4900 The Honorable Al Muratsuchi Assemblymember, 66th District 1021 O Street, Suite 5610 Sacramento, CA 95814-4900

The Honorable Mike Gipson Assemblymember, 64th District 1021 O Street, Suite 8110 Sacramento, CA 95814-4900

Re: South Bay Cities Council of Governments State Budget Funding Request

Dear South Bay Legislators:

The SBCCOG respectfully submits this request for a \$5 million allocation from the state's historic \$100 billion budget surplus to create a South Bay Center for Sustainable and Resilient Neighborhoods. This Center's mission would be to expeditiously deploy all tools available to local and subregional governments to dramatically reduce greenhouse gas (GHG) emissions in order to create more equitable, sustainable and resilient neighborhoods in the South Bay. Dramatically reducing GHG emission over the next five years is critical to avoiding climate change "tipping points." The SBCCOG would utilize the state budget allocation within that time period to implement various programs and projects that reduce GHG emissions, as well as develop partnerships to leverage state funding.

The SBCCOG has worked with our cities to adopt both local climate action plans and adaptation plans. In addition, the SBCCOG Board adopted subregional climate action and adaptation plans. However, neither the SBCCOG nor our cities have adequate resources to implement these plans. A state budget allocation that provides seed funding for a collaborative implementation program will ensure successful implementation at this critical time if irreversible environmental damage is to be avoided.

We envision the Center implementing programs that could reduce carbon in a variety of ways across the diverse communities of the South Bay cities. These programs will include:

- Developing renewable energy and electric storage programs Municipal roof top solar generation and electric storage systems will be critical to adapting to this future, as communities transition from natural gas appliances to electric, use high levels of A/C to combat extended heat waves and ramp up electric vehicle charging. South Bay cities have expressed interest in roof top solar projects that could not only reduce GHG emissions, but also increase the resilience of critical city services. Funding could be leveraged to bring in other partners.
- Implementing a Local Use Vehicle Ecosystem, which will provide a scalable option for zero emission mobility in support of the hyper-local travel patterns in the South Bay SBCCOG research shows that 70% of trips in the South Bay are within 3 miles of home and 90% within 10 miles. Additionally, public transit mode share is less than 3% in the subregion, largely due to inefficient or infrequent service for the noted travel patterns. This means most South Bay

LOCAL GOVERNMENTS IN ACTION

residents use internal combustion engine (ICE) vehicles to make short trips. To reduce transportation related GHG emissions, the South Bay must transition from ICE to EV modes. Prioritizing the least expensive segment of the market – Local Use Vehicles – will speed the transition by getting zero emission vehicles into the hands of drivers from all economic backgrounds—not just those who can afford a full-sized EV. The SBCCOG is working with our cities to implement their respective segments of the South Bay Local Travel Network for all Local Use Vehicles. Success will depend on funding to implement public education, ride and drive events, and other tools to help residents "right size" their ride. These supportive initiatives are ready for implementation but require funding.

- Implementing a pilot of our innovative land use-technology strategy to develop a "digital hub" and revitalize a neighborhood center in three disadvantaged neighborhoods to advance digital equity while also reducing carbon emissions - One of the most effective methods of reducing transportation related GHG emissions is by creating destinations that are closer to home. The SBCCOG is pioneering an innovative strategy that establishes neighborhood business districts, initially in disadvantaged and working-class communities. Districts are centered around a public facility dedicated to providing high-speed internet access combined with technology and training. The SBCCOG's award-winning South Bay Fiber Network project is currently operating a middle-mile network ready to extend to commercial areas in equity-focused communities as well as to additional public facilities. These centers would provide a variety of services, including educational training opportunities for residents on use of emerging technologies such as 3D printing. When coupled with the SBCCOG's Local Use Vehicle ecosystem initiative, these neighborhood centers would allow South Bay residents to close the "mobility divide" by reaching most of their destinations with little to no GHG emissions. This is achieved through use of active modes, zero emission LUVs, and virtual presence of telemedicine, distance education and e-government.
- Developing regional organic waste projects Our cities all face organic waste and SB 1383 compliance requirements. The SBCCOG believes a cost-effective regional organic waste effort is feasible and can be successful. The SBCCOG has worked with partner agencies such as West Basin Municipal Water District to implement regional water conservation programs and could replicate that success with state funding for organic waste.

The SBCCOG is an agile organization with a record of accomplishing successful environmental and social justice projects in partnership with the cities and county areas of the South Bay. We have programs supported by years of research and demonstration that are ready for implementation. The SBCCOG will build on our proven history of success in the region in the areas of mobility, technology, water and energy efficiency with seed funding from the state. Our cities are poised to move forward with implementation of the sustainability programs described above that are currently unfunded. The historic state budget surplus will ensure that together, they can do so in collaboration facilitated by the SBCCOG. This funding will allow the South Bay to demonstrate to the state that strategically placed resources can make a positive impact to reduce greenhouse gas emissions and advance the state's goals.

Thank you for your consideration of this proposal. Should you have any questions, please contact SBCCOG Executive Director, Jacki Bacharach, at (310) 371-7222 or Jacki@southbaycities.org.

Sincerely,

Drew Boyles, SBCCOG Chair Mayor, City of El Segundo

2