



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, August 08, 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. 1304

Next Ordinance No. 380

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.

5.A. FOR BLUE FOLDER DOCUMENTS APPROVED AT THE CITY COUNCIL MEETING

RECOMMENDATION: Approved

[CL_AGN_220808_CC_BlueFolderItem_7C.pdf](#)

[CL_AGN_220808_CC_BlueFolderItem_7F.pdf](#)

[CL_AGN_220808_CC_BlueFolderItem_7I_InitialFundingReq.pdf](#)

[CL_AGN_220808_CC_BlueFolderItem_10A.pdf](#)

[CL_AGN_220808_CC_BlueFolderItem_11A.pdf](#)

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 AUGUST 8, 2022

RECOMMENDATION: Approve.

[CL_AGN_220808_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: JULY 25, 2022

RECOMMENDATION: Approve as presented.

[CL_MIN_220725_CC_F.pdf](#)

[CL_MIN_220725_CC_F_A.pdf](#)

7.D. PAYMENT OF BILLS

RECOMMENDATION: Approve as presented.

[CL_AGN_220808_PaymentOfBills.pdf](#)

7.E. RECEIVE AND FILE IRRIGATION SURVEY OF THE CITY HALL CAMPUS AND RECOMMENDATIONS BY EVAN SMITH LANDSCAPE ARCHITECT

RECOMMENDATION: Receive and File.

[PW_LAN_220505_IrrigationSurvey_Recommendations.pdf](#)

7.F. FOR SECOND READING AND ADOPTION: ADOPT BY TITLE ONLY ORDINANCE NO. 377 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA.

RECOMMENDATION: Adopt by title only Ordinance No. 377, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA."

[Ordinance No. 377_EmployeeSupportiveTransitionalHousing-c1.pdf](#)

[377_EmployeeSupportiveTransitionalHousing.pdf](#)

7.G. FOR SECOND READING AND ADOPTION: ADOPT BY TITLE ONLY ORDINANCE NO. 378 AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOME.

RECOMMENDATION: Adopt Ordinance No. 378, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOMES."

- 7.H. [FOR SECOND READING AND ADOPTION: ADOPT BY TITLE ONLY ORDINANCE NO. 379 ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA.](#)

RECOMMENDATION: Adopt by title only Ordinance No. 379, entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA.”

[Ordinance No. 379-Density_Bonus_and_Affordable_Housing_Incentives.pdf](#)

- 7.I. [RECEIVE AND FILE AN UPDATE ON THE CREST ROAD EAST AND EASTFIELD DRIVE ELECTRIC UTILITY UNDERGROUNDING PROJECTS](#)

RECOMMENDATION: Receive and file

[CL_AGN_220808_CC_BlueFolderItem_7I_InitialFundingReq.pdf](#)

- 7.J. [RECEIVE AND FILE REPORT ON CITY AND ROLLING HILLS COMMUNITY ASSOCIATION COORDINATION MEETINGS ON MAY 31, 2022 AND JULY 18, 2022](#)

RECOMMENDATION: Receive and file.

- 7.K. [RECOMMENDED ADJUSTMENTS TO FISCAL YEAR 2021-22 BUDGET](#)

RECOMMENDATION: Approve the recommended budget adjustments to the General Fund, Refuse Fund, and Measure W Fund as detailed in the attached Schedule of Recommended Budget Adjustments.

[CL_AGN_220808_CC_ScheduleOfRecommendedBudgetAdjustments.pdf](#)

8. EXCLUDED CONSENT CALENDAR ITEMS

9. COMMISSION ITEMS

10. PUBLIC HEARINGS

- 10.A. [PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE NO. 376 AMENDING CHAPTER 17.28 OF THE MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA](#)

RECOMMENDATION:

1. Open the public hearing, receive public testimony, close the public hearing; and
2. Introduce for first reading by title only Ordinance No. 376 which:
 - a. Amends RHMC Chapter 17.28 regarding ADUs and JADUs; and
 - b. Finds that the adoption of the Ordinance is statutorily exempt from review under CEQA pursuant to Public Resources Code Section 21080.17.

[Attachment 1 - Resolution No. 2022-09.pdf](#)

[Attachment 2 - Ordinance No. 376.pdf](#)
[Attachment 3 - Chapter 17.28_ Exhibit A.pdf](#)
[Attachment 4 - Chapter 17.28 \(REDLINE\).pdf](#)
[Attachment 5 - Letter from HCD dated 6-24-22.pdf](#)
[Attachment 6 - Letter_HCD_ADU_Ordinance_072322.pdf](#)
[Exhibit A - Updated ADU Ordinance \(July 2022\)-c1.pdf](#)
[UPDATED ADU REDLINE - FINAL \(Jul. 2022\)-c1.pdf](#)

11. OLD BUSINESS

- 11.A. [RECEIVE ADDITIONAL INFORMATION ON POTENTIAL SITES FOR THE OUTDOOR SIREN SYSTEM, CONSIDER OPTION D AND ENGAGE HQE FOR A FULL FEASIBILITY STUDY](#)

RECOMMENDATION: Review and consider Solution D and engage HQE for a full feasibility study.

[HQE Systems - Mass Notification Systems Installation Study - The City of Rolling Hills V3 \(Email\).pdf](#)

[8-8-2022_Outdoor Siren Feasibility Study.pdf](#)

[HQE_Professional_Svcs_Agreement_Exhibit_A_Exhibit_B_E.pdf](#)

[CA_AGR_220429_PSA_HQE_Amendment01_E.pdf](#)

12. NEW BUSINESS

13. MATTERS FROM THE CITY COUNCIL

- 13.A. [REVIEW EXISTING POLICY ON CITY COUNCIL EXPENDITURES AND CONSIDER ADDING CERTAIN PROVISIONS SPECIFIED BY THE CITY COUNCIL](#)

RECOMMENDATION: Consider revisions to Resolution 1002 and approve.

[CC_AGN_220808_AB1234_ReimbursementPolicy_ProposedRevisions.pdf](#)

[CC_TRV_220801_Expense_Reimbursable_Template.pdf](#)

[ResolutionNo1002-AB1234policy.pdf](#)

14. MATTERS FROM STAFF

- 14.A. [RECEIVE AND FILE AN UPDATE ON A SECOND REVIEW BY CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT \(HCD\) OF THE DRAFT SIXTH CYCLE HOUSING ELEMENT](#)

RECOMMENDATION: Receive and file.

[madRollingHillsdraft7212022.pdf](#)

15. RECESS TO CLOSED SESSION

16. RECONVENE TO OPEN SESSION

17. ADJOURNMENT

Next regular meeting: Monday, August 22, 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.: 5.A
Mtg. Date: 08/08/2022

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: FOR BLUE FOLDER DOCUMENTS APPROVED AT THE CITY COUNCIL MEETING

DATE: August 08, 2022

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approved.

ATTACHMENTS:

[CL_AGN_220808_CC_BlueFolderItem_7C.pdf](#)
[CL_AGN_220808_CC_BlueFolderItem_7F.pdf](#)
[CL_AGN_220808_CC_BlueFolderItem_7I_InitialFundingReq.pdf](#)
[CL_AGN_220808_CC_BlueFolderItem_10A.pdf](#)
[CL_AGN_220808_CC_BlueFolderItem_11A.pdf](#)

BLUE FOLDER ITEM (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.

CITY COUNCIL MEETING August 8, 2022

7.C APPROVE THE FOLLOWING CITY COUNCIL MINUTES: JULY 25, 2022

FROM: CHRISTIAN HORVATH, CITY CLERK/EXECUTIVE ASSISTANT TO THE CITY
MANAGER

[CL_MIN_220725_CC_F_A.pdf](#)

BLUE FOLDER ITEM (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.

CITY COUNCIL MEETING August 8, 2022

- 7.F FOR SECOND READING AND ADOPTION: ADOPT BY TITLE ONLY ORDINANCE NO. 377 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA.**

FROM: CHRISTIAN HORVATH, CITY CLERK/EXECUTIVE ASSISTANT TO THE CITY MANAGER

[377_EmployeeSupportiveTransitionalHousing.pdf](#)

Table 1. Initial Funding Commitments

	Grant	Local Match
Crest Road East	\$1,145,457	\$381,819
Eastfield Drive	\$1,971,882	\$657,294
Total	\$3,117,339	\$1,039,113

BLUE FOLDER ITEM (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.

CITY COUNCIL MEETING August 8, 2022

**10.A PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE
NO. 376 AMENDING CHAPTER 17.28 OF THE MUNICIPAL CODE REGARDING
ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS
AND FINDING THE ACTION TO BE EXEMPT FROM CEQA**

FROM: CHRISTIAN HORVATH, CITY CLERK/EXECUTIVE ASSISTANT TO THE CITY
MANAGER

[Exhibit A - Updated ADU Ordinance \(July 2022\)-c1.pdf](#)
[UPDATED ADU REDLINE - FINAL \(Jul. 2022\)-c1.pdf](#)

BLUE FOLDER ITEM (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.

CITY COUNCIL MEETING August 8, 2022

11.A RECEIVE ADDITIONAL INFORMATION ON POTENTIAL SITES FOR THE OUTDOOR SIREN SYSTEM, CONSIDER OPTION D AND ENGAGE HQE FOR A FULL FEASIBILITY STUDY

FROM: CHRISTIAN HORVATH, CITY CLERK/EXECUTIVE ASSISTANT TO THE CITY MANAGER

[CA_AGR_220429_PSA_HQE_Amendment01_E.pdf](#)
[HQE_Professional_Svcs_Agreement_Exhibit_A_Exhibit_B_E.pdf](#)



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.A
Mtg. Date: 08/08/2022

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 AUGUST 8, 2022

DATE: August 08, 2022

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve.

ATTACHMENTS:

[CL_AGN_220808_CC_AffidavitofPosting.pdf](#)



Administrative Report

7.A., File # 1351

Meeting Date: 08/8/2022

To: MAYOR & CITY COUNCIL

From: Christian Horvath, City Clerk

TITLE

APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF AUGUST 8, 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	August 8, 2022	7:00pm Open Session
---------------------	----------------	---------------------

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

Christian Horvath, City Clerk

Date: August 5, 2022



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.B
Mtg. Date: 08/08/2022

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: August 08, 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: 08/08/2022

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: JULY 25, 2022

DATE: August 08, 2022

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

[CL_MIN_220725_CC_F.pdf](#)

[CL_MIN_220725_CC_F_A.pdf](#)



1. CALL TO ORDER

The City Council of the City of Rolling Hills met in person on the above date at 7:00 p.m. Mayor Pro Tem Pat Wilson presiding.

2. ROLL CALL

Councilmembers Present:

Dieringer, Mirsch, Mayor Pro Tem Wilson,

Councilmembers Absent:

Pieper, Mayor Black

Staff Present:

Elaine Jeng, City Manager

Jane Abzug, Deputy 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 Mirsch

4. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS

4.A. PRESENTATION BY WEST BASIN MUNICIPAL WATER DISTRICT

Presentation by E.J. Caldwell, West Basin Municipal Water District

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to receive and file. Motion carried unanimously with the following vote:

AYES: Dieringer, Mirsch, Mayor Pro Tem Wilson

NOES: None

ABSENT: Pieper, Mayor Black

4.B. RECOGNIZE DEPUTY CITY ATTORNEY JANE ABZUG FOR HER SERVICE TO THE CITY OF ROLLING HILLS

Presentation by Elaine Jeng, City Manager
Mayor Pro Tem Wilson

Mayor Pro Tem Wilson thanked Deputy City Attorney Abzug for her service and presented a Certificate of Recognition.

4.C. PRESENTATION FROM RANCHO PALOS VERDES' PROJECT ON WILDFIRE CAMERA DETECTION SYSTEM

Presentation by Rancho Palos Verdes City Manager, Ara Mihranian, and Senior Administrative Analyst Emergency Preparedness, Jesse Villalpando

Public Comment: Arlene Honbo

Motion by Councilmember Mirsch, seconded by Councilmember Dieringer to receive and file. Motion carried unanimously with the following vote:

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

Mayor Pro Tem Wilson moved to Item 13.A. Without objection, so ordered.

13. MATTERS FROM THE CITY COUNCIL

13.A. UPDATE ON SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) REGIONAL PLANNER SPECIAL ASSESSMENT (DIERINGER)

Presentation by SBCCOG Chair & Rancho Palos Verdes Councilmember John Cruikshank

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to pay the additional \$1000 assessment fee for the SBCCOG Regional Planner. Motion carried unanimously with the following vote:

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

Mayor Pro Tem Wilson moved to Item 12.B. Without objection, so ordered.

12.B. REVIEW AMENDED GENERAL FUND RESERVE POLICY AND PROVIDE DIRECTION TO STAFF

Presentation by Robert Samario, Finance Director

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to refer this discussion back to the Finance/Audit/Budget Committee. Motion carried unanimously with the following vote:

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

Mayor Pro Tem Wilson moved to Item 5. Without objection, so ordered.

5. BLUE FOLDER ITEMS (SUPPLEMENTAL) – NONE

6. PUBLIC COMMENT ON NON-AGENDA ITEMS – NONE

7. CONSENT CALENDAR

7.A. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF JULY 25, 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. PULLED BY COUNCILMEMBER DIERINGER

7.D. PAYMENT OF BILLS

7.E. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR JUNE 2022

7.F. PULLED BY COUNCILMEMBER DIERINGER

7.G. ADOPT RESOLUTION NO. 1297 UPDATING THE CONSOLIDATED TAX AND FEE SCHEDULE REGARDING THE COMMITTEE ON TREES AND VIEWS PROCESSING FEE FOR VIEW CASES

7.H. RECEIVE AND FILE PENDING MONSANTO CLASS ACTION SETTLEMENT RELATING TO STORMWATER COMPLIANCE

Public Comment: Jim Aichele

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

AYES: Dieringer, Mirsch, Mayor Pro Tem Wilson

NOES: None

ABSENT: Pieper, Mayor Black

8. EXCLUDED CONSENT CALENDAR ITEMS

7.C. APPROVE THE FOLLOWING CITY COUNCIL MINUTES: JULY 11, 2022

Motion by Councilmember Mirsch, seconded by Mayor Pro Tem Wilson to accept as written. Motion carried with the following vote:

AYES: Mirsch, Mayor Pro Tem Wilson

NOES: Dieringer

ABSENT: Pieper, Mayor Black

7.F. APPROVE REIMBURSEMENT REQUEST FOR COSTS INCURRED BY WOMEN'S CLUB BEAUTIFICATION COMMITTEE TO IMPROVE VIEWING SITE ON CREST ROAD

Motion by Councilmember Mirsch, seconded by Mayor Pro Tem Wilson to approve the reimbursement request. Motion carried with the following vote:

AYES: Mirsch, Mayor Pro Tem Wilson

NOES: Dieringer

ABSENT: Pieper, Mayor Black

9. COMMISSION ITEMS – NONE

9.A. ZONING CASE NO. 21-02: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW 5,215-SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND RELATED IMPROVEMENTS; AND A VARIANCE TO CONSTRUCT A FIVE-FOOT-HIGH RETAINING WALL IN THE SETBACK AREA AND CONDUCT NON-EXEMPT GRADING ON A PROPERTY LOCATED AT 11 FLYING MANE ROAD (LOT 53-SF), ROLLING HILLS, CA (NEVENKA LCC)

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Mirsch, seconded by Councilmember Dieringer to receive and file. Motion carried unanimously with the following vote:

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

9.B. ZONING CASE NO. 22-44: REQUEST FOR APPROVAL OF A SECOND MAJOR MODIFICATION TO A SITE PLAN REVIEW TO RELOCATE THE DRIVEWAY APRON, CONSTRUCT MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, AND FOR NON-EXEMPT GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A 750-SQUARE-FOOT STABLE AND CORRAL; AND VARIANCE REQUESTS TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE, CONSTRUCT A STABLE AND CORRAL IN THE FRONT YARD, CONSTRUCT IN THE FRONT SETBACK AREA, AND FOR RETAINING WALLS THAT EXCEED A HEIGHT OF 3 FEET UP TO A MAXIMUM OF 5 FEET IN THE FRONT YARD SETBACK FOR A PROPERTY LOCATED AT 8 MIDDLE RIDGE LANE SOUTH (LOT 254-UR), ROLLING HILLS, CA 90274 (CIMMARUSTI)

Presentation by John Signo, Planning & Community Services Director

Public Comment: Jim Aichele, Cris Gunderson

Motion by Councilmember Mirsch, seconded by Councilmember Dieringer to receive and file. Motion carried unanimously with the following vote:

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

Mayor Pro Tem Wilson moved to Item 12.A . Without objection, so ordered.

12. NEW BUSINESS

12.A. APPROVE ROLLING HILLS COMMUNITY ASSOCIATION'S REQUEST TO INSTALL NATURAL GAS UNIT TO SUPPLY STAND-BY POWER FOR THE CITY HALL CAMPUS

Presentation by Elaine Jeng, City Manager
Kristen Raig, Rolling Hills Community Association Manager

Motion by Councilmember Mirsch, seconded by Councilmember Dieringer to approve RHCA request to get more information from the vendor and share with the City Council. Motion carried unanimously with the following vote:

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

10. PUBLIC HEARINGS

10.A. PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE NO. 377 AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to introduce for first reading by title only ordinance No. 377 which: Amends various sections of the RHMC to ensure consistency with State law regarding employee, supportive, and transitional housing; and Finds that the adoption of the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3) and direct staff to schedule a second reading for the August 8, 2022 City Council meeting. Motion carried unanimously with the following vote:

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

10.B. PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE NO. 378 AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOMES

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to introduce for first reading by title only Ordinance No. 378, amending section 17.19.030 of the Rolling Hills Municipal Code relating to Family Day Care Homes and direct staff to schedule a second reading for the August 8, 2022 City Council meeting. Motion carried unanimously with the following vote:

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

10.C. PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE NO. 379 ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to introduce for first reading by title only Ordinance No. 379, which: Adds Chapter 17.62 to the Rolling Hills Municipal Code regarding density bonuses and other affordable housing incentives required by State law; and Finds that the adoption of the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15358, 15305, and 15061(b)(3) of the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3) and direct staff to schedule a second reading for the August 8, 2022 City Council meeting. Motion carried unanimously with the following vote:

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

11. OLD BUSINESS – NONE

14. MATTERS FROM STAFF

City Manager Jeng introduced new Deputy City Attorney Patrick Donegan

15. RECESS TO CLOSED SESSION – NONE

16. RECONVENE TO OPEN SESSION – NONE

17. ADJOURNMENT: 10:41 P.M.

The meeting was adjourned at 10:41 p.m on July 25, 2022. The next regular meeting of the City Council is scheduled to be held on Monday, August 8, 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



1. CALL TO ORDER

The City Council of the City of Rolling Hills met in person on the above date at 7:00 p.m. Mayor Pro Tem Pat Wilson presiding.

2. ROLL CALL

Councilmembers Present:

Councilmembers Absent:

Staff Present:

Dieringer, Mirsch, Mayor Pro Tem Wilson,

Pieper, Mayor Black

Elaine Jeng, City Manager

Jane Abzug, Deputy 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 Mirsch

4. PRESENTATIONS/PROCLAMATIONS/ANNOUNCEMENTS

4.A. PRESENTATION BY WEST BASIN MUNICIPAL WATER DISTRICT

Presentation by E.J. Caldwell, West Basin Municipal Water District

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to receive and file. Motion carried unanimously with the following vote:

AYES: Dieringer, Mirsch, Mayor Pro Tem Wilson

NOES: None

ABSENT: Pieper, Mayor Black

4.B. RECOGNIZE DEPUTY CITY ATTORNEY JANE ABZUG FOR HER SERVICE TO THE CITY OF ROLLING HILLS

Presentation by Elaine Jeng, City Manager
Mayor Pro Tem Wilson

Mayor Pro Tem Wilson thanked Deputy City Attorney Abzug for her service and presented a Certificate of Recognition.

4.C. PRESENTATION FROM RANCHO PALOS VERDES' PROJECT ON WILDFIRE CAMERA DETECTION SYSTEM

Presentation by Rancho Palos Verdes City Manager, Ara Mihranian, and Senior Administrative Analyst Emergency Preparedness, Jesse Villalpando

Public Comment: Arlene Honbo

Motion by Councilmember Mirsch, seconded by Councilmember Dieringer to receive and file. Motion carried unanimously with the following vote:

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

Mayor Pro Tem Wilson moved to Item 13.A. Without objection, so ordered.

13. MATTERS FROM THE CITY COUNCIL

13.A. UPDATE ON SOUTH BAY CITIES COUNCIL OF GOVERNMENTS (SBCCOG) REGIONAL PLANNER SPECIAL ASSESSMENT (DIERINGER)

Presentation by SBCCOG Chair & Rancho Palos Verdes Councilmember John Cruikshank

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to pay the additional \$1000 assessment fee for the SBCCOG Regional Planner. Motion carried unanimously with the following vote:

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

Mayor Pro Tem Wilson moved to Item 12.B. Without objection, so ordered.

12.B. REVIEW AMENDED GENERAL FUND RESERVE POLICY AND PROVIDE DIRECTION TO STAFF

Presentation by Robert Samario, Finance Director

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to refer this discussion back to the Finance/Audit/Budget Committee. Motion carried unanimously with the following vote:

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

Mayor Pro Tem Wilson moved to Item 5. Without objection, so ordered.

5. BLUE FOLDER ITEMS (SUPPLEMENTAL) – NONE

6. PUBLIC COMMENT ON NON-AGENDA ITEMS – NONE

7. CONSENT CALENDAR

7.A. APPROVE AFFIDAVIT OF POSTING FOR THE CITY COUNCIL REGULAR MEETING OF JULY 25, 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. PULLED BY COUNCILMEMBER DIERINGER

7.D. PAYMENT OF BILLS

7.E. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR JUNE 2022

7.F. PULLED BY COUNCILMEMBER DIERINGER

7.G. ADOPT RESOLUTION NO. 1297 UPDATING THE CONSOLIDATED TAX AND FEE SCHEDULE REGARDING THE COMMITTEE ON TREES AND VIEWS PROCESSING FEE FOR VIEW CASES

7.H. RECEIVE AND FILE PENDING MONSANTO CLASS ACTION SETTLEMENT RELATING TO STORMWATER COMPLIANCE

Public Comment: Jim Aichele

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

AYES: Dieringer, Mirsch, Mayor Pro Tem Wilson

NOES: None

ABSENT: Pieper, Mayor Black

8. EXCLUDED CONSENT CALENDAR ITEMS

7.C. APPROVE THE FOLLOWING CITY COUNCIL MINUTES: JULY 11, 2022

Motion by Councilmember Mirsch, seconded by Mayor Pro Tem Wilson to accept as written. Motion carried with the following vote:

AYES: Mirsch, Mayor Pro Tem Wilson

NOES: Dieringer

ABSENT: Pieper, Mayor Black

7.F. APPROVE REIMBURSEMENT REQUEST FOR COSTS INCURRED BY WOMEN'S CLUB BEAUTIFICATION COMMITTEE TO IMPROVE VIEWING SITE ON CREST ROAD

Motion by Councilmember Dieringer to approve the reimbursement request but only out of this year's potential budget allocation to the Women's Club. Motion failed for lack of a second.

Motion by Councilmember Mirsch, seconded by Mayor Pro Tem Wilson to approve the reimbursement request. Motion carried with the following vote:

AYES: Mirsch, Mayor Pro Tem Wilson

NOES: Dieringer

ABSENT: Pieper, Mayor Black

9. COMMISSION ITEMS – NONE

9.A. ZONING CASE NO. 21-02: REQUEST FOR APPROVAL OF A SITE PLAN REVIEW TO DEMOLISH AN EXISTING RESIDENCE AND CONSTRUCT A NEW 5,215-SQUARE-FOOT SINGLE-FAMILY RESIDENCE AND RELATED IMPROVEMENTS; AND A VARIANCE TO CONSTRUCT A FIVE-FOOT-HIGH RETAINING WALL IN THE SETBACK AREA AND CONDUCT NON-EXEMPT GRADING ON A PROPERTY LOCATED AT 11 FLYING MANE ROAD (LOT 53-SF), ROLLING HILLS, CA (NEVENKA LCC)

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Mirsch, seconded by Councilmember Dieringer to receive and file. Motion carried unanimously with the following vote:

AYES: Dieringer, Mirsch, Mayor Pro Tem Wilson

NOES: None

ABSENT: Pieper, Mayor Black

9.B. ZONING CASE NO. 22-44: REQUEST FOR APPROVAL OF A SECOND MAJOR MODIFICATION TO A SITE PLAN REVIEW TO RELOCATE THE DRIVEWAY APRON, CONSTRUCT MAXIMUM FIVE-FOOT-HIGH RETAINING WALLS, AND FOR NON-EXEMPT GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A 750-SQUARE-FOOT STABLE AND CORRAL; AND VARIANCE REQUESTS TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE, CONSTRUCT A STABLE AND CORRAL IN THE FRONT YARD, CONSTRUCT IN THE FRONT SETBACK AREA, AND FOR RETAINING WALLS THAT EXCEED A HEIGHT OF 3 FEET UP TO A MAXIMUM OF 5 FEET IN THE FRONT YARD SETBACK FOR A PROPERTY LOCATED AT 8 MIDDLE RIDGE LANE SOUTH (LOT 254-UR), ROLLING HILLS, CA 90274 (CIMMARUSTI)

Presentation by John Signo, Planning & Community Services Director

Public Comment: Jim Aichele, Cris Gunderson

Motion by Councilmember Mirsch, seconded by Councilmember Dieringer to receive and file. Motion carried unanimously with the following vote:

AYES: Dieringer, Mirsch, Mayor Pro Tem Wilson

NOES: None

ABSENT: Pieper, Mayor Black

Mayor Pro Tem Wilson moved to Item 12.A . Without objection, so ordered.

12. NEW BUSINESS

12.A. APPROVE ROLLING HILLS COMMUNITY ASSOCIATION'S REQUEST TO INSTALL NATURAL GAS UNIT TO SUPPLY STAND-BY POWER FOR THE CITY HALL CAMPUS

Presentation by Elaine Jeng, City Manager

Kristen Raig, Rolling Hills Community Association Manager

Motion by Councilmember Mirsch, seconded by Councilmember Dieringer to approve RHCA request to get more information from the vendor and share with the City Council. Motion carried unanimously with the following vote:

AYES: Dieringer, Mirsch, Mayor Pro Tem Wilson

NOES: None

ABSENT: Pieper, Mayor Black

10. PUBLIC HEARINGS

10.A. PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE NO. 377 AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY

**WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING
AND FINDING THE ACTION TO BE EXEMPT FROM CEQA**

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to introduce for first reading by title only ordinance No. 377 which: Amends various sections of the RHMC to ensure consistency with State law regarding employee, supportive, and transitional housing; and Finds that the adoption of the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3) and direct staff to schedule a second reading for the August 8, 2022 City Council meeting. Motion carried unanimously with the following vote:

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

**10.B. PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE NO. 378
AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO
FAMILY DAY CARE HOMES**

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to introduce for first reading by title only Ordinance No. 378, amending section 17.19.030 of the Rolling Hills Municipal Code relating to Family Day Care Homes and direct staff to schedule a second reading for the August 8, 2022 City Council meeting. Motion carried unanimously with the following vote:

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

**10.C. PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE NO. 379
ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY
BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW
AND FINDING THE ACTION TO BE EXEMPT FROM CEQA**

Presentation by John Signo, Planning & Community Services Director

Motion by Councilmember Dieringer, seconded by Councilmember Mirsch to introduce for first reading by title only Ordinance No. 379, which: Adds Chapter 17.62 to the Rolling Hills Municipal Code regarding density bonuses and other affordable housing incentives required by State law; and Finds that the adoption of the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15358, 15305, and 15061(b)(3) of the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3) and direct staff to schedule a second reading for the August 8, 2022 City Council meeting. Motion carried unanimously with the following vote:

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

11. OLD BUSINESS – NONE

14. MATTERS FROM STAFF

City Manager Jeng introduced new Deputy City Attorney Patrick Donegan

15. RECESS TO CLOSED SESSION – NONE

16. RECONVENE TO OPEN SESSION – NONE

17. ADJOURNMENT: 10:41 P.M.

The meeting was adjourned at 10:41 p.m on July 25, 2022. The next regular meeting of the City Council is scheduled to be held on Monday, August 8, 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: 08/08/2022

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: August 08, 2022

BACKGROUND:

None.

DISCUSSION:

None.

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve as presented.

ATTACHMENTS:

[CL_AGN_220808_PaymentOfBills.pdf](#)

CITY OF ROLLING HILLS

AP22-081-082, AP23-004 ACH22-085, ACH23-001-002

Check Run 07-12-2022 through 07-25-2022

Check No.	Check Date	Payee	Description	Amount
027709	8/8/2022	LA County Sheriff's Department	June 2022 Law Enforcement Services	31,696.73
027710	8/8/2022	NV5, INC.	June 2022 Services- CORH-209641 MS4 Monitoring	1,855.00
027711	8/8/2022	Abila	08-18-2022 - 09-17-2022 Accounting Software	202.59
027712	8/8/2022	Alan Palermo Consulting	July 2022 Svcs -ADA, Captain	2,000.00
027713	8/8/2022	Palos Verdes Peninsula Unified School District	Printing City Newsletter	1,294.29
027714	8/8/2022	Race Communications	08-01-2022 -09-01-2022 Internet charges	1,020.00
027715	8/8/2022	Stephens Plumbing Heating & Air Conditioning	2 Portuguese Bend Rd. Storm Drain repairs	1,493.77
027715	8/8/2022	Stephens Plumbing Heating & Air Conditioning	HVAC Leak and bad compressor	125.00
CHECK TOTAL				1,618.77
027716	8/8/2022	Chambers Group	Professional Services June 2022 Project 21330	14,050.30
027717	8/8/2022	Civicplus	Online Codification Hosting	1,245.13
027718	8/8/2022	Daily Breeze	June 2022 Advertising Legal CLS	2,407.90
027719	8/8/2022	South Bay Cities Council of Governments	Revised amount for Special Assessment for Regional Planner	1,000.00
027720	8/8/2022	Women's Community Club of Rolling Hills	Approved by Council on 7-25-2022 for Water fountain	636.27
ACH-075	7/26/2022	Delta Dental	Dental Coverage August 2022	967.27
ACH-076	7/26/2022	The Gas Company	Gas Usage from 06-09-22 to 07-11-22	26.37
ACH-077	7/27/2022	Southern California Edison	Electricity Usage 06 17 22 to 07 18 22	399.77
ACH-078	7/26/2022	Vision Service Plan - (CA)	Vision Coverage August 2022	160.65
ACH-079	6/16/2022	Pitney Bowes	Postage for April-21-2022 and Month of May	2,520.00
ACH-080	6/20/2022	Pitney Bowes	Postage for May 26-2022 and June 9 2022	1,005.00
ACH-081	6/25/2022	Pitney Bowes	Postage Lease 3/27/2022 to 6/26/2022	712.56
ACH-082	6/3/2022	Nextiva	Business Phone Service June Invoice	305.98
ACH-083	7/29/2022	Vantagepoint Transfer Agents - 306580	ICMA PR Ending 07-26-2022	666.70
PR LINK	7/29/2022	PR LINK - Payroll & PR Taxes PR#15	Payroll Processing Fee PR#15 07/13/2022 - 07/26/2022	66.76
PR LINK	7/29/2022	PR LINK - Payroll & PR Taxes PR#15	Pay Period -PR#15 07/13/2022 - 07/26/2022	23,885.38
Report Total				89,743.42

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

89,743.42 for the payment of above items.

Elaine Jeng, P.E., City Manager

08/03/2022



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.E
Mtg. Date: 08/08/2022

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 IRRIGATION SURVEY OF THE CITY HALL CAMPUS AND RECOMMENDATIONS BY EVAN SMITH LANDSCAPE ARCHITECT

DATE: August 08, 2022

BACKGROUND:

At the February 14, 2022 meeting, the City Council approved services with Evan Smith Landscape Architect for a not to exceed amount of \$6,000 at \$150 per hour on an as-needed basis.

The scope of work for Evan Smith Landscape Architect included an inventory of existing irrigation system, record the inventory on landscape plans, identify and record existing plant palette, assess the general condition of existing landscaping, and provide recommendations for improvements.

DISCUSSION:

The initial attached report by Evan Smith is intended to convey the current conditions and his preliminary recommendations for the irrigation system on the City Hall Campus.

Staff will reformat the recommendations and advertise for construction bids to implement the recommended measures.

FISCAL IMPACT:

The City Council had approved a not to exceed amount of \$6,000.00. The city was invoiced \$3,630.00. This expense is funded by General Fund, department 75 City Properties under account 932 dedicated for landscaping. There was sufficient budget in the referenced account in the adopted FY2021-2022 budget.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:

[PW_LAN_220505_IrrigationSurvey_Recommendations.pdf](#)

Irrigation Survey & Recommendations
for City of Rolling Hills Campus
May 5th, 2022
by Evan Smith Landscape Architect #4716

Opening

The following is intended to convey the current conditions and recommendations for the irrigation system found on the Rolling Hills City Hall & Community Association campus during my survey in April 2022.

The report will index the campus using the TWO Irrigation Controllers on site and their associated Irrigation Zones for referencing the numerous areas on this campus. I.e. 2-12 would be Controller #2 Zone 12

A Zone Map for each Controller is attached. These Zones are indicated using assorted hatching and shows the areas each Irrigation Zone covers when activated.

The Irrigation Zone Schedules shows the Time of activation, Duration Zone is watered (minutes) & Frequency (days activated) each Zone is set for watering individual Zone. This schedule shows the current settings. See attached

Recommendations for each Zone and overall improvements will be address in this report.

Components of the Irrigation System

- Water Main = Direct service from the municipal water source
- Back Flow Device = Prevents water from reversing flow back into the municipal water supply and/or potable water supply (i.e. into the buildings) This is a health regulation as ground water & pollutants could be pulled back into the potable water supply.
- Pressure Regulator = Municipal Water Supply can often be delivered at a very high pressure. This device lowers the water pressure to an acceptable level for both irrigation and potable uses.
- Irrigation Controllers - Two "Hunter I-Core" are found on campus. This controller is approximately 10+ years old and is good working condition.

Components of the Irrigation System - continued

Controller #1 is located on the East wall of the City Hall building near the rear entrance. This Controller activates the planters surrounding the City Hall building, The planters along Portuguese Bend Road, along a portion of PV Drive North & the planter along the south side of the entry way.

Controller #2 is located on the North wall of the Community Association behind the Maintenance Garage. This Controller activates the Lawn Area & associated planters, and the planters along the North, South & East sides of the property.

- Irrigation Valves = To water a specific Zone a valve is turned on and off by the respective controller.

These valves should only be associated with one type of irrigation method. I.e. either Spray or drip.

Types of Irrigation

Three main Irrigation devices are used on the Rolling Hills Campus.

1 - Pop-Up / Spray : Using hydraulic pressure a spray nozzle is raised several inches above ground level to distribute water over a given area. When the water is shut off the spray nozzle returns to its housing and is below ground level. These have a preset height which are selected according to the situation.

2 - Fixed / Spray (Shrub Head) : A fixed piece of irrigation pipe holds the nozzle above ground. This is a static piece and does not move. These can be easily raised or lowered as needed.

3 - Drip Line (hose) A flexible hose is placed in the area to be irrigated. This hose has numerous small holes spaced along its length to distribute water over the soil.

Note: A "Nozzle" is a replaceable spray device used to distribute the water.

They come in a variety of sizes to spread the water over a given area so the plantings can be properly watered according to their specific needs.

This can be the distance required. I.e a 8ft nozzle will spray 8ft +-

They come in a variety of arcs from a few degrees up to 360°.

They come in a variety of flow rates measured in GPM (Gallons Per Minuet) for a standard nozzle. These can range from 0.2 up to 3.7 GPM

Other Irrigation Considerations

Soil = Rolling Hills has a very heavy clay soil. This soil is very slow in absorbing water and very slow to let water evaporate or be absorbed.

Exposure = The campus has a varied exposures ranging from the Northern edge getting several hours of direct sun light to the Southern edge having heavy shade from neighboring trees.

Plantings = Plants should be grouped together according to their sun, soil and watering needs. This allows each group to receive the same care and water allowing for optimal growth. I.e. you should not plant a cactus with a lawn.

SURVEY FINDINGS

Irrigation System

The overall appearance of the irrigation system shows that the only portions are currently working and keeping the existing plants alive.

Several areas are NOT working with some plantings surviving and other plantings which have died.

The AGE of the system is one of the main faults of the existing system. The original plans (provided for this survey) are dated 1992-3 making the system close to 30 years old.

This AGE has caused several failures during the time I spent on this survey:

- An irrigation main line (i.e. always carrying water) broke near Controller #2 and caused the entire Controller #2 system to be shut off. Several days elapsed before repairs could be completed. (SEE PHOTO #1)
- I found several Pop-Up sprinklers were either stuck in the Up position or failing to properly rise to while turned on. These did not distribute water to their respective areas & only caused puddling and runoff of water. (SEE PHOTO #2)
- An Irrigation Valve was (2 - 4) stuck in the ON position on one occasion. This resulted in the Irrigation Main Line being shut off again. The entire Controller #2 area was again not watered until this was repaired.
- Several above ground drip lines were chewed by animals allowing water to stream out of these lines and limiting the downline water distribution.
- Several above ground irrigation lines and connections have been chewed and will pose leaking in the future. (SEE PHOTO #3)

SURVEY FINDINGS

Irrigation System - continued

- In viewing the area near the generator house I noticed some old irrigation lines were exposed. These lines are Schedule 80 PVC. These are thin walled inexpensive lines and are not recommended in a future improvements nor repairs.
- The PRESSURE REGULATOR is out of date and needs to be replaced. (recommendations see below)
- All Zones that are working are being OVERWATERED!
A combination of factors are involved:
 - The timers are set for extended durations and frequency.
 - Inability of the soil (clay) to absorb water in the allotted time.
The Lawn Areas (2-14 , 2-15, 2-16, 2-19) are good example.
During my survey I turned on each Zone and reviewed their respective conditions. In these 4 zones I noticed the water would not be absorbed after 2 or 3 minuets of run time and would quickly runoff onto the pathways & paving and then go to the drainage culvert. In other zones I observed similar circumstances of overwatering with signs of puddling, mud, and runoff.
Overwatering is a major cause of premature plant disease and death. When the soil is too moist the roots can not get enough air and can become rotten and then die. (SEE PHOTO #4)
- All zones are being watered too late in the evening.
When plants are watered during the nighttime they hold moisture on their leaves. This extended soaking promotes fungus, mold and other plant diseases causing premature death and other problems. (recommendations see below)

Drainage System

Several downspouts for the gutter system on the Community Association building are faulty. (SEE PHOTO #5)

- In location DS#1 (see plan) the elbow from the roof gutter has corroded and is leaking water directly into a planter area. Water from this area is then directed to an area drain in the lawn.

Drainage System - continued

- In locations DS#2 & #3 (see plan) the downspouts are dumping water directly into zone 2 -17. This planter is being saturated with the rain water and does not have any direct outlet to drain excess water. This along, with the irrigation system overwatering, has caused the Oleander hedge to die.
- In location DS#4 there is no drain line to direct roof gutter water towards the drainage culvert in the parking lot. This is causing erosion on the hillside and mud to flow into the parking lot.

