



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 27, 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.rolling-hills.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. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS

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 27, 2022

RECOMMENDATION: Approve.

[CL_AGN_220627_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_E.pdf](#)

[CL_AGN_220627_PaymentOfBills.Temp.pdf](#)

- 7.E. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR MAY 2022.

RECOMMENDATION: Receive and file.

[CL_AGN_220627_Rolling Hills YTD Tonnage Report.pdf](#)

- 7.F. 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.G. 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.H. 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.I. 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](#)

- 7.J. 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

16 Southfield Vicinity Map.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 CONTRACT RENEWAL WITH GRANICUS FOR SUBSCRIPTION TO AGENDA MANAGEMENT, MINUTES, AND UPGRADED LIVECAST HARDWARE/SOFTWARE PROGRAMS; AUTHORIZE THE CITY ATTORNEY TO FINALIZE THE AGREEMENT AND THE CITY MANGER TO SIGN

RECOMMENDATION: Approve as presented and/or provide direction regarding additive services.

[CA_AGR_220606_AttachmentA_Peak_GovMtgLiveCast_3yr_Renewal_Proposal_F.pdf](#)

[CA_AGR_220623_Granicus_2022-25.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.

[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](#)

[CL_AGN_220613_CC_Item12A_PublicComment_01.pdf](#)

[CL_AGN_220613_CC_Item12A_PublicComment_02.pdf](#)

[CL_AGN_220627_CC_Budget_StaffPresentation.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, July 11, 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: 06/27/2022

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 AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF JUNE 27, 2022

DATE: June 27, 2022

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve.

ATTACHMENTS:

[CL_AGN_220627_CC_AffidavitofPosting.pdf](#)



Administrative Report

7.A., File # 1265

Meeting Date: 06/27/2022

To: MAYOR & CITY COUNCIL

From: Christian Horvath, City Clerk

TITLE

APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF JUNE 27, 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 City Website: https://www.rolling-hills.org/government/agenda/index.php https://www.rolling-hills.org/government/city_council/city_council_archive_agendas/index.php

Meeting Date & Time	June 27, 2022	7:00pm Open Session
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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 24, 2022



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.B
Mtg. Date: 06/27/2022

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 MOTION TO READ BY TITLE ONLY AND WAIVE FURTHER READING OF ALL ORDINANCES AND RESOLUTIONS LISTED ON THE AGENDA

DATE: June 27, 2022

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve.

ATTACHMENTS:



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.C
Mtg. Date: 06/27/2022

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 THE FOLLOWING CITY COUNCIL MINUTES: MAY 23, 2022

DATE: June 27, 2022

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

[CL_MIN_220523_CC_F.pdf](#)



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:

Dieringer, Pieper, Mirsch, Mayor Pro Tem Wilson, Mayor Black

Councilmembers Absent:

None

Staff Present:

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 Black

NOES: None

ABSENT: 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 Black
 NOES: None
 ABSENT: 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 MIDDLE RIDGE 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

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 Black
NOES: None
ABSENT: 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: 06/27/2022

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: PAYMENT OF BILLS

DATE: June 27, 2022

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

[CL_AGN_220613_PaymentOfBills_E.pdf](#)

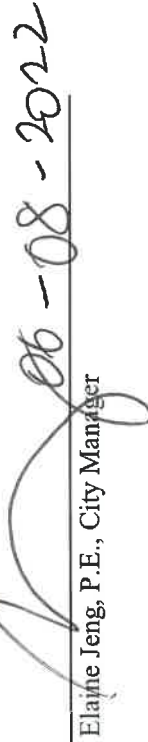
[CL_AGN_220627_PaymentOfBills.Temp.pdf](#)

CITY OF ROLLING HILLS
AP22-072-074, ACH22-078-080
Check Run 05-24-2022 through 06-13-2022

Check No.	Check Date	Payee	Description	Amount
027613	5/25/2022	Bennett Landscape	Repaired brkn sprink by tennis cts	96.28
027614	5/25/2022	Chambers Group	Professional Services April 2022 Project 21330	1,695.67
027615	5/25/2022	Delta Dental	Dental Coverage June 2022	586.80
027616	5/25/2022	Gladwell Governmental Services, Inc.	Election mgmt svcs Nov 8, 2022 (May 2022)	1,860.00
027617	5/25/2022	McGowan Consulting	Municipal Stormwater Consulting Services April 22	3,690.00
027618	5/25/2022	NV5, INC.	January 2022 Services- CORH-209641 MS4 Monitoring	2,320.50
027619	5/25/2022	Vision Service Plan - (CA)	Vision Coverage June 2022	103.60
027620	5/25/2022	Willdan Inc.	Professional Services April 22 Project 101749.00	522.50
027621	5/25/2022	E. C. CONSTRUCTION	Release Retention for Storm Drain Repair 1 Middleridge Ln	4,702.86
027622	6/1/2022	Abila	Add'l User Accounting 5 18 2022 to 06 17 2022	98.38
027623	6/1/2022	Alan Palermo Consulting	May 2022 Svcs - City HallADA, Sewer, Block Captain	1,440.00
027624	6/1/2022	Barry J. Miller, 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 CONSULTING	Project # 918 Vegetation Management - April 2022	1,050.00
027627	6/1/2022	County of 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	Municipal Management Association of Southern Cal	Membership Through May 26 2023	90.00
027630	6/1/2022	Race Communications	May 2022 Internet charges	1,035.53
027631	6/1/2022	Spoiled Check		
027632	6/13/2022	Barry J. Miller, FAICP	May 2022 Svcs - RH 6th Cycle Hsng Element	3,450.00
027633	6/13/2022	Bennett Landscape	Add'l Grading Change Order #1	4,000.00
027633	6/13/2022	Bennett Landscape	Landscape Maint Services June 2022	660.00
CHECK TOTAL			4,660.00	
027634	6/13/2022	Best Best & Krieger LLP	General Services & Cell Installation- May 2022	8,550.00
027634	6/13/2022	Best Best & Krieger LLP	Land Use-Professional Services May 2022	5,700.00
027634	6/13/2022	Best Best & Krieger LLP	View Preservation - May 2022	361.00
CHECK TOTAL			14,611.00	
027635	6/13/2022	California JPIA	Annual Contribution July 1,2022 to July 1, 2023	35,133.00
027636	6/13/2022	Cox Communications	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 Services Inc.	May 2022 Monthly Janitorial Svcs	1,360.00
027639	6/13/2022	IWorQ	CDP Software and mgmt July 2022-June 2023	4,000.00
027640	6/13/2022	Pacific Coast Landscape & Design Inc.	November 2020 Architectural Services - Task 2	2,391.25
027641	6/13/2022	Race Communications	January 2022 Internet Late Fee	15.30
027641	6/13/2022	Race Communications	June 2022 Internet charges	1,035.53
CHECK TOTAL			1,050.83	
027642	6/13/2022	Sterling	May 2022 Background check	157.50
ACH-056	6/1/2022	California 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 Usage 04 28 22 to 05 25 22 ROLLING	618.47
ACH-058	6/1/2022	Southern 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.

 06-08-2022
Elaine Jeng, P.E., City Manager

CITY OF ROLLING HILLS
AP22-075-AP22-AP22-76, ACH22-081
Check Run 06-14-2022 through 06-27-2022

Check No.	Check Date	Payee	Description	Amount
027643	6/14/2022	Environmental Design Associates	Landscape Plan Review, MWEL0 Compliance	1,500.00
027644	6/14/2022	League of California Cities	LA County Division Dues July 2022 to June 2023	892.50
027645	6/14/2022	MV CHENG AND ASSOCIATES	Monthly Accounting Services May 2022	16,260.00
027646	6/14/2022	NV5, INC.	May 2022 Services- CORH-209641 MS4 Monitoring	6,955.00
027647	6/14/2022	Palos Verdes Peninsula Unified School District	Business Cards for Employees	268.06
027648	6/14/2022	City of Rancho Palos Verdes	7% Monthly ALPR Camera Cnctvty - March & April 22	130.21
027649	6/14/2022	South Bay Cities Council of Governments	CORH Membership Dues - FY 2022-2023	8,207.00
027650	6/14/2022	Willdan Inc.	Professional Services May 22 Project 101749.00	965.00
027651	6/27/2022	Bolton Engineering Corporation	Topographic Survey/Contract Surveying	5,000.00
027652	6/27/2022	Republic Services	Residential Service January 2022-June 2022	456,364.14
027653	6/14/2022	ELAN Cardmember Services	Credit Card Payment 05-04-2022 to 06-02-2022	2,471.34
ACH-063	6/14/2022	CalPERS	PERS Retirement PR ending 06 14-2022	3,521.46
ACH-064	6/14/2022	Vantagepoint Transfer Agents - 306580	ICMA PR ending 06 14-2022	1,883.79
PR LINK	6/17/2022	PR LINK - Payroll & PR Taxes PR#12	Payroll Processing Fee PR#12 06/01/2022 - 06/14/2022	66.76
PR LINK	6/17/2022	PR LINK - Payroll & PR Taxes PR#12	Pay Period -PR#12 06/01/2022 - 06/14/2022	22,084.77
Report Total				526,570.03

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 526,570.03 for the payment of above items.

Elaine Jeng, P.E., City Manager



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.E
Mtg. Date: 06/27/2022

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: REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR MAY 2022.

DATE: June 27, 2022

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:

[CL_AGN_220627_Rolling Hills YTD Tonnage Report.pdf](#)



CITY OF ROLLING HILLS RESIDENTIAL FRANCHISE
2022

Year 2022
Franchise Y/N Y

Month	Commodity	Tons Collected	Tons Recovered	Tons Disposed	Diversion %
Jan	Greenwaste	98.26	98.26	-	100.00%
	Trash	156.54	-	156.54	0.00%
Jan Total		254.80	98.26	156.54	38.56%
Feb	Greenwaste	93.00	93.00	-	100.00%
	Trash	134.41	-	134.41	0.00%
Feb Total		227.41	93.00	134.41	40.90%
Mar	Greenwaste	111.44	111.44	-	100.00%
	Trash	183.40	-	183.40	0.00%
Mar Total		294.84	111.44	183.40	37.80%
Apr	Greenwaste	100.44	100.44	-	100.00%
	Trash	156.07	-	156.07	0.00%
Apr Total		256.51	100.44	156.07	39.16%
May	Greenwaste	111.54	111.54	-	100.00%
	Trash	162.42	-	162.42	0.00%
May Total		273.96	111.54	162.42	40.71%
Grand Total		1,307.52	514.68	792.84	39.36%

Contract Requires 30% Household - 514.68



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.F
Mtg. Date: 06/27/2022

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 27, 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](#)



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

ATTACHMENT A

CITY: Rolling Hills FISCAL YEAR: 2022-2023 EFFECTIVE DATE: 7/1/2022

DEPUTY SHERIFF SERVICE UNIT													
RANK	RELIEF FACTOR	SERVICE CODE	CHANGE			ANNUAL RATE	ESTIMATED TOTAL ANNUAL COST	LIABILITY 11%	TOTAL ANNUAL COST W/LIABILITY	ANNUAL HOURS PER SERVICE UNIT	ANNUAL HOURS SCHEDULED	ANNUAL MINUTES SCHEDULED	PERSONNEL REQUIRED
			NEW	PREV	CHANGE								
Deputy Sheriff	56-Hour Unit	307	0.50	0.50	0.00	\$ 463,979.00	\$ 231,989.50	\$ 25,518.85	\$ 257,508.35	2,920	1,460	87,600	0.816
Deputy Sheriff	Non-Relief	310	0.16	0.16	0.00	\$ 301,285.00	\$ 48,205.60	\$ 5,302.62	\$ 53,508.22	1,789	286	17,174	0.160
					0.00				\$ -		0	0	0.000

DEPUTY SHERIFF SERVICE UNIT (BONUS)													
RANK	RELIEF FACTOR	SERVICE CODE	CHANGE			ANNUAL RATE	ESTIMATED TOTAL ANNUAL COST	LIABILITY 11%	TOTAL ANNUAL COST W/LIABILITY	ANNUAL HOURS PER SERVICE UNIT	ANNUAL HOURS SCHEDULED	ANNUAL MINUTES SCHEDULED	PERSONNEL REQUIRED
			NEW	PREV	CHANGE								
Deputy Sheriff, Bonus I	Non-Relief	305	0.12	0.12	0.00	\$ 325,373.00	\$ 39,044.76	\$ 4,294.92	\$ 43,339.68	1,789	215	12,881	0.120
					0.00				\$ -		0	0	0.000

GROWTH/GRANT DEPUTY UNIT													
RANK	RELIEF FACTOR	SERVICE CODE	CHANGE			ANNUAL RATE	ESTIMATED TOTAL ANNUAL COST	LIABILITY 11%	TOTAL ANNUAL COST W/LIABILITY	ANNUAL HOURS PER SERVICE UNIT	ANNUAL HOURS SCHEDULED	ANNUAL MINUTES SCHEDULED	PERSONNEL REQUIRED
Grant Special Assignment Deputy	Non-Relief	312	0.08	0.08	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	0	0.000
					0.00				\$ -		0	0	0.000

SUPPLEMENTAL POSITIONS													
RANK	RELIEF FACTOR	SERVICE CODE	NEW	PREV	CHANGE	ANNUAL RATE	ESTIMATED TOTAL ANNUAL COST	LIABILITY 11%	TOTAL ANNUAL COST W/LIABILITY	ANNUAL HOURS PER SERVICE UNIT	ANNUAL HOURS SCHEDULED	ANNUAL MINUTES SCHEDULED	PERSONNEL REQUIRED
Motor Deputy	Non-Relief	305A	0.04	0.04	0.00	\$ 301,285.00	\$ 12,051.40	\$ 1,325.65	\$ 13,377.05	1,789	72	4,294	0.040
					0.00				\$ -		0	0	0.000
					0.00				\$ -		0	0	0.000
					0.00				\$ -		0	0	0.000
Estimated Cost for Service Units: \$ 348,191.82							Total Liability (11%): \$ 38,301.10		Estimated Subtotal: \$ 386,492.92				
							Public Safety Equipment Cost (See page 3): \$ -						
							Estimated Total Annual Cost: \$ 386,492.92						

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:

James C. Powers
UNIT COMMANDER NAME

5/26/22
DATE

Report Prepared By:

Mina Cho
SERGEANT

5/16/2022
DATE

City Approval By:

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

Elaine Jeng
CITY OFFICIAL NAME

06/02/2022
DATE

Processed at CLEB By:

SERGEANT

DATE



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

City: Rolling Hills **Fiscal Year:** 2022-2023 **Effective Date:** 7/1/2022

SERVICE UNIT	TOTAL UNITS PURCHASED	GENERAL LAW			TRAFFIC LAW			MOTOR DEP	SAD	D.B.	TEAM LEADER	TOTAL UNITS ASSIGNED
		EM	AM	PM	EM	AM	PM					
DEPUTY SHERIFF												
Non-Relief	0.16				0.08	0.08						0.16
40-Hour Unit	0.00											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
DEPUTY BONUS												
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
GROWTH DEPUTY												
Deputy	0.00											0.00
SAD	0.00											0.00
Bonus I	0.00											0.00
Motor (Non-Relief)	0.00											0.00
GRANT DEPUTY												
Deputy	0.00											0.00
SAD	0.08							0.08				0.08
Bonus I	0.00											0.00
Motor (Non-Relief)	0.00											0.00
Routine City Helicopter Billing Agreement												
								YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	
License Detail - Business License & Renewal Applications								YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	
License Detail - Acts on Violations Observed within the City								YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	
S.T.A.R. Deputy Program								YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	
Other Supplemental Services								YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	
NOTE: License Detail is billed on an hourly basis and billed monthly as service is provided.												

Sworn							Total
	Lieutenant	Sergeant	Bonus Deputy	Motor Deputy	Deputy	SAD	
Hours	0	0	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				Total
	SSO	LET/CSA/CA/PCO	Clerical	
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
(PERSONNEL TRANSACTION REQUEST) "PTR" REQUIRED AND SUBMITTED:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
ORGANIZATIONAL CHART REQUIRED AND SUBMITTED:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
DUTY STATEMENT REQUIRED AND SUBMITTED:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
SMS DEPLOYMENT CONTRACT UPDATED:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
MINUTE PROGRAM IN RAPS UPDATED:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

Initials

City Official: BAJ

Unit Commander: GR



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

CITY: Rolling Hills FISCAL YEAR: 2022-2023

START-UP VEHICLE

VEHICLE TYPE	YEAR	SERVICE CODE	#	RATE	TOTAL COST

EQUIPMENT

MDC TYPE	YEAR	SERVICE CODE	#	RATE	TOTAL COST

ALPR WITH INSTALL	YEAR	SERVICE CODE	#	RATE	TOTAL COST

Total Public Safety Equipment Cost: \$ -

Initials

City Official:

BHO

Unit Commander:

AK

CONTRACT CITY LAW ENFORCEMENT SERVICES AND EQUIPMENT MASTER RATE SHEET

Liability Rate: 11.0%

DSSU Rates			
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

DSSU Bonus I Rates			
Rank	Relief Factor	Annual 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

Growth/Grant Deputy Rates			
Rank	Relief Factor	Annual 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 Rates			
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

**CONTRACT CITY LAW ENFORCEMENT SERVICES AND EQUIPMENT
MASTER RATE SHEET**

Vehicle & Equipment Rates			
Start-Up Vehicle	Year	Annual 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	Annual 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.



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.G
Mtg. Date: 06/27/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ROBERT SAMARIO, FINANCE DIRECTOR

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 27, 2022

BACKGROUND:

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

A. View Impairment

1. Review by Committee on Trees and Views Processing fee **\$6,000** for complaints against one property. **Review by Committee on Trees and Views Processing fee \$10,000 for complaints against multiple properties.**

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:

Section 1: 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:

- | | | |
|----|--|---|
| A. | 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 |

	and miscellaneous reviews	application to City Council or Planning Commission
O.	Environmental Review fees for discretionary 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)
P.	Environmental Impact Reports	Consultant fee plus 10%
Q.	County Clerk Processing Fee	County fee
R.	Lot Line Adjustment	\$ 1,500, plus County fee
S.	Tentative Parcel/Tract Map	\$ 1,500, plus County fee
T.	Final Parcel/Tract Map	County fee
U.	Zoning violation and construction penalty fee	\$ 1,500
1.	Applications for illegal or “as built” grading or construction or non-compliance with approved plans for projects that require Planning Commission review. Fee is charged in addition to the discretionary application review fee.	
V.	Stop work order	\$ 200
1.	Fee charged for each additional “stop work order” that is issued beyond the original stop work order for illegal construction and grading activity.	
W.	Service Request (For services provided by L.A. County not included in the General Services Agreement)	County fee, plus 20%
X.	Appeal of Zone Clearance	\$ 375
Y.	Stable Use Permit (For stables under 800 sq ft considered by the Planning Commission)	\$ 375
Z.	Major Remodel Review (For remodels of more than 50% demolition)	\$ 375

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

A. View Impairment

1. Review by Committee on Trees and Views
Processing fee

A. Complaint against single property \$6,000

B. Complaint against multiple properties \$10,000

2. Environmental Review Fees

A. Preparation and Staff Review of Initial Study \$ 200

B. Preparation of Negative Declaration or Mitigated Negative Declaration \$ 50
(plus fee charged by CA Department of Fish and Wildlife, if applicable, as adjusted annually)

B. Traffic Commission Review

1. New driveways or other traffic related items \$ 300

C. Accessory Dwelling Unit

1. Accessory Dwelling Unit or Junior Accessory Dwelling Unit \$ 375

Section 3. The following fees are established and charged for General Administration processing:

A. General Plan \$ 30

B. Zoning Code \$ 25

C. Subdivision Code \$ 25

D. Budget \$ 30

E. Zoning Map \$ 3

F. Xeroxed copies, each page \$ 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
3 rd	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:

- | | | |
|----|--|---|
| A. | 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. | PLUMBING PERMIT | Two and one-quarter times the amount set forth in the Plumbing Code for each fee, table and schedule therein. |
| C. | MECHANICAL PERMIT | Two and one-quarter times the amount set forth in the Mechanical Code for each fee, table and schedule therein. |
| D. | ELECTRICAL PERMIT | Two and one-quarter times the amount set forth in the Electrical Code for each fee, table and schedule therein. |
| E. | GEOTECHNICAL REPORT, SITE 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. | SOLAR AND PHOTOVOLTAIC SYSTEMS AND APPURTENANT EQUIPMENT | 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:

- | | |
|---|--|
| A. 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 fees 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.

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

A. CONSTRUCTION AND
DEMOLITION PERMIT

\$ 150 single project permit, plus
\$1,000 deposit refundable upon
submittal of a Certificate of
Compliance.

Section 7. 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
	\$ 7,500	Each additional violation within one year of the 1 st violation

Section 8. 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 needed to complete the review); plus \$5,000 deposit refundable upon submittal of a Certificate of Compliance.
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Section 9. The following fees are established and charged for processing utility pole removal reimbursement applications pursuant to City Council Resolution No. 1259.

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

Section 10. 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.

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

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

PASSED, APPROVED, AND ADOPTED this 27th 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 27th 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



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.H
Mtg. Date: 06/27/2022

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 27, 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

NO. 1 PORTUGUESE BEND RD. • ROLLING HILLS, CALIF. 90274

(310) 544-6222

ROLLING HILLS



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:

Section 1. 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.

Section 2. 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.

Section 3. 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 27th day of June, 2022.

JAMES BLACK, MD
MAYOR

ATTEST:

CHRISTIAN HORVATH
CITY CLERK

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

The foregoing Resolution No. 1302 entitled:

**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**

was approved and adopted at a regular meeting of the City Council on the 27th day of
June, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHRISTIAN HORVATH
CITY CLERK



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.I
Mtg. Date: 06/27/2022

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 27, 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 addendum 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 inclined 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,



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 participate in the Palos Verdes Peninsula Watershed Management Program and has submitted a required addendum to the Watershed Management Program and responded to LA Water Board 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 (<https://wramps2.org/app/>). 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 information in electronic format from City staff by September 15, a draft 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 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.

Municipal SCW Annual Progress/Expenditure Report (due in December): 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.

Municipal SCW Annual Plan (due by April 1): 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, activities 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 recommended 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 Peninsula 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 and final annual Integrated Monitoring 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 Peninsula WMG and CIMP consulting teams to make as-needed implementation and adaptive management decisions. McGowan Consulting time for this subtask has been reduced based on the assumption that it will 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	\$ 8,500
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%			\$ 6,500
+ 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 monthly 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. Automobile Liability Insurance 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. Public Liability and Property Damage Insurance, 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. Worker's Compensation Insurance for all CONSULTANT'S employees to the extent required by the State of California.

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

C. Additional Insured. 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. Primary Insurance. The insurance required in paragraphs A (i) (ii) and (iii) shall be primary and not excess coverage.

E. Evidence of Insurance. 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:

MCGOWAN CONSULTING LLC:


RAYMOND R. CRUZ


KATHLEEN MCGOWAN

DATE: 7/23/15

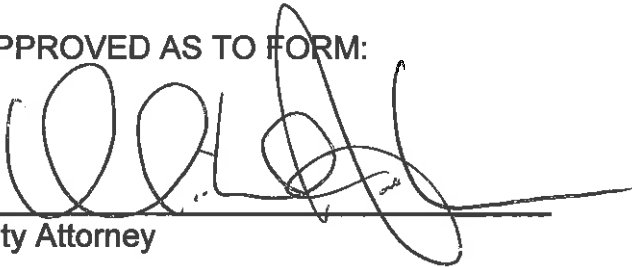
DATE: 7/15/2015

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-Permittee 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 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. Effort for staffing a stormwater booth at a ½ 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 ½ 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.

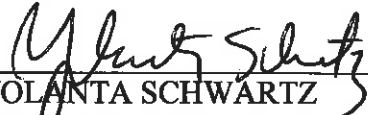
Any increase in contract amount or scope shall be by express written amendment approved by the City Manager and CONSULTANT.

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


YOLANTA SCHWARTZ
Interim City Manager

6-26-18
Date

ATTEST:

Yvette Hall
Yvette Hall, City Clerk Date

CONSULTANT
MCGOWAN CONSULTING, LLC.

Robert M. Lu 7/2/18
Date

Exhibit A

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

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 ½ 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.

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,



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 Hours	Budget	Labor 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				
<i>Not Applicable</i>	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 <i>without Optional Task 7.3</i>		\$ 43,996		\$ 45,992
TOTAL ESTIMATED COST FOR FY1920 <i>with Optional Task 7.3</i>: \$ 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 17 2019

City of Rolling Hills
By _____

TRANSMITTAL SHEET

TO:

Elaine Jeng, City Manager

FROM:

Kathleen McGowan

COMPANY:

City of Rolling Hills

DATE:

April 15, 2019

RE:

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:

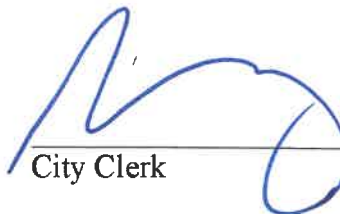
Total expenditure made under this contract shall not exceed the sum of \$35,850 for FY 2015-16; \$39,976 for FY 2016-17, \$39,468 for FY 2017-18, \$46,996 for FY 2018-19, beginning on July 16, 2018 and \$46,992 for FY 2019-20. This fee includes all expenses, consisting of all incidental blueprinting, 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

 4/19/2019
City Clerk Date

CITY OF ROLLING HILLS

 4/19/2019
ELAINE JENG Date

MCGOWAN CONSULTING, LLC

 4/15/19
KATHLEEN MCGOWAN Date

JUL 30 2020

City of Rolling Hills

By _____

TRANSMITTAL

TO:

Elaine Jeng
Meredith Elguira

FROM:

Kathleen McGowan
310-213-4979
Kathleen@McGowan.Consulting

CITY:

Rolling Hills

DATE:

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,



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.

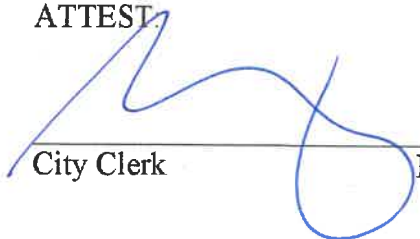
Except as above modified, in all other respects the Agreement is hereby reaffirmed in full force and effect.

CITY OF ROLLING HILLS

 7/30/2020

ELAINE JENG, P.E. Date
City Manager

ATTEST

 7/30/2020

City Clerk Date

CONSULTANT
MCGOWAN CONSULTING, LLC.

 7/29/20

Date

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 tranche 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 expense 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,

A handwritten signature in blue ink that reads "Kathleen McGowan". The signature is fluid and cursive, with the first name "Kathleen" written in a larger, more prominent script than the last name "McGowan".

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	<i>Alternative Compliance Approach (optional) +</i>	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
<i>* estimate assumes cost savings due to work performed in common for more than one client</i> <i>+ related to new projects or programs implemented on or after November 6, 2018 per SCW Program</i>			

McGowan Consulting, LLC

Labor Rates

Contract Year 2020-21¹

Professional/Staff Rates

Principal	\$162 per hour
Sr. Scientist	\$134 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 Due to Covid-19 emergency and pending financial impacts, labor rates have been held flat and have not 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.

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

Janely Sandoval 06/29/2021
Janely Sandoval, City Clerk Date

Elaine Jeng
ELAINE JENG Date

MCGOWAN CONSULTING, LLC

Kathleen McGowan June 29, 2021
KATHLEEN MCGOWAN Date

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 co-permittees. 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 waterforla.com and safecleanwaterla.org websites with regional water resources 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 [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. 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 tranch 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 Municipal 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) Peninsula 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.

Subtask 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 technical 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 performing 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
Other Direct Costs - Includes subcontracted website hosting by SBCCOG and graphic design and layout for outreach materials *			\$ 2,000
Total Estimated Costs (excluding optional subtask 7.3)			\$ 75,545
7.3	(Optional) Revise Peninsula EWMP to Include City +	150	\$ 23,550
* estimate assumes cost savings due to work performed in common for more than one client + indicates costs to be covered by the SCW Municipal Program Funds			

McGowan Consulting, LLC

Labor Rates

Contract Year 2021-22²

Professional/Staff Rates

Principal	\$168 per hour
Sr. Scientist	\$139 per hour
Staff Scientist	\$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



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.J
Mtg. Date: 06/27/2022

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 27, 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 Works to commence the permitting process. 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 pursuing 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](#)



ENVIRONMENTAL HEALTH

Land Use Program

5050 Commerce Drive, Baldwin Park, CA 91706

◆ Telephone: (626) 430-5380 ◆ http://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.
 - One (1) hard copy is to be submitted to any of the above-listed office
 - One (1) electronic copy is to be submitted to: dlanduse@ph.lacounty.gov
- Incomplete Application for Onsite Wastewater Treatment System Review will not be accepted.
- **Payment of corresponding fees is required.** 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



ENVIRONMENTAL HEALTH

Land Use Program

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REQUIRED DOCUMENTS FOR YOUR APPLICATION FOR ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) REVIEW

INCOMPLETE APPLICATIONS FOR ONSITE WASTEWATER TREATMENT SYSTEM REVIEW
WILL NOT BE ACCEPTED

To be completed by a Land Use Program Representative

Required	Document / Information	Provided?	
		Yes	No
X	Application for Onsite Wastewater Treatment System Review		
X	Corresponding Fees		
X	Completed Los Angeles County Department of Public Works Building and Safety Division Agency Referral		
X	Site / Floor Plan Site/Floor plan of residence/business; Plot-to-Scale; 11" x 17"; Directional compass		
X	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 <i>Professional Guide to Requirements and Procedures for OWTS</i>		
	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



ENVIRONMENTAL HEALTH

Land Use Program

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ONSITE WASTEWATER TREATMENT SYSTEM (OWTS) REVIEW SERVICE FEES

ONSITE WASTEWATER TREATMENT SYSTEM – TYPE OF SERVICE

FEE

All projects require: Completed Building and Safety Agency Referral Form, Floor Plan (Plot-to-Scale), Site/Plot Plan (Plot-to-Scale)

PROJECT REVIEW ☐ New System ☐ Replacement System ☐ Activating/Testing 100% FEA ☐ Other

☐ 4301 Conventional Wastewater Treatment System \$1528.00

REQUIRED DOCUMENTS (include, but are not limited to): Feasibility Report, Tank Specifications, Proof of Water Source

☐ 4302 Non-Conventional Wastewater Treatment System \$1986.00

REQUIRED DOCUMENTS (include, but are not limited to): Feasibility Report, Advanced Treatment Specifications, Maintenance Agreement with Certified Installer, Covenant and Agreement, Proof of Water Source

SYSTEM EVALUATION ☐ Tank Replacement ☐ Addition of Building/Structure ☐ Expansion of 10% or less ☐ Other

☐ 4303 Without Verification of Prior System Approval \$522.00

REQUIRED DOCUMENTS (include, but are not limited to): Tank Specifications, System Evaluation by Licensed Contractor

☐ 4304 With Verification of Prior System Approval \$447.00

REQUIRED DOCUMENTS (include, but are not limited to): Approved OWTS Records, System Evaluation by Licensed Contractor (if system is more than 15 years old)

POST-COASTAL COMMISSION APPROVAL

☐ 4305 Conventional or Non-Conventional Wastewater Treatment System \$451.00

REQUIRED DOCUMENTS (include, but are not limited to): Copy of Coastal Development Permit with All Restrictions

PRE-COASTAL COMMISSION APPROVAL

☐ 4306 Conventional Wastewater Treatment System \$1528.00

☐ 4307 Non-Conventional Wastewater Treatment System \$1936.00

ADDITIONAL REVIEW and/or INSPECTION

☐ 7422 EHS III / EHS IV Hourly Rate NO. OF HOURS: _____ X \$167.00/HR
(e.g. Third (3rd) Submittals, Site Revisits, Approved Plan Extension Review, etc.)

☐ 7422 Graywater Dispersion Field / Percolation Evaluation \$334.00

Applications are nontransferable. Allow **twenty (20) business days** for work plan review and response.

Field personnel cannot accept payments. **DO NOT SEND CASH.**

Make checks or money order payable to:

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH

WORK SITE ADDRESS	2 Portuguese Bend Road - Gate House & Tennis Court
CITY / ZIP/PARCEL (APN) #	Rolling Hills, CA 90274
EMAIL CORRESPONDANCE TO	Kraig@rhca.net

FOR OFFICE USE ONLY					
Tigran Khachatryan (626) 430-5380 tkhachatryan@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 varanda@ph.lacounty.gov	Richard Jefferson (818) 880-3410 rjefferson@ph.lacounty.gov	CHECK NO.:			



ENVIRONMENTAL HEALTH

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 2 Portuguese Bend - Gatehouse	CITY Rolling Hills	ZIP CODE 90274
APN	B&S PLAN CHECK NO. (found on B&S Agency Referral)	

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

PROPERTY OWNER(S) NAME City of Rolling Hills		
ADDRESS (CHECK HERE IF SAME AS WORK SITE ADDRESS <input checked="" type="checkbox"/>)	CITY Rolling Hills	ZIP CODE 90274
EMAIL Kraig@rhca.net	TELEPHONE (310) 544-6222	MOBILE

CONTRACTOR LICENSE HOLDER NAME	CONTRACTOR QUALIFICATION (PLEASE SELECT ALL THAT APPLY) <input type="checkbox"/> CLASS A <input type="checkbox"/> CLASS B <input type="checkbox"/> C-42 <input type="checkbox"/> C-36	CONTRACTOR LICENSE NUMBER
ADDRESS	CITY	ZIP CODE
EMAIL	TELEPHONE	MOBILE

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

Applications are nontransferable. Allow **twenty (20) business days** for work plan review and response.