RECOMMENDATIONS - ranked in order of importance

1 - The least expensive solution is to reprogram the Irrigation Controllers for proper duration and frequency. Each Controller and Zone should cut their times & and maybe their frequencies in at least half.

Have the maintenance company run each zone independently and watch until the soil is saturated. When water begins to runoff and/or puddle the timer should be reset to that duration.

The starting times should be set so the last zone in the controller turns off just before staff arrive for work.

I.e. Controller #1 has 17 zones @ 8 minutes each = 136 minutes or 2hrs 16 minutes run time (still way too much).

So the ideal time to start would be around 5:00am. allowing staff to arrive by 7:15am.

The campus has a mature landscape. These plantings have developed deep roots and which allows them to draw water from far below the surface. The top of the soil does not need to be moist for plants to survive.

I dug a small hole in the lawn area which on first appearances looked dry and cracked. In looking only 1 to 2 inches down I found the soil to be moist and sticky. I.e. still too wet. (SEE PHOTO #6)

Again the soil on the campus is clay. This type of soil is very slow to absorb water and expansive. I.e. it expands when wet and contracts as it dries out.

2a - Replace the Pressure Regulator

The Pressure regulator reduces the City Water Main pressure down to a 50 PSI (pounds per square inch). This is an industry standard operating pressure for irrigation and general building plumbing. (Drip Valves are an exception and need 35psi).

RECOMMENDATIONS - continued

I was able to measure the water pressure at two locations during this survey and both measured 140psi+. This is close to 3 x's the standard pressure.

The initial "Surge" PSI reading hit 170psi & 200+psi. This sudden rush of water is a major cause of irrigation failure. (SEE PHOTO #7)

This excessive resting pressure (140psi) causes undue wear and tear on the irrigation system and the plumbing in both buildings. This high pressure is a major cause of current & future failures.

A visible indication of this high pressure demonstrated when the lawn area is watered. With normal operating pressure the spray nozzles should appear uniform with heavy droplets.

With this higher pressure the water is "Misting". This MIST is tiny droplets and look like a fog or mist. These and are easily carried / miss directed by any wind. Sometimes a "Rainbow" can be seen during watering. (SEE PHOTO #8)

- I recommend changing BOTH regulators at the City Hall & Association sites.
- I recommend adding pressure regulators on both side of the regulators.

One on the inlet side (140psi+-) and another just after the outlet side (50psi). This will allow accurate monitoring of the system.

- I recommend checking the condition of each Back Flow device as these could be a health hazard.

NOTE : WHEN the pressure regulator is changed the new corrected pressure may not provide adequate coverage with the existing spray nozzles. Therefore in conjunction with (2a) I recommend the following as outline in (2a) below.

2b - Change all spray nozzles

The newer Stream Spray nozzles distribute water at a slower volume and allow the clay soil to absorb the water. This slower distribution also drops the water demand on the valve controlling the zone. This in turn allows more nozzles on in an existing Zone.

Stream Spray Rotary Nozzles can range from 0.17 up to 1.01 GPM which can be up to 1/2 to 1/3 that of a standard spray nozzle.

RECOMMENDATIONS - continued

3 - Mulch & Fertilize all planter beds

A 2 to 3 inch dressing of composted wood chips provides several benefits:

- Helps with soil by holding the water until it can be slowly absorbed.
- Slows evaporation on hotter days
- As it decomposes it adds nutrients to the soil
- It helps prevent weeds

A good general all purpose fertilizing should be done at least 2x's per year.

Your maintenance contractor should switch away from leaf blowers as these will remove most organic matter / mulch if improperly used. Hand picking and raking will remove some of the larger less desirable items.

4 - De-thatch, Aerate, Over-seed/Top dress and Fertilize the lawn

De-thatching is a process where the top few inches of lawn are removed. As lawns grow they build up a heavy layer of roots and dead material. This impedes the water and nutrients from getting to the roots.

Aeration is a process where numerous holes or plugs are removed from the lawn. This allows water and nutrients better access to the roots. This is especially helpful where lawns get heavy traffic or have heavy soils (clay). Both of these are present on site.

Over-seed / Top Dress is the next step in helping the lawn. New lawn seed is broadcasted over the existing lawn and then an application of fine composted organic mulch is used to cover these new seeds. This covering helps protect them while germinating.

Fertilizer should be used through at most two times per year. This is typical done in early Spring and again in early Fall. Lawns are heavy feeders and having two basic types of lawn (cool growing & warm growing) this will help both types start off strong.

5 - New Irrigation Controllers

The newer Irrigation Controllers can help eliminate the need for constant monitoring. Using satellite uplinks these new controllers can think ahead of upcoming weather patterns. If the controller "knows" it is going to rain they shut down the irrigation. Also if it going to be hot and dry it can irrigate for a longer duration. These controllers will also shut off a valve when it senses it is not closing and not interrupt the surrounding plantings. They can also be monitored remotely from either your maintenance company, your onsite staff or from anyone with access to the system and software.

RECOMMENDATIONS - continued

6 - Replace old Pop-Ups that fail

Most of the Pop-up sprinklers on site are not necessary. Pop-up sprinklers are best used when irrigating next to paths, walkways and other high traffic areas. They help reduce the chance of tripping and falling. However they are expensive and more prone to failure. When any Non-essential Pop-up sprinkler fails I recommend replacing them with the more affordable Fixed / Spray (Shrub Head). This simple method will save money and allow direct observation of performance. They are also easily adjusted or raised when surrounding plantings grow taller.

7 - Replace Old Valves & Systems

Do not try to fix any of the old systems.

The 30+ years of use & the excessive high pressure has caused irreparable damage to the remaining irrigation system. If any future improvements are considered for any Zone then I highly recommend new Irrigation Systems be installed.

IRRIGATION ZONE SCHEDULESController #1 - Settings as of April 2022:

8 minuet cycles 3 times a week (Monday, Wednesday, Friday) starting at 10:00PM

Zone 1 - 1 - This zone has 14 pop-up spray heads and is in heavy shade.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 2 - This zone has 15 pop-up spray heads and is in heavy shade.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 3 - This zone has 18 pop-up spray heads.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 4 - This zone has 8 pop-up spray head.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 5 - This zone has 15 pop-up spray heads.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 6 - This zone has 11 pop-up spray heads.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 7 - This zone has 10+ pop-up spray heads.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 8 - This zone is currently OFF LINE - New construction has damaged existing system

Zone 1 - 9 - This zone has 1 Fixed head and is in heavy shade.

Zone 1 - 10 - This zone has 14+ pop-up spray heads.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 11 - This zone has 12 pop-up spray heads.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 12 - This zone has 23 pop-up spray heads.

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 13 - This zone has 12+ pop-up spray heads & Drip

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 14 - This zone has 25+ pop-up spray heads

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 15 - This zone is currently OFF LINE - New construction has damaged existing system

Zone 1 - 16 - This zone has 9 pop-up spray heads & Drip

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Zone 1 - 17 - This zone has 15+ pop-up spray heads

The current 8 minuet x 3 day cycle delivers too much water for this zone.

Controller #2

Settings as of April 2022:

A variety of minuet cycles

4 times a week (Monday, Tuesday, Thursday, Friday) starting at 2:30AM

Zone 2 - 1 - This zone has 22 pop-up spray heads.

The current 8 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 2 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 3 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 4 - is zone has 10+ pop-up spray heads & Drip

The current 8 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 5 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 6 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 7 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 8 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 9 - This zone has 15 pop-up spray heads.

The current 8 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 10 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 11 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 12 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 13 - This zone is currently OFF LINE - exact location unknown

Zone 2 - 14 - This zone has 21 pop-up spray heads.

The current 6 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 15 - This zone has 10 pop-up spray heads.

The current 12 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 16 - This zone has 5 pop-up spray heads.

The current 12 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 17 - This zone has 20+ pop-up spray heads.

The current 6 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 18 - This zone has 12+ pop-up spray heads.

The current 6 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 19 - This zone has 6 pop-up spray heads.

The current 6 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 20 - This zone has 15+ pop-up spray heads.

The current 6 minuet x 4 day cycle delivers too much water for this zone.

Controller #2 - continued:

Zone 2 - 21 - This zone has 8 pop-up spray heads.

The current 10 minuet x 4 day cycle delivers too much water for this zone.

Zone 2 - 22 - This zone is currently OFF LINE - exact location unknown

ATTACHMENTSPhotos

#1 - Broken Mainline

#2 - Pop-Ups

#3 - Chewed Lines

#4 - Runoff

#5 - Down Spouts

#6 - Soil Test

#7 - Pressure Regulator

#8 - Misting

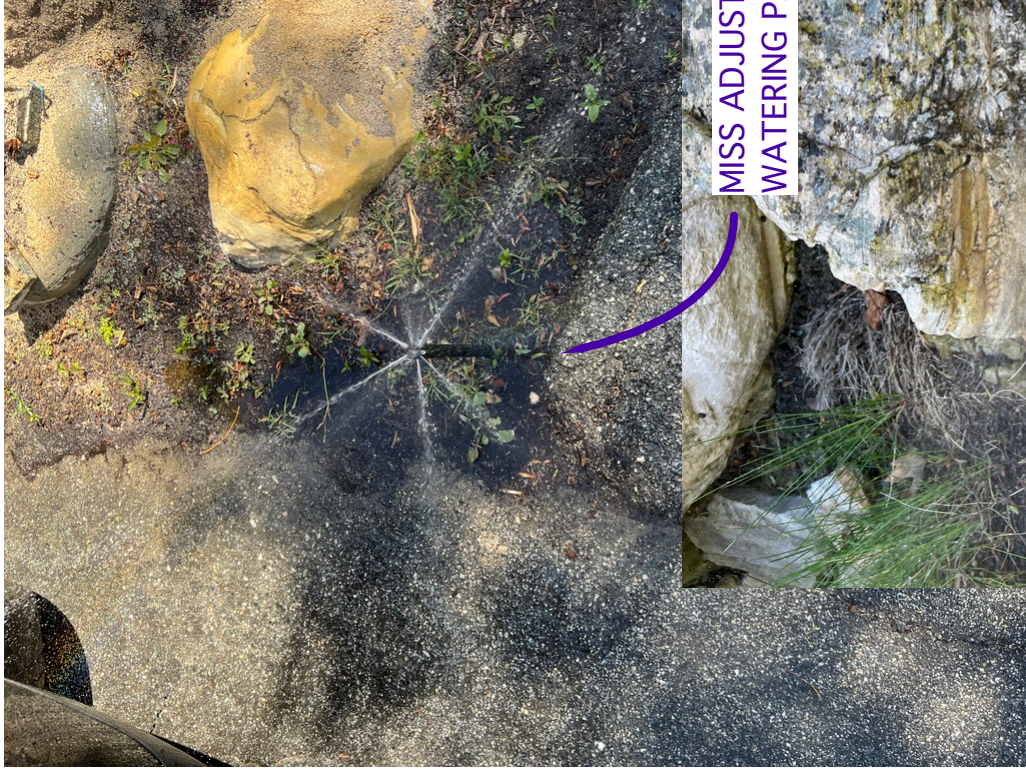
#9 - Zone Map for City Hall - Controller #1

#10 - Zone Map for Community Association - Controller #2

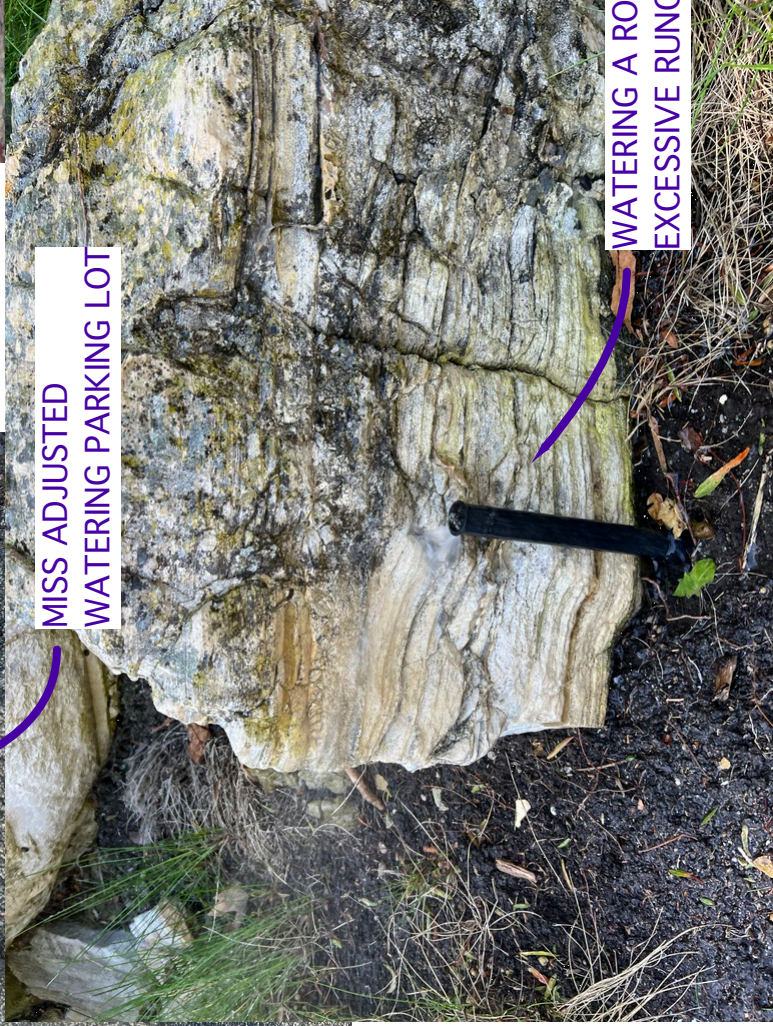
end of report



BROKEN WATER MAIN NEAR C#2
ALSO DOWN SPOUT INTO PLANTER W/ EROSION ONTO DRIVEWAY



MISS ADJUSTED
WATERING PARKING LOT



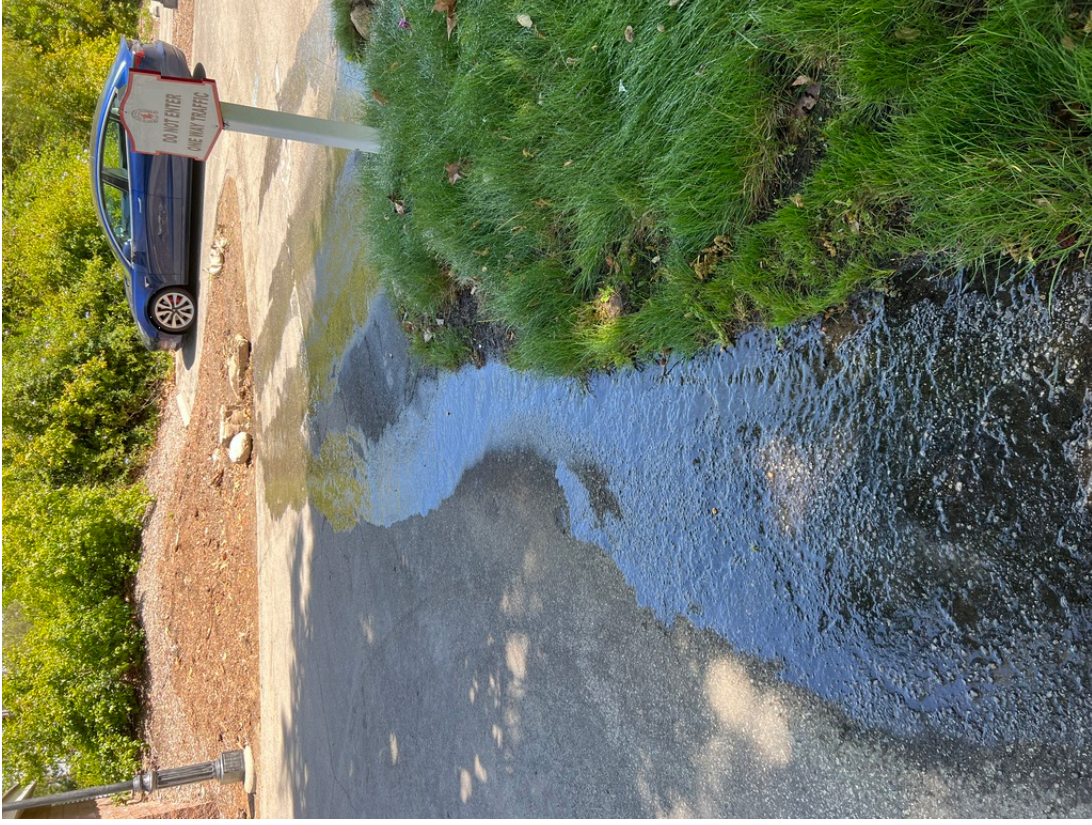
WATERING A ROCK
EXCESSIVE RUNOFF



STUCK OPEN
BRAKING HAZARD

POP UP SPRINKLERS





RUNOFF FROM LAWN AFTER 4 MINUETS



PUDDLING & RUNOFF FROM LAWN
AFTER 4 MINUETS



DOWNSPOUT #3
EMPTIES INTO
PLANTER W/ NO
OUTLET



CORRODED DOWNSPOUT



ZONE 2-17
NO DRAINAGE
DEAD / DYING HEDGE

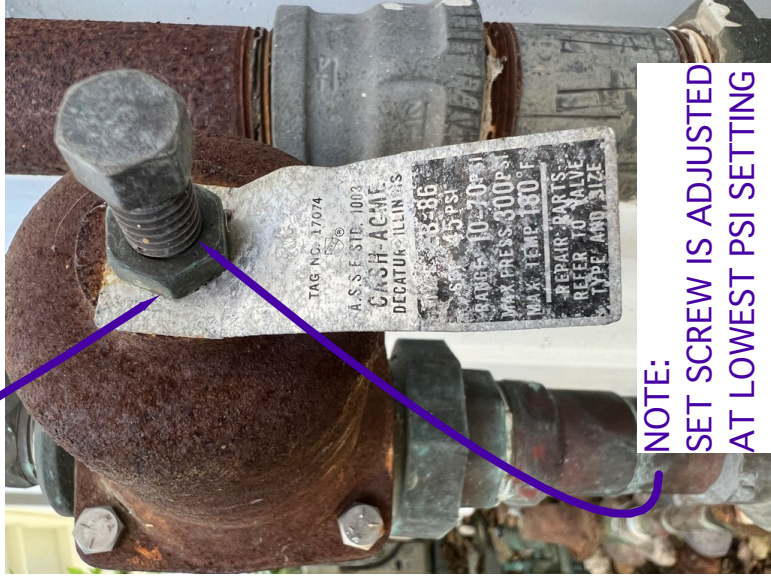


SURFACE CRACKS
IN LAWN AREA



MOIST SOIL 2" BELOW

PRESSURE REGULATOR BY CONTROLLER #2

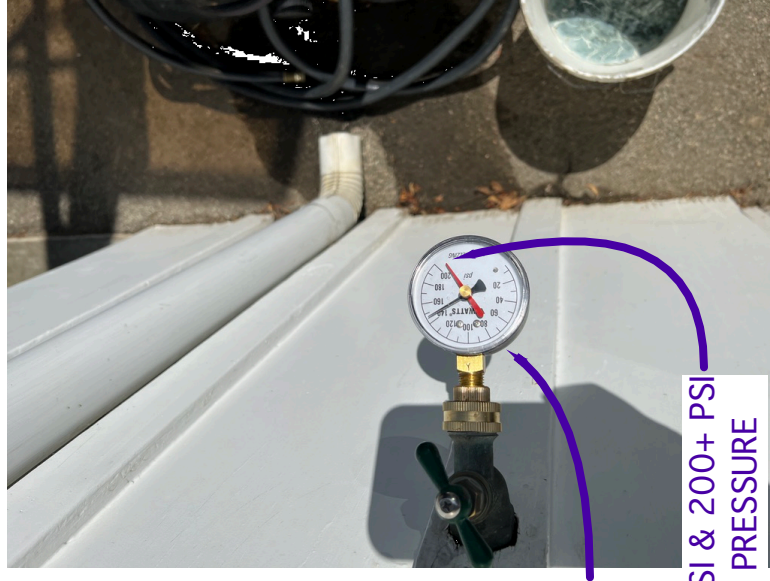


NOTE:
SET SCREW IS ADJUSTED
AT LOWEST PSI SETTING
YET PRESSURE IS STILL
TOO HIGH
INDICATES FAULTY
REGULATOR



140PSI

170 PSI & 200+ PSI
SURGE PRESSURE



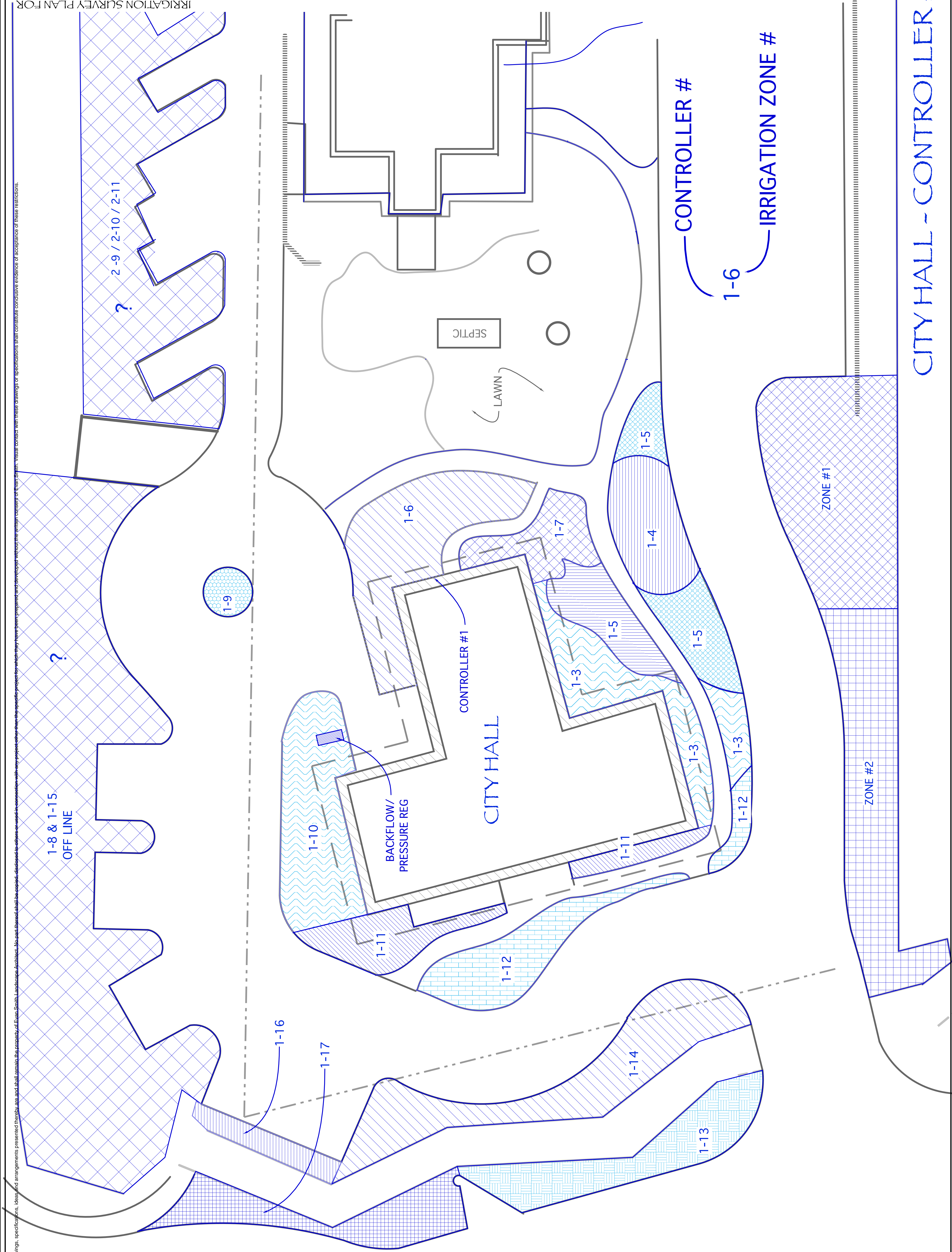
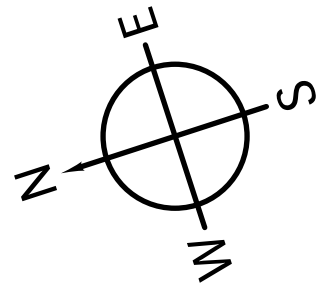
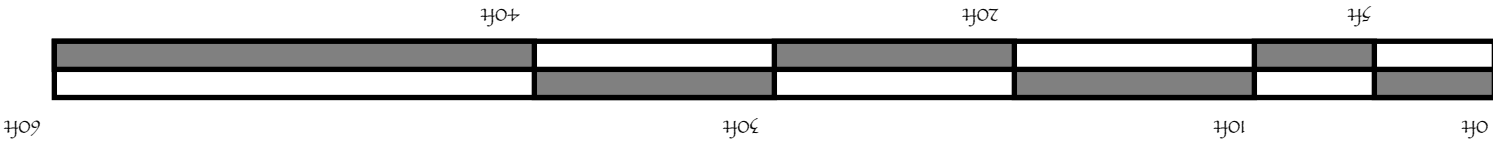


MISTING
NOTE
RAINBOW

74
74

ROLLING HILLS CITY HALL & COMMUNITY ASSOCIATION CAMPUS

IRRIGATION SURVEY PLAN FOR

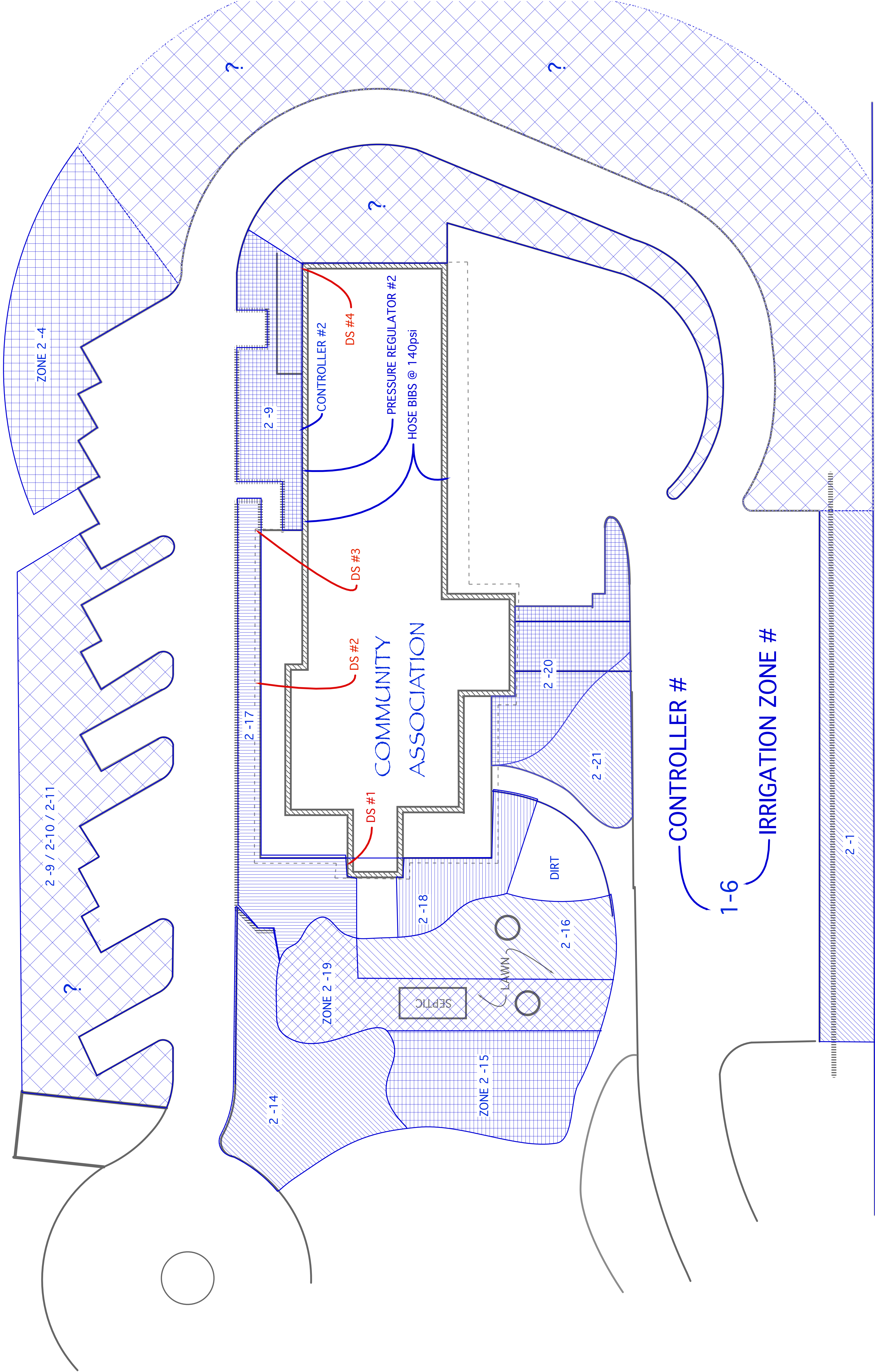

$$0 - 8 = -8$$


CITY HALL - CONTROLLER #1

These drawings, specifications, ideas and arrangements presented thereby are and shall remain the property of Evan Smith Landscape Architect. No part thereof shall be copied, disclosed to others or used in connection with any project other than the specific project for which they have been prepared and developed without the written consent of Evan Smith. Visual contact with these drawings or specifications shall constitute conclusive evidence of acceptance of these restrictions.

IRRIGATION SURVEY PLAN FOR
ROLLING HILLS CITY HALL & COMMUNITY ASSOCIATION CAMPUS
2 PORTUGUESE BEND ROAD - ROLLING HILLS , CA 90274
EVAN SMITH - LANDSCAPE ARCHITECT #4716 - 1501 VIA GABRIEL - P.V.E. , CA 90274

NOTES:
- THIS IS A DIAGRAMATIC DRAWING AND IS NOT A LEGAL SURVEY.
- CONTRACTOR TO VERIFY ALL MEASUREMENTS PRIOR TO BIDDING & CONSTRUCTION.
- NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
- ALL ADJUSTMENTS WILL BE MADE IN THE FIELD BY ARCHITECT, CONTRACTOR & HOMEOWNER.



COMMUNITY ASSOCIATION - CONTROLLER #2



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.F
Mtg. Date: 08/08/2022

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: FOR SECOND READING AND ADOPTION: ADOPT BY TITLE ONLY
ORDINANCE NO. 377 - AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS
SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY
WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND
TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT
FROM CEQA.**

DATE: August 08, 2022

BACKGROUND:

In recent years, the State of California has preempted local regulation of certain residential uses, including employee, supportive, and transitional housing. State law generally defines each use follows:

- Employee Housing: refers to privately-owned housing that houses five or more employees and meets specified criteria (e.g., the living quarters are provided in connection with employment). (see Health and Safety Code, § 17008(a)).
- Supportive Housing: refers to housing that is occupied by an homeless individual or family with no limit on the length of stay and that is linked to onsite or offsite services. (see Gov. Code, § 65650(a)).
- Transitional Housing: refers to rental housing operated under program requirements that require termination of assistance and recirculating the unit to another recipient at a predetermined future date that is not less than six months from the beginning of the assistance. (see Gov. Code, § 65582(j)).

The proposed ordinance (the "Ordinance") updates the Rolling Hills Municipal Code ("RHMC") to clarify that the City permits these uses as required by State law.

On July 25, 2022, the City Council opened the public hearing, received public testimony, closed the public hearing, and introduced for first reading by title only Ordinance No. 377. The

Council directed staff to schedule the second reading for tonight's meeting.

DISCUSSION:

As required by State law, the Ordinance amends the RHMC to:

- Add definitions for “employee housing,” “supportive housing,” and “transitional housing” to the Zoning Code’s “Definitions” provided in Chapter 17.12 of the RHMC.
- Specify that for purposes of the RHMC, “employee housing,” “supportive housing,” and “transitional housing” have the same meaning as defined under State law.
- Indicate that employee housing (with a permit from the statutory enforcement agency) to serve six or fewer employees is considered a single-family residential structure.
 - The Ordinance specifies that the “statutory enforcement agency” refers to the Department of Housing and Community Development (HCD) unless and until the City of Rolling Hills or the County of Los Angeles assume responsibility for enforcing the Employee Housing Act under Health and Safety Code Section 17050.
- Clarify that no conditional use permit, zoning variance, or other zoning clearance will be required for employee housing serving six or fewer employees unless the same is required for a family dwelling of the same type in the same zone.
- Specify that “supportive housing” and “transitional housing” are considered residential uses of property and subject to those restrictions that apply to other residential dwellings of the same type in the same zone.
- Clarify that “supportive housing” is a use by right in all zones where multifamily and mixed uses are permitted.

The Ordinance’s amendments to the RHMC are mandated by State law. For these reasons, staff is recommending that the City Council adopt the Ordinance. The Planning Commission held a public hearing to consider the Ordinance on June 21, 2022 and, thereafter, recommended that the City Council adopt the Ordinance.

ENVIRONMENTAL IMPACT

Adoption of this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the adoption of this Ordinance is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3)).

FISCAL IMPACT:

None.

RECOMMENDATION:

Adopt by title only Ordinance No. 377, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE

MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA.”

ATTACHMENTS:

[Ordinance No. 377_EmployeeSupportiveTransitionalHousing-c1.pdf](#)
[377_EmployeeSupportiveTransitionalHousing.pdf](#)

ORDINANCE NO. 377

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, in recent years, the State of California has preempted local regulation of certain residential uses, including employee, supportive, and transitional housing; and

WHEREAS, this Ordinance amends Title 17 (Zoning) of the Rolling Hills Municipal Code to ensure that the City's regulation of the above mentioned uses is clear and in accordance with state law; and

WHEREAS, on June 9, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on June 21, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, on July 14, 2022 the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on July 25, 2022, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

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

SECTION 1. Recitals. The Recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

SECTION 2. CEQA. The City Council finds that adoption of this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the adoption of this Ordinance is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).)

SECTION 3. General Plan. This Ordinance's amendments to Title 17 of the Rolling Hills Municipal Code are consistent with, and in furtherance of, the City's adopted General Plan as they effectuate the Fifth Cycle Housing Element's Implementation Program No. 8—which provides that the City would amend the Municipal Code to add definitions for employee, supportive, and transitional housing.

SECTION 4. Code Amendment. Section 17.12.050 ("E" words, terms and phrases) of the Rolling Hills Municipal Code is hereby amended to add a definition for "Employee housing," to read in its entirety as follows:

"Employee housing" has the same meaning as in California Health and Safety Code Section 17008(a), as that section is amended from time to time.

SECTION 5. Code Amendment. Section 17.12.109 ("S" words, terms and phrases) of the Rolling Hills Municipal Code is hereby amended to add a definition for "Supportive housing," to read in its entirety as follows:

"Supportive housing" has the same meaning as in California Government Code Section 65650(a), as that section is amended from time to time.

SECTION 6. Code Amendment. Section 17.12.200 ("T" words, terms and phrases) of the Rolling Hills Municipal Code is hereby amended to add a definition for "Transitional housing," to read in its entirety as follows:

"Transitional housing" has the same meaning as in California Government Code Section 65582(j), as that section is amended from time to time.

SECTION 7. Code Amendment. Section 17.16.250, entitled "Employee, Supportive, and Transitional Housing," is hereby added to the Rolling Hills Municipal Code and shall read in its entirety as follows:

"Section 17.16.250 – Employee, Supportive, and Transitional Housing"

- A. In accordance with California Health and Safety Code Section 10721.5, subdivision (b):

1. Employee housing with a permit from the statutory enforcement agency to serve six or fewer employees is considered a single-family residential structure.
 2. No conditional use permit, zoning variance, or other zoning clearance is required for employee housing serving six or fewer employees unless the same is required for a family dwelling of the same type in the same zone.
 3. In accordance with California Health and Safety Code Section 17007, for purposes of this subsection (A), “statutory enforcement agency” refers to the Department of Housing and Community Development unless and until the City of Rolling Hills or the County of Los Angeles assume responsibility for enforcing the Employee Housing Act under Health and Safety Code Section 17050.
- B. Supportive housing is a use by right in all zones where multifamily and mixed uses are permitted, in accordance with Government Code Title 7, Division 1, Chapter 3, Article 11 (commencing with Section 65650).
- C. Transitional housing and supportive housing are each considered a residential use of property and are subject to those restrictions that apply to other residential dwellings of the same type in the same zone, in accordance with Government Code Section 65583, subdivision (c)(3).”

SECTION 8. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision hereof. The City Council of the City of Rolling Hills hereby declares that it would have adopted this Ordinance despite any partial invalidity.

SECTION 9. Effective Date. This Ordinance takes effect 30 days after its passage and adoption in accordance with California Government Code section 36937.

SECTION 10. Certification. The City Clerk is hereby directed to certify to the passage and adoption of this Ordinance; cause the same, or a summary thereof, to be published or posted in the manner required by law; and file a notice of exemption within five business days after adoption of the Ordinance.

PASSED, APPROVED and ADOPTED this 8th day of August, 2022.

James Black, Mayor

ATTEST:

Christian Horvath, City Clerk

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 377 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the 8th day of August, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christian Horvath
City Clerk

ORDINANCE NO. 377

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE MUNICIPAL CODE TO ENSURE CONSISTENCY WITH STATE LAW REGARDING EMPLOYEE, SUPPORTIVE, AND TRANSITIONAL HOUSING AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, the City of Rolling Hills, California ("City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, in recent years, the State of California has preempted local regulation of certain residential uses, including employee, supportive, and transitional housing; and

WHEREAS, this Ordinance amends Title 17 (Zoning) of the Rolling Hills Municipal Code to ensure that the City's regulation of the above mentioned uses is clear and in accordance with state law; and

WHEREAS, on June 9, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on June 21, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, on July 14, 2022 the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on July 25, 2022, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

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

SECTION 1. Recitals. The Recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

SECTION 2. CEQA. The City Council finds that adoption of this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the adoption of this Ordinance is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).)

SECTION 3. General Plan. This Ordinance's amendments to Title 17 of the Rolling Hills Municipal Code are consistent with, and in furtherance of, the City's adopted General Plan as they effectuate the Fifth Cycle Housing Element's Implementation Program No. 8—which provides that the City would amend the Municipal Code to add definitions for employee, supportive, and transitional housing.

SECTION 4. Code Amendment. Section 17.12.050 ("E" words, terms and phrases) of the Rolling Hills Municipal Code is hereby amended to add a definition for "Employee housing," to read in its entirety as follows:

"Employee housing" has the same meaning as in California Health and Safety Code Section 17008(a), as that section is amended from time to time.

SECTION 5. Code Amendment. Section 17.12.109 ("S" words, terms and phrases) of the Rolling Hills Municipal Code is hereby amended to add a definition for "Supportive housing," to read in its entirety as follows:

"Supportive housing" has the same meaning as in California Government Code Section 65650(a), as that section is amended from time to time.

SECTION 6. Code Amendment. Section 17.12.200 ("T" words, terms and phrases) of the Rolling Hills Municipal Code is hereby amended to add a definition for "Transitional housing," to read in its entirety as follows:

"Transitional housing" has the same meaning as in California Government Code Section 65582(j), as that section is amended from time to time.

SECTION 7. Code Amendment. Section 17.16.250, entitled "Employee, Supportive, and Transitional Housing," is hereby added to the Rolling Hills Municipal Code and shall read in its entirety as follows:

"Section 17.16.250 – Employee, Supportive, and Transitional Housing"

- A. In accordance with California Health and Safety Code Section 17021.5, subdivision (b):

1. Employee housing with a permit from the statutory enforcement agency to serve six or fewer employees is considered a single-family residential structure.
 2. No conditional use permit, zoning variance, or other zoning clearance is required for employee housing serving six or fewer employees unless the same is required for a family dwelling of the same type in the same zone.
 3. In accordance with California Health and Safety Code Section 17007, for purposes of this subsection (A), "statutory enforcement agency" refers to the Department of Housing and Community Development unless and until the City of Rolling Hills or the County of Los Angeles assume responsibility for enforcing the Employee Housing Act under Health and Safety Code Section 17050.
- B. Supportive housing is a use by right in all zones where multifamily and mixed uses are permitted, in accordance with Government Code Title 7, Division 1, Chapter 3, Article 11 (commencing with Section 65650).
- C. Transitional housing and supportive housing are each considered a residential use of property and are subject to those restrictions that apply to other residential dwellings of the same type in the same zone, in accordance with Government Code Section 65583, subdivision (c)(3)."

SECTION 8. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision hereof. The City Council of the City of Rolling Hills hereby declares that it would have adopted this Ordinance despite any partial invalidity.

SECTION 9. Effective Date. This Ordinance takes effect 30 days after its passage and adoption in accordance with California Government Code section 36937.

SECTION 10. Certification. The City Clerk is hereby directed to certify to the passage and adoption of this Ordinance; cause the same, or a summary thereof, to be published or posted in the manner required by law; and file a notice of exemption within five business days after adoption of the Ordinance.

PASSED, APPROVED and ADOPTED this 8th day of August, 2022.

James Black, Mayor

ATTEST:

Christian Horvath, City Clerk

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 377 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the 8th day of August, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christian Horvath
City Clerk



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.G
Mtg. Date: 08/08/2022

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: FOR SECOND READING AND ADOPTION: ADOPT BY TITLE ONLY
ORDINANCE NO. 378 AMENDING SECTION 17.19.030 OF THE
ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE
HOME.**

DATE: August 08, 2022

BACKGROUND:

Senate Bill (SB) 234 prohibits cities from requiring any Family Child Care Home licensed by the Department of Social Services, Community Care Licensing Division, large or small as defined in Health and Safety Code 1596.78, from having to obtain a land use/zoning permit and/or business license for their operation. Health and Safety Code section 1597.45 now states that Large Family Child Care Homes (caring for up to 14 children) shall be treated the same as Small Family Child Care Homes (caring for up to 8 children) under all local laws. Cities must now consider the operation of a Large Family Child Care Home as a residential use of property by right, just as they have historically been required to treat Small Family Child Care Homes as residential property uses by right.

On July 25, 2022, the City Council opened the public hearing, received public testimony, closed the public hearing, and introduced for first reading by title only Ordinance No. 378. The Council directed staff to schedule the second reading for tonight's meeting.

DISCUSSION:

The enclosed Ordinance amends Section 17.19.030 of the Rolling Hills Municipal Code, which previously provided that homes in the Rancho Del Mar Housing Opportunity Zone were required to get a Conditional Use Permit ("CUP") before operating a day care home. This is no longer permitted by SB 234, so the enclosed Ordinance removes the requirement to get a CUP. Staff worked with the City Attorney's office to draft the ordinance, which amends the Municipal Code so that the City is in compliance with SB 234's requirements. For this reason,

staff is recommending that the City Council adopt the Ordinance. The Planning Commission held a public hearing to consider the Ordinance on June 21, 2022 and, thereafter, recommended that the City Council adopt the Ordinance.

CEQA CONSIDERATIONS:

The Ordinance is not a project subject to the California Environmental Quality Act ("CEQA"), pursuant to CEQA Guideline 15061(b)(3), as it can be seen with certainty that the proposed adoption will not have a significant effect on the environment, primarily because the amendment removes the requirement for a use permit for large family day care homes, and regardless of the use permit requirement, state law already establishes that CEQA does not apply to either large or small family day care homes pursuant to CEQA Guideline 15274 and California Health & Safety Code 1597.45(d). Thus, the action on the Ordinance is not anticipated to have any impact under CEQA primarily because the State has already decided that CEQA does not apply to large or small family day care homes.

FISCAL IMPACT:

None.

RECOMMENDATION:

Adopt Ordinance No. 378, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOMES."

ATTACHMENTS:

[Ordinance No. 378_Family_Day_Care__Homes.A.pdf](#)

ORDINANCE NO. 378

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA AMENDING SECTION 17.19.030 OF THE ROLLING HILLS MUNICIPAL CODE RELATING TO FAMILY DAY CARE HOMES

WHEREAS, Governor Newsom signed SB 234 (Skinner, Chapter 244) into law, amending the Health and Safety Code relating to family daycare homes, including requiring all local ordinances to treat family daycare homes as a residential use of property; and

WHEREAS, pursuant to Health and Safety Code section 1597.45(a), a small or large family daycare home shall be considered a residential use of property by right for purposes of all City ordinances, including zoning ordinances; and

WHEREAS, pursuant to Health and Safety Code section 1597.45(b), the City cannot impose a business license, fee, or tax on a small or large family daycare home; and

WHEREAS, the use of a home as a small or large family daycare home does not constitute a change of occupancy for purposes of the State Housing Law or local building codes; and

WHEREAS, Health and Safety Code section 1596.78(a) defines a “family daycare home” to mean a “facility that regularly provides care, protection, and supervision for 14 or fewer children, in the provider’s own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family daycare home or a small family daycare home”; and

WHEREAS, Health and Safety Code section 1596.78(b) defines a “large family daycare home” as a facility that provides care, protection, and supervision for 7 to 14 children...” and section 1596.78 defines a “small family daycare home” as a facility that provides care, protection, and supervision for eight or fewer children...”; and

WHEREAS, adoption of this Ordinance will bring the City’s Zoning Code into compliance with the changes made to family child day care home law pursuant to SB 234 by removing and amending certain regulations for small and large family child care homes in the City; and

WHEREAS, the Planning Commission held a duly noticed public hearing on June 21, 2022, to consider making a recommendation to the City Council on making the proposed changes to the zoning chapter of the City’s Municipal Code, and voted in favor of making such a recommendation to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on July 14, 2022, at which time all interested persons were allowed to address the City Council regarding adoption of this ordinance; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

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

Section 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by this reference as findings in support of this Ordinance.

Section 2. CEQA. The City Council's adoption of this Ordinance is not a project subject to the California Environmental Quality Act pursuant to CEQA Guideline 15061(b)(3) as it can be seen with certainty that the proposed adoption will not have a significant effect on the environment, primarily because the amendment removes the requirement for a use permit for large family day care homes, and regardless of the use permit requirement, state law already establishes that CEQA does not apply to either large or small family day care homes pursuant to CEQA Guideline 15274 and California Health & Safety Code 1597.45(d). Thus, the City Council's action is not anticipated to have any impact under CEQA primarily because the State has already decided that CEQA does not apply to large or small family day care homes.

Section 3. Section 17.19.030 Amended. Subdivision E. of Section 17.19.030, which reads "E. Daycare*," is hereby amended to read "E. Daycare;" and accordingly the requirement for daycares to obtain a conditional use permit is stricken.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The people of the City of Rolling Hills hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be in full force and effect 30 days after the date of its passage and adoption.

Section 6. Publication. The City Clerk is hereby directed to certify to the passage and adoption of this Ordinance; cause the same, or a summary thereof, to be published or posted in the manner required by law; and file a notice of exemption within five business days after adoption of the Ordinance.

PASSED, APPROVED and ADOPTED this 8th day of August, 2022.

James Black, Mayor

ATTEST:

Christian Horvath, City Clerk

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 378 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the 8th day of August, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christian Horvath
City Clerk



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.H
Mtg. Date: 08/08/2022

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: FOR SECOND READING AND ADOPTION: ADOPT BY TITLE ONLY
ORDINANCE NO. 379 ADDING CHAPTER 17.62 TO THE ROLLING
HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND
OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE
LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA.**

DATE: August 08, 2022

BACKGROUND:

California Density Bonus Law (Gov. Code § 65915 et seq.) requires a city to grant a developer, at the developer's request, a density bonus and concessions or incentives for affordable housing projects. (Gov. Code, § 65915(b)(1).) A density bonus means an increase, by a certain percentage, of the number of housing units that may be built for the site. (Gov. Code, § 65915(f).) A concession or incentive means a modification of zoning code standard for the site, such as reduced setbacks, a reduced parking requirement, or allowance of mixed-use zoning. (Gov. Code, § 65915(k).) The degree of density bonus and number of concessions or incentives is based on the number of affordable units in the project (by percentage of all units in the project) and the level of affordability (i.e., for very low income, lower-income, moderate-income, senior housing, etc.).

On July 25, 2022, the City Council opened the public hearing, received public testimony, closed the public hearing, and introduced for first reading by title only Ordinance No. 379. The Council directed staff to schedule the second reading for tonight's meeting.

DISCUSSION:

State law requires cities to adopt an ordinance specifying how the city will implement State Density Bonus Law. (Gov. Code, § 65915(a).) The proposed ordinance (the "Ordinance") amends the Rolling Hills Municipal Code ("RHMC") to satisfy this requirement. The Ordinance will add a new Chapter 17.62 to the RHMC, which will read as follows:

“Chapter 17.62 Density Bonuses and other Affordable Housing Incentives

Section 17.62.010 – Purpose

The purpose of this Chapter is to allow density bonuses and other affordable housing incentives to qualifying projects in accordance with State law.

Section 17.62.020 - Density Bonus and Affordable Housing Incentives

The density bonuses and other affordable housing incentives required by State law, including, but not limited to, Government Code Section 65915 et seq., shall be available to applicants on the terms and conditions specified in State law.”

The Ordinance will bring the RHMC into compliance with State Density Bonus Law. By incorporating the State’s standards by reference, the RHMC will also stay current if and when changes in State law occur. For these reasons, staff is recommending that the City Council adopt the proposed Ordinance. The Planning Commission held a public hearing to consider the Ordinance on June 21, 2022 and, thereafter, recommended that the City Council adopt the Ordinance.

ENVIRONMENTAL IMPACT

Adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15358 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Moreover, the proposed action is also exempt under CEQA Guidelines Section 15305 as a minor alteration in land-use limitation, as the proposed action does not allow any more density than before; it merely incorporates California’s density-bonus statute and allowances by direct reference to the statute. Lastly, the City Council finds that this Ordinance is also exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment) because this Ordinance will not cause a change in any of the physical conditions within the area affected by the Ordinance.

FISCAL IMPACT:

None.

RECOMMENDATION:

Adopt by title only Ordinance No. 379, entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA.”

ATTACHMENTS:

[Ordinance No. 379-Density_Bonus_and_Affordable_Housing_Incentives.pdf](#)

ORDINANCE NO. 379

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA, ADDING CHAPTER 17.62 TO THE ROLLING HILLS MUNICIPAL CODE REGARDING DENSITY BONUSES AND OTHER AFFORDABLE HOUSING INCENTIVES REQUIRED BY STATE LAW AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, California's Density Bonus Law (Gov. Code, § 65915 et seq.) encourages developers to build affordable housing (e.g., very low-, low- and moderate-income units) by requiring cities to grant a density bonus, concessions, incentives, and waivers of developments standards for projects that commit certain percentages of their units to affordable housing; and

WHEREAS, Government Code Section 65915 requires cities to adopt an ordinance specifying how the city will implement State Density Bonus Law; and

WHEREAS, the City desires to amend the Rolling Hills Municipal Code ("RHMC") to keep it in compliance with State law; and

WHEREAS, this Ordinance amends the RHMC to specify that density bonuses and other affordable housing incentives required by State law (including but not limited to Government Code section 65915 et seq.) will be available to applicants on the terms and conditions specified in State law; and

WHEREAS, on June 9, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on June 21, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, on July 14, 2022 the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on July 25, 2022, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

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

SECTION 1. Recitals. The Recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

SECTION 2. CEQA. The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15358 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Moreover, the proposed action is also exempt under CEQA Guidelines Section 15305 as a minor alteration in land-use limitation, as the proposed action does not allow any more density than before; it merely incorporates California’s density-bonus statute and allowances by direct reference to the statute. Lastly, the City Council finds that this Ordinance is also exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment) because this Ordinance will not cause a change in any of the physical conditions within the area affected by the Ordinance.

SECTION 3. General Plan. This Ordinance’s amendments to Title 17 of the Rolling Hills Municipal Code are consistent with, and in furtherance of, the City’s adopted General Plan as they effectuate the Fifth Cycle Housing Element’s Implementation Program No. 9—which provides that the City would amend the Municipal Code to adopt density bonus requirements in accordance with State law.

SECTION 4. Code Amendment. Chapter 17.62, entitled “Density Bonuses and other Affordable Housing Incentives,” is hereby added to Title 17 of the Rolling Hills Municipal Code and shall read in its entirety as follows:

**“Chapter 17.62 Density Bonuses and other Affordable Housing
Incentives**

Section 17.62.010 – Purpose

The purpose of this Chapter is to allow density bonuses and other affordable housing incentives to qualifying projects in accordance with State law.

Section 17.62.020 - Density Bonus and Affordable Housing Incentives

The density bonuses and other affordable housing incentives required by State law, including, but not limited to, Government Code Section 65915 et seq., shall be available to applicants on the terms and conditions specified in State law.”

SECTION 5. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision

hereof. The City Council of the City of Rolling Hills hereby declares that it would have adopted this Ordinance despite any partial invalidity.

SECTION 6. Effective Date. This Ordinance takes effect 30 days after its passage and adoption in accordance with California Government Code section 36937.

SECTION 7. Certification. The City Clerk is hereby directed to certify to the passage and adoption of this Ordinance; cause the same, or a summary thereof, to be published or posted in the manner required by law; and file a notice of exemption within five business days after adoption of the Ordinance.

PASSED, APPROVED and ADOPTED this 8th day of August, 2022.

James Black, Mayor

ATTEST:

Christian Horvath, City Clerk

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 379 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the 8th day of August, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christian Horvath
City Clerk



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.I
Mtg. Date: 08/08/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: VANESSA HEVENER, SENIOR MANAGEMENT ANALYST

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: RECEIVE AND FILE AN UPDATE ON THE CREST ROAD EAST AND EASTFIELD DRIVE ELECTRIC UTILITY UNDERGROUNDING PROJECTS

DATE: August 08, 2022

BACKGROUND:

On September 14, 2020, the City was awarded \$1,145,457 in Federal funds to underground 1,820 feet of utility infrastructure along Crest Road East from Wideloop Road to the eastern city limits. The Crest Road East grant requires a Local Match of \$381,819 for a total amount of \$1,527,276.

On January 26, 2022, the City was awarded \$1,971,882 in additional Federal funds to underground of 4,735 feet of utility infrastructure along Eastfield Drive from Outrider Road to Hackamore Road. The Eastfield Drive grant requires a Local Match of \$657,294 for a total amount of \$2,629,176.

The City in its applications to the Federal grants committed \$1,039,113 of Local Match for both projects using the City's Rule 20A work credits of \$1.2M. Rule 20 is a tariff applied to all ratepayers for electric utilities to convert overhead power lines and other equipment to underground facilities. The Rule 20 program is currently divided into subprograms that provide diminishing levels of ratepayer contributions to projects, as follows:

- Rule 20A projects are 100 percent ratepayer-funded but must meet public interest criteria. The utilities annually allocate Rule 20A work credits (or "work credits") to cities and unincorporated counties to redeem for their undergrounding project costs.
- Rule 20B projects may be for any undergrounding purpose but must consist of a minimum of 600 feet. Ratepayers fund around 20 to 40 percent of the costs of these projects. The applicant bears the balance of the project cost. Local government applicants may request the utility initially fund their Rule 20B project's engineering and design costs and reimburse the utility later provided that the project goes forward. Unlike Rule 20A, there are no work credits involved with Rule 20B.
- Rule 20C projects, the applicant – often an individual property owner or developer – pays for the full cost of undergrounding, less the cost of the estimated salvage value and

depreciation of the removed overhead electrical facilities.

Southern California Edison (SCE) determined that the initial Rough Order of Magnitude (ROM) for the Crest Road East project was \$1,000,000 expressed in 2023 dollars which alone will most likely exhaust all of the City's existing Rule 20A work credits since Rule 20A requires a project with a minimum of 600 linear feet of mainline trenching (the Crest Road East project includes 950 linear feet of mainline trenching).

Given the rise in construction costs, the City does not have sufficient Rule 20A work credits for the Eastfield Drive project. In order to proceed with the Eastfield Drive project and retain the Federal funding, the City may need to use General Fund reserves to provide the Local Match. In June 2022, Staff reached out to Los Angeles County Department of Public Works to inquire about the County potentially donating excess work credits to fund the entirety of the Crest Road East project and/or fulfill the Local Match portion of the Eastfield Drive project.

DISCUSSION:

On July 26, 2022, Staff was informed that a donation in the amount of \$350,000 in Rule 20A work credits was approved by Supervisor Hahn's Office (the initial request was \$350,000 based on outdated cost estimates). Staff has since requested additional donation in the amount of \$650,000 for a total amount of \$1,000,000. This additional funding request reflects current estimated construction costs. At the time of writing, County staff indicated that they are in the process of requesting additional funds from Supervisor Hahn's Office. The tables below summarize the funding required to complete both projects:

Table 2 Current Funding Needs

	Grant	Local Match Rule 20A
Crest Road East	\$1,145,457	\$1,000,000
Eastfield Drive	\$1,971,882	\$1,000,000
Total		\$2,000,000

Table 3 Rule 20A Local Match Shortfall

	Available Rule 20A	Local Match Rule 20A
Crest Road East		\$1,000,000
Eastfield Drive		\$1,000,000
Project Contingency		\$200,000
City Balance	\$1,200,000	
County Contribution	\$350,000	
Total	\$1,550,000	\$2,200,000
	Current County Ask	\$650,000

Please note that a project contingency in the amount of \$200,000 has been added to the overall estimated costs as design for the Eastfield Drive has yet to commence. Staff

anticipates to receive a response from Los Angeles County in the coming weeks. Regardless of the outcome of the additional request from the County, the City Council will be asked at a future City Council meeting to reconsider the following options:

Option 1

If donation of Los Angeles County Rule 20A funds are insufficient to meet the Local Match requirement for both projects, the City can use General Fund to meet the Local Match requirement for the one of the projects.

Option 2

Apply available Rule 20A balance to the Crest Road East project. Allocate General Fund Reserves to meet the Local Match requirement for the Eastfield Drive project.

Option 3

Return grant funds for the Eastfield Drive project to CalOES/FEMA.

FISCAL IMPACT:

Fiscal impact will depend on the option selected.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:

[CL_AGN_220808_CC_BlueFolderItem_7I_InitialFundingReq.pdf](#)

Table 1. Initial Funding Commitments

	Grant	Local Match
Crest Road East	\$1,145,457	\$381,819
Eastfield Drive	\$1,971,882	\$657,294
Total	\$3,117,339	\$1,039,113



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.J
Mtg. Date: 08/08/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, CITY MANAGER

THRU: ELAINE JENG P.E., CITY MANAGER

**SUBJECT: RECEIVE AND FILE REPORT ON CITY AND ROLLING HILLS
COMMUNITY ASSOCIATION COORDINATION MEETINGS ON MAY 31,
2022 AND JULY 18, 2022**

DATE: August 08, 2022

BACKGROUND:

As the City Council liaison to the Rolling Hills Community Association (RHCA), Councilmember Jeff Pieper suggested to hold on-going coordination meetings with RHCA Board of Directors on community matters. The members of the coordination meetings are as follows:

- Mayor Pro Tem Pat Wilson
- Councilmember Jeff Pieper
- City Manager Elaine Jeng
- RHCA Board Director Fred Lorig
- RHCA Board Director Ty Bobit
- RHCA Manager Kristen Raig

Two meetings were held since the City Council approved Councilmember Pieper's suggestion: May 31, 2022, and July 18, 2022.

DISCUSSION:

At the May 31, 2022 meeting, the members of the coordination meeting discussed the following:

1. Both organizations agreed that the current lease agreement need to be amended to address project cost share.
 - City Hall campus standby power project. RHCA will share information with the City Council on the RHCA Board has an opportunity to review the proposed project approach - natural gas unit. The proposed natural gas unit would not require AQMD permits.
 - The logistics of the Tennis Courts Area Improvement projects was discussed as

follows in the order listed: (1) septic tank replacement; (2) ADA compliance; and (3) RHCA amenities project.

- RHCA projects: major vegetation management project at Storm Hill Park, and replacement of fencing at the Riding Rings.
- 2. Cellular service improvement. RHCA reported that a consultant was hired to assist with discussions with Crown Castle to enhance cellular service in Rolling Hills. Mayor Pro Tem Wilson offered to assist by setting up a meeting between RHCA and a contact at Crown Castle who may be able to assist with cellular carriers' interest in adding infrastructure in Rolling Hills.
- 3. RHCA patrol vehicle. RHCA planned to place a light bar on the RHCA's patrol vehicle (Prius). The City needs to adopt a resolution to allow the patrol vehicle to operate in the community with a light bar.
- 4. RHCA reported that camera installations on Eastfield Drive and Morgan Lane and Roadrunner are being considered with motion sensors.

Subsequent to the May 31, 2022 coordination meeting, the City Council approved a resolution allowing the light bar to be installed on the RHCA patrol vehicle.

At the July 18, 2022 meeting, the members of the coordination meeting focused on amendments to the lease agreement and discussed the following:

1. Language in the lease agreement that would comingle funds from both organizations shall be revised.
2. Amendment in the lease agreement shall include the memorialization that the electric bill is paid for by the city for the entire campus including the RHCA building.
3. Including a listing of capital improvements that each organization is responsible for.

Subsequent to the July 18, 2022 coordination meeting, staff worked with City Attorney's office to prepare a draft amended lease agreement for the City Council's consideration at the August 22, 2022 City Council meeting.

The City and RHCA coordination meetings are schedule on an as-needed basis by the members of the coordination group.

FISCAL IMPACT:

There is no fiscal impact to holding coordination meetings with RHCA.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 7.K
Mtg. Date: 08/08/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ROBERT SAMARIO, FINANCE DIRECTOR

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: RECOMMENDED ADJUSTMENTS TO FISCAL YEAR 2021-22 BUDGET

DATE: August 08, 2022

BACKGROUND:

With the closing of fiscal year 2021/22 approaching, many of the final revenue and expenditure totals are now known. As a result, a few funds warrant adjustment to the budget to align with the final results.

DISCUSSION:

Staff recommends budget adjustments as described below to the following funds.

Refuse Fund

The Refuse Fund receives revenues from charges to residents for waste collection and disposal services. The Refuse Fund also receives funding from the General Fund to partially subsidize the costs of the services provided by a contracted waste hauler. The budgeted subsidy, reflected as a transfer from the General Fund, is \$159,200.

For fiscal year 2021-22, the Refuse Fund collected \$668,190 in total revenues, excluding transfers, which are \$109,310 below budgeted revenues. In order to balance the Refuse Fund, staff recommends the General Fund increase the transfer out by \$109,310, from \$159,200 to \$268,510. The budgeted transfer in the Refuse Fund would be increased correspondingly.

Measure W Fund

In 2018, voters within the Los Angeles County Flood Control District approved a special tax, called Measure W, which covers the majority of Los Angeles County. The tax revenue pays for

projects, infrastructure, and programs to capture and reduce urban runoff pollution which may increase water supply and improve water quality. Measure W funds are allocated to local agencies to assist with their efforts to achieve the goals of the approved County tax ordinance. The City of Rolling Hills receives approximately \$105,000 annually.

With the assistance of a consultant, at the end of each year staff reviews all costs incurred by the City of Rolling Hills that may be eligible Measure W costs and, based on that analysis, allocates eligible costs between the General Fund and the Measure W Fund. For fiscal year 2021-22, staff has determined that a total of \$127,518 in costs are eligible for allocation to the Measure W Fund. The adopted budget in the Measure W Fund totals \$38,750. Thus, staff recommends increasing the Measure W Fund expenditure budget by \$88,768 for a total of \$127,518.

FISCAL IMPACT:

The recommended budget adjustments have no fiscal impact since they simply align the budget with final revenue and expenditure totals.

RECOMMENDATION:

Staff recommends that City Council approve the budget adjustments detailed in the attached Schedule of Recommended Budget Adjustments.

ATTACHMENTS:

[CL_AGN_220808_CC_ScheduleOfRecommendedBudgetAdjustments.pdf](#)

CITY OF ROLLING HILLS
Schedule of Recommended Budget Adjustments
Fiscal Year Ended June 30, 2022

	<u>Adopted Budget</u>	<u>Recomm'd Adjustment</u>	<u>Variance Fav (Unfav)</u>
GENERAL FUND (01)			
999 Transfers Out - Refuse Fund	<u>\$ 159,200</u>	<u>\$ 109,310</u>	<u>\$ 268,510</u>
REFUSE FUND (50)			
Revenues			
699 Transfers In - General Fund	<u>\$ 159,200</u>	<u>\$ 109,310</u>	<u>\$ 268,510</u>
MEASURE W FUND (30)			
913 Storm Water Management (30%)	\$ 38,750	\$ 314	\$ 39,064
914 Storm Water Management (70%)	-	88,454	88,454
	<u>\$ 38,750</u>	<u>\$ 88,768</u>	<u>\$ 127,518</u>



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 10.A
Mtg. Date: 08/08/2022

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: PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCE NO. 376 AMENDING CHAPTER 17.28 OF THE MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

DATE: August 08, 2022

BACKGROUND:

On June 21, 2022, this item was recommended for approval by the Planning Commission. On June 24, 2022, the City received comments from the California Housing and Community Development Department (HCD) regarding its existing accessory dwelling unit (ADU) Ordinance. Staff responded to HCD that the City is in the process of amending the ADU Ordinance to be in compliance with State law, and many of the issues discussed in the letter have been addressed. However, there were a few issues mentioned by HCD that were not addressed. As such, the Ordinance was further refined to meet the concerns raised by HCD and brought back to the Planning Commission at a public hearing on July 19, 2022. At that meeting, the Planning Commission recommended to the City Council adoption of Ordinance No. 376.

Recent ADU Laws:

In 2019 the Governor signed into law several bills that imposed substantial new limits on local authority to regulate accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs") under Government Code sections 65852.2 and 65852.22 (collectively, the "2019 ADU Laws"). The 2019 ADU Laws went into effect on January 1, 2020. Shortly thereafter, the City Council adopted Ordinance Nos. 364U and 364, which updated the City's ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with the 2019 ADU Laws. The Legislature has continued amending the state's ADU and JADU statutes on an annual basis.

In September 2020, the Governor signed into law Assembly Bill 3182 which, among other

things, amended Government Code section 65852.2 to: (1) expand the scenarios under which the City must allow certain ADUs and JADUs with only a building permit; and (2) provide that if City does not act on a complete ADU application within 60 days (subject to limited exceptions), the application is deemed approved. Thereafter, in September 2021, the Governor signed into law Assembly Bill 345, which requires cities to allow the separate sale or conveyance of certain ADUs that satisfy the conditions set forth in Government Code section 65852.26. Such conditions include, among other things, that the ADU or the primary dwelling was constructed by a qualified nonprofit and the ADU is sold to a qualified low-income buyer.

The California Department of Housing and Community Development (“HCD”) recently issued clarifying guidance with respect to local implementation of the 2019 ADU Laws, AB 3182, and AB 345. Relatedly, as part of the City’s Housing Element update process, HCD reviewed the City’s current ADU ordinance and determined that certain aspects need to be updated to comply with changes in state law. The proposed ordinance (“Ordinance”) updates the City’s ADU and JADU regulations to comply with AB 3182 and AB 345, align with HCD’s guidance, and further increase clarity for the benefit of staff and the general public.

DISCUSSION:

The Ordinance’s amendments to Rolling Hills Municipal Code (“RHMC”) Chapter 17.28 include, but are not limited to, the following:

- Replaced minimum counter (15 sq. ft.) and storage cabinet (30 sq. ft.) size requirements for JADU kitchens with language requiring counters and storage cabinets to be of a reasonable size in relation to the size of the JADU (RHMC Section 17.28.030(D)).
- Replaced language that allowed one converted ADU or one JADU on a single-family residential lot with language that allows one ADU and one JADU if specified conditions are met (RHMC Section 17.28.040(A)(1)).
- Clarified that the fee for processing ADU applications is not an impact fee (RHMC Section 17.28.040(B)).
- Revised the City’s prohibition on separate sale or conveyance to provide that no ADU or JADU may be sold or otherwise conveyed separately from the lot and primary dwelling except as provided in Government Code section 65852.26 (RHMC Section 17.28.050(D)).
- Clarified that all ADUs and JADUs must comply with all local building code requirements (RHMC Section 17.28.050(G)).
- Replaced language limiting an ADU to two bedrooms with language clarifying that there is no limit on the number of bedrooms (RHMC Section 17.28.060(A)(1)).
- Revised the architectural requirements, impact and utility fee provisions to align with HCD’s guidance on the same (RHMC Sections 17.28.060(I) and 17.28.070).
- Additional minor amendments to augment clarity for staff and the general public.

HCD discussed seven bullet items in its letter to the City (Attachment 5). The Planning Commission addressed five of the items when it recommended approval of the ordinance amendment to the City Council on June 21, 2022. The revised ordinance amendment (Attachment 3) reviewed by the Planning Commission on July 19, 2022, addresses the two remaining items as follows:

- HCD’s Comment: Section 17.28.060 (C)(1) – Front Property Line – The Ordinance states, “No part of any ADU... may be located within 30 feet of the front property line.” The City should be aware that this 30-foot front set back requirement must not prevent the creation of at least an 800 square foot ADU that is at least 16 feet in height with a four-foot side and rear yard setback to be constructed in compliance with all other local

development standards per Government Code section 65852.2, subdivision (c)(1)(C). While not required, HCD recommends including such language.

- Response: Section 17.28.060 (C)(1) has been revised so that an ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit that is no greater than sixteen feet in height.
- HCD's Comment: Section 17.28.070 (B)(2) – Utility Fees – The Ordinance states that “All ADUs and JADUs not covered by Section 17.28.070.B.1 above require a new, separate utility connection directly between the ADU or JADU and the utility.” However, all JADUs are created out of converted space within a single-family home and would therefore be covered by Section 17.28.070 (B)(1). To promote internal consistency, the City should remove the references to JADUs in Section 17.28.070 (B)(2).
 - Response: The revised ordinance amendment removes reference to JADUs from the Utility Fees section.

For reference, the redline (Attachment 4) compares this Ordinance’s amended ADU regulations against the City’s current regulations. The highlighted text shows what was revised by the Planning Commission on July 19, 2022.

Staff responded to HCD on July 23, 2022, to indicate their concerns will be addressed with this Ordinance Amendment (Attachment 6).

ENVIRONMENTAL IMPACT:

Under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California’s ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed Ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State’s ADU law.

FISCAL IMPACT:

The ordinance amendment brings the Municipal Code into compliance with State law which protects the City from legal challenges.

RECOMMENDATION:

1. Open the public hearing, receive public testimony, close the public hearing; and
2. Introduce for first reading by title only Ordinance No. 376 which:
 - a. Amends RHMC Chapter 17.28 regarding ADUs and JADUs; and
 - b. Finds that the adoption of the Ordinance is statutorily exempt from review under CEQA pursuant to Public Resources Code Section 21080.17.

ATTACHMENTS:

[Attachment 1 - Resolution No. 2022-09.pdf](#)

[Attachment 2 - Ordinance No. 376.pdf](#)

[Attachment 3 - Chapter 17.28_ Exhibit A.pdf](#)

[Attachment 4 - Chapter 17.28 \(REDLINE\).pdf](#)

[Attachment 5 - Letter from HCD dated 6-24-22.pdf](#)

[Attachment 6 - Letter_HCD_ADU_Ordinance_072322.pdf](#)

[Exhibit A - Updated ADU Ordinance \(July 2022\)-c1.pdf](#)

[UPDATED ADU REDLINE - FINAL \(Jul. 2022\)-c1.pdf](#)

RESOLUTION NO. 2022-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, 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

WHEREAS, the Planning and Zoning Law authorizes local agencies to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills (“2019 ADU Laws”) that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in February 2020, the City Council adopted Ordinance Nos. 364U and 364, which updated the City’s ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with the 2019 ADU Laws; and

WHEREAS, in September 2020, the California Legislature approved, and the Governor signed into law, Assembly Bill 3182 (“AB 3182”); and

WHEREAS, AB 3182, among other things, amended Government Code section 65852.2 to: (1) expand the scenarios under which the City must allow certain ADUs and JADUs with only a building permit; and (2) provide that if City does not act on a complete ADU application within 60 days (subject to limited exceptions), the application is deemed approved; and

WHEREAS, in September 2021, the California Legislature approved, and the Governor signed into law, Assembly Bill 345 (“AB 345”); and

WHEREAS, AB 345 requires cities to allow the separate sale or conveyance of certain ADUs that satisfy the conditions set forth in Government Code section 65852.26. Such conditions include, among other things, that the ADU or the primary dwelling was constructed by a qualified nonprofit and the ADU is sold to a qualified low-income buyer; and

WHEREAS, the California Department of Housing and Community Development (“HCD”) recently issued guidance with respect to local implementation of the 2019 ADU Laws, AB 3182, and AB 345; and

WHEREAS, the City desires to amend its local ADU ordinance to keep it in compliance with the recent changes in state law and HCD’s guidance on the same; and

WHEREAS, on June 21, 2022, the Planning Commission held a duly-noticed public hearing to consider the proposed ordinance, which would amend the City’s Accessory Dwelling Unit (“ADU”) and Junior Accessory Dwelling Unit (“JADU”) regulations set forth in Chapter 17.28 of the Rolling Hills Municipal Code to comply with recent changes in state law and add further clarity for the benefit of staff and the general public. Following the public hearing, the Planning Commission voted to forward the proposed ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, following the June 21st Planning Commission public hearing, the City received additional written comments from HCD regarding further necessary adjustments to the City’s regulations governing ADUs and JADUs. Thereafter, staff updated the proposed ordinance to incorporate the additional comments from HCD; and

WHEREAS, on July 19, 2022, the Planning Commission conducted another duly noticed public hearing to consider the proposed ordinance, wherein it considered the staff report, supporting documents, public testimony, and all appropriate information submitted with the proposed ordinance.

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

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

Section 2. CEQA. Under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California’s ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the Planning Commission finds that adoption of the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the state’s ADU law.

Section 3. General Plan. This Ordinance is, as a matter of law, consistent with the City’s General Plan pursuant to Government Code Section 65852.2(a)(1)(C).

Section 4. Recommendation. Based on the foregoing recitals and findings, the Planning Commission hereby recommends that the City Council approve and adopt of the proposed ordinance and code amendments that are attached as Exhibit “A” hereto and incorporated herein by reference.

PASSED, APPROVED AND ADOPTED THIS 19th DAY OF JULY, 2022.

BRAD CHELF, CHAIRMAN

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. 2022-09 entitled:

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
ROLLING HILLS RECOMMENDING THAT THE CITY COUNCIL
APPROVE AN ORDINANCE AMENDING CHAPTER 17.28 OF THE
ROLLING HILLS MUNICIPAL CODE REGARDING ACCESSORY
DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND
FINDING THE ACTION TO BE EXEMPT FROM CEQA**

was approved and adopted at a regular meeting of the Planning Commission on July 19th, 2022, by the following roll call vote:

AYES: Cooley, Douglass, Chair Chelf

NOES:

ABSENT: Cardenas, Vice Chair Kirkpatrick

ABSTAIN:

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

Administrative Offices.

CHRISTIAN HORVATH, CITY CLERK

ORDINANCE NO. 376

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS, CALIFORNIA AMENDING CHAPTER 17.28 OF THE ROLLING HILLS MUNICIPAL CODE GOVERNING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE EXEMPT FROM CEQA

WHEREAS, 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

WHEREAS, the Planning and Zoning Law authorizes local agencies to act by ordinance to provide for the creation and regulation of accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”); and

WHEREAS, in 2019, the California Legislature approved, and the Governor signed into law a number of bills (“2019 ADU Laws”) that, among other things, amended Government Code section 65852.2 and 65852.22 to impose new limits on local authority to regulate ADUs and JADUs; and

WHEREAS, in February 2020, the City Council adopted Ordinance Nos. 364U and 364, which updated the City’s ADU and JADU regulations (contained in Chapter 17.28 of the Rolling Hills Municipal Code) to comply with the 2019 ADU Laws; and

WHEREAS, in September 2020, the California Legislature approved, and the Governor signed into law, Assembly Bill 3182 (“AB 3182”); and

WHEREAS, AB 3182, among other things, amended Government Code section 65852.2 to: (1) expand the scenarios under which the City must allow certain ADUs and JADUs with only a building permit; and (2) provide that if City does not act on a complete ADU application within 60 days (subject to limited exceptions), the application is deemed approved; and

WHEREAS, in September 2021, the California Legislature approved, and the Governor signed into law, Assembly Bill 345 (“AB 345”); and

WHEREAS, AB 345 requires cities to allow the separate sale or conveyance of certain ADUs that satisfy the conditions set forth in Government Code section 65852.26. Such conditions include, among other things, that the ADU or the primary dwelling was constructed by a qualified nonprofit and the ADU is sold to a qualified low-income buyer; and

WHEREAS, the California Department of Housing and Community Development (“HCD”) recently issued guidance with respect to local implementation of the 2019 ADU Laws, AB 3182, and AB 345; and

WHEREAS, this Ordinance updates the City's ADU and JADU regulations to comply with AB 38182 and AB 345, align with HCD's guidance, and further increase clarity for the benefit of staff and the general public; and

WHEREAS, on June 9, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on June 21, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, following the June 21st Planning Commission public hearing, the City received additional written comments from HCD regarding further necessary adjustments to the City's regulations governing ADUs and JADUs. Thereafter, staff updated the Ordinance to incorporate the additional comments from HCD; and

WHEREAS, on July 8, 2022, the City gave public notice of a Planning Commission public hearing to be held to consider the Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on July 19, 2022, the Planning Commission held a duly-noticed public hearing to consider the staff report, recommendations by staff, and public testimony concerning the Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, on July 29, 2022 the City gave public notice of a City Council public hearing to be held to consider this Ordinance by advertisement in a newspaper of general circulation; and

WHEREAS, on August 8, 2022, the City Council held a duly-noticed public hearing to consider the Ordinance, including: (1) the public testimony and agenda reports prepared in connection with the Ordinance, (2) the policy considerations discussed therein, and (3) the consideration and recommendation by the City's Planning Commission; and

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

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

Section 1. The foregoing Recitals are true and correct and are incorporated herein by this reference.

Section 2. CEQA. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California's ADU law and which also regulates JADUs, as defined by section 65852.22. Therefore, the proposed ordinance is statutorily exempt from CEQA in that the proposed ordinance implements the State's ADU law.

Section 3. General Plan. This Ordinance is, as a matter of law, consistent with the City's General Plan pursuant to Government Code Section 65852.2(a)(1)(C).