Field Personnel cannot accept payments. **DO NOT SEND CASH.**

Make checks or money order payable to: **LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH**

REQUIRED SUPPORTING DOCUMENTS:

Submit one (1) electronic copy to: dlanduse@ph.lacounty.gov 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.

Recorded at the request:
and mailed to:

City of Rolling Hills
Applicants Name

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 Rolling 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**:

1 Portuguese Bend Rd., Rolling Hills. (Tennis Courts + Gate House)
A/N #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

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 _____ [month], _____ [year]

_____ Print Name	_____ Signature
_____ Print Name	_____ Signature
_____ Print Name	_____ Signature
_____ Print Name	_____ Signature



Property Details Report

Subject Property Location

Property Address 1 PORTUGUESE BEND RD
City, State & Zip ROLLING HILLS, CA 90274-5171
County LOS ANGELES COUNTY
Mailing Address 1 PORTUGUESE BEND RD, ROLLING HILLS, CA 90274-5171
Census Tract 6705.00
Thomas Bros Pg-Grid 793-7E

Report Date: 05/17/2022

Order ID: R82826808

Property Use Government - Vacant Land
Parcel Number 7569-015-900
Latitude 33.775958
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 Information

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


Latest Full Sale Information

Details beyond coverage limitations



Financing Details at Time of Purchase

No financing details available

Property Characteristics

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

Assessment & Taxes

	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	
	Improvement Value	Tax Status	
	Improvement Ratio	Delinquent Tax Year	
	Total Value	Market Improvement Value	
	Market Land Value	Market Value Year	

Lien History

Trans. ID	Recording Date	Lender	Amount	Purchase Money
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No details available

Loan Officer Insights

No details available

Disclaimer

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PUBLICLY AVAILABLE SOURCES FOR THE SUBJECT PROPERTY OR COMPARABLE PROPERTIES LISTED ABOVE AND HAS NOT BEEN INDEPENDENTLY VERIFIED BY BLACK KNIGHT THROUGH ANY FORM OF INSPECTION OR REVIEW. THIS REPORT DOES NOT CONSTITUTE AN APPRAISAL OF ANY KIND AND SHOULD NOT BE USED IN LIEU OF AN INSPECTION OF A SUBJECT PROPERTY BY A LICENSED OR CERTIFIED APPRAISER. THIS REPORT CONTAINS NO REPRESENTATIONS, OPINIONS OR WARRANTIES REGARDING THE SUBJECT PROPERTY'S ACTUAL MARKETABILITY, CONDITION (STRUCTURAL OR OTHERWISE), ENVIRONMENTAL, HAZARD OR FLOOD ZONE STATUS, AND ANY REFERENCE TO ENVIRONMENTAL, HAZARD OR FLOOD ZONE STATUS IS FOR INFORMATIONAL PURPOSES ONLY AND SHALL BE INDEPENDENTLY VERIFIED BY THE END USER. THE INFORMATION CONTAINED HEREIN SHALL NOT BE UTILIZED: (A) TO REVIEW OR ESTABLISH A CONSUMER'S CREDIT AND/OR INSURANCE ELIGIBILITY OR FOR ANY OTHER PURPOSE THAT WOULD CAUSE THE REPORT TO CONSTITUTE A "CONSUMER REPORT" UNDER THE FAIR CREDIT REPORTING ACT, 15 U.S.C. § 1681 ET SEQ.; OR (B) IN CONNECTION WITH CERTIFICATION OR AUTHENTICATION OF REAL ESTATE OWNERSHIP AND/OR REAL ESTATE TRANSACTIONS. ADDITIONAL TERMS AND CONDITIONS SHALL APPLY PURSUANT TO THE APPLICABLE AGREEMENT.

Black Knight

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Exhibit A - pg 2



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 Peninsula Septic Service, Inc., a California corporation ("Authorized Service Technician (AST)"). AST agrees to operate and maintain the EnviroServer ES Treatment System located at Rolling Hills main gate, for the period of _____ year(s) beginning on the date of final Start Up, and ending) _____ 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: Kristen Raley

Printed Name: Kristen Raley

Contact Information: (310) 544-6222

Service Provider Signature: _____

Printed Name: _____

Contact Information: _____

COAST GEOTECHNICAL, INC.

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.
3. 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.

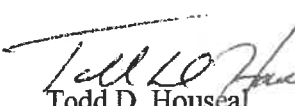
Gentlemen:

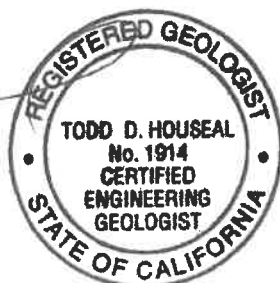
Submitted herewith is an update letter for the percolation feasibility study performed for the replacement septic system for the community tennis court facility and entry gatehouse at 2 Portuguese Bend Road, City of Rolling Hills, County of Los Angeles.

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.


Todd D. Houseal
CEG 1914 Exp 4/24



COAST GEOTECHNICAL, INC.

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:

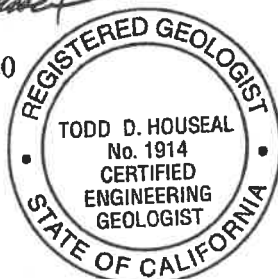
Submitted herewith is a Revised Site Map for the percolation feasibility study performed for the replacement septic system for the community tennis court facility and entry gatehouse at 2 Portuguese Bend Road, City of Rolling Hills, County of Los Angeles.

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.


Todd D. Houseal
CEG 1914 Exp 4/20



(3/23/20/ revision-relocated septic tank)



W.O. 546817 Figure 2R

COAST GEOTECHNICAL, INC.

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: 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.

COAST GEOTECHNICAL, INC.

RHCA
Percolation Report

2

W.O. 546817-01
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.

- 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.
- l. The proposed system and expansion pit is depicted on Figure 2.

COAST GEOTECHNICAL, INC.

RHCA
Percolation Report

4

W.O. 546817-01
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 encounter 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 B2 was performed on December 26, 2017. Water was added to the boring utilizing a calibrated water meter.

COAST GEOTECHNICAL, INC.

RHCA
Percolation Report

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W.O. 546817-01
February 1, 2018

Boring No.	Start meter reading	End meter reading	Disposed volume (gals)	Time	Water depth 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 fracture 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.

COAST GEOTECHNICAL, INC.

RHCA
Percolation Report

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W.O. 546817-01
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

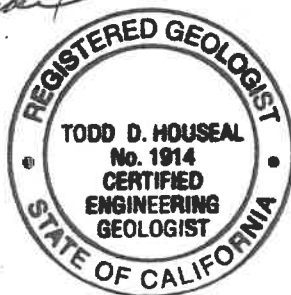
Item 12 requests a signed statement that this report presents an accurate and complete disclosure of all facts known relating to the proposed on-site sewage disposal system.

- 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.

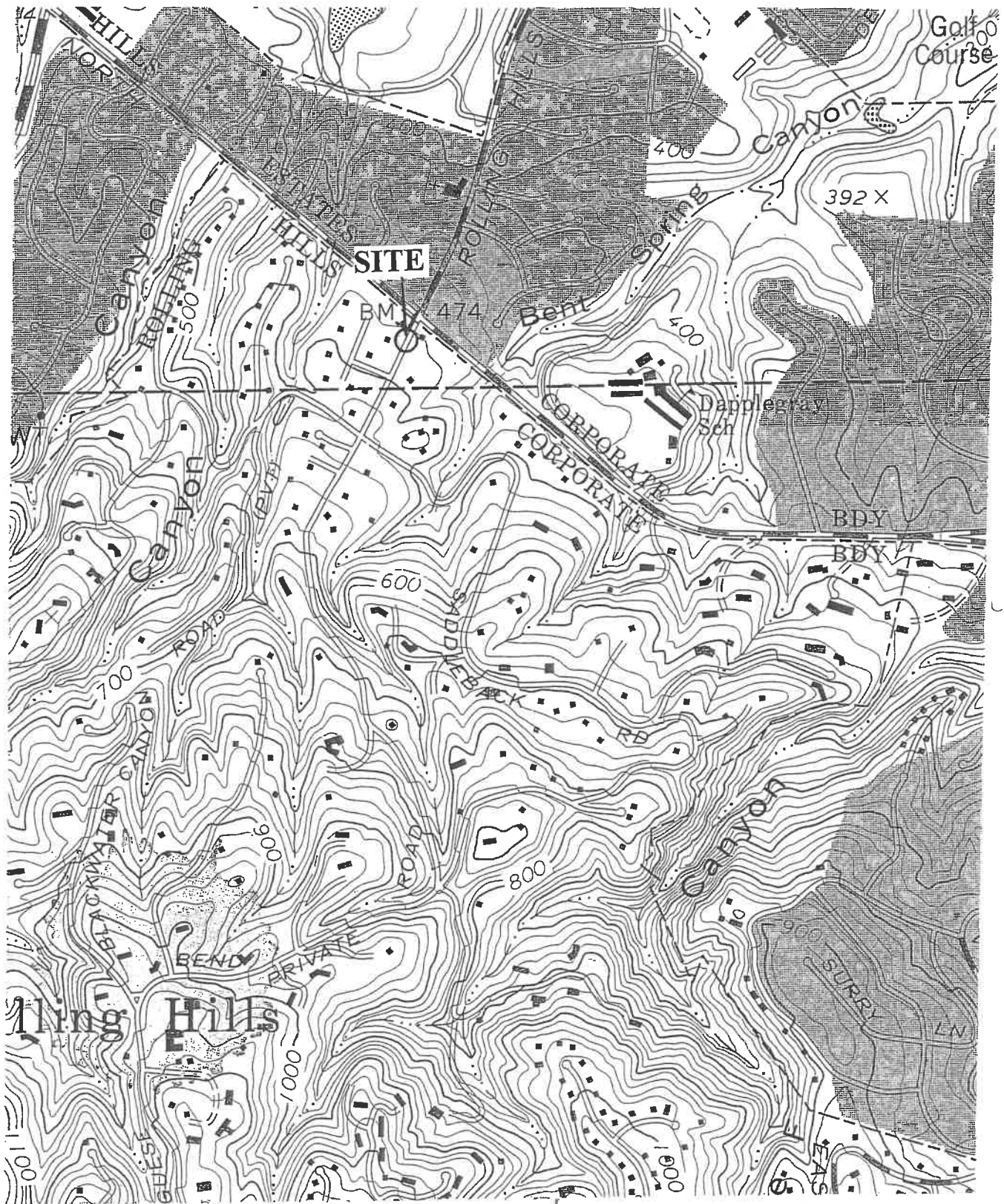
We appreciate this opportunity to be of service to you.

Respectfully submitted:
COAST GEOTECHNICAL, INC.


Todd D. Houseal
CEG 1914 Exp 4/18



SITE VICINITY MAP



Torrance USGS Topographic Map

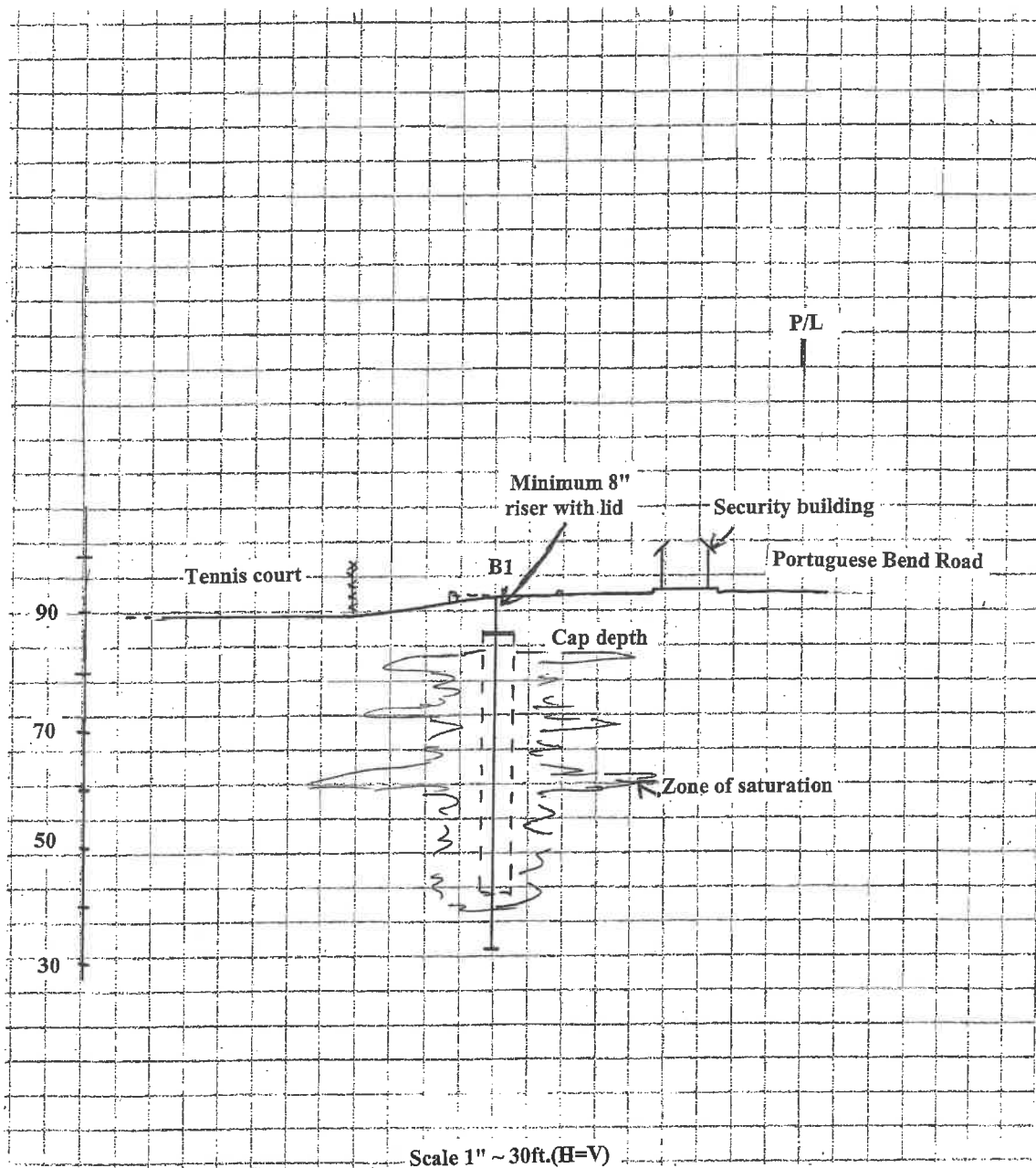


COAST GEOTECHNICAL, INC.

W.O. 546817

Figure 1

GEOTECHNICAL SECTION A-A'

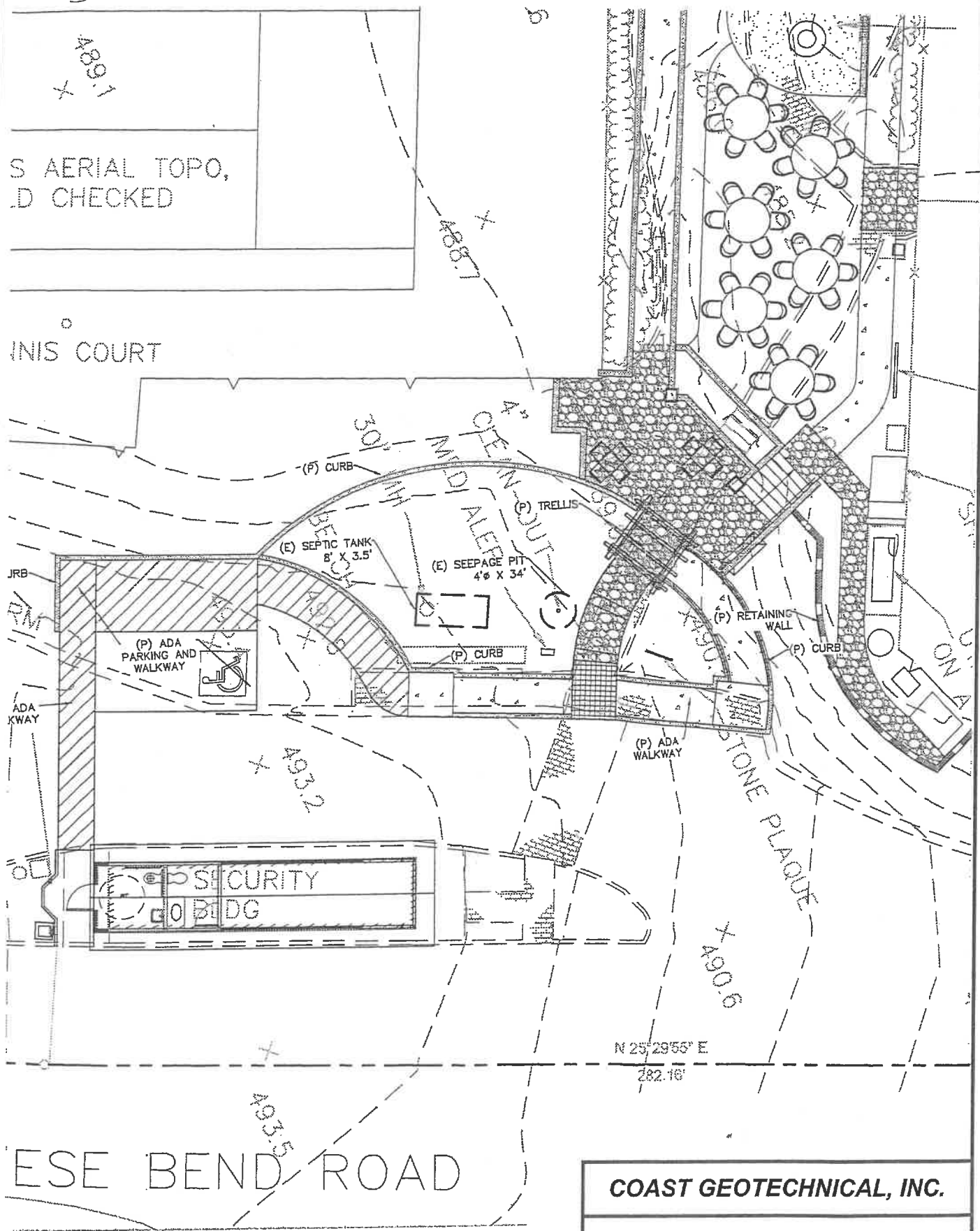


COAST GEOTECHNICAL, INC.

W.O. 546817

Figure 3

FLOOR PLANS



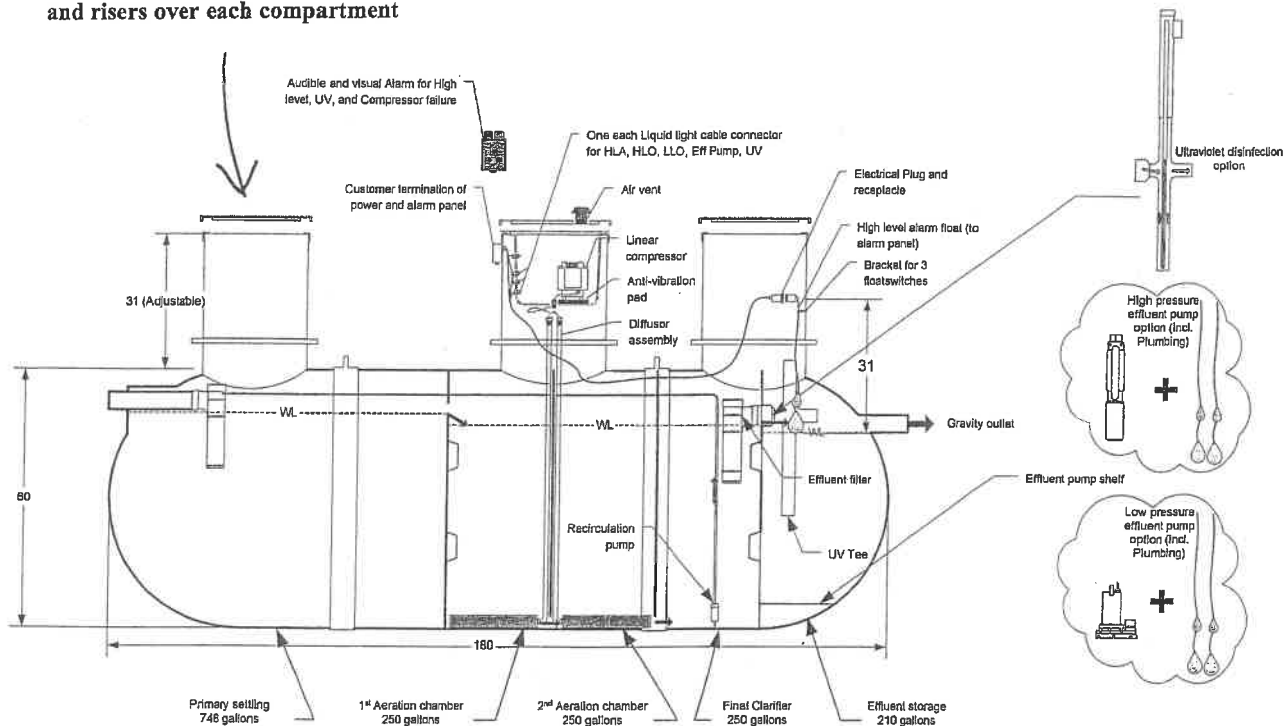
COAST GEOTECHNICAL, INC.

W.O. 546817

Figure 4

SEPTIC TANK SECTION

24" diameter traffic traded lid
and risers over each compartment



ENVIROSERVER ES6

OVERVIEW

SIZE	FSCH NO	DWG NO	REV
		ES6-0001	A

SCALE 1/32 : 1 TGE SHEET 6 OF 11

Hydraulic Volume (gal):

MODEL	A. PRIMARY SETTLING	B. 1st AERATION CHAMBER	C. 2nd AERATION CHAMBER	D. FINAL CLARIFIER	E. EFFLUENT STORAGE	TOTAL GALLONS
ES6:	748	250	250	250	210	1708
ES12:	1566	502	502	486	380	3436

- Extended Storage of sludge in primary compartment. Sludge needs to be pumped every one to three years depending on usage
- Exactly the same treatment configuration as EnviroServer SM Model, therefore achieving the same clean effluent quality
- Requires less maintenance due to less moving parts
- Requires only 115 Volt / 15 Amp Service
- 22% Energy savings compared to SM Model
- Tank delivered with components already assembled, allowing for quick & easy installation
- Entire system installed below ground
- Includes audible and visual local alarm for detection of high water level in tank and of compressor failure. Alarm can be mounted indoor or outdoor away from tank
- System includes effluent filter to protect dispersal field from solids carry-over during upset conditions
- Disinfection offered as an option, may be required when using shallow dispersal fields
- Optional effluent pumps for pressurized discharge
- Optional Telemetry & Controller for effluent pump and additional equipment

Design and specifications are subject to change without notice

Daily Power Consumption (kWh):

EnviroServer	ES6	ES12
Gravity Output	3.6	7.2
Low Pressure Discharge	4.0	7.9
High Pressure Discharge	4.9	9.7

Specifications:

EnviroServer	ES6	ES12
Treatment Capacity*	600 gpd	1200 gpd
Length	180"	242"
Diameter	60"	72"
Electrical Hookup	115 VAC, 15 Amp	

*Based on typical household waste

COAST GEOTECHNICAL, INC.

W.O. 546817

Figure 5

WESTERLY METER SERVICE CO.

403 East Carlin Street
Compton, California 90222
Telephone (310) 637-9000

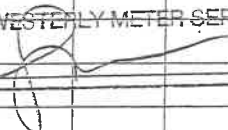
Professional
Testing and Repair
to AWWA Standards

Date 8-31-17

Invoice No.

Customer Coast Geotechnical

P.O. No.

MAKE	SERIAL NUMBER	METER SIZE	PERCENT ACCURACY			REMARKS
			2 GPM	10 GPM	100 GPM	
DLJ	002980	2"	99.7	99.8	100.2	Test
<div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p>WE CERTIFY THAT THE TEST RESULTS SHOWN IN THIS REPORT ARE CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. OUR TEST FACILITY IS CERTIFIED TO AN ACCURACY OF 0.2% AND IS TRACEABLE TO THE NATIONAL INSTITUTE OF STANDARDS & TECHNOLOGY.</p> <p>WESTERLY METER SERVICE CO.</p> <p>BY: </p> </div>						

W.O. 546817

Figure 6

FIELD LOG OF BORING NO. 1

Project Name: RHCA

W.O. 546817

Log by: TDH

Method: BUCKET AUGER 24" Start:

Finish:

Date:

Wt. Of Kelly Bar:

Drop

Samples			Blows			Depth (FT)	DESCRIPTION
Type	No.	Depth	6"	6"	6"		
							DARK GREY SILTY CLAY, ROCK FRAGMENTS, MOIST, FIRM TO STIFF, MOIST (Bc)
						10	BUFF TAN TO YELLOW CLAYEY SILTSTONE, SILTY CLAYSTONE, MOIST, FIRM, SOME FRACTURED SILICEOUS SILTSTONE
						20	(Tm) (BEDROCK)
						30	FRACTURED SILICEOUS SILTSTONE, HARD, OPEN TO CLOSED FRACTURES
						40	YELLOW TAN CLAYSTONE TO SILTSTONE, DIAPHANOUS, FIRM, MOIST, MINOR RUST STAIN AND BLACK SPICILLITY
						50	
							EDBCL0 - WTECL0' - No. 6AUNE

COAST GEOTECHNICAL, INC.

Plate A

FIELD LOG OF BORING NO. 2

Project Name: RHCA

W.O. 546817

Log by: TDH

Method: BUCKET AULOD 24"

Start:

Finish:

Date:

Wt. Of Kelly Bar:

Drop

Samples			Blows			Depth (FT)	DESCRIPTION
Type	No.	Depth	6"	6"	6"		
							<u>GRAY BLACK DIATOMACEOUS CLAY, SILTY, ROCK FRAGMENT</u>
							<u>FIRM TO STIFF, MOIST</u> (Rc)
							<u>BUFF TAN DIATOMACEOUS SILTSTONE / CLAYSTONE</u>
						10	<u>WITH THIN ZONES OF FRACTURE SILTSTONE</u>
							<u>FRACTURED SILTSTONE, HARD, DAMP</u>
							(Tm)
						20	(BEDROCK)
							<u>FRACTURED HARD SANDY SILTSTONE, OPEN, HARD</u>
							<u>YELLOW BUFF TO TAN BUFF SILTY CLAYSTONE,</u>
						30	<u>DIATOMACEOUS, MOIST, FIRM</u>
							<u>THIN FRACTURE ZONE</u>
						40	
							<u>YELLOW, WHITE RUST STAINED DIATOMACEOUS</u>
							<u>SILT CLAYSTONE, FIRM, MOIST</u>
						50	<u>EDGE 50 - NO. H₂O - NO GRIND</u>

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

Plate No. 1

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

Plate No. 2

COAST GEOTECHNICAL, INC.



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 9.A
Mtg. Date: 06/27/2022

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 27, 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 convert an existing stable into 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.
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 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;
2. 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](#)

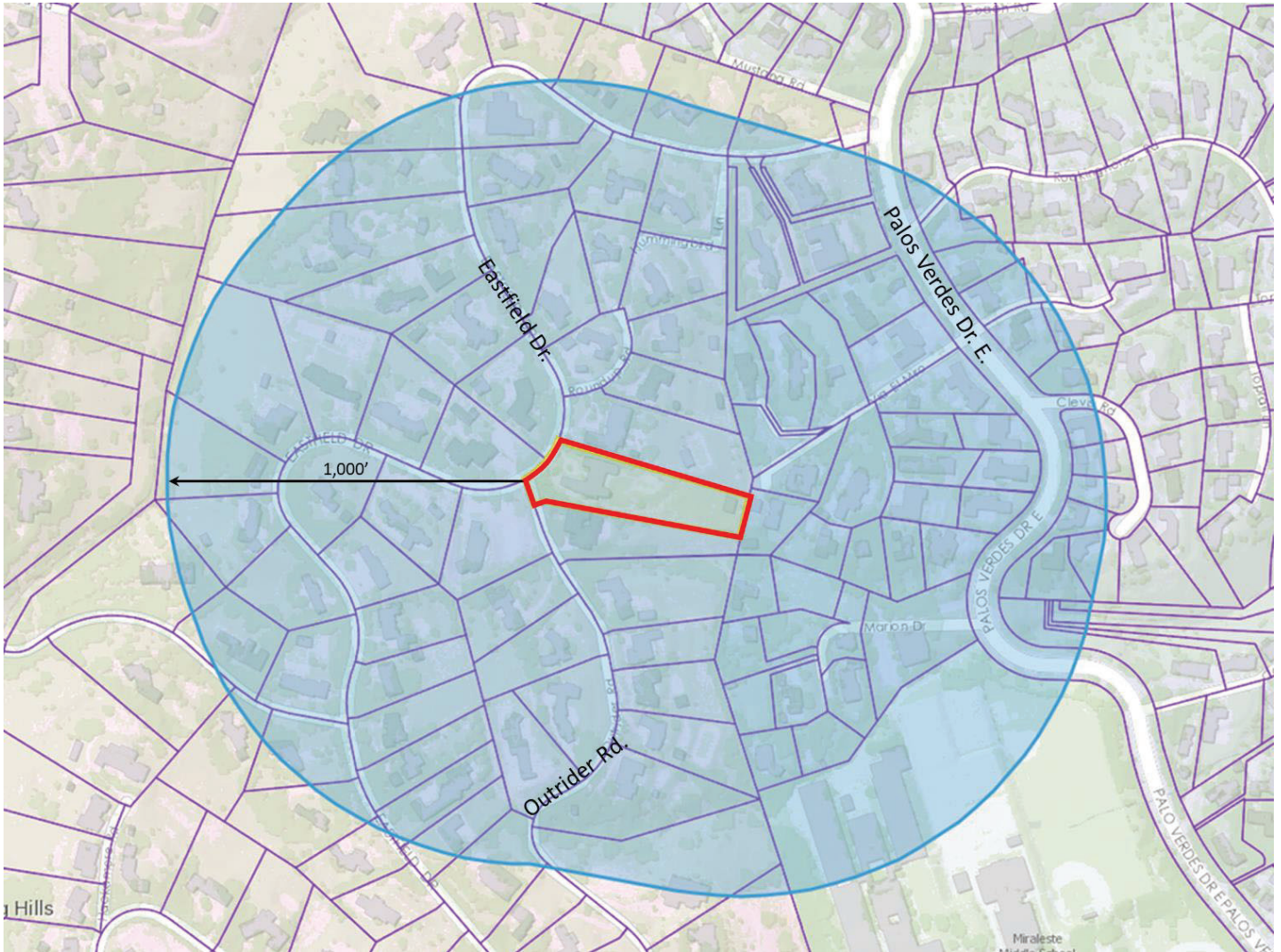
[Development Table \(ZC 21-16\).pdf](#)

[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. Zoning Case No. 21-16

Site Plan Review, Conditional Use Permit, Variance

OWNER Rich

ADDRESS 18 Eastfield, Rolling Hills 90274

SITE



Development Table Zoning Case No. 21-16 (18 EASTFIELD DRIVE)				
Site Plan Review, Conditional Use Permit and Variance	PAD 1	PAD 2	PAD 3	TOTAL
RAS- 2 Zone Setbacks Front: 50 ft. from front easement line Side: 35 ft. from side property line Rear: 50 ft. from rear easement line	Single family residence, garage (SF)	Swimming Pool, Pool House (SF)	New Stable and corral (SF)	
Pad/Net Lot Area	Existing: 26,083 Proposed: 0 Total: 26,083	Existing: 7,317 Proposed: 5,025 Total: 12,342	Existing: 6,213 Proposed: 1,226 Total: 7,439	68,826
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)		443 CY cut 443 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>
Sent: Monday, May 9, 2022 6:56 AM
To: 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 catalog-

<http://productcatalog.southwindfoods.com/2020/welcome/>

RICH RESIDENCE

18 EASTFIELD
ROLLING HILLS, CALIFORNIA 90274



Studio GWG

LANDSCAPE ARCHITECTURE
ARCHITECTURE
PROJECT MANAGEMENT
PLANNING

for mail:
318 Avenue I, #154
Redondo Beach, California 90277

310.686.5202
studioGWG@gmail.com
LA6230



CONSULTANTS

ABBREVIATIONS

AIR-CONDITIONING	A/C	FLOOR DRAIN	F.D.
ACOUSTICAL	ACOUS.	FIRE EXTINGUISHER	F.E.
ABOVE FINISH FLOOR	A.F.F.	FIRE HOSE CABINET	F.H.C.
ALUMINUM	ALUM.	FINISH FACE	FF.
AT	@	FINISH	FIN.
BUILDING	BLDG.	FLOOR	FLR.
BRUSHED	BR.	FLORESCENT	FLOUR.
CEMENT	CEM.	FACE OF STUD	F.O.S.
CEILING	CLG.	FABRIC WALL COVERING	F.W.C
CLEAR OPENING	CL. OPNG.	GAUGE	GA.
CONSTRUCTION NOTE	C.N.	GALVANIZED	GAL.
COLUMN	COL.	GARBAGE DISPOSAL	GD.
CONCRETE	CONC.	GLASS	GL.
CONTINUOUS	CONT.	GRANITE TILE	G.T.
CONTRACTOR	CONTR.	GYPSUM BOARD	GYP. BD.
CERAMIC TILE	C.T.	HARDWOOD	HDWD.
DETAIL	DTL.	HARDWARE	HDWR.
DRINKING FOUNTAIN	D.F.	HOLLOW METAL	H.M.
DIAMETER	DIA.	HEIGHT	HGT.
DIMENSION	DIM.	HEATING, VENTILATION	H.V.A.C
DOOR	DR.	LAVATORY	LAV.
DISHWASHER	DW.	MAXIMUM	MAX.
DRAWING	DWG.	METAL	MTL.
ELEVATION	ELEV.	MANUFACTURER	MFG.
ELECTRICAL	ELEC.	MINIMUM	MIN.
ELEVATOR	ELEVAT.	MARBLE TILE	M.T
EXISTING	EXIST.	MULLION	MUL.
		MICROWAVE	NW.
		NOT IN CONTRACT	N.I.C
		NOT TO SCALE	N.T.S.
		OVER ALL	O.A.
		ON CENTER	O.C.