Section 4. Code Amendments. Chapter 17.28 of the Rolling Hills Municipal Code is hereby amended to read as set forth in Exhibit "A," attached hereto and incorporated herein.

Section 5. Effective Date. This Ordinance takes effect 30 days following its adoption.

Section 6. Submittal to HCD. The City Clerk shall submit a copy of this Ordinance to the Department of Housing and Community Development within 60 days after adoption.

Section 7. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 2 Portuguese Bend Rd, Rolling Hills, CA 90274. The custodian of these records is the City Clerk.

Section 8. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 9. Certification. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Rolling Hills, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with California Government Code section 36933.

PASSED, APPROVED and ADOPTED this 22nd day of August, 2022.

James Black, Mayor

ATTEST:

Christian Horvath, City Clerk

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

I, Christian Horvath, City Clerk of the City of Rolling Hills, California, do hereby certify that the foregoing Ordinance No. 376 was adopted at a regular meeting of the City Council of the City of Rolling Hills held on the 22nd day of August, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christian Horvath
City Clerk

**Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY
DWELLING UNITS**

Sections:

17.28.010 Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.

17.28.020 Effect of conforming.

An ADU or JADU that conforms to the standards in this section will not be:

- A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.
- B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- C. Considered in the application of any local ordinance, policy, or program to limit residential growth.
- D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

17.28.030 Definitions.

As used in this section, terms are defined as follows:

- A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - 1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
 - 2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
- B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
- C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
- D. "Efficiency kitchen" means a kitchen that includes all of the following:

1. A cooking facility with appliances.
 2. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
- E. "Junior accessory dwelling unit" or "JADU" means a residential unit that:
1. Is no more than five hundred square feet in size,
 2. Is contained entirely within an existing or proposed single-family dwelling,
 3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling, and
 4. Includes an efficiency kitchen, as defined in subsection D above.
- F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
- H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.28.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

- A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:
1. Converted on Single-family Lot: One ADU as described in this subsection (A)(1) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - (a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and
 - (b) Has exterior access that is independent of that for the single-family dwelling; and

- (c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
- 2. Limited Detached on Single-family Lot: One detached, new- construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:
 - (a) The side- and rear-yard setbacks are at least four-feet.
 - (b) The total floor area is eight hundred square feet or smaller.
 - (c) The peak height above grade is sixteen feet or less.
- 3. Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.
- 4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies both of the following limitations:
 - (a) The side- and rear-yard setbacks are at least four-feet.
 - (b) The peak height above grade is sixteen feet or less.
- B. ADU Permit.
 - 1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.
 - 2. The City may charge an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits.
- C. Process and Timing.
 - 1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
 - 2. The City must act on an application to create an ADU or JADU within sixty days from the date that the City receives a completed application. If the City does not act upon the completed application within sixty days, the application is deemed approved unless either:
 - (a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or
 - (b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU

or JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

17.28.050 General ADU and JADU requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or (B):

- A. Zoning.
 - 1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.
 - 2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- B. Fire Sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- C. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.
- D. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- E. Owner Occupancy.
 - 1. All ADUs permitted before January 1, 2020, are subject to the owner-occupancy requirement that was in place when the ADU was created.
 - 2. An ADU that is permitted after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.
 - 3. All ADUs that are permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
 - 4. All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
- F. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run

with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

1. Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.
2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
3. The deed restriction runs with the land and may be enforced against future property owners.
4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

- G. Building & Safety. All ADUs and JADUs must comply with all local building code requirements.

17.28.060 Specific ADU requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040(B).

A. Maximum Size.

1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms.
2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to subsection (A)(3) below.

3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percentage-based size limit in subsection (A)(2) above, or of an FAR, lot coverage limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.
- B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.
- C. Setbacks.
1. Front Yard.
 - (a) Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.
 - (b) An ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit that is no greater than sixteen feet in height.
 2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.
- D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.
- E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.
- F. Height. No ADU subject to this Section 17.28.060 may exceed sixteen feet in height above grade, measured to the peak of the structure.
- G. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.
- H. Parking.
1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.
 2. Exceptions. No parking under Section 17.28.060(H)(1) is required in the following situations:
 - (a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.
 - (b) The ADU is located within an architecturally and historically significant historic district.

- (c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.
 - (d) When on-street parking permits are required but not offered to the occupant of the ADU.
 - (e) When there is an established car share vehicle stop located within one block of the ADU.
3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

I. Architectural Requirements.

- 1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
- 2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
- 3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
- 4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
- 5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.
- 6. Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.
- 7. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the California Register of Historic Resources must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

J. Landscape Requirements.

- 1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:
 - (a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.
 - (b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.
- 2. All landscaping must be drought-tolerant.
- 3. All landscaping must be from the City's approved plant list.

- K. Historical Protections. An ADU that is subject to this Section 17.28.060 and that is on or within six hundred feet of real property that is listed in the California Register of Historic Resources is subject to all the objective standards imposed by the Secretary of Interior.

17.28.070 Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or Section 17.28.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, “impact fee” means a “fee” under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.
2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
2. Except as described in subsection 17.28.070(B)(1), converted ADUs on a single-family lot that are created under Section 17.28.040(A)(1) above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.
3. Except as described in Section 17.28.070(B)(1), all ADUs not covered by Section 17.28.070(B)(2) above require a new, separate utility connection directly between the ADU and the utility.
 - (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixtures units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
 - (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.28.080 Nonconforming ADUs and discretionary approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section 17.28.070 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sections:

17.28.010 Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.

17.28.020 Effect of conforming.

An ADU or JADU that conforms to the standards in this section will not be:

- A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.
- B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- C. Considered in the application of any local ordinance, policy, or program to limit residential growth.
- D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

17.28.030 Definitions.

As used in this section, terms are defined as follows:

- A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - 1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
 - 2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
- B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
- C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
- D. "Efficiency kitchen" means a kitchen that includes ~~each~~all of the following:

1. A cooking facility with appliances.
 2. A food preparation counter ~~or counters that total at least fifteen square feet in area~~ and storage cabinets that are of a reasonable size in relation to the size of the JADU.
 - ~~3. Food storage cabinets that total at least thirty square feet of shelf space.~~
- E. "Junior accessory dwelling unit" or "JADU" means a residential unit that:
1. Is no more than five hundred square feet in size,
 2. Is contained entirely within an existing or proposed single-family dwelling,
 3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling, and
 4. Includes an efficiency kitchen, as defined in subsection D above.
- F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
- H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.28.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

- A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:
1. Converted on Single-family Lot: ~~Only one~~ One ADU ~~or as described in this subsection (A)(1) and one~~ JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - (a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and

- (b) Has exterior access that is independent of that for the single-family dwelling; and
 - (c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
- 2. Limited Detached on Single-family Lot: One detached, new- construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:
 - (a) The side- and rear-yard setbacks are at least four-feet.
 - (b) The total floor area is eight hundred square feet or smaller.
 - (c) The peak height above grade is sixteen feet or less.
- 3. Converted on Multifamily Lot: ~~Multiple~~One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. ~~At~~Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling. ~~The maximum number of converted ADUs allowed within an existing multifamily dwelling structure is equal to twenty-five, up to a quantity equal to 25~~ percent of the existing multifamily dwelling units.
- 4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies both of the following limitations:
 - (a) The side- and rear-yard setbacks are at least four-feet.
 - (b) The peak height above grade is sixteen feet or less.

B. ADU Permit.

- 1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.
- 2. The City may charge ~~a~~an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits; ~~including the costs of adopting or amending the City's ADU ordinance. The ADU permit processing fee is determined by the Director of Planning and Community Services and approved by the City Council by resolution.~~

C. Process and Timing.

- 1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
- 2. The City must act on an application to create an ADU or JADU within sixty days from the date that the City receives a completed application; If the

City does not act upon the completed application within sixty days, the application is deemed approved unless either:

- (a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or
- (b) ~~In the case of a JADU and the~~ When an application to create ~~a junior accessory dwelling unit~~ an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

17.28.050 General ADU and JADU requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or (B):

- A. Zoning.
 - 1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.
 - 2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- B. Fire Sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- C. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.
- D. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- E. Owner Occupancy.
 - 1. All ADUs ~~created~~ permitted before January 1, 2020, are subject to the owner-occupancy requirement that was in place when the ADU was created.
 - 2. An ADU that is ~~created~~ permitted after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.
 - 3. All ADUs that are ~~created~~ permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

4. All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
- F. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:
1. ~~The~~[Except as otherwise provided in Government Code Section 65852.26, the](#) ADU or JADU may not be sold separately from the primary dwelling.
 2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
 3. The deed restriction runs with the land and may be enforced against future property owners.
 4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
 5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

G. [Building & Safety. All ADUs and JADUs must comply with all local building code requirements.](#)

17.28.060 Specific ADU requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040(B).

- A. Maximum Size.
1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms. ~~No more than two bedrooms are allowed.~~
 2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to ~~Section 17.28.060~~subsection (A)(3) below.
 3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of ~~at the~~ percentage-based size ~~restriction, limit in subsection~~ (A)(2) above, or of an FAR, lot coverage, limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.
- B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.
- C. Setbacks.
1. Front Yard.
 - (a) ~~1. No~~ Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.
 - (b) An ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit that is no greater than sixteen feet in height.
 2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.
- D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.
- E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.
- F. Height. No ADU subject to this Section 17.28.060 may exceed sixteen feet in height above grade, measured to the peak of the structure.
- G. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.
- H. Parking.
1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.

2. Exceptions. No parking under Section 17.28.060(H)(1) is required in the following situations:
 - (a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.
 - (b) The ADU is located within an architecturally and historically significant historic district.
 - (c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.
 - (d) When on-street parking permits are required but not offered to the occupant of the ADU.
 - (e) When there is an established car share vehicle stop located within one block of the ADU.
3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

I. Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling. ~~The ADU entrance must be located on the side or rear building façade, not facing a public right-of-way.~~
5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.
6. ~~Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property.~~ Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.
- ~~7. All windows and doors that are less than thirty feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, (for windows and for doors) utilize frosted or obscure glass, or (for doors) opaque.~~
7. ~~8.~~ The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the ~~federal, state, or local register of historic places~~ California Register of Historic Resources must comply

with all applicable ministerial requirements imposed by the Secretary of Interior.

J. Landscape Requirements.

1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:
 - (a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.
 - (b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.
2. All landscaping must be drought-tolerant.
3. All landscaping must be from the City's approved plant list.

K. Historical Protections. An ADU that is subject to this Section 17.28.060 and that is on or within six hundred feet of real property that is listed in the California Register of Historic Resources is subject to all the objective standards imposed by the Secretary of Interior.

17.28.070 Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or Section 17.28.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU ~~or JADU~~ that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.
2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ~~primary dwelling~~, ADU divided by the floor area of the ADU primary dwelling, times the typical fee amount charged for a new dwelling.) ~~"Impact fee" here does not include any connection fee or capacity charge for water or sewer service.~~

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

2. ~~1. Converted~~ Except as described in subsection 17.28.070(B)(1), converted ADUs and JADUs on a single-family lot, that are created under Section 17.28.040(A)(1) above, are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. Nor is a connection fee or capacity charge required ~~unless the ADU or JADU is constructed with a new single-family home.~~
- ~~2. All~~ Except as described in Section 17.28.070(B)(1), all ADUs and JADUs not covered by Section 17.28.070(B)(~~1~~2) above require a new, separate utility connection directly between the ADU or JADU and the utility.
- (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU or JADU, based on either the floor area or the number of drainage-fixtured units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
- (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.28.080 Nonconforming ADUs and discretionary approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section 17.28.070 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

Summary report: Litera Compare for Word 11.1.0.69 Document comparison done on 7/11/2022 3:11:43 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original filename: Exhibit A - Updated ADU Ordinance (May 2022).docx	
Modified filename: Exhibit A - Updated ADU Ordinance (July 2022).docx	
Changes:	
<u>Add</u>	104
Delete	74
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	178

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



June 24, 2022

John F. Signo, Director
Planning & Community Services
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, CA 90274

Dear John F Signo:

**RE: Review of Rolling Hills' Accessory Dwelling Unit (ADU) Ordinance under
State ADU Law (Gov. Code, § 65852.2)**

Thank you for submitting the City of Rolling Hills' (City) accessory dwelling unit (ADU) Ordinance No. 364 (Ordinance) adopted February 24, 2020, to the California Department of Housing and Community Development (HCD). HCD has reviewed the Ordinance and submits these written findings pursuant to Government Code section 65852.2, subdivision (h). HCD finds that the Ordinance does not comply with section 65852.2 in the manner noted below. Under that statute, the City has up to 30 days to respond to these findings. Accordingly, the City must provide a written response to these findings no later than July 24, 2022.

The adopted ADU Ordinance addresses many statutory requirements; however, HCD finds that the Ordinance does not comply with State ADU Law in the following respects:

- Section 17.28.030 (D)(2) and (3) – *Efficiency Kitchen* – The Ordinance defines an efficiency kitchen to include “A food preparation counter or counters that total at least 15 square feet in area” and “Food storage cabinets that total at least 30 square feet of shelf space.” However, Government Code section 65852.22, subdivision (a)(6)(B) only requires that an efficiency kitchen include a food preparation counter and storage cabinets that are “of reasonable size in relation to the size of the junior accessory dwelling unit.” As there is no specific size requirement in statute, the size requirements as written in the Ordinance could act as a constraint on junior accessory dwelling units (JADUs). Therefore, the City must remove the size references. To provide clarity, HCD recommends that the City includes language per Government Code section 65852.22, subdivision (a)(6)(B).
- Section 17.28.040 (A)(1) – *Unit Combination* – The Ordinance permits “[o]nly one ADU or JADU on a lot with a proposed or existing single-family dwelling on it.”

This reference is outdated. Current Government Code section 65852.2, subdivision (e)(1)(A), provides for “One accessory dwelling unit **and** one junior accessory dwelling unit per lot” (emphasis added), and the ADU on a lot that also has a JADU may be either attached or detached. Therefore, the City must change “or” to “and” or make a similar correction that brings the Ordinance into compliance with State ADU Law.

- Section 17.28.050 (D) – *Separate Conveyance* – The Ordinance currently prohibits the separate sale of an ADU or JADU. However, Government Code section 65852.26 creates a narrow exception to allow separate conveyance of an ADU to a qualified buyer if the property was built or developed by a qualified nonprofit corporation, among other things. The City should revise the Ordinance to allow for such an exception.
- Section 17.28.060 (A)(1) – *Bedroom Limitation* – The Ordinance states that “no more than two bedrooms are allowed.” Limiting the number of bedrooms within an ADU may constrain housing choice and result in discriminatory effects on families with children, people with disabilities, and other protected groups in violation of state and federal fair housing laws, including but not limited to Government Code section 65008, subdivisions (a)(1)(A) and (b)(1)(B)(i). Therefore, the City must revise this section to avoid limiting the occupancy of housing units based on familial status or other protected characteristics.
- Section 17.28.060 (C)(1) – *Front Property Line* – The Ordinance states, “No part of any ADU... may be located within 30 feet of the front property line.” The City should be aware that this 30-foot front set back requirement must not prevent the creation of at least an 800 square foot ADU that is at least 16 feet in height with a four-foot side and rear yard setback to be constructed in compliance with all other local development standards per Government Code section 65852.2, subdivision (c)(1)(C). While not required, HCD recommends including such language.
- Section 17.28.060 (I)(4), (I)(6), (I)(7) – *Architectural Requirements* – The Ordinance requires that “the ADU entrance must be located on the side or rear building façade, not facing a public-right-of-way.... windows and doors of the ADU may not have a direct line of sight to an adjoining residential property.... [and] all windows and doors that are less than 30 feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, (for windows and for doors) utilize frosted or obscure glass, or (for doors) opaque.” Government Code section 65852.150, subdivision (b), requires that “provisions... relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units.” Statute for both ADUs (Gov. Code, § 65852.2, subd. (e)(1)(A)(ii)), and JADUs (Gov. Code, § 65852.22, subd. (a)(5)), require independent entry into the unit, and a constraint on the location of

an entry door may prohibit the creation of an additional housing unit. In addition, the window placement restriction and clerestory window requirements could make it infeasible to meet standard building code regulations for egress, thus potentially limiting the creation of an ADU at all, depending on the lot configuration. As a result, HCD considers the above requirements to be potentially excessive and burdensome. Furthermore, local development standards provided by the Ordinance pursuant to Government Code section 65852.2, subdivisions (a) through (d), do not apply to ADUs created under subdivision (e). Therefore, the City should remove these design requirements.

- Section 17.28.070 (B)(2) – *Utility Fees* – The Ordinance states that “All ADUs and JADUs not covered by Section 17.28.070.B.1 above require a new, separate utility connection directly between the ADU or JADU and the utility.” However, all JADUs are created out of converted space within a single-family home and would therefore be covered by Section 17.28.070 (B)(1). To promote internal consistency, the City should remove the references to JADUs in Section 17.28.070 (B)(2).

In response to the findings in this letter, and pursuant to Government Code section 65852.2, subdivision (h)(2)(B), the City must either amend the Ordinance to comply with State ADU Law or adopt the Ordinance without changes. Should the City choose to adopt the Ordinance without the changes specified by HCD, the City must include findings in its resolution that explain the reasons the City finds that the Ordinance complies with State ADU Law despite the findings made by HCD. Accordingly, the City’s response should provide a plan and timeline to bring the Ordinance into compliance.

Please note that, pursuant to Government Code section 65852.2, subdivision (h)(3)(A), if the City fails to take either course of action and bring the Ordinance into compliance with State ADU Law, HCD may notify the City and the California Office of the Attorney General that the City is in violation of State ADU Law.

HCD appreciates the City’s efforts in the preparation and adoption of the Ordinance and welcomes the opportunity to assist the City in fully complying with State ADU Law. Please feel free to contact Mike Van Gorder, of our staff, at (916) 776 - 7541 or at mike.vangorder@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Zisser', with a stylized flourish extending to the right.

David Zisser
Assistant Deputy Director
Local Government Relations and Accountability



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

2 PORTUGUESE BEND ROAD
ROLLING HILLS, CA 90274
(310) 377-1521
FAX (310) 377-7288

July 23, 2022

VIA EMAIL ONLY

Department of Housing and Community Development
Division of Housing Policy Development
Attn: Mike Van Gorder
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833

Email: Mike.VanGorder@hcd.ca.gov

SUBJECT: RESPONSE TO HCD'S REVIEW OF ROLLING HILLS' ADU ORDINANCE

Dear Mr. Van Gorder:

Thank you for your June 24, 2022 letter commenting on the City of Rolling Hills' Accessory Dwelling Unit (ADU) Ordinance. It was a pleasure meeting with you and Ms. Gerlinde Bernd on July 7, 2022 to discuss the letter's contents as it applies to our ADU Ordinance. This letter is a response to your comments.

The City has been diligently working on its 6th Cycle Housing Element and we hope to have it adopted soon. We received your Department's comments on our Draft Housing Element on July 21, 2022, and are working on addressing the issues. The City is concurrently working on updating its Municipal Code to be in compliance with State law as described in our adopted 5th Cycle Housing Element and our draft 6th Cycle Housing Element. On June 21, 2022, the Planning reviewed the following ordinance amendments and recommended adoption to the City Council:

- ADUs
- Employee, supportive, and transitional housing
- Family day care homes
- Density bonuses and other affordable housing incentives

After reviewing your June 24, 2022 letter, the City decided it is prudent to address your concerns and further refine the ADU Ordinance before proceeding to the City Council. As such, the Planning Commission held a public hearing on July 19, 2022, to further revise the ADU Ordinance before it is considered for adoption by the City Council. The City Council is expected to consider and introduce the revised draft ADU Ordinance in August 2022. A redlined version of the ADU Ordinance is attached for your review. The remaining three ordinance amendments will be considered by the City Council next week on July 25, 2022.

The City carefully considered each of your seven bulleted items and has the following responses:

- Section 17.28.030 (D)(2) and (3) – Efficiency Kitchen – The Ordinance defines an efficiency kitchen to include “A food preparation counter or counters that total at least 15 square feet in area” and “Food storage cabinets that total at least 30 square feet of shelf space.” However, Government Code section 65852.22, subdivision (a)(6)(B) only requires that an efficiency kitchen include a food preparation counter and storage cabinets that are “of reasonable size in relation to the size of the junior accessory dwelling unit.” As there is no specific size requirement in statute, the size requirements as written in the Ordinance could act as a constraint on junior accessory dwelling units (JADUs). Therefore, the City must remove the size references. To provide clarity, HCD recommends that the City includes language per Government Code section 65852.22, subdivision (a)(6)(B).

Response: *The City’s draft ADU Ordinance makes this change (see redlined version of the draft ADU Ordinance).*

- Section 17.28.040 (A)(1) – Unit Combination – The Ordinance permits “[o]nly one ADU or JADU on a lot with a proposed or existing single-family dwelling on it.” This reference is outdated. Current Government Code section 65852.2, subdivision (e)(1)(A), provides for “One accessory dwelling unit and one junior accessory dwelling unit per lot” (emphasis added), and the ADU on a lot that also has a JADU may be either attached or detached. Therefore, the City must change “or” to “and” or make a similar correction that brings the Ordinance into compliance with State ADU Law.

Response: *The City’s draft ADU Ordinance amends Rolling Hills Municipal Code (RHMC) Section 17.28.040(A)(1) to change the “or” to an “and” as required by AB 3182.*

- Section 17.28.050 (D) – Separate Conveyance – The Ordinance currently prohibits the separate sale of an ADU or JADU. However, Government Code section 65852.26 creates a narrow exception to allow separate conveyance of an ADU to a qualified buyer if the property was built or developed by a qualified nonprofit corporation, among other things. The City should revise the Ordinance to allow for such an exception.

Response: *The City’s draft ADU Ordinance amends RHMC Section 17.28.050(D) to make this change.*

- Section 17.28.060 (A)(1) – Bedroom Limitation – The Ordinance states that “no more than two bedrooms are allowed.” Limiting the number of bedrooms within an ADU may constrain housing choice and result in discriminatory effects on families with children, people with disabilities, and other protected groups in violation of state and federal fair housing laws, including but not limited to Government Code section 65008, subdivisions (a)(1)(A) and (b)(1)(B)(i). Therefore, the City must revise this section to avoid limiting the occupancy of housing units based on familial status or other protected characteristics.

Response: *The City's draft ADU Ordinance removes the bedroom limitation from RHMC Section 17.28.060.*

- **Section 17.28.060 (C)(1) – Front Property Line** – The Ordinance states, “No part of any ADU... may be located within 30 feet of the front property line.” The City should be aware that this 30-foot front set back requirement must not prevent the creation of at least an 800 square foot ADU that is at least 16 feet in height with a four-foot side and rear yard setback to be constructed in compliance with all other local development standards per Government Code section 65852.2, subdivision (c)(1)(C). While not required, HCD recommends including such language.

Response: *The City's draft ADU Ordinance amends RHMC Section 17.28.060 to allow ADUs that are at least 800 square feet and 16 feet in height in the front yard setback area if it is the only location on the property for an ADU.*

- **Section 17.28.060 (I)(4), (I)(6), (I)(7) – Architectural Requirements** – The Ordinance requires that “the ADU entrance must be located on the side or rear building façade, not facing a public-right-of-way.... windows and doors of the ADU may not have a direct line of sight to an adjoining residential property.... [and] all windows and doors that are less than 30 feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, (for windows and for doors) utilize frosted or obscure glass, or (for doors) opaque.” Government Code section 65852.150, subdivision (b), requires that “provisions... relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units.” Statute for both ADUs (Gov. Code, § 65852.2, subd. (e)(1)(A)(ii)), and JADUs (Gov. Code, § 65852.22, subd. (a)(5)), require independent entry into the unit, and a constraint on the location of an entry door may prohibit the creation of an additional housing unit. In addition, the window placement restriction and clerestory window requirements could make it infeasible to meet standard building code regulations for egress, thus potentially limiting the creation of an ADU at all, depending on the lot configuration. As a result, HCD considers the above requirements to be potentially excessive and burdensome. Furthermore, local development standards provided by the Ordinance pursuant to Government Code section 65852.2, subdivisions (a) through (d), do not apply to ADUs created under subdivision (e). Therefore, the City should remove these design requirements.

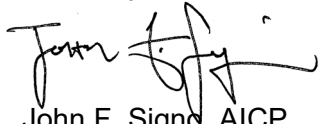
Response: *The City's draft ADU Ordinance removes all of the architectural provisions identified by HCD.*

- **Section 17.28.070 (B)(2) – Utility Fees** – The Ordinance states that “All ADUs and JADUs not covered by Section 17.28.070.B.1 above require a new, separate utility connection directly between the ADU or JADU and the utility.” However, all JADUs are created out of converted space within a single-family home and would therefore be covered by Section 17.28.070 (B)(1). To promote internal consistency, the City should remove the references to JADUs in Section 17.28.070 (B)(2).

Response: *The City's draft ADU Ordinance removes references to JADUs from the Utility Fees section.*

As mentioned the redlined version of the draft ADU Ordinance is attached which shows the City has met the issues identified by HCD. The ADU Ordinance is expected to be introduced by the City Council in August 2022 and be in effect by September/October 2022. This coincides with the City's expectation to adopt the 6th Cycle Housing Element at around the same time. If you have any questions on the City's ADU Ordinance or progress on the 6th Cycle Housing Element, please feel free to contact me at 310-377-1521 or email jsigno@cityofrh.net.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Signo", with a stylized flourish at the end.

John F. Signo, AICP
Director of Planning and Community Services

Attachment: Redlined version of draft ADU Ordinance

Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sections:

17.28.010 Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.

17.28.020 Effect of conforming.

An ADU or JADU that conforms to the standards in this section will not be:

- A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.
- B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- C. Considered in the application of any local ordinance, policy, or program to limit residential growth.
- D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

17.28.030 Definitions.

As used in this section, terms are defined as follows:

- A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - 1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
 - 2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
- B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
- C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
- D. "Efficiency kitchen" means a kitchen that includes all of the following:

1. A cooking facility with appliances.
 2. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
- E. "Junior accessory dwelling unit" or "JADU" means a residential unit that:
1. Is no more than five hundred square feet in size,
 2. Is contained entirely within an existing or proposed single-family dwelling,
 3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling, and
 4. Includes an efficiency kitchen, as defined in subsection D above.
- F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
- H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.28.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

- A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:
1. Converted on Single-family Lot: One ADU as described in this subsection (A)(1) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - (a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and
 - (b) Has exterior access that is independent of that for the single-family dwelling; and

- (c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
- 2. Limited Detached on Single-family Lot: One detached, new- construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:
 - (a) The side- and rear-yard setbacks are at least four-feet.
 - (b) The total floor area is eight hundred square feet or smaller.
 - (c) The peak height above grade is sixteen feet or less.
- 3. Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.
- 4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies both of the following limitations:
 - (a) The side- and rear-yard setbacks are at least four-feet.
 - (b) The peak height above grade is sixteen feet or less.
- B. ADU Permit.
 - 1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.
 - 2. The City may charge an application fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits.
- C. Process and Timing.
 - 1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
 - 2. The City must act on an application to create an ADU or JADU within sixty days from the date that the City receives a completed application. If the City does not act upon the completed application within sixty days, the application is deemed approved unless either:
 - (a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or
 - (b) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU

or JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

17.28.050 General ADU and JADU requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or (B):

- A. Zoning.
 - 1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.
 - 2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- B. Fire Sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- C. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.
- D. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- E. Owner Occupancy.
 - 1. All ADUs permitted before January 1, 2020, are subject to the owner-occupancy requirement that was in place when the ADU was created.
 - 2. An ADU that is permitted after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.
 - 3. All ADUs that are permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
 - 4. All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
- F. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run

with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:

1. Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.
2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
3. The deed restriction runs with the land and may be enforced against future property owners.
4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

- G. Building & Safety. All ADUs and JADUs must comply with all local building code requirements.

17.28.060 Specific ADU requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040(B).

A. Maximum Size.

1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms.
2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to subsection (A)(3) below.

3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percentage-based size limit in subsection (A)(2) above, or of an FAR, lot coverage limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.
- B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.
- C. Setbacks.
 1. Front Yard.
 - (a) Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.
 - (b) If the front yard setback is the only location on the lot where an ADU may be lawfully constructed, then the ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit that is no greater than sixteen feet in height.
 2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.
- D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.
- E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.
- F. Height. No ADU subject to this Section 17.28.060 may exceed sixteen feet in height above grade, measured to the peak of the structure.
- G. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.
- H. Parking.
 1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.
 2. Exceptions. No parking under Section 17.28.060(H)(1) is required in the following situations:
 - (a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.
 - (b) The ADU is located within an architecturally and historically significant historic district.

- (c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.
 - (d) When on-street parking permits are required but not offered to the occupant of the ADU.
 - (e) When there is an established car share vehicle stop located within one block of the ADU.
3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

I. Architectural Requirements.

- 1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
- 2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
- 3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
- 4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
- 5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.
- 6. Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.
- 7. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the California Register of Historic Resources must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

J. Landscape Requirements.

- 1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:
 - (a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.
 - (b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.
- 2. All landscaping must be drought-tolerant.
- 3. All landscaping must be from the City's approved plant list.

- K. Historical Protections. An ADU that is subject to this Section 17.28.060 and that is on or within six hundred feet of real property that is listed in the California Register of Historic Resources is subject to all the objective standards imposed by the Secretary of Interior.

17.28.070 Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or Section 17.28.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, “impact fee” means a “fee” under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.
2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
2. Except as described in subsection 17.28.070(B)(1), converted ADUs on a single-family lot that are created under Section 17.28.040(A)(1) above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.
3. Except as described in Section 17.28.070(B)(1), all ADUs not covered by Section 17.28.070(B)(2) above require a new, separate utility connection directly between the ADU and the utility.
 - (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixtures (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
 - (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.28.080 Nonconforming ADUs and discretionary approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section 17.28.070 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

Chapter 17.28 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

Sections:

17.28.010 Purpose.

The purpose of this section is to allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code sections 65852.2 and 65852.22.

17.28.020 Effect of conforming.

An ADU or JADU that conforms to the standards in this section will not be:

- A. Deemed to be inconsistent with the City's General Plan and Zoning designation for the lot on which the ADU or JADU is located.
- B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- C. Considered in the application of any local ordinance, policy, or program to limit residential growth.
- D. Required to correct a nonconforming zoning condition, as defined in Section 17.28.030(G) below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

17.28.030 Definitions.

As used in this section, terms are defined as follows:

- A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - 1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety Code; and
 - 2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
- B. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
- C. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
- D. "Efficiency kitchen" means a kitchen that includes ~~each~~all of the following:

1. A cooking facility with appliances.
 2. A food preparation counter ~~or counters that total at least fifteen square feet in area~~ and storage cabinets that are of a reasonable size in relation to the size of the JADU.
 - ~~3. Food storage cabinets that total at least thirty square feet of shelf space.~~
- E. "Junior accessory dwelling unit" or "JADU" means a residential unit that:
1. Is no more than five hundred square feet in size,
 2. Is contained entirely within an existing or proposed single-family dwelling,
 3. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family dwelling, and
 4. Includes an efficiency kitchen, as defined in subsection D above.
- F. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- G. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
- H. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- I. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- J. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- K. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.28.040 Approvals.

The following approvals apply to ADUs and JADUs under this section:

- A. Building-permit Only. If an ADU or JADU complies with each of the general requirements in Section 17.28.050 below, it is allowed with only a building permit in the following scenarios:
1. Converted on Single-family Lot: ~~Only one~~ One ADU ~~or as described in this subsection (A)(1) and one~~ JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - (a) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to one hundred fifty additional square feet if the expansion is limited to accommodating ingress and egress; and

- (b) Has exterior access that is independent of that for the single-family dwelling; and
 - (c) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
 - 2. Limited Detached on Single-family Lot: One detached, new- construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection (A)(1) above), if the detached ADU satisfies each of the following limitations:
 - (a) The side- and rear-yard setbacks are at least four-feet.
 - (b) The total floor area is eight hundred square feet or smaller.
 - (c) The peak height above grade is sixteen feet or less.
 - 3. Converted on Multifamily Lot: ~~Multiple~~One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. ~~At~~Under this subsection (A)(3), at least one converted ADU is allowed within an existing multifamily dwelling. ~~The maximum number of converted ADUs allowed within an existing multifamily dwelling structure is equal to twenty-five, up to a quantity equal to 25~~ percent of the existing multifamily dwelling units.
 - 4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies both of the following limitations:
 - (a) The side- and rear-yard setbacks are at least four-feet.
 - (b) The peak height above grade is sixteen feet or less.
- B. ADU Permit.
- 1. Except as allowed under subsection (A) above, no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Section 17.28.050 and Section 17.28.060.
 - 2. The City may charge ~~an application~~ fee, adopted by resolution of the City Council, to reimburse it for costs incurred in processing ADU permits; ~~including the costs of adopting or amending the City's ADU ordinance. The ADU permit processing fee is determined by the Director of Planning and Community Services and approved by the City Council by resolution.~~
- C. Process and Timing.
- 1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
 - 2. The City must act on an application to create an ADU or JADU within sixty days from the date that the City receives a completed application; If the

City does not act upon the completed application within sixty days, the application is deemed approved unless either:

- (a) The applicant requests a delay, in which case the sixty-day time period is tolled for the period of the requested delay, or
- (b) ~~In the case of a JADU and the~~ When an application to create ~~a junior accessory dwelling unit~~ an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

17.28.050 General ADU and JADU requirements.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or (B):

- A. Zoning.
 - 1. An ADU or JADU subject only to a building permit under Section 17.28.040(A) may be created on a lot in a residential or mixed-use zone.
 - 2. An ADU or JADU subject to an ADU permit under Section 17.28.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- B. Fire Sprinklers. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- C. Rental Term. No ADU or JADU may be rented for a term that is shorter than thirty days. This prohibition applies regardless of when the ADU or JADU was created.
- D. No Separate Conveyance. An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- E. Owner Occupancy.
 - 1. All ADUs ~~created~~ permitted before January 1, 2020, are subject to the owner-occupancy requirement that was in place when the ADU was created.
 - 2. An ADU that is ~~created~~ permitted after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.
 - 3. All ADUs that are ~~created~~ permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.

4. All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
- F. Deed Restriction. Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:
1. ~~The~~Except as otherwise provided in Government Code Section 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.
 2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
 3. The deed restriction runs with the land and may be enforced against future property owners.
 4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
 5. The deed restriction is enforceable by the Director or his or her designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

G. Building & Safety. All ADUs and JADUs must comply with all local building code requirements.

17.28.060 Specific ADU requirements.

The following requirements apply only to ADUs that require an ADU permit under Section 17.28.040(B).

- A. Maximum Size.
1. The maximum size of a detached or attached ADU subject to this Section 17.28.060 is eight hundred fifty square feet for a studio or one-bedroom unit and one thousand square feet for a unit with two or more bedrooms. ~~No more than two bedrooms are allowed.~~
 2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to fifty percent of the floor area of the existing primary dwelling, subject to ~~Section 17.28.060~~subsection (A)(3) below.
 3. Application of other development standards in this Section 17.28.060, such as FAR or lot coverage, might further limit the size of the ADU, but no application of ~~at the~~ percentage-based size ~~restriction,~~limit in subsection (A)(2) above, or of an FAR, lot coverage, limit or open-space requirement may require the ADU to be smaller than eight hundred square feet.
- B. Floor Area Ratio (FAR). No ADU subject to this Section 17.28.060 may cause the total FAR of the lot to exceed forty-five percent, subject to Section 17.28.060(A)(3) above.
- C. Setbacks.
1. Front Yard.
 - (a) ~~1. No~~ Subject to subsection (C)(1)(b) below, no part of any ADU subject to this Section 17.28.060 may be located within thirty feet of the front property line.
 - (b) If the front yard setback is the only location on the lot where an ADU may be lawfully constructed, then the ADU may encroach into the required front yard setback as necessary to enable the construction of an eight hundred square foot unit that is no greater than sixteen feet in height.
 2. No part of any ADU subject to this Section 17.28.060 may be located within four feet of a side or rear property line.
- D. Lot Coverage. No ADU subject to this Section 17.28.060 may cause the total lot coverage of the lot to exceed fifty percent, subject to Section 17.28.060(A)(3) above.
- E. Minimum Open Space. No ADU subject to this Section 17.28.060 may cause the total percentage of open space of the lot to fall below fifty percent, subject to subsection Section 17.28.060(A)(3) above.
- F. Height. No ADU subject to this Section 17.28.060 may exceed sixteen feet in height above grade, measured to the peak of the structure.
- G. Passageway. No passageway, as defined by Section 17.28.030(H) above, is required for an ADU.
- H. Parking.

1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.28.030(K) above.
2. Exceptions. No parking under Section 17.28.060(H)(1) is required in the following situations:
 - (a) The ADU is located within one-half mile walking distance of public transit, as defined in subsection Section 17.28.030(J) above.
 - (b) The ADU is located within an architecturally and historically significant historic district.
 - (c) The ADU is part of the proposed or existing primary residence or an accessory structure under Section 17.28.040(A)(1) above.
 - (d) When on-street parking permits are required but not offered to the occupant of the ADU.
 - (e) When there is an established car share vehicle stop located within one block of the ADU.
3. No Replacement. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

I. Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance and architectural design of those of the primary dwelling.
2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling. ~~The ADU entrance must be located on the side or rear building façade, not facing a public right-of-way.~~
5. The interior horizontal dimensions of an ADU must be at least ten feet wide in every direction, with a minimum interior wall height of seven feet.
6. ~~Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property.~~ Fencing, landscaping or privacy glass may be used to provide screening and prevent a direct line of sight to contiguous residential property.
- ~~7. All windows and doors that are less than thirty feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, (for windows and for doors) utilize frosted or obscure glass, or (for doors) opaque.~~

7. ~~8.~~ The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the ~~federal, state, or local register of historic places~~ California Register of Historic Resources must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

J. Landscape Requirements.

1. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels as follows:
 - (a) At least one, fifteen-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24" box size plant shall be provided for every ten linear feet of exterior wall.
 - (b) Plant specimens for screening must be at least eight feet tall when installed. As an alternative, a solid fence of at least eight feet in height may be installed.
2. All landscaping must be drought-tolerant.
3. All landscaping must be from the City's approved plant list.

K. Historical Protections. An ADU that is subject to this Section 17.28.060 and that is on or within six hundred feet of real property that is listed in the California Register of Historic Resources is subject to all the objective standards imposed by the Secretary of Interior.

17.28.070 Fees.

The following requirements apply to all ADUs and JADUs that are approved under Section 17.28.040(A) or Section 17.28.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU ~~or JADU~~ that is less than seven hundred fifty square feet in size. For purposes of this Section 17.28.070, "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.
2. Any impact fee that is required for an ADU that is seven hundred fifty square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ~~primary dwelling~~ ADU divided by the floor area of the ~~ADU~~ primary dwelling, times the typical fee amount charged for a new dwelling.) ~~"Impact fee" here does not include any connection fee or capacity charge for water or sewer service.~~

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
2. ~~1. Converted~~ Except as described in subsection 17.28.070(B)(1), converted ADUs ~~and JADUs~~ on a single-family lot, that are created under Section 17.28.040(A)(1) above, ~~are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. Nor is a connection fee or capacity charge required unless the ADU or JADU is constructed with a new single-family home.~~
- ~~2. All~~ Except as described in Section 17.28.070(B)(1), all ADUs ~~and JADUs~~ not covered by Section 17.28.070(B)(12) above require a new, separate utility connection directly between the ADU or JADU and the utility.
 - (a) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU ~~or JADU~~, based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
 - (b) The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.28.080 Nonconforming ADUs and discretionary approval.

Any proposed ADU or JADU that does not conform to the objective standards set forth in Section 17.28.010 through Section 17.28.070 of this chapter may be allowed by the City with a conditional use permit, in accordance with the other provisions of this title.

Summary report: Litera Compare for Word 11.1.0.69 Document comparison done on 7/14/2022 9:27:24 AM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original filename: Exhibit A - Updated ADU Ordinance (May 2022).docx	
Modified filename: Exhibit A - Updated ADU Ordinance (July 2022).docx	
Changes:	
<u>Add</u>	104
Delete	74
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	178



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 11.A
Mtg. Date: 08/08/2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: VANESSA HEVENER, SENIOR MANAGEMENT ANALYST

THRU: ELAINE JENG P.E., CITY MANAGER

SUBJECT: RECEIVE ADDITIONAL INFORMATION ON POTENTIAL SITES FOR THE OUTDOOR SIREN SYSTEM, CONSIDER OPTION D AND ENGAGE HQE FOR A FULL FEASIBILITY STUDY

DATE: August 08, 2022

BACKGROUND:

In Fiscal Years 2019-2020 and 2020-2021, the City Council provided funding for the Block Captain Program to investigate communication platforms in the event of complete power failure in the community. The Block Captains and City staff used funds to purchase two-way radios and when the handheld radio option proved to be ineffective, a Request for Proposal (RFP) was issued to solicit proposals on other communication systems. City staff presented a feasibility proposal from HQE System Inc. (HQE) for an outdoor siren system.

On April 26, 2021, Staff recommended that City Council engage the services of HQE. The City Council directed Councilmember Pieper to work with Staff to better understand the evolution of the communication project and the scope of the feasibility study. As directed, Staff met with Councilmember Pieper on four occasions: May 20, 2021, July 15, 2021, July 23, 2021 and August 12, 2021. Some of the meetings with Councilmember Pieper included the Lead Block Captains Arlene and Gene Honbo. Staff also worked with Project Manager Alan Palermo and HQE to provide technical information requested by Councilmember Pieper. The feasibility study by HQE Systems Inc. is intended to identify the hardware, location of the hardware, software, system integration, and a detailed cost estimate to install a siren system for the community. The Lead Block Captains, along with many members of the Block Captains were in support of a feasibility study. The City Council ultimately engaged HQE to provide a feasibility study.

At the January 10, 2022, City Council meeting Staff presented the final feasibility study from HQE and recommended the City Council to conduct a community survey to gauge interest for an outdoor siren system. In review of the feasibility study, the City Council requested information relating to the annual maintenance cost of the proposed outdoor siren system. The

City Council also requested a street level map of Solution A and Solution B presented in the Feasibility Study.

At March 14, 2022, the City Council unanimously voted to direct staff to move forward with HQE Systems allocating a budget not to exceed \$3,500 to further investigate potential co-location sites of the poles. On June 16, 2022, HQE staff and Block Captain Leads Arlene and Gene Honbo conducted a site visit at the Main Gate, Crest Gate, Eastfield Gate and the Radar Station.

DISCUSSION:

On July 1, 2022, HQE submitted the revised feasibility study. On July 20, 2022, staff reviewed the revised study which included two additional options. Solution C includes the three gate locations (Main, Crest and Eastfield Gates) and the Radar Station in the amount of \$423,683 and Solution D includes only the three gate locations in the amount of \$334,748. The increased in costs resulted from the need of using different equipment such as a directional speakers instead of omni-direction horns as well as the additional costs in design, construction and associated labor. For example, the installation of the poles at the gate locations and Radar Station would require trenching, potential electrical upgrades, concrete repairs, traffic controls, additional need of specialized equipment, etc. Staff also determined eliminating Solution C from consideration because of the added approval process for the Radar Station. The Radar Station is owned by the Federal government and would require significant time and resources to obtain approval on a Federal site.

FISCAL IMPACT:

Should the City Council decide to move forward with an outdoor siren system as proposed in the HQE's Feasibility Study, Solution A considered aesthetic as a priority for an estimated construction cost of \$310,602. Solution B offers the most reliable solution in the market today for an estimate of \$144,573. Solution D includes the three gate locations in the amount of \$334,748.

The anticipated annual maintenance cost is \$12,000 (increased at 3% inflation rate per year).

The Fiscal Year 2022-2023 Budget includes funding of up to \$300,000 for the implementation of the outdoor siren system.

RECOMMENDATION:

Review and consider Solution D and engage HQE for a full feasibility study.

ATTACHMENTS:

[HQE Systems - Mass Notification Systems Installation Study - The City of Rolling Hills V3 \(Email\).pdf](#)

[8-8-2022_Outdoor Siren Feasibility Study.pdf](#)

[HQE_Professional_Svcs_Agreement_Exhibit_A_Exhibit_B_E.pdf](#)

[CA_AGR_220429_PSA_HQE_Amendment01_E.pdf](#)



Mass Notification Report

Prepared August 2022
For The City of Rolling Hills, CA

www.HQESystems.com

Disclaimers

All product names, logos, and brands are the property of their respective owners. All company, product, and service names used in this proposal are for identification purposes only. Using these names, logos, and brands do not imply endorsement.

Neither HQE Systems, Inc. nor its contributors shall be held liable for any improper or incorrect use of the information described and/or contained in this report herein and assumes no responsibility for anyone's use of the information. In no event shall HQE Systems, Inc. or its contributors be liable for any direct, indirect, incidental, special, exemplary, or consequential damages (including, but not limited to: procurement of substitute goods or services; loss of use, data, or profits; or business interruption) however caused and on any theory of liability, whether in contract, strict liability, tort (including negligence or otherwise), or any other theory arising in any way out of the use of this report, even if advised of the possibility of such damage. This disclaimer of liability applies to any damages or injury, whether based on alleged incorrect data, negligence, or any other cause of action, including but not limited to damages or injuries caused by any failure of performance, error, omission, interruption, deletion, defect, delay in operation or transmission, computer virus, communication line failure, and/or theft, destruction or unauthorized access to, alteration of, or use of any record.



HQE Systems, Inc. is a privately owned and operated Minority-Owned FEMA Certified Service Disabled Veteran Owned Small Business (SDVOSB).

"It is our goal at HQE to continue to serve our veterans through our 'Hire Veterans Policy HQE-2015-2025'. We appreciate all of our current and past customers who have helped us meet our goals of hiring veterans throughout the years. Your support in HQE is directly impacting the support of our amazing veterans. Thank you for the opportunity to serve you and your community!"

Thank You from the team of HQE Systems Inc.

Qais Alkurdi

CEO, Disabled Veteran / Retired



Table of Contents

1. Executive Summary	5
2. Background	6
3. The City of Rolling Hills Consideration Factors	7
3.1 General Information	7
3.2 Topographic Information	7
3. Report Development Methodology	8
2.1 Kick-Off Meeting (Clear Project Guidelines)	8
2.2 Site Survey (Gathering Information)	8
2.3 Sound Propagation Analysis (Data-Driven Planning)	8
2.4 Mass Notification Systems Installation Study	9
4. Mass Notifications System Types Overview	10
4.1 Electronic Notification Solutions (ENS) Web & Cellular Alerting	10
4.2 Indoor Notification Solutions	11
4.3 Outdoor Notification Solutions	12
5. Proposed Solution Options	13
5.1 Installation Solution Options	13
5.2 Intelligible Voice & Tone Sound Coverage	16
5.3 Proposed Siren Installation Locations	18
5.4 Proposed Project Milestones & Package	21
5.5 Outdoor Warning Siren Pole Tree Facade (Option)	22
5.6 Mobile Alert Expeditionary Unit (Si-MAX) Option	23
6.0 Conclusion of Report	25

1. Executive Summary

To the distinguished City of Rolling Hills's City Council Members,

HQE Systems, Inc. (HQE) is a Minority-Owned, FEMA Certified California Disabled Veteran Business Enterprise (DVBE) with its global headquarters in Temecula, CA. Since 2014, HQE has been designing, engineering, installing, and maintaining Mass Notification Systems (Central Control Units, Outdoor Sirens, Control Cabinets, Radios, Solar Chargers, and Subcomponents of Mass Notification Systems) solutions for a host of clients worldwide. HQE is a brand agnostic systems integrator that has installed over 1,000+ Mass Notification Systems for all levels of the Government and Federal Agencies.

HQE was retained by The City of Rolling Hills, California, to investigate the feasibility of installing an effective Mass Notification System. The system intends to provide Mass Alerting and Warning during natural and manmade disasters, including wildfires, terrorist events, and severe weather. HQE's Mass Notification Systems installation Report would provide the decision-makers with the information needed to identify the ideal solution for The City of Rolling Hills.

To develop the report, HQE conducted an installation study. The study includes open-source data research, site survey, and sound propagation analysis.

- ❖ **Open Source Data:** Researching the latest solution from the key manufacturers. This includes technical/operational features and rough order of magnitude pricing.
- ❖ **Site Survey:** Study of the local environment/infrastructure to include the availability of power, potential installation points, residential buildings, and topography (manmade and natural). In addition, it analyzes the presence and signal capabilities of cellular, radio, and other communications channels.
- ❖ **Sound Propagation Analysis:** Utilizing the information gathered during the site survey and planning maps, HQE utilizes a proprietary machine-learning algorithm, Sound Propagation Analysis, to determine the ideal locations for the Mass Notification points.

With all of the information reviewed and analyzed during the report development, HQE's Mass Notification Subject Matter Experts have determined the ideal installation solution for The City of Rolling Hills. The proposed solution was developed with the following priorities (not in order): Alerting Effectiveness, Initial Budget, Sustainment Budget, Project Timeline, and System Installed Visibility.

Proposed Solution: This solution was developed to provide The City of Rolling Hills with a solution that provides the best intelligible voice & tone sirens with a modern look. This solution will utilize the SiRcom sirens with Vector line arrays. These modern intelligible speakers will provide the "best look" for the City while providing the intelligible voice and tone coverage for emergency alerting. The main concept of the solution is to install the outdoor warning sirens directly behind or in the vicinity of the gates proposed by the City. The sirens will be configured in a directional siren setup and installed at the City's desired installation points (entrance gates). The rough order of magnitude pricing for the solution is \$334,748.24. It is estimated 30 days to install the complete system.

2. Background

The City of Rolling Hills (City) sought an installation report for Mass Notifications System (MNS). The requirement specifically desired an effective outdoor solution that could operate in any threat event environment.

The City of Rolling Hills relies primarily on communication tools that require electricity, cellular signal, or access to the internet during an emergency. These methods include The City of Rolling Hills Website, Alert Southbay, and local television/radio networks. Areas of California regularly experience power outages during adverse, especially windy, weather conditions. The local utility provider utilizes a Public Safety Power Shut-off (PSPS) program during inclement weather conditions. Because of the PSPS program, residents of The City of Rolling Hills could possibly be without power during periods of heightened fire danger, resulting in an increased risk of not receiving important communications, including evacuation orders, via phone, internet, or radio. Unfortunately, disruption to the electrical power also has a negative impact on local cellular towers, which have limited generator power to sustain their operational needs from the planned PSPS or electrical systems failures from the hazard (fire, wind, etc). Environmental events must be fully understood when planning and designing an MNS, so the system can clearly and effectively communicate alerts to residents and visitors. The MNS must be designed to rely on solar power and have enough battery-backup capacity to send critical alerts, when required, at night, or on days when the sun may be blocked by smoke or clouds.

The infamous 2020 wildfires that overtook Los Angeles and Ventura County's northern regions exposed the dangers of relying only on web-based or cellular-based emergency alert systems. With over 33 deaths, many Cities and Counties have since implemented a radio-based mass notifications system to mitigate this unnecessary risk in the future.

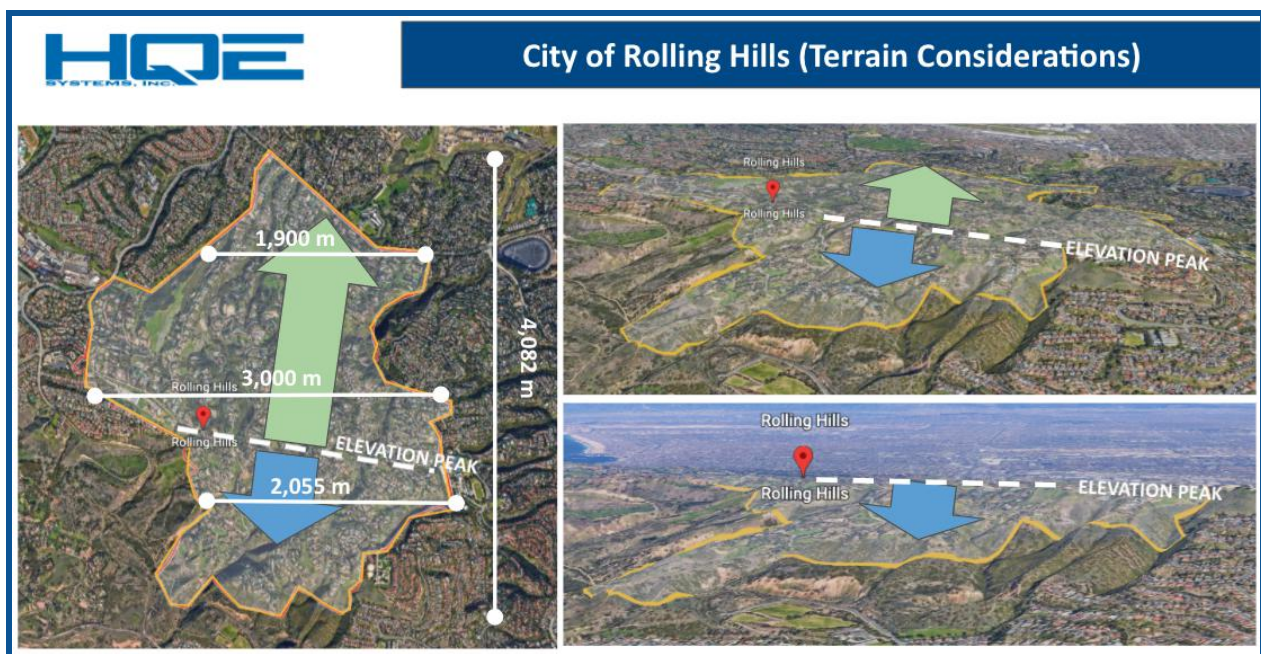
The City of Rolling Hills contracted with HQE Systems, Inc. (HQE) to develop a comprehensive and actionable MNS report to enhance its ability to disseminate emergency alerts, especially in wildfire situations. Since then, HQE has utilized its expertise in Mass Notifications Systems (MNS) to develop this report to assist The City of Rolling Hills in the pursuit of saving lives and protecting property.

3. The City of Rolling Hills Consideration Factors

3.1 General Information

#	Description	The City of Rolling Hills Data
1	Access To The City of Rolling Hills	Gated Community (Limited Access Roads)
2	Population (2020)	1,739
3	Housing Units	702
4	Land Area	2.99 Square Miles
5	Water Area	0.00 Square Miles
6	Geographic Coordinates	33.760016 -118.347164
7	AVG. Annual RainFall	15 Inches
8	AVG. High Wind Speed	7-8.6 MPH (November to May is the high winds season)
9	Fire Season	May to October
10	Fire Threat Region	Tier 2 (Elevated Fire Threat Identified By: California Public Utilities Company Fire Threat Mat V.3 (08.19.21))
11	Last Large Fire That Impacted The City of Rolling Hills On The Palos Verdes Peninsula	Aug. 27, 2009, burned 235 acres and was of unknown origin according to the California Department of Forestry and Fire Prevention website. The fire, which burned for two days, caused minor damage to six Rolling Hills homes and forced 1,200 people to evacuate. Additionally, 3,000 customers in the area lost electrical power.

3.2 Topographic Information



HQE has studied The City of Rolling Hills's general and topographic information. These factors will be taken into careful consideration when developing the final solution options.

3. Report Development Methodology

2.1 Kick-Off Meeting (Clear Project Guidelines)

HQE conducted a project kickoff meeting in October 2020 with The City of Rolling Hills that established mutual acquaintance, clarified roles, and confirmed the desired outcomes and deliverables. Utilizing its experience and expertise in MNS, HQE was able to help better understand the constraints of the project and how HQE could best serve The City of Rolling Hills in achieving its ultimate goal of Saving Lives and Protecting Property.

2.2 Site Survey (Gathering Information)

HQE conducted multiple detailed site surveys and spent time gathering information to fully understand the constraints that could impact the system's operational and technical performances. During the final site survey in June 2022, HQE reviewed each element of an MNS and documented expectations and requirements of the system. The City of Rolling Hills provided site information based on the current desires of The City of Rolling Hills and potential pitfalls to consider when planning for the new MNS. HQE's analysis began with the initial City provided project considerations to ensure that HQE's efforts would be aligned with The City of Rolling Hills's desires. While on-site, HQE assessed the power options and locations. In addition, HQE's sound engineer assessed the residential and commercial building layouts to determine the best locations of the new MNS points to maximize sound coverage.

2.3 Sound Propagation Analysis (Data-Driven Planning)

HQE conducted a sound propagation analysis based on the final site survey to ensure the outdoor emergency alert signal is distributed optimally throughout The City of Rolling Hills. HQE produced sound propagation maps using site-collected data and HQE's proprietary outdoor siren planning software to determine the levels of coverage achieved from potential sites. The coverage models consider varying geographical topology and environmental factors such as foliage and building density.

The study considered various environmental factors including:

- ❖ Temperature
- ❖ Humidity & Rainfall
- ❖ Vegetation (types and disbursement)
- ❖ Wind speed and direction
- ❖ Man-Made structures (buildings, towers, etc)
- ❖ Topography (elevation changes)

Environmental factors that will be present during inclement weather were significant when modeling coverage, including understanding the effects of the Santa Ana winds. In addition, much of The City of Rolling Hills has steep hills and canyons, which pose a challenge for proper coverage.

The analysis resulted in recommendations for the most efficient outdoor warning alert sound distribution across The City of Rolling Hills, including:

- ❖ A sound coverage area for each proposed siren site, considering environmental data
- ❖ Identification of any areas of The City of Rolling Hills in which sirens will be ineffective due to geography or other characteristics

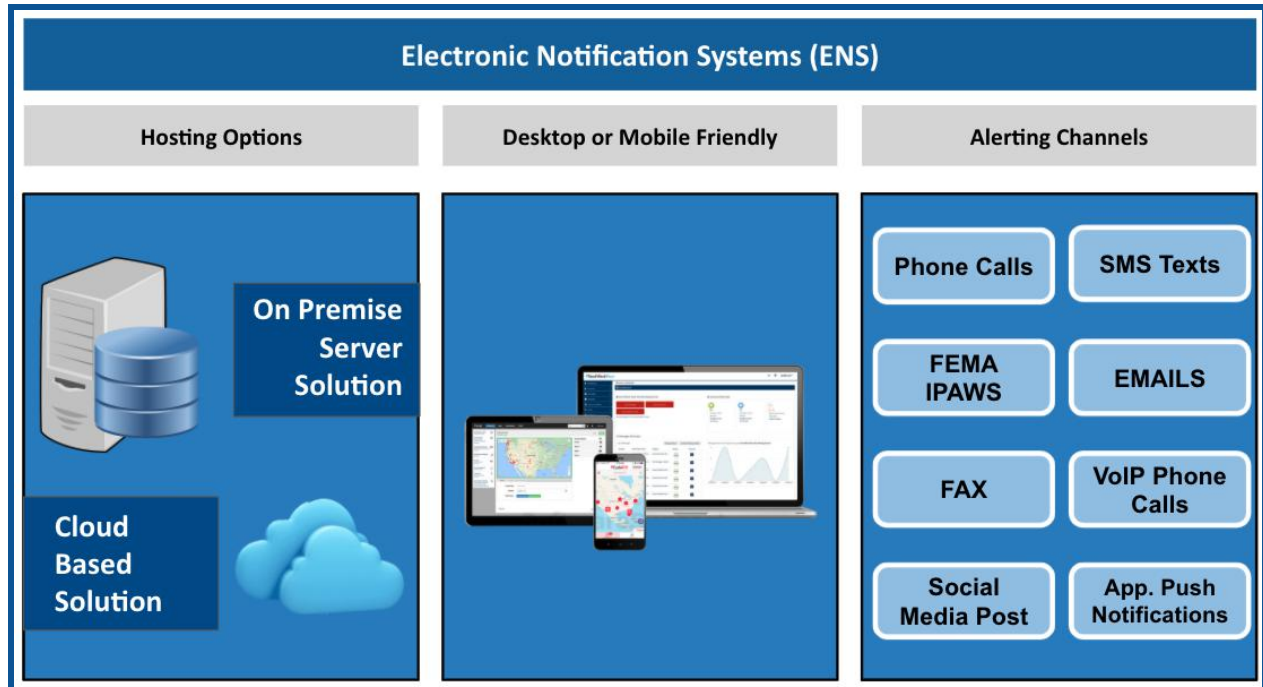
2.4 Mass Notification Systems Installation Study

HQE compiled the data collected into this report, which provides a baseline assessment and includes the following:

- ❖ Solution options available on the market
- ❖ Costs to include initial and long term sustainment
- ❖ Recommended ideal installation options

4. Mass Notifications System Types Overview

4.1 Electronic Notification Solutions (ENS) Web & Cellular Alerting



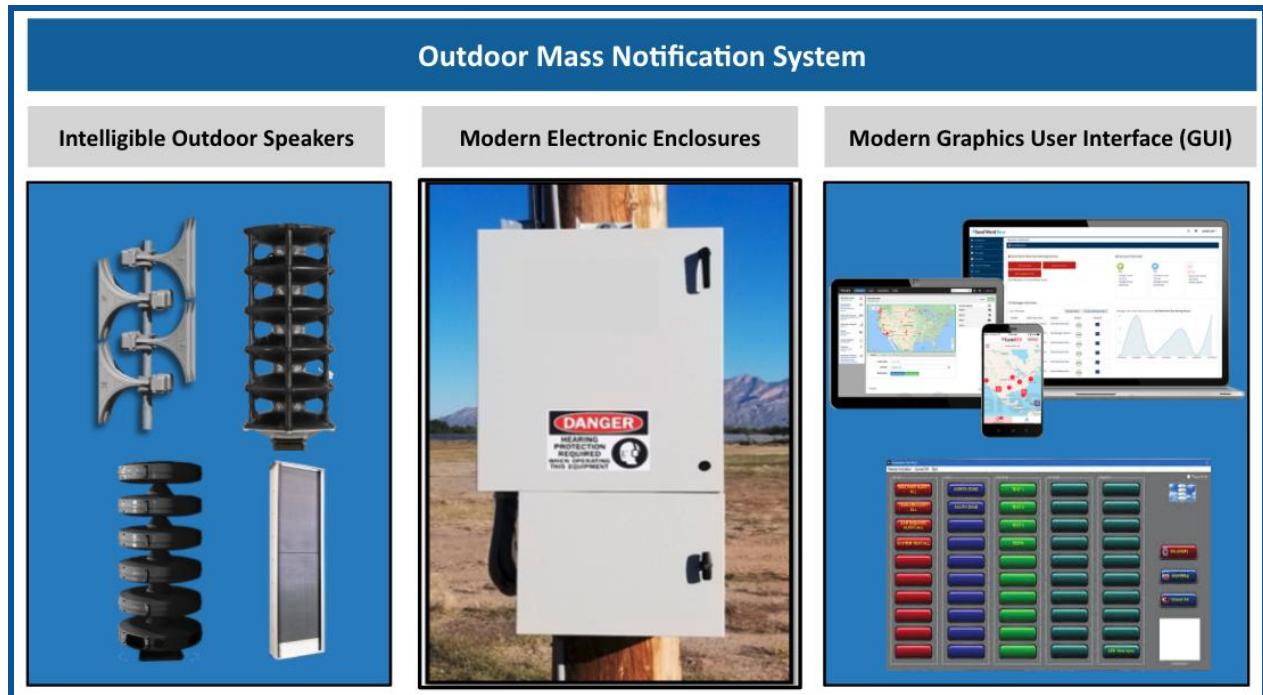
- ❖ **Solution Types:** Electronic Notification Systems (ENS) have gained popularity due to technological advancement. ENS utilizes the local cellular networks to disseminate emergency alert notifications. These notifications can be accessed from the recipient's mobile devices and computers.
 - Hosted Cloud-Based Solution (SaaS): Requires no hardware to deploy the solution.
 - On-Premise Server Solution: Requires a local server to be installed.
- ❖ **Alerting Methods:** The City of Rolling Hills Utilizes the local cellular towers to transmit the following alerts.
 - Voice Calls: A custom live, or pre-recorded voice message can be transmitted to all telephone numbers in the database for the City.
 - SMS Text: A custom drafted or pre-drafted template message can be transmitted as a text to the number in the database for the City. The recipient can also send back an acknowledgment or a specific prompt response to the City.
- ❖ **Strengths & Vulnerabilities:**
 - Strengths: Fast deployment. Easy to utilize. Requires limited or no hardware installation.
 - Weakness: Completely reliant on the local cellular network. During PSPS or disaster failures, ENS solutions will not work. If the recipients have their phones on silent or off, they will not be alerted by the notification.

4.2 Indoor Notification Solutions



- ❖ **Solution Types:** Indoor Notification Systems are utilized to provide coverage visually and audibly to ensure that the alerts are received inside buildings. These notifications consist of workstation desktop alerts, overhead paging/intercom alerts, mounted digital displays, and any networked signs and TVs.
 - Indoor audio alerting: Integrates with in-building paging or intercom systems, telephones, and other networked audio devices. This ensures full compliance with Americans with Disabilities Act requirements.
 - Indoor visual alerting: Integrates with workstations, digital signs, and other networked displays (TVs, wall-mounted tablets). This ensures full compliance with Americans with Disabilities Act requirements.
 - Life Safety Systems Integration: Integrates with local fire alarms, earthquake sensors, and electronic security systems to ensure that the legacy alarms are reinforced with intelligible audio and visual alerts (ADA compliance).
- ❖ **Strengths & Vulnerabilities:**
 - Strengths: Unifies indoor spaces with outdoor warning alerts. This ensures that all alerts are instantly received by all residents and the City's staff.
 - Weakness: Requires indoor wiring and cabling (unless self-powered and wireless solutions are implemented)

4.3 Outdoor Notification Solutions



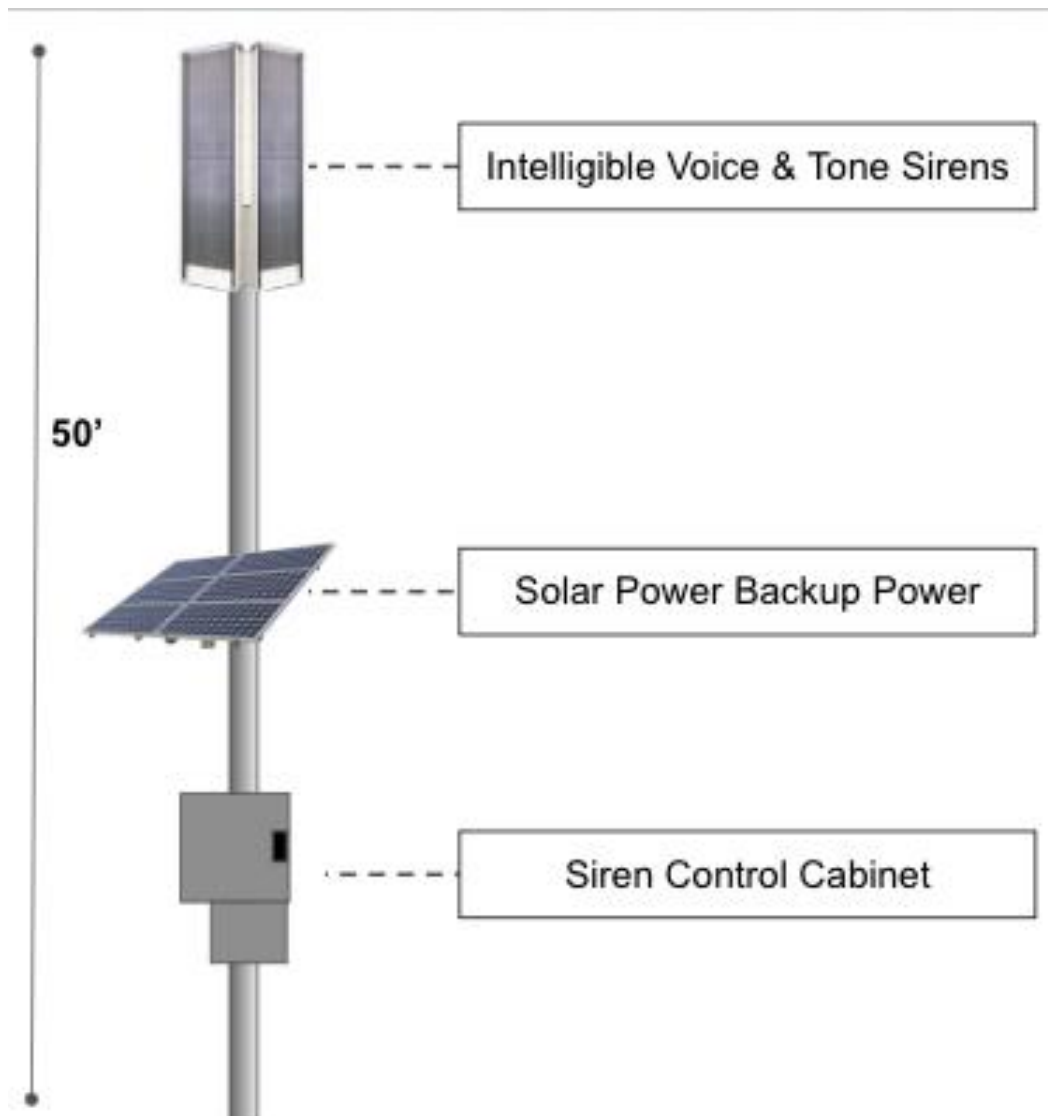
- ❖ **Solution Types:** Outdoor Warning Sirens (OWS) are the industry standard and the accepted capability by Federal Emergency Management Agency (FEMA). OWS allows immediate alerting across a large area by utilizing all-weather outdoor warning sirens.
 - Intelligible Audio Alerts: Intelligible sirens can be heard from miles away.
 - Wireless & Self-Powered: Siren control cabinet systems configured to operate on wired/wireless communication infrastructure and self-powered/self-charging systems.
 - Central Control System: Mass Notifications System management software to quickly and easily create, transmit, and manage all alerts.
- ❖ **Alerting Methods:** The City of Rolling Hills Utilizes various communications media to transmit the following alerts.
 - Live Custom or Pre-Recorded Voice Alerts: A custom live, or pre-recorded voice message can be transmitted to all or selected siren points.
 - Tone Alerts: Transmit pre-established tone alerts.
- ❖ **Strengths & Vulnerabilities:**
 - Strengths: Self-powered and can communicate on networks not affected by PSPS or other power outages.
 - Weakness: Has the highest cost to cover the desired area.

5. Proposed Solution Options

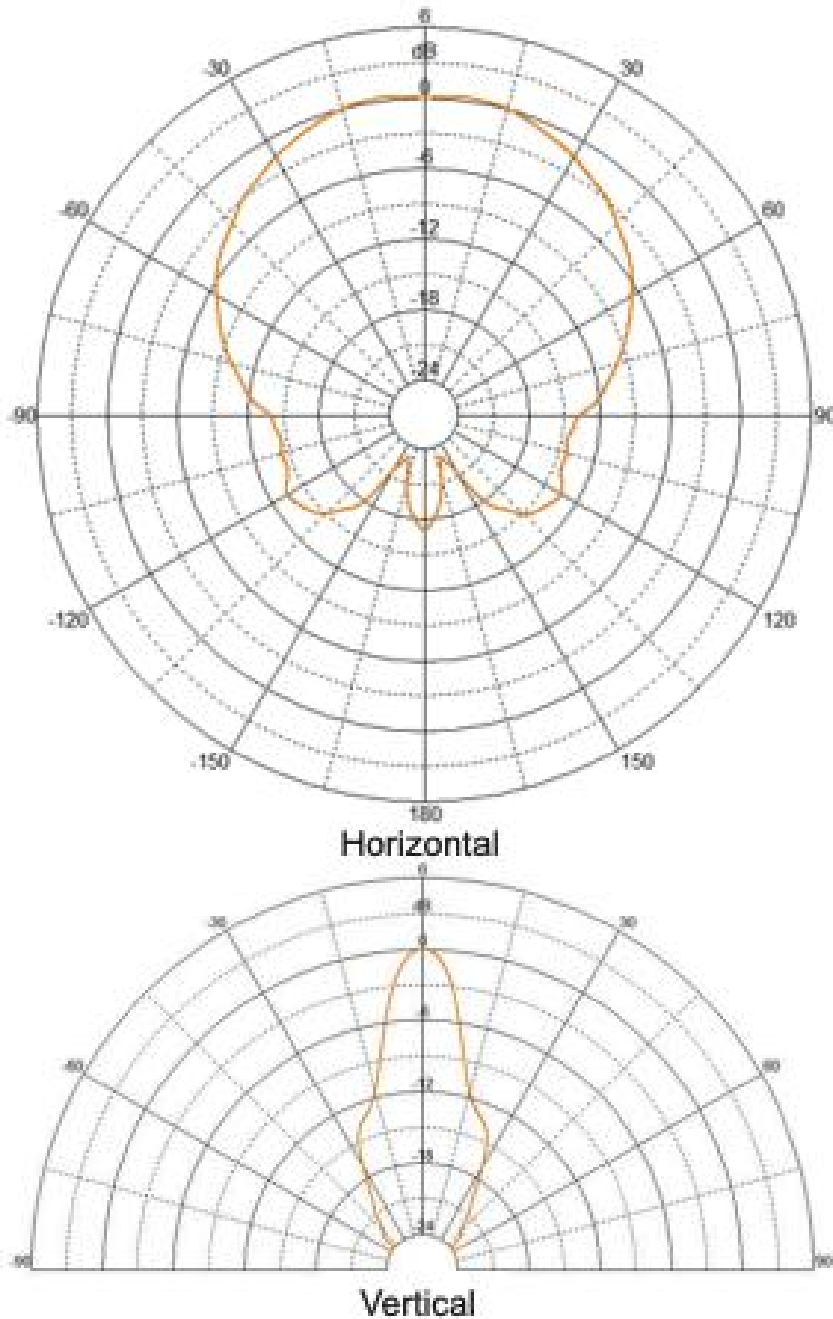
5.1 Installation Solution Options

HQE has developed the below solution for The City of Rolling Hills's considerations.

- ❖ **Installation Pole Solution:** The directional outdoor warning siren Installation utilizes the standard 50' poles mounted with the intelligible horns positioned in a directional configuration transmission position. The 50' pole allows the sound to be projected from a higher elevation. This allows for a greater coverage area which reduces overall equipment requirements.

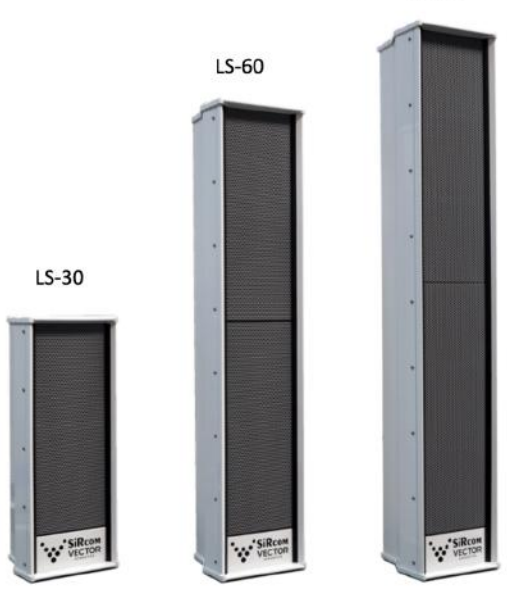


Polar Plots at 1 kHz



The above figures depict the intelligible voice and tone sound activation. The proposed solution has the highest intelligible voice and tone alerting on the market today. This ensures that the alerts activated will be understood from great distances.

The highly intelligible voice and tone of sirens are key to providing the residents of the City with the proper coverage needed during an emergency. The following siren system has the most ideal intelligible voice and tone capabilities. In addition, the proposed control software and hardware have many advantages that provide the City with many features not found on other systems in the market today.



LS-30

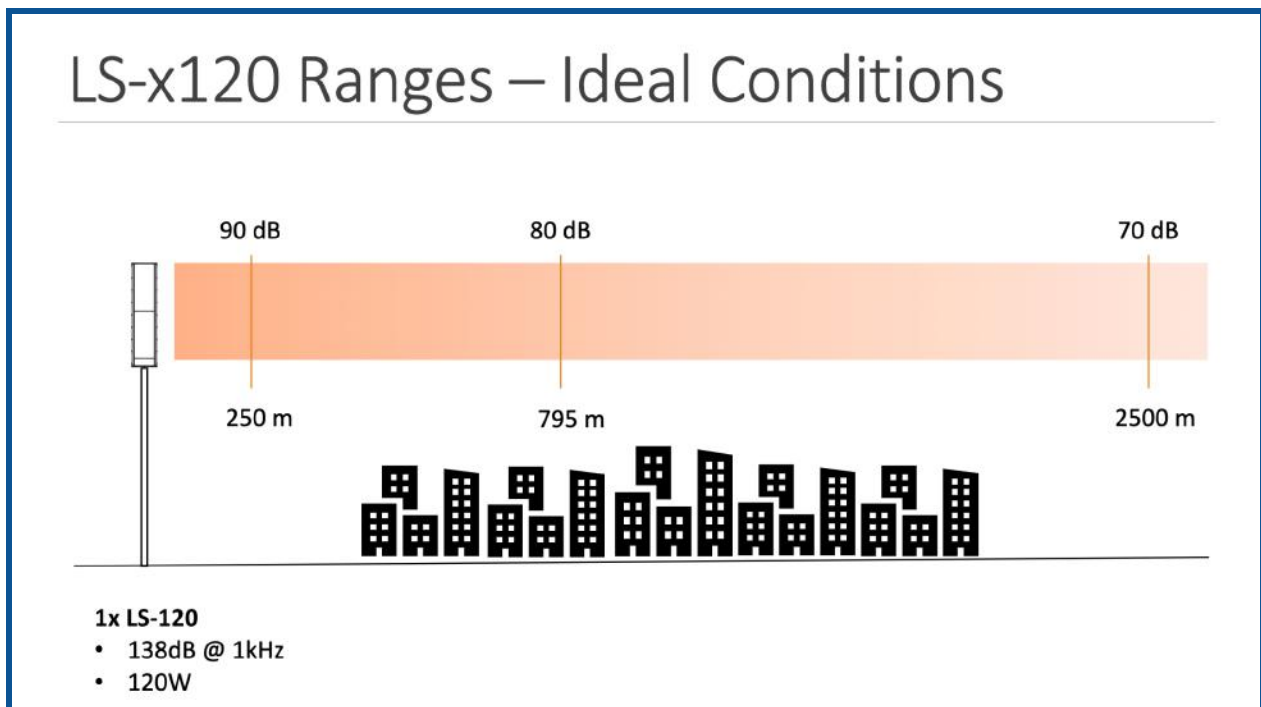
LS-60

LS-120

LS-30 128.5 dB at 1kHz/30W
30 Watt compact value loudspeaker for confined outdoor urban areas or indoor installations.