GRAPHIC SYMBOLS

DOOR NUMBER	
WINDOW NUMBER	
ROOM NAME	
ROOM NUMBER	
KEY NOTE	
ELEVATION NUMBER	
DETAIL NUMBER	
SHEET NUMBER	

ARCHITECTURAL SYMBOLS

CENTER LINE	
PROPERTY LINE	
SPOT ELEVATION	
EXISTING GRADE	
NEW GRADE	
HOUSE SEWER	
SANITARY SEWER	
GAS LINE	
ELECTRICAL LINE	

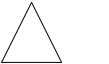
SHEET INDEX

GN-1	Cover Sheet	General Notes
LA-100.E1	Existing Survey-	Full Property
LA-100.E2	Existing Survey-	Rear Property
LA-100.E3	Exist'g Conditions Photos	Composite Survey C
LA-101.1	Site Plan / Vicinity Map	Grading Plan
LA-101.2	Site Plan Coverage Calculations	
LA-110.1	Rear Yard Landscape Site Section	
LA-201.1	Illustrative Landscape Plan	
LA-202.1	MWEL0	
LA-401.1	Garden Accesssories	IMAGERY

RICH
RESIDENCE

18 EASTFIELD
ROLLING HILLS,
CALIFORNIA 90274

PRINT DATE 5/2/22



PUBLISH VERSION / file name:
Rich_Joe_Landscape Plan_04.pln

PUBLISH VERSION

SHEET TITLE

Cover Sheet
General Notes

GN-1

DESIGN DEVELOPMENT
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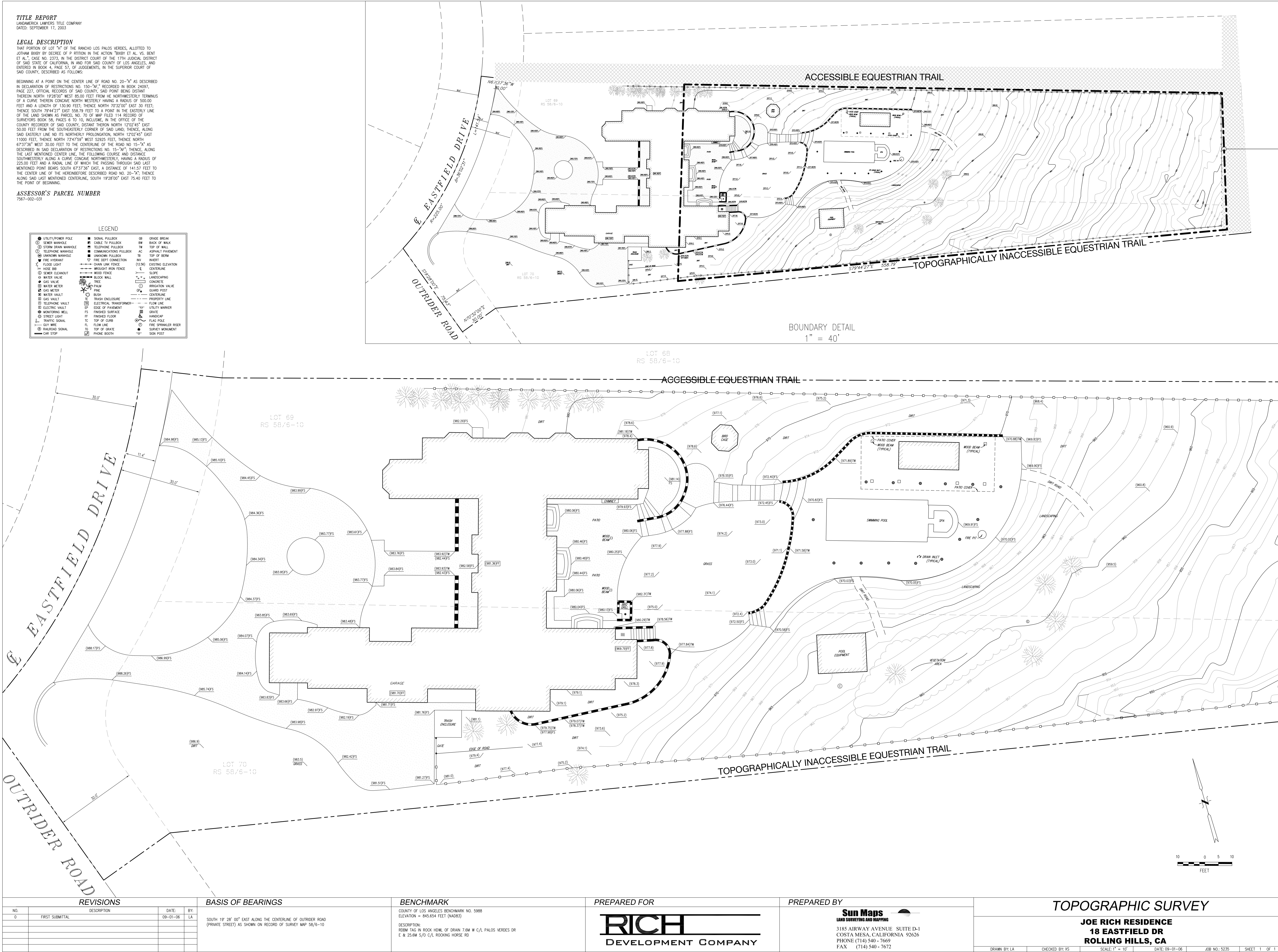
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SHEET TITLE

Existing Survey-
Full Property

LA-100.E1

DESIGN DEVELOPMENT
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PROJECT BOUNDARY

PROJECT DESCRIPTION

LANDSCAPE RENOVATION AND ADDITION OF RE-GRADING OF NEW LANDSCAPE TERRACE

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

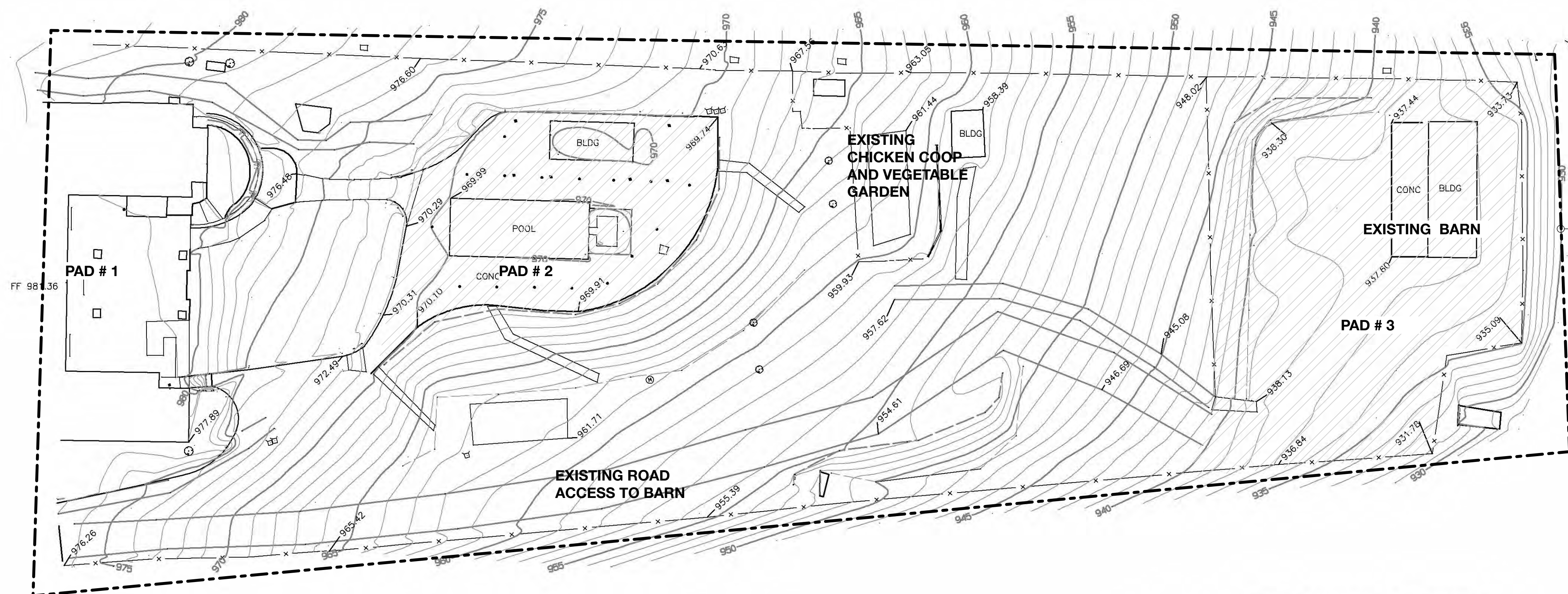


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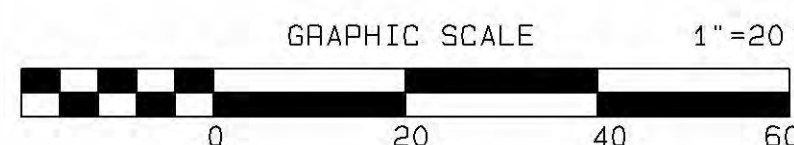
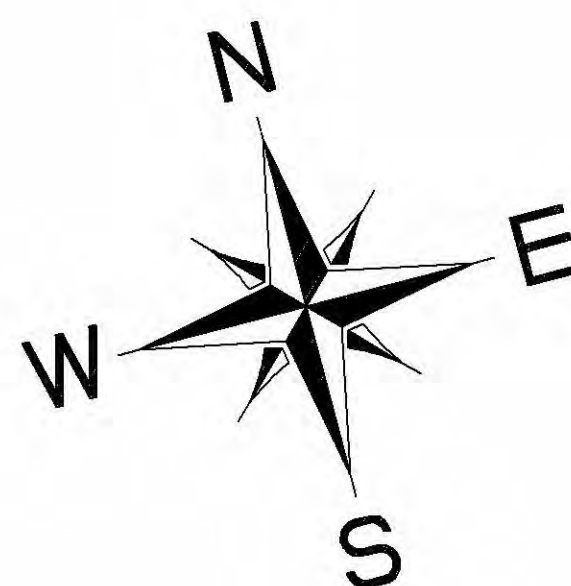
CONSULTANTS



PROJECT BOUNDARY

PROJECT DESCRIPTION

LANDSCAPE RENOVATION AND ADDITION OF RE-GRADING OF NEW LANDSCAPE TERRACE



THIS MAP REPRESENTS A FIELD TOPOGRAPHY
PERFORMED BY MYSELF OR UNDER MY DIRECTION
COMPLETED ON AUGUST 4, 2018.

08-16-2018

BRIAN T. HESS
PLS 8136

08-16-2018



REVISION		DATE	BY
SALEM ENGINEERING GROUP TOPOGRAPHY MAP 18 EASTFIELD DRIVE, ROLLING HILLS		DRAWING 1812570. PRO	
DATE:	10-16-2018	HESSE DEVELOPMENT I. NC. 28039 SCOTT RD STE 0387 MARIETTA, GA 30066	SHEET 1 OF 1
SCALE:	1"=20'		
DN BY:	ETH		
CK BY:	ETH		
J.O.:	10-12-18		

RICH RESIDENCE

18 EASTFIELD
ROLLING HILLS,
CALIFORNIA 90274

PRINT DATE 5/2/22



PUBLISH VERSION / file name:
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SHEET TITLE

Existing Survey- Rear Property

LA-100.E2

DESIGN DEVELOPMENT PROGRESS PRINT



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RICH
RESIDENCE

18 EASTFIELD
ROLLING HILLS,
CALIFORNIA 90274

PRINT DATE 5/2/22



PUBLISH VERSION / file name:
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PUBLISH VERSION

SHEET TITLE

Exist'g Conditions Photos
Composite Survey
Composite Topography

LA-100.E3

DESIGN DEVELOPMENT
PROGRESS PRINT



PHOTO #16
AT FRONT HOUSE CORNER LOOKING
TOWARDS FRONT DRIVEWAY AREA



PHOTO #15
AT FRONT HOUSE CORNER LOOKING
TOWARDS REAR ALONG PROPERTY
LINE SIDE YARD AREA



PHOTO #14
AT REAR HOUSE CORNER BY AVIARY
LOOKING TOWARDS FRONT YARD



PHOTO #13
LOOKING AT AVIARY TOWARDS POOL
AREA



PHOTO #12
AT AVIARY LOOKING SOUTH
TOWARDS UPPER LAWN AREA



PHOTO #11
AT POOL DECK LOOKING SOUTH AT
ADJACENT PROPERTY'S VIEW OF
SUBJECT PROPERTY



PHOTO #10
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



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



PHOTO #3
AT HOUSE LOOKING TO POOL AREA



PHOTO #4
AT ROADWAY LOOKING TO
HOUSE



PHOTO #5
AT WALKWAY LOOKING TO BARN AND
PROPOSED PICKLE BALL COURT



PHOTO #6
AT PROPOSED PICKLE BALL COURT
LOOKING AT CONSTRUCTED WALL



PHOTO #7
LOOKING TOWARDS EXIST'G BARN

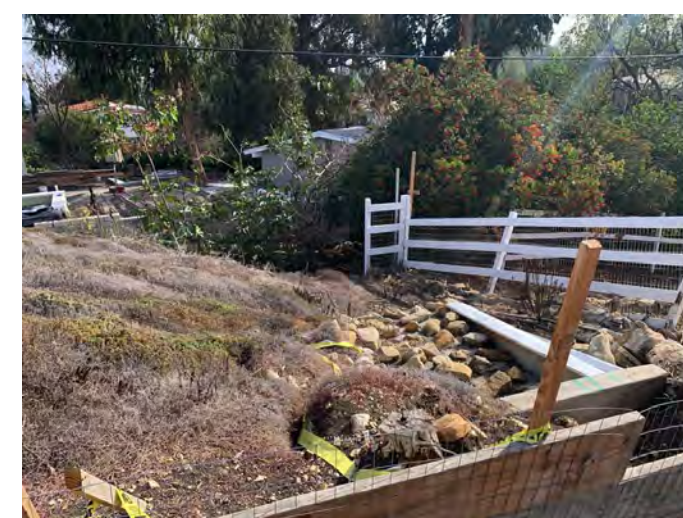


PHOTO #8
LOOKING TOWARDS EXIST'G STORM
WATER RUNOFF RIP RAP

1
LA-100.E3

Existing Conditions - Composite Survey With Current Photos of Site

SCALE: 1" = 20'



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LANDSCAPE ARCHITECTURE
ARCHITECTURE
PROJECT MANAGEMENT
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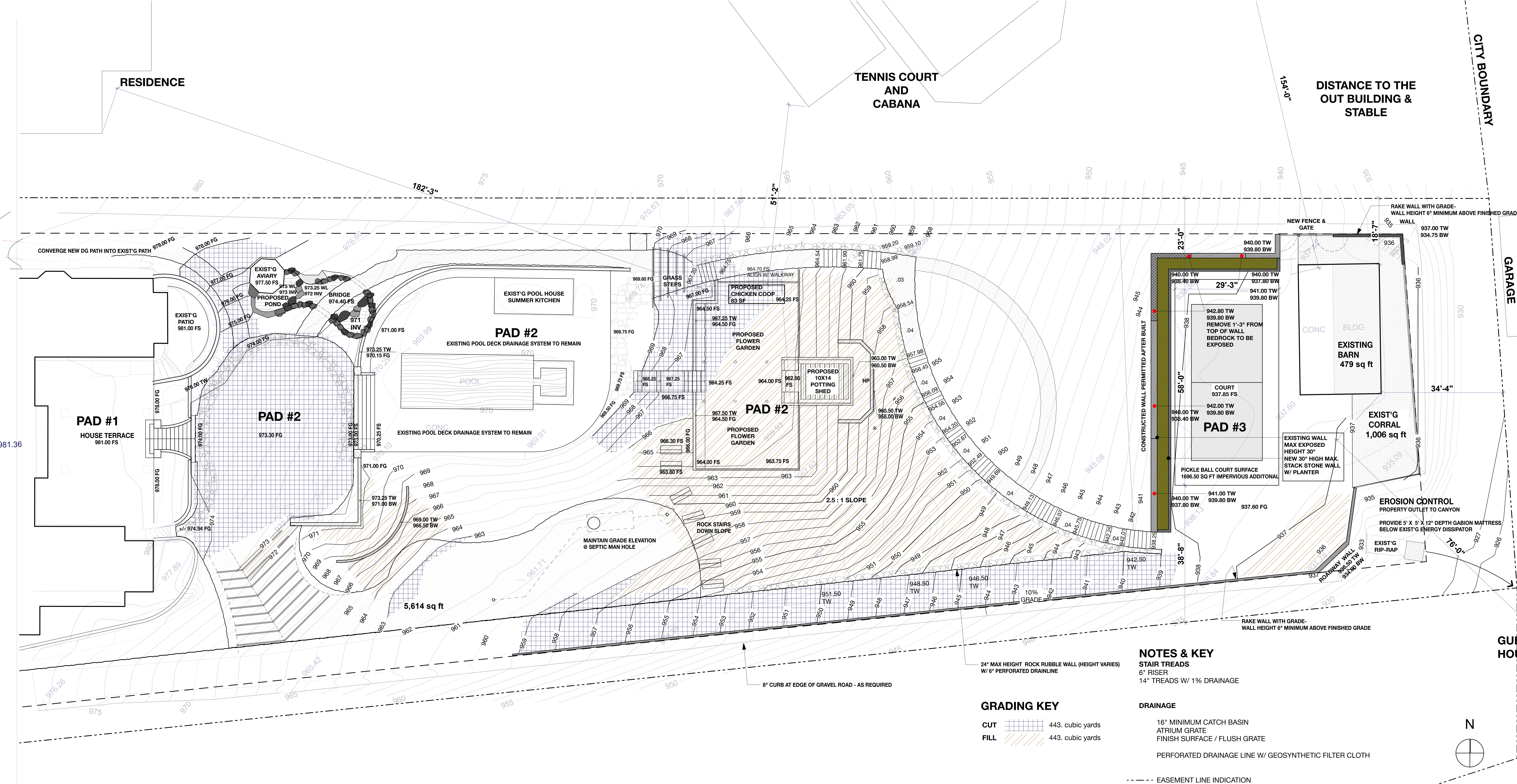
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SHEET TITLE

Site Plan / Vicinity Map
Grading Plan
Schematic Drainage Plan

LA-101.1

DESIGN DEVELOPMENT
PROGRESS PRINT



NOTES & KEY
STAIR TREADS
6" RISER
14" TREADS W/ 1% DRAINAGE

DRAINAGE

16" MINIMUM CATCH BASIN
ATRIUM GRATE
FINISH SURFACE / FLUSH GRATE
PERFORATED DRAINAGE LINE W/ GEOSYNTHETIC FILTER CLOTH

----- EASEMENT LINE INDICATION

GRADING KEY

CUT 443. cubic yards
FILL 443. cubic yards

24" MAX HEIGHT ROCK RUBBLE WALL (HEIGHT VARIES)
W/ 6" PERFORATED DRAINLINE

8" CURB AT EDGE OF GRAVEL ROAD - AS REQUIRED

MAINTAIN GRADE ELEVATION
@ SEPTIC MAN HOLE

ROCK STAIRS
DOWN SLOPE

2.5 : 1 SLOPE

5,614 sq ft

PAD #2
EXISTING POOL DECK DRAINAGE SYSTEM TO REMAIN

EXISTING POOL DECK DRAINAGE SYSTEM TO REMAIN

EXIST'G POOL HOUSE
SUMMER KITCHEN

PAD #2

PAD #1

HOUSE TERRACE

CONVERGE NEW DG PATH INTO EXIST'G PATH

EXIST'G AVIARY
777.50 FS
775 WL
773 INV
772 INV
774.40 FS
771 INV

PROPOSED
POND

PROPOSED
CHICKEN COOP
83 SF

PROPOSED
FLOWER GARDEN

PROPOSED
10X14
POTTING
SHED

PAD #2

PROPOSED
FLOWER GARDEN

NEW FENCE &
GATE

CONC BLDG

EXISTING
BARN
479 sq ft

EXIST'G
CORRAL
1,006 sq ft

EXISTING WALL
MAX EXPOSED
HEIGHT 30"
NEW 30" HIGH MAX.
STACK STONE WALL
W/ PLANTER

EROSION CONTROL
PROPERTY OUTLET TO CANYON

PROVIDE 5' X 5' X 12" DEPTH GABION MATTRESS
BELOW EXIST'G ENERGY DISSIPATOR

EXIST'G
RIP-RAP

ROADWAY WALL

RAKE WALL WITH GRADE-
WALL HEIGHT 6" MINIMUM ABOVE FINISHED GRADE

RAKE WALL WITH GRADE-
WALL HEIGHT 6" MINIMUM ABOVE FINISHED GRADE

RAKE WALL WITH GRADE-
WALL HEIGHT 6" MINIMUM ABOVE FINISHED GRADE

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WALL HEIGHT 6" MINIMUM ABOVE FINISHED GRADE

RAKE WALL WITH GRADE-
WALL HEIGHT 6" MINIMUM ABOVE FINISHED GRADE

Site Plan / Vicinity Map / Grading & Schematic Drainage Plan

SCALE: 1" = 10'

THESE DRAWINGS AND SPECIFICATIONS, AS AN INSTRUMENT OF SERVICE ARE THE PROPERTY OF GREGORY W. GEORGE, LANDSCAPE ARCHITECT, AND SHALL NOT BE COPIED IN PART OR IN WHOLE WITHOUT WRITTEN PERMISSION GREGORY W. GEORGE, LANDSCAPE ARCHITECT. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE AND ANY DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF GREGORY W. GEORGE, LANDSCAPE ARCHITECT, AND/OR THE ENGINEER OF RECORD PRIOR TO COMMENCEMENT OF WORK.



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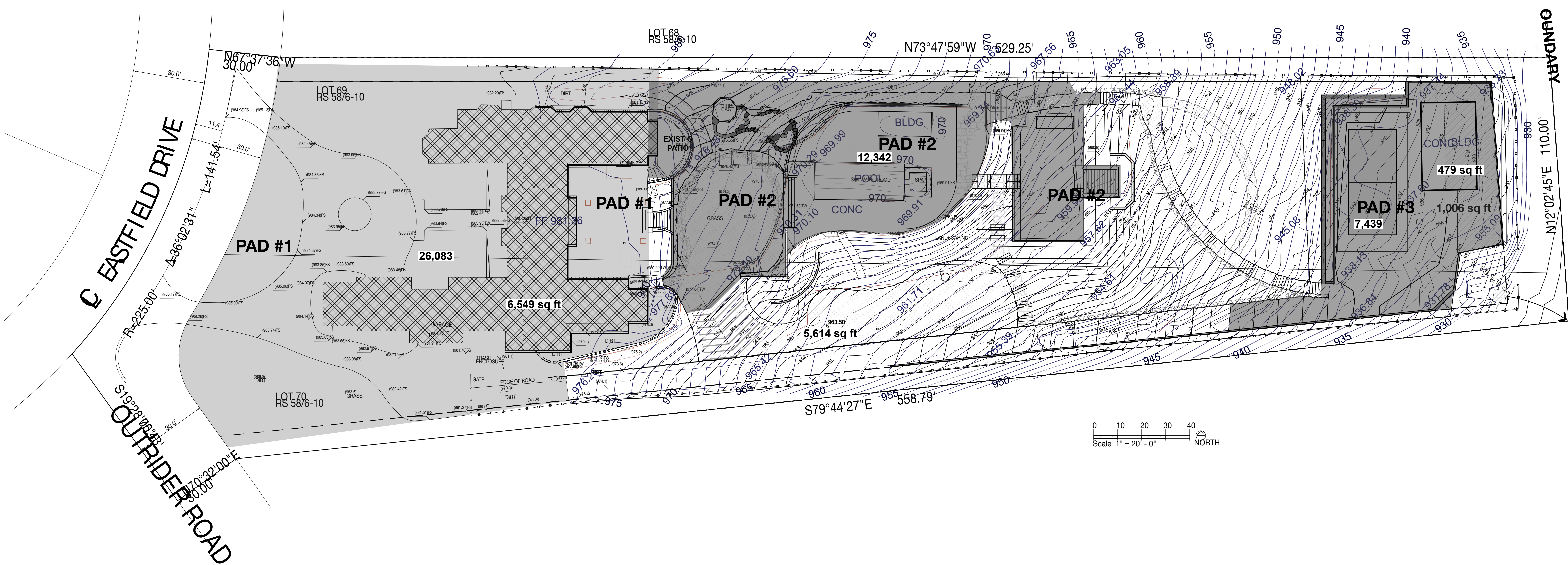
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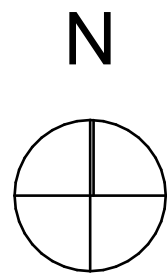


CONSULTANTS



PAD SUMMARY

PAD #1 26,083 SQ FT
PAD #2 12,342 SQ FT
PAD #3 7,439 SQ FT



RICH
RESIDENCE

18 EASTFIELD
ROLLING HILLS,
CALIFORNIA 90274

PRINT DATE 5/2/22



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SHEET TITLE

Site Plan Coverage
Calculations

LA-101.2

DESIGN DEVELOPMENT
PROGRESS PRINT



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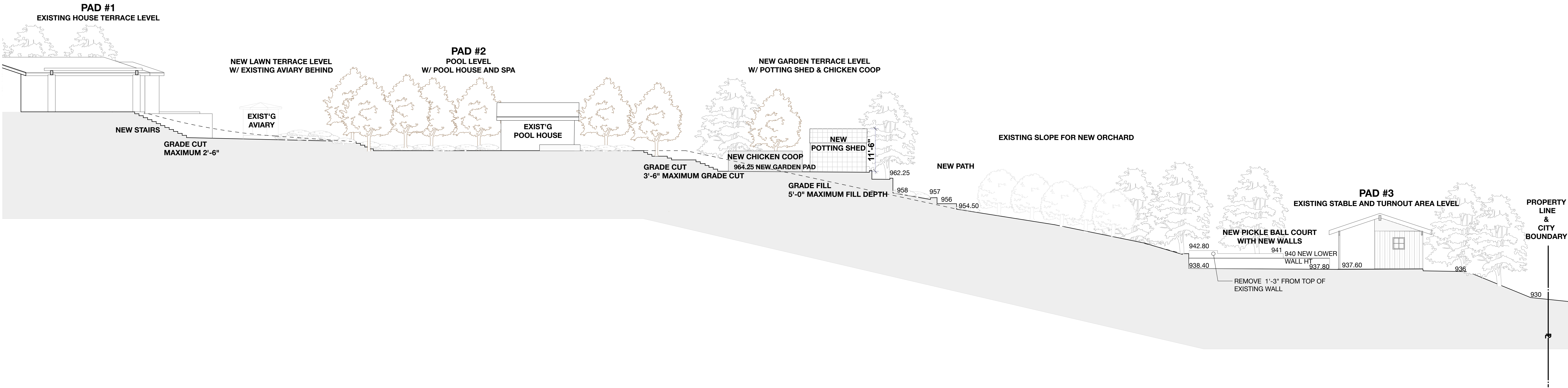
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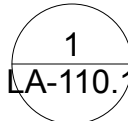
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Rear Yard Landscape Site
Section

LA-110.1

DESIGN DEVELOPMENT
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Rear Yard Landscape Site Section

SCALE: 1" = 10'



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ARCHITECTURE
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PUBLISH VERSION

SHEET TITLE

MWELO

LA-202.1

DESIGN DEVELOPMENT
PROGRESS PRINT

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ETo)-39.7 (annual ETo for Signal Hill/Long Beach per State Reference Table)							
Hydrozone# /Planting Descriptions	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU)e
Regular Landscape 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 Landscape Areas							
#4 GARDENS & ORCHARDS					3,745	2,059.75	50,699
Totals					(C) 3,745	(D) 2,059.75	
ETWU Total							251,754
Maximum Allowed Water Allowance (MAWA)e							328,235

^aHydrozone/PlantingDescription
E.g.
1) front lawn
2) low water use plantings
3) medium water use planting

^bIrrigation Method
overhead spray
or drip

^cIrrigation Efficiency
ETo x 0.62 for SLA
0.75 for spray head
0.81 for drip

^dETWU(Annual Gallons Required)=
ETo x 0.62 x SLA
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year. LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

^eMAWA(Annual Gallons Allowed) = (ETo) (0.62) [(ETAFx LA) + ((1-ETAF)x SLA)]
where 0.62 is conversion factor that converts acre-inches per acre per year to gallons per square foot per year. LA is the total landscape area in square feet, 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	(B) 7,563.22
Total Area	(A) 20,501.00
Average ETAF	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.

Regular Landscape Area	
Total ETAFx Area	(B+D) 9,622.97
Total Area	(A+C) 24,246.00
Sitewide ETAF (B+D) ÷ (A+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>

LANDSCAPE CERTIFICATION FORM - Required at Final Inspection

Project Information:

Site Address: 18 EASTFIELD ROLLING HILLS, CA 90274

Permit Number:

Section A: Landscape Designer

☒ I certify that I am qualified by the State of California to perform landscape design services; the landscape design and water use calculations for this project were prepared by me or under my supervision; the landscape design and water use calculations comply with the requirements of Chapter 13.18 Water Efficient Landscape Ordinance, and the Landscape Documentation Package is complete; **OR**

☐ Interior T.J., no landscape work performed (**do not need to complete sections B or C below**); **OR**

☐ This project is not subject to Chapter 13.18 Water Efficient Landscape Ordinance.

Name: GREGORY W GEORGE, LANDSCAPE ARCHITECT

Company Name (if applicable): STUDIO GWG

Relationship to Project:

State License # (if applicable): LA 6230

Signature: Date:



Section B: Landscape Installer

☐ I certify that (a) I am qualified by the State of California to provide landscape design services; the landscape project for this project was installed by me or under my supervision; (b) the landscaping for the identified property has been installed in substantial conformance with the approved Landscape Documentation Package and complies with the requirements of Chapter 13.18 Water Efficient Landscape Ordinance; (c) a diagram of the irrigation plan showing hydrozones is kept with the irrigation controllers; (d) the Certificate of Completion has been completed in compliance with the requirements of the Water Efficient Landscape Ordinance and shall be implemented.

Name:

Company Name (if applicable):

Relation to Project:

State License # (if applicable):

Signature: Date:

APPLICANT & PROJECT INFORMATION

Name: GREGORY W GEORGE, LANDSCAPE ARCHITECT

Phone: 310 686 5202

Address: 318 AVENUE I, #154 REDONDO BEACH, CA 90277

Email: STUDIOGWG@GMAIL.COM

Project

Site Address: 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.

☒ 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.): 18,632 SQ FT Special Landscape Area (sq. ft.): 3,745 SQ FT

Water Type (potable, recycled, well): POTABLE WATER

Name of water purveyor (if not served by private well): CALIFORNIA WATER SERVICE

Project Description

RENOVATION OF EXISTING LANDSCAPE AND ADDITIONAL ORCHARD AND VEGETABLE GARDEN DEVELOPMENT, INCLUDING GRADING, DRAINAGE, AND LANDSCAPE CONSTRUCTION, FEATURING A CHICKEN COOP AND POTTING SHED.