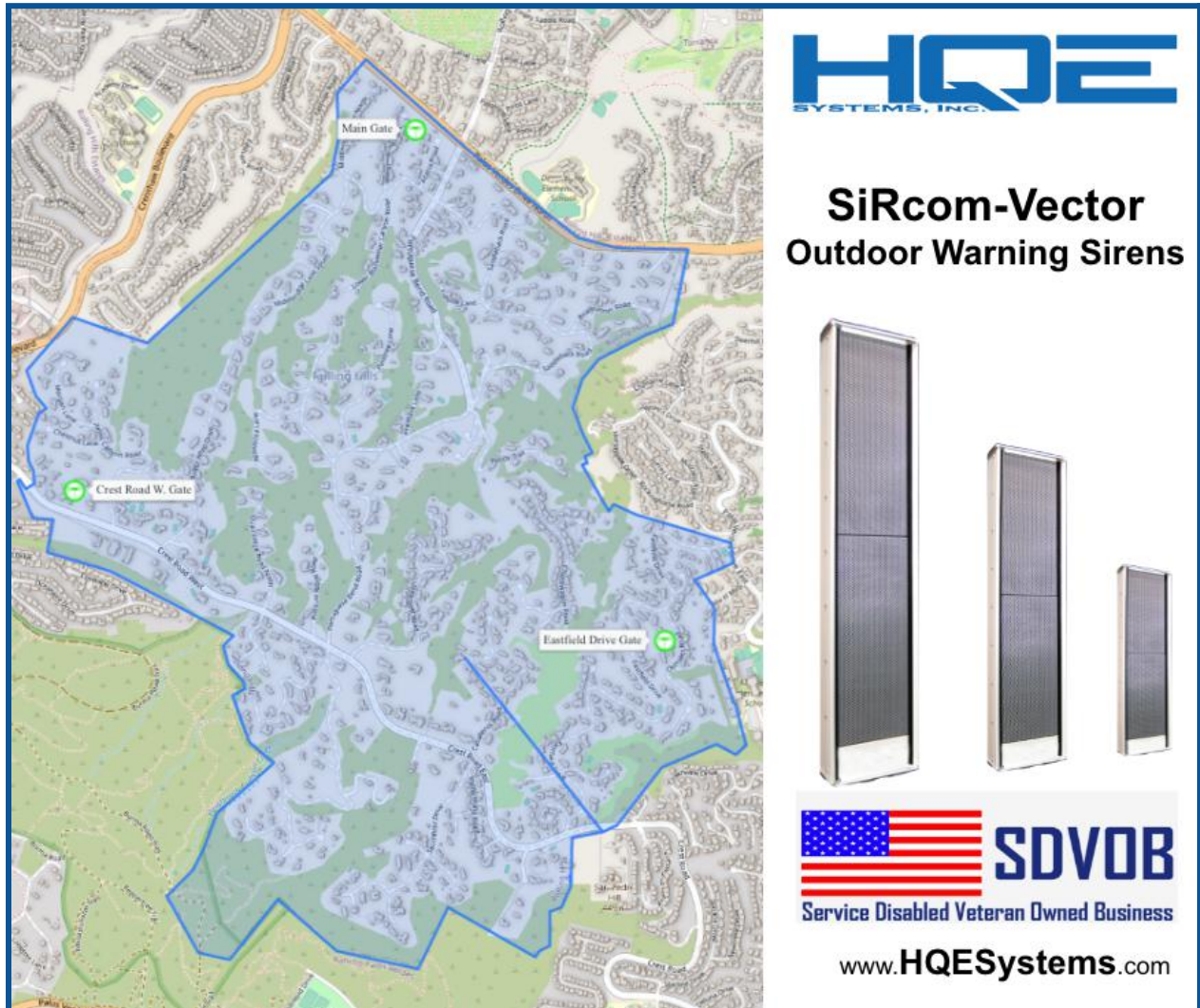
LS-60 134.5 dB at 1kHz/60W
60 Watt value line source loudspeaker.
Produces 116.5dB at 1W/1m/1kHz and features enhanced output down to 300Hz for improved range.

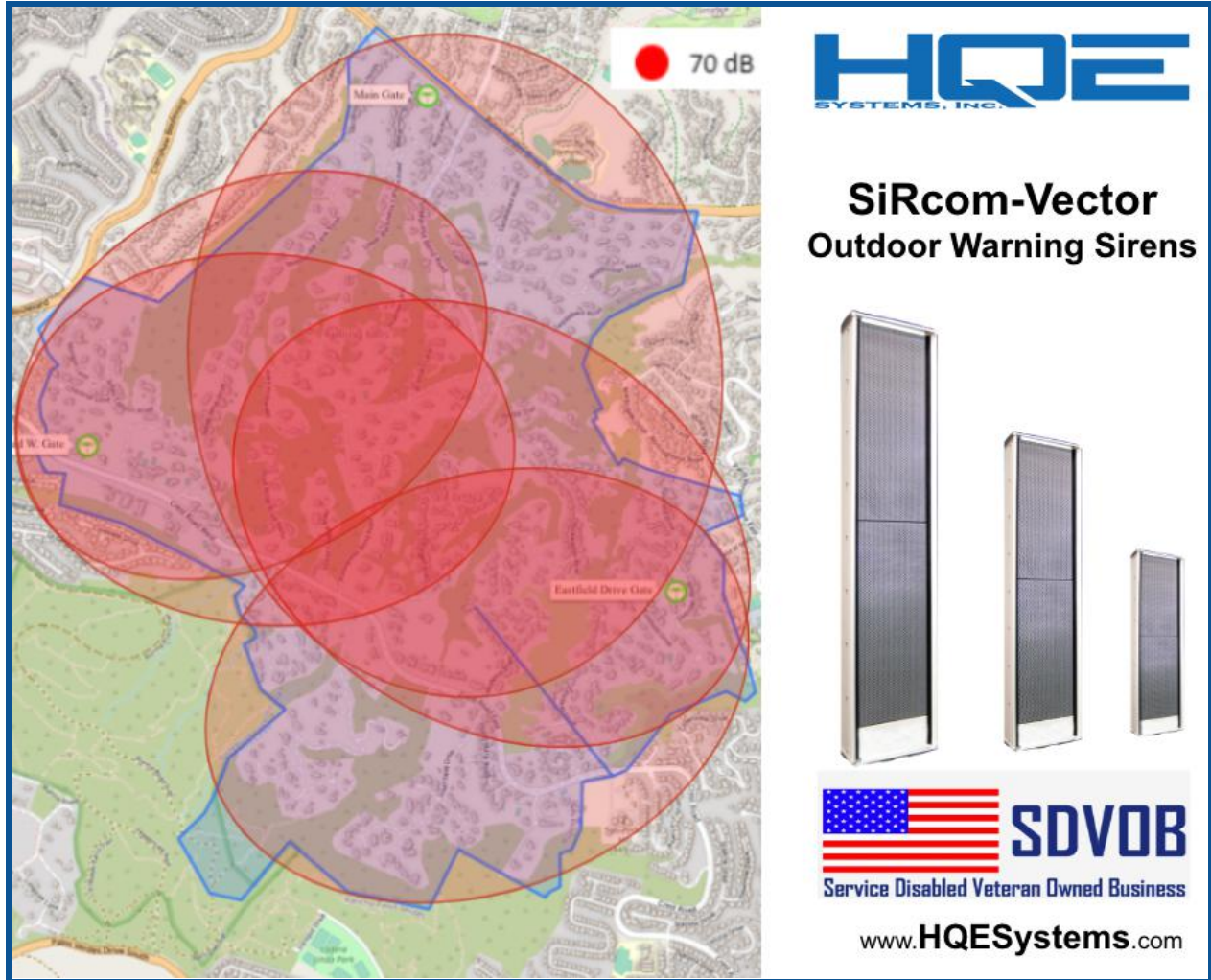
LS-120 138 dB at 1kHz/120W
120 Watt high efficiency line source loudspeaker.
Produces 117dB at 1W/1m/1kHz and features enhanced output down to 300Hz for improved range and clarity.



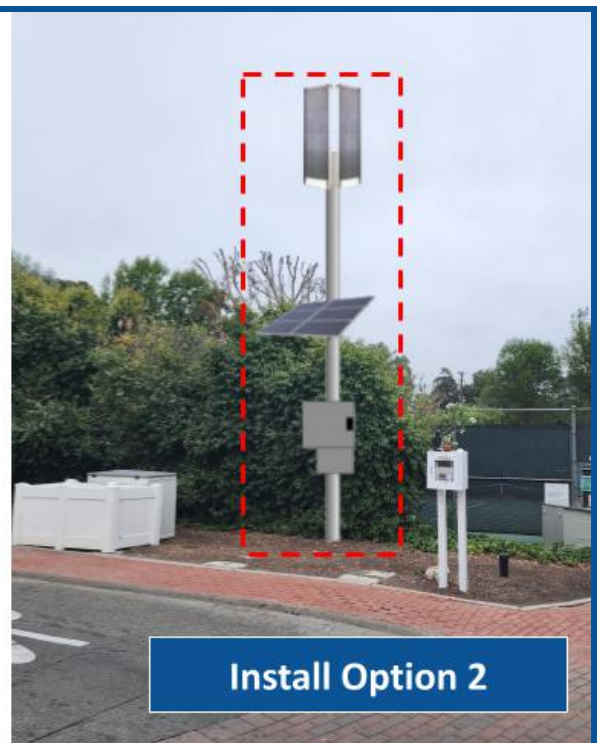
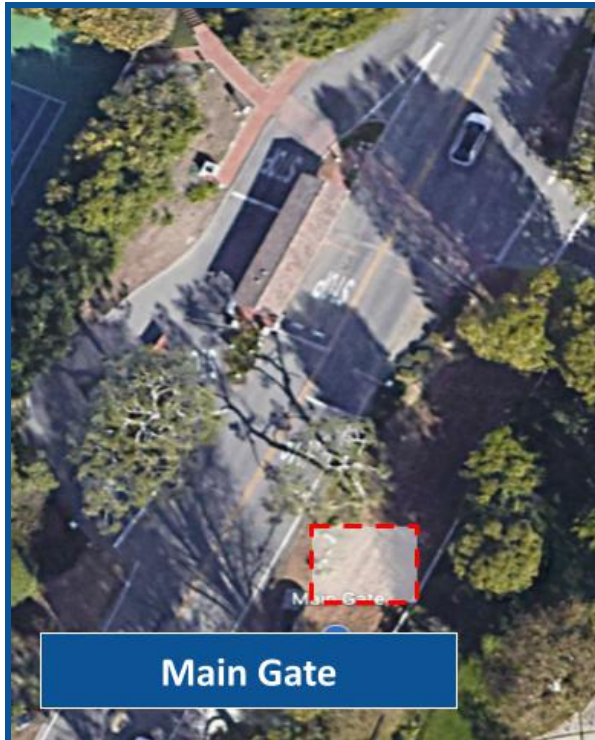
5.2 Intelligible Voice & Tone Sound Coverage

The solution takes into consideration that the community desires to have a reliable intelligible voice and tone outdoor warning system. This option utilizes three (3) SiRcom Vector speaker directional mounted on standard 50' poles to provide the required emergency alert notification coverage.





5.3 Proposed Siren Installation Locations





Crest Road Gate



Install Option 1



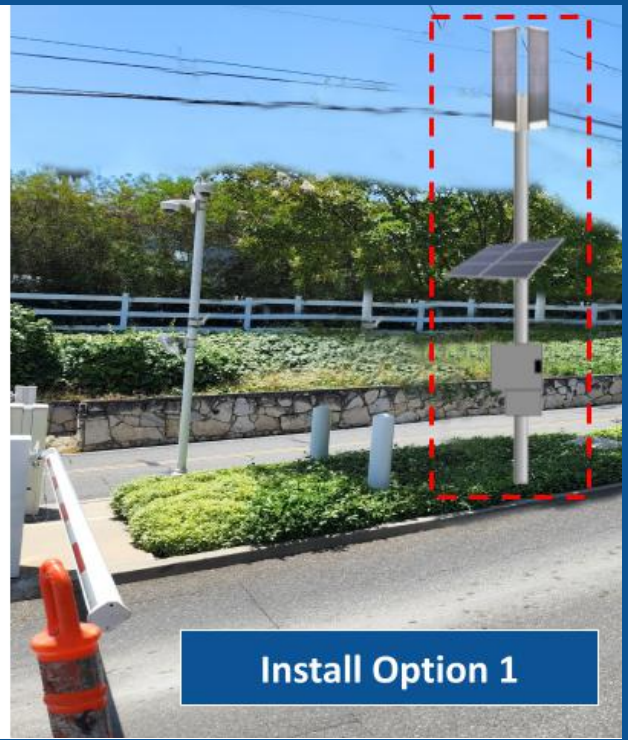
Crest Road Gate



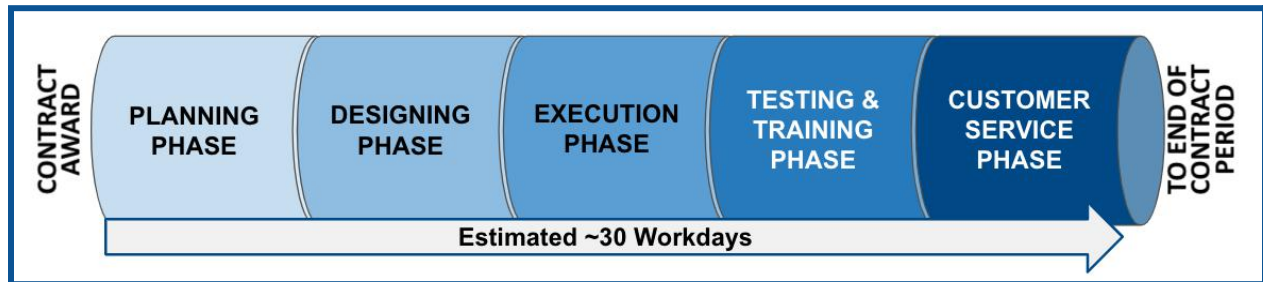
Relocate CCTV Cameras To The New Pole



Install Option 2



5.4 Proposed Project Milestones & Package

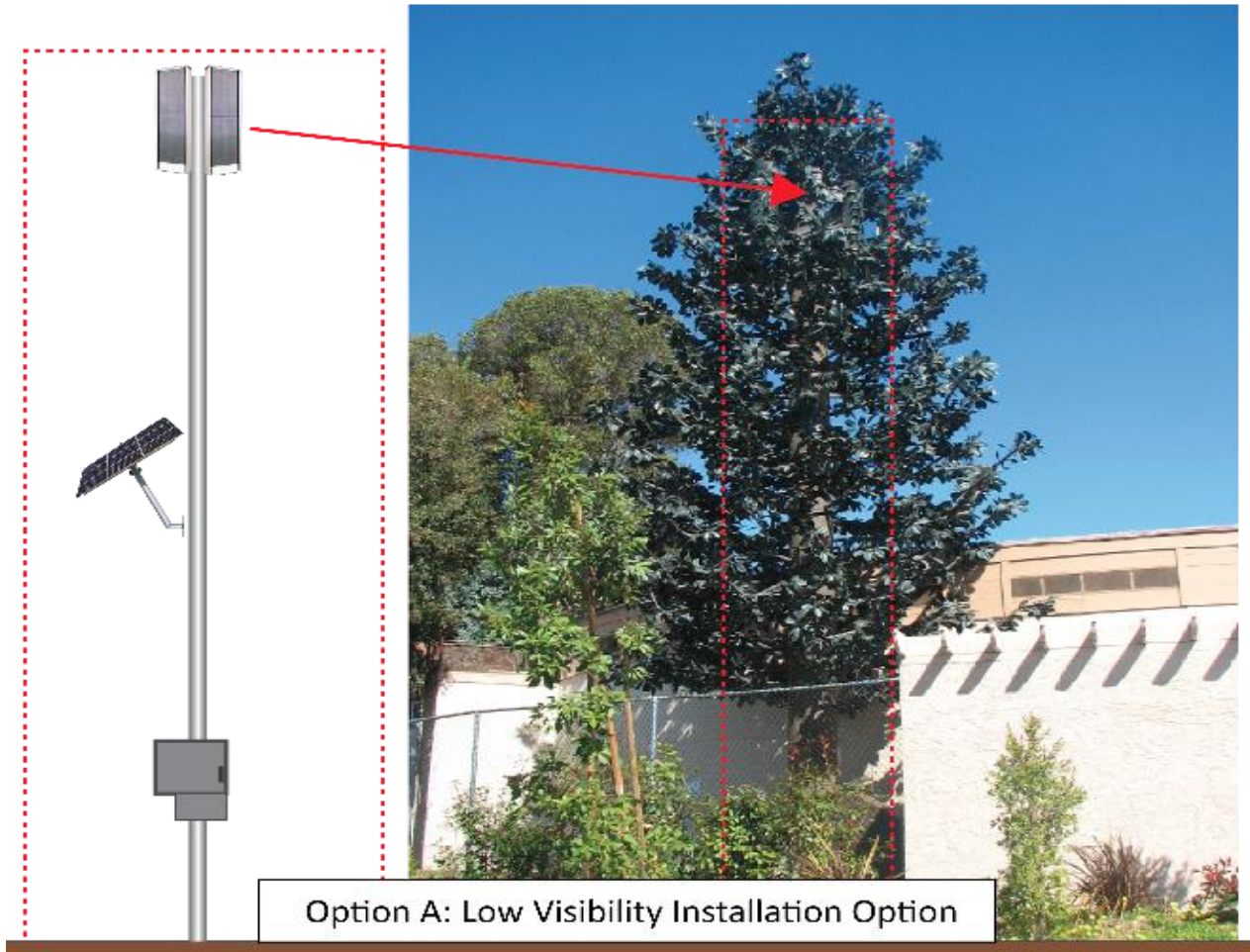


Equipment Required

- ❖ (1) SiRcom Central Control Unit (siren activation system)
 - Includes
 - (1) SiRcom SMART Alert Software (SiSA) - Annual Subscription
 - Perpetual License
 - Text-To-Speech Module
 - Auto-Foreign Language Translation Module
 - Electronic Alerting Module
 - ◆ Voice Calls
 - ◆ SMS Text
 - ◆ Emails
 - ◆ Social Media Posts
 - ◆ FEMA IPAWS
 - FEMA approved and certified software
 - SiRcom Central Controller Server (dell workstation)
 - LCD Monitor
 - Keyboard, Mouse, Mouse Pad
- ❖ (3) SiRcom Outdoor Warning Sirens With Vector Line Arrays
 - QTY 3: 139dB Intelligible Outdoor Warning Sirens
 - Mounted on 50' poles
 - Tree Facade (Option)
- ❖ (3) SiRcom Control Cabinets
 - Each Control Cabinet Includes
 - Secure Communications:
 - VHF Radio
 - Cellular Communications, SIM Service Perpetual
 - Power:
 - Primary: AC Power
 - 30 Days Power Backup: 220W Solar Power Module, 10 Year 12VDC Sealed Battery
 - Local Activation Module at each siren location

5.5 Outdoor Warning Siren Pole Tree Facade (Option)

The following are HQE's proposed life-like tree facades can be offered as an option. The facades require little maintenance and will be installed by HQE.



Additional Low Visibility Tree Facade Covering Options



5.6 Mobile Alert Expeditionary Unit (Si-MAX) Option

The SiRcom Mobile Alert Expeditionary Unit (Si-MAX) and the Mobile Alert Expeditionary Unit Lite (Si-MAX Lite) are two-way emergency mass notification devices.



Si-MAX Unit operates on the SiRcom SMART Alert Software (SiSA). All of the features found on the standard SiSA Emergency Alert Menu will be available on the Si-MAX display. This ensures that any authorized user can access, draft, and transmit emergency notifications while on the move. Si-MAX will communicate the alert message via any WiFi, Cellular, or VHF communications network (annual service cost not included in the proposal pricing).

Key Features of the SiRcom Mobile Alert Expeditionary Unit (Si-MAX)

❖ Control Features	Alert All Outdoor Sirens Easy To See In Daylight Encrypted Software Continuous SOS Signal	10" Digital Color Display Digital Keyboard Integrated Speaker Camera & Mic	Touch Screen Secure Log-In GPS Tracking
❖ Power	110VAC (House Power) Solar Battery Panel (Option)	12VDC (Car Outlet)	Internal 20 Hour Battery
❖ Communications	WiFi (Local Internet) NFC	Cellular (4G/5G) Bluetooth	Radio (VHF/UHF) RFID
❖ Commercial Info	MSRP \$2995 / EA	1 YR Warranty	Free Updates



Si-MAX Lite is a two-way emergency communications device that each residential home can possess. The Si-MAX Lite can be plugged into the resident's home power while not in use. Once an emergency alert notification is transmitted by the local emergency managers and received by the Si-MAX Lite Unit, the resident can take the Si-MAX Lite Unit with them to maintain real-time situational awareness as the emergency event progresses. This device also allows each resident to transmit a GPS signal that can be tracked by The City of Rolling Hills's emergency managers during the emergency. This feature can assist The City of Rolling Hills's emergency response team in getting to the resident quickly to provide assistance or to ensure they are on the safest path out of the danger area. (Not included in the proposal pricing)

Key Features of the SiRcom Mobile Alert Expeditionary Unit (Si-MAX)

❖ Control Features

3.5" Digital Color Display
Easy Navigation Button
Integrated Speaker

Rugged Screen
All Environments
GPS Tracking

Easy To See In Daylight
Encrypted Software
Continuous SOS Signal

❖ Power

110VAC (House Power)
Solar Battery Panel (Option)

12VDC (Car Outlet)

Internal 7 Hour Battery

❖ Communications

WiFi (Local Internet)
NFC

Cellular (4G/5G)
Bluetooth

Radio (VHF/UHF)
RFID

❖ Commercial Info

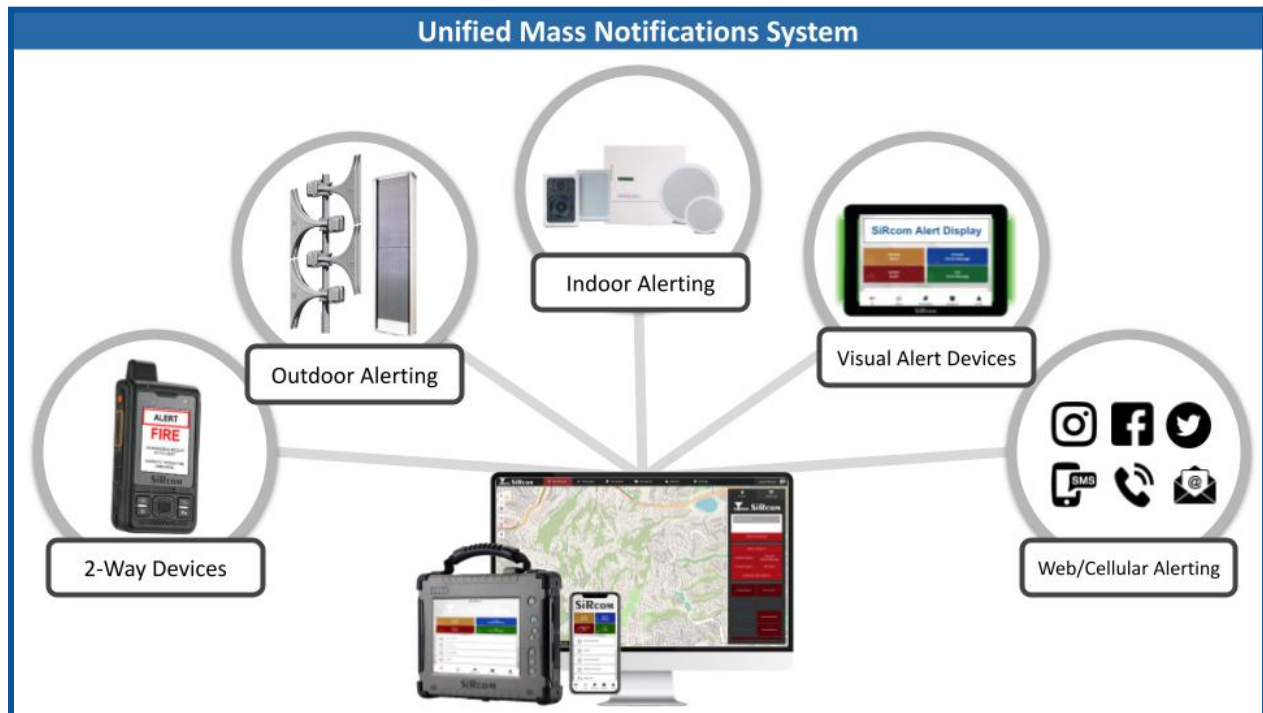
MSRP \$495 / EA

1 YR Warranty

Free Updates

6.0 Conclusion of Report

HQE is pleased to conclude this report for The City of Rolling Hills. However, The City of Rolling Hills faces several challenges that were identified by HQE; the solutions being proposed are to mitigate all of the challenges. The report proposes the ideal unique outdoor warning systems installation solution for the City. The solution was designed and proposed after careful analysis of the strengths and weaknesses of the current options in the market today. The SiRcom Mass Notifications System allows The City of Rolling Hills to meet the initial mass alerting requirements and to scale later with any indoor alerting and security systems integrations that the City may require. This proposed solution is genuinely a capability that will allow The City of Rolling Hills to install a solution that will not be outdated due to the modern unified mass notifications system design.



The proposed Mass Notifications System is the world's most comprehensive solution, with multiple redundant alerting channels pre-built into the system. The SiRcom SMART Alert System enables The City of Rolling Hills to provide the desired emergency response alerting if the power or cellular communications have failed. It is a Fully Certified Federal Emergency Management Agency (FEMA) System. The Unified Mass Notifications System solution ensures that The City of Rolling Hills can maximize the resources available in the mission to Save Lives and Protect Property. The unified solution doesn't rely on a single network but on a family of networks to ensure that when the Emergency System is required to perform its purpose, even in the event of power outages, the system WILL WORK!

The proposed solution will provide The City of Rolling Hills with the solution to mitigate the risks faced by the City and Counties of California in the infamous 2020 wildfires. In addition to the actual installation options for the outdoor warning system, HQE would suggest a community outreach program that would allow the residents of the community to talk directly with Mass Notification Systems experts. This will allow The City of Rolling Hills to help the residents better understand why the solution is so important for the life safety program of The City of Rolling Hills.

Thank You For Your Continued Support of HQE Systems, Inc.

A Minority Owned, FEMA Certified Service Disabled Veteran Owned Small Business

FULLY CERTIFIED & APPROVED BY:



DEPARTMENT
OF DEFENSE



FEMA

End of Mass Notifications System Installation Report



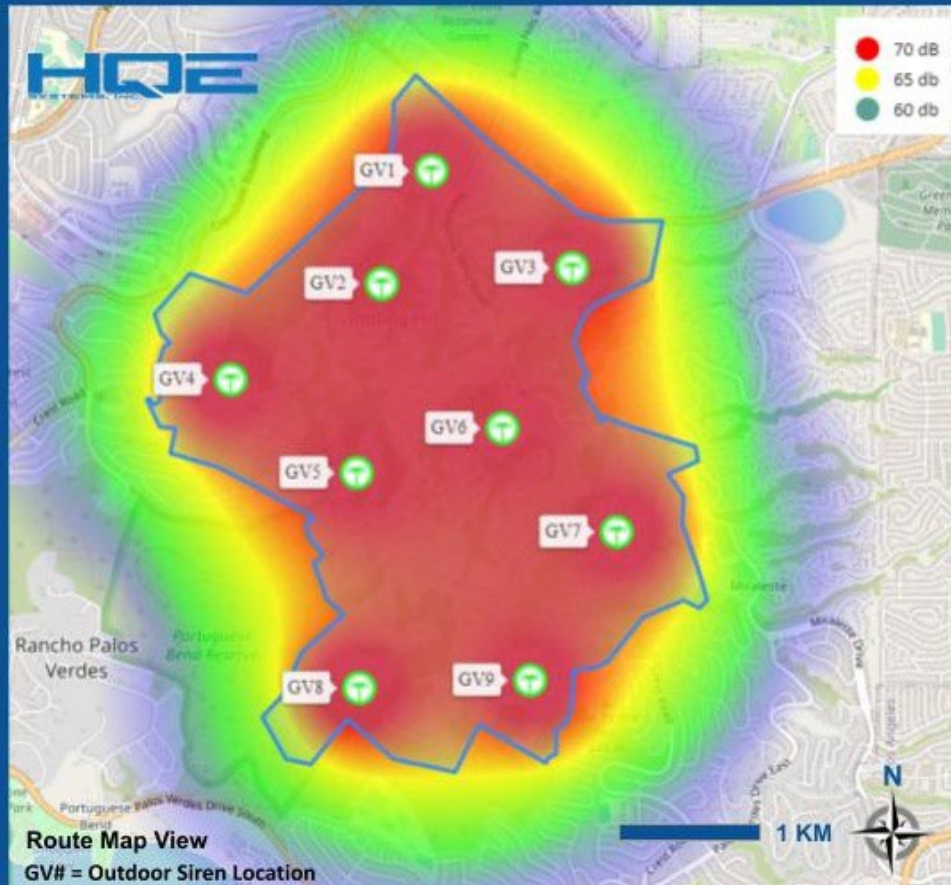
Outdoor Siren Feasibility Study

AUGUST 8, 2022 CITY COUNCIL MEETING

Background

- ▶ **February 2021:** Issued Request for Proposal for emergency communications system
- ▶ **March 2021:** Received one proposal
- ▶ **April 2021:** Staff recommended City Council to engage with HQE Systems, Inc. for a Feasibility Study
- ▶ **May-August 2021:** Staff engaged with Councilmember Pieper
- ▶ **August 2021:** City Council approved a Professional Services Agreement with HQE Systems, Inc.
- ▶ **January 2022:** Final Feasibility Study presented to City Council
- ▶ **March 2022:** City Council approved Supplemental Agreement to investigate co-locations

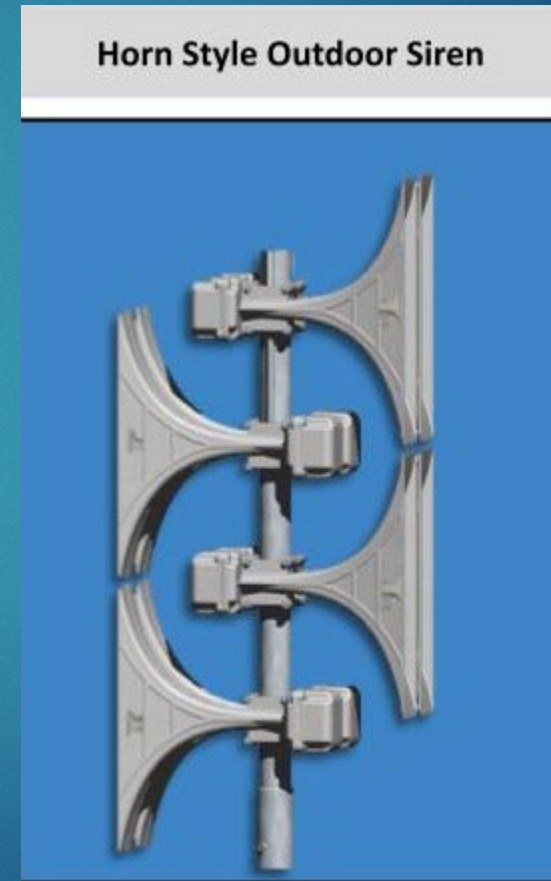
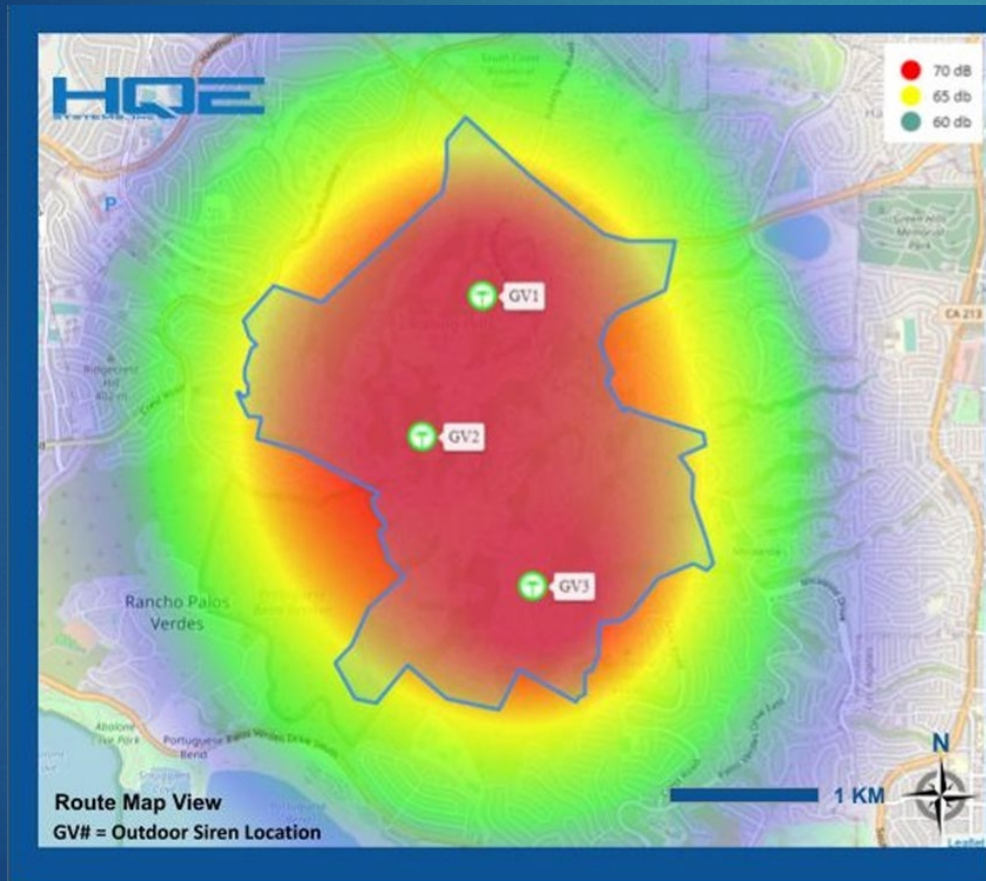
Solution A: Sound Coverage & Speaker



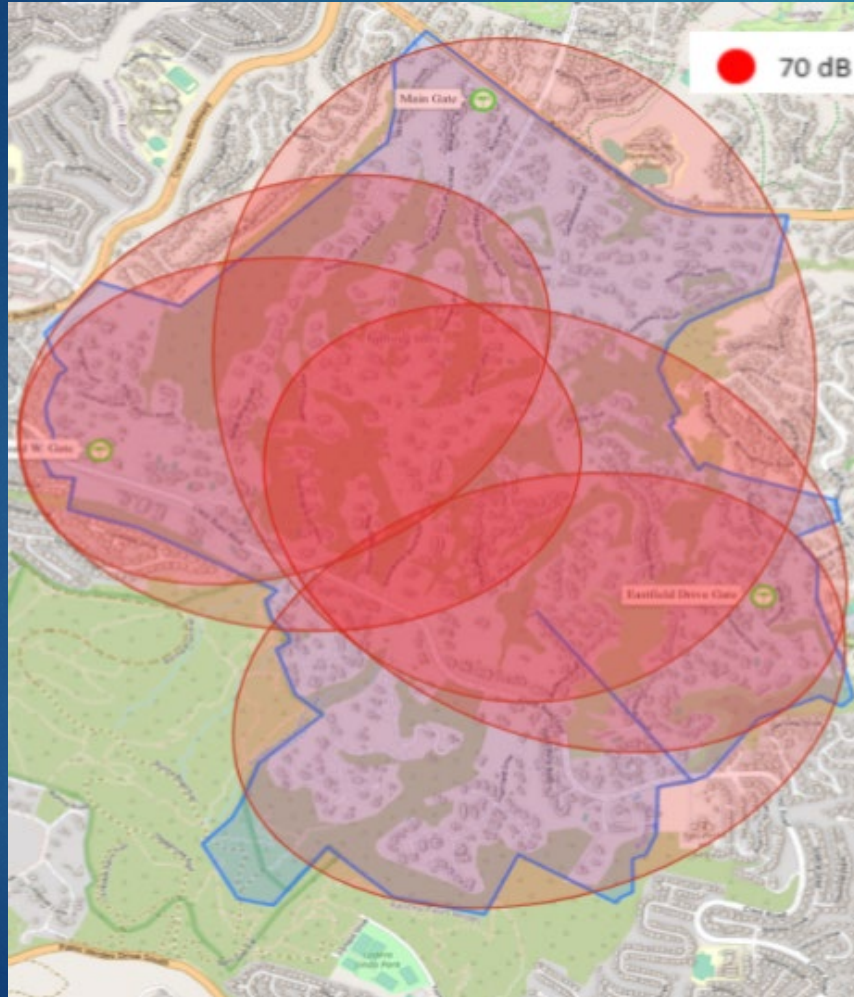
Speaker Style Siren



Solution B: Sound Coverage and Speaker



Solution C: Sound Coverage and Speaker



Costs

	Solution A	Solution B	Solution D
Poles/Location	9 - 30' poles Low visibility	3 - 50' poles Cost effective	3 - 50' poles Main Gate, Crest Gate and Eastfield Gate
Amount	\$310,602	\$144,573	\$334,748

Cost Drivers:

- Use of different equipment: directional speakers vs. omni-directional horns
- Trenching
- Potential electrical upgrades
- Concrete repairs
- Traffic control

Recommendation

- ▶ Review and consider Solution D and engage HQE for a full feasibility study.

RECEIVED

AUG 26 2021

City of Rolling Hills

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into this 23rd day of August 2021 by and between the CITY OF ROLLING HILLS, a California municipal corporation (hereinafter the "CITY"), and HQE Systems, Inc., a California corporation with its principal office at 42075 Remington Avenue, Suite #109, Temecula, California 92590 (hereinafter the "CONSULTANT"). CITY and CONSULTANT are sometimes referred to in this Agreement individually as a "Party" and collectively as the "Parties."

1. RECITALS:

- A. CITY is in need of professional services for the following project: Emergency Communications System ("the Project").
- B. CONSULTANT has the necessary qualifications to provide such services for the Project.
- C. Parties desire to establish the terms for the CITY to retain the CONSULTANT in order to provide the services described herein.

Now, therefore, for and in consideration of the mutual covenants and conditions herein contained, CITY and CONSULTANT agree the following terms, as set forth in this Agreement.

2. SCOPE OF WORK

CONSULTANT shall provide the services described in the Scope of Services attached hereto as Exhibit A, which is attached to this Agreement and incorporated herein by reference (the "Services"). The term of this Agreement shall be for a period of one (1) year from the date of execution of this Agreement unless terminated sooner pursuant to the provisions of this Agreement. Such term may be extended upon written agreement of both CITY and CONSULTANT.

3. COST

The CITY agrees to pay CONSULTANT for the Services, a fixed fee of Three Thousand Two Hundred Eighty Dollars (\$3,280). This amount includes the cost for the Services and all expenses, travel and mileage, attendance at meetings, and reimbursable expenses.

4. METHOD OF PAYMENT

Upon full execution of this Agreement, CONSULTANT shall submit an invoice in duplicate and addressed to the CITY OF ROLLING HILLS, CITY MANAGER, 2 Portuguese Bend Road, Rolling Hills, CA 90274. CITY shall remit payment for the Services within fourteen (14 days) of receiving this invoice.

5. SUBCONTRACTING

CONSULTANT warrants that it will not employ any independent subcontractors to assist CONSULTANT with the performance of the Services without CITY's prior written approval. If CITY consents to such subcontract, CONTRACTOR shall be fully responsible to CITY for all acts or omissions of the subcontractor.

6. COMPLIANCE WITH LAW

All Services rendered under this Agreement will be provided in accordance with the requirements of relevant local, state, and federal laws.

7. ACCOUNTING RECORDS

CONSULTANT shall maintain accounting records and other evidence pertaining to costs incurred for the Services under this Agreement. Records and documents shall be kept available at the CONSULTANT's Temecula office 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 Agreement shall become and remain the property of the CITY.

9. ASSIGNABILITY

CONSULTANT warrants that it will not assign or transfer any interest in this Agreement without the prior written consent of CITY.

10. NON-SOLICITATION CLAUSE

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

11. INDEMNITY

CONSULTANT shall indemnify, defend with counsel approved by CITY, and hold harmless CITY, its officers, officials, employees, and volunteers from and against all liability, loss, damage, expense, 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 CONSULTANT'S performance of work hereunder or its failure to comply with any of its

obligations contained in this Agreement, regardless of CITY'S passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the CITY. Should CITY in its sole discretion find CONSULTANT'S legal counsel unacceptable, then CONSULTANT shall reimburse the CITY its costs of defense, including without limitation reasonable attorneys' fees, expert fees, and all other costs and fees of litigation. The CONSULTANT shall promptly pay any final judgment rendered against the CITY (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.

12. INSURANCE

A. Without limiting CONSULTANT'S obligations arising under paragraph 11 - Indemnity, CONSULTANT warrants that it shall obtain and maintain policies of insurance required under this section while providing the Services under this Agreement. The insurance shall cover CONSULTANT, its agents, representatives, and employees in connection with the performance of the Services under this Agreement. Insurance policies included coverage for the following:

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 \$500,000.

iii. Worker's Compensation Insurance for all CONSULTANT'S employees to the extent required by the State of California. CONSULTANT shall require all subcontractors who are hired by CONSULTANT to perform the Services and who have employees to similarly obtain Worker's Compensation Insurance for all of the subcontractor's employees.

iv. Professional Liability Insurance for CONSULTANT that at a minimum covers professional misconduct or lack of the requisite skill required for the performance of Services in the amount of not less than \$500,000 per occurrence.

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

C. Endorsements. Each automobile liability insurance policy and public liability and property damage insurance policy shall be endorsed with the language of Sections (i) – (ii) below.

(i) Additional Insured Clause. The CITY, its elected and appointed officers, and employees, shall be named as additional insureds.

(ii) Primary Insurance Clause. The insurance required by subparagraphs A(i), (ii) and (v) shall be primary and not excess coverage.

D. Evidence of Insurance. CONSULTANT shall furnish to CITY, prior to the execution of this Agreement, satisfactory evidence of the insurance required, issued by an insurer authorized to do business in California. All required insurance policies are subject to the approval of the City Attorney.

13. 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.

14. 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, had 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 was employed.

15. INDEPENDENT CONTRACTOR

The CONSULTANT is and at all times remains as to the CITY a wholly independent contractor. Neither the CITY nor any of its agents had control over the conduct of the CONSULTANT or any of the CONSULTANT's employees in the performance of the Services, except as herein set forth. The CONSULTANT did 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.

16. 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 to 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.

17. NOTICE

All written notices required by or related to this Agreement shall be sent by Certified Mail, return receipt requested, postage prepaid, and addressed as listed below. Neither party to this Agreement shall refuse to accept such mail; the parties to this Agreement shall promptly inform the other party of any change of address. All notices required by this Agreement are effective on the day of receipt, unless otherwise indicated herein. The mailing address of each party to this Agreement is as follows:

CITY: Elaine Jeng, PE, City Manager
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, California 90274.

CONSULTANT: Henry Hernandez, Chief Operating Officer
HQE Systems, Inc.
42075 Remington Avenue, Ste. 109
Temecula, CA 92590

18. 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.

19. 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 any work performed under this Agreement. 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, subcontractors, and agents for the accuracy and competency of the information provided and/or work performed under this Agreement; 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, subcontractors, and agents.

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

CITY OF ROLLING HILLS

HQE SYSTEMS, INC.



ELAINE JENG, City Manager



HENRY HERNANDEZ, Chief Operating Officer

DATE: 8/26/2021


DATE: 8/25/21

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



MICHAEL JENKINS
CITY ATTORNEY

EXHIBIT A SCOPE OF WORK

Task 1 - Planning Phase

1. CONSULTANT will conduct an internal kickoff meeting to gather Project information and discuss general Project schedule and milestones.
2. CONSULTANT will execute Task 1 of the Project Scope set by the CITY and all of the essential tasks outlined by the CITY. Specifically, the CONSULTANT will:
 - 2.1 Conduct a general assessment of the CITY's requirements (goals and objectives) to improve the CITY's overall emergency mass communications.
 - 2.2 After a review of the goals and objectives set by the CITY, conduct an assessment of the CITY's terrain and identify support infrastructure on site (communications, electrical, etc.).
 - 2.3 Utilizing the information gathered from the assessment, provide the CITY with a recommendation for the ideal mass communication solution ("Solution") that meets the CITY's goals and objectives, and improves the overall safety for its citizens.
 - 2.4 This ideal Solution will be delineated in a final report that will include all of the following:
 - 2.4.1 Executive Summary Report of Task 1;
 - 2.4.2 Sound propagation analysis and map;
 - 2.4.3 Proposed Solution that meets the needs of the City;
 - 2.4.4 A budget estimate for the Solution including estimated costs for: equipment, labor, and maintenance service; and
 - 2.4.5 A proposed Project schedule for the Solution.

Exhibit A

MAIN PROPOSAL FOR:

CITY OF ROLLING HILLS

EMERGENCY COMMUNICATIONS SYSTEM

CONSULTING SERVICES



Due Date: March 25, 2021

Proposal Prepared For:

City of Rolling Hills
No. 2 Portugese
Rolling Hills, CA 90274
POC: Elaine Jeng, P.E.
Title: City Manager
Email: Ejeng@CityOfRH.Net
Tel: (310) 377-1521

Proposal Approved By:

HQE Systems Inc.
42075 Remington Ave, Suite #109
Temecula, CA 92590
POC: Mr. Henry Hernandez
Title: Chief Operating Officer
Email: Contracts@HQESystems.com
Tel: (800) 967-3036 X203 or (951) 281-0462

HQE Systems, Inc. has the following credentials:



Table of Contents

1. Coverletter	2
2. Company Information	4
Why Our Customers Choose Us	4
What We Offer (Our Core Competencies)	4
Where We Support Our Customers From	5
Qualifications Of Key Personnel Assigned To The City's Project	6
Overview of Past Performances (Last 3 Years)	8
Detailed Past Performance Details (Past 3 Years)	9
3. Consulting Capabilities	12
HQE's Full Mass Notification Systems (MNS) Experience	12
How We Will Approach the City of Rolling Hills Project	13
What We Are Offering (Key Solution Items)	15
4. Cost, Training, Customer Support	15
Cost of The Offer	15
Training	15
Customer Support	15
Attached Appendices	
1: Cost Proposal	

1. Coverletter

To Whom It May Concern:

Since opening its doors in 2014, HQE Systems has developed into a Full Service Technology Company that is headquartered in Temecula, CA. HQE's core competencies include, Mass Notification Systems, Electronic Security Systems, Software Development, Systems Integration, Prototyping, and Staffing Services. HQE is pleased to submit a response to the City of Rolling Hills request for a quote regarding the Emergency Communications Systems Consulting Services.

It is with great pleasure that we present you with the following response to provide the City of Rolling Hills with the Emergency Communications System, to include:

- ❖ Subject Matter Experts with expertise in Emergency Communications Systems
- ❖ Consult and assist the City in all phases of the project
- ❖ Full turn-key solution service

The consulting solution being offered for this solicitation from HQE meets or exceeds in any specifications the stated requirements. HQE acknowledges, understands, and complies with all FARS, Scope, Requirements, and Instructions outlined in this document, the Statement of Work (SOW), and attachments.

If you have any questions or concerns, please contact our dedicated team for this project:

Contract Issue POC:	Mr. Henry Hernandez Contracts@HQESystems.com	Chief Operating Officer (800) 967-3036 Ext 203
Technical Issue POC:	Mr. Nick Ellis BD@HQESystems.com	Lead Project Manager (800) 967-3036
Customer Support:	Ms. Desiree Carr BD@HQESystems.com	Business Development Specialist (800) 967-3036

Company Name:	HQE Systems, Inc.
Address:	42075 Remington Ave, STE 109, Temecula, CA 92590
Phone/Fax:	1 (800) 967-3036 / 1 (760) 645-7183
Classification:	Service-Disabled Veteran Owned Small Business (SDVOSB) California, Disabled Veteran Business Enterprise (DVBE) Minority Owned Business Enterprise (MBE) Disadvantaged Business Enterprise (DBE) Small Business Enterprise (SBE)

DUNS:	079240822	CA SB/DVBE	1770659
CAGE:	72W82	SAM/WAWF	ACTIVE
TIN:	46-4509607	SDVOSB	ACTIVE



2. Company Information

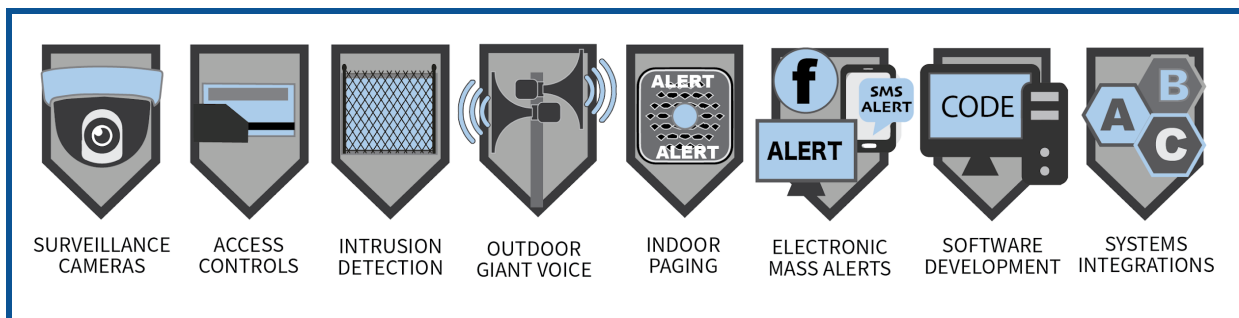
Why Our Customers Choose Us

HQE Systems, Inc. (HQE) is a Minority Owned, Service Disabled Veteran Owned Small Business (SDVOSB) with its headquarters located in Temecula, California. HQE was founded by service disabled veterans who wanted to continue to serve our communities after honorably serving in the military. For a short period, the founders of HQE worked as Subject Matter Experts (SMEs) for our nation's largest technology companies. With the work ethics sharpened in the military and the technical knowledge gained from working in the large technology companies, the founders of HQE made the decision to open HQE's door officially in 2014. Since then, HQE has grown to become an internationally recognized full service technology company servicing over 1,000+ sites worldwide.



The value of HQE goes beyond just our technically exceptional offer and price. Since 2014, we have continued to solve problems for our clients through the use of innovative software development and systems integration. Any company can offer a piece of equipment and install it. That's the easy part. But very few are capable of integrating legacy technologies with modern systems. In the end, our new customers always become our longtime customers due to our ability to solve problems that others won't touch. We solve problems!

What We Offer (Our Core Competencies)



Where We Support Our Customers From

HQE's main headquarters is located in the Westside Technology Park of Temecula, California. In order to provide the best service to the customers, HQE has established an east coast headquarters office and 22 technical field support offices in the continental United States. Internationally, HQE currently has 6 technical field support offices located worldwide.

Main HQ Office

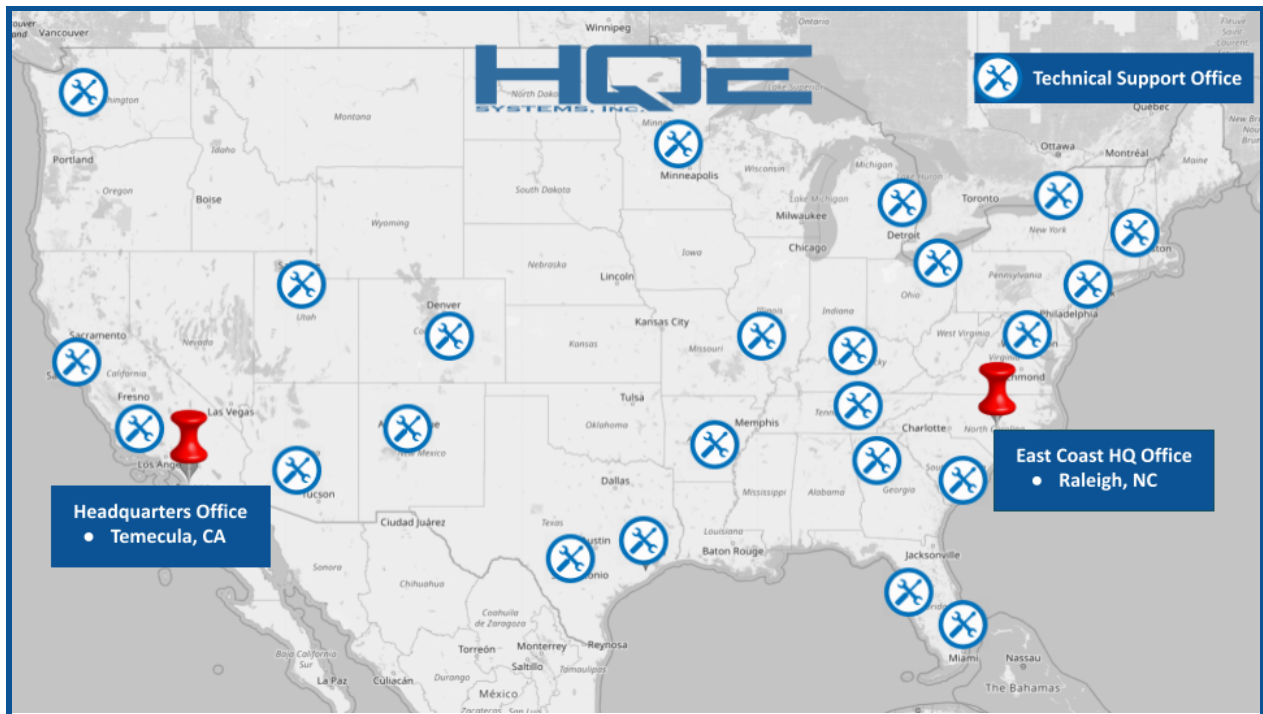
42075 Remington Ave
Suite 109
Temecula, CA 92590

Eastcoast HQ Office

4030 Wake Forest Road
Suite 349
Raleigh, NC

European Support Office

Muhldorfer Strabe 1
85661
Forstinning - Germany



HQE's Technical Support Center (U.S. Only)

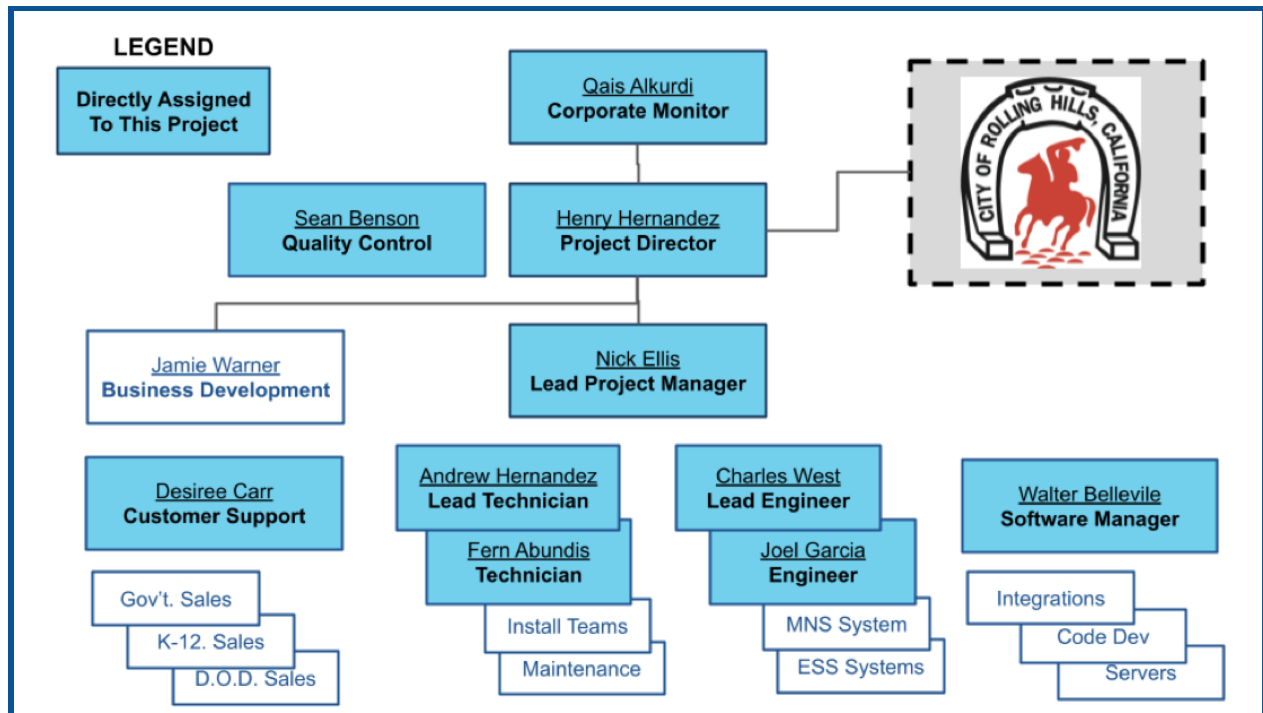
Region I: Western U.S.	Region II: Central U.S.	Region III: Eastern U.S.
Sacramento, CA	Houston, TX	Washington, D.C.
Los Angeles, CA	San Antonio, TX	Quantico, V.A.
San Diego, CA	Nashville, TN	Boston, MA
Seattle, WA	Little Rock, AR	Charlotte, NC
Las Vegas, NV	St Louis, MO	Atlanta, GA
Salt Lake City, UT	Louisville, KY	Tampa, FL
Albuquerque, NM	Indianapolis, IN (Pending)	West Palm Beach, FL
Denver, CO	Oklahoma City, (Pending)	New York City, NY

Note: Europe (Region IV) & Asia (Region V) technical support locations not shown on this table.

Qualifications Of Key Personnel Assigned To The City's Project

HQE's Key Personnel includes company officers, directors, and associates bringing over 150+ years of Mass Notification Systems engineering design, installation and maintenance experience. All of our leadership and the key personnel have maintained TOP SECRET and SECRET security clearances and have direct experience working with Cities.

Dedicated Staff To This Project



Responsibilities To This Project

	Name	Key Roles	Responsibilities To The Project
1	Qais Alkurdi	Corporate Monitor	Responsible for the overall quality assurance
2	Henry Hernandez	Project Director	Manage all deliverables timelines & support
3	Sean Benson	Quality Control	Provide QC support to the project
4	Nick Ellis	Lead Project Manager	Provide on the ground coordination & support
5	Walter Belleville	Software Developer	Software Design Expert
6	Charles West	Senior Field Engineer	Systems Design Expert
7	Andrew Hernandez	Technical Supervisor	Outdoor Systems Technical Expert
8	Fern Abundis	Technician / Safety Rep	Electrical (High & Low Voltage) Expert
9	Desiree Carr	Customer Service Rep	Provide 24/7/365 customer service

*Note: CAD Tech's role is identified but is not a key role.

Credentials/Resumes/Certifications/Licenses

	Credentials, Certifications, Education	Qais Alkurdi	Henry Hernandez	Sean Benson	Nick Ellis	Charles West	Desiree Carr	Walter Belleville	Andrew Hernandez	Fern Abdunis
1	Mass Notification Experience (Years)	17	15	20	13	8	6	5	6	5
2	Formal Education	MBA	B.A.	MBA	B.A.	B.A.	A.A.	B.A.		
3	Project Management	X	X	X	X	X	X			
4	Microsoft Office Suite	X	X	X	X	X	X	X	X	X
5	SiRcom Systems	X	X	X	X	X	X		X	X
6	Federal Signal Systems	X	X	X	X	X			X	X
7	Whelen Systems	X	X	X	X	X			X	X
8	ATI Systems	X	X	X	X	X			X	
9	American Signal Systems	X	X	X	X	X			X	X
10	Alertus Systems	X			X	X			X	X
11	SAP Certified Technology Associate	X		X				X		
12	Security Network Servers	X	X	X	X			X		
13	Video Management Software	X	X	X	X	X		X	X	X
14	Network Surveillance Cameras	X	X	X	X	X			X	X
15	Card Readers/Badge Scanners	X	X	X	X	X			X	X
16	Personnel/Vehicle Access Gates	X	X	X	X	X			X	X
17	Gate & Fence Perimeter Security	X	X	X	X	X			X	X
18	Active Shooter Sensors	X	X	X	X	X		X	X	
19	Asset Tracking Sensors & Software	X	X	X	X	X		X	X	X
20	Software Developer	X			X	X		X	X	X



Overview of Past Performances (Last 3 Years)

Over the past three years, HQE has designed, implemented, and successfully handed over numerous projects throughout the world. Our success has been built on our capabilities to be of value to our clients by being able to provide the needed service at the right phase of the client's requirements. From small to major projects, HQE has participated in every phase of the requirements lifecycle. The below graphic depicts projects that HQE was directly responsible for the successful completion of the project. In the past 3 years, HQE has deployed multiple teams worldwide to earn a 5 star customer service rating in the Department of Defense's performance rating.

General Consulting Projects	Project Management Projects	Installation & Upgrade Projects	Sustainment Projects	Total Projects
7	15	93	42	157

- ❖ **General Consulting:** Providing subject matter expertise to conduct gap analysis and design a partial or complete solution requirement that can be utilized to purchase a solution.
- ❖ **Project Management:** Providing oversight and operations management services to oversee a specified project.
- ❖ **Installation & Upgrades:** Providing hardware, software, and integrations services for new capabilities. When requested, to upgrade the current legacy system in place.
- ❖ **Maintenance & Sustainment:** Providing scheduled preventative and corrective maintenance. To include on-call service support for systems in place.
- ❖ **Full Turn-Key Projects:** Providing a full service support from start to finish of a single or multiple projects. HQE's value to the client is that with our in-house design, engineering, installation, and software team, we can accomplish any size and scope project required by our clients.



Detailed Past Performance Details (Past 3 Years)

1	Past Performance Contract Details		Past Performance Contract General Project Description
	Client Name	Dept. of Public Health	<ul style="list-style-type: none"> ❖ The Department of Public Health required HQE to assess and design an emergency mass notification system to overhaul their existing legacy system. ❖ The complexities of the project were: <ul style="list-style-type: none"> ➢ No original design plans of the installed equipment ➢ Entire system was degraded or not working ❖ The final custom system consisted of security and emergency management command and control software with integrated: <ul style="list-style-type: none"> ➢ Emergency Mass Notification Command and Control Software ➢ 34 Giant Voice Sirens Install & Maintenance ➢ 14 - Building Integrations Modules ➢ 2,132- Indoor Paging Speakers ➢ 8 - Mobile Giant Voice Trailers ➢ Replacement and upgrade of the legacy Giant Voice system to the upgraded modern solution
	Client Organization	State Government	
	Client Industry	Healthcare	
	Client Location	Richmond, CA	
	System Purchased	Mass Notification System	
	Type of Contract	Open Bid Competition	
	Contract Role	Prime Contractor	
	Contract Ref. #	19-PO-01533	
	Contract Budget	\$603,218.90	
	Contract Period	Sept 2019 - Oct 2020	

2	Past Performance Contract Details		Past Performance Contract General Project Description
	Client Name	U.S. Navy & Marine Corps	<ul style="list-style-type: none"> ❖ The U.S. Navy and Marine Corp' Security and Emergency Management Programs Office required HQE to design, plan, install (upgrade), and maintain an enterprise level integrated modern mass notification system. ❖ The complexities of the project where: <ul style="list-style-type: none"> ➢ Overall project required services at 15 different locations ➢ Limited original design plans of the installed security systems ➢ Over 25 different brands to integrate into the overall new plan ➢ The new system had to be installed without taking the legacy system offline ❖ Installed and currently maintaining: <ul style="list-style-type: none"> ➢ Emergency Mass Notification Command and Control Software ➢ 183 Giant Voice Sirens New ➢ 2,420 - CCTV Camera Systems ➢ 89 - Server Systems ➢ 112 - High Definition Recorders ➢ 74 - New indoor units consisting of transceivers ➢ 56 - db Omni-Directional Antenna ➢ 39 - UWI-1302 ➢ 382 - Integrated Electronic Security and Mass Notification System units with existing FACP. Verified volume levels and priority at the FACP.
	Client Organization	Federal Government	
	Client Industry	Department of Defense	
	Client Location	15 Major Projects <ul style="list-style-type: none"> ❖ Camp Pendleton, CA ❖ Camp Smith, HI ❖ Camp B.M., CA ❖ Air Station, AZ ❖ US Navy SPAWAR, SC ❖ Camp Lejeune, NC ❖ Recruit Depot, CA ❖ Navy Norfolk, VA ❖ Okinawa, Japan ❖ Camp Geiger, NC ❖ Quantico, VA ❖ HQMC, D.C. ❖ Virginia Beach, VA ❖ Coronado, CA ❖ PT Mugu, CA 	
	System Purchased	Mass Notification System	
	Type of Contract	Open Bid Competition	
	Contract Role	Prime Contractor	
	Contract Ref. #	N65236-15-NR-55421	
	Contract Budget	Currently \$4,805,496.00	
	Contract Period	June 2018 - Present	

3	Past Performance Contract Details		Past Performance Contract General Project Description
	Client Name	U.S. Air Force	<ul style="list-style-type: none"> ❖ The U.S. Air Force required HQE to design, plan, install (upgrade), and maintain an enterprise level integrated mass notification and electronic security system independent for each military installation. ❖ The complexities of the project where: <ul style="list-style-type: none"> ➢ Overall project required services at 11 different locations (to include international sites with local government construction & electrical policies) ➢ Over 18 different brands to integrate into the overall new plan ➢ The new system had to be installed without taking the legacy system offline ❖ Installed and currently maintaining: <ul style="list-style-type: none"> ➢ 38 Emergency Mass Notification Command and Control Software Servers ➢ 78 Giant Voice Sirens ➢ 38 Indoor Mass Notification Integrations ➢ 274 - High Definition Recorders ➢ 149 - New indoor units consisting of transceivers ➢ 132 - 9db Omni-Directional Antennas ➢ 76 - UWI-1302 ➢ 782 - Integrated Electronic Security and Mass Notification System units with existing FACP.
	Client Organization	Federal Government	
	Client Industry	Department of Defense	
	Client Location	10 Major Projects <ul style="list-style-type: none"> ❖ McConnell AFB, KS ❖ Davis-Monthan, AZ ❖ Melrose AFB, NM ❖ Kirtland AFB, NM ❖ Alconbury AB, UK ❖ Molesworth AB, UK ❖ Volkel, Netherlands ❖ Kleine Brogel, Belgium ❖ Mildenhall, UK ❖ Wrightpatterson, OH ❖ Minot, ND 	
	System Purchased	Mass Notification System	
	Type of Contract	Open Bid Competition	
	Contract Role	Prime Contractor	
	Contract Ref. #	N65236-15-NR-55421	
	Contract Budget	Currently \$605,496.00	
	Contract Period	Sept 2017 - Present	

4	Past Performance Contract Details		Past Performance Contract General Project Description
	Client Name	Fayette County School Dis.	<ul style="list-style-type: none"> ❖ Fayette County School District required a complete security and emergency management system. The project was scoped and awarded in phases by the School District. ❖ The complexities of the project were: <ul style="list-style-type: none"> ➢ Over 40 different sites needed to be integrated into a single command and control system ➢ Original design plans were missing. ➢ Multiple software and hardware required integration into the main system ❖ Partially installed and planned for install: <ul style="list-style-type: none"> ➢ Command and control software ➢ 40 - Giant Voice Sirens ➢ Over 5,000 access control systems ➢ Over 1,000 intrusion detection systems ➢ Car printers ➢ Integration of active shooter, inclement weather, and FEMA alerts systems
	Client Organization	County School District	
	Client Industry	K - 12 Schools	
	Client Location	Fayette County, KY	
	System Purchased	Mas Notification System	
	Type of Contract	Open Bid Competition	
	Contract Role	Prime Contractor	
	Contract Ref. #	N65236-15-NR-55421	
	Contract Budget	Currently \$1,350,000.00	
	Contract Period	Sept 2020 - Present	

5	Past Performance Contract Details		Past Performance Contract General Project Description
	Client Name	Partner Engineering Inc.	<ul style="list-style-type: none"> ❖ Partner Engineering Inc. directly awarded all low voltage (security and mass notification systems) requirements to HQE. HQE was recommended by the Children's Hospital of LA for a previous major hospital project that was successfully completed. ❖ The complexities of the projects: <ul style="list-style-type: none"> ➢ This project was required to build the solution within strict compliance laws of the Office of Statewide Health Planning and Development (OSHPD). ➢ All projects had outdated and incorrect building design plans. ➢ All sites required HQE's team to work without hindering the patient service being provided on site (to include students at the middle school). ❖ Installed and currently maintaining <ul style="list-style-type: none"> ➢ 12 Emergency Mass Notification Command and Control Software On Premise Servers ➢ 31 Giant Voice Sirens ➢ 2,590 - CCTV Camera Systems ➢ 180 - Server Systems ➢ 280 - High Definition Recorders ➢ 4,678 - Access Control Systems
	Client Organization	Private Company	
	Client Industry	Construction & Engineering	
	Client Location	7 Projects <ul style="list-style-type: none"> ❖ Antelope Valley Hospital ❖ Mercy San Juan Hospital ❖ Regional Medical Center San Juan ❖ Cottonwood Cornerstone ❖ Avenel Middle School ❖ Bergen County Technical ❖ Partner Eng. Western Campuses (CA, NV, AZ) 	
	System Purchased	Mass Notification System	
	Type of Contract	Direct Award	
	Contract Role	Sub Contractor	
	Contract Ref. #	19-S8473 19-S9012 20-S0872 20-S1623 20-S2809	
	Contract Budget	Currently \$2,705,300.00	
	Contract Period	June 2019 -Sept 2020	

6	Past Performance Contract Details		Past Performance Contract General Project Description
	Client Name	CHLA, USC, UCLA	<ul style="list-style-type: none"> ❖ CHLA, USC, and UCLA have a combined initiative to develop a working cooperation between the three campuses. As the lead, CHLA required HQE to design, install, and maintain a state of the art security and mass notification system. ❖ The complexities of the projects: <ul style="list-style-type: none"> ➢ Working within strict OSHPD compliance ➢ Working to integrate 3 major organizations into a single system ❖ Installed and currently maintain <ul style="list-style-type: none"> ➢ Emergency Mass Notification Command and Control Cloud Servers ➢ 54 - Giant Voice Sirens ➢ 835 - CCTV Camera Systems ➢ 22 - Indoor Notification Systems
	Client Organization	Non-Profit, Private, Public	
	Client Industry	Healthcare & Higher Ed.	
	Client Location	4 Projects <ul style="list-style-type: none"> ❖ Children's Hospital of LA (CHLA) ❖ University of Southern California (USC) ❖ University of LA (UCLA) 	
	System Purchased	Electronic Security System	
	Type of Contract	Open Bid Competition	
	Contract Role	Prime Contractor	
	Contract Ref. #	20-3847	
	Contract Budget	Currently \$2,932,000.00	
	Contract Period	June 2019 -Sept 202	

3. Consulting Capabilities

HQE's Full Mass Notification Systems (MNS) Experience



HQE provides a full turn-key solution and services for all MNS capabilities consulting. Our MNS engineering team can support any size organization and scope to ensure the right security system is in place. HQE can provide solutions for systems design, planning, installation, upgrades, and sustainment services. Our in-house MNS capabilities include (are not limited to):

- ❖ **Mass Notification C2 Software:** On Premise or Cloud Based C2 Software
- ❖ **Electronic Mass Notification System (EMNS):** Software mass notification solution
 - Emails Alerts
 - Phone Calls
 - SMS Text Alerts
 - Desktop Alerts
 - Social Media Alerts
 - Push Notifications
- ❖ **Indoor Notification:** Unified indoor alerting capabilities
 - Fire Alarm Integration
 - Cable TV Alerts
 - Visual/Audio Beacons
 - Marquee Sign Alerts
 - VoIP Integration
 - Paging Systems
 - Panic Alarms
 - Workplace Violence
 - Active Shooter Sensors
- ❖ **Outdoor Warning System:** All weather intelligible audio Giant Voice Sirens

Specific to this solicitation, HQE's capable of providing the specified life cycle consulting of the Emergency Communications System for the City of Rolling Hills. Our MNS engineers and technicians have over 150+ years of experience working with all indoor and outdoor Emergency Communications Systems.

We Are Experts At Compliance Laws & Regulations



How We Will Approach the City of Rolling Hills Project

HQE's subject matter experts have studied and assessed the ideal project solution for City of Rolling Hills. For this Emergency Communications System Consulting Services, HQE suggests that the Waterfall Project Management Methodology be utilized. This process will allow for City of Rolling Hills and HQE's team to effectively and efficiently move through the project milestones and work schedule.



❖ Planning Phase

- This phase is initiated when HQE receives the intent to award notice from the City.
- Goals of this phase are:
 - **Execute Task 1 of the Project Scope set by the City and all of the specified essential tasks outlined by the City as the sub-tasks.** (HQE & City)
 - Coordinate and finalize all administrative (contract) requirements (HQE & City)
 - Conduct an internal kickoff meeting with the HQE's designated staff to prepare for (HQE)
 - Coordinate and execute an official kickoff meeting for the project (HQE & City)
 - Introduction of the project team (HQE & City)
 - Request for any final information requests from client (HQE)
 - Discuss general project schedule and milestones (HQE & City)
 - **Execute Task 2: of the Project Scope set by the City and all of the specified essential tasks outlined by the City as the sub-tasks.** (HQE & City)
 - Create the tentative plan of action based on information captured from the City (HQE)
- This phase ends when the plan is established by HQE and approved by the City (HQE & City)

❖ Designing Phase

- This phase is initiated when HQE receives the approval for the updated project plan based on the information gathered during the planning phase.
- Goals of this phase are:
 - **Execute Task 3 of the Project Scope set by the City and all of the specified essential tasks outlined by the City as the sub-tasks.** (HQE & City)
 - Technical design of the specified systems requirement is compiled into the comprehensive overall system architecture. (HQE)
 - An updated detailed bill of materials (BOM) is finalized (hardware, software, and consumable materials) for sourcing. (HQE)
 - HQE to update the provide the overall lead times of the supplies being requested to vendors to the City that may have an impact on the initial project.

- This will assist the City in approving a general Period of Performance. (HQE)
- HQE to coordinate with the client's project POC to confirm the approved execution schedule (tentative planning purposes). (HQE & Client)
 - HQE to assist the City in writing the request for proposal to include the BOM, Period of Performance (POP), and any other requirements needed to fully detail out the solicitation. (HQE and City)
 - HQE to assist the City in finalizing the RFP and the City posts the RFP on their business portal. (HQE & City)
 - HQE to collect questions from vendors and answer all technical questions. (HQE)
- This phase ends when the proposal submission date is closed for the Project.

❖ Execution Phase

- This phase is initiated when the City and the HQE's team officially open the proposals.
- Goals for this phase are:
- HQE to assist the City with the technical evaluations of the proposals from the Vendors. (HQE and City)
 - HQE to score the vendors in ranking for technical acceptance. (HQE)
 - HQE to assist the City in the initial kick off meeting with the Vendor. (HQE)
 - HQE to assist the City in assisting in the management of the start of the project with the vendor. (HQE)
 - HQE to provide assistance to the City in managing the installation of the system by the vendor.
 - HQE to ensure the vendor installs the system per the agreed upon terms and conditions of the specifications of the system awarded.
- This phase ends when testing and turnover date is agreed to by all parties. (HQE)

❖ Test and Turnover Phase

- This phase is initiated when the test and turnover date is agreed to by HQE and all state holders. (HQE & City)
- Goals for this phase are:
- Detailed site walkthrough of all the works performed by the Vendor. (HQE & City)
 - HQE to assist the City in observing the Vendor test the agreed upon percentage of the system per the OEM standards. (HQE & City)
 - HQE to identify any issues for the Vendor to fix found during the test and turnover phase. (HQE & City)
 - HQE to collect and provide the City with the systems test and turnover files/report. (HQE)
 - HQE to assist the City in setting up through the vendor the conduct of any training offered by the Vendor to the City. (HQE & City)
- This phase ends when the client signs off on the test and turnover certificate.

❖ Customer Support Phase

- This phase is initiated when the system is accepted by the City.
- Goals of this phase are:

- **Execute Task 4: of the Project Scope set by the City and all of the specified essential tasks outlined by the City as the sub-tasks.** (HQE & City)
 - Provide any additional information and or support to assist the City in maintaining and incorporating any new systems for future life safety and security capabilities.
- This phase ends on the last day of the service portion of the contract.

What We Are Offering (Key Solution Items)

- ❖ An experienced full Emergency Communication Systems Subject Matter Expert (SME) Consulting Team.
- ❖ Support the City's identified Tasks 1 to 4.
- ❖ Support the City in other tasks that may not be identified in the original tasks list to ensure the success of the Project.
- ❖ Provide the City's staff/stakeholders with key familiarization training/presentations to ensure the successful implementation of the Emergency Communication System.
- ❖ Optional Items for consideration:
 - Emergency Mass Notification assessment and survey of key sites (City Hall, Schools, Parks, etc. to improve the City's overall Life Safety and Security readiness). HQE performs this task for the Department of Defense for their sensitive and non-sensitive sites.

4. Cost, Training, Customer Support

Cost of The Offer

- ❖ The total cost of the final solution being offered is: See Attachment 1, Cost Proposal
 - Note: HQE is fully staffed to support multiple Project Managers to perform this Project. If the City requires HQE to complete this entire project within a short period of time, HQE is capable of allocating additional dedicated Project Managers to accomplish the Project within the City's desired timeline if requested.