Signature

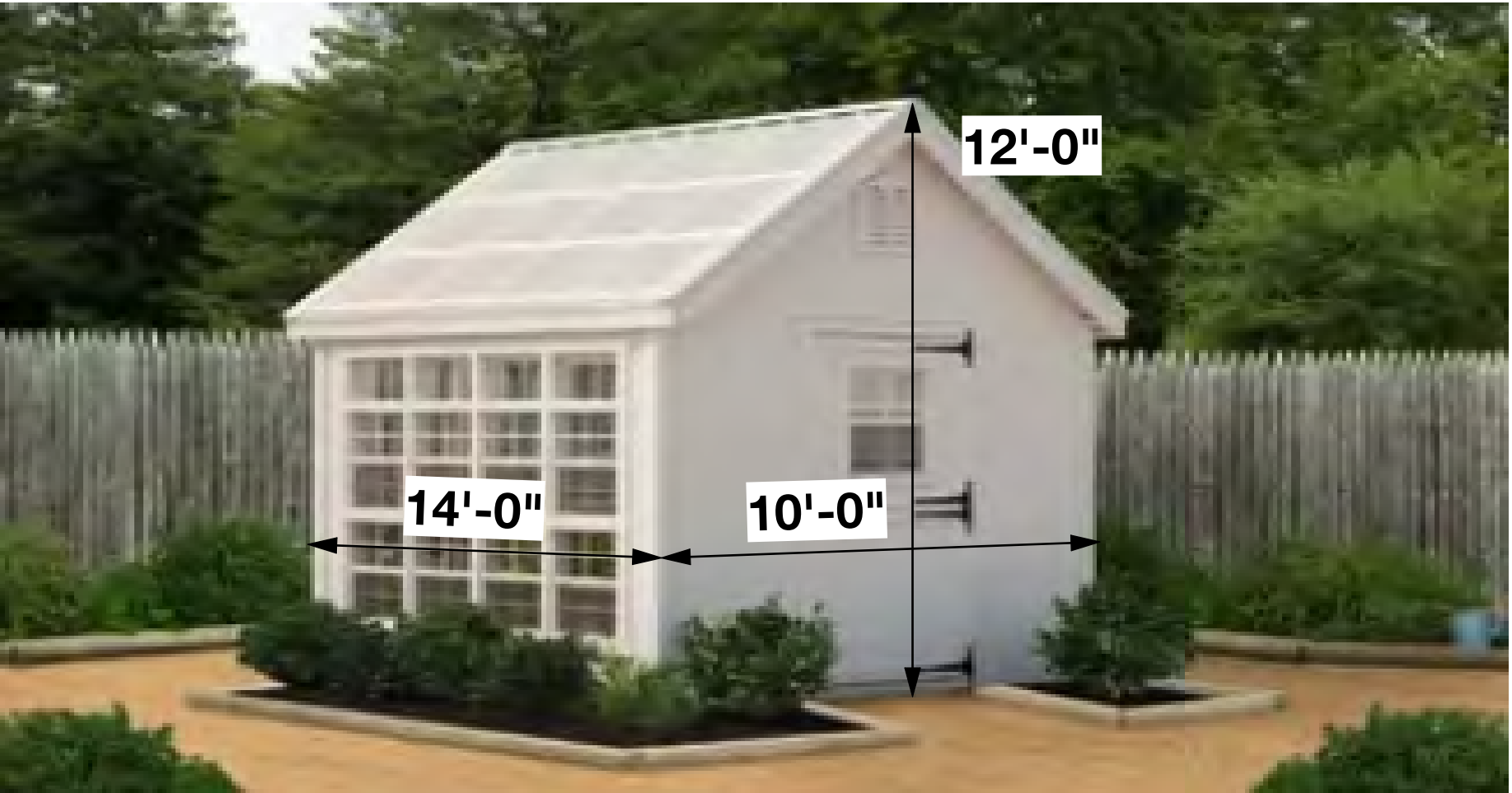
I certify the above information is correct and agree to comply with the requirements of Chapter 13.18 Water Efficient Landscape Ordinance.

Signature of property owner or authorized representative

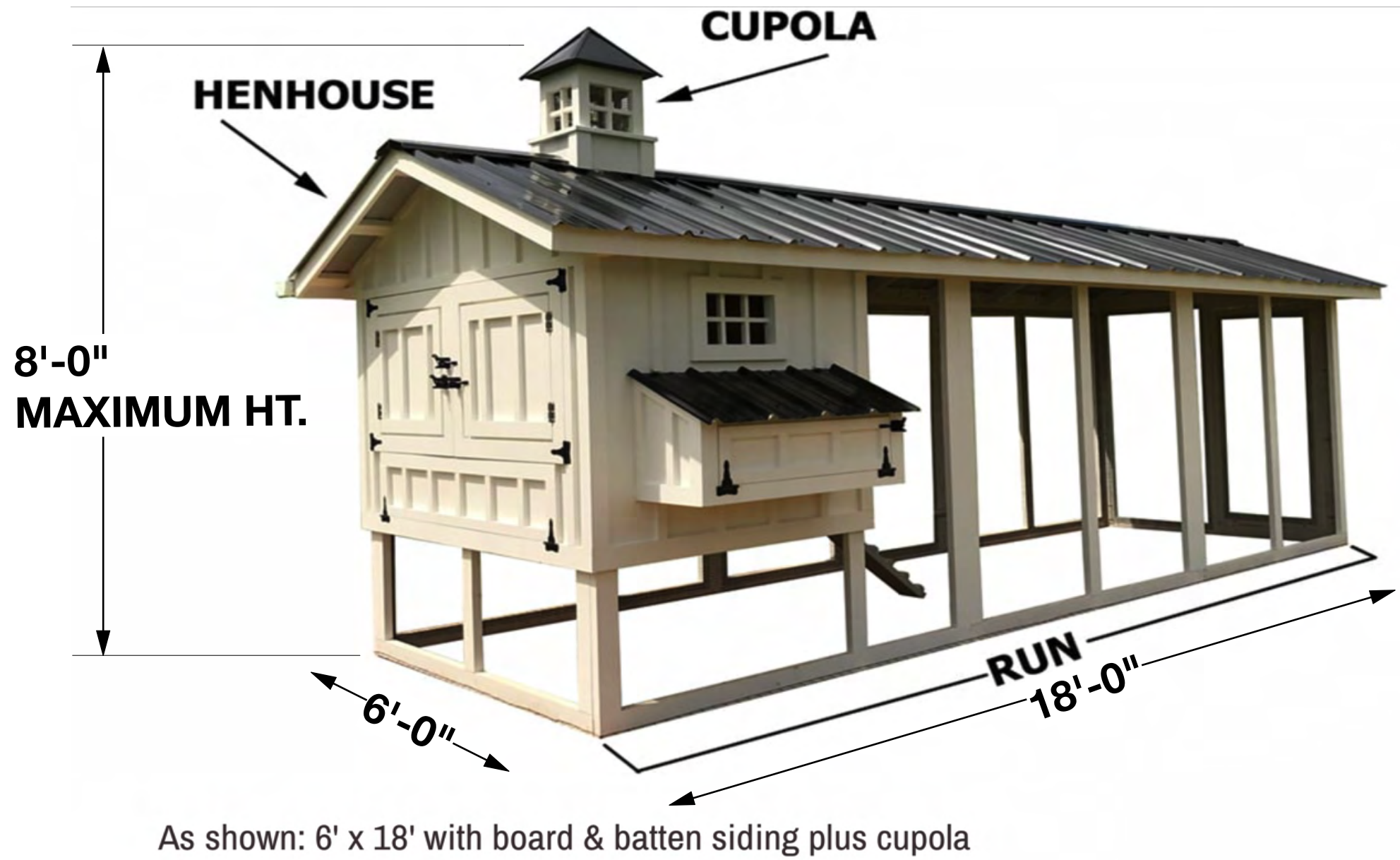
MARCH 23, 2022

Date





POTTING SHED - GREENHOUSE



CHICKEN COOP - HEN HOUSE



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PRINT DATE 5/2/22	
△	
△	
△	

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SHEET TITLE

Garden Accesssories
IMAGERY

LA-401.1

DESIGN DEVELOPMENT
PROGRESS PRINT

RESOLUTION NO. 2005-18

4

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 Commission review, due to existing structural development restriction approved 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.

06/15/05

5
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 Eastfeld 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 Commission finds as follows:

A. 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 on the lot.

B. The nature, condition, and development of adjacent uses, 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.

C. The project is harmonious in scale and mass with the site, the natural terrain, and surrounding residences because the recreation room will comply with the low profile residential development pattern of the community.

D. The proposed conditional use complies with all applicable 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.

E. The proposed conditional 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 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 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

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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.

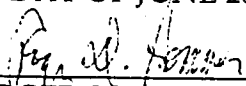
Y. The working drawings submitted to the County Department of Building and Safety for plan check review shall conform to the development plan described in Condition D.

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.



ROGER SOMMER, CHAIRMAN

ATTEST:



MARILYN L. KERN, DEPUTY CITY CLERK

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STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
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.



DEPUTY CITY CLERK

06/15/06

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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:

Section 1. 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.

Section 2. 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.

Section 3. 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.

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B. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the construction of cabana will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the proposed cabana structure will be 90 feet from the residential structure and is a sufficient distance from nearby residences so that the cabana will not impact the view or privacy of surrounding neighbors.

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.

Section 6. 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 7. Section 17.46.010 of the Rolling Hills Municipal Code requires a 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:

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A. The development is compatible with the General Plan, the Zoning 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 yard (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

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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.

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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

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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.

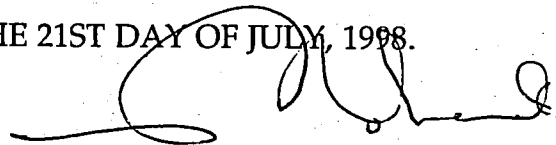
Q. The project must be reviewed and approved by the Rolling Hills Community Association Architectural Review Committee prior to the issuance of any building or grading permit.

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.

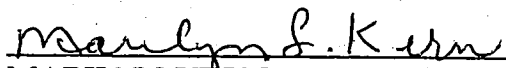
T. All conditions of these Conditional Use Permit and Site Plan Review approvals must be complied with prior to the issuance of a building or grading permit from the County of Los Angeles.

PASSED, APPROVED AND ADOPTED ON THE 21ST DAY OF JULY, 1998.



ALLAN ROBERTS, CHAIRMAN

ATTEST:


MARILYN KERN, DEPUTY CITY CLERK

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.

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 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.

Section 6. Site Plan Review. 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.

Section 7. Conditional Use Permits. 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.

Section 8. Variance. 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 over-built 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.

Section 9. 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: 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.

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

AI. 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 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: 06/27/2022

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 27, 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:

Applicant Request

Applicant 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 repaving 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;
2. 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.

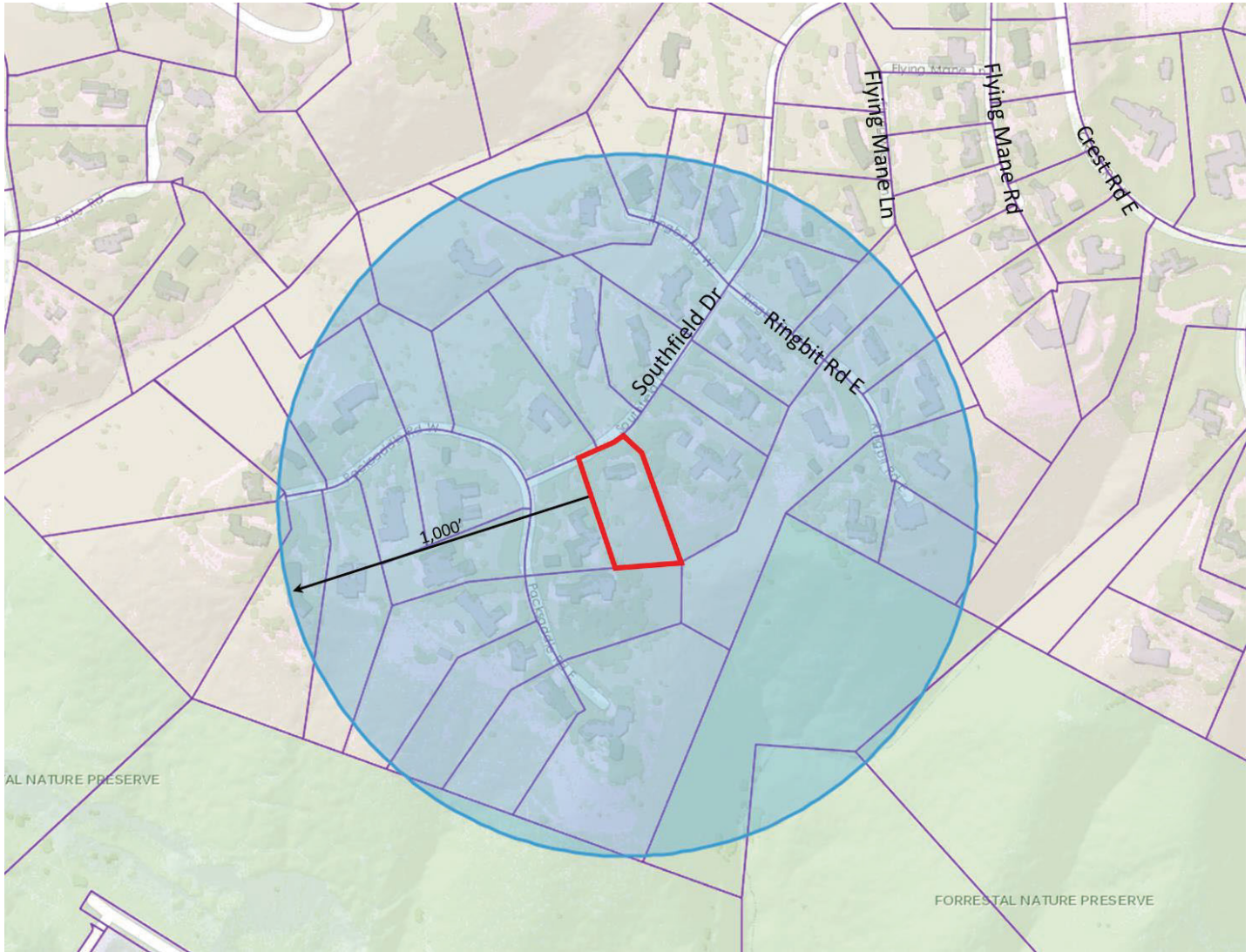
ATTACHMENTS:

[Vicinity Map - 16 Southfield Dr.pdf](#)

[16 Southfield Vicinity Map.pdf](#)

[Development Table \(ZC 22-20\).pdf](#)

[16 Southfield Drive_Combined Plan Set_2022.05.11\(reduced\).pdf](#)



City of Rolling Hills

2 PORTUGUESE BEND ROAD

ROLLING HILLS, CA 90274

TITLE VICINITY MAP

CASE NO. Zoning Case No. 22-20

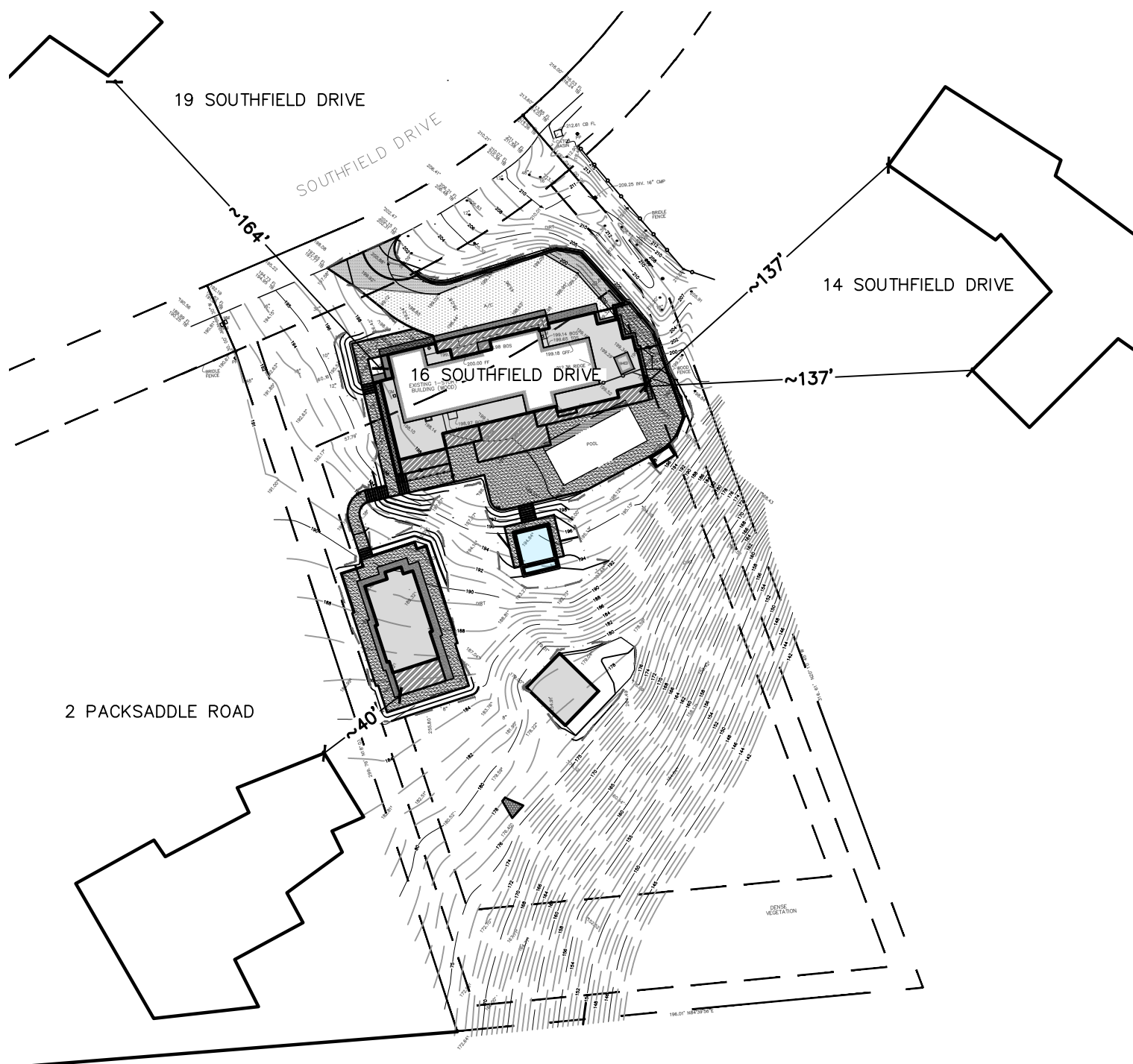
OWNER Burgoyne

Site Plan Review, Variance

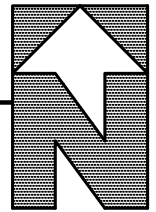
ADDRESS 16 Southfield Drive, Rolling Hills 90274

SITE





VICINITY MAP
SCALE: 1" = 60'



NOTE: BUILDING FOOTPRINTS FOR ADJACENT PROPERTIES ARE APPROXIMATE AND TAKEN FROM GOOGLE EARTH— THE ARE NOT FROM A TOPOGRAPHIC SURVEY

<p>Title: VICINITY MAP</p> <p>16 SOUTHFIELD DRIVE ROLLING HILLS, CA 90274</p>	<p>Client: Dan and Joy Burgoyne</p> <p>16 SOUTHFIELD DRIVE ROLLING HILLS, CA 90274</p>	<p>BEC Bolton Engineering Corp. 25834 Narbonne Avenue Ste. 210 Lomita, Ca. 90717 Phone: (310) 325-5580 Fax: (310) 325-5581</p>	<p>Date: JUNE 21, 2022 Scale: AS-SHOWN Drawn: Job No.: 22303 Sheet 1 OF 1</p>
--	---	--	---

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

BURGOYNE RESIDENCE
PROPOSED ADDITION AND REMODEL
16 SOUTHFIELD DRIVE
ROLLING HILLS, CA 90274



VICINITY MAP
SCALE: 1" = 200'

PROJECT INFORMATION
Owner: Dan and Joy Burgoyne
16 Southfield Drive
Rolling Hills, CA 90274
Address: 16 Southfield Drive
Rolling Hills, CA 90274
APN: 7567-010-029
Tract: Record of Survey Book 59 Pages 8-10
Lot: #33
Zone: RAS-1
Setbacks: Front: 50'
Rear: 50'
Side: 20'
ADU: 30' Front Property Line
4' Side and Rear Yard

Overall Site Quantities			
Site Structural Coverage			
Existing Net Lot Area	50,938		
Proposed Net Lot Area	0		
Total Net Lot Area	50,938		
Existing Site Structures	3,024	5.94%	
Proposed Site Structures	4,528		
Total Structural Coverage	7,552	14.83%	
w/ Deductions	7,532	14.79%	
Site Hardscape			
Existing Site Hardscape	4,657	9.14%	
Proposed Site Hardscape	2,108		
Total Site Hardscape	6,765	13.28%	
Total Site Structural & Flatwork Coverage	14,317	28.11%	
Total Site Structural & Flatwork Coverage w/ Deductions	14,297	28.07%	
Disturbed Area			
Existing Disturbed Area	13,495	26.49%	
Proposed Disturbed Area	13,940		
Total Disturbed Area	17,435	34.23%	

Required Reviews: Site Plan Review: New Main Residence Grading Walls: 5' Max, <2.5' Average
Variance: Structures in Front Yard Wall > 3' in Setback
Conditional Use Permit: Administrative Accessory Dwelling Unit Approval:
Project Summary
Remodel of existing residence and new residential addition. Addition of covered entry, attached porches, remodel of pool, new spa, outdoor kitchen, and pool equipment area
Construction of Accessory Dwelling Unit
Construction of retaining walls 5.0' maximum height, not to exceed 2.5' average.
Grading to create pads for above items.

Work Description:
Low Impact Development: No. Less than 10,000 s.f. of impervious surfaces
Designated Project: No. Less than 10,000 s.f. of impervious surfaces
Selected BMPs: Plant 2 Trees, and Disconnect Impervious Surfaces

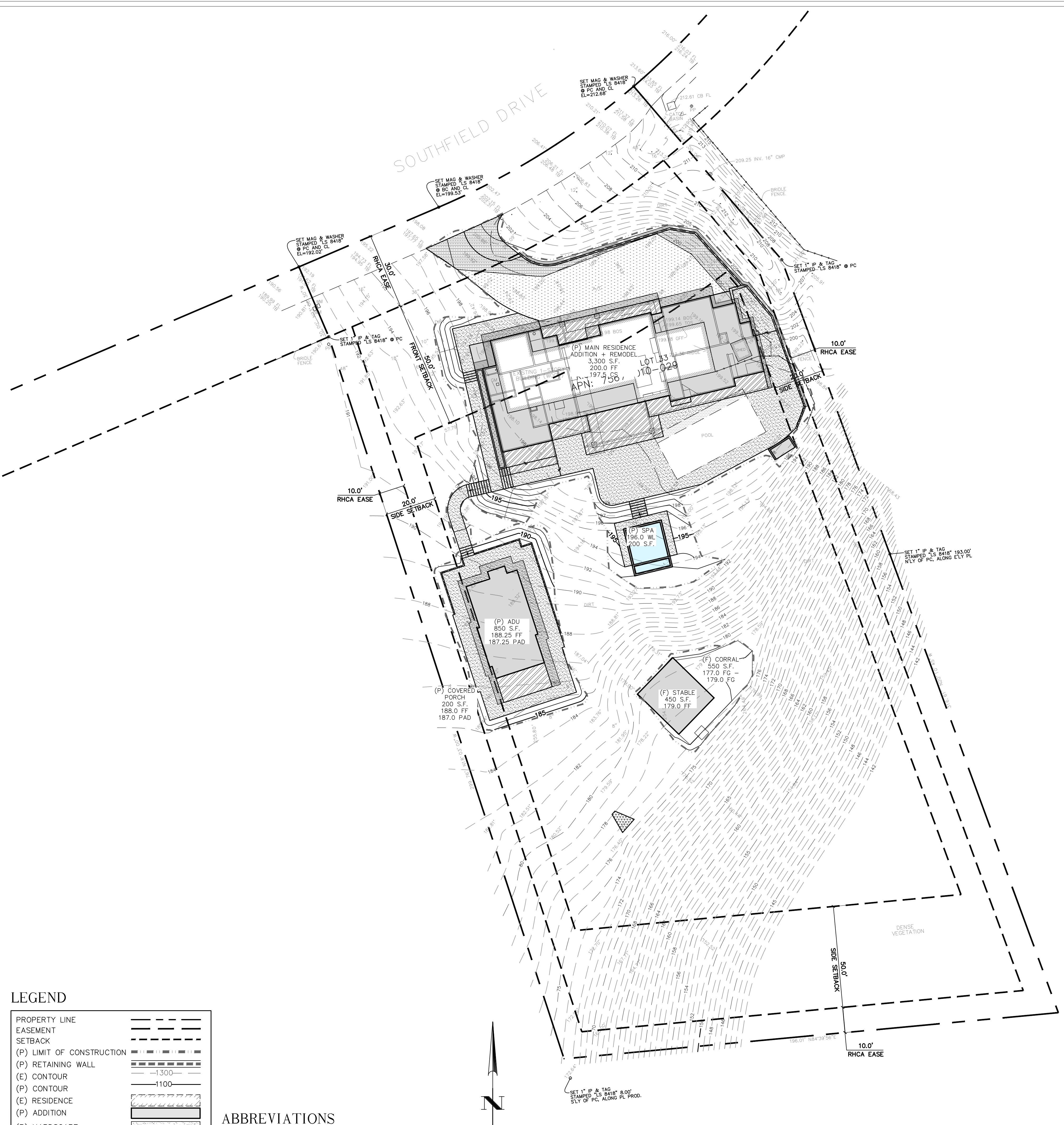
Civil Engineer: Consultants Tavisha Ales RCE83446 Bolton Engineering Corporation 25834 Narbonne Ave., Suite 210 Lomita, CA 90717
Architect: Anthony Inferrera AIA 8543 1967 Upland Street Rancho Palos Verdes, CA 90275
Soils & Geology: Coast Geotechnical Inc. 1200 West Commonwealth Fullerton, CA 92833

Pad 1: Main Residence Pad Quantities			
Pad Coverage			
Existing Pad Area	6,192		
Proposed Pad Area	678		
Total Pad Area	6,870		
Pad Structures			
Existing Pad Structures	3,024		
Proposed Pad Structures	0,028		
Total Pad Structures	6,052	88.09%	
W/ Deductions	5,662	82.42%	
Note: Pad is mostly in the setback and cannot be counted which is why the coverage is large			

Pad 2: ADU Pad Quantities			
Pad Coverage			
Existing Pad Area	3,770		
Proposed Pad Area	-1,320		
Total Pad Area	2,450		
Pad Structures			
Existing Pad Structures	0		
Proposed Pad Structures	1,050	42.86%	
Total Pad Structures	965	39.39%	
W/ Deductions			

Pad 3: Future Stable Pad Quantities			
Pad Coverage			
Existing Pad Area	1,420		
Proposed Pad Area	-140		
Total Pad Area	1,280		
Pad Structures			
Existing Pad Structures	0		
Proposed Pad Structures	450	35.16%	
Total Pad Structures	450	35.16%	
W/ Deductions	450	35.16%	

SHEET INDEX			
COVER SHEET.....	C0.0		
TOPOGRAPHIC SURVEY.....	C0.1		
OVERALL SITE: DEVELOPED PADS.....	C1.0		
ENLARGED SITE PLAN: MAIN RESIDENCE.....	C1.1		
ENLARGED SITE PLAN: ADU & FUTURE STABLE.....	C1.2		
SITE SECTIONS.....	C2.0		
COLOR MAP.....	CM		



LEGEND

PROPERTY LINE	---
EASEMENT	---
SETBACK	---
(P) LIMIT OF CONSTRUCTION	---
(P) RETAINING WALL	---
(E) CONTOUR	---
(P) CONTOUR	---
(E) RESIDENCE	---
(P) ADDITION	---
(P) HARDSCAPE	---
(P) DRIVEWAY EXTENSION	---
(E) DRIVEWAY	---
(P) STABLE LOFT	---
(P) CURB	---
(P) ATTACHED PORCH	---
(P) CORRAL	---
(P) KEYWAY	---

ABBREVIATIONS

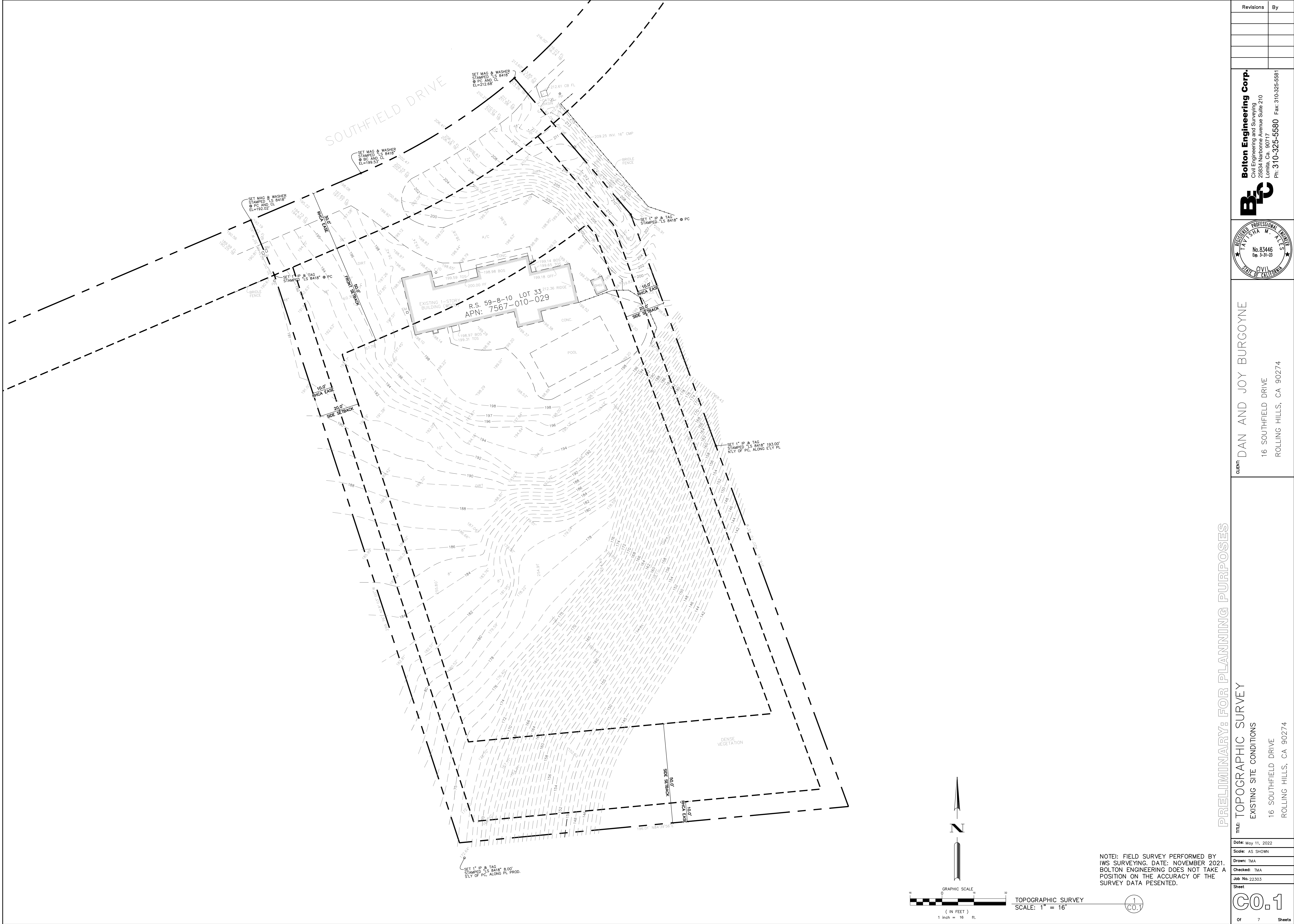
(E) EXISTING	
(F) FUTURE	
(P) PROPOSED	
BW BOTTOM OF WALL	
CS CRAWL SPACE	
FF FINISHED FLOOR	
FG FINISHED GRADE	
FS FINISHED SURFACE	
LW LIGHT WELL	
TW TOP OF WALL	

OVERALL SITE PLAN
SCALE: 1" = 20'

PRELIMINARY: FOR PLANNING PURPOSES

TITLE: COVER SHEET
PROPOSED ADDITION AND REMODEL
16 SOUTHFIELD DRIVE
ROLLING HILLS, CA 90274

Date: May 11, 2022
Scale: AS SHOWN
Drawn: TMA
Checked: TMA
Job No. 22303
Sheet
GO.O
Of 7 Sheets



Revisions	By

Bolton Engineering Corp.
Civil Engineering and Surveying
23834 Natoma Avenue Suite 210
Lomita, CA 90717
Ph: 310-325-5580 Fax: 310-325-5581

BEC

REGISTERED PROFESSIONAL ENGINEER
TAYLOR H. M.
No. 83446
Exp. 3-31-23
CIVIL
STATE OF CALIFORNIA

DAN AND JOY BURGOWNE
16 SOUTHFIELD DRIVE
ROLLING HILLS, CA 90274

TOPOGRAPHIC SURVEY
EXISTING SITE CONDITIONS
16 SOUTHFIELD DRIVE
ROLLING HILLS, CA 90274

1
CO.

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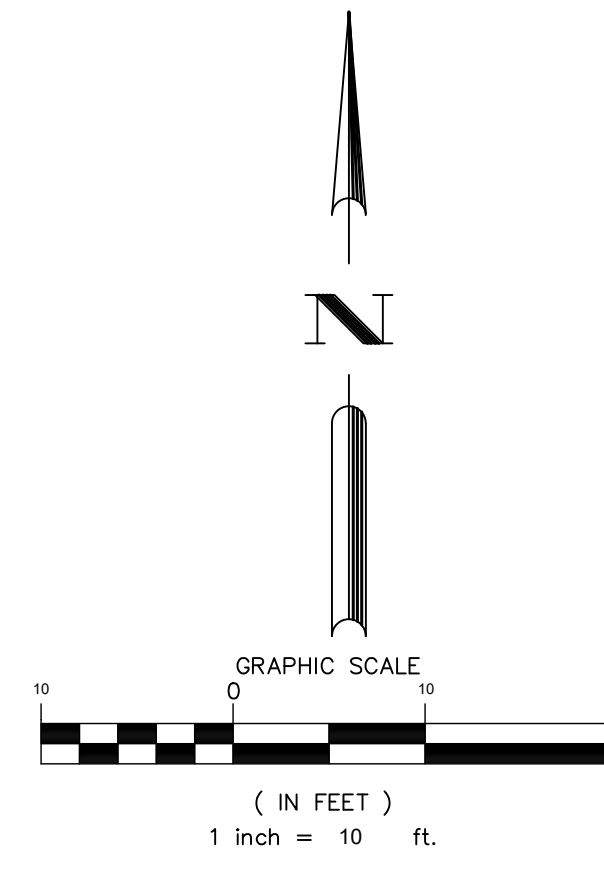
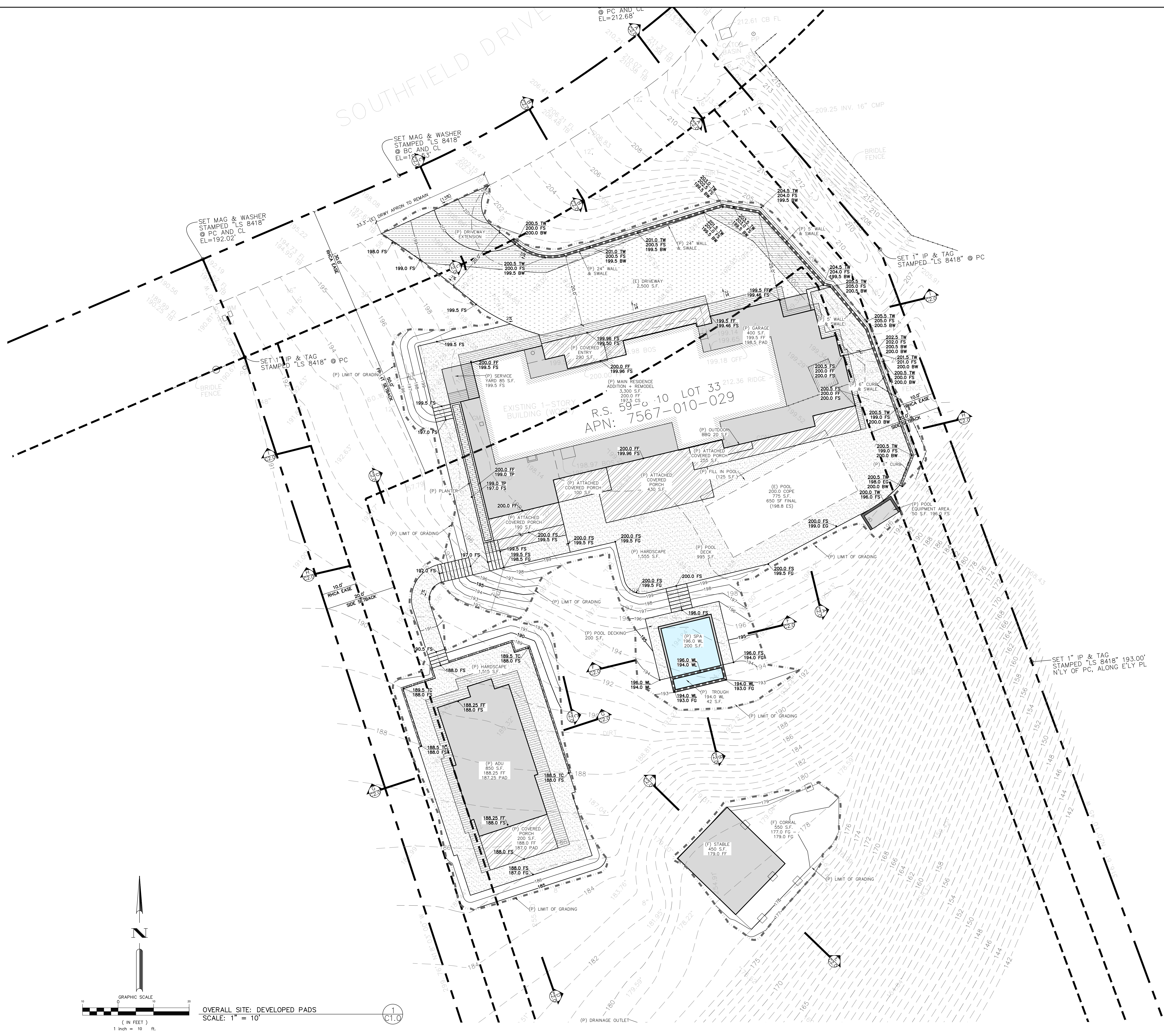


CLIENT: **DAN AND JOY BURGOWNE**
16 SOUTHFIELD DRIVE
ROLLING HILLS, CA 90274

TITLE: **OVERALL SITE: DEVELOPED PADS**
PROPOSED ADDITION AND REMODEL

Date: May 11, 2022
Scale: AS SHOWN
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Job No. 22303
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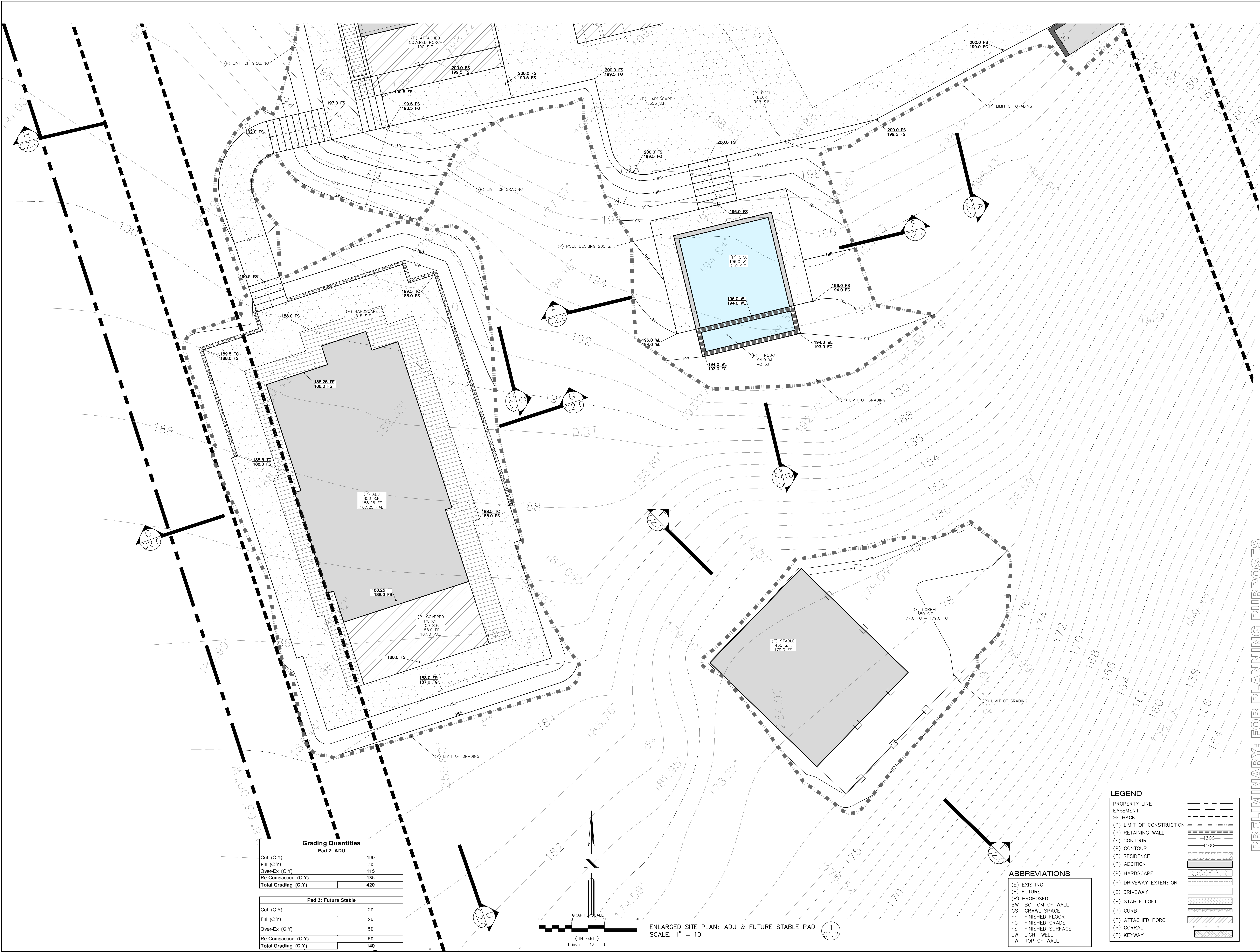
OVERALL SITE: DEVELOPED PADS
SCALE: 1" = 10'

ABBREVIATIONS

(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

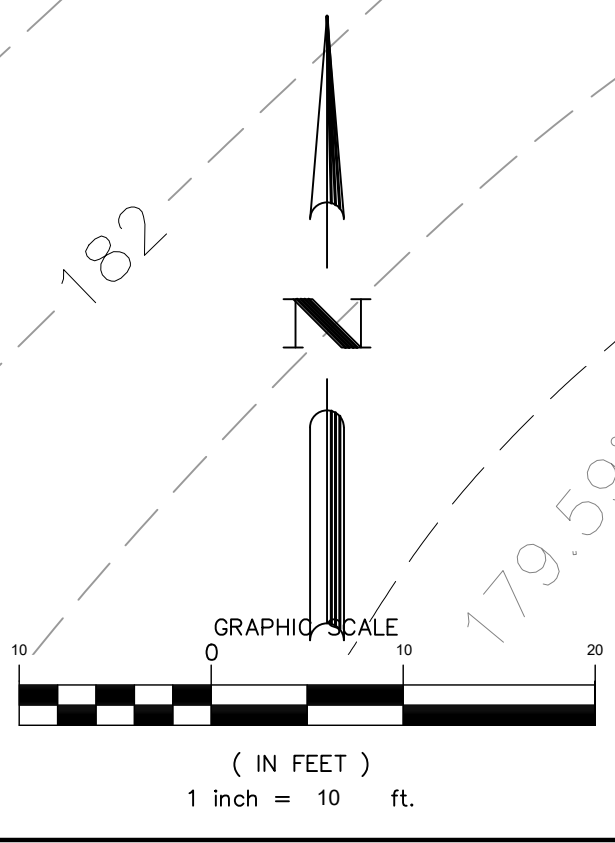
LEGEND

PROPERTY LINE	---
EASEMENT	---
SETBACK	---
(P) LIMIT OF CONSTRUCTION	---
(P) RETAINING WALL	---
(E) CONTOUR	---
(P) CONTOUR	---
(E) RESIDENCE	---
(P) ADDITION	---
(P) HARDSCAPE	---
(P) DRIVEWAY EXTENSION	---
(E) DRIVEWAY	---
(P) STABLE LOFT	---
(P) CURB	---
(P) ATTACHED PORCH	---
(P) CORRAL	---
(P) KEYWAY	---



Grading Quantities	
Pad 2: ADU	
Cut (C.Y.)	100
Fill (C.Y.)	70
Over-Ex (C.Y.)	115
Re-Compaction (C.Y.)	135
Total Grading (C.Y.)	420

Pad 3: Future Stable	
Cut (C.Y.)	20
Fill (C.Y.)	20
Over-Ex (C.Y.)	50
Re-Compaction (C.Y.)	50
Total Grading (C.Y.)	140



ENLARGED SITE PLAN: ADU & FUTURE STABLE PAD
SCALE: 1" = 10'

- ABBREVIATIONS**
- (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

- LEGEND**
- PROPERTY LINE
 - EASEMENT
 - SETBACK
 - (P) LIMIT OF CONSTRUCTION
 - (P) RETAINING WALL
 - (E) CONTOUR
 - (P) CONTOUR
 - (E) RESIDENCE
 - (P) ADDITION
 - (P) HARDSCAPE
 - (P) DRIVEWAY EXTENSION
 - (E) DRIVEWAY
 - (P) STABLE LOFT
 - (P) CURB
 - (P) ATTACHED PORCH
 - (P) CORRAL
 - (P) KEYWAY

PRELIMINARY: FOR PLANNING PURPOSES

TITLE: ENLARGED SITE PLAN: ADU + FUTURE STABLE
PROPOSED ADDITION AND REMODEL

CLIENT: DAN AND JOY BURGOYNE
16 SOUTHFIELD DRIVE
ROLLING HILLS, CA 90274

DATE: May 11, 2022
SCALE: AS SHOWN
DRAWN: TMA
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JOB NO.: 22303
SHEET: C1.2

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Bolton Engineering Corp.
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CLIENT: DAN AND JOY BURGOYNE
16 SOUTHFIELD DRIVE
ROLLING HILLS, CA 90274

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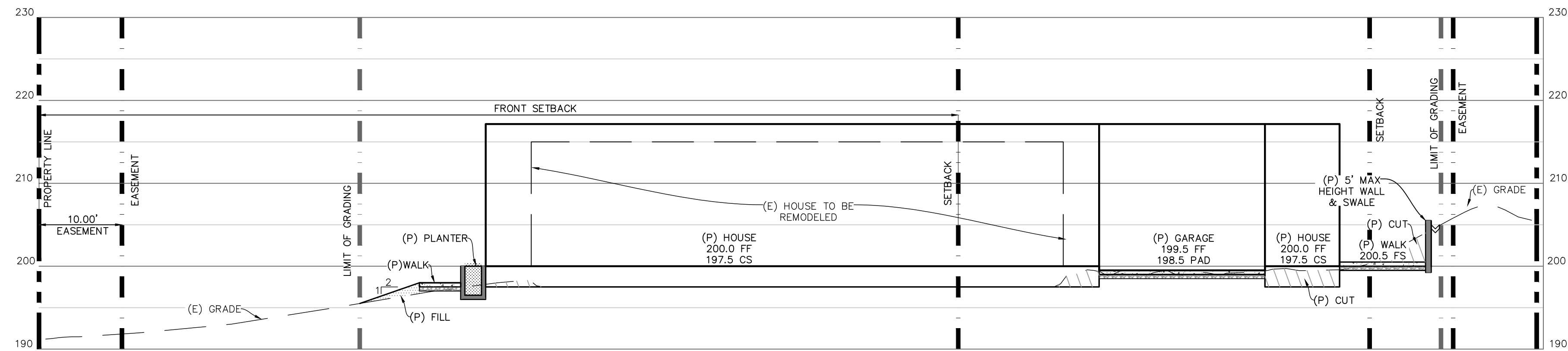


CLIENT: DAN AND JOY BURGOYNE
16 SOUTHFIELD DRIVE
ROLLING HILLS, CA 90274

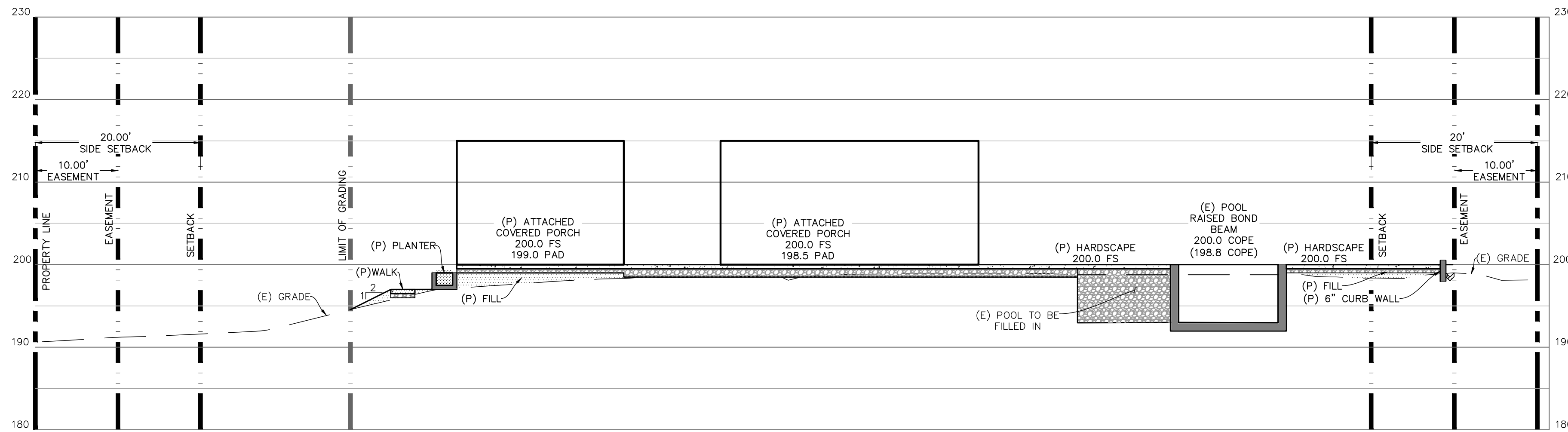
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PROPOSED ADDITION AND REMODEL
16 SOUTHFIELD DRIVE
ROLLING HILLS, CA 90274

Date: May 11, 2022
Scale: AS SHOWN
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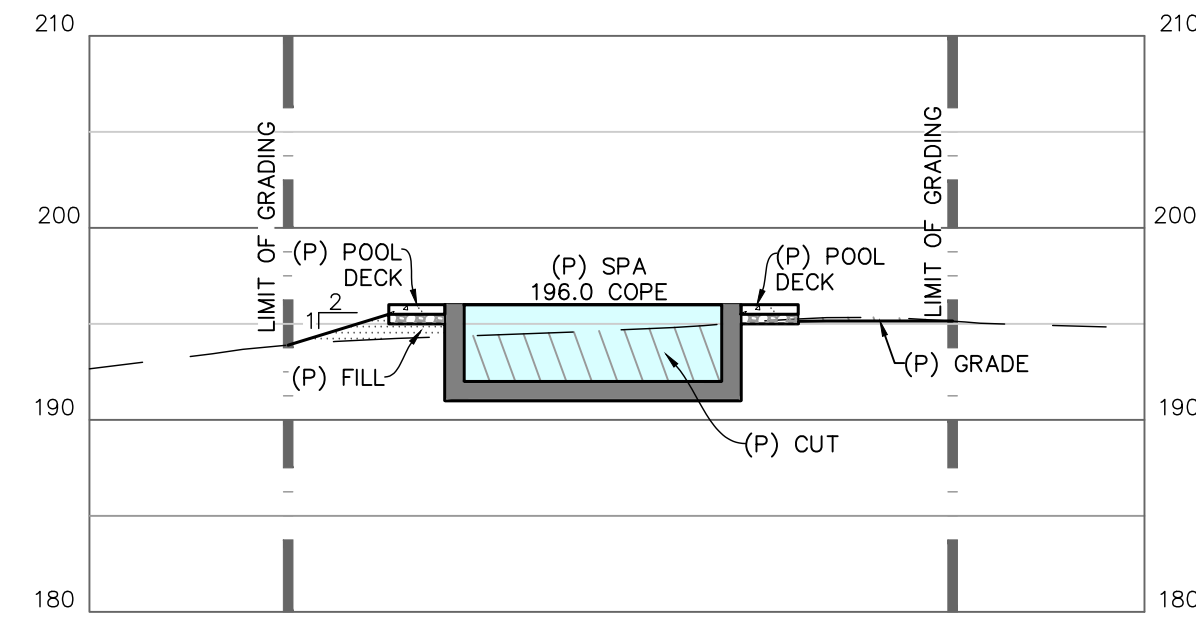
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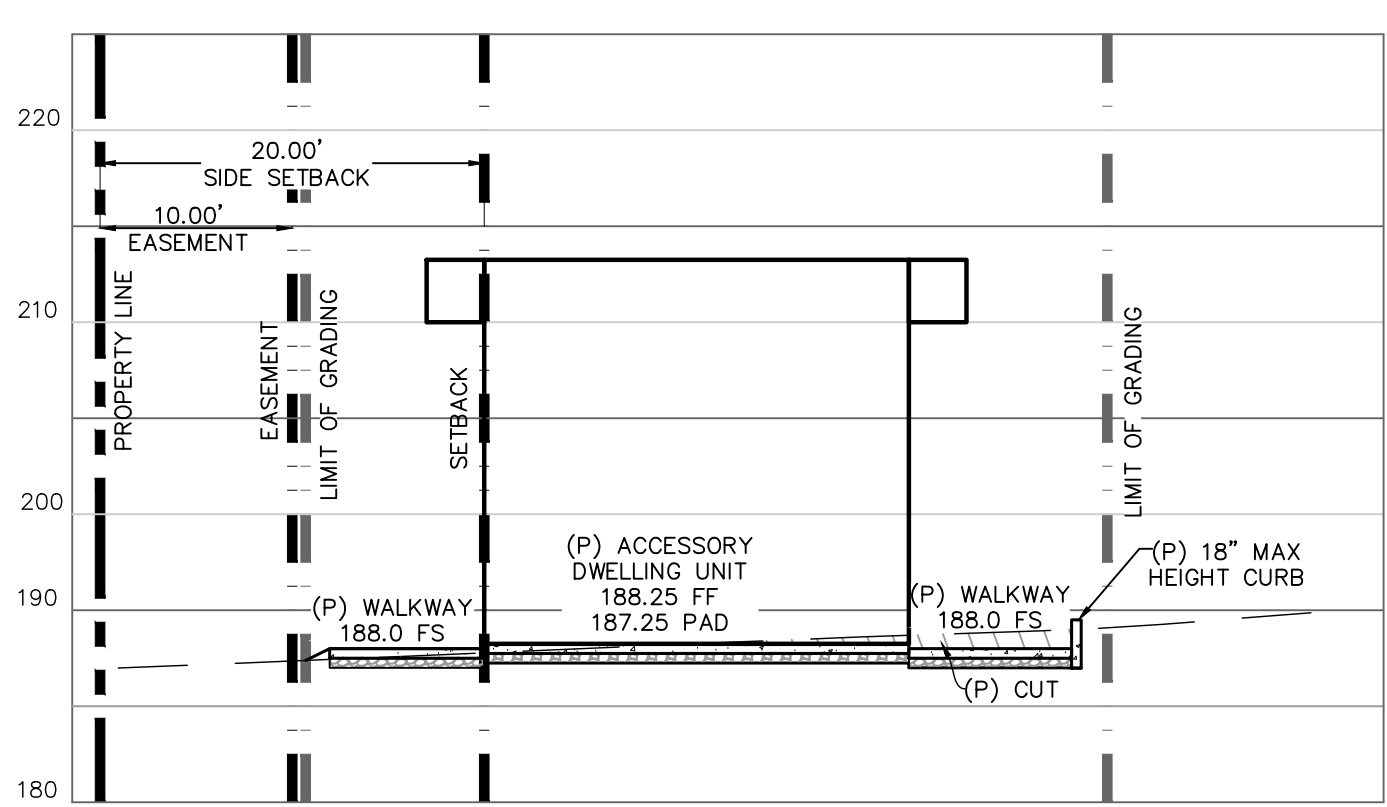
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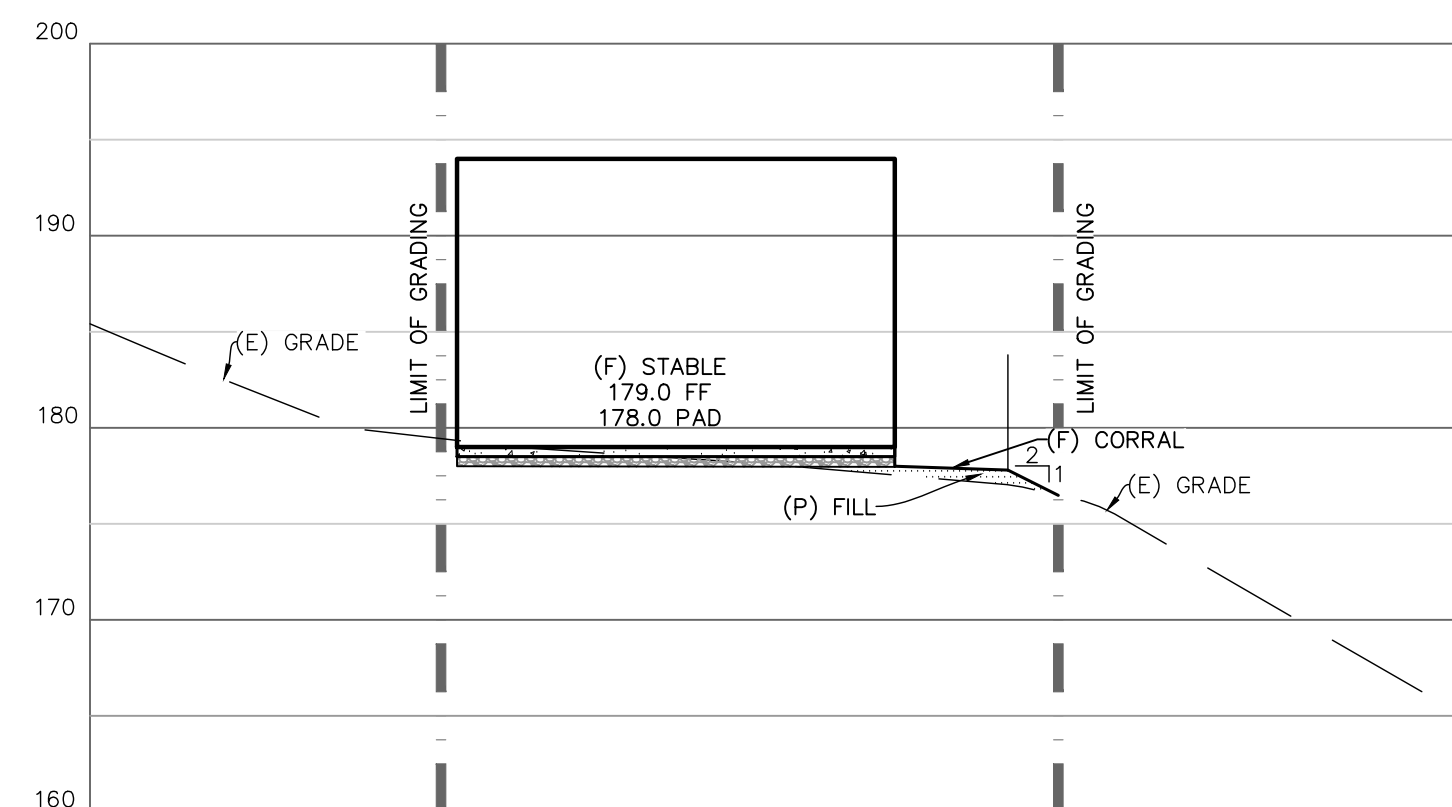
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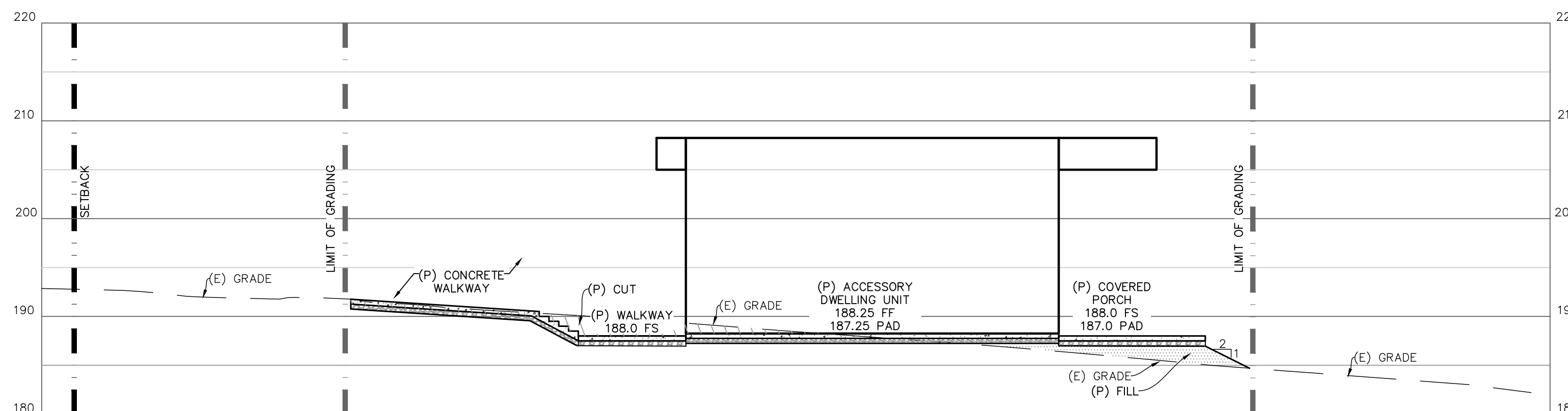
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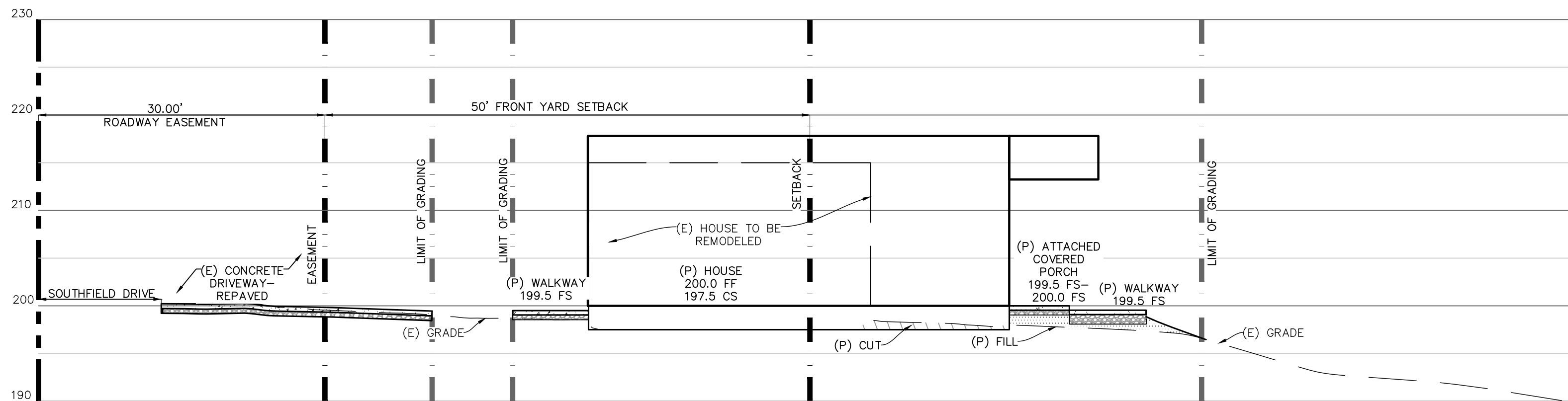
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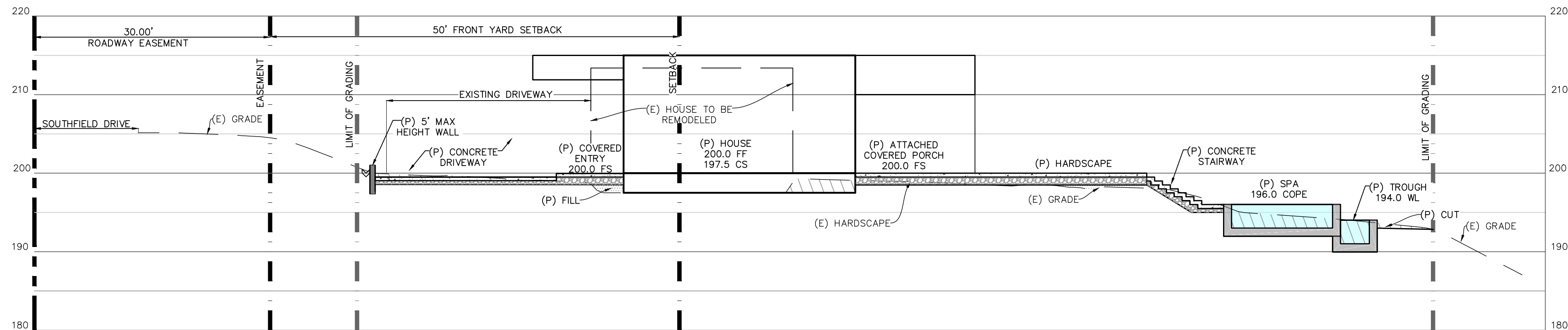
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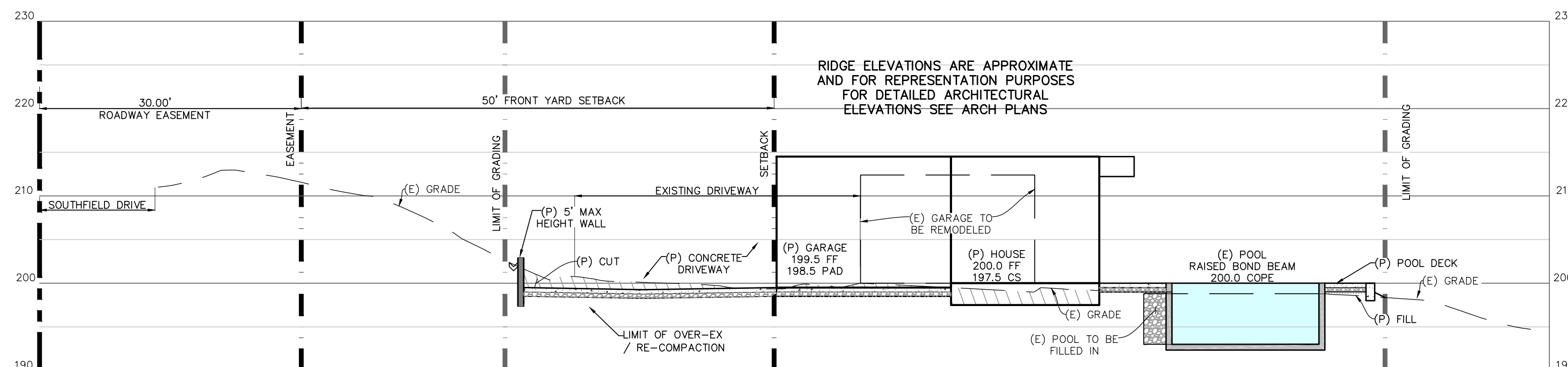
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SECTION C-C
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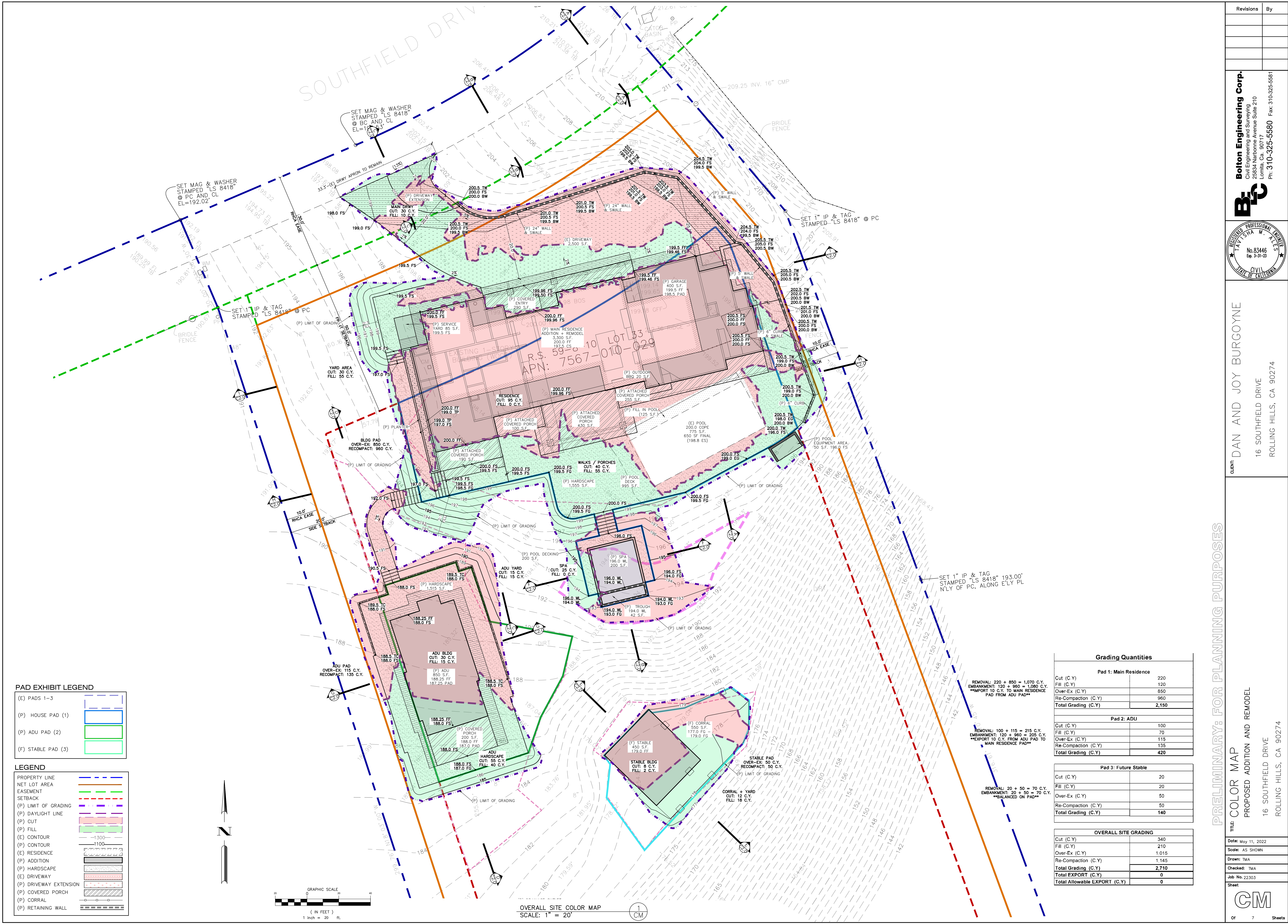


SECTION B-B
SCALE: 1" = 10'



SECTION A-A
SCALE: 1" = 10'

SECTIONS LEGEND	
PROPERTY LINE	---
EASEMENT	- - - -
SETBACK	- - - -
EXISTING GRADE	---
PROPOSED GRADE	---
(P) LIMIT OF GRADING	---
(P) FENCE	---
(P) CUT	---
(P) FILL	---
(P) OVER-EXCAVATION	---
LIMITS OF BEDROCK	---



Revisions

By

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Exp. 3-31-23

CIVIL

STATE OF CALIFORNIA

CLIENT: DAN AND JOY BURGOYNE

16 SOUTHFIELD DRIVE

ROLLING HILLS, CA 90274

TITLE: COLOR MAP

PROPOSED ADDITION AND REMODEL

16 SOUTHFIELD DRIVE

ROLLING HILLS, CA 90274

Date: May 11, 2022

Scale: AS SHOWN

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Job No: 22303

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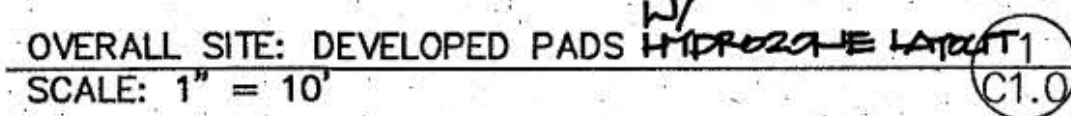
Of 7 Sheets

Grading Quantities	
Pad 1: Main Residence	
Cut (C.Y)	220
Fill (C.Y)	120
Over-Ex (C.Y)	850
Re-Compaction (C.Y)	960
Total Grading (C.Y)	2,150
Pad 2: ADU	
Cut (C.Y)	100
Fill (C.Y)	70
Over-Ex (C.Y)	115
Re-Compaction (C.Y)	135
Total Grading (C.Y)	420
Pad 3: Future Stable	
Cut (C.Y)	20
Fill (C.Y)	20
Over-Ex (C.Y)	50
Re-Compaction (C.Y)	50
Total Grading (C.Y)	140
OVERALL SITE GRADING	
Cut (C.Y)	340
Fill (C.Y)	210
Over-Ex (C.Y)	1,015
Re-Compaction (C.Y)	1,145
Total Grading (C.Y)	2,710
Total EXPORT (C.Y)	0
Total Allowable EXPORT (C.Y)	0

REMOVAL: 220 + 850 = 1,070 C.Y.
EMBANKMENT: 120 + 960 = 1,080 C.Y.
**IMPORT 10 C.Y. TO MAIN RESIDENCE
PAD FROM ADU PAD**

REMOVAL: 100 + 115 = 215 C.Y.
EMBANKMENT: 120 + 960 = 205 C.Y.
**EXPORT 10 C.Y. FROM ADU PAD TO
MAIN RESIDENCE PAD**

REMOVAL: 20 + 50 = 70 C.Y.
EMBANKMENT: 20 + 50 = 70 C.Y.
BALANCED ON PAD



Date: March 8, 2022
Scale: AS SHOWN
Drawn: TMA
Checked: TMA
Job No. 22303
Sheet
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Of 7 Sheets

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:

Section 1. 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.

Section 2. 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.

Section 3. 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.

Section 6. Site Plan Review. Site Plan Review is required for construction of a 1,583-square-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.

Section 7. Variance. 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 low-profile 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.

Section 8. 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 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 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 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. 2022-06 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 CLERK

THE
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THE
ROYAL ANTHROPOLOGICAL INSTITUTE



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 11.A
Mtg. Date: 06/27/2022

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 27, 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 Memorandum
Deliverable 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 Model
Deliverable to Client: None

4. Prepare a Sewer Area Study Supplement:

City of Rolling Hills
May 5, 2022
Attn: Elaine Jeng, PE, City Manager

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>	<u>Weeks from NTP</u>
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

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 #	ODC \$	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				3		3		\$381
LACDPW Review Fee (if required)							\$ 2,000	\$2,000
Printing/Binding/Shipping 6 hard copies total				1	2	3	\$ 100	\$427
5. Revise Sewer Area Study Supplement								
Revise Report	1	2	2			5		\$962
Revise Exhibits and Figures				2		2		\$254
Printing/Binding/Shipping 6 hard copies total					2	2	\$ 100	\$300
Totals	2	12	16	6	4	40	\$ 2,200	\$9,010



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 11.B
Mtg. Date: 06/27/2022

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 CONTRACT RENEWAL WITH GRANICUS FOR SUBSCRIPTION TO AGENDA MANAGEMENT, MINUTES, AND UPGRADED LIVECAST HARDWARE/SOFTWARE PROGRAMS; AUTHORIZE THE CITY ATTORNEY TO FINALIZE THE AGREEMENT AND THE CITY MANGER TO SIGN

DATE: June 27, 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 frequently, 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_220606_AttachmentA_Peak_GovMtgLiveCast_3yr_Renewal_Proposal_F.pdf](#)
[CA_AGR_220623_Granicus_2022-25.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

Prepared By:	Olive Nofzinger
Phone:	
Email:	olivia.nofzinger@granicus.com
Order #:	Q-203133
Prepared On:	06/06/2022
Expires On:	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:			\$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

Subtotal \$9,342.87
 remove eComment -\$1,200.00
Total \$8,142.87

FUTURE YEAR PRICING

Solution(s)	Period of Performance	
	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	<p>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:</p> <ul style="list-style-type: none"> • 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	<p>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:</p> <ul style="list-style-type: none"> • Unlimited user accounts • Unlimited meeting bodies and meeting types • Access to up to one (1) Peak Agenda Management site
GovMeetings Live Cast	<p>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.</p>

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. <i>Only used with the ClearCaster encoder hardware and LiveCast solution.</i>
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?	<input type="checkbox"/> - No <input type="checkbox"/> - Yes
Billing Address:		PO Number: <i>If PO required</i>	
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 between Customer 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 to individuals 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 or regulations;
- 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) ERROR OR 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.

**CONTRACT FOR PROFESSIONAL SERVICES
BETWEEN THE CITY OF ROLLING HILLS AND GRANICUS, LLC**

This AGREEMENT is entered into this 27th day of June, 2022, by and between the CITY OF ROLLING HILLS, a general law city a municipal corporation (“CITY”) and GRANICUS, LLC, a Minnesota limited liability company d/b/a Granicus (“CONSULTANT”).

RECITALS

- A. CITY desires to hire CONSULTANT to provide it with products and services related to meeting management and post-meeting minutes creation processes.
- B. CITY does not have the personnel able and available to perform the services required under this Agreement and therefore, CITY desires to contract for consulting services to accomplish this work.
- C. CONSULTANT warrants to CITY that it has the qualifications, experience, and facilities to perform properly and timely the services under this Agreement.
- D. CITY desires to contract with CONSULTANT to perform the services as described in Exhibit A of this Agreement.

NOW, THEREFORE, based on the foregoing recitals, the CITY and the Consultant agree as follows:

1. CONSIDERATION AND COMPENSATION

- A. The Parties acknowledge and agree that by entering into this Agreement, the prior contract for professional services dated June 11, 2019 between the Parties shall automatically terminate without any fees due and payable by the CITY for the one year renewal term under such June 11, 2019 contract.
- B. As partial consideration, CONSULTANT agrees to perform the work listed in the GRANICUS PROPOSAL FOR ROLLING HILLS, CA, attached as EXHIBIT A to and made part of this Agreement, except that, to the extent that any provision in Exhibit A conflicts with this Agreement, the provisions of this Agreement govern.
- C. As additional consideration, CONSULTANT and CITY agree to abide by the terms and conditions contained in this Agreement.
- D. As additional consideration, CITY agrees to pay CONSULTANT a one-time fee of \$4,400.00 and an annual subscription fee of \$8,142.87 each year during the initial 36 month term for “Granicus Products and Services” unless otherwise specified by written amendment to this Agreement. “Granicus Products and Services” means the products and services made available to CITY pursuant to this Agreement, which include Granicus products and services accessible for

use by CITY on a subscription basis (“Software-as-a-Service” or “SaaS”), Granicus professional services, content from any professional services or other required equipment components or other required hardware, as specified in Exhibit A. The annual subscription fee shall not automatically increase from the previous term’s fees by any percentage each year for the initial 36 month term of the Agreement. CONSULTANT reserves the right to suspend any Granicus Products and Services should there be a lapse in payment. A lapse will require the payment of a setup fee to reinstate the subscription. All fees are exclusive of applicable state, local, and federal taxes, which, if any, will be included in the invoice. It is CITY’s responsibility to provide applicable exemption certificate(s).

- E. CONSULTANT shall provide complete help desk support for administrators and customers of the Granicus Products and Services. Regular support shall be available from 8:00 a.m. to 10:00 p.m. EST, Monday through Friday, via email (support@granicus.com) or toll-free telephone (800-314-0147). Emergency support is available 24/7 and is included in the regular support.
- F. CONSULTANT will provide a three (3) year warranty with respect to required hardware. Within the three (3) year warranty period, CONSULTANT shall repair or replace any required hardware provided directly from CONSULTANT that fails to function properly due to normal wear and tear, defective workmanship, or defective materials.
- G. CONSULTANT shall make best efforts to submit to CITY its invoice for annual services itemizing the fees and costs for the June 10, 2022 to June 9, 2023 period, June 10, 2023 to June 9, 2024 period, and June 10, 2024 to June 9, 2025 period before the beginning of the annual term.
- H. CITY shall pay CONSULTANT all uncontested amounts set forth in CONSULTANT’s invoice within 30 days after it is received. CITY shall provide CONSULTANT with detailed written notice of any amount(s) CITY reasonably disputes within thirty (30) days of the date of invoice for said amount(s) at issue. CONSULTANT will not exercise its rights to suspend any Granicus Products and Services if CITY has, in good faith, disputed an invoice and is diligently trying to resolve the dispute.
- I. After the initial thirty-six (36) month term of this Agreement, the Granicus Product and Services fees shall automatically increase from the previous term’s fees by three (3) percent per year upon the yearly anniversary of this Agreement. This includes the first annual term after the initial thirty-six (36) month term. It shall not be required for CONSULTANT to provide notice of such increase prior to the automatic renewal of this Agreement. CITY and CONSULTANT agree that a Purchase Order will not be required for issuing such invoice.

2. SCOPE OF SERVICES. Except as herein otherwise expressly specified to be furnished

by CITY, CONSULTANT will, in a professional manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space, and facilities necessary or proper to perform and complete the work and provide the professional services required of CONSULTANT by this Agreement.

3. FAMILIARITY WITH WORK. By executing this Agreement, CONSULTANT represents that CONSULTANT has (a) thoroughly investigated and considered the scope of services to be performed; (b) carefully considered how the services should be performed; and (c) understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

4. KEY PERSONNEL. CONSULTANT's key person assigned to be in charge on all matters relating to this Agreement is Emery Henschel. CONSULTANT shall not assign another person to be in charge of this Agreement without the prior written authorization of the City.

5. TERM OF AGREEMENT. The term of this Agreement shall commence on June 10, 2022 and shall continue in full force and effect until June 9, 2025. Unless a Party has given written notice to the other Party at least ninety (90) days prior to the end of the then-current term, the Granicus Products and Services will automatically renew at the end of each term for an extension term of one (1) year.

6. CHANGES. CITY may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by CONSULTANT and CITY. The cost or credit to CITY resulting from changes in the services will be determined in accordance with written agreement between the parties.

7. USE OF GRANICUS PRODUCTS AND SERVICES AND PROPRIETARY RIGHTS.

- A. Granicus Products and Services. The Granicus Products and Services are purchased by CITY as a subscription during the terms specified in Exhibit A.
- B. Permitted Use. Subject to the terms and conditions of this Agreement, CONSULTANT hereby grants during each term specified in Exhibit A, and CITY hereby accepts, solely for its internal use, a worldwide, revocable, non-exclusive, non-transferrable right to use the Granicus Products and Services to the extent allowed in the relevant term specified in Exhibit A (collectively the "Permitted Use"). The Permitted Use shall also include the right, subject to the conditions and restrictions set forth herein, to use the Granicus Products and Services up to the levels limited in the applicable term specified in Exhibit A.
 - i. Data Sources. Data uploaded into Granicus Products and Services must be brought in from CITY sources (interactions with end users and opt-in contact lists). CITY cannot upload contact information purchased from a third party into Granicus Products and Services without CONSULTANT's written permission and professional services support for list cleansing.

- ii. Passwords. Passwords are not transferable to any third party. CITY is responsible for keeping all passwords secure and all use of the Granicus Products and Services accessed through CITY's passwords.
- iii. Content. CITY can only use Granicus Products and Services to share content that is created by and owned by CITY 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 CONSULTANT subscription. Any content deemed inappropriate for a public audience or in support of programs or topics that are unrelated to CITY, can be removed or limited by CONSULTANT.
 - 1. Disclaimers. Any text, data, graphics, or any other material displayed or published on CITY'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. CONSULTANT is not responsible for content migrated by Client or any third party.
- iv. Advertising. Granicus Products and Services shall not be used to solely promote products or services available for sale through CITY or any third party unless approved in writing, in advance, by CONSULTANT. CONSULTANT reserves the right to request and review the details of any agreement between CITY and a third party that compensates CITY for the right to have information included in Content distributed or made available through Granicus Products and Services prior to approving the presence of Advertising within Granicus Products and Services.

C. Restrictions. CITY shall not:

- i. Misuse any CONSULTANT resources or cause any disruption, including but not limited to, the display of pornography or linking to pornographic material, advertisements, solicitations, or mass mailings to individuals who have not agreed to be contacted;
- ii. 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 CONSULTANT customers;
- iii. CITY must not use the Granicus Products and Services in a manner that would cause disruption of service based on unreasonable strain on CONSULTANT'S system or network resources;
- iv. CITY must not use the Services as a door or signpost to another server;
- v. Access or use any portion of Granicus Products and Services, except as expressly allowed by this Agreement;

- vi. Disassemble, decompile, or otherwise reverse engineer all or any portion of the Granicus Products and Services;
 - vii. Use the Granicus Products and Services for any unlawful purposes;
 - viii. Export or allow access to the Granicus Products and Services in violation of U.S. laws or regulations;
 - ix. Except as expressly permitted in this Agreement, subcontract, disclose, rent, or lease the Granicus Products and Services, or any portion thereof, for third party use; or
 - x. Modify, adapt, or use the Granicus Products and Services to develop any software application intended for resale which uses the Granicus Products and Services in whole or in part.
- D. CITY Feedback. CITY assigns to CONSULTANT any suggestion, enhancement, request, recommendation, correction or other feedback provided by CITY relating to the use of the Granicus Products and Services. CONSULTANT may use such submissions as it deems appropriate in its sole discretion.
- E. Reservation of Rights. Subject to the limited rights expressly granted hereunder, CONSULTANT and/or its licensors reserve all right, title and interest in the Granicus Products and Services, the documentation and resulting product including all related intellectual property rights. Further, no implied licenses are granted to CITY. 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.

8. REPRESENTATIONS, WARRANTIES, AND DISCLAIMERS.

- A. Representations. Each Party represents that it has validly entered into this Agreement and has the legal power to do so.
- B. Warranties. CONSULTANT warrants that it takes all precautions that are standard in the industry to increase the likelihood of a successful performance for the Granicus Products and Services; however, the Granicus Products and Services are provided “AS IS” and as available.
- C. Disclaimers. EXCEPT AS PROVIDED IN SECTIONS 8.B. ABOVE, 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. CONSULTANT DOES NOT WARRANT THAT GRANICUS PRODUCTS

AND SERVICES WILL MEET CITY'S REQUIREMENTS OR THAT THE OPERATION THEREOF WILL BE UNINTERRUPTED OR ERROR FREE.

9. CONFIDENTIAL INFORMATION.

- A. Confidential Information. It is expected that one Party (Disclosing Party) may disclose to the other Party (Receiving Party) certain information which may be considered confidential and/or trade secret information ("Confidential Information"). Confidential Information shall include: (i) Granicus' Products and Services, (ii) non-public information if it is clearly and conspicuously marked as "confidential" or with a similar designation at the time of disclosure; and (iii) non-public information of the Disclosing Party if it is identified as confidential and/or proprietary before, during, or promptly after presentation or communication.

Each Receiving Party agrees to receive and hold any Confidential Information in strict confidence. Without limiting the scope of the foregoing, each Receiving Party also agrees: (a) to protect and safeguard the Confidential Information against unauthorized use, publication or disclosure; (b) not to reveal, report, publish, disclose, transfer, copy or otherwise use any Confidential Information except as specifically authorized by the Disclosing Party; (c) not to use any Confidential Information for any purpose other than as stated above; (d) to restrict access to Confidential Information to those of its advisors, officers, directors, employees, agents, consultants, contractors and lobbyists who have a need to know, who have been advised of the confidential nature thereof, and who are under express written obligations of confidentiality or under obligations of confidentiality imposed by law or rule; and (e) to exercise at least the same standard of care and security to protect the confidentiality of the Confidential Information received by it as it protects its own confidential information.

If a Receiving Party is requested or required in a judicial, administrative, or governmental proceeding to disclose any Confidential Information, it will notify the Disclosing Party as promptly as practicable so that the Disclosing Party may seek an appropriate protective order or waiver for that instance.

- B. Exceptions. Confidential Information shall not include information which: (i) is or becomes public knowledge through no fault of the Receiving Party; (ii) was in the Receiving Party's possession before receipt from the Disclosing Party; (iii) is rightfully received by the Receiving Party from a third party without any duty of confidentiality; (iv) is disclosed by the Disclosing Party without any duty of confidentiality on the third party; (v) is independently developed by the Receiving Party without use or reference to the Disclosing Party's Confidential Information; or (vi) is disclosed with the prior written approval of the Disclosing Party.
- C. Storage and Sending. In the event that Granicus Products and Services will be used to store and/or send Confidential Information, CONSULTANT must be notified in writing, in advance of the storage or sending. Should CITY provide such notice, CITY must ensure that Confidential Information or sensitive

information is stored behind a secure interface and that Granicus Products and Services be used only to notify people of updates to the information that can be accessed after authentication against a secure interface managed by CITY. CITY is ultimately accountable for the security and privacy of data held by CONSULTANT on its behalf.

- D. Return of Confidential Information. Each Receiving Party shall return or destroy the Confidential Information immediately upon written request by the Disclosing Party; provided, however, that each Receiving Party may retain one copy of the Confidential Information in order to comply with applicable laws and the terms of this Agreement. CITY understands and agrees that it may not always be possible to completely remove or delete all personal data from CONSULTANT' databases without some residual data because of backups and for other reasons.

10. TAXPAYER IDENTIFICATION NUMBER. CONSULTANT will provide CITY with a Taxpayer Identification Number.

11. PERMITS AND LICENSES. CONTRACTOR will obtain and maintain during the term of this Agreement all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement.

12. TERMINATION.

- A. Except as otherwise provided, CITY and CONSULTANT may terminate this Agreement at any time with or without cause upon at least ninety (90) days' notice. Notice of termination shall be in writing.
- B. In the event of such termination, the CONTRACTOR shall cease services as of the date of termination, and all finished or unfinished documents, data, drawings, maps, and other materials prepared by CONSULTANT shall, at CITY's option, become CITY's property, and CONSULTANT will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination.
- C. Should the Agreement be terminated pursuant to this Section, CITY may procure on its own terms services similar to those terminated.

13. INDEMNIFICATION.

- A. Each party (Indemnitor) shall indemnify, defend with counsel approved by the other party (Indemnitee), and hold harmless Indemnitee, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, and cost (including without limitation reasonable attorneys' fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with performance of work hereunder or its failure to comply with any of its obligations contained in this AGREEMENT, regardless of Indemnitee's

passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the Indemnitee. Should Indemnitee in its sole discretion find Indemnitor's legal counsel unacceptable, then Indemnitor shall reimburse the Indemnitee its costs of defense, including without limitation reasonable attorneys' fees, expert fees and all other costs and fees of litigation. The Indemnitor shall promptly pay any final judgment rendered against the Indemnitee (and its officers, officials, employees and volunteers) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

- B. The requirements as to the types and limits of insurance coverage to be maintained by CONSULTANT as required by Section 19, and any approval of said insurance by CITY, are not intended to and will not in any manner limit or qualify the liabilities and obligations otherwise assumed by CONSULTANT pursuant to this Agreement, including, without limitation, to the provisions concerning indemnification.

14. LIMITATION OF LIABILITY.

A. EXCLUSION OF CONSEQUENTIAL AND RELATED DAMAGES. UNDER NO CIRCUMSTANCES SHALL EITHER PARTY 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, CONSULTANT SHALL NOT BE LIABLE FOR: (A) ERROR OR INTERRUPTION OF USE OR FOR LOSS OR INACCURACY OR CORRUPTION OF CITY DATA; (B) COST OF PROCUREMENT OF SUBSTITUTE GOODS, SERVICES OR TECHNOLOGY; (C) LOSS OF BUSINESS; (D) DAMAGES ARISING OUT OF ACCESS TO OR INABILITY TO ACCESS THE SERVICES, SOFTWARE, CONTENT, OR RELATED TECHNICAL SUPPORT; OR (E) FOR ANY MATTER BEYOND CONSULTANT'S REASONABLE CONTROL, EVEN IF CONSULTANT HAS BEEN ADVISED OF THE POSSIBILITY OF ANY OF THE RELATED LOSSES OR DAMAGES. CITY SHALL NOT BE LIABLE FOR ANY MATTER BEYOND CITY'S REASONABLE CONTROL, EVEN IF CITY HAS BEEN ADVISED OF THE POSSIBILITY OF ANY OF THE RELATED LOSSES OR DAMAGES.

B. LIMITATION OF LIABILITY. IN NO INSTANCE SHALL EITHER PARTY'S LIABILITY TO THE OTHER PARTY FOR DIRECT DAMAGES UNDER THIS AGREEMENT (WHETHER IN CONTRACT OR TORT OR OTHERWISE) EXCEED THE FEES PAID BY CITY FOR THE 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 SHALL BE RESPONSIBLE FOR ANY LOST PROFITS OR OTHER DAMAGES, INCLUDING DIRECT, INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL OR ANY

OTHER DAMAGES, HOWEVER CAUSED. NEITHER PARTY MAY INSTITUTE AN ACTION IN ANY FORM ARISING OUT OF NOR IN CONNECTION WITH THIS AGREEMENT MORE THAN TWO (2) YEARS AFTER THE CAUSE OF ACTION HAS ARISEN. THE ABOVE LIMITATIONS WILL NOT LIMIT CITY'S PAYMENT OBLIGATIONS UNDER SECTION 1 ABOVE.

15. ASSIGNABILITY. This Agreement is for CONSULTANT's professional services. CONSULTANT's attempts to assign the benefits or burdens of this Agreement without CITY's written approval are prohibited and will be null and void.

16. INDEPENDENT CONTRACTOR. CITY and CONSULTANT agree that CONSULTANT will act as an independent contractor and will have control of all work and the manner in which is it performed. CONSULTANT will be free to contract for similar service to be performed for other employers while under contract with CITY. CONSULTANT is not an agent or employee of CITY and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CITY provides for its employees. Any provision in this Agreement that may appear to give CITY the right to direct CONSULTANT as to the details of doing the work or to exercise a measure of control over the work means that CONSULTANT will follow the direction of the CITY as to end results of the work only.

17. AUDIT OF RECORDS.

- A. CONSULTANT agrees that CITY, or designee, has the right to review, obtain, and copy all records pertaining to the performance of this Agreement. CONSULTANT agrees to provide CITY, or designee, with any relevant information requested and will permit CITY, or designee, access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with this Agreement. CONSULTANT further agrees to maintain such records for a period of three (3) years following final payment under this Agreement.
- B. CONSULTANT will keep all books, records, accounts and documents pertaining to this Agreement separate from other activities unrelated to this Agreement.

18. CORRECTIVE MEASURES. CONSULTANT will promptly implement any corrective measures required by CITY regarding the requirements and obligations of this Agreement. CONSULTANT will be given a reasonable amount of time as determined by the City to implement said corrective measures. Failure of CONSULTANT to implement required corrective measures shall result in immediate termination of this Agreement.

19. INSURANCE REQUIREMENTS.

- A. The CONSULTANT, at the CONSULTANT's own cost and expense, shall procure and maintain, for the duration of the contract, the following insurance policies:

1. Workers Compensation Insurance as required by law. The Consultant shall require all subcontractors similarly to provide such compensation insurance for their respective employees. Any notice of cancellation or non-renewal of all Workers' Compensation policies must be received by the CITY at least thirty (30) days prior to such change. The insurer shall agree to waive all rights of subrogation against the CITY, its officers, agents, employees, and volunteers for losses arising from work performed by the CONTRACTOR for City.
2. General Liability Coverage. The CONSULTANT shall maintain commercial general liability insurance in an amount of not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage. If a commercial general liability insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.
3. Automobile Liability Coverage. The CONSULTANT shall maintain automobile liability insurance covering bodily injury and property damage for all activities of the CONSULTANT arising out of or in connection with the work to be performed under this Agreement, including coverage for hired and non-owned vehicles, in an amount of not less than one million dollars (\$1,000,000) combined single limit for each occurrence. Should CONSULTANT own any vehicles used for activities of CONSULTANT arising out of or in connection with the work to be performed under this Agreement, it shall also procure such coverage for owned vehicles.
4. Professional Liability Coverage. The CONSULTANT shall maintain professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors, or omissions which may arise from the CONSULTANT'S operations under this Agreement, whether such operations are by the CONSULTANT or by its employees, subcontractors, or subconsultants. The amount of this insurance shall not be less than one million dollars (\$1,000,000) on a claims-made annual aggregate basis, or a combined single-limit-per-occurrence basis. When coverage is provided on a "claims made basis," CONSULTANT will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover CONSULTANT for all claims made by CITY arising out of any errors or omissions of CONSULTANT, or its officers, employees or agents during the time this Agreement was in effect.

- B. Endorsements. Each insurance policy shall be issued by a financially responsible insurance company or companies admitted and authorized to do business in the State of California, or which is approved in writing by City. Each general liability and automobile liability insurance policy shall be endorsed as follows. CONSULTANT also agrees to require all contractors, and subcontractors to do likewise.
1. “The CITY, its elected or appointed officers, officials, employees, agents, and volunteers are to be covered as additional insureds with respect to liability arising out of work performed by or on behalf of the CONSULTANT, including materials, parts, or equipment furnished in connection with such work or operations.”
 2. This policy shall be considered primary insurance as respects the CITY, its elected or appointed officers, officials, employees, agents, and volunteers. Any insurance maintained by the CITY, including any self-insured retention the CITY may have shall be considered excess insurance only and shall not contribute with this policy.
 3. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring company.
 4. The insurer waives all rights of subrogation against the CITY, its elected or appointed officers, officials, employees, or agents.
 5. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected or appointed officers, officials, employees, agents, or volunteers.
 6. The insurance provided by this policy shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) days written notice has been received by the CITY.
- C. CONSULTANT agrees to provide immediate notice to CITY of any claim or loss against Contractor arising out of the work performed under this agreement. CITY assumes no obligation or liability by such notice, but has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve CITY.
- D. Any deductibles or self-insured retentions must be declared to and approved by the CITY. At the CITY’s option, the CONSULTANT shall demonstrate financial capability for payment of such deductibles or self-insured retentions.
- E. The CONSULTANT shall provide certificates of insurance with original endorsements to the CITY as evidence of the insurance coverage required herein. Certificates of such insurance shall be filed with the CITY on or before commencement of performance of this Agreement. Current certification of

insurance shall be kept on file with the CITY at all times during the term of this Agreement.

- F. Failure on the part of the CONSULTANT to procure or maintain required insurance shall constitute a material breach of contract under which the CITY may terminate this Agreement pursuant to Section 12 above.
- G. The commercial general and automobile liability policies required by this Agreement shall allow City, as additional insured, to satisfy the self-insured retention ("SIR") and/or deductible of the policy in lieu of the Consultant (as the named insured) should Consultant fail to pay the SIR or deductible requirements. The amount of the SIR or deductible shall be subject to the approval of the City Attorney and the Finance Director. Consultant understands and agrees that satisfaction of this requirement is an express condition precedent to the effectiveness of this Agreement. Failure by Consultant as primary insured to pay its SIR or deductible constitutes a material breach of this Agreement. Should City pay the SIR or deductible on Consultant's behalf upon the Consultant's failure or refusal to do so in order to secure defense and indemnification as an additional insured under the policy, City may include such amounts as damages in any action against Consultant for breach of this Agreement in addition to any other damages incurred by City due to the breach.

20. USE OF OTHER CONSULTANTS. CONSULTANT must obtain CITY's prior written approval to use any consultants while performing any portion of this Agreement. Such approval must include approval of the proposed consultant and the terms of compensation.

21. FINAL PAYMENT ACCEPTANCE CONSTITUTES RELEASE. The acceptance by the CONSULTANT of the final payment made under this Agreement shall operate as and be a release of the CITY from all claims and liabilities for compensation to the CONSULTANT for anything done, furnished or relating to the CONSULTANT'S work or services. Acceptance of payment shall be any negotiation of the CITY'S check or the failure to make a written extra compensation claim within ten (10) calendar days of the receipt of that check. However, approval or payment by the CITY shall not constitute, nor be deemed, a release of the responsibility and liability of the CONSULTANT, its employees, sub-consultants and agents for the accuracy and competency of the information provided and/or work performed; nor shall such approval or payment be deemed to be an assumption of such responsibility or liability by the CITY for any defect or error in the work prepared by the Consultant, its employees, sub-consultants and agents.

22. CORRECTIONS. In addition to the above indemnification obligations, the CONSULTANT shall correct, at its expense, all errors in the work which may be disclosed during the City's review of the Consultant's report or plans. Should the Consultant fail to make such correction in a reasonably timely manner, such correction shall be made by the CITY, and the cost thereof shall be charged to the CONSULTANT. In addition to all other available remedies, the City may deduct the cost of such correction from any retention amount held by the City or may withhold payment otherwise owed CONSULTANT under this Agreement up to the amount of the cost of correction.

23. NON-APPROPRIATION OF FUNDS. Payments to be made to CONSULTANT by CITY for services performed within the current fiscal year are within the current fiscal budget and within an available, unexhausted fund. In the event that CITY does not appropriate sufficient funds for payment of CONSULTANT'S services beyond the current fiscal year, the Agreement shall cover payment for CONSULTANT'S services only to the conclusion of the last fiscal year in which CITY appropriates sufficient funds and shall automatically terminate at the conclusion of such fiscal year.

24. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

CITY	CONSULTANT
City of Rolling Hills 2 Portuguese Bend Road Rolling Hills, CA 90274ATTN: Elaine Jeng	Granicus 408 St. Peter Street, Suite 600 Saint Paul, MN 55102 ATTN: Contracts

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph. Courtesy copies of notices may be sent via electronic mail, provided that the original notice is deposited in the U.S. mail or personally delivered as specified in this Section.

25. SOLICITATION. CONSULTANT maintains and warrants that it has not employed nor retained any company or person, other than CONSULTANT's bona fide employee, to solicit or secure this Agreement. Further, CONSULTANT warrants that it has not paid nor has it agreed to pay any company or person, other than CONSULTANT's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should CONSULTANT breach or violate this warranty, CITY may rescind this Agreement without liability.

26. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein are generally for the exclusive benefit of CONSULTANT and CITY and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of CONSULTANT's or CITY's obligations under this Agreement.

27. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California, and exclusive venue for any action involving this agreement will be in Los Angeles County.

28. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written.

29. RULES OF CONSTRUCTION. Each Party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either Party.

30. AUTHORITY/MODIFICATION. The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment with signatures of all parties to this Agreement. CITY's city manager, or designee, may execute any such amendment on behalf of CITY.

31. ACCEPTANCE OF FACSIMILE OR ELECTRONIC SIGNATURES. The Parties agree that this Contract, agreements ancillary to this Contract, and related documents to be entered into in connection with this Contract will be considered signed when the signature of a party is delivered by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.

32. FORCE MAJEURE. Should performance of this Agreement be impossible due to fire, flood, explosion, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the Parties' control, then the Agreement will immediately terminate without obligation of either party to the other.

33. TIME IS OF ESSENCE. Time is of the essence to comply with dates and schedules to be provided.

34. ATTORNEYS' FEES. The parties hereto acknowledge and agree that each will bear his or its own costs, expenses and attorneys' fees arising out of and/or connected with the negotiation, drafting and execution of the Agreement, and all matters arising out of or connected therewith except that, in the event any action is brought by any party hereto to enforce this Agreement, the prevailing party in such action shall be entitled to reasonable attorneys' fees and costs in addition to all other relief to which that party or those parties may be entitled.

35. STATEMENT OF EXPERIENCE. By executing this Agreement, CONSULTANT represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CITY. CONSULTANT represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that CONSULTANT is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

36. OWNERSHIP OF DOCUMENTS. It is understood and agreed that the City shall own all documents and other work product and material provided by the City which pertain to the work performed under this Agreement. The City shall have the sole right to use such materials in its discretion and without further compensation to the Consultant, but any re-use of such

documents by the City on any other project without prior written consent of the Consultant shall be at the sole risk of the City.

IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF ROLLING HILLS

CONSULTANT

CITY MANAGER

By: _____
TITLE

ATTEST:

City Clerk

Taxpayer ID No.

APPROVED AS TO FORM:

Michael Jenkins, City Attorney



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 11.C
Mtg. Date: 06/27/2022

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 27, 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.

- Residents can use the ADU Calculator to estimate costs of constructing an ADU in 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: 06/27/2022

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 27, 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 System™ 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.

Sepulveda Canyon Continuous Flow Technical Memorandum

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.

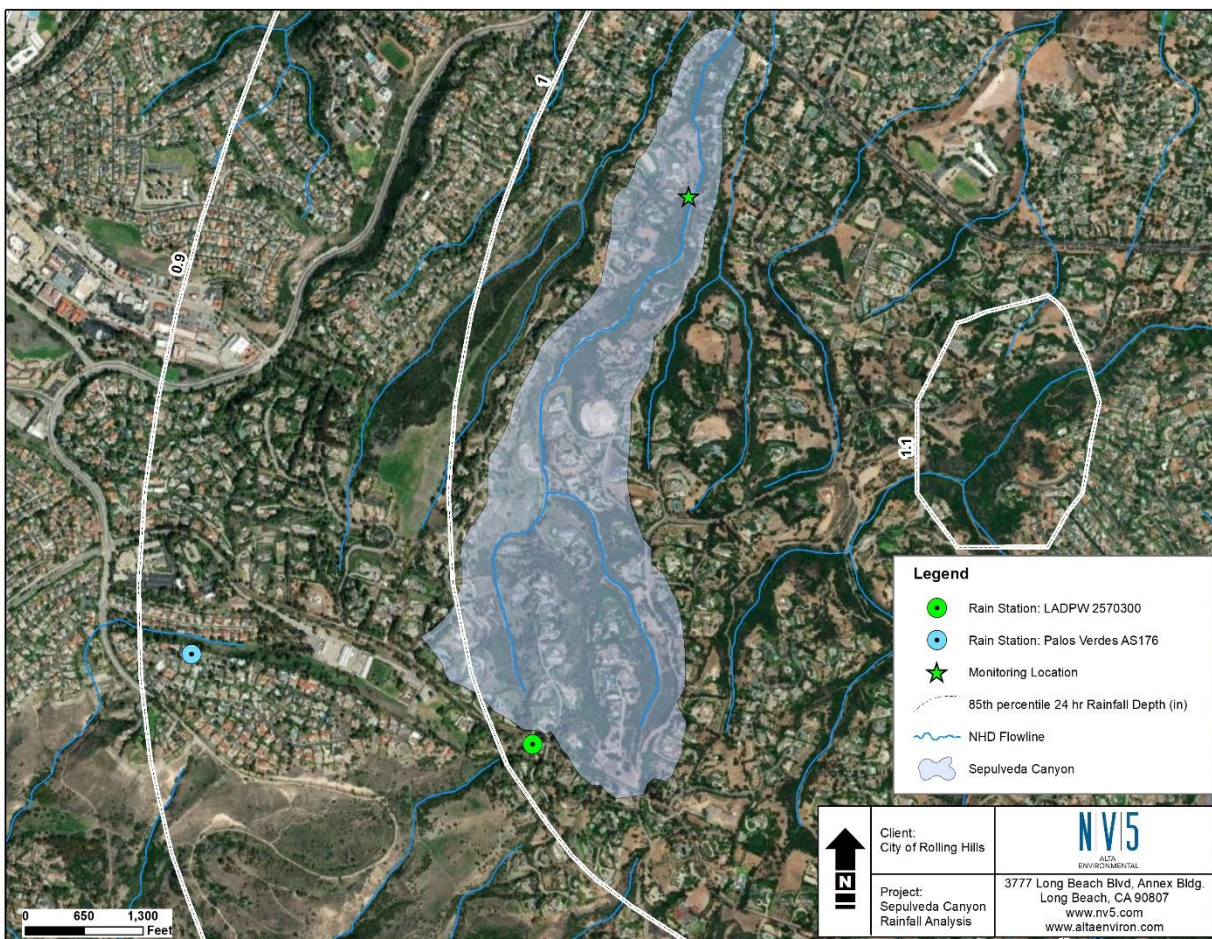


Figure 1. Continuous Flow Monitoring and Rain Gauge Locations

Sepulveda Canyon Continuous Flow Technical Memorandum



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.

Table 1. 2020-2021 Storm Event Summary

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

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.

Table 2. 2021-2022 Storm Event Summary

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

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 flow 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

Sepulveda Canyon Continuous Flow Technical Memorandum

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, 24-hour 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.

Sepulveda Canyon Continuous Flow Technical Memorandum



Figure 4. Continuous Flow Monitoring Location During 12/30/2021 Storm Event

Sepulveda Canyon Continuous Flow Technical Memorandum

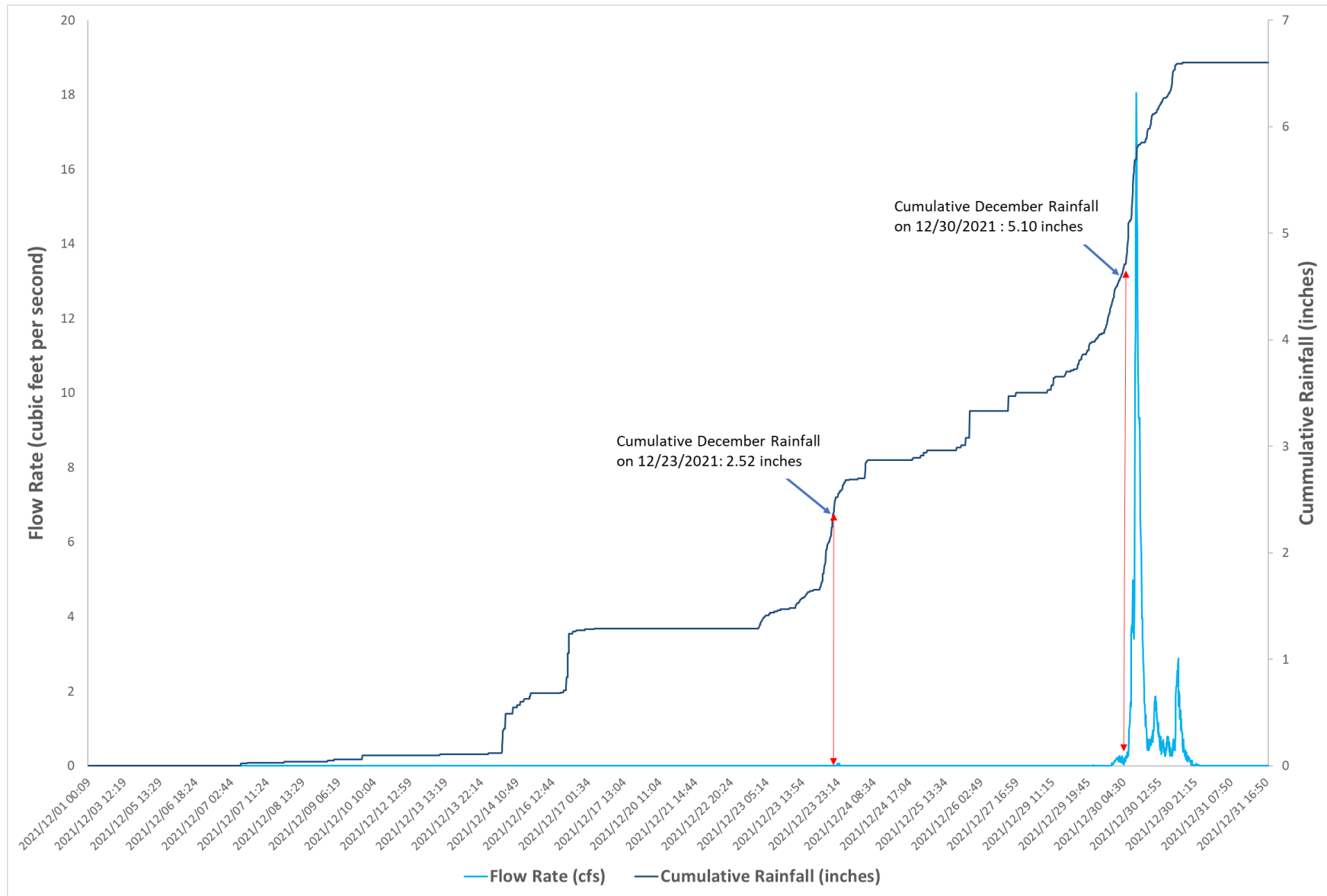


Figure 5. Cumulative Rainfall and Flow Hydrograph for December 2021

Sepulveda Canyon Continuous Flow Technical Memorandum

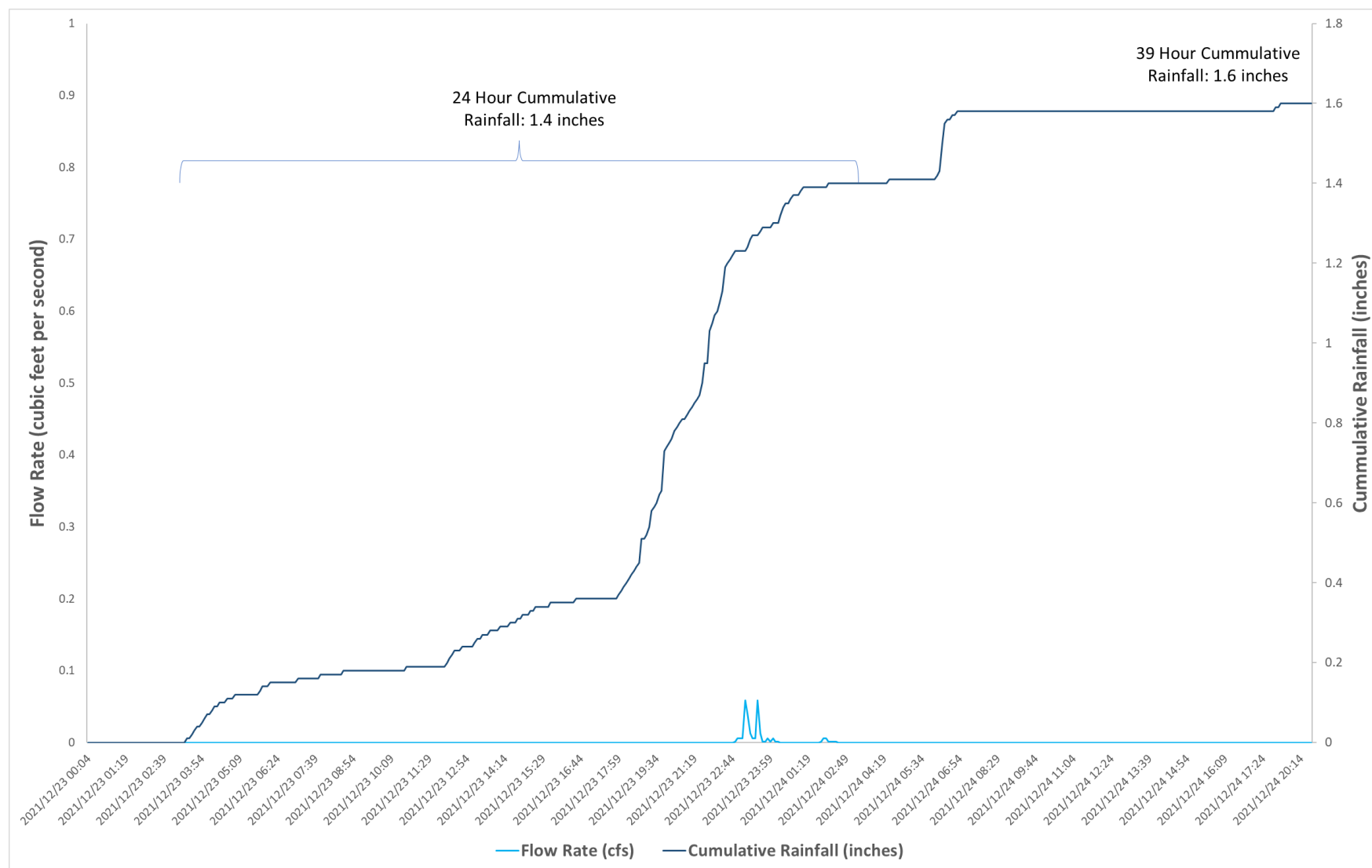


Figure 6. Cumulative Rainfall and Flow Hydrograph December 23-24, 2021

Sepulveda Canyon Continuous Flow Technical Memorandum

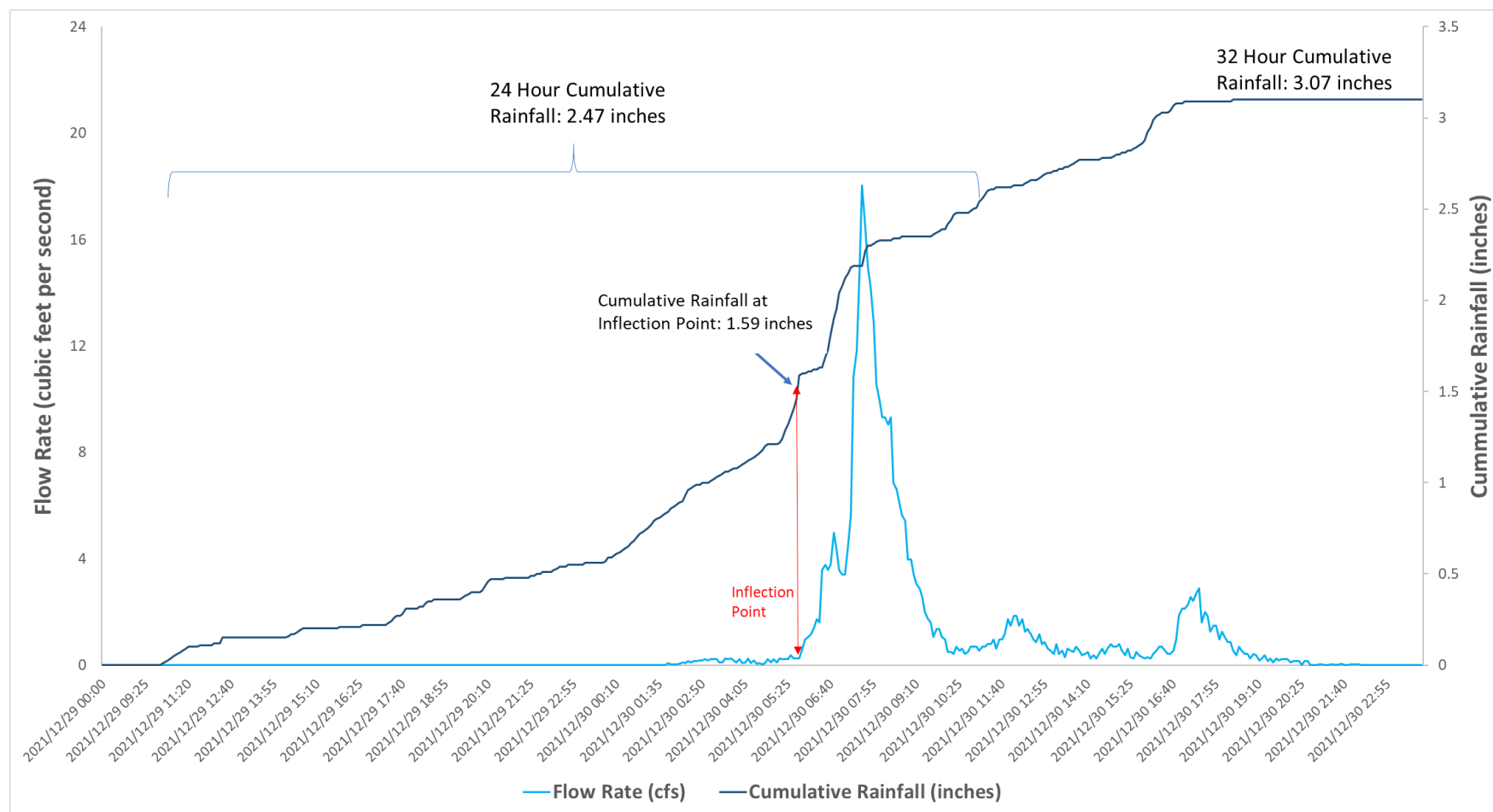


Figure 7. Cumulative Rainfall and Flow Hydrograph December 29-30, 2021

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).

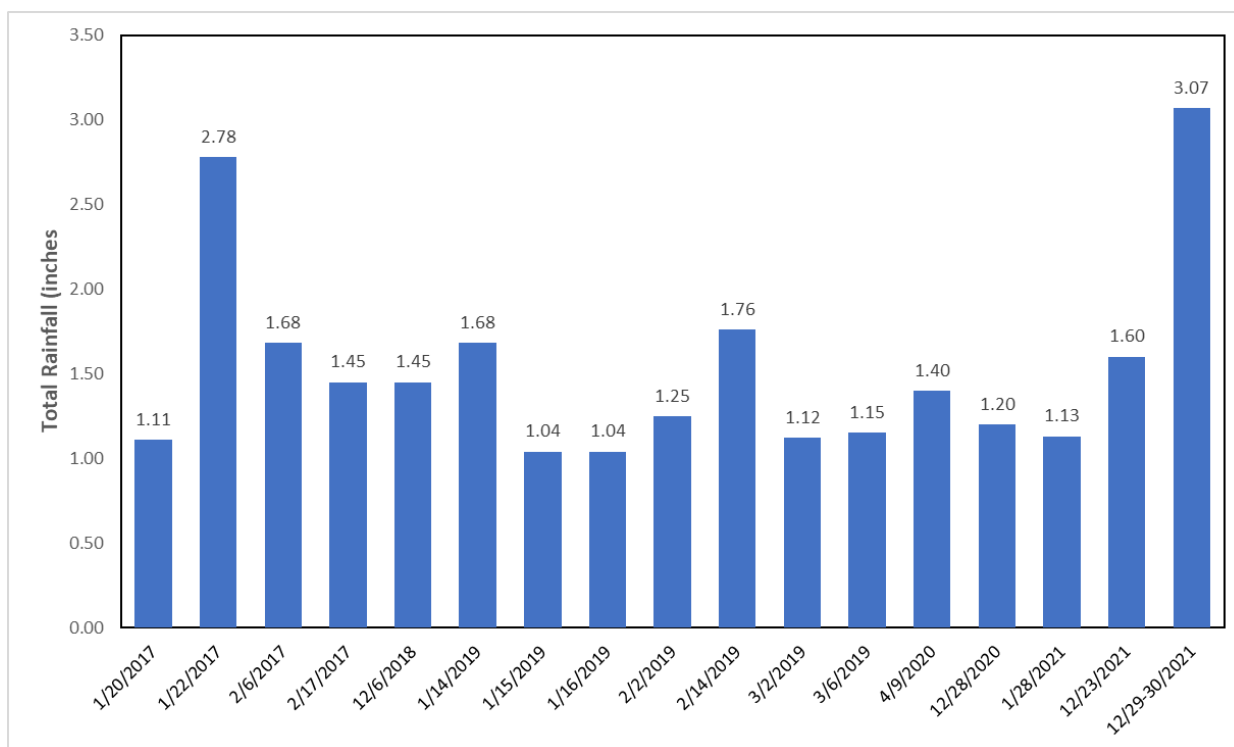


Figure 8. Storm Events Exceeding 85th Percentile, 24-hour Storm from October 2016 through April 2022

Sepulveda Canyon Continuous Flow Technical Memorandum

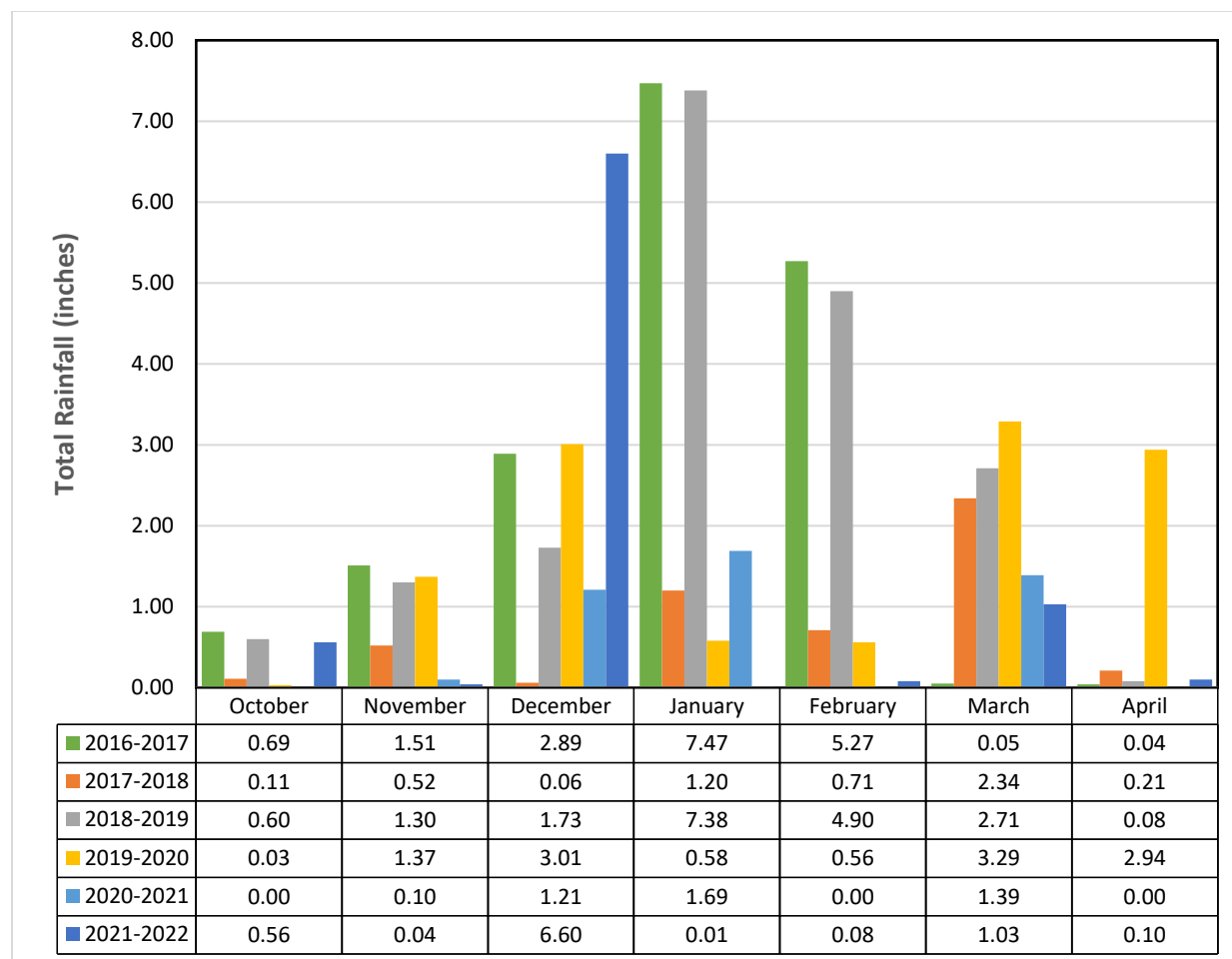


Figure 9. Monthly Rainfall Totals from October 2016 through April 2022

Sepulveda Canyon Continuous Flow Technical Memorandum

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

Sepulveda Canyon Continuous Flow Technical Memorandum

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.

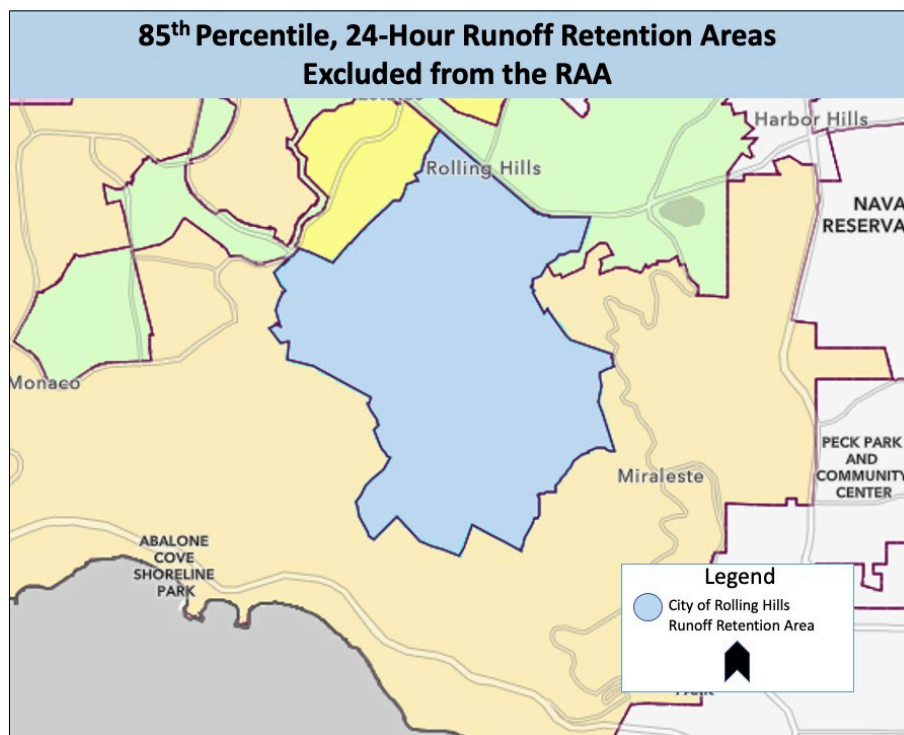


Figure 3-1 85th Percentile, 24-Hour Runoff Retention Areas Excluded from RAA

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.

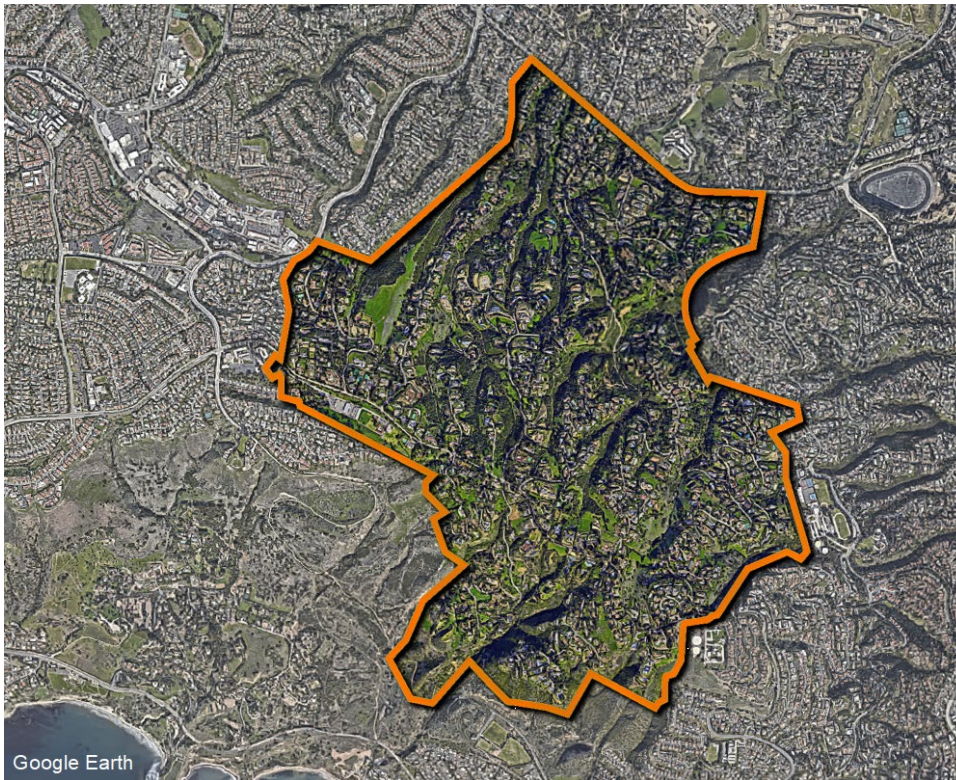


Figure 3-13 Rolling Hills Nature-Based Stormwater Runoff Retention Area

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 nature-based 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 complete~~ over 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.

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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 continuous 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 (\geq) 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 $\geq 85^{\text{th}}$ %, 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 95th %, 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 $\geq 85^{\text{th}}$ %,

Palos Verdes Peninsula

Enhanced Watershed Management Program

~~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.~~

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.

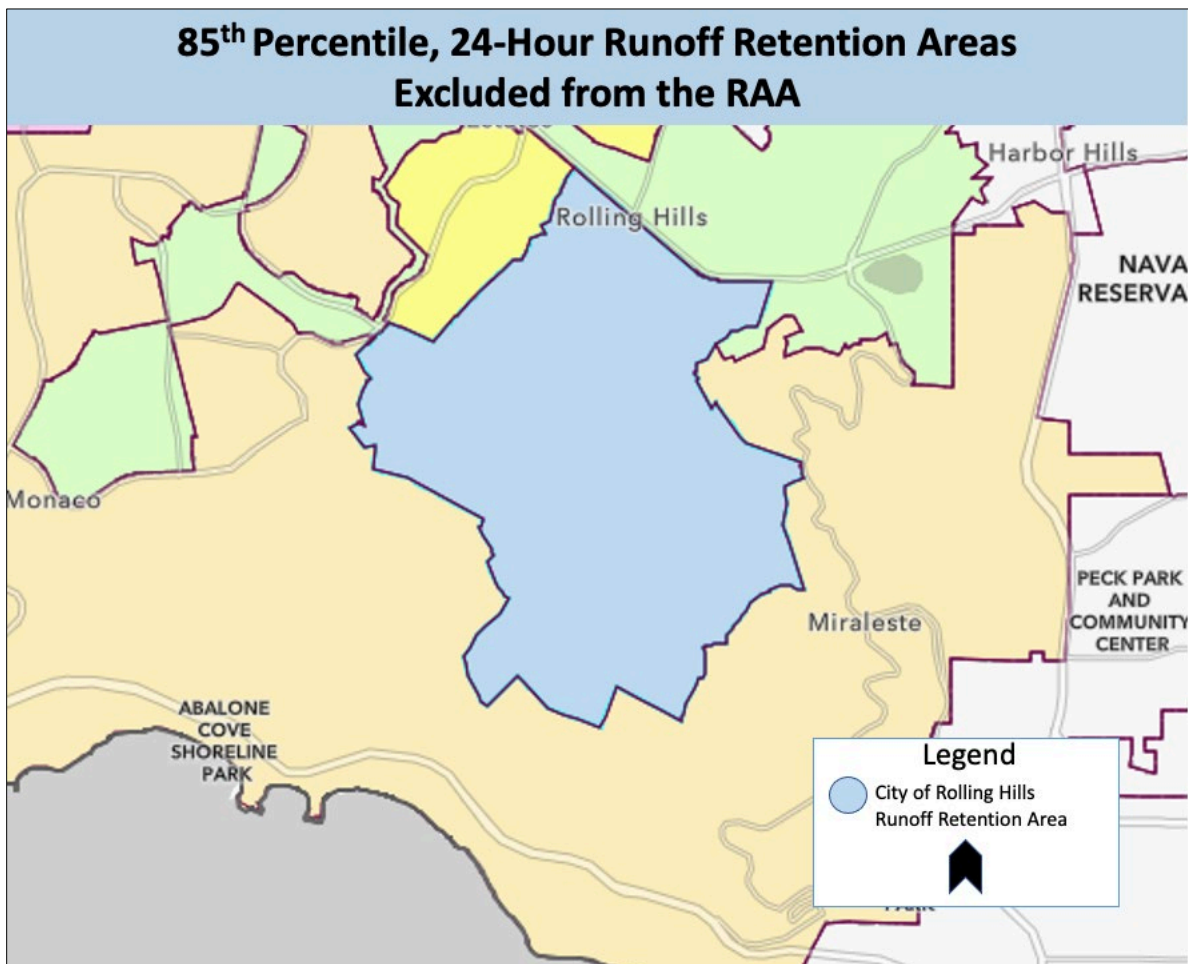


Figure 3-1 85th Percentile, 24-Hour Runoff Retention Areas Excluded from RAA

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.

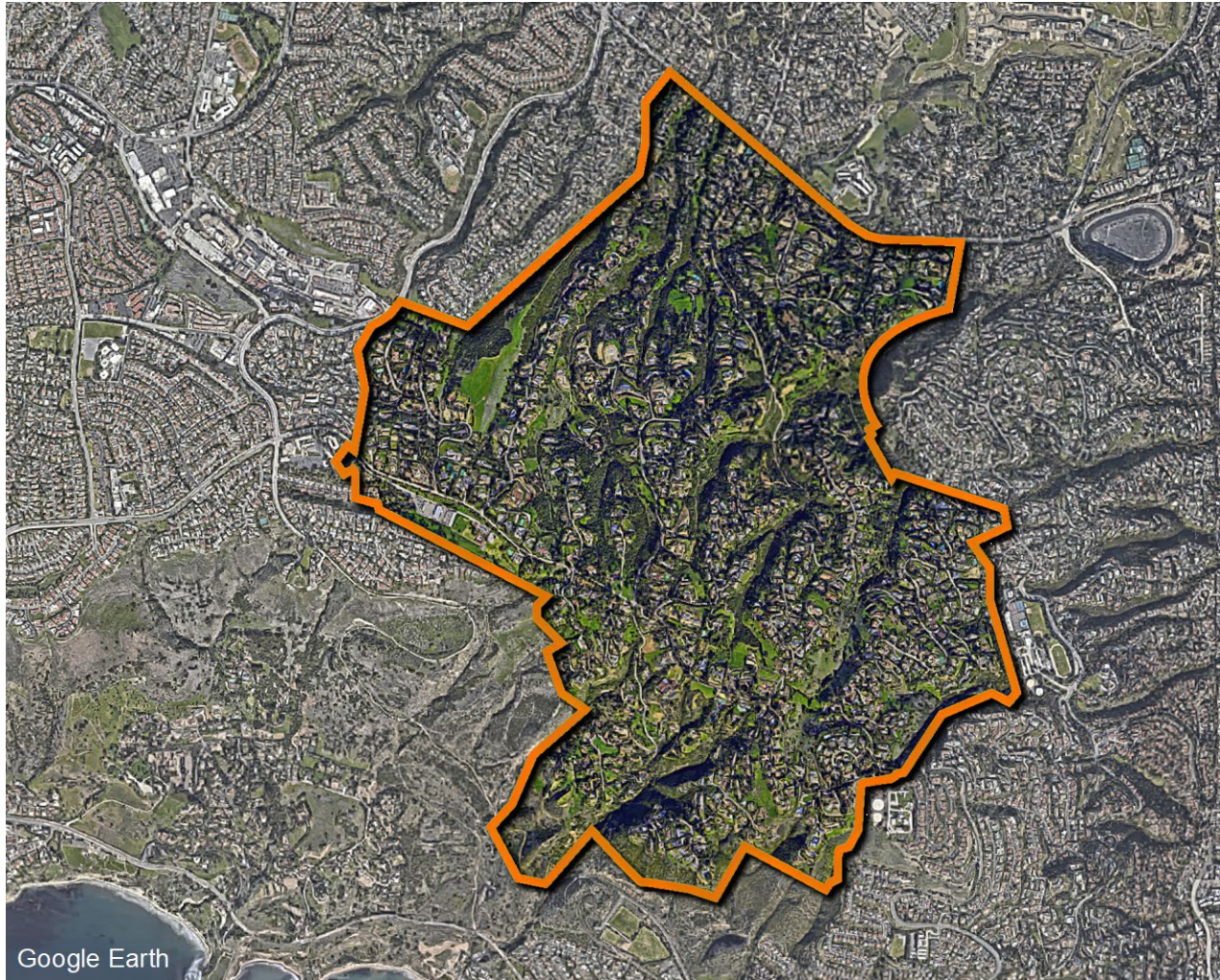


Figure 3-13 Rolling Hills Nature-Based Stormwater Runoff Retention Area

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 nature-based 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 over the course of the 2020-2021 and 2021-2022 wet-weather seasons. 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 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

Enhanced Watershed Management Program

(33.773522, -118.348538), which is an accessible location near the bottom of the canyon suitable for flow monitoring.

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City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 12.A
Mtg. Date: 06/27/2022

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 27, 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.
2. *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 \$2,728,384 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 year-end 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.

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](#)
[CL_AGN_220613_CC_Item12A_PublicComment_01.pdf](#)
[CL_AGN_220613_CC_Item12A_PublicComment_02.pdf](#)
[CL_AGN_220627_CC_Budget_StaffPresentation.pdf](#)

CITY OF ROLLING HILLS
General Fund Revenues

	FY 2021	Adopted	FY 2022	FY 2023	FY 2023
	Revenues	Budget	Year-End	FY 2023	Projected
			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	

CITY OF ROLLING HILLS
General Fund Expenditures

Department/Object Account	FY 2021-22		Fiscal Year 2022-23 Adopted		
	Adopted Budget	Year-End Projections	Ongoing	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

CITY OF ROLLING HILLS
General Fund Expenditures

Department/Object Account	FY 2021-22		Fiscal Year 2022-23 Adopted		
	Adopted Budget	Year-End 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

CITY OF ROLLING HILLS
General Fund Expenditures

Department/Object Account	FY 2021-22		Fiscal Year 2022-23 Adopted		
	Adopted Budget	Year-End 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

CITY OF ROLLING HILLS
General Fund Expenditures

Department/Object Account	FY 2021-22		Fiscal Year 2022-23 Adopted		
	Adopted Budget	Year-End Projections	Ongoing	One-Time	Total
758 Planning Commission Meeting	-	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
xxx 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

Department/Object Account	FY 2021-22		Fiscal Year 2022-23 Adopted		
	Adopted Budget	Year-End 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

Department/Object Account	FY 2021-22		Fiscal Year 2022-23 Adopted		
	Adopted Budget	Year-End 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

Department/Object Account	FY 2021-22		Fiscal Year 2022-23 Adopted		
	Adopted Budget	Year-End 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 management 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 capital 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 construction, 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.

Description	Fiscal Year 2022-23		Expected Impacts
	Recomm'd	Not Recomm'd	
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.
	<u>\$ 90,000</u>	<u>\$ 195,266</u>	

CITY OF ROLLING HILLS
Schedule of Proposed Options for Balancing the General Fund Ongoing Budget
Fiscal Year 2022-23

Description	Amount	Impact
Proposed for Adoption		
Use of one-time ARPA revenues	\$ 220,682	No impact
Cost recover publication expenses associated with development projects.	15,000	Financial burden on development applicants.
Fund deficit using reserves	151,889	Short term solution, reducing rainy day fund.

\$ 387,571

Not 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	<u>(2,880,273)</u>
Operating Deficit - Use of Reserves	<u>(151,889)</u>

Capital Program

Outdoor Siren System - Design	(25,000)
Outdoor Siren System - Construction	(275,000)
City Hall ADA Improvements - Design	<u>(96,000)</u>
Total Capital Program (Funded from Reserves)	<u>(396,000)</u>

One-Time Costs

Capital Project Contract Management	(45,000)
Completing the Housing Element	<u>(45,000)</u>
Total One-Time Costs	<u>(90,000)</u>

TOTAL ESTIMATED USE OF RESERVES - FY 2023	(637,889)
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Estimated Reserves at June 30, 2022	<u>4,988,486</u>
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Estimated Reserves at June 30, 2023	<u><u>\$ 4,350,597</u></u>
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CITY OF ROLLING HILLS
Proposed Revenues and Expenditures
Other Funds

	<u>Adopted Budget</u>	<u>Amended Budget</u>	<u>FY 2022 Year-End Projection</u>	<u>FY 2023 Proposed</u>
10 - COPS FUND				
Revenues				
COPS Allocation	\$ 160,000	\$ 160,000	\$ 165,000	\$ 165,000
Expenditures				
COPS Program Expenditures	<u>160,000</u>	<u>160,000</u>	<u>165,000</u>	<u>165,000</u>
Revenues Over (Under) Expenditures	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
11 - CLEEP FUND				
Revenues				
Interest Earned	\$ 50	\$ 50	\$ 40	\$ 25
Expenditures				
CLEEP Technology Program	<u>1,100</u>	<u>1,100</u>	<u>2,000</u>	<u>1,200</u>
Revenues Over (Under) Expenditures	<u>\$ (1,050)</u>	<u>\$ (1,050)</u>	<u>\$ (1,960)</u>	<u>\$ (1,175)</u>
13 - TRAFFIC SAFETY FUND				
Revenues				
Transfers In - General Fund	\$ 10,000	\$ 10,000	\$ 4,390	\$ -
Expenditures				
Road Striping - Delineators	<u>10,000</u>	<u>10,000</u>	<u>4,390</u>	<u>-</u>
Revenues Over (Under) Expenditures	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

	Adopted Budget	Amended Budget	FY 2022 Year-End Projection	FY 2023 Proposed
15 - ARPA FUND				
Revenues				
American Rescue Plan Act	\$ -		\$ 220,682	\$ 220,682
Expenditures				
Transfers Out to General Fund	-	-	220,682	220,682
Revenues Over (Under) Expenditures	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
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	<u>-</u>	<u>4,479,982</u>	<u>196,163</u>	<u>-</u>
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	<u>-</u>	<u>4,479,982</u>	<u>142,788</u>	<u>-</u>
Revenues Over (Under) Expenditures	<u>\$ -</u>	<u></u>	<u>\$ 53,375</u>	<u>\$ -</u>

	Adopted Budget	Amended Budget	FY 2022 Year-End Projection	FY 2023 Proposed
25 - PROPOSITION A FUND				
Revenues				
Grant Revenues	\$ 38,000	\$ 38,000	\$ 47,283	\$ 45,000
Interest Earned	600	600	200	200
Total Revenues	<u>38,600</u>	<u>38,600</u>	<u>47,483</u>	<u>45,200</u>
Expenditures				
Prop A Exchange	-	-	-	58,400
Revenues Over (Under) Expenditures	<u>\$ 38,600</u>	<u>\$ 38,600</u>	<u>\$ 47,483</u>	<u>\$ (13,200)</u>
26 - PROPOSITION C				
Revenues				
Grant Revenue-Prop C	\$ 31,500	\$ 31,500	\$ 39,221	\$ 37,000
Interest Earned	650	650	200	200
Total Revenues	<u>32,150</u>	<u>32,150</u>	<u>39,421</u>	<u>37,200</u>
Expenditures				
Prop C Gifted	-	-	-	-
Revenues Over (Under) Expenditures	<u>\$ 32,150</u>	<u>\$ 32,150</u>	<u>\$ 39,421</u>	<u>\$ 37,200</u>
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	<u>25,000</u>	<u>25,000</u>	<u>29,614</u>	<u>28,200</u>
Expenditures				
Measure R Gifted	-	-	-	-
Revenues Over (Under) Expenditures	<u>\$ 25,000</u>	<u>\$ 25,000</u>	<u>\$ 29,614</u>	<u>\$ 28,200</u>

	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	<u>27,600</u>	<u>27,600</u>	<u>33,488</u>	<u>31,200</u>
Expenditures				
Measure M Gifted	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Revenues Over (Under) Expenditures	<u>\$ 27,600</u>	<u>\$ 27,600</u>	<u>\$ 33,488</u>	<u>\$ 31,200</u>
30 - MEASURE W				
Revenues				
Grant Revenues	\$ 110,000	\$ 110,000	\$ 104,742	\$ 105,000
Interest Earned	900	900	-	-
Total Revenues	<u>110,900</u>	<u>110,900</u>	<u>104,742</u>	<u>105,000</u>
Expenditures				
Storm Water Management	<u>38,750</u>	<u>38,750</u>	<u>80,000</u>	<u>80,000</u>
Revenues Over (Under) Expenditures	<u>72,150</u>	<u>72,150</u>	<u>24,742</u>	<u>25,000</u>
35 - MEASURE A				
Revenues				
Grant Revenue	\$ 26,100	\$ 26,100	\$ -	\$ -
Interest Earned	900	900	-	-
Total Revenues	<u>27,000</u>	<u>27,000</u>	<u>-</u>	<u>-</u>

	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	<u>300,000</u>	<u>381,880</u>	<u>87,238</u>	<u>396,000</u>
Revenues Over (Under) Expenditures	<u>(212,000)</u>	<u>(260,645)</u>	<u>33,997</u>	<u>-</u>
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	<u>763,638</u>	<u>1,039,113</u>	<u>41,773</u>	<u>-</u>
Revenues Over (Under) Expenditures	<u>\$ -</u>	<u>\$ -</u>	<u>(39,273)</u>	<u>\$ -</u>

	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	<u>936,700</u>	<u>936,700</u>	<u>928,104</u>	<u>968,500</u>
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	<u>936,700</u>	<u>936,700</u>	<u>936,700</u>	<u>968,500</u>
Revenues Over (Under) Expenditures	<u>-</u>	<u>-</u>	<u>(8,596)</u>	<u>-</u>

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 27, 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 27th 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 27th 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	<u><u>\$ 3,366,273</u></u>

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	<u><u>\$ 1,889,782</u></u>

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:

Section 1. 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

Section 2. The City Clerk shall certify to the passage of Resolution No. 1301.

PASSED, APPROVED AND ADOPTED this 27th 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 27th day of June, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHRISTIAN HORVATH
CITY CLERK

From: [Louis H. Altman](#)
To: [City Clerk](#)
Subject: REVISED Letter I request be presented or read to City Council members before 6/13 meeting
Date: Monday, June 13, 2022 6:46:12 AM

Members of the City Council:

I note that the proposed budget for next year includes a reduction for fire fuel of \$85,000. I oppose any reduction for reducing fire fuel. If there must be a reduction, I'd prefer to see \$85,000 cut from the subsidy of solid waste collection fee.

According to Orange County Fire Authority Chief Brian Fennessy, the Coastal Fire in Orange County earlier this year destroyed 20 homes. Chief Fennessy noted that humidity was over 70%, and temperatures were in the mid 70's on the day those homes were destroyed.

Fire official from state and county agencies have emphasized the need for measures such as brush clearance and removal of flammable materials around homes.

Three days ago, the LA Times warned that residents in Southern California are facing a treacherous wildfire season this year. "Given the fuel conditions...a very tough four, five, six months in front of us." Our own Assistant Chief Brian Bennett is in the picture in the link below, far left.

http://enewspaper.latimes.com/infinity/article_share.aspx?guid=f2f163ea-446d-40d7-b6f2-22a7f4588e0b

I understand that some residents may not "want to be told" to clear brush and other flammable material from their properties. I also think those same residents aren't worried that the risk of a fire that begins on their property, but spreads to other properties, could mean lawsuits that result in judgments against the homeowners who didn't clear brush on their properties, meaning that those homeowners might lose any equity in their homes and be forced into bankruptcy.

I don't want to see homeowners who live in my city forced into bankruptcy and lose all of the equity in their homes because a fire started from brush or flammable material that could have been easily removed from their property. But there is a huge risk to everyone in our wonderful City, especially this season, from fire.

My insurance company (Marsh/AIG) recently cancelled my homeowner's insurance because of fire risk. I was able to get coverage from USAA, but for others, they may have to use the California FAIR Plan, a decidedly inferior and more costly option.

Lou Altman
17 Caballeros

To: City of Rolling Hills City Council Members

June 20, 2022

From: Members of the Eastfield Drive District

We understand that the FEMA grant of \$1,971,882 for undergrounding the utility lines on Eastfield Drive requires the City of Rolling Hills to provide a matching grant of \$657,294. We urge you to provide this matching grant now before FEMA withdraws its offer. This would be a great start for the undergrounding on Eastfield Drive now that you have undergrounded the utility lines on Portuguese Bend and Crest Roads.

We appreciate the City Council's providing some of the funds needed for our recent attempt to underground the utilities in our district, in which we provided \$61,400. The engineering work that went into that effort could now be used in the implementation of the FEMA funded undergrounding and not go to waste.

Member

Address

Michael Schwartz	24 Eastfield Dr.	Judy Murdock 29 EASTFIELD DR.
Marcia Schwartz	24 Eastfield Drive	
Judy Hollingshead	28 Eastfield Drive	
Ramona L. (PRADEEP VAISH)	27 Eastfield Dr.	
Ramona Vaish	27 Eastfield Dr.	
Jody Murdock	30 Eastfield hlk.	
Judy Murdock	22 EASTFIELD DR.	
Kimberly Linc	26 Eastfield Dr.	
Jen Clinton	26 Eastfield Dr.	
Lynda	45 Eastfield Drive	
Greg	45 Eastfield Drive	
Theresa Brown	25 Eastfield Drive	



CITY OF ROLLING HILLS

FISCAL YEAR 2022/23 BUDGET PUBLIC HEARING

JUNE 13, 2022

INTRODUCTION

- ▶ Today we are holding a public hearing regarding the Fiscal Year 2022/23 Budget – Provides an opportunity for the public to provide input into the proposed budget
- ▶ At the end of the hearing, staff is asking Council to adopt two resolutions:
 - ▶ Budget Resolution - Officially adopts the estimated revenues and appropriations for each City fund
 - ▶ Gann Appropriation Limit Resolution – State law (Prop 4 and Prop 111) requires calculate our annual appropriation limit and adopt it by resolution.
- ▶ If necessary, staff can continue the public hearing to June 27th.

BACKGROUND

(How We Got Here)

- ▶ **May 9, 2022** – City Council Finance/Budget/Audit Committee reviewed the FY 2022/23 staff proposed budget.
- ▶ **May 23, 2022** – City Council Budget Workshop reviewed FY 2022/23 staff proposed budget as presented to the Finance/Audit Committee
- ▶ **May 31, 2022** – City Council Finance/Budget/Audit Committee reviewed revisions to the FY 2022/23 staff proposed budget.

Directions Received from Budget Committee and City Council

- ▶ Separate out General Fund one-time vs ongoing costs
- ▶ Bring back a budget that is balanced (or close to being balanced) for its ongoing expenditures
- ▶ Develop proposed capital program based on what can realistically be started next fiscal year
- ▶ Revisit revenue estimates for opportunities to increase those that may be too conservative
- ▶ Minimize impacts to residents (fee increases)

Where We Were (on May 23rd)

	<u>FY 2022-23 Recommended</u>
ONGOING	
Operating Revenues - Ongoing	\$ 2,399,289
Operating Expenditures - Ongoing	<u>2,880,273</u>
Net Operating Surplus (Deficit)	<u>(480,984)</u>
ONE-TIME	
One-time Revenues	
ARPA Grant	<u>220,682</u>
One-Time Costs	
Operating Expenditures	290,266
Capital Improvements	<u>1,096,000</u>
Total One-Time Costs	<u>1,386,266</u>
Net Use of Reserves for One-Time Costs	<u>(1,165,584)</u>
TOTAL USE OF RESERVES	<u>\$ (1,646,568)</u>

Balancing Strategy

- ▶ Eliminated all non-essential one-time costs
- ▶ Utilized American Rescue Plan Act (ARPA) revenues of \$220,682 (2nd of two equal payments)
- ▶ Included \$15,000 in revenues for recovery of publication expenses tied to development projects
- ▶ Increased projected Property Tax and Real Property Tax revenues based on recent payments and increased growth assumptions
- ▶ Proposed a modest use of reserves to balance the operating budget

Changes to General Fund Revenues

	Property Taxes	Real Prop Transf Taxes	Total
Previous FY 2021/22 Projection	\$ 1,281,785	\$ 117,986	\$ 1,399,771
Revised Year-End Projection	1,344,535	117,986	1,462,521
	<u>\$ 62,750</u>	<u>\$ -</u>	<u>\$ 62,750</u>
Previous FY 2022/23 Proposed	\$ 1,333,000	\$ 121,500	\$ 1,454,500
Revised FY 2022/23 Proposed	<u>1,425,207</u>	<u>122,705</u>	<u>1,547,912</u>
Increase from Previous Proposed	<u>\$ 92,207</u>	<u>\$ 1,205</u>	<u>\$ 93,412</u>
Previous Assumed Growth FY 2022/23	4%	2%	
Revised Assumed Growth FY 2022/23	<u>6%</u>	<u>4%</u>	

Summary of Proposed Balancing Measures

Description	Amount	Impact
Proposed for Adoption		
Use of one-time ARPA revenues	\$ 220,682	No impact
Cost recover publication expenses associated with development projects.	15,000	Financial burden on development applicants.
Fund deficit using reserves	151,889	Short term solution, reducing rainy day fund.
<u>\$ 387,571</u>		

Entire list of balancing measures not recommended included as attachment

One-Time Costs

Recomm'd vs Not Recomm'd

Description	Recomm'd	Not Recomm'd
Records Management (Ref Acct: 01-xxx)	-	45,000
Project Management, Capital Projects (Ref Acct: 01-890)	45,000	-
Grant writer to pursue grant funds for 8" sewer main project	-	17,000
General Plan Update (Ref Acct: 15-884)	-	105,000
Housing Element and Environmental Review	45,000	
Expanded Information Technology (IT) Services	-	8,866
Agenda management system - Granicus - Upgrade	-	19,400
	<u>\$ 90,000</u>	<u>\$ 195,266</u>

Long-Term CIP Plan

Description	Fiscal Year				Total
	2021-22	2022-23	2023-24	2024-25	
Tennis Courts ADA Improvements	\$ -	\$ -	\$ 300,000	\$ -	\$ 300,000
City ADA Hall Improvements - Design	-	96,000	-	-	96,000
City ADA Hall Improvements - Constr.	-	-	1,000,000	-	1,000,000
Crest Road East Utility U/G Grant Project	1,527,306	-	-	-	1,527,306
Veg./Fire Fuel Management Grant Project	323,500	-	-	-	323,500
City Hall Campus Parking Lot Impr.	-	-	-	400,000	400,000
Eastfield Drive Utility U/G Grant Project	2,629,176	-	-	-	2,629,176
1 Middleridge Lane South Storm Drain	33,235	-	-	-	33,235
1 Middleridge Lane North Storm Drain	48,645	-	-	-	48,645
Outdoor Siren System - Design	-	25,000	-	-	25,000
Outdoor Siren System - Installation	-	275,000	-	-	275,000
	<u>\$ 4,561,862</u>	<u>\$ 396,000</u>	<u>\$ 1,300,000</u>	<u>\$ 400,000</u>	<u>\$ 6,357,862</u>

General Fund Recap

Operations

Operating Revenues - Ongoing	\$ 2,728,384
Operating Expenditures - Ongoing	<u>(2,880,273)</u>
Operating Deficit - Use of Reserves	<u>(151,889)</u>

Capital Program

Outdoor Siren System - Design	(25,000)
Outdoor Siren System - Construction	(275,000)
City Hall ADA Improvements - Design	<u>(96,000)</u>
Total Capital Program (Funded from Reserves)	<u>(396,000)</u>

One-Time Costs

Capital Project Contract Management	(45,000)
Completing the Housing Element	<u>(45,000)</u>
Total One-Time Costs	<u>(90,000)</u>

TOTAL ESTIMATED USE OF RESERVES - FY 2023	(637,889)
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Estimated Reserves at June 30, 2022	<u>4,988,486</u>
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Estimated Reserves at June 30, 2023	<u><u>\$ 4,350,597</u></u>
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Recommendations

- ▶ Take public comment
- ▶ Consider the proposed budget as presented and included in the attached schedules and resolutions
- ▶ Adopt the budget and Gann Limit resolutions, or
- ▶ Provide staff with directions on what changes to make and bring back revised resolutions on June 27th.



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 13.A
Mtg. Date: 06/27/2022

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 27, 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.

B.

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.

A.

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 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~~ 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:

1 SECTION 1. Section 26200 of the Business and Professions
2 Code is amended to read:
3 26200. (a) (1) Except as set forth in the Medicinal Cannabis
4 Patients' Right of Access Act (Chapter 25 (commencing with
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
16 local authority for law enforcement activity, enforcement of local
17 zoning requirements or local ordinances, or enforcement of local
18 license, permit, or other authorization requirements.
19 (b) This division shall not be interpreted to require the
20 department to undertake local law enforcement responsibilities,
21 enforce local zoning requirements, or enforce local licensing,
22 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
7 the incorporated area of a city, the city shall have full power and
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.

17 (e) (1) This division does not prohibit the issuance of a state
18 temporary event license to a licensee authorizing onsite cannabis
19 sales to, and consumption by, persons 21 years of age or older at
20 a county fair event, district agricultural association event, or at
21 another venue expressly approved by a local jurisdiction for the
22 purpose of holding temporary events of this nature, provided that
23 the activities, at a minimum, comply with all the following:

24 (A) The requirements of paragraphs (1) to (3), inclusive, of
25 subdivision (g).

26 (B) All participants who are engaged in the onsite retail sale of
27 cannabis or cannabis products at the event are licensed under this
28 division to engage in that activity.

29 (C) The activities are otherwise consistent with regulations
30 promulgated and adopted by the department governing state
31 temporary event licenses.

32 (D) A state temporary event license shall only be issued in local
33 jurisdictions that authorize such events.

34 (E) A licensee who submits an application for a state temporary
35 event license shall, 60 days before the event, provide to the
36 department a list of all licensees that will be providing onsite sales
37 of cannabis or cannabis products at the event. If any changes occur
38 in that list, the licensee shall provide the department with a final
39 updated list to reflect those changes. A person shall not engage in
40 the onsite retail sale of cannabis or cannabis products, or in any

1 way participate in the event, who is not included in the list,
2 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
14 products without a license from the department that authorizes the
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.

18 (4) The order by the department for the event to cease operations
19 pursuant to paragraph (3) does not entitle the event organizer or
20 any participant in the event to a hearing or an appeal of the
21 decision. Chapter 3 (commencing with Section 490) of Division
22 1.5 and Chapter 4 (commencing with Section 26040) of this
23 division shall not apply to the order by the department for the event
24 to cease operations pursuant to paragraph (3).

25 (5) The smoking of cannabis or cannabis products at temporary
26 events authorized pursuant to this subdivision is prohibited in
27 locations where smoking is prohibited. For purposes of this section,
28 “smoking” has the same meaning as defined in subdivision (c) of
29 Section 22950.5.

30 (f) This division, or any regulations promulgated thereunder,
31 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,
33 but not limited to, Section 7 of Article XI of the California
34 Constitution.

35 (g) Notwithstanding paragraph (1) of subdivision (a) of Section
36 11362.3 of the Health and Safety Code, a local jurisdiction may
37 allow for the smoking, vaporizing, and ingesting of cannabis or
38 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*
11 *jurisdiction* of medicinal cannabis to medicinal cannabis patients
12 or their primary caregivers by medicinal cannabis ~~businesses,~~
13 ~~businesses in a timely and readily accessible manner, and in types~~
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)

25 (3) The number or frequency of sales *by delivery* of medicinal
26 cannabis.

27 (d)

28 (4) The types or quantities of medicinal cannabis authorized to
29 ~~be sold:~~ *sold by delivery.*

30 (e) ~~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.

11 (2) Security or public health and safety requirements.

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~~
24 ~~shall not be deemed to be an unreasonable restriction.~~

25 ~~26304.~~

26 26303. The California Environmental Quality Act (CEQA)
27 (Division 13 (commencing with Section 21000) of the Public
28 Resources Code) does not apply to any of the following:

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 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 ~~(e) The adoption of any local ordinance, regulation, or rule~~
2 ~~otherwise establishing a local jurisdiction's compliance with this~~
3 ~~chapter.~~

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 medicinal
14 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
21 Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure.

22 *(c) This section shall become operative on January 1, 2024.*

23 ~~26306.~~

24 26305. Nothing in this chapter shall be construed to limit or
25 otherwise affect the ability or right of a local jurisdiction to regulate
26 adult-use cannabis pursuant to Section 26200.

27 ~~26307.~~

28 26306. This chapter addresses a matter of statewide concern
29 and not a municipal affair, as that term is used in Section 5 of
30 Article 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.

O

**SB-1186 Medicinal Cannabis Patients' Right of Access Act. (2021-2022)****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 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.

(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.

SEC. 2. Chapter 25 (commencing with Section 26300) Is added to Division 10 of the Business and Professions Code, to read:

CHAPTER 25. Medicinal Cannabis 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 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 required 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 cannabis 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

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.

THIRD READING

Bill No: SB 1186
Author: Wiener (D)
Amended: 4/25/22
Vote: 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 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: 06/27/2022

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 27, 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:

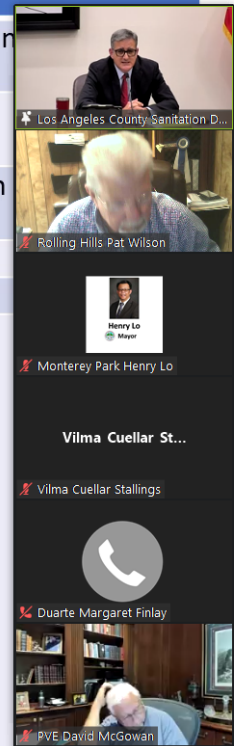
Provide direction to staff.

ATTACHMENTS:

[CL_AGN_220613_SanitationDistrict.pdf](#)

Tentatively Agreed Items

Cost of Living Adjustment (COLA)	COLA Formula: $>0-3\% = 3\%$ $3-9\% = 3\% + 66 \frac{2}{3}\%$ of increase from 3-9% $9-12\% = 7\% + 50\%$ of increase from 9-12% $12+\% = 8.5\%$	Results in COLA of 6.75% on 7/1/2022
Deferred Compensation Employer Match	Match employee contributions into Districts' Deferred Compensation Plan	
One Time Bonus	\$1,500 COVID appreciation \$1,250 one time	
Student Loan Payments	Use tuition reimbursement funds for student loan reimbursement with an annual cap of \$5,250 and maximum lifetime cap of \$21,000	
Juneteenth Holiday	Add holiday	
Convert Hourly Employees to Monthly	Make monthly status all employees performing Blue Collar Unit work	
Increases to:		
Dental Coverage	\$1,750/year	
Standby Pay	\$3/hour	
Shift Differential Pay	8.5% for Grave Shift	
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	





City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 14.A
Mtg. Date: 06/27/2022

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 27, 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:



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 14.B
Mtg. Date: 06/27/2022

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 27, 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](#)



2355 Crenshaw Blvd., #125
Torrance, CA 90501
(310) 371-7222
sbccog@southbaycities.org
www.southbaycities.org

June 2, 2022

The Honorable Ben Allen
Senator, 26th District
1021 O Street, Suite 6610
Sacramento, CA 95814-4900

The Honorable Al Muratsuchi
Assemblymember, 66th District
1021 O Street, Suite 5610
Sacramento, CA 95814-4900

The Honorable Steven Bradford
Senator, 35th District
1021 O Street, Suite 7210
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

Carson El Segundo Gardena Hawthorne Hermosa Beach Inglewood Lawndale Lomita
Manhattan Beach Palos Verdes Estates Rancho Palos Verdes Redondo Beach Rolling Hills
Rolling Hills Estates Torrance Los Angeles District #15 Los Angeles County

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