Training

- ❖ HQE's Emergency Mass Communication Systems experts will provide the City's stakeholders with the following training sessions to improve the City's knowledge in the best practice for Emergency Management and Communications Systems.
 - General overview of the Emergency Communications Industry
 - General overview of the compliance laws and regulations
 - General overview of the system being requested by the City and how it impacts the City's growth and sustainability

Customer Support

- ❖ The following customer support plan will be activated upon completion of the project.
 - Assigned Customer Representative: Ms. Desiree Carr
 - Assigned Technical Project Manager: Mr. Nick Ellis

- Customer support plan includes:
 - General and technical issues (remote) during the normal working hours (9am to 4pm PSD, M-Sat).
 - Emergency support, 24/7/365 customer support: A 24/7 support will be provided during the City's Task 3 and Task 4 phase if something arises that will require the City to request for HQE's technical support (in case of an Emergency).

End of Proposal

"It is our goal at HQE to continue to serve our veterans through our 'Hire Veterans Policy HQE-2015-2025'. We appreciate all of our current and past customers who have helped us meet our goals of hiring veterans throughout the years. Your support in HQE is directly impacting the support of our amazing veterans. Thank you for your considerations and support of a Minority Business Enterprise (MBE), Disadvantaged Business Enterprise (DBE), and Service Disabled Veteran Owned Small Business (SDVOSB)!."

Thank You from the team of HQE Systems Inc.

Qais Alkurdi, CEO
Disabled Veteran / Retired

Henry Hernandez, COO
Disabled Veteran



Exhibit B

COST PROPOSAL FOR:

CITY OF ROLLING HILLS

EMERGENCY COMMUNICATIONS SYSTEM

CONSULTING SERVICES



Due Date: March 25, 2021

Proposal Prepared For:

City of Rolling Hills
No. 2 Portugese
Rolling Hills, CA 90274
POC: Elaine Jeng, P.E.
Title: City Manager
Email: Ejeng@CityOfRH.Net
Tel: (310) 377-1521

Proposal Approved By:

HQE Systems Inc.
42075 Remington Ave, Suite #109
Temecula, CA 92590
POC: Mr. Henry Hernandez
Title: Chief Operating Officer
Email: Contracts@HQESystems.com
Tel: (800) 967-3036 X203 or (951) 281-0462

HQE Systems, Inc. has the following credentials:



1. LABOR RATES

LINE	POSITION	HOURLY RATE
1	Senior Project Manager	\$102.00 / HR
2	Project Manager	\$77.00 / HR
3	CAD Technician	\$42.00 / HR
4	Technical Writer	\$29.00 / HR

2. PROPOSED FEE PER TASK

LINE	CITY'S REQUIRED TASK	PROPOSED TASK HOURS	TOTAL RATE
1	Task 1 - Information Gathering/Project Scope		
2	Senior Project Manager	8	\$816.00
3	Project Manager	32	\$2,464.00
4	CAD Technician	0	\$0
5	Technical Writer	0	\$0
6	Task 1 Total	40	\$3,280.00

LINE	CITY'S REQUIRED TASK	PROPOSED TASK HOURS	TOTAL RATE
1	Task 2 - Review / Analysis of potential ECS's		
2	Senior Project Manager	8	\$816.00
3	Project Manager	32	\$2,464.00
4	CAD Technician	0	\$0
5	Technical Writer	8	\$232.00
6	Task 1 Total	48	\$3,512.00

LINE	CITY'S REQUIRED TASK	PROPOSED TASK HOURS	TOTAL RATE
1	Task 3 - Bidding / Procurement Services		
2	Senior Project Manager	16	\$1,632.00
3	Project Manager	80	\$6,160.00
4	CAD Technician	32	\$1,344.00
5	Technical Writer	32	\$982.00
6	Task 3 Total	160	\$10,118.00

LINE	CITY'S REQUIRED TASK	PROPOSED TASK HOURS	TOTAL RATE
1	Task 4 - Technical Assistance Post Deployment of System		
2	Senior Project Manager	12	\$1,224.00
3	Project Manager	96	\$7,392.00
4	CAD Technician	8	\$336.00
5	Technical Writer	8	\$232.00
6	Task 4 Total	120	\$9,184.00

❖ Total labor cost for entire project: **\$26,094.00**

**FIRST AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT**

THIS FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT ("First Amendment") is made and entered into this 11th day of April, 2022, by and between the CITY OF ROLLING HILLS, a California municipal corporation (hereinafter the "CITY"), and HQE Systems, Inc., a California corporation with its principal office at 42075 Remington Avenue, Suite #109, Temecula, California 92590 (hereinafter the "CONSULTANT"). CITY and CONSULTANT are sometimes referred to in this First Amendment individually as a "Party" and collectively as the "Parties."

RECITALS

A. CITY and CONSULTANT have entered into that certain Professional Services Agreement for Emergency Communications System services last executed on August 26, 2021 (the "Agreement").

B. CONSULTANT rendered services under the Agreement, and the CITY paid \$3,280.00 for such services.

C. The Parties now desire to amend the Agreement in order to extend the term, provide for additional services to be rendered by CONSULTANT, and provide for additional compensation to CONSULTANT ("First Amendment").

Now, therefore, for and in consideration of the mutual covenants and conditions herein contained, CITY and CONSULTANT agree the following terms, as set forth in this First Amendment.

1. Section 2 "Scope of Work" of the Agreement is amended to read as follows:

CONSULTANT shall provide the services described in the Scope of Services attached to the Agreement as Exhibit A and incorporated therein by reference. CONSULTANT shall also provide the following supplemental services ("Supplemental Services"):

Execute Task 2.1 of the Project Scope set by the City and all of the specified essential tasks outlined by the City as the sub-tasks. Create the tentative plan of action based on information captured from the City.

The term of the Agreement shall be from August 26, 2021 to August 26, 2023 unless terminated sooner pursuant to the provisions of this Agreement. Such term may be extended upon written agreement of both CITY and CONSULTANT.

2. Section 3 "Cost" of the Agreement is amended to read as follows:

The CITY agrees to pay CONSULTANT for the Scope of Services attached to the Agreement as Exhibit A and incorporated therein by reference, a fixed fee of Three

Thousand Two Hundred Eighty Dollars (\$3,280). The CITY agrees to pay CONSULTANT for the Supplemental Services, a fixed fee of Three Thousand Five Hundred Dollars (\$3,500). These amounts include the cost for the services and all expenses, travel and mileage, attendance at meetings, and reimbursable expenses.

3. Section 4 "Method of Payment" of the Agreement is amended to read as follows:

Upon full execution of the Agreement and this First Amendment, CONSULTANT shall submit an invoice in duplicate and addressed to the CITY OF ROLLING HILLS, CITY MANAGER, 2 Portuguese Bend Road, Rolling Hills, CA 90274. CITY shall remit payment for the Services within fourteen (14) days of receiving the invoices.

4. Except as amended by this First Amendment, all provisions of the Agreement shall remain in full force and effect.

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

CITY OF ROLLING HILLS

HQE SYSTEMS, INC.



ELAINE JENG, City Manager



HENRY HERNANDEZ, Chief Operating Officer

ATTEST:



CHRISTIAN HORVATH, City Clerk

APPROVED AS TO FORM:



MICHAEL JENKINS
CITY ATTORNEY



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 13.A
Mtg. Date: 08/08/2022

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: REVIEW EXISTING POLICY ON CITY COUNCIL EXPENDITURES AND CONSIDER ADDING CERTAIN PROVISIONS SPECIFIED BY THE CITY COUNCIL

DATE: August 08, 2022

BACKGROUND:

At the July 11, 2022 City Council meeting staff was directed to prepare a policy relating to City Council expenses and bring back an agenda item for discussion. Since then, City Attorney Jenkins recalled drafting Resolution 1002 in 2006 that ensured the city was in compliance with the base state law requirements. Resolution 1002 is attached. The City Attorney has opined that the Council cannot adopt a different/updated resolution that is in violation of the base state law requirements. The City can be more restrictive but not less.

DISCUSSION:

Since Resolution 1002, the City Council put in practice an expenditure cap per Councilmember per fiscal year. Staff recommends amending Resolution 1002 to add provision that have been in practice and provision expressed by Councilmembers at the July 11, 2022 meeting as follows:

1. Ensuring reimbursement requests are submitted on or before June 30 of the fiscal year in which the expenses were incurred; otherwise would require City Council approval.
2. Limiting Councilmembers to \$2,000 per fiscal year of eligible expenses. Expenses above the limit would require City Council approval.

The City Attorney's office updated Resolution 1002 with the above for consideration and approval.

FISCAL IMPACT:

None

RECOMMENDATION:

Consider revisions to Resolution 1002 and approve.

ATTACHMENTS:

[CC_AGN_220808_AB1234_ReimbursementPolicy_ProposedRevisions.pdf](#)

[CC_TRV_220801_Expense_Reimbursable_Template.pdf](#)

[ResolutionNo1002-AB1234policy.pdf](#)

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ROLLING HILLS ESTABLISHING A REIMBURSEMENT POLICY
IN ACCORDANCE WITH GOVERNMENT CODE §§ 53232.2 AND
53232.3.**

The City Council of the City of Rolling Hills does resolve as follows:

SECTION 1. The City Council finds and declares as follows:

A. Elected and appointed City Officials are responsible for promoting and protecting public health, safety, and welfare. Among other things, these duties may require City Officials to:

1. Discuss the City's concerns with state and federal officials;
2. Participate in regional, state and national organizations that affect the City's interests;
3. Attend educational seminars designed to improve City Officials' skills and provide information; and
4. Promote public service and morale.
5. Attend meetings, ceremonial events and other activities sponsored by constituents, neighborhood groups, business organizations and similar groups.
6. Meet with constituents, civic groups and others with an interest in the City.

B. It is in the public interest to reimburse City Officials' expenses incurred in connection with these activities consistent with the provisions of this Resolution.

SECTION 2. *Declaration of Policy.* This Resolution is adopted in accordance with Government Code §§ 53232.2 and 53232.3 so that the City of Rolling Hills may reimburse appropriate expenses incurred by elected and appointed City officials while on authorized travel or otherwise engaged in the conduct of City business. Absent City Council approval, and only in extraordinary circumstances, the City will not reimburse City Officials an amount greater than allowed by this Resolution for expenses incurred during the course of conducting City business.

SECTION 3. Definitions. Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Resolution:

A. “City Officials” means members of the City Council and members of boards, commissions, and committees appointed by the City Council;

B. “Reimbursement” means all forms of payment for expenses incurred by City Officials in the course of their official duties whether paid directly by the City (including without limitation, with a City-issued credit card) or advanced by City Officials with personal funds and later reimbursed from City funds.

SECTION 4. City Business – Authorized Activities.

A. Expenses incurred while engaging in the following City business activities are generally authorized expenses if all requirements of this Resolution are fulfilled:

1. Communicating with representatives of regional, state and national government on City adopted policy positions;
2. Attending educational seminars designed to improve City Officials’ skill and information levels. A list of recognized meetings is attached as Exhibit “A,” and incorporated by reference;
3. Participating in regional, state and national organizations whose activities affect the City’s interests;
4. Recognizing service to the City (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
5. Attending City events; and
6. Attending meetings with constituents, neighborhood groups, and business organizations.

B. Expenditures incurred in connection with activities or events not listed in Paragraph A above require prior approval by the City Council. In addition, the following require City Council preauthorization:

1. Out-of-state travel (including international); and

2. Expenses foreseeably exceeding \$1,000 per trip.

C. Notwithstanding any other portion of this Resolution, the annual limit (per fiscal year) for reimbursable expenses for each City Official shall be two thousand dollars (\$2,000.00). Any expenses incurred above this limit require approval by the City Council.

SECTION 5. *Unauthorized Expenses:* The City will not reimburse City Officials for expenses incurred outside the scope of the City Official's duties including, for example and not limitation, the following:

A. The personal portion of any trip. For example, if a City Official elects to travel to an event in advance or stay longer on personal business, the City need only reimburse the City Official for roundtrip travel costs and costs incurred during the event's duration;

B. Political or charitable contributions or events;

C. Family expenses, including partner's expenses when accompanying a City Official on City-related business, as well as children-related expenses;

D. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events, or other non-business cultural events;

E. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and

F. Personal losses incurred while on City business.

G. Expenses for which City Officials receive reimbursement from another agency are not reimbursable.

Any questions regarding the propriety of a particular type of expense should be resolved by the City Council before the expense is incurred.

SECTION 6. *Transportation.*

A. *Generally.* City Officials must use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct and time-efficient route. Government and group rates must be used when available.

B. *Airfare.* Airfares that are equal or less than those available through the Enhanced Local Government Airfare Program offered through the League

of California Cities (www.cacities.org/travel), the California State Association of Counties (www.csac.counties.org/default.asp?id=635) and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy.

C. Automobile.

1. Automobile mileage is reimbursed at Internal Revenue Service rates presently in effect (see www.irs.gov). For ~~2006~~[the final six \(6\) months of 2022](#), the rate is ~~44.562.5~~ cents per mile. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable.
2. Only travel for City business outside of Rolling Hills is authorized for reimbursement.
3. A City Official may leave from his/her home for City business. However, the City will not reimburse mileage that exceeds mileage from City Hall to the destination point.

D. Car Rental. Rental rates that are equal or less than those available through the State of California's website (www.catravelsmart.com/default.htm) are considered the most economical and reasonable for purposes of reimbursement under this policy.

E. Taxis/Shuttles. Taxis or shuttles fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

F. Airport Parking. Long-term parking must be used for travel exceeding 24-hours.

G. Other. Baggage handling fees of up to \$1 per bag and gratuities of up to 15 percent will be reimbursed.

SECTION 7. Lodging.

A. Lodging expenses will be reimbursed only at the single occupancy rate for rooms.

B. Lodging expenses will be reimbursed for when travel on official City business reasonably requires an overnight stay.

C. Conferences/Meetings. If lodging is associated with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking.

D. Other Lodging. Travelers must request government rates, when available. A listing of hotels offering government rates in different areas is available at www.catravelsmart.com/lodguideframes.htm. Lodging rates that are equal or less to government rates are presumed to be reasonable and hence reimbursable for purposes of this policy. In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence reimbursable.

SECTION 8. Meals and Incidental Expenses.

A. For meals associated with City business within the County of Los Angeles, a City Official may be reimbursed for his or her own meal up to the following amounts upon presentation of receipts and documentation of the nature of City business conducted during which the expense was incurred:

Breakfast: \$ 15.00

Lunch: \$ 25.00

Dinner: \$ 35.00

B. For meals associated with City business outside of the County of Los Angeles where an overnight stay is required, a City Official may claim a per diem in accordance with the meals and incidental expenses (M&IE) rates established by IRS Publication 1542.

1. The time calculations for per diem starts when the City Official begins travel. For each 24-hour period thereafter, the City Official can claim the full per diem amount.
2. If there is a period of time at the end of the trip that is less than 12 hours, the City Official cannot claim more than one-half (1/2) the per diem rate.
3. Receipts are not required to claim per diem.
4. Any reimbursement claim for expenses that exceed the per diem rate may constitute additional income for tax

purposes.

C. The City does not pay for alcohol/personal bar expenses.

D. This policy is not applicable to meals provided in connection with City sponsored events and promotional activities. Records, including a list of those entertained, affiliation and purpose of entertainment to benefit the City must be maintained.

SECTION 9. Telephone/Fax/Cellular. City Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business. For cellular calls when the City Official has a particular number of minutes included in the City Official's plan, the City Official can identify the percentage of calls made on public business.

SECTION 10. Cash Advance Policy.

A. From time to time, it may be necessary for a City Official to request a cash advance to cover anticipated expenses while traveling or doing business on the City's behalf. Such request for an advance should be submitted to the City Manager one day before the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. The benefits of such expenditure to the residents of the City;
3. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
4. The dates of the expenditure(s).

B. Any unused advance must be returned to the City's Finance Department within seven business days of the City Official's return, along with an expense report and receipts documenting how the advance was used in compliance with this Resolution.

C. In the event the City Manager is uncertain as to whether a request complies with this policy, the City Manager must seek City Council approval.

SECTION 11. *Credit Card Use Policy.*

A. City does not issue credit cards to individual City Officials but does have a credit card for selected City expenses. City Officials may use the City's credit card for such purposes as airline tickets and hotel reservations by following the same procedures for cash advances. Receipts documenting expenses incurred on the City credit card and compliance with this policy must be submitted within five business days of use.

B. City credit cards may not be used for personal expenses, even if the City Official subsequently reimburses the City.

SECTION 12. Expense Report Content And Submission Deadline.

A. All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by the City and must explicitly list each expense eligible for reimbursement under this policy (e.g., name of conference and fee to attend, miles traveled for conference, meal at conference, etc.).

B. Expense reports must document that the expense in question met the requirements of this policy. For example, if a meeting is with a legislator, the City Official should explain whose meals were purchased, what issues were discussed and how those relate to the City's adopted legislative positions and priorities.

C. City Officials must submit their expense reports within thirty (30) days after an expense is incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation. Notwithstanding the previous sentence, all reimbursement requests for each fiscal year must be submitted before June 30 of the fiscal year in which the expenses were incurred. For the avoidance of doubt, if a reimbursable expense is incurred on June 29, the City official must submit either the day of the expense (June 29) or the day after (June 30) to be eligible for reimbursement.

D. Inability to provide such documentation in a timely fashion may result in the expense being borne by the City Official.

E. All expenses are subject to verification that they comply with this policy.

SECTION 13. Reports to City Council. At the City Council meeting following an activity, each City Official must briefly report on meetings attended at City expense. If multiple City Officials attended, a joint report may be made.

SECTION 14. Compliance With Laws. Some expenditures may be subject

to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the California Public Records Act.

SECTION 15. Violation Of This Policy. Use of public resources or falsifying expense reports in violation of this Resolution may result in any or all of the following:

- A.** Loss of reimbursement privileges;
- B.** A demand for restitution to the City;
- C.** The City's reporting the expenses as income to the City Official to state and federal tax authorities;
- D.** Civil penalties of up to \$1,000 per day and three times the value of the resources used; and
- E.** Prosecution for misuse of public resources.

SECTION 16. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 17. The City Clerk is directed to certify the passage and adoption of this Resolution; cause it to be entered into the City of Rolling Hills book of original Resolutions; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Resolution, cause it to be published or posted in accordance with California law.

SECTION 18. This Resolution will become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2022.

_____, Mayor

ATTEST:

_____, City Clerk

APPROVED AS TO FORM:

_____, City Attorney

APPROVED AS TO CONTENT:

_____, City Manager

EXHIBIT A

Name of Conference	Length (In Days)
Any conference or travel approved in advance by the City Council.	To be determined
League of California Cities Annual Conference	4
Annual Meeting of the Employee Relations Inst. League of California Cities	4
Annual League of California Cities Conference for Planning Commissioners	3
Annual Legislative Conference League of California Cities	1
National Conference of the International City/County Managers Association	4
Mayors and Councilmembers Institute League of California Cities	3
California Joint Powers Authority Annual Meeting	1
Annual Meeting of the California Chapter of the American Institute of Planners	4
National Conference of American Institute of Planners (AIP)	4
Annual Conference of the Urban Land Institute (ULI)	4
Annual Meeting of California Contract Cities Association	3
Legislative Orientation Tour (California Contract Cities Association)	3
League of California Cities Mayors and Councilmembers Department	3
League of California Cities Annual Redevelopment Conference	3
California JPIA Risk Management Conference	2

EVENT NAME HERE - Councilmember NAME HERE

Date(s) HERE

Description	ESTIMATED	ACTUAL	Paid By City	Reimbursable	
	\$ -				
	\$ -				
	\$ -				
TOTAL		\$ -	\$ -	\$ -	\$ -

Reimbursable expenses to be paid to:

Check amount: \$ -

Name

Street

Rolling Hills, CA 90274

RESOLUTION NO. 1002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS
ESTABLISHING A REIMBURSEMENT POLICY IN ACCORDANCE WITH
GOVERNMENT CODE §§ 53232.2 AND 53232.3.

The City Council of the City of Rolling Hills does resolve as follows:

SECTION 1. The City Council finds and declares as follows:

A. Elected and appointed City Officials are responsible for promoting and protecting public health, safety, and welfare. Among other things, these duties may require City Officials to:

1. Discuss the City's concerns with state and federal officials;
2. Participate in regional, state and national organizations that affect the City's interests;
3. Attend educational seminars designed to improve City Officials' skills and provide information; and
4. Promote public service and morale.
5. Attend meetings, ceremonial events and other activities sponsored by constituents, neighborhood groups, business organizations and similar groups.
6. Meet with constituents, civic groups and others with an interest in the City.

B. It is in the public interest to reimburse City Officials' expenses incurred in connection with these activities consistent with the provisions of this Resolution.

SECTION 2. *Declaration of Policy.* This Resolution is adopted in accordance with Government Code §§ 53232.2 and 53232.3 so that the City of Rolling Hills may reimburse appropriate expenses incurred by elected and appointed City officials while on authorized travel or otherwise engaged in the conduct of City business. Absent City Council approval, and only in extraordinary circumstances, the City will not reimburse City Officials an amount greater than allowed by this Resolution for expenses incurred during the course of conducting City business.

SECTION 3. *Definitions.* Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Resolution:

A. "City Officials" means members of the City Council and members of boards, commissions, and committees appointed by the City Council;

B. "Reimbursement" means all forms of payment for expenses incurred by City Officials in the course of their official duties whether paid directly by the City (including without limitation, with a City-issued credit card) or advanced by City Officials with personal funds and later reimbursed from City funds.

SECTION 4. *City Business – Authorized Activities.*

A. Expenses incurred while engaging in the following City business activities are generally authorized expenses if all requirements of this Resolution are fulfilled:

1. Communicating with representatives of regional, state and national government on City adopted policy positions;
2. Attending educational seminars designed to improve City Officials' skill and information levels. A list of recognized meetings is attached as Exhibit "A," and incorporated by reference;
3. Participating in regional, state and national organizations whose activities affect the City's interests;

4. Recognizing service to the City (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
5. Attending City events; and
6. Attending meetings with constituents, neighborhood groups, and business organizations.

B. Expenditures incurred in connection with activities or events not listed in Paragraph A above require prior approval by the City Council. In addition, the following require City Council preauthorization:

1. Out-of-state travel (including international); and
2. Expenses foreseeably exceeding \$1,000 per trip.

SECTION 5. *Unauthorized Expenses:* The City will not reimburse City Officials for expenses incurred outside the scope of the City Official's duties including, for example and not limitation, the following:

- A. The personal portion of any trip. For example, if a City Official elects to travel to an event in advance or stay longer on personal business, the City need only reimburse the City Official for roundtrip travel costs and costs incurred during the event's duration;
- B. Political or charitable contributions or events;
- C. Family expenses, including partner's expenses when accompanying a City Official on City-related business, as well as children-related expenses;
- D. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events, or other non-business cultural events;
- E. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
- F. Personal losses incurred while on City business.
- G. Expenses for which City Officials receive reimbursement from another agency are not reimbursable.

Any questions regarding the propriety of a particular type of expense should be resolved by the City Council before the expense is incurred.

SECTION 6. *Transportation.*

- A. *Generally.* City Officials must use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct and time-efficient route. Government and group rates must be used when available.
- B. *Airfare.* Airfares that are equal or less than those available through the Enhanced Local Government Airfare Program offered through the League of California Cities (www.cacities.org/travel), the California State Association of Counties (www.csac.counties.org/default.asp?id=635) and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy.
- C. *Automobile.*
 1. Automobile mileage is reimbursed at Internal Revenue Service rates presently in effect (*see* www.irs.gov). For 2006, the rate is 44.5 cents per mile. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle. This amount does not include bridge and road tolls, which are also reimbursable.
 2. Only travel for City business outside of Rolling Hills is authorized for reimbursement.

3. A City Official may leave from his/her home for City business. However, the City will not reimburse mileage that exceeds mileage from City Hall to the destination point.

D. *Car Rental.* Rental rates that are equal or less than those available through the State of California's website (www.catravelmart.com/default.htm) are considered the most economical and reasonable for purposes of reimbursement under this policy.

E. *Taxis/Shuttles.* Taxis or shuttles fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.

F. *Airport Parking.* Long-term parking must be used for travel exceeding 24-hours.

G. *Other.* Baggage handling fees of up to \$1 per bag and gratuities of up to 15 percent will be reimbursed.

SECTION 7. Lodging.

A. Lodging expenses will be reimbursed only at the single occupancy rate for rooms.

B. Lodging expenses will be reimbursed for when travel on official City business reasonably requires an overnight stay.

C. *Conferences/Meetings.* If lodging is associated with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking.

D. *Other Lodging.* Travelers must request government rates, when available. A listing of hotels offering government rates in different areas is available at www.catravelmart.com/lodguideframes.htm. Lodging rates that are equal or less to government rates are presumed to be reasonable and hence reimbursable for purposes of this policy. In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence reimbursable.

SECTION 8. Meals and Incidental Expenses.

A. For meals associated with City business within the County of Los Angeles, a City Official may be reimbursed for his or her own meal up to the following amounts upon presentation of receipts and documentation of the nature of City business conducted during which the expense was incurred:

Breakfast: \$ 15.00

Lunch: \$ 25.00

Dinner: \$ 35.00

B. For meals associated with City business outside of the County of Los Angeles where an overnight stay is required, a City Official may claim a per diem in accordance with the meals and incidental expenses (M&IE) rates established by IRS Publication 1542.

1. The time calculations for per diem starts when the City Official begins travel. For each 24-hour period thereafter, the City Official can claim the full per diem amount.

2. If there is a period of time at the end of the trip that is less than 12 hours, the City Official cannot claim more than one-half (1/2) the per diem rate.

3. Receipts are not required to claim per diem.

4. Any reimbursement claim for expenses that exceed the per diem rate may constitute additional income for tax purposes.

C. The City does not pay for alcohol/personal bar expenses.

SECTION 9. Telephone/Fax/Cellular. City Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business. For cellular calls when the City Official has a particular number of minutes included in the City Official's plan, the City Official can identify the percentage of calls made on public business.

SECTION 10. Cash Advance Policy.

A. From time to time, it may be necessary for a City Official to request a cash advance to cover anticipated expenses while traveling or doing business on the City's behalf. Such request for an advance should be submitted to the City Manager one day before the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. The benefits of such expenditure to the residents of the City;
3. The anticipated amount of the expenditure(s) (for example, hotel rates, meal costs, and transportation expenses); and
4. The dates of the expenditure(s).

B. Any unused advance must be returned to the City's Finance Department within seven business days of the City Official's return, along with an expense report and receipts documenting how the advance was used in compliance with this Resolution.

C. In the event the City Manager is uncertain as to whether a request complies with this policy, the City Manager must seek City Council approval.

SECTION 11. Credit Card Use Policy.

A. City does not issue credit cards to individual City Officials but does have a credit card for selected City expenses. City Officials may use the City's credit card for such purposes as airline tickets and hotel reservations by following the same procedures for cash advances. Receipts documenting expenses incurred on the City credit card and compliance with this policy must be submitted within five business days of use.

B. City credit cards may not be used for personal expenses, even if the City Official subsequently reimburses the City.

SECTION 12. Expense Report Content And Submission Deadline.

A. All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by the City.

B. Expense reports must document that the expense in question met the requirements of this policy. For example, if a meeting is with a legislator, the City Official should explain whose meals were purchased, what issues were discussed and how those relate to the City's adopted legislative positions and priorities.

C. City Officials must submit their expense reports within thirty (30) days after an expense is incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation.

D. Inability to provide such documentation in a timely fashion may result in the expense being borne by the City Official.

E. All expenses are subject to verification that they comply with this policy.

SECTION 13. Reports to City Council. At the City Council meeting following an activity, each City Official must briefly report on meetings attended at City expense. If multiple City Officials attended, a joint report may be made.

SECTION 14. Compliance With Laws. Some expenditures may be subject to reporting under the Political Reform Act and other laws. All agency expenditures are public records subject to disclosure under the California Public Records Act.

SECTION 15. Violation Of This Policy. Use of public resources or falsifying expense reports in violation of this Resolution may result in any or all of the following:

- A. Loss of reimbursement privileges;
- B. A demand for restitution to the City;
- C. The City's reporting the expenses as income to the City Official to state and federal tax authorities;
- D. Civil penalties of up to \$1,000 per day and three times the value of the resources used; and
- E. Prosecution for misuse of public resources.

SECTION 16. If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.


SECTION 17. The City Clerk is directed to certify the passage and adoption of this Resolution; cause it to be entered into the City of Rolling Hills book of original Resolutions; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Resolution, cause it to be published or posted in accordance with California law.

SECTION 18. This Resolution will become effective immediately upon its adoption.

PASSED AND ADOPTED this 23rd day of January, 2006.


 GODFREY PERNELL, MAYOR

ATTEST:


 MARILYN KERN, DEPUTY CITY CLERK

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

I certify that the foregoing Resolution No. 1002 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS
 ESTABLISHING A REIMBURSEMENT POLICY IN ACCORDANCE WITH
 GOVERNMENT CODE §§ 53232.2 AND 53232.3.

was approved and adopted at a regular meeting of the City Council on January 23, 2006 by the following roll call vote:

AYES: Councilmembers Black, Heinsheimer, Hill and
 Mayor Pernell.

NOES: None.

ABSENT: Mayor Pro Tem Lay.

ABSTAIN: None.

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

Administrative Offices.

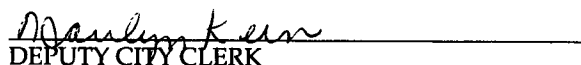

 DEPUTY CITY CLERK

EXHIBIT A

Name of Conference	Length (In Days)
Any conference or travel approved in advance by the City Council.	To be determined
League of California Cities Annual Conference	4
Annual Meeting of the Employee Relations Inst. League of California Cities	4
Annual League of California Cities Conference for Planning Commissioners	3
Annual Legislative Conference League of California Cities	1
National Conference of the International City/County Managers Association	4
Mayors and Councilmembers Institute League of California Cities	3
California Joint Powers Authority Annual Meeting	1
Annual Meeting of the California Chapter of the American Institute of Planners	4
National Conference of American Institute of Planners (AIP)	4
Annual Conference of the Urban Land Institute (ULI)	4
Annual Meeting of California Contract Cities Association	3
Legislative Orientation Tour (California Contract Cities Association)	3
League of California Cities Mayors and Councilmembers Department	3
League of California Cities Annual Redevelopment Conference	3
California JPIA Risk Management Conference	2



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

Agenda Item No.: 14.A
Mtg. Date: 08/08/2022

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: RECEIVE AND FILE AN UPDATE ON A SECOND REVIEW BY CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) OF THE DRAFT SIXTH CYCLE HOUSING ELEMENT

DATE: August 08, 2022

BACKGROUND:

State law requires all cities and counties in California to adopt a Housing Element as part of their General Plans. The Housing Element must be updated every eight years and certified by the State. Through the Housing Element, each jurisdiction must demonstrate that it is accommodating its fair share of the region's housing needs and taking proactive measures to accommodate housing of all types for persons of all incomes. All cities and counties are subject to this requirement, regardless of their size, physical constraints, or real estate market characteristics.

The current Housing Element cycle (referred to as the "6th Cycle") extends from October 15, 2021 through October 15, 2029. To comply with State law, Rolling Hills must show that it has the capacity to add 45 housing units during this period, including 29 that are affordable to low- and very low-income households. The City is not required to build 45 housing units; rather, it must demonstrate that it has created the opportunity for the private and non-profit sectors to do so. There are numerous other Housing Element requirements, including a mandate to affirmatively further fair housing, programs to remove government constraints to housing development, and requirements to allow specific housing types (such as emergency shelters) in every jurisdiction.

The City's housing strategy is to meet its 45-unit Regional Housing Needs Allocation (RHNA) through a combination of an affordable housing overlay zone on the Rancho Del Mar School site (16 units) and the development of accessory dwelling units (ADUs—at a rate of roughly five units a year). The City published its Draft 6th Cycle Element on December 3, 2021 and circulated this draft for a State-mandated 30-day review period. The Planning Commission convened a hearing on December 16, 2021 to discuss the Draft and provide an opportunity for public comment during the 30-day period.

On January 10, 2022, the Rolling Hills City Council directed staff to submit a working draft of the 2021-2029 Housing Element to the State Department of Housing and Community Development (HCD) for their review. All California cities are required to have their documents reviewed by HCD before adopting them. Once HCD receives the Draft, it has 90 days to issue a “findings” letter indicating the revisions to the document that are needed to receive State certification. Rolling Hills submitted its draft on January 11, 2022 and received its State comments on April 11, 2022. The State indicated that the City had met many of the statutory requirements but indicated the Element required revision before it could be certified. Their findings letter requested 34 changes, some of which were specific and others that were more generalized. The HCD comment letter is included as Attachment “A” of this staff report.

On April 22, 2022, City staff and its Housing Element consultant met with the HCD reviewer by Zoom to go over the State’s comments. The reviewer provided guidance on how the City could respond to some of the comments. The City then prepared written responses to each of the 34 HCD comments. The City’s responses are included as Attachment “B” of this staff report. Concurrently, the City revised the December Draft to incorporate all changes requested by the State. Both a “tracked change” and “clean” copy were produced, making it easier for City officials, the public, and State reviewers to see the changes between the two documents. The new version of the document is referred to as the “Adoption Draft.” (the prior version was referred to as the “HCD Draft).” The tracked change and clean versions are included with this staff report and are referred to as Attachments C and D, respectively.

On May 17, 2022, the Rolling Hills Planning Commission held a public hearing on the proposed revisions to the Housing Element. The hearing provided an opportunity for public comment as well as an opportunity to discuss proposed changes. No public comments were received at the meeting.

On May 23, 2022, the City Council held a public hearing on the revised draft Housing Element and instructed staff to forward the document to HCD for a second round of review. The revised draft Housing Element was sent to HCD the next day.

DISCUSSION:

HCD completed its review of the revised draft Housing Element on July 21, 2022. The amount of comments were reduced from 34 in its initial review to just five. Below is a summary of HCD’s remaining comments:

1. Include additional metrics showing the number of people or households that may benefit from the Housing Programs. The City has already included this in Table 6-2 (quantified objectives), but apparently HCD would like a few more measurable targets.
2. Include additional programs (or improving existing programs) that make it easier for non-residents to move to Rolling Hills.
3. Take additional steps to increase housing choices—the examples include allowing two JADUs on a single lot, developing a homeowner assistance program, and/or providing down payment assistance.
4. Allow supportive housing in zones where multi-family and mixed uses are permitted (e.g., on the Rancho Del Mar site). This is a new State law.
5. Include data on the time lag between when a project is entitled and when an applicant pulls their building permit.

Staff and its consultant, Barry Miller, will be meeting with HCD staff to discuss the comments. The initial meeting scheduled for August 2, 2022, was postponed and was rescheduled to August 5, 2022. The results of this meeting will be reported by staff at the Council meeting. Staff will continue to work with HCD in the next few weeks to further address issues.

Concurrently, staff is working with its environmental consultant, Chambers Group, to prepare a mitigated negative declaration (MND) in compliance with the California Environmental Quality Act (CEQA) Guidelines. The MND is expected to be circulated to the public from August to early September.

It is expected that the Housing Element and MND will be ready for Planning Commission and City Council review in late September.

FISCAL IMPACT:

The Housing Element is a planning document that establishes policies for the City of Rolling Hills and will not have a direct fiscal impact on the City. Certification of the Element provides an indirect positive fiscal impact by reducing legal risks and qualifying the City for State planning grants. The City was awarded \$65,000 from HCD through the Local Early Action Planning Grants Program (LEAP) to help fund the Housing Element. Remaining costs are paid through the FY2021-2022 General Fund.

RECOMMENDATION:

Receive and file.

ATTACHMENTS:

[madRollingHillsdraft7212022.pdf](#)

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



July 21, 2022

John F. Signo, Director
Planning & Community Services Department
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, CA 90274

Dear John F. Signo:

RE: City of Rolling Hills' 6th Cycle (2021-2029) Revised Draft Housing Element

Thank you for submitting the City of Rolling Hills' revised draft housing element received for review on May 24, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The revised draft element addresses many statutory requirements described in HCD's April 11, 2022 review; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The revisions needed are as follows:

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)

Strategies, Actions, Metrics, and Milestones: While the element included some revisions, additional revisions will be needed to address HCD's prior review, as follows:

- **Metrics:** The element did not address this finding. As found in HCD's prior review, the element must include quantifiable metrics or numerical objectives to target beneficial impacts for people, households, and

neighborhoods (e.g., number of people or households assisted, number of housing units built, number of parks or infrastructure projects completed).

In addition, HCD's prior review found that the element must include significant and meaningful actions to address promoting housing mobility and increasing housing choices and affordability in higher opportunity areas. While the element was revised to reference specific programs, additional revisions will be needed, as follows:

- *Housing Mobility*: Promoting housing mobility removes barriers to higher opportunity areas and strategically enhances access to housing choices and affordability. Given, among other things, that the City is entirely highest category of disparities in access opportunity and largely does not reflect the socio-economic characteristics of the broader region, the element must include significant actions to promote housing mobility within the City and relative to the region to promote an overall inclusive community. To address this requirement, the element relied on the City's one affordable housing site to accommodate the regional housing need allocation (RHNA) and fair housing enforcement and outreach programs. However, actions should go beyond the RHNA and be significant to facilitate meaningful change. The element could consider improving existing programs or including new programs related to homesharing, promoting a city-wide affordable rental registry for accessory dwelling units (ADUs) paired with affirmative marketing outside of the City and coordination with regional entities.
- *Increasing Housing Choices and Affordability in Higher Opportunity Areas*: To address this finding, the element relied on actions that are required to comply with state law including updating the City's density bonus program and allowing for transitional, supportive, group, and employee housing. However, to increase housing choices and affordability throughout the City, the element should consider going above and beyond state law such as allowing two JADUs on a single family lot, developing and marketing a homeowner rehabilitation and/or down payment assistance program, etc.

For additional examples, please see pages 72 to 74 of HCD's AFFH Guidance Memo at <https://www.hcd.ca.gov/community-development/affh/index.shtml>.

2. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Zoning for a Variety of Housing Types (Permanent and Supportive Housing): The element was revised with a program to define supportive housing and permit it as a residential use, similar to other residential uses. However, the element still must address the requirements under Government Code section 65651. As found in the prior review, Supportive housing shall be a use by-right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code section 65651. The element must demonstrate compliance with this requirement or add or modify programs as appropriate.

3. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the... ..the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584... (Gov. Code, § 65583, subd. (a)(6).)*

Approval Time: The element was revised to include a discussion on the time between entitlements and construction and the current conditions of the construction market. However, this does not address HCD's prior review. Specifically, the element must be revised to include an estimate for the length of time between receiving approval for housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need.

The element will meet statutory requirements of State Housing Element Law once it has been revised and adopted to comply with the above requirements pursuant to Government Code section 65585.

For your information: Pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory (for all income-levels). Please see HCD's housing element webpage at <https://www.hcd.ca.gov/community-development/housing-element/index.shtml> for a copy of the form and instructions. Please note, upon adoption of the housing element, the City must submit an electronic version of the sites inventory with its adopted housing element to sitesinventory@hcd.ca.gov.

As a reminder, the City's 6th cycle housing element was due October 15, 2021. As of today, the City has not completed the housing element process for the 6th cycle. The City's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the City to revise the element as described above, adopt, and submit to HCD to regain housing element compliance.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element

process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the hard work of the City's planning staff and consultants during our review. We are committed to assist the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Gianna Marasovich, of our staff, at Gianna.Marasovich@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